

**AGENDA**  
**CITY OF TULSA BOARD OF ADJUSTMENT**  
**Regularly Scheduled Meeting**  
**Tulsa City Council Chambers**  
**175 East 2nd Street, 2nd Level, One Technology Center**  
**Tuesday, January 11, 2022, 1:00 P.M.**

**Meeting No. 1286**

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](mailto:esubmit@incog.org)

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

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**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.

**UNFINISHED BUSINESS**

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

1. **23211—Rick Stuber Architecture, Inc.**  
Variance to reduce the required rear setback from 40 feet to 23 feet in the AG District (Section 25.020-D, Table 25-2).  
**LOCATION:** 2663 West 73rd Street South **(CD 2)**
  
2. **23213---A-Max Sign Company**  
Variance to allow an internally illuminated sign enclosed in frames, increase the permitted height for a monument sign from 6 feet to 22 feet and to increase the permitted display surface area from 50 square feet to 220 square feet inside the River Design Overlay (Section 20.050-D.5.b.(1) (2) (4) ).  
**LOCATION:** 10133 South Delaware Avenue East **(CD 2)**



3. **23215—Josh Miller**  
Special Exception to permit an alternative compliance parking ratio for an apartment use in the CH District to reduce the minimum parking requirements from 21 parking spaces to 17 parking spaces (Section 55.050-K & Section 55.020, Table 55-1).  
**LOCATION:** 2405 East 5th Place South and 519 South Lewis Avenue East **(CD 4)**

### **NEW APPLICATIONS**

4. **23229- Josh Clark**  
Variance to increase the number of allowed signs per street frontage in the OL District from 1 sign to 4 signs along South Harvard Ave. (Sec.60.060-B.1)  
**LOCATION:** 4555 S HARVARD **(CD 9)**
5. **23230- Chelsey Shafer**  
Special Exception to permit a Detached House and accessory buildings in the CS District to permit an addition of a non-conforming building (Sec. 15.020-H, Table 15-2.5) **(CD 4)**  
**LOCATION:** 1443 S Elwood Ave.
6. **23231—Tom Neal**  
Special Exception to allow an Accessory Dwelling Unit in the RS-2 district (Section 45.031-D); Variance to permit the aggregate floor area of accessory buildings/ dwelling units on a lot in an RS-2 district to exceed 40% the floor area of the primary residential structure (Sec. 45.030-A, 45.031-D); Variance to permit a detached accessory building/ dwelling unit to exceed 1 story or 18 feet in height and 10 feet to the top of the top plate (Sec. 90.090.C); Variance to allow a detached accessory building/ dwelling unit located in the rear setback to be less than 3' from an interior lot line (Sec. 90.090-C) **(CD 4)**  
**LOCATION:** 1120 E Woodward Blvd
7. **23232- Stuart VanDeWiele**  
Variance of Section 5.030 (Table 5-3) to reduce the minimum lot area of a special exception use from 12,000 square feet to 8,691 square feet; Variance of Section 5.030 (Table 5-3) to reduce the minimum lot width of a special exception use from 100 feet to 67 feet; Variance of Section 5.030 (Table 5-3) to reduce the minimum street setback from 25 feet to 18.87 feet; Variance of Section 5.030 (Table 5-3) to reduce the minimum interior side yard (to the west) from 25 feet to 8 feet; Variance of Section 5.030 (Table 5-3) to reduce the minimum interior side yard (to the west) from 25 feet to 14.33 feet; Variance of Section 90.090-A to allow parking within the planned right-of-way along Quaker Avenue, subject to granting of a right-of-way license agreement from the City of Tulsa.. **LOCATION:** 4920 S Quaker Ave **(CD 9)**



8. **23233 Jessie Bucelluni**  
Special Exception to permit a projecting sign to project into the planned right-of-way of S. Harvard Ave. (Sec. 60.020-E)  
**LOCATION:** 1427 S Harvard **(CD 4)**
9. **23234 Yolanda Rodriguez**  
Special Exception to allow a manufactured housing unit in the RM-2 district (Sec. 5.020, Table 5-2); Special Exception to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec.40.210-A)  
**LOCATION:** NW/c of W. 9th St. S. & S. 61st W. Ave **(CD 1)**
10. **23235- Lou Reynolds**  
Variance to reduce the required 25-foot rear setback in the RS-1 district to permit an addition to the existing residence (Sec. 5.030, Table 5-3)  
**LOCATION:** 2630 E 65<sup>th</sup> Pl S **(CD 2)**
11. **23237- Gregory Helms**  
Special Exception to amend an approved site plan for a High School Use (Booker T. Washington High School) in an RS-3/RM-1 District to permit the construction of new athletic facilities (Sec. 5.020, Table 5-2, Sec. 70.120)\_(Section 40.210-A).  
**LOCATION:** 1514 E. Zion St N **(CD 1)**
12. **23238- Joshua Berman**  
Special Exception to allow an Accessory Dwelling Unit in the RS-2 district (Sec.45.031); Variance to allow a Detached Accessory Dwelling Unit/Garage to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C)  
**LOCATION:** 1616 E. 26th St. S. **(CD 4)**
13. **23239-Jones, Gotcher & Bogan P.C.**  
Special Exception to permit a fence or wall to exceed 4-feet in height inside the required front street setback (Sec. 45.080-A)  
**LOCATION:** 3501 E. 107th Pl. **(CD 8)**
14. **23240- Raul Cisneros**  
Special Exception to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); Special Exception to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec.40.210-A)  
**LOCATION:** 5317 E Xyler St N **(CD 3)**
15. **23241- Jim Thomason**  
Variance to permit a detached accessory building to exceed 1 story or 18 feet in height and 10 feet to the top of the top plate (Sec. 90.090.C)  
**LOCATION:** 2152 S Owasso Ave **(CD 4)**



**16. 23242- Lou Reynolds**

Variance to reduce the 25-foot rear setback in an RS-1 District to permit an addition to the residence (Sec. 5.030, Table 5-3)

**LOCATION:** 4620 S Victor Ave **(CD 9)**

**17. 23243- Rob A. Coday**

Special Exception to permit a Moderate-impact Medical Marijuana Processing (Moderate-impact Manufacturing and Industry) Use in the IL District (Sec. 15.020, Table 15-2) **LOCATION:** 1320 W. 41st St.S., Building D **(CD 2)**

**NEW BUSINESS**

**BOARD MEMBER COMMENTS**

**ADJOURNMENT**

**Website:** tulsaplanning.org

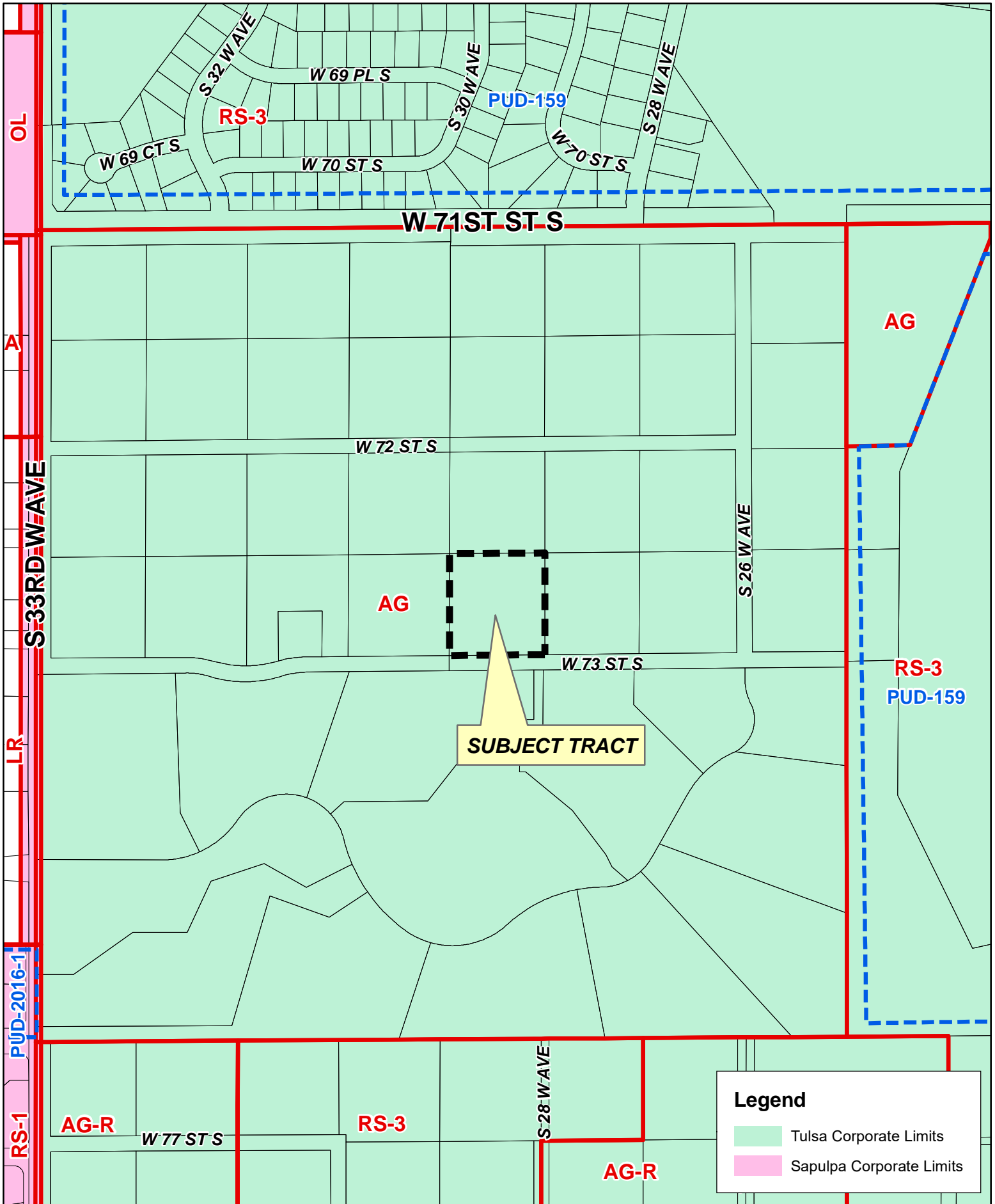
**E-mail:** esubmit@incog.org

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-23211**

18-12 10

1.1



# BOARD OF ADJUSTMENT CASE REPORT

STR: 8210

CZM: 51

CD: 2

Case Number: **BOA-23211**

**HEARING DATE:** 01.11.22 (*Continued from 12/14/2021*) 1:00 PM

**APPLICANT:** Rick Stuber

**ACTION REQUESTED:** Variance to reduce the required rear setback from 40-feet to 23-feet in the AG District (Sec. 25.020-D, Table 25-2)

**LOCATION:** 2663 W 73 ST S

**ZONED:** AG

**PRESENT USE:** Residential

**TRACT SIZE:** 102632.14 SQ FT

**LEGAL DESCRIPTION:** LT 6 BLK 2, ROSEWOOD ACRES 2ND ADDN

**RELEVANT PREVIOUS ACTIONS:** None.

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

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

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

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located West of the NW/c of S. 26<sup>th</sup> W. Ave. and W. 73<sup>rd</sup> St. S.

**STAFF COMMENTS:** The applicant is requesting Variance to reduce the required rear setback from 40-feet to 23-feet in the AG District (Sec. 25.020-D, Table 25-2)



Table 25-2: AG District Lot and Building Regulations

Regulations	AG	AG-R
Min. Lot Area	2 acres	1 acre
Min. Lot Area per Unit	2 acres	1 acre
Minimum Lot Width (feet)	200	150
Min. Lot Frontage (feet)	30	30
Min. Building Setbacks (feet)		
Street	25	25

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page 25-3

Chapter 25 | Special Districts  
Section 25.030 | PK, Parking District

Regulations	AG	AG-R
Side (one side/other side)	10/5	15
Rear	40	25
Max. Building Height (feet)	-	35

The applicant is requesting a reduction of 17-feet for their rear setback for a detached accessory building. The building is an addition to an existing building that does not conform to the zoning code. It is unclear if the existing building is legally non-conforming or illegally non-conforming, though the applicant is correct in that the covenants of the subdivision only require a 10-foot rear setback from the rear property line. The AG zoning at the time the subdivision was filed would have required a 40-foot rear setback. The applicant may wish to expand on their hardship and explain unique condition on the site would prevent them from building a garage further from the rear setback.

**APPLICANT'S STATEMENT OF HARDSHIP:** The current detached garage was built to the plat requirements for setbacks. Current AG zoning now makes the existing garage non-conforming. The wish is to expand the current garage and it will conflict with the AG Zoning.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Variance** to reduce the required rear setback from 40-feet to 23-feet in the AG District (Sec. 25.020-D, Table 25-2)

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

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



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





***Subject property***



***Facing East on 73<sup>rd</sup> . St.***

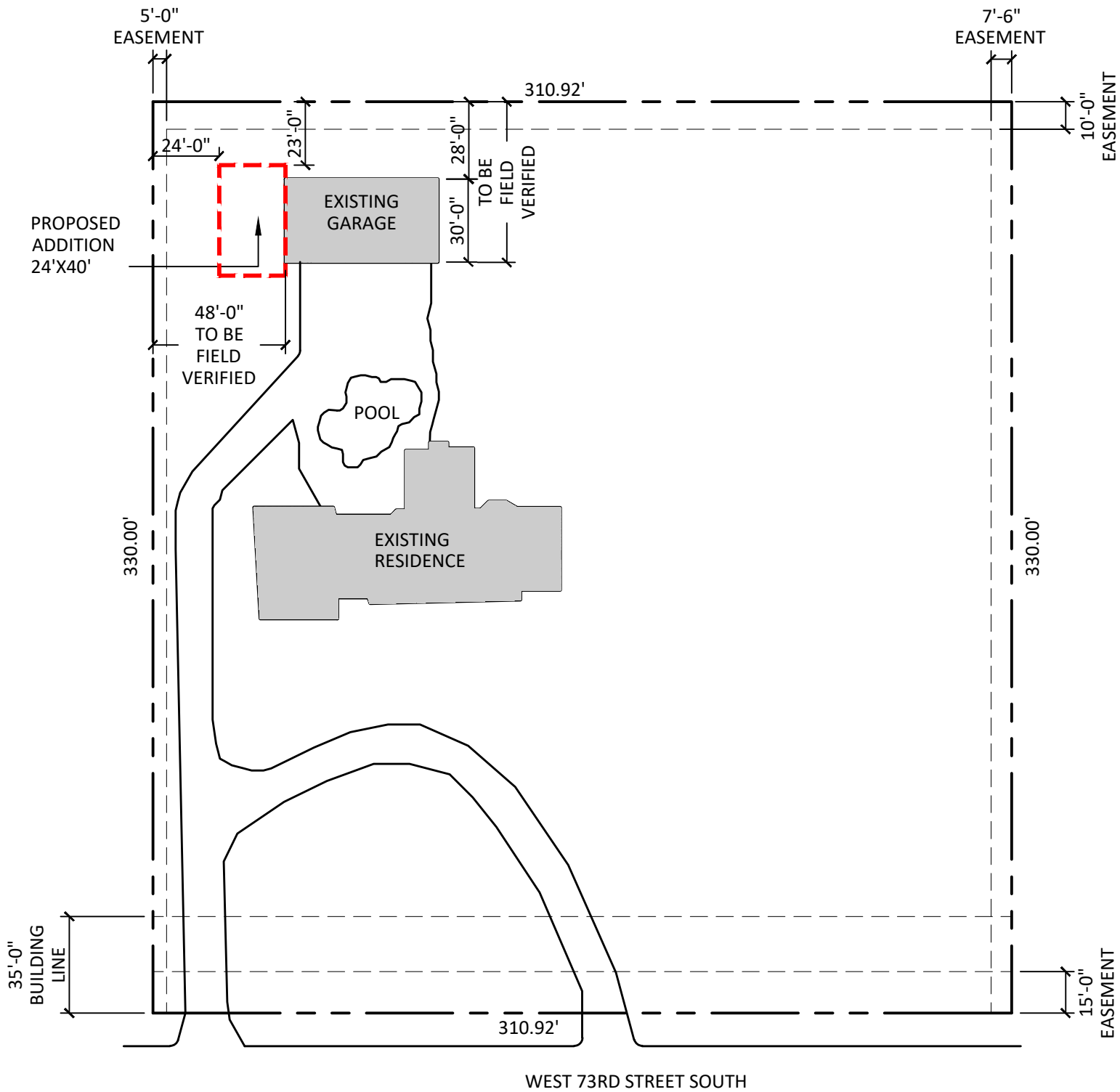




***Facing West on 73<sup>rd</sup> St.***



\\svr-1\projects\2021 PROJECTS\21076-SHAFFITZEL-TATE GARAGE-TULSA\OK\CAD\AS1.0-Architectural Site Plan.dwg Plotted on: Oct 21, 2021 - 12:36pm by Blacobs



# 1 ARCHITECTURAL SITE PLAN

SCALE: 1" = 50'-0"



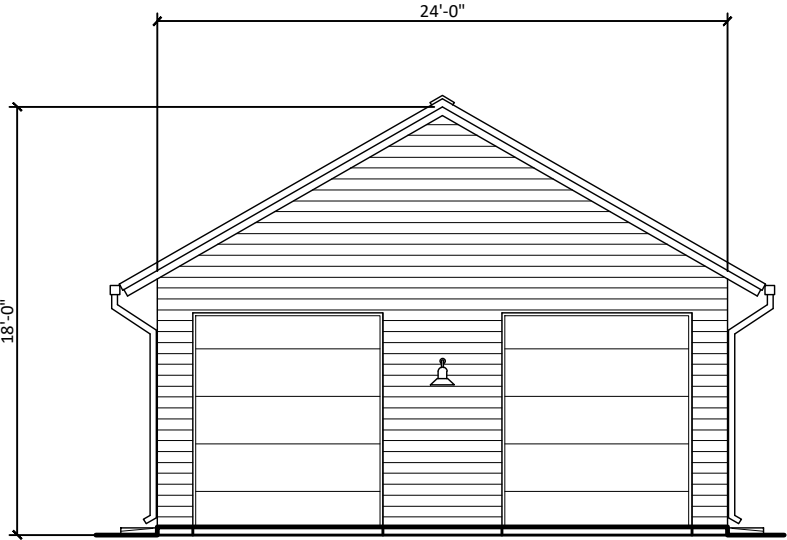
## PROJECT INFORMATION

LOT INFORMATION (BASED ON TULSA ASSESSOR DATA)	
SUBDIVISION	ROSEWOOD ACRES, 2ND ADDITION (LOT6, BLOCK2)
LOT AREA	102,630 SF (2.36 ACRES)
RESIDENCE SF	4,324 SF
GARAGE SF (EXISTING)	1,680 SF
LOT COVERAGE	.059 %
PROPOSED GARAGE ADDITION	960 SF
LOT COVERAGE INCREASE FOR ADDITION	.009 %

ZONING CLASSIFICATION	
JURISDICTION	CITY OF TULSA
EXISTING ZONING	AG

BOARD OF ADJUSTMENT REQUEST	
ALLOW A NEW 24'X40' GARAGE ADDITION TO THE EXISTING GARAGE THE ORIGINAL PLAT AND CURRENT AG ZONING CONFLICT	

ORIGINAL PLAT SIDE SETBACK FOR ACCESSORY STRUCTURE = 35'	
CURRENT AG ZONING SIDE SETBACK ALLOWED = 5' ONE SIDE, 10' OTHER	
CURRENT AG ZONING REAR SETBACK ALLOWED = 40'	



ILLUSTRATIVE ELEVATION OF DESIGN INTENT

Copyright 2021, Rick Stuber Architecture, Inc.

Revision	Description	Date
Plan Number: 21076		
Drawn by: BJ		
Checked by: RS		
Date: 10-21-2021		
Contents		
ARCHITECTURAL SITE PLAN		
Sheet Number		

## TATE RESIDENCE GARAGE ADDITION

2663 WEST 73RD STREET SOUTH  
TULSA, OK 74132



AS1.0





W 73 ST S

0 50 100  
Feet



Subject  
Tract

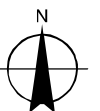
**BOA-23211**

18-12 10

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

Aerial Photo Date: 2020/2021

1.8







0 Feet 200 400



Subject Tract

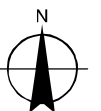
**BOA-23211**

18-12 10

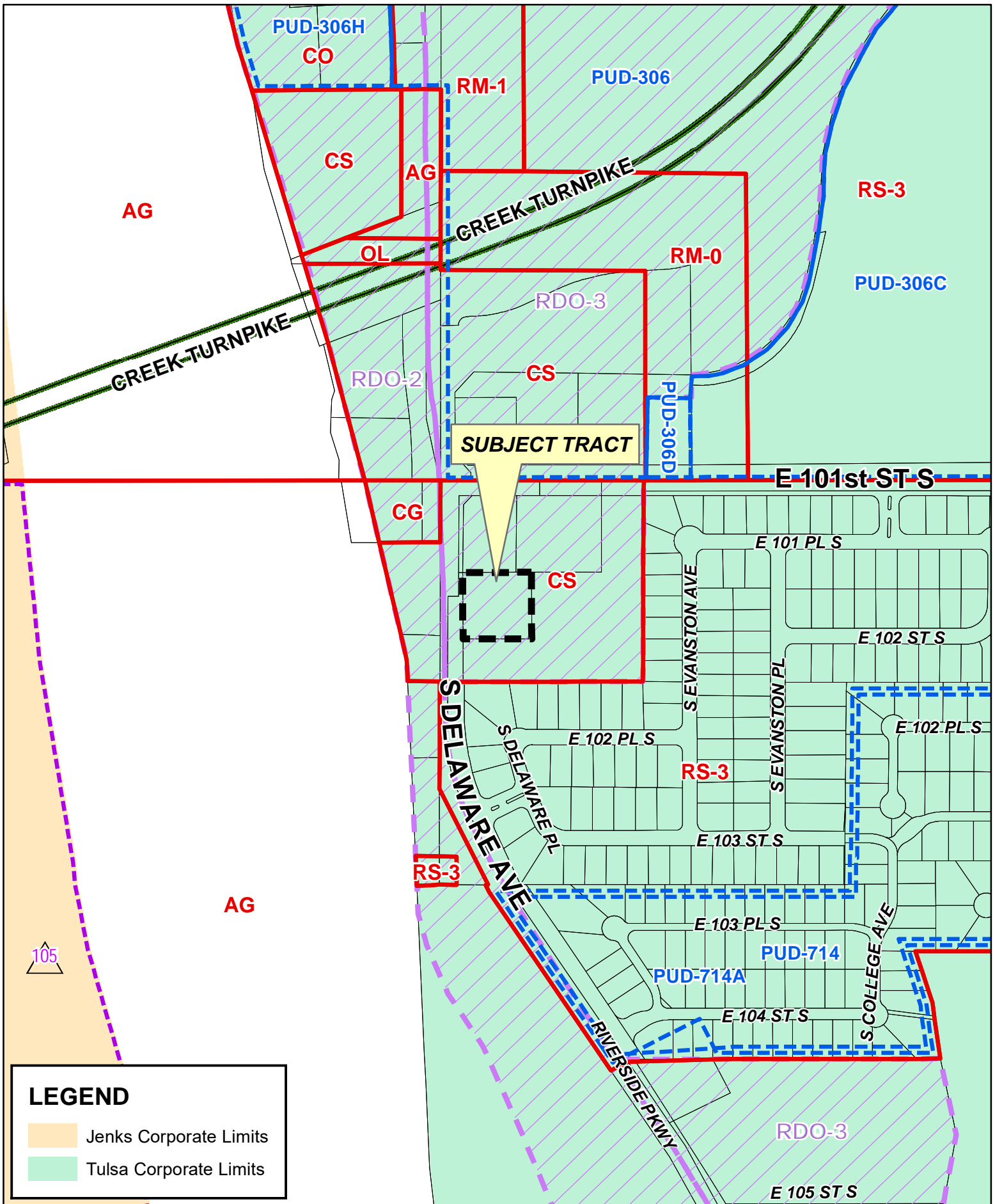
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021

1.9

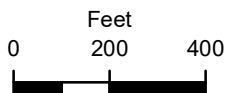






## LEGEND

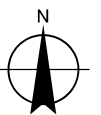
- Jenks Corporate Limits
- Tulsa Corporate Limits



**BOA-23213**

18-13 29

2.1





# BOARD OF ADJUSTMENT CASE REPORT

STR: 8329

Case Number: **BOA-23213**

CZM: 56

CD: 2

**HEARING DATE:** 1/11/2022 1:00 PM (Continued from 12/14/2021)

**APPLICANT:** A-max Sign Company, Inc.

**ACTION REQUESTED:** Variance to allow an internally illuminated sign enclosed in frames, increase the permitted height for a monument sign from 6-feet to 22-feet and to increase the permitted display surface area from 50 square feet to 220 square feet inside the River Design Overlay (Sec. 20.050-D.5.b. (1)(2)(4))

**LOCATION:** 10133 S DELAWARE AV (also known as Riverside Parkway)

**ZONED:** CS

**PRESENT USE:** Commercial Development

**TRACT SIZE:** 49500.22 SQ FT

**LEGAL DESCRIPTION:** LT 1 BEG NEC THEREOF TH S220 W225 N220 E225 TO POB BLK 1, RETAIL CENTER II

## **RELEVANT PREVIOUS ACTIONS:**

**Subject property:** None.

## **Surrounding properties:**

**BOA-20123:** On 09.27.05 the Board **denied** a variance to permit a V shaped ground sign where the angle of separation of the display surfaces exceeds 30 degrees and a variance increase the permitted height for a pole sign from 40-feet to 50-feet. Property located 2808 E. 101<sup>st</sup> St. S.

**BOA-19569:** On 04.22.03 the Board denied a variance of the requirement that sign with changeable copy be setback 200-feet from R districts. property located 2850 E. 101<sup>st</sup> St. S.

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

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

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

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



redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located South of the SE/c of E. 101<sup>st</sup> St. S. and S. Delaware Ave. ( also known as Riverside Parkway).

**STAFF COMMENTS:** The applicant is requesting **Variance** to allow an internally illuminated sign enclosed in frames, increase the permitted height for a monument sign from 6-feet to 22-feet and to increase the permitted display surface area from 50 square feet to 220 square feet inside the River Design Overlay (Sec. 20.050-D.5.b. (1)(2)(4))

**b. Regulations**

- (1) Off-premise outdoor advertising signs, dynamic display signs and internally illuminated signs enclosed in frames or cabinets (aka "cabinet signs" or "box signs") are prohibited.
- (2) All new or replacement freestanding signs must be monument-style signs with a maximum height of 6 feet.
- (3) Freestanding signs must be consistent with the architectural character of the buildings on the site, incorporating a minimum of one of the primary materials, colors or design elements of the associated structures.
- (4) The sign area of a monument sign may not exceed 50 square feet.
- (5) Wall signs may not exceed an aggregate sign area of 1.5 square feet per linear foot of building wall to which they are attached.

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page 20-19

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Chapter 20 | Overlay Districts  
Section 20.060 | HNO, Healthy Neighborhoods Overlay

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- (6) Projecting signs may not project more than 3 feet from the face of the building. The sign area of a projecting sign may not exceed 24 square feet if located within a street build-to-zone or 12 square feet in any other location.

The stated intent of the sign regulations inside the River Design Overlay (Sec. 20.050-D.5.a.3) are that the signs are primarily pedestrian in scale. At the size the applicant is proposing the signs are clearly scaled for automobile traffic. It is staff's opinion that a variance granted for this sign would be contrary to the intent of the zoning code and **should not** be approved.



## 5. Signs

### a. Intent

The sign regulations of this subsection are intended to:

- (1) Ensure that signs contribute to the visual continuity and quality of development in the river corridor;
- (2) Minimize visual clutter; and
- (3) Ensure that signs are primarily of pedestrian scale.

Further the stated hardship is not unique to this property, multi-tenant center are common through CS zoning Districts.

**APPLICANT'S STATEMENT OF HARDSHIP:** The RDO District Zoning is too restrictive for multi tenant centers and does not allow for proper identification for tenants.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Variance** to allow an internally illuminated sign enclosed in frames, increase the permitted height for a monument sign from 6-feet to 22-feet and to increase the permitted display surface area from 50 square feet to 220 square feet inside the River Design Overlay (Sec. 20.050-D.5.b. (1)(2)(4))

- 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***



E110 LT 11, BARROW'S ORCHARD ACRES, City of Tulsa, Tulsa County, State of Oklahoma

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**Case No. 20122**

**Action Requested:**

Variance of maximum sign height of 50 ft. in an IL district to permit a 100 ft. sign along I-44 (Section 1221.E.1), located: 18725 East Admiral Place.

**Presentation:**

**Dan Sanford**, 6216 South Cedar Avenue, provided slides to show the area where the property is located.

**James Adair**, 75080 South 77<sup>th</sup>, pointed out the very large and tall signs in the area, and the clutter of signs. He added that there are trees blocking the visibility and could cause a hazardous situation during heavy traffic for vehicles to make the exit. He indicated the trees are the hardship. He mentioned the 60 ft. Quik Trip sign. Mr. Adair stated they only want to identify the Holiday Inn Express for traffic going both ways so traffic will have time to make the exit.

Mr. Sanford submitted photographs (Exhibit D-1) to show several signs 68 to 88 ft.

**Interested Parties:**

**Jack Bogard**, 3690 East 390 Road, Oologah, Oklahoma, stated he is the property owner. He pointed out they built as close to the highway as possible and it still obstructs the visibility of the hotel. He stated that the sign is the only way they have to call attention to their hotel, except for a billboard in the Grand National Trailer Repair lot, a mile from the hotel.

**Board Action:**

On **Motion of Stead**, the Board voted 4-0-0 (Dunham, Stephens, Henke, Stead "aye"; no "nays"; no "abstentions"; no "absences") to **DENY** a **Variance** of maximum sign height of 50 ft. in an IL district to permit a 100 ft. sign along I-44 (Section 1221.E.1), finding it would cause substantial detriment to the public good or impair the purpose, spirit and intent of the code or Comprehensive Plan, on the following described property:

LT 1 BLK 1, BOGART CENTER, City of Tulsa, Tulsa County, State of Oklahoma

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**Case No. 20123**

**Action Requested:**

Variance to permit a V shaped ground sign where the angle of separation of the display surfaces exceeds 30 degrees (Section 1221.D.4); and a Variance of the



pole sign height from 40 ft. to 50 ft. (Section 1221.D.1), located: 2808 East 101<sup>st</sup> Street South.

**Mr. Henke recused himself from Case No. 20123, out at 3:00 p.m.**

**Presentation:**

**Brian Ward**, 9520 East 55<sup>th</sup> Place, stated he tried to comply with the height requirement. He was appealing to the turnpike traffic rather than the neighborhood. He submitted photographs (Exhibit E-1) to show the trees that obscure the visibility. He also called attention to the change in elevation. He stated the triangular shaped sign is for the purpose of visibility.

**Mr. Henke returned at 3:02 p.m. and Mr. Dunham out at 3:02 p.m. The quorum was lost and the hearing recessed. Mr. Dunham returned at 3:03 p.m. and the hearing continued.**

**Comments and Questions:**

Ms. Stead considered the triangular sign to be self-imposed. Mr. Ward stated the hardship is the curve in the turnpike.

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

On **Motion** of **Stead**, the Board voted 3-0-1 (Dunham, Stephens, Stead "aye"; no "nays"; Henke "abstained"; no "absences") to **DENY** a **Variance** to permit a V shaped ground sign where the angle of separation of the display surfaces exceeds 30 degrees (Section 1221.D.4); and a **Variance** of the pole sign height from 40 ft. to 50 ft. (Section 1221.D.1), finding it would cause substantial detriment to the public good or impair the purpose, spirit and intent of the code or Comprehensive Plan; and lack of a hardship, on the following described property:

LT 1 LESS E75 THEREOF BLK 1, RETAIL CENTER II, STAR CENTER 4, City of Tulsa, Tulsa County, State of Oklahoma

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There being no further business, the meeting was adjourned at 3:09 p.m.

Date approved: 10/11/2005

  
Chair



Case No. 19569

Action Requested:

**Jeff Levinson**, 35 E. 18<sup>th</sup> St., stated he represented the owner of the tract. He commented that the property is unique, near the turnpike and 101<sup>st</sup> St., and a residential neighborhood. He suggested the changeable side of the sign face the west, not the R district. A letter of intent was provided (Exhibit G-1).

**Comments and Questions:**

Mr. White asked about the hours of operation. Mr. Levinson replied it will be open from 6:00 a.m. to 10:00 p.m. Ms. Perkins asked if the existing sign is lit from within. Mr. Levinson replied in the affirmative. The new message center has an incandescent lamp, which is 10 watts by day and dims at night to about 7 or 7 ½ watts.

**Interested Parties:**

**Chris Medlock**, 2919 E. 82<sup>nd</sup> Pl., stated he is the City Councilor for District 2. He and his assistant have been in conversation with the neighborhood association over the past several weeks. The ordinance calls for a 200' abutment and it is now at 60'. The lights are bright and shine into more than nine homes along 101<sup>st</sup> Street and several homes and Evanston. He was questioning how this sign got through in the first place. The neighborhood association is opposed. He asked that if the Board was inclined to approve the application that a continuance be granted so it could be presented to the neighborhood association.

**Larry Swanson**, 10122 S. Evanston, stated his property backs up to the storage unit. He opposed it in the beginning, but he checked out the look of other units built by the same company and thought it was ok. He was not in favor of the height of the structure when it was constructed. He wants their business to succeed but he does not want it to be neglected. He was in favor of the compromise so that the lights are not directed toward the neighborhood. He is



opposed to a sign with flashing lights, even facing away, stating it should not be that close to a residential neighborhood.

**Applicant's Rebuttal:**

Mr. Levinson pointed out the subject property was zoned CS for more than ten years before the subdivision was developed. It could have been a shopping center. Mr. Craig pointed out to Mr. Levinson that the new sign would not be brighter but less bright than the old sign. The wattage is lower on the new sign, and the height is only two feet more.

Mr. Beach commented that the applicant was issued denial of a permit to have a changeable message copy sign closer than 200' visible from a residential district. They entered a letter of intent to not place the flashing sign facing the neighborhood. Mr. Beach questioned why they came before the Board instead of going back for a permit.

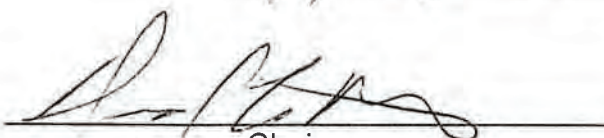
**Board Action:**

On **MOTION** of **Turnbo**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **DENY** a **Variance** to Section 1221.C.2.C requiring 200' setback from R district when using a changeable copy sign, which is visible from the R district, to allow a 63' setback when using an existing sign structure, finding no hardship, on the following described property:

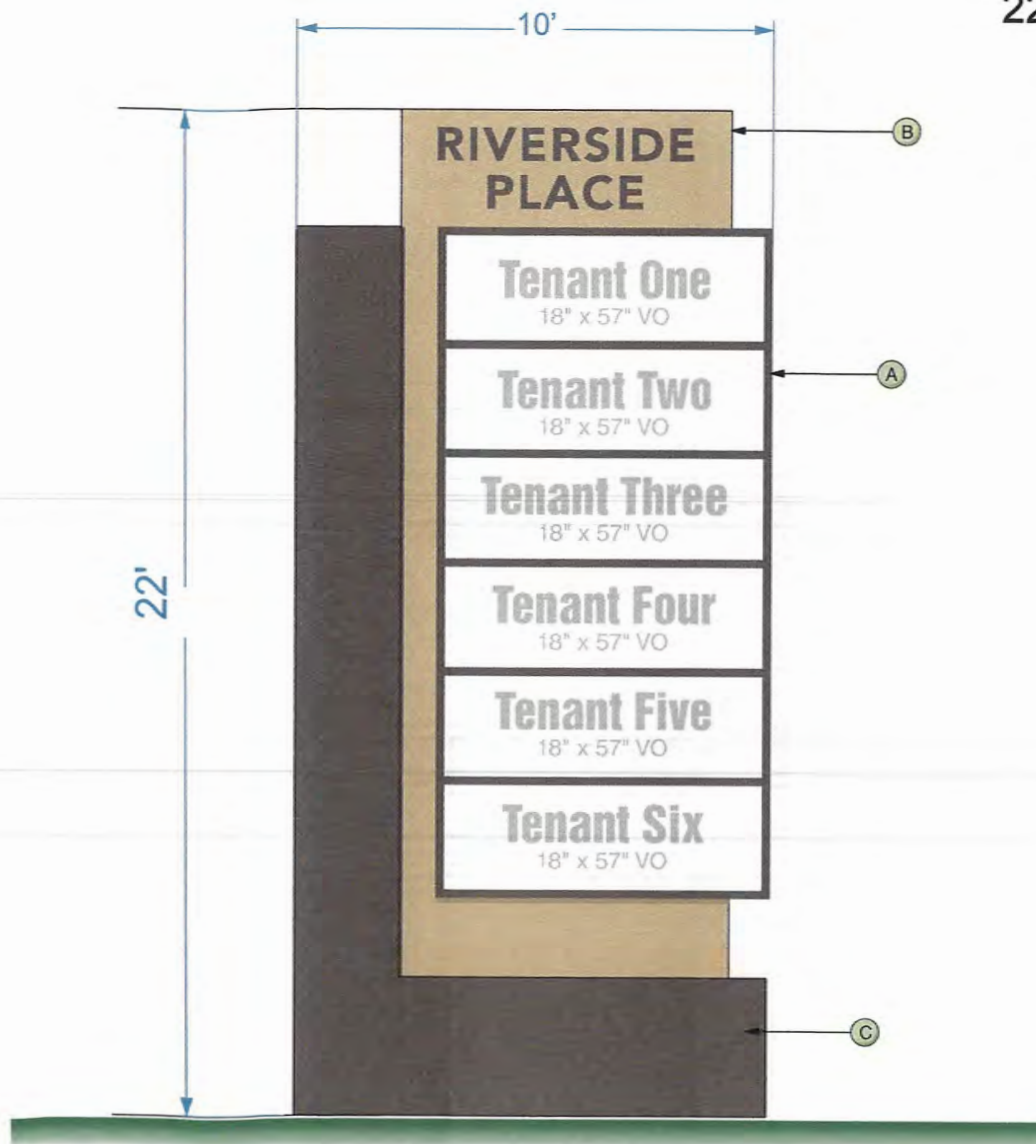
Lot 1, Block 1, Storage Center I, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*

There being no further business, the meeting was adjourned at 4:17 p.m.

Date approved: May 13, 2023  
  
Chair





22' X 10'=220SQFT

**DOUBLE SIDED LIGHTED  
MULTI-TENANT SIGN**  
SCALE: 3/8"=1'

1.1

- (A) Fabricated metal tenant section. 1-1/2" Bronze pf retainers/dividers. White acrylic faces. White LED illumination
- (B) Fabricated Metal pole cover. Painted finish (TBD). Routed with acrylic backed copy (printed dual image film). White LED illumination
- (C) Fabricated metal base section. Bronze pre-finished aluminum



**PROPOSED**  
SCALE: Not to scale

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

9520 E. 55th Place  
Tulsa, Oklahoma 74145  
ph. (918) 522-0651 ... fax. (918) 622-0659

QUALITY | VALUE | ASSURANCE

SCALE: As Shown WHEN PRINTED 11 x 17

DATE: 02-08-21

FILE : 1.1 DF Trt Sign

SALES REP: Bruce Anderson

DRAWN BY: BB

PROJECT: Delaware Center

LOCATION: Tulsa, OK

ADDRESS: 10133 S. Riverside

CLIENT APPROVAL SIGNATURE & DATE:

**UL** LISTED  
Signs will be built to meet UL specifications as required.  
**nfc**  
All signs and outline lighting must comply with Article 600 of the N.E.C. standards, including proper grounding and bonding.

REVISIONS:

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

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Distribution or exhibition of these drawings are strictly prohibited.  
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FINAL APPROVAL FOR PRODUCTION

Project Manager:

SHEET NUMBER

1

DWG

020421-22



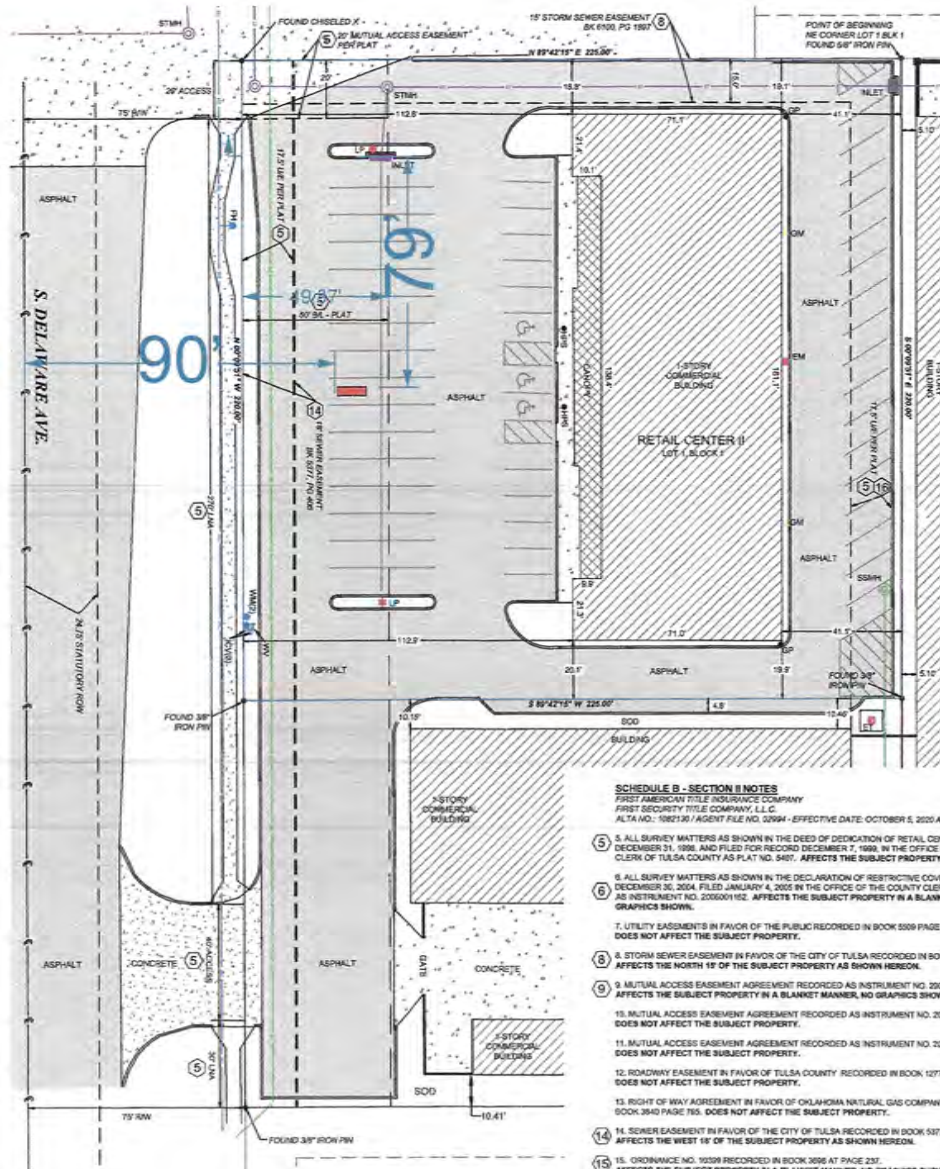
• Dimensions, Descriptions and Depictions stated or shown here are subject to minor modifications to accommodate numerous considerations such as final agreements on project pricing, future confirmed site conditions and requirements, fabrication method, and raw material yields.  
• We will strive to match specific colors, such as Pantone values, and/or matching existing signage or surrounding building colors and/or textures. We cannot always guarantee an exact match due to the varying differences in materials, age, sheen and how colors are applied.

2.10



# LEGEND

- ELECTRIC METER
- POWER POLE
- ELECTRIC PEDESTAL
- ELECTRIC TRANSFORMER
- GUY ANCHOR
- GAS METER
- GAS VALVE
- GAS REGULATOR
- TELEPHONE PEDESTAL
- CABLE TV PEDESTAL
- TELEPHONE MANHOLE
- CLEAN OUT
- SANITARY SEWER LAMP HOLE
- SANITARY SEWER MANHOLE
- SINGLE GRATE DROP INLET
- DOUBLE GRATE DROP INLET
- STORM SEWER MANHOLE
- ROOF DRAIN
- AREA DRAIN
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- SPRINKLER HEAD
- IRRIGATION CONTROL VALVE
- AUTO SPRINKLER
- RAINWATER METER
- TRAFFIC SIGNAL LIGHT POLE
- TRAFFIC SIGNAL MANHOLE
- TRAFFIC SIGNAL
- GUARD POST
- FLUO POLE
- GROUND LIGHT
- MAILBOX
- UTILITY MARKER
- MONITORING WELL
- OVERHEAD ELECTRIC
- UNDERGROUND ELECTRIC
- REINFORCED CONCRETE PIPE
- CORRUGATED METAL PIPE
- STORM SEWER
- OVERHEAD COMMUNICATION
- UNDERGROUND TELEPHONE
- UNDERGROUND GAS
- SANITARY SEWER
- WATERLINE
- FENCELINE
- TOP/TOE OF SLOPE
- CORRUGATED PLASTIC PIPE
- ROOF DRAIN
- TOP OF CURB
- BOTTOM OF CURB
- FINISH FLOOR
- TOP OF RIM
- TOP OF GRATE
- FLOODELINE
- WATER SURFACE ELEVATION
- BOUNDARY LINE
- UTILITY EASEMENT



## LEGAL DESCRIPTION - PER TITLE COMMITMENT ALTA NO. 1082130

TRACT "A" OF LOT ONE (1), BLOCK ONE (1), RETAIL CENTER II, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT ONE (1), BLOCK ONE (1); THENCE SOUTH 07°09'15" EAST ALONG THE EAST LINE OF LOT ONE (1) A DISTANCE OF 225.00 FEET; THENCE SOUTH 89°42'19" WEST 225.00 FEET TO THE WEST LINE OF LOT ONE (1); THENCE NORTH 57°09'15" WEST ALONG SAID WEST LINE 225.00 FEET; THENCE NORTH 89°42'19" EAST ALONG THE NORTH LINE OF LOT ONE (1) A DISTANCE OF 225.00 FEET TO THE POINT OF BEGINNING.

## ALTA TABLE "A" NOTES

- ITEM 1: SET 3/8" IRON PIN IN GREEN "FRITZ CASAP" CAP OR MAG NAIL, W/ "FRITZ CASAP" WASH-ER AT ALL CORNERS UNLESS NOTED AND SHOWN OTHERWISE HEREON.
- ITEM 2: SUBJECT PROPERTY ADDRESS - 10130-10140 S. DELAWARE AVE., TULSA, OK 74127
- ITEM 4: GROSS LAND AREA: 48499.84 SQ. FT. / 1.14 ACRES.
- ITEM 7: EXTERIOR DIMENSIONS OF BUILDING ARE AS SHOWN HEREON.
- ITEM 8: FEATURES OBSERVED AT THE TIME OF THE SURVEY ARE SHOWN HEREON.
- ITEM 9: 62 PARKING SPACES PLUS 3 HANDICAP SPACES, 65 TOTAL OBSERVED AT THE TIME OF THE SURVEY.
- ITEM 10: NO DIVISION OR PARTY WALLS OBSERVED AT THE TIME OF THE SURVEY.
- ITEM 11: UTILITIES SHOWN DERIVED FROM OBSERVABLE FIELD EVIDENCE AND CITY ATLAS RECORDS. ALL UTILITIES MAY NOT BE SHOWN.
- ITEM 15: NO EARTH MOVING WORK OR BUILDING CONSTRUCTION WAS OBSERVED AT THE TIME OF SURVEY.

## SCHEDULE B - SECTION 8 NOTES

FIRST AMERICAN TITLE INSURANCE COMPANY  
FIRST SECURITY TITLE COMPANY, L.L.C.  
ALTA NO.: 1082130 / AGENT FILE NO. 32994 - EFFECTIVE DATE: OCTOBER 5, 2020 AT 7:59 A.M.

5. ALL SURVEY MATTERS AS SHOWN IN THE DEED OF DEDICATION OF RETAIL CENTER II, DATED DECEMBER 31, 1998, AND FILED FOR RECORD DECEMBER 7, 1998, IN THE OFFICE OF THE COUNTY CLERK OF TULSA COUNTY AS PLAT NO. 5407. AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.
6. ALL SURVEY MATTERS AS SHOWN IN THE DECLARATION OF RESTRICTIVE COVENANTS DATED DECEMBER 31, 2004, FILED JANUARY 4, 2005 IN THE OFFICE OF THE COUNTY CLERK OF TULSA COUNTY AS INSTRUMENT NO. 200504152. AFFECTS THE SUBJECT PROPERTY IN A BLANKET MANNER, NO GRAPHICS SHOWN.
7. UTILITY EASEMENTS IN FAVOR OF THE PUBLIC RECORDED IN BOOK 5509 PAGE 1832. DOES NOT AFFECT THE SUBJECT PROPERTY.
8. A STORM SEWER EASEMENT IN FAVOR OF THE CITY OF TULSA RECORDED IN BOOK 6100 PAGE 1887. AFFECTS THE NORTH 15' OF THE SUBJECT PROPERTY AS SHOWN HEREON.
9. A MUTUAL ACCESS EASEMENT AGREEMENT RECORDED AS INSTRUMENT NO. 200502151. AFFECTS THE SUBJECT PROPERTY IN A BLANKET MANNER, NO GRAPHICS SHOWN.
10. A MUTUAL ACCESS EASEMENT AGREEMENT RECORDED AS INSTRUMENT NO. 200504592. DOES NOT AFFECT THE SUBJECT PROPERTY.
11. A MUTUAL ACCESS EASEMENT AGREEMENT RECORDED AS INSTRUMENT NO. 200504905. DOES NOT AFFECT THE SUBJECT PROPERTY.
12. A ROADWAY EASEMENT IN FAVOR OF TULSA COUNTY RECORDED IN BOOK 1277 PAGE 249. DOES NOT AFFECT THE SUBJECT PROPERTY.
13. RIGHT OF WAY AGREEMENT IN FAVOR OF OKLAHOMA NATURAL GAS COMPANY RECORDED IN BOOK 3540 PAGE 755. DOES NOT AFFECT THE SUBJECT PROPERTY.
14. A SEWER EASEMENT IN FAVOR OF THE CITY OF TULSA RECORDED IN BOOK 5377 PAGE 408. AFFECTS THE WEST 15' OF THE SUBJECT PROPERTY AS SHOWN HEREON.
15. ORDINANCE NO. 10359 RECORDED IN BOOK 3096 AT PAGE 237. AFFECTS THE SUBJECT PROPERTY IN A BLANKET MANNER, NO GRAPHICS SHOWN.
16. ALL MATTERS AS SHOWN IN THE CERTIFICATE OF CORRECTION RECORDED AS DOCUMENT NO. 201801448. AFFECTS THE EAST 17.5' OF THE SUBJECT PROPERTY AS SHOWN HEREON.
17. STATUTORY SECTION LINE ROADWAY EASEMENTS.

## SURVEYOR'S CERTIFICATION

TO: FIRST AMERICAN TITLE INSURANCE COMPANY  
FIRST SECURITY TITLE COMPANY, L.L.C.  
BANCFIRST  
MAPLEAK INVESTMENTS, INC., AN OKLAHOMA CORPORATION  
EXPRESSWAY PARTNERS, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA MAPS AND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 4, 7, 8, 9, 11 AND 16 OF TABLE A THEREOF. DATE OF LAST SITE VISIT WAS NOVEMBER 10, 2020. BEARINGS ARE BASED UPON THE RECORDED PLAT "RETAIL CENTER II", PLAT NO. 5407. ALL UTILITIES MAY NOT BE SHOWN - CALL ONE 1-800-522-5243

WITNESS MY HAND AND SEAL THIS 14th DAY OF DECEMBER, 2020.

ANDY FRITZ, PLS  
OK L.C. 1884  
CA 85549



## ALTA/NSPS LAND TITLE SURVEY 02994

PART OF LOT ONE (1), BLOCK ONE (1), RETAIL CENTER II,  
10133-10140 S. DELAWARE AVE., TULSA, TULSA COUNTY, OKLAHOMA

DRAWN BY: [Signature]	DATE: 12/10/2020	PREPARED BY: FRITZ LAND SURVEYS, L.L.C.
APPROVED PLS: [Signature]	DATE: 12/14/2020	2018 W. 9TH STREET, TULSA, OK 74128
SCALE: 1" = 20'	PROJECT NO.: 11332	FRITZ.LANDSURVEYING@GMAIL.COM



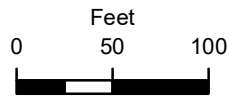




**E 101st ST S**

**RIVERSIDE PKWY**

**E 102 PLS**



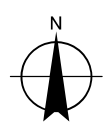
**Subject  
Tract**

**BOA-23213**

18-13 29

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

Aerial Photo Date: 2020/2021



**2.12**





0 200 400  
Feet



Subject  
Tract

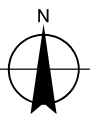
**BOA-23213**

18-13 29

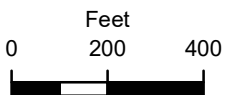
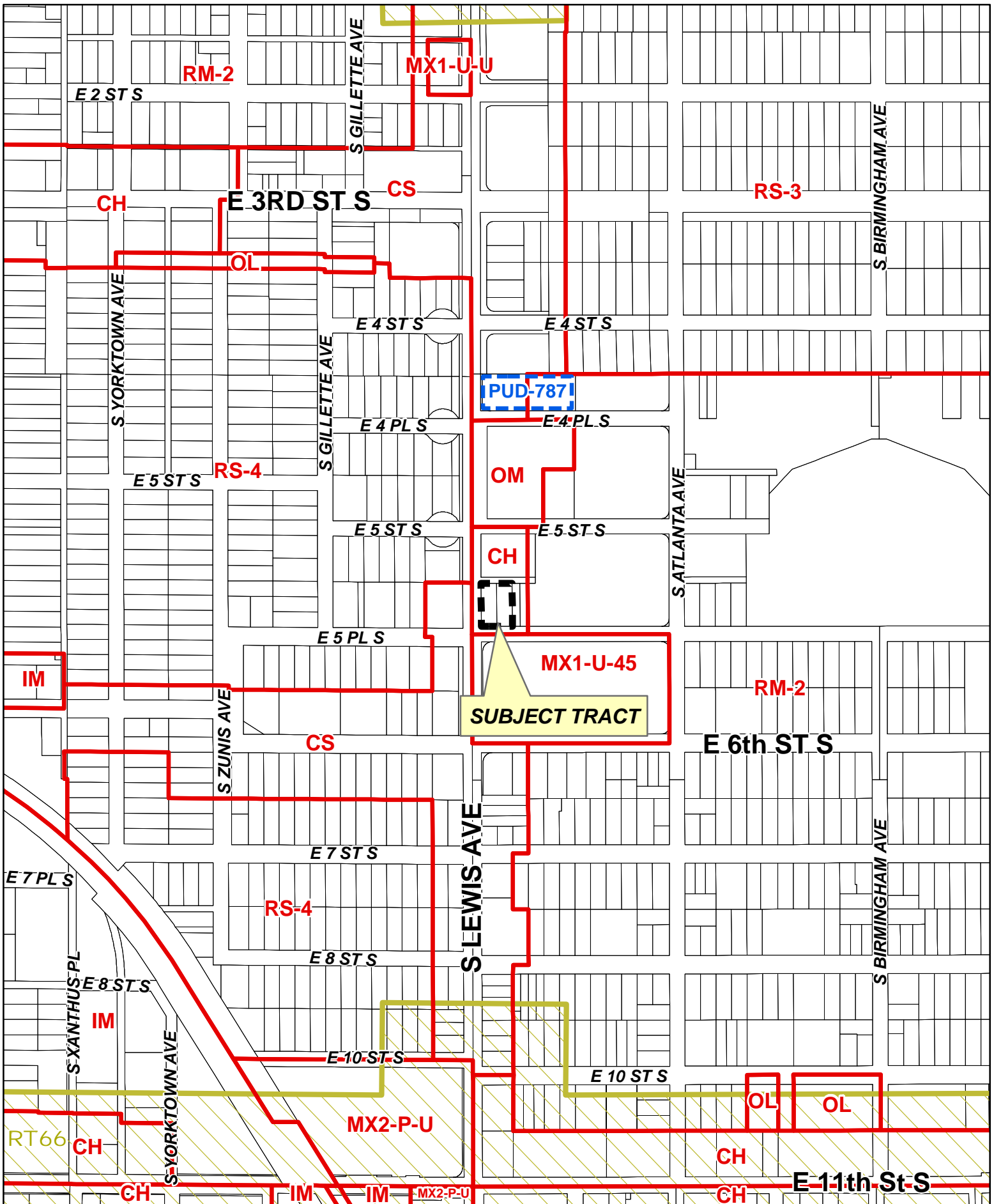
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align with physical features on the ground.

Aerial Photo Date: 2020/2021

2.13



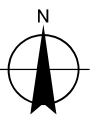




**BOA-23215**

19-13 05

3.1





# BOARD OF ADJUSTMENT CASE REPORT

STR: 9305

Case Number: **BOA-23215**

CZM: 37

CD: 4

**HEARING DATE:** 1/11/2022 1:00 PM (Continued from 12/14/2021)

**APPLICANT:** Josh Miller

**ACTION REQUESTED:** Special Exception to permit an alternative compliance parking ratio for an apartment use in the CH District to reduce the minimum parking requirements from 21 parking spaces to 17 parking spaces (Section 55.050-K; Section 55.020 Table 55-1)

**LOCATION:** 2405 E 5 PL S; 519 S LEWIS AV E

**ZONED:** CH

**PRESENT USE:** Vacant

**TRACT SIZE:** 14000.24 SQ FT

**LEGAL DESCRIPTION:** LT 14 BLK 6; LTS 49 50 BLK 6, COLLEGE VIEW ADDN AMD

**RELEVANT PREVIOUS ACTIONS:** None.

**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 NE/c of E. 5<sup>th</sup> Pl. and S. Lewis Ave. The property is located immediately West of the West Park housing development.

**STAFF COMMENTS:** The applicant is requesting Special Exception to permit an alternative compliance parking ratio for an apartment use in the CH District to reduce the minimum parking requirements from 21 parking spaces to 17 parking spaces (Section 55.050-K; Section 55.020 Table 55-1)



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.

The applicant has provided a statement, included in your packet, stating their need and justification for their requested relief.

### **SAMPLE MOTION:**

Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit an alternative compliance parking ratio for an apartment use in the CH District to reduce the minimum parking requirements from 21 parking spaces to 17 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 immediately East of the subject property of E. 5<sup>th</sup> Pl.***



***Subject property***



### **Project Summary and Alternative Compliance Special Exception Request re: 519 S Lewis Ave**

The West Park Phase III project is a 12-unit, multi-family affordable housing project as the third phase of the West Park Apartments in a CH zoning district. The 12 units are comprised of 1-one bedroom, 9-two bedrooms and 2-three bedrooms, resulting in 21 parking required spaces per CH zoning. However, there is only room on site for 17 spaces. Therefore, this request is for alternative compliance parking ratios through the special exception process allowed in Section 55.050-K of the zoning code to reduce the required number of spaces to 15. The requested reduction ratio is as follows: 1-bedroom reduction from 1.1 to 1; 2 & 3-bedrooms from 1.75 to 1.25, resulting in a total of 14.75 (15) required parking spaces.

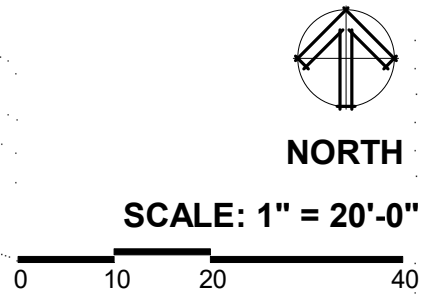
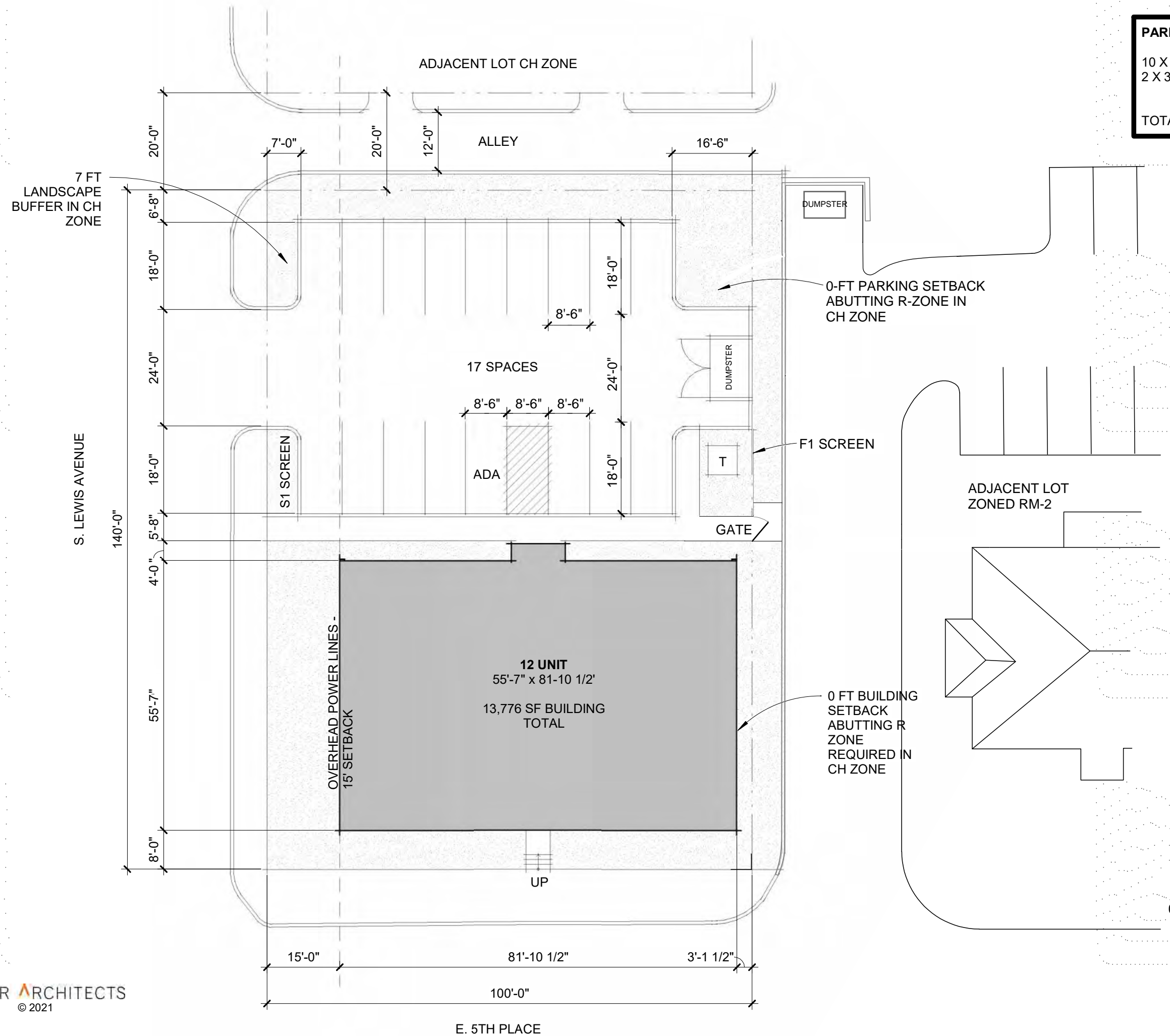
The justification for the reduction request is that currently only 75% of current residents in West Park Phases I & II (235 units) own cars, always leaving ample surplus parking for existing residents. The resident make-up for West Park Phase III will be the same as the existing phases, so ownership and property management know the trend will continue, which makes the planned 17 parking spaces adequate to serve the project under this requested reduced ratio.



**PARKING REQUIRED PER CH ZONING:**

10 X 2 BEDS x 1.75 = 17.5  
2 X 3 BEDS x 1.75 = 3.5

**TOTAL REQUIRED = 21**



**SITE PLAN**  
GEORGE KAISER FAMILY FOUNDATION  
GARDEN APARTMENT

521 S. LEWIS, TULSA, OKLAHOMA 74104





12/16/2021

Josh Miller:

After review we have found less than 75% car ownership among residents at Westpark, our data suggests the average may be even lower in the proposed Phase 3.

We have an average of 44 vacant parking spaces available during peak lot occupancy in Parking Lot 2 of Phase 1, which is adjacent to the Phase 3 development. 31 of those spaces are in the western portion (please find attached pictures.) and therefore could easily accommodate the required spaces for the Phase 3 development.

We have a total of 125 spaces available in Phase 1 Lot 2

We have a total of 442 available spaces across both phases with 235 units.

We have around 20%-25% surplus parking across all Phases.

Sherry Shikles  
Westpark Apartments, MBM  
918-582-4466





8 AM





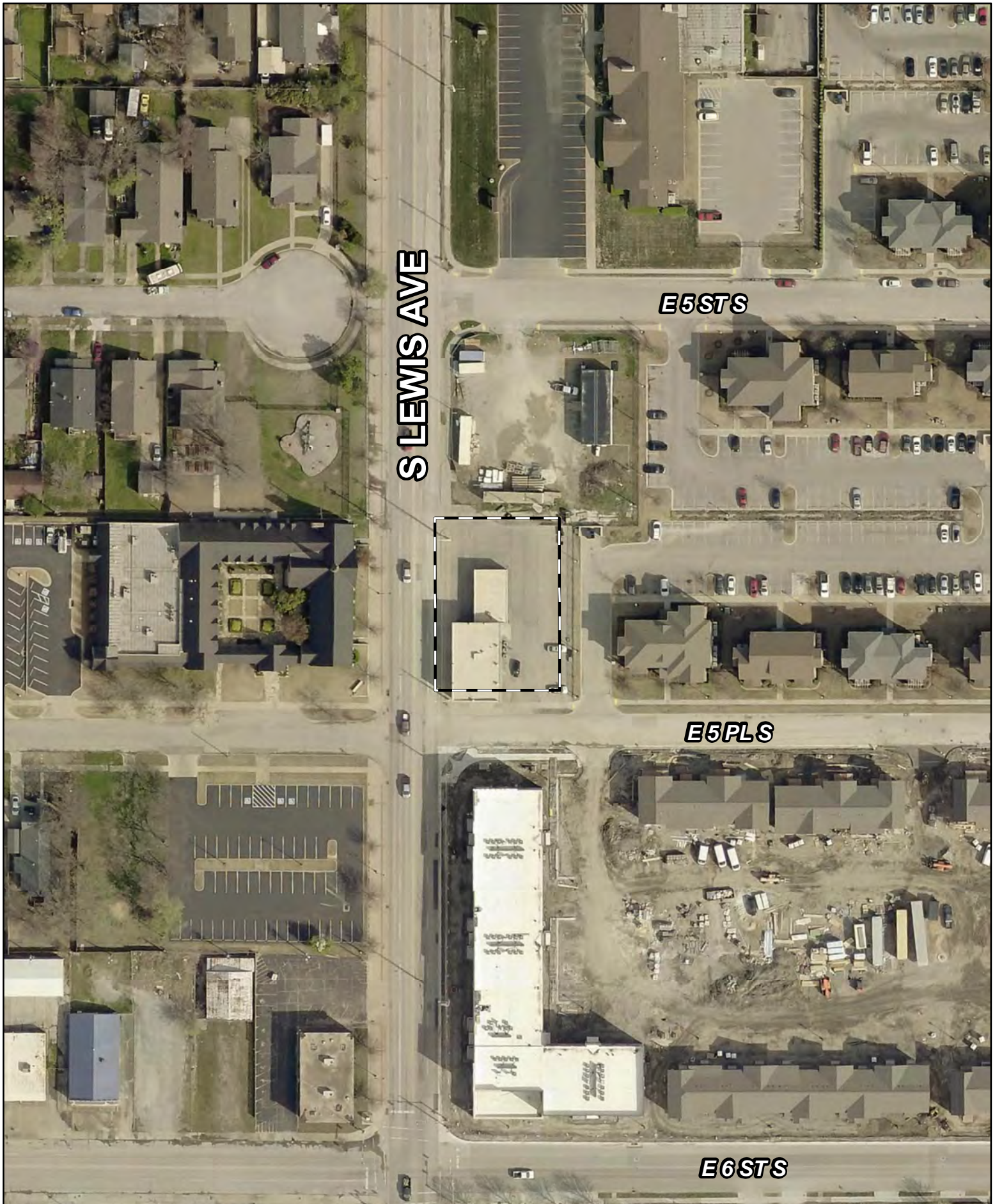
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Evening





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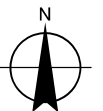
Subject  
Tract

**BOA-23215**

19-13 05

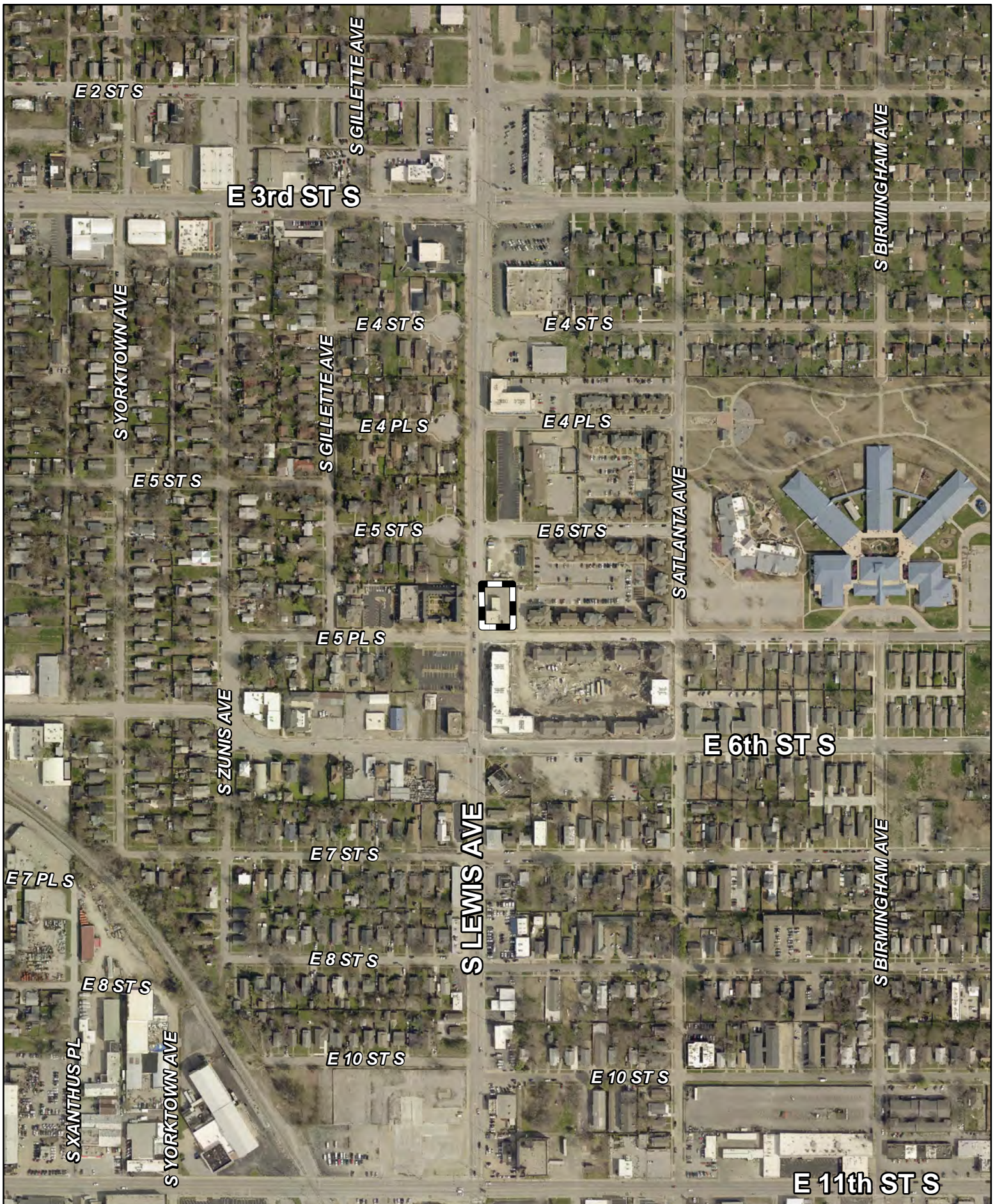
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Aerial Photo Date: 2020/2021



3.11





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Feet



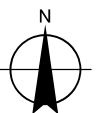
Subject  
Tract

**BOA-23215**

19-13 05

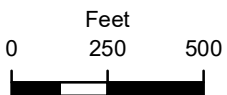
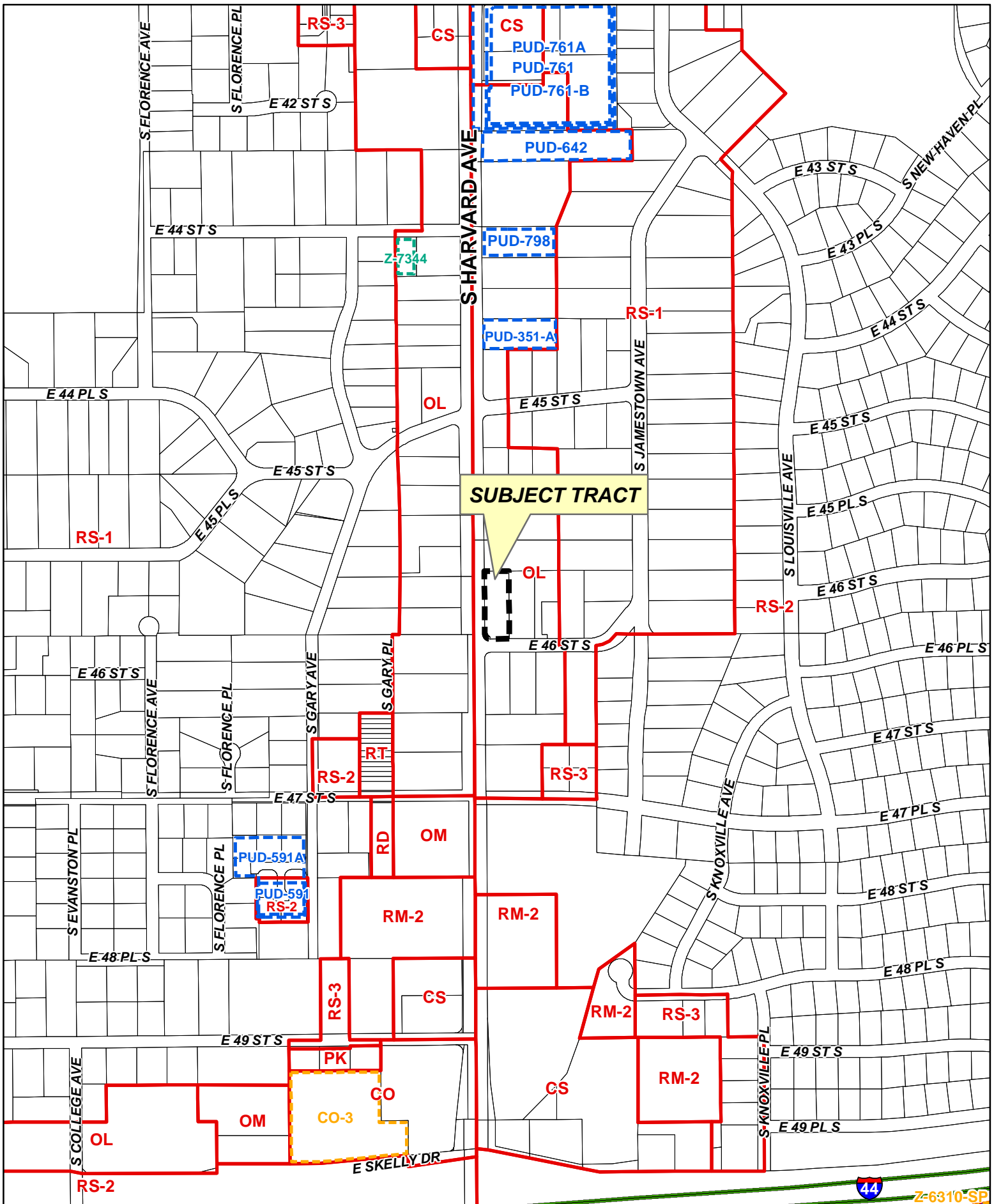
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Aerial Photo Date: 2020/2021



3.12

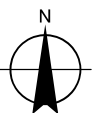




**BOA-23229**

19-13 28

4.1





# BOARD OF ADJUSTMENT CASE REPORT

**STR:** 9328 Case Number: **BOA-23229**

**CZM:** 47

**CD:** 9

**HEARING DATE:** 01/11/2022 1:00 PM

**APPLICANT:** Josh Clark

**ACTION REQUESTED:** Variance to increase the number of allowed signs per street frontage in the OL District from 1 sign to 4 signs along South Harvard Ave. (Sec.60.060-B.1)

**LOCATION:** 4555 S HARVARD AV E

**ZONED:** OL

**PRESENT USE:** Office

**TRACT SIZE:** 27364.5 SQ FT

**LEGAL DESCRIPTION:** LT 7 BLK 2, VILLA GROVE HGTS NO 1

## **RELEVANT PREVIOUS ACTIONS:**

### **Subject property:**

**BOA-14075;** On 05.29.86 the Board approved a Minor Variance to reduce the 50-foot setback from the C/L of S. Harvard to 45' for a ground sign.

### **Surrounding Properties:**

**BOA-23154;** On 07.27.21 the Board **approved** a Variance to permit a freestanding sign in an OL District to exceed the permitted 32 square feet by an additional 38 square feet. 4538 South Harvard Ave. E.

**BOA-17398;** On 06.11.96 the Board **approved** a Variance to the required setback from Harvard for 50-feet to 47-feet for a sign. Property located 4564 S. Harvard Ave.

**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.

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increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located at the NE/c of E. 46<sup>th</sup> St. S. and S. Harvard Ave.

**STATEMENT OF HARDSHIP:** Tenant labeling of entrances to facility multi space. This variance approval request is to help consumers locate said facility with ease.

**STAFF COMMENTS:** The applicant is requesting Variance to increase the number of allowed signs per street frontage in the OL District from 1 sign to 4 signs along South Harvard Ave. (Sec.60.060-B.1)

#### 60.060-B

#### Signs Allowed

1. In addition to any sign exceptions allowed pursuant to [Section 60.030](#), and any development identification sign allowed pursuant to [Section 60.060-B2](#), lots in office zoning districts are allowed a maximum of one on-premise sign per street frontage. The allowed on-premise sign may be a wall sign, a projecting sign or a freestanding sign. Roof signs and off-premise outdoor advertising signs are prohibited in office districts.

The applicant is requesting to increase the number of allowed signs from 1 to 4 signs per the street frontage of S. Harvard Ave. The statement of hardship provided by the applicant has failed to provide any facts that would make the case unique. It is common to have multi-tenant buildings in Office zoning and was the act of the property owner to subdivide. The applicant should provide facts that prove the subject property has unique physical features that differentiate it from other properties in the same zoning classification or they may seek to re-zone the property to a more intense zoning classification. As stated on the application the hardship **does not** meet the criteria of the zoning code to be granted a variance.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Variance** to increase the number of allowed signs per street frontage in the OL District from 1 sign to 4 signs along South Harvard Ave. (Sec.60.060-B.1)

- 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**



Case No. 14069 (continued)

the creek has been channeled into a storm drain to the north, which in his opinion, causes flooding around his home. Mr. Stevens asked the Board to allow him to extend an existing carport 10' toward the street in order that his 2 cars will be protected and to allow access to higher ground to the rear of the lot. Mr. Stevens explained that the existing carport prevents entry into the back yard and after the reconstruction he can then park his cars in this back portion and prevent damage by floodwater.

Mr. Chappelle asked the applicant if there are other carports in the area and he answered in the affirmative.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; no, "abstentions"; White, "absent") to **APPROVE** a **Minor Variance** (Section 430 - Bulk and Area requirements in Residential Districts - Use Unit 1206) of the front yard setback from 50' to 40' from the centerline of North Sandusky Avenue to allow a proposed carport; per plot plan; finding that there are other carports in the older area and that the granting of the special exception request will not be injurious to the neighborhood; on the following described property:

The south 60' of the W/2 of Lot 1, Block 1, Maryland Gardens Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 14075**

Action Requested:

Minor Variance - Section 280 - Structure Setback from Abutting Streets - Use Unit 1221 - Request a minor variance to allow a ground sign within 45' of the required 50' setback from the centerline of Harvard Avenue, located at 4555 South Harvard Avenue.

Presentation:

The applicant, Taylor, Sample and Coppedge Locating Service, Inc., was represented by Libby Coppedge, 4555 South Harvard, Tulsa, Oklahoma, who submitted photographs (Exhibit X-1) and stated that she is opening a locating service on South Harvard. Ms. Coppedge asked the Board to allow the installation of a sign 45' from the centerline of Harvard, since the sign will be in the parking lot if the 50' setback requirement is adhered to.

Comments and Questions:

Ms. Bradley asked Ms. Coppedge if the sign will be located in the City right-of-way and she replied that she is not sure.

Mr. Smith asked where the sign will be located on the lot and Ms. Coppedge informed that it will be located as far north as possible.

5.29.86:466(4)



Case No. 14075 (continued)

Ms. Bradley commented that there are no other signs as close to Harvard as the sign in question.

Mr. Jones pointed out that the applicant will be required to have City Commission approval if the sign inspector determines that the location of the sign is in the City right-of-way.

Mr. Smith asked Ms. Coppedge how high the proposed sign will be and she stated that it will be 3' by 4'.

Mr. Gardner pointed out that the 2 lots are narrow side lots. These lots run north and south which causes the parking and the structure to be much closer to the street than those lots running east and west.

Protestants: None.

Board Action:

On MOTION of BRADLEY, the Board voted 4-0-0 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; no, "abstentions"; White, "absent") to **APPROVE Minor Variance** (Section 280 - Structure Setback from Abutting Streets - Use Unit 1221) to allow a ground sign within 45' of the required 50' setback from the centerline of Harvard Avenue; subject to sign inspector approval; finding a hardship demonstrated by the narrow shape of the lots; on the following described property:

Lot 7, Block 2, Villa Grove Heights Addition No. 1, City of Tulsa, Tulsa County, Oklahoma.

NEW APPLICATIONS

Case No. 14063

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request the following variances of the bulk and area requirements set forth on Exhibit A, all in order to permit the splitting of 3 existing duplexes down the common wall to provide for separate ownership of each unit, located south of East 80th Street South and South 79th East Avenue.

Presentation:

The applicant, Phillip Eller, 2727 East 21st Street, Tulsa, Oklahoma, who submitted a plat of survey (Exhibit XX-1) and documents (Exhibit XX-2), stated that he is representing the owners of the subject property who are selling three existing duplexes by unit.

Protestants: None.

5.29.86:466(5)



case it is about spacing in between a location that has a Certificate of Occupancy that is recognized by the City.

**Comments and Questions:**

Mr. Bond stated that he does not hear a valid hardship from the applicant in this case. The Board has been willing to listen to these based on confusion with the law and based on enactment with the law and he does not this is the case, so he is a hard no.

Mr. Barrientos agreed with Mr. Bond.

Mr. Brown stated the rules are established and he does not think enough homework was done, so he will say no.

Mr. Wallace thinks it is unfortunate, but this body is here to enforce City of Tulsa rules and regulations and he thinks that having a COO changes that.

**Board Action:**

On **MOTION** of **BARRIENTOS**, the Board voted 5-0-0 (Barrientos, Bond, Brown, Radney, Wallace "aye"; no "nays"; no "abstentions"; none absent) to **DENY** the request for a Variance of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D) due to the lack of a hardship; for the following property:

**LT 1 LESS BEG SECR TH W194.96 CRV RT 47.17 N5 SE41.74 E194.97 S6 POB  
BLK 1, SOONER ACRES, City of Tulsa, Tulsa County, State of Oklahoma**

**23154—A-Max Sign Company**

**FILE COPY**

**Action Requested:**

Variance to permit a freestanding sign in an OL District to exceed the permitted 32 square feet of display surface area by 78.37 square feet (Section 60.060-C).

**LOCATION: 4538 South Harvard Avenue East (CD 9)**

**Presentation:**

**Chris Krohn**, A-Max Sign Company, 9520 East 55th Place, Tulsa, OK; stated the sign has been downsized from the last meeting. Mr. Krohn stated that he did physically go check the old sign and it is 11'-0" tall by 9'-0" wide and this proposed sign is now smaller than that.

Mr. Bond asked Mr. Krohn if he had spoken to the neighbors. Mr. Krohn stated that he did speak with one neighbor that he had worked with in the past. A-Max did not build the existing monument sign and the neighbor that did e-mail in the opposition does have a smaller sign, but he had not spoken with anyone else.



Mr. Bond asked Mr. Krohn to state his hardship for this request. Mr. Krohn stated the hardship is that 32 square feet is small, and the setback is 50 feet from Harvard. This will be a multi-tenant building and from the 50-foot distance he is trying to have panels on the sign that are visible from Harvard.

Mr. Barrientos asked Mr. Krohn how the sign would be lit. Mr. Krohn stated that it will be an internally illuminated sign. The size also comes from working with the existing base that has power to it so it would not be necessary to deal with utility easements.

Mr. Barrientos asked Mr. Krohn about the size of the new sign being requested. Mr. Krohn stated the new sign will be 70 square feet, which is 38 square feet over what is allowed.

Ms. Radney asked Mr. Krohn how the new sign compares to the protestant's sign. Mr. Krohn stated that the interested party's sign, not including the base, is a little larger than 32 square feet so their small is small.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **RADNEY**, the Board voted 5-0-0 (Barrientos, Bond, Brown, Radney, Wallace "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a **Variance** to permit a freestanding sign in an OL District to exceed the permitted 32 square feet of display surface area up to 38 square feet in excess (Section 60.060-C), subject to conceptual plans 3.30 and 3.31 of the agenda packet. The sign is to conform to the exhibits presented today and that it is a static sign. The Board has found the hardship to be that the change in use of the Legacy building from single to multiple occupancy and the difficulty of clear visibility of the sign due to a 50-foot setback from the street. In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

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



- f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and
- g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan; for the following property:

**LT 1 BLK 1, PROFESSIONAL PARK RESUB S/2 L2 & N/2 L3 B3 VILLA GROVE PARK, City of Tulsa, Tulsa County, State of Oklahoma**

\*\*\*\*\*

### NEW APPLICATIONS

#### 23157—Pearl Cannabis, LLC

##### Action Requested:

Special Exception to permit a medical marijuana grower operation (Horticulture Nursery Use) in the CH District (Section 15.020, Table 15-2). LOCATION: 1717 East 11th Street South (CD 4)

##### Presentation:

**Alexander King**, 28 East 5th Street, Suite 750, Tulsa, OK; stated his client purchased the subject building, it was a former tire shop. The building is about 5,000 square feet and is zoned CH. His client would like to use about 2,500 square feet of the building for an indoor medical marijuana grow facility. All growing will be done on the interior with a substantial number of filters and purifiers to eliminate escaping odor. Security will include monitored cameras, alarm system, multiple steel doors with commercial grade locks, and the building does not share a wall with any neighboring properties. The waste disposal will be through an OMMA licensed waste contractor. To the extent that dumpsters are used for that process they will be locked and secured pursuant to the waste contractor or best practices. The neighboring facilities are a physical therapy facility, a gravestone entity, and an apartment complex which is separated by two fences.

Mr. Brown asked about the access to the building. Mr. King deferred to his client.

**Francisco Olmos**, 1717 East 11th Street, Tulsa, OK; stated the parking will be in the front of the building. Mr. Brown asked if the access to the parking would be from 11th Street or from the side street. Mr. Olmos stated there is only the front parking.

Mr. Brown asked Mr. Olmos if there would be deliveries. Mr. Olmos stated, "not really".

Mr. Wallace asked if there was a shared entrance with the neighbor from 11th Street. Mr. Olmos answered no. Mr. Wallace asked if the parking lot behind the building was



**Case No. 17398**

**Action Requested:**

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

**Presentation:**

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

**Comments and Questions:**

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

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

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

**Board Action:**

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

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



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



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103-3227

### SIGN PLAN REVIEW

November 12, 2021

LOD Number: 1

Phone: 918-520-0725

**Josh Clark**  
4111 S. 74th E. Ave.  
Tulsa, OK 74145

**APPLICATION NO:** **SIGN-102600-2021** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)  
**Location:** 4555 S. Harvard Ave.  
**Description:** Wall Sign

#### INFORMATION ABOUT SUBMITTING REVISIONS

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

**REVISIONS NEED TO INCLUDE THE FOLLOWING:**

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2<sup>nd</sup> 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 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](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 WEST 2<sup>ND</sup> STREET, 8<sup>TH</sup> 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](http://WWW.INCOG.ORG)

Application No. SIGN-102600-2021

This letter of deficiencies covers Sign Plan Review items only.

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

### 1. 60.060-B.1 Signs Allowed

In addition to any sign exceptions allowed pursuant to Section 60.030, and any development identification sign allowed pursuant to Section 60.060-B2, lots in office zoning districts are allowed a maximum of one on-premise sign per street frontage. The allowed on-premise sign may be a wall sign, a projecting sign or a freestanding sign. Roof signs and off-premise outdoor advertising signs are prohibited in office districts.

**Review Comments:** There is an existing permit for a freestanding sign on this Office zoned lot. Apply to the Board of Adjustment for a variance to have more than one sign per street frontage in an Office zoning district.

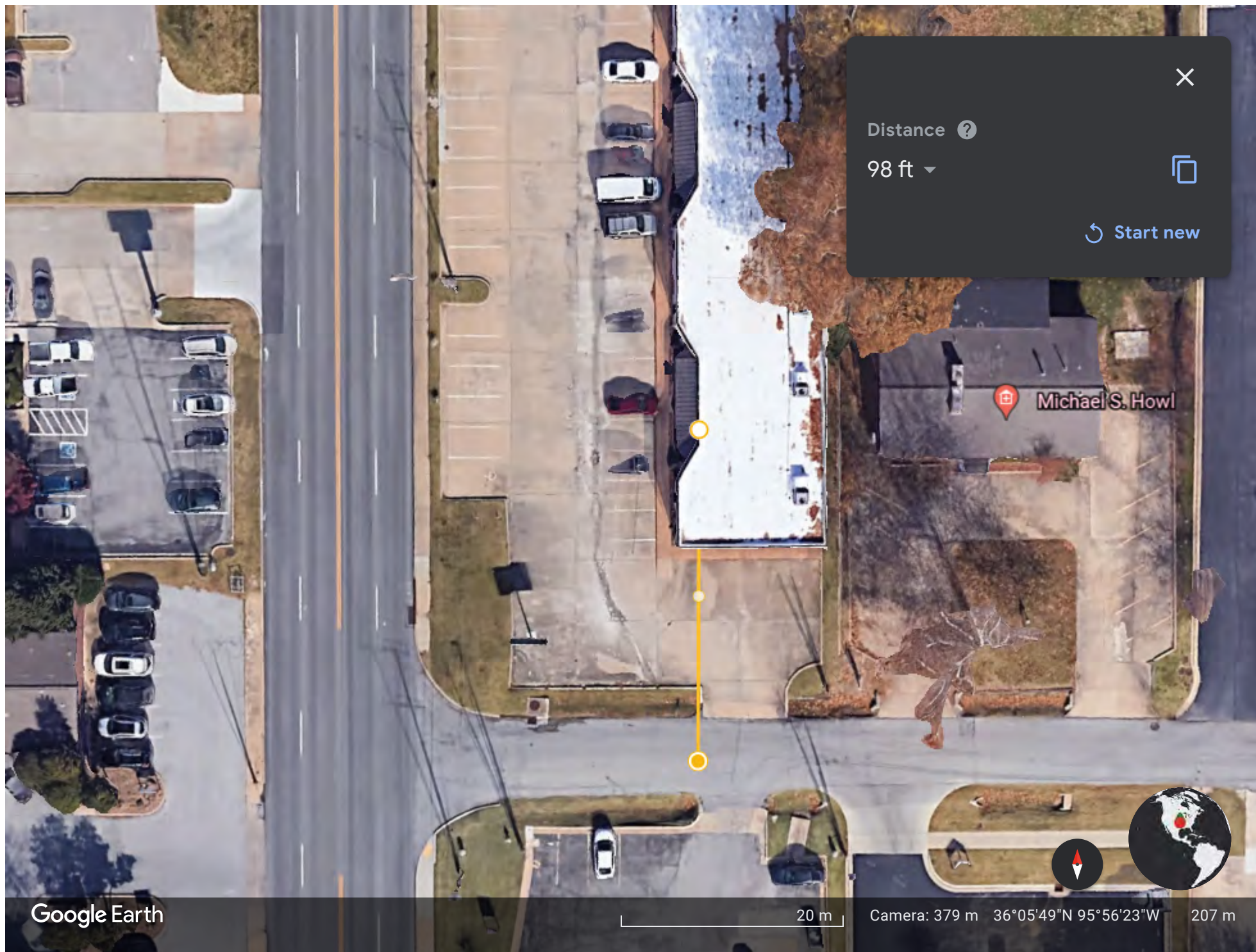
NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding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

## END – ZONING CLEARANCE AND SIGN CODE REVIEW

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

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





4.13



## OPTION 3

Double Sided Sign using ex. plate • 60" x 138" x 18" Aluminum Sign Cabinet • Internal Illumination  
 3x .125" White Acrylic Tenant Panels • Cedar Slat Base with Redwood Stain Supplied,  
 4" Thick Aluminum Backlit Address Numbers



DATE: 3-8-2021

SALES REP: Roland

DRAWN BY: Pearson

CHECKED BY: ☐ N/A

PROJECT: 4555 Sign Project

ADDRESS:

CUSTOMER APPROVAL / DATE:

REVISIONS:

1. 11-24-2020
2. 3-8-2021
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

NOTES:

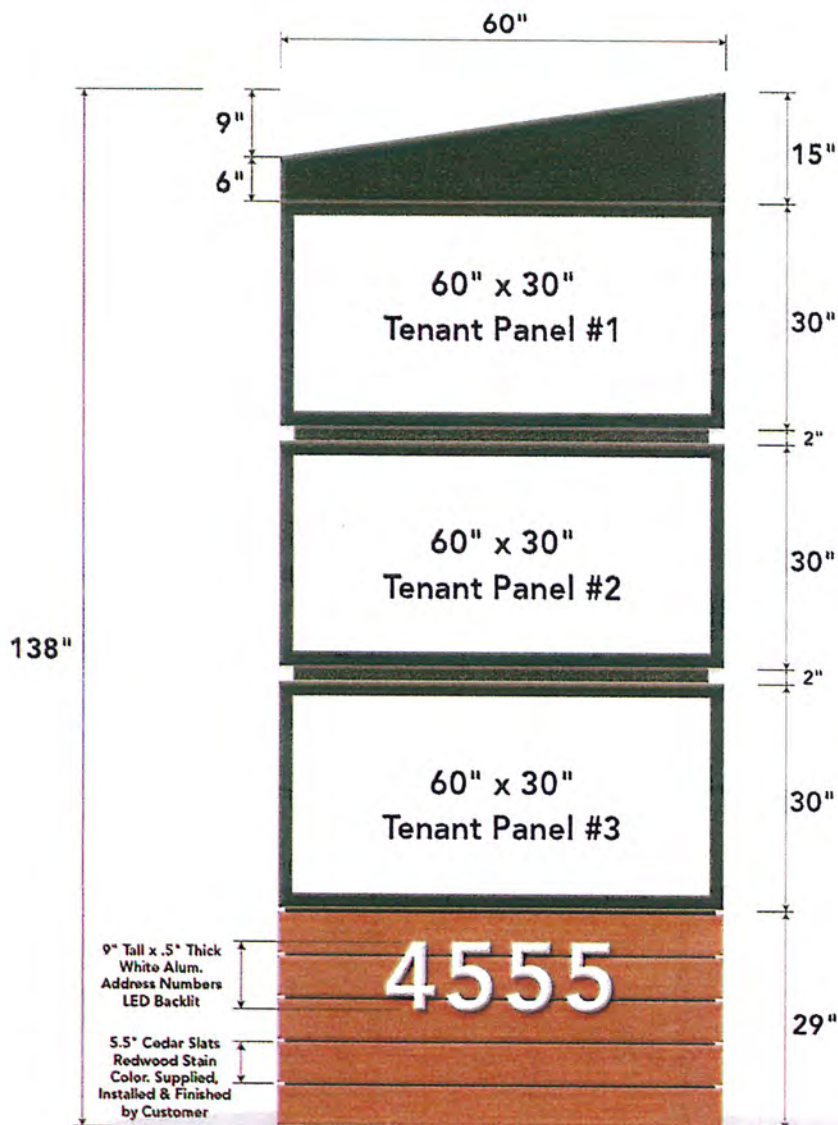
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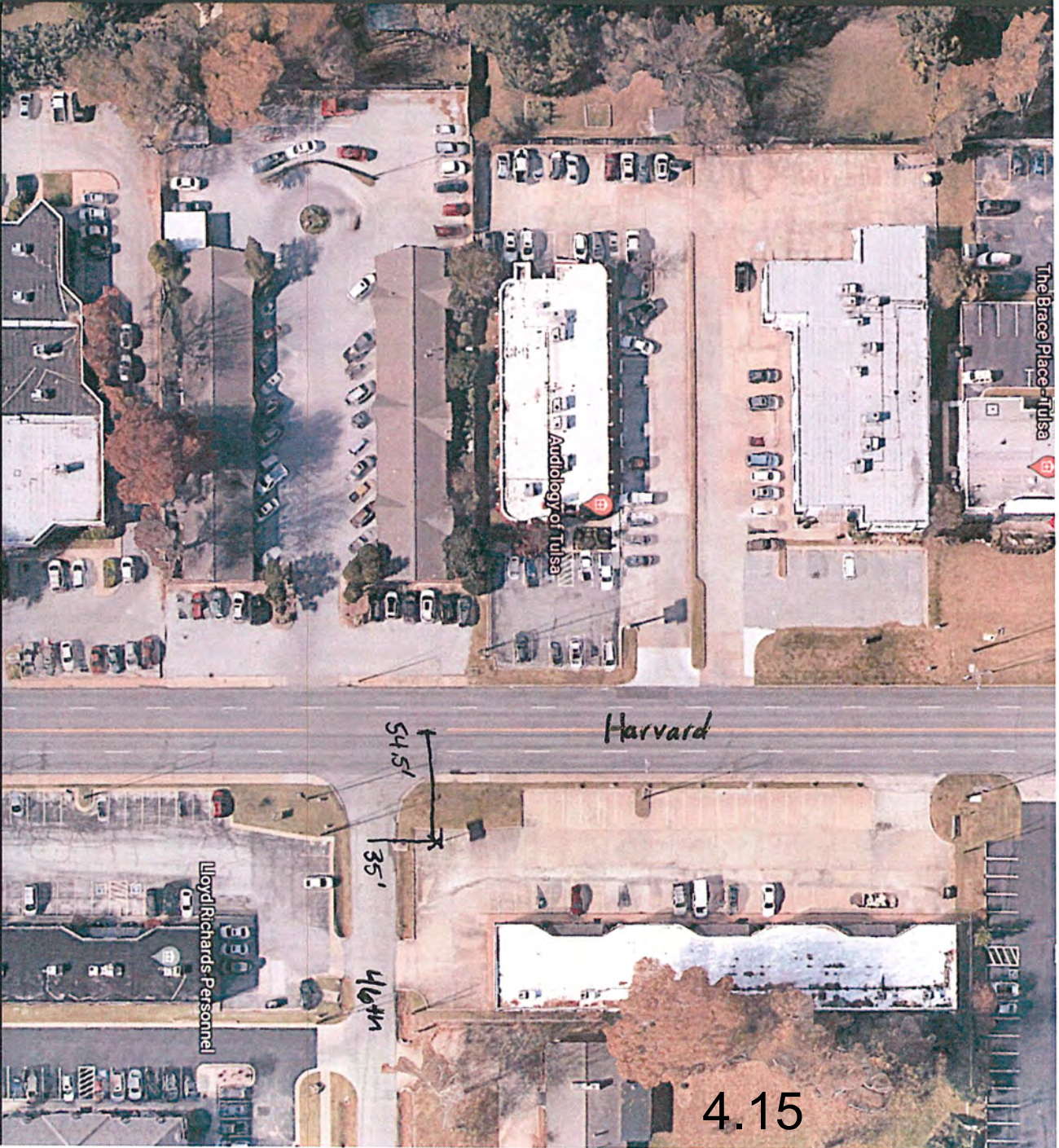
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Signs will be built to meet UL specifications if required.



4.14





Google 100%

30 m

Camera: 469 m 36°05'51"N 95°56'18"W 227 m



**OPTION 3**  
Context

**Daytime View**



DATE: 3-8-2021

SALES REP: Roland

DRAWN BY: Pearson

CHECKED BY: ☐ N/A

PROJECT: 4555 Sign Project

ADDRESS:

CUSTOMER APPROVAL / DATE:

REVISIONS:

1. 11-24-2020
2. 3-8-2021
3. \_\_\_\_\_
4. \_\_\_\_\_
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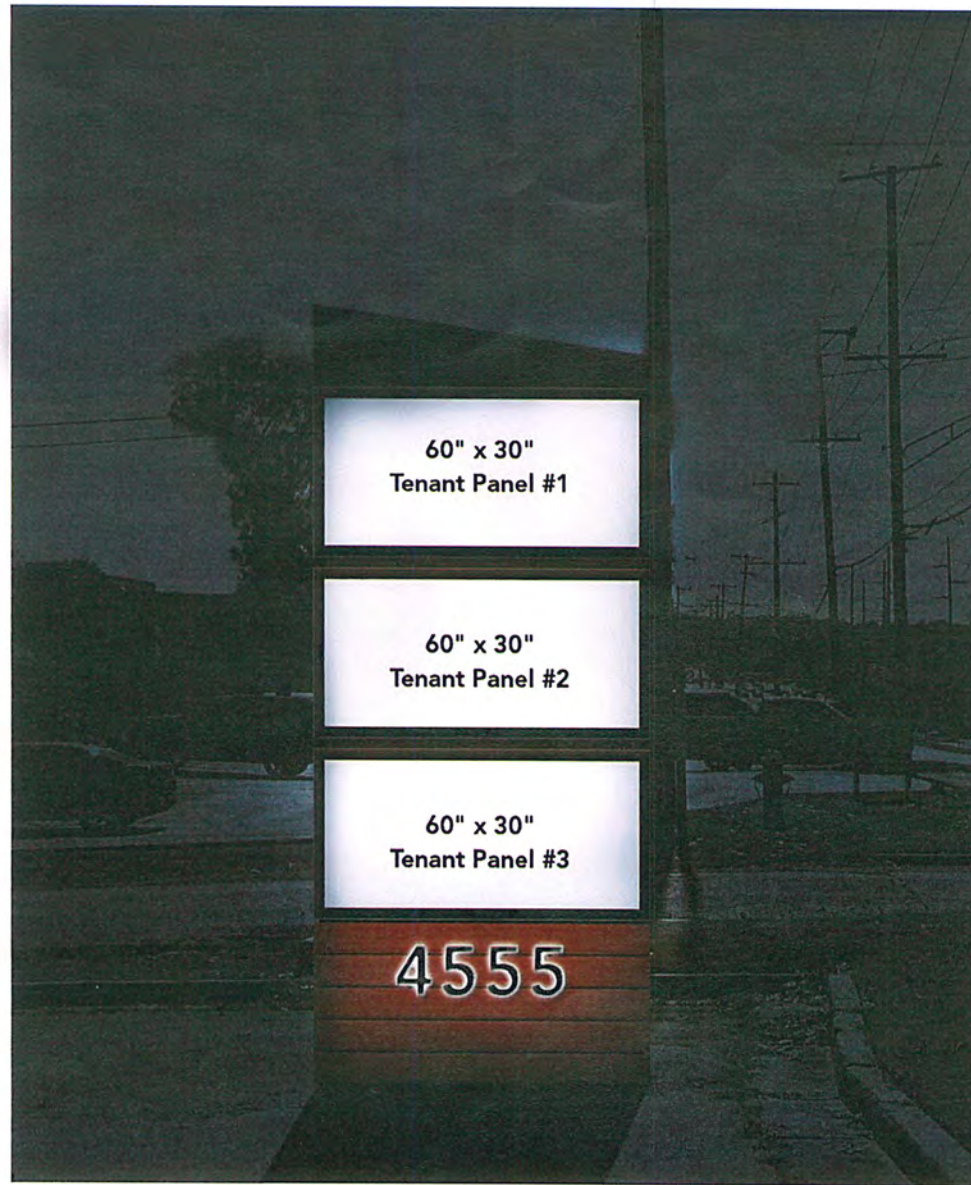
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**4.16**

 Signs will be built to meet UL specifications if required.



Night View



DATE: 3-8-2021

SALES REP: Roland

DRAWN BY: Pearson

CHECKED BY: ☐ N/A

PROJECT: 4555 Sign Project

ADDRESS:

CUSTOMER APPROVAL / DATE:

REVISIONS:

1. 11-24-2020
2. 3-8-2021
3. \_\_\_\_\_
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Signs will be built to meet UL specifications if required.

4.17



DATE: 9-28-2021  
SALES REP: Roland  
DRAWN BY: Pearson  
CHECKED BY: ☐ N/A

PROJECT: Health Unlimited  
ADDRESS:

CUSTOMER APPROVAL / DATE:

- REVISIONS:
- 1. 8-18-2021
  - 2. 9-8-2021
  - 3. 9-9-2021
  - 4. 9-23-2021
  - 5.
  - 6.
  - 7.
  - 8.
  - 9.
  - 10.
  - 11.
  - 12.


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 Signs will be built to meet UL specifications if required.





Context View

DATE: 11-15-2021

SALES REP: Roland

DRAWN BY: Pearson

CHECKED BY: ☐ N/A

PROJECT: Advanced Therapy Associates

ADDRESS: Signage

CUSTOMER APPROVAL / DATE:

REVISIONS:

1.

10-27-2021

2.

10-28-2021

3.

11-15-2021

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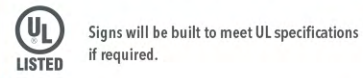
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DATE: 9-28-2021  
 SALES REP: Roland  
 DRAWN BY: Pearson  
 CHECKED BY: ☐ N/A

PROJECT: Suncrest Home Health  
 ADDRESS: & Hospice Signage

CUSTOMER APPROVAL / DATE:

REVISIONS:

1. 8-18-2021
2. 9-8-2021
3. 9-9-2021
4. 9-23-2021
5. \_\_\_\_\_
6. \_\_\_\_\_
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NOTES:

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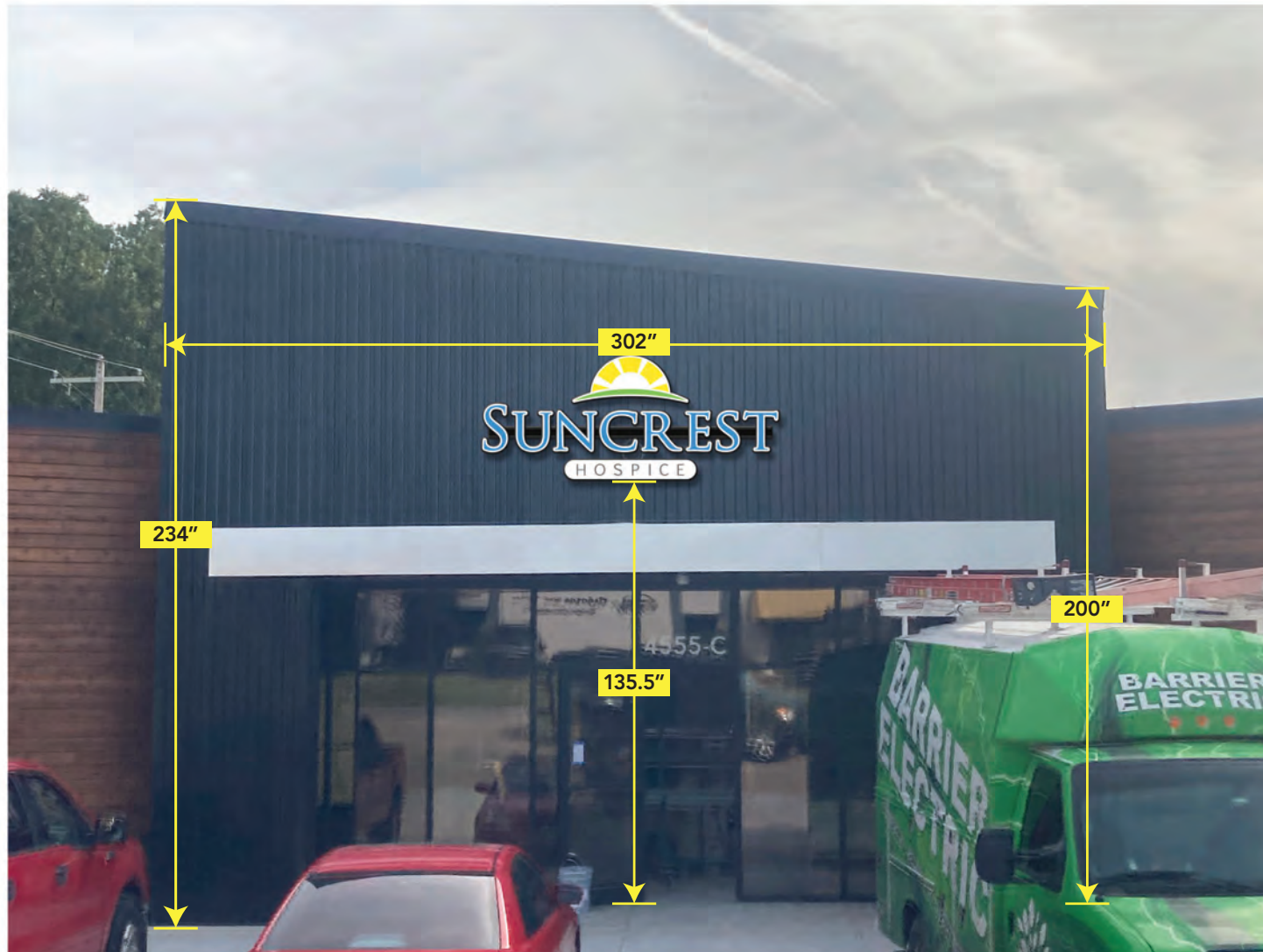
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Proof Disclaimer: An email or fax stating your approval constitutes the total and final approval to produce your job as is on this proof or with changes indicated.

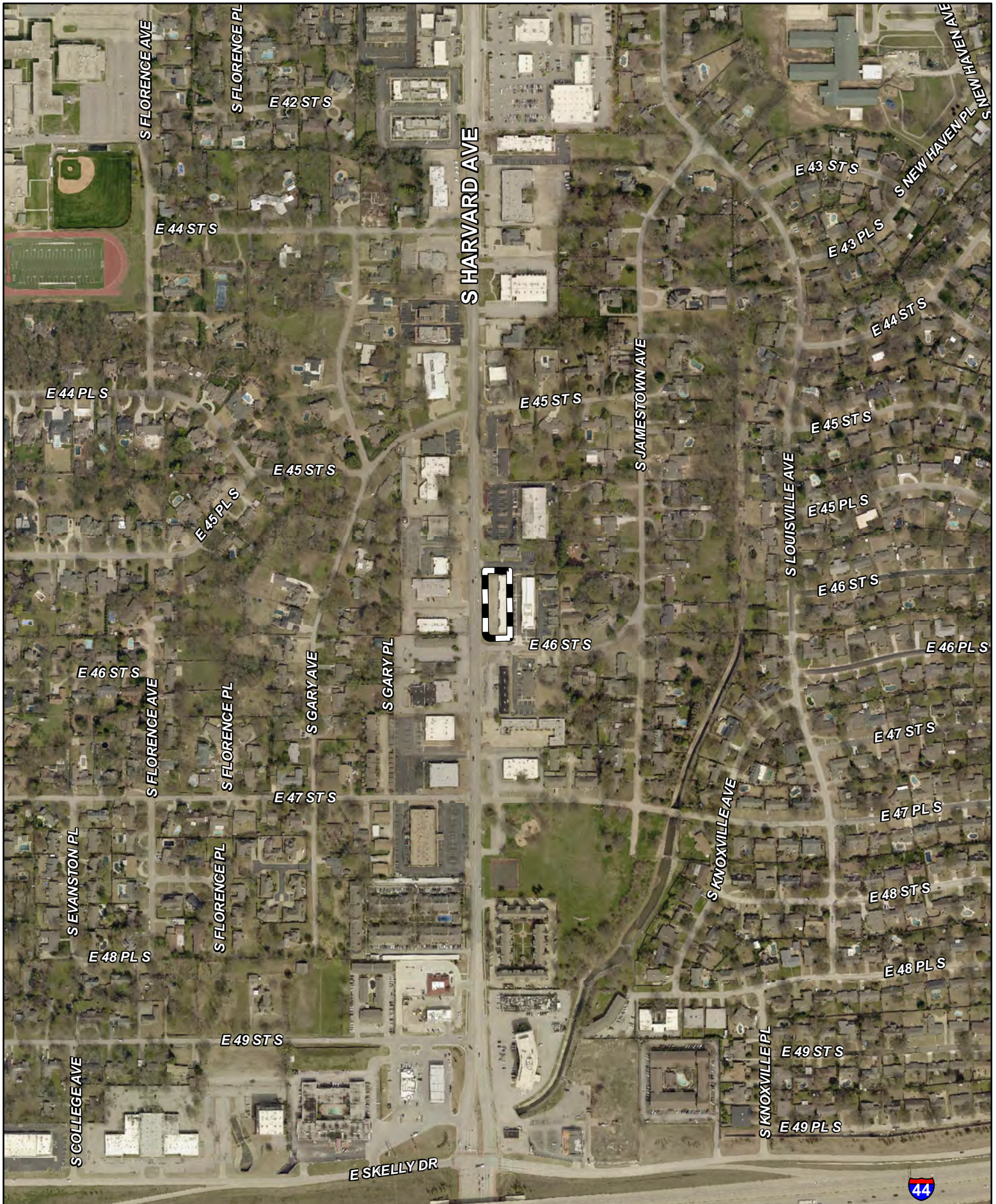
While we make every attempt to eliminate mistakes in our proof progression, sometimes oversights occur. You have the final responsibility for review to ensure there are no errors. Oversights that require the job to be reproduced will be done at your expense.



Signs will be built to meet UL specifications if required.







0 Feet 250 500



Subject  
Tract

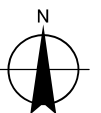
**BOA-23229**

19-13 28

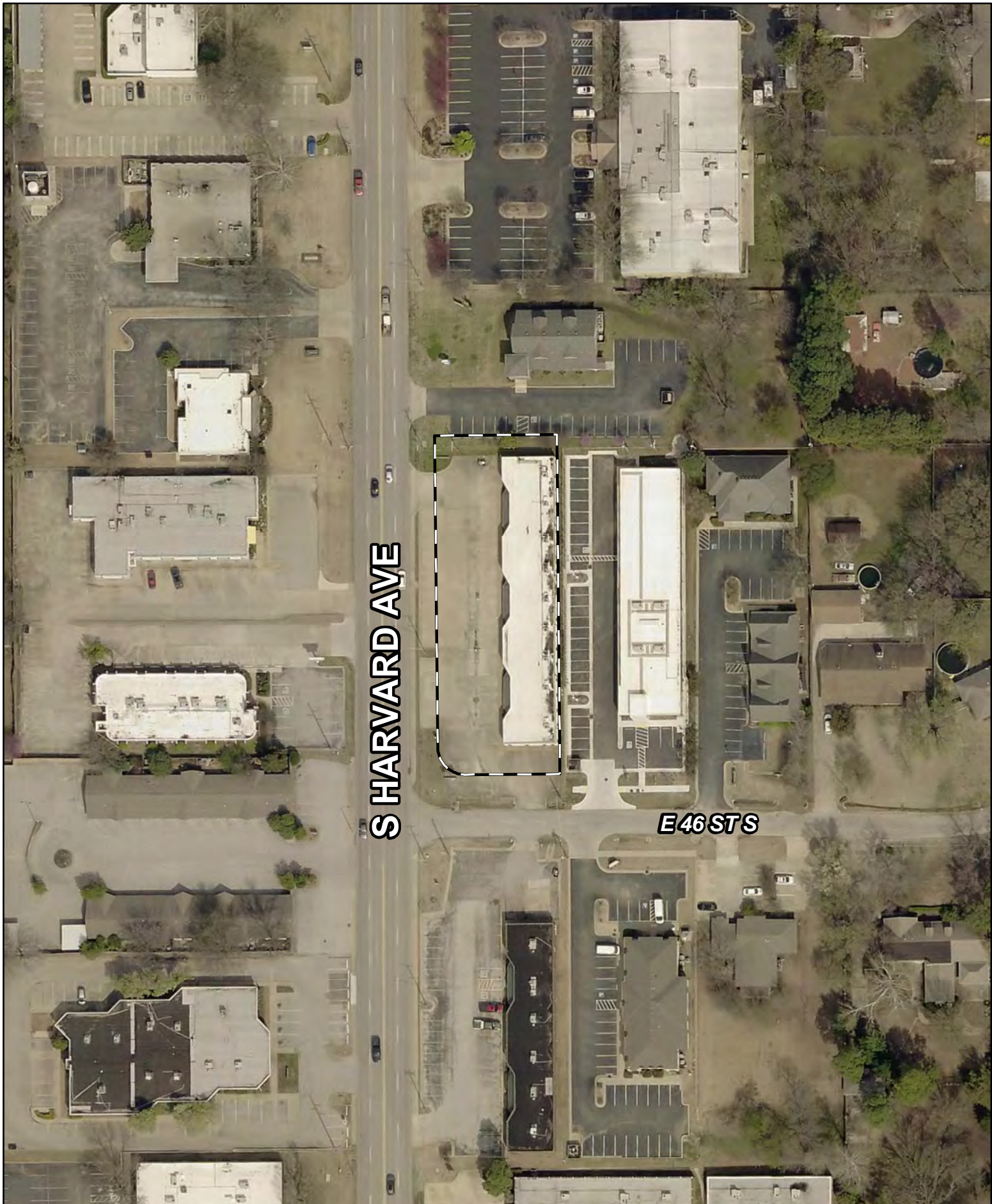
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align with physical features on the ground.

Aerial Photo Date: 2020/2021

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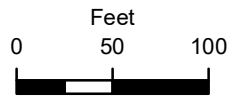






**S HARVARD AVE**

**E 46 STS**



**Subject  
Tract**

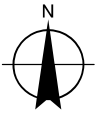
**BOA-23229**

19-13 28

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

Aerial Photo Date: 2020/2021

**4.22**





**From:** [Robert Stewart](#)  
**To:** [Chapman, Austin](#)  
**Subject:** BOA-23229  
**Date:** Monday, January 3, 2022 12:00:14 PM

---

Austin:

i own the property at the below address.

i have tried to locate the application on the BOA website to no avail?

If the application is to keep the monument sign and add the signs to the building face i would be against that.

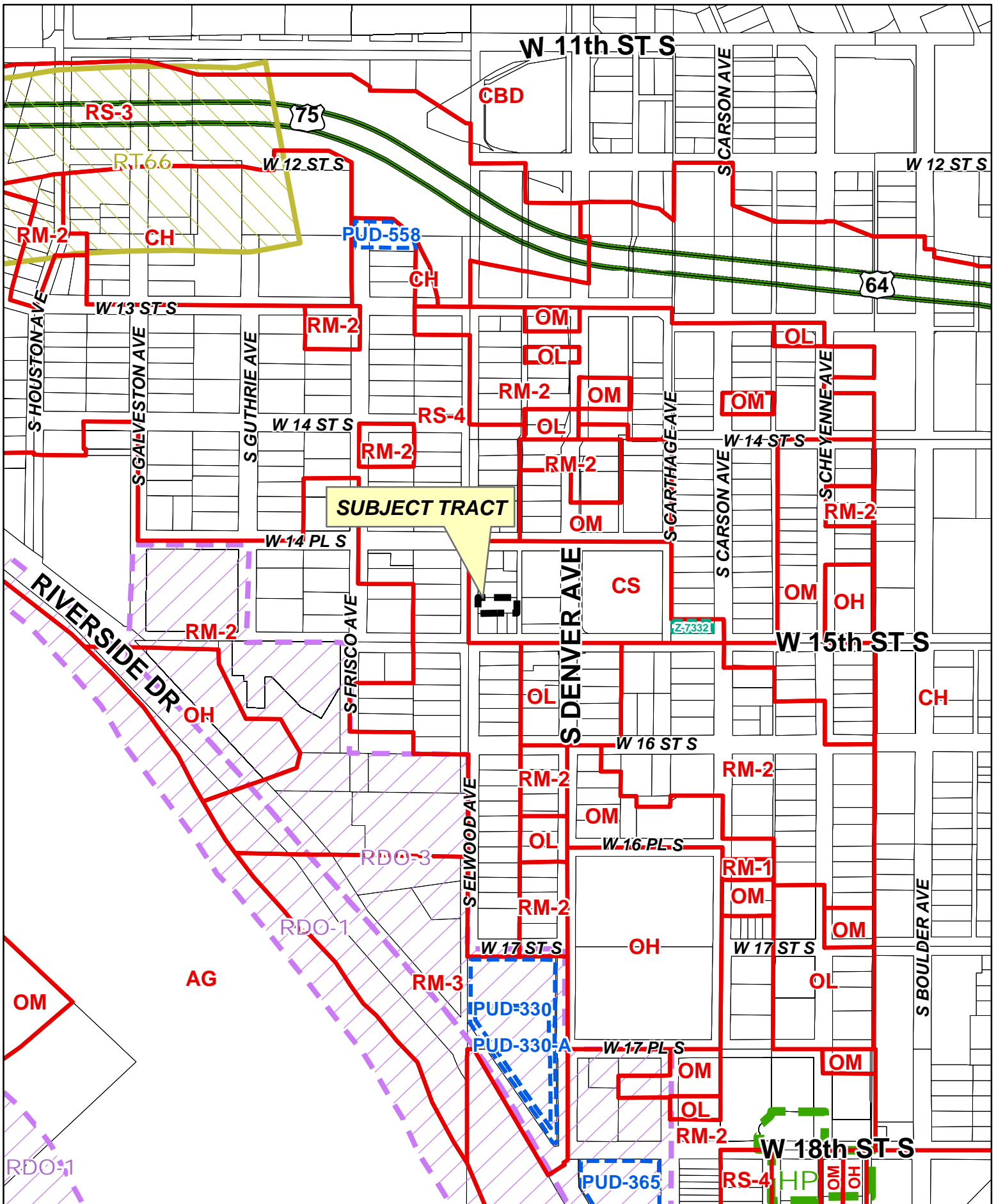
if the application is to remove the monument sign and add the facia signs that would be fine.

i think having both is too busy.

Thanks for your time. If you have any suggestions what i might be doing wrong to find the application please school me.

Bob Stewart  
3324 E 46th Street  
Tulsa, OK 74135  
918-633-2731





BOA-23230

19-12 12

5.1



# BOARD OF ADJUSTMENT CASE REPORT

STR: 9212

Case Number: **BOA-23230**

CZM: 36

CD: 4

**HEARING DATE:** 01/11/2022 1:00 PM

**APPLICANT:** Chelsey Shafer

**ACTION REQUESTED:** Special Exception to permit a Detached House and accessory buildings in the CS District to permit an addition to a non-conforming building (Sec. 15.020-H, Table 15-2.5)

**LOCATION:** 1443 S ELWOOD AV W

**ZONED:** CS

**PRESENT USE:** Single-family Detached home w/ detached garage

**TRACT SIZE:** 6351.07 SQ FT

**LEGAL DESCRIPTION:** LT 7 BLK 3, CAMPBELL ADDN

**RELEVANT PREVIOUS ACTIONS:** None.

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

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

The **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 North of the NE/c of S. Elwood Ave. and W. 15<sup>th</sup> St. S.

**STAFF COMMENTS:** The applicant is requesting Special Exception to permit a Detached House and accessory buildings in the CS District to permit an addition to a non-conforming building (Sec. 15.020-H, Table 15-2.5)

The applicant is seeking to make an addition to structures that are accessory to the Detached house on the property. The property was never granted a Special Exception to allow a detached House and the Commercial Zoning was applied to the property after the house had been built.



**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to permit a Detached House and accessory buildings in the CS District to permit an addition to a non-conforming building (Sec. 15.020-H, Table 15-2.5)

- 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***



1443 S Elwood Ave. Tulsa, OK 74119 – Special Exception Wording

1. We believe the special exception requested keeps with the spirit and intent of the zoning code, because the property in question, though zoned as CS was built as and has been used as a single-family home with detached garage since 1925, long before most of the zoning codes were created or enforced. The property in question, though surrounded by CS zoned properties; those properties on the residential street are single-family homes with detached garages, much like the property under review.
2. We believe the special exception will not be injurious to the neighborhood or otherwise detrimental to the public welfare, because the property in question is in a residential neighborhood, abutting residentially zoned properties. The single-family home with detached garage fits the character and intent of the neighborhood it is located in, as well as with all surrounding properties.



**Danny Whiteman**  
Zoning Official  
Plans Examiner II

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



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### ZONING CLEARANCE PLAN REVIEW

11/3/2021

LOD No. 1

**Russell Shafer**  
1443 S. Elwood Ave.  
Tulsa, OK 74119

**APPLICATION NO: BLDR-098653-2021** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

**Project Location: 1443 S. Elwood Ave.**

**Description: Addition**

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

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

#### IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> 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. BLDR-098653-2021

**1. Sec. 80.030-C Expansion of Use:** A nonconforming use of a portion of a building may be expanded or extended into the remaining portions of the building if the development administrator determines that the areas of the building in which the expansion is proposed were manifestly arranged and designed for the use. Nonconforming use may not be expanded or extended in any other way unless the expansion reduces or eliminates the nonconformity.

**Review Comments:** You are proposing to add on to and expand an existing structure with a non-conforming use. This lot is zoned CS which is a zoning district that only allows detached Houses (and their accessory buildings) by special exception per table 15-2. Since you are proposing to add on to a structure that is accessory to a nonconforming use, you will need to apply to Board of Adjustment for a special exception to allow expansion of a structure with an existing non-conforming use in a CS zoned district.

**The zoning review will resume once revised 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.



NOTES:  
GRADING AND EROSION CONTROL PLAN

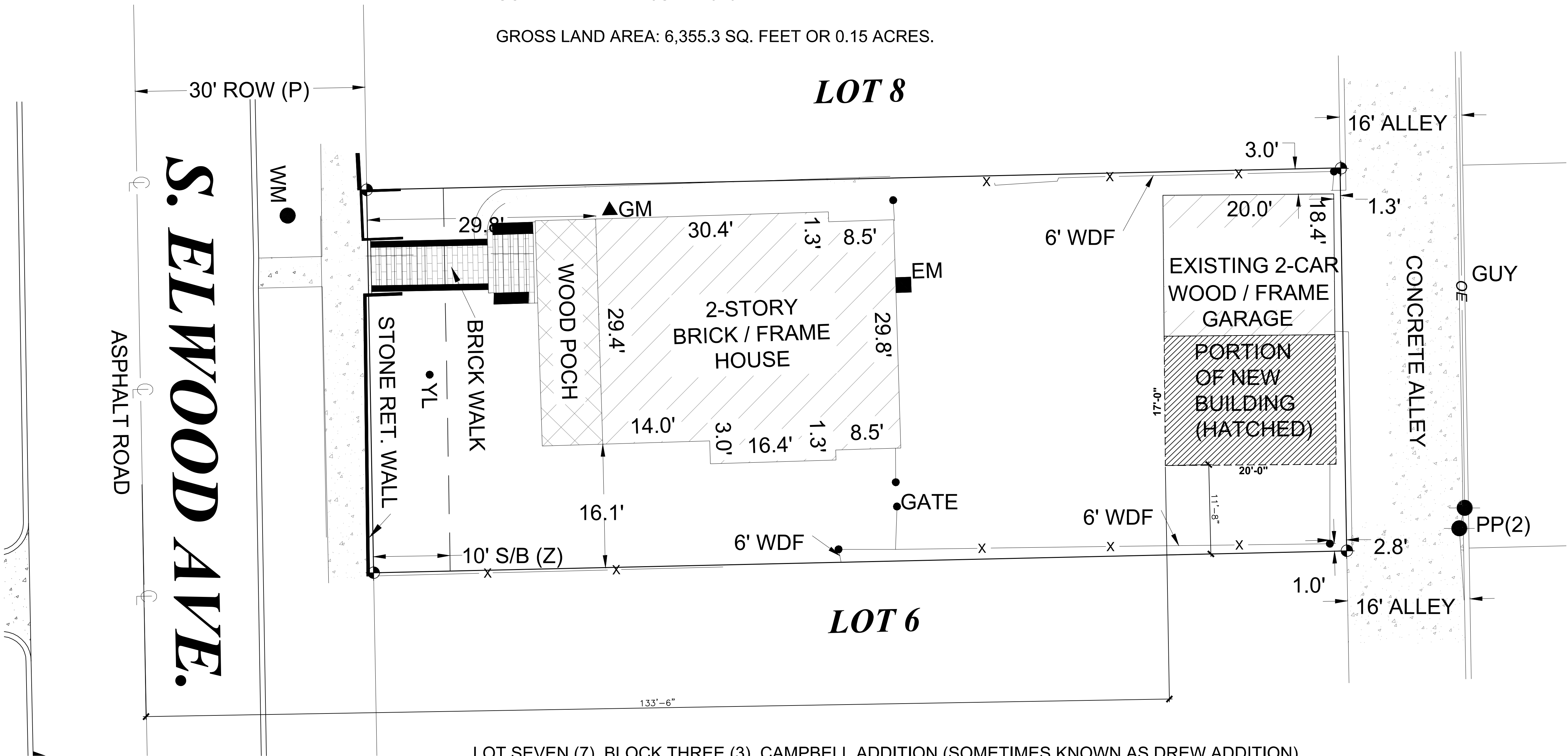
1. ALL GRADING AND EROSION CONTROL SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT CITY STANDARD CONSTRUCTION SPECIFICATIONS.
2. ALL EROSION CONTROL CONSTRUCTION SHALL BE INSPECTED BY THE PUBLIC WORKS DEPARTMENT UTILITY INSPECTORS, IN ACCORDANCE WITH CITY POLICY.
3. EROSION CONTROL SHALL START WITH INITIAL CONSTRUCTION AND BE PRACTICED THROUGHOUT THE PROJECT.
4. HAY BALE DIKES OR SILT FENCES SHALL BE CONSTRUCTED ADJACENT TO ALL DRAINAGE-WAYS, AND IN ALL AREAS THAT WILL ERODE INTO THE STORM SEWER SYSTEM.

PHYSICAL ADDRESS: 1443 SOUTH ELWOOD AVENUE, TULSA, OK 74119

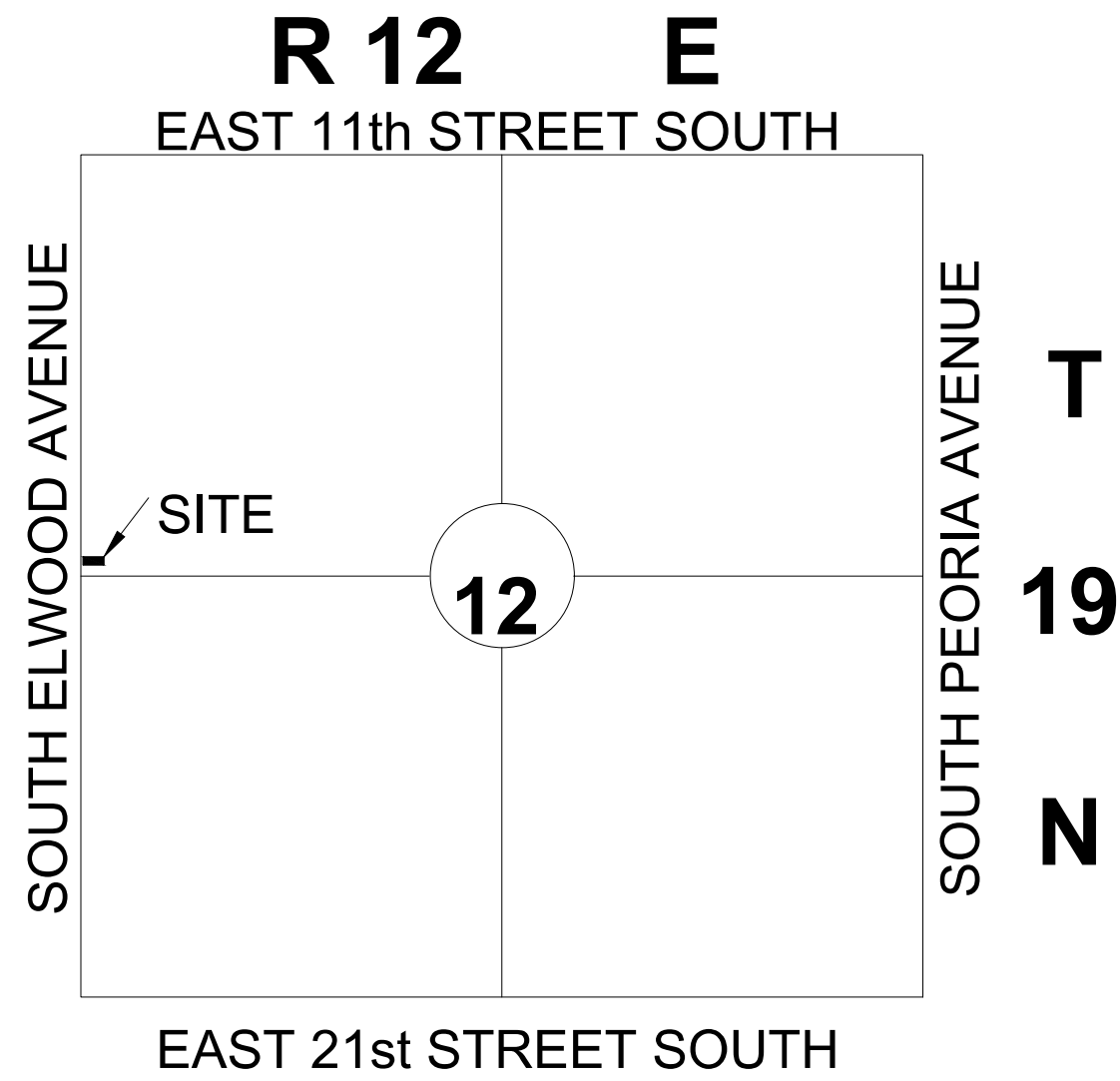
REFER TO CURRENT ZONING FOR NEW CONSTRUCTION GUIDELINES.

SURVEYED PROPERTY IS ZONED CS WITH A 10' FRONT SETBACK PER CITY OF TULSA ZONING CODE. AMENDED: JUNE 2020.

GROSS LAND AREA: 6,355.3 SQ. FEET OR 0.15 ACRES.



LOT SEVEN (7), BLOCK THREE (3), CAMPBELL ADDITION (SOMETIMES KNOWN AS DREW ADDITION) TO TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.



LOCATION MAP  
SCALE: 1"=3000'

LEGEND

- CL = CENTERLINE  
CLF = CHAIN LINK FENCE  
EM = ELECTRIC METER  
GM = GAS METER  
GUY = GUY ANCHOR  
HDWL= HEADWALL  
(P) = PER PLAT  
PP = POWER POLE  
S/B = SETBACK  
YL = YARD LIGHT  
WM = WATER METER  
WDF = WOOD FENCE  
(Z) = ZONING  
— = CENTERLINE  
—X— = FENCELINE  
—OE— = OVERHEAD ELECTRIC



EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN AND PLANS HAVE BEEN SENT TO THE AFFECTED UTILITY OWNERS FOR VERIFICATION OF EXISTING LINES. BEFORE YOU DIG, CONTACT OKIE: 1-800-522-6543.

A T & T COMPANY  
CDX COMMUNICATIONS  
OKLAHOMA NATURAL GAS COMPANY  
SOUTHWESTERN BELL TELEPHONE COMPANY  
AMERICAN ELECTRIC POWER (PSD)

SEAL:

PROJECT:

ACCESSORY  
DETACHED  
GARAGE

1443 S. ELWOOD  
AVE. TULSA, OK  
74119

REVISIONS:

ISSUE DATE:

09/06/2021

SHEET NAME:  
**ARCHITECTURAL  
SITE PLAN**

SHEET #:

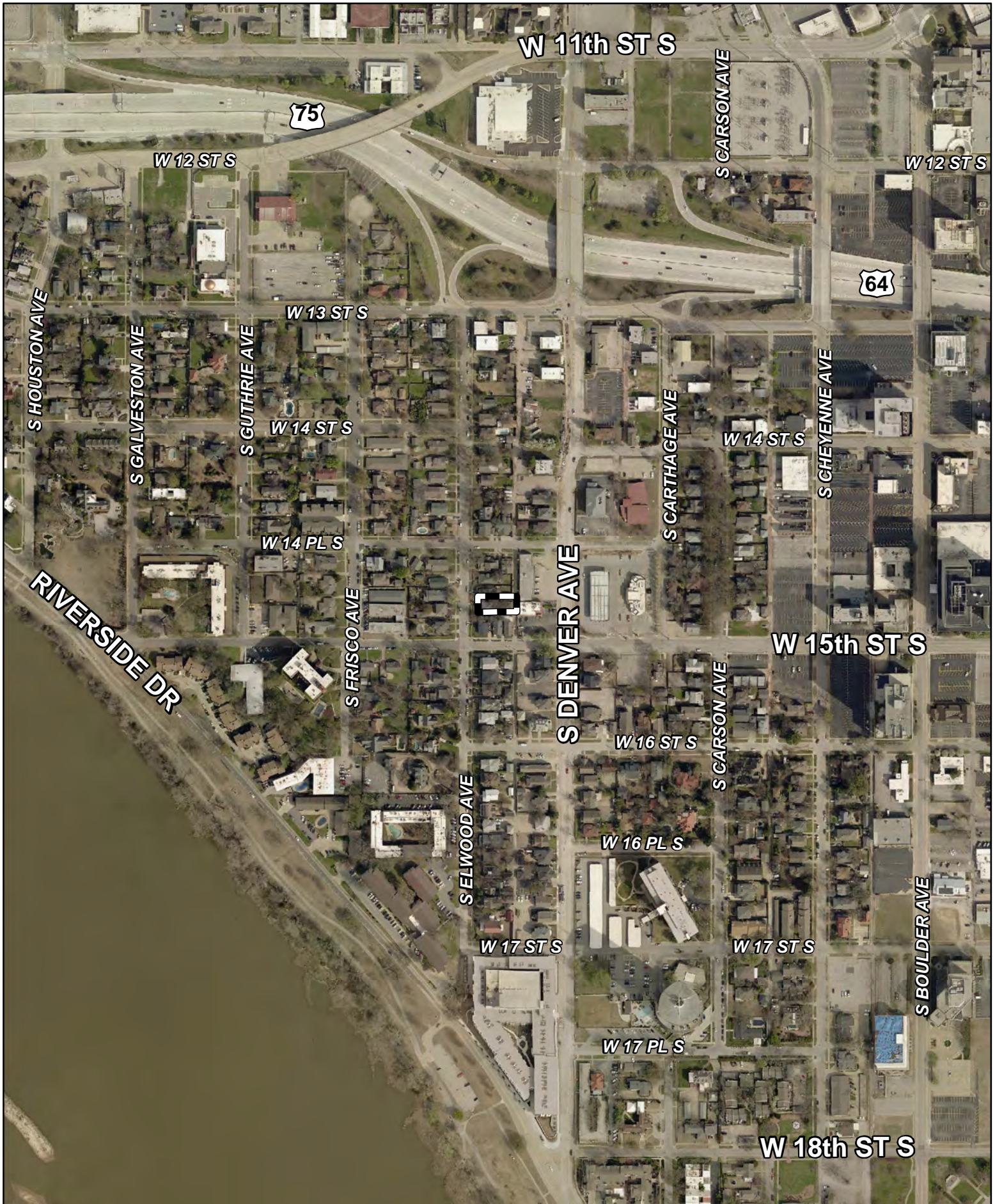
**1 ARCHITECTURAL SITE PLAN**  
SCALE: 1/8" = 1'-0"



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SP





0 Feet 200 400



Subject Tract

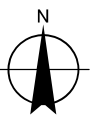
**BOA-23230**

19-12 12

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

Aerial Photo Date: 2020/2021

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Feet



Subject  
Tract

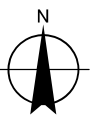
**BOA-23230**

19-12 12

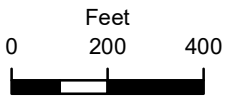
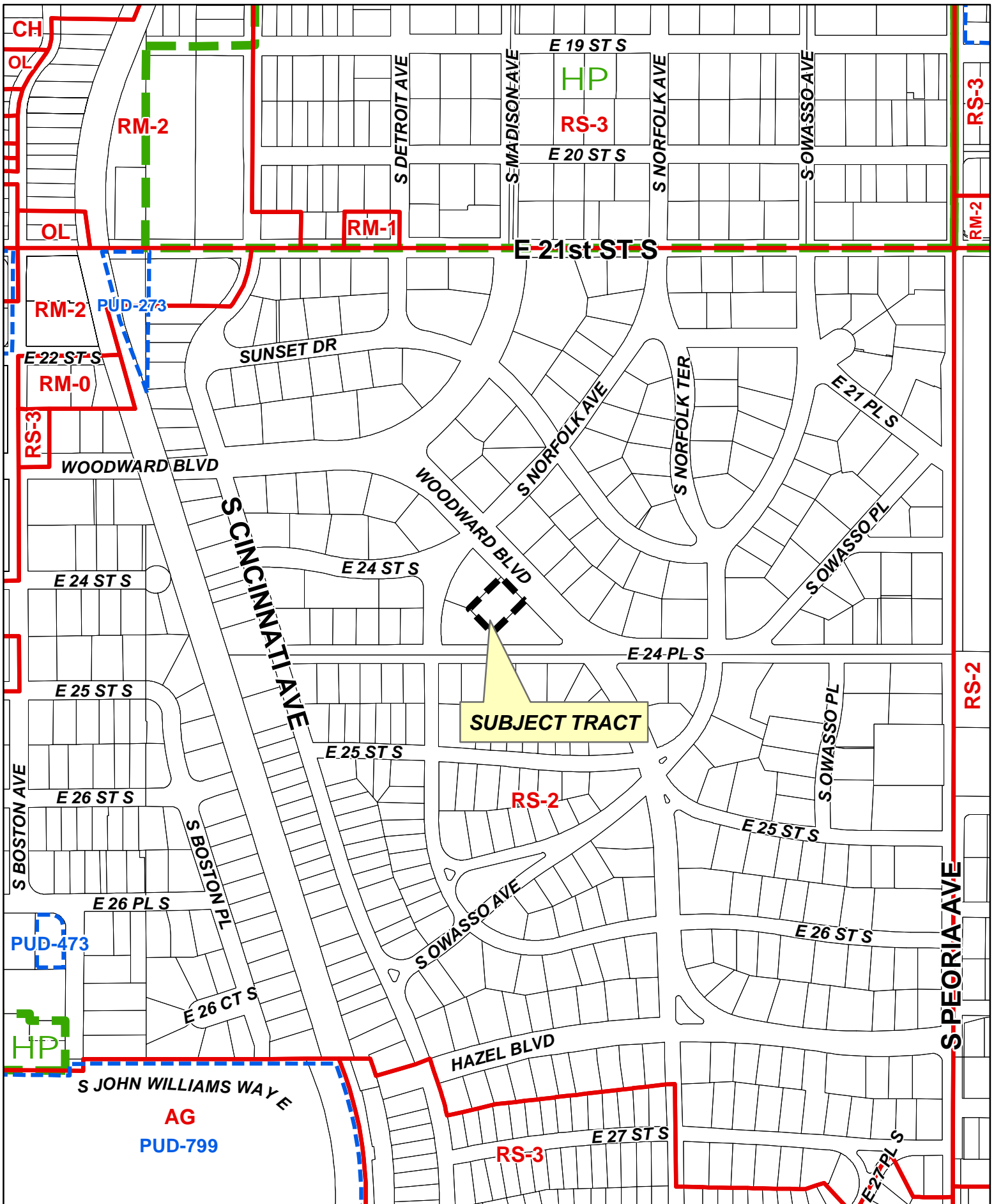
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: 2020/2021

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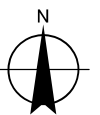




**BOA-23231**

19-12 13

6.1





# BOARD OF ADJUSTMENT CASE REPORT

STR: 9213

Case Number: **BOA-23231**

CZM: 36

CD: 4

**HEARING DATE:** 01/11/2022 1:00 PM

**APPLICANT:** Tom Neal

**ACTION REQUESTED:** **Special Exception** to allow an Accessory Dwelling Unit in the RS-2 district (Section 45.031-D); **Variance** to permit the aggregate floor area of accessory buildings/ dwelling units on a lot in an RS-2 district to exceed 40% the floor area of the primary residential structure (Sec. 45.030-A, 45.031-D); **Variance** to permit a detached accessory building/ dwelling unit to exceed 1 story or 18 feet in height and 10 feet to the top of the top plate (Sec. 90.090.C); **Variance** to allow a detached accessory building/ dwelling unit located in the rear setback to be less than 3' from an interior lot line and located in the side setback (Sec. 90.090-C)

**LOCATION:** 1120 E WOODWARD BV S

**ZONED:** RS-2

**PRESENT USE:** Residential

**TRACT SIZE:** 16500.6 SQ FT

**LEGAL DESCRIPTION:** LOT 2 BLK 10, SUNSET PARK AMD

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:** None.

**BOA-22973;** On 08.11.2020 the Board approved a Variance to allow a pool in the 30-foot front street setback and the 15-foot side street setback and a Special Exception to allow a fence or wall to exceed 4-feet in height in the street setback. Property located 1128 Woodward Boulevard.

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

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

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

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located on the West side of Woodward Boulevard In between E. 24 Pl. S. and S. Norfolk Ave. the property is located in a triangle shaped block in the Sunset Park Amended Addition.



## STATEMENT OF HARDSHIP:

Original garage is only good for Model T or A size cars. Owners want to model larger, modern size garage as well as creating a mother-in-law ADU above. Original garage is closer to property then is allowed under current standard.

**STAFF COMMENTS:** The applicant is requesting **Special Exception** to allow an Accessory Dwelling Unit in the RS-2 district (Section 45.031-D); **Variance** to permit the aggregate floor area of accessory buildings/ dwelling units on a lot in an RS-2 district to exceed 40% the floor area of the primary residential structure (Sec. 45.030-A, 45.031-D); **Variance** to permit a detached accessory building/ dwelling unit to exceed 1 story or 18 feet in height and 10 feet to the top of the top plate (Sec. 90.090.C); **Variance** to allow a detached accessory building/ dwelling unit located in the rear setback to be less than 3' from an interior lot line and located in the side setback (Sec. 90.090-C)

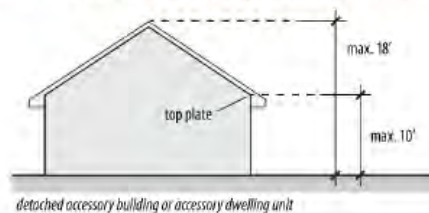
Included in your packet are Sections 45.030 and 45.031 relating to regulations for Accessory Buildings and Accessory Dwelling Units.

*Table 90-1: Permitted Setback Obstructions in R Zoning Districts*

Obstruction	Setback		
	Street	Side	Rear
Accessory buildings (see also <u>§90.090-C2</u> )	No	No	Yes

- (1) The building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate; and

*Figure 90-9: Maximum Height of Accessory Buildings, Including Accessory Dwelling Units In Rear Setbacks (RE, RS and RD Districts or RM Zoned Lots Used for Detached Houses or Duplexes)*



- (2) Building coverage in the rear setback does not exceed the maximum limits established in Table 90-2:

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

Zoning District	Maximum Coverage of Rear Setback
RS-1 and RE Districts	20%
RS-2 District	25%
RS-3, RS-4, RS-5 and RD Districts	30%
RM zoned Lots Used for Detached Houses or Duplexes	30%

- b. Detached accessory buildings, including accessory dwelling units, in the rear setbacks must be set back at least 3 feet from all interior lot lines. For lot lines abutting street right-of-way, detached accessory buildings, including accessory dwelling units, must comply with the same setback requirements that apply to principal buildings.

*Figure 90-10: Required Setbacks for Accessory Buildings, Including Accessory Dwelling Units, in Rear Setbacks (RE, RS and RD Districts and RM Zoned Lots Used for Detached Houses and Duplexes)*



The applicant is proposing a two story ADU with a top height of 23 feet 3 inches and 18 feet to the top plate. Per code the property is allowed 1,324 square feet for the detached accessory building and the applicant is requesting 1,966 square feet. The structure is 2 feet 11 inches from the West property line.

The stated hardship is a personal inconvenience related to car size. In accommodating the Accessory Dwelling Unit the applicant should detail what practical difficulties there would be to adding a small addition horizontally to the South.

**SAMPLE MOTION:**

**Special Exception:**

Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to allow an Accessory Dwelling Unit in the RS-2 district (Section 45.031-D)

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

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

**Variances:**

Move to \_\_\_\_\_ (approve/deny) a **Variance** to permit the aggregate floor area of accessory buildings/ dwelling units on a lot in an RS-2 district to exceed 40% the floor area of the primary residential structure (Sec. 45.030-A, 45.031-D); **Variance** to permit a detached accessory building/ dwelling unit to exceed 1 story or 18 feet in height and 10 feet to the top of the top plate (Sec. 90.090.C); **Variance** to allow a detached accessory building/ dwelling unit located in the rear setback to be less than 3' from an interior lot line and located in the side setback (Sec. 90.090-C)

- 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***



**Board Action:**

On **MOTION** of **BOND**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; "nays"; no "abstentions"; none absent) to **APPROVE** the request for a **Special Exception** to allow a law office in a RM-2 District (Section 5.050, Table 5-2); **Variance** of the minimum lot size and lot width requirement for a Special Exception use in a RM-2 District (Section 5.050, Table 5-3); **Variance** of the 25-foot building setback for Special Exception use from a R District in a RM-2 District (Section 5.030-B, Table Note 4); **Variance** of the minimum building setback from an R District for an office use in an RM-2 District (Section 40.260-B, Table 15-3 & Section 15.030-B, Table Note 5), subject to conceptual plan 2.17 of the agenda packet. The existing principal structure is to remain the same except for the ADA compliance. The Board finds the hardship to be that the structure predates the Comprehensive Zoning Code, the historic nature of the house, as well as the changing nature of the surrounding structures. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

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

**S.25 LT 3 N.35 LT 4 BK 5, STONEBRAKER HGTS ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

**22973—John and Elaine Burkhardt**

**FILE COPY**

**Action Requested:**

**Variance** to reduce the 30-foot front street setback and the 15-foot side street setback in an RS-2 District to permit a swimming pool (Section 5.030, Table 5-3 &

08/11/2020-1256 (6)



BOA - 22973

FILE COPY

Section 90.090, Table 90-1); Special Exception to allow a fence or wall to exceed 4 feet inside the street setback (Section 45.080-A). LOCATION: 1128 Woodward Boulevard (CD 4)

**This case was reconvened at 1:34 P.M.**

**Presentation:**

**John Burkhardt** came forward and stated the last page of the exhibits he presented to the Board is not Maple Ridge, but it is Swan Lake. It is a property that sought and received a Variance in 2017. The Board approved an aggregate of 26 feet between two sides of the setback allowance, and he is seeking substantially less than that.

Mr. Van De Wiele asked Mr. Burkhardt about the fence that is depicted in exhibit 101. Mr. Burkhardt stated the fence in that picture is between 6'-0" and 6'-6" tall.

Mr. Burkhardt stated the hardship for this request is that the property is a triangularly shaped lot with a topography that gradually slopes from front to the rear making it more difficult to locate a pool anywhere else other than the side property. These limitations preceded him and are not caused by him. The Variance being sought is not substantially and relatively minimal. The Variance, if granted, will not cause substantial detriment to the public good or impair the purposes or spirit or intent of the Tulsa Zoning Code or other City Ordinances.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

Mr. Bond stated that he is generally opposed to breaching a front setback or a side setback. In a normal situation, in looking at the site diagram, he thinks there is a whole lot of space in the back yard. He is sympathetic to wanting to save the trees; this area was once populated with large Elm trees and Dutch Elm destroyed a lot of those trees in the 1970s and the 1980s. This is a unique case that should not be looked to for a precedent for other forms of relief. Mr. Bond stated he is inclined to support this request.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 5-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance to reduce the 30-foot front street setback and the 15-foot side street setback in an RS-2 District to permit a swimming pool (Section 5.030, Table 5-3 & Section 90.090, Table 90-1); Special Exception to allow a fence or wall to exceed 4 feet inside the street setback (Section 45.080-A), subject to conceptual plans 1.14, 1.15, 1.16 and Exhibits 1.01 and 1.02 submitted today. The fence is to be limited to 6'-6" in height. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of

08/11/2020-1256 (7)



the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

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

**LOT 3 BLK 10, SUNSET PARK AMD, City of Tulsa, Tulsa County, State of Oklahoma**

**22975—Jim Beach**

**Action Requested:**

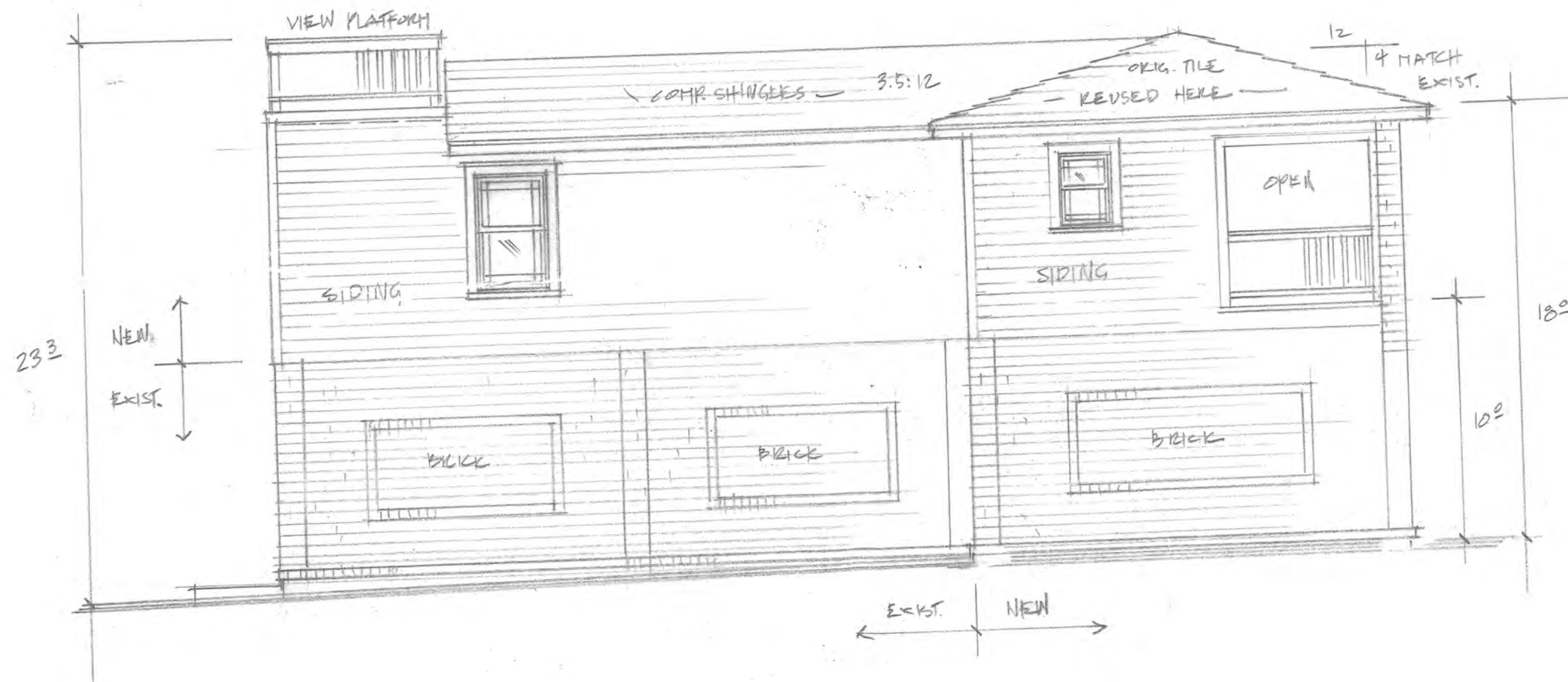
Minor Special Exception to amend a previously approved site plan for a fitness facility and health club in an RD District (Section 70.120). **LOCATION:** 3030 East 91st Street South **(CD 2)**

**Presentation:**

**Jim Beach**, Wallace Engineering, 123 North Martin Luther King, Jr. Boulevard, Tulsa, OK; stated that over several decades the building has existed and has been through three previous Board of Adjustment hearings. The site plan depicted on page 3.13 shows everything that is existing and the new proposed membraned covered framed structure. That structure is near the southeast corner of the property. The structure is there to cover new or existing ball courts.

Mr. Van De Wiele asked Mr. Beach if the structure is intended to come down in the winter and go up in the spring or is it intended to be permanent? Mr. Beach deferred to the architect of the project.

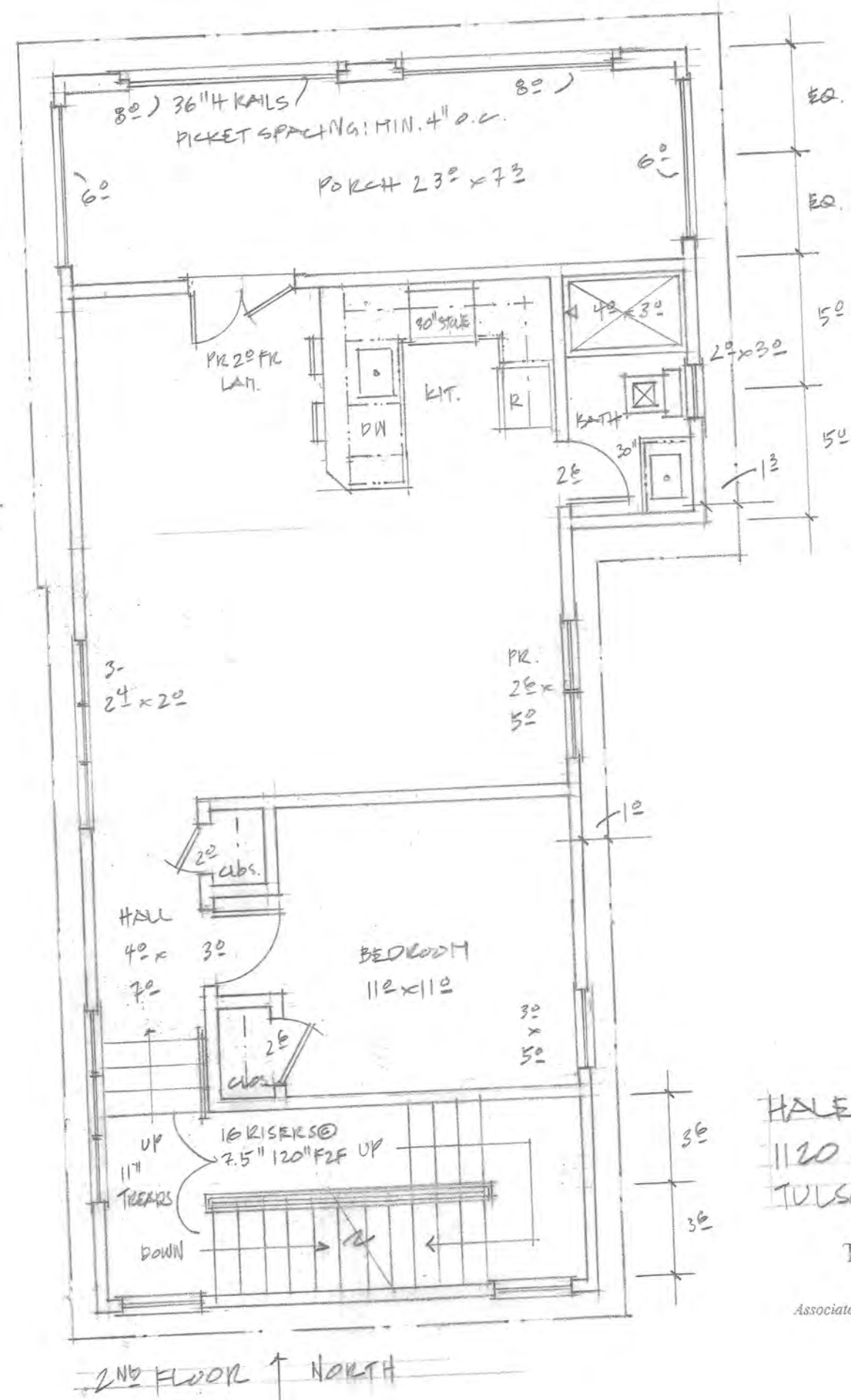
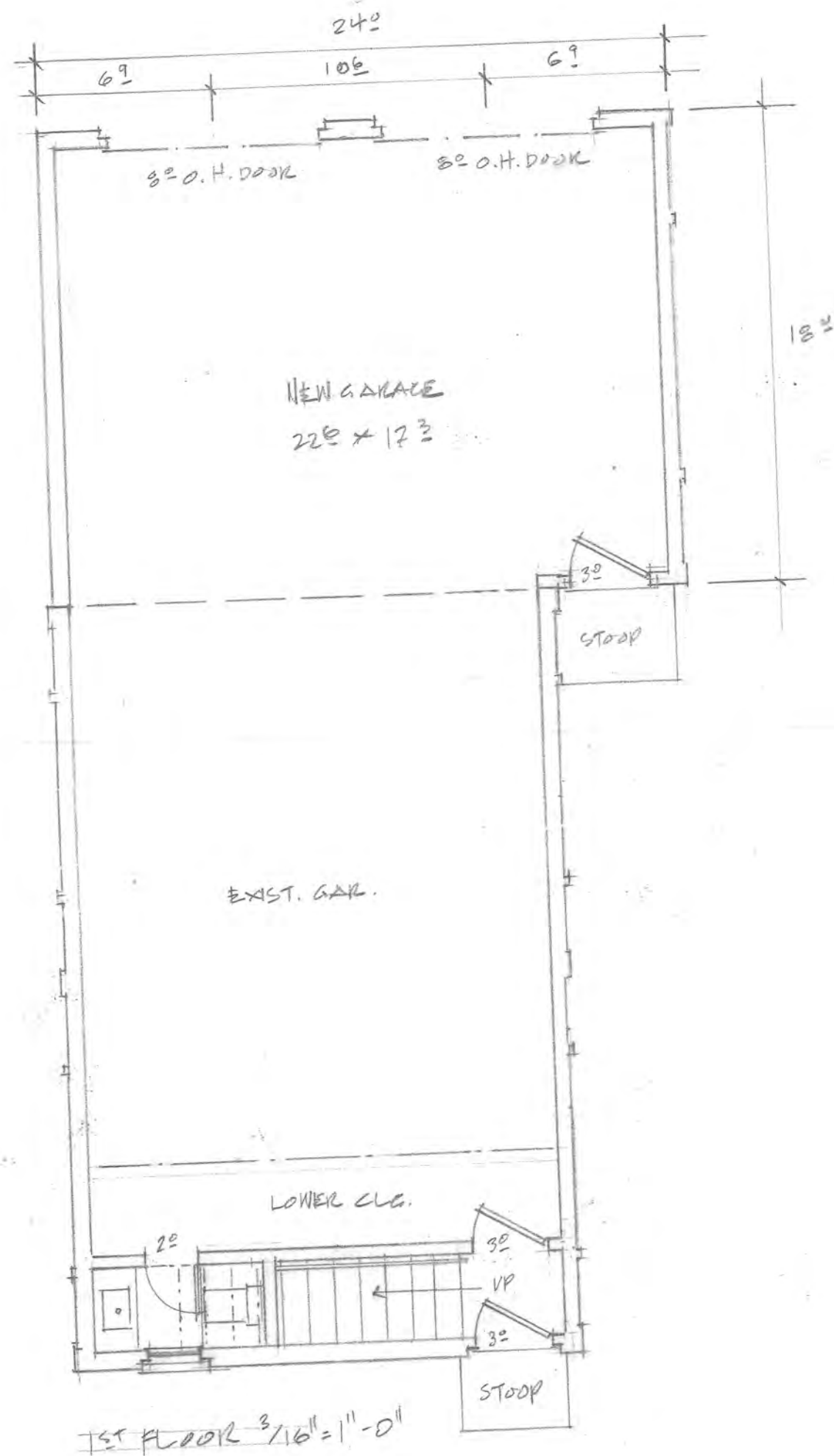




HALES  
 1120 E. WOODWARD  
 TULSA, OKLA 74102

TOM NEAL  
 DESIGN  
 Associate member, American Institute of Architects  
 918.231.7372

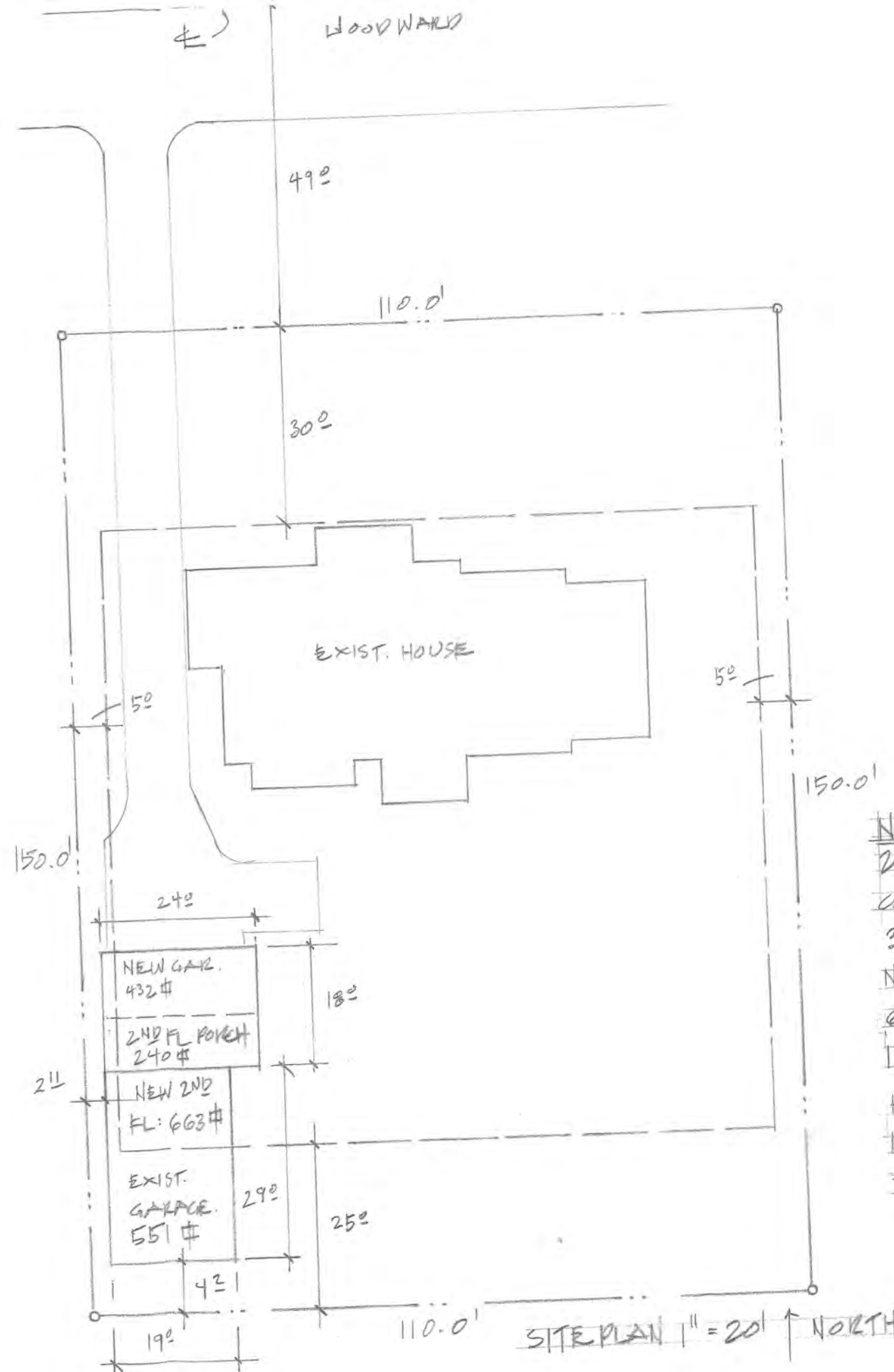




HALES  
1120 EAST WOODWARD  
TULSA - OKLA 8-2021

TOM NEAL  
DESIGN  
Associate member, American Institute of Architects  
918.231.7372

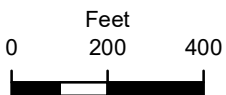
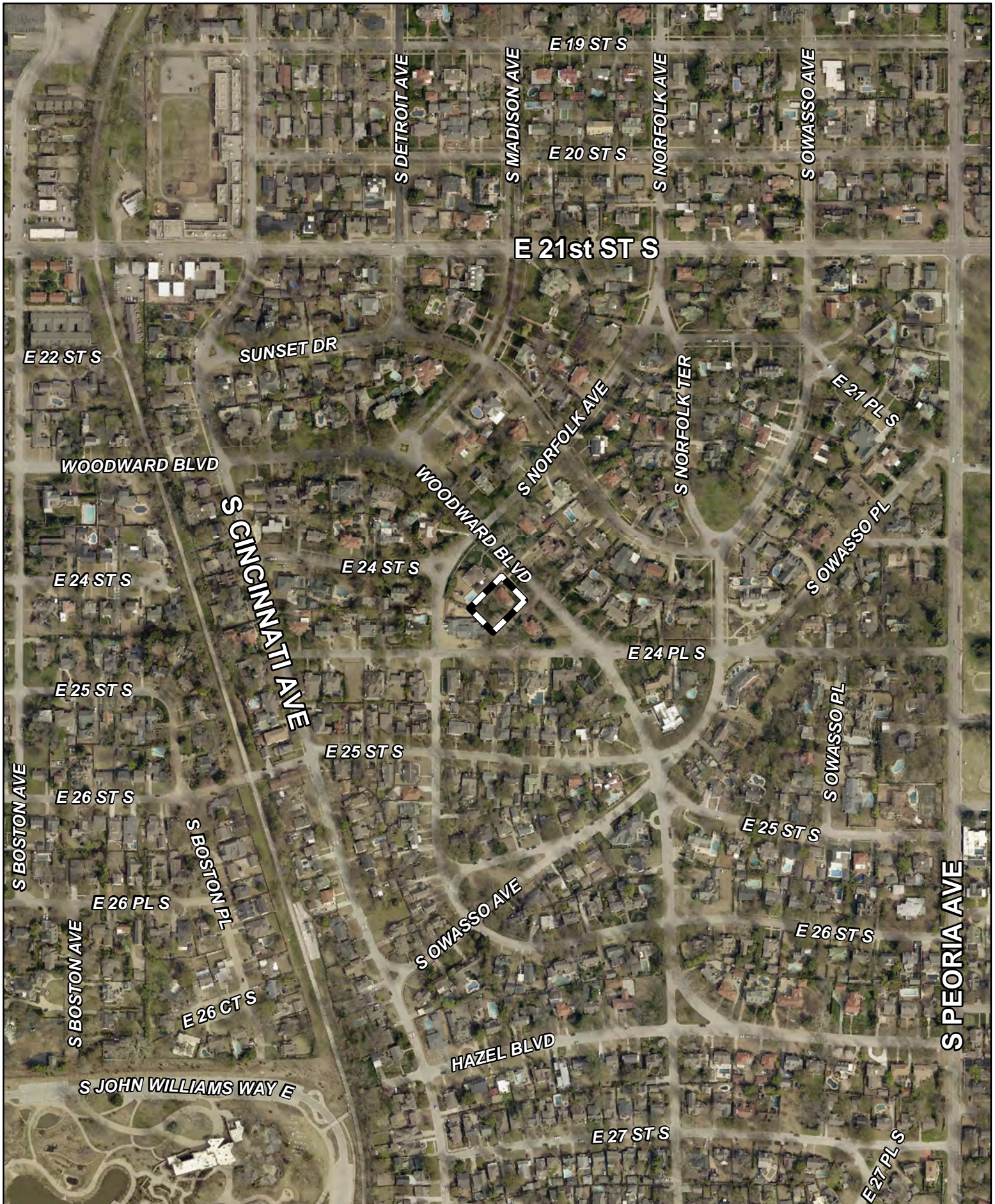




NOTE: REQ. REAR YARD  
 2750 SF.  $\times$  30% = 825 SF.  
 COVERED: 551 SF. HOUSE:  
 3310 SF  $\times$  40% = 1324 SF.  
 NEW+OLD: 1966 S.F. NEED  
 642 EXTRA SF, 2 FLOORS  
 18" PLATE ~~18"~~ HT. ADJ. S.E.  
 23'3"  
 HALES  
 1120 EAST WOODWARD  
 TULSA - OKLA 8-2024

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





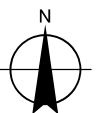
Subject  
Tract

**BOA-23231**

19-12 13

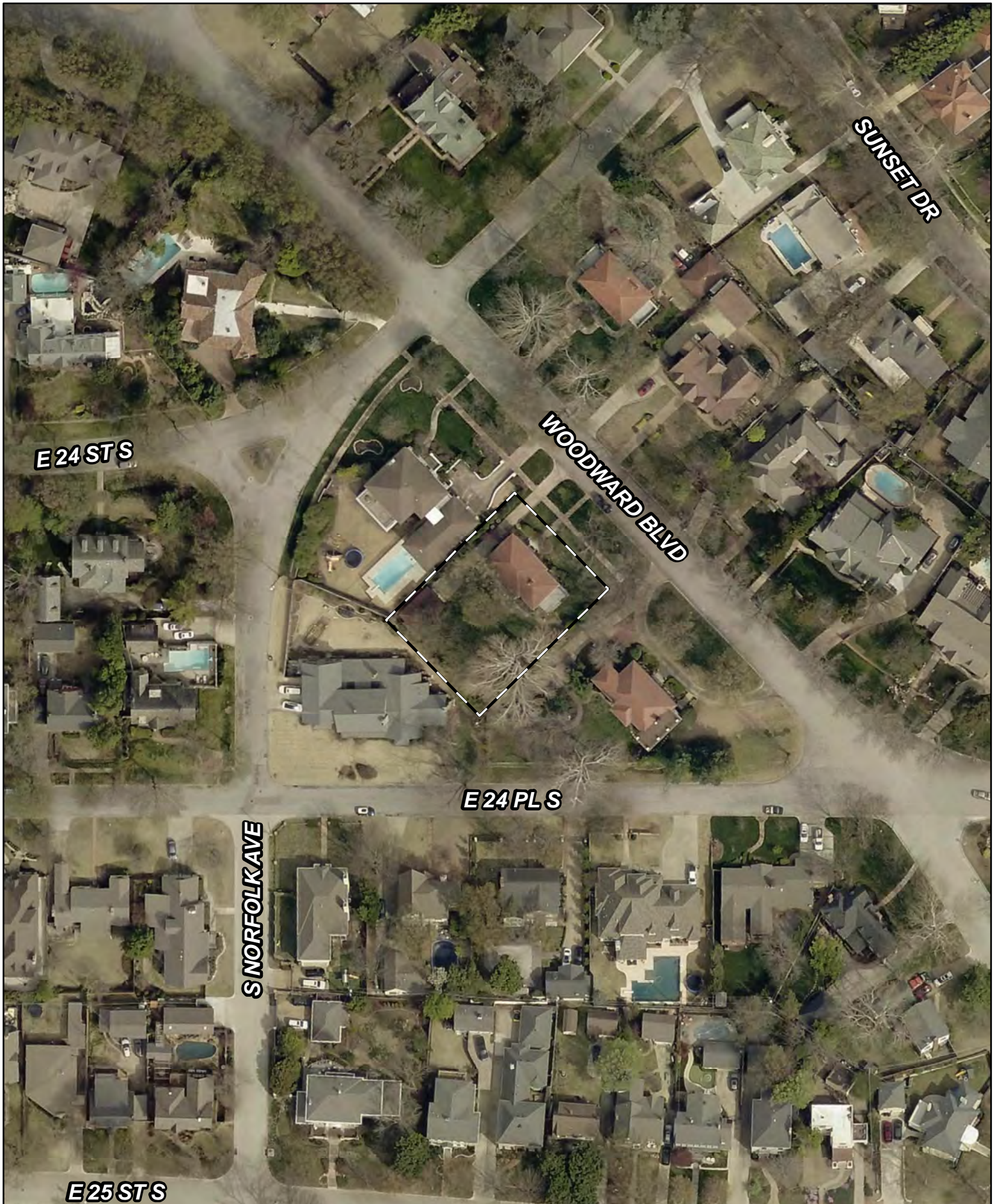
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: 2020/2021



6.12





0 50 100  
Feet



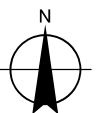
Subject  
Tract

**BOA-23231**

19-12 13

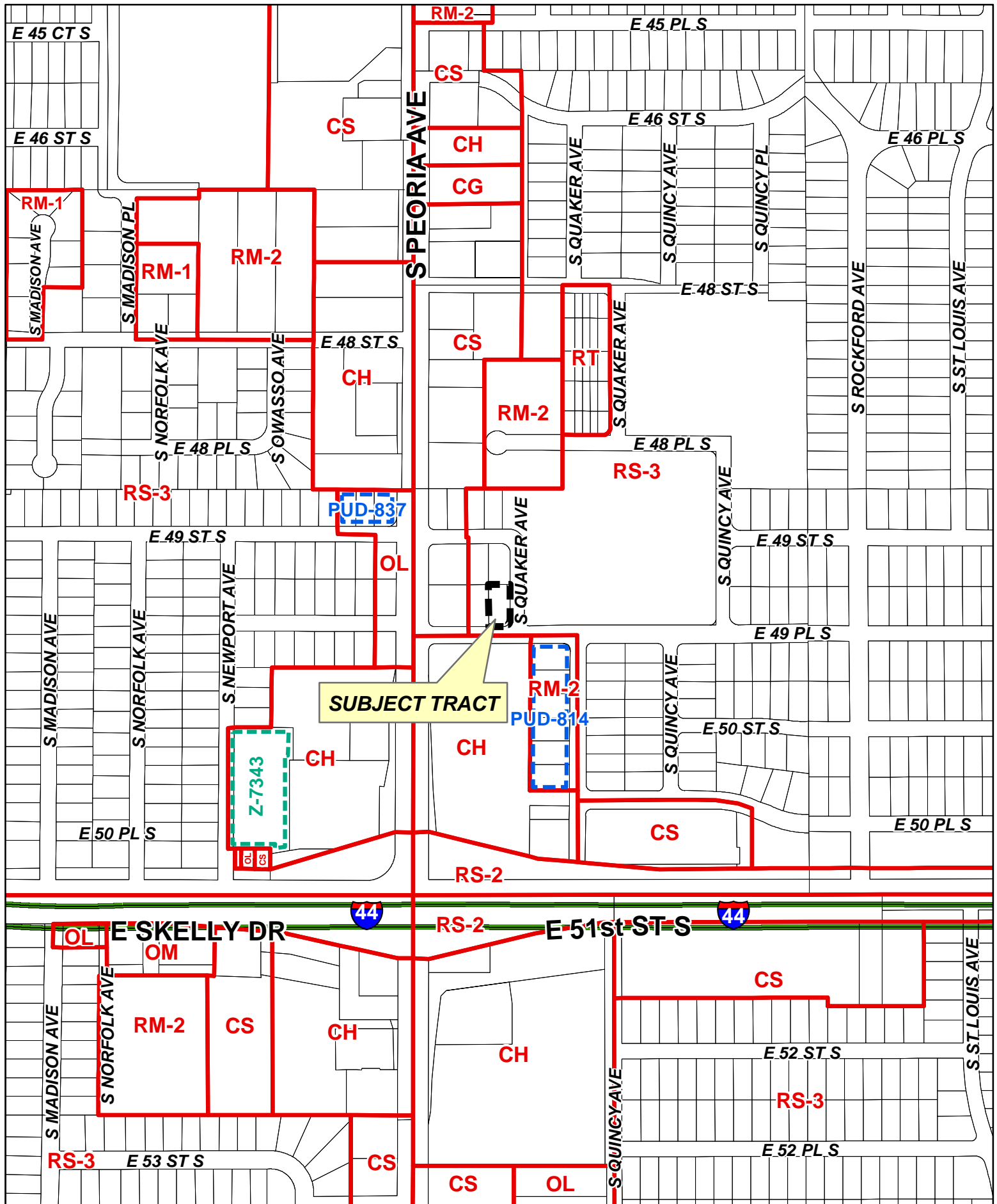
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: 2020/2021



6.13





SUBJECT TRACT

BOA-23232

19-13 30

7.1



# BOARD OF ADJUSTMENT CASE REPORT

STR: 9330

Case Number: **BOA-23232**

CZM: 47

CD: 9

**HEARING DATE:** 01/11/2022 1:00 PM

**APPLICANT:** Stuart VanDeWiele

**ACTION REQUESTED:** Variance of Section 5.030 (Table 5-3) to reduce the minimum lot area of a special exception use from 12,000 square feet to 8,691 square feet; Variance of Section 5.030 (Table 5-3) to reduce the minimum lot width of a special exception use from 100 feet to 67 feet; Variance of Section 5.030 (Table 5-3) to reduce the minimum street setback from 25 feet to 18.87 feet; Variance of Section 5.030 (Table 5-3 Table Note 4) to reduce the minimum interior side yard (to the west) from 25 feet to 8 feet; Variance of Section 5.030 (Table 5-3) to reduce the minimum interior side yard (to the west) from 25 feet to 14.33 feet; Variance of Section 90.090-A to allow parking within the planned right-of-way along Quaker Avenue, subject to granting of a right-of-way license agreement from the City of Tulsa.

**LOCATION:** 4920 S QUAKER AV E

**ZONED:** RS-3

**PRESENT USE:** Vacant Lot

**TRACT SIZE:** 8690.26 SQ FT

**LEGAL DESCRIPTION:** LT 8 BLK 18, BELLAIRE ACRES SECOND EXT

## **RELEVANT PREVIOUS ACTIONS:**

### **Subject property:**

**BOA-23040;** On 12.09.20 the Board approved a Special Exception to allow a Public, Civic & Institutional/ Governmental Service Use or Similar Use to permit a spiritual counseling and charitable support facility and food bank in an RS-3 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 NW/c of E. 49<sup>th</sup> Pl. S. and S. Quaker Ave. The property is immediately across S. Quaker from the Church of St. Mary.

**STAFF COMMENTS:** The applicant is requesting **Variance** of Section 5.030 (Table 5-3) to reduce the minimum lot area of a special exception use from 12,000 square feet to 8,691 square feet; **Variance** of Section 5.030 (Table 5-3) to reduce the minimum lot width of a special exception use from 100 feet to 67 feet; **Variance** of Section 5.030 (Table 5-3) to reduce the minimum street setback from 25 feet to 18.87 feet; **Variance** of Section 5.030 (Table 5-3) to reduce the minimum interior side yard (to the west) from 25 feet to 8 feet; **Variance** of Section 5.030 (Table 5-3, Table Note 4) to reduce the minimum interior side yard (to the west) from 25 feet to 14.33 feet; **Variance** of Section 90.090-A to allow parking within the planned right-of-way along Quaker Avenue, subject to granting of a right-of-way license agreement from the City of Tulsa.

*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
<b>Min. Lot Area per Unit (sq. ft.)</b>													
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
<b>Minimum Lot Width (ft.)</b>													
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
<b>Minimum Street Frontage</b>													
Residential bldgs/uses [2]	30	30	30	30	30	30	30	30	30	30	30	30	30
<b>Min. Building Setbacks (ft.)</b>													
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

**[4]** Non-residential uses requiring special exception approval in R zoning districts require minimum 25-foot building setback from R-zoned lots occupied by residential uses.



## Measurement

Required setbacks are measured from the applicable lot line, right-of-way, planned right-of-way or location referred to below. Building setbacks are measured to the nearest exterior building wall. Minimum setbacks that apply to other features (parking areas, fences, storage areas) are measured from the nearest point of the area or feature for which a setback is required. See §90.090-C for information on structures and building features that are allowed to occupy setback and yard areas in R zoning districts. Unless otherwise expressly stated, no part of any structure may be located within the street right-of-way, nor within the planned right-of-way of streets shown on the major street and highway plan, nor within 25 feet of the centerline of the right-of-way on streets not shown on the major street and highway plan. If a variance of the prohibition against location of a structure within the right of way or planned right of way is granted by the Board of Adjustment, no part of any structure may be located within the street right-of-way, nor within the planned right-of-way of streets shown on the major street and highway plan, nor within 25 feet of the centerline of the right-of-way on streets not shown on the major street and highway plan, unless 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.

The board approved the Special Exception previously to allow the use. At the time the case was heard the additional items were not addressed in the Letter of Deficiency or by the previous applicant.

**STATEMENT OF HARDSHIP:** The applicant provided a Statement in your packet addressing the hardship.

### **SAMPLE MOTION:**

Move to \_\_\_\_\_ (approve/deny) a **Variance** of Section 5.030 (Table 5-3) to reduce the minimum lot area of a special exception use from 12,000 square feet to 8,691 square feet; **Variance** of Section 5.030 (Table 5-3) to reduce the minimum lot width of a special exception use from 100 feet to 67 feet; **Variance** of Section 5.030 (Table 5-3) to reduce the minimum street setback from 25 feet to 18.87 feet; **Variance** of Section 5.030 (Table 5-3) to reduce the minimum interior side yard (to the west) from 25 feet to 8 feet; **Variance** of Section 5.030 (Table 5-3, Table Note 4) to reduce the minimum interior side yard (to the west) from 25 feet to 14.33 feet; **Variance** of Section 90.090-A to allow parking within the planned right-of-way along Quaker Avenue, subject to granting of a right-of-way license agreement from the City of Tulsa.

- 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 49<sup>th</sup> Pl.***



**Exhibit “A”**  
**Legal Description**

Lot Eight (8), Block Eighteen (18), BELLAIRE ACRES SECOND EXTENSION, an addition to City of Tulsa, County of Tulsa, State of Oklahoma, according to the Recorded Plat No. 1705.



**Exhibit “B”**  
**Action Requested**

**Variance #1 (Lot Area)** – Variance of Section 5.030 (Table 5-3) for the minimum lot area of a special exception use from 12,000 square feet to 8,691 square feet.

**Variance #2 (Lot Width)** – Variance of Section 5.030 (Table 5-3) for the minimum lot width of a special exception use from 100 feet to 67 feet.

**Variance #3 (Setback from Quaker Avenue)** – Variance of Section 5.030 (Table 5-3) for the minimum street setback from 25 feet to 18.87 feet.

**Variance #4 (Setback from Interior Side Yard – West)** <sup>1 2</sup> – Variance of Section 5.030 (Table 5-3) for the minimum interior side yard (to the west) from 25 feet to 8 feet.

**Variance #5 (Setback from Rear Yard – North)** – Variance of Section 5.030 (Table 5-3) for the minimum interior side yard (to the west) from 25 feet to 14.33 feet.

**Variance #6 (Parking in Quaker Planned Right of Way)** – Variance of Section 90.90-A to allow parking within the planned right-of-way along Quaker Avenue, subject to granting of a right-of-way license agreement from the City of Tulsa.

<sup>1</sup> Note that the LOD incorrectly labels the “interior side yard” as being to the “east” instead of to the “west”.

<sup>2</sup> Note that this requirement is only required (per note 4 on Table 5-3) “from R-zoned lots **occupied by residential uses**”. The lot to the west is zoned R-3 but is a vacant lot. As such, applicant would contend this variance is not required.



**Exhibit “C”**  
**Hardship Statement**

The use of the Subject Property as an outreach center for the Church of St. Mary was approved on December 8, 2020 (BOA-23040). That approved use triggered the need for several variance requirements, all of which relate to the size of the Subject Property.

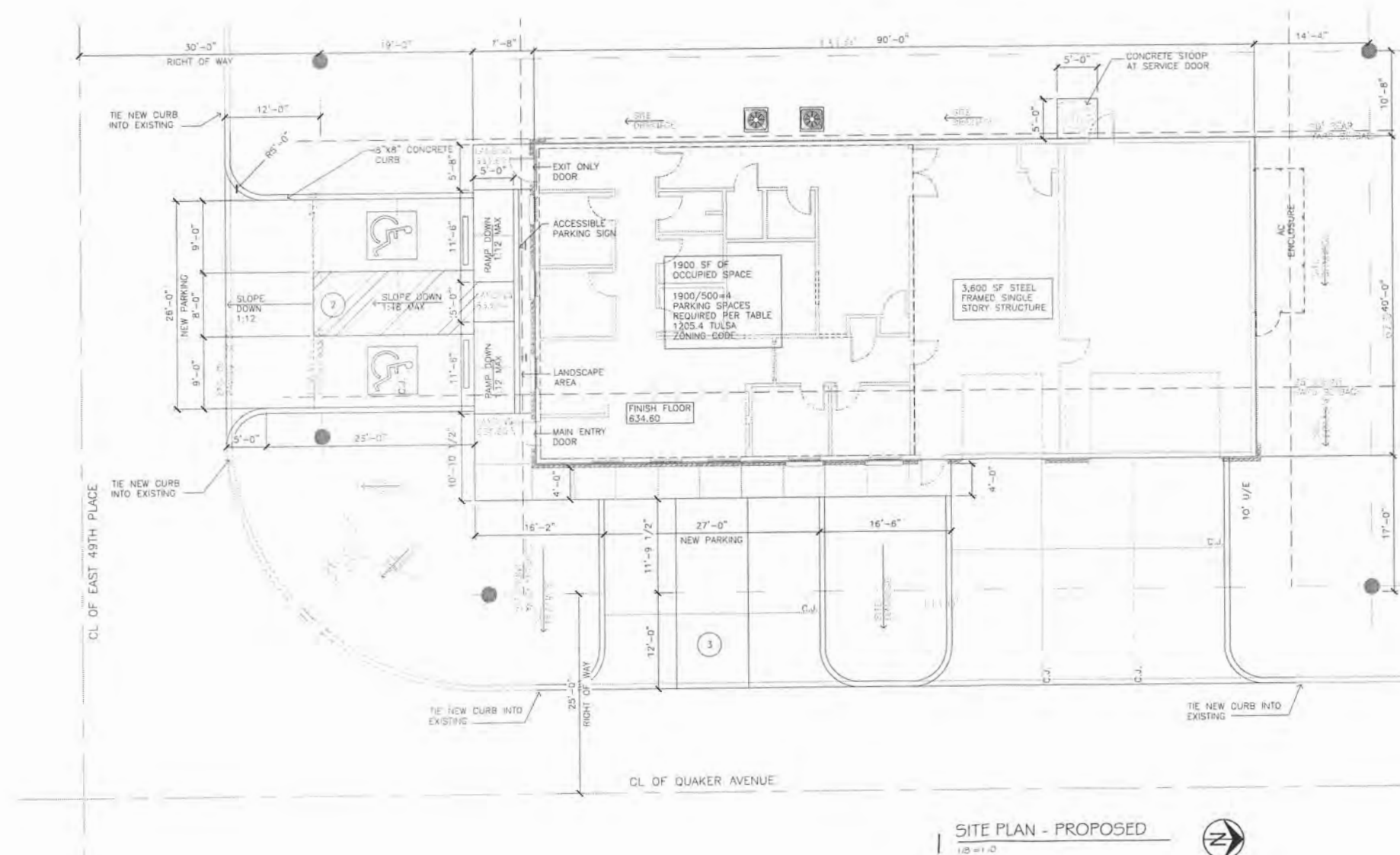
The development of the Subject Lot as an outreach center will be in conjunction with the religious, civic and charitable activities that have been conducted by the Church at its adjoining (across Quaker) campus since 1954 – specifically, these types of outreach services have been provided directly across Quaker for 25 years . The new use at the Subject Property will be small in scale and is merely a relocation of the same use from directly across Quaker.

The majority of the visitors to the outreach center (i) are by appointment, (ii) come to the center on foot or by bus routes along Peoria, and (iii) are outside of heavy traffic flow times.

The historic religious, civic and charitable activities of the Church are unique to Subject Property and, when coupled with the small scale of the planned development, clearly satisfy the requirements of Section 70.130-H. The variances not only will not (i) alter the essential character of the neighborhood, (ii) impair use or development of adjacent properties, or (iii) cause substantial detriment to the public good – to the contrary, the variances are in keeping with the character of the neighborhood and are of a tremendous need and benefit to the community.

For a more detailed description of the project, see the attached summary by Rev. Jack Gleason of the Church of St. Mary.





PERMIT ISSUE	05.15.11
OWNER REVISIONS	04.02.11
ISSUE	DATE



[https://tulsaworld.com/news/local/govt-and-politics/city-councilors-local-officials-tour-61st-and-peoria-explore-options-to-improve-neighborhood/article\\_dd2a381c-5920-11ec-a9e8-bb0c67d69d3c.html](https://tulsaworld.com/news/local/govt-and-politics/city-councilors-local-officials-tour-61st-and-peoria-explore-options-to-improve-neighborhood/article_dd2a381c-5920-11ec-a9e8-bb0c67d69d3c.html)

## City councilors, local officials tour 61st and Peoria, explore options to improve neighborhood

Kevin Canfield

Dec 14, 2021



Tulsa City Councilors Jayme Fowler (from left) and Jeannie Cue speak to local officials on a tour of a vacant lot near 61st Street and Peoria Avenue.

Ian Maule, Tulsa World

Kevin Canfield

7.11

WELLS  
FARGO

Home

Equal Housing Lender



City Councilor Jayme Fowler has been quietly working to improve living conditions in and around 61st Street and Peoria Avenue since he took office a year ago.

Now he's speaking up and urging nonprofits, civic leaders and the city itself to join in the effort.



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“We are going to execute the playbook,” Fowler said last week before leading about a dozen people on a tour of the area. “There is not going to be an incredible big, big bang. But there will be incredible attention to detail with everything that we do, and every little thing that we do, it will begin to add up — on a week, on a month, on a year.

“And after about two or three years it will be all of a sudden just this cool place. Good things are going on.”

The tour began at the South Tulsa Community House, a nonprofit organization at 5780 S. Peoria Ave., and included stops at Johnson Park, Cox Cash Saver supermarket and an empty lot across the street. Along the way, the visitors got to see some of the rundown and dangerous apartment complexes that are all too common in the neighborhood. An overnight fire at one complex left about a dozen residents displaced on Monday.

Lindiwe Chaza Jangira, executive director of the Community House, said she was grateful to have guests to the neighborhood who are genuinely interested in making the area a better place.

“We have become overshadowed by the affluence of south Tulsa,” Jangira said. “And when you talk about south Tulsa, everybody is just thinking big mansions and the (Southern Hills) golf course, the River Spirit.

7.12

WELLS FARGO Home

Equal Housing Len



“They don’t see in between. So this is a very good indication for us that you have noticed that we are here, and more than that, that we are willing to actually take some actions to be transformative players in this community.”

Fowler said the 61st and Peoria neighborhood as he defines it is bounded by 55th Street to the north, 64th Street to the south, Riverside Drive to the west and just east of McClure Elementary School on 61st Street to the east.

The densely populated area has long been one of the city’s poorest and most crime ridden — a fact not lost on people like Elizabeth Osburn with the Tulsa Regional Chamber.

“We think that to have a city that can attract businesses we have to have a city that invests in all its neighborhoods and all of its residents, and we have seen some amazing things happen when the community comes together in north Tulsa and when the business community comes together,” Osburn, the chamber’s senior vice president of government affairs, said during the stop at Johnson Park. “We want prosperity for all of the city.”

Fowler stood in front of the park’s restrooms, which he said have not been operable for decades, and promised better times ahead for the long under-used green space along Riverside Drive.

The city has \$3.125 million in Improve Our Tulsa II funds allocated for the park, an effort Fowler believes will be a catalyst for more changes throughout the neighborhood.

“When you talk about public-private engagement, a renaissance, that is kind of where it starts right there with the city and that \$3 million spark,” he said.

Parks and Recreation Director Anna America said the process begins with community engagement that is likely to start soon after the new year.



“We have brought on a consultant to help make sure we are really engaging with the neighborhoods,” America said. “The No. 1 goal is to have it be an awesome park that serves that community.”

America said she believes the park also can serve as a regional draw, depending on what amenities are put in it.

“We know we will want a great playground and some kind of water play and other amenities to keep kids active and engaged and places for the community to come together,” America said.

“I also think we have significant opportunity for additional private investment to supplement the public funding, if that becomes necessary.”

Before its last stop at Cox Cash Saver, 6207 S. Peoria Ave., the group stood in an empty field across the street and heard Fowler’s vision for that property. He suggested that it could one day be home to townhouses or cottage homes — better and safer housing options that would not require bulldozing existing apartments or driving residents out of the neighborhood.

Not that he is pleased with the poor conditions in which many apartment dwellers in the area find themselves living. There is a page in Fowler’s playbook for the owners of those properties.

“We want to engage apartment owners and land owners and managers. We want to be good partners with them, and we will go to the lengths to try and develop a partnership,” Fowler said. “But, you know, in lieu of that, if they don’t want to be good stewards, they don’t want to be good landlords, if they don’t want to be good partners, then, you know what, we will play that chronic nuisance card at some point.”

Councilor Jeannie Cue, another longtime advocate for improving the lives of residents in the area, did the talking at Cox Cash Saver.



“This is the center of the community. This is the best blessing that we have in our community, having a store,” Cue said. “Because I can’t even imagine what my residents would do if they didn’t have a grocery store, because they would have to take a bus to Walmart.”

And that, she made clear, is not as easy as some people might think.

“There again, how do you get on the bus?” Cue asked. “You have got to have the money; you’ve got to take your kids. How many bags can you actually carry on a bus? So it is a challenge.”

Another participant in the tour, A.J. Johnson, owner of Oasis Fresh Market in north Tulsa, not only appreciates Cox Cash Saver’s value to the south Tulsa neighborhood around 61st and Peoria, but he believes its impact could be even greater.

About 50% to 60% of Cox Cash Saver’s customers use food stamps, a figure that is similar to the numbers Johnson sees at Oasis Fresh Market. But at Oasis, customers can take advantage of the federally funded Double Up Program.

“In partnership with Oklahoma Hunger Free, it’s a federal dollar-for-dollar matching program, and it is really a way that pushes healthy, sustainable living for those that are receiving federal benefits,” Johnson said. “So, for example, \$20 per day over 30 days, that’s an additional \$600 a month that can be allocated for a family specifically for fresh produce and veggies — that’s a game changer for families.”

Johnson said he would be glad to assist Cox Cash Saver in participating in the program.

“Because this community, just like north Tulsa, needs it — needs it for sure,” he said.

Perhaps no one in the tour group knew the area better than Steven Watts, CEO and co-founder of Rose Rock Development Partners. He grew up just south of 61st and Peoria and attended school in the neighborhood. He is a long-serving member of the South Tulsa Community House board of directors.



Watts said he would like to see the city upgrade Peoria Avenue from 61st Street to Riverside Drive.

“It floods when it rains. ... It doesn’t have good storm drainage. It doesn’t have curb and gutter,” he said. “So it is essentially an old county road. And what does that signal to developers and existing property owners?”

Watts said improving the street is on the city’s list of capital projects but that he believes it should be prioritized.

“I personally feel like once that happens, the strip centers will begin seeing new occupants and eventually you’ll see some activity in the real estate space adjacent to that road,” he said.

---

## Featured

Our photo staff shares moments to remember from this year

### Photo gallery: 2014 block party draws thousands to 61st and Peoria

Community event offers food and access to social services

7.16

 Home  
Equal Housing Len





Johnson Block Party

Lachesha Brown (left) dances with Cinnamon Lewis (right) at a block party in Tulsa, Okla.'s Johnson Park on Saturday, September 20, 2014. MATT BARNARD/Tulsa World

kevin.canfield@tulsaworld.com

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Kevin Canfield

Staff Writer

I cover local government in Tulsa from the mayor to city council. Phone: 918-581-8313

7.18



Home

Equal Housing Len



Councilor Jayme Fowler  
Council District 9  
175 East 2nd Street, 4th Floor  
Tulsa, OK 74103

December 15, 2021

Dear Councilor Fowler,

I was pleased to read in the paper yesterday morning of your interest and advocacy for the residents in and around 61<sup>st</sup> and Peoria. We, at the Church of Saint Mary, share your interest in providing for this underserved area of our city. For the last 25 years, we have provided services to our neighbors that reside in zip codes 74105, 74135 & 74136. Our largest demographic is 74105, specifically at 61<sup>st</sup> and Peoria.

Historically, we provided assistance through a space that was a part of our existing campus, the "Annex" located at 1347 E 49<sup>th</sup> Place. The space was inadequate to store the groceries and other items we regularly distributed to our neighbors at 61<sup>st</sup> and Peoria. Even with this inadequate space, on average we served 300 households a month, distributing the equivalent of over \$250,000 a year in assistance.

In the hope of better serving our neighbors, we purchased a property across the street at 1319 E 49<sup>th</sup> Place so that we could build a better space to continue the services we provide. It was part of a larger building project for the church. The larger project required that we tear down our existing outreach center. A Special Exception has been given by the city for this space, but deficiencies have been delineated.

The specific services that were provided through our old building were as follows: 1) financial assistance in the form of transportation needs (bus tokens and some gas gift cards), assistance for medicines and prescriptions, assistance for unpaid utility bills, and rental assistance; 2) groceries to take home; 3) spiritual and emotional support (counseling); 4) maternal and infant needs; 5) some food delivery for the handicapped and elderly; and 5) some seasonal hard goods (furniture, fans, air conditioners, blankets, and some household items). We desire to continue providing these services through a new space.

We have been at a standstill in securing what we need from the city to move forward with our project. Unforeseen delays have impacted movement through the city requirements for the zoning and permitting process (it was a residential space, as we are located in a neighborhood). The pandemic shut down the city offices for several months and then the cyberattack resulted in more delays. We have been granted a zoning Special Exception and are now addressing additional requests for variance in articulated deficiencies. All in all, we are more than one year into the process of navigating the city process and still awaiting a decision. In the meantime,

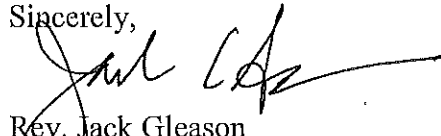


those families and individuals we served are doing without the assistance we provided—we simply have no space until the new Outreach Center is built.

We will go before the Board of Adjustment (Case No. BOA-23232) on January 11, 2022, to address the deficiencies articulated by the city and to request the needed variances. The cumbersome process has necessitated that we hire legal counsel to help us navigate the city process. We are hopeful that we will receive a favorable decision to build a better space to provide services once again for our neighbors at 61<sup>st</sup> and Peoria. I alert you to this to keep you in the loop and perhaps, seek out your endorsement and support at the January 11<sup>th</sup> Board of Adjustment hearing.

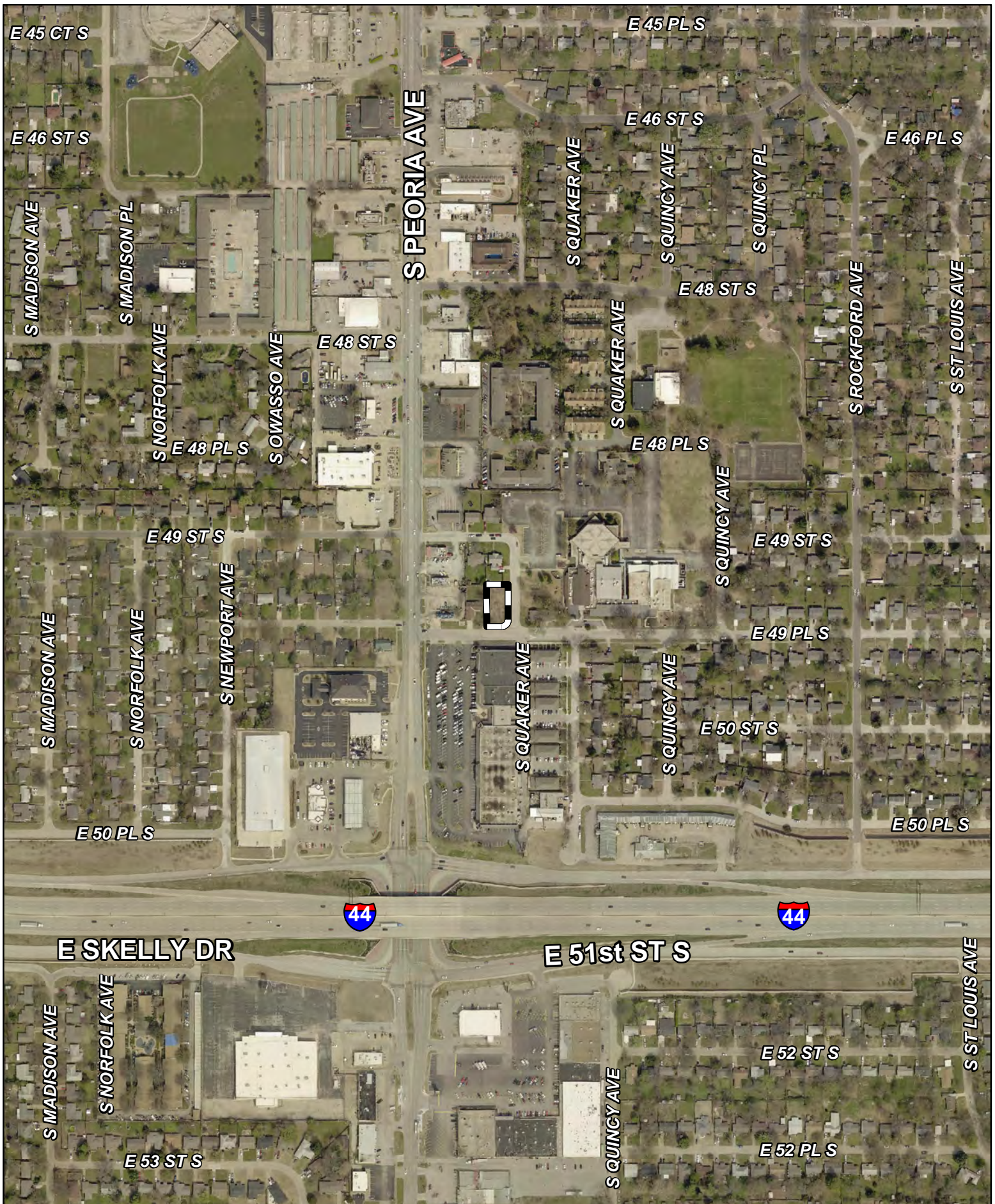
Thank you for your advocacy for our neighbors. Please let me know if there are projects with which you would like us to partner. We are open to serving our neighbors in providing for their current needs and building a better future.

Sincerely,



Rev. Jack Gleason  
Pastor





0 200 400  
Feet



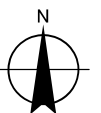
Subject  
Tract

**BOA-23232**

19-13 30

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

Aerial Photo Date: 2020/2021



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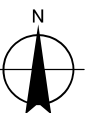
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Tract

**BOA-23232**

19-13 30

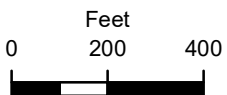
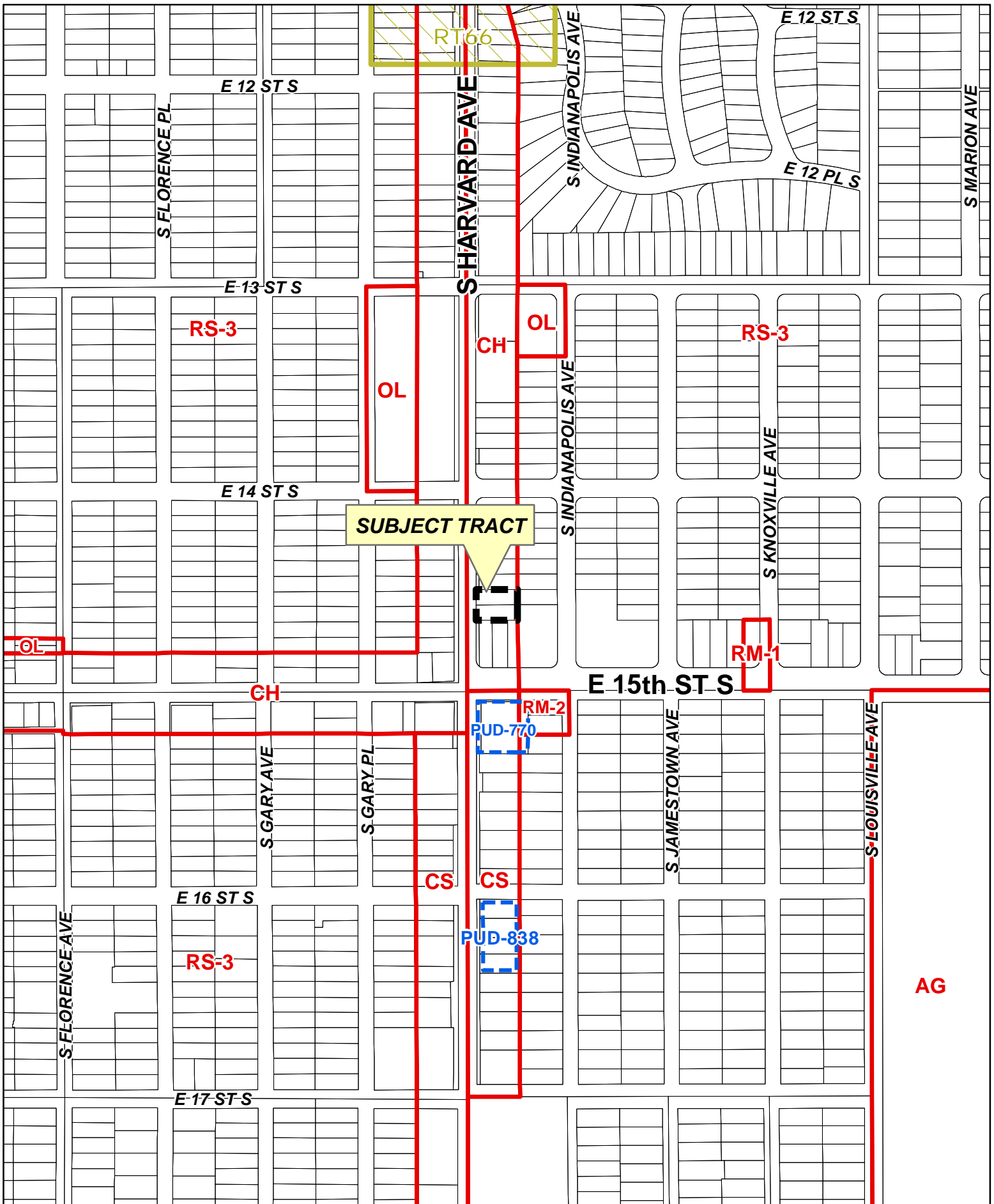
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align with physical features on the ground.

Aerial Photo Date: 2020/2021



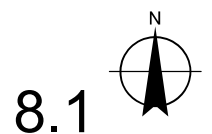
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**BOA-23233**

19-13 09





# BOARD OF ADJUSTMENT CASE REPORT

STR: 9309

Case Number: **BOA-23233**

CZM: 37

CD: 4

**HEARING DATE:** 01/11/2022 1:00 PM

**APPLICANT:** Jessie Bucelluni

**ACTION REQUESTED:** Special Exception to permit a projecting sign to project into the right-of-way or planned right-of-way of S. Harvard Ave. (Sec. 60.020-E)

**LOCATION:** 1427 S HARVARD AV E

**ZONED:** CH

**PRESENT USE:** Dry Cleaning Business

**TRACT SIZE:** 13503.66 SQ FT

**LEGAL DESCRIPTION:** LOT-7-BLK-3; LOT-6-BLK-3, SUMMIT HGTS ADDN

**RELEVANT PREVIOUS ACTIONS:** None.

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

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

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

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located North of the NE/c of E. 15<sup>th</sup> St. and S. Harvard Ave. The existing building appears to be built at the lot line abutting South Harvard.

**STAFF COMMENTS:** The applicant is requesting a **Special Exception** to permit a projecting sign to project into the right-of-way or planned right-of-way of S. Harvard Ave. (Sec. 60.020-E)



## 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).

Approval of this application will require a license and or removal agreement with the City of Tulsa which is currently in review with the City.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit a projecting sign to project into the right-of-way or planned right-of-way of S. Harvard Ave. (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.



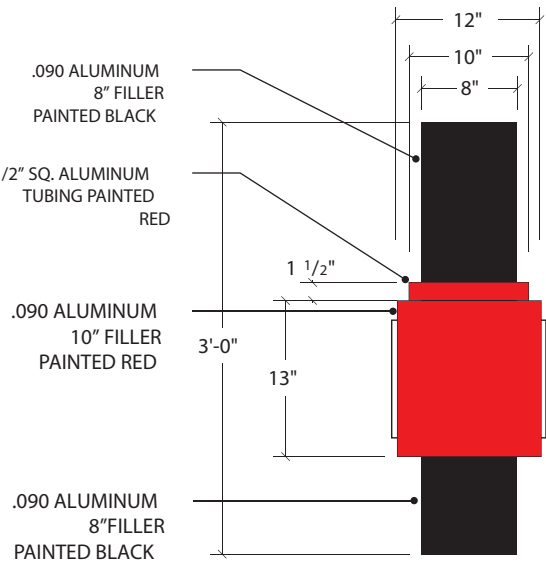


***Subject property***





**A** SOUTH ELEVATION  
SCALE: 1/8" = 1'-0" EXISTING SIGN



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

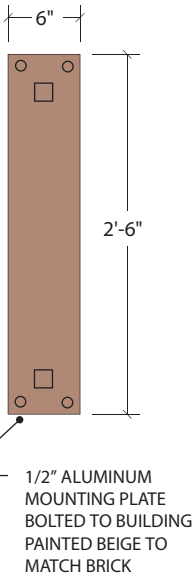


**B** SOUTH ELEVATION  
SCALE: 3/4" = 1'-0"

WHITE LED LIGHTING

1 1/2" SQ. ALUMINUM TUBING  
PAINTED BEIGE TO MATCH BRICK

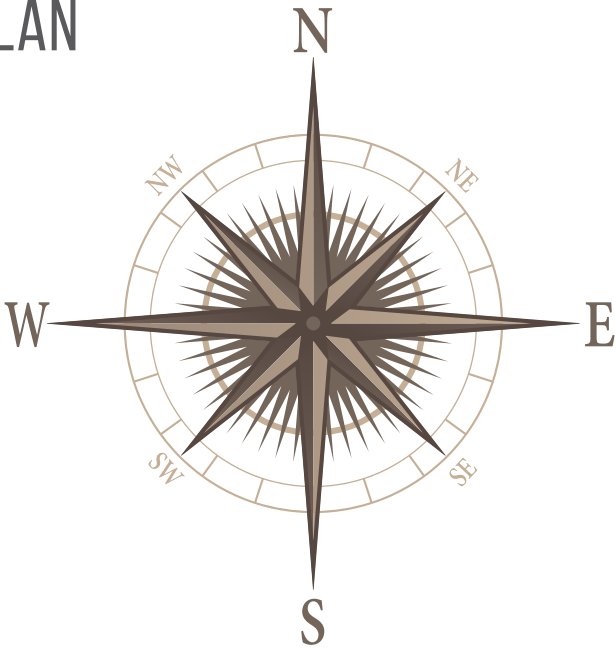
**B** SOUTH ELEVATION  
SCALE: 1/8" = 1'-0" NEW BLADE SIGN



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



SITE PLAN

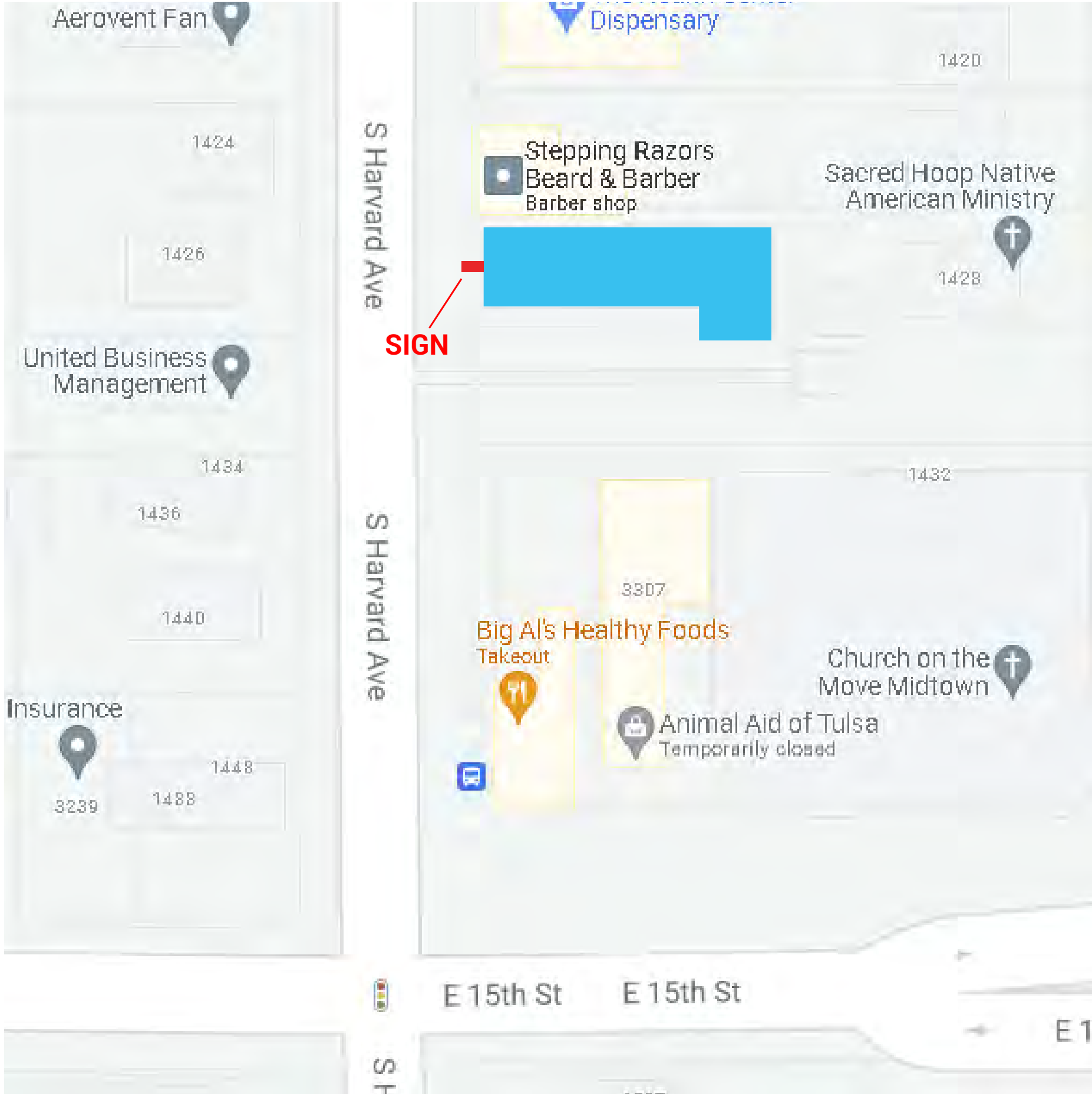


SITE or BUILDING



SIGN LOCATION

33ft from leading edge to center of Harvard Ave.





DANNY WHITEMAN  
SIGN PLANS EXAMINER  
TEL (918)596-9664



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103-3227

### SIGN PLAN REVIEW

November 12, 2021

LOD Number: 1

Claude Neon Sign Company  
1225 N. Lansing Avenue  
Tulsa OK 74106

Phone: (918) 587-7171

**APPLICATION NO:** SIGN-102701-2021 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)  
**Location:** 1427 S. Harvard Ave.  
**Description:** Projecting Sign

#### INFORMATION ABOUT SUBMITTING REVISIONS

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

**REVISIONS NEED TO INCLUDE THE FOLLOWING:**

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2<sup>nd</sup> 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](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 WEST 2<sup>ND</sup> STREET, 8<sup>TH</sup> 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](http://WWW.INCOG.ORG)

Application No. SIGN-102701-2021

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 60.020-E Prohibited Signs and Sign Characteristics

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).

**Review Comments:** No distance from the leading edge of the projecting sign to the centerline of Harvard Ave. was included on the site plan. However, the proposed sign appears to project into the planned right of way (ROW) of Harvard Ave. The planned ROW width at this location is 100’, or 50’ from the centerline. This sign requires a City of Tulsa ROW removal agreement and a Special Exception from the COT Board of Adjustment (BOA). Revise the site plan to show the distance from the leading edge of the sign to the centerline of Harvard, and contact Lamar Banks @ 918-596-9593 for information on acquiring a ROW license and removal agreement and INCOG @ 918-584-7526 to apply for a special exception to permit a projecting sign to project into the planned ROW of S. Harvard Ave.

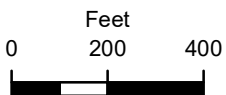
NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding (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.





Subject  
Tract

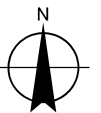
**BOA-23233**

19-13 09

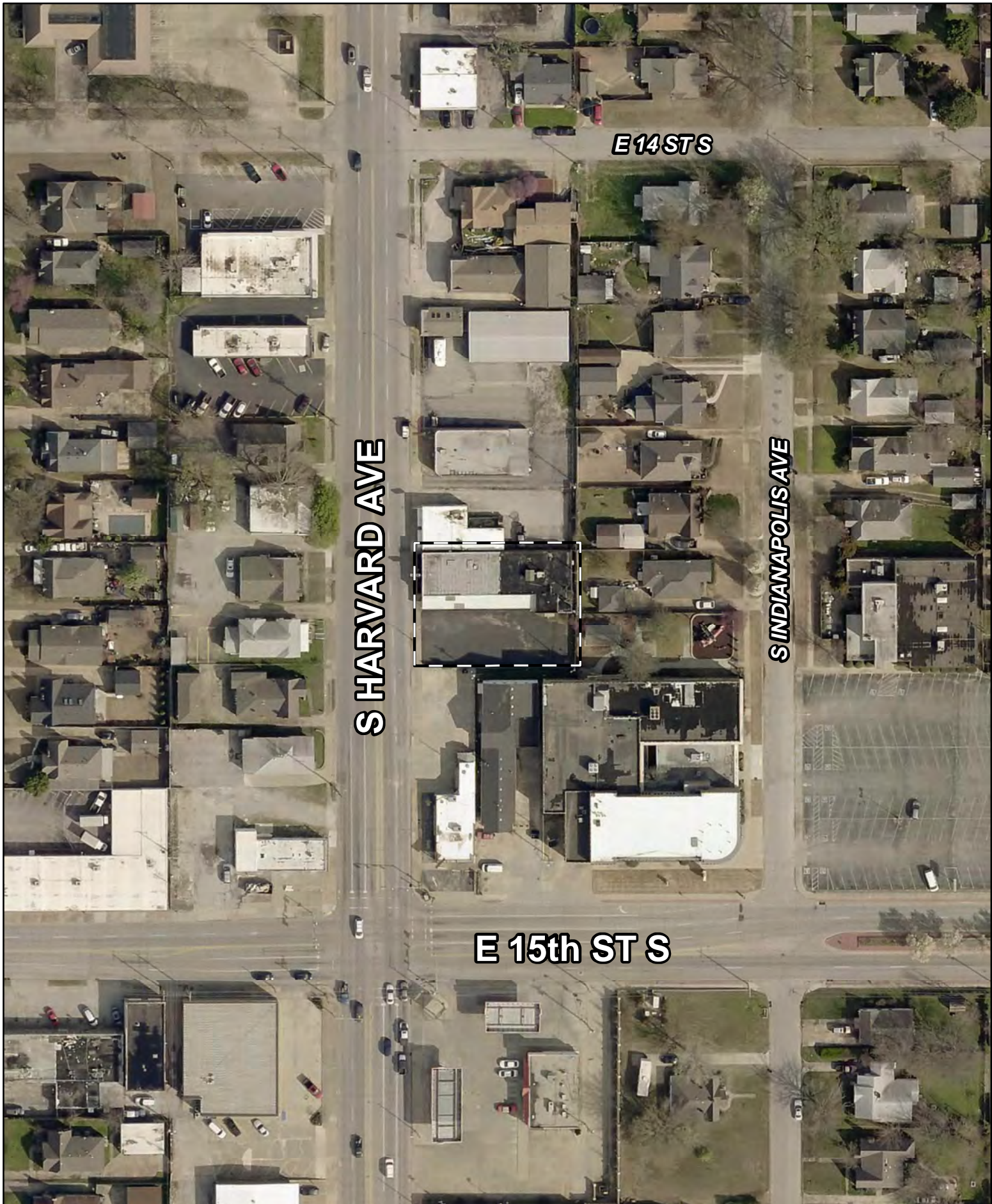
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021

8.9







**E 14th ST S**

**S HARVARD AVE**

**S INDIANAPOLIS AVE**

**E 15th ST S**

**BOA-23233**

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

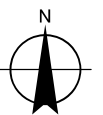
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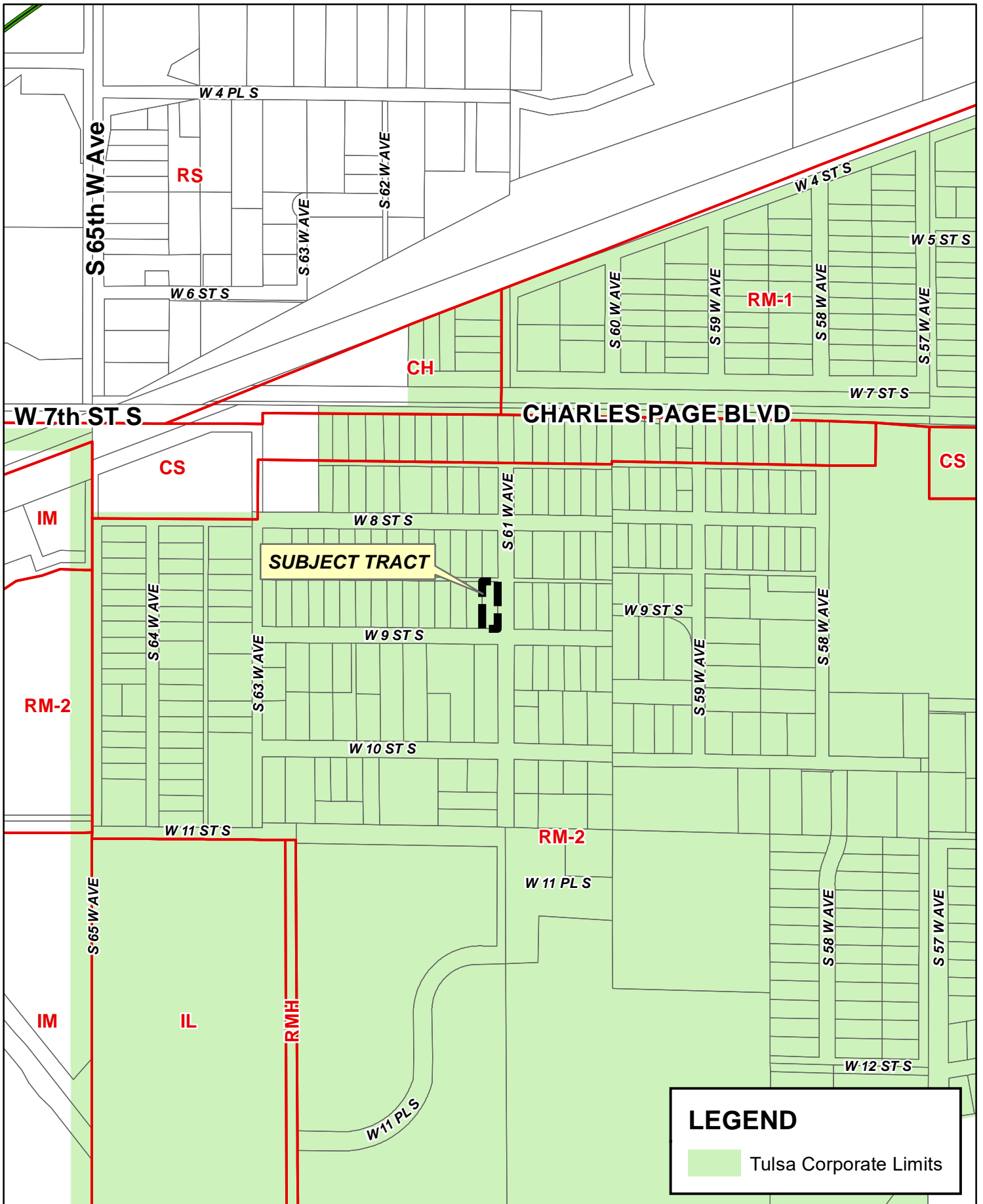
 **Subject Tract**

19-13 09

**8.10**







**BOA-23234**

19-12 08

9.1



# BOARD OF ADJUSTMENT CASE REPORT

STR: 9208

CZM: 35

CD: 1

Case Number: **BOA-23234**

**HEARING DATE:** 01/11/2022 1:00 PM

**APPLICANT:** Yolanda Rodriguez

**ACTION REQUESTED:** Special Exception to allow a manufactured housing unit in the RM-2 district (Sec. 5.020, Table 5-2); Special Exception to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec.40.210-A)

**LOCATION:** NW/c of W. 9th St. S. & S. 61st W. Ave.

**ZONED:** RM-2

**PRESENT USE:** Vacant

**TRACT SIZE:** 7501.06 SQ FT

**LEGAL DESCRIPTION:** LT 30 BLK 3, LAWNWOOD ADDN

## **RELEVANT PREVIOUS ACTIONS:**

**Subject Property:** None.

## **Surrounding properties:**

**BOA-16253;** On 01.26.93 the Board **approved** a Special Exception to permit a Mobile Home and Variance of the 1-year time limit. Property located 6123 W. 9<sup>th</sup> Street.

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

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

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

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located at the NW/c of W. 9th St. S. & S. 61st W. Ave. and is currently vacant.

**STAFF COMMENTS:** The applicant is requesting **Special Exception** to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); **Special Exception** to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec.40.210-A)



**Section 40.210****Manufactured Housing Units**

The supplemental regulations of this section apply only to manufactured housing units approved as special exception uses in R or AG-R zoning districts.

**40.210-A** The manufactured housing unit must be removed from the lot within one year of the date of special exception approval. The board of adjustment is

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**TULSA ZONING CODE** | August 31, 2021

page 40-11

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Chapter 40 | Supplemental Use and Building Regulations  
Section 40.220 | Manufactured Housing Subdivisions

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authorized to extend the one-year limit through approval of a subsequent special exception if the (special exception) extension request is filed before expiration of the one-year time limit.

**40.210-B** No more than one manufactured housing unit may be located on a lot.

**40.210-C** Manufactured housing units are required to comply with the same lot and building regulations that apply to detached houses in the subject zoning district.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); **Special Exception** to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec.40.210-A)

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

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



Case No. 16251 (continued)

Mr. Doverspike asked if the height and size of the sign or the topography of the land will be different at the new location, and Mr. Paulson replied that they will remain the same.

Mr. Doverspike advised that he will abstain, due to a conflict of interests.

It was the consensus of the Board that, since there are only three Board members present and one member is abstaining, it would be appropriate to continue the application to the February 9th meeting.

**Board Action:**

On MOTION of T. WHITE, the Board voted 3-0-0 (Doverspike, S. White, T. White, "aye"; no "nays"; no "abstentions"; Bolzle, Chappelle, "absent") to **CONTINUE** Case No. 16251 to February 9, 1993.

**Case No. 16253**

**Action Requested:**

Special Exception to permit a mobile home in an RM-2 District, and a variance of the one year time limitation - **Section 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 9, located 6123 West 9th Street.

**Presentation:**

The applicant, Ralph Berg, 6125 West 9th Street, informed that he is proposing to install a mobile home on property adjacent to his residence to be used as a rental unit. Mr. Berg stated that he is handicapped and the rent will supplement his income. The applicant submitted a plot plan (Exhibit H-1) and photographs (Exhibit H-2) of other mobile homes in the area.

**Protestants:**

Art Maimbourg, 6100 West 9th Street, stated that he is concerned that the installation of additional mobile homes in the neighborhood could decrease property values.

**Comments and Questions:**

Ms. White asked Mr. Maimbourg if he would be opposed to the mobile home if it was properly installed, and he replied that he does not have a problem with the mobile home, but only with the impact it could have on properties being bought for the upcoming expressway project.



Case No. 16253 (continued)

**Applicant's Rebuttal:**

Mr. Berg stated that his parents have owned property in the neighborhood for many years, and he is concerned with the appearance of the neighborhood and would not want to contribute to further deterioration. The applicant stated that the vacant lot is currently a maintenance problem, and the establishment of a residence would improve the neighborhood.

**Additional Comments:**

Mr. Doverspike stated that mobile home use seems to be appropriate for the area.

Mr. Gardner noted that the area is blanket zoned for multi-family use, and an apartment building could be constructed by right.

Ms. White asked if the proposed mobile home will be comparable to other mobiles in the area, and Mr. Berg informed that he has not purchased the unit, but it will be an attractive 14' by 60' mobile home.

**Board Action:**

On MOTION of DOVERSPIKE, the Board voted 3-0-0 (Doverspike, S. White, T. White, "aye"; no "nays"; no "abstentions"; Bolzle, Chappelle, "absent") to **APPROVE** a **Special Exception** to permit a mobile home in an RM-2 District, and a variance of the one year time limitation - **Section 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 9; subject to the mobile home being skirted, tied down and a minimum size of 14' by 60'; finding mobile home use to be compatible with the area; on the following described property:

Lot 25, Block 3, Lawnwood Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 16254**

**Action Requested:**

Variance of lot width from 60' to 57.64' to permit an existing platted lot in an RS-3 District - **Section 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS** - Use Unit 6, located 9612 South 89th East Avenue.

**Presentation:**

The applicant, Cedar Ridge Park Development Company, 4404 East 11th Street, was represented by Dwight Claxton, who advised that the development was platted in 1984, and the lot in question was overlooked during the approval process. He stated that it was platted at 57.64', which



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



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### ZONING CLEARANCE PLAN REVIEW

Yolanda Rodriguez  
jen75lynn@gmail.com

4/1/2021

**APPLICATION NO: ZCO 79562-2020** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

**Project Location: 818 S 61<sup>st</sup> Ave W**

**Description: Manufactured Housing Unit**

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

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

#### IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
3. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

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

(continued)



## REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT [WWW.CITYOFTULSA-BOA.ORG](http://WWW.CITYOFTULSA-BOA.ORG)

**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.

### 3<sup>rd</sup> Letter

1. **Sec.5.020 Table 5-2:** The submitted application indicates construction of a "Manufactured Housing Unit" per documents submitted to our office. The proposed Manufactured Housing Unit is located in an RS-3 Zoning District.

**Review Comments:** Manufactured Housing Units are allowed in this zoning district by special exception. Apply for a Special Exception from the City of Tulsa Board of Adjustment (BOA) per Sec.70.120 to allow a Manufactured Housing Unit to be placed on your lot. Once you receive approval you will need to upload the approval documents as a revision to your application for a building permit.

2. **Section 40.210 Manufactured Housing Units**

The application for a special exception must be accompanied by a written signed agreement by the applicant and the property owner to remove the manufactured housing unit within one year of the date of special exception approval.

**40.210-A** The manufactured housing unit must be removed from the lot within one year of the date of special exception approval. The board of adjustment is authorized to extend the one-year limit through approval of a subsequent special exception if the (special exception) extension request is filed before expiration of the one-year time limit.

**Review Comments:** Provide a written signed agreement to the BOA that the manufactured house will be removed within one year or seek a special exception from the BOA to extend the subsequent one year time limit.

3. **5.030-A:** In the RM-2 zoned district the minimum north side rear setback shall be 10 feet from the rear property line.

**Review Comments:** Revise your plans to indicate a 10' rear setback to the property line or apply to INCOG for a variance to allow less than a 10' rear setback.

If assistance is needed to find review comments or upload revisions contact Ashley Chaney 918-694-4196 or email at [ACHaney@cityoftulsa.org](mailto:ACHaney@cityoftulsa.org)



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

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

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

#### **END –ZONING CODE REVIEW**

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

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









***Facing East from 61<sup>st</sup> W. Ave.***



***Facing East from 61<sup>st</sup> W. Ave.***





***Subject property (Construction vehicles were present working on utilities and not related to this application)***





0 200 400  
Feet



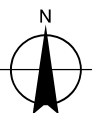
Subject  
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**BOA-23234**

19-12 08

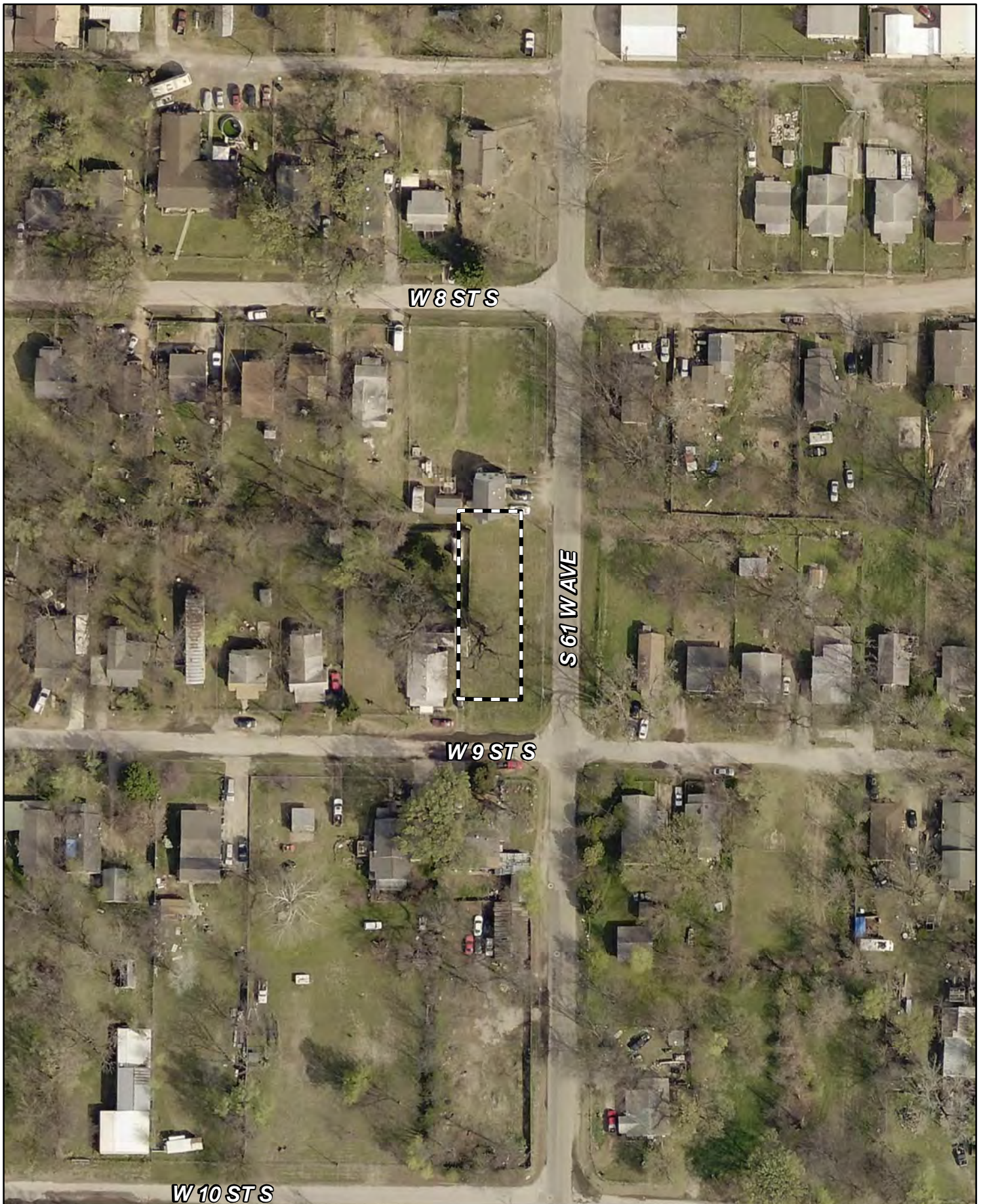
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align with physical features on the ground.

Aerial Photo Date: 2020/2021



9.12



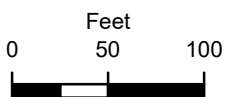


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S 61 WAVE

W 9 STS

W 10 STS



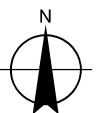
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**BOA-23234**

19-12 08

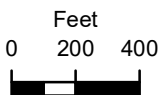
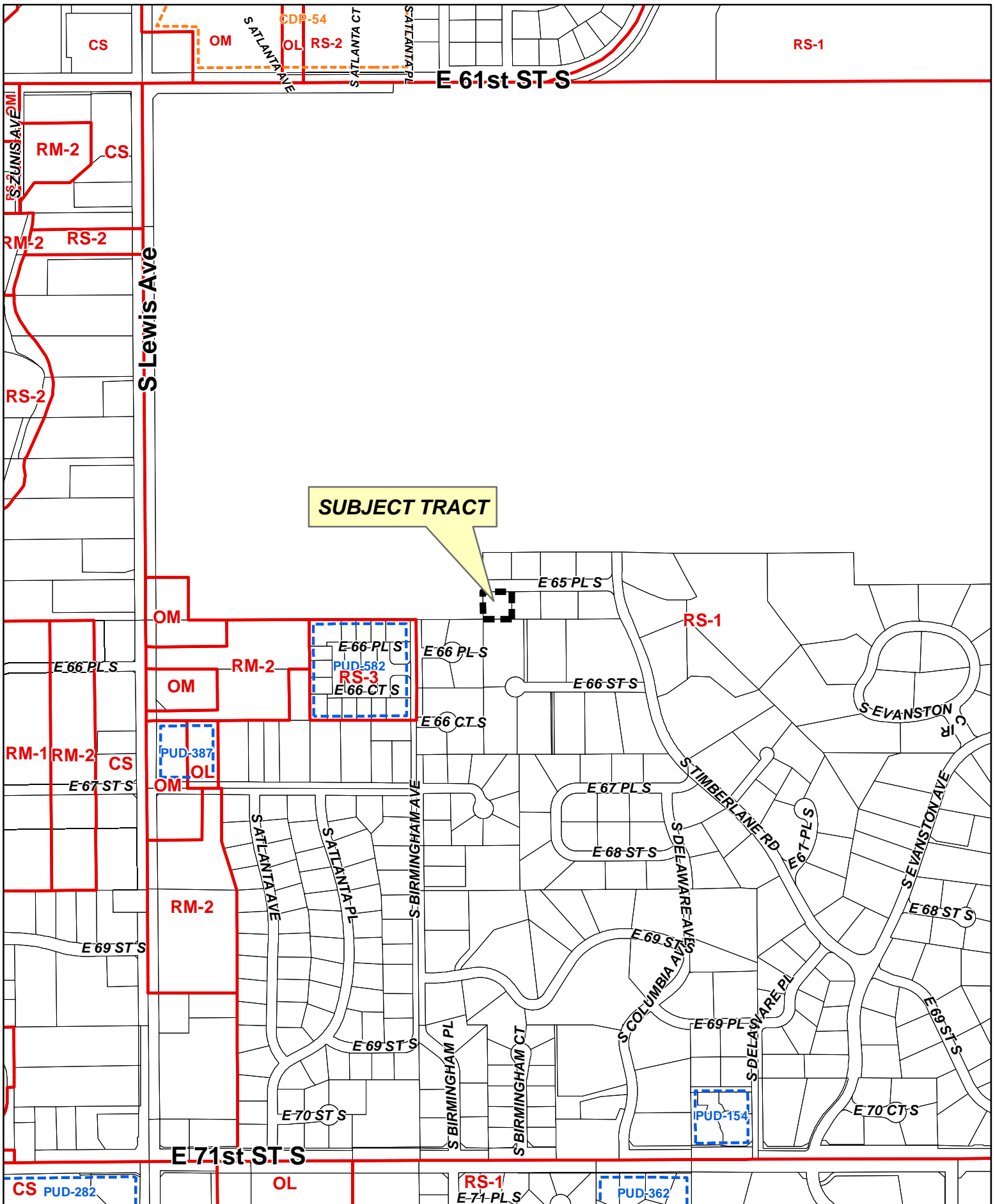
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: 2020/2021



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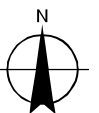




**BOA-23235**

18-13 05

10.1





# BOARD OF ADJUSTMENT CASE REPORT

STR: 8305

Case Number: **BOA-23235**

CZM: 52

CD: 2

**HEARING DATE:** 01/11/2022 1:00 PM

**APPLICANT:** Lou Reynolds

**ACTION REQUESTED:** Variance to reduce the required 25-foot rear setback in the RS-1 district to permit an addition to the existing residence (Sec. 5.030, Table 5-3)

**LOCATION:** 2630 E 65 PL S

**ZONED:** RS-1

**PRESENT USE:** Residential

**TRACT SIZE:** 18900.76 SQ FT

**LEGAL DESCRIPTION:** LT-3-BLK-2, TIMBERLANE ROAD ESTATES

**RELEVANT PREVIOUS ACTIONS:** None.

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

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

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

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located West of the SW/c of S. Timberlane Rd. and E. 65<sup>th</sup> Pl. S. The property is immediately East of a parking lot used by Southern Hills Country Club.

**STATEMENT OF HARDSHIP:** The applicant has provided a separate exhibit included in your packet.

**STAFF COMMENTS:** The applicant is requesting **Variance** to reduce the required 25-foot rear setback in the RS-1 district to permit an addition to the existing residence (Sec. 5.030, Table 5-3)

\



*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
<b>Min. Building Setbacks (ft.)</b>													
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 applicant is seeking to reduce the 25- rear setback from 25-feet to 11-feet. The applicant did point out in their statement that the addition would be allowed by right if it were detached. That would only be true if the addition were 40% or less the size of the principal residence. It is unclear if the addition meets those criteria. The hardship stated by the applicant do not appear self-imposed seeing as the existing residence was built with greater front and side setbacks than required by code by a previous property owner.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Variance** to reduce the required 25-foot rear setback in the RS-1 district to permit an addition to the existing residence (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 West on 65<sup>th</sup> Pl.***





***Facing East on 65<sup>th</sup> Pl.***



### **Exhibit "A"**

The Applicant requests a Variance from Table 5-3 of the Tulsa Zoning Code (the "Code") to reduce the rear yard setback in an RS-1 district from twenty-five feet (25') to ten feet (10') in order to permit an addition to the existing residence located at 2630 E. 65<sup>th</sup> Place (the "Property").

The Property is an approximately half acre lot located on the south side of E. 65<sup>th</sup> Place. On the north side of 65<sup>th</sup> Place is one row of houses which back up to Southern Hills Country Club and to the west of the Property is an overflow parking lot for the County Club. The Property is located at the bottom of a steep hill as East 65<sup>th</sup> Place slopes upward, inclining approximately 30 feet heading east toward Timberlane Road. Additionally, the house on the abutting property to the south is located over 200 feet from the rear Property line and is at a higher elevation of approximately 65 feet.

The Property owners desire to build an addition in the rear yard on the east side of the house. The home is situated in the center of the lot and with a front setback of 42 feet, and side setbacks of 31.5 feet and 14.7 feet, exceeding the minimum Code requirements of 35 feet and 5 feet, respectively. Additionally, the west side of the Property is encumbered by fifteen feet (15') of utility easements, reducing the available area of buildable side yard by half.

The buildable area on the lot is significantly reduced due to the excessive front setback and the limited side yard, and the twenty-five foot (25') rear setback requirement results in unnecessary hardship to the Property owner. Moreover, if the proposed addition was *detached*, it would be permitted in the rear setback by right as an accessory dwelling unit. The house will otherwise meet all of the bulk and area requirements of the RS-1 district. Additionally, because the home sits at the bottom of a hill, the addition to the home will have no effect on the neighboring properties which are at significantly higher elevations. Therefore, the Variance will not cause substantial detriment to the public good and will not impair the spirit and intent of the Code.



**Danny Whiteman**  
Zoning Official  
Plans Examiner II

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



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### ZONING CLEARANCE PLAN REVIEW

LOD No. 2

4/23/2021

**Roderick Hands**  
6015 E. 112<sup>th</sup> St.  
Tulsa, OK 74137

**APPLICATION NO: BLDR-084005-2021** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)  
**Project Location: 2630 E. 65<sup>th</sup> Pl.**  
**Description: Addition**

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

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

#### IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> 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. **BLDR-084005-2021**

### 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.

**Review Comments:** The proposed addition requires a 25 foot setback from the rear property line in an RS-1 zoning district. You may revise the plans to provide for the required 25 foot rear setback, or you may pursue a variance from the BOA (INCOG) to reduce the rear setback to permit an addition in an RS-1 zoning district to be less than 25 feet from the rear property line.

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.

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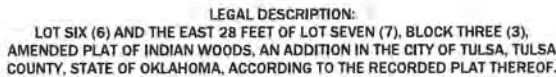
## END –ZONING CODE REVIEW

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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.



## MASTER SUITE ADDITION AND OUTDOOR AREA



 DENOTES INSTRUMENT SHOWN ON SURVEY

10. THE PROPERTY DESCRIBED HEREON IS SUBJECT TO RESTRICTIVE COVENANTS, CONDITIONS, RESTRICTION, AND EASEMENTS AS CONTAINED IN THE DEED OF DEDICATION, RECORDED JANUARY 18, 1963, AS DOCUMENT NO. 135773, IN BOOK 2446.
11. ALL ITEMS AFFECTING SUBJECT LOT AS SHOWN ON THE RECORDED PLAT ARE MADE A PART HEREOF.
12. RIGHT OF WAY AGREEMENT IN FAVOR OF OKLAHOMA NATURAL GAS COMPANY, FILED JANUARY 28, 1963, AND RECORDED AS DOCUMENT NO. 136727, IN BOOK 3311, PAGE 275.
13. WATER EASEMENT IN FAVOR OF CITY OF TULSA, FILED FEBRUARY 25, 1963, AND RECORDED AS DOCUMENT NO. 138955, IN BOOK 3316, PAGE 147.
14. RIGHT OF WAY AGREEMENT IN FAVOR OF OKLAHOMA NATURAL GAS COMPANY, FILED MARCH 26, 1964, AND RECORDED AS DOCUMENT NO. 194490, IN BOOK 3434, PAGE 332. (202)
15. SANITARY SEWER CONNECTION CONTRACT BY AND BETWEEN CITY OF TULSA AND MCCUNE HOMES, INC., FILED FEBRUARY 2, 1964, AND RECORDED AS DOCUMENT NO. 19551, IN BOOK 3438, PAGE 276.
16. UNDERGROUND RIGHT-OF-WAY EASEMENT IN FAVOR OF PUBLIC SERVICE COMPANY OF OKLAHOMA, CONTAINS INSUFFICIENT INFORMATION TO DETERMINE THE EFFECT IF ANY UPON THE PROPERTY DESCRIBE HEREON.

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

THE PROPERTY DESCRIBED  
HEREON CONTAINS 0.44  
ACRES, MORE OR LESS.

LEGEND

- ★ FENCE  
U/E UTILITY EASEMENT  
D/E DRAINAGE EASEMENT  
M/P METERING POINT  
CB CHORD BEARING  
B/E BURIED ELECTRIC &  
TELEPHONE CABLE  
EASEMENT (APPROXIMATE  
LOCATION)

**DRAWING INDEX:**

SHEET	DESCRIPTION	ISSUE DATE	REV#
A000	PROJECT INFO / SITE PLAN		
A001	PROPOSED ADDITIONS PLAN		
A002	PROPOSED ROOF PLAN		
A003	PROPOSED ELEVATIONS		
E001	ELECTRICAL AND PLUMBING LAYOUT		

GENERAL NOTES:

1. ALL WORK PERFORMED SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES, LAWS, ORDINANCES, RULES AND REGULATIONS HAVING JURISDICTION, ALSO IN ACCORDANCE WITH TULSA HOME + DESIGN'S QUALITY ASSURANCE AGREEMENT. THE PLANS WERE NOT CREATED BY A LICENSED ARCHITECT. IF YOU ARE WANTING A ARCHITECT, WE CAN WORK WITH THEM ON YOUR PROJECT.
2. OBTAIN A PAY FOR PERMITS AND INSPECTIONS REQUIRED BY LOCAL BUILDING CODES.
3. COMPARE ALL SHOP DRAWINGS WITH FULL PLANS AND DESCRIPTIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING DESIGNER OF ALL DISCREPANCIES AND OMISSIONS PRIOR TO PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LAYOUT AND EXACT LOCATION OF ALL PARTITIONS, DOORS, ELECTRICAL/TELEPHONE OUTLETS, AND LIGHT SWITCHES WITH TENANT. CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL CONTRACT DOCUMENTS, FIELD CONDITIONS, AND DIMENSIONS FOR ACCURACY AND CONFIRMING THAT WORK IS BUILD-ABLE AS SHOWN BEFORE PROCEEDING WITH CONSTRUCTION.
4. ALL REQUESTS FOR SUBSTITUTIONS OF ALL ITEMS SPECIFIED SHALL BE SUBMITTED IN WRITING TO THE OWNER AND DESIGNER AND WILL BE CONSIDERED AND DECIDED UP FOR SUBSTITUTION.
5. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OF ALL ITEMS AND EQUIPMENT. SHOP DRAWINGS SHALL INCLUDE DETAILED FABRICATION AND ERECTION DRAWINGS, SETTING DRAWINGS, DIMENSIONAL DRAWINGS, AND/OR PHOTOGRAPHS. LOCATION AND ORIENTATION OF ALL ITEMS SHALL BE CLEARLY INDICATED. FABRICATION SHALL BEGIN ONLY AFTER RECEIVING APPROVED SHOP DRAWINGS. IF SHOP DRAWINGS ARE PROVIDED BY DESIGNER, CONTRACTOR SHALL HAVE PERMISSION TO ADJUST THE DIMENSIONS TO ADHERE TO THE OVERALL QUALITY STANDARDS OF THE PROJECT. IN CASE OF DISCREPANCY OR CONFUSION, CONSULT DESIGN TEAM FOR INSTRUCTION.
6. INCLUDE SCHEDULE REQUIREMENTS IN CONSTRUCTION PROGRESS SCHEDULE AND COORDINATE TO ASSURE ORDERLY SEQUENCE OF INSTALLATION.
7. DETAILS ARE USUALLY KEVED ONLY ONCE (ON THE PLANS OR ELEVATIONS WHEN THEY FIRST OCCUR) AND ARE TYPICAL FOR SIMILAR CONDITIONS THROUGHOUT. UNLESS NOTED OTHERWISE.
8. DO NOT SCALE DRAWINGS, WRITTEN DIMENSIONS SUPERSEDE. IN CASE OF CONFLICT, CONSULT THE DESIGNER.
9. ALL VERTICAL DIMENSIONS SHOWN TO FLOOR ARE TO SLAB OR RAISED FLOOR. SEE PLANS FOR FLOOR TYPES. IF VERTICAL DIMENSIONS CANNOT BE DETERMINED, CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO DESIGNER PRIOR TO PROCEEDING WITH WORK.
10. THE CONTRACTOR SHALL PREPARE AS REQUIRED BY CODE ALL NEW PENETRATION GENERATED BY THE WORK DESCRIBED IN THESE DOCUMENTS.

HOME+DESIGN

Tulsa Home + Design Realty  
www.tulsaHomeandDesign.com  
(918)340-8811

**PARKER RESIDENCE**  
2630 EAST 65TH PLACE  
TULSA, OK

ISSUE DATE: 24-Nov-21

REVISION DATE:

ISSUED FOR  
CONSTRUCTION

**SQUARE FOOTAGE SUMMARY:**

MASTER SUITE ADDITION	130.00 SQ FT
OUTDOOR AREA	167.00 SQ FT

**DRAWING NAME**

## PROJECT INFORMATION AND SITE PLAN

**MATT & MARINA PARKER**

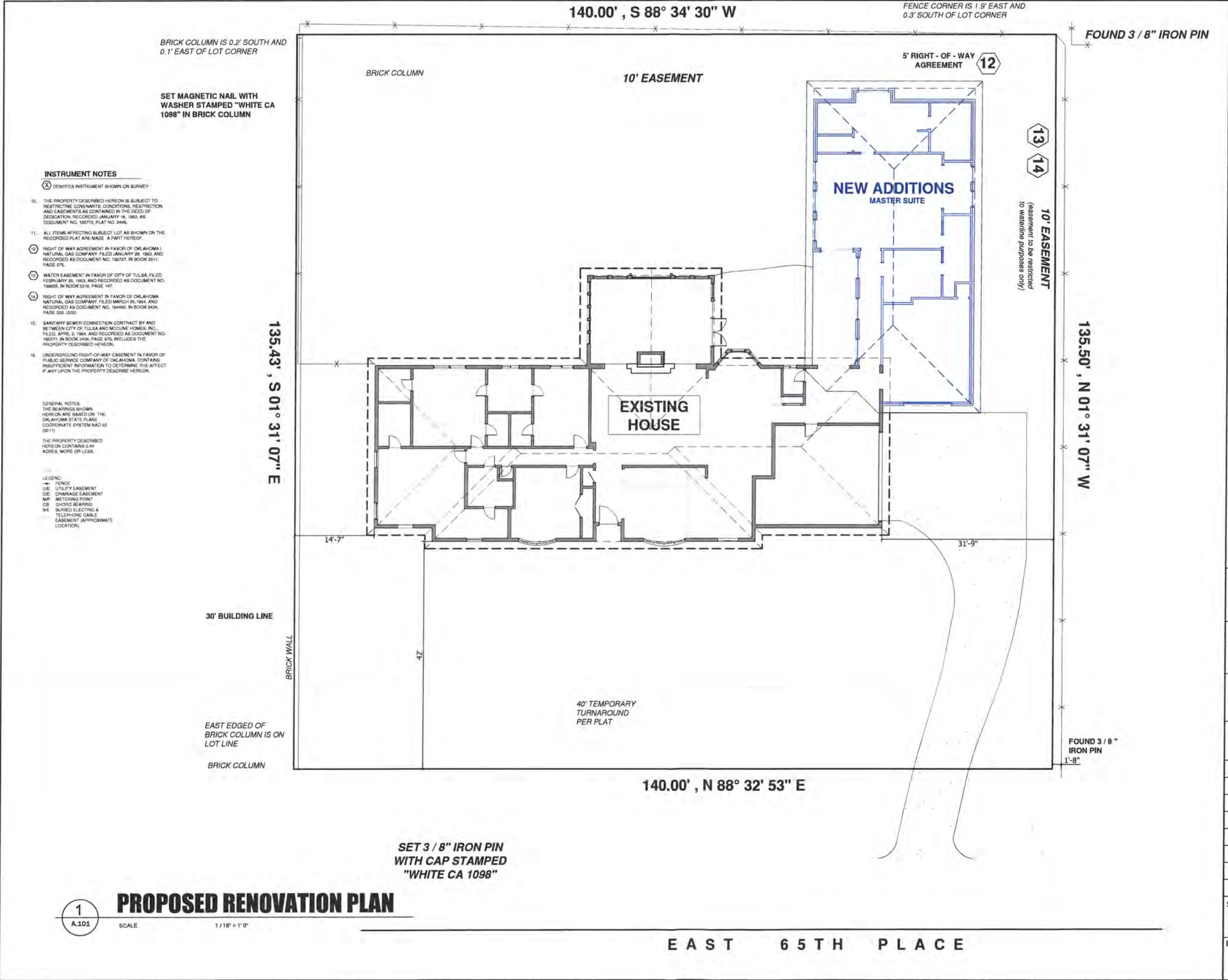
DRAWING NO.

# A000

# 10.9

# 1 PROPOSED SITE PLAN





GENERAL NOTES

- ALL WORK PERFORMED SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES, LAWS, ORDINANCES, RULES AND REGULATIONS HAVING JURISDICTION.
- OBTAIN AND PAY FOR PERMITS AND INSPECTIONS REQUIRED BY PUBLIC AUTHORITIES GOVERNING THE WORK.
- COORDINATE ALL TENANT DRAWINGS WITH BASE BUILDING DOCUMENTS. CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ARCHITECT OF ALL DISCREPANCIES AND OMISSIONS PRIOR TO PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL VERIFY THE LAYOUT AND EXACT LOCATION OF ALL PARTITIONS, DOORS, ELECTRICAL/TELEPHONE OUTLETS, AND LIGHT SWITCHES WITH TENANT. CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL CONTRACT DOCUMENTS, FIELD CONDITIONS, AND DIMENSIONS FOR ACCURACY AND CONFIRMING THAT WORK IS BUILDABLE AS SHOWN BEFORE PROCEEDING WITH CONSTRUCTION.
- ALL REQUESTS FOR SUBSTITUTIONS OF ALL ITEMS SPECIFIED SHALL BE SUBMITTED IN WRITING TO THE OWNER AND ARCHITECT AND WILL BE CONSIDERED ONLY IF BETTER SERVICE FACILITIES OR MORE ADVANTAGEOUS DELIVERY DATE OR A LESS PRICE WITH CREDIT TO THE OWNER WILL PROVIDED WITHOUT SACRIFICING QUALITY, APPEARANCE AND FUNCTION. UNDER NO CIRCUMSTANCES WILL THE ARCHITECT BE REQUIRED TO PROVE THAT A PRODUCT PROPOSED FOR SUBSTITUTION IS OR IS NOT EQUAL TO THE PRODUCT SPECIFIED.
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TULSA  
HOME+DESIGN  
buy sell design renovate

SHEET TITLE  
**PROPOSED RENOVATION PLAN**

PROJECT SITE  
2630 E 65TH PLACE TULSA, OK

CLIENTS  
MATT & MARINA PARKER

1.	FIRST ISSUE	
2.	REV A	9-FEB-21
3.	REV B	10-FEB-21
4.	REV C	10-FEB-21
5.	REV D	11-FEB-21
6.	SECOND ISSUE	23-MAR-21

NO.	REVISION / ISSUE	DATE

SCALE 1/16" = 1' 0"	SHEET NO. A.101
DATE 2-Apr-21	



PROJECT SPECIFICATION	
PROJECT NO.	
PROJECT NAME:	RENOVATION
PROJECT ADDRESS:	2630 E 65TH PLACE
CITY:	TULSA, OK
CLIENT:	MR. & MRS. MARINA PARKER

DRAWING INDEX - SECOND ISSUE	
DRAWING NO.	NAME
G.000	TABLE OF CONTENTS
A.100	PROPOSED SITE PLAN
A.101	PROPOSED RENOVATION PLAN
A.102	EXISTING FLOOR PLAN
A.103	PROPOSED FLOOR PLAN
A.104	PROPOSED ADDITIONS
A.105	PROPOSED ATTIC PLAN & DETAILS
A.106	PROPOSED ROOF PLAN
A.107	PROPOSED REAR & RIGHT ELEVATION
A.108	PROPOSED LEFT & FRONT ELEVATION
A.200	MATERIAL SPECIFICATIONS
A.201	LAUNDRY PLAN
A.202	LAUNDRY ELEVATION 1
A.203	LAUNDRY ELEVATION 2
A.204	SECTION DETAILS
A.205	SECTION DETAILS
A.300	MUDROOM PLAN & ELEVATION 2
A.301	MUDROOM ELEVATION 1
A.302	SECTION DETAILS
A.400	KITCHEN PLAN
A.401	KITCHEN ELEVATION 1
A.402	KITCHEN ISLAND ELEVATIONS
A.403	SECTIONAL ELEVATIONS
A.404	SECTION DETAILS
A.405	SECTION DETAILS
C.100	ROOF FRAMING PLAN
C.101	FOUNDATION PLAN
C.102	STRUCTURAL DETAILS
E.100	ELECTRICAL LAYOUT
P.100	PLUMBING LAYOUT



GENERAL NOTES

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TULSA

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SHEET TITLE

TITLE PAGE

PROJECT SITE

2630 E 65TH PLACE TULSA, OK

CLIENTS

MATT & MARINA PARKER

1	FIRST ISSUE	
2	REV A	9-FEB-21
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6	SECOND ISSUE	23-MAR-21
NO.	REVISION / ISSUE	DATE

SCALE

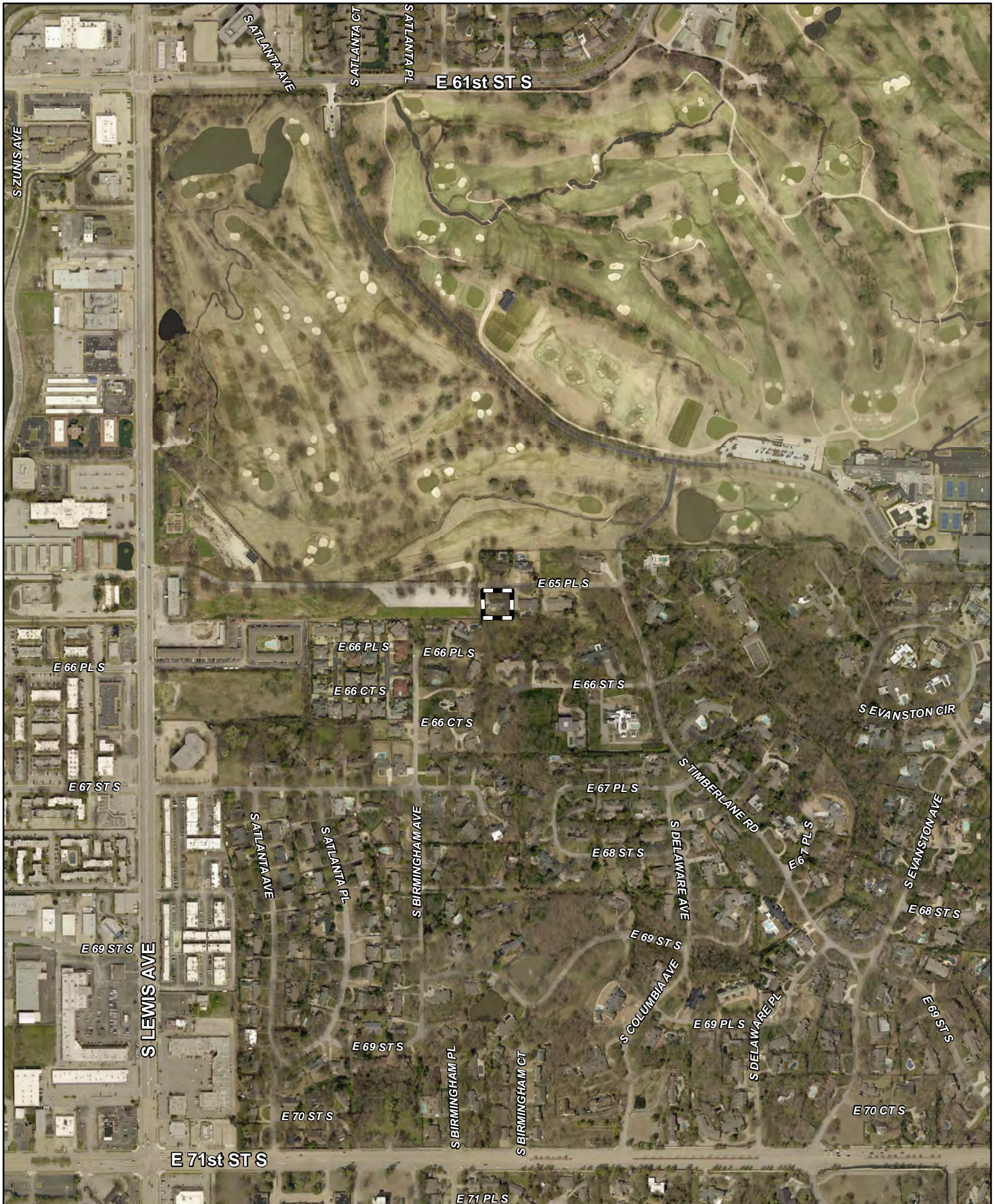
SHEET NO.

DATE

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2-Apr-21





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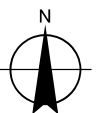
 Subject Tract

**BOA-23235**

18-13 05

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

Aerial Photo Date: 2020/2021



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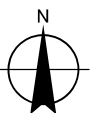
 Subject Tract

**BOA-23235**

18-13 05

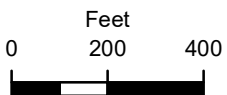
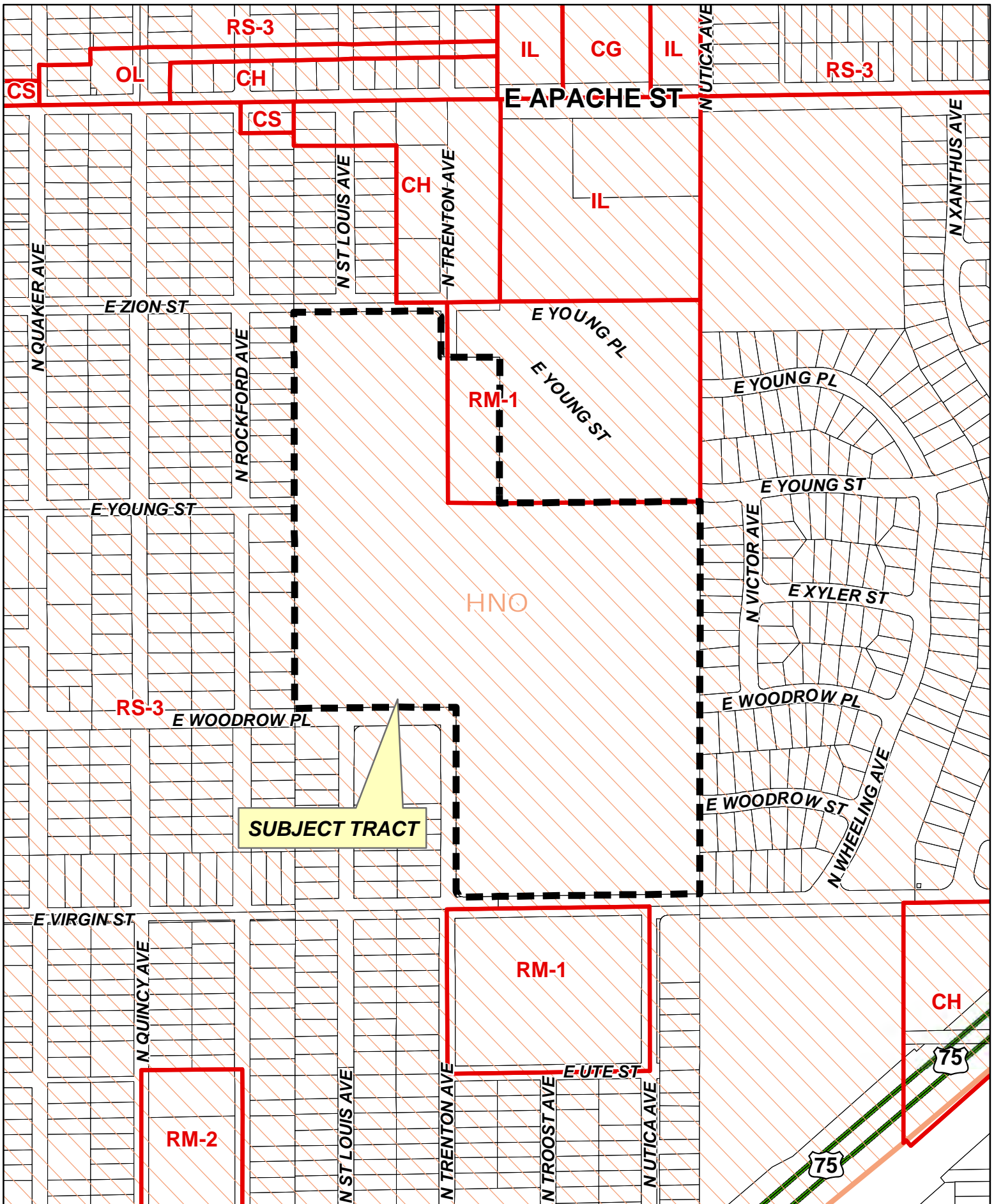
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021



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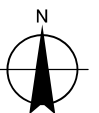




**BOA-23237**

20-13 30

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# BOARD OF ADJUSTMENT CASE REPORT

**STR:** 0330

Case Number: **BOA-23237**

**CZM:** 29

**CD:** 1

**HEARING DATE:** 01/11/2022 1:00 PM

**APPLICANT:** Gregory Helms

**ACTION REQUESTED:** Special Exception to amend an approved site plan for a High School Use (Booker T. Washington High School) in an RS-3/RM-1 District to permit the construction of new athletic facilities (Sec. 5.020, Table 5-2, Sec. 70.120)

**LOCATION:** 1514 E ZION ST N

**ZONED:** RM-1,RS-3

**PRESENT USE:** High School

**TRACT SIZE:** 1754956.82 SQ FT

**LEGAL DESCRIPTION:** LT 1 BLK 1, BOOKER T WASHINGTON PRT RSB CARVER HT 2&3 & TRENTON ARMS&PRT COOTS,

## **RELEVANT PREVIOUS ACTIONS:**

### **Subject property:**

**BOA-19098-A;** On 09.27.11 the Board approved a request for a Minor Special Exception to modify an existing plan to allow for stadium press box replacement and addition of handicap seating.

**BOA-21186;** On 12.14.10 the Board approved a Variance of the parking requirement for a public-school campus to permit a multi-purpose athletic facility addition on the subject property.

**BOA-19098;** On 6.12.01 the Board approved a Variance from the parking spaces requirement of 1 per 800 sq. ft. plus 1 per 4 stadium seats to 875 parking spaces; and a Variance of the maximum structure height in an RS-3 zoned area from 35 ft. to 58 ft. for the proposed multi-purpose building, per plan submitted on the subject property.

**BOA-18818;** On .7.25.00 the Board approved a Variance from the setback from a public street to 2' from an abutting ROW line; a Variance from the 25' setback requirement for a building abutting a non-arterial street to 9'; a Variance from the 25' + 1' of setback for each 1' of building height exceeding 15' from a abutting properties in an R District, to a setback of 30'; a Variance in the minimum setback for a parking lots from an RS district from 25' to 5'; a Variance from the parking spaces requirement of 1 per 800 square feet plus 1 per 4 stadium seats, reducing the requirement from 1,553 spaces to 995 spaces; and a Variance in the maximum structure height in an RS-3 zoned area from 35' to 40' for the new classroom building and 55' for the new auditorium - on the subject property.

**BOA-5417;** On 05.02.67 the Board approved an Exception under section 5 (d) to allow the erection of a public school on the subject property

**BOA-3847;** On 07.11.62 The Board granted permission to construct an elementary and junior high school in a U-1-C district on the subject property.

**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 NE/c of N. Trenton Ave. and E. Virgin Street . The proposed work site is located East of the Existing Football Field.

**STAFF COMMENTS:** The applicant is requesting **Special Exception** to amend an approved site plan for a High School Use (Booker T. Washington High School) in an RS-3/RM-1 District to permit the construction of new athletic facilities (Sec. 5.020, Table 5-2, Sec. 70.120). Included in your packet is the most recent approved site plan on this property from 2011. The proposal is to add a tennis facility to the existing school site.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to amend an approved site plan for a High School Use (Booker T. Washington High School) in an RS-3/RM-1 District to permit the construction of new athletic facilities (Sec. 5.020, Table 5-2, Sec. 70.120)

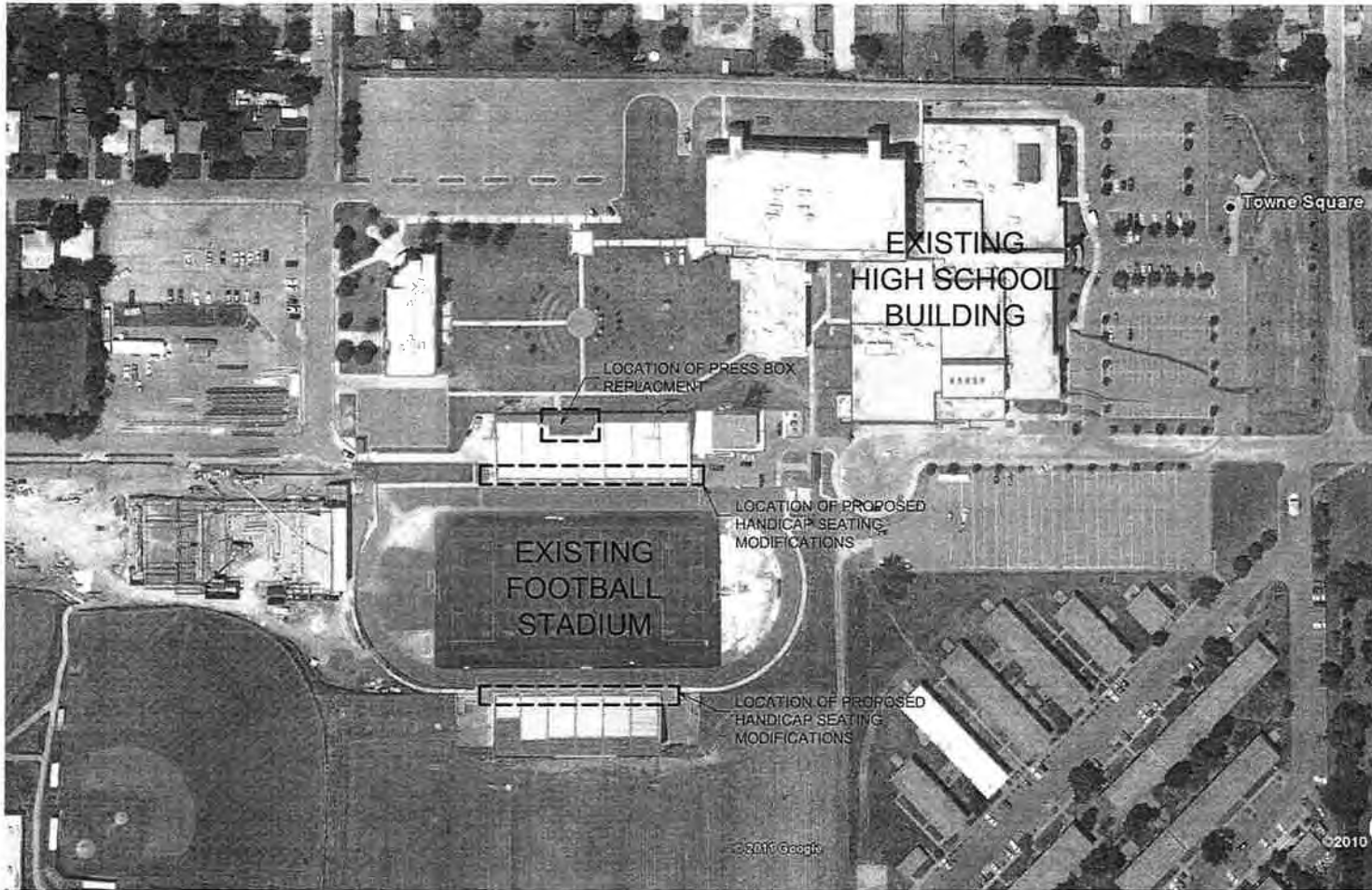
- Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):  
\_\_\_\_\_.
- Suggested Condition: Must comply with Outdoor Lighting Standards of Ch. 67 of Zoning Code.

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**





**T U L S A**

PUBLIC SCHOOLS

**BOOKER T. WASHINGTON  
HIGH SCHOOL**

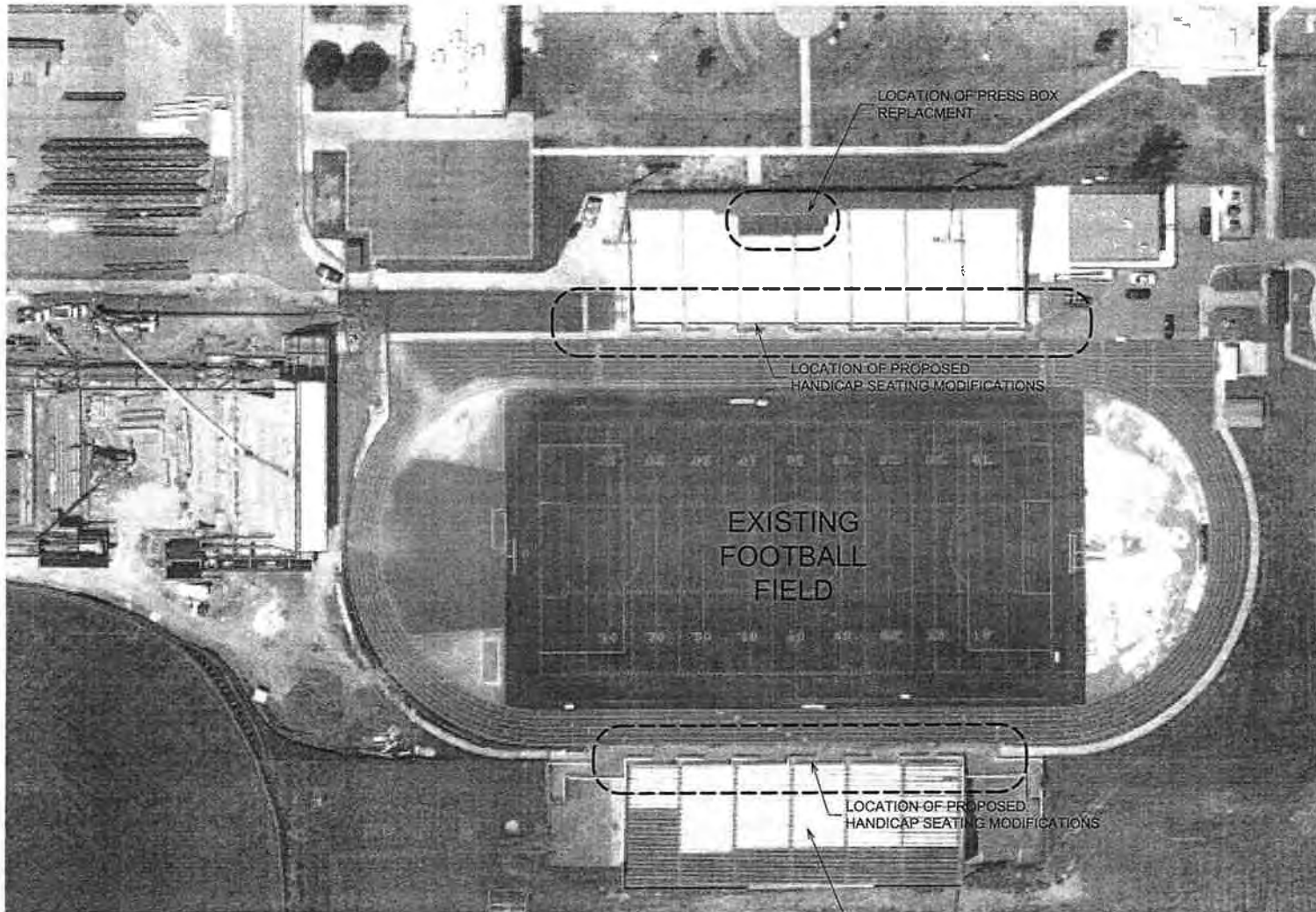
1514 EAST ZION STREET  
TULSA, OKLAHOMA

**1 AERIAL SITE PLAN**



**PROPOSED STADIUM  
HANDICAP SEATING  
IMPROVEMENTS & PRESS  
BOX REPLACEMENT**





## 2 ARCHITECTURAL SITE PLAN

SCALE: 1"=70'-0"



**T U L S A**

PUBLIC SCHOOLS

### BOOKER T. WASHINGTON HIGH SCHOOL

1514 EAST ZION STREET  
TULSA, OKLAHOMA

**PROPOSED STADIUM  
HANDICAP SEATING  
IMPROVEMENTS & PRESS  
BOX REPLACEMENT**



DANA L. BOX  
ZONING OFFICIAL  
PLANS EXAMINER II

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



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### ZONING CLEARANCE PLAN REVIEW

LOD Number: 1  
Greg Helms  
424 E. Main St.  
Jenks, OK 74037

November 15, 2021

Phone: 918-298-7257

APPLICATION NO: **ZCO-099573-2021**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: **1514 E. Zion St. N.**

Description: **BT Washington HS Tennis Complex**

#### 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 2<sup>nd</sup> STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601.

THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

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

#### IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
3. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
4. A COPY OF A "RECORD SEARCH" **[ X ] IS [ ] IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)



## REVIEW COMMENTS

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

ZCO-099573-2021

1514 E. Zion St. N.

November 15, 2021

**Note:** As provided for in Section 70.130 you may request the Board of Adjustment (BOA) to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to a representative at the Tulsa Planning Office 918-584-7526 or [esubmit@incog.org](mailto: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. Modification of previous approved site plan from the Board of Adjustment (BOA) is required to allow for new tennis complex.

**Review comment:** Submit BOA approval to modify an existing site plan to allow a tennis complex at this site. A site plan providing the following information shall be submitted with the BOA approved site plan.

- Actual shape and dimensions of the lot;
- Location and dimensions of all easements;
- Lot lines and names of abutting streets;
- The location, size and height of any existing buildings or structures to be erected or altered, including distances to lot lines;
- The location, dimensions and height of proposed buildings or structures to be erected or altered;
- The intended use of existing and proposed buildings, structures or portion of the lot;
- 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.

**Note:** All references are to the City of Tulsa Zoning Code. Link to Zoning Code: <http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

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

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

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

## END – ZONING CODE REVIEW

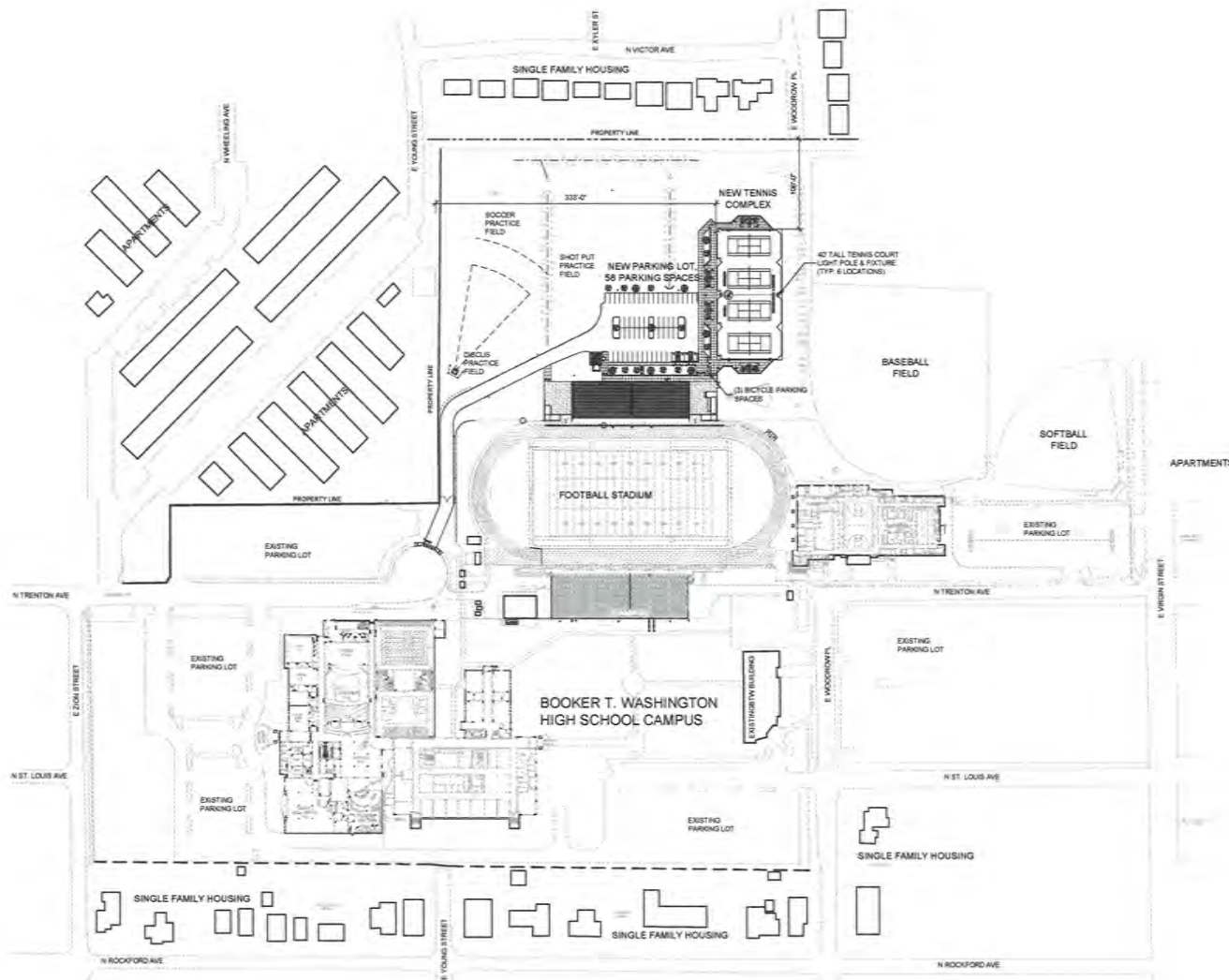
**NOTE:** THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.



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



GISELMER & ASSOCIATES, L.L.C. ARCHITECTURAL CERTIFICATE OF AUTHORITY NUMBER: 00332



OVERALL ZONING CLEARANCE SITE PLAN  
 1 BOOKER T. WASHINGTON HIGH SCHOOL CAMPUS  
 SCALE: 1/8" = 1'-0"

#### ZONING INFORMATION

CURRENT ZONING: RS-3  
 LAND AREA: 40.29 ACRES  
 USE: SCHOOL - ESTABLISHED PRIOR TO JANUARY 1, 1998

#### LEGAL DESCRIPTION

THE SOUTH 825 FEET OF THE WEST 1.320 FEET OF THE NORTH  
 HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 30  
 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN,  
 TULSA COUNTY, STATE OF OKLAHOMA.

#### PARKING REQUIREMENTS

TENNIS COURTS = 1.70 SPACES PER COURT = 4 x 1.70 = 6.8  
 SPECTATOR SEATING = 0.25 PER SEAT = 240 x 0.25 = 48  
 EXPANDED LOCKER ROOM AREA = (2,476 / 1,000) x 1.10 = 2.7  
 TOTAL NEW PARKING SPACES REQUIRED = 58  
 REQUIRED BICYCLE PARKING SPACES = 58 x 5% = 2.9 = 3

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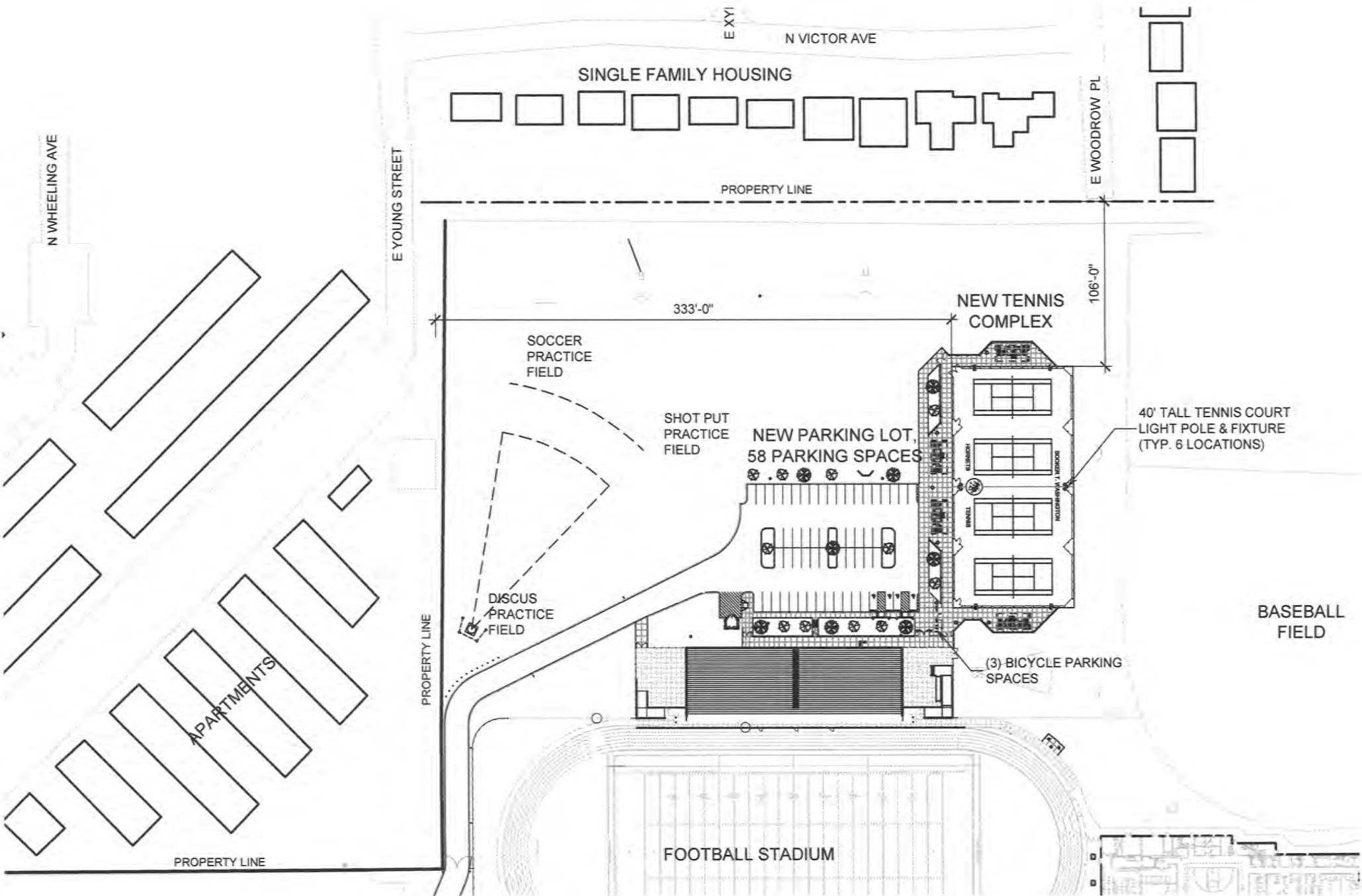
PROJECT NO.	21-0000
FILE	21-0000 20-0 0000
ISSUE DATE	12.01.21
SCALE	AS NOTED
DRAWN BY	BJ/SC/GSH
CHECKED BY	BJ/GSH
APPROVED BY	GSH

ARCHITECT: **G. S. HELMS + ASSOCIATES**  
 311 518-255-7257 | 424 E. 15th St.  
 400 G. S. Helms.com | Tulsa, OK 74107

PROJECT TITLE: TULSA PUBLIC SCHOOLS  
 BOOKER T. WASHINGTON HIGH SCHOOL  
 NEW TENNIS COMPLEX - 2021 BOND PROJECT  
 1514 EAST ZION STREET TULSA, OK 74106  
 SHEET TITLE: OVERALL ZONING CLEARANCE SITE PLAN  
 BOOKER T. WASHINGTON HIGH SCHOOL CAMPUS

SHEET NUMBER  
**Z0.0**

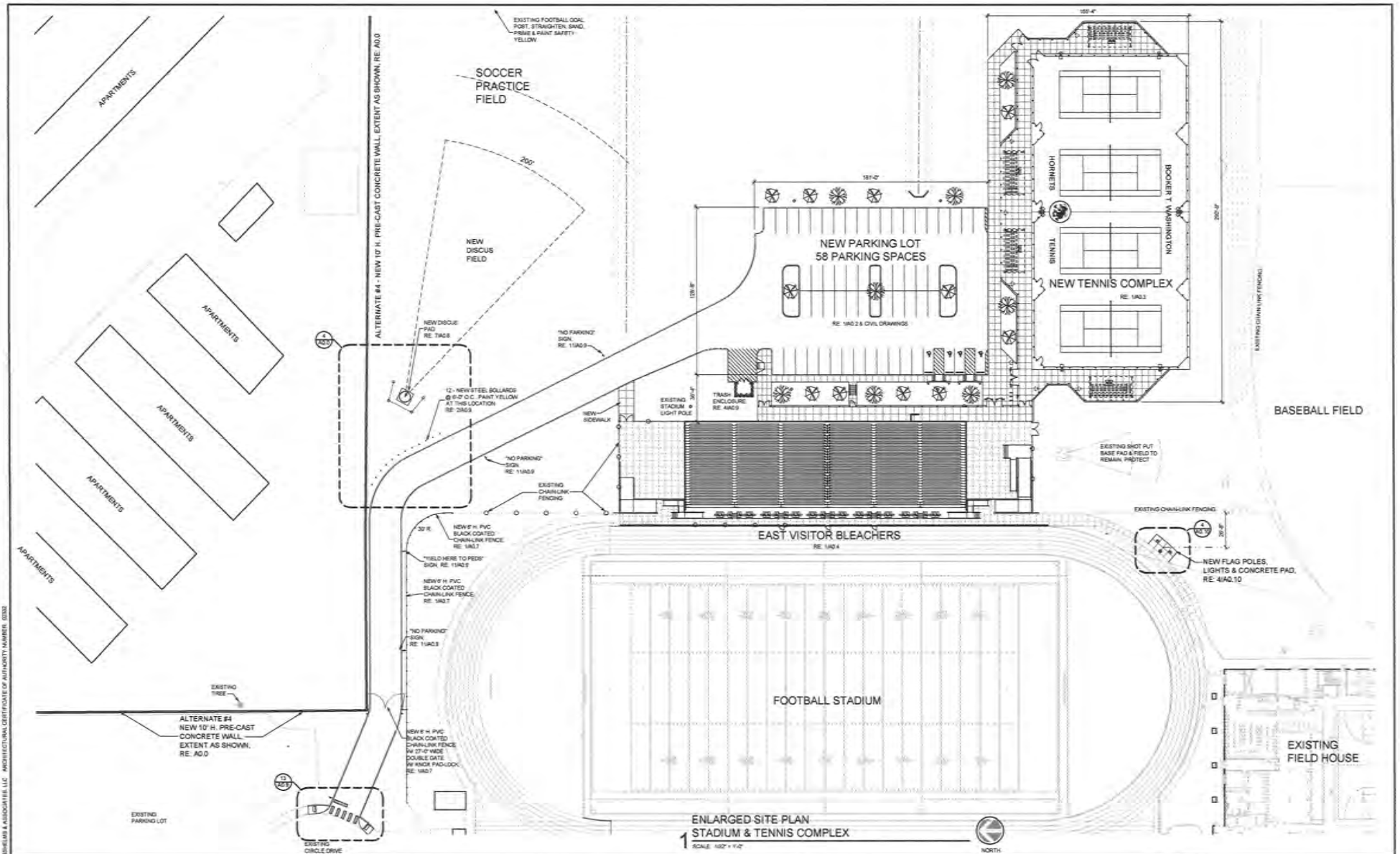












D	CONSTRUCTION DRAWINGS	12.01.21
R	REVISION	DATE



PROJECT NO.	21-03800
FILE	AD-1
ISSUE DATE	12.01.21
SCALE	AS NOTED
DRAWN BY	BJ/BC/GSH
CHECKED BY	BJ/GSH
APPROVED BY	GSH

ARCHITECT



ph: 918.298.7257  
web: gshelms.com

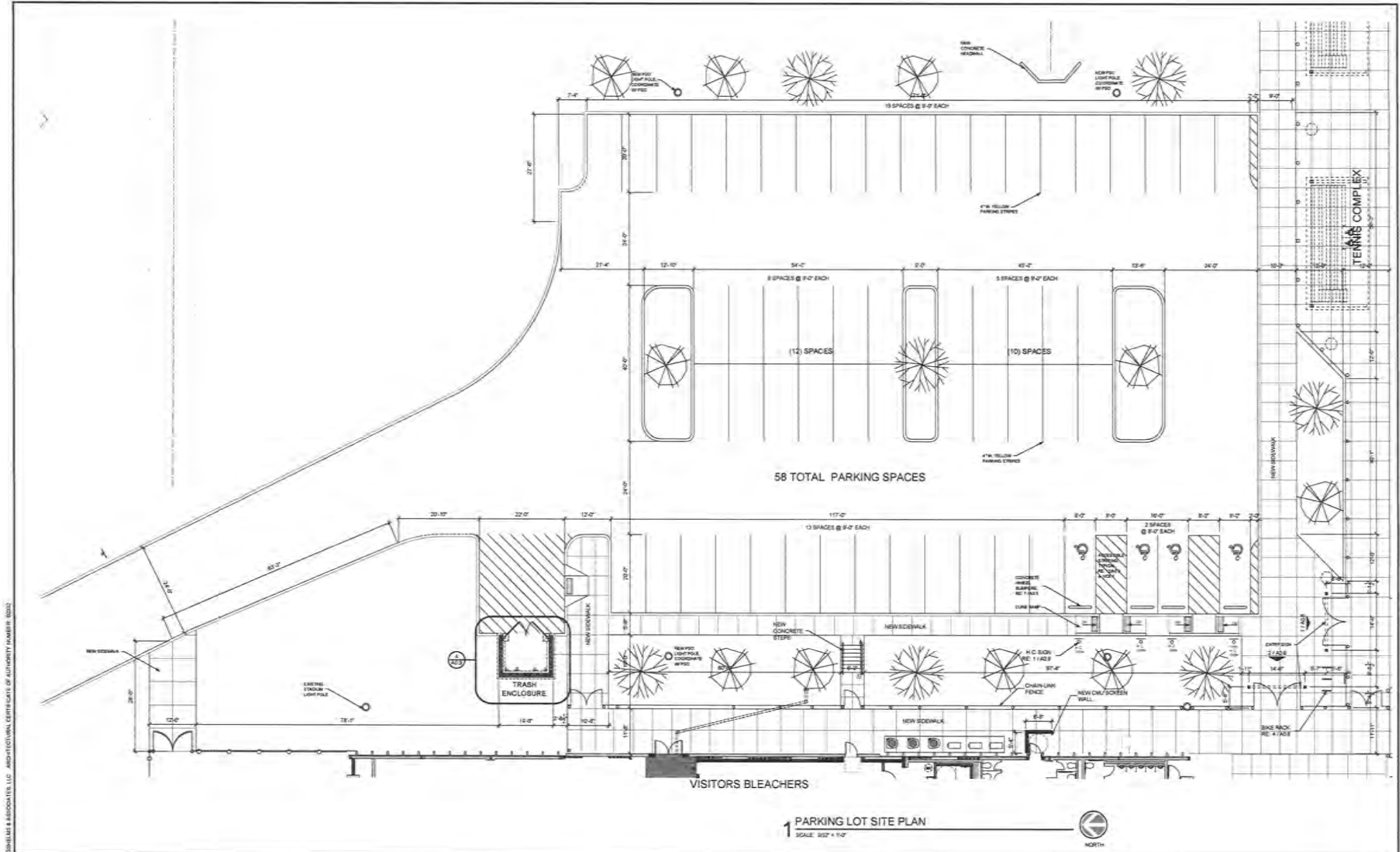
PROJECT TITLE: TULSA PUBLIC SCHOOLS  
BOOKER T. WASHINGTON HIGH SCHOOL  
NEW TENNIS COMPLEX - 2021 BOND PROJECT  
1514 EAST ZION STREET TULSA, OK 74106

SHEET TITLE: ENLARGED SITE PLAN OF STADIUM & TENNIS COMPLEX

SHEET NUMBER: \_\_\_\_\_

A0.1





1	CONSTRUCTION DRAWINGS	12.01.21
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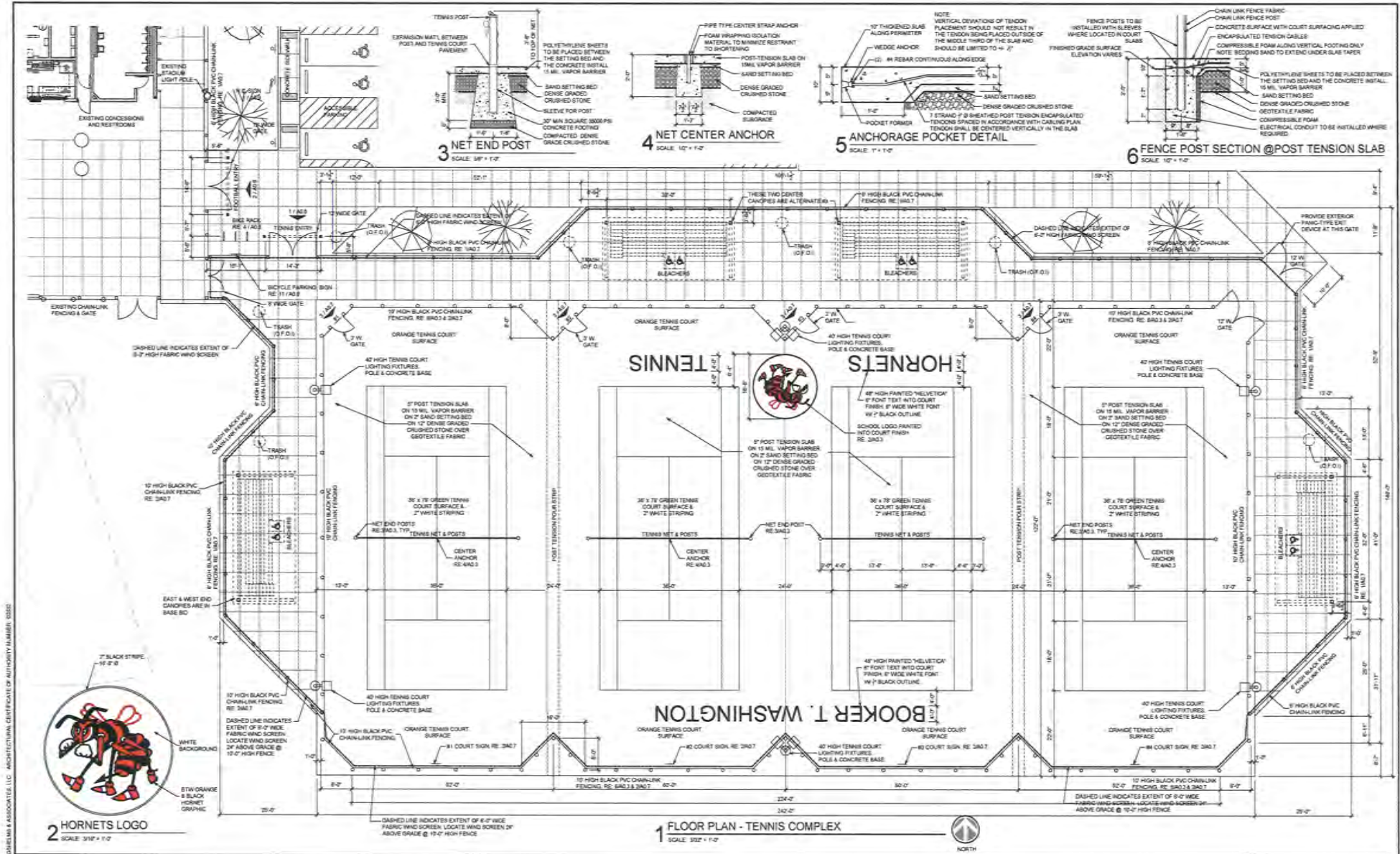
PROJECT NO:	21-0280
TITLE:	A0.2
ISSUE DATE:	12.01.21
SCALE:	AS NOTED
DRAWN BY:	BJ/BC/GH
CHECKED BY:	BJ/GH
APPROVED BY:	GH

ARCHITECT  
**GS HELMS + ASSOCIATES**  
 PH: 918.256.1257 | 401 E. 10TH ST. | TULSA, OK 74107  
 WWW.GSHELMS.COM

PROJECT TITLE:  
 TULSA PUBLIC SCHOOLS  
**BOOKER T. WASHINGTON HIGH SCHOOL  
 NEW TENNIS COMPLEX - 2021 BOND PROJECT**  
 1514 EAST ZION STREET | TULSA, OK 74106  
 SHEET TITLE:  
**PARKING LOT SITE PLAN**

SHEET NUMBER:  
**A0.2**





GORDON & ASSOCIATES, LLC ARCHITECTURAL CERTIFICATE OF AUTHORITY NUMBER: 0202

REVISION	DATE
1	CONSTRUCTION DRAWINGS
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PROJECT NO.	21-0286
FILE	A03
ISSUE DATE	12/31/21
SCALE	AS NOTED
DRAWN BY	BL / RC / OSH
CHECKED BY	BL / OSH
APPROVED BY	OSH

ARCHITECT

**HELMs**  
+ ASSOCIATES

915.258.7257 | 424 E. HIGH ST.  
OKC, OK 73102 | 915.258.7400

PROJECT TITLE:  
**BOOKER T. WASHINGTON HIGH SCHOOL  
 NEW TENNIS COMPLEX - 2021 BOND PROJECT**  
 1514 EAST 20TH STREET  
 TULSA, OK 74106

SHEET TITLE:  
**ENLARGED SITE PLAN OF  
 TENNIS COURT AREA**

SHEET NUMBER:  
**A0.3**





AERIAL VIEW LOOKING NORTHWEST

## TPS BTW TENNIS COMPLEX PRELIMINARY SKETCHES

gshelms & associates, llc  
september 21, 2021

11.15





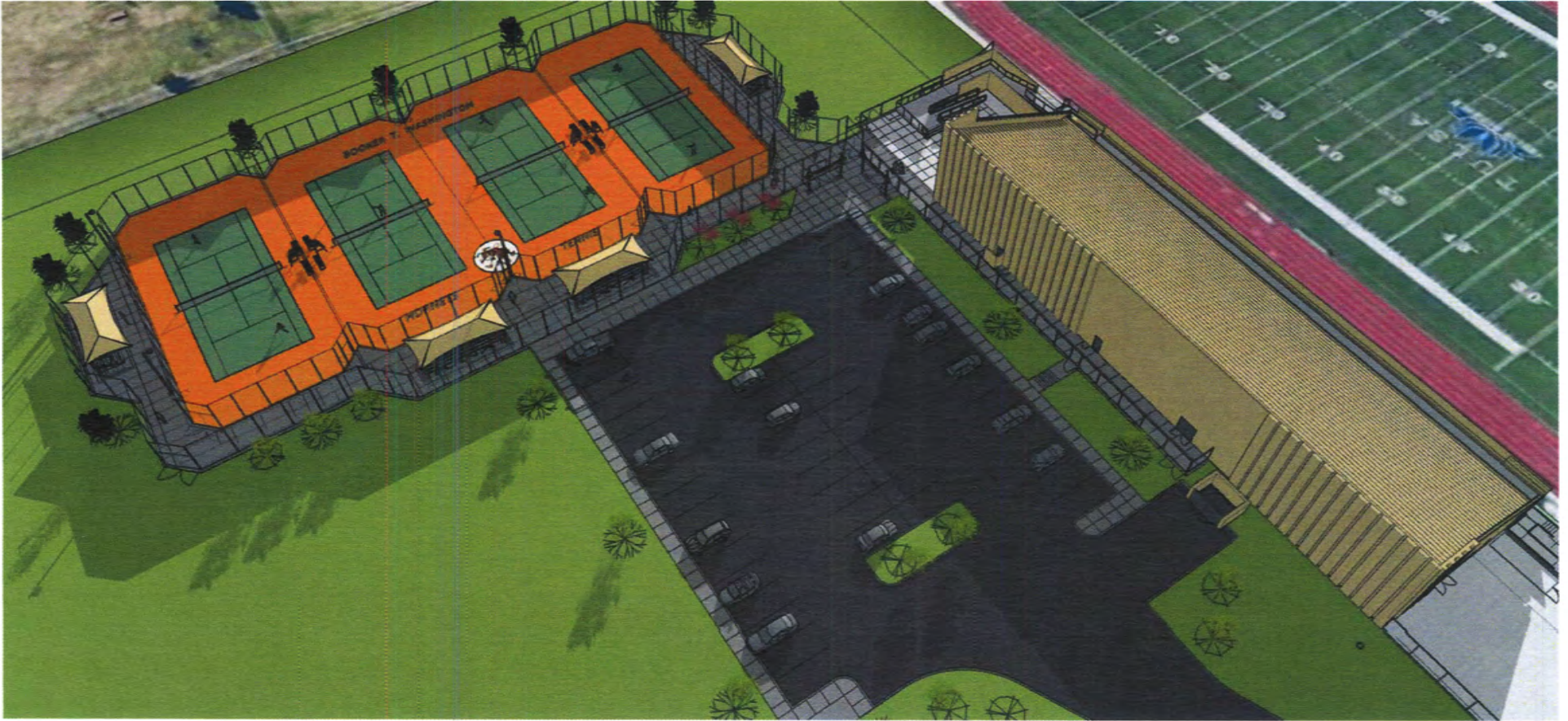
AERIAL VIEW LOOKING NORTHEAST

## TPS BTW TENNIS COMPLEX PRELIMINARY SKETCHES

gshelms & associates, llc  
september 21, 2021

11.16





AERIAL VIEW LOOKING SOUTHEAST

## TPS BTW TENNIS COMPLEX PRELIMINARY SKETCHES

gshelms & associates, llc  
september 21, 2021

11.17





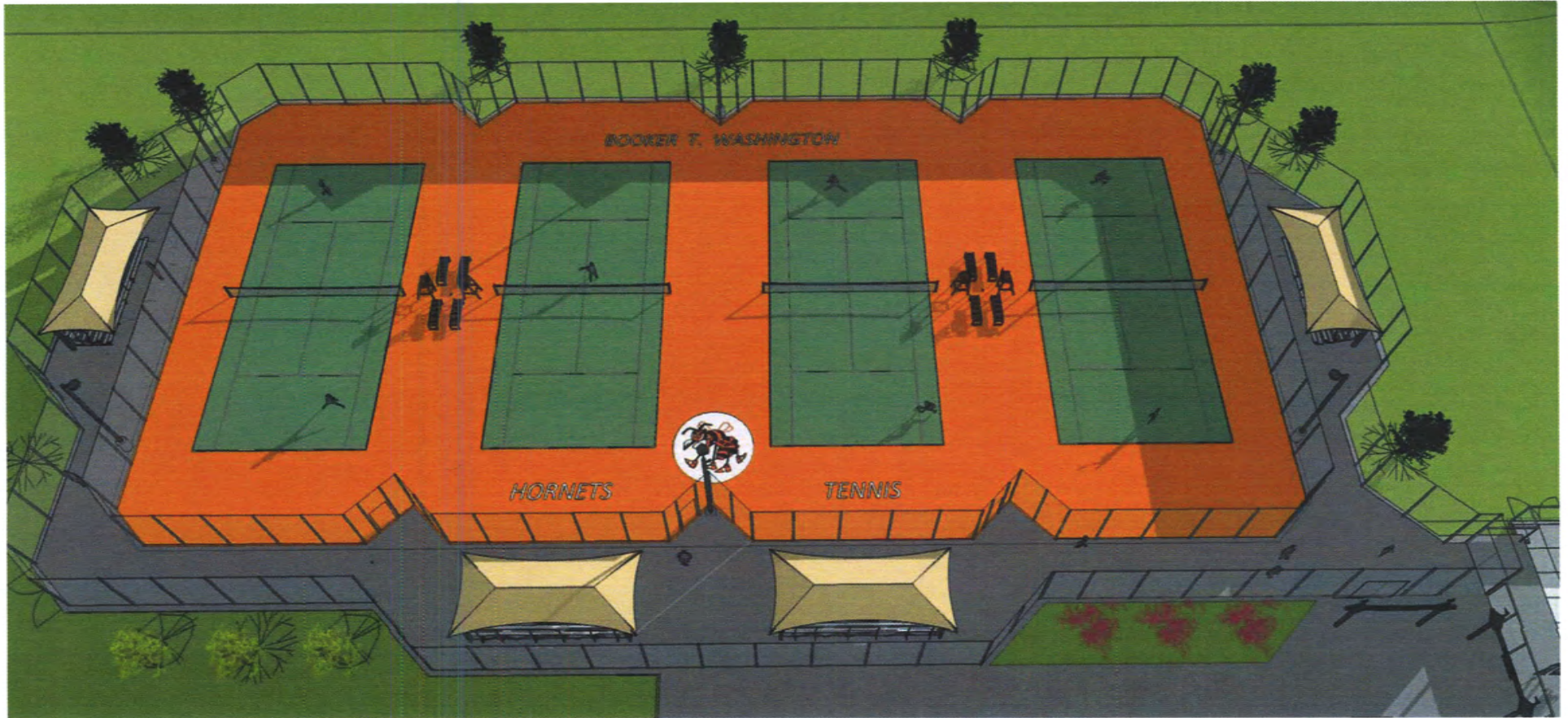
AERIAL VIEW LOOKING SOUTHEAST

# TPS BTW TENNIS COMPLEX PRELIMINARY SKETCHES

gshelms & associates, llc  
september 21, 2021

11.18





AERIAL VIEW LOOKING SOUTH

## TPS BTW TENNIS COMPLEX PRELIMINARY SKETCHES

gshelms & associates, llc  
september 21, 2021

11.19



# Booker T Washington HS Tennis

Tulsa, OK

## Lighting System

Pole / Fixture Summary						
Pole ID	Pole Height	Mtg Height	Fixture Qty	Luminaire Type	Load	Circuit
T1, T4	40'	40'	1	TLC-LED-400	0.40 kW	A
		40'	1	TLC-LED-600	0.58 kW	A
T2	40'	40'	1	TLC-LED-400	0.40 kW	A
		40'	1	TLC-LED-400	0.40 kW	B
		40'	1	TLC-LED-600	0.58 kW	A
		40'	1	TLC-LED-600	0.58 kW	B
T3, T6	40'	40'	1	TLC-LED-400	0.40 kW	B
		40'	1	TLC-LED-600	0.58 kW	B
T5	40'	40'	1	TLC-LED-400	0.40 kW	B
		40'	1	TLC-LED-400	0.40 kW	A
		40'	1	TLC-LED-600	0.58 kW	B
		40'	1	TLC-LED-600	0.58 kW	A
6			16		7.84 kW	

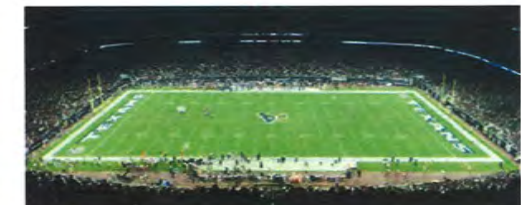
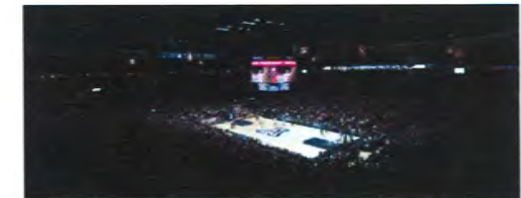
Circuit Summary			
Circuit	Description	Load	Fixture Qty
A	Tennis 1-2	3.92 kW	8
B	Tennis 3-4	3.92 kW	8

Fixture Type Summary							
Type	Source	Wattage	Lumens	L90	L80	L70	Quantity
TLC-LED-600	LED 5700K - 75 CRI	580W	65,600	>120,000	>120,000	>120,000	8
TLC-LED-400	LED 5700K - 75 CRI	400W	46,500	>120,000	>120,000	>120,000	8

## Light Level Summary

Calculation Grid Summary									
Grid Name	Calculation Metric	Illumination					Circuits	Fixture Qty	
		Ave	Min	Max	Max/Min	Ave/Min			
Tennis 1-2	Horizontal Illuminance	32	25	43	1.72	1.28	A	8	
Tennis 3-4	Horizontal Illuminance	31.7	24	42	1.72	1.32	B	8	

## From Hometown to Professional



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**PROJECT SUMMARY**

11.20



# EQUIPMENT LIST FOR AREAS SHOWN

Pole		GRADE ELEVATION		Luminaires		QTY / POLE	THIS GRID	OTHER GRIDS
QTY	LOCATION	SIZE		MOUNTING HEIGHT	LUMINAIRE TYPE			
2	T1, T4	40'	-	40'	TLC-LED-400	1	1	0
				40'	TLC-LED-600	1	1	0
2	T2, T5	40'	-	40'	TLC-LED-400	2	1	1
				40'	TLC-LED-600	2	1	1
4	TOTALS					12	8	4

## Booker T Washington HS Tennis

Tulsa, OK

### GRID SUMMARY

Name: Tennis 1-2  
Size: 2 Court - 24' Spacing  
Spacing: 20.0' x 20.0'  
Height: 3.0' above grade

### ILLUMINATION SUMMARY

MAINTAINED HORIZONTAL FOOTCANDLES

Entire Grid

Guaranteed Average: 30  
Scan Average: 31.97  
Maximum: 43  
Minimum: 25  
Avg / Min: 1.29  
Guaranteed Max / Min: 2.5  
Max / Min: 1.72  
UG (adjacent pts): 0.00  
CU: 0.87  
No. of Points: 30

#### LUMINAIRE INFORMATION

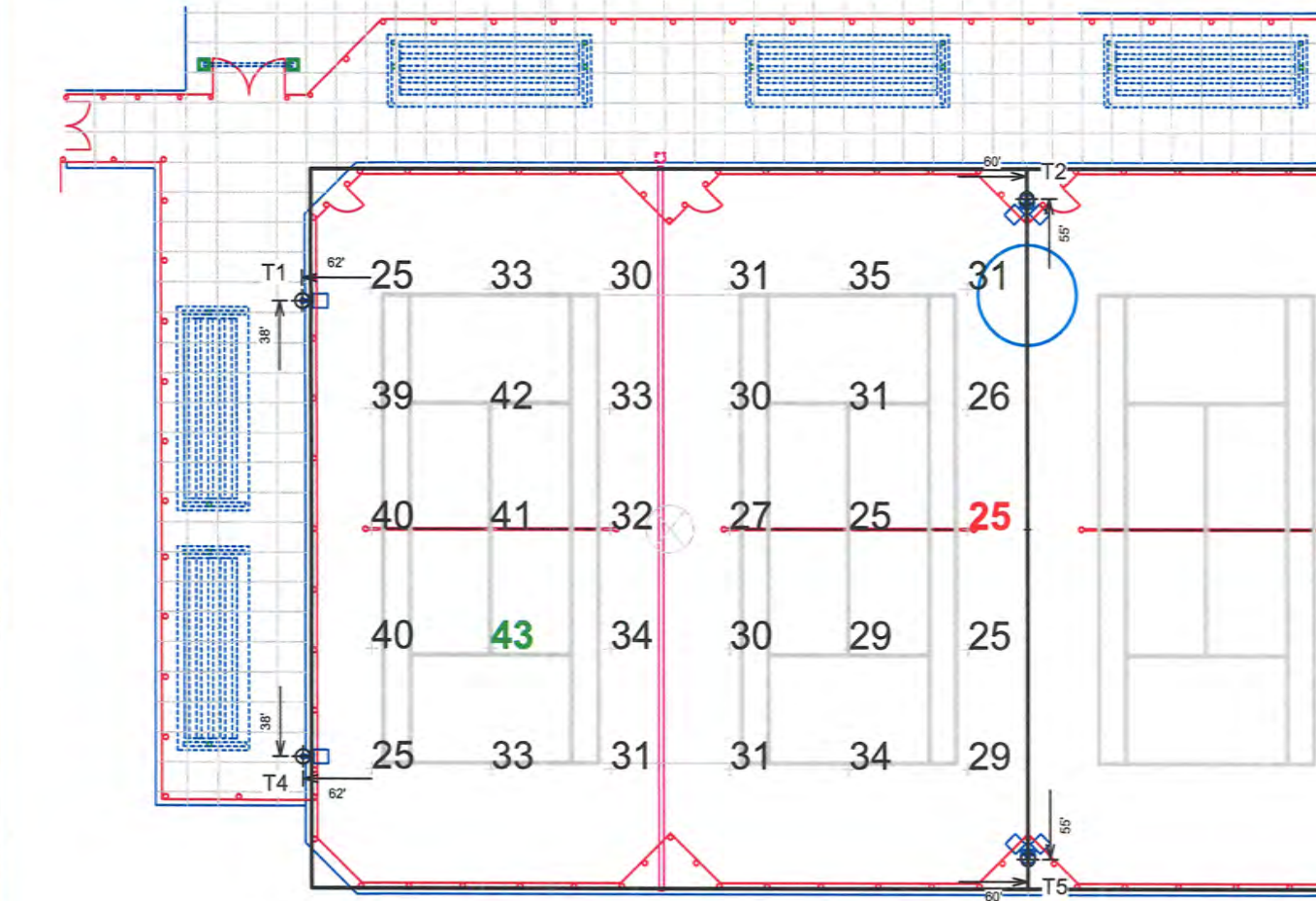
Applied Circuits: A  
No. of Luminaires: 8  
Total Load: 3.92 kW

**Guaranteed Performance:** The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

**Field Measurements:** Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

**Installation Requirements:** Results assume  $\pm 3\%$  nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



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Pole location(s) dimensions are relative to 0,0 reference point(s)



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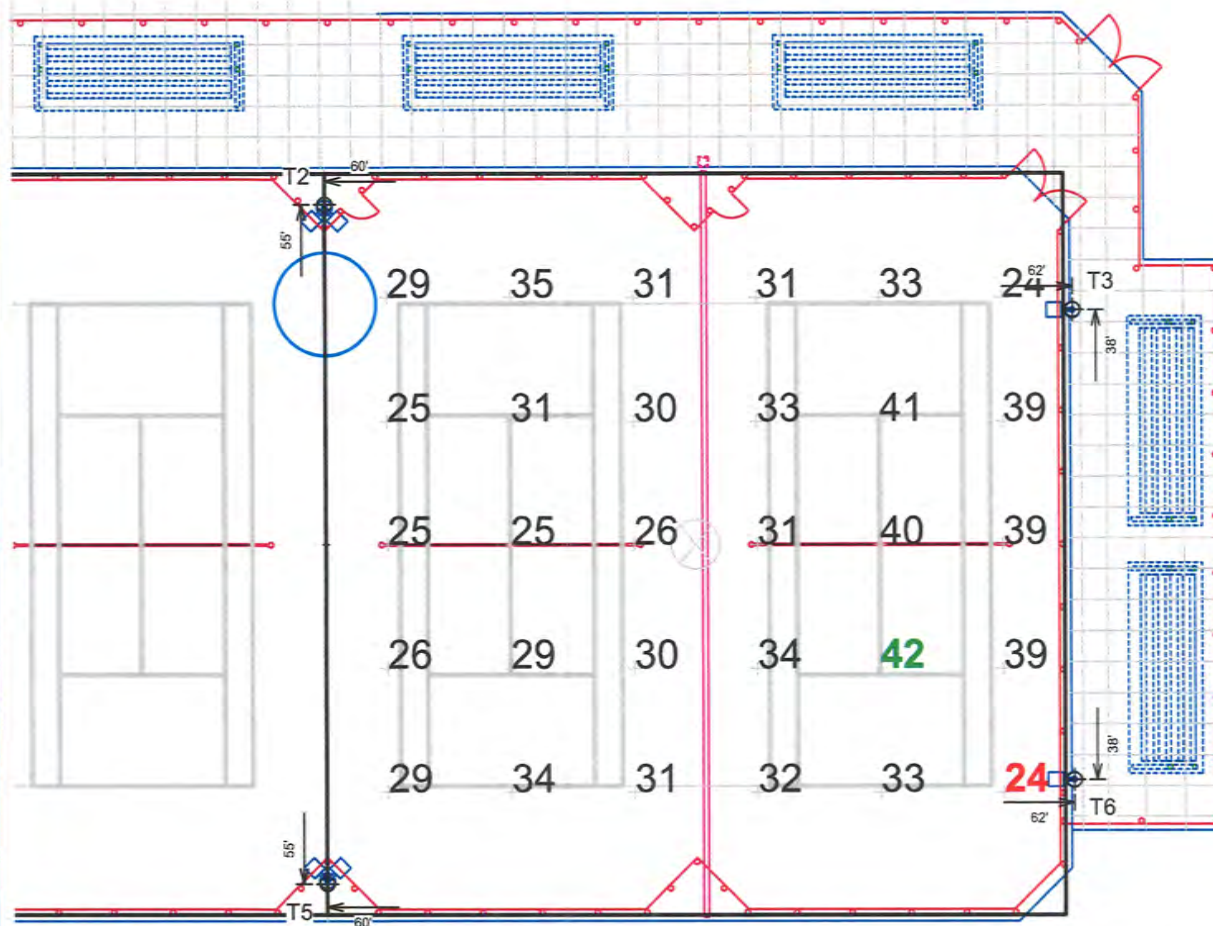
### ILLUMINATION SUMMARY

11.21

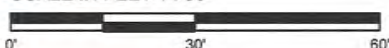


# EQUIPMENT LIST FOR AREAS SHOWN

Pole			Luminaires				
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE	THIS GRID
2	T2, T5	40'	-	40'	TLC-LED-400	2	1
				40'	TLC-LED-600	2	1
2	T3, T6	40'	-	40'	TLC-LED-400	1	1
				40'	TLC-LED-600	1	1
4	TOTALS					12	8



SCALE IN FEET 1 : 30



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Pole location(s) ⚡ dimensions are relative to 0,0 reference point(s) ⊗

## Booker T Washington HS Tennis

Tulsa, OK

### GRID SUMMARY

Name: Tennis 3-4  
Size: 2 Court - 24' Spacing  
Spacing: 20.0' x 20.0'  
Height: 3.0' above grade

### ILLUMINATION SUMMARY

MAINTAINED HORIZONTAL FOOTCANDLES

Entire Grid

Guaranteed Average: 30

Scan Average: 31.71

Maximum: 42

Minimum: 24

Avg / Min: 1.30

Guaranteed Max / Min: 2.5

Max / Min: 1.72

UG (adjacent pts): 0.00

CU: 0.87

No. of Points: 30

#### LUMINAIRE INFORMATION

Applied Circuits: 8

No. of Luminaires: 8

Total Load: 3.92 kW

**Guaranteed Performance:** The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

**Field Measurements:** Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

**Installation Requirements:** Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



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### ILLUMINATION SUMMARY

11.22



# Booker T Washington HS Tennis

Tulsa, OK

## EQUIPMENT LAYOUT

### INCLUDES:

- Tennis 1-2
- Tennis 3-4

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

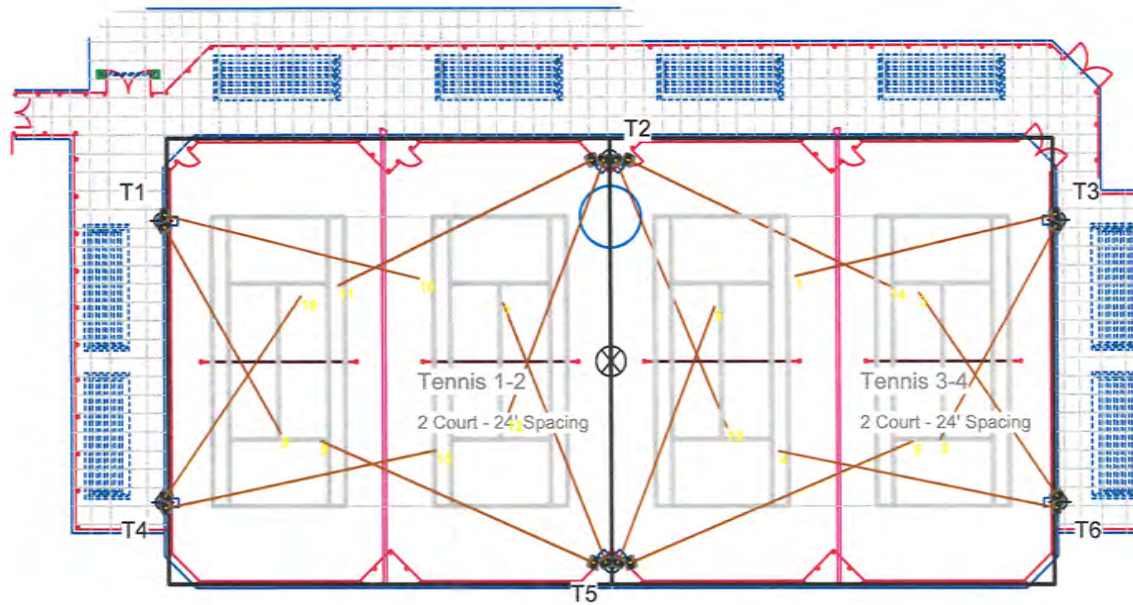
**Installation Requirements:** Results assume  $\pm 3\%$  nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

## EQUIPMENT LIST FOR AREAS SHOWN

Pole				Luminaires		
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE
4	T1, T3-T4 T6	40'	-	40'	TLC-LED-600	1
				40'	TLC-LED-400	1
2	T2, T5	40'	-	40'	TLC-LED-400	2
				40'	TLC-LED-600	2
6	TOTALS					16

## SINGLE LUMINAIRE AMPERAGE DRAW CHART

Ballast Specifications (.90 min power factor)	Line Amperage Per Luminaire (max draw)						
Single Phase Voltage	208 (60)	220 (60)	240 (60)	277 (60)	347 (60)	380 (60)	480 (60)
TLC-LED-600	3.4	3.2	3.0	2.6	2.0	1.9	1.5
TLC-LED-400	2.3	2.2	2.0	1.7	1.4	1.3	1.0



SCALE IN FEET 1 : 50



Pole location(s) ⚡ dimensions are relative to 0,0 reference point(s) ⊗

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EQUIPMENT LAYOUT

11.23





E APACHE ST

N UTICA AVE

N XANTHUS AVE

N ST LOUIS AVE

N TRENTON AVE

E ZION ST

N ROCKFORD AVE

E YOUNG PL

E YOUNG ST

E YOUNG PL

E YOUNG ST

E YOUNG ST

N VICTOR AVE

E XYLER ST

E WOODROW PL

E WOODROW PL

E WOODROW ST

N WHEELING AVE

E VIRGIN ST

N QUAKER AVE

N QUINCY AVE

N ST LOUIS AVE

N TRENTON AVE

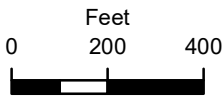
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N UTICA AVE

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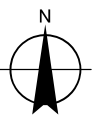
Subject  
Tract

**BOA-23237**

20-13 30

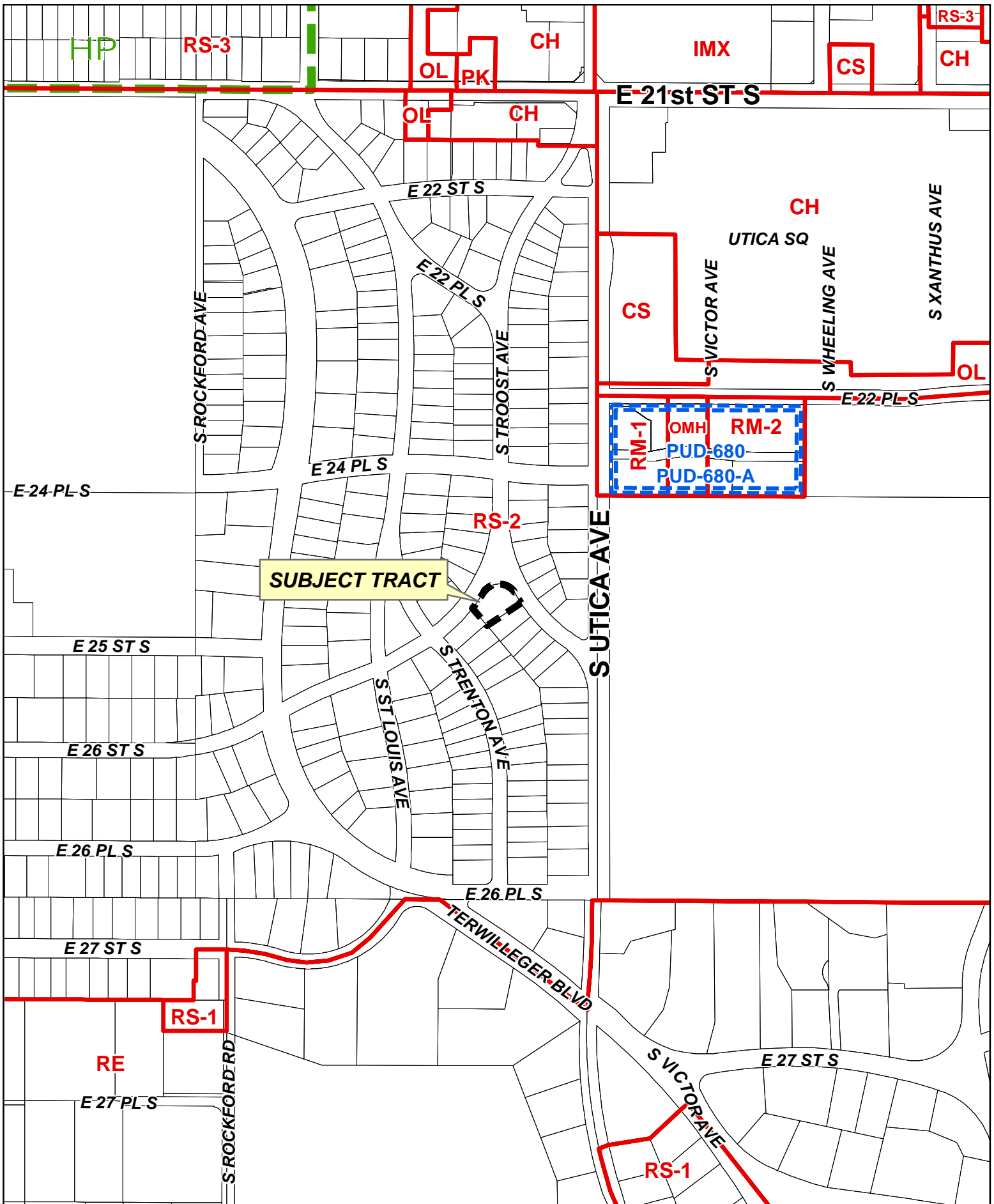
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021



11.24

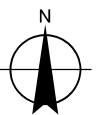




BOA-23238

19-13 18

12.1





# BOARD OF ADJUSTMENT CASE REPORT

STR: 9318

Case Number: **BOA-23238**

CZM: 37

CD: 4

**HEARING DATE:** 01/11/2022 1:00 PM

**APPLICANT:** Joshua Berman

**ACTION REQUESTED:** **Special Exception** to allow an Accessory Dwelling Unit in the RS-2 district (Sec.45.031); **Variance** to allow a Detached Accessory Dwelling Unit/Garage to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C)

**LOCATION:** 1616 E 26 ST S

**ZONED:** RS-2

**PRESENT USE:** Single-family Residential

**TRACT SIZE:** 11177.54 SQ FT

**LEGAL DESCRIPTION:** LT 34 BK 15, TERWILLEGER HGTS

**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 at the Southern intersection of S. Troost Ave. and E. 26<sup>th</sup> St. S.

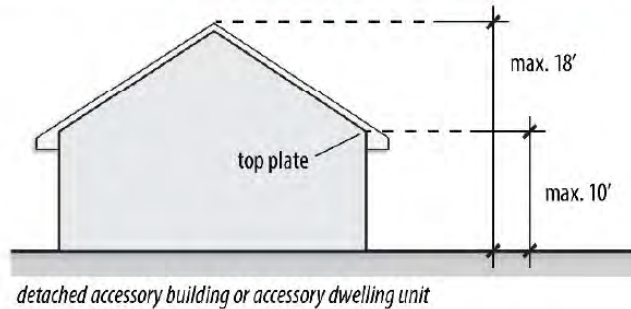
**STAFF COMMENTS:** The applicant is requesting **Special Exception** to allow an Accessory Dwelling Unit in the RS-2 district (Sec.45.031); **Variance** to allow a Detached Accessory Dwelling Unit/Garage to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C)

Included in your packet is a copy of Sec. 45.031 contain the regulations for ADU's.



- (1) The building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate; and

*Figure 90-9: Maximum Height of Accessory Buildings, Including Accessory Dwelling Units In Rear Setbacks (RE, RS and RD Districts or RM Zoned Lots Used for Detached Houses or Duplexes)*



The applicant may want to speak to the uniqueness of this particular property, the shape of the lot and the placement of the house does seem to limit the horizontal expansion of the detached accessory building.

**STATEMENT OF HARDSHIP:** I understand the provision's intended purpose is to preserve the charm and character of certain Tulsa neighborhoods. Our solution does just that, and even brings the detached garage in line with many of the other detached garages in the neighborhood, by adding the guest suite. This particular property is unique in that it is one of the few with a detached garage that does NOT have a suite above it. We purchased the property in March and did not create the initial conditions. The variance of building the ADU is all the relief we are seeking. No adjacent property will be affected and will not alter the essential character of the neighborhood, as seen in other parts of this document, nor will it cause any public detriment.

**SAMPLE MOTION:**

***Special Exception:***

Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to allow an Accessory Dwelling Unit in the RS-2 district (Sec.45.031).

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

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

***Variance:***

Move to \_\_\_\_\_ (approve/deny) a **Variance** to allow a Detached Accessory Dwelling Unit/Garage to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C)

- 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."*



supporting structure (excluding any guy lines) to the nearest point on the residential zoning district boundary line, excluding R-zoned freeways.

## **Section 45.030**      **Accessory Buildings and Carports in R Districts**

### **45.030-A**      **Accessory Building Size**

#### **1. RE and RS-1 Districts**

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

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

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

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

### **45.030-B**      **Carports**

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

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

### **Section 45.031-A Definition**

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

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

### **Section 45.031-B Purpose**

1. The purpose of allowing accessory dwelling units within R, AG, and AG-R districts is to:
  - a. accommodate new housing units while preserving the character of existing neighborhoods;
  - b. allow efficient use of the city's existing housing stock and infrastructure;
  - c. provide housing options and choices that respond to varying income levels, changing household sizes and lifestyle needs; and



- d. provide a means for residents—particularly seniors, single parents, and empty-nesters—to remain in their homes and neighborhoods, and obtain extra income, security, companionship and assistance.
- 2. The ADU supplemental regulations are also intended to help ensure that that new buildings and modifications to existing buildings are designed with sensitivity to their context in terms of building placement, proportions, building materials, and similar design features.

#### **Section 45.031-C      Applicability**

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

#### **Section 45.031-D      Regulations**

##### **1. Where Allowed**

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

##### **2. Number**

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

##### **3. Methods of Creation**

An accessory dwelling unit may be created only through the following methods:

- a. Constructing an accessory dwelling unit on a lot with a new or existing detached house; or
- b. Converting or increasing existing floor area within an accessory building on a lot with an existing detached house.

##### **4. Density (Minimum Lot Area and Lot Area per Unit)**

No additional lot area or lot area per unit is required for the accessory dwelling unit.

##### **5. Open space (Minimum open space per unit)**

No additional open space is required for the accessory dwelling unit.

##### **6. Accessory Dwelling Unit Size**

- a. RE and RS-1 Districts

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

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



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

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

## **7. Building and Fire Codes**

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

## **8. Additional Regulations for Accessory Dwelling Units**

### **a. Entrances**

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

### **b. Setbacks**

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

### **c. Exterior Finish Materials**

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

### **d. Roof Pitch**

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

## **Section 45.040 Compressed Natural Gas (CNG) Refueling Appliances**

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

## **Section 45.050 Dumpsters**

### **45.050-A Regulations**

Dumpsters established or placed on or after the effective date specified in [Section 1.030](#) are subject to the following regulations:

- 1.** Dumpsters may only be placed with the written permission of the owner of the subject property.
- 2.** Dumpsters must be located on a dustless, all-weather surface.
- 3.** Dumpsters may not:
  - a.** Obstruct motorized or non-motorized traffic;





***Existing detached garage on subject property***



***Subject property***



**Danny Whiteman**  
Zoning Official  
Plans Examiner II

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



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### ZONING CLEARANCE PLAN REVIEW

11/12/2021

LOD No. 1

**Josh Berman**  
1616 E 26 ST  
Tulsa, OK 74114

**APPLICATION NO: BLDR-100701-2021** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

**Project Location: 1616 E. 26<sup>th</sup> St.**

**Description: Garage apartment**

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

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

#### IMPORTANT INFORMATION

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

(continued)



## 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. BLDR-100701-2021

### 1. 45.031-D.1 Regulations, Where Allowed

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

**Review Comments:** Apply to the Board of Adjustment for a special exception to allow an Accessory Dwelling Unit in an RS-2 zoned area.

### 2. 45.031-D.8 Additional Regulations for Accessory Dwelling Units

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

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

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

**Review Comments:** Apply to the Board of Adjustment for variances to allow an Accessory Dwelling Unit to have less than a 10 distance behind the detached house, to have an exterior finish material that does not match the house, and to have a roof pitch different from the predominant roof pitch of the house. Alternatively, for items c and d, you may revise the plans to show that the accessory dwelling unit will match the house's exterior finish and roof pitch.

### 3. 90.090-C.2.a Detached Accessory Buildings, including Accessory Dwelling Units, in RE, RS, RD Districts and RM Zoned Lots Used for Detached Houses or Duplexes

Detached accessory buildings, including Accessory Dwelling Units, may be located in rear setbacks provided that: (1) The building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate.

**Review Comment:** The proposed building, which appears to be located in the rear setback, has an overall height of 20.4' and a top plate height of 17.2'. You may apply for a variance from the Board of Adjustment to have a detached accessory building in the rear setback that has an overall height of 20.4' and a top plate height of 17.2'.

**4. R106.2 Site plan or plot plan.** The construction documents submitted with the application for permit shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site and distances from lot lines. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

**Review Comment:** Please modify the site plan to show the distance from the proposed remodeled accessory building to the rear and side property lines.

**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.



# For City of Tulsa Board of Adjustment

Responses to Review Comments for Application No. BLDR-100701-2021

**1. 45.031-D.1 Regulations, Where Allowed** | Review Comments: Apply to the Board of Adjustment for a special exception to allow an Accessory Dwelling Unit in an RS-2 zoned area.

Many houses in our Terwilleger Heights neighborhood, including several in our immediate area and one across the street, have accessory dwelling units, often right over the garage like we're proposing. Please see Exhibit #1 for samples taken within walking distance of our home.

**2. 45.031-D.8 Additional Regulations for Accessory Dwelling Units** | Review Comments: Apply to the Board of Adjustment for variances to allow an Accessory Dwelling Unit to have less than a 10 distance behind the detached house, to have an exterior finish material that does not match the house, and to have a roof pitch different from the predominant roof pitch of the house. Alternatively, for items c and d, you may revise the plans to show that the accessory dwelling unit will match the house's exterior finish and roof pitch.

I believe this one to be a misunderstanding. As you'll see on the site plan, the Accessory Dwelling Unit is more than 10 feet behind the detached house. It also will have an exterior finish that matches the existing house exactly. As per our plan, the Accessory Dwelling Unit will have two roof pitches, just like the existing house. The existing brick structure's roof pitch will match the house's brick roof pitch, and the board and batten's roof pitch will match the house's board and batten roof pitch. It is designed to match the existing house entirely, from materials and colors to window frames and roof pitch. It will enhance the already charming corner of the neighborhood. See Exhibit #2.

**3. 90.090-C.2.a Detached Accessory Buildings, including Accessory Dwelling Units, in RE, RS, RD Districts and RM Zoned Lots Used for Detached Houses or Duplexes** | The proposed building, which appears to be located in the rear setback, has an overall height of 20.4' and a top plate height of 17.2'. You may apply for a variance from the Board of Adjustment to have a detached accessory building in the rear setback that has an overall height of 20.4' and a top plate height of 17.2'.

The garage floor sits roughly 3' below the floor of our main house. The height of the ADU will be well below the height of our main house, and will not change the character of the street. Across the street is an over-garage ADU that is much taller than our proposed structure will be. See Exhibit #2.

**4. R106.2 Site plan or plot plan.** | Review Comments: Review Comment: Please modify the site plan to show the distance from the proposed remodeled accessory building to the rear and side property lines.

This has been done - please see the attached, modified site plan.



# For City of Tulsa Board of Adjustment

Responses to Review Comments for Application No. BLDR-100701-2021, Exhibit #1



2435 Trenton Ave.



26th and Trenton



2651 S. St. Louis



2604 S. St Louis



2488 S St. Louis



1304 E 26th St.



1583 E 26th St.



1359 E 26th St.



1327 E 26th St.



2418 Terwilleger Blvd.



2261 S. St Louis



St Louis & 24th



2417 S. St Louis



2419 S. St Louis



2431 S. Trenton Ave



# For City of Tulsa Board of Adjustment

Responses to Review Comments for Application No. BLDR-100701-2021, Exhibit #2



Existing Board and Batten



Existing brick,  
matching existing house



Estimated New Height



# For City of Tulsa Board of Adjustment

## Responses to Neighbor Communications

I walked around my neighborhood, knocking on the door of every home within 300'. Not everyone was home, but of those that were, 100% were in full support and agreed to sign the document saying as much (see the next page). I showed them the drawings and explained the project, and answered any questions they had. Not a single concert was raised, and no change was requested. All in all, I recieved the support 18 households.

## Responses to Variances:

I understand the provision's intended purpose is to preserve the charm and character of certain Tulsa neighborhoods. Our solution does just that, and even brings the detached garage in line with many of the other detached garages in the neighborhood, by adding the guest suite. This particular property is unique in that it is one of the few with a detached garage that does NOT have a suite above it. We purchased the property in March, and did not create the initial conditions. The variance of building the ADU is all the relief we are seeking. No adjacent property will be affected, and will not alter the essential character of the neighborhood, as seen in other parts of this document, nor will it cause any public detriment.



To whom it may concern,

Joshua Berman spoke with me about his garage guest room at 1616 E 26th St. in Terwilleger Heights. He answered my questions, and this signature constitutes my letter of support.

Name

Signature

Address

S. Morris	(Sue + Larry) Morris	2411 S. Groost
Tom Ballou	Tom & COURTNEY	(Apartment) 2431 S. TROOST AVE.
Jim Vester		2616 S. TROOST - OK
Mona Brown		2620 S. TROOST - OK
GENE MOZINGO		2418 S. TROOST - OK
Rachel Craft		1615 E. 26 <sup>th</sup> St
Derek Reid		2604 S. Trenton Ave Tulsa, OK 74114
Javala Sravji		2431 Trenton Ave Tulsa, OK 74114
Jay Phoenix		2415 S St Louis Ave Tulsa OK 74114
Carl Curtis		2409 S. Saint Louis Ave Tulsa OK 74114
Thomas Blue		2422 S. St Louis Ave Tulsa OK 74114
Maggie Romine		2609 S. Trenton Ave Tulsa OK 74114



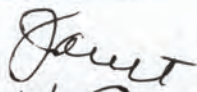
To whom it may concern,

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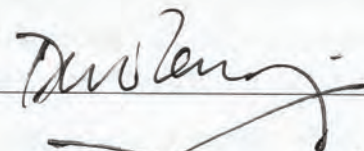
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Signature

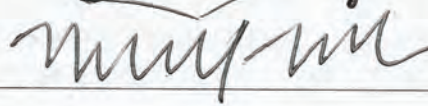
Address

  
JANET DICK GARCIA

2615 S. Trenton Ave 74114

DEON & LANEY 


2621 S. TRENTON AVE 74114

Mitchell Mason 

2629 S. Trenton 74114

Randy Lee

2633 S. Trenton  
74114

  
Bryn Anderson

1602 E. 26th Street 74114

Bill Jenzian

2630 S. Troost Ave.

Pat Jenzian

2630 S. Troost Ave



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NUMBER	DATE

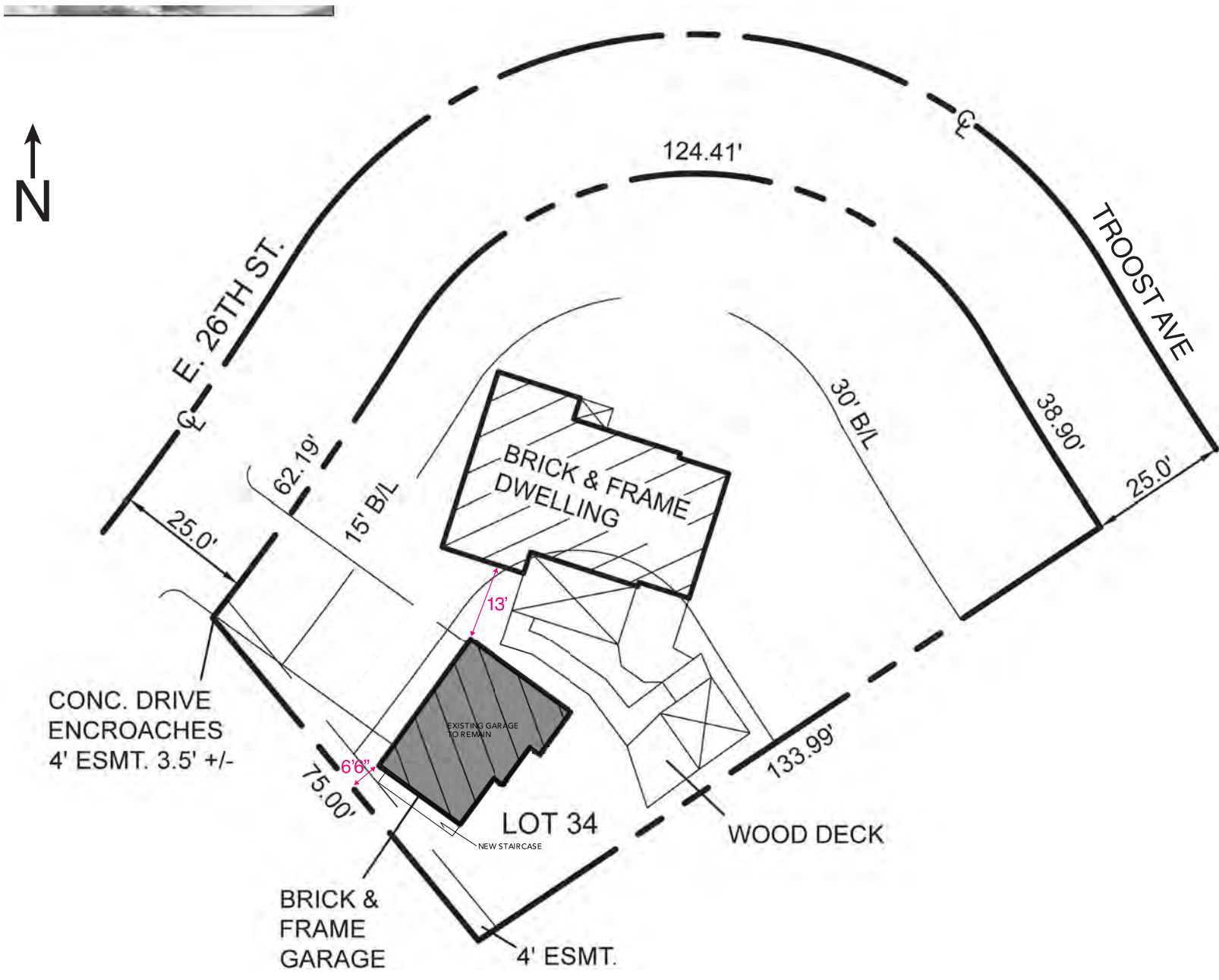
Berman Residence

DRAWINGS PROVIDED BY:  
Chris McEllip

DATE:  
9/12/2021

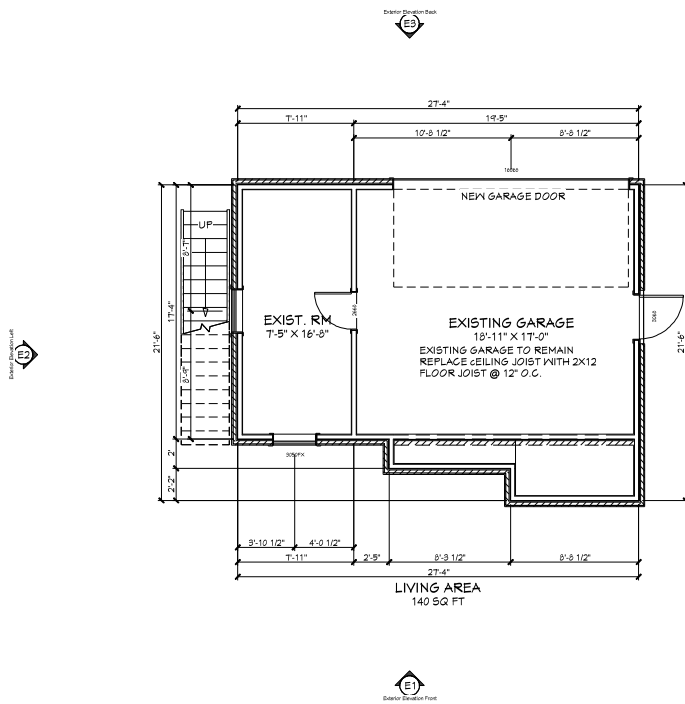
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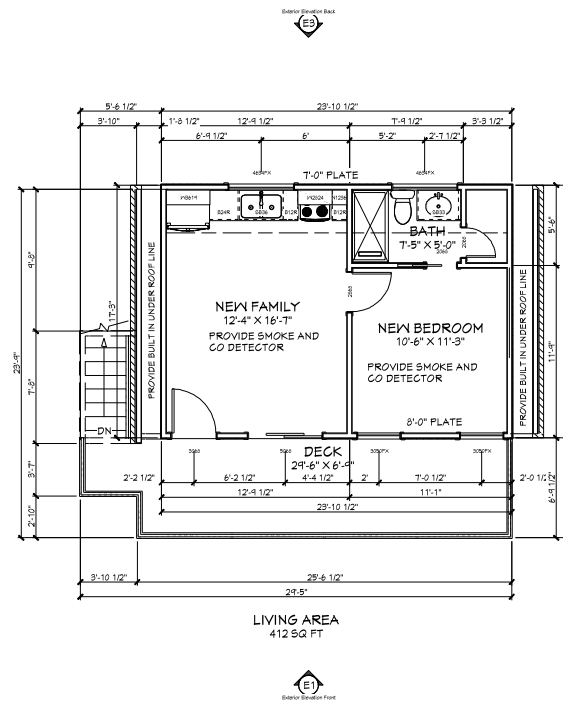


Plot Plan View





EXISTING GARAGE TO REMAIN



NEW SECOND FLOOR

REVISION TABLE			
NUMBER	DATE	REVISION BY	DESCRIPTION

Berman Residence

DRAWINGS PROVIDED BY:  
CHRIS MCKILLIP

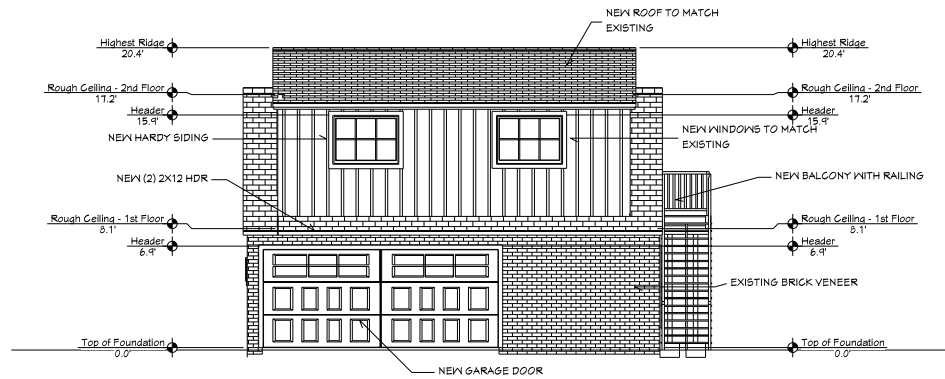
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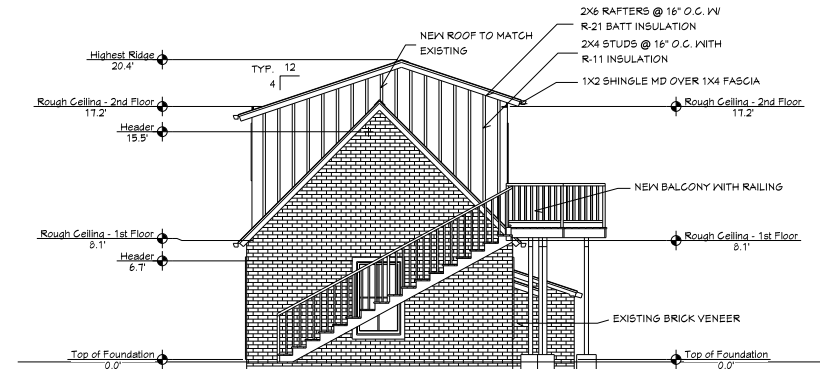
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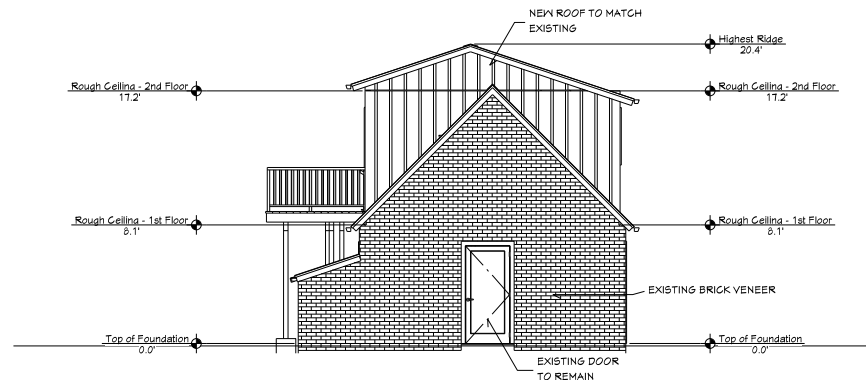
Exterior Elevation Back



Exterior Elevation Left



Exterior Elevation Front



Exterior Elevation Right

REVISION TABLE		
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Berman Residence

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Chris McMillan

DATE:

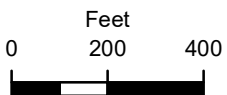
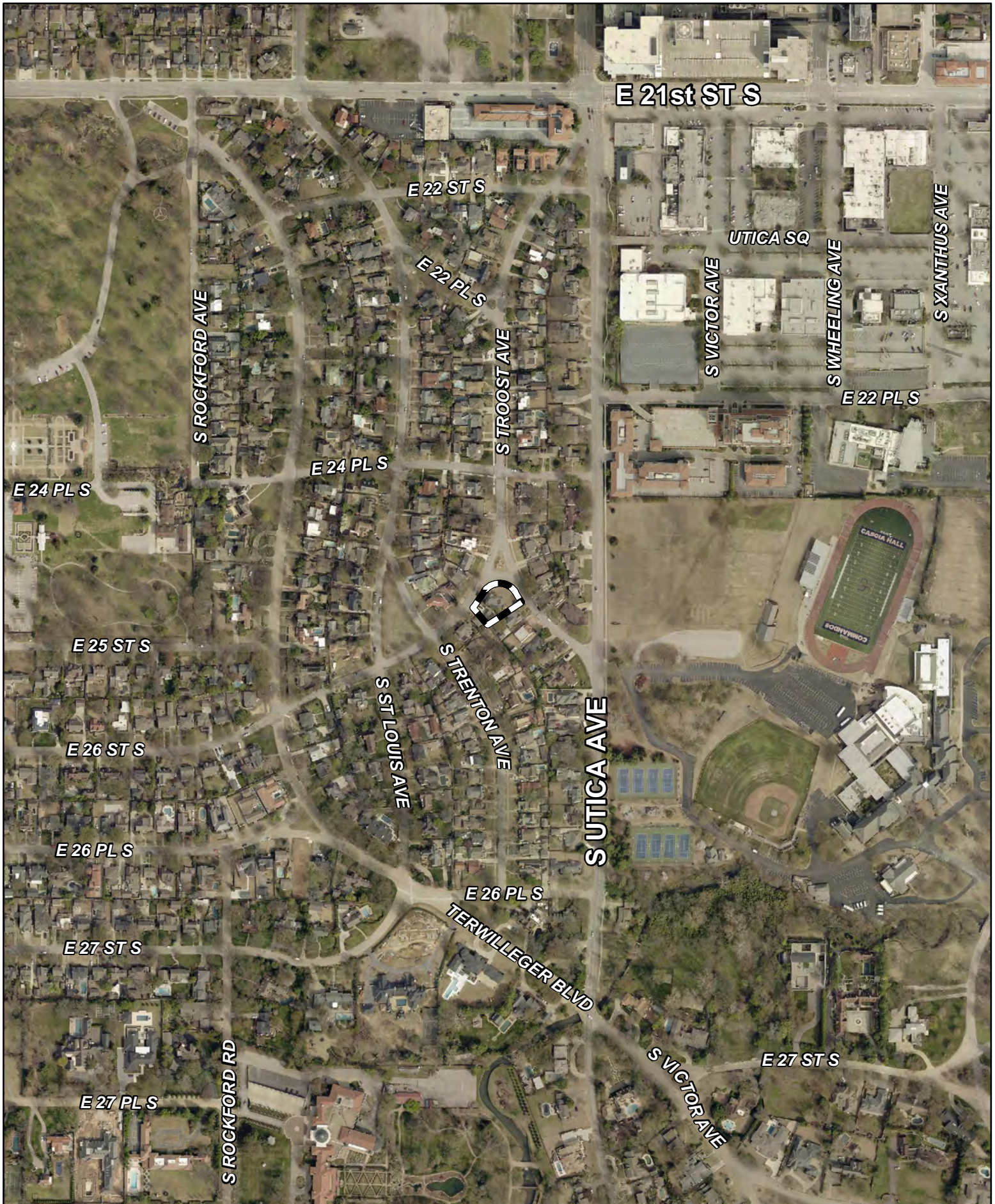
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SHEET:

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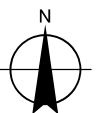
Subject  
Tract

**BOA-23238**

19-13 18

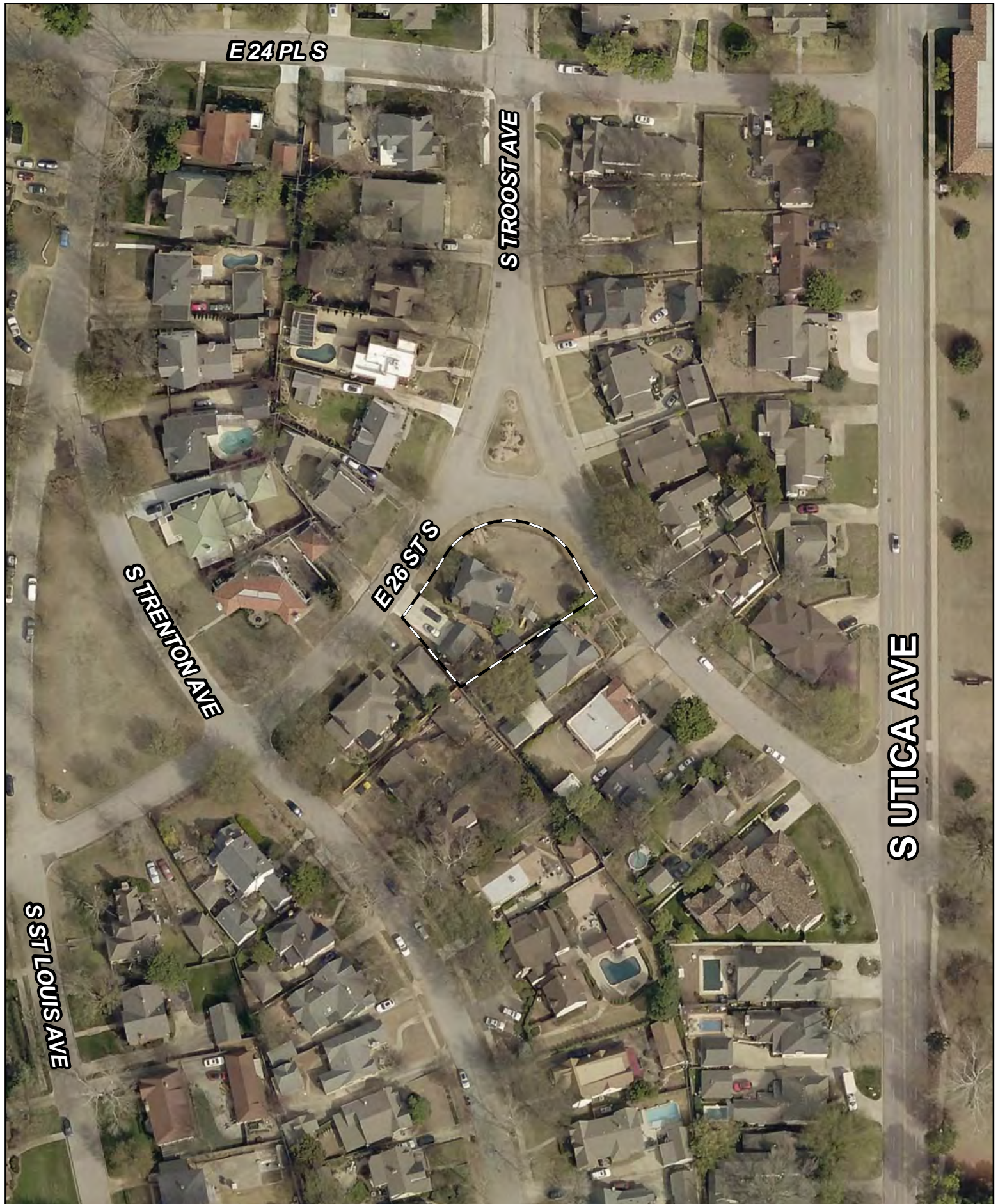
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align with physical features on the ground.

Aerial Photo Date: 2020/2021



12.21





0 50 100  
Feet



Subject  
Tract

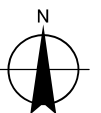
**BOA-23238**

19-13 18

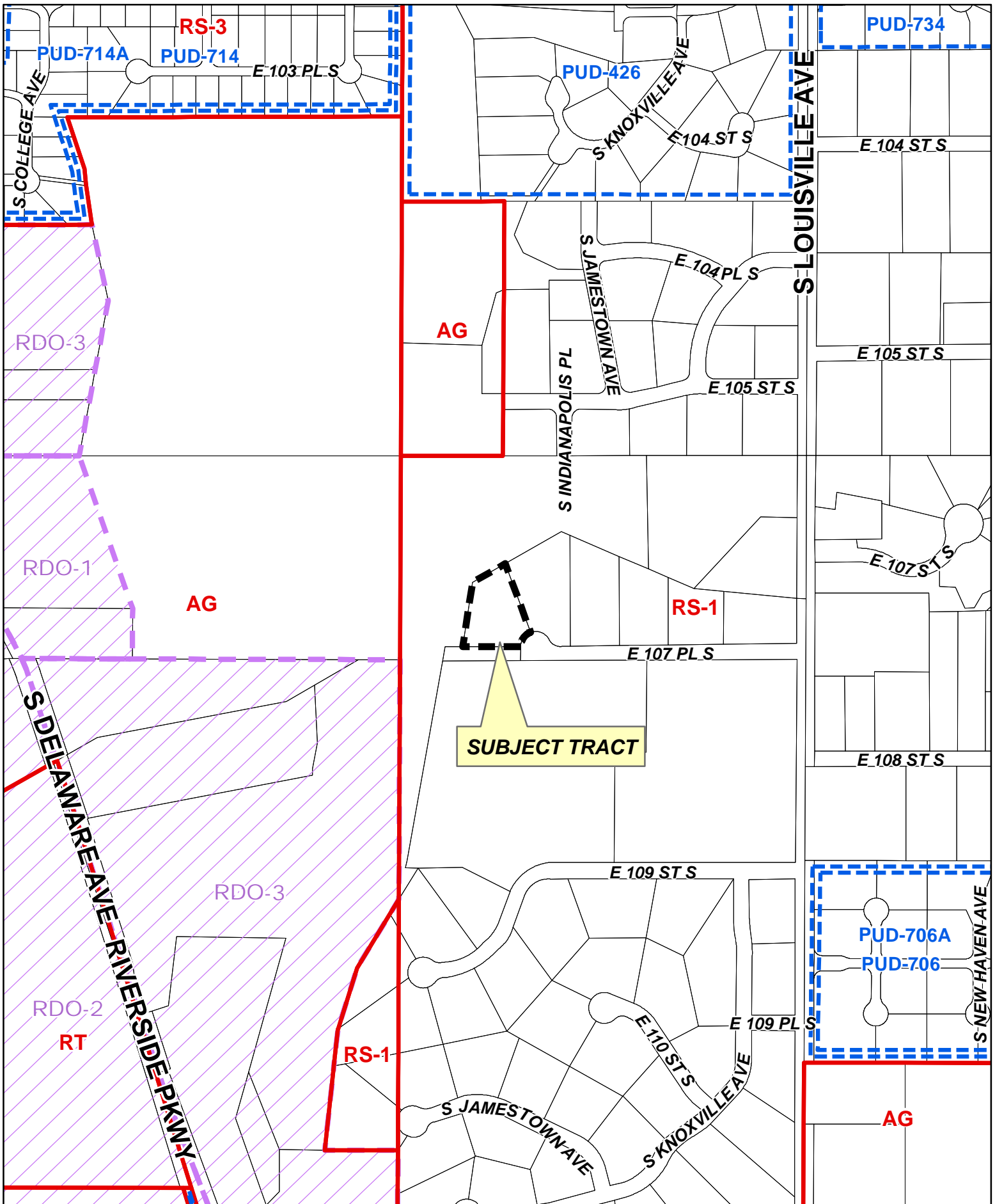
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Aerial Photo Date: 2020/2021

12.22



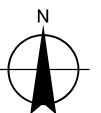




**BOA-23239**

18-13 28

13.1





# BOARD OF ADJUSTMENT CASE REPORT

**STR:** 8328

**CZM:** 56

**CD:** 8

Case Number: **BOA-23239**

**HEARING DATE:** 01/11/2022 1:00 PM

**APPLICANT:** Morgan Smith

**ACTION REQUESTED:** Special Exception to permit a fence or wall to exceed 4-feet in height inside the required front street setback (Sec. 45.080-A)

**LOCATION:** 3501 E 107 PL S

**ZONED:** RS-1

**PRESENT USE:** Residential

**TRACT SIZE:** 41225.35 SQ FT

**LEGAL DESCRIPTION:** LT 6 BLK 1, PHILCREST

**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 at the dead of E. 107<sup>th</sup> Pl. S. West of Louisville.

**STAFF COMMENTS:** The applicant is requesting a Special Exception to permit a fence or wall to exceed 4-feet in height inside the required front street setback (Sec. 45.080-A)



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

The portion of wall outside the street setback is not the subject of this application and is compliant with the code limitations since the wall is no higher than 8-feet from grade.

**90.170-A** **Fences and Walls**

The height of fences and walls is measured as vertical distance from the average finished grade on the inside of the fence to the top of the fence or wall. Fences atop walls or landscape features (e.g., raised beds) are measured to average finished grade at the base of the wall or landscape feature. Fence posts may exceed the height of the highest connected portion of the fence by up to 12 inches.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit a fence or wall to exceed 4-feet in height inside the required front street setback (Sec. 45.080-A)

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

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





***Subject Property***



***Subject Property***







**LEGAL DESCRIPTION - AS PROVIDED - WD DOC. #2013102906**

LOT SIX (6), BLOCK ONE (1), **PHILCREST**, AN ADDITION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

**LEGAL DESCRIPTION - AS PROVIDED - QCD DOC. #2020078345**

A PARCEL OF LAND SITUATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 13 EAST, TULSA COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHEAST CORNER OF SAID WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 13 EAST, TULSA COUNTY, OKLAHOMA;

THENCE NORTH 00°05'43" WEST FOR 1307.18 FEET;

THENCE SOUTH 89°17'47" WEST ALONG THE NORTH LINE OF EAST 109th STREET SOUTH AS DEDICATED IN PHILCREST SUBDIVISION IN TULSA, TULSA COUNTY, OKLAHOMA FOR 825.29 FEET;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 150.00 FEET, A CHORD BEARING OF SOUTH 58°00'46" WEST, A CHORD DISTANCE OF 155.78 FEET AND AN ARC DISTANCE OF 163.80 FEET;

THENCE NORTH 63°16'14" WEST FOR 175.58 FEET;

THENCE SOUTH 89°17'47" WEST A DISTANCE OF 190.43 FEET;

THENCE NORTH 33°53'00" EAST FOR 24.94 FEET;

THENCE NORTH 08°52'11" EAST FOR 651.06 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH NORTH 08°52'11" EAST FOR 50.69 FEET;

THENCE NORTH 89°23'17" EAST ALONG A WEST EXTENSION AND THE SOUTH LINE OF LOT 6, BLOCK 6, PHILCREST SUBDIVISION IN TULSA, TULSA COUNTY, OKLAHOMA; FOR 250.78 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6;

THENCE SOUTH 00°36'43" EAST FOR 50.00 FEET;

THENCE SOUTH 89°23'17" WEST FOR 259.13 FEET TO THE POINT OF BEGINNING.

**LOD COMMENTS**

1. THE WROUGHT IRON FENCE, STUCCO COLUMNS AND THAT PORTION OF THE CONCRETE RETAINING WALL LOCATED IN THE FRONT STREET SETBACK MEASURE FROM 5' TO 6.5' IN HEIGHT FROM FINISHED GRADE.

2. SEE SEPARATE CONSTRUCTION AGREEMENT EXHIBIT FOR CONCRETE RETAINING WALL LYING WITHIN THE LOT AND WITHIN THE FRONT 35' EASEMENT ALONG THE NORTHEAST LOT LINE.

3. SEE SEPARATE CONSTRUCTION AGREEMENT EXHIBIT FOR THE IMPROVEMENTS LYING WITHIN THE FRONT 35' EASEMENT AND SETBACK OF LOT 6.

**PLAT OF SURVEY**

LOT SIX (6), BLOCK ONE (1), PHILCREST & ADJ. UNPLATTED AREA  
3501 E. 107th PL., TULSA, TULSA COUNTY, OKLAHOMA 74137

SURVEY: MJL	DATE: 01.26.2021	PREPARED BY: FRITZ LAND SURVEYING, LLC 2017 W. 91ST STREET, TULSA, OK 74132 PH: 918.231.0575 FRITZLANDSURVEYING@GMAIL.COM C.A. # 5848 EXPIRES: 6-30-2022
DRAFT: RLL	DATE: 01.28.2021	
APPROVED: PLS	DATE: 02.11.2021	
PROJ. NO. 20038	SHEET 2 OF 2	







Right-of-Way  
ENGINEERING SERVICES DEPARTMENT

Friday, September 10, 2021

V. David Miller II and Pamela E. Miller  
15 E 5th St, STE 3800  
Tulsa, OK 74103

**RE: Copy of Original - Agreement for Construction in a Utility Easement**

To Whom It May Concern:

Enclosed is an executed copy of the document filed of record by the City of Tulsa. This copy is for your records.





Doc # 2021098163 Page(s): 21  
08/23/2021 02:04:03 PM  
Receipt # 21-59889  
Fee: \$ 58.00

## AGREEMENT FOR CONSTRUCTION IN A UTILITY EASEMENT

This agreement, made and entered into by and between the **CITY OF TULSA, OKLAHOMA**, a municipal corporation, (City), and **V. David Miller II and Pamela E. Miller, a married couple**, owner of the subject real property, (Owner),

WITNESSETH:

WHEREAS; City owns and controls an easement in, under, over, upon and through the real property which is the subject matter hereof described as:

Lot Six (6), Block One (1), PHILCREST, an Addition in Tulsa County, State of Oklahoma, according to the recorded Plat thereof, more particularly described in Exhibit "A"; (hereafter, "the subject property"); and

WHEREAS; the Owner has applied for a permit (the "permit") to allow construction and maintenance of **retaining wall, landscaping, planters, fireplace, generator, irrigation and drainage systems, fountain and decking** (hereinafter referred to as "Improvements") in, upon and through that portion of City's easement as described and as shown on the Exhibit, marked "Exhibit A", attached hereto and incorporated herein by reference; and

WHEREAS; City and Owner agree to the issuance of the Permit subject to the conditions and covenants set forth hereafter.

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES,  
AS FOLLOWS:

1. The owner and its successors in title, shall bear all construction, maintenance, and related costs associated with the subject Improvements on that part of the easement, described as:

See Exhibit "A"

through the entirety of that portion affected by the Improvements as detailed in the attached Exhibit "A". The City shall bear no costs associated with said Improvements now or in the future. Nothing shall be permitted to threaten the safety and continued integrity of all utilities, public and/or private, and/or their accessories located in said easement.

2. In the event the Owner or its successors in title fail to otherwise properly maintain the Improvements, in the easement area, the City or their designated contractor or private utility company as appropriate, may enter the area as required and perform maintenance on the Improvements necessary to the achievement of the intended functions and may remove any obstruction or correct any alteration of grade or contour, and all costs borne by the city and/or their agents shall be paid by the Owner or its successors in title. In the event the Owner or its successors in title fail to pay the costs of the subject work after the receipt of a statement of such costs, the City may file of record a copy of the statement of costs, and thereafter the costs shall



be a lien against the subject property. A lien established as provided herein may be foreclosed by the City.

3. No liability for property damage or personal injury arising out of the construction, installation or maintenance of the Improvements shall attach to the City.

4. City, by granting the subject Permit, does not waive any privilege or right applicable to the subject easement. Nor are such privileges and/or rights waived which belong to others, including, but not limited to utility companies.

5. It is expressly understood that the Owner shall construct and maintain the Improvements at its own expense and at its own risk. In the event it becomes necessary for any public purpose, including but not limited to construction, installation, maintenance, repair or discontinuance of utilities, public and/or private, over, upon, or in the utility easement occupied or affected by the Improvements, to remove, alter or impact the Improvements, for the reason that they interfere with the privileges or rights of the City, their agents, servants and employees and others, including, but not limited to utility companies, the Improvements, or any portion of them, shall be timely removed by the Owner or its successors in title, at the exclusive expense of the Owner or its successors. In the event the removal of the Improvements is not accomplished in timely fashion as herein provided, the Improvements may be immediately removed by the City, their agents, servants or employees, including, but not limited, to utility companies or independent contractors, at the exclusive expense of the Owner or its successor in title. In the event the Owner or its successors in title fail to pay the costs of the subject work after receipt of a statement of such costs, the City may file of record a copy of the statement of costs, and thereafter the costs shall be a lien against the subject property. A Lien established as provided herein may be foreclosed by the City.

6. The Owner and its successors, shall defend any and all claims, liabilities, suits at law or equity brought against the City resulting from the operation, construction, installation, or maintenance of the Improvements and shall indemnify the City for any costs and/or damages suffered as a result thereof.

7. THIS AGREEMENT SHALL "RUN WITH THE LAND" and shall be binding on the Owner, its grantees, assigns, successors and heirs.

8. 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.

V. David Miller II

[Signature]

Pamela E. Miller

[Signature]

STATE OF OKLAHOMA

)

) ss:

COUNTY OF TULSA)

Before me, the undersigned, a Notary Public, in and for said County and State on this 9 day of June, 2021, personally appeared **V. David Miller II and Pamela E. Miller, a married couple**, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

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

[Signature]  
Notary Public

My Commission Expires:

6/26/2022





Quinn H. Darkkenburg  
Assistant City Attorney

  
City Engineer

CITY OF TULSA, OKLAHOMA,  
a municipal corporation

BY:   
Name: G. T. Bynum  
Title: Mayor

*St. Rappell*  
City Clerk



Before me, a Notary Public in and for said County and State, on the 28<sup>th</sup> day of July, 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 they approved the within and foregoing instrument as their 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.

2/15/25



Notary Public







Application for  
Right-of-way / Easement  
Closure or Encroachment Agreement

APPLICATION IS HEREBY MADE TO THE CITY OF TULSA TO CONSIDER THE FOLLOWING:

CHOOSE (1) CLOSURE: \_\_\_\_\_ ENCROACHMENT: X

CHOOSE (1) RIGHT-OF-WAY: \_\_\_\_\_ EASEMENT: X AIR SPACE: \_\_\_\_\_

County Assessor Parcel Number: \_\_\_\_\_ Zoning: \_\_\_\_\_

Property Location: 3501 E 107 PI S Tulsa OK 74137

Legal Description: Subdivision: Philcrest Plat No.: \_\_\_\_\_

Lot: 6 Block: 1

Section: 28 Township: 18 Range: 13

IF UNPLATTED ATTACH LEGAL DESCRIPTION.

Applicant Name: Jones, Gotcher, & Bogan, P.C. as Attorneys for Millers

Applicant Company: Jones, Gotcher, & Bogan, P.C.

Applicant D.B.A.: \_\_\_\_\_

Address: 15 E 5th Street Suite 3800

City: Tulsa State: OK Zip: 74103

Phone: 918-581-8216 Email: msmith@jonesgotcher.com

Secondary Point of Contact: \_\_\_\_\_

Phone: 918-581-8200 Email: jweiger@jonesgotcher.com

Property Owner(s) of Record: David V. Miller II and Pamela E. Miller

Address: 3501 E 107th PI S

City: Tulsa State: OK Zip: 74137

Phone: 918-463-2921 Email: vdavidii@crosstel.net

Signatures

Applicant: Morgan Smith Date: 2/25/2021

Property Owner(s): David V. Miller II Date: 2/25/2021

Pamela E. Miller Date: 2/25/2021

\_\_\_\_\_  
Date: \_\_\_\_\_





**Tulsa**  
A New Kind of Energy.

Application for  
Right-of-way / Easement  
Closure or Encroachment Agreement

Explanation of necessity for closing right-of-way or easement or for encroaching into the right-of-way or easement.

REQUIRED - Legal Description with a Plat of Survey for all closings. For Encroachments a digital sketch delineating the described request, showing all data pertinent to the property (refer to application instructions).

Portion of terraced landscaping and other improvements encroach within the front 35' easement/setback and within the southernly 15' easement area of lot 6. Provides aesthetic value and improves visual environment of property.

See Plat of Survey Construction Agreement Exhibit "A" for legal descriptions.



**PLAT OF SURVEY  
CONSTRUCTION AGREEMENT EXHIBIT "A"**

PAGE 2 of 2

**CONSTRUCTION AGREEMENT LEGAL DESCRIPTION:**

(THAT PORTION OF THE TERRACED LANDSCAPING AND OTHER IMPROVEMENTS WITHIN THE FRONT 35' EASEMENT / BUILDING SETBACK AND WITHIN THE SOUTHERLY 15' EASEMENT AREA OF LOT 6)

A TRACT OF LAND THAT IS PART OF LOT SIX (6), BLOCK ONE (1), PHILCREST, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY OF EAST 107th PLACE, SAID POINT BEING THE SOUTHEAST CORNER OF SAID LOT 6, BLOCK 1, PHILCREST;

THENCE SOUTHWESTERLY ALONG THE RIGHT-OF-WAY LINE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 62.90 FEET, A CHORD BEARING OF SOUTH 34°41'16" WEST AND A CHORD LENGTH OF 58.83 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6;

THENCE SOUTH 88°39'04" WEST ALONG THE SOUTH LINE OF SAID LOT SIX A DISTANCE OF 174.80 FEET TO THE EAST LINE OF A PLATTED 15 FOOT UTILITY EASEMENT;

THENCE NORTH 07°53'37" EAST ALONG SAID EASEMENT LINE 15.20 FEET TO THE NORTH LINE OF A PLATTED 15 FOOT UTILITY EASEMENT;

THENCE NORTH 88°39'04" EAST AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 6 A DISTANCE OF 138.70 FEET TO A POINT OF CURVATURE, SAID POINT BEING ON A PLATTED 35 FOOT EASEMENT / SETBACK LINE;

THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 85.00 FEET, AN ARC LENGTH OF 89.99 FEET, A CHORD BEARING OF NORTH 39°08'48" EAST AND A CHORD LENGTH OF 85.85 FEET TO A POINT ON THE EAST LINE OF SAID LOT 6;

THENCE SOUTH 22°18'06" EAST ALONG SAID EAST LINE A DISTANCE OF 35.03 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 5,024.8 SQUARE FEET OR 0.12 ACRES.

BEARINGS ARE BASED ON THE RECORDED PLAT OF PHILCREST #3666.

**SURVEYOR'S CERTIFICATION**

FRITZ LAND SURVEYING, LLC AND THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR, UNDER CERTIFICATE OF AUTHORIZATION CA #5848, DO HEREBY STATE THAT THIS PLAT OF SURVEY IS A TRUE AND ACCURATE REPRESENTATION OF THE RECORD CONDITIONS AT THE TIME OF THE SURVEY. THIS SURVEY IS INTENDED TO ILLUSTRATE THE PROPOSED CONSTRUCTION AGREEMENT AND FEATURES OF THE PROPERTY HAVE BEEN OMITTED FOR CLARITY. THIS PLAT MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS. DATE OF LAST SITE VISIT: JANUARY 26, 2021.

*WITNESS MY HAND AND SEAL THIS 23rd DAY OF FEBRUARY, 2021.*

FRITZ LAND SURVEYING, LLC  
2017 W. 91ST STREET, TULSA, OK 74132  
PH: 918.231.0575  
FRITZLANDSURVEYING@GMAIL.COM  
C.A. # 5848 EXPIRES: 6-30-2022  
FLS #20038

ANDY FRITZ, PLS  
OK LIC. 1694  
CA #5848 EXP. 06.30.2022

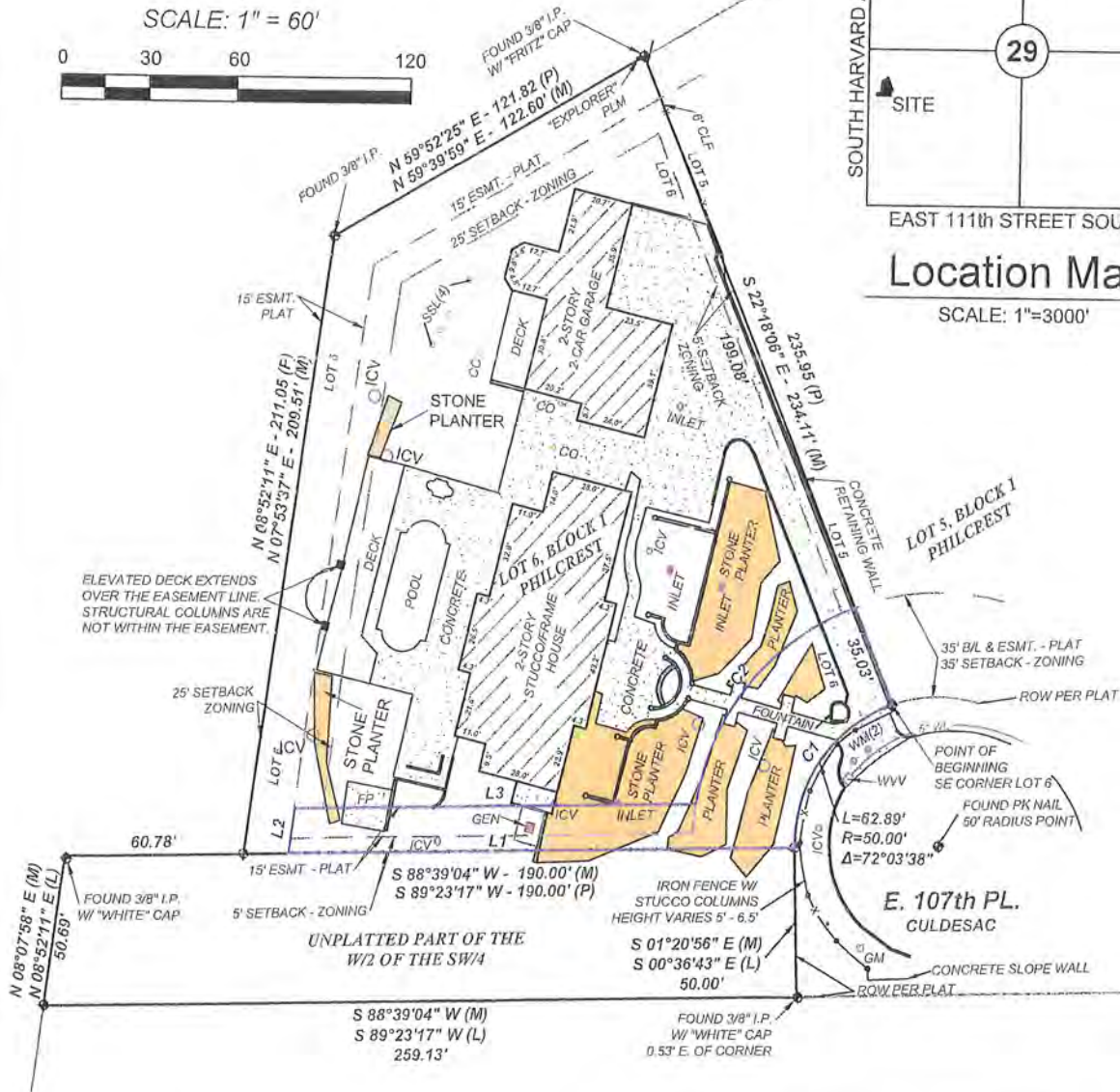
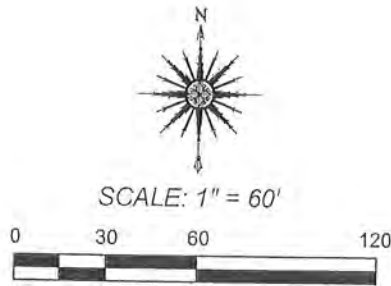


PAGE 2 OF 2



# PLAT OF SURVEY CONSTRUCTION AGREEMENT EXHIBIT "A"

PAGE 1 of 2



FRITZ LAND SURVEYING, LLC  
2017 W. 91ST STREET, TULSA, OK 74132  
PH: 918.231.0575  
FRITZLANDSURVEYING@GMAIL.COM  
C.A. # 5848 EXPIRES: 6-30-2022  
FLS #20038

LINE	BEARING	DISTANCE
L1	S 88°39'04" W	174.80'
L2	N 07°53'37" E	15.20'
L3	N 88°39'04" E	138.70'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	50.00'	62.90'	S 34°41'16" W	58.83'
C2	85.00'	89.99'	N 39°08'48" E	85.85'

PAGE 1 OF 2





Branch Communications  
1516 South Boston Ave.  
Tulsa OK 74119 USA  
(918) 949-4551

Specialty Telecommunications Services  
Samual T. Curtis, P.E.  
13431 N. Broadway, Suite 120  
Oklahoma City OK 73114  
(405) 753-7167  
[samualcurtis@stslc.org](mailto:samualcurtis@stslc.org)

**STS#: MILLER RETAINING WALL**  
October 9, 2019

## RIGOROUS STRUCTURAL ANALYSIS REPORT OF RETAINING WALL

### SITE DESIGNATION

Site Number: N/A  
Site Name: MILLER RETAINING WALL

### ANALYSIS CRITERIA:

Codes: IBC, ACI  
Structure: Modified concrete retaining wall

### SITE DATA

3501 EAST 107<sup>TH</sup> PLACE  
Tulsa, Oklahoma, 74137  
Market: N/A (Private Residence)  
Concrete retaining wall modified with CMUs up to 8 ft high max.

To Whom It May Concern,

Specialty Telecommunications Services, LLC is pleased to submit this Rigorous Structural Analysis Report analyzing the structural integrity of the above-mentioned retaining wall and its ability to support the existing loads. This analysis was performed using the Rankine method for earth pressure, IBC standard strength loading, and standard design criteria for driveway loading (250 psf, IBC 1607.1).

Analysis Results	Capacity	Assessment
Wall Footing:	43.6%	PASS
Wall Stem:	99.4%	PASS
Stability and Sliding:	68.4%	PASS

Based on our analysis this modified retaining wall is in accordance with IRC 2015 Section R404.4.

We at STS appreciate the opportunity to provide our continual professional services to you at Branch Communications. If you have any questions please do not hesitate to call.

Respectfully,

Samual T. Curtis, P.E.  
Oklahoma#: 22174



13431 NORTH BROADWAY, SUITE 120, OKLAHOMA CITY, OK  
405-753-7167, STSENGR.COM



The purpose of this analysis was to assess the structural integrity of the existing retaining wall and its ability to support the existing site loads. The following describes in more detail the analyses performed in evaluating the capacity of the site in question.

#### SITE RESULT SUMMARY

Analysis Component	Section	Capacity (%)	Result
Top Flex	Footing	43.6	PASS
Bottom Flex	Footing	27.5	PASS
Heel Shear	Footing	34.4	PASS
Toe Shear	Footing	31.1	PASS
Max Internal	Wall Stem	99.4	PASS
Max External	Wall Stem	1.7	PASS
Max Shear	Wall Stem	38.4	PASS
Max Dowel	Wall Stem	14.8	PASS
Bearing	Stability/Sliding	37.6	PASS
Overturning	Stability/Sliding	31.2	PASS
Sliding	Stability/Sliding	68.4	PASS

Stress ratios up to 105% are considered customary within engineering structural analysis practices.

#### ANALYSIS METHOD

The structural analysis program RISA Foundation was used to facilitate modeling and analysis of the retaining wall. IBC wind and earth loading procedures were used to calculate loading on the wall sections. The analysis was completed with the Rankine earth pressure method, with calculated K values of .217 based on soil profiles from existing USDA soil surveys (see section below) best engineering practice. The soil profiles were then cross-referenced with Foundation Engineering Handbook (Peck, 1974) tables for other parameters such as the unit weight of soil and angle of internal friction. The RISA Foundation program was used to create a 3D model and apply various load cases to determine the stress level of primary members and maximum reaction at fixed members. Selected output from the structural analysis is included in the Appendix. The following table details the information provided from which this report was exclusively based without benefit of a comprehensive site visit.

Document	Remarks	Source
Wall Mapping Report	Dated 7/25/19	Branch Communications
Site Photos	Branch site visit, 7/24/19	Branch Communications
Correspondence w/ Branch	Wall dimensions, 9/10/19	Branch Communications



## ANALYSIS – CUSTOM RETAINING WALL

Based on the wall mapping report and site photos provided by Branch, it was determined that the wall could be accurately modeled with maximum dimensions of a total of 8' of height above ground level (at maximum), with up to 10' of backfill on the heel side and up to 6' of toe embedment. The total height of the modified wall above the ground is 8' maximum. The footing, stem, and metal reinforcements were modeled as depicted on the wall mapping report. However, due to variability in exact height, backfill, and toe embedment, the 14 wall sections were modeled as a range of possibilities to capture a diverse variety of scenarios. As expected, the analysis facilitated by RISA Foundation showed that the scenario with 10' backfilled (buried) wall and 8' max above ground was "worst-case".

### Wall Scenarios Modeled

Height Above Ground	Backfill	Toe Embedment
8'	10'	6'
6'	9'	5'
4'	8'	4'
2'	6'	3'

Note that the original concrete wall was as low as 3' above ground in some places, and the CMU blocks added on top as a post-construction modification increased the height above ground to a maximum of 8' in some sections of the wall. None of the CMU bear earth pressure loads, and all CMUs are fully grouted and are structurally adjoined to the existing concrete wall with 6' #6 rebar with at least 2' embedment in the existing concrete wall. More details on how the retaining wall was modeled can be found in Appendix A.3.

Loads modeled include earth pressures, wind loads, hydrostatic loads, and surcharge loads due to the weight of the adjoining 4" pavement driveway (48 psf) plus theoretical max driveway loading of 250 psf.

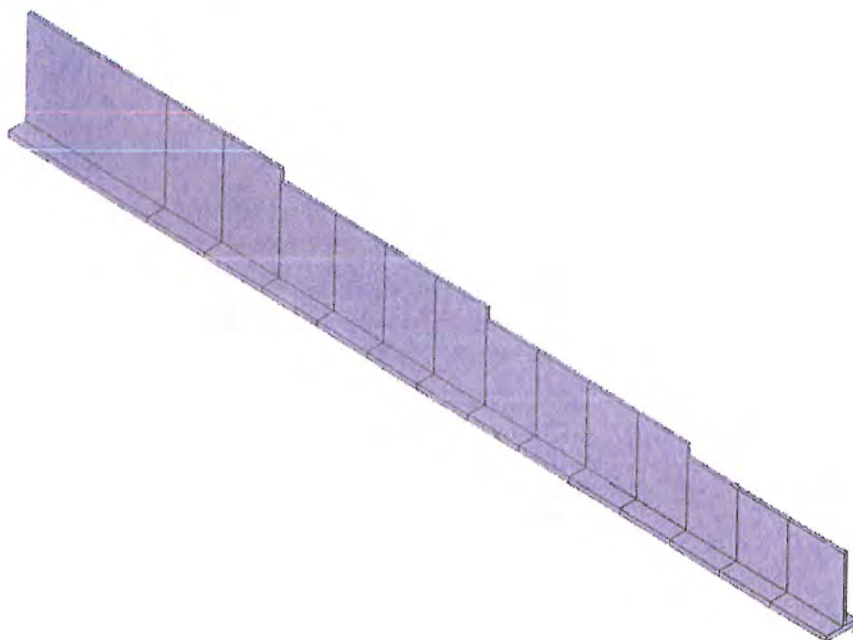
## SOIL SURVEY

The USDA soil survey (see Appendix A.1) detailed that the soil on the site is Glenpool loamy fine sand. This soil is characterized by a slope of 3- to 15%, accessible depth in excess of 80 inches, with high natural drainage capacity and a high capacity to transmit water (6 to 20" per hour). The water table is more than 80 inches below the surface (USGA surveys confirmed water table to be at least 20' below the surface, see Appendix A.1). When cross-referenced with engineering handbooks and tables for applicable soil properties, this characterization was translated as silty medium dense sand/dense, well-graded sand.

## CONCLUSION

The maximum load combinations resulted in a design capacity of 99.4% with proposed loading at worst case wind speeds, earth pressures, surcharge loads, and hydrostatic loading utilizing load combination 2 for the modified retaining wall (see Appendix A.2 for RISA details). Based on these results, it is our opinion that **the existing modified concrete retaining wall is structurally adequate for current loading conditions**. Based on our analysis this modified retaining wall is in accordance with IRC 2015 Section R404.4.





REVISIONS: 1. 10/16/19

STS

DDC

N/A

MILLER RETAINING WALL

3D RENDER 1

Aug 16, 2019 at 3:32 PM

MILLER RETAINING WALL.fnd

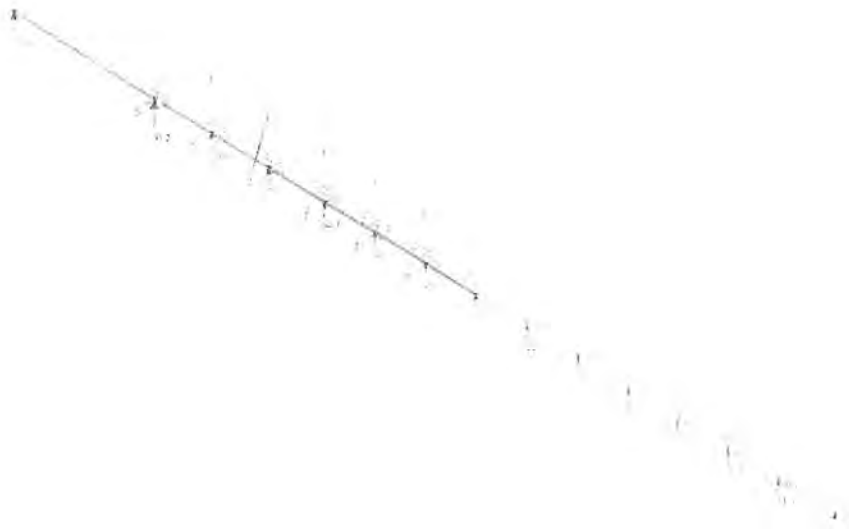
Page 1

**EXHIBIT "A"**

Page 8 of 17

13.19





STANDARD DRAWING

STS	
DDC	
N/A	

MILLER RETAINING WALL

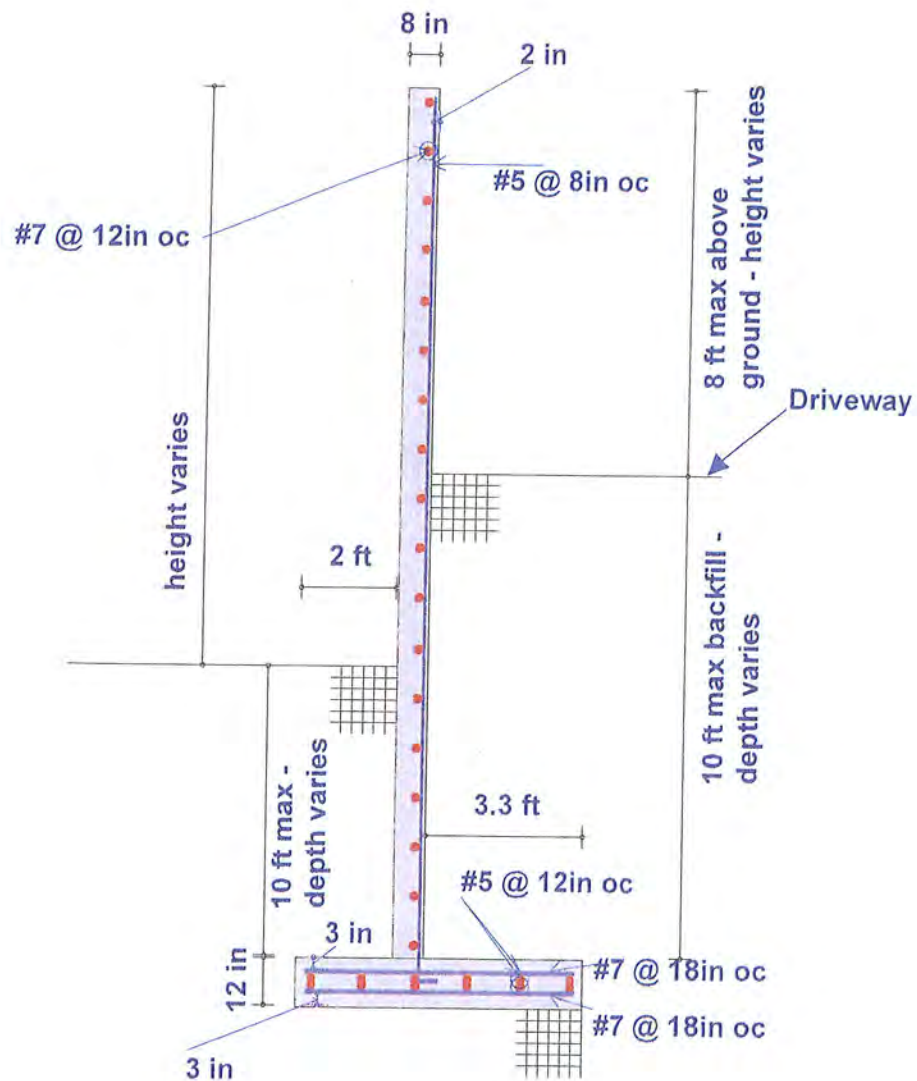
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Sketch



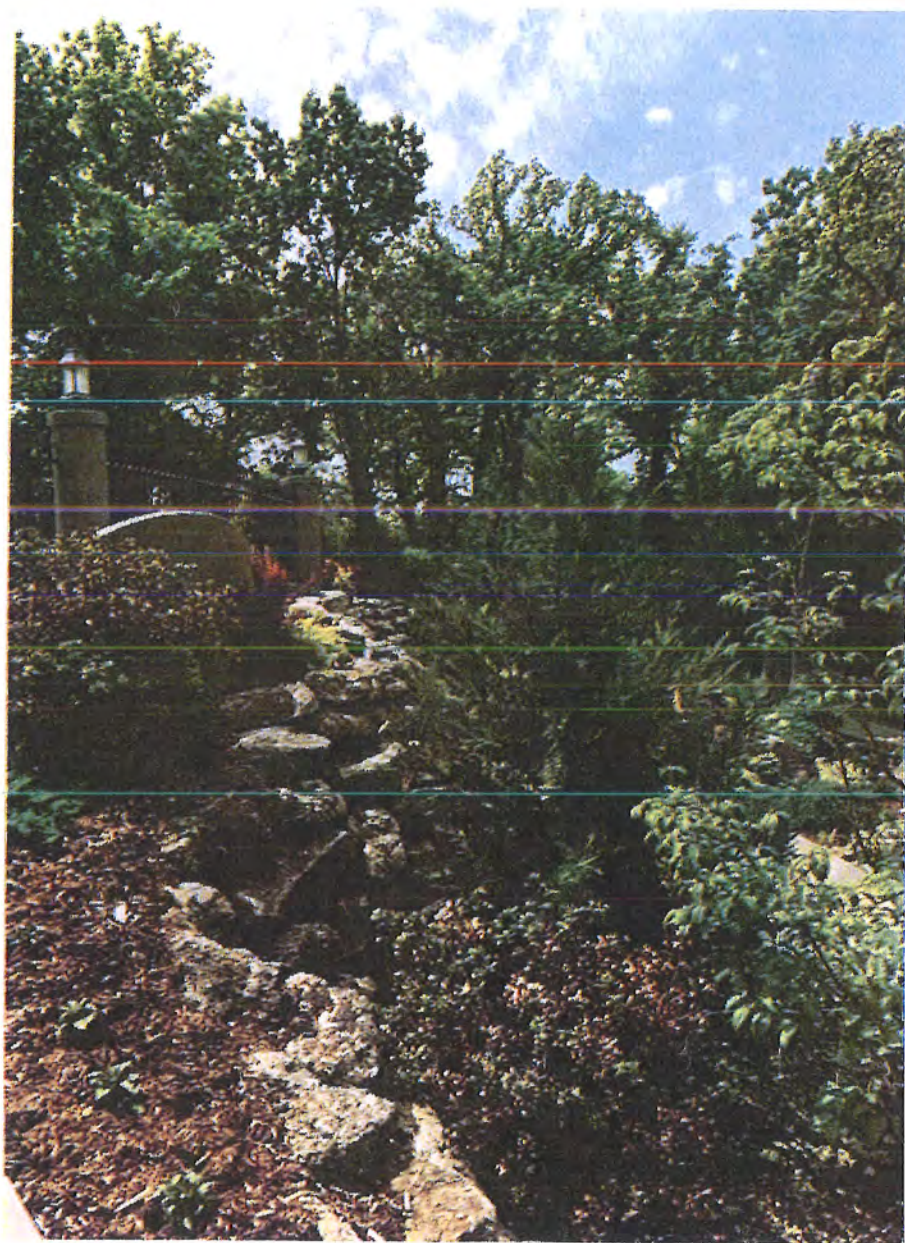








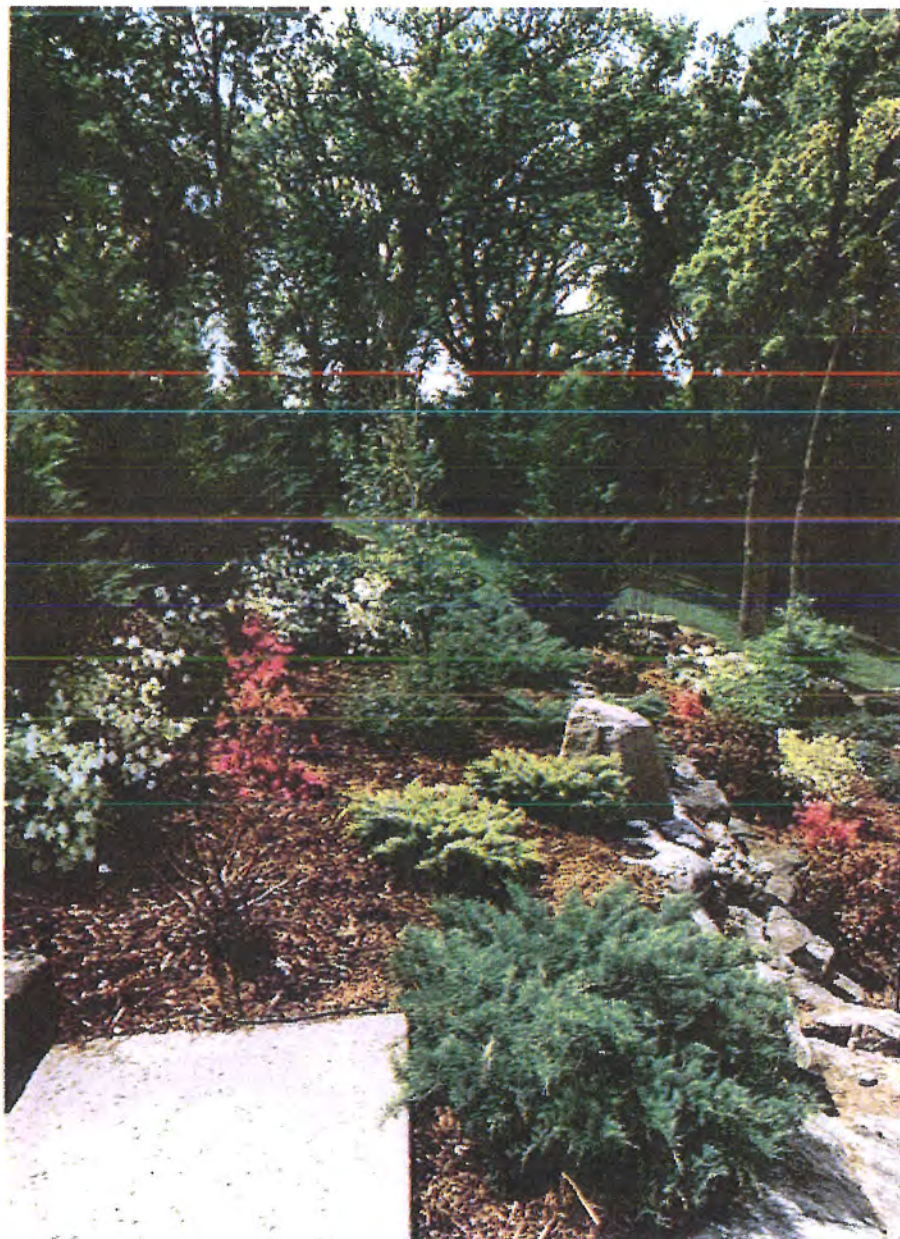
























**1 AERIAL SITE PLAN**  
SCALE: N.T.S.



BRANCH COMMUNICATIONS  
7335 SOUTH LEWIS AVE. STE. 300  
TULSA, OKLAHOMA 74136  
(918) 949-4551



CRB COMPANIES, LLC  
13431 N. BROADWAY, SUITE 120  
OKLAHOMA CITY, OK 73114  
(405) 753-7167  
COA #5499

PRODUCED BY:



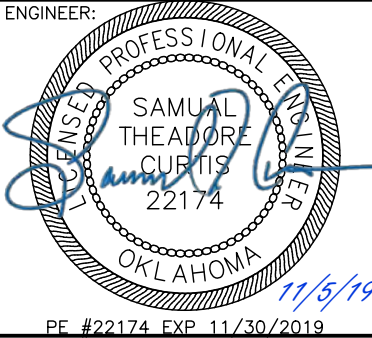
SPECIALTY TELECOMMUNICATIONS  
SERVICES, PLLC.  
PROFESSIONAL ENGINEERS  
AND CONSULTANTS  
13431 N. BROADWAY, SUITE 120  
OKLAHOMA CITY, OK 73114  
(405) 753-7167  
COA #5499

SITE NAME:

**MILLER RESIDENCE**

SITE ADDRESS:  
3501 EAST 107TH PLACE  
TULSA, OK 74137

ENGINEER:



NO	DATE	DESCRIPTION	BY
A	7/25/19	PRELIM ISSUE	JWM
0	11/5/19	CONST ISSUE	JWM

SHEET TITLE:

**AERIAL PLAN**

SHEET NUMBER: PROJECT #: REVISION:

**SP**

BY: CKD BY: JWM

**0**

13.30





BRANCH COMMUNICATIONS  
7335 SOUTH LEWIS AVE. STE. 300  
TULSA, OKLAHOMA 74136  
(918) 949-4551



CRB COMPANIES, LLC  
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COA #5499

PRODUCED BY:



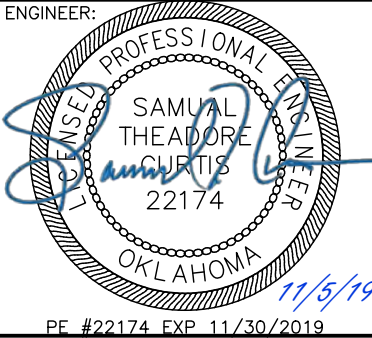
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AND CONSULTANTS  
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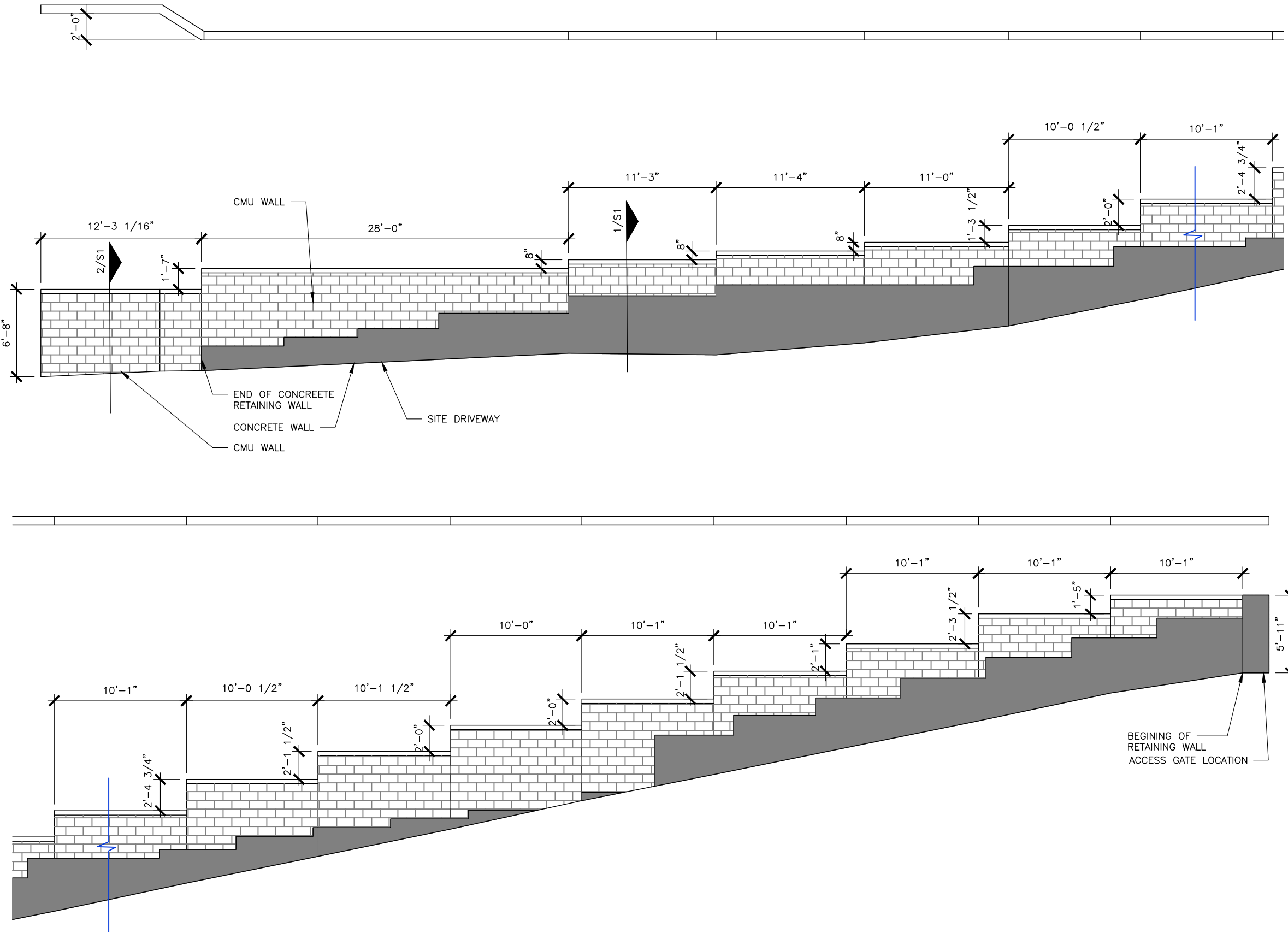
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0	11/5/19	CONST ISSUE	JWM

SHEET TITLE:  
**RETAINING WALL ELEVATION**

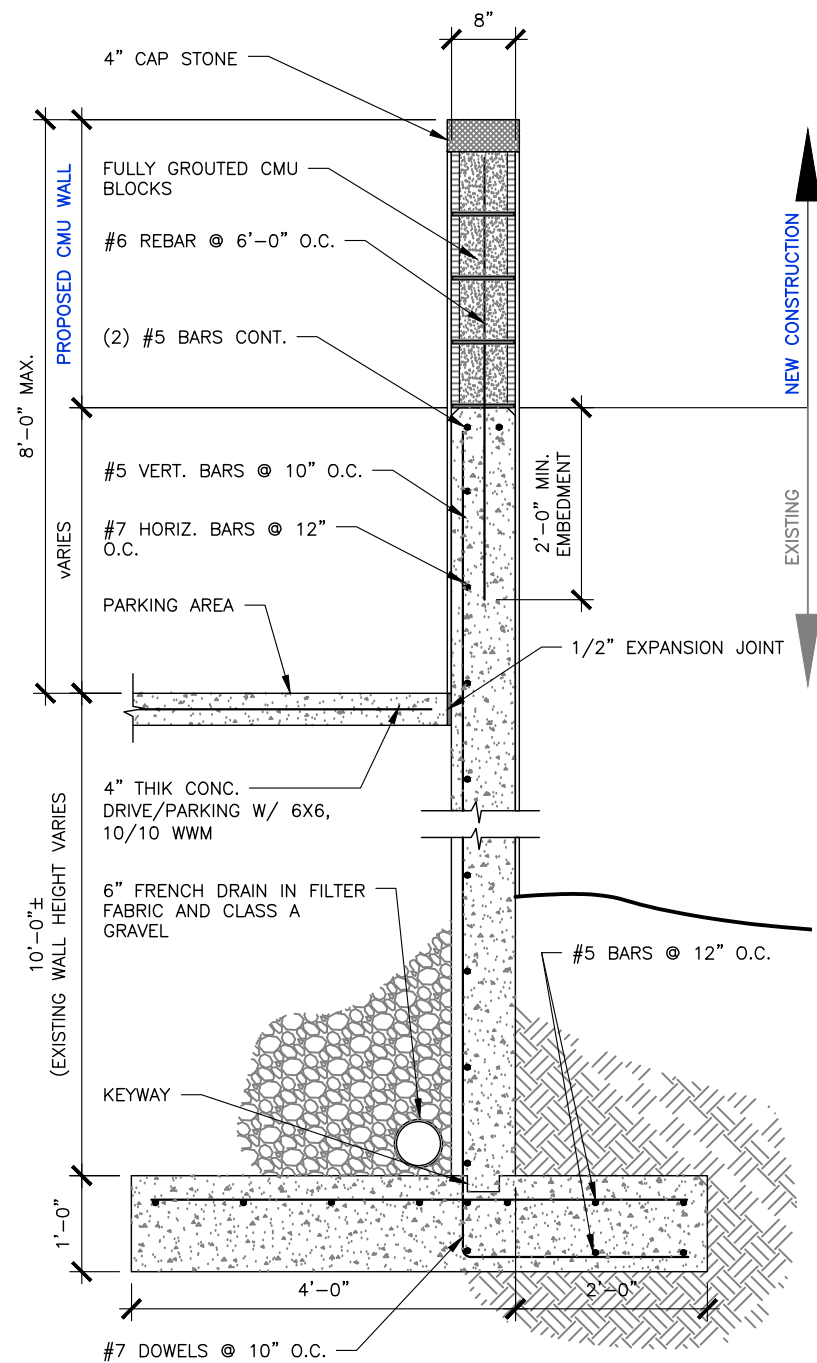
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BY: <b>JWM</b>	CKD BY: <b>JWM</b>	



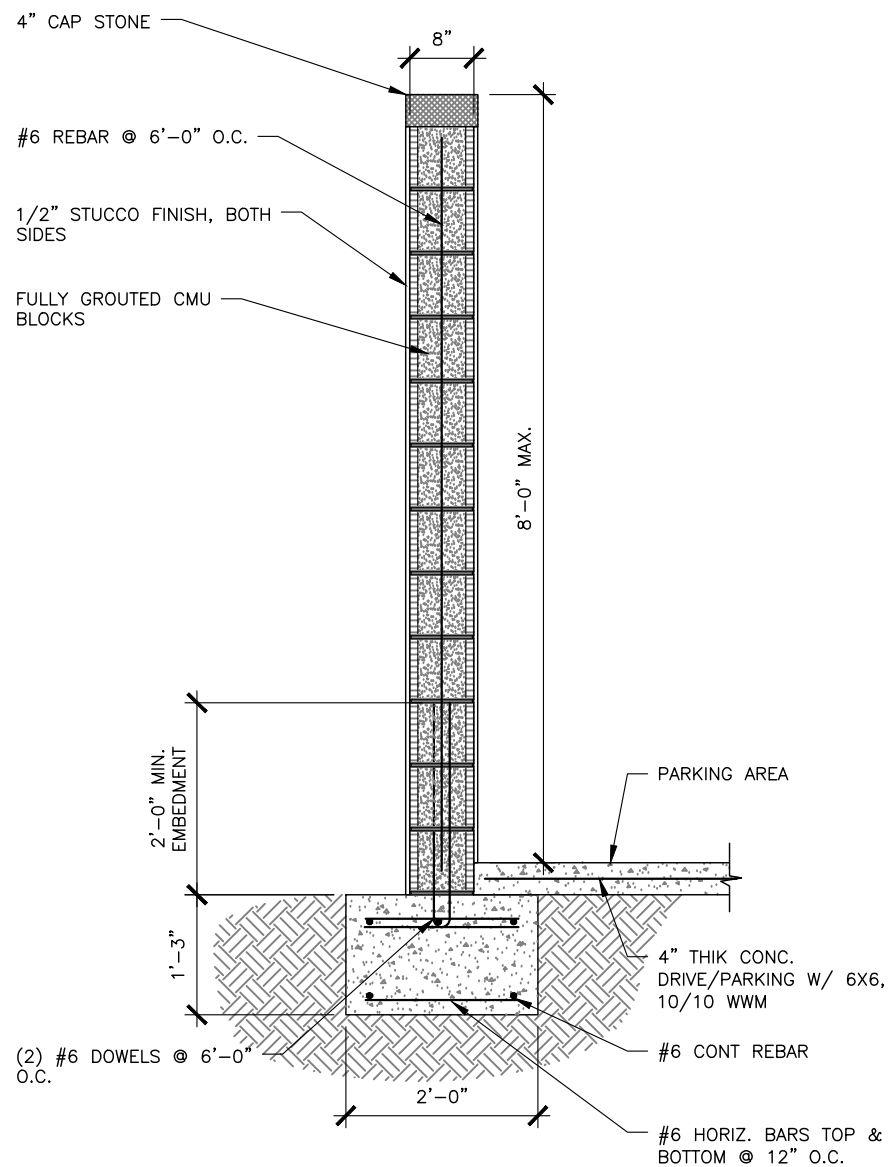
**1 RETAINING WALL ELEVATION**  
SCALE: N.T.S.



Miller Ret Wall 2019.dwg - Sheet: S1 - User: JMcGoy - Nov 05, 2019 - 12:50pm



1 RETAINING WALL DETAIL  
SCALE: 0' 1' 5' 10'



2 CMW WALL DETAIL  
SCALE: 0' 1' 5' 10'



BRANCH COMMUNICATIONS  
7335 SOUTH LEWIS AVE. STE. 300  
TULSA, OKLAHOMA 74136  
(918) 949-4551



CRB COMPANIES, LLC  
7335 SOUTH LEWIS AVE STE 300  
TULSA, OKLAHOMA 74136  
(918) 949-4551

PRODUCED BY:



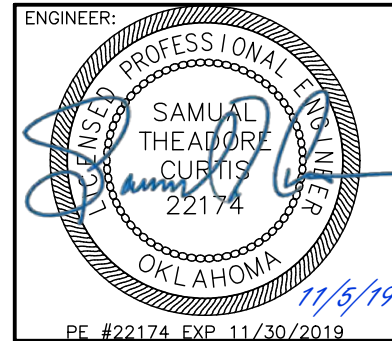
SPECIALTY TELECOMMUNICATIONS  
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AND CONSULTANTS  
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OKLAHOMA CITY, OK 73114  
(405) 753-7167  
COA #5499

SITE NAME:

**MILLER RESIDENCE**

SITE ADDRESS:  
3501 EAST 107TH PLACE  
TULSA, OK 74137

ENGINEER:



NO	DATE	DESCRIPTION	BY
A	7/25/19	PRELIM ISSUE	JWM
0	11/5/19	CONST ISSUE	JWM

SHEET TITLE:

**RETAINING WALL DETAILS**

SHEET NUMBER: PROJECT #: REVISION:

**S1**

BY: CKD BY:  
### JWM

**0**



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



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### ZONING CLEARANCE PLAN REVIEW

**Morgan Smith**

**12/14/2019**

**APPLICATION NO: BLDR-37354-2019** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

**Project Location: 3501 E 107<sup>th</sup> PI**

**Description: Fence**

#### INFORMATION ABOUT SUBMITTING REVISIONS

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

**REVISIONS NEED TO INCLUDE THE FOLLOWING:**

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

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

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

#### IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> 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 [WWW.CITYOFTULSA-BOA.ORG](http://WWW.CITYOFTULSA-BOA.ORG)

Application No. **BLDR-37354-2019**

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

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

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

**Review Comments-** Provide documentation indicating the proposed fence located in the front street setback will not exceed 4' in height measured from grade or apply to BOA for a special exception to allow a fence to exceed 4' in height in a front street setback.

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

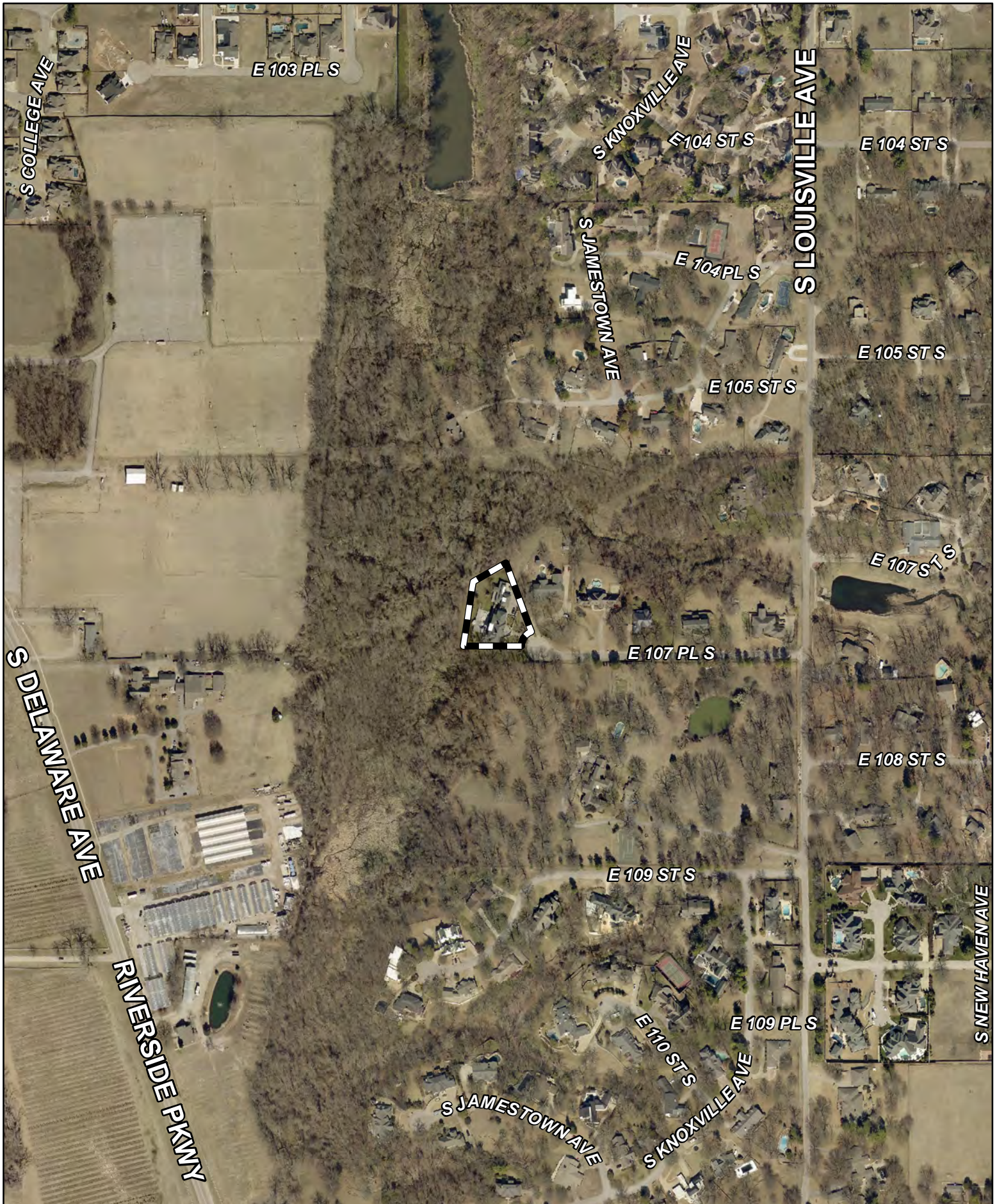
**Please Notify Plans Examiner By Email When You Have Submitted A Revision.** If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online

## END -ZONING CODE REVIEW

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

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





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Feet



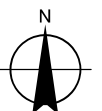
Subject  
Tract

**BOA-23239**

18-13 28

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

Aerial Photo Date: 2020/2021



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**E 107 PL S**

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**Subject  
Tract**

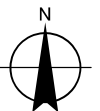
**BOA-23239**

18-13 28

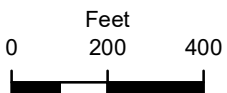
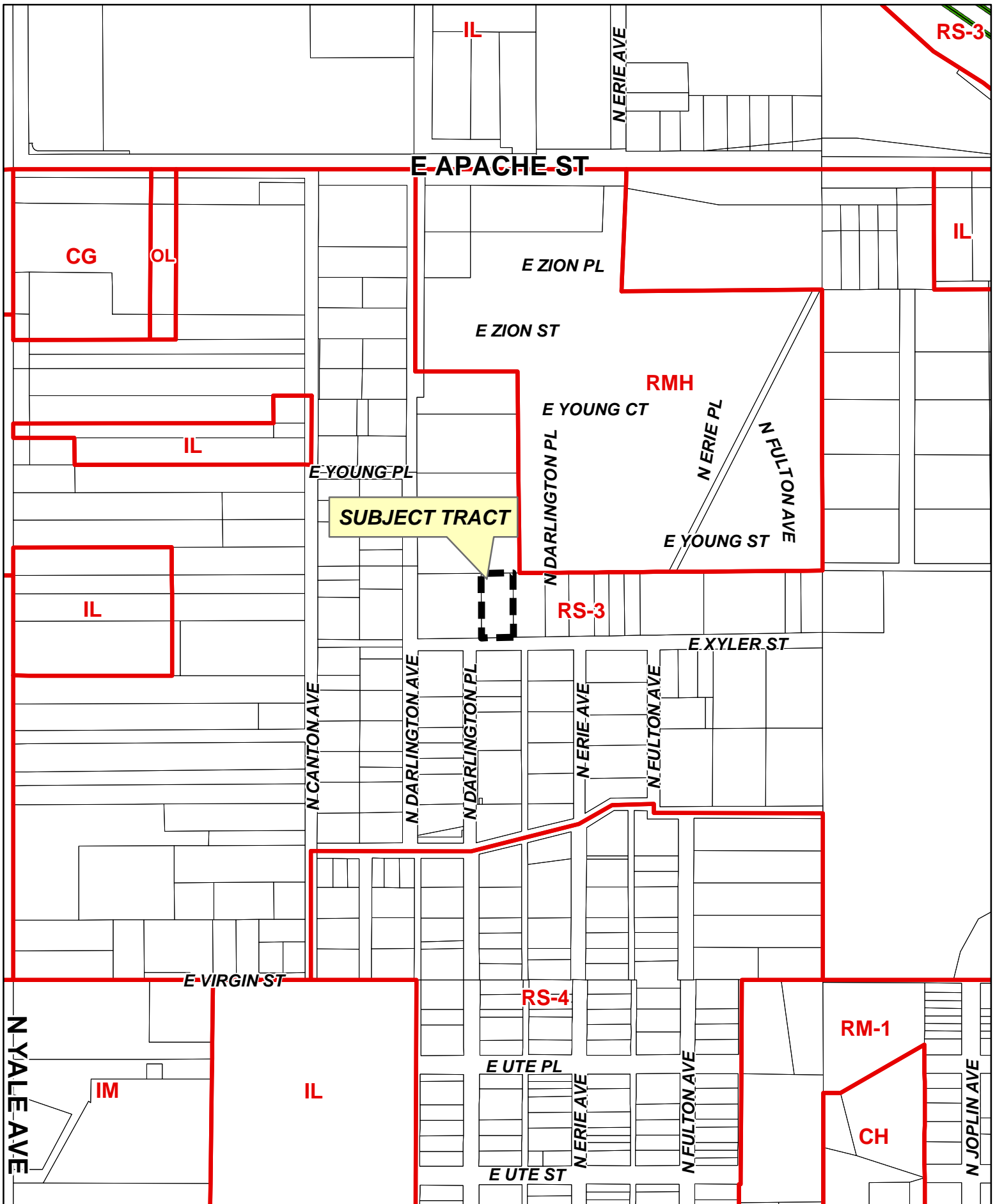
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Aerial Photo Date: 2020/2021

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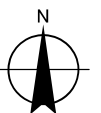




**BOA-23240**

20-13 27

14.1





# BOARD OF ADJUSTMENT CASE REPORT

STR: 0327

Case Number: **BOA-23240**

CZM: 30

CD: 3

**HEARING DATE:** 01/11/2022 1:00 PM

**APPLICANT:** Raul Cisneros

**ACTION REQUESTED:** Special Exception to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); Special Exception to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec.40.210-A)

**LOCATION:** 5317 E XYLER ST N

**ZONED:** RS-3

**PRESENT USE:** Vacant

**TRACT SIZE:** 21736.53 SQ FT

**LEGAL DESCRIPTION:** W 1/2 LT 6 BLK 10, INDUSTRIAL ADDN-DAWSON

**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 E. Xyler St. N. and N. Darlington Pl. The subject property is approximately 50-feet Southwest of a Residential Manufactured Housing (RMH) Zoning district which contains a Manufactured Home Park.

**STAFF COMMENTS:** The applicant is requesting a **Special Exception** to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); Special Exception to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec.40.210-A)



#### Section 40.210 Manufactured Housing Units

The supplemental regulations of this section apply only to manufactured housing units approved as special exception uses in R or AG-R zoning districts.

**40.210-A** The manufactured housing unit must be removed from the lot within one year of the date of special exception approval. The board of adjustment is

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TULSA ZONING CODE | August 31, 2021  
page 40-11

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Chapter 40 | Supplemental Use and Building Regulations  
Section 40.220 | Manufactured Housing Subdivisions

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authorized to extend the one-year limit through approval of a subsequent special exception if the (special exception) extension request is filed before expiration of the one-year time limit.

**40.210-B** No more than one manufactured housing unit may be located on a lot.

**40.210-C** Manufactured housing units are required to comply with the same lot and building regulations that apply to detached houses in the subject zoning district.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); **Special Exception** to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec.40.210-A)

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

\_\_\_\_\_:

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





***Subject property***



***Facing West on Xyler***



## PROJECT INFORMATION

## LEGAL DESCRIPTION

SUBDIVISION: INDUSTRIAL ADD-DANSON  
 LEGAL: N - 1/2 LOT - 6' - BLK - 10  
 SECTION: 21 TOWNSHIP: 20 RANGE: 13

## GENERAL INFORMATION

ZONING: RS-3  
 LOT SIZE: 0.5 ACRES / 21,736 SQ FT  
 FIRST FLOOR AREA: 946 SQ FT

## ADDITIONAL INFORMATION

RESIDENCE AREA: 946 SQ FT  
 DRIVEWAY: 919 SQ FT

## REGULATIONS

RS-3 MIN. OPEN SPACE REQ'D: 4,000 SQ FT  
 OPEN SPACE PROPOSED: 14,922 SQ FT

## SURVEY DISCLAIMER

SITE PLAN

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

## LEGEND

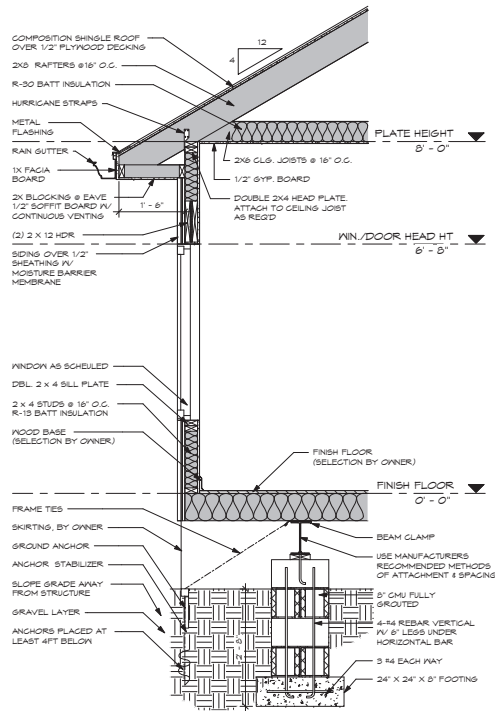
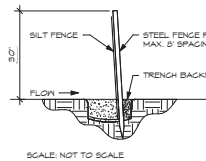
SITE PLAN  
NOT ALL ITEMS MAY BE USED

	EXISTING BUILDING FOOTPRINT: AREA NOT IN SCOPE OF WORK
	EXISTING ASPHALT PAVING
	NEW ASPHALT PAVING/ TRACK
	EXISTING GRAVEL DRIVE/PARKING
	TULSA REGULATORY FLOOD PLAIN
	EXISTING SOD TO REMAIN
	EXISTING CONCRETE DRIVEWAY/WALKWAY
	NEW CONCRETE DRIVEWAY/WALKWAY
	PROPERTY LINE
	BUILDING SETBACKS
	BUILDING OUTLINE
	SILT FENCE
	EXISTING DRAINAGE FLOW

## SILT FENCE DETAIL

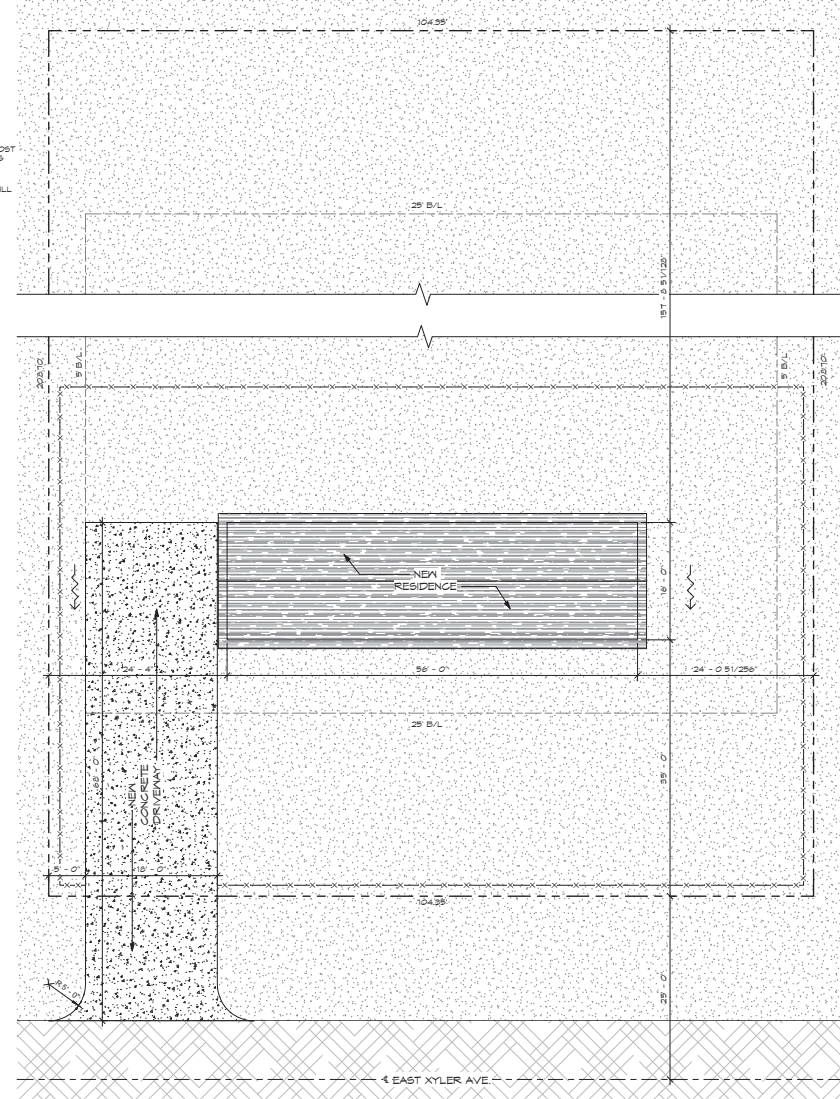
SITE PLAN

- STEEL POSTS WHICH SUPPORT THE SILT FENCE SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE.
- THE TOE OF THE SILT FENCE SHALL BE TRENCHED IN WITH A SPADE OR MECHANICAL TENCHER, SO THAT THE DOWNSLOPE 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 LAD IN THE TRENCH 4 INCHES AND BACKFILLED.
- SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POST OR TO POVEN WIRE, 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 IMPEDE 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.
- AGGREGATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6 INCHES AND DISPOSED OF IN AN APPROVED SPILL SITE OR AS IN NO. 7 ABOVE.



2 TYP. WALL SECTION  
 3/4" = 1'-0"

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



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

CONSULTANT

PROJECT

MENDOZA  
 RESIDENCE

PROJECT # 21195

5317 E XYLER ST N  
 TULSA, OK 74155

REVISIONS

No.	Description	Date

PROJECT STATUS

PERMIT SET

ISSUE DATE

09.15.2021

SHEET NAME

SITE PLAN

SHEET NUMBER

SP





Raul Cisneros &lt;raul@rcjdesigns.com&gt;

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**BLDR-098501-2021// Reviews**

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**Taylor, Jeff** <JTaylor@cityoftulsa.org>  
To: Raul Cisneros <raul@rcjdesigns.com>

Wed, Nov 17, 2021 at 4:15 PM

Original LOD letters were lost during cyber attack but here are the blurbs from the Energov system.

AR

Submit a wall section detail for proposed covered porch.

Zoning

1. Sec.5.020 Table 5-2: The submitted application indicates construction of a "Manufactured Housing Unit" per documents submitted to our office. The proposed Manufactured Housing Unit is located in an RS-3 Zoning District.

Review Comments: Manufactured Housing Units are allowed in this zoning district by special exception.

Apply for a Special Exception from the City of Tulsa Board of Adjustment (BOA) per Sec.70.120 to allow a Manufactured Housing Unit to be placed on your lot. Once you receive approval you will need to submit the approval documents to this office as a revision.

2. 40.210-A The manufactured housing unit must be removed from the lot within one year of the date of special exception approval. The board of adjustment is authorized to extend the one-year limit through approval of a subsequent special exception if the (special exception) extension request is filed before expiration of the one-year time limit.

Review Comments: Provide a written signed agreement to the BOA that the manufactured house will be removed within one year or seek a special exception from the BOA to extend the subsequent one year time limit.

**Jeff Taylor | Plans Examiner III**

City of Tulsa Development Services

175 E. 2<sup>nd</sup> St. Suite 450. Tulsa, OK 74103

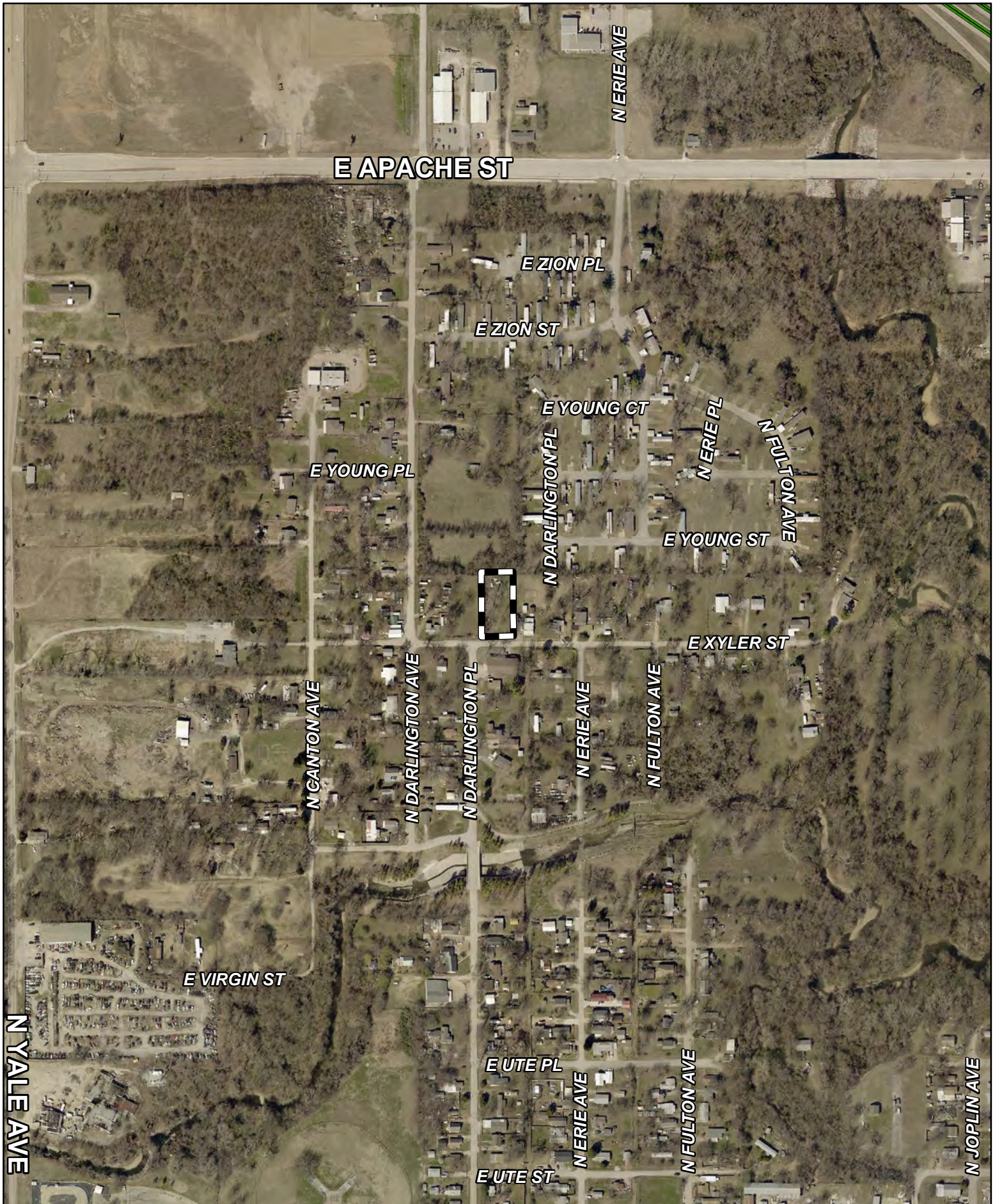
T: 918-596-7637

E: [jstaylor@cityoftulsa.org](mailto:jstaylor@cityoftulsa.org)

<http://www.cityoftulsa.org>

14.6





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Feet



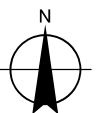
Subject  
Tract

**BOA-23240**

20-13 27

Note: Graphic overlays may not precisely  
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Aerial Photo Date: 2020/2021



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E YOUNG PL

E YOUNG PL

N DARLINGTON PL

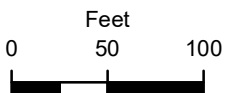
E YOUNG ST

N DARLINGTON AVE

N DARLINGTON PL

EXYLER ST

N ERIE AVE



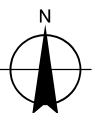
Subject  
Tract

**BOA-23240**

20-13 27

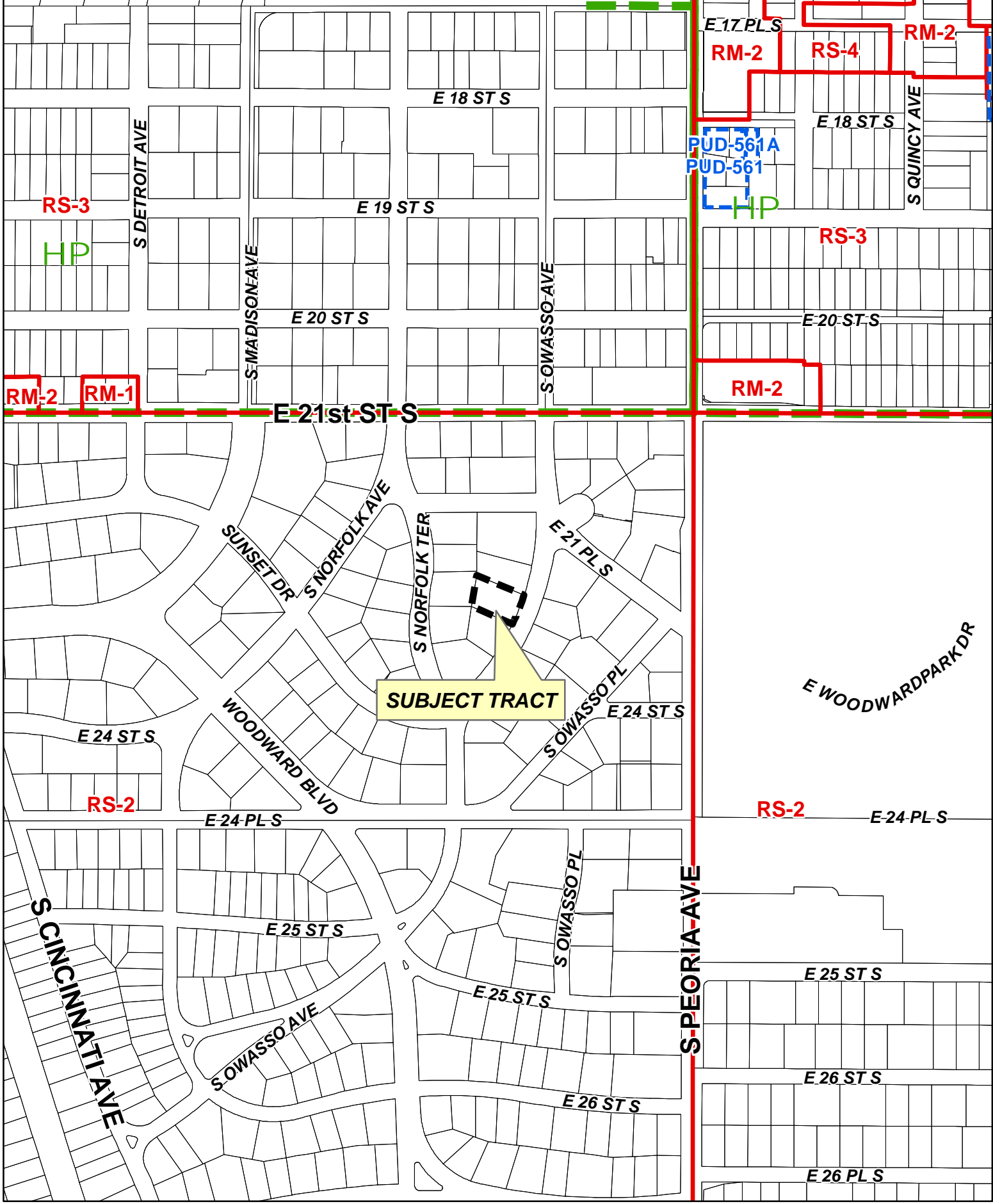
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: 2020/2021



14.8





Feet

0 200 400

***BOA-23241***

19-12 13

# 15.1





# BOARD OF ADJUSTMENT CASE REPORT

STR: 9213

CZM: 36

CD: 4

Case Number: **BOA-23241**

**HEARING DATE:** 01/11/2022 1:00 PM

**APPLICANT:** Jim Thomason

**ACTION REQUESTED:** Variance to permit a detached accessory building to exceed 1 story or 18 feet in height and 10 feet to the top of the top plate in the rear setback (Sec. 90.090.C)

**LOCATION:** 2152 S OWASSO AV E

**ZONED:** RS-2

**PRESENT USE:** RS-2

**TRACT SIZE:** 15455.15 SQ FT

**LEGAL DESCRIPTION:** LOT 7 BLK 13, SUNSET PARK 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 on the West side S. Owasso Ave. in between E. 21<sup>st</sup> Pl. S. and S. Norfolk Terrace.

**STATEMENT OF HARDSHIP:**

We are requesting a variance to the height limit, in order to provide enclosed parking for up to 5 vehicles through the use of car lifts, and still maintain a reasonable amount of livability space in the rear yard. The owner has several restoration cars and would like them parked inside.

The additional 2nd floor loft space will serve as a pool bath and additional storage for the house. We feel this to be a reasonable request given the historic precedent of 2 story accessory building throughout the neighborhood. The houses on both sides of the subject property, as well as the majority of the houses on the same block have 2 story accessory buildings. The included exhibit drawing indicates all such structures in red, with the subject property noted in blue.



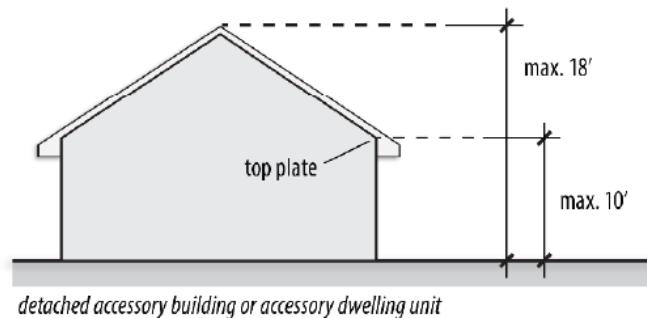
**STAFF COMMENTS:** The applicant is requesting a **Variance** to permit a detached accessory building to exceed 1 story or 18 feet in height and 10 feet to the top of the top plate in the rear setback (Sec. 90.090.C)

**2. Detached Accessory Buildings, including Accessory Dwelling Units, in RE, RS, RD Districts and RM Zoned Lots Used for Detached Houses or Duplexes.**

- a. Detached accessory buildings, including Accessory Dwelling Units, may be located in rear setbacks provided that:

- (1) The building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate; and

*Figure 90-9: Maximum Height of Accessory Buildings, Including Accessory Dwelling Units In Rear Setbacks (RE, RS and RD Districts or RM Zoned Lots Used for Detached Houses or Duplexes)*



- (2) Building coverage in the rear setback does not exceed the maximum limits established in [Table 90-2](#):

The stated hardship is a personal inconvenience and is not related the physical surroundings, shape, or topographical conditions of the subject property. Building an accessory building with car lift is going to be difficult in most residential districts regardless of the location. The applicant should speak to the uniqueness of this property and what expectations an owner of a residential property should have of accommodating a garage of this scale for vehicle storage.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Variance** to permit a detached accessory building to exceed 1 story or 18 feet in height and 10 feet to the top of the top plate in the rear setback (Sec. 90.090.C)

- 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***



**Danny Whiteman**  
Zoning Official  
Plans Examiner II

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



**DEVELOPMENT SERVICES**  
175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

## ZONING CLEARANCE PLAN REVIEW

LOD No. 1

10/28/2021

**Jim Thomason**  
19225 S. 49<sup>th</sup> W. Ave.  
Mounds, OK 74047

**APPLICATION NO: BLDR-097481-2021** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)  
**Project Location: 2152 S. Owasso Ave.**  
**Description: Addition and detached garage**

### INFORMATION ABOUT SUBMITTING REVISIONS

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(continued)



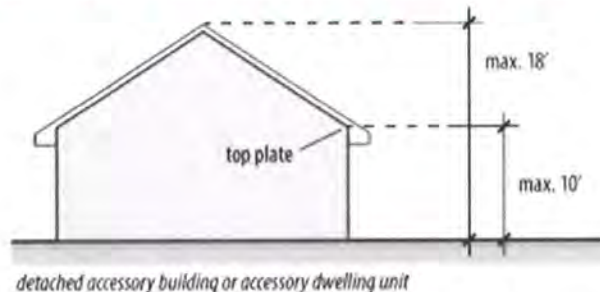
## REVIEW COMMENTS

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. **BLDR-097481-2021**

1. **90.090-C.2.a.** Detached accessory buildings, including Accessory Dwelling Units, may be located in rear setbacks provided that: (1) The building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate.

*Figure 90-9: Maximum Height of Accessory Buildings, Including Accessory Dwelling Units In Rear Setbacks (RE, RS and RD Districts or RM Zoned Lots Used for Detached Houses or Duplexes)*



**Review Comment:** This building is in the 25' rear setback, and the building is two stories, exceeds an overall height of 18', and exceeds 10' in height to the top of the top plate. Apply for a variance from the Board of Adjustment to have a detached accessory building in the rear setback that is a two story building, 23' 3" in overall height, and 18' in height to the top of the top plate.

**NOTE:** if the loft area in the detached garage will contain a kitchen and sleeping room, or is intended for independent living, long term occupation, or rental, it will qualify as an accessory dwelling unit and will require a special exception from the Board of Adjustment per section 45.031-D.

The zoning clearance review for your permit application will resume after a complete site plan is submitted. Please note that additional deficiencies may be found and will need to be resolved prior to approval of your application.

**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

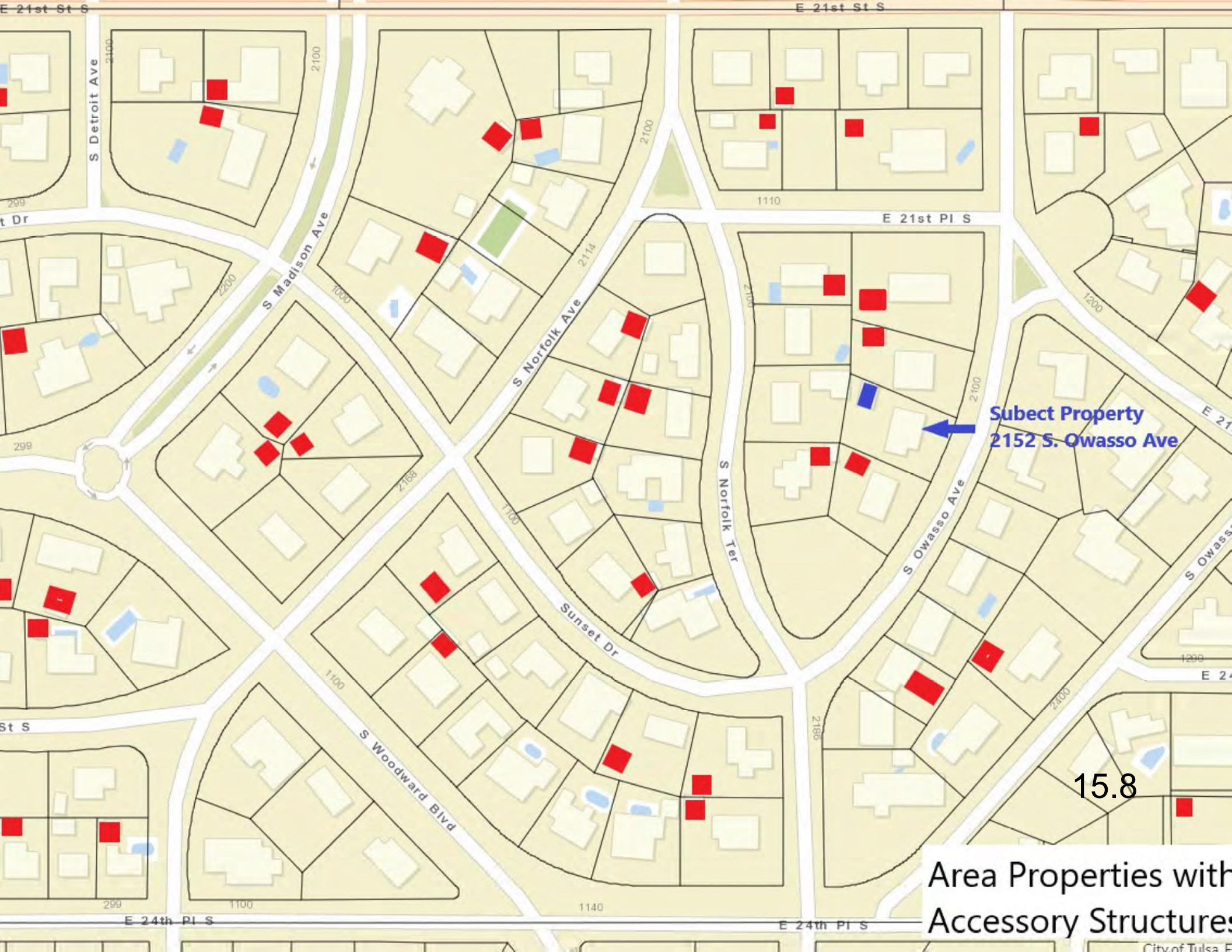


### **END –ZONING CODE REVIEW**

**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.





Subect Property  
2152 S. Owasso Ave

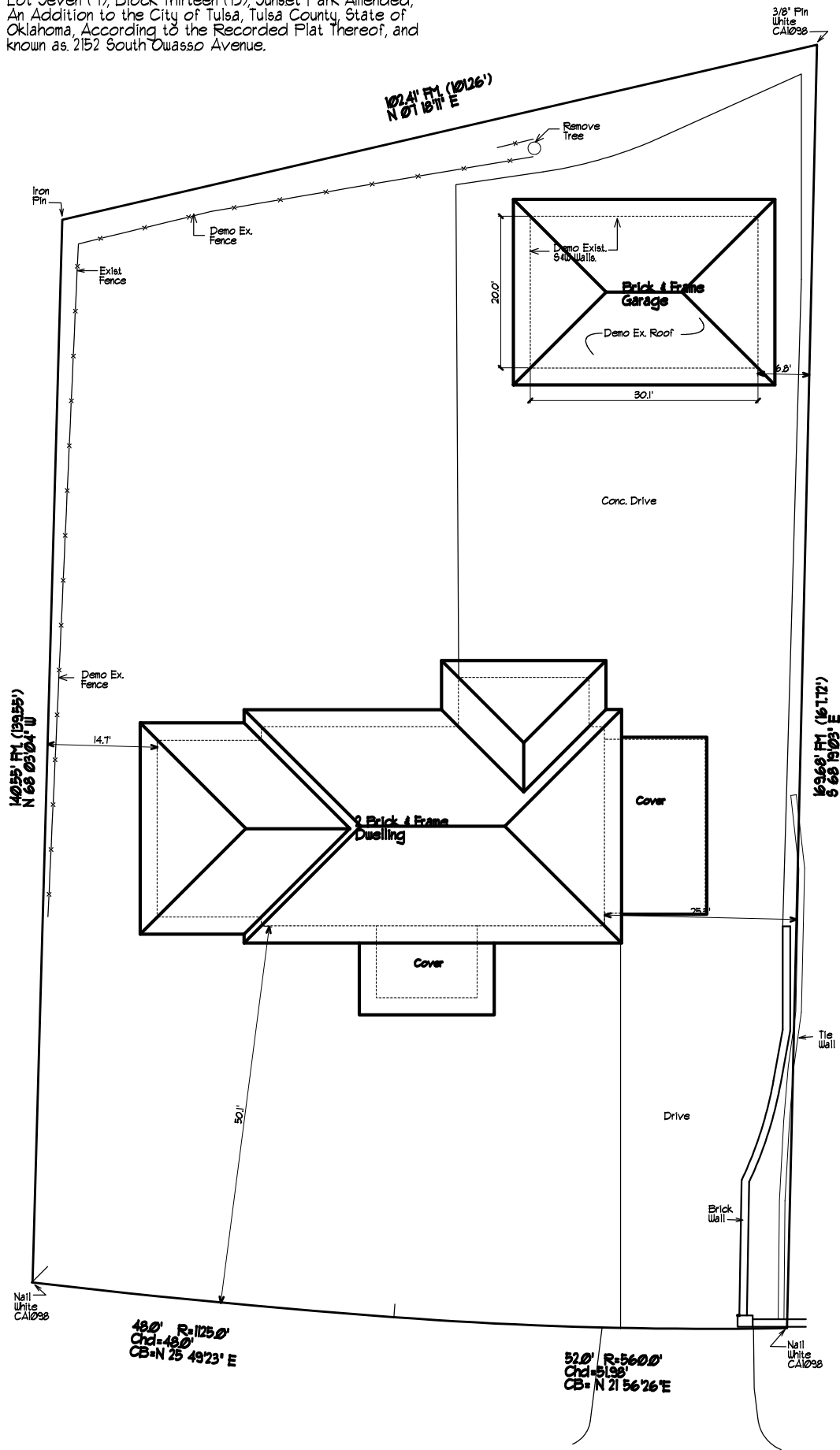
15.8

Area Properties with  
Accessory Structures



Legal Description

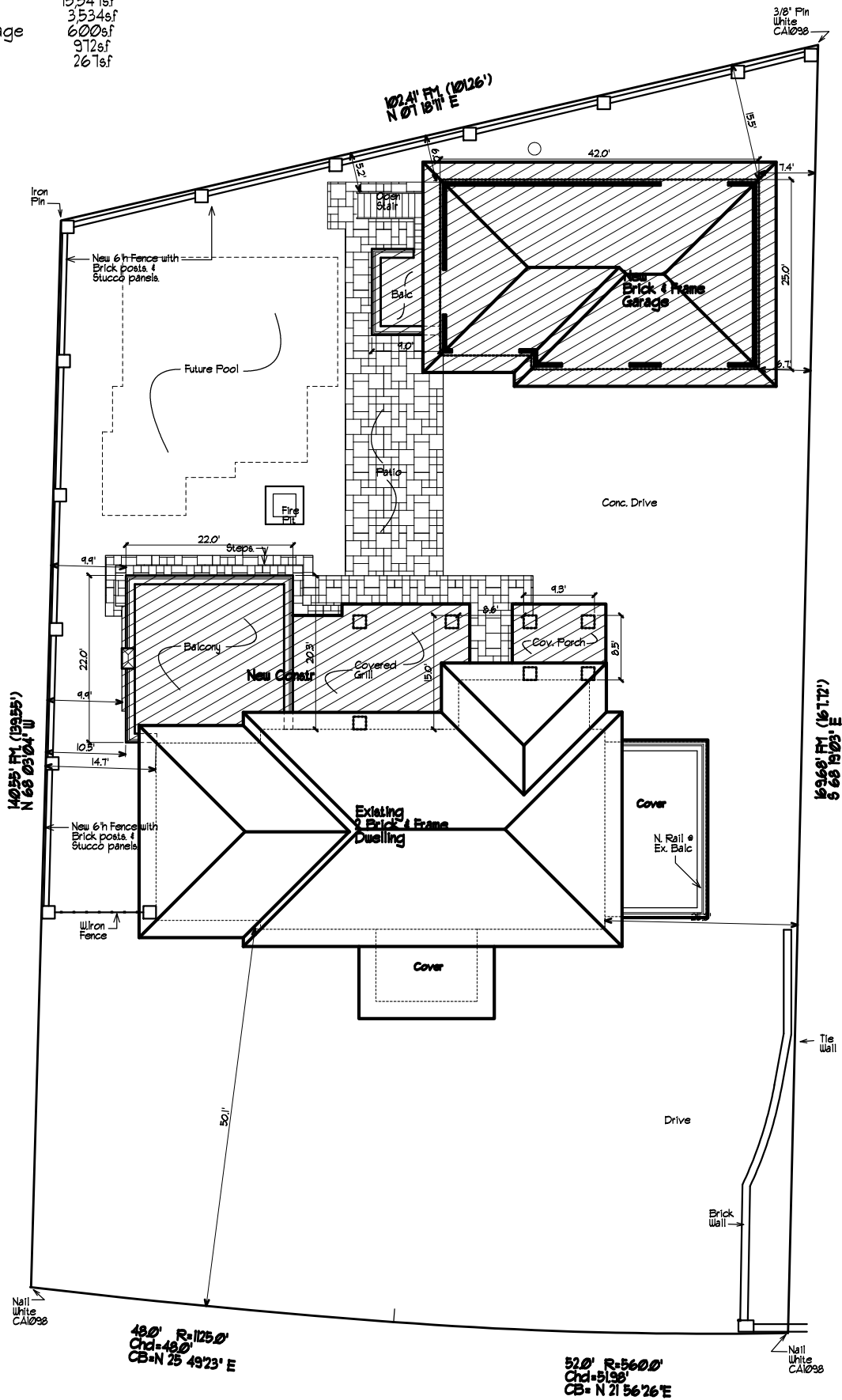
Lot Seven (7), Block Thirteen (13), Sunset Park Amended,  
An Addition to the City of Tulsa, Tulsa County, State of  
Oklahoma, According to the Recorded Plat Thereof, and  
known as 2152 South Owasso Avenue.



Existing Site Plan

Area Data

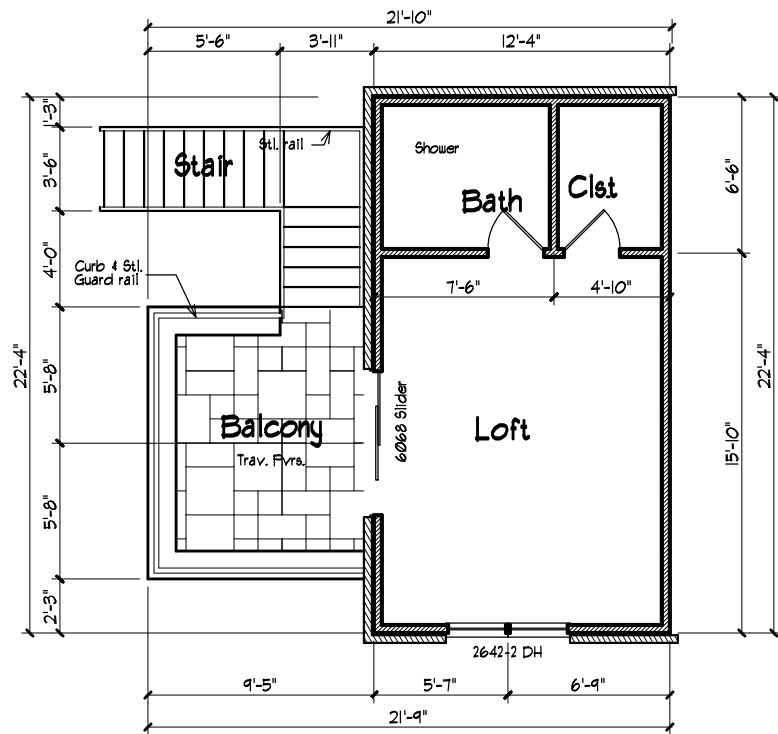
Lot Area	15,547sf
Existing Dwelling	3,534sf
Existing Det. Garage	600sf
New Det. Garage	912sf
New Det. Loft	267sf



Proposed Site Plan

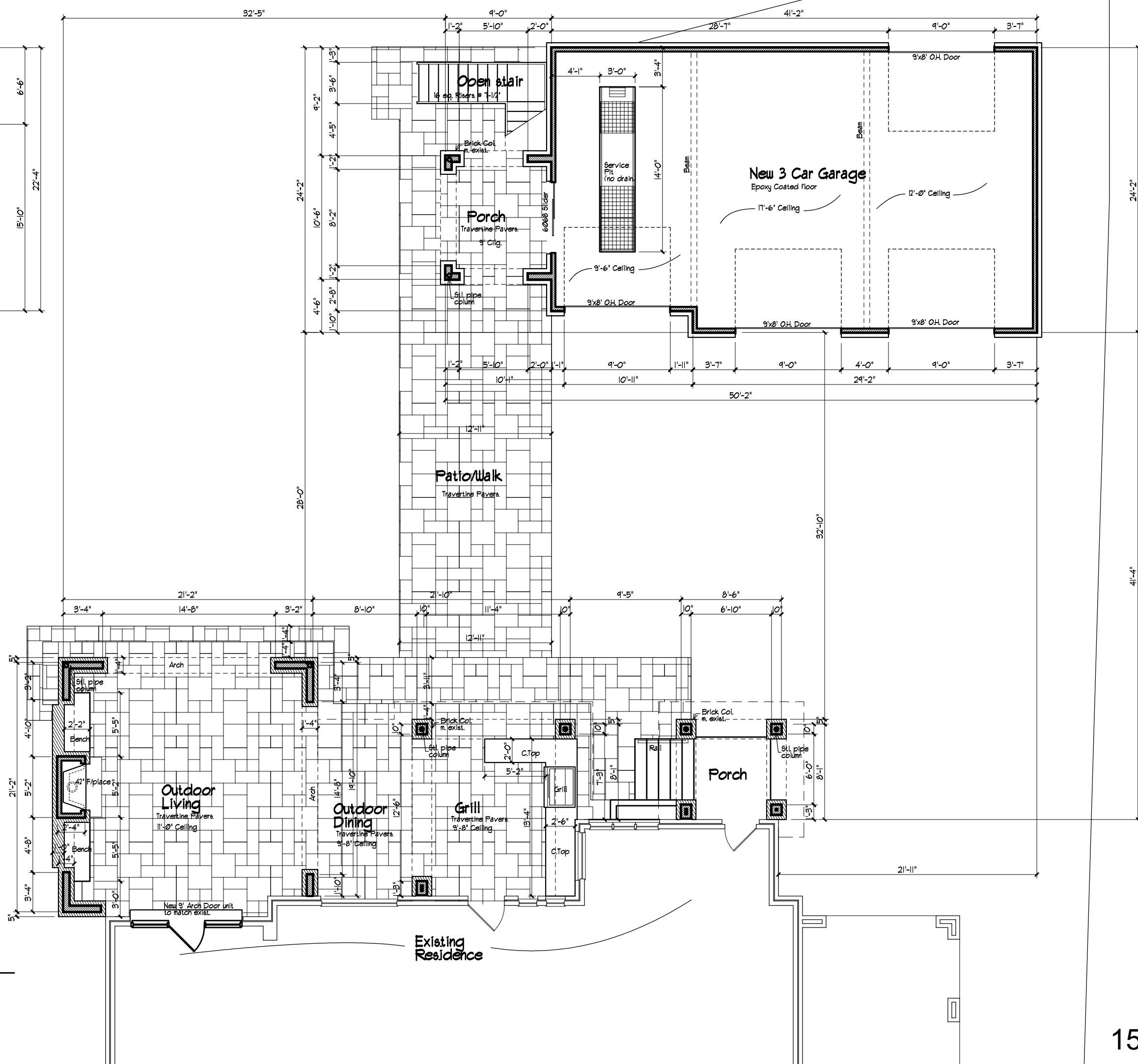






Loft Plan

1/8" = 1'-0"

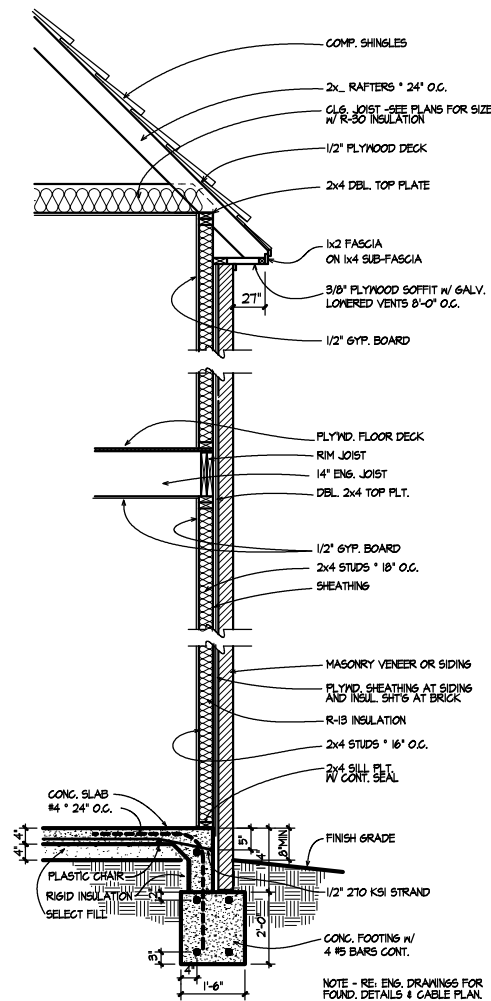


Floor Plan

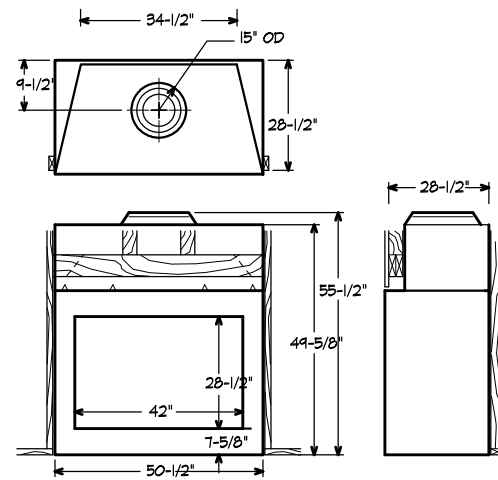
1/8" = 1'-0"



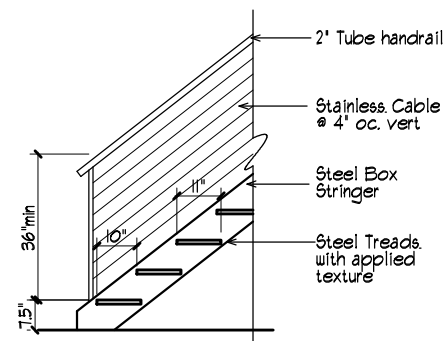




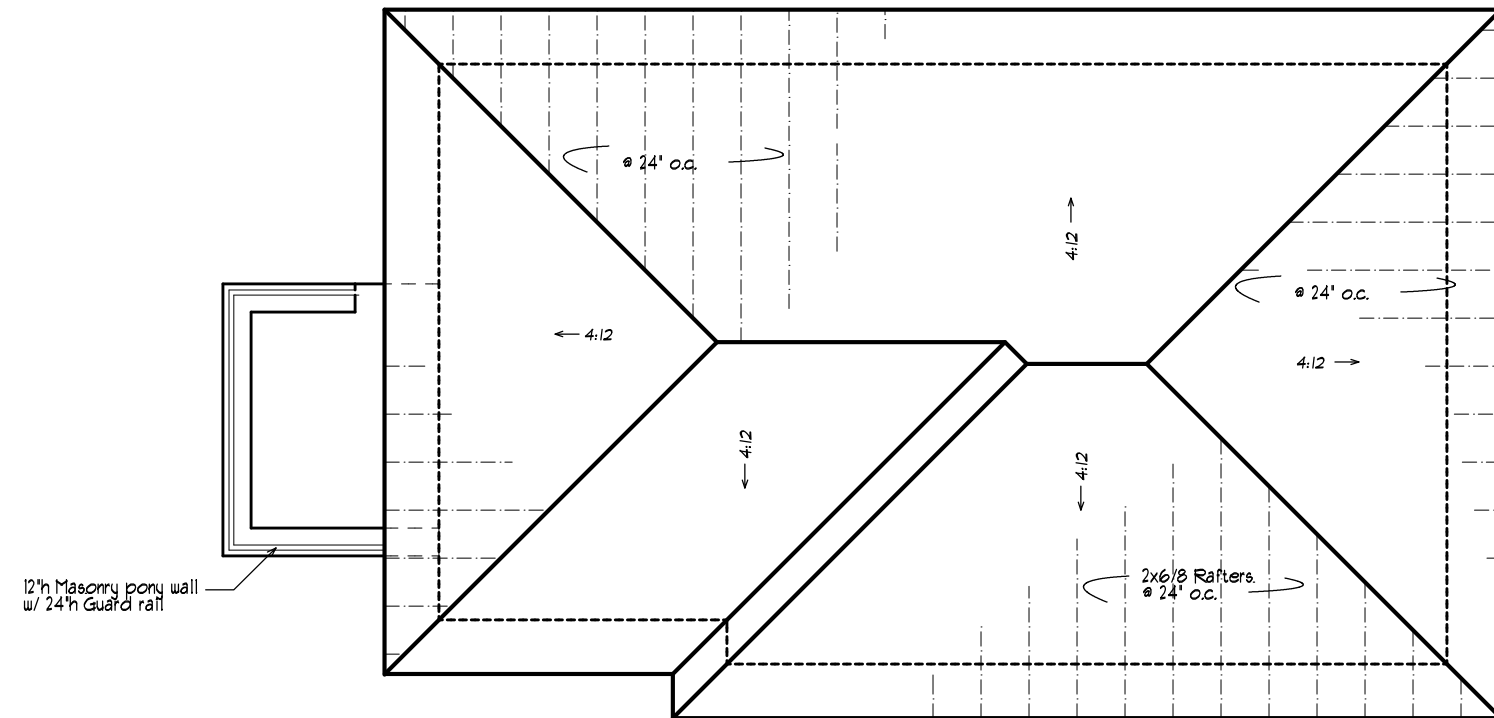
Typ. Wall Sect.  
1/2" = 1'-0"



Fireplace Detl.  
Heat&Glo Exclaim 42

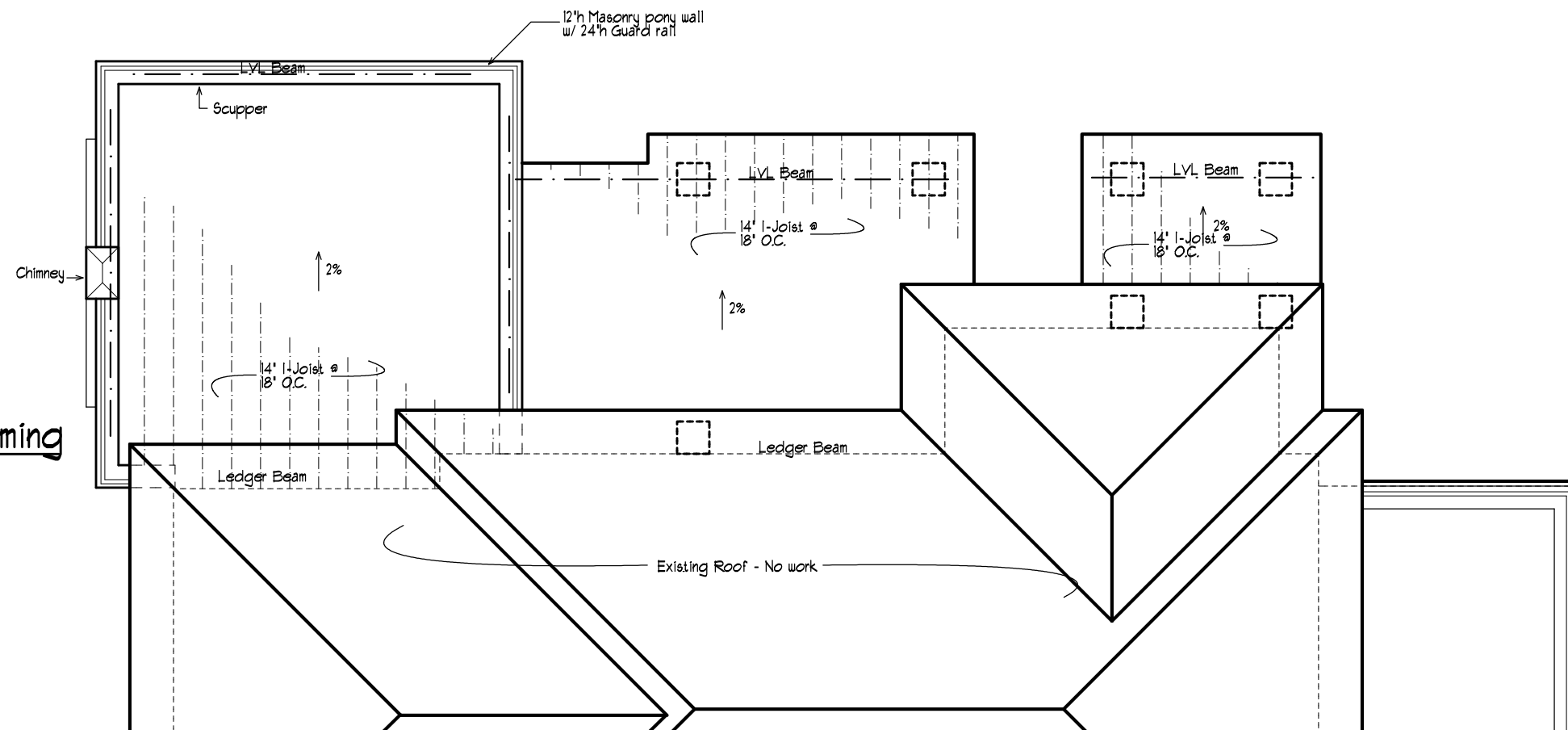


Stair Detl.

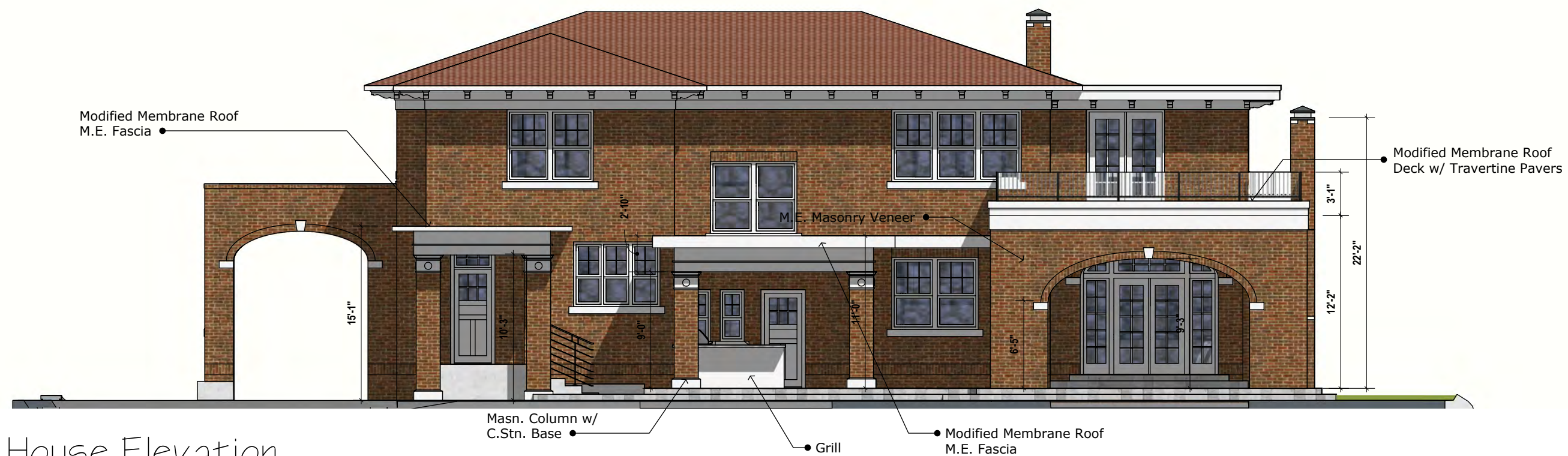


Garage Roof Framing  
1/8" = 1'-0"

Patio Roof Framing  
1/8" = 1'-0"





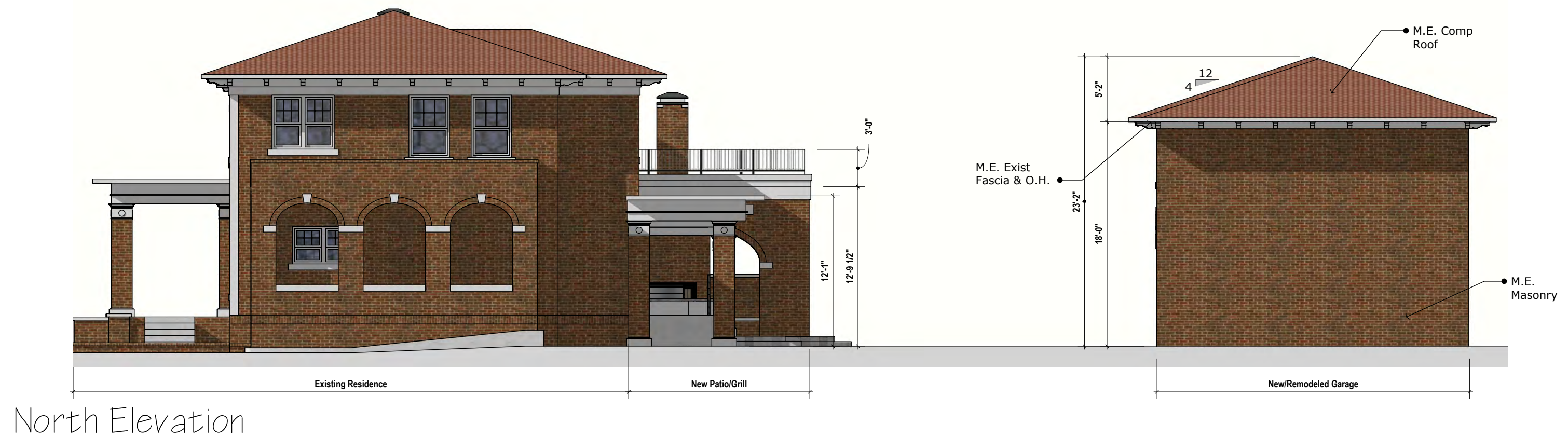


West House Elevation



East Elevation







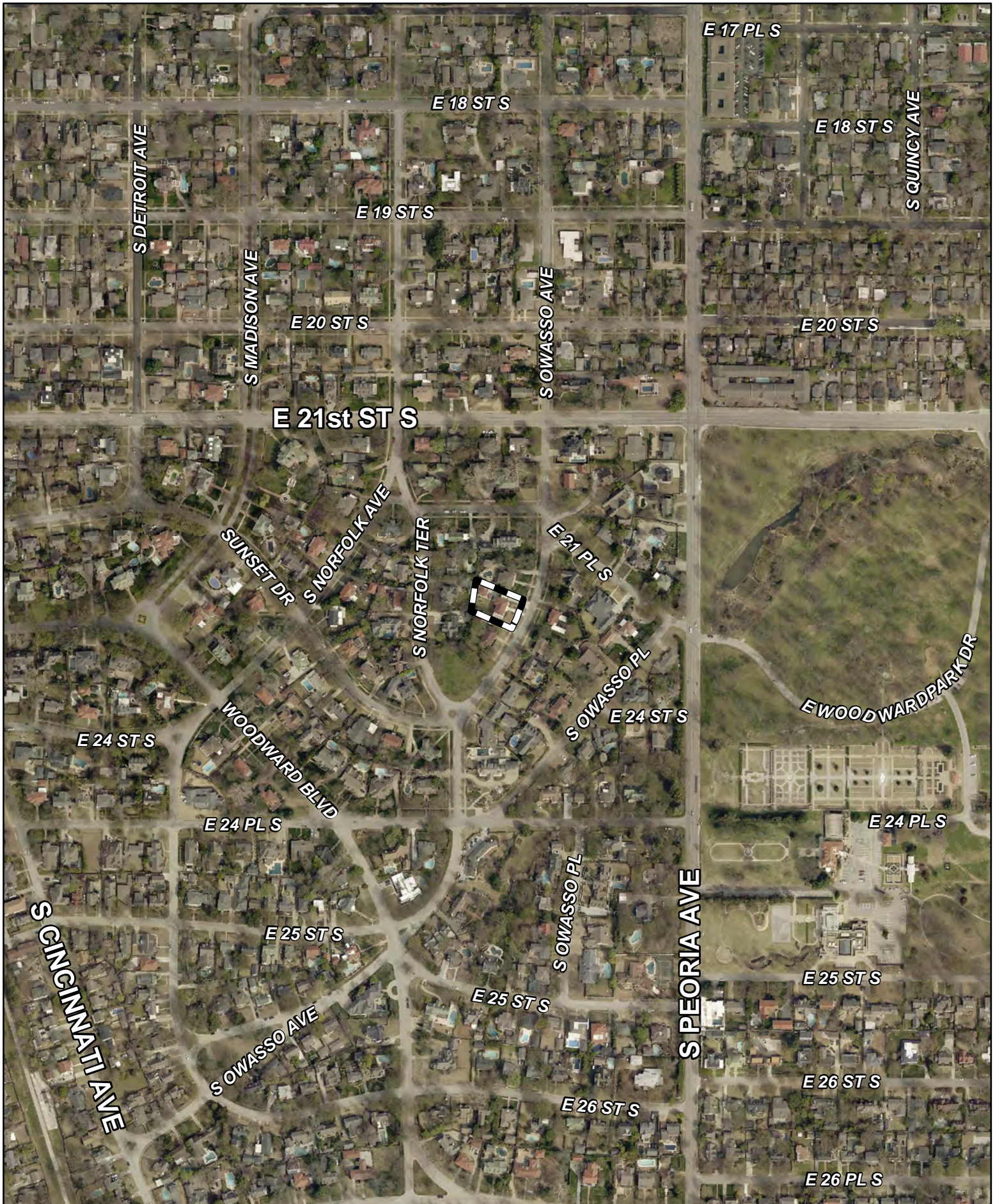


East Garage Elevation



North Elevation





0 200 400  
Feet



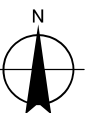
Subject  
Tract

**BOA-23241**

19-12 13

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

Aerial Photo Date: 2020/2021



15.15





S NORFOLK AVE

E21 PL S

E21 PL S

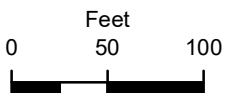
S NORFOLK TER

SOWASSO AVE

SUNSET DR

E24 ST S

SOWASSO PL



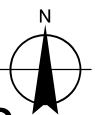
Subject  
Tract

**BOA-23241**

19-12 13

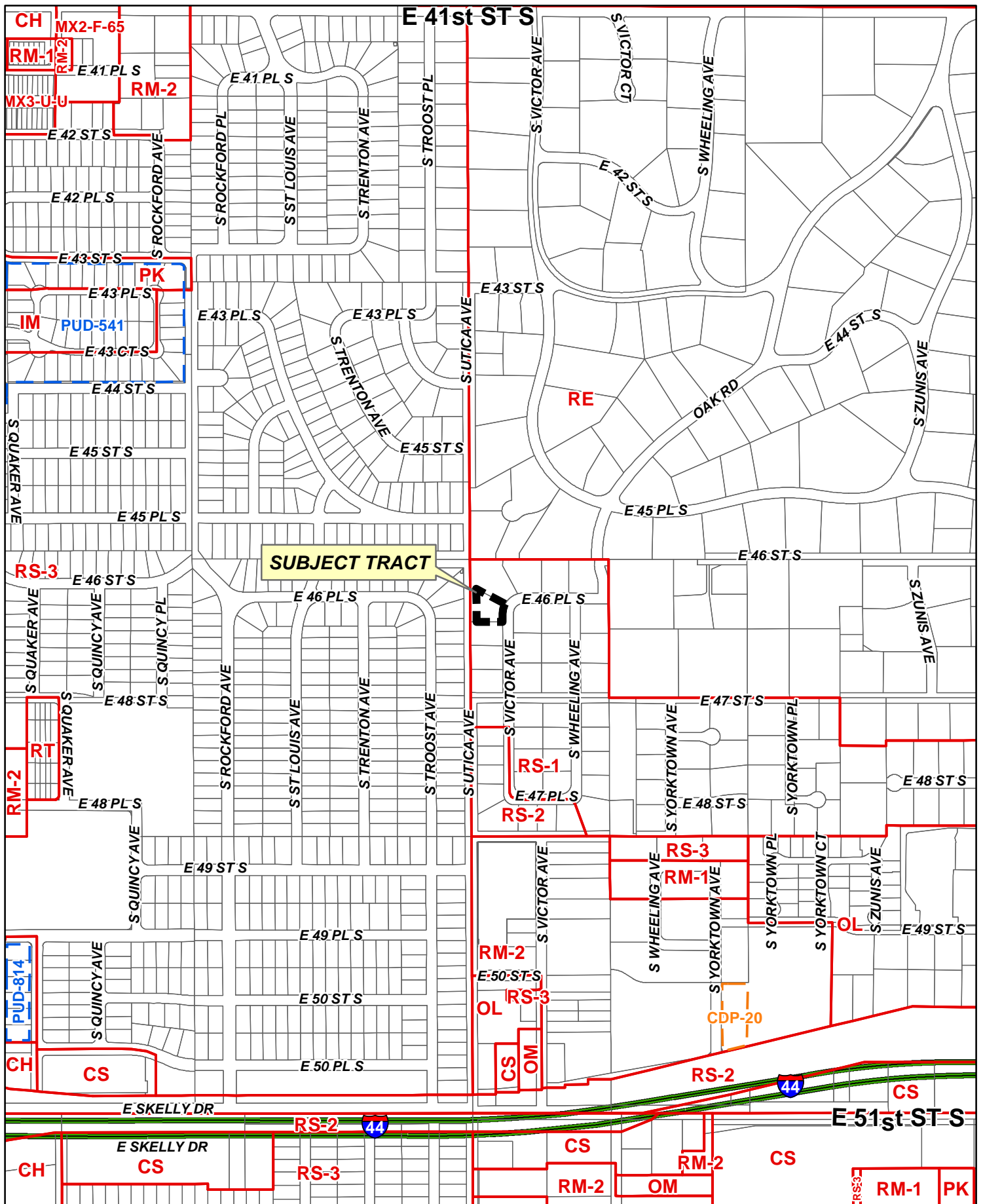
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: 2020/2021



15.16





BOA-23242

19-13 30

16.1



# BOARD OF ADJUSTMENT CASE REPORT

**STR:** 9330

**CZM:** 47

**CD:** 9

Case Number: **BOA-23242**

**HEARING DATE:** 01/11/2022 1:00 PM

**APPLICANT:** Lou Reynolds

**ACTION REQUESTED:** Variance to reduce the 25-foot rear setback in an RS-1 District to permit an addition to the residence (Sec 5.030, Table 5-3)

**LOCATION:** 4620 S VICTOR AV E

**ZONED:** RS-1

**PRESENT USE:** Residential

**TRACT SIZE:** 21597.14 SQ FT

**LEGAL DESCRIPTION:** LT 5 BLK 3, BOLEWOOD ESTATES,

**RELEVANT PREVIOUS ACTIONS:** None.

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

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

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

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located on the West side of S. Victor Ave. in between E. 47<sup>th</sup> St. S. and E. 46<sup>th</sup> Pl. S.

**STATEMENT OF HARDSHIP:** The statement prepared by the applicant is included as a separate exhibit.

**STAFF COMMENTS:** The applicant is requesting a **Variance** to reduce the 25-foot rear setback in an RS-1 District to permit an addition to the residence (Sec 5.030, Table 5-3)



Table 5-3: R District Lot and Building Regulations

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Min. 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 applicant may want to provide details into the current status of the Utica ROW on the West of the property. If vacated by the City the property owner would acquire 30 feet of that property and the variance request would be moot.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Variance** to reduce the required 25-foot rear setback in the RS-1 district to permit an addition to the existing residence (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***



### **Exhibit "A"**

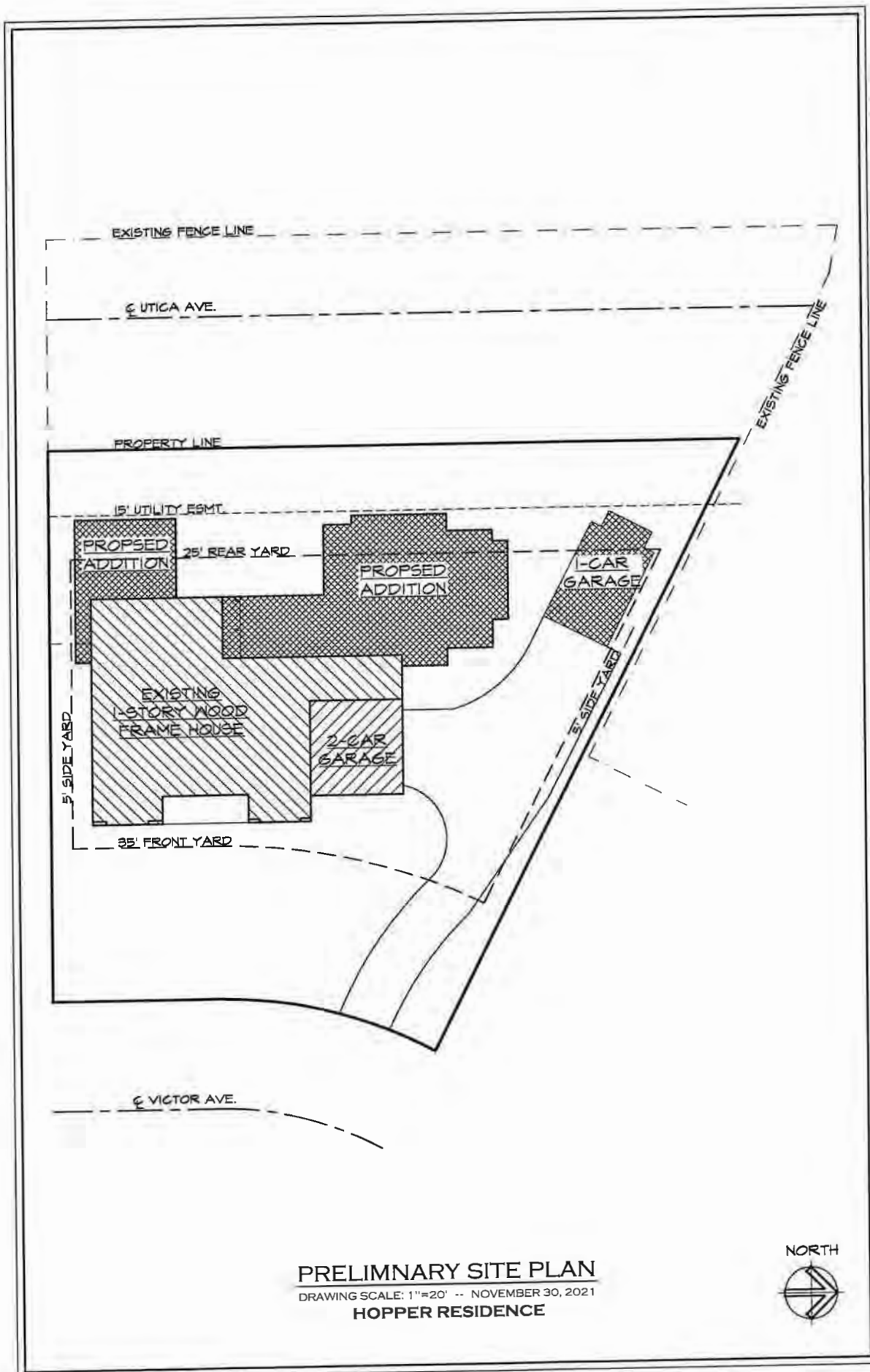
The Applicant requests a Variance from Table 5-3 of the Tulsa Zoning Code (the "Code") to reduce the rear yard setback in an RS-1 district from twenty-five feet (25') to fifteen feet (15') in order to permit an addition to the residence located at 4620 S. Victor Ave. (the "Property").

The Property is a half-acre lot located at 46<sup>th</sup> Place and South Victor Avenue. The back yard of the Property abuts what is platted as S. Utica Ave. However, S. Utica Ave. is not an open street between E. 45<sup>th</sup> Place and E. 47<sup>th</sup> Street (aerial photographs show it has not been a street since at least 1985 and it was likely never opened since Bolewood Estates was platted in 1960). Moreover, this portion of S. Utica Ave. was closed by ordinance in 1990 and there is currently not enough existing right-of-way for S. Utica Ave. to be opened as a street.

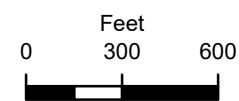
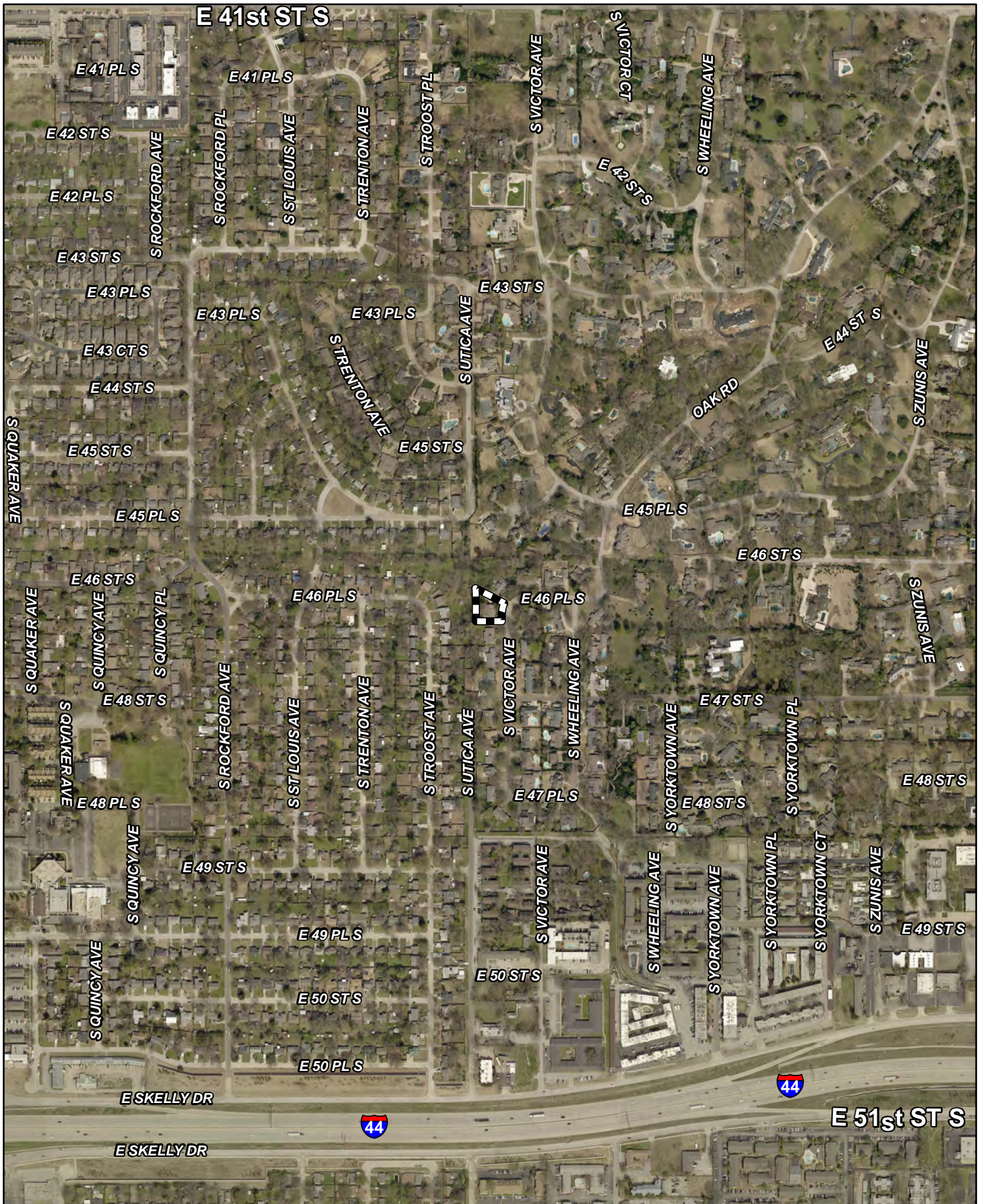
The backyards of the houses located along this portion of Victor Ave., including the Property, extend an additional thirty feet (30') to encompass closed S. Utica Ave. The existing residence is located approximately thirty-four feet (34') from the rear property line of the platted lot and over sixty feet (60') from the existing rear fence line along closed S. Utica Ave. The owners desire to build an addition to the back of their home to extend approximately ten feet (10') into the twenty-five foot (25') required rear setback.

Accounting for the additional thirty feet (30') of closed S. Utica Ave., there will be over forty-five feet (45') of rear yard between the proposed addition and the existing rear fence. Therefore, the required twenty-five foot (25') setback results in unnecessary hardship to the Property owner. The requested Variance does not impair the spirit and intent of the Code nor cause substantial detriment to the public good or impair the use or development of adjacent properties.









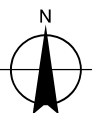
Subject  
Tract

**BOA-23242**

19-13 30

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

Aerial Photo Date: 2020/2021



16.7





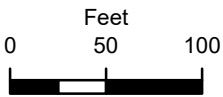
**E 45 PL S**

**E 46 PL S**

**STROOST AVE**

**S VICTOR AVE**

**E 47 ST S**



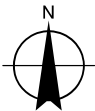
**Subject  
Tract**

**BOA-23242**

19-13 30

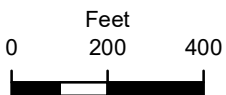
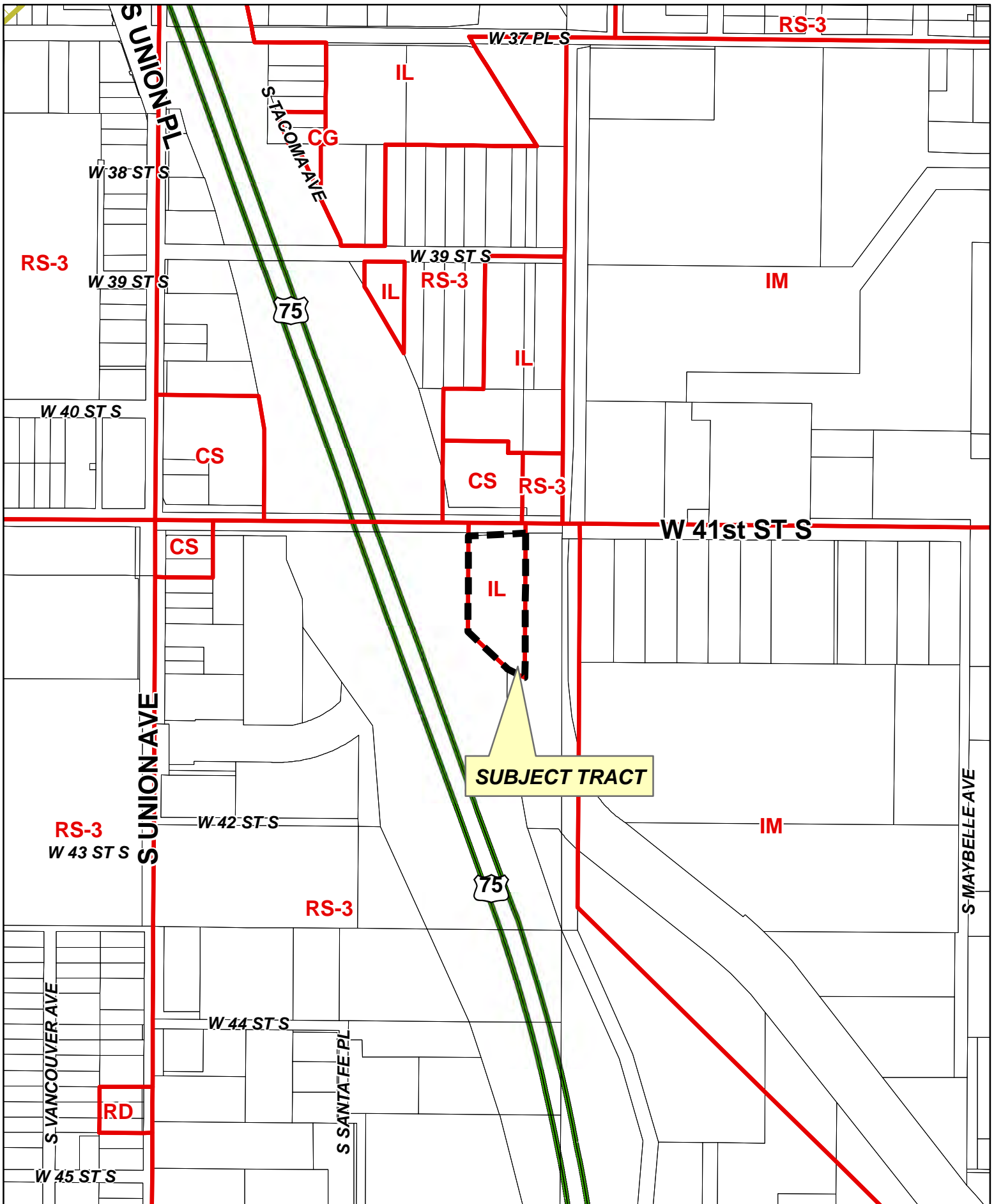
**Note: Graphic overlays may not precisely align with physical features on the ground.**

**Aerial Photo Date: 2020/2021**



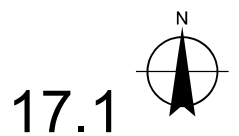
**16.8**





**BOA-23243**

19-12 26





# BOARD OF ADJUSTMENT CASE REPORT

STR: 9226  
CZM: 46  
CD: 2

Case Number: **BOA-23243**

**HEARING DATE:** 01/11/2022 1:00 PM

**APPLICANT:** Rob Coday

**ACTION REQUESTED:** Special Exception to permit a Moderate-impact Medical Marijauna Processing (Moderate-impact Manufacturing and Industry) Use in the IL District (Sec. 15.020, Table 15-2)

**LOCATION:** 1324 W 41 ST S

**ZONED:** IL

**PRESENT USE:** Warehouse

**TRACT SIZE:** 74523.32 SQ FT

**LEGAL DESCRIPTION:** PRT NW BEG 35S & 125W NEC NE TH SW APROX 182.56 S307 SE173.78 SELY TO PT 125 W & 500S NEC NE TH N TO POB SWC 26 19 12 1.71ACS,

## **RELEVANT PREVIOUS ACTIONS:**

### **Subject Property:**

**BOA-22706;** On 08.13.2019 the Board **approved** a variance to reduce the required 75-foot setback from Industrial Zoned property from residentially zoned property.

**Surrounding properties:** None.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:** The Tulsa Comprehensive Plan identifies the subject property as part of an area of "Employment " 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 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 immediately East of Highway &5 along West 41<sup>st</sup> Street South. It is zoned IL and is bounded by RS-3 zoned Property on the West, East and South and CS zoned property North of the subject property. The RS-3 zoning consists of Highway 75 right-of-way on the South and West and Cherry Creek on the East.

**STAFF COMMENTS:** The applicant is requesting Special Exception to permit a Moderate-impact Medical Marijauna Processing (Moderate-impact Manufacturing and Industry) Use in the IL District (Sec. 15.020, Table 15-2)



Moderate-impact Processing is defined as follows:

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

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

Medical Marijuana Uses are subject of the following supplemental regulations:

**Section 40.225 Medical Marijuana Uses**

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

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

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

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

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

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

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

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

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

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

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



**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to permit a Moderate-impact Medical Marijauna Processing (Moderate-impact Manufacturing and Industry) Use in the IL District (Sec. 15.020, Table 15-2)

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

\_\_\_\_\_.

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



***Subject Property***



## FLAVOR CHASERS PROCESSING

1320 WEST 41ST STREET SOUTH  
BLDG.D  
TULSA, OK. 74107

## ZONING CLEARANCE SITE PLAN

### LOT COMBINATION:

Lot line adjustment number LLA-143, TMAPC Resolution 2764-979, property combined to a single lot.

### LEGAL DESCRIPTION - AS PROVIDED QCD DOC#2018101979

LOT ONE (1), BLOCK SIX (6), INTERURBAN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; **AND**

LOT TWO (2), BLOCK SIX (6), INTERURBAN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; **AND**

THE EAST SIXTY (60) FEET OF LOT TWENTY-ONE (21), BLOCK SIX (6), INTERURBAN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; **AND**

THE WEST SEVENTY (70) FEET OF LOT TWENTY-ONE (21), BLOCK SIX (6), INTERURBAN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; **AND**

WEST HALF (W/2) OF LOT TWENTY-TWO (22), BLOCK SIX (6), INTERURBAN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; **AND**

EAST HALF (E/2) OF LOT TWENTY-TWO (22), BLOCK SIX (6), INTERURBAN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; **AND**

LOTS 1 AND 2, BLOCK ONE (1), PARK PLACE 44 AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; **AND**

EAST HALF OF LOT THREE (3), BLOCK SIX (6), INTERURBAN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

THE WEST 63.5 FEET OF THE EAST 310.75 FEET OF THE SOUTH 626 FEET OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (N/2 NW/4 NW/4) OF SECTION TWENTY-SIX (26), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF; **LESS AND EXCEPT** THOSE PARCELS DESCRIBED IN EXHIBIT A.

### EXHIBIT A

BEGINNING AT THE NW CORNER OF SAID REAL ESTATE, THENCE S 0°54'30" E ALONG THE WEST LINE OF SAID REAL ESTATE, A DISTANCE OF 15.0 FEET, THENCE N 84°37'43" E A DISTANCE OF 63.70 FEET TO A POINT ON THE EAST LINE OF SAID REAL ESTATE THENCE N 0°54'30" W ALONG SAID EAST LINE A DISTANCE OF 9.77 FEET TO THE NORTH-EAST CORNER OF SAID REAL ESTATE, THENCE S 89°20'25" W ALONG THE NORTH LINE OF SAID REAL ESTATE, A DISTANCE OF 63.50 FEET TO THE POINT OF BEGINNING.

ALSO: BEGINNING AT A POINT ON THE WEST LINE OF SAID REAL ESTATE, 322.00 FEET SOUTH OF THE NW CORNER OF SAID REAL ESTATE, THENCE S 47°52'51" E, A DISTANCE OF 86.89 FEET TO A POINT ON THE EAST LINE OF SAID REAL ESTATE, THENCE 0°54'30" E ALONG SAID LINE A DISTANCE OF 244.00 FEET TO THE SE CORNER OF SAID REAL ESTATE, THENCE S 89°20'25" E ALONG THE SOUTH LINE OF SAID REAL ESTATE A DISTANCE OF 63.50 FEET TO THE SW CORNER OF SAID REAL ESTATE, THENCE N 0°54'30" W ALONG THE WEST LINE OF SAID REAL ESTATE, A DISTANCE OF 303.00 FEET TO THE POINT OF BEGINNING. **AND**

THE WEST 63.50 FEET OF THE EAST 247.25 FEET OF THE SOUTH 626.00 FEET OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (N/2 NW/4 NW/4) OF SECTION TWENTY-SIX (26), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF:

**LESS AND EXCEPT:** BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL, THENCE SOUTH 0°54'30" EAST ALONG THE WEST LINE OF SAID PARCEL A DISTANCE OF 9.77 FEET; THENCE NORTH 84°37'43" EAST A DISTANCE OF 63.70 FEET TO A POINT ON THE EAST LINE OF SAID TRACT; THENCE NORTH 0°54'30" WEST ALONG SAID EAST LINE A DISTANCE OF 4.53 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH 89°20'25" WEST ALONG SAID NORTH LINE A DISTANCE OF 63.50 FEET TO THE POINT OF BEGINNING.

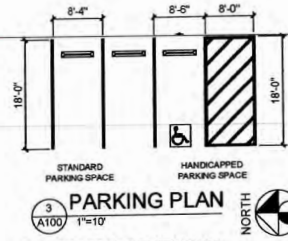
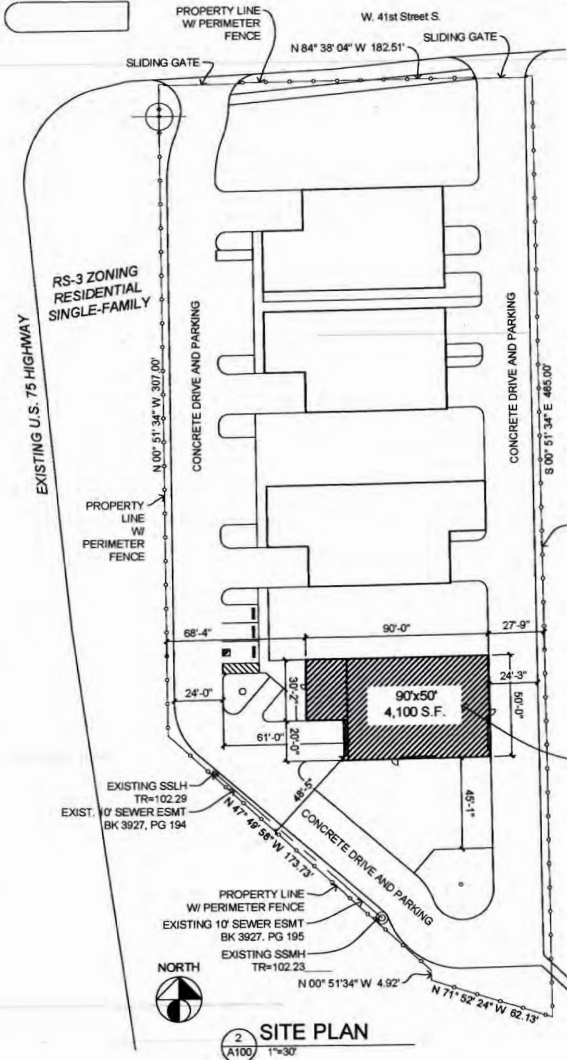
**LESS AND EXCEPT:** BEGINNING AT A POINT ON THE WEST LINE OF SAID PARCEL, 381.00 FEET SOUTH OF THE NORTHWEST CORNER OF SAID PARCEL, THENCE SOUTH 47°52'51" EAST A DISTANCE OF 86.89 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL; THENCE SOUTH 0°54'30" EAST ALONG SAID EAST LINE A DISTANCE OF 185.01 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE SOUTH 89°20'25" WEST ALONG SAID SOUTH LINE A DISTANCE OF 63.50 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE NORTH 0°54'30" WEST ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 244.00 FEET TO THE POINT OF BEGINNING.

**AND**

A TRACT OF LAND LYING IN THE EAST 183.75 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NE/4 NW/4 NW/4) OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA; ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS, AND TO-WIT:

BEGINNING AT A POINT 125 FEET WEST AND 35 FEET SOUTH OF THE NE CORNER OF SAID NE/4; THENCE WEST AND PARALLEL TO THE NORTH LINE OF SAID NW/4 A DISTANCE OF 58.75 FEET TO A POINT; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SAID NE/4 A DISTANCE OF 45 FEET TO A POINT; THENCE IN A SOUTHEASTERLY DIRECTION TO A POINT 125 FEET WEST AND 500 FEET SOUTH OF THE NE CORNER OF SAID NE/4; THENCE NORTH PARALLEL TO AND 125 FEET WEST OF THE EAST LINE OF SAID NE/4 A DISTANCE OF 465 FEET TO THE POINT OF BEGINNING.

**LESS** 0.01 ACRES, MORE OR LESS, FOR HIGHWAY PURPOSES.



**PARKING SPACE DIMENSIONS**  
(EXISTING)  
**SQUARE FOOTAGE**  
BUILDING "D"=4,100 S.F.  
**PARKING REQUIREMENTS (ALL BLDGS.)**  
100% INDUSTRIAL = 4,100 SQ. FT. @ 1 SPACE/1,000 SQ. FT.  
REQUIRED SPACES = 4  
PROVIDED SPACES = 4  
**PHYSICAL ADDRESS**  
1320 WEST 41ST STREET SOUTH  
BUILDING "D"  
TULSA, OKLAHOMA 74107  
**ZONING**  
IL INDUSTRIAL- LIGHT DISTRICT  
**ACCESS**  
TWO DRIVES CONNECTING TO WEST 41ST STREET SOUTH, A PUBLIC STREET  
**TRASH STORAGE**  
INDIVIDUAL POLY-CARTS

**BUILDING "D":**  
MARIJUANA PROCESSING FACILITY  
**NOTE:**  
1. BUILDING W/ OFFICE IS EXISTING, APPROX TWO YEARS OLD.  
2. FACILITY WILL UTILIZE ONLY ICE WATER TO CREATE THE HASH. NO TYPE OF SOLVENT OR GAS WILL EVER BE USED.  
3. LANDSCAPING (L.S.) IS EXISTING. NO CHANGE PROPOSED.



Seal: \_\_\_\_\_

General Contractor:  
**FLAVOR CHASERS LLC**

Client: \_\_\_\_\_

DRAWN BY:  
**SLO**

CHKD BY:  
**RAC**

REVISION AND DATE:  
**0 11/29/2021**

SCALE: \_\_\_\_\_

ORIGINAL RELEASE DATE: \_\_\_\_\_

**11/29/2021**

PROJECT TITLE: \_\_\_\_\_

DRAWING TITLE: \_\_\_\_\_

**Site & Parking Plan**

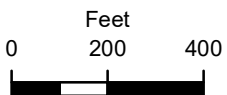
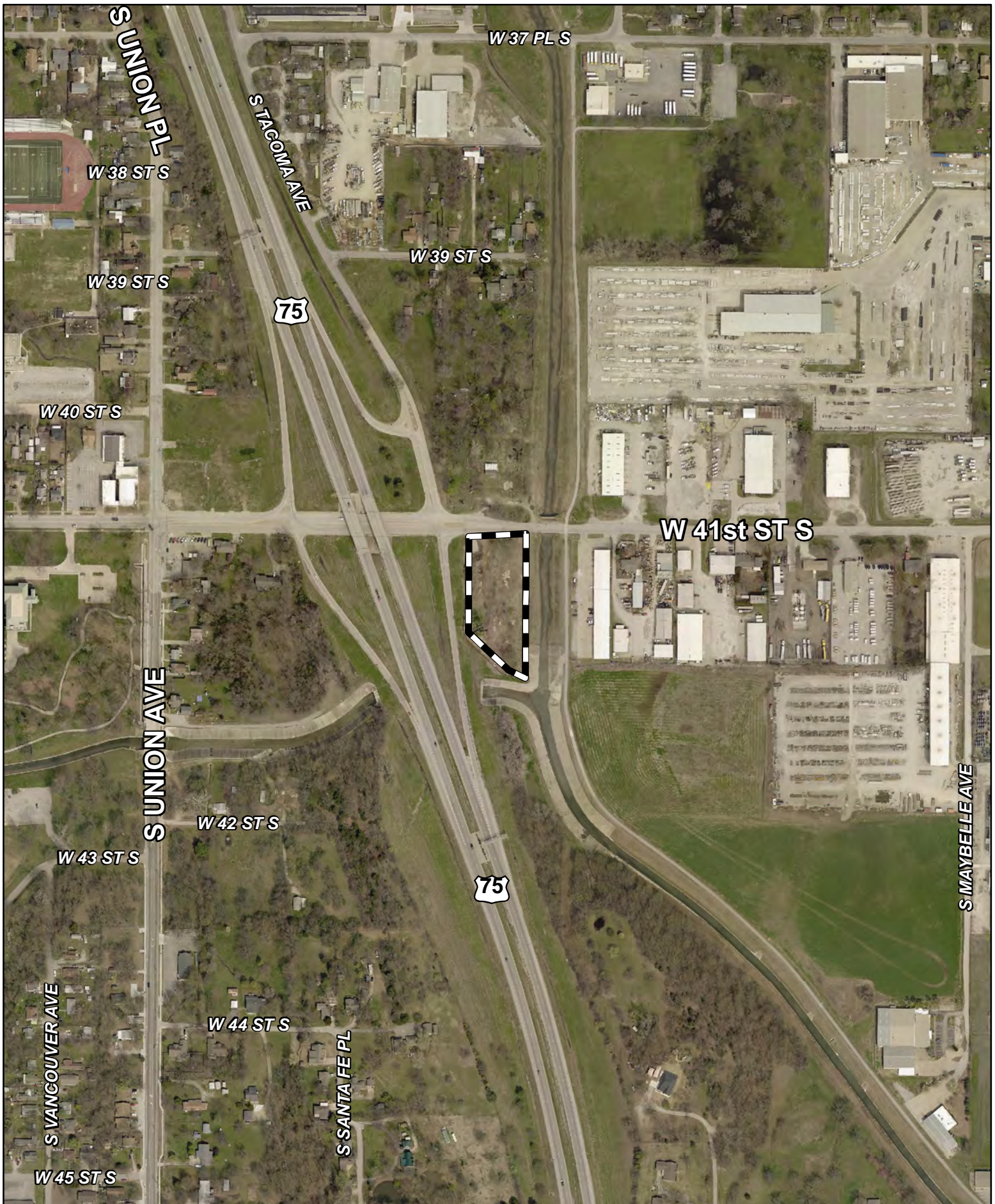
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SHEET NO.: \_\_\_\_\_

**A100**

SHEET:  
**3 of 4**





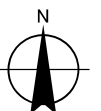
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**BOA-23243**

19-12 26

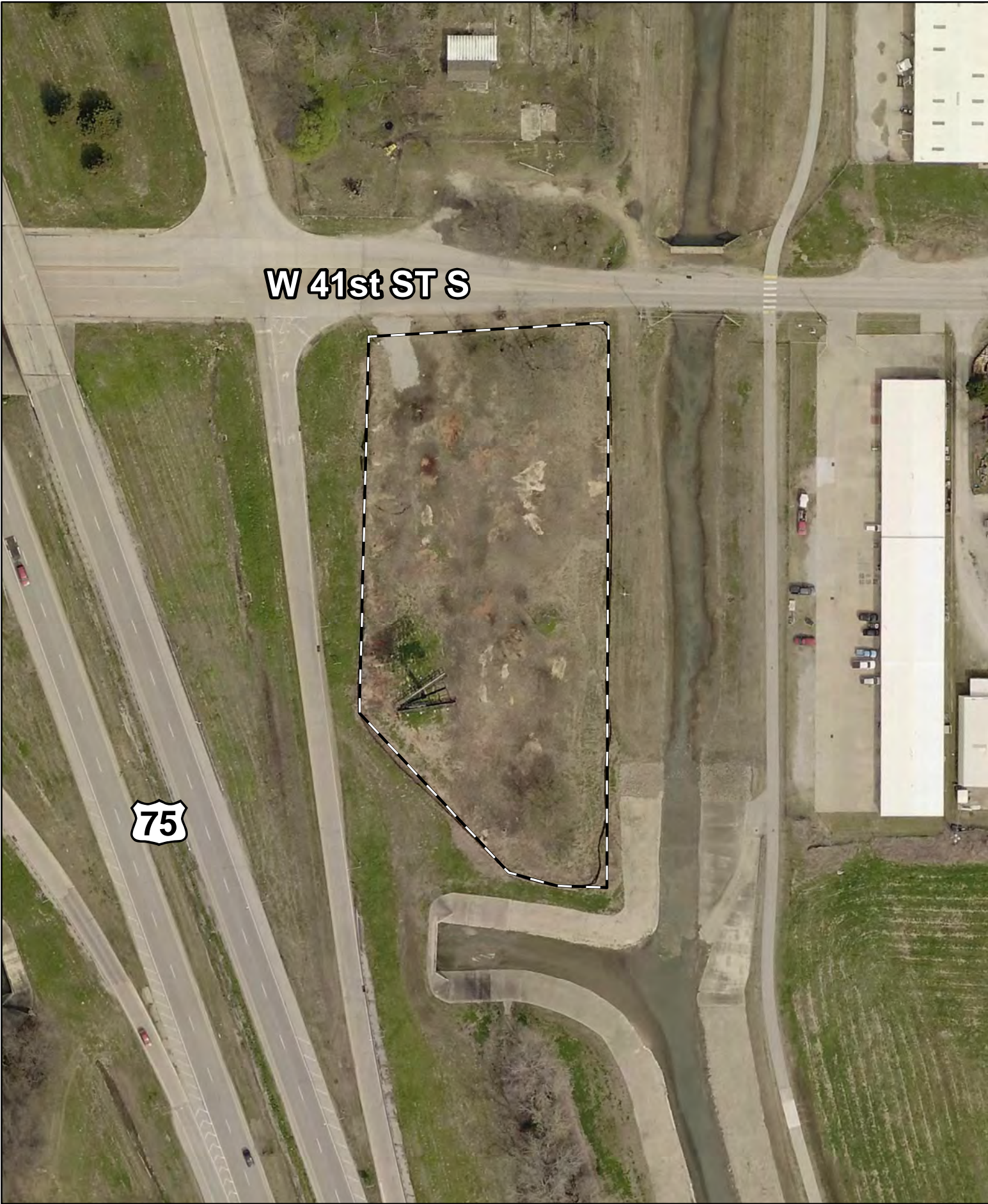
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align with physical features on the ground.

Aerial Photo Date: 2020/2021



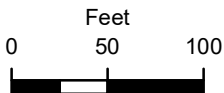
17.6





**W 41st ST S**

**75**



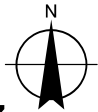
**Subject  
Tract**

**BOA-23243**

19-12 26

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

Aerial Photo Date: 2020/2021



**17.7**