

AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, February 22, 2022, 1:00 P.M.

Meeting No. 1289

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

Email: esubmit@incog.org

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

INTRODUCTION AND NOTICE TO THE PUBLIC

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

NEW APPLICATIONS

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

1. **23261- Jonathan Belzey**
Variance to reduce the building setback from a street (E.8th Street), in an RM-2 District, from 10 feet to 2 feet to permit Six Townhouse Units. (Section 5.030), Table 5-3). & a Variance to reduce the building setback from a street (S. Quincy Ave), in an RM-2 District, from 10 feet to 5 feet to permit Six Townhouse Units (Section 5.030, Table 5-3).
LOCATION: 801 & 807 S. Quincy Ave E **(CD 4)**

2. **23267- Jennifer Gleason**
Variance to allow the floor area of Detached Accessory Buildings to exceed 500 square feet or 40% of the floor area of the principal residential structure (Section 45.030-A.2)
LOCATION: 1410 E. 64th St. **(CD 2)**

3. **23268- Jennifer Gleason**
Variance to allow the floor area of Detached Accessory Buildings to exceed 500 square feet or 40% of the floor area of the principal residential structure (Section 45.030-A.2)
LOCATION: 4404 N. Main St. W. (CD 1)
4. **23270- Janet Garcia**
Special Exception to allow a Large (>250-person capacity) Indoor Assembly & Entertainment Use in the IL district. (Sec.15.020, Table 15-2)
LOCATION: 825 N Sheridan Rd E (CD 3)
5. **23271- Lori Worthington / AMAX Sign Company**
Variance to allow free standing signs within 30-feet of other freestanding signs (Sec. 60.040-B-2) Variance to allow more than one free standing sign and more than one dynamic display sign per street frontage in the RD District (Sec. 60.050-B-2.b;c.1) Special Exception to permit a Dynamic Display sign in an Residential District containing a Church Use (Sec. 60.050-B.2.c); Special Exception to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F)
LOCATION: 7100 E. 31st Street (CD 5)
6. **23272- Peter Janzen**
Variance to increase the permitted number of signs along E. 11th street to permit 1 freestanding sign and 5 roof signs (Sec. 60.080-C.2) and a Variance to allow roof signs within 30-feet of other roof signs (Sec. 60.040-B.2)
LOCATION: 1018 S. Rockford Ave (CD 4)
7. **23273- Nathan Cross**
Special Exception to permit the storage or display of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface (Sec. 55.090-F-2) **LOCATION:** 1320 North 105th East Ave (CD 3)
8. **23274- Joel Collins**
Variance to allow the aggregate floor area of a detached accessory structure to exceed 750 sq. ft. and 40% of the of the floor area of the principal structure (Sec. 45.030-A.1)
LOCATION: 17330 East Admiral Place (CD 6)
9. **23284- Minum Productions, Inc “Reservation Dogs”**
Special Exception to permit a Temporary Office Use in the RS-3 District for up to 180 days. (Sec. 50.020-D)
LOCATION: 3205 West 39th Street (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.

BOARD OF ADJUSTMENT CASE REPORT

STR: 9306

Case Number: **BOA-23261**

CZM: 37

CD: 4

HEARING DATE: 02/22/2022 1:00 PM

APPLICANT: Jonathan Belzley

ACTION REQUESTED: Variance to reduce the building setback from a street (E.8th Street), in an RM-2 District, from 10 feet to 2 feet to permit Six Townhouse Units. (Section 5.030), Table 5-3). & a Variance to reduce the building setback from a street (S. Quincy Ave), in an RM-2 District, from 10 feet to 5 feet to permit Six Townhouse Units (Section 5.030, Table 5-3).

LOCATION:

ZONED: RM-2

PRESENT USE: Vacant

TRACT SIZE: 12349.31 SQ FT

LEGAL DESCRIPTION: LTS 15 & 16 BLK 5, EAST LYNN ADDN

RELEVANT PREVIOUS ACTIONS:

Subject property:

Z-7613: On 9.01.21 the TMAPC recommended **approval** of a re-zoning from RS-4 to RM-2 and the City Council approved the re-zoning request on 11.07.21.

Surrounding properties: None.

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SE/c of S. Quincy Ave. and E. 8th St. S. The property is located inside the Neighborhood Infill Overlay (NIO) and immediately South of the former Laura Dester Shelter site which is in the process of redevelopment.

STATEMENT OF HARDSHIP: The neighborhood was developed in the 20's , 30's and 40's and is filled with properties with 0'-5' setbacks (See attached graphic). The Pear District Association has advocated for 0' setbacks and has voted to support our townhouse project at one of their regular meetings. Confusing discrepancies exist between MX-1-U setbacks and RM-2 setbacks for townhouses.

STAFF COMMENTS: The applicant is requesting **Variance** to reduce the building setback from a street (E.8th Street), in an RM-2 District, from 10 feet to 2 feet to permit Six Townhouse Units. (Section 5.030), Table 5-3). & a **Variance** to reduce the building setback from a street (S. Quincy Ave), in an RM-2 District, from 10 feet to 5 feet to permit Six Townhouse Units (Section 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

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** to reduce the building setback from a street (E.8th Street), in an RM-2 District, from 10 feet to 2 feet to permit Six Townhouse Units. (Section 5.030), Table 5-3). & a **Variance** to reduce the building setback from a street (S. Quincy Ave), in an RM-2 District, from 10 feet to 5 feet to permit Six Townhouse Units (Section 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;*

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 8th Street

TMAPC Action; 7 members present:

On **MOTION** of **COVEY**, TMAPC voted **7-0-0** (Adams, Blair, Covey, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Craddock, Kimbrel, Reeds, "absent") to recommend **APPROVAL** of the CG zoning with an optional development plan for Z-7614 per staff recommendation.

Legal Description Z-7614:

THE SOUTH 1320 FEET OF THE WEST 660 FEET OF THE SOUTHWEST QUARTER OF SECTION THREE (3), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE ND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, LESS THE EAST 410 FEET OF THE SOUTH 1320 FEET OF THE WEST 660 FEET THEREOF AND LESS BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 75.87 FEET, THENCE NORTHEAST 24.75 FEET, THENCE SOUTHEAST OF A CURVE TO THE LEFT 72.76 FEET, THENCE SOUTH 24.75 FEET, THENCE SOUTHWEST 74.64 FEET TO THE POINT OF BEGINNING.

6. Z-7613 Johnathon Beizley (CD 4) Location: Southeast corner of East 8th Street and South Quincy Avenue requesting rezoning from **RS-4 to RM-2** (Continued from July 21, 2021)

STAFF RECOMMENDATION:

SECTION I: Z-7613

DEVELOPMENT CONCEPT:

DETAILED STAFF RECOMMENDATION:

Z-7613 requesting RM-2 zoning is consistent with the Downtown Neighborhood land use designation and,

Uses and building mass allowed in the RM-2 zoning district is consistent with the expected development of the surrounding properties and preserves the anticipated park and open space area and,

The zoning request is consistent with the goals of the Pearl District Small Area Plan and,

09:01:21:2849(20)

Multi-family zoning at this location is compatible with the redevelopment opportunities for the existing properties therefore,

Staff recommends Approval of Z-7613 to rezone property from RS-4 to RM-2.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The downtown neighborhood land use designation is an area that encourages vertical and dense residential development. In this instance the maximum height is 35 feet in the proposed RM-2 zoning district. The multifamily and townhouse use is appropriate in the Downtown Neighborhood, but the building height in the land use designation may not be compatible with the existing neighborhood building stock. The proposed RM-2 district allows residential density and provides height limitations that are important to the neighborhood character.

Land Use Plan map designations:

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.

Areas of Stability and Growth designation: Area of Growth

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

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the city as a whole. Development in these areas will provide

housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

Transportation Vision:

Major Street and Highway Plan: None that affect site redevelopment

Trail System Master Plan Considerations: None that affect site redevelopment

Small Area Plan: Pearl District Small Area Plan

The executive Summary, including details of the Priorities, Goals, and Actions was adopted by the Tulsa Metropolitan Area Planning Commission on July 3rd, 2019.

Special District Considerations: This site is included in the proposed boundary of the adopted Neighborhood Infill Overlay. If the boundary is adopted the lot and building regulations would support this type of development.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is empty and directly across 8th street from the Laura Dester site that was rezoned in 2020 to RM-3 zoning to help preserve and repurpose the existing buildings.

Environmental Considerations: None that would affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 6 th Street	NA	50 feet	2
South Quincy Avenue	NA	50 feet	2
Alley	NA	20 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RM-3	Downtown Neighborhood	Growth	Unoccupied multi family
East	RS-4	Downtown Neighborhood	Growth	Surface parking lot
South	RS-4	Downtown Neighborhood	Growth	Single Family
West	RS-4	Downtown Neighborhood	Growth	Single family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11815 dated June 26, 1970, established zoning for the subject property

Subject Property: *None*

Surrounding Property: Z-7557 May 2020: All concurred in **approval** of a request for *rezoning* a tract of land that was the Oklahoma Group home from RS-4 to RM-3 on property located East of the northwest corner of South Peoria Avenue and East 8th Street South requesting rezoning from RS-4 to RM-3.

Z-6481 January 1995: All concurred in **approval** of a request for a *rezoning* on a tract of land from RM-2 to RS-4 for on property located between East 7th Street South and approximately 150' north of approximately 250' east of South Troost Avenue.

BOA-15346 January 1990: The Board of Adjustment **approves**, per plan, a Special Exception to permit off-street parking in a RM-2 zoned district for a state of Oklahoma group home, on property located at the southwest corner of East 8th street and south Rockford Ave. Lots 1 & 2, Block 5, East Lynn Addition.

BOA-10831 January 1980: The Board of Adjustment **approved** a *Variance* of the setback requirements from 25' to 2' 10" from an abutting R District, per plot plan, on property located at Lot 1 through 8, Block 6 East Lynn Addition.

BOA-9064 June 1976: The Board of Adjustment **approved** a *Special Exception* to use on Lots 1-8, Block 6 and for church use and parking on Lots 1 and 2, Block 7 per plot plan, in an RM-2 District, on property located at Lots 1 through 8, Block 6 East Lynn Addition.

BOA-5079 May 1966: The Board of Adjustment grants **approval** to erect a single-family dwelling in a U-2-B district and needs waiver of rear and front yard requirements on East 86 feet of Lot 1 Block 4 East Lynn Addition.

BOA-5013 April 1966: The Board of Adjustment grants **approval** to permit off-street parking for church in a U-2 B District, on property located at Lots 1,2,3, Block 6 East Lynn addition.

BOA-3116 November 1958: The Board of Adjustment grants **approval** for Lots 4 Block 6 for a parking lot, on property located at Lot 4 Block 6 East Lynn Addition.

BOA-2772 December 1955: The Board of Adjustment grants **approval** for church to establish off-street parking on Lots 5 and 6, on property located at Lot 4 Block 6 East Lynn Addition.

BOA-2537 March 1954: The Board of Adjustment grants **approval** to place a duplex on a lot 6 Block 5, there is now an existing small dwelling on rear of lot. Duplex is to be in front of Lot in a U-2 District, property located at Lot 6 Block 5 East Lynn Addition.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **COVEY**, TMAPC voted **7-0-0** (Adams, Blair, Covey, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Craddock, Kimbrel, Reeds, "absent") to recommend **APPROVAL** of the RM-2 zoning for Z-7613 per staff recommendation.

Legal Description Z-7613:

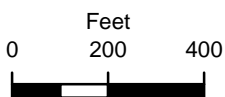
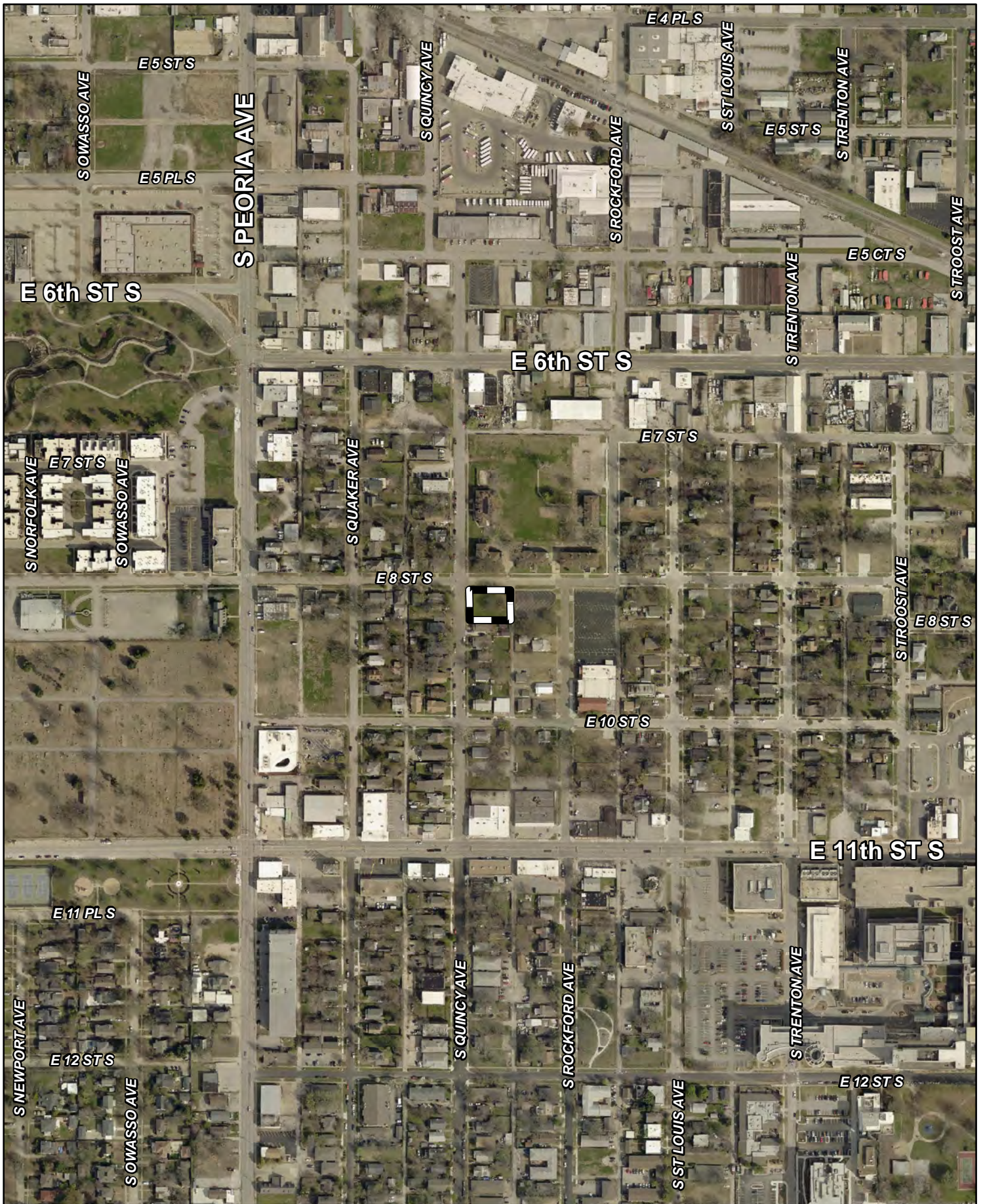
LTS 15 & 16 BLK 5, EAST LYNN ADDN

* * * * *

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Subject
Site



Subject
Tract

BOA-23261

19-13 06

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

Aerial Photo Date: 2020/2021



1.13



E 8 STS

QUINCY AVE

E 10 STS

0 50 100
Feet



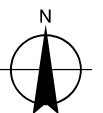
*Subject
Tract*

BOA-23261

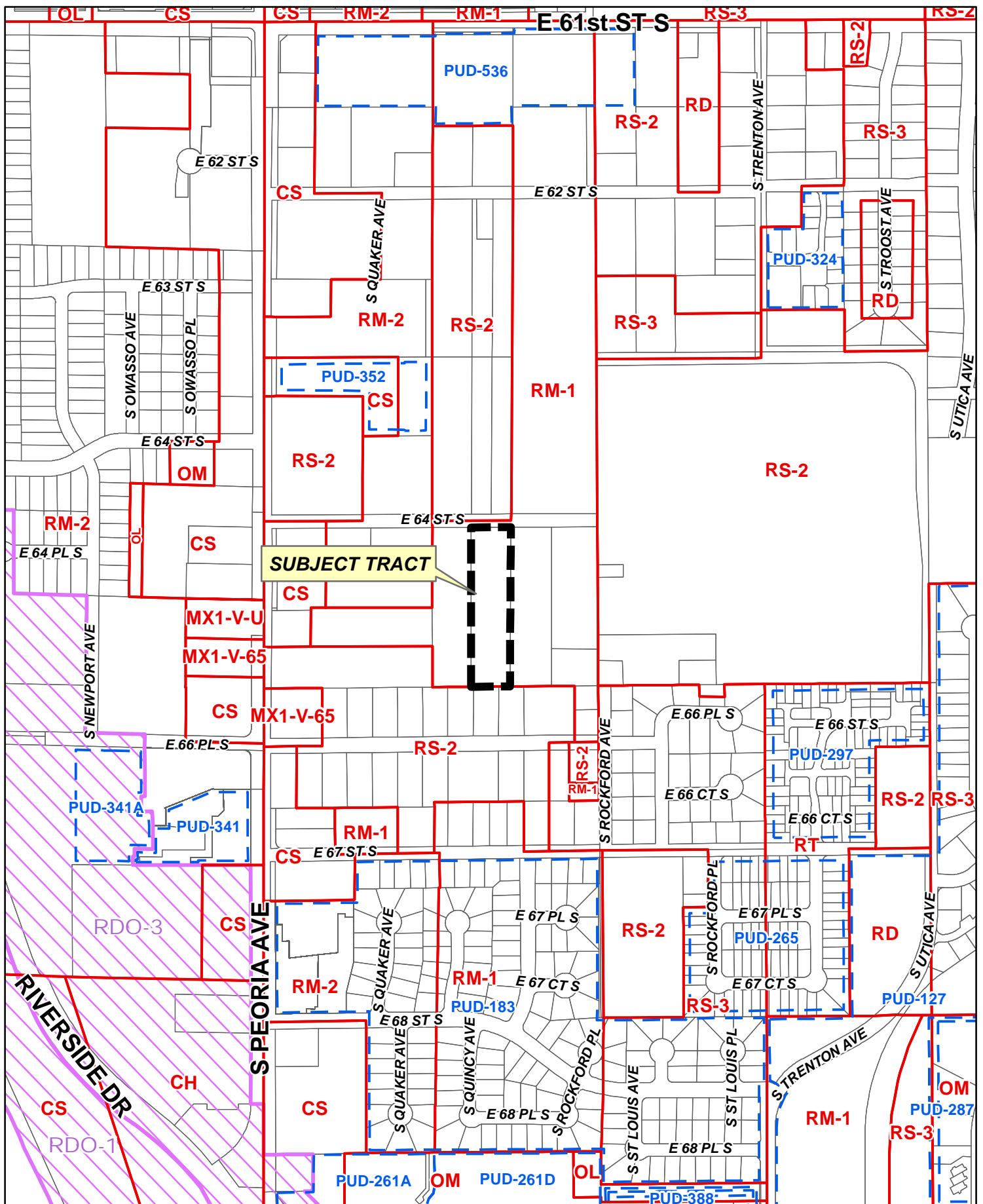
19-13 06

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

Aerial Photo Date: 2020/2021



1.14



BOA-23267

18-13 06

2.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 8306

Case Number: **BOA-23267**

CZM: 52

CD: 2

HEARING DATE: 02/22/2022 1:00 PM

APPLICANT: Jennifer Gleason

ACTION REQUESTED: Variance to allow the floor area of Detached Accessory Buildings to exceed 500 square feet or 40% of the floor area of the principal residential structure (Section 45.030-A.2)

LOCATION: 1410 E 64 ST S

ZONED: RM-1

PRESENT USE: Residential Multifamily

TRACT SIZE: 101120.6 SQ FT

LEGAL DESCRIPTION: LOT 3 BLK 3, VALLEY VIEW ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property: None.

Surrounding properties:

BOA-17218; On 11.14.95 the Board approved a Variance to permit an accessory building to be a principal use and a variance of the maximum size of an accessory building from 750 square feet to 1,536 square feet subject to a non-commercial use of the building. Property located 1387 E. 64th Street.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located East of the SE/c of E. 64th St. S. and S. Peoria Ave. The property is located about 500 feet West of Metro Christian Academy.

STATEMENT OF HARDSHIP: Our client needs to have their barn/garage it is due to needing space for vehicles/workspace and containment/ shelter for their horse. She is a veterinarian and needs the space for work as well.

STAFF COMMENTS: The applicant is requesting **Variance** to allow the floor area of Detached Accessory Buildings to exceed 500 square feet or 40% of the floor area of the principal residential structure (Section 45.030-A.2)

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.

The property owner is allowed a 711.2 square feet accessory building by right and they are proposing a 1,768 square foot accessory building which is 10 square feet less the size of the principal residence on the property. The applicant's stated hardship **is not** related to the physical surroundings, shape, or topographical conditions of the subject property and only related to the personal circumstance of the property owner. The applicant also states the property owner would use the building for work as a veterinarian, per section 45.100-F of the zoning code animal care uses are prohibited as a home occupation.

45.100-F Prohibited Uses

The following uses are expressly prohibited as home occupations:

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

Should the variance be granted the applicant should not provide animal care services on the property and the horse should be kept in compliance with the Animal Welfare regulations in Title 2, Chapter 2 of the City of Tulsa Revised Ordinances.

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** to allow the floor area of Detached Accessory Buildings to exceed 500 square feet or 40% of the floor area of the principal residential structure (Section 45.030-A.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 toward Metro Christian Academy

Danny Whiteman
Zoning Official
Plans Examiner II

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



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

ZONING CLEARANCE PLAN REVIEW

11/16/2021

LOD No. 1

Nathan Sweats
4922 S. South 81st W. Ave.
Tulsa, OK 74107

APPLICATION NO: BLDR-101392-2021 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 1410 E. 64th St.
Description: New accessory building

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
3. A COPY OF A "RECORD SEARCH" ☐ **YES** ☒ **NO** 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-101392-2021

- Section 45.030-A.2 Accessory Building Size, 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.
Review comment: This lot is an RM-1 zoned lot. You are proposing 1,768 square feet of detached accessory building floor area (porches do not count toward floor area). The proposed detached building exceeds 500 sq. ft and 40% of the size of your principal residential building. Based on the floor area of your house (1,778 sq. ft. according to the county assessor's website), you are allowed a total of 711.2 sq. ft. of detached accessory structure floor area on your lot. You may reduce the floor area of the proposed building to 711.2 square feet or less, or you may apply to the Board of Adjustment for a variance to allow the floor area of the proposed detached accessory building to exceed 500 sq. ft. and 40% of the floor area of the principal residential structure.

The zoning review will resume after either the modified plans or Board of Adjustment documents 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

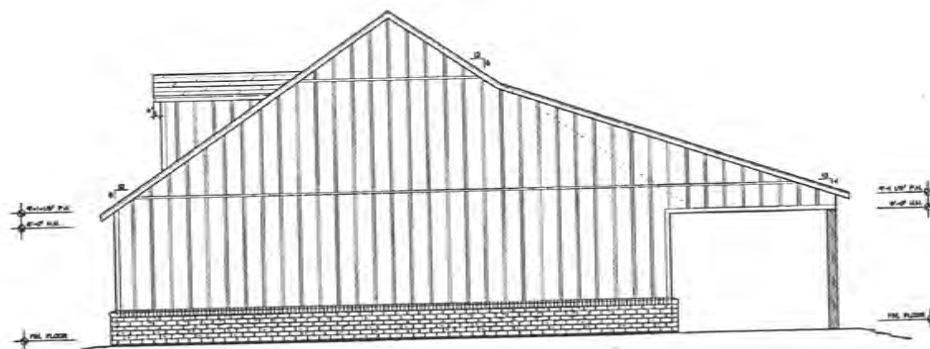
END –ZONING CODE REVIEW

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.



SHEET:
A-3



RIGHT ELEVATION



FRONT ELEVATION

NOTES:

The design and floor plan have been prepared by Pinnacle Design Group, Inc. and shall be used by the client for the construction of the building. The client shall be responsible for obtaining all necessary permits and for the accuracy of the information provided. The design and floor plan are not to be used for any other purpose without the written consent of Pinnacle Design Group, Inc.

PINNACLE
DESIGN GROUP, INC.

KEITH DALESSANDRI
112 S. Kalamazoo Ave.
Broken Arrow, OK 74002
405.481.1947
keith@pinnacle-design.com
www.pinnacle-design.com

MODEL #
BOOTH GARAGE

SQUARE FOOTAGE	
1st FLOOR	
2nd FLOOR	
TOTAL	
GARAGE	
PORCH	
PATIO	
VERANDA	
LIVING	
TOTAL	

DRAWING
DATE
04.10.2021

REVISIONS
DATE
04.10.21

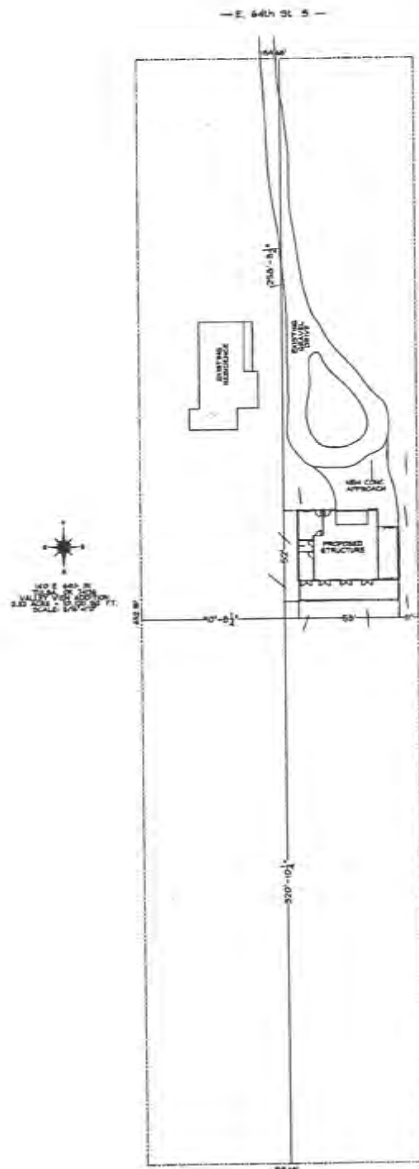
PDS PROJECT NUMBER
21-076

ADDRESS

ELEVATION

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

SHEET
A-2



NOTES:

The design of this plan has been prepared by Pinnacle Design Group, Inc. (Pinnacle) and is for the use of the client only. It is not to be used for any other purpose without the written consent of Pinnacle. The use of this plan by the client is subject to the terms and conditions of the contract between the client and Pinnacle. Pinnacle is not responsible for any errors or omissions in this plan or for any consequences arising from the use of this plan. The client is responsible for obtaining all necessary permits and for ensuring that the plan complies with all applicable laws and regulations.

PINNACLE
DESIGN GROUP, INC.

KEITH DALESSANDRI
1102 S. Klenchman Ave.
Broken Arrow, OK 74012
918.671.3467
keith@pinnacleengr.com
www.pinnacleengr.com

MODEL #
BOOTH GARAGE

SQUARE FOOTAGE
TOTAL
1st LIVING
2nd LIVING
TOTAL
GARAGE
PORCH
PATIO
VIEWS
LIVING
TOTAL

DRAWING
DATE
08/02/2021

REQ/REV
DATE
08/02/2021

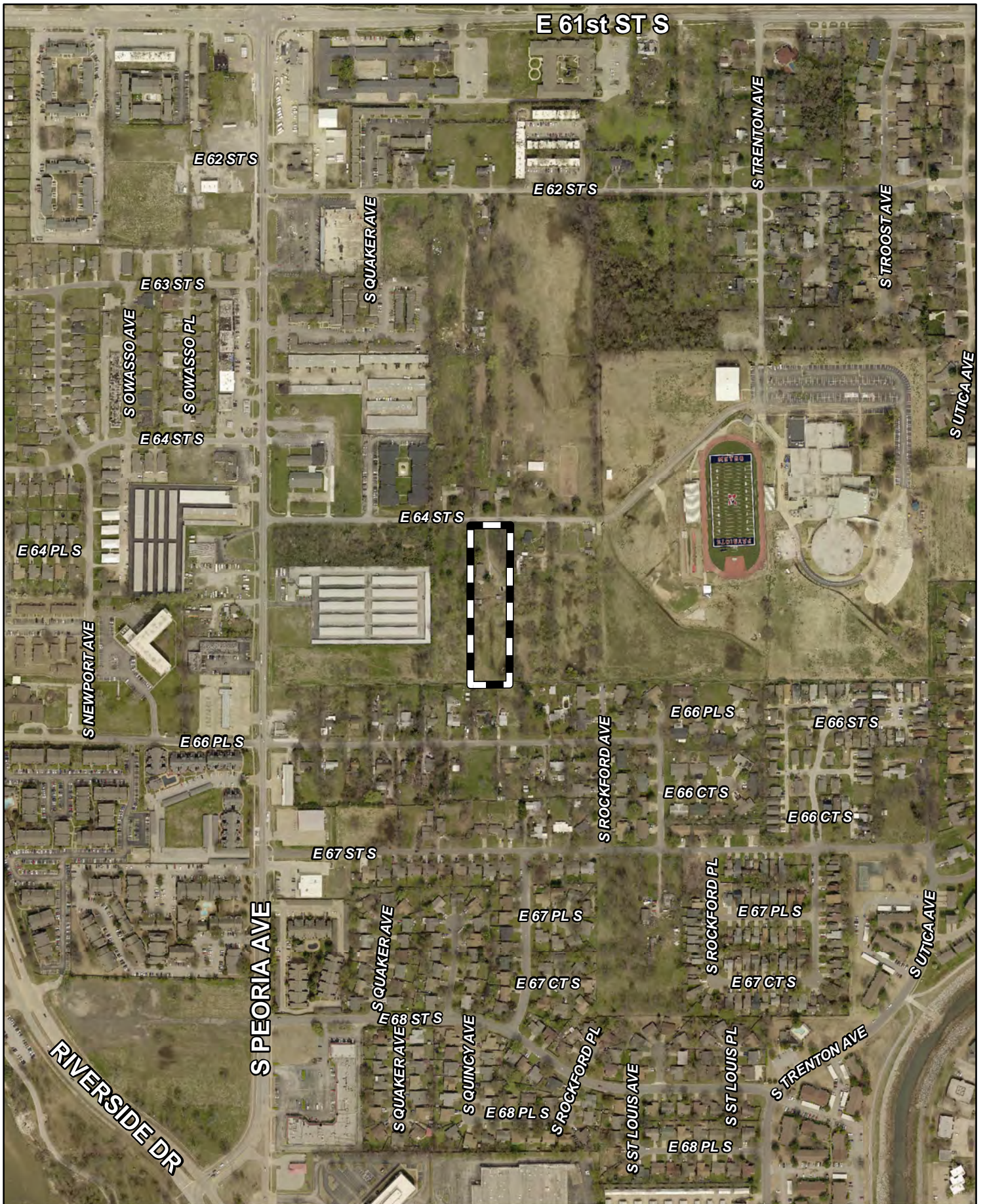
POG PROJECT NUMBER
21-076

ADDRESS

SITE PLAN

SCALE: 1/32"=1'0"

SHEET
C-1



0 250 500
Feet



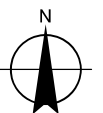
Subject
Tract

BOA-23267

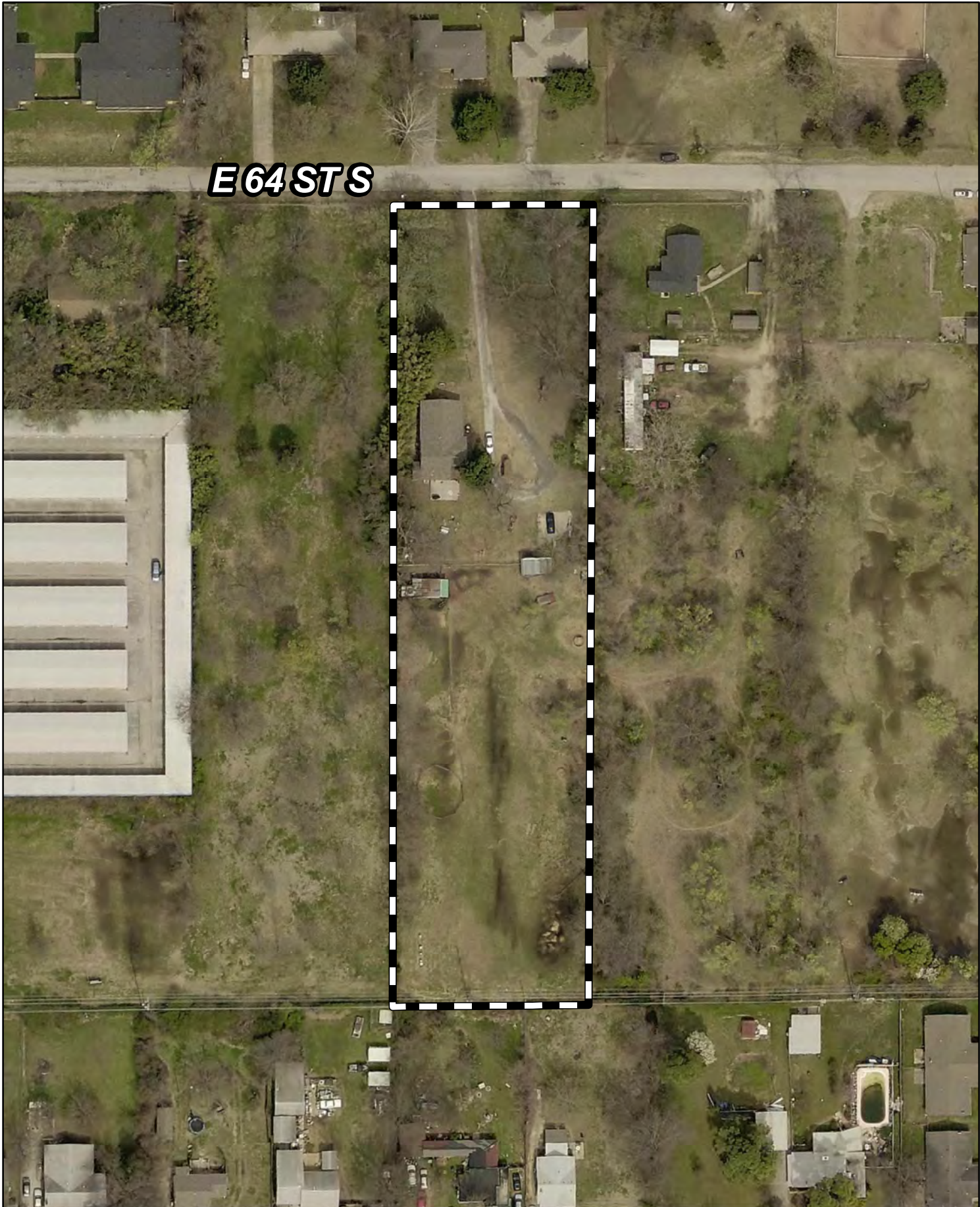
18-13 06

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

Aerial Photo Date: 2020/2021



2.12



E 64 ST S

0 Feet 50 100



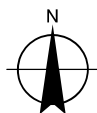
*Subject
Tract*

BOA-23267

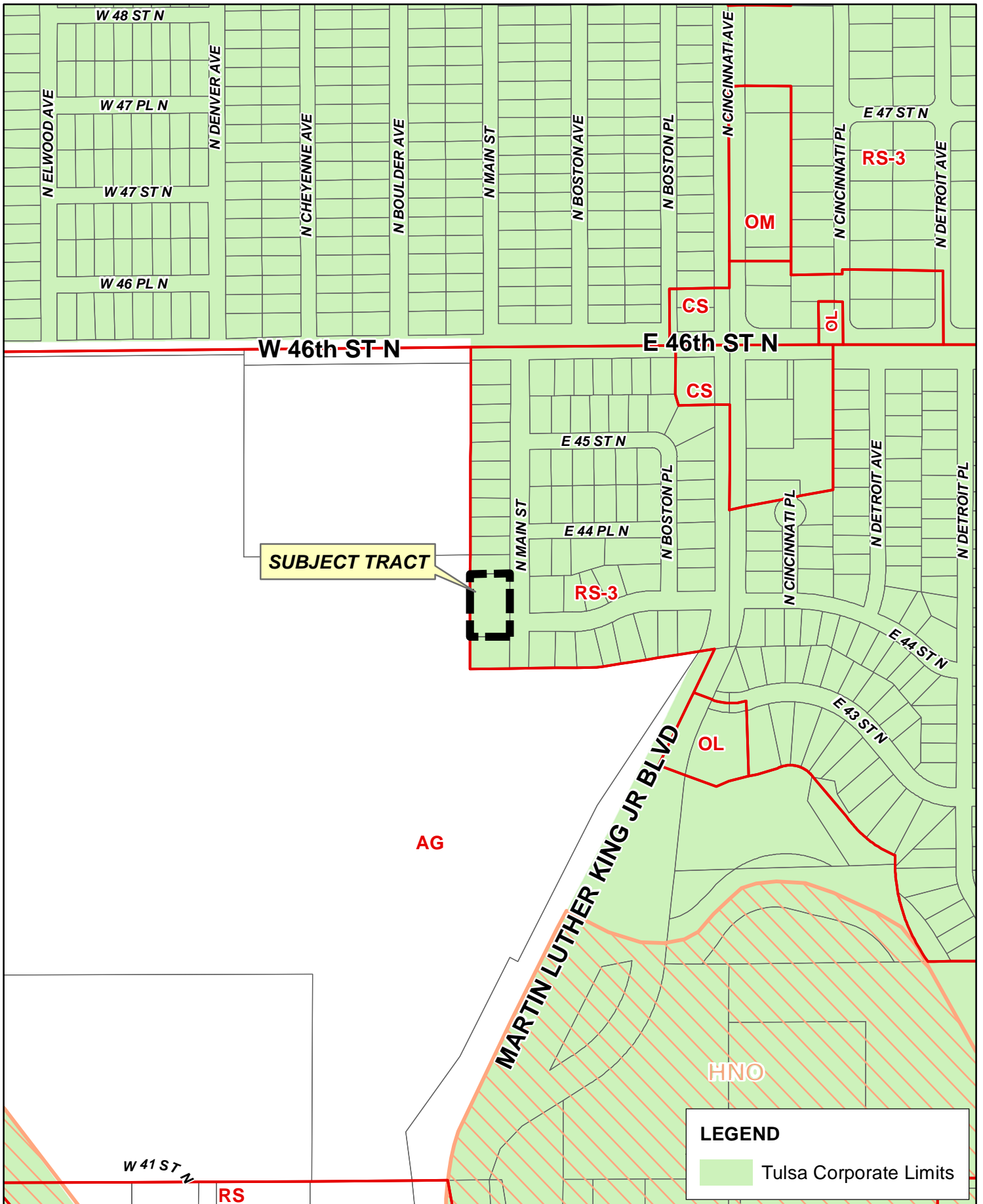
18-13 06

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

Aerial Photo Date: 2020/2021



2.13



BOA-23268

20-12 14

3.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 0214

Case Number: **BOA-23268**

CZM: 21

CD: 1

HEARING DATE: 02/22/2022 1:00 PM

APPLICANT: Jennifer Gleason

ACTION REQUESTED: Variance to allow the floor area of Detached Accessory Buildings to exceed 500 square feet or 40% of the floor area of the principal residential structure (Section 45.030-A.2)

LOCATION: 4404 N MAIN ST W

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 24540.11 SQ FT

LEGAL DESCRIPTION: LTS 12 & 13 BLK 28, VALLEY VIEW ACRES

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".

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.

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.

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the dead-end of E. 44th St. N. on the Westside of N. Main Street.

STATEMENT OF HARDSHIP: The property owner need storage and workspace for cars he restores.

STAFF COMMENTS: The applicant is requesting a Variance to allow the floor area of Detached Accessory Buildings to exceed 500 square feet or 40% of the floor area of the principal residential structure (Section 45.030-A.2)

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.

The property owner is allowed a 557 square feet accessory building by right and they are proposing a 1,350 square foot accessory building which is 42 square feet less the size of the principal residence on the property. The applicant's stated hardship **is not** related to the physical surroundings, shape, or topographical conditions of the subject property and only related to the personal circumstance of the property owner. The applicant also states the property owner would use the building for work on vehicle restoration, per section 45.100-F of the zoning code vehicle repair uses are prohibited as a home occupation.

45.100-F

Prohibited Uses

The following uses are expressly prohibited as home occupations:

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

Any vehicle repair on site should only be on vehicles owned by the property owner for personal use and incidental to the residential use of the property.

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** to allow the floor area of Detached Accessory Buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A.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."*



Southern Side of Subject property



Northern Side of Subject property

Danny Whiteman
Zoning Official
Plans Examiner II

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

12/29/2021

LOD No. 1

Nathan Sweats
4922 S. 81st W. Ave.
Tulsa, OK 74107

APPLICATION NO: BLDR-103476-2021 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 4404 N. Main St. W.
Description: New detached garage

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
3. A COPY OF A "RECORD SEARCH" IS 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-103476-2021

1. Section 45.030-A.2 Accessory Building Size, RS-2, RS-3, RS-4, RS-5 and RM Districts

In RS-2, RS-3, RS-4, RS-5 and 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.

Review comments: The proposed detached garage has 1,350 square feet of floor area. According to the county assessor's website, the floor area of the principal residential structure (the house and attached garage) is 1,392 square feet. Based on the floor area of the house (1,392 sq. ft.) you are allowed 557 sq. ft. of total detached accessory building floor area on your lot ($1,392 \times 40\% = 557$). The proposed detached garage will exceed 40% of the floor area of the house. You may revise the plans to show that the total square footage of the proposed accessory building will not exceed 557 square feet, or you may seek a variance from the Board of Adjustment (BOA) to allow the floor area of a detached accessory building on this RS-3 zoned lot to exceed 500 sq. ft. and 40% of the floor area of the principal residential structure.

The zoning review will resume after the revised plans and/or the BOA approval documents are submitted to this office.

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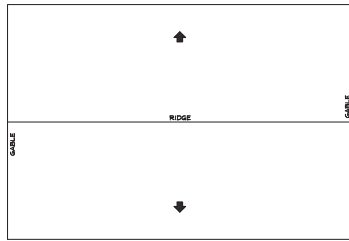
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NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS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

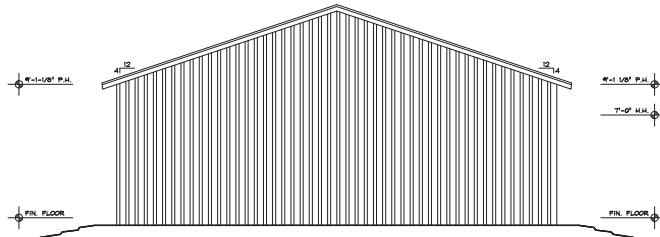
KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

NOTES:
 1. PLATE HEIGHTS ARE NOTED ON ELEV.
 2. PITCH IS AS SHOWN NOTED.
 3. OVERHANGS ARE 12" UNLESS NOTED ON ELEV.

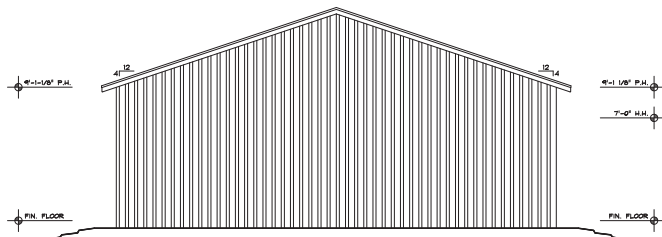
LEGEND:
 PLANE LINE
 RIDGE LINE
 SLOPE/RAISE
 METAL ROOF



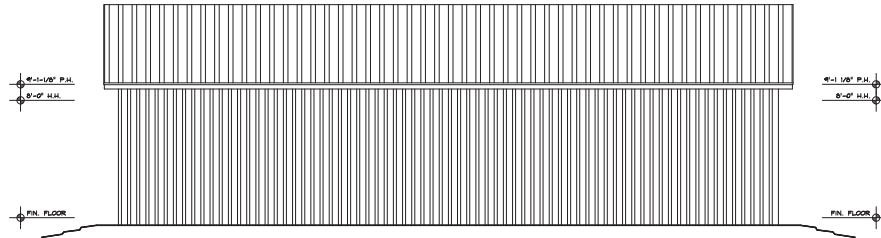
ROOF PLAN 1/8"=1'0"



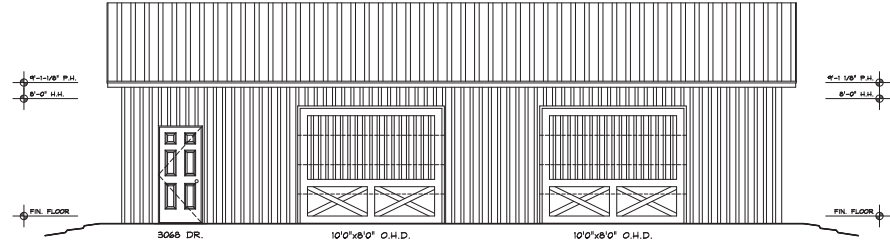
RIGHT ELEVATION



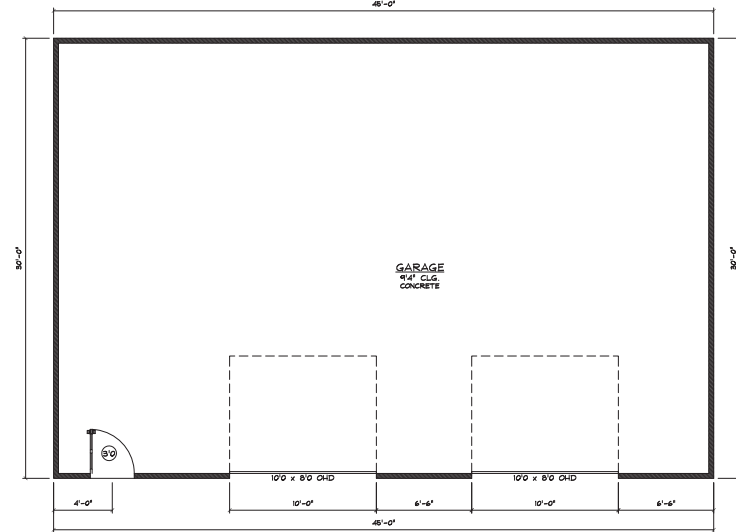
LEFT ELEVATION



REAR ELEVATION



FRONT ELEVATION



FLOOR PLAN

NOTES:

This design (Plan) has been prepared by Pinnacle Design (Pinnacle) without representation or warranty of any kind made by Pinnacle Design (Pinnacle) or any contractor working for the customer. The customer is responsible for obtaining all necessary permits and approvals from the appropriate authorities. Pinnacle Design (Pinnacle) shall have no liability whatsoever to customer or its/her contractor for any damages or losses incurred by the customer or its/her contractor in connection with the construction activities. Load building codes vary and be consulted by the customer/contractor.

PINNACLE
 HOME DESIGN

KEITH DALESSANDRO
 1112 S. Kolachos Ave.
 Broken Arrow, OK 74012
 918.641.5967
 keith@pinnaclehomedesignco.com
 www.pinnaclehomedesignco.com

MODEL #:
DOAKS GARAGE

SQUARE FOOTAGE:
 ECODE:
 1st LIVING: _____
 2nd LIVING: _____
 TOTAL: _____
 GARAGE: 1,350
 PORCH: _____
 PATIO: _____
 VIDEOS: _____
 LIVING: _____
 TOTAL: _____

DRAWING DATE:
 08.20.21
 10.15.21
 12.28.2021

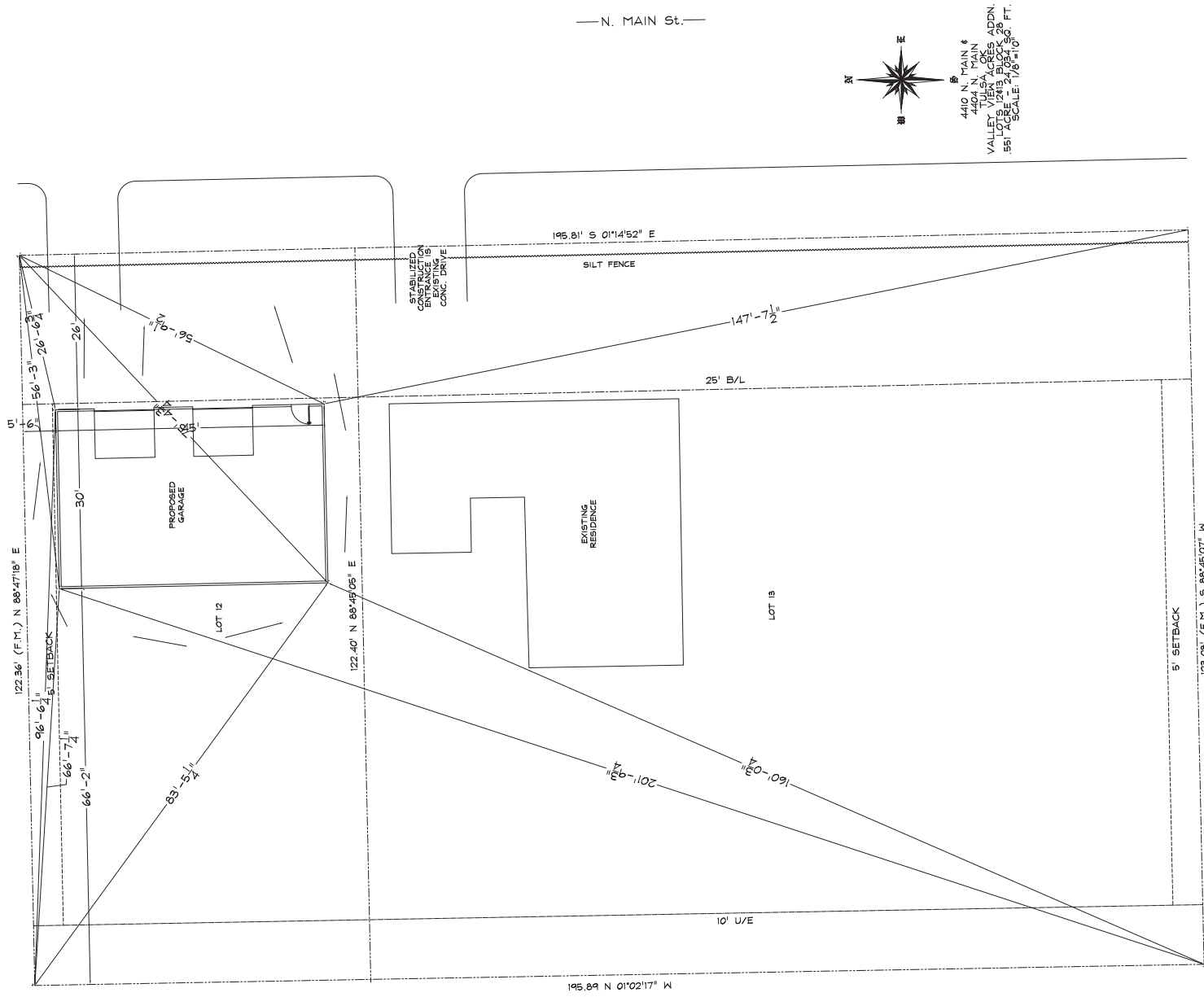
REVISIONS:
 08.20.21
 10.15.21
 12.28.21

PDG PROJECT NUMBER:
 21-096

ADDRESS:

SCALE: 1/4"=1'0"

SHEET:
 A-1



NOTES:

This design plan (PDS) has been prepared by Pinnacle Design (Pinnacle) without representation or warranty of any kind made by Pinnacle Design (Pinnacle) or any contractor working for the customer. The customer is responsible for obtaining all necessary permits and approvals from the appropriate authorities. Pinnacle Design (Pinnacle) shall have no liability whatsoever to customer or its/her/his contractor for any loss or damage, including but not limited to, construction activities. Local building codes vary and be controlled by the customer/contractor.

PINNACLE
HOME DESIGN

KEITH DALESSANDRO
1112 S. Kalamoch Ave.
Broken Arrow, OK 74012
918.641.5967
keith@pinnacle-designco.com
www.pinnacle-designco.com

MODEL #: DOAKS GARAGE

SQUARE FOOTAGE:	
1st LIVING:	
2nd LIVING:	
TOTAL:	
GARAGE:	1,350
PORCH:	
PATIO:	
VERAND:	
LIVING:	
TOTAL:	

DRAWING	REV/SIGNS:
DATE:	08.20.21
12.28.2021	10.13.21
	12.28.21

PDG PROJECT NUMBER: 21-096

ADDRESS:

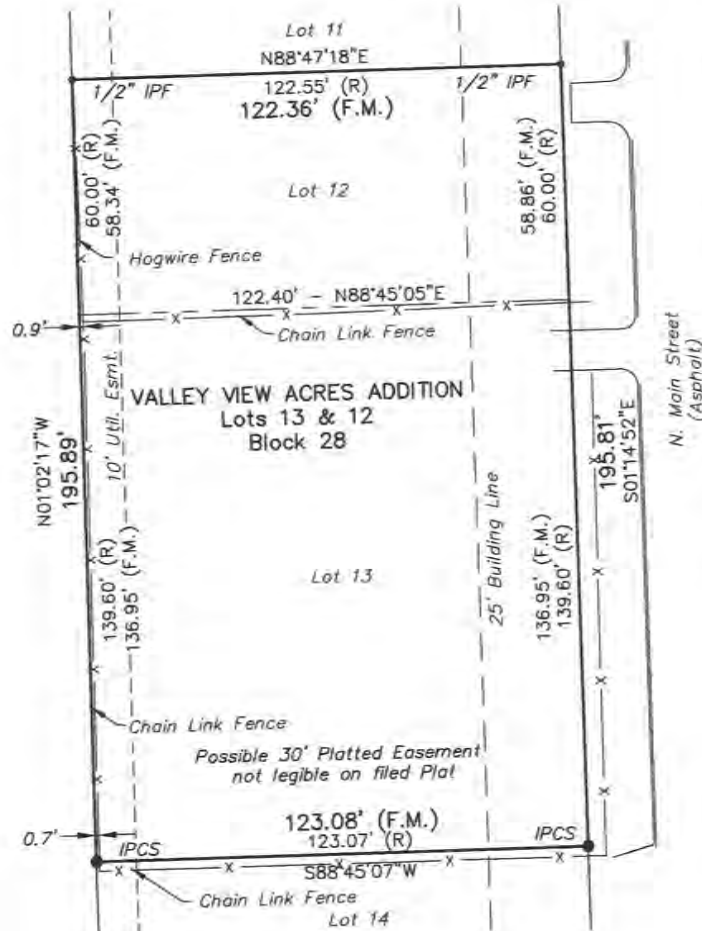
SITE PLAN

SCALE: 1/8"=10'

SHEET: C-1

Lot Combination Plat of Survey

A TRACT OF LAND LOCATED IN VALLEY VIEW ACRES, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA



Legend

- IPCF IRON PIN W/CAP FOUND
- IPCS IRON PIN W/CAP SET (PLS 1893)
- X — EXISTING FENCE
- ◆ MAGS MAG NAIL W/ SHINER SET (PLS 1893)
- ◇ MAGF MAG NAIL FOUND W/ SHINER
- (F.M.) FIELD MEASURED
- (R) RECORDED DIMENSION



LEGAL DESCRIPTION - As filed at the Tulsa County Courthouse in Doc.#94095361, and Doc.#2010110851

Lot Twelve (12), Block Twenty-Eight (28), VALLEY VIEW ADDITION to the City of Tulsa, County of Tulsa, State of Oklahoma, according to the Recorded Plat thereof; otherwise known as 4410 North Main.

and

Lot Thirteen (13), Block Twenty-Eight (28) VALLEY VIEW ACRES ADDITION to the City of Tulsa, County of Tulsa, State of Oklahoma, according to the recorded plat thereof, a/k/a 4404 N. Main, Tulsa, Oklahoma.

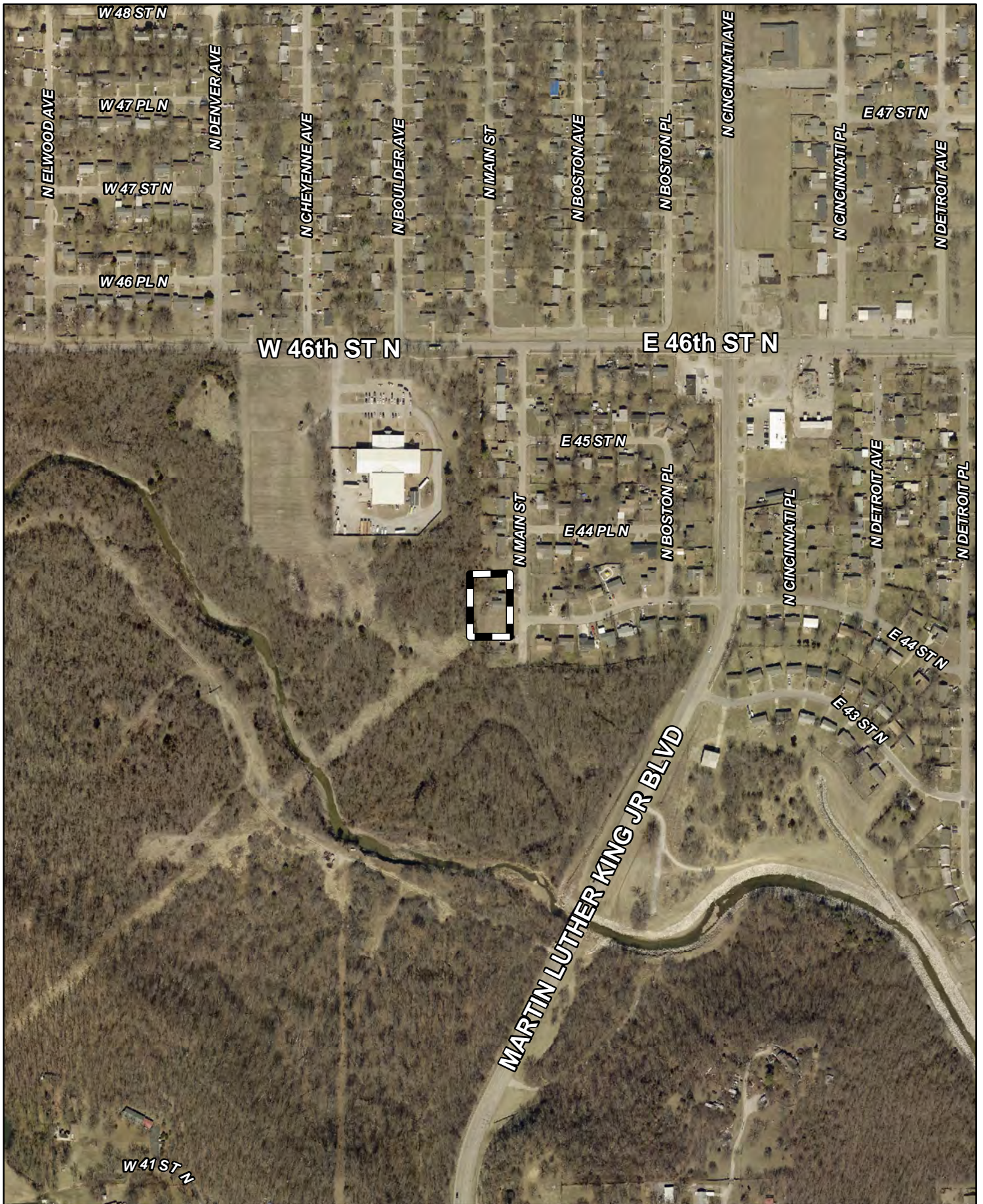
I, E. Dane Trout, a Registered Land Surveyor in the State of Oklahoma; hereby certify that the above plat represents a true and accurate survey performed under my direct supervision, and that this Plat of Survey meets or exceeds the Oklahoma Minimum Standards, as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.
Field survey was completed on April 22nd, 2021.
Witness my hand and seal this 11th day of May, 2021.



Notes:

1. Basis of Bearings: Grid North as established by State Plane Datum NAD83(2011).
2. This firm was not contracted to research easement or encumbrances of record. No attempt to research the County Records or other Record Offices was performed by this firm, therefore, easements may affect the Subject Tract that are not reflected by this plat.

TROUT LAND SURVEYING, LLC
918.734.3423 • 807 N. Birch St. Jenks, OK 74037
CA 7312 (LS) Exp. 6-30-2021



0 200 400
Feet



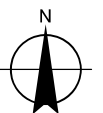
Subject
Tract

BOA-23268

20-12 14

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

Aerial Photo Date: 2020/2021



3.12



N MAIN ST

E 44 PL N

E 44 ST N



0 Feet 50 100



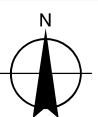
*Subject
Tract*

BOA-23268

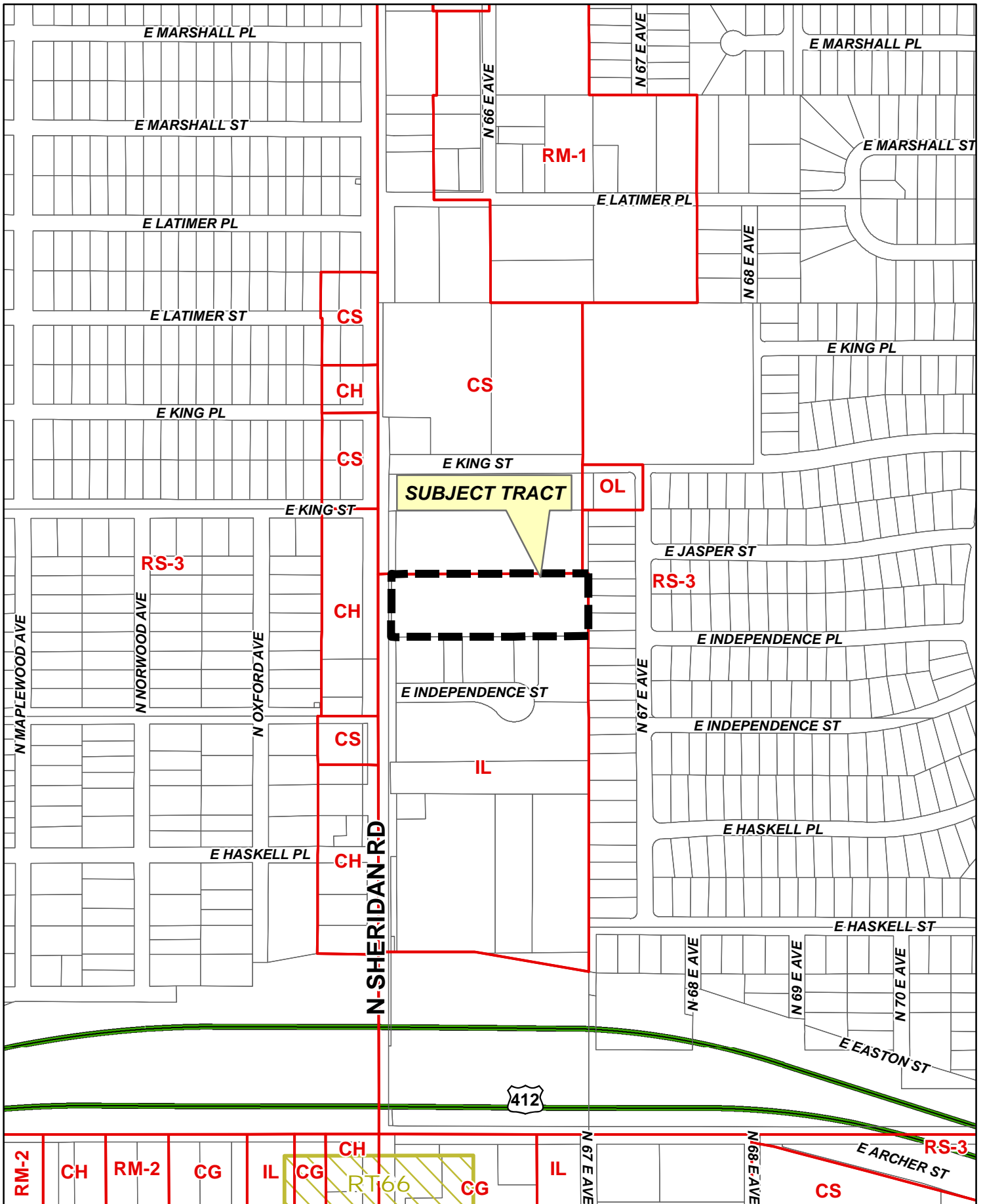
20-12 14

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

Aerial Photo Date: 2020/2021



3.13



BOA-23270

20-13 35

BOARD OF ADJUSTMENT CASE REPORT

STR: 221
CZM: 30
CD: 3

Case Number: **BOA-23270**

HEARING DATE: 02/22/2022 1:00 PM

APPLICANT: Janet Garcia

ACTION REQUESTED: Special Exception to allow a Large (>250 person capacity) Indoor Assembly & Entertainment Use in the IL district. (Sec.15.020, Table 15-2)

LOCATION: 825 N SHERIDAN RD E

ZONED: IL

PRESENT USE: Community/ Event Center

TRACT SIZE: 126002.17 SQ FT

LEGAL DESCRIPTION: LTS 3 & 4 LESS W 5' TO CITY, POLSTON SECOND SUB

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-22247; On 06.13.17, the Board **approved** a Special Exception to allow a Indoor Assembly and Entertainment Use (Community Event Center) in the IL District. The approval expired on 12.31.21.

BOA-21437; On 06.26.12, the Board **approved** a Special Exception to permit a Community/Event Center (Use Unit 5) in an IL district with conditions. The approval expired on 06.26.17.

BOA-21097; On 06.22.10, the Board **approved** a Special Exception to permit a Community/Event Center (Use Unit 5) in an IL district. Time limit imposed: 2 years from 06.22.10.

BOA-20916; On 05.26.09, the Board **approved** a Special Exception to permit a Community/Event Center (Use Unit 5) in an IL district with conditions of approval. Approval limited to six months from 05.26.09.

BOA-20664; On 04.08.08 the Board **approved** a Modification of Conditions of a previous approval to eliminate or extend a time limitation for a community center in an IL district. Time limit imposed on approval was twelve months from April 8, 2008.

BOA-19993; On 03.08.05 the Board **approved** a Special Exception to permit a Community Center in an IL district with conditions; subject to a 5 year time limit.

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 surrounded by a CS zoned commercial/retail to the north; IL zoned warehouses/offices to the south; RS-3 zoned residential to the east; and CH zoned commercial uses to the west across Sheridan Ave.

STAFF COMMENTS: The applicant is requesting a Special Exception to allow a Large (>250 person capacity) Indoor Assembly & Entertainment Use in the in the IL district. (Sec.15.020, Table 15-2)

Below are the supplemental use regulations for an Assembly and Entertainment Use:

Section 40.040 Assembly and Entertainment

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

The previous Special Exception had the following conditions of approval :

- Subject to the attached Conceptual Plan;
- Must close by 2:00 am on Friday Night/ Saturday Morning and Saturday Night/ Sunday Morning and midnight all other days;
- Adequate security must be provided for all events;
- Must be thrash pickup at all events;
- Fence to be maintained on the South and East sides of the property;
- Music heard outside of the building must be kept at acceptable decibel levels per City Ordinance.
- Exception Expired on 12.31.2021.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to allow a Large (>250 person capacity) Indoor Assembly & Entertainment Use in the 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

NEW APPLICATIONS

22247—Janet Garcia

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Action Requested:

Special Exception to allow an Indoor Commercial/Assembly and Entertainment use (Community Event Center) in the IL District (Section 15.020). **LOCATION:** 825 North Sheridan Road East **(CD 3)**

Presentation:

Janet Garcia, 825 North Sheridan Road, Tulsa, OK; stated the request is for a community event center for birthday parties, quinceaneras, baptisms, and handicap children events.

Mr. Van De Wiele asked Ms. Garcia if she is the same tenant that was before the Board about five years ago. Ms. Garcia stated that she is not.

Mr. Van De Wiele asked Ms. Garcia what the hours of operation for the event center would be. Ms. Garcia stated that for the children it would be noon until about 6:00 P.M. If the event is a birthday party or quinceanera it would go until about 2:00 A.M. Mr. Van De Wiele asked Ms. Garcia if any her events would go past 2:00 A.M. Ms. Garcia answered no.

Mr. Van De Wiele asked Ms. Garcia how many days a week she would be open. Ms. Garcia stated that she would only be open on weekends; Friday, Saturday and maybe Sundays.

Mr. Van De Wiele asked Ms. Garcia if there would be security provided. Ms. Garcia answered affirmatively. Mr. Van De Wiele asked Ms. Garcia if she would have trash pickup after events. Ms. Garcia answered affirmatively.

Mr. Van De Wiele asked Ms. Garcia if there was still a fence along the south and east side of the property. Ms. Garcia stated there is a fence. Mr. Van De Wiele asked Ms. Garcia if she would be the one to maintain the fence. Ms. Garcia answered affirmatively.

Mr. Van De Wiele asked Ms. Garcia if there would be any outdoor music or any outdoor activities. Ms. Garcia stated that everything will be indoors.

Mr. Van De Wiele asked Ms. Garcia how long her lease is. Ms. Garcia stated that the lease is for five years starting January 2017.

Interested Parties:

There were no interested parties present.

BOA - 22247 FILE COPY

Comments and Questions:

None.

Board Action:

On **MOTION** of **BACK**, the Board voted 4-0-0 (Back, Flanagan, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the request for a Special Exception to allow an Indoor Commercial/Assembly and Entertainment use (Community Event Center) in the IL District (Section 15.020), subject to conceptual plan 5.22 in the agenda packet. The Board makes this approval subject to the previous conditions set by the Board of Adjustment in case BOA-21437. The previous conditions are closing at 2:00 A.M. on Friday and Saturday, closing at 12:00 midnight all other times. There is to be adequate security provided for all events. There is to be trash pickup at all events. The fence is required to be maintained on the east and south sides of the subject property. Any music heard outside of the building to be kept at acceptable decibel levels per City Ordinances. The Board makes this approval for a period of five years, to go through December 31, 2021. In granting a Special Exception, the Board finds that the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

LTS 3 & 4 LESS W 5' TO CITY, VAL-CHARLES ADDN, WALTER SQUARE ADDN RESUB L1-24 NORTHEAST CENTER ADDN, POLSTON SECOND SUB, NORTHEAST CENTER ADDN RESUB L5-8 POLSTON SECOND SUB, City of Tulsa, Tulsa County, State of Oklahoma

22248—Crown Neon Signs – Gary Haynes

Action Requested:

Special Exception to permit a dynamic display for a church in the RS-2 District (Section 60.050). **LOCATION:** 5603 South New Haven Avenue East (**CD 9**)

Presentation:

Gary Haynes, Crown Neon Signs, 5676 South 107th East Avenue, Tulsa, OK; stated this request is for New Haven United Methodist Church to allow them install a LED display which is to replace the existing sign is way out of date. The church is in a residential district and the church is fully aware about turning the sign off at night and the rules of such a sign.

Mr. Van De Wiele asked Mr. Haynes if the top part of the sign was a back lit cabinet. Mr. Haynes answered affirmatively. Mr. Haynes stated there will be continuous LED lighting inside that cabinet. The display is 2'-7" x 8'-1" with a brick base around the

depth of no more than 28'-0" by 20'-0" and no more than a 20'-0" height maximum. The accessory building is not to be used for an additional dwelling unit and will not contain the amenities for such use. In granting the variances the Board has found by reason of extraordinary or exceptional conditions or circumstances, being the size of the lot which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variances to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

N10 LT 12 & ALL LT 13 & S5 LT 14 & W10 VAC ALLEY ADJ ON E THEREOF BLK 1, MORNINGSIDE ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

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21437—Ernest Ehimika

Action Requested:

Special Exception to permit a Community/Event Center (Use Unit 5) in an IL District (Section 901). **LOCATION:** 825 North Sheridan Avenue (CD 3)

Presentation:

Michael Bethel, 14217 East 38th Street, Tulsa, OK; stated he is representing Mr. Ernest Ehimika because he is unable to attend today's meeting due to a death in the family. He will be happy to answer any questions the Board may have at this time.

Ms. Stead asked how long Mr. Ehimika has owned or leased the subject property. Mr. Bethel stated that he was not sure, but has just recently purchased or leased the property.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **STEAD**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Special Exception to permit a Community/Event Center (Use Unit 5) in an IL District (Section 901). The Board makes this approval subject to previous conditions set by the Board of Adjustment. The previous conditions are closing at 2:00 A.M. on Friday and Saturday, closing at 12:00 midnight all other nights, provide adequate security for all events, trash pick up at all events, a fence was required in the April 8, 2008 Board decision and it has been constructed, it is required that the fences be maintained in

BOA-21 437

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good condition, and any music heard outside of the building is to be kept acceptable decible levels per City Ordinances. The Board makes this approval for a period of five years from today's date of June 26, 2012. The Board of Adjustment finds there have been no complaints in the last two years, but the ownership has changed frequently and that is the reason for the limitation. In granting the special exception the Board has found that it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

LTS 3 & 4 LESS W 5' TO CITY, NORTHEAST CENTER ADDN RESUB L5-8 POLSTON SECOND SUB, POLSTON SECOND SUB, VAL-CHARLES ADDN, WALTER SQUARE ADDN RESUB L1-24 NORTHEAST CENTER ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21438—Hayden Ryan

Action Requested:

Variance of Rear Yard Setback from 25 feet to 10 feet in the RS-2 zone (Section 403.A, Table 3). **LOCATION:** 2833 South Gary Avenue (CD 4)

Presentation:

Hayden Ryan, 2833 South Gary Avenue, Tulsa, OK; stated he purchased the home in 2006 while single, and now he is married with a family. He would like to add onto the property. The house is directly across from a pond and the lot is curved to accommodate the pond. The property behind the house is a church.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance of Rear Yard Setback from 25 feet to 10 feet in the RS-2 zone (Section 403.A, Table 3). The Board has found the hardship to be that this lot is of an unusual shape and shallow depth, combining the two where there is very little backyard. In order to have any additional expansion of the dwelling the only way is to go into the required rear yard which is what the request is for. The Board makes this approval per conceptual plan on page 6.7. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be

Board Action:

On **MOTION** of **STEAD**, the Board voted 4-0-0 (White, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions") to **APPROVE** the Variance of the 25 ft. setback requirement from an abutting R district (Section 404.F.4); and a Modification of a previously approved site plan; both to permit additions to the north side of the existing elementary school. The uniquely shaped school building layout is abutting the R district to the north; this R district is utilized exclusively by a City Park and the three additions will encroach into the 25 ft. setbacks required. The board makes this recommendation per plan pg. 7.5 and in granting the special exception it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; on the following described property:

**ALL LTS 1-8 & 17-24 BLK 3 ALL LTS 20-24 & PRT LTS 1- 5 & 17-24 BLK 4
HIGHLANDS 2ND & ALL LTS 21-24, 57, 58 & PRT LTS 25-32, 1, 54, 55, & 56 BLK 4 &
ALL LTS 6,7,8, & 23-34 & 47-58 BLK 5 COLLEGE VIEW AMD & VAC STS &
ALLEYS THERE OF BEG SECR LT 17 BLK 3 HIGHLAND2ND TH W855.8 N300 E75
N130 NE109.94 SWC LT32 BLK 4 COLLEGE VIEW NE 275.21 E50 SE267.91
SE218.60 S350 POB**

Case No. 21097-Nestor Antonio Casillas

Action Requested:

Special Exception to permit a Community/Event Center (Use Unit 5) in an IL district (Section 901). **Location:** 825 N. SHERIDAN RD.

Presentation:

Paul Wilkening, 320 South Boston Avenue, Tulsa, OK; represents Mr. Nestor Antonio Casillas who wants to re-establish a Community/Event Center on North Sheridan. Mr. Casillas also requests the special exception be granted permanently without a time limitation because the center would be under a new operator.

Comments and Questions:

Ms. Stead stated in the past the board has twice made the requirement that the south boundary be screened with an 8 ft. fence and it has been ignored, the fencing will not be ignored any longer. Mr. Wilkening stated he has told his client about the fencing.

Mr. Henke stated it would be necessary to stipulate a time limitation because Mr. Casillas is a new operator and there are pre-existing problems with this property.

Interested Parties:

No interested parties were present.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Henke, Stead, Tidwell, White "aye"; no

"nays"; no "abstentions") to **APPROVE** the Special Exception to permit a Community/Event Center (Use Unit 5) in an IL district (Section 901); with the following conditions: security at all events; trash pick up at all events; a closing time of 12:00 midnight for all weekday events, and a 2:00 A.M for Friday and Saturday events; approved for a two year time period only; and there be an acceptable decimble noise level for noise per city ordinances. A 6 ft. wooden fence be built on the east side; a 6 ft. chain link fence be constructed from the northeast corner of the existing fence on the south side of the subject property (southwest of the subject building's façade) for the purpose of preventing attendees at the community/event center walking onto the properties directly to the south; finding the special exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; on the following described property:

LTS 3 & 4 LESS W 5' TO CITY, POLSTON SECOND SUB

Case No. 21098-Roy Johnsen

Action Requested:

Special Exception to permit office use (Use Unit 11) in an RM-2 district (Section 403); a Special Exception to modify the screening requirement of an office use from an abutting R district (Section 212.C); a Variance of the setbacks from abutting public streets (Section 603); and a Variance of the parking requirement for an office use from 13 spaces to 8 spaces (Section 1211.D); all to permit an expansion of an existing office use in the RM-2 district. **Location:** 107 S. Phoenix Ave.

Presentation:

Roy Johnsen, 201 West 5th Street, Tulsa, OK; represents Dan Buford, Quapaw Investments, Inc. This property is the old Fire Station #9 and Mr. Buford purchased the property in the 80's and this board approved this property for office use at that time. In 2007 the board approved an application for a small parking lot and office space, but that did not occur. The special exception to permit office use on this entire tract is a reaffirmation of the office use. The special exception to modify the screening requirement is due to the mixed use in this area, and the fencing could create a possible security hazard. From a consensus of the neighborhood, fencing will be a place for graffiti or a place for someone to hide, therefore, we are asking the screening to be modified as unnecessary or not be constructed. The variance on the setbacks are for the Phoenix and 1st Street frontage. The existing right-of-way is 60 feet and the major street plan would call for 50 feet; the code establishes setbacks from the centerline; there is a 30 feet right-of-way and 20 feet more would bring the setback to 50 feet. We are asking for 8 feet making the setback 42 feet. On the 1st Street side topography limits construction. The proposal for the 1st Street side is a medical records storage building. The variance on the parking requirement is to alleviate a car from backing into the street to maneuver.

Action Requested:

Special Exception to permit a Community Center (Use Unit 5) in an IL district (Section 901); to allow an existing community center to continue, located: 825 North Sheridan Road.

Presentation:

(inaudible), 8112 East 93rd Street, Tulsa, Oklahoma, came on behalf of the applicant, Jannett Talbert.

Comments and Questions:

Ms. Stead noted the Board approved a special exception for the applicant with a time limit and she let it expire. Mr. Stephens asked if he was the new operator. He replied that he is the manager. He responded to Board questions, stating Ms. Talbert put up a fence on the north, but not the south and east. He replied that they have not had any more problems with their customers parking in the wrong places.

Interested Parties:

Andre Chenault, 17712 East 94th Street North, Owasso, Oklahoma, 74055, stated he manages the property at 802 through 842 North Sheridan. He considers the term 'community center' for this facility as a misnomer. He stated that they have had drive-by shootings. He was advised by police to put up signs for no loitering and no parking. His tenant at 802 North Sheridan Road complains of loitering and harassment from customers attending the subject property. They have observed chases across the 802 property with firearms involved. He submitted a letter from the police (Exhibit C-1).

Comments and Questions:

In answer to Board questions Mr. Chenault mentioned a couple of shootings last summer and fall. He stated the security and trash pick-up does not seem to be an issue now.

Applicant's Rebuttal:

The applicant's representative responded that the drive-by shooting had nothing to do with the community center.

Aaron Durham, 7419 East 3rd Street, Tulsa, Oklahoma, 74112, Head of Security for the event center, stated he has been in law enforcement since 1999 and an employee of this center since it began. They have ten armed security and they patrol the parking lot and the neighboring area. He added they have eight unarmed security within the center. They would only call the police if police action were necessary.

Ms. Stead asked if the center is still rented out to other entities, as she did before. The applicant replied that they still do that, but the same security still works the

events. The applicant thought Ms. Talbert misunderstood the conditions about the fencing. One neighboring property already had a fence between their properties. She has obtained an estimate to finish the fencing. Ms. Stead reminded him that the fence is supposed to be a wood screening fence.

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Board Action:

On **Motion of Stead**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Special Exception to permit a Community Center (Use Unit 5) in an IL district (Section 901); to allow an existing community center to continue, subject to original conditions: security at all events; trash pick-up at all events; construct 8 ft. screening fence on south and east, closing at midnight on weekdays, and 2:00 a.m. on Friday and Saturday events; for this operator only; approval for a period of six months only; acceptable decibel per city ordinance, finding the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, on the following described property:

LTS 3 & 4 LESS W 5' TO CITY, POLSTON SECOND SUB, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20918

Action Requested:

Request for refund. Case was withdrawn before notices.

Comments and Questions:

Mr. Cuthbertson stated the applicant asked for the Board to do something they could not. Therefore the application was not processed and the applicant requested a full refund of \$233.00.

Mr. White asked Mr. Cuthbertson to explain Mr. Patel's request. Mr. Cuthbertson stated the applicant owns a motel and one customer renting a room was making methamphetamines.

The police were notified and the customer was arrested for having the lab. The room was cleaned. The owner of the hotel was cited by Neighborhood Inspections for manufacturing of drugs on the property. The applicant was perplexed and sought recourse to have his name cleared. Mr. Cuthbertson informed the applicant that the Board could not remove the citation or clear his name. Mr. Patel withdrew his request.

detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

E 4 LT 25 & ALL LT 26 LESS ST BEG SEC LT 26 W 3.5NE TO E L S 13 TO
BEG BLK 4, SOUTHMOOR ADDN, City of Tulsa, Tulsa County, State of
Oklahoma

Case No. 20664

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Action Requested:

Modification of conditions of a previous approval to eliminate or extend a time limitation for a community center in an IL district (Section 901), located: 825 North Sheridan Road.

Presentation:

Joe Wells, 502 West 6th Street, represented the Community Center. His client leased the subject property. It is time to renew the special exception.

Comments and Questions:

Ms. Stead mentioned an anonymous letter (Exhibit E-1), which is supposed to be from business owners. She asked to have his client respond to the letter.

Jannett Talbert, 825 North Sheridan Road, introduced herself to the Board.

Ms. Stead addressed the complaint of loud noise around the subject property. Ms. Talbert responded that this complaint has not been brought to her attention before. She hires security guards to work the parking lot for events. No business owners have approached her or the landlord with this complaint. She assured the Board that she would deal with any such complaint. She has had about ten events since she leased the property in January. They are on Fridays and Saturdays. They are concerts, gospel shows, stomp dance competitions, plays and dances. There are no outside speakers. Trash is cleaned up after every event on the property. There are two or three other late night businesses down the street.

Interested Parties:

David Bemis, 6514 East King Street, Tulsa, Oklahoma, 74115, stated he owns the business on the end of the strip center at this address. He stated it is a courier service with the hours of operation, 8:00 a.m. to midnight, sometimes cars return between midnight and 7:00 a.m. They deliver in five states. They have had occasions that they cannot access their building because cars are parked in front of their overhead door. He added that glass bottles, trash, garbage tossed on his area. He has seen people park their cars in front of his overhead door at 3:30 and 4:00 a.m. and asked them not to park there. The people responded with verbal abuse. He had to hire security. He did not have these problems until recently. He stated these problems happen primarily on Friday and Saturdays.

Tim Lewis, 7305 East Latimer Place, stated he represented the owners of a business to the south of the event center. He added the businesses along Independence have put up 'No Trespassing' signs.

Applicant's Rebuttal:

Mr. Bemis stated his client asked the Tulsa Police Department to tape off the neighboring lots during events to discourage parking on other lots. They do not sell alcoholic beverages on the subject property. Ms. Talbert started opening the gate for parking on the back of the subject property. She is open to communication with neighboring business owners so she can deal with any issues.

Board Action:

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On Motion of Stead, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Modification of conditions of a previous approval to eliminate or extend a time limitation for a community center in an IL district (Section 901), subject to closing at 2:00 a.m. on Fridays and Saturdays, and on other nights closing at 12:00 midnight; provision for adequate security and trash pick-up at all events; construction of 8 ft. board fences on the east and south sides; approval is for twelve months from this date, April 8, 2008 only; music heard outside of the building to be kept at acceptable decibel levels per City Ordinances, finding the special exception will be in harmony with the spirit and intent of the code and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare, on the following described property:

LTS 3 & 4 LESS W 5' TO CITY, POLSTON SECOND SUB, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20673

Action Requested:

Minor Variance of the 5 ft. side yard requirement in an RS-2 district to 4 ft. (Section 403) to permit a structural addition to an existing dwelling, located: 203 Sunset Drive.

Presentation:

Paul Nelson, 9203 Sunset Drive, presented the request for a minor variance as above. The relief is for a one-foot encroachment into the five-foot setback to four feet. Due to the shape of the lot the encroachment would only be about 5.9 sq. ft. at a v-shaped point. The site plan is (Exhibit F-1).

Interested Parties:

Roy Stevenson, 204 East 21st Street, asked if it is required that everyone in a 300 ft. radius receive notice. Mr. Cuthbertson responded that it is not required for a minor variance, just notice to the abutting neighbors. He asked if the applicant could pull the extension back one foot. He stated there is no hardship. He

Alan Farley, 1241 South 103rd East Avenue, stated the homes in this neighborhood are well-built and could last for many years. He was opposed to anything that would cause the neighborhood to deteriorate.

Applicant's Rebuttal:

Mr. Lee responded that when he went to apply for a building permit he was instructed to seek relief through the Board of Adjustment first. He determined the square footage for his building by the square footage of his home. Mr. Dunham stated the staff comments show it is figured on the square footage of the floor area, not the living area. Ms. Stead pointed out there was no hardship.

Board Action:

On **Motion of Stephens**, the Board voted 4-0-0 (Dunham, Stephens, Stead, Henke "aye"; no "nays"; no "abstentions"; Paddock "absent") to **DENY** a **Variance** to allow construction of an accessory building from the permitted 1,028 sq. ft. (40% of sq. feet of dwelling) to 1,500 sq. ft. in an RS-2 district, SECTION 402.B.1.d. -- Use Unit 6, finding lack of a hardship, on the following described property:

LT 24 BLK 2, CRESCENT HGTS ADDN, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 19993

Action Requested:

Special Exception to permit a Community Center in an IL zoned district; SECTION 9 -- Use Unit 5, located: 825 North Sheridan Road East.

Presentation:

Uberto Burkett, spoke for the applicant, as he has trouble with the English language. They proposed to use the building on the subject property as a community center, mainly inclined for the Hispanic community. It would be used for organized events, dances, weddings, receptions and private parties.

Comments and Questions:

Mr. Dunham asked if they would serve alcoholic beverages. Mr. Burkett replied they would serve beer. Mr. Dunham asked how often they would have such events. Mr. Burkett indicated it would be on weekends mainly. Ms. Stead asked if alcoholic beverages would be served there or brought in. He replied they would sell it there. She asked about plans to keep the property clean. He stated they would have a cleaning crew that cleans up the parking lot after every event. He responded to other questions, stating there will be no flashing lights, just parking lot lights, and no outside speakers.

Interested Parties:

Howard Joiner, 7015 East Haskell, stating he came to find out what were the applicant's plans. They were open to family oriented activities and advantageous to the community.

Tim Lewis, 7305 East Latimer Place, stated there has been a history of vandalism, when the bowling alley existed.

Mr. Dunham offered the applicant and interested parties time to discuss the application outside of the room to resolve any issues and be heard later in the meeting.

Board Action:

To be heard later in the meeting.

Case No. 19994

Action Requested:

Verification of required 300 ft distance from another family day care home (Section 402.B.5.g), located: 11866 East 36th Street South.

Presentation:

Jerry Ray, 4750 Hobbyhorse Lane, stated he is the father of the applicant. He added they did a survey and did not find another home day care within 300 ft.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion** of **Stephens**, the Board voted 4-0-0 (Dunham, Stephens, Stead, Henke "aye"; no "nays"; no "abstentions"; Paddock "absent") to **APPROVE** a Verification of required 300 ft distance from another family day care home (Section 402.B.5.g), on the following described property:

LT 9 BLK 6, GARNETT PARK ADDN, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 19995

Action Requested:

Variance of front yard requirement from 35 feet to 11 feet to allow for the establishment of a single-family dwelling in the RS-3 District, SECTION 4 -- Use Unit 6, located: 1612 West Edison Street.

LT 6 BLK 1, SOUTHPARK CENTER, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 19997

Action Requested:

Variance to permit a 72 sq ft ground sign with changing message board from the permitted 32 sq ft for church announcements in a RS-1 district, SECTION 402.B.4.a. -- Use Unit 5, located: 1200 Lynn Lane.

Presentation:

Gary Venable, (no address given) stated he represented Lynn Lane Baptist Church, as a trustee. The sanctuary is on Lynn Lane and there is no room to put a sign in front of the building. He pointed out the wooded area that will not be used for residential. They proposed to place a larger sign because it would be set back farther. The area is mostly commercial. The nearest houses are on 179th East Avenue and over on 12th Street. They do not plan for any flashing messages, but it will be lighted and they can change the sign per a computer.

Comments and Questions:

Mr. Dunham noted the nearby commercial property and that the residential area is not the typical residential property.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion of Stephens**, the Board voted 4-0-0 (Dunham, Stephens, Stead, Henke "aye"; no "nays"; no "abstentions"; Paddock "absent") to **APPROVE** a **Variance** to permit a 72 sq. ft. ground sign with changing message board from the permitted 32 sq. ft. for church announcements in a RS-1 district, SECTION 402.B.4.a. -- Use Unit 5, finding the setbacks and two arterial streets, and finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

LT 1- 8 BLK 3, LYNN LANE DRIVE SUB TR 1-3&5 B1, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 19993

Action Requested:

Special Exception to permit a Community Center in an IL zoned district; SECTION 9 -- Use Unit 5, located: 825 North Sheridan Road East.

FILE COPY

Presentation:

The applicant and interested parties returned to the meeting room.

Interested Parties:

Mr. Joiner informed the Board that it appeared to be something he could support if it is maintained as it was presented to them. He understood it is to be a community center for scheduled, controlled events; and that ample security would be provided.

Comments and Questions:

Mr. Dunham asked if they discussed days and hours of operation and frequency of events. Mr. Joiner replied they would be renting the building so he questioned restriction of the frequency and the applicant informed the interested parties that events would end by 1:00 – 1:30 a.m. on any night and cleaned up and closed by 2:00 a.m. Mr. Joiner asked what recourse they have if it is not operated as it has been presented. Mr. Dunham suggested a limited time for approval, subject to returning to the Board. Mr. Ackermann also commented that the neighbors can contact Neighborhood Inspections if there are problems that arise if approved.

Interested Parties:

Megan Burngart, 1408 North 66th East Avenue, expressed concern that she has observed when the tenant lives outside of this area that the property they use in this neighborhood is neglected. She also mentioned the proximity to an elementary school and wondered about the use of the center during the week for events or if the events would just be on the weekends.

Tim Lewis, stated one of his concerns was vandalism. He discussed the construction of a fence to discourage crime.

Applicant's Rebuttal:

Mr. Burkett stated they have discussed the application with the interested parties and were willing to put up a fence and provide security for events. Mr. Dunham stated he was searching for a compromise of the hours of operation to end earlier during the week nights so as not to interfere with the school activities.

Board Action:

On **Motion of Stead**, the Board voted 4-0-0 (Dunham, Stephens, Stead, Henke "aye"; no "nays"; no "abstentions"; Paddock "absent") to **APPROVE** a **Special Exception** to permit a Community Center in an IL zoned district; **SECTION 9 -- Use Unit 5**, subject to the following conditions: security at all events; trash pick up at all events; on construction of 8' fence on the south, midnight closing for weekday events and 2:00 a.m. closing for Friday and Saturday events; for this operator only; approved for a three-year time period only; acceptable decible level per the city ordinances, on the following described property:

LTS 3 & 4 LESS W 5' TO CITY, POLSTON SECOND SUB, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 19998

Action Requested:

Special exception to allow Use Unit 17 - Automotive & Allied Activities - for automobile sales in a CS zoned district (Section 701); and a Variance of the required 300 ft distance from an R district for outside display of merchandise for sale (Section 1217.C.2), 1720 South Memorial Drive East.

Presentation:

Calvin Shwiyat, 1720 South Memorial Drive East, proposed to open a used car lot on the subject property, which they purchased. He stated they built a 7' 6" high fence of sheet metal with wood posts.

Comments and Questions:

Mr. Dunham called the applicant's attention to the staff comments, suggesting conditions to approval. Ms. Stead asked why he only built the fence 300' deep and asked for a special exception for 361'. Mr. Shwiyat replied that he didn't think he needed that much. He was unclear of where the measurement begins on Memorial. She noted the clearing of trees on the rear lot and access to 79th East Avenue. She asked if he owns that property also. Mr. Shwiyat replied that he does own it. He explained that he put in a gate at the access just to be able to get in to mow and not to provide access for the business.

Interested Parties:

Shirley Hammonds, 1723 South 79th East Avenue, stated she lives directly behind the subject property. She expressed concern that there would not be any business activity between the fence and her property. She also asked if it would devalue her property to have a car lot that close. Mr. Dunham noted she already has a car lot next door.

Frances Cervantes, 1736 South 79th East Avenue, stated she was concerned about a gate that would allow a lot of vehicles through to the property. She was opposed to more commercial encroachment near them that will bring more traffic to 17th Street and 79th East Avenue. She opposed car repairs, storage of inoperable vehicle, used tires or dead batteries. The neighboring lot has old cars and trucks for sale, not the antique relics as promised. There are also old campers that can be seen over the fence. Ms. Cervantes indicated she should not have to continually contact Neighborhood Inspections regarding neighboring properties being out of compliance to the zoning code.

depth of no more than 28'-0" by 20'-0" and no more than a 20'-0" height maximum. The accessory building is not to be used for an additional dwelling unit and will not contain the amenities for such use. In granting the variances the Board has found by reason of extraordinary or exceptional conditions or circumstances, being the size of the lot which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variances to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

N10 LT 12 & ALL LT 13 & S5 LT 14 & W10 VAC ALLEY ADJ ON E THEREOF BLK 1, MORNINGSIDE ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21437—Ernest Ehimika

Action Requested:

Special Exception to permit a Community/Event Center (Use Unit 5) in an IL District (Section 901). **LOCATION:** 825 North Sheridan Avenue (CD 3)

FILE COPY
Conditions — Item #5
For Case BOA-22247
highlighted in yellow below

Presentation:

Michael Bethel, 14217 East 38th Street, Tulsa, OK; stated he is representing Mr. Ernest Ehimika because he is unable to attend today's meeting due to a death in the family. He will be happy to answer any questions the Board may have at this time.

Ms. Stead asked how long Mr. Ehimika has owned or leased the subject property. Mr. Bethel stated that he was not sure, but has just recently purchased or leased the property.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **STEAD**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Special Exception to permit a Community/Event Center (Use Unit 5) in an IL District (Section 901). The Board makes this approval subject to previous conditions set by the Board of Adjustment. The previous conditions are closing at 2:00 A.M. on Friday and Saturday, closing at 12:00 midnight all other nights, provide adequate security for all events, trash pick up at all events, a fence was required in the April 8, 2008 Board decision and it has been constructed, it is required that the fences be maintained in

BOA-21437

FILE COPY

good condition, and any music heard outside of the building is to be kept acceptable decible levels per City Ordinances. The Board makes this approval for a period of five years from today's date of June 26, 2012. The Board of Adjustment finds there have been no complaints in the last two years, but the ownership has changed frequently and that is the reason for the limitation. In granting the special exception the Board has found that it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

LTS 3 & 4 LESS W 5' TO CITY, NORTHEAST CENTER ADDN RESUB L5-8 POLSTON SECOND SUB, POLSTON SECOND SUB, VAL-CHARLES ADDN, WALTER SQUARE ADDN RESUB L1-24 NORTHEAST CENTER ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21438—Hayden Ryan

Action Requested:

Variance of Rear Yard Setback from 25 feet to 10 feet in the RS-2 zone (Section 403.A, Table 3). **LOCATION:** 2833 South Gary Avenue (CD 4)

Presentation:

Hayden Ryan, 2833 South Gary Avenue, Tulsa, OK; stated he purchased the home in 2006 while single, and now he is married with a family. He would like to add onto the property. The house is directly across from a pond and the lot is curved to accommodate the pond. The property behind the house is a church.

Interested Parties:

There were no interested parties present.

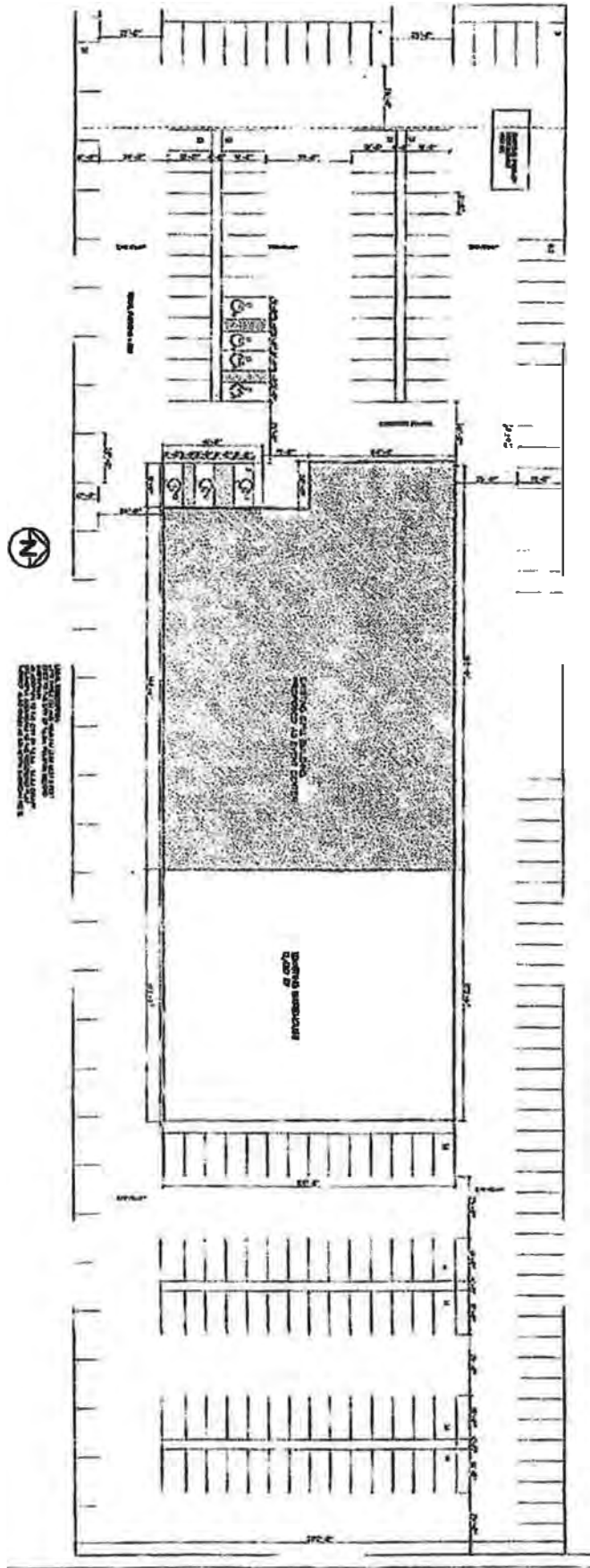
Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance of Rear Yard Setback from 25 feet to 10 feet in the RS-2 zone (Section 403.A, Table 3). The Board has found the hardship to be that this lot is of an unusual shape and shallow depth, combining the two where there is very little backyard. In order to have any additional expansion of the dwelling the only way is to go into the required rear yard which is what the request is for. The Board makes this approval per conceptual plan on page 6.7. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be

PROPOSED PLAN
11/1/2014



2

NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE WALLS.
3. ALL DIMENSIONS ARE TO THE EXTERIOR FACE OF THE WALLS.
4. ALL DIMENSIONS ARE TO THE INTERIOR FACE OF THE WALLS.
5. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROOF.
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8. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE FLOOR.
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10. ALL DIMENSIONS ARE TO THE INTERIOR FACE OF THE FLOOR.

4.22

EVENT CENTER
825 NORTH SHERIDAN
TULSA, OKLAHOMA

4.22

NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE WALLS.
3. ALL DIMENSIONS ARE TO THE EXTERIOR FACE OF THE WALLS.
4. ALL DIMENSIONS ARE TO THE INTERIOR FACE OF THE WALLS.
5. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROOF.
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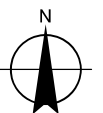
Subject
Tract

BOA-23270

20-13 35

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

Aerial Photo Date: 2020/2021



4.23



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N SHERIDAN RD

E INDEPENDENCE ST

0 50 100
Feet



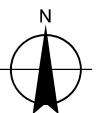
Subject
Tract

BOA-23270

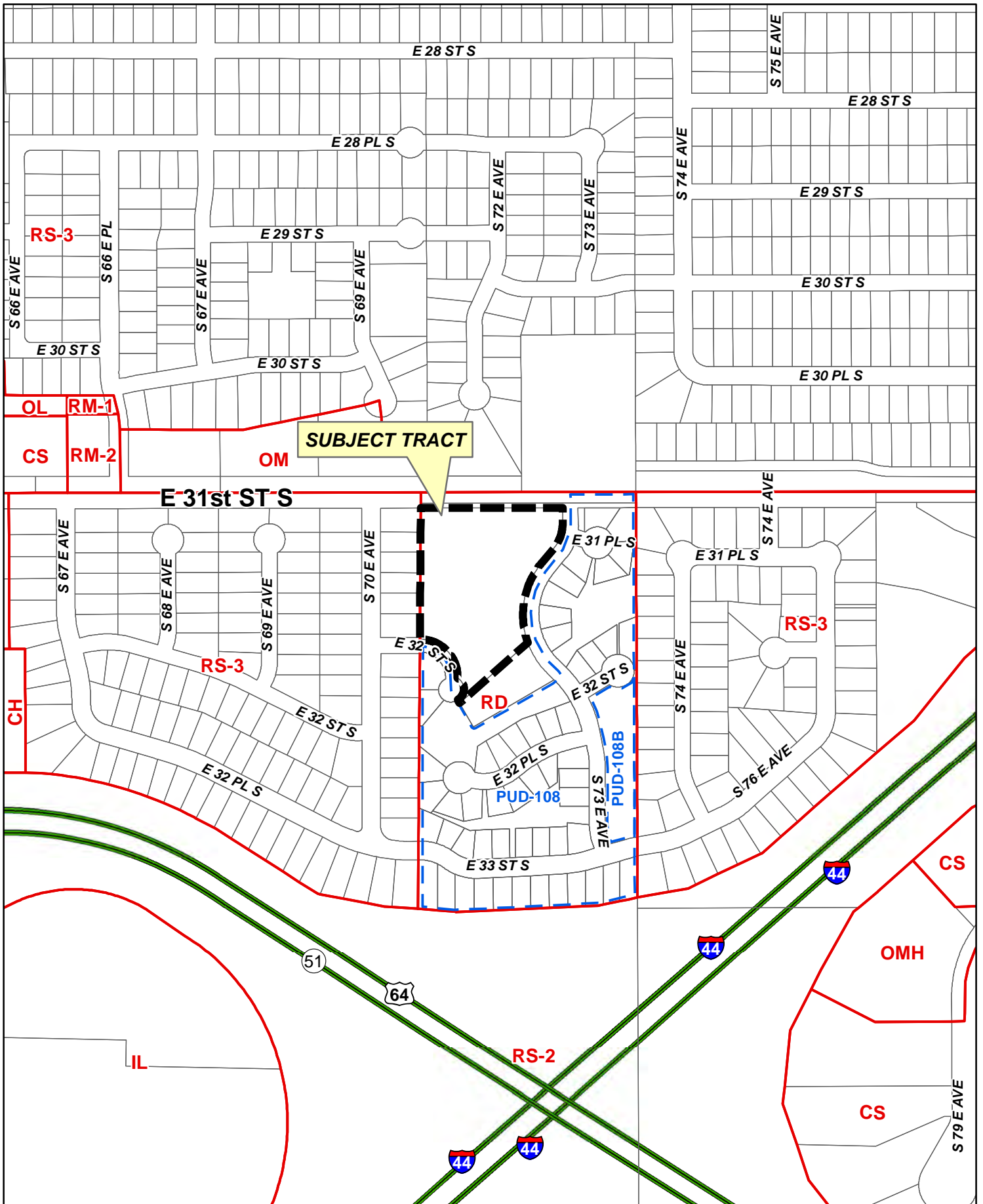
20-13 35

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

Aerial Photo Date: 2020/2021



4.24



BOA-23271

19-13 23

5.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9323

Case Number: **BOA-23271**

CZM: 48

CD: 5

HEARING DATE: 02/22/2022 1:00 PM

APPLICANT: Lori Worthington

ACTION REQUESTED: Variance to allow free standing signs within 30-feet of other freestanding signs (Sec. 60.040-B-2) Variance to allow more than one free standing sign and more than one dynamic display sign per street frontage in the RD District (Sec. 60.050-B-2.b;c.1)Special Exception to permit a Dynamic Display sign in an Residential District containing a Church Use (Sec. 60.050-B.2.c); Special Exception to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F)

LOCATION: 7100 E 31 ST S

ZONED: RD

PRESENT USE: Church

TRACT SIZE: 179372.1 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 1, WOODLAKE VILLAGE B1

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-7072; On 06.17.71 the Board approved a Church use on the subject property. Several site plans revisions have been approved since the church was founded.

Surrounding properties:

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 SW/c of E. 31st St. S. and S. 73rd E. Ave.

STAFF COMMENTS: The applicant is requesting **Variance** to allow free standing signs within 30-feet of other freestanding signs (Sec. 60.040-B-2) **Variance** to allow more than one free standing sign and more than one dynamic display sign per street frontage in the RD District (Sec. 60.050-B-2.b;c.1)**Special Exception** to permit a Dynamic Display sign in an Residential District containing a Church Use (Sec. 60.050-B.2.c); **Special Exception** to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F)

60.040-B Required Setbacks, Spacing and Separations

1. All parts of a sign must be set back at least 10 feet of a freeway planned right-of-way.
2. All on-premise projecting signs, roof signs and freestanding signs and all off-premise outdoor advertising signs must be separated from all other roof signs, projecting signs, freestanding signs and off-premise outdoor advertising signs by a minimum distance of 30 feet. Additional spacing requirements apply between off-premise outdoor advertising signs (See §60.080-F5).

2. Nonresidential Uses

The following regulations apply to all principal nonresidential uses in R, AG, and AG-R districts.

a. Wall Signs

Nonresidential uses in R, AG, and AG-R districts are allowed a maximum of one wall sign per public building entrance. No individual wall sign may exceed 32 square feet in area. In buildings with multiple public building entrances, the sign area of all wall signs may not exceed 32 square feet in the aggregate.

b. Freestanding Signs

Nonresidential uses in R, AG, and AG-R districts are allowed a maximum of one freestanding sign per street frontage. Allowed freestanding signs are subject to a maximum height limit of 20 feet and may not exceed 32 square feet in area or 0.20 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

c. Dynamic Displays

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

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

Section 60.100 Dynamic Displays

The supplemental regulations of this section apply to all signs with dynamic displays. Except as otherwise expressly stated, these regulations apply whether incorporated into off-premise outdoor advertising signs or on-premise signs that are allowed to include a dynamic display.

- 60.100-A The images and messages displayed on a dynamic display must have a minimum dwell time of at least 8 seconds and may not contain any movement, animation, audio, video, pyrotechnics or other special effects.
- 60.100-B The transition or change from one message to another must occur in one second or less and involve no animation or special effects.
- 60.100-C The images and messages displayed must be complete in and of themselves within the required dwell time.
- 60.100-D Dynamic displays may not be located within 50 feet of the driving surface of a signalized intersection, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the intersection.
- 60.100-E Dynamic displays may not be located within or within 20 feet of the driving surface of a street, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the street curb or edge of the traveled roadway marked or understood as such.
- 60.100-F Dynamic displays may not be located within 200 feet of any of the following: (1) an R or AG-R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R, AG, and AG-R districts if approved through the special exception process. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign structure to the nearest point of an R or AG-R district or residential development area boundary.
- 60.100-G Dynamic displays must be equipped with a default mechanism that freezes the display in one position or presents a static or blank display if a malfunction occurs.
- 60.100-H Dynamic displays must be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.
- 60.100-I The maximum brightness level of a dynamic display may not exceed 6,500 nits (candelas per square meter) during daylight hours or 500 nits between 30 minutes after sunset and 30 minutes before sunrise, as those times are determined by the National Weather Service (Actual Time). Brightness must be measured from the brightest element of the sign's face.
- 60.100-J Any outdoor advertising sign that includes a dynamic display that was lawfully established before January 1, 2010, must be separated by a minimum distance of 1,200 feet from any other outdoor advertising sign that includes a dynamic display. This spacing limitation does not apply between signs separated by a freeway. The 1,200-foot distance must be measured in a straight line from the center of the subject sign structures, as located on the ground.
- 60.100-K Except as provided in §60.100-J, any outdoor advertising sign that includes a dynamic display and that was approved by a permit issued on or after January 1, 2009, must be separated by a minimum distance of 1,200 feet from any other outdoor advertising sign that includes a dynamic display facing the same traveled way. The 1,200-foot distance must be measured in a straight line from the center of the subject sign structures, as located on the ground.

The proposed signs are to be mounted on an existing planter, and each sign is to be one side attached to either side of the planter so to face both sides of traffic from 31st St.

STATEMENT OF HARDSHIP: The odd nature of the entire building from does not allow room for any type of ground sign. There is a neighborhood on the South side of the property that would restrict a dynamic display due to visibility for many homeowners. The North side is terraced not allowing a good foundation for a dynamic display.

SAMPLE MOTION:

Special Exception:

Move to _____ (approve/deny) a **Special Exception** to permit a Dynamic Display sign in an Residential District containing a Church Use (Sec. 60.050-B.2.c); **Special Exception** to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F)

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

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

Variances:

Move to _____ (approve/deny) a **Variance** to allow free standing signs within 30-feet of other freestanding signs (Sec. 60.040-B-2) **Variance** to allow more than one free standing sign and more than one dynamic display sign per street frontage in the RD District (Sec. 60.050-B-2.b;c.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

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



DEVELOPMENT SERVICES

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

SIGN PLAN REVIEW

November 5, 2021

LOD Number: 1

Phone: 918-622-0651

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

APPLICATION NO: **SIGN-102112-2021** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 7100 E. 31st St.

Description: Freestanding Sign with digital display

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

(Continued)

REVIEW COMMENTS

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

Application No. SIGN-102112-2021

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. 60.040-B-2 Required Setbacks, Spacing and Separations

All on-premise projecting signs, roof signs and freestanding signs and all off premise outdoor advertising signs must be separated from all other roof signs, projecting signs, freestanding signs and off-premise outdoor advertising signs by a minimum distance of 30 feet. Additional spacing requirements apply between off-premise outdoor advertising signs (See §60.080-F5).

Review Comments: There appears to be an existing freestanding sign on this lot within 30' of the proposed sign. You may revise the site plan to show a minimum separation of 30' between freestanding signs, or you may pursue a variance from the Board of Adjustment (BOA) for two freestanding signs to be located within 30' of each other.

2. Section 60.050 B-2.b Signs in R and AG Zoning Districts, Freestanding Signs

Nonresidential uses in R, AG, and AG-R districts are allowed a maximum of one freestanding sign per street frontage. Allowed freestanding signs are subject to a maximum height limit of 20 feet and may not exceed 32 square feet in area or 0.20 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

Review Comments: This church is a non-residential use in an R district, and there is an existing freestanding sign already as well as another proposed sign on a separate application. You may pursue a variance from the Board of Adjustment (BOA) to allow a third freestanding sign in an RD zoning district.

3. Section 60.050 B-2.c Signs in R and AG Zoning Districts, Dynamic Displays

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

Review Comments: The proposed freestanding sign with a dynamic display is located in an RD zoning district, and requires a special exception from the Board of Adjustment (BOA) to be located in an RD 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.

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



DEVELOPMENT SERVICES

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

SIGN PLAN REVIEW

November 4, 2021

LOD Number: 1

Phone: 918-622-0651

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

APPLICATION NO: **SIGN-102113-2021** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 7100 E. 31st St.

Description: Freestanding Sign with digital display

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

(Continued)

REVIEW COMMENTS

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

Application No. SIGN-102113-2021

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. 60.040-B-2 Required Setbacks, Spacing and Separations

All on-premise projecting signs, roof signs and freestanding signs and all off premise outdoor advertising signs must be separated from all other roof signs, projecting signs, freestanding signs and off-premise outdoor advertising signs by a minimum distance of 30 feet. Additional spacing requirements apply between off-premise outdoor advertising signs (See §60.080-F5).

Review Comments: There appears to be an existing freestanding sign on this lot within 30' of the proposed sign. You may revise the site plan to show a minimum separation of 30' between freestanding signs, or you may pursue a variance from the Board of Adjustment (BOA) for two freestanding signs to be located within 30' of each other.

2. Section 60.050 B-2.b Signs in R and AG Zoning Districts, Freestanding Signs

Nonresidential uses in R, AG, and AG-R districts are allowed a maximum of one freestanding sign per street frontage. Allowed freestanding signs are subject to a maximum height limit of 20 feet and may not exceed 32 square feet in area or 0.20 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

Review Comments: This church is a non-residential use in an R district, and there is an existing freestanding sign already. You may pursue a variance from the Board of Adjustment (BOA) to allow a second freestanding sign in an RD zoning district.

3. Section 60.050 B-2.c Signs in R and AG Zoning Districts, Dynamic Displays

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

Review Comments: The proposed freestanding sign with a dynamic display is located in an RD zoning district, and requires a special exception from the Board of Adjustment (BOA) to be located in an RD 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.

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THE EMBASSY CHURCH
7100 E 31ST

NORTH ELEVATION

$7.58' \times 3.5' = 26.53 \text{ SQFT}$



7' 7"



3' 5"

THE EMBASSY CHURCH
7100 E 31ST

SOUTH ELEVATION

$7.58' \times 3.5' = 26.53 \text{ SQFT}$



7' 7"



3' 5"

THE EMBASSY CHURCH
7100 E 31ST
TULSA, OK 74145

EXISTING SIGN

1.33' X 12.66'=16.83SQFT



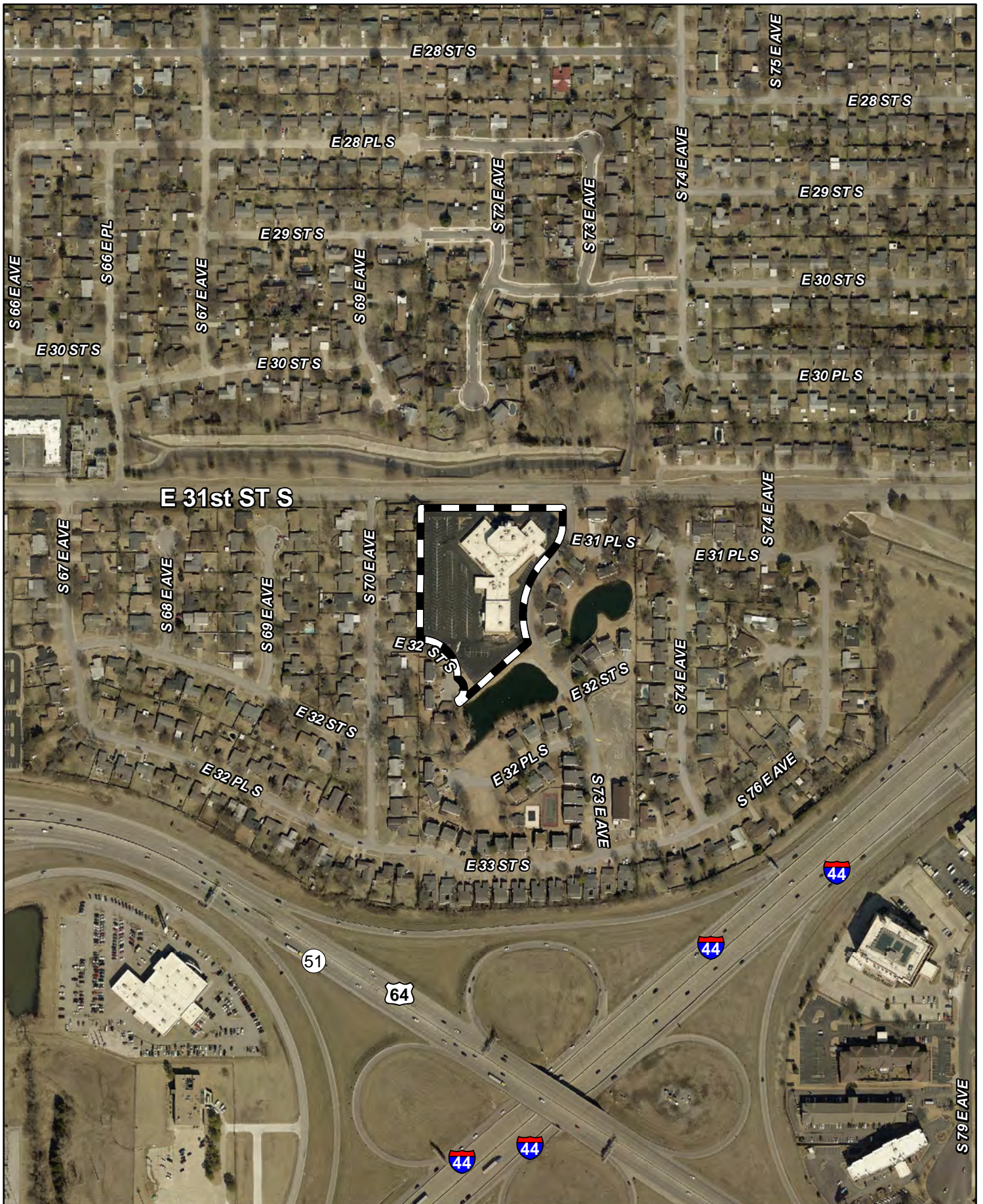
THE EMBASSY CHURCH
7100 E 31ST
TULSA, OK 74145

SAME MEASUREMENT ON BOTH SIDES



BACK VIEW





0 200 400
Feet



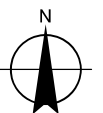
Subject
Tract

BOA-23271

19-13 23

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

Aerial Photo Date: 2020/2021



5.16



0 50 100
Feet



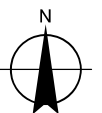
Subject
Tract

BOA-23271

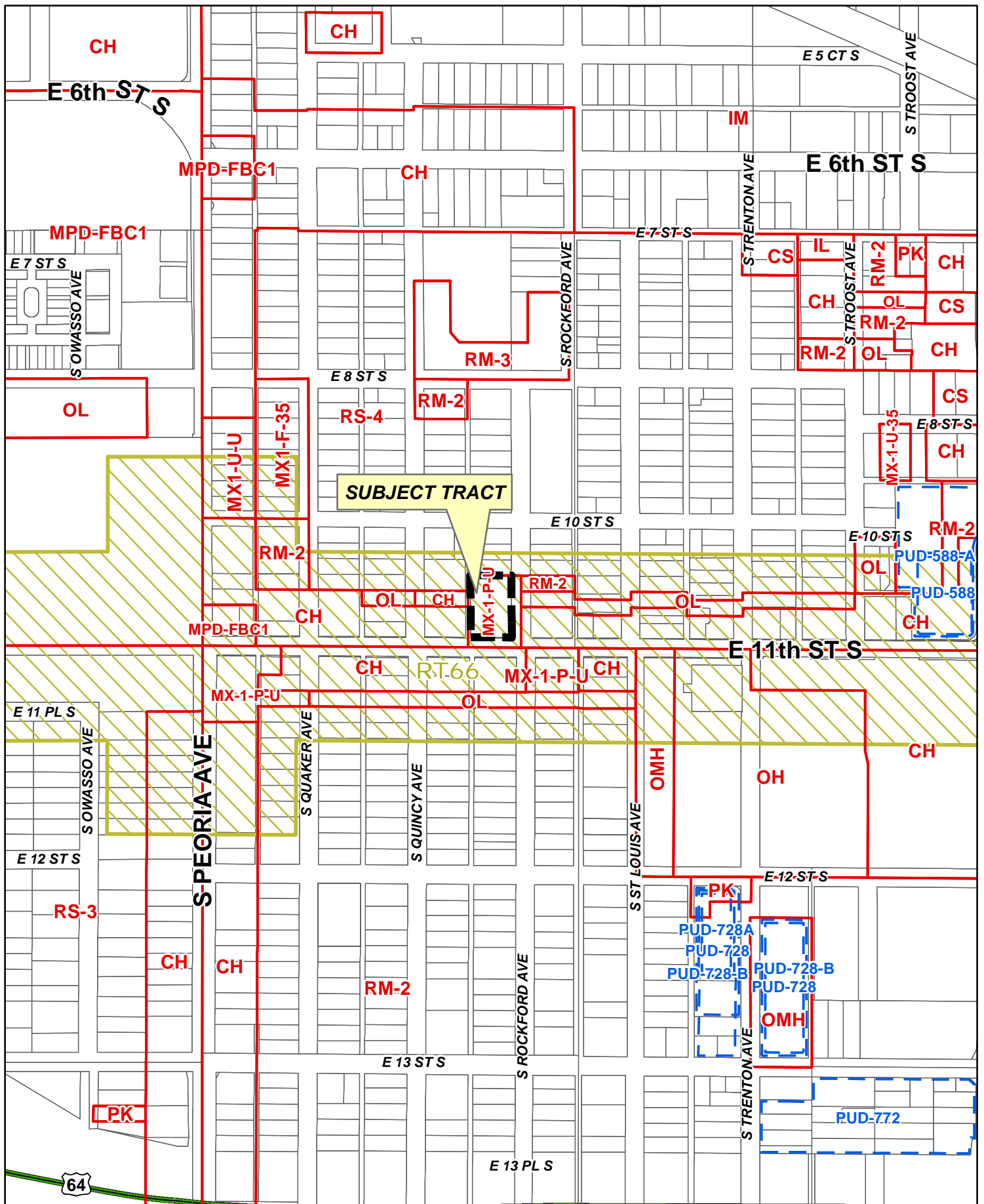
19-13 23

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

Aerial Photo Date: 2020/2021



5.17



BOA-23272

19-13 06

6.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9306

Case Number: **BOA-23272**

CZM: 37

CD: 4

HEARING DATE: 02/22/2022 1:00 PM

APPLICANT: Peter Janzen

ACTION REQUESTED: Variance to increase the permitted number of signs along E. 11th street to permit 1 freestanding sign and 5 roof signs (Sec. 60.080-C.2) and a Variance to allow roof signs within 30-feet of other roof signs (Sec. 60.040-B.2)

LOCATION: 1018 S ROCKFORD AV E

ZONED: MX-1-P-U

PRESENT USE: Retail

TRACT SIZE: 25674.37 SQ FT

LEGAL DESCRIPTION: ALL LTS 4 THRU 6 & LT 7 LESS S2.5 THEREOF BLK 8, EAST LYNN ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property: None.

Surrounding Properties:

BOA-23125: On 05.25.21 the Board approved a variance to allow projecting signs within 30-feet of other projecting signs and to increase the number of allowed projecting signs. Property located 1404 and 1406 E. 11th ST. S.

BOA-22761: On 10.22.19 the Board approved a variance to increase the maximum permitted display area for sign in the CH district. Property located 1347 E. 11th St. S.

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 at the NW/c of S. Rockford Ave. and E. 11th St. S. The property is located inside the Route 66 Overlay.

STATEMENT OF HARDSHIP: The relationship between the original warehouse wall and the canopy preclude the use of wall signs of acceptable size to be visible or to accommodate neon construction, required for the route 66 Neon Sign grant, which several tenants are interested in pursuing. When upgrading the old warehouse building to a shopping center, the owner intended to preserve as much of the original design and construction as possible; which at the time of original construction would have allowed the proposed roof signs plan. In this case, literal interpretation of the modern code would work against the historic character of both the building and the neighborhood'

STAFF COMMENTS: The applicant is requesting **Variance** to increase the permitted number of signs along E. 11th street to permit 1 freestanding sign and 5 roof signs (Sec. 60.080-C.2) and a **Variance** to allow roof signs within 30-feet of other roof signs (Sec. 60.040-B.

2. Maximum Number

a. Lots with Frontage on Only Minor Streets

Lots with frontage on only minor streets are allowed a maximum of one freestanding or projecting sign per lot.

b. Lots with Frontage on Major Streets

The maximum aggregate number of projecting, freestanding and off-premise outdoor advertising signs allowed on lots with frontage on one or more major streets may not exceed the limits established in [Table 60-2](#).

TULSA ZONING CODE | August 31, 2021
page 60-12

Chapter 60 | Signs
Section 60.080 | Signs in Mixed-use, Commercial and Industrial Zoning Districts

Table 60-2: Maximum Aggregate Number of Signs

Zoning District	Maximum Aggregate Number of Signs Allowed
CG, CH, and CBD	1 per 100 feet of major street frontage or fraction thereof
CO, CS, MX and IL	1 per 150 feet of major street frontage or fraction thereof
IM and IH	1 per 200 feet of major street frontage or fraction thereof

60.040-B Required Setbacks, Spacing and Separations

1. All parts of a sign must be set back at least 10 feet of a freeway planned right-of-way.
2. All on-premise projecting signs, roof signs and freestanding signs and all off-premise outdoor advertising signs must be separated from all other roof signs, projecting signs, freestanding signs and off-premise outdoor advertising signs by a minimum distance of 30 feet. Additional spacing requirements apply between off-premise outdoor advertising signs (See [§60.080-F5](#)).

The applicant has made an application to the permit center of the sign rendering included in your packet. In addition to that sign they are wishing to be allowed to place 5 roof signs on the building oriented towards 11th street. The Board should condition that any sign approved through this variance be at least 25% exposed Neon take advantage of the Route 66 Overlay's sign allowance benefits.

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** to increase the permitted number of signs along E. 11th street to permit 1 freestanding sign and 5 roof signs (Sec. 60.080-C.2) and a **Variance** to allow roof signs within 30-feet of other roof signs (Sec. 60.040-B).

- Finding the hardship(s) to be _____.
- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions _____.
- **Suggested Condition:** The signs approved are to be at least 25% exposed Neon as measured by total sign area of each sign.

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



DEVELOPMENT SERVICES

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

SIGN PLAN REVIEW

January 6, 2022

LOD Number: 1

Peter Janzen
9810 E. 58th St.
Tulsa, OK 74146

APPLICATION NO: SIGN-106795-2021 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 1020 S. Rockford Ave.
Description: Roof sign

INFORMATION ABOUT SUBMITTING REVISIONS

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

(Continued)

REVIEW COMMENTS

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

Application No. SIGN-106795-2021

This letter of deficiencies covers Sign Plan Review items only.

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

1. 60.080-C.2.b Sign Budget: Maximum Number, Lots with Frontage on Major Streets

The maximum aggregate number of projecting, freestanding and off premise outdoor advertising signs allowed on lots with frontage on one or more major streets may not exceed the limits established in Table 60-2.

Table 60-2: Maximum Aggregate Number of Signs

Zoning District	Maximum Aggregate Number of Signs Allowed
CG, CH, and CBD	1 per 100 feet of major street frontage or fraction thereof
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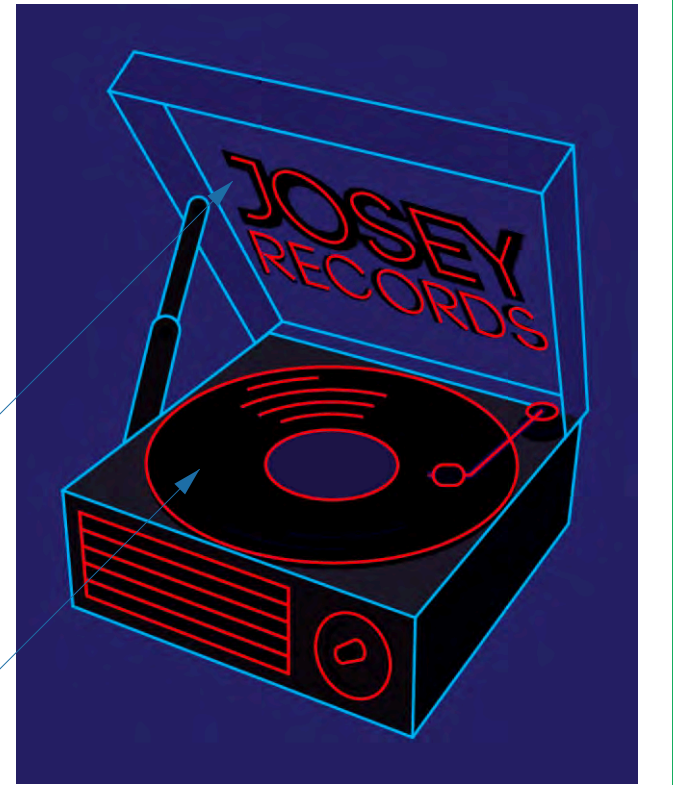
Review Comments: This lot is zoned MX (mixed use) and is allowed 1 sign (roof, projecting, or freestanding) per 150 feet of major street frontage. This lot has 130' of major street frontage, and there is an existing freestanding sign on this lot already. Therefore, the proposed sign would exceed the allowed number of signs on this lot. You may pursue a variance from the Board of Adjustment (BOA) to permit two signs on an MX zoned lot with 130' of street frontage.

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.

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9810 E 58th St, Tulsa, OK 74146
(918) 286 8535
www.encinos3d.com



CUSTOMER:
The Pearl Shops
CITY AND STATE:
1020 S Rockford Ave,
suites A-G'
DRAWN BY:
Martha Hernandez
SOLD BY:
Peter Janzen
DRAWING NUMBER:
TPS010222-001
APPROVED BY:

DATE APPROVED:

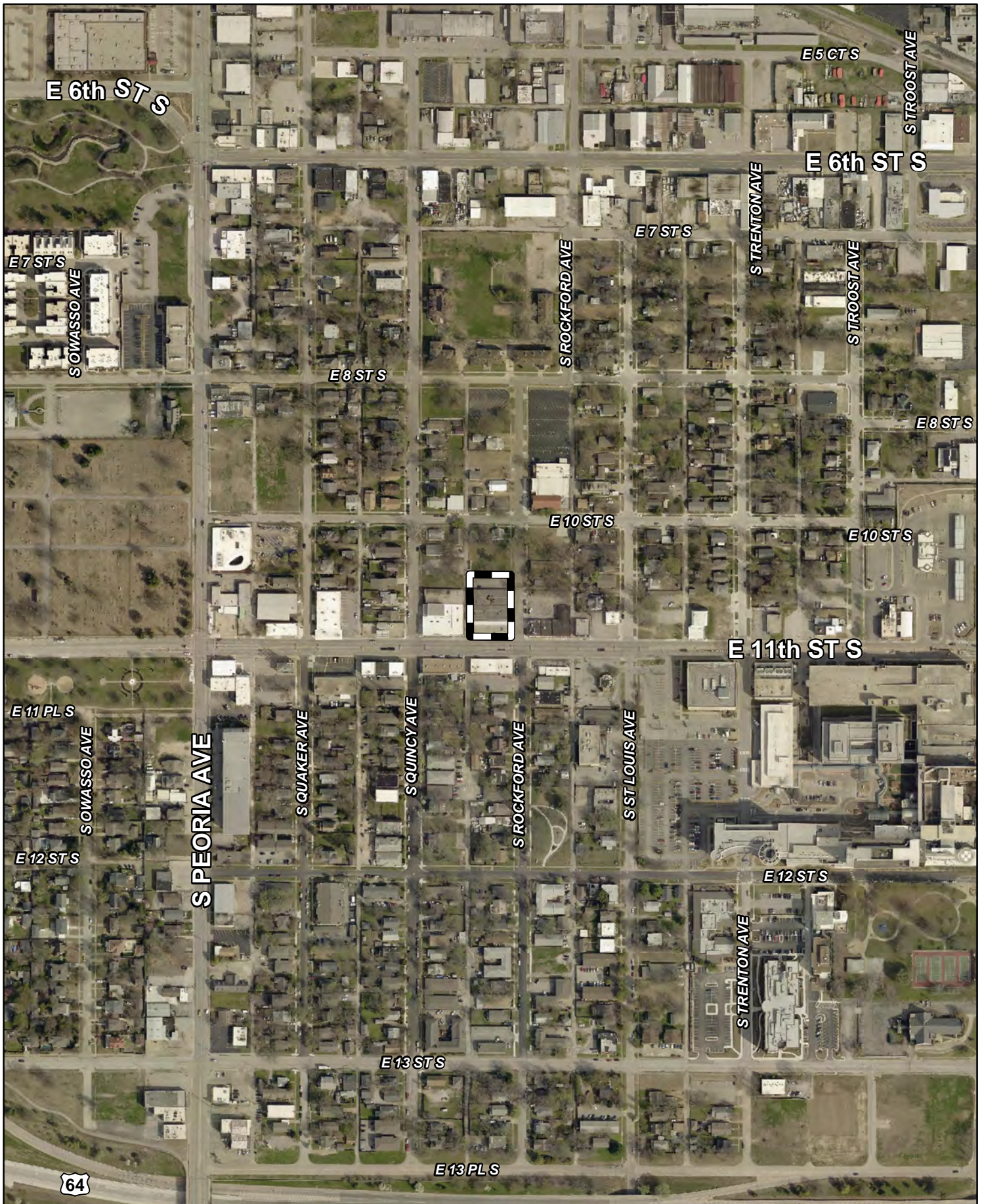
Please proofread all information carefully for accuracy before signing. Check names, numbers, spelling, punctuation as well as the general layout. Revisions requested after second proof are not included in the original quoted price and will be charged accordingly. Any typographical and or layout errors not found now will be the customers responsibility.



- Pylon Signs
- Casino Signs
- Monument Signs
- Neon Signs
- Blade Signs
- Wall Signs
- Channel Letters
- Interior Signs
- Way finding Signs
- Post & Panel
- LED Display
- Commercial & Architectural Signs

Site Map





0 200 400
Feet



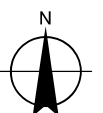
Subject
Tract

BOA-23272

19-13 06

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

Aerial Photo Date: 2020/2021



6.10

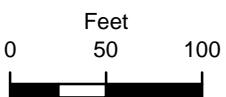


E 10 ST S

E 11th ST S

S QUINCY AVE

S ROCKFORD AVE



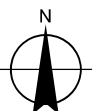
*Subject
Tract*

BOA-23272

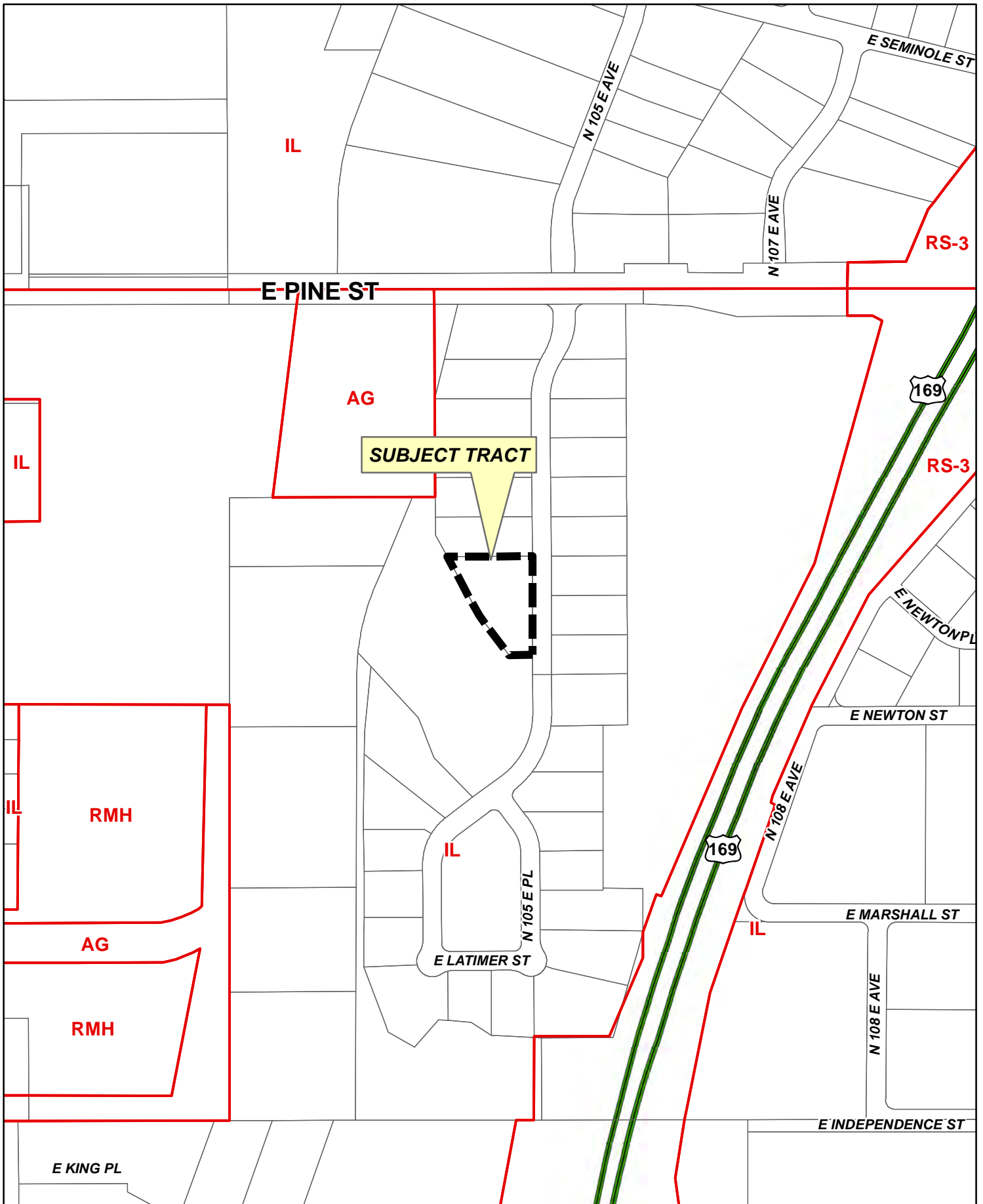
19-13 06

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align with physical features on the ground.*

Aerial Photo Date: 2020/2021

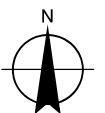
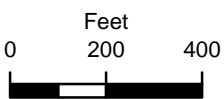


6.11



BOA-23273

20-14 31



7.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 0431

CZM: 31

CD: 3

Case Number: **BOA-23273**

HEARING DATE: 02/22/2022 1:00 PM

APPLICANT: Nathan Cross

ACTION REQUESTED: Special Exception to permit the storage or display of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface (Sec. 55.090-F-2)

LOCATION: 1320 N 105 AV E

ZONED: IL

PRESENT USE: Vacant

TRACT SIZE: 56384.29 SQ FT

LEGAL DESCRIPTION: LT 7 BLK 1, PINE STREET PARK

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located on the West of of North 125th E. Ave. South of Pine Street.

STAFF COMMENTS: The applicant is requesting a **Special Exception** to permit the storage or display of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface (Sec. 55.090-F-2)

1. All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of [Section 55.090-F.4](#). Parking area surfacing must be completed prior to initiation of the use to be served by the parking.
2. All motorized vehicles designed for travel upon public streets and that are being parked, stored or displayed for sale must be parked, stored or displayed on dustless, all-weather surface. This surfacing requirement does not apply to junk or salvage yards. The board of adjustment is authorized to grant a special exception permitting the storage or display of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface if the location complies with all applicable minimum building setbacks.

SAMPLE MOTION: Move to _____ (approve/deny) a **Special Exception** to permit the storage or display of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface (Sec. 55.090-F-2)

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

_____.

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



Subject Property



Facing South on N. 105th E. Ave.

DANA L. BOX
ZONING
PLANS EXAMINER II

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

October 25, 2021

LOD Number: 1
Robin Crowder
12150 E. 96th St. N.
Owasso, OK 74055

Phone: 918-274-0406

APPLICATION NO: **ZCO-101130-2021**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 1320 N. 105th E. Ave.

Description: Parking Lot

Everything visible
to the public will
be concrete

Concrete in
the ROW
Concrete to the
gate

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
3. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
4. A COPY OF A "RECORD SEARCH" **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-101130-2021

1320 N. 105th E. Ave.

October 25, 2021

Note: As provided for in Section 70.130 you may request the Board of Adjustment (BOA) to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to a representative at the Tulsa Planning Office 918-584-7526 or esubmit@incog.org. It is your responsibility to submit to our office documentation of any appeal decisions by an authorized decision-making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

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

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

- Location and dimensions of all easements;
- Lot lines and names of abutting streets;
- 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;
- Location and dimensions of fenced area.

2. **Sec.55.090-F2:** All motorized vehicles designed for travel upon public streets and that are being parked, stored or displayed for sale must be parked, stored or displayed on dustless, all-weather surface. The board of adjustment is authorized to grant a special exception permitting the storage or display of motorized vehicles on a surface other than one consisting of a dustless; all-weather surface if the location complies with all applicable minimum building setbacks.

Review comment: The proposed vehicle storage area is not located on a dustless, all-weather surface. Resubmit a site plan providing a dustless, all-weather surface. You may consider submitting a Special Exception, reviewed and approved per Sec.70.120, to permit the storage of motorized vehicles on a surface other than one consisting of a dustless; all-weather surface if the location complies with all applicable minimum building setbacks.

3. 1. **Sec.90.090-A1a:** Required setbacks are measured from the applicable lot line, right-of-way, planned right-of-way or location referred to below. Minimum setbacks that apply to fences/walls are measured from the nearest point of the area or feature for which a setback is required. Unless otherwise expressly stated, no part of any structure may be located within the street right-of-way (ROW), nor within the planned ROW of streets shown on the Major Street and Highway Plan (MSHP), nor within 25 feet of the centerline of the ROW on streets not shown on the MSHP. Street setbacks are measured from the actual ROW line of the street (other than an alley), provided that if the following measurement results in a greater set-back, the greater setback applies. For streets shown on the MSHP, if the width of the planned ROW exceeds the width of the actual ROW, the measurement must be taken from the planned ROW.

Review comment: It is unclear from your site plan the proposed fence is located out of the street right-of-way. Submit a revised site plan that provides the proposed fence located out of the street right-of-way.

4. Sec.90.090-A: 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.

Review comment: It is unclear from your site plan where the proposed fence will be located. It must be out of the street right of way. If within the right-of-way, this will require a variance reviewed and approved per Sec.70.030 and a right-of-way license agreement with the City of Tulsa. Contact Chris Kovak @ 918-596-9649 for information on the requirement for a right-of-way license.

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.

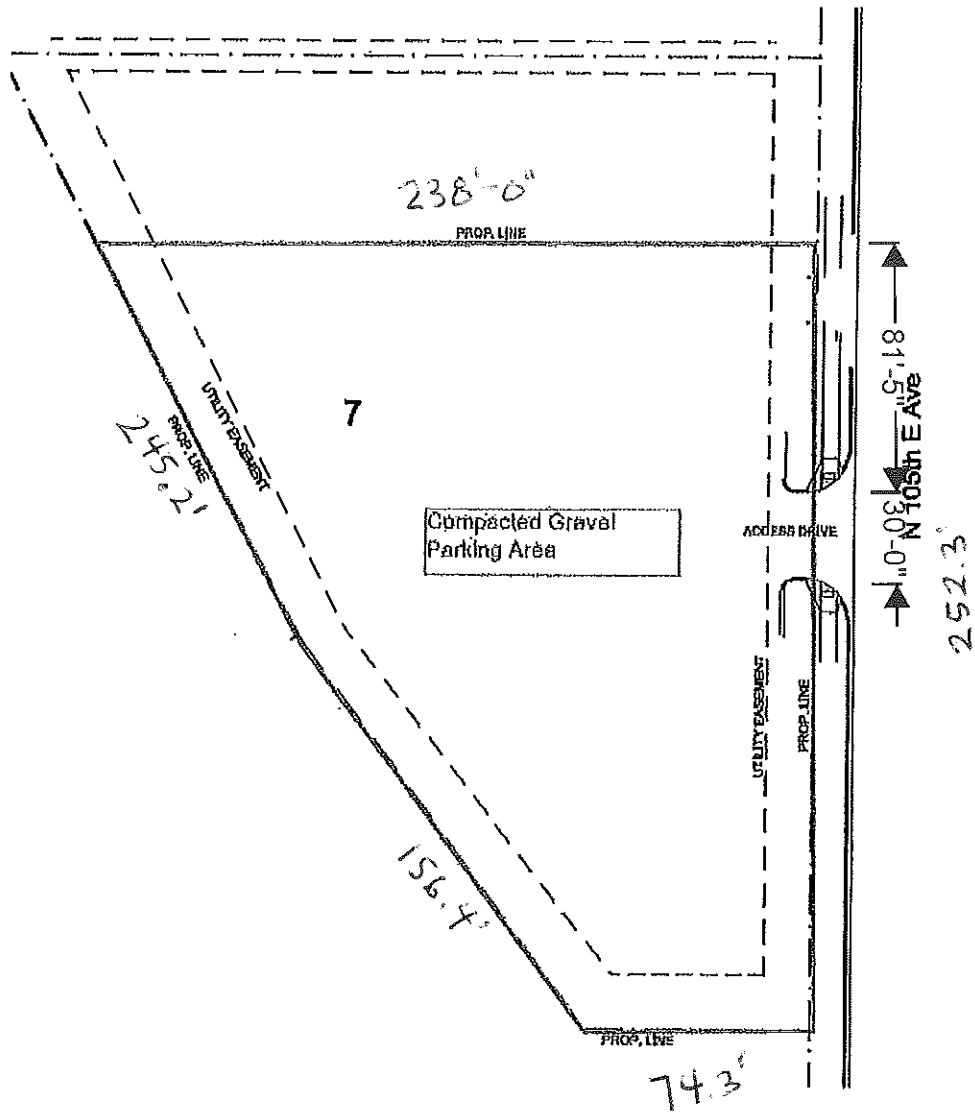
KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

EXHIBIT "A"

The applicant proposes to utilize the property at issue in this request (the "Subject Property") as a vehicle storage area. This use would consist of storage of trucks and movable equipment on the Subject Property with said trucks and equipment being moved from the site daily to be utilized for construction projects. The Subject Property lies in an IL district and the storage use is allowed by right in such district.

The applicant is requesting a special exception from Section 55.090-F-2 requiring all weather surfacing in vehicular storage lots. There are other lots within the surrounding industrial park that are not paved and this use is consistent with those uses.

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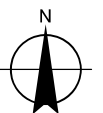
Subject
Tract

BOA-23273

20-14 31

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

Aerial Photo Date: 2020/2021



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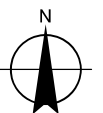
Subject
Tract

BOA-23273

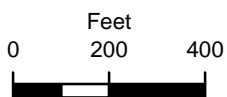
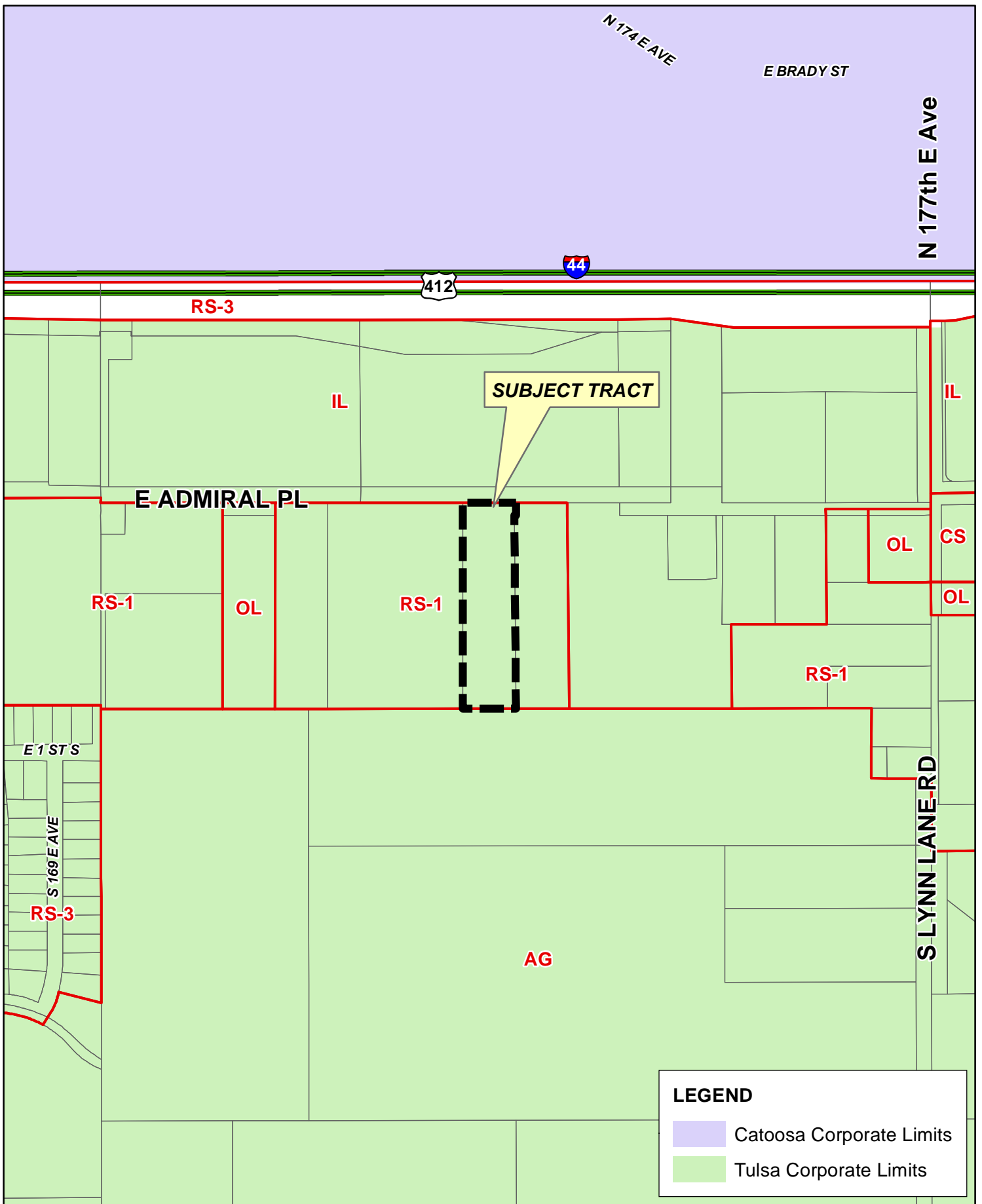
20-14 31

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Aerial Photo Date: 2020/2021

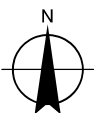


7.11



BOA-23274

19-14 02



8.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9402

Case Number: **BOA-23274**

CZM: 40

CD: 6

HEARING DATE: 02/22/2022 1:00 PM

APPLICANT: Joel Collins

ACTION REQUESTED: Variance to allow the aggregate floor area of a detached accessory structure to exceed 750 sq. ft. and 40% of the of the floor area of the principal structure (Sec. 45.030-A.1)

LOCATION: 17330 E ADMIRAL PL S

ZONED: RS-1

PRESENT USE: Residential

TRACT SIZE: 110259.52 SQ FT

LEGAL DESCRIPTION: W168.32 OF E174.82 LT 7 SEC 2 19 14 2.53AC,

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 on the Sout side of E. Admiral Pl. West of Lynn Lane.

STATEMENT OF HARDSHIP: The area is agricultural in nature and was developed prior to the City's comprehensive plan. It creates a hardship to not be allowed to build an accessory building for personal storage and use on 2.5 acres of property purchased.

STAFF COMMENTS: The applicant is requesting **Variance** to allow the aggregate floor area of a detached accessory structure to exceed 750 sq. ft. and 40% of the of the floor area of the principal structure (Sec. 45.030-A.1)

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]

The statement of hardship seems to imply the property should be treated as though it is zoned Agricultural. The existing lot width of the property is too small to conform to the lot and building requirements of the AG district and the requested setback of the building is too close to the rear lot to conform to the AG district. The property is allowed 750 square feet for accessory building and the proposed structure is 5,000 square feet. The existing residence on the property per the county assessor is a 510 square feet manufactured home. The proposed accessory building would be almost 10 times the size of the home to which it is accessory.

45.010-B Allowed Uses and Structures

Allowed accessory uses and structures are limited to those expressly regulated in this chapter as well as those that, in the determination of the development administrator, satisfy all of the following criteria:

1. They are customarily found in conjunction with the subject principal use or principal structure;
2. They are subordinate and clearly incidental to the principal use of the property; and
3. They serve a necessary function for or contribute to the comfort, safety or convenience of occupants of the principal use.

The Board **should deny** the application if they find that the proposed building does not meet the standards listed above for what an accessory structure is in relation to the principal use of the property. The applicant has failed to provide enough information per the Letter of Deficiency included in your packet for the Permit Center to make the determination that the proposed building is clearly accessory to the principal residential use of the property.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Variance** to allow the aggregate floor area of a detached accessory structure to exceed 750 sq. ft. and 40% of the of the floor area of the principal structure (Sec. 45.030-A.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."*

Danny Whiteman
Zoning Official
Plans Examiner II

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD No. 1

1/5/2022

Joel Collins
320 S. Boston Ave.
Tulsa, OK 74103

APPLICATION NO: BLDR-105392-2021 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 17330 E. Admiral Pl.
Description: New detached accessory building

INFORMATION ABOUT SUBMITTING REVISIONS

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IMPORTANT INFORMATION

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2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
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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-105392-2021**

1. **45.010-B Allowed Uses and Structures** Allowed accessory uses and structures are limited to those expressly regulated in this chapter as well as those that, in the determination of the development administrator, satisfy all of the following criteria:

1. They are customarily found in conjunction with the subject principal use or principal structure;
2. They are subordinate and clearly incidental to the principal use of the property; and
3. They serve a necessary function for or contribute to the comfort, safety or convenience of occupants of the principal use.

Review comments: Please provide some details for the use of this building. How will the building be used as an accessory building? Will there be any business or commercial activity conducted in this building? Will there be customers, clients, employees, or contractors at this location? Will commercial vehicles as defined by Section 45.130-A be parked or stored outside at this location? Will the use of this building cause additional traffic? Certain home occupations may require a special exception from the Board of Adjustment if this building is going to be used as part of a home occupation.

2. **45.030-A.1 Accessory Building Size, 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.

Review comments: The proposed detached accessory building has 5,000 sq. ft. of floor area. Based on the floor area of the existing mobile home (510 sq. ft. per the county assessor's website) you are allowed a total of 750 sq. ft. of detached accessory structure floor area on this lot which is zoned RS-1. Apply to the Board of Adjustment (BOA) for a variance to allow the aggregate floor area of all detached accessory buildings to exceed 750 sq. ft. and 40% of the floor area of the principal residential structure. Alternatively, you may reduce the floor area of the new proposed accessory building to 750 sq. ft. or less.

3. **55.090-F.1 Surfacing** All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of Section 55.090-F.4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

Review comments: The new driveway must be a dustless all-weather material; gravel is not considered a dustless all-weather material. Revise the plans to indicate that the new driveway will be of an approved dustless all-weather surface such as concrete or asphalt, or you may seek a variance from the Board of Adjustment for a driveway other than an approved dustless all-weather material.

The zoning review will resume after revised plans and/or BOA approval documents are submitted.

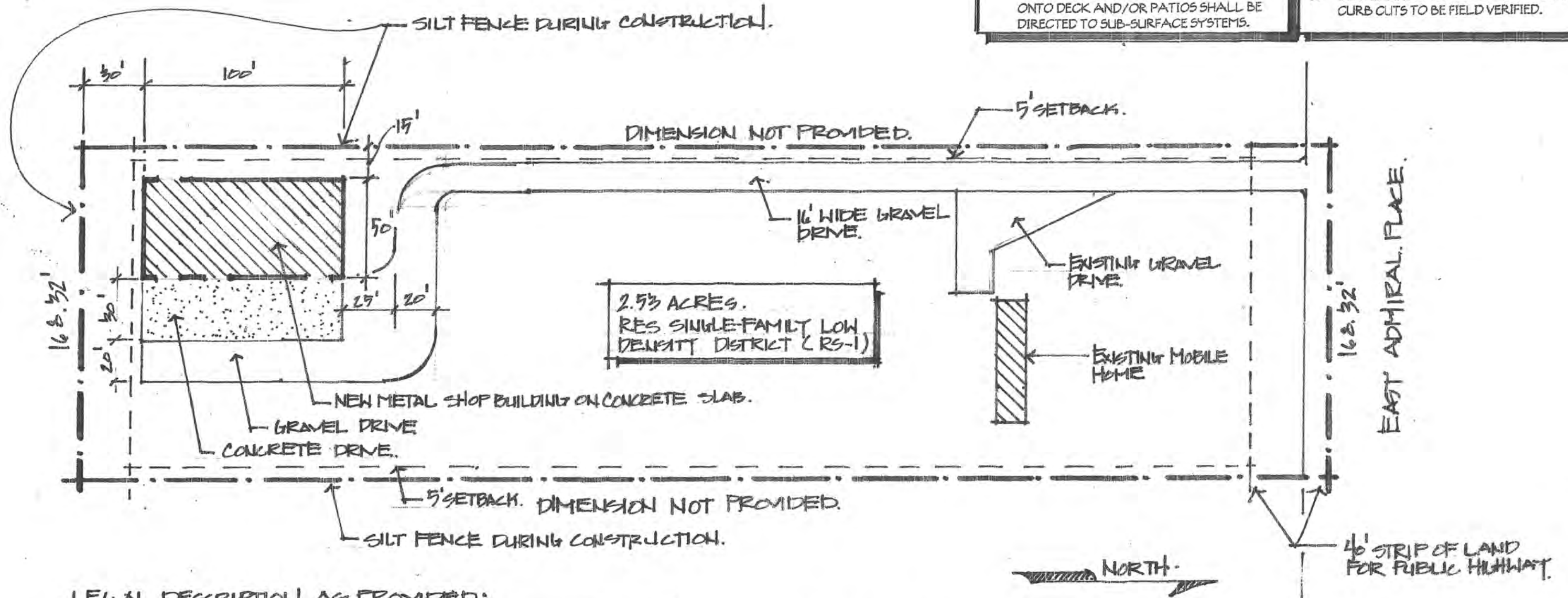
Note: Please direct all questions concerning variances, special exceptions, alternative landscape plans, alternative compliance parking ratios and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices 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.

NOTES:

1. CONTRACTOR SHALL INSTALL AND MAINTAIN ALL BARRIERS FOR EROSION CONTROL FOR THE DURATION OF THE PROJECT.
2. ALL GRADES ADJACENT TO THE STRUCTURE SHALL HAVE A MINIMUM SLOPE AWAY FROM THE STRUCTURE OF 6' PER 10'-0".
3. ALL GUTTERS, DOWNSPOUTS, AND SURFACE DRAINS SHALL TIGHTLINE TO STORM DRAIN SYSTEMS. ALL DRAINING ONTO DECK AND/OR PATIOS SHALL BE DIRECTED TO SUB-SURFACE SYSTEMS.

4. NEW CONSTRUCTION SHALL NOT CAUSE ANY ADDITIONAL RUNOFF ONTO ADJACENT PROPERTIES.
5. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS.
6. CONTRACTOR SHALL COORDINATE WITH OWNER ON PRESERVATION OR REMOVAL OF ANY AND ALL EXISTING TREES AND LANDSCAPING MATERIALS.
7. EXACT LOCATION OF HOUSE IS APPROXIMATE. CONTRACTOR SHALL VERIFY EXACT COORDINATES WITH OWNER.
8. CENTERLINE AND EDGE OF ROAD FOR CURB CUTS TO BE FIELD VERIFIED.



LEGAL DESCRIPTION AS PROVIDED:

THE WEST 168.32' FEET OF THE EAST 174.82' OF LOT SEVEN (7) OF SECTION TWO (2) TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED U.S. GOVERNMENT SURVEY THEREOF, AND KNOWN AS 17330 EAST ADMIRAL PLACE

2. SITE PLAN.
SCALE 1" = 50'

8.7

SITE PLAN

P1.01



0 Feet 200 400



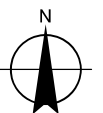
Subject Tract

BOA-23274

19-14 02

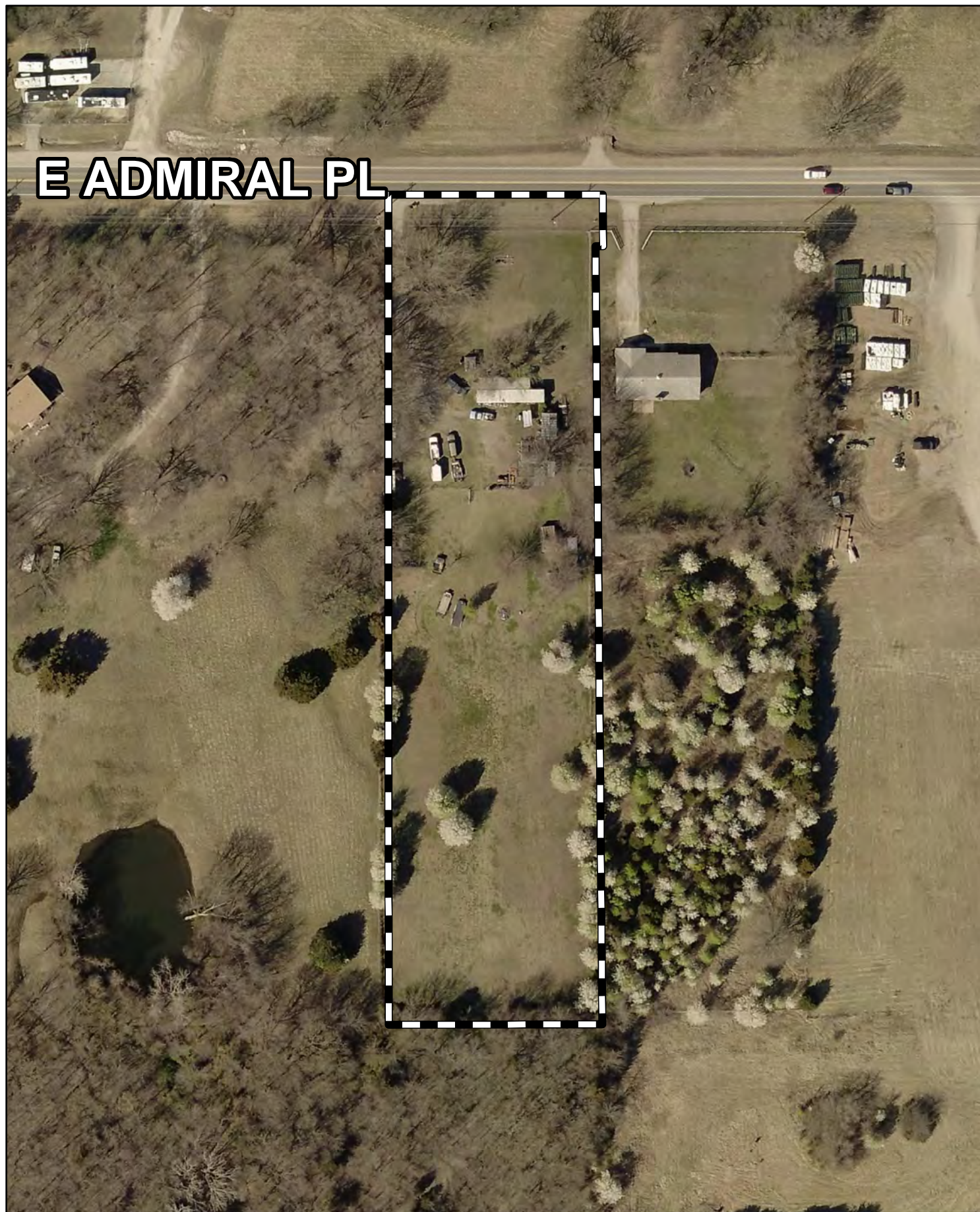
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021



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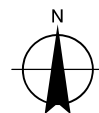
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Tract*

BOA-23274

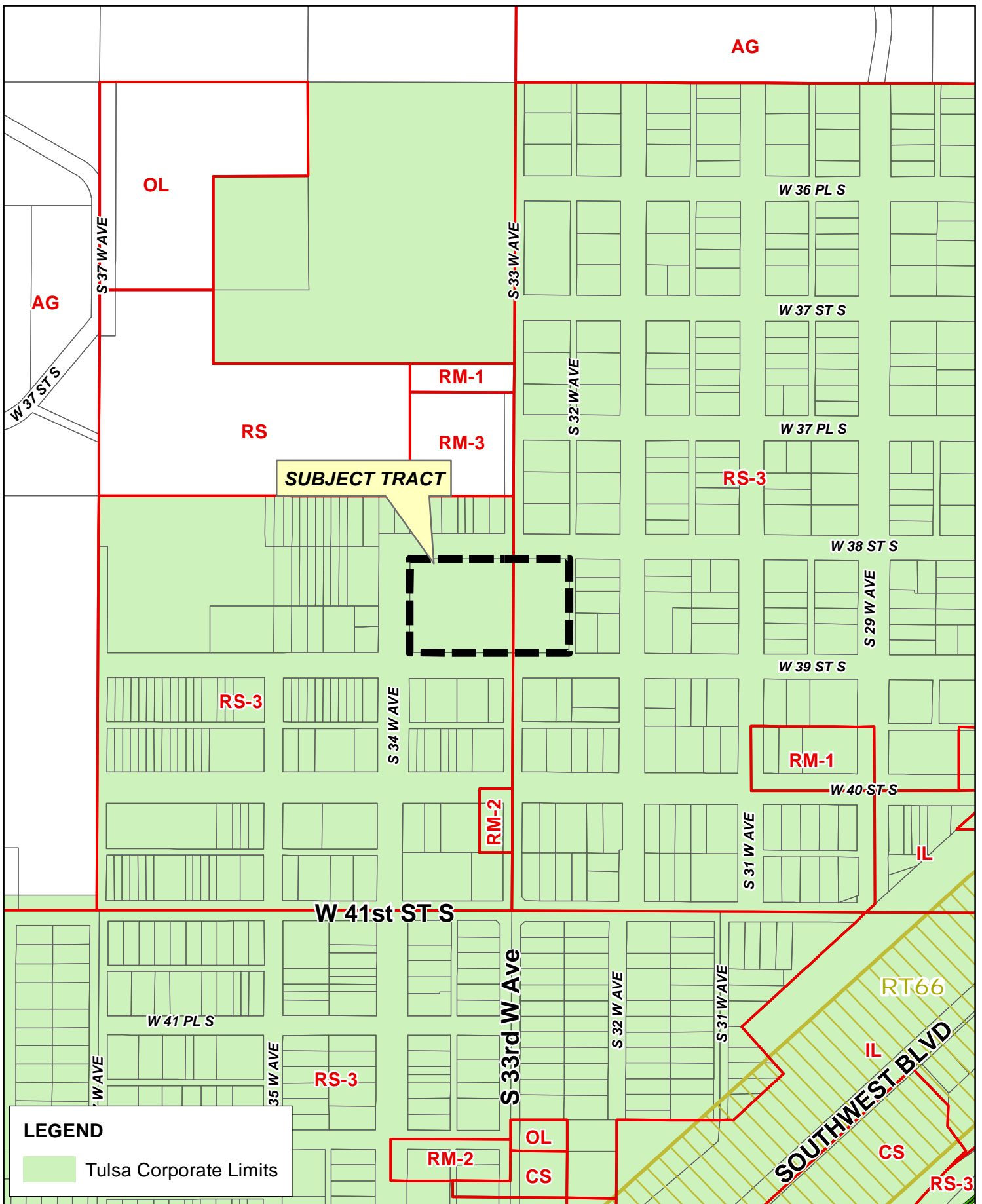
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*Note: Graphic overlays may not precisely
align with physical features on the ground.*

Aerial Photo Date: 2020/2021



8.9



BOARD OF ADJUSTMENT CASE REPORT

STR: 9221

CZM: 46, 45

CD: 2

Case Number: **BOA-23284**

HEARING DATE: 02/22/2022 1:00 PM

APPLICANT: Minum Productions , Inc. "Reservation Dogs"

ACTION REQUESTED: Special Exception to permit a Temporary Office Use in the RS-3 District for up to 180 days. (Sec. 50.020-D)

LOCATION: 3205 W 39 ST S

ZONED: RS-3

PRESENT USE: Vacant former Elementary School

TRACT SIZE: 152848.31 SQ FT

LEGAL DESCRIPTION: ALL BLK 6 & W30 VAC STREET ADJ ON E; LTS 4 THRU 6 & E30 VAC STREET ADJ ON W BLK 35, YARGEE ADDN, RED FORK

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-7475; On 06.01.72 the Board approved a Special Exception for an Elementary School in a Residential District.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "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 the former Park Elementary School site located East of S. 34th W. Ave. in between W. 38th St. S. and W. 39th St. S.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit a Temporary Office Use in the RS-3 District for up to 180 days. (Sec. 50.020-D)

50.020-D Temporary uses that do not comply with all applicable regulations and all conditions of approval may be approved as special exceptions in accordance with [Section 70.120](#). The development administrator is authorized to refer any temporary use to the board of adjustment for consideration in accordance with special exception procedures of [Section 70.120](#).

The requested Special Exception is intended to permit the former school to be used as the temporary production office for a television series. Per the applicant the use would take place entirely indoors.

The property owners have been referred to meet with Tulsa Planning Office staff about re-zoning the property if there is a possibility the lease would be extended beyond 180 days. The re-zoning process could be completed prior to the expiration of this Exception.

SAMPLE MOTION: Move to _____ (approve/deny) a Special Exception to permit a Temporary Office Use in the RS-3 District for up to 180 days. (Sec. 50.020-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.



Facing East on W. 39th St. S.



Subject property from W. 39th St. S.



Subject property from W. 38th St. S.



Rear of Subject property



TULSA PUBLIC SCHOOLS

EQUITY CHARACTER EXCELLENCE TEAM JOY

February 1, 2021

Minim Productions, Inc.
ATTN: Mr. Dylan Brodie

Dear Mr. Brodie,

Pending approval by the appropriate authorities, including the board of Tulsa Public Schools, the district intends to make Park Elementary School available to Minim Production, Inc., for their business use during the filming of the series "Reservation Dogs" in a nearby location. The district has also begun working with Minim Production to develop opportunities for students to gain exposure and experiences relating to film production as a result of this short-term engagement. Though the specific terms of the building's use will be described in appropriate facility use and lease agreements, the production company will be authorized to conduct its business solely within the elementary school itself.

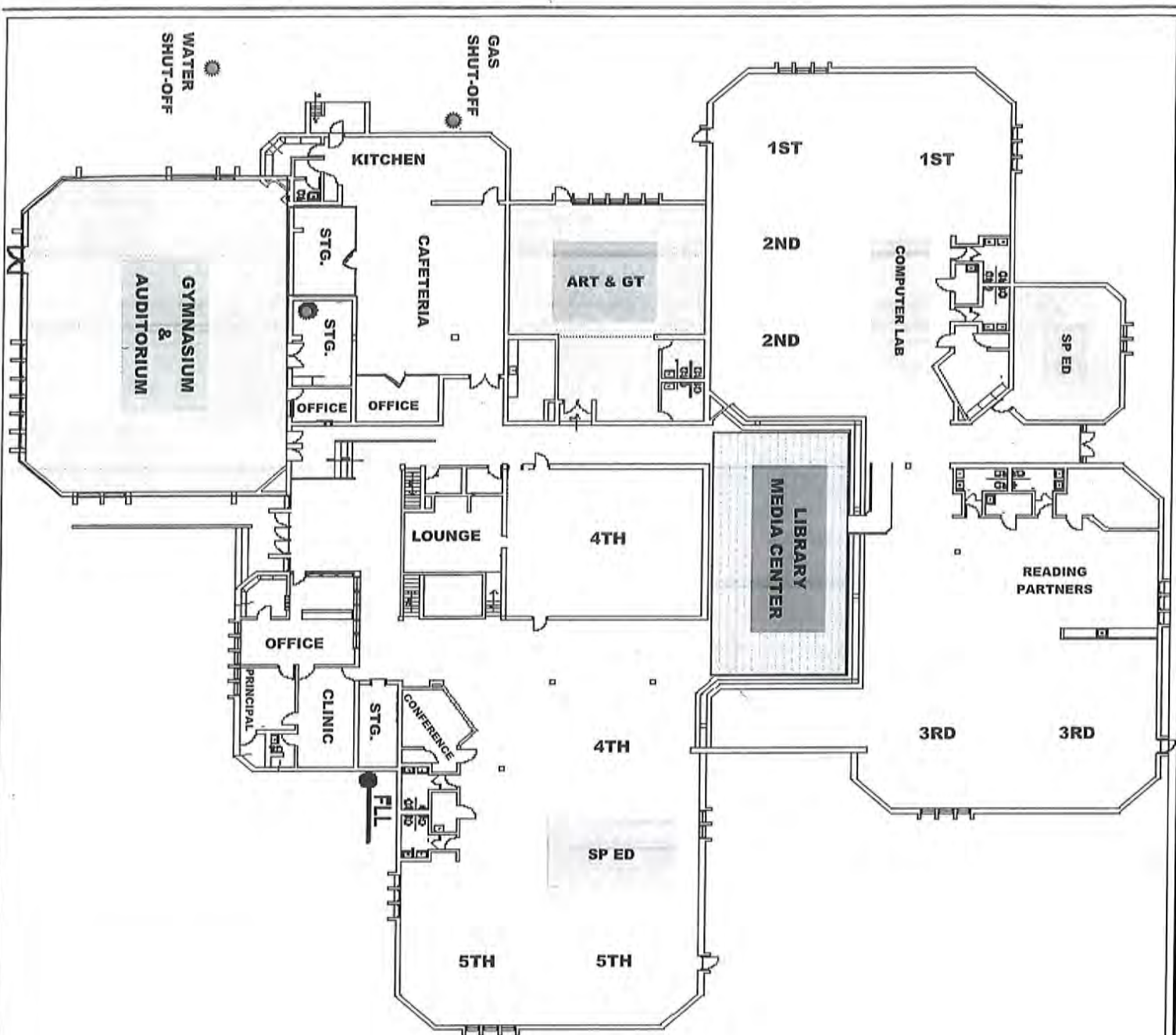
Sincerely,

Jorge Robles
Chief Finance and Operations Officer

DESTINATION EXCELLENCE

3027 SOUTH NEW HAVEN AVENUE | TULSA, OKLAHOMA 74114

918.746.6800 | www.tulsaschools.org



****All Interior Space to be Used by Minim Productions for Social Distancing Safety****

LEGEND:

MDF = MAIN DATA FRAME	GM = GAS METER SHUT-OFF
DMARC = SWB-FOR TELEPHONE	WM = WATER METER SHUT-OFF
FLL = FIBER LOCATION LINE	ELEC = ELECTRICAL BOX SHUT-OFF
DF = INTERMEDIATE DATA FRAME	
● = LOCATION MARK	
— = FIBER LINE INTO BUILDING	

- T 1 STORAGE
- T 2 READING
- T 3
- T 4 COUNSELOR

**PARK ELEMENTARY -
3205 W 39th St,
Tulsa, OK 74107**





CITY OF TULSA
RESIDENTIAL TEMPORARY USE
PERMIT APPLICATION

Date: 02/01/2022
A/P#: _____

ADDRESS: 3205 W. 39th Street, Tulsa, OK 74107

DESCRIPTION OF RESTRICTIONS, LIMITATIONS (WHOLE BUILDING, FIRST FLOOR, ETC.):

Minim Productions, Inc. plans to use the property for office use and storage space during the production of
Reservations Dogs Season 2. There will be no outdoor activities on the property; all activities will occur indoors.

TIME PERIOD FOR WHICH THE TEMPORARY USE PERMIT IS BEING REQUESTED (NOT TO EXCEED THIRTY CALENDAR DAYS):

02/01/2022 TO 06/30/2022
(MM/DD/YYYY) (MM/DD/YYYY)

THE REASON WHY THE WORK CANNOT BE COMPLETED PRIOR TO OCCUPANCY:

CONTRACTOR

I, the undersigned, do hereby certify that the information furnished is complete and accurate; furthermore I acknowledge that all final inspections shall be obtained prior to the expiration of this permit.

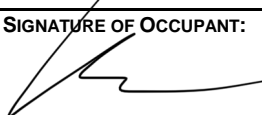
PLEASE PRINT

NAME OF APPLICANT:	SIGNATURE OF APPLICANT:	DATE:

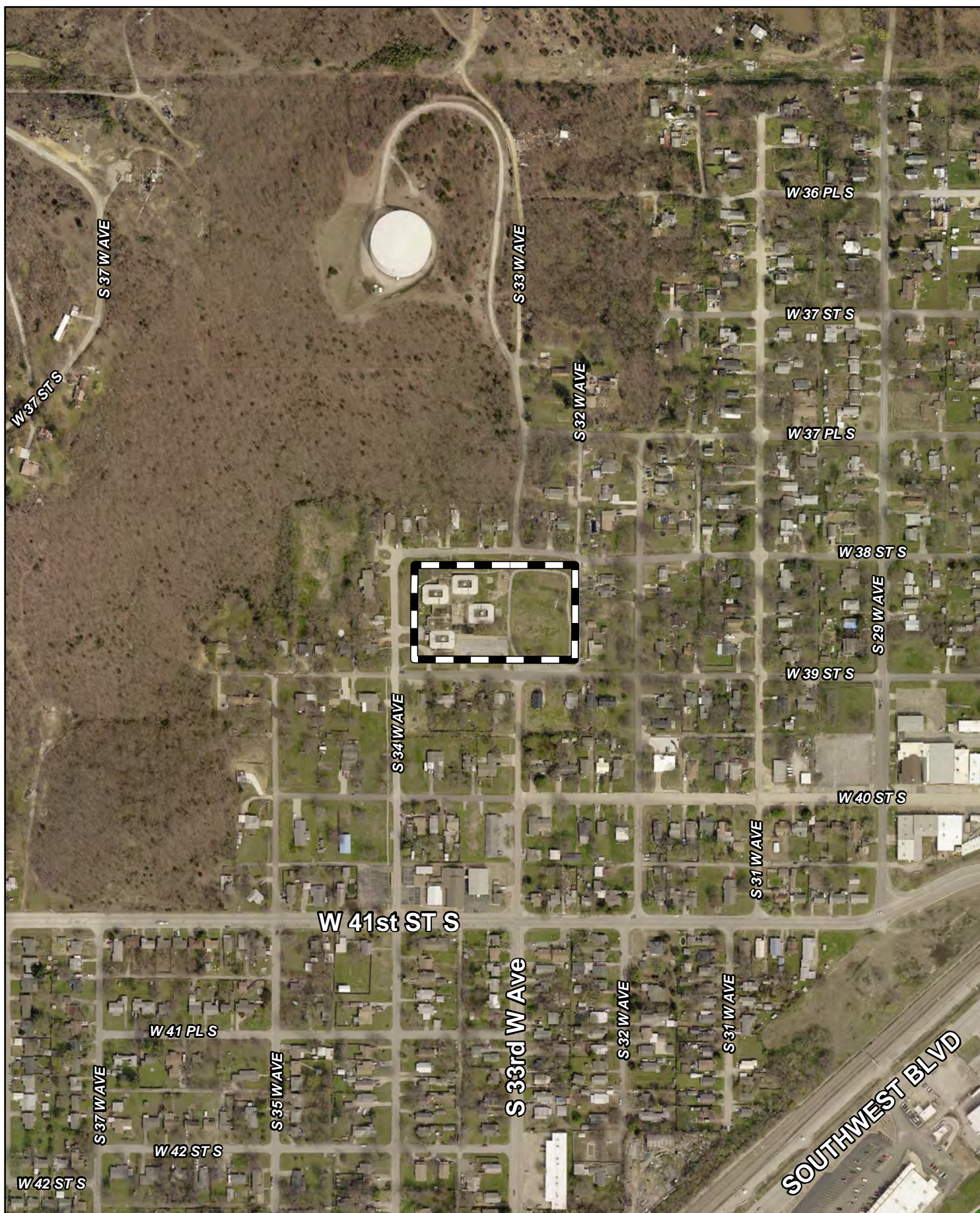
OCCUPANT

I do hereby certify that I am the proposed occupant, and I am aware that the required final inspections have not been completed on the building or structure, and I am aware of the limitations and restrictions imposed by this permit. Further, I will not alter, remove, repair or change anything covered by the current IRC building code and I acknowledge that the required final inspections shall be obtained prior to the expiration of this permit.

PLEASE PRINT

NAME OF OCCUPANT:	SIGNATURE OF OCCUPANT:	DATE:
Minim Productions, Inc.		02/01/2022

Expiration Date: _____



Feet

0 200 400



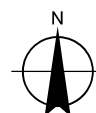
Subject
Tract

BOA-23284

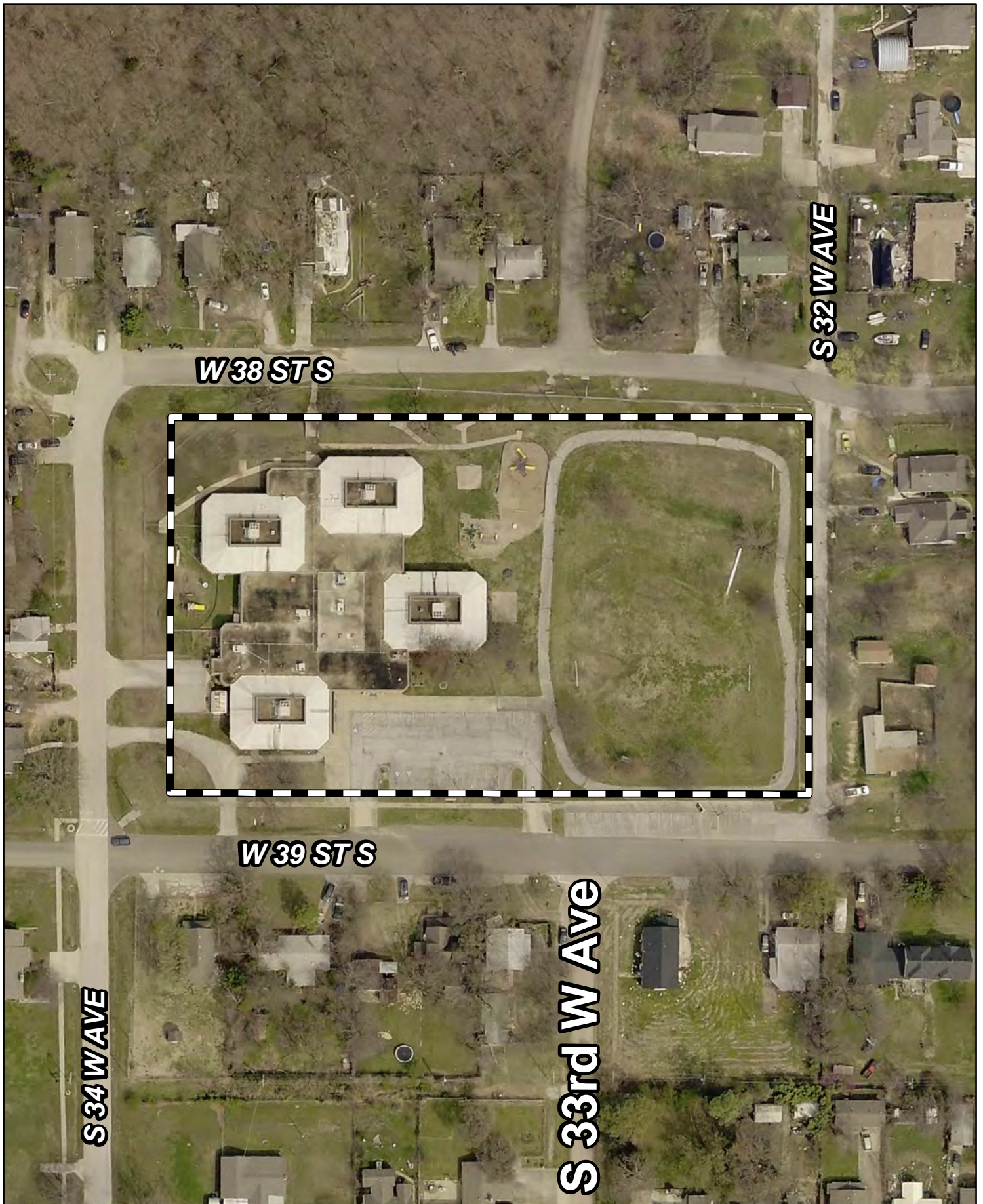
19-12 21
19-12 22

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

Aerial Photo Date: 2020/2021



9.10



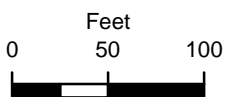
S 34 W AVE

W 38 ST S

S 32 W AVE

W 39 ST S

S 33rd W Ave



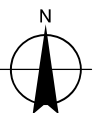
**Subject
Tract**

BOA-23284

19-12 21
19-12 22

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

Aerial Photo Date: 2020/2021



9.11