

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

Meeting No. 1291

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

Email: esubmit@incog.org

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

INTRODUCTION AND NOTICE TO THE PUBLIC

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

Review and possible approval, approval with modifications, denial or deferral of

- 1. Approval of minutes from February 8, 2022, Meeting (1288)**
- 2. Approval of minutes from February 22, 2022, Meeting (1289)**

UNFINISHED BUSINESS

3. 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)**

NEW APPLICATIONS

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

4. **23287- Luis Ozoria**
Special Exception to permit a Personal Vehicles Sales and Rental Use in the CS District (Sec. 15.020, Table 15-2)
LOCATION: Property Address: 11320 E. 20th St. S.; Tenant Space: 2002 South 114th E. Ave. **(CD 6)**

5. **23288- Wayne Keith**
Special Exception to permit a Personal Vehicles Sales and Rental Use in the CS District (Sec. 15.020, Table 15-2)
LOCATION: 1212 N Mingo Road **(CD 3)**

6. **23289- Grady W. Whitaker, Jr.,**
Special Exception Special Exception to Permit an Indoor Assembly & Entertainment (larger than 250-person capacity) Use in the AG District (Sec. 25.020-B, Table 25-1)
LOCATION: 19504 E. 6th Street **(CD 6)**

7. **23291- Dasia McClellan**
Variance of the 1,000-foot spacing requirement for a medical marijuana dispensary from other medical marijuana dispensaries (Section 40.225-D)
LOCATION: 5824 S. Peoria Ave. **(CD 9)**

8. **23293- Matthew Mosley**
Special Exception to permit a duplex in an RS-3 District (Table 5.020, Table 5-2) Variance of the required 25-foot street setback from N. Rockford Ave. (Sec. 5.030-A; Table 5-3); Variance of the 15-foot street building setback and 20-foot garage door setback from Woodrow Pl. (Sec. 5.030-B, Table Note 3)
LOCATION: 2145 N. Rockford Ave E. **(CD 1)**

9. **23294- Raul Cisneros**
Special Exception to reconstruct a structure with a non-conforming setback (Sec. 80.030-D)
LOCATION: 1902 W. Cameron Ave. St. N. **(CD 4)**

10. **23295- Ryan Neurohr, Image Builders**

Special Exception to permit a Dynamic Display sign in a Residential District containing a School Use (Sec. 60.050-B.2.c) **Special Exception** to permit a dynamic display sign within 200-feet of Residentially Zoned Lots or Residential Development Area (Sec. 60.100-F)

LOCATION: 1442 E 36 ST S (CD 9)

11. **23296- Keri Kraus**

Special Exception to increase the permitted driveway width (Sec. 55.090-F)

LOCATION: 4749 S. Columbia PI (CD 9)

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.

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 1288
Tuesday, February 8, 2022, 1:00 p.m.
Tulsa City Council Chambers
One Technology Center
175 East 2nd Street

MEMBERS PRESENT

**MEMBERS
ABSENT**

**STAFF
PRESENT**

**OTHERS
PRESENT**

Bond, Chair
Barrientos
Wallace
Radney, Vice Chair
Brown, Secretary

Wilkerson
Chapman
S. Kelvington
K. Davis
R. Jones

Blank, Legal

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on February 2, 2022, at 10:53 a.m., as well as at the Office of INCOG, 2 West Second Street, Suite 800.

After declaring a quorum present, Chair Bond called the meeting to order at 1:00 p.m.

Mr. Chapman read the rules and procedures for the Board of Adjustment Public Hearing.

The Board members and staff members attending in person are as follows:

Mr. Austin Bond, Chair
Mr. Tomas Barrientos
Ms. Audrey Blank, City Legal
Mr. Steve Brown, Secretary
Ms. Burlinda Radney
Mr. Tyler Wallace
Mr. Dwayne Wilkerson, Tulsa Planning Office
Mr. Austin Chapman, Tulsa Planning Office
Ms. Sandra Kelvington, Tulsa Planning Office
Mr. Kendal Davis, Tulsa Planning Office
Ms. Robi Jones, Tulsa Planning Office

MINUTES

On **MOTION** of **RADNEY**, the Board voted 5-0-0 (Barrientos, Bond, Brown, Radney, Wallace "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the **Minutes** of the December 14, 2021, Board of Adjustment meeting No. 1285.

UNFINISHED BUSINESS

23229- Josh Clark

Action Requested:

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

LOCATION: 4555 S. HARVARD (CD 9)

Presentation:

Jonathan Cowan- 1717 S. Boulder Ave Suite 106

Per the request of the board, they have gathered a summary of the variance language and codes. They have provided an update of the sign dimensions and have provided the total square footage of the wall signs and street signs. The totals come to an additional 19 sq ft. above what is allowable by code.

Mr. Brown asks if the sign at the road has been eliminated? Mr. Cowan responds no because it is not a large sign and the location. He felt like they were starting to come to a level of comfort with all the signs at the last board meeting.

Mr. Brown asks if they have done anything to lower the monument sign. Mr. Cowan responds no. Mr. Brown continues to say that he does not like that, and that he likes the signs on the building, but the monument sign is not acceptable to him.

Interested Parties:

There are no interested parties.

Comments and Questions:

Mr. Bond states they need a proper hardship to approve this. That there is an existing sign and subsequent additional spaces that allow for a hardship. He feels it is like another case for an insurance company the board approved in either November or December 2021.

Board Action:

On **MOTION** of **RADNEY**, the Board voted 4-1-0 (Radney, Bond, Wallace, Barrientos "aye"; Brown "nays"; no "abstentions"; none absent) to **APPROVE** a **VARIANCE** to increase the number of allowed signs per street frontage in the OL District from 1 sign to 4 signs along South Harvard Ave. (Sec.60.060-B.1) Finding the hardship to be the existence of a monument sign that predates the division of the property into separate business spaces and per the conceptual plans submitted today as auxiliary documents in the agenda packet and subject to the condition that the wall signed do not exceed a display area of 32square feet. In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

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

LT 7 BLK 2,VILLA GROVE HGTS NO 1

23239- Jones, Gotcher & Bogan P.C

Action Requested:

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

LOCATION: 3501 E. 107 PL. S. **(CD 8)**

Presentation:

James Weger- 15 East 5th Street Suite 3800

Mr. Weger represents his clients and homeowners, the Millers. His clients purchased the home and have completed a very extensive remodel. But when they purchased the home it had an existing fence along the front, but when you pull up to their home, it

drops approximately 30ft below the street level. To address this, they have stair stepped down from the street to the front door of the home. The street is only used by the three homeowners. They are seeking the approval of the special exception per drawing 3.4 of the agenda packet. Mr. Weger further states that is needed for the protection of the home and those driving down the road.

Interested Parties:

No interested parties.

Comments and Questions:

Mr. Bond drove to visit this location and believes that it is topographically unique and challenging. He believes it is not injurious to the neighborhood based on the presentation.

Mr. Brown drove to the location and peeked through the gate to the cul-de-sac and was surprised by the drop to the house. He feels it is a very open and appropriate fence and he tends to support.

Mr. Wallace supports

Ms. Radney states that she appreciates the details of the site plans submitted and she tends to support.

Board Action:

On **MOTION** of **WALLACE**, the Board voted 5-0-0 (Barrientos, Bond, Wallace, Brown, Radney "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** a **SPECIAL EXCEPTION** to permit a fence or wall to exceed 4-feet in height inside the required front street setback (Sec. 45.080-A) Per the conceptual plans 3.5, 3.6, 3.15, 3.31-3.32 of the agenda packet. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare area for the following property:

LT 6 BLK 1, PHILCREST

23246- Sam Cook

Action Requested:

Special Exception to permit a Carport in the street setback and the street yard with modifications to its allowable dimensions and setbacks (Sec. 90.090-C1);

LOCATION: 4113 W. 5 St. (CD 1)

Presentation:

Applicant was not present

Interested Parties:

There were no interested parties present.

Comments and Questions:

Mr. Chapman spoke to applicant and at the applicant stated that he has had some health issues and has not been able to attend.

Board Action:

On **MOTION** of **RADNEY**, the Board voted 5-0-0 (Barrientos, Bond, Wallace, Brown, Radney "aye"; no "nays"; no "abstentions"; none absent) to **CONTINUE** the **SPECIAL EXCEPTION** to permit a Carport in the street setback and the street yard with modifications to its allowable dimensions and setbacks (Sec. 90.090-C1) to the April 12, 2022 meeting. For the following property:

W 82' OF LT 11 & TH W 82' OF LT 12 BLK 1, VERNDALE

NEW APPLICATIONS

23257- James Means

Action Requested:

Variance to reduce the 25-foot rear setback in an RS-2 District to permit an addition to the residence (Sec. 5.030-A, Table 5-3)

LOCATION: 2808 E. 23rd St. S. **(CD 4)**

Presentation:

James Means- 5936 S. Lewis with Kitchen Concepts

They are adding an addition for a couple that includes a bedroom and bathroom, so the owners have the room to age in place at their home. They have been working on this project for the past 1.5 years and they did not know they needed the variance until the architect submitted the completed plans. Mr. Means states that they have sent letters to the surrounding neighbors, and they have heard back from some of the neighbors and they were in support of.

Mr. Bond asks about the hardship. Mr. Means states that the house sets on a corner and the side yard is considered the backyard.

Interested Parties:

No interested parties.

Comments and Questions:

Mr. Bond states that it is an older house and older neighborhood, so he has no issues.

Mr. Chapman that the 40ft building line per the original plat that city code would allow them to build another 5ft to the west if the property owners wanted to. By code they are only required a 30ft setback from Delaware.

Board Action:

On **MOTION** of **WALLACE**, the Board voted 5-0-0 (Barrientos, Bond, Wallace, Brown, Radney "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** a **VARIANCE** to reduce the 25-foot rear setback in an RS-2 District to permit an addition to the residence (Sec. 5.030-A, Table 5-3). Finding the hardship to be the location of the existing house predates the modern zoning code per the conceptual plans shown on 5.7 of the agenda packet. In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

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

LT 1 BLK 1,SOUTH EAST HIGH RIDGE PRT L8 J P HARTER'S SUB

23258- Jaunita Gonzalez

Action Requested:

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

LOCATION: 8938 E. Admiral Pl. S. (CD 3)

Presentation:

Juanita Gonzalez- 8938 E. Admiral Street

Ms. Gonzalez is requesting the special exception to permit a fence on their business property due to recent crime and break ins. The surrounding properties have existing fences, so their fence will fit in with the area. The fence will be 59ft and made of a wrought iron type of fencing.

Interested Parties:

There were no interested parties present.

Comments and Questions:

Mr. Bond, Mr. Wallace, and Ms. Radney are in support of.

Board Action:

On **MOTION** of **RADNEY**, the Board voted 5-0-0 (Barrientos, Bond, Brown, Radney, Wallace "aye"; no "nays"; one "abstentions", Bond; none "absent") to **APPROVE** a **SPECIAL EXCEPTION** to permit a fence or wall to exceed 4-feet in height inside the required street setback (Sec. 45.080-A) Per the conceptual plans shown on 6.7 of the agenda packet and the amended plans submitted today with a wrought iron type of fencing to be installed. 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 area for the following property:

**N162.5 E140 LT 3 LESS BEG NEC TH S33 W140 N32.8 E140 POB BLK 5,DAY
SUBURBAN ACRES**

23259- Marvin Primas

Action Requested:

Variance to allow the floor area of all detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A); **Special Exception** to exceed the permitted driveway width (Sec. 55.090-F)

LOCATION: 2424 E. 29th Pl. N. (CD 1)

Presentation:

Charlette Fisher- 2424 E 29th Pl. N.

Requesting a variance and exception to add a garage for additional storage of equipment due to theft. They want to protect their property and equipment they own. The property has an existing home and garage. They have an existing driveway that they will expand an additional 5' for access to the new garage.

Mr. Bond asked when the property was originally plotted? Mr. Chapman replies the subdivision was originally platted in 1946.

Ms. Radney asks how many curb cuts they have on the property, to which Ms. Fisher replies three.

They own all the surrounding properties on the block and across the street is a church, so they do not have any neighbors.

Interested Parties:

No interested Parties

Comments and Questions:

Mr. Bond and Ms. Radney are in support of.

Board Action:

On **MOTION** of **RADNEY**, the Board voted 5-0-0 (Barrientos, Bond, Wallace, Brown, Radney "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** a **VARIANCE** to allow the floor area of all detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A). Finding the hardship to be the existing platting of the neighborhood predates the current zoning code and with the new revisions to the lot size and dimensions and the topographically unique challenge to the area. Per the conceptual plans 7.8-7.9 of the Agenda Packet and **APPROVE** a **SPECIAL EXCEPTION** to exceed the permitted driveway width (Sec. 55.090-F) 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 area. In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
- b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose.

- c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification.
- d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner.
- e. That the variance to be granted is the minimum variance that will afford relief.
- f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and
- g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan, for the following property

LTS 3 THRU 7 BLK 7, AMOS T HALL ADDN

23260- Nate Nebergall, 5 Points Council, LLC

Action Requested:

Special Exception to permit a Moderate-impact Medical Marijuana Processing (Moderate-impact Manufacturing and Industry) Use in the IL District (Sec. 15.020, Table 15-2)

LOCATION: 3153 N. Lewis Ave. E.; 3147 N. Lewis Ave. E.; 3139 N. Lewis Ave. E.; 3131 N. Lewis Ave E.; 3123 N. Lewis Ave. E. **(CD 1)**

Presentation:

Nate Nerbergall 58100 S Lewis Ave, Suite 266

Mr. Nerbergall is here to seek a special exception for the properties listed. It is currently zoned for low impact, but they are seeking to make it moderate impact processing. They feel it would not be detrimental to the neighborhood as there is a dispensary current located across the street to the north. They will be doing either water or food-based extractions. Mr. Nebergall notes the entire property is fenced in and they will be adding state of the art security systems to the property. The new owners will be reskinning the buildings and notes they are currently in poor condition, and he believes the improvement will bring future economic development to the area.

Mr. Browns asks if they will be using all six of the current buildings on the property, to which Mr. Nebergall replies yes. All six buildings will be developed as industrial light and cannabis growing is already permitted in the area.

Ms. Radney asks if they will potentially using this a grown facility. Mr. Nebergall replies yes because it is already permitted, and a special exception is not needed for that purpose.

Ms. Radney asks if they have any refined information on the process they will be using. Mr. Nerbergall responds yes and indicates that they will use water, food, or limited heat processing. They will not be using a combustible process.

Ms. Radney states that she is familiar with this site and agrees with the applicant that the site is not in the best condition but acknowledges there is an intense effort to add new residential construction close to this property, including Habitat for Humanity. She is not inclined towards and intensity of industrial use in this corridor, especially without a known tenant and the exact intensity of the activity that would be occurring.

Mr. Bond asks for clarification if this use by right for agricultural cultivation. Mr. Chapman replies yes and indicates they would be able to conduct low-impact processing such as pre-rolling marijuana cigarettes and extraction for food base usage, subject to them bringing the buildings up to code.

Interested Parties:

Jeanetta Williams- 2240 N. Quincy Ave

Ms. Williams's parents reside at 3140 N Lewis, directly across the street from the facility. They have been landowners on that corner for over fifty years and she has brothers that also live on the same street. She is opposed to this due to the odor and the subsequent poor air quality, and the size of the land / processing center. Ms. Williams would like to give some of the Governor's reasonings that were mentioned his State of the State Address in which he stated the proud state of Oklahoma is a state of law and order. That prefaced his talk about the marijuana industry in Oklahoma, in which he acknowledged that it is poorly regulated and that when the law was created the initial petition was poorly written. He says that there over 8,300 growers in the state of Oklahoma and that all the drugs being grown and processed in Oklahoma are not being distributed legally, which can lead to other issues such as cartels, trafficking etc. Ms. Williams last statement is if Governor Stitt does not trust the marijuana industry in the state of Oklahoma why should they trust it in their neighborhood?

Corinci Wilson- 1750 E. Mohawk Blvd

Dr. Wilson is here on her lunch hour because her neighbors are at work, and she is here on their behalf. She is opposed to this special exception. There is currently a dispensary down the road, there is a school one mile down the road, they have a home for services for women and children in the area. Dr. Wilson does not want the processing center in this area. She feels that Mr. Nerbergall is not giving enough information on who is operating the facility, who is doing the processing and how it will be operated and facilitated. She says Mr. Nebergall did not reach out to any of the neighbors, she was only informed through the neighborhood association. This is not the type of manufacturing and employment opportunities they want in the neighborhood.

Essenchay Williams- 2240 N. Quincy Ave

Ms. Williams states that her grandparents have lived in the house across for years and she has known this neighborhood her entire life. Ms. Williams states that although there is a dispensary down the road, it does not have the same impact as this processing plant with the size and capacity of this location. Mr. Nebergall does not know who will be occupying this facility and once they have a tenant, they could want to change the impact of the processing. She does not see any positive coming out of this, but she knows a lot of negatives that will come from it such as higher rates of crime. Mr. Bond asks Ms. Williams if she had the opportunity to sit down with the applicant if that would be helpful? Ms. Williams said it would be helpful and she would like more information, but it may not change her mind. They want to know who is coming into their neighborhood and they want to keep their neighborhood safe. Ms. Williams further states that her daughter attends the school down the road, and she does not want her exposed to what this facility may bring.

Sylvia King- 1039 E. 116th Pl. N

Ms. King grew up in this neighborhood and she spoke with her brothers who are homeowners in the neighborhood. She also has elderly neighbors that have been there for a long time. Ms. King says there are new homes that are being built and bought, as well as homes for Habitat for Humanity. They are concerned about the crime and the patrons of that type of business. Ms. King says that it is a mind-altering drug, and it will bring people to the area that will try to obtain the marijuana illegally. Ms. King is opposed and will not change her mind. Crime rate will go up and home values will go down.

Stephanie Porter- 4347 Yellow Rose Drive – Georgia

She is in town visiting her parents and saw the notice. She had to explain the letter to her parents because they did not understand. Ms. Porter states that the air quality is already poor due to the dispensary down the road, you could smell the weed. If this facility is allowed, it will not help the new development in the area.

Ms. Radney asks if her parent's home is the only residential feet within the 300' area, to which Ms. Porter responds yes.

Raymond Courtney- 9404 S. Delaware Ave

Mr. Courtney is the owner of Raystar Properties, and he is surprised by the level of participation at the meeting on this matter. Raystar Properties are substantially committed and invested in the long-term revitalization of North Tulsa which began eighteen years ago. Last summer they purchased thirty properties on the north side, of which seven of those properties are in a new addition directly west of the proposed processing facility. Mr. Courtney owns a block of new residential property and is in the process of investing \$2 million dollars in this new residential property. If this new special exception is approved, it will impair the value of their investment and it will change his company's plans for development in the area. This special exception is injurious to the neighborhood and the public welfare. In closing is specifically disagrees with the applicant that this activity is lawful; it is against federal law at every level.

Mr. Courtney humbly and respectfully asks that the board will deny and reject the proposed special exception.

Tyson Banks- 2707 E 32nd St. N

Mr. Banks asks the Board what they see in the next 10-20 years in the neighborhood and area. He understands the people that stay there, but will they still be there down the road. He asks if they want change or to stay the same? He asks what will the new business bring? New jobs? Mr. Banks would like his neighbors to give something new a chance and look towards tomorrow. He believes they need to have an open mind and he does not understand the issues they have with the proposed facility. He originally came to oppose, but now feels he needs to have an open mind.

Ms. Radney states that they are a land use board and are charged with helping the community make variances and special exceptions that are deviations from the Zoning Code and keep things from being injurious to the neighborhood and that is in keeping with the plan because you do need to be able to send strong signals to businesses and people building houses for the city and what those are envisioning to the area. Ms. Radney does add that one reason there is so much tension in this area is that unlike other areas of the town they do have a lot of residential housing that is against industrial uses, not to mention the freeway that was placed in the neighborhood. Ms. Radney states that the board wants to protect the quality of life over the next 100 years, and they are there to protect areas from this happening. Ms. Radney is agnostic on cannabis, but she is not agnostic on the quality of life for people that live in neighborhoods that are designed to be neighborhoods.

Rebuttal:

Mr. Nebergall would like to add:

- They buyers reside in Tulsa and are part of the community
- Medical Marijuana and processing is a state law that was voted on by the citizens of Oklahoma.
- The zoning does currently allow for growing and he does not see a buyer coming in and using all that space for processing. It would just be the opportunity to choose one of the buildings. If they, did it would be unprecedented at this time.
- Everything will be done persona to code and what they city requires regarding safety, so on and so forth, before you can get a certificate of occupancy.
- The security requirements are state of that art and second to none.
- All buildings on the property will be brought to code.
- It is not a dispensary, just a special exception from low impact to moderate processing.

Comments and Questions:

Mr. Bond would like to educate everyone that they are here to give exceptions to the existing city code, and they cannot just pass them out, they have defined rules to be

followed. In his mind the biggest concern for the neighborhood is the cultivation and what he has heard the most complaints about. Mr. Bond says that this board does not have the power to shut that down. That if the board passes or refuses to pass the special exception for processing the applicant is already aware he can use it by right for cultivation. Mr. Bond proposes that they base their decision on the code, that it is not injurious to the neighborhood. He states that he has heard their voices today and is compelled by them. His proposal is that they pass this matter for 60 days, so the applicant and neighbors have a chance to sit down and talk and get a better understanding about the plan and their issues addressed and to speak to city councilors. This board is powerless for the bigger issue.

Ms. Radney asks if they said they intended to use the property for cultivation or if the applicant was just saying they can use it by, right?

Mr. Bond further encourages the parties to talk. He wants the parties to be aware there are ways to change zoning in the city outside of this board.

Ms. Radney also adds an observation that this board is only requires to mail notices to neighbors that live within 300ft, but there are very active homeowner associations and stakeholders in the area and she encourages the parties to reach out to them because they are very active and vocal.

Board Action:

On **MOTION** of **Radney**, the Board voted 4-0-1 (Barrientos, Bond, Wallace, Brown, "aye"; "nays"; one Radney "abstentions"; none absent) to **CONTINUE** the requested **SPECIAL EXCEPTION** to permit a Moderate-impact Medical Marijuana Processing (Moderate-impact Manufacturing and Industry) Use in the IL District (Sec. 15.020, Table 15-2) to the April 12, 2022, meeting.

TR BEG 30S & 50E NWC S/2 SW NW TH S153.62 E999.11 N153.61 W998.97 POB SEC 20 20 13 3.524ACS; N18.75 S/2 N/2 S/2 SW NW LESS E271.27 THEREOF & LESS W50 THEREOF FOR RD SEC 20 20 13 .429AC; TR BEG 317.13N & 50E SWC NW TH E998.46 N140.31 W998.71 S139.87 POB SEC 20 20 13 3.216ACS; BEG 50E & 158.62N SWC SW NW TH N158.62 E610.19 S94.21 SW334.06 W287.9 POB SEC 20 20 13 2.039ACS; BEG 158.62N & 50E SWC SW NW TH S71.37 NELY298.43 TH W287.9 POB SEC 20 20 13,

23262- Ryan Neurohr, Image Builders

Action Requested:

Special Exception to permit a Dynamic Display sign in a Residential District containing a School 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: 1924 N. Martin Luther King Jr. Blvd. E. **(CD 1)**

Presentation:

Ryan Neurohr- 4132 E 41st St.

Mr. Neurohr is requesting a special exception to allow a dynamic display in a residential area for Burroughs Elementary. They will be moving the new sign to a different location on the property due to a crosswalk that was installed close to the existing sign. They are relocating the sign to meet the setback requirements. The new signs being installed have the cloud-based software that allows oversight from a central location so headquarters will have control over all the dynamic display signs across the school district, so they stay within the city codes. The units also come with automatic dimming capabilities that will adjust based on the ambient light outside.

Mr. Wallace asks the applicant if the digital sign is large enough for that thoroughfare to be legible? Mr. Neurohr responds that the size of the text will be easily large enough to be visible, especially through the school zone with the 25 mph speed limit.

No feedback from neighbors.

Interested Parties:

No interested parties.

Comments and Questions:

No additional comments or questions.

Board Action:

On **MOTION** of **RADNEY**, the Board voted 5-0-0 (Barrientos, Bond, Wallace, Radney, Brown "aye"; "nays"; no "abstentions"; none absent) to **APPROVE** a **SPECIAL EXCEPTION** to permit a Dynamic Display sign in an Residential District containing a School 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 plans 9.12-9.17 of the agenda packet. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. For the following property:

NE NE SE SEC 26 20 12 10AC

23263- Ryan Neuhor, Image Builder

Action Requested:

Special Exception to permit a Dynamic Display sign in a Residential District containing a School 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: 6960 E 21st St (**CD 5**)

Presentation:

Ryan Neuhor- 4132 East 41st Street

Mr. Neuhor requesting a special exception to allow a dynamic display sign in a residential area for school use for McArthur Elementary. They will be moving the existing sign back 7ft to meet the setback requirements. The new signs being installed have the cloud-based software that allows oversight from a central location so headquarters will have control over all the dynamic display signs across the school district, so they stay within the city codes. The units also come with automatic dimming capabilities that will adjust based on the ambient light outside.

The new sign will be located off of 73rd East Avenue.

No feedback from neighbors

Interested Parties:

There were no interested parties

Comments and Questions:

Mr. Brown asks if the sign will be placed on the existing pole? Mr. Neuhor replies that no, it will be getting a new pole since the existing pole needs to be moved back 7ft to meet the setback requirements.

Board Action:

On **MOTION** of **BARRIENTOS**, the Board voted 5-0-0 (Barrientos, Bond, Wallace, Radney, Brown "aye"; "nays"; no "abstentions"; none absent) to **APPROVE** a **SPECIAL EXCEPTION** TO permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c) and **SPECIAL EXCEPTION** to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F) per the conceptual plans 10.12-10.18 of the agenda packet. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. For the following property:

NE NW SEC 14 19 13,

23264- Ryan Neuhor, Image Builders

Action Requested:

Special Exception to permit a Dynamic Display sign in a Residential District containing a School 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: 10620 E 27th St. S (CD 6)

Presentation:

Ryan Neuhor- 4132 East 41st Street

Mr. Neuhor requesting a special exception to allow a dynamic display sign in a residential area for school use for Delores Huerta Elementary school. The new sign will be repositioned so both sides of the sign are visible, which will be the only change of the placement in comparison to the existing sign. The new signs being installed have cloud-based software that allows oversight from a central location so headquarters will have control over all the dynamic display signs across the school district, so they stay within the city codes. The units also come with automatic dimming capabilities that will adjust based on the ambient light outside.

Interested Parties:

There were no interested parties

Comments and Questions:

No additional comments or questions

Board Action:

On **MOTION** of **RADNEY**, the Board voted 5-0-0 (Barrientos, Bond, Brown, Radney, Wallace "aye"; no "nays"; no "abstentions"; none absent to **APPROVE** a **SPECIAL EXCEPTION** TO permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c) and **SPECIAL EXCEPTION** to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F) per the conceptual plans 11.11-11.17 of the agenda packet. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. For the following property:

BEG 201.7E & 370.37S NWC SE S646 E540.9 NE563.5 W339.24 CRV 98.17 N21.5 W178.23 TO POB SEC 18 19 14,

23265- Ryan Neuhor, Image Builders

Action Requested:

Special Exception to permit a Dynamic Display sign in a Residential District containing a School 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: 737 S Garnett Rd. E. **(CD 3)**

Presentation:

Ryan Neuhor- 4132 East 41st Street

Mr. Neuhor requesting a special exception to allow a dynamic display sign in a residential area for school use for Lewis & Clark Elementary School. The new sign will be repositioned to meet the 65ft setback requirement. The new signs being installed have cloud-based software that allows oversight from a central location so headquarters will have control over all the dynamic display signs across the school district, so they stay within the city codes. The units also come with automatic dimming capabilities that will adjust based on the ambient light outside.

Mr. Brown asks the applicant if the new sign is taller than the other signs? Mr. Neuhor replies no, it will be consistent with the other signs, but this will be taller than the existing sign because the school likes to have them higher to prevent vandalism. The height does not affect the special exception requested.

Interested Parties:

There were no interested parties.

Comments and Questions:

No additional comments or questions.

Board Action:

On **MOTION** of **RADNEY**, the Board voted 5-0-0 (Barrientos, Bond, Wallace, Brown, Radney "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** a **SPECIAL EXCEPTION** TO permit a Dynamic Display sign in an Residential District containing a School 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 plans 12.12-12.18 of the agenda packet. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. For the following property:

**BEG 814N & 65E SWC SW TH N649.92 E459.78 NE482.26 SLY590 SW891.34 W172
POB SEC 5 19 14 14.030ACS**

23266-Ryan Neuhor, Image Builders

Action Requested:

Special Exception to permit a Dynamic Display sign in an Residential District containing a School 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) **Variance** to exceed the allowed display area for a freestanding sign (Sec. 60.050-B.1.b)

LOCATION: 6304 E. Admiral Blvd. S. (CD 5)

Presentation:

Ryan Neuhor- 4132 East 41st Street

Mr. Neuhor requesting a special exception to allow a dynamic display sign in a residential area for school use for Bell Elementary. The applicant is asking on a variance on this application because the school covers an area of three blocks. The variance allows the sign to be installed as planned.

The new signs being installed have cloud-based software that allows oversight from a central location so headquarters will have control over all the dynamic display signs across the school district, so they stay within the city codes. The units also come with automatic dimming capabilities that will adjust based on the ambient light outside.

Interested Parties:

Ellen Decker- 4444 Oakgrove

Ms. Decker would like to provide a little more history about the buildings and schools. She states the buildings were originally built in 1960 and it was Bell Jr High school and Burbank Elementary school. Burbank closed and it is now leased as a charter school. TPS has not sought to combine the two lots. Ms. Decker continued to state that this is one of their larger school sites.

Comments and Questions:

Mr. Brown inquires if the other two lots are vacant? Mr. Neuhor responds that he believes all buildings touch some parts of the lot. Mr. Chapman clarifies that the school is two different schools, one is a charter school that TPS leases out to. They are split along the lot lines.

Board Action:

On **MOTION** of **BROWN**, the Board voted 5-0-0 (Barrientos, Bond, Wallace, Brown, Radney "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** a **SPECIAL EXCEPTION** to permit a Dynamic Display sign in an Residential District containing a School 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 plans 13.13-13.18 of the agenda packet. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. **APPROVE** a **VARIANCE** to exceed the allowed display area for a freestanding sign (Sec. 60.050-B.1.b) finding the hardship to be a combination of two schools and this is a replacement of an already non-conforming sign per the conceptual plans 13.13-13.18 of the agenda packet. In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

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

LTS 6 TO 11 INCL BLK 7,BERRYMAN ESTATES

* * * * *

OTHER BUSINESS

None.

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NEW BUSINESS

None.

* * * * *

BOARD MEMBER COMMENTS

Mr. Brown noted that the minutes submitted are good, and well put together and understandable.

Mr. Chapman introduces Ms. Robi Jones, she will be the attending planner at the 2/22/2022 meeting.

Mr. Bond would like to thank council for their guidance on a complicated issue. He would also like to say that he has a picture in his office of Greenwood and Archer in 1953 and it is a vibrant community, and he makes an acknowledgement of the Greenwood banners in the chambers. He states the city burnt down Greenwood and the direct and lineal predecessors that set on this board came in and rebuilt with zoning and he thanks the Vice Chair for reminding him of that.

* * * * *

There being no further business, the meeting adjourned at 2:56 pm.

Date approved: _____

Chair

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 1289
Tuesday, February 22, 2022, 1:00 p.m.
Tulsa City Council Chambers
One Technology Center
175 East 2nd Street

MEMBERS PRESENT

Wallace
Radney, Vice Chair
Brown, Secretary

**MEMBERS
ABSENT**

Bond, Chair
Barrientos

**STAFF
PRESENT**

Wilkerson
S. Kelvington
K. Davis
R. Jones

**OTHERS
PRESENT**

Blank, Legal

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on February 16, 2022, at 9:48 a.m., as well as at the Office of INCOG, 2 West Second Street, Suite 800.

After declaring a quorum present, Vice Chair Radney called the meeting to order at 1:04 p.m.

Ms. Jones read the rules and procedures for the Board of Adjustment Public Hearing.

The Board members and staff members attending in person are as follows:

Ms. Audrey Blank, City Legal
Mr. Steve Brown, Secretary
Ms. Burlinda Radney, Vice Chair
Mr. Tyler Wallace
Mr. Dwayne Wilkerson, Tulsa Planning Office
Ms. Sandra Kelvington, Tulsa Planning Office
Mr. Kendal Davis, Tulsa Planning Office
Ms. Robi Jones, Tulsa Planning Office

Ms. Radney explained to the applicants and interested parties that the Board is a five member board, but we have two members that are not present, and although you do not need five votes for approval, having members from different perspectives can change the outcome your case. Ms. Radney offers a continuation for applicants if they would prefer to procede when all members are present. If the applicants would like to proceed, they are able to.

NEW APPLICATIONS

23261- Jonathan Belzey

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: 801 & 807 S. Quincy Ave E (CD 4)

Presentation:

Jonathan Belzey- 1220 S. Owasso Dr

They are seeking the relief to reduce the setback that is required by code to allow a backyard and private green space in the back of the townhouses. This is an area that he has been working on for the past decade. Mr. Belzey says they have unanimous support from the Pearl District Association.

They are building six townhouses that will have two parking spaces for each unit, privacy wall to the south to act as a barrier for those neighbors. They setback to the North side / Quincy facing units allows for a covered entry. That canopy is a second story balcony that covers the entry, and they believe that at certain times of the year residents of these homes will have views of the downtown skyline.

Mr. Brown asks the applicant if the units are 2 or 3 bedrooms? Mr. Belzey responds 2 bedrooms.

Interested Parties:

No interested parties.

Comments and Questions:

Mr. Wallace has no issues. Neighbors are in support of it.

Ms. Radney believes it is consistent with the comprehensive plan. Asks what the hardship would be?

Board Action:

On **MOTION** of **WALLACE**, the Board voted 3-0-0 (Wallace, Brown, Radney "aye"; no "nays"; no "abstentions"; two absent, Barrientos, Bond) to **APPROVE** 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 to be the neighborhood predates zoning code and per conceptual plans 1.11 of the agenda packet. In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

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

LTS 15 & 16 BLK 5,EAST LYNN ADDN

23267- 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. 64th St. (CD 2)

Presentation:

Nathan Sweats- 4641 S. Braden Ave – Anthem Construction
Mary Scott- 1410 E 64th St

Mr. Sweats is seeking a variance to allow for a detached garage. The proposed use is for multi-purpose. On the back of the garage there will be access for Ms. Scott's horses and the front of the garage will serve as a garage for Ms. Scott. There is not a second floor on the garage. It will be wood construction, siding and shingle roof that will match the existing siding of the home on the property.

Ms. Scott indicates that she is a veterinarian, but she will not be using this for her clinic, just personal use. Ms. Scott purchased the property and an additional 3 acres that previously had a house and trailer on the property. Ms. Scott intends to remove the trailer from that property. Ms. Scott states that she does not have any immediate neighbors to her property. Her desire is to enhance the property as this is her only residence.

Interested Parties:

There were no interested parties present.

Comments and Questions:

Mr. Brown would like a condition that there will not be a second floor in the garage.

Ms. Radney agrees and would like to also add that it is for personal use, not commercial use. Ms. Radney would like to officially state that this variance request does not allow any home occupation and if ever used as that would be in violation of the code. It may not be used for any Veterinarian services.

Board Action:

On **MOTION** of **WALLACE**, the Board voted 3-0-0 (Wallace, Brown, Radney "aye"; no "nays"; no "abstentions"; two absent, Barrientos, Bond) to **APPROVE** 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 to be the existing property use predates current zoning code. Per the conceptual plans 2.7 & 2.11 of the agenda packet. Per the following conditions: there will not be a second floor built in the structure and it is for personal use only. In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical

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

LOT 3 BLK 3, VALLEY VIEW ADDN

23268- 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. (CD 1)

Presentation:

Nathan Sweats- 4641 S. Braden Ave – Anthem Construction

Mr. Sweats is the owner of Anthem Construction and represents the homeowner, who is not present. Mr. Sweats states the homeowner purchased the lot next to his property of his residence. The homeowner would like to build a garage on the property. It will be wood construction, standard garage doors, shingle roof. It would be used for the homeowner's personal vehicle storage. The proposed garage would be 45x30 – 1,350 sq ft. They are not proposing a driveway in the plans, they will be using the existing curb.

Ms. Radney states she is observing that if they took this application to vote the board would be a split and possibly opposed, she advises the applicant that to grant a variance the board needs a clear and defined hardship that can be relieved by the board. It cannot be financial, and it cannot be self-imposed. She feels like they will not be inclined to approve it and the absence of two board members, she recommends a continuation to the next meeting.

Interested Parties:

No interested Parties.

Comments and Questions:

The board would like to continue this request so the applicant can bring in additional details with the updated building plans to show wood construction and to have a more defined hardship.

Mr. Brown and Mr. Wallace agree with Ms. Radney.

Board Action:

On **MOTION** of **Brown**, the Board voted 3-0-0 (Wallace, Brown, Radney "aye"; no "nays"; no "abstentions"; two absent, Barrientos, Bond) to **CONTINUE** the 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) to the March 8, 2022, meeting. For the following property:

LTS 12 & 13 BLK 28, VALLEY VIEW ACRES

23270- 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 **(CD 3)**

Presentation:

Pedro Garcia- 825 N. Sheridan Rd

Mr. Garcia is seeking a continuance of a previously approved special exception that expired. They own and operate a community event center that hosts quinceanera, church charity events, etc. They are seeking the same the same variances that were previously granted.

Interested Parties:

No Interested Parties.

Comments and Questions:

Mr. Brown and Mr. Wallace have no issues with granting the special exception.

Ms. Radney suggests an expiration of 10 years from the date granted.

Board Action:

On **MOTION** of **Brown**, the Board voted 3-0-0 (Radney, Wallace, Brown, "aye"; "nays"; one Radney "abstentions"; two absent, Bond, Brown) to **APPROVE** 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 4.22 of the agenda packet and subject to the following conditions: must close at 2:00 am on Friday and Saturday, closing at 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 must be kept at acceptable decibel levels per City ordinances. The Board makes this approval for a period of ten years with a date of expiration of 2/22/2032. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. For the following property:

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

23271- Lori Worthington / A-MAX Sign Company

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. 31st Street (**CD 5**)

Presentation:

Ms. Worthington asks for a continuation to the March 8, 2022, meeting

Interested Parties:

No interested parties.

Comments and Questions:

No additional comments or questions.

Board Action:

On **MOTION** of **BROWN**, the Board voted 3-0-0 (Wallace, Radney, Brown "aye"; "nays"; no "abstentions"; two absent, Bond, Barrientos) to **CONTINUE 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) to the March 8, 2022 meeting.
For the following property:

LT 1 BLK 1, WOODLAKE VILLAGE B1

23272- 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 Ave (CD 4)

Presentation:

Peter Janzen- 9810 E 58th St.

This variance is for the Josey record location that is under the Route 66 corridor and is eligible for the Rout 66 sign grant. The old configuration of the building does not allow enough space for a wall sign, so they are requesting the variance to be able to place a sign on the roof for all the tenants in the building, for a total of 5 signs. All signs will be traditional signs with glass neon.

Mr. Janzen states the hardship is the relationship between the canopy and roof of the building do not accommodate a traditional wall sign.

Ms. Radney asks for clarification for the request for the freestanding sign. Mr. Janzen states there is an existing freestanding sign and they do not have any intention of adding an additional sign, it is just because of the way modern code is written.

Interested Parties:

There were no interested parties.

Comments and Questions:

Ms. Radney states that although she has not conducted business with the property owner, she has served on the Market District Board and forming committee with the applicant. She wants to disclose she is familiar with this district, and it includes a footprint of the market district boundary upon which she serves as a board member. But she does not have any specific relationship with a particular business or property owner.

Ms. Radney asks for clarification from Mr. Wilkerson about the number of signs being requested. Mr. Wilkerson explains there is a sign budget that is written in the code and that the way the budget is written it places a ground sign and a roof sign in the same budget allotment. He further explains that this case is unique that if the building space would allow for a wall sign, they would not need to file this variance request, they would be able to place the wall signs on the building and be within the sign budget. However due to the style of the building they must place the signs on the roof.

Mr. Wallace and Mr. Brown are in agreement.

Board Action:

On **MOTION** of **WALLACE**, the Board voted 3-0-0 (Wallace, Radney, Brown "aye"; "nays"; no "abstentions"; two absent, Bond, Barrientos) to **APPROVE** 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.2) Finding the hardship to be the existing single use facility converted into a multi-tenant facility, the need to remove the existing low hanging signs so they are cleared from the pedestrian walkway per the conceptual plans 6.8-6.9 of the agenda packet and subject to the following conditions: each tenant sign must adhere to the wall sign allowance and contain 25% neon in accordance to the Rt. 66 Neon Sign Program. In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

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

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

23273- 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 North 105th East Ave **(CD 3)**

Presentation:

Requested a continuance

Interested Parties:

There were no interested parties.

Comments and Questions:

No additional comments or questions.

Board Action:

On **MOTION** of **Brown**, the Board voted 3-0-0 (Brown, Radney, Wallace "aye"; no "nays"; no "abstentions"; two absent (Bond, Barrientos) to **CONTINUE** the 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) to the March 8, 2022, meeting. For the following property:

LT 7 BLK 1,PINE STREET PARK

23274- 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 East Admiral Place **(CD 6)**

Presentation:

Joel Collins- 2626 S. Troust Ave.

Luis Mendez- 17330 E Admiral Place South

Mr. Collins is working with the property owner, Mr. Mendez in building a detached accessory building that will be used for personal storage, trailers, and equipment. It is a 50x100 sq ft building. The surrounding properties are Agriculture or industrial use. The homeowner does live on the property, and he uses both plats of land as his personal home, although they are titled separately.

Interested Parties:

There were no interested parties.

Comments and Questions:

Ms. Radney and Mr. Brown are inclined to support.

Board Action:

On **MOTION** of **WALLACE**, the Board voted 3-0-0 (Wallace, Radney, Brown "aye"; "nays"; no "abstentions"; two absent, Bond, Barrientos) to **APPROVE** 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 to be the area agriculture and industrial in nature and predates the modern zoning code and the need for equipment storage to maintain the property. Per the conceptual plan 8.7 of the agenda packet, but only as it relates to the size and location of the accessory structure. In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

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

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

W168.32 OF E174.82 LT 7 SEC 2 19 14 2.53AC

23284- Minum Productions “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 West 39th Street (CD 2)

Presentation:

Dylan Bodie- 1608 S. Peoria Ave

Mr. Bodie is here as representative of Minum Productions and as the producer of the show. Reservation Dogs. They would like use Park Elementary as a base of operations for the second season filming of the show. There will not be any filming taking place at the location and they will have a limited footprint in the building. Filming will conclude June 3rd.

Ms. Radney asked if they have a footprint now at the location. Mr. Bodie replies yes, but it is very limited because they are waiting for the board approval.

Mr. Wallace also mentions he is a huge fan of the show and is excited there is a second season coming.

Interested Parties:

Ellen Decker- 4444 Oak Road

Ms. Decker is here to represent Tulsa Public Schools, the owners of the property. TPS feels this is a great opportunity for TPS. TPS would still be able to use the location as a bus drop off for their students. TPS feels the production company would be a great tenant and neighbor. This building has been vacant for six years and they are thrilled to be able to support a business and production like this.

Comments and Questions:

Ms. Radney, Mr. Brown, and Mr. Wallace are all in support of.

Board Action:

On **MOTION** of **BROWN**, the Board voted 5-0-0 (Barrientos, Bond, Wallace, Brown, Radney "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** a **SPECIAL EXCEPTION** to permit a Temporary Office Use in the RS-3 District for up to 180 days. (Sec. 50.020-D) with the condition that all activities are to be held indoors. The Board finds that the requested Special Exception will be in harmony

with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. For the following property:

**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**

* * * * *

OTHER BUSINESS

None.

* * * * *

NEW BUSINESS

None.

* * * * *

BOARD MEMBER COMMENTS

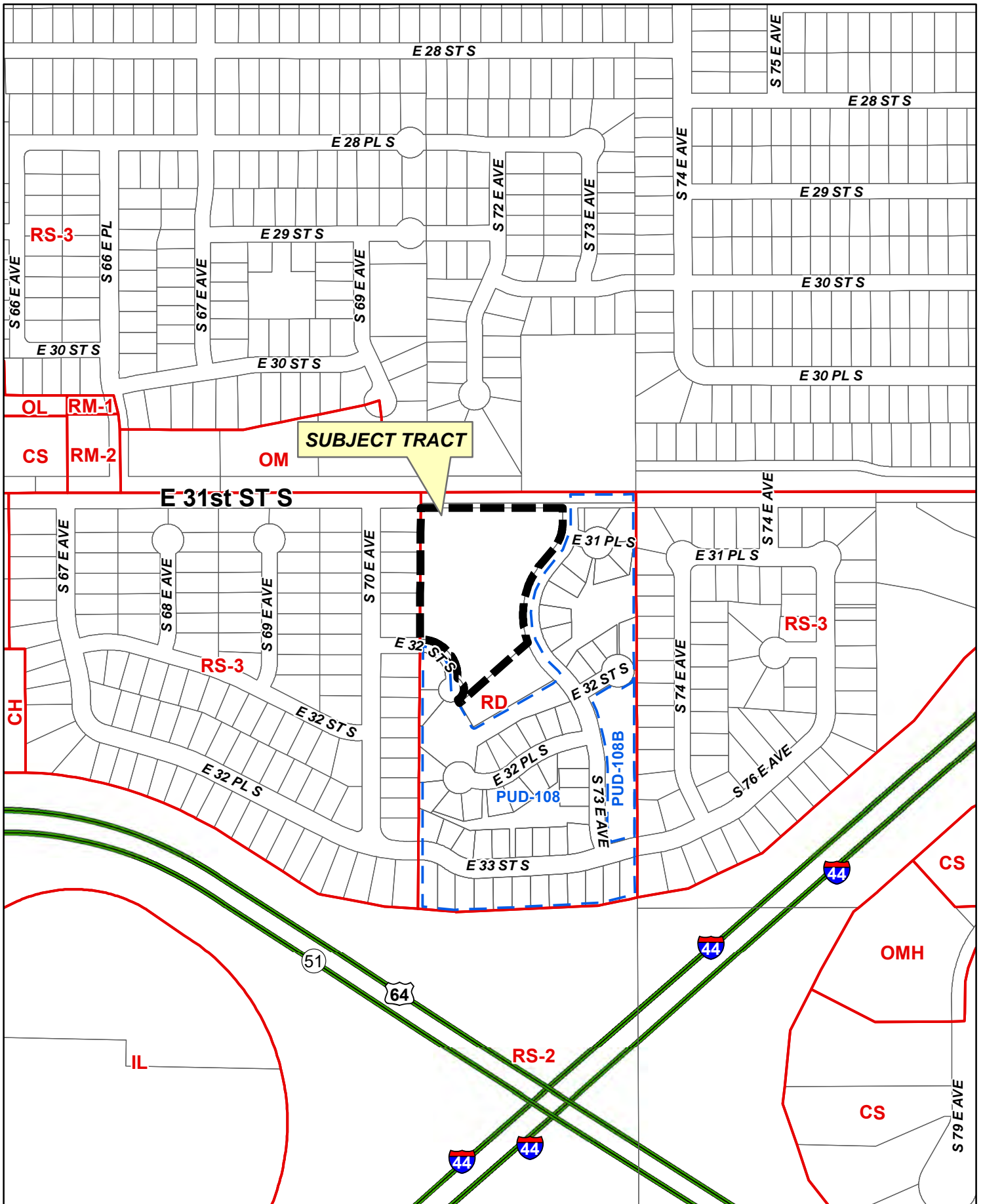
No comments

* * * * *

There being no further business, the meeting adjourned at 2:50 pm.

Date approved: _____

Chair



BOA-23271

19-13 23

3.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9323

CZM: 48

CD: 5

Case Number: **BOA-23271**

HEARING DATE: 3/22/22 1:00 PM (Continued from 03/08/2022)

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

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REVISIONS NEED TO INCLUDE THE FOLLOWING:

1. A COPY OF THIS DEFICIENCY LETTER
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3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)

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IMPORTANT INFORMATION

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(Continued)

REVIEW COMMENTS

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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.

END – ZONING CLEARANCE AND SIGN CODE REVIEW

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

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



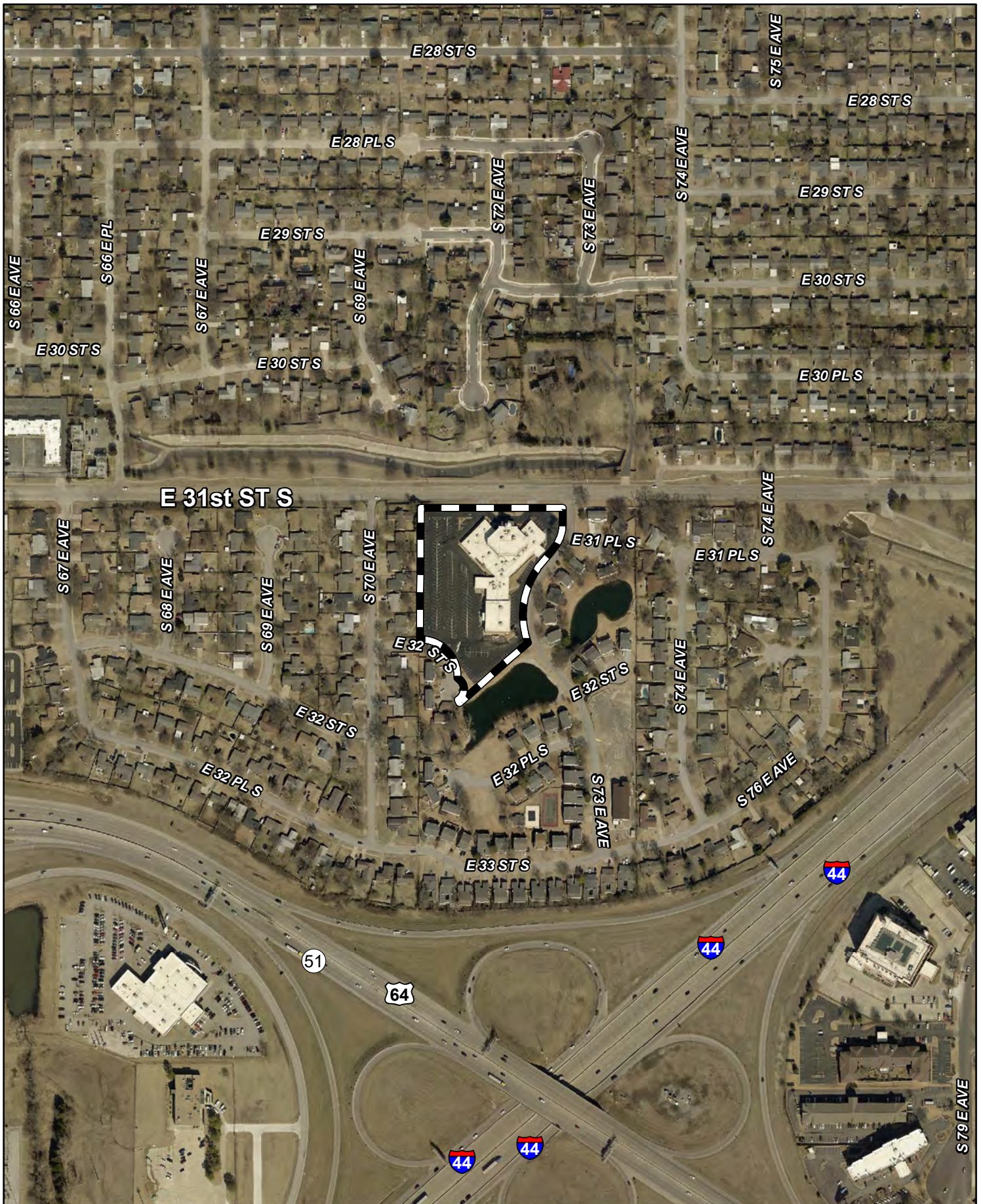
THE EMBASSY CHURCH
7100 E 31ST
TULSA, OK 74145

SAME MEASUREMENT ON BOTH SIDES



BACK VIEW





0 200 400
Feet



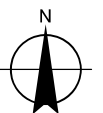
Subject
Tract

BOA-23271

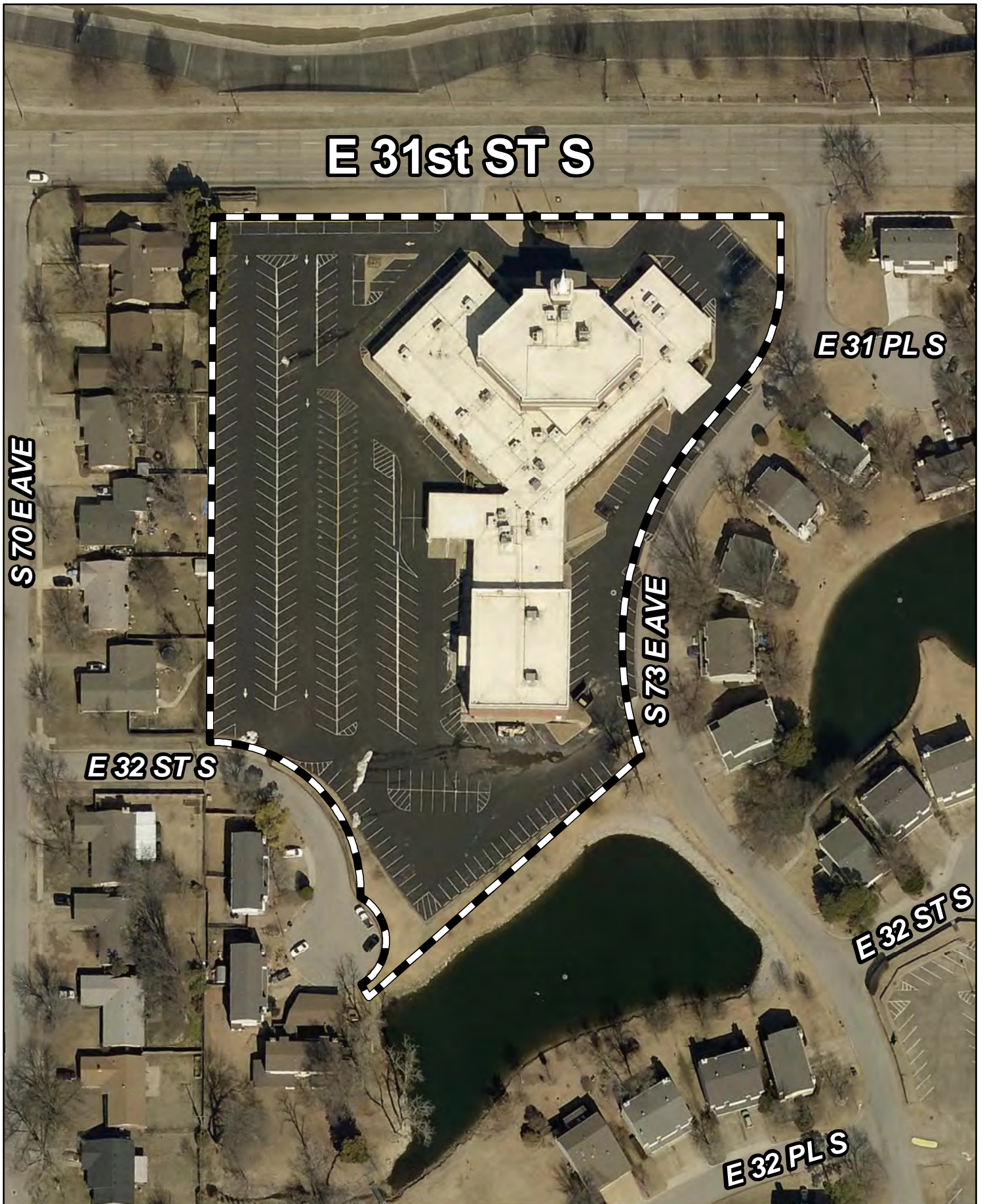
19-13 23

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

Aerial Photo Date: 2020/2021



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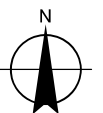
Subject
Tract

BOA-23271

19-13 23

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

Aerial Photo Date: 2020/2021



3.17

To: Board of Adjustment, City of Tulsa, Oklahoma

Date: Wednesday, February 16, 2022

RE: Variance for signs

The variance requested (Case number BOA-23271) is not needed.

In the 40-plus years I have lived in our home and been a neighbor of the church, there never has been the need for such advertising for church activities. This property is not a convenience store, nor a fried chicken drive through restaurant, nor a close-out location for spas.

Perhaps if this is what the church property owner believes is need to carry on the church business, the owner should find another location for such displays – and the church.

These additional signs are not needed nor wanted in our neighborhood.

Kathy Baker

3231 S. 70th East Ave.

Tulsa, OK 74145

918-664-1373

Kathy.papa13@att.net (e mail)

From: [Brittany Berwanger](#)
To: [esubmit](#)
Subject: Case Number BOA-23271
Date: Tuesday, March 8, 2022 10:53:50 AM

Greetings,

Sorry for the last minute email. I was planning on coming to the hearing in-person today but a family emergency came up. I am writing to object to the signs proposed in the case mentioned in the case number in the subject line. I live across the street from the church which is asking for this variance. I'm not sure what is meaningful information for objections, but my thoughts on the matter are below.

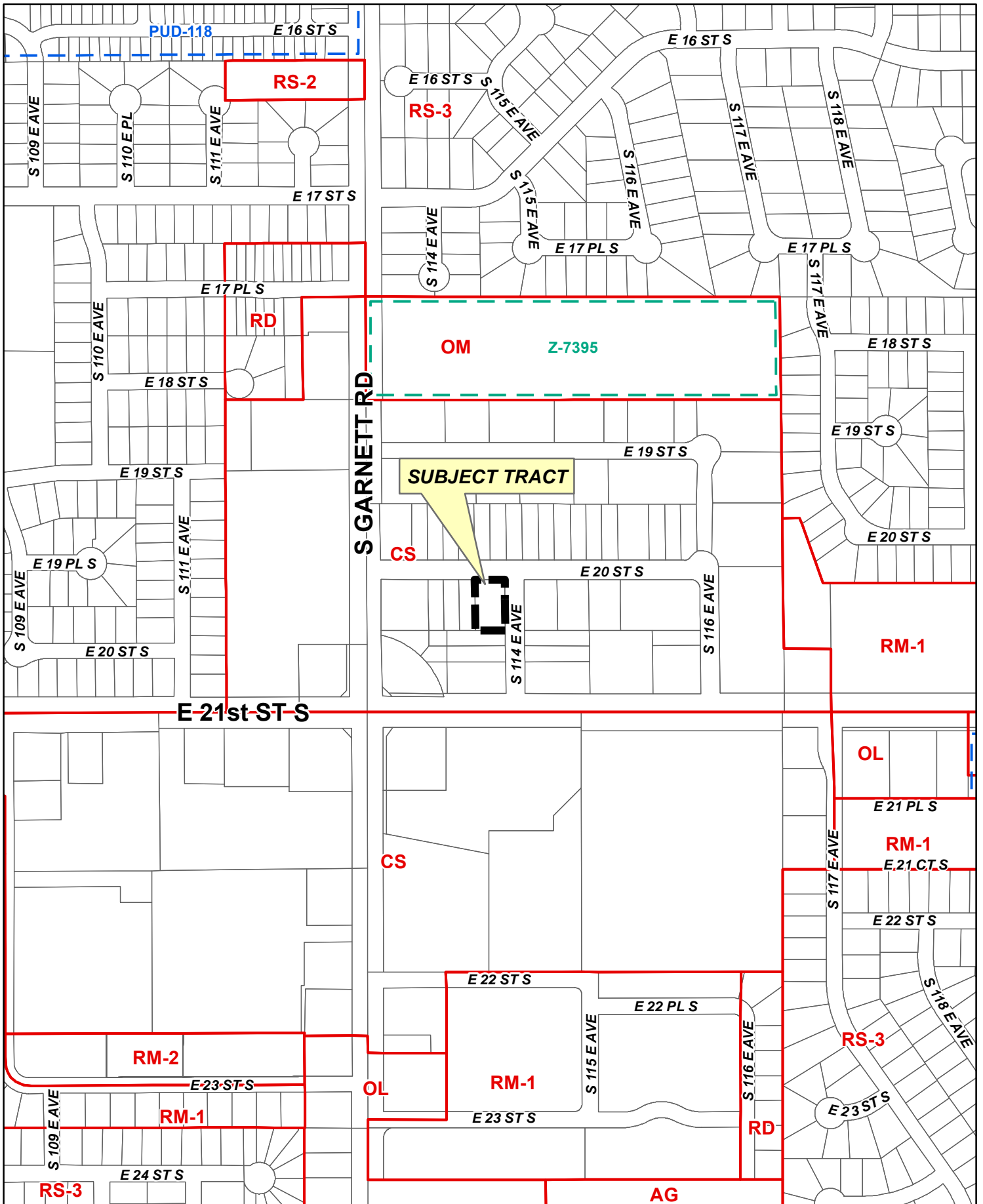
Right now this is a pleasant and peaceful residential area. There's a pond, lots of trees, and lots of urban wildlife in the area. Right now, the church is a beautiful addition to the area, but large, lit LED signs would detract from that. Also, light pollution is known to cause major problems for wildlife, which is personally important to me. I have 4 squirrel feeders, 20 bird feeders, and just planted 100 trees on my 4 acres trying to provide food and habitat for the animals in the area.

I don't see how the signs would provide value above and beyond the current signage on the church. It is very clear the establishment is a church, a large sign with the name of the specific church is right next to the road, and there's a banner sign advertising the unique services provided by the church and its leader already.

This lit sign would be shining at my living room windows, my master bedroom windows, my dining room windows, and my daughter's bedroom windows at night.

Thank you for taking the time to consider my objections.

Sincerely,
Brittany Berwanger



BOA-23287

19-14 08

4.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9408

CZM: 39

CD: 6

Case Number: **BOA-23287**

HEARING DATE: 03/22/2022 1:00 PM

APPLICANT: Luis Ozoria

ACTION REQUESTED: Special Exception to permit a Personal Vehicles Sales and Rental Use in the CS District (Sec. 15.020, Table 15-2)

LOCATION: Property Address: 11320 E. 20th St. S. Tenant Space: 2002 South 114th E. Ave. **ZONED:** CS

PRESENT USE: CS

TRACT SIZE: 15389.81 SQ FT

LEGAL DESCRIPTION: LT 6 BLK 1, 21 GARNETT PLACE RESUB PRT L1 & L2-3 GARNETT PLAZA

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SW/c of E. 20th St. S. and S. 114th E. Ave.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit a Personal Vehicles Sales and Rental Use in the CS District (Sec. 15.020, Table 15-2)

These uses are subject to the supplemental regulations of 40.400:

Section 40.400

Vehicle Sales and Service

- 40.400-A** Whenever a vehicle sales and service use is located on a lot abutting an R- or AG-R-zoned lot, a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of [§65.070-C](#).
- 40.400-B** Whenever commercial or personal vehicle sales or rentals are within 300 feet of an R- or AG-R- zoned lot, off-street parking and vehicle display areas must comply with the parking area design standards of [Section 55.090](#).

Currently the property is operating a vehicle repair shop which is allowed by code and the applicant is requesting the ability to sell cars off of the property.

SAMPLE MOTION: Move to _____ (approve/deny) a Special Exception to permit a Personal Vehicles Sales and Rental Use in the CS District (Sec. 15.020, Table 15-2)

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

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



Subject property

DEVELOPMENT SERVICES

Thomas Legendre
COMMERCIAL BUILDING
PLANS EXAMINER

TEL (918) 596-9672
tlegendre@cityoftulsa.org



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

ZONING CLEARANCE PLAN REVIEW

January 24, 2022

LOD Number: 1

Mr. Luis Ozoria
1104 S. 32nd St.
Broken Arrow, OK 74014

APPLICATION NO: **BLDZ-0107566-2022** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 2002 S. 114th Ave. E.

Description: Zoning Clearance Only

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. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. SUBMIT WITH 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. SHOULD YOU REQUIRE FURTHER CLARIFICATION, PLEASE CONTACT THE PLANS EXAMINER NAMED ABOVE. IF YOU DISAGREE WITH THE CODE INTERPRETATIONS OR COMMENTS, YOU MAY REQUEST AN ADMINISTRATIVE REVIEW OF YOUR APPEAL.

Z W 2nd St Suite 800

REVIEW COMMENTS

COMMERCIAL PLAN REVIEW: YOUR APPLICATION WAS REVIEWED UNDER THE PROVISIONS OF THE CITY OF TULSA ZONING CODE AND ORDINANCES ADOPTED BY THE CITY OF TULSA.

BLDZ-0107566-2022

2002 S. 114th Ave. E.

January 24, 2022

This letter of deficiencies covers building 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

1. Section 1.060 Minimum Requirements.

1.060-A Contact Lauren Esau @ lesau@cityoftulsa.org since the address provided is not a recognized address in County Records. She will check the address out to see if it can be used at location under permit review. If the address submitted for review is not valid, then a new address will be provided for said location.

2. Section 15.020 Use Regulations. Apply to INCOG (Indian Nations Council of Governments) for a special exception for vehicle sales and repair/maintenance in a CS Zoned District. Their number is (918) 584-7526.

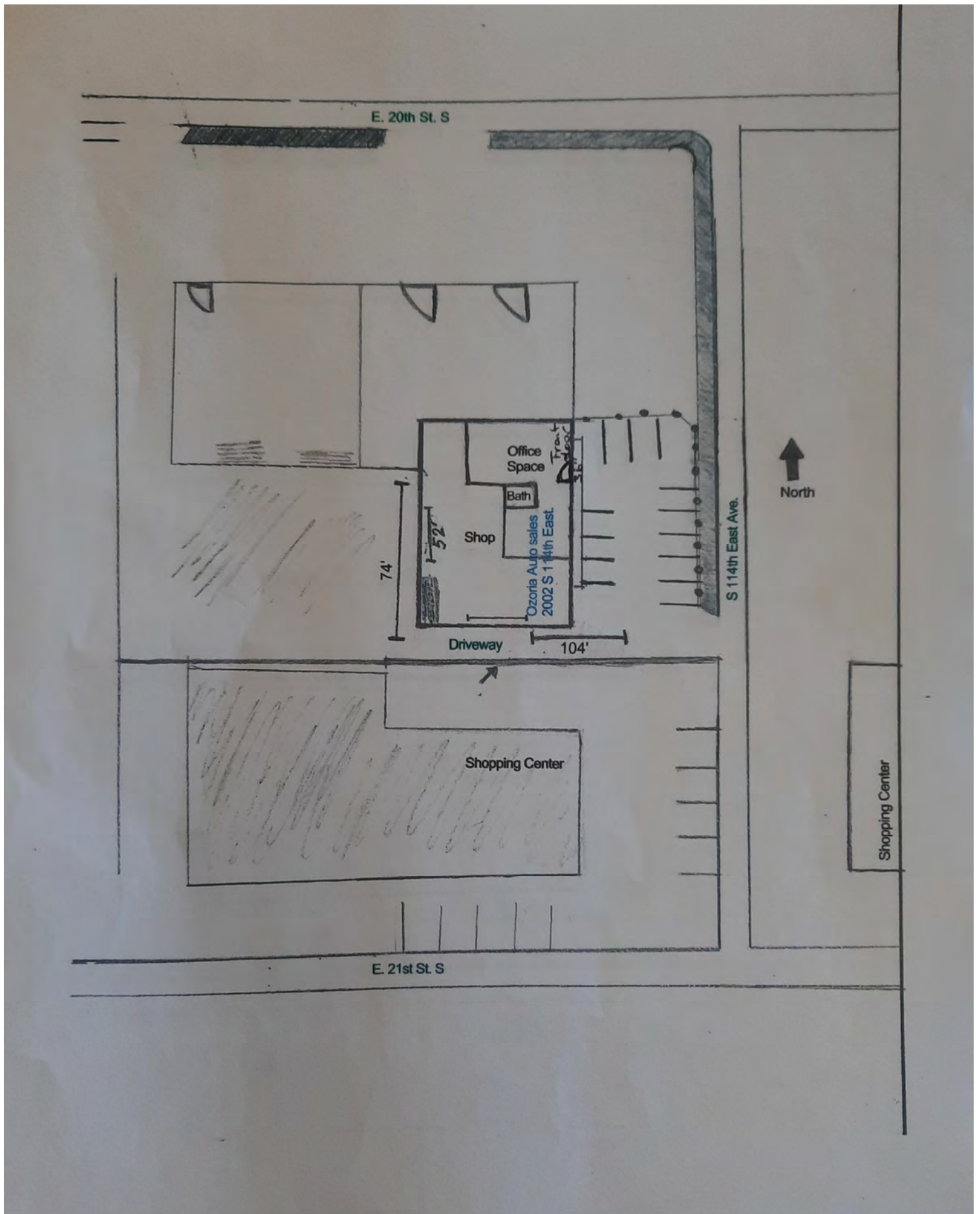
Note: This review of this application is limited to just zoning clearance and does not cover any expansion, improvements or certificate of occupancy.

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

www.cityoftulsa.org/our-city/doing-business-with-the-city/permits-and-licensing/permit-center/permit-center-forms.aspx

END – COMMERCIAL ARCHITECTURAL CODE REVIEW

This constitutes a Plan Review to date in response to the information submitted with and after 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 client. Any code items not reviewed are still in force, and it shall be the responsibility of the owner and design professional(s) to ensure that all building code requirements are satisfied.





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Feet



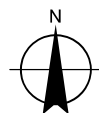
Subject
Tract

BOA-23287

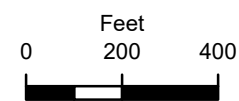
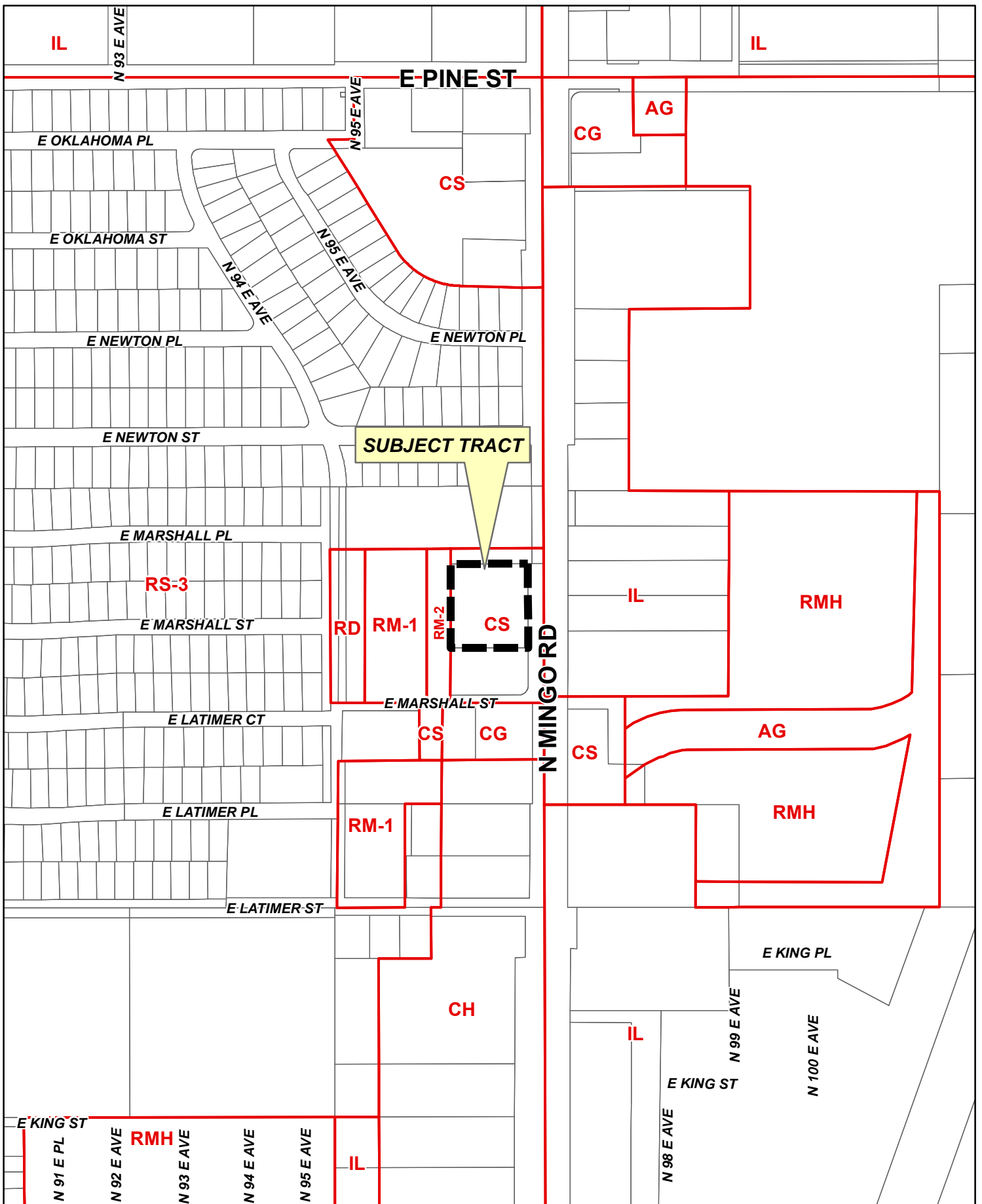
19-14 08

Note: Graphic overlays may not precisely
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Aerial Photo Date: 2020/2021

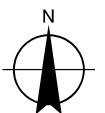


4.8



BOA-23288

20-13 36



5.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 0336

Case Number: **BOA-23288**

CZM: 30

CD: 3

HEARING DATE: 03/22/2022 1:00 PM

APPLICANT: Wayne Keith

ACTION REQUESTED: Special Exception to permit a Personal Vehicles Sales and Rental Use in the CS District (Sec. 15.020, Table 15-2)

LOCATION: 1212 N MINGO RD E

ZONED: CS

PRESENT USE: Commercial

TRACT SIZE: 59250.55 SQ FT

LEGAL DESCRIPTION: LT 2 BLK 1, BUTLER PARK

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 West side of N. Mingo Rd. between E. Marshall and E. Newton Streets. The Residential property to the West is currently vacant.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit a Personal Vehicles Sales and Rental Use in the CS District (Sec. 15.020, Table 15-2)

These uses are subject to the supplemental regulations of 40.400:

Section 40.400

Vehicle Sales and Service

- 40.400-A** Whenever a vehicle sales and service use is located on a lot abutting an R- or AG-R-zoned lot, a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of [§65.070-C](#).
- 40.400-B** Whenever commercial or personal vehicle sales or rentals are within 300 feet of an R- or AG-R- zoned lot, off-street parking and vehicle display areas must comply with the parking area design standards of [Section 55.090](#).

Per the applicant vehicles will not be displayed outside. Section 15.040-A of the code would prevent the display of vehicles outdoors due to the abutting residential property to the West.

15.040-A

Outdoor Storage and Display

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

SAMPLE MOTION: Move to _____ (approve/deny) a Special Exception to permit a Personal Vehicles Sales and Rental Use in the CS District (Sec. 15.020, Table 15-2)

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

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



Subject Property

DEVELOPMENT SERVICES

Thomas Legendre
COMMERCIAL BUILDING
PLANS EXAMINER

TEL (918) 596-9672
tlegendre@cityoftulsa.org



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

ZONING CLEARANCE PLAN REVIEW

February 1, 2022

LOD Number: 3

Mr. Wayne Keith
1212 N. Mingo Rd.
Tulsa, OK 74115

APPLICATION NO: **BLDZ-0 108723 -2022** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: **1212 N MINGO RD**

Description: **Zoning Clearance Only**

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.

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

IMPORTANT INFORMATION

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REVIEW COMMENTS

COMMERCIAL PLAN REVIEW: YOUR APPLICATION WAS REVIEWED UNDER THE PROVISIONS OF THE CITY OF TULSA ZONING CODE AND ORDINANCES ADOPTED BY THE CITY OF TULSA.

BLDZ-0108723-2022

1212 N MINGO RD

February 1, 2022

This letter of deficiencies covers building 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

1. **Table 15-2: O, C and I District Use Regulations.** Apply for a special exception with the Board of Adjustment for a car lot in a CS District. Please contact INCOG @ 584-7526. This review is limited to just "Use Only". No work or review toward setbacks, buildings, parking, screening, etc. are approved until building plans are submitted and approved under a separate building permit or by Certificate of Occupancy(COO) (COO may only be used if no work is proposed or required). Approved exception from the Board of Adjustment, to have a car lot @ 1212 N. Mingo Rd. E., shall be submitted through the City of Tulsa Portal.

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

www.cityoftulsa.org/our-city/doing-business-with-the-city/permits-and-licensing/permit-center/permit-center-forms.aspx

END – COMMERCIAL ARCHITECTURAL CODE REVIEW

This constitutes a Plan Review to date in response to the information submitted with and after 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 client. Any code items not reviewed are still in force, and it shall be the responsibility of the owner and design professional(s) to ensure that all building code requirements are satisfied.



□ = Wayne's Auto Sales
PARKING
OPEN FROM - 10:00 - 5:30 M-F

□ = Wayne's Auto Sales
PARKING



0 200 400
Feet



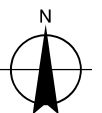
Subject
Tract

BOA-23288

20-13 36

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

Aerial Photo Date: 2020/2021

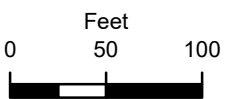


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N MINGO RD

E MARSHALL ST



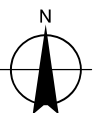
**Subject
Tract**

BOA-23288

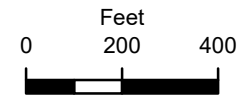
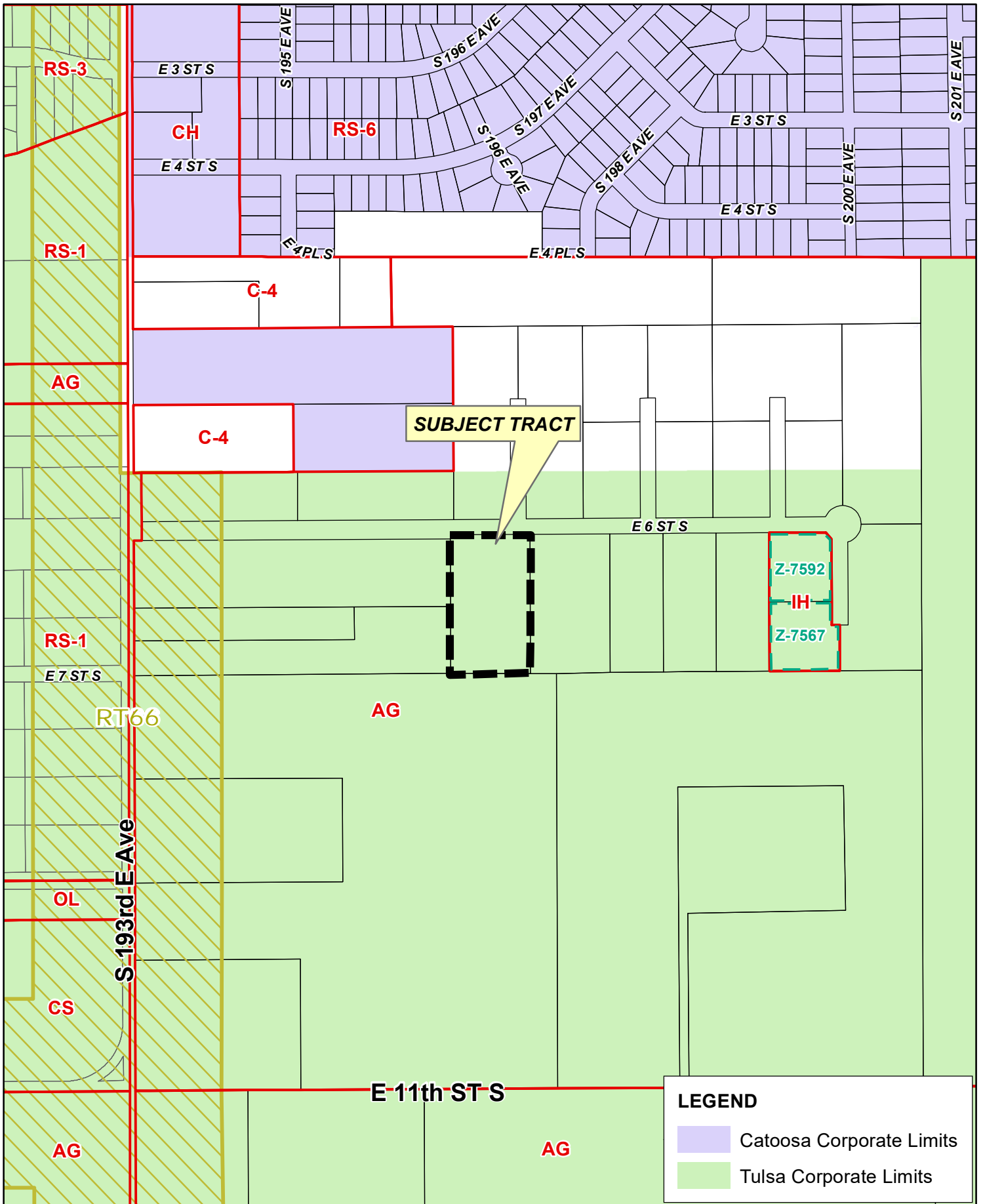
20-13 36

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

Aerial Photo Date: 2020/2021

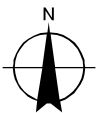


5.8



BOA-23289

19-15 06



BOARD OF ADJUSTMENT CASE REPORT

STR: 0336
CD: 6

Case Number: **BOA-23289- Wagoner**

HEARING DATE: 03/22/2022 1:00 PM

APPLICANT: Grady W. Whitaker, Jr., Whitaker Architects, P.C.

ACTION REQUESTED: Special Exception to Permit an Indoor Assembly & Entertainment (larger than 250-person capacity) Use in the AG District (Sec. 25.020-B, Table 25-1)

LOCATION: 19504 E. 6th St.

ZONED: AG

PRESENT USE: Former Industrial Metal Processing

TRACT SIZE: +/- 35,799.50 Square Feet

LEGAL DESCRIPTION: The West 253.25 Feet of Lot thirteen (13) Port Area Industrial Park a subdivision of Part of Lot Ten (10) and part of the northeast quarter of the southwest quarter (NE/4 SW/4) of Section Six (6) Township Nineteen (19) North, Range Fifteen (15) East of the Indian Meridian, Wagoner County, State of Oklahoma, according to the recorded plat thereof

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 South side of E. 6th St. East of S. 193rd E. Ave. This property was annexed into the City of Tulsa on 11.13.01. At the time the property was annexed it were classified AG by Wagoner County and the City adopted that zoning as a part of their annexation. The majority of properties inside the Port Area Industrial Park subdivision are non-conforming uses with regard to their AG zoning.

STAFF COMMENTS: The applicants requesting a Special Exception to permit an Indoor Assembly & Entertainment (larger than 250-person capacity) Use in the AG District (Sec. 25.020-B, Table 25-1)

Assembly and Entertainment Use are described in Sec. 35.050-B of the Code:

35.050-B Assembly and Entertainment

Uses that provide gathering places for participant or spectator recreation, entertainment or other assembly activities. Assembly and entertainment uses may provide incidental food or beverage service. Typical uses include gun clubs, shooting ranges, health clubs, gymnasiums, riding stables and academies, banquet halls, entertainment centers, event centers, billiard centers, bowling centers, cinemas, go-cart tracks, laser tag, paintball, miniature golf courses, stadiums, arenas, video arcades, race tracks, fairgrounds, rodeo grounds, water parks, amusement parks, food truck courts, and live theaters. Outdoor seating and dining areas that exceed 50% of the indoor floor area of the subject principal use (e.g., bar, restaurant or indoor assembly and entertainment use) are regulated as an outdoor assembly and entertainment use.

They are subject to the supplemental regulations of Sec. 40.040 of the Code:

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](#).

SAMPLE MOTION: Move to _____ (approve/deny) a Special Exception to permit an Indoor Assembly & Entertainment (larger than 250-person capacity) Use in the AG District (Sec. 25.020-B, Table 25-1):

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

_____.

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



Subject Property



Facing East on 6th Street

DANA L. BOX
ZONING OFFICIAL
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

February 10, 2022

LOD Number: 1
Doug Burgess
19504 E 6th St.
Tulsa, OK 74108

Phone: 918-855-4150

APPLICATION NO: ZCO-101373-2021

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 19504 E 6th St.

Description: Other Indoor Assembly and Entertainment

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.

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

(continued)

REVIEW COMMENTS

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

ZCO-101373-2021

19504 E 6th St.

February 10, 2022

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.

Sec.15.020 Table 15-2: The proposed event center is considered a Commercial/Assembly and Entertainment/Other Indoor Assembly and Entertainment use. It is in an AG zoned district.

Review comment: This use is allowed by Special Exception only. Contact INCOG/Tulsa Planning Office, 918-584-7526, for further information/next steps to allow an Other Indoor Assembly and Entertainment use in an AG district. If the Special Exception is approved, you must submit the approval as a resubmittal to this application.

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

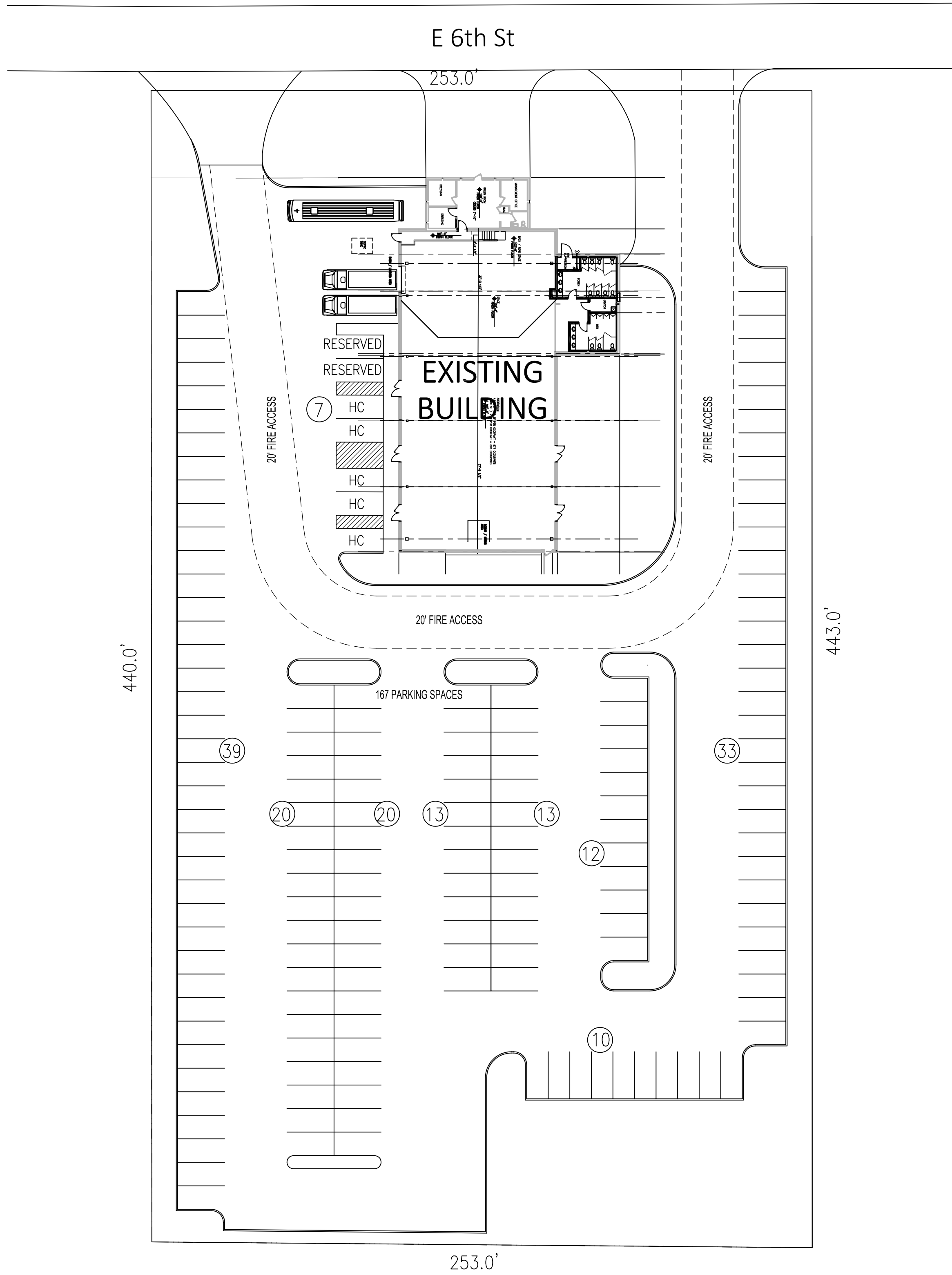
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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.



PARKING REQUIREMENTS			
BUILDING	BUILDING SF	SPACE / SF (Per Employee) REQUIRED	SPACES PROVIDED
Existing Building - Option One	9,191 SF	Assembly Auditorium = 9,191 / 1,1000 X 3.75 = 34.46 Spaces	167 Spaces
Existing Building - Option Two	9,191 SF	Assembly Auditorium = 696 Occupants X 0.20 = 139.20 Spaces	167 Spaces
Existing Building - Option Three	9,191 SF	Assembly Auditorium = 835 Occupants X 0.20 = 167.00 Spaces	167 Spaces

NOTICE OF COPYRIGHT:
THESE DRAWINGS ARE COPYRIGHTED AND ARE SUBJECT TO COPYRIGHT PROTECTION UNDER SECTION 102 OF THE COPYRIGHT ACT OF 1976, AS AMENDED DECEMBER 1990 AND KNOWN AS THE ARCHITECTURAL WORKS COPYRIGHT ACT OF 1990. UNAUTHORIZED USE OF THESE DRAWINGS, WORK PRODUCT OR BUILDINGS REPRESENTED CAN LEGALLY RESULT IN THE CESSATION OF CONSTRUCTION, BUILDINGS BEING SEIZED AND / OR MONETARY COMPENSATION TO WHITAKER ARCHITECTS, P.C., THEIR SUCCESSORS OR ASSIGNS.

Whitaker Architects, P. C.
Sixteen West Second Street Sand Springs, Oklahoma 74063
telephone 918.245.3665 telefax 918.241.3670
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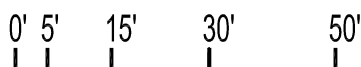
PROJECT NAME:
**DEB Concerts
THE METAL SHOP RENOVATION**
19504 East 6th Street Tulsa, Oklahoma

DRAWING TITLE:
SITE PLAN

ISSUE DATE: FEBRUARY 9, 2022

REVISIONS:	SEAL: PRELIMINARY NOT FOR CONSTRUCTION
PROJECT NUMBER: 2109	SHEET NUMBER: C301 SHEET 1 of 1
DRAWN BY: GWW	
CHECKED BY: GWW	
REVIEWED BY: GWW	
SCALE: AS INDICATED	

A SITE PLAN - SCHEME B
SCALE: 1" = 30'-0"





0 200 400
Feet



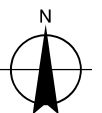
Subject
Tract

BOA-23289

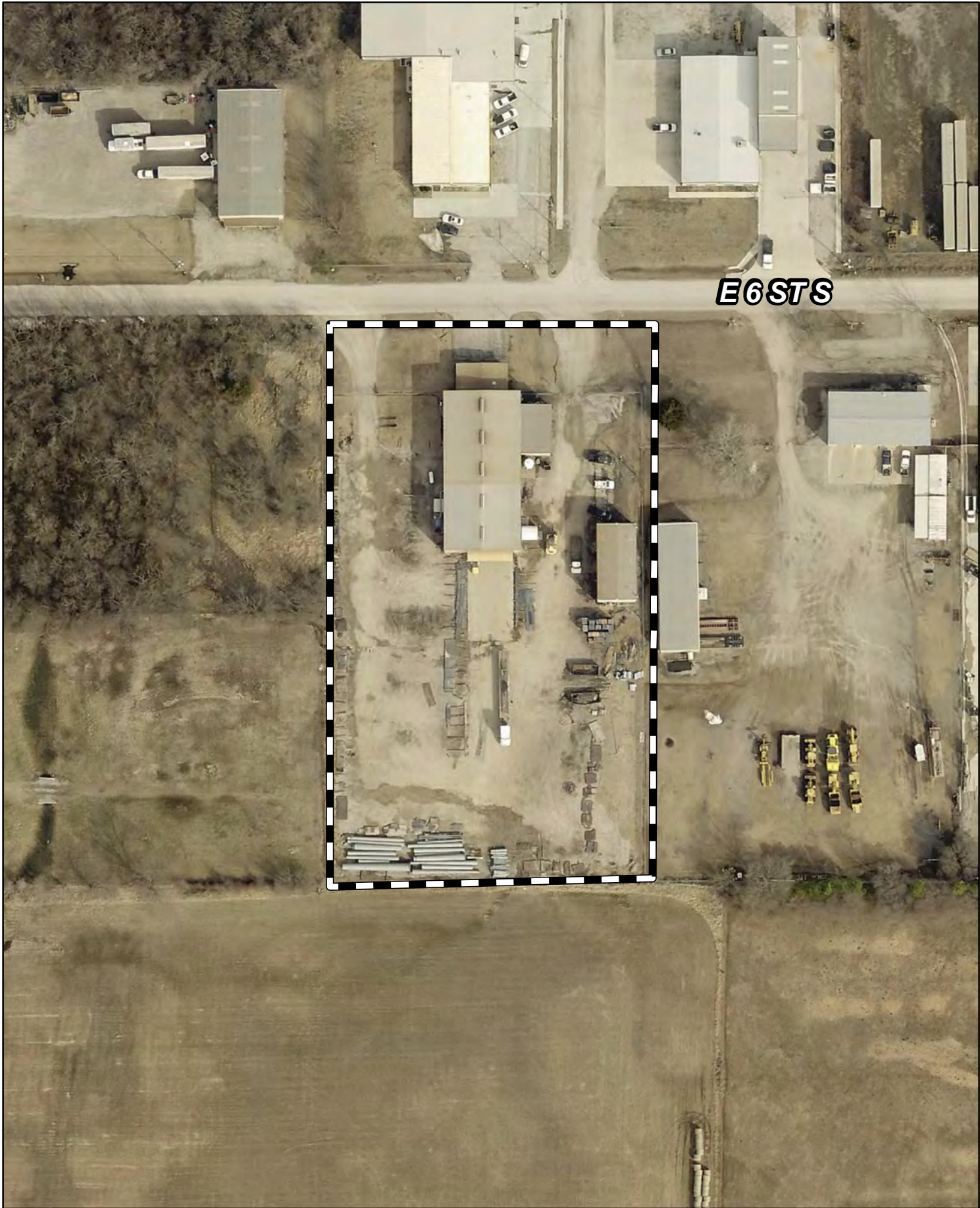
19-15 06

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

Aerial Photo Date: 2020/2021



6.8



0 Feet 100
50



Subject
Tract

BOA-23289

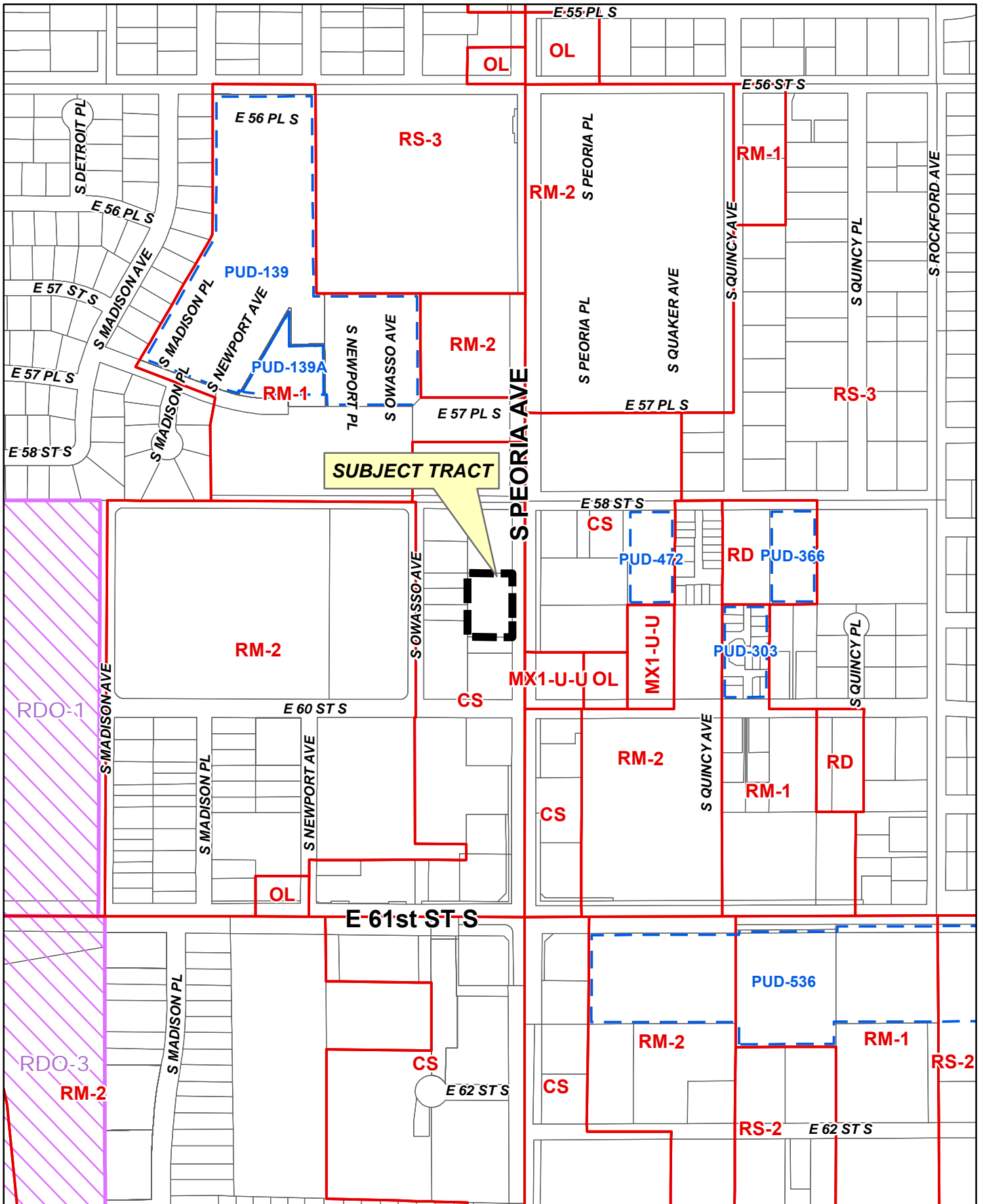
19-15 06

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

Aerial Photo Date: 2020/2021



6.9



BOA-23291

19-12 36

7.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9236

CZM: 46

CD: 9

Case Number: **BOA-23291**

HEARING DATE: 03/22/2022 1:00 PM

APPLICANT: Dasia McClellan

ACTION REQUESTED: Variance of the 1,000-foot spacing requirement for a medical marijuana dispensary from other medical marijuana dispensaries (Section 40.225-D)

LOCATION: 5824 S PEORIA AV E

ZONED: CS

PRESENT USE: Mercantile

TRACT SIZE: 28000.48 SQ FT

LEGAL DESCRIPTION: LTS 5 6 7 & 8 BLK 1, BROADVIEW HGTS ADDN

RELEVANT PREVIOUS ACTIONS:

Subject property:

None.

Surrounding properties:

BOA-22960; On 07.14.20 the Board **approved** a Variance of the 1,000-foot spacing requirement for a Medical Marijuana Dispensary from another Medical Marijuana Dispensary. Property located 6030 S. Peoria Ave. and is approximately 640 feet South of the subject property.

BOA-22930; On 06.09.20 the Board **approved** a Verification of spacing for the 1,000-foot spacing requirement for a Medical Marijuana Dispensary from another Medical Marijuana Dispensary. Property located 1135 E. 61st Street S. and is approximately 854 feet South and west of the subject property.

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 West side of S. Peoria Ave. in between E. 58th St. S. and E. 60th St. S.

STATEMENT OF HARDSHIP: The distance to “100 Plus” dispensary complies with the 1,000-foot distance when driving to “Top Shelp” dispensary, on 1135 E. 61st St., which is a distance of 1,330 feet. So, the literal enforcement of the zoning code is not necessary since it meets the distance requirement. Also, from the “Medical Dispensary”, on 6030 S. Peoria Ave. to “100 Plus” dispensary is a distance of 854 feet, however the unique condition of the property is not applicable to the same zoning classification as the “Medical Dispensary”; so the distance should be allowed, under section 40.225.

STAFF COMMENTS: The applicant is requesting a **Variance** of the 1,000-foot spacing requirement for a medical marijuana dispensary from other medical marijuana dispensaries (Section 40.225-D)

40.225-D A medical marijuana dispensary may not be located within 1,000 feet of another medical marijuana dispensary.

The 1,000-foot spacing requirement is measured as stated below:

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

The applicant prepared an exhibit showing the location of the conflicting dispensaries, the applicant has stated the the further dispensary is a total of 1,330 feet away. That measure measurement is taken as driving down down the road and not as the code requires it to be taken. The intent of the code is that no dispensary is within 1,000-feet of another as measured in Sec. 40.225-I and the driving distance was not the intent of the code. That is not a unique measurement to the subject property but is applicable to all properties across all zoning classifications. Included in your packet are the Certificates of Occupancy for the conflicting dispensaries.

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** of the 1,000-foot spacing requirement for a medical marijuana dispensary from other medical marijuana dispensaries (Section 40.225-D)

- 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

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

PRT LT 13 BLOOMFIELD HGTS & A TRACT OF LAND BEG 30N & 30.5E SWC LT 13 BLOOMFIELD HGTS TH W126.5 N225.77 TO S R/W EXPY TH NE ALG R/W 126.53 TO PT 30.5E WL LT 13 TH S229.26 POB SEC 2 19 13 .50AC, BLOOMFIELD HGTS, City of Tulsa, Tulsa County, State of Oklahoma

22960—Elton Fernandez

FILE COPY

Action Requested:

Variance of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D). **LOCATION:** 6030 South Peoria Avenue East **(CD 9)**

Presentation:

Aaron Bruner, 6440 South Lewis Avenue, Suite 100, Tulsa, OK; stated he represents Elton Fernandez. On March 31st Mr. Fernandez purchased the subject property to use as a medical marijuana dispensary. The building has been used as a dispensary for quite some time and it is currently used as a dispensary. When Mr. Fernandez purchased the building eviction proceedings had already been initiated by the landlord against the previous tenant, Jennifer Fralick dba Top Shelf Dispensary due to her failure to pay rent. However, due to Covid the courts were closed, and that process has gone on for quite some time; Ms. Fralick is still in the building. As a result, Top Shelf has been in wrongful possession of the premises for over six months without paying any rent to Mr. Fernandez. In the interim, Top Shelf has obtained verification to establish a dispensary within 1,000 feet of the subject building. Consequently, without this Variance Mr. Fernandez is going to be prohibited to set up a dispensary in the building he purchased. When Mr. Fernandez purchased the property there were no other

07/14/2020-1254 (27)

dispensaries within a 1,000 feet and the sole reason, he purchased the property was to operate a dispensary at the subject location. The building has been used and is currently operating as a dispensary and granting the requested Variance would allow the premises to be used in a manner that is both economically viable for the City as well as consistent with the current and continued use of the property and will have no noticeable differences in the neighborhood.

Mr. Van De Wiele asked Mr. Bruner if his client owned property on Peoria. Mr. Bruner answered affirmatively. Mr. Van De Wiele asked Mr. Bruner if Ms. Fralick is a tenant and your client is in the process of evicting her. Mr. Bruner answered affirmatively. Mr. Bruner added that Ms. Fralick had obtained verification to operate a dispensary at another location within 1,000 feet.

Ms. Ross asked Mr. Bruner if Ms. Fralick was operating both dispensaries. Mr. Bruner stated that Ms. Fralick is supposed to shut down the current location whenever she moves to the other spot, but she has not moved yet. Presumptively Ms. Fralick is going to stay as long as possible, and the court date is set for September 3rd.

Mr. Van De Wiele asked Mr. Bruner if his client purchased the building this year. Mr. Bruner answered affirmatively. Mr. Van De Wiele asked Mr. Bruner if the building has only been as a dispensary by Ms. Fralick. Mr. Bruner answered affirmatively. Mr. Van De Wiele asked if that had been for a couple of years more or less. Mr. Bruner answered affirmatively. Mr. Van De Wiele asked Mr. Bruner if when the landlord tenant dispute started Ms. Fralick had a Spacing Verification granted around the corner. Mr. Bruner answered affirmatively.

Ms. Ross asked Mr. Bruner in what month did Ms. Fralick become deficient in paying the rent. Mr. Bruner stated it was in March. Mr. Bruner stated that prior to his client purchasing the building the process had already been initiated by the prior owner.

Interested Parties:

Jennifer Fralick, 517 E Street, Jenks, OK; stated that what is being said is partially true. Ms. Fralick stated that the building was sold without her knowledge while she was still under lease; the lease was not up until May 31st and the OMMA license was not expiring until June 4th. As soon as she found out the building was sold, she purchased the building next door that is approximately 200 feet from her current building. As soon as the courts opened, she did her proper paperwork to have the zoning for the new building. Ms. Fralick stated she has done as much of the paperwork as she could so she could move to the new building, but due to Covid she could not get anything approved. Ms. Fralick stated that her dispensary has been established in that location since last year and the lease was not up until May 31st. Ms. Fralick stated she has no intentions of shutting down her dispensary. The previous landlord had told her that he would sell the building to her and because he lied that is why we are in this situation. When she found out the building had been sold, she immediately secured a new location and did everything she could to establish a new location in the same area so her clients could keep coming to her dispensary.

BOA-22960

FILE COPY

Ms. Ross asked Ms. Fralick when she established the spacing for her new building. Ms. Fralick stated her spacing was approved at last month's Board hearing on June 14th.

Mr. Van De Wiele asked Ms. Fralick where she is operating today. Ms. Fralick stated she is operating at 6030 South Peoria and everything should be approved to move to the new location at 1135 East 61st Street within the next two weeks. Mr. Van De Wiele asked Ms. Fralick if she was operating out of both locations. Ms. Fralick stated that she is not operating the new location as of yet because she is still waiting for the City to approve the Certificate of Occupancy.

Rebuttal:

Aaron Bruner came forward and stated that probably all of that was relevant and this is probably not the proper venue to get into all of that so he won't, but he thinks it underscores the inability to obtain control of the premises and underscores the hardship of the situation.

Ms. Shelton asked Mr. Bruner if there is something unique about the property giving rise to the need of a Variance. Mr. Bruner stated the building was designed and has been used as a dispensary and that was the intent in the purchase. Ms. Shelton asked if the building was a former pawn shop. Mr. Bruner stated that right now it is a dispensary.

Jennifer Fralick stated the building was designed as a dispensary because she designed it as a dispensary. She branded it, she built the business, she built out the entire inside of the building, she did all the advertising and it is only a dispensary because of her and her family's hard work. Prior to the dispensary it was a church and prior to that it was a Mexican food restaurant.

Comments and Questions:

Ms. Ross does not think the fact that whether the rent was paid or not matters, however, court action had been instituted to evict Ms. Fralick from the property. Had Covid not occurred that would have likely been finished before the applicant purchased the property and it would not have been issue because Ms. Fralick would have been evicted before the end of March. Because there were delays, and there are still delays, she does think Ms. Fralick would have gotten the second venue established in time. Ms. Ross stated she is in favor of the Variance request because it is a unique hardship because there is no control over court dates being set and the fact that there is a six-month delay in eviction actions.

Mr. Van De Wiele stated this is a strange case. If a person buys something that is built out specifically to be a dispensary, does that give a uniqueness to the property?

Ms. Radney agreed with Ms. Ross.

Mr. Van De Wiele stated that the applicant knew there was an established dispensary there because it was in the building he was purchasing and would have knowledge that

there was not another dispensary within a 1,000 feet. To him there is a level of uniqueness here with this building, and the circumstances relating to its use and justifying the Variance.

Board Action:

On **MOTION** of **ROSS**, the Board voted 3-1-0 (Radney, Ross, Van De Wiele "aye"; Shelton "nay"; no "abstentions"; Bond absent) to **APPROVE** the request for a Variance of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D). This Variance is granted only from 1135 East 61st Street as identified on page 12.3 of the agenda packet. The Board has found the hardship to be the unique situation regarding the property in that there were no other established dispensaries within 1,000 feet of this location at the time the property was purchased for use as a dispensary. In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

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

**S45 LT 7 & ALL LT 8 & N30 LT 9 LESS E18 THEREOF BLK 8, BROADVIEW HGTS
ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

22962—Clare Ashby

Action Requested:

Special Exception to permit a fence to exceed 4 feet in height inside the street setback in a residential district (Section 45.080-A). **LOCATION:** 1831 East 27th Street South **(CD 4)**

Comments and Questions:

None.

Board Action:

On **MOTION** of **ROSS**, the Board voted 4-0-0 (Bond, Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; absent) to **APPROVE** the request for a **Variance** to increase height for a freestanding sign to 50 feet tall with a 72-foot setback from the C/L (centerline) of East 51st Street South (Section 60.080-D), subject to conceptual plan 16.23 of the agenda packet. The Board finds the hardship to be unique location of the subject property abutting 51st Street that functions like a frontage road. In granting the **Variance** the Board finds that the following facts, favorable to the property owner, have been established:

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

**BEG 50E & 50S NWC NW TH E280 S478 W290 N158 E10 N320 POB SEC 32 19 13
3.11AC, City of Tulsa, Tulsa County, State of Oklahoma**

22711—Valveeta Ware

FILE COPY

Action Requested:

Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D).

LOCATION: 6030 South Peoria Avenue East (CD 9)

Presentation:

William Lark, 6030 South Peoria Avenue, Tulsa, OK; no formal presentation was made but the applicant was available for any questions.

08/13/2019-1234 (24)

7.10^{12.9}

BOA-22711

FILE COPY

Mr. Bond stated the Board has received a copy of the applicant's OMMA license that is shown on page 17.11 and page 17.12 is a map of the 1,000-foot radius of the agenda packet.

Ms. Shelton asked if this dispensary is located in the EZ Pawn building or is it next to the EZ Pawn. Mr. Lark stated that is in the EZ Pawn.

Ms. Radney asked Mr. Lark how far away is the nearest dispensary in relation to his location? Mr. Lark stated that he thinks it is over 1,600 feet.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **ROSS**, the Board voted 4-0-0 (Bond, Radney, Ross, Shelton "aye"; no "nays"; no "abstentions"; Van De Wiele absent) I move that based upon the facts in this matter as they exist presently, we **ACCEPT** the applicant's verification of spacing to permit a medical marijuana dispensary subject to the action of the Board being void should another medical marijuana dispensary be established prior to the establishment of this medical marijuana dispensary; for the following property:

S45 LT 7 & ALL LT 8 & N30 LT 9 LESS E18 THEREOF BLK 8, BROADVIEW HGTS ADDN, City of Tulsa, Tulsa County, State of Oklahoma

22712—Euforia, LLC

Action Requested:

Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D).

LOCATION: 303 North Martin Luther King, Jr. Drive East (CD 4)

Presentation:

Tim Borgmann, 7815 South Memorial Drive, Tulsa, OK; stated he created a leasing agreement with Bradley Garcia with the Gypsy Coffee House, went to INCOG and spoke with Austin Chapman to set up for this hearing, at that time Mr. Chapman checked the data base and there was no other dispensary in that area. The original Board of Adjustment case that was for the other dispensary for a manufacturing process so that did not deter him from going forward and applying for permits. Mr. Borgmann stated that what he has been able to find out is that the manufacturing process would have involved a large financial investment for a sprinkler system due to the butane extraction, so the manufacturing process was dropped and somehow they received a dispensary license for the same location as the proposed manufacturing process. Mr.

08/13/2019-1234 (25)

7.11^{12.10}

CERTIFICATE of OCCUPANCY

No: COO-071798-2020

PROPERTY

Address: 1135 E 61ST ST S

BUILDING PERMIT:
BLDC-057648-2020

ZONING USE

Zoning District: CS

Use: Commercial/Retail Sales/Medical Marijuana Dispensary

Use Conditions:

BUILDING OCCUPANCY

Building Code Edition: IBC 2015, IEBC 2015

Use Group	Const. Type	Floor Area	Occ. Load	Descriptive Area	Posted
B	VB	2,759	28	Offices, Bathrooms, Break Room, Kitchen	
M	VB	1,158	19	Sales Floor & Entry Area	
S-1	VB	488	2	Storage, Mechanical	

Floor area of Permit: 4,405

OCCUPANCY CONDITIONS:

The above described property has been found to comply with the appropriate provisions of the City of Tulsa Zoning Code and Building Code and is approved for use and occupancy as herein limited.

Any easement closed by City Ordinance is subject to the City re-opening the easement unless the developer has foreclosed the City's right to re-open. It is the developer's responsibility to file a lawsuit in the District Court to foreclose the City's right to re-open a closed easement. This Certificate of Occupancy (and prior permits) do not annul the City's rights to re-open a closed easement.

Michael Skates

Approval Date: September 28, 2020

Code Official: Michael Skates 7.12

CERTIFICATE of OCCUPANCY

No: COO-079506-2021

PROPERTY

Address: 6030 S PEORIA AVE E

BUILDING PERMIT:
BLDC-060675-2020

ZONING USE

Zoning District: CS

Use: Commercial/Retail Sales/Medical Marijuana Dispensary

Use Conditions:

BUILDING OCCUPANCY

Building Code Edition: IBC 2015, IEBC 2015

Use Group	Const. Type	Floor Area	Occ. Load	Descriptive Area	Posted
B	VB	825	9	Offices, Restrooms	
M	VB	1,130	19	Showroom Sales	
S-1	VB	365	2	Storage	

Floor area of Permit: 2,320

OCCUPANCY CONDITIONS:

The above described property has been found to comply with the appropriate provisions of the City of Tulsa Zoning Code and Building Code and is approved for use and occupancy as herein limited.

Any easement closed by City Ordinance is subject to the City re-opening the easement unless the developer has foreclosed the City's right to re-open. It is the developer's responsibility to file a lawsuit in the District Court to foreclose the City's right to re-open a closed easement. This Certificate of Occupancy (and prior permits) do not annul the City's rights to re-open a closed easement.

Michael Skates

Approval Date: January 8, 2021

Code Official: Michael Skates 7.13

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

LOD Number: 2

Kayla Lee
3536 E. Admiral Ct. N.
Tulsa, OK 74115

February 8, 2022

Phone: 918-810-3795

APPLICATION NO: BLDC-100090-2021

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 5824 S. Peoria Ave.

Description: Medical Marijuana Dispensary

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT

175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601.

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

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

IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
3. INFORMATION ABOUT 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" **[X] IS [] IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

REVIEW COMMENTS

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

BLDC-100090-2021

5824 S. Peoria Ave.

February 8, 2022

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

1. **Sec.40.225-D:** A medical marijuana dispensary may not be located within 1000 ft of another medical marijuana dispensary. The BOA is no longer processing Spacing Verifications.

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

Review Comment: You have identified a dispensary within 1,000 feet of your proposed dispensary. You may wish to seek a variance from the Board of Adjustment to allow one dispensary within 1,000 feet of another dispensary. Contact Austin Chapman, Board of Adjustment Administrator, 918-584-7526 for next steps and further instruction. The approved variance must be resubmitted as a correction to this application.

3. **UNRESOLVED** Send an e-mail notifying the city councilor that you plan to open a dispensary in their district. The councilor is NOT required to respond. Provide a copy of the e-mail to the Zoning Plans Examiner so your application can move forward. To find the councilor for your district, click here. (<http://maps.cityoftulsa.org/citycouncil/>); and

Review Comment: You must provide a copy of the e-mail notifying the councilor in your district.

4. **RESOLVED** ~~A copy of the following affidavit:~~

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

<http://www.tmapc.org/Documents/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.



LEGAL DESCRIPTION

Subdivision: BROADVIEW HGTS ADDN

Legal: LTS 5 6 7 & 8 BLK 1

Section: 36 Township: 19 Range: 12

SITE PLAN GENERAL NOTES

1. ALL EXISTING DRAINAGE FROM THE PROPERTY TO REMAIN AS-IS, UNALTERED.
2. CONTRACTOR SHALL INSTALL AND MAINTAIN ALL BARRIERS FOR EROSION CONTROL FOR THE DURATION OF THE PROJECT.
3. ALL GRADES ADJACENT TO STRUCTURE SAHLL SLOPE AWAY FROM THE STRUCTURE AT A MINIMUM OF 6" PER 10'-0".
4. NEW CONSTRUCTION SAHLL NOT CAUSE ANY ADDITIONAL RUNOFF ONTO ADJACENT PROPERTIES OR WATERSHED.
5. CONTRACTOR SHALL VERIFY IN FIELD ALL CONDITIONS.
6. ALL EXISTING SITE ACCESS & AMENITIES TO REMAIN UNALTERED.

PARKING CALC

ZONING : CS - COMMERCIAL SHOPPING

2400 SF / 1000 = 2.4

(3.33) x 2.4 = 8 STALLS REQUIRED

1 = ADA STALL REQUIRED

100 PLUS - DISPENSARY

5824 S. Peoria Ave
TULSA, OK 74105

SQUARE FOOTAGE
TOTAL :

REVISIONS
NO. NAME DATE
01 LOD1 01/25/22

PROJECT NO.
2021_41

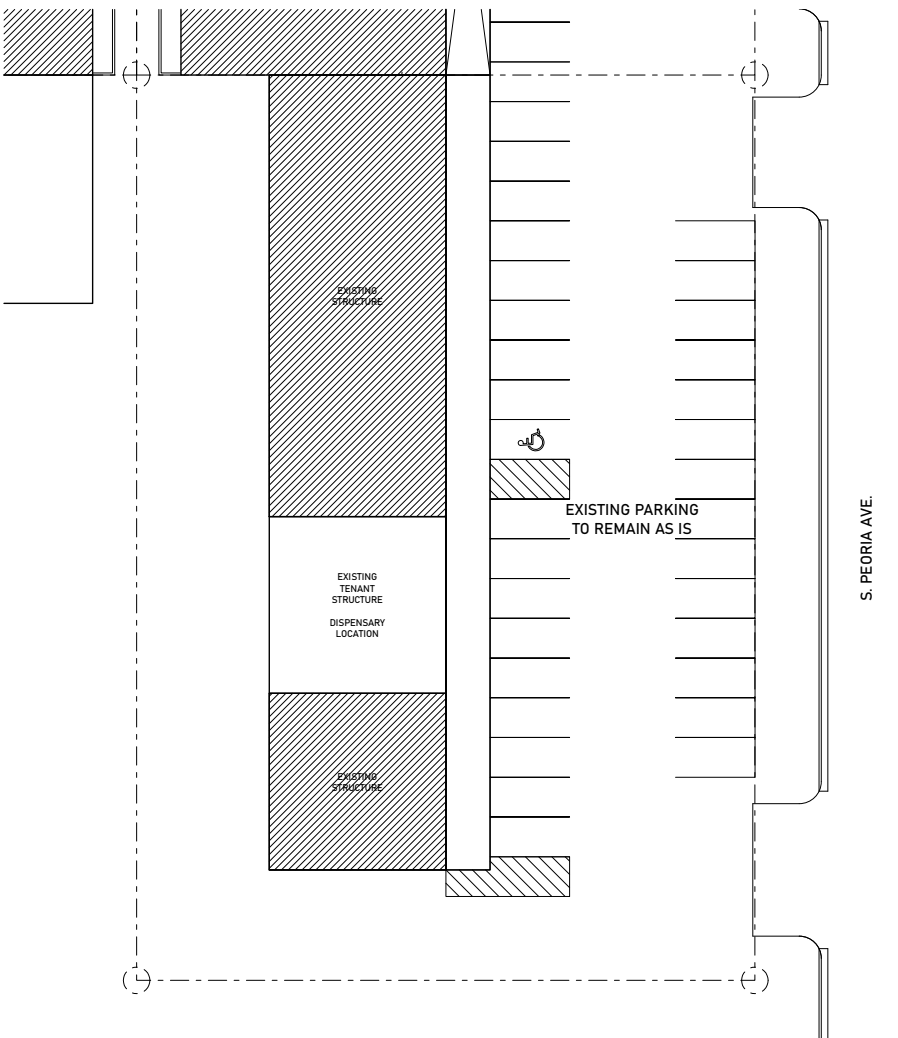
DRAWN BY
KLA

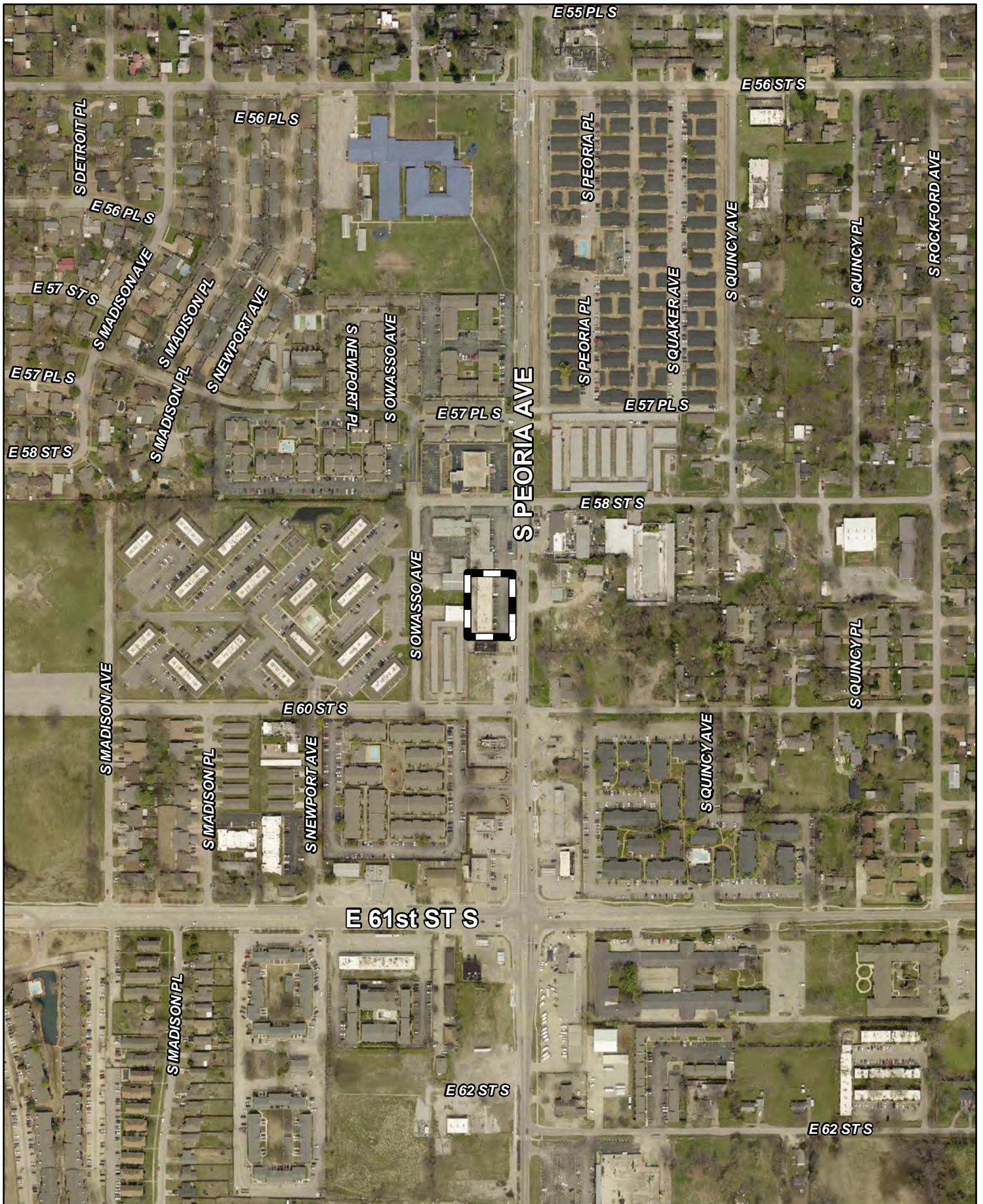
EXISTING SITE PLAN



SP1

7.17





0 200 400
Feet



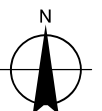
Subject
Tract

BOA-23291

19-12 36

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

Aerial Photo Date: 2020/2021



7.18



E 58 STS

SOWASSO AVE

S PEORIA AVE

E 60 STS

0 50 100
Feet



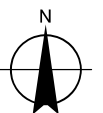
Subject
Tract

BOA-23291

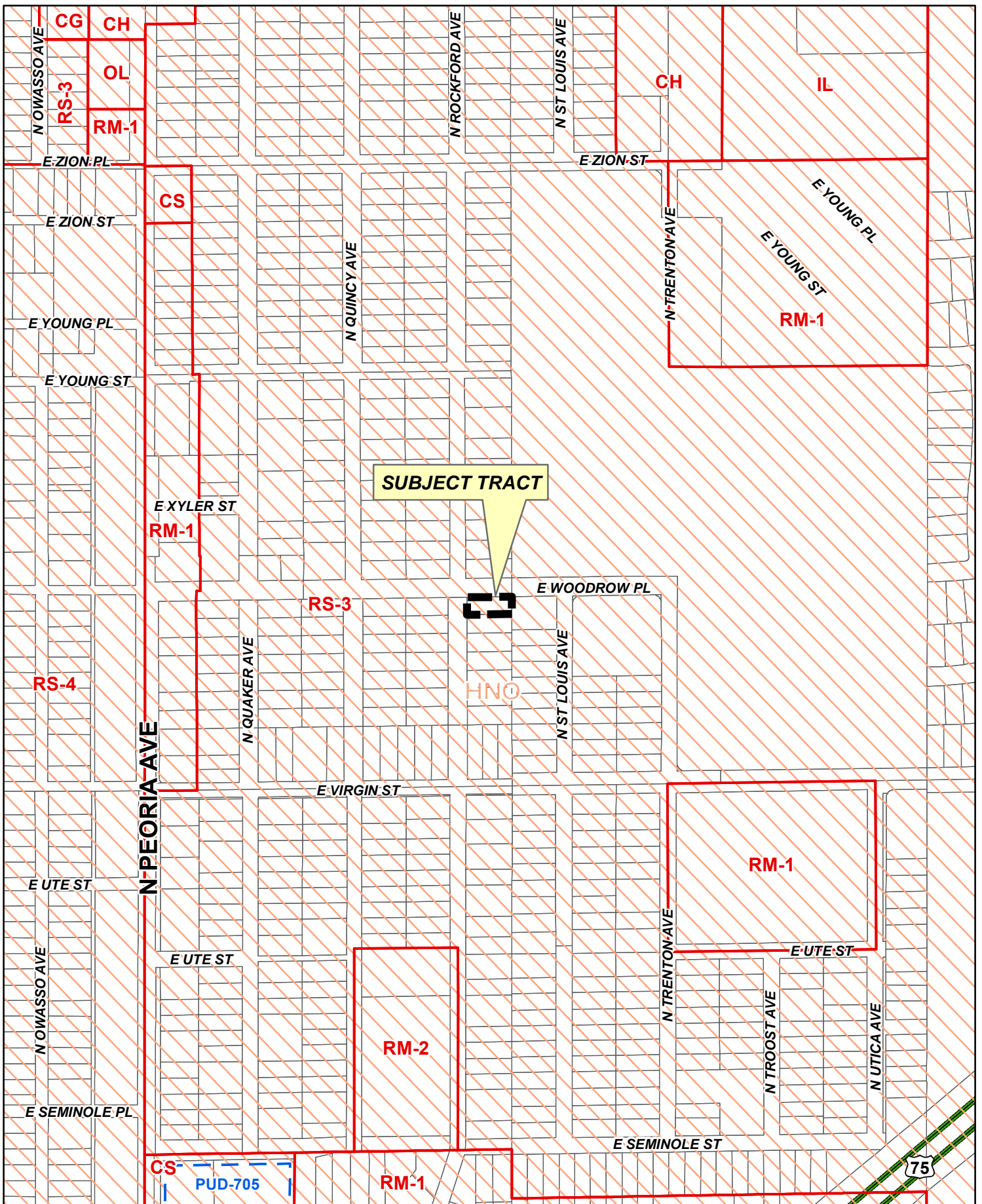
19-12 36

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

Aerial Photo Date: 2020/2021



7.19



BOA-23293

20-13 30

8.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 216
CZM: 29
CD: 1

Case Number: **BOA-23293**

HEARING DATE: 03/22/2022 1:00 PM

APPLICANT: Matthew Mosley

ACTION REQUESTED: Special Exception to permit a duplex in an RS-3 District (Table 5.020, Table 5-2, Table 5-2.5). ~~Variance of the required 25-foot street setback from N. Rockford Ave. (Sec. 5.030-A; Table 5-3); Variance of the 15-foot street building setback and 20-foot garage door setback from Woodrow Pl. (Sec. 5.030-B, Table Note 3)~~

LOCATION: 2145 N ROCKFORD AV E

ZONED: RS-3

PRESENT USE: Single-family

TRACT SIZE: 8616.2 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 1, WOODROW PARK ADDN

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SE/c of N. Rockford Ave. and W. Woodrow Pl.

STAFF COMMENTS: The applicant is requesting Special Exception to permit a duplex in an RS-3 District (Table 5.020, Table 5-2, Table 5-2.5)

Table 5-2: R District Use Regulations

USE CATEGORY	RE	RS-					RD	RT	RM-				RMH	Supplemental Regulations	
Subcategory Specific use		1	2	3	4	5			0	1	2	3			
RESIDENTIAL															
Household Living (if in allowed building type identified in Table 5-2.5)															
Single household	P [1]	P [1]	P [1]	P [1]	P [1]	P [1]	P [2]	P [2]	P [2]	P [2]	P [2]	P [2]	P [2]	P [2]	
Two households on single lot	-	-	-	S	S	S	P	P	P	P	P	P	P	-	
Three or more households on single lot	-	-	-	-	-	S	S	P	P	P	P	P	P	-	

Table 5-2.5: R District Building Type Regulations for Household Living

USE CATEGORY	RE	RS-					RD	RT	RM-				RMH	Supplemental Regulations		
Subcategory		1	2	3	4	5			0	1	2	3				
Specific Uses Building Type																
RESIDENTIAL																
Household Living																
Single household																
Detached house	P	P	P	P	P	P	P	P	P	P	P	P	P	S		
Patio House	-	-	-	P	P	P	P	P	P	P	P	P	P	-		Section 40.290
Townhouse																
2-unit townhouse	-	-	-	S	S	P	P	P	P	P	P	P	P	-		Section 40.390
3+-unit townhouse	-	-	-	-	-	-	P	P	P	P	P	P	P	-		Section 40.390
Manufactured housing unit	S	S	S	S	S	S	S	S	S	S	S	S	S	P		Section 40.210
Manufactured housing subdivision	-	-	-	-	-	-	-	-	-	-	-	-	-	P		Section 40.220
Mobile home	-	-	-	-	-	-	-	-	-	-	-	-	-	P		Section 40.240
Mixed-use building	-	-	-	-	-	-	-	-	S	S	S	S	S	-		
Vertical mixed-use building	-	-	-	-	-	-	-	-	S	S	S	S	S	-		
Two households on single lot																
Duplex	-	-	-	S	S	S	P	P	P	P	P	P	P	-		

The applicaiton was previously noticed to include variance requests for the street setbacks. The applicant has revised their site plan and those requests are no longer needed.

SAMPLE MOTION:

Special Exception:

Move to _____ (approve/deny) a **Special Exception** to permit a duplex in an RS-3 District (Table 5.020, Table 5-2, Table 5-2.5).

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

_____.

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



Subject property

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

Michael Miles
uniquedhomes@gmail.com

1/21/2022

APPLICATION NO: ZON LOD 107237, 107236 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 1504 & 1508 E WOODROW PL N

Description: Duplex

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.

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1. A COPY OF THIS DEFICIENCY LETTER
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3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

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

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

IMPORTANT INFORMATION

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

(continued)

REVIEW COMMENTS

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

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

1. 5.020 Use Regulations - Principal uses allowed in R districts in accordance with Table 5-2.

Review Comments: Duplexes are only allowed on an RS-3 zoned lot by special exception. Apply to BOA for a special exception to allow a duplex in a RS-3 zoned lot.

2. 5.030-A :Setback(s) (Residential): In the RS-3 zoned district the minimum street setback shall be 25 feet from the property line, or measured from the centerline of the abutting street add to the setback distance $\frac{1}{2}$ the right-of-way (ROW) designated on the major street plan.

Review Comments: Revise your plans to indicate a 25' front setback to the property line and 50' from center of Rockford Avenue, or apply to INCOG for a variance to allow less than a 25' front setback.

3. 5.030-A – Setback(s) footnote [3]: In the RS-4 zoned district, the minimum side yard setback requirement for a garage facing a public street shall be 20' from the property line plus half the Right Of Way width which is 30'.

Review Comments: Revise plans to indicate a 50' street setback from center of Woodrow place to the proposed garage facing a side street. If you are unable to meet the street setback requirements mentioned above, then you will need to apply to the City of Tulsa Board of Adjustment (BOA) for a Variance to reduce the required street setback.

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

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

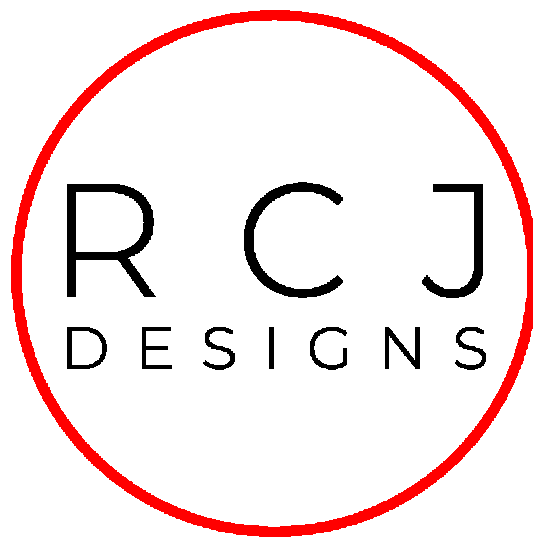
END –ZONING CODE REVIEW

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

ROCKFORD DUPLEX

1504/ 1508 E WOODROW PL, TULSA, OK 74106 Job# 21230



T U L S A , O K .
[P] 9 1 8 . 8 5 9 . 9 3 4 3
WWW.RCJDESIGNS.COM

CONSULTANT



PROJECT

ROCKFORD
DUPLEX

PROJECT # 21230

1504/ 1508 E
WOODROW PL
TULSA, OK 74106

REVISIONS

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

PROJECT STATUS

PERMIT SET

ISSUE DATE

12.27.2021

SHEET NAME

COVER SHEET

SHEET NUMBER

CS

PROJECT TEAM

DESIGN:

RCJ DESIGNS, LLC
3402 E 51ST ST
TULSA, OK. 74128

RAUL CISNEROS JR
918.859.9343
RAUL@RCJDESIGNS.COM
WWW.RCJDESIGNS.COM

SCOPE OF WORK

SUMMARY:

NEW DUPLEX ON EMPTY LOT

SHEET INDEX

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

PROJECT INFORMATION

LEGAL DESCRIPTION

SUBDIVISION: WOODROW PARK ADDN.
LEGAL: LOTS - 1 - BLK - 1
SECTION: 30 TOWNSHIP: 20 RANGE: 13

GENERAL INFORMATION

ZONING	RS-3
LOT SIZE	0.2 ACRES / 8,618 SQ FT
UNIT A LIVABLE AREA	1,244 SQ FT
UNIT B LIVABLE AREA	1,244 SQ FT

ADDITIONAL INFORMATION

UNIT A: 1508 E WOODROW PL	
UNIT A LIVABLE	1,232 SQ FT
UNIT A GARAGE	243 SQ FT
UNIT A FRONT COVERED PORCH	50 SQ FT
UNIT A DRIVEWAY/ WALKWAY	263 SQ FT
UNIT A TOTAL	1,788 SQ FT

UNIT B: 1504 E WOODROW PL	
UNIT B LIVABLE	1,232 SQ FT
UNIT B GARAGE	255 SQ FT
UNIT B FRONT COVERED PORCH	50 SQ FT
UNIT B DRIVEWAY/ WALKWAY	254 SQ FT
UNIT B TOTAL	1,796 SQ FT

TOTAL	3,584 SQ FT
-------	-------------

REGULATIONS

RS-3: MIN. OPEN SPACE REQ'D FOR DUPLEX	2,500 SQ FT PER UNIT
OPEN SPACE PROPOSED/ UNIT A	2,521 SQ FT
OPEN SPACE PROPOSED/ UNIT B	2,513 SQ FT
OPEN SPACE PROPOSED/ TOTAL	5,034 SQ FT

MAX BUILDING HEIGHT	35' 0"
BUILDING HEIGHT PROPOSED	+/- 16' 7"

SURVEY DISCLAIMER

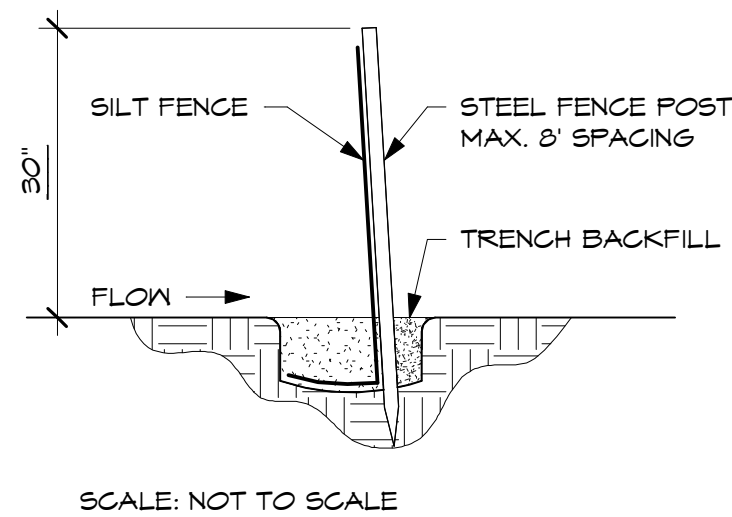
THIS SITE PLAN IS DRAWN WITHOUT THE BENEFIT OF A BOUNDARY SURVEY. BOUNDARY AND EXISTING STRUCTURE LOCATIONS ARE APPROXIMATE BASED ON FIELD INFORMATION AND FOR ILLUSTRATIVE PURPOSES ONLY.

LEGEND

	EXISTING ASPHALT PAVING
	NEW ASPHALT PAVING/ TRACK
	EXISTING GRAVEL DRIVE/PARKING
	TULSA REGULATORY FLOOD PLAIN
	EXISTING SOD TO REMAIN
	EXISTING CONCRETE DRIVEWAY/WALKWAY
	NEW CONCRETE DRIVEWAY/WALKWAY
	PROPERTY LINE
	BUILDING SETBACKS
	BUILDING OUTLINE
	SILT FENCE
	HAYBALES
	EXISTING DRAINAGE FLOW
	DOWNSPOUTS

SILT FENCE DETAIL

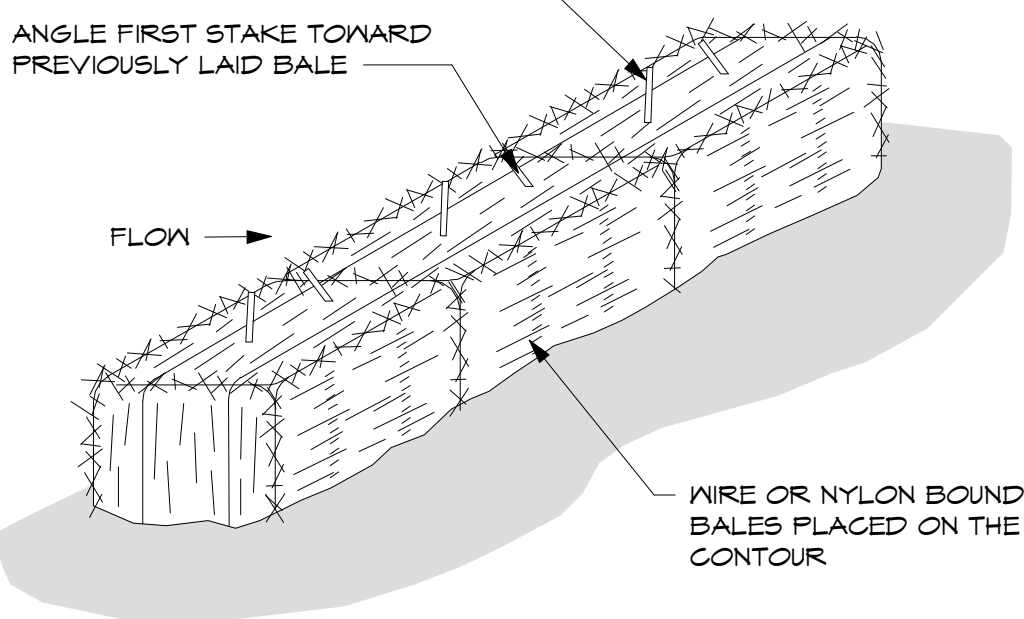
- STEEL POSTS WHICH SUPPORT THE SILT FENCE SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE.
- THE TOE OF THE SILT FENCE SHALL BE TRENCHED IN WITH A SPADE OR MECHANICAL TENCHER, SO THAT THE DOWNSLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW.
- THE TRENCH SHOULD BE A MINIMUM OF 6 INCHES DEEP AND 3 TO 4 INCHES WIDE TO ALLOW FOR THE SILT FENCE TO BE LAID IN THE TRENCH 4 INCHES AND BACKFILLED.
- SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POST OR TO MOVEN WIRE, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POSTS.
- INSPECTION SHALL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
- SILT FENCE SHALL BE REMOVED WHEN IT HAS SERVED ITS USEFULNESS SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.
- SEDIMENT TRAPPED BY THIS PRACTICE SHALL BE DISPOSED OF IN AN APPROVED SITE, IN A MANNER THAT WILL NOT CONTRIBUTE TO ADDITIONAL SILTATION.
- ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6 INCHES AND DISPOSED OF IN AN APPROVED SPOIL SITE OR AS IN NO. 7 ABOVE.



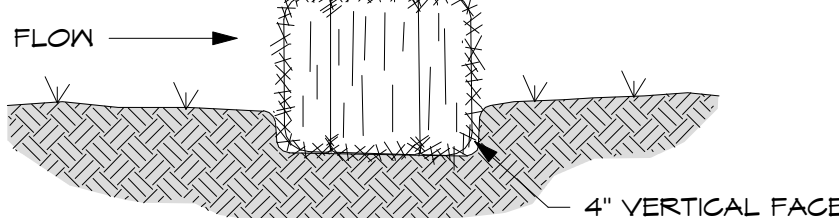
SCALE: NOT TO SCALE

HAY BALE DETAIL

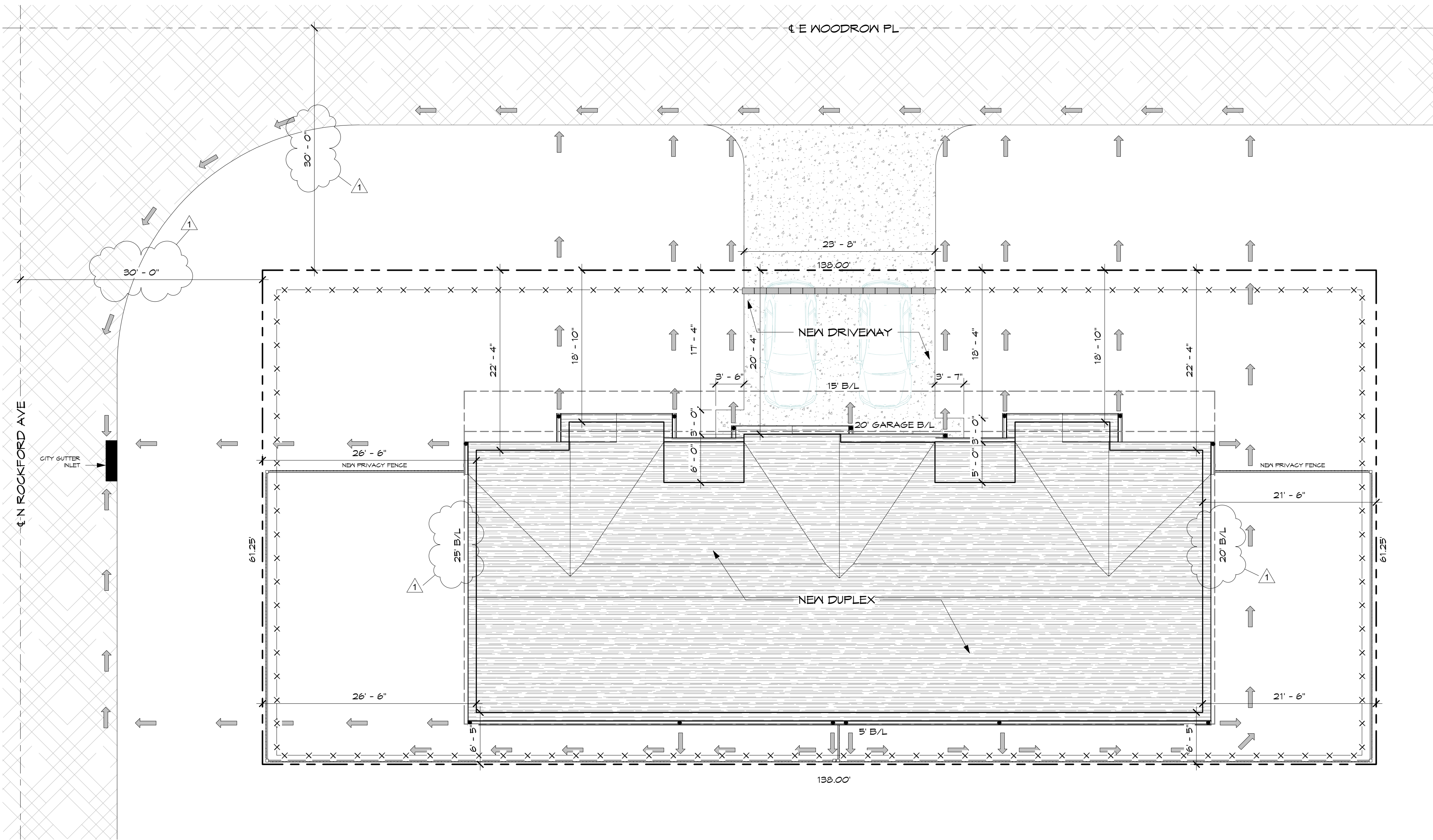
- BALES SHALL BE PLACED IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT BALES.
- EACH BALE SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF FOUR INCHES, WHERE POSSIBLE.
- BALES SHALL BE SECURELY ANCHORED IN PLACE BY STAKES OR RE-BARS DRIVEN THROUGH THE BALES. THE FIRST STAKE IN EACH BALE SHALL BE ANGLED TOWARD PREVIOUSLY LAID BALE TO FORCE BALES TOGETHER.
- INSPECTION SHALL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED BY CONTRACTOR.
- BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.
- ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6 INCHES.



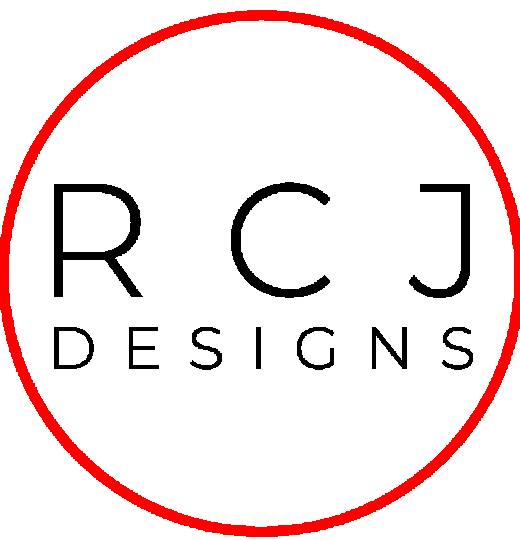
ANCHORING DETAIL



EMBEDDING DETAIL



1 SITE PLAN
1/8" = 1'-0"



T U L S A , O K .
[P] 9 1 8 . 8 5 9 . 9 3 4 3
WWW.RCJDESIGNS.COM

CONSULTANT

PROJECT

ROCKFORD
DUPLEX

PROJECT # 21230

1504/ 1508 E
WOODROW PL
TULSA, OK 74106

REVISIONS

No.	Description	Date
1	LOD #1	3.11.22

PROJECT STATUS

PERMIT SET

ISSUE DATE

12.27.2021

SHEET NAME

SITE PLAN

SHEET NUMBER

SP

GENERAL NOTES

- ALL INTERIOR WALLS TO BE A4 U.N.O.
- ALL DIMENSIONS ARE TO FACE OF EXISTING WALLS AND CENTERLINE OF NEW WALL/ROUGH OPENING U.N.O.
- ALL INTERIOR FINISHES INCLUDING BUT NOT LIMITED TO FLOORING, PAINT, WALLCOVERING, LIGHT FIXTURES, TRIM, LAMINATE, SOLID SURFACES AND MILLWORK TO BE SELECTED BY OWNER AND INSTALLED BY CONTRACTOR PER MANUF. GUIDELINES AND IN ACCORDANCE WITH ALL LOCAL CODES AND ORDINANCES.
- GENERAL CONTRACTOR SHALL VISIT SITE AND BECOME FAMILIAR WITH SITE CONDITIONS.
- NOTIFY DESIGNER IMMEDIATELY IF DIFFERENT CONDITIONS EXIST FROM WHAT IS DESCRIBED.
- ALIGN NEW WALL'S FINISH FACE WITH THE EXISTING WALL'S FINISH FACE AT AREAS WHERE THE TWO ABUT.
- ALL MECHANICAL, ELECTRICAL AND PLUMBING ITEMS TO BE PROVIDED ON A DESIGN/ BUILD BASIS, IN ACCORDANCE WITH ALL LOCAL CODES AND ORDINANCES. ASIDE FROM ALL ELECTRICAL AND PLUMBING ITEMS REPRESENTED ON PLANS, PROVIDE ADDITIONAL DEVICES AS REQUIRED BY LOCAL CODE.
- ALL DIMENSIONS ARE TO CENTERLINE OF OBJECT, EXCEPT FOR THE PERIMETER STUDS WHICH ARE DIMENSIONS TO EDGE OF SLAB, MASONRY OPENINGS WHICH ARE FROM FACE OF BRICK, AND AREAS WHERE SHOWN CLEAR DIMENSION IS REQUIRED; U.N.O.

FLOOR PLAN

KEYNOTES

- 26" CUSTOM COUNTERTOP ON 24" CUSTOM BASE CABINETS. 12" CUSTOM UPPER CABINETS 18" ABOVE COUNTERTOP. BACKSPLASH BY OTHERS
- UL DESIGN U301
 - 2X4 WOOD STUD @ 16" O.C.
 - (2) 5/8" GYP. BOARD ON EACH SIDE
 - EXTEND GYP. BOARD TO UNDERSIDE OF ROOF SHEATHING
 - ACOUSTICAL BATT INSUL. IN CAVITY
 - FIRE SEAL ALL PENETRATIONS
 - FIRE SEALANT BETWEEN SLAB AND GYP. BOARD
 - FIRE RATED ASSEMBLY TO EXTEND THROUGH ANY EAVES AND SOFFITS TO THE BACK OF THE FASCIA BOARD
- 1-3/8" SOLID WOOD DOOR TO INCLUDE CLOSER WITHOUT DEADBOLT LOCK

REFERENCING

- A. RE: SHEETS A3/A4 FOR EXTERIOR ELEVATIONS AND WALL SECTION
- B. RE: SHEETS A5 FOR ROOF PLAN

FLOOR PLAN

WALL ASSEMBLIES

ITEM	DESCRIPTION
	EXISTING EXTERIOR WALL TO REMAIN
	EXISTING INTERIOR WALL TO REMAIN
	NEW EXTERIOR WALL W/ LAP SIDING
	NEW INTERIOR WALL

LETTER INDICATES WALL TYPE

NUMBER INDICATES STUD SIZE AS FOLLOWS:

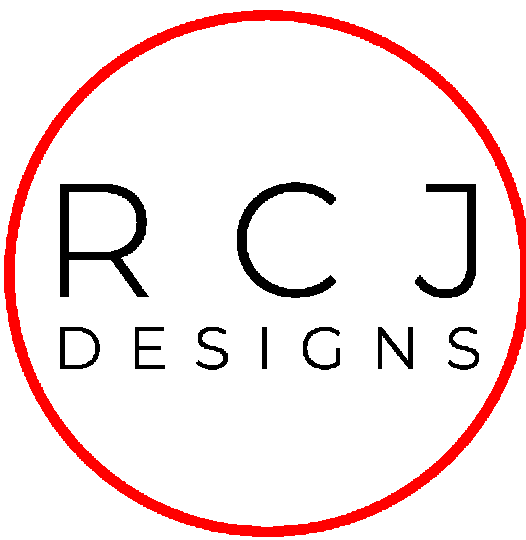
2 - 2" X 4" WOOD STUD FLAT FURRING
4 - 2" X 4" WOOD STUD
6 - 2" X 6" WOOD STUD
8 - 2" X 8" WOOD STUD
10 - 2" X 10" WOOD STUD

NOTE: ALL INTERIOR WALLS TO BE A4 U.N.O.

FLOOR PLAN LEGEND

NOT ALL ITEMS MAY BE USED.

ITEM	DESCRIPTION
	NEW WINDOW - FIXED (FX)
	NEW WINDOW - SINGLE HUNG (SH)
	NEW DOOR OPENING (OP)
	NEW ARCHED DOOR OPENING (AO)
	NEW STANDARD DOOR
	NEW SLIDING DOOR
	NEW BI-FOLD DOOR (BD)
	CEILING MOUNTED SMOKE DETECTOR
	CEILING MOUNTED CARBON MONOXIDE DETECTOR



T U L S A , O K .
[P] 9 1 8 . 8 5 9 . 9 3 4 3
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CONSULTANT

PROJECT

ROCKFORD
DUPLEX

PROJECT # 21230

1504/ 1508 E
WOODROW PL
TULSA, OK 74106

REVISIONS

No.	Description	Date
1	LOD #1	2.8.22

PROJECT STATUS

PERMIT SET

ISSUE DATE

12.27.2021

SHEET NAME

FLOOR PLAN

SHEET NUMBER

A1

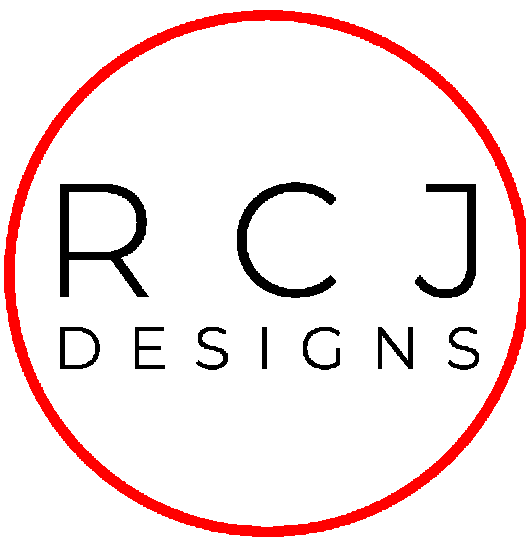
8.10

1

FLOOR PLAN

1/4" = 1'-0"





T U L S A , O K .
[P] 9 1 8 . 8 5 9 . 9 3 4 3
WWW.RCJDESIGNS.COM

CONSULTANT

PROJECT

ROCKFORD
DUPLEX

PROJECT # 21230

1504/ 1508 E
WOODROW PL
TULSA, OK 74106

REVISIONS

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

PROJECT STATUS

PERMIT SET

ISSUE DATE

12.27.2021

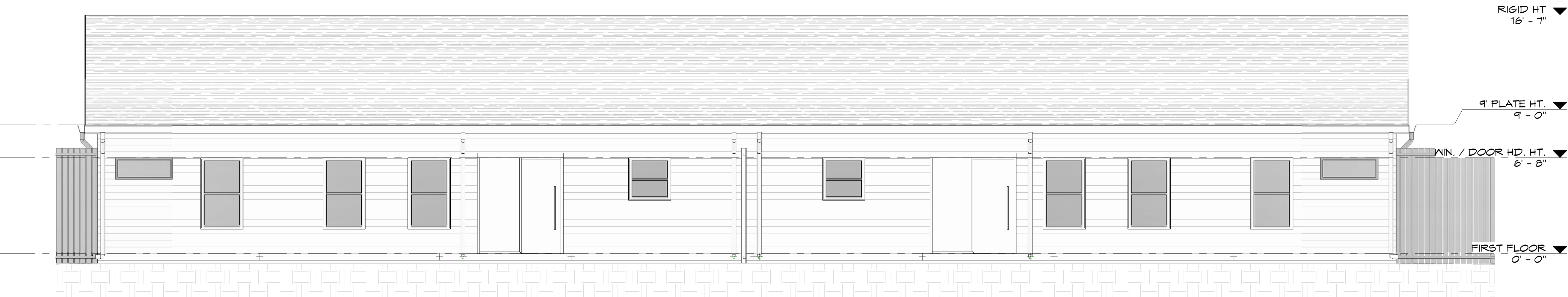
SHEET NAME

EXTERIOR
ELEVATIONS

SHEET NUMBER

A3

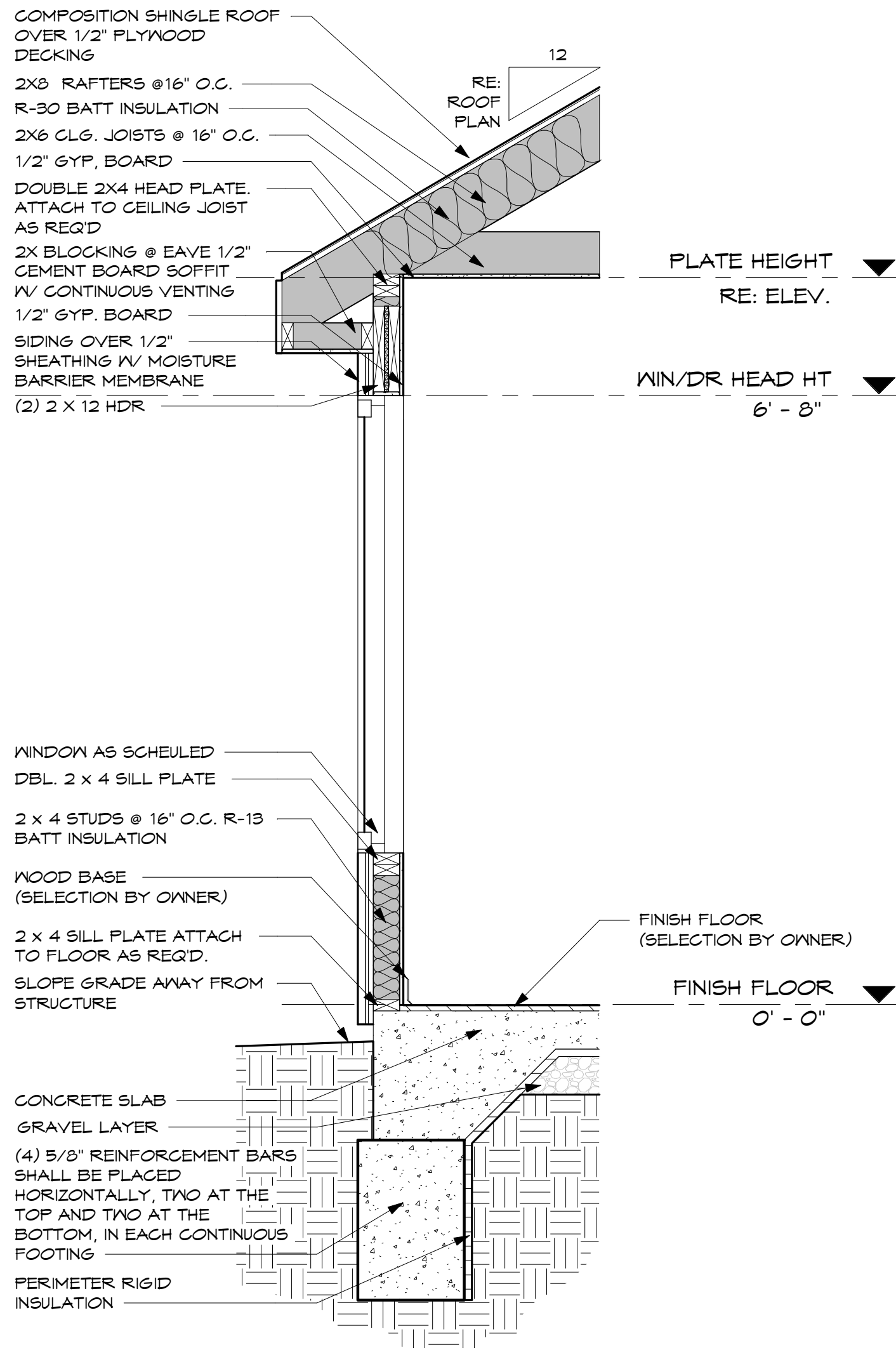
8.11



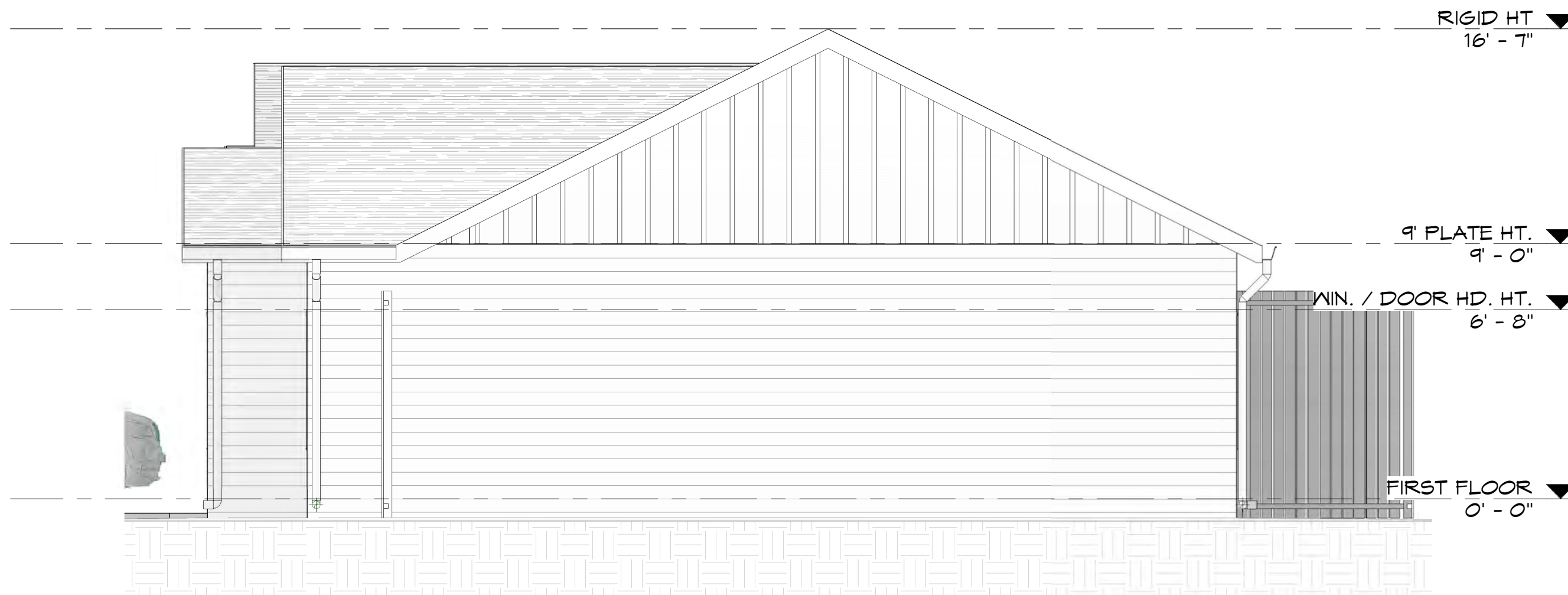
2 REAR ELEVATION
1/4" = 1'-0"



1 FRONT ELEVATION
1/4" = 1'-0"



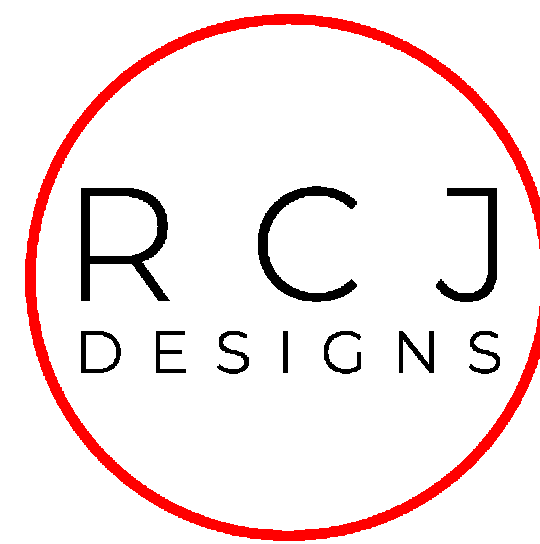
3 TYP. WALL SECTION - 8' - 0" PLATE
3/4" = 1'-0"



2 RIGHT SIDE ELEVATION
1/4" = 1'-0"



1 LEFT SIDE ELEVATION
1/4" = 1'-0"



T U L S A , O K .
[P] 9 1 8 . 8 5 9 . 9 3 4 3
WWW.RCJDESIGNS.COM

CONSULTANT

PROJECT

ROCKFORD
DUPLEX

PROJECT # 21230

1504/ 1508 E
WOODROW PL
TULSA, OK 74106

REVISIONS

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

PROJECT STATUS

PERMIT SET

ISSUE DATE

12.27.2021

SHEET NAME

EXTERIOR
ELEVATIONS /
WALL SECTION

SHEET NUMBER

A4

GENERAL NOTES

ROOF PLAN

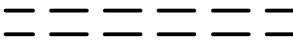
1. CONTRACTOR TO PROVIDE ADEQUATE VENTILATION PER R306, IRC 2015

LEGEND

ROOF PLAN



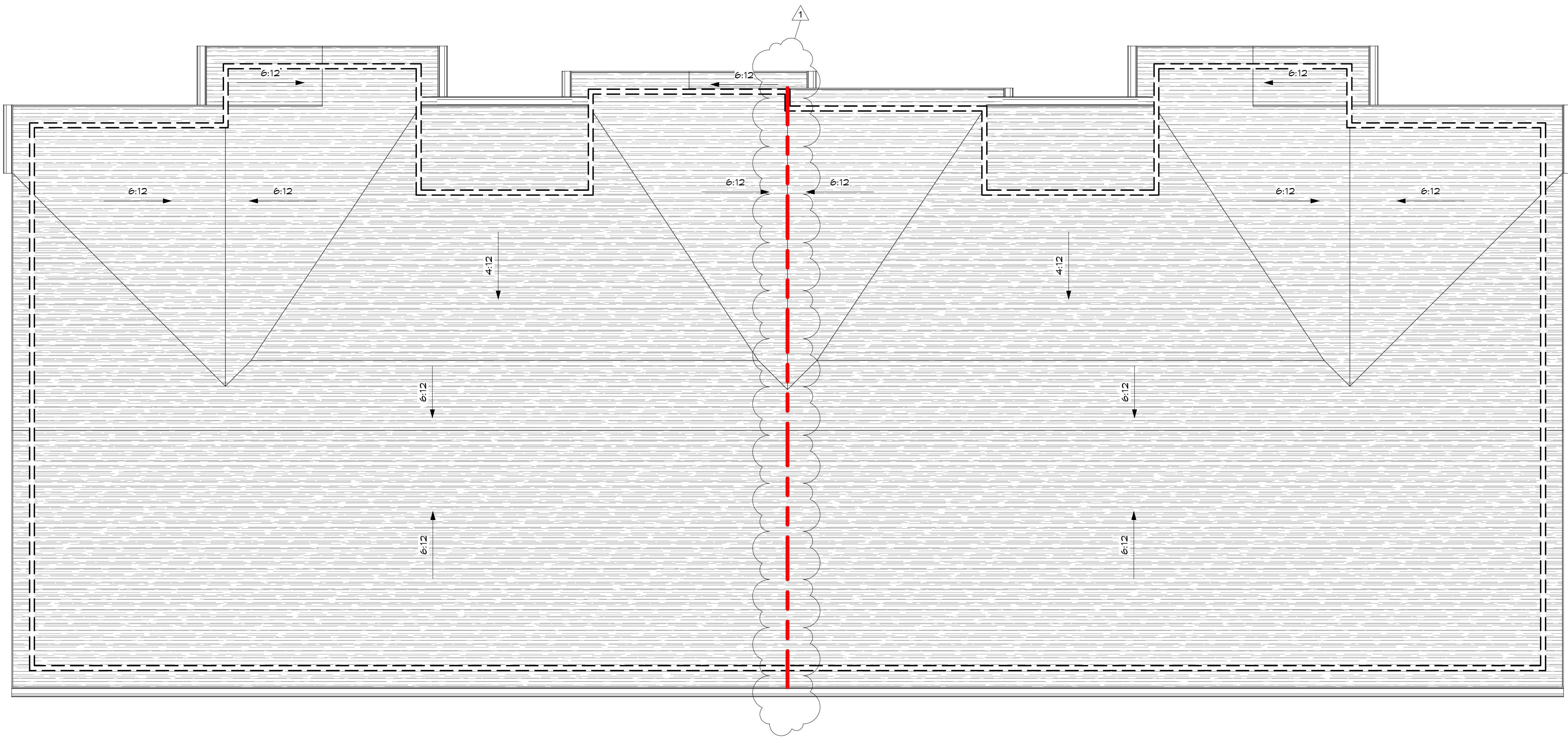
ARCHITECTURAL SHINGLES



EXTERIOR WALL STUD BELOW ROOF



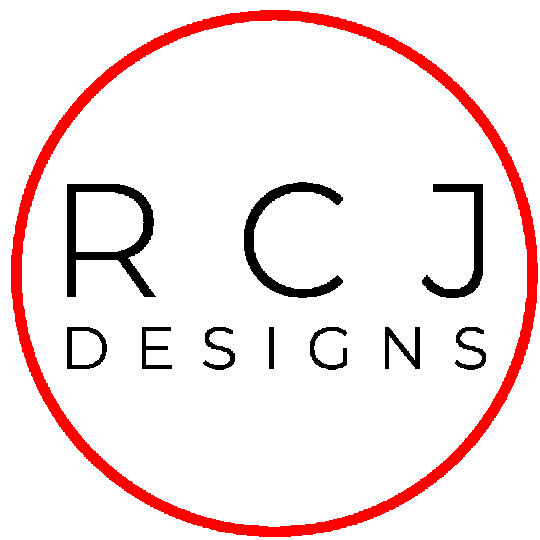
FIRE RATED ASSEMBLY TO EXTEND THROUGH ANY EAVES AND SOFFITS TO THE BACK OF THE FASCIA BOARD



1

ROOF PLAN

1/4" = 1'-0"



T U L S A , O K .
[P] 9 1 8 . 8 5 9 . 9 3 4 3
WWW.RCJDESIGNS.COM

CONSULTANT

PROJECT

ROCKFORD
DUPLEX

PROJECT # 21230

1504/ 1508 E
WOODROW PL
TULSA, OK 74106

REVISIONS

No.	Description	Date
1	LOD #1	2.8.22

PROJECT STATUS

PERMIT SET

ISSUE DATE

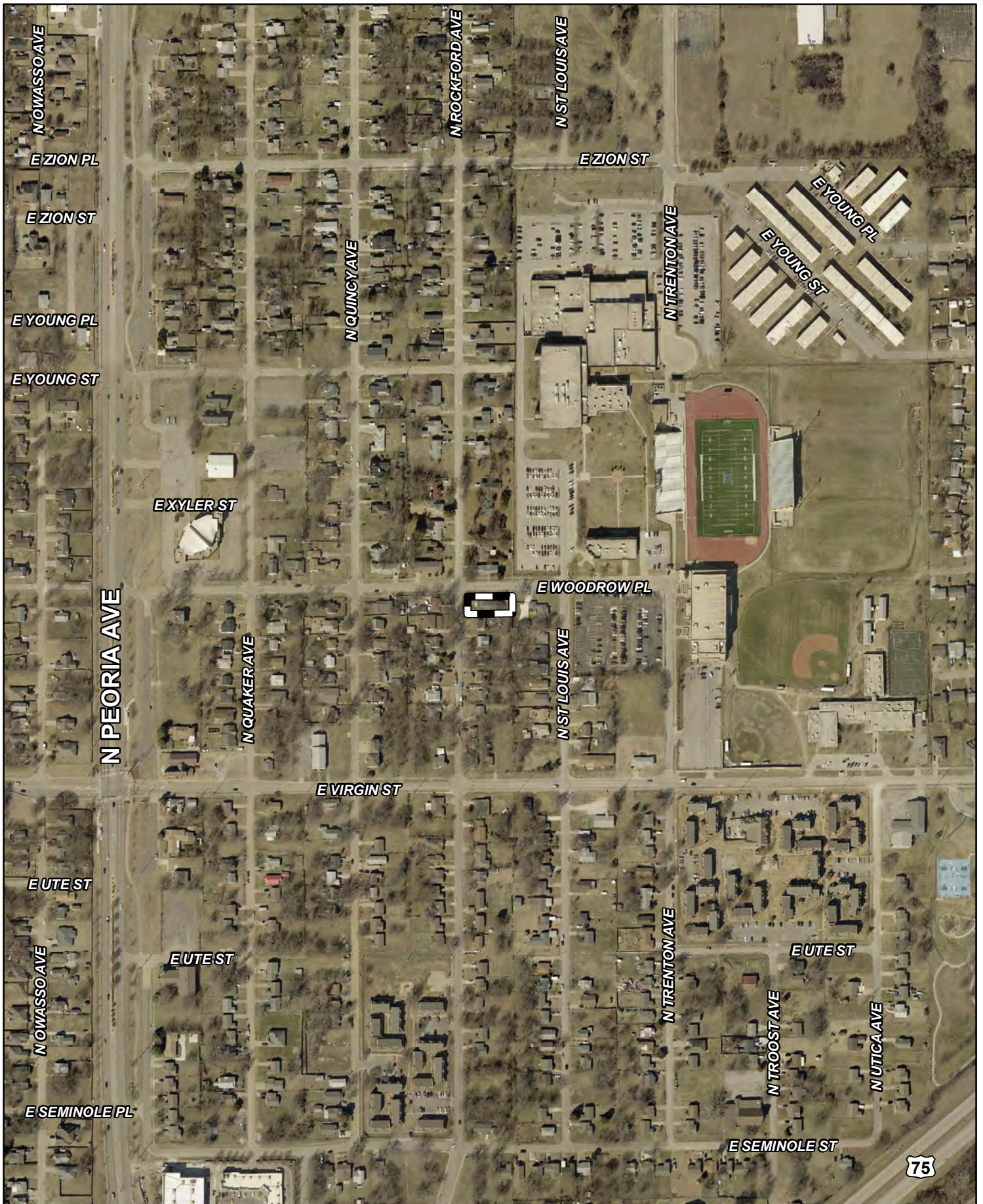
12.27.2021

SHEET NAME

ROOF PLAN

SHEET NUMBER

A5



0 200 400
Feet



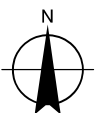
Subject
Tract

BOA-23293

20-13 30

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

Aerial Photo Date: 2020/2021



8.14



N ROCKFORD AVE

E WOODROW PL

N ST LOUIS AVE

0 50 100
Feet



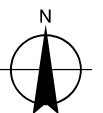
**Subject
Tract**

BOA-23293

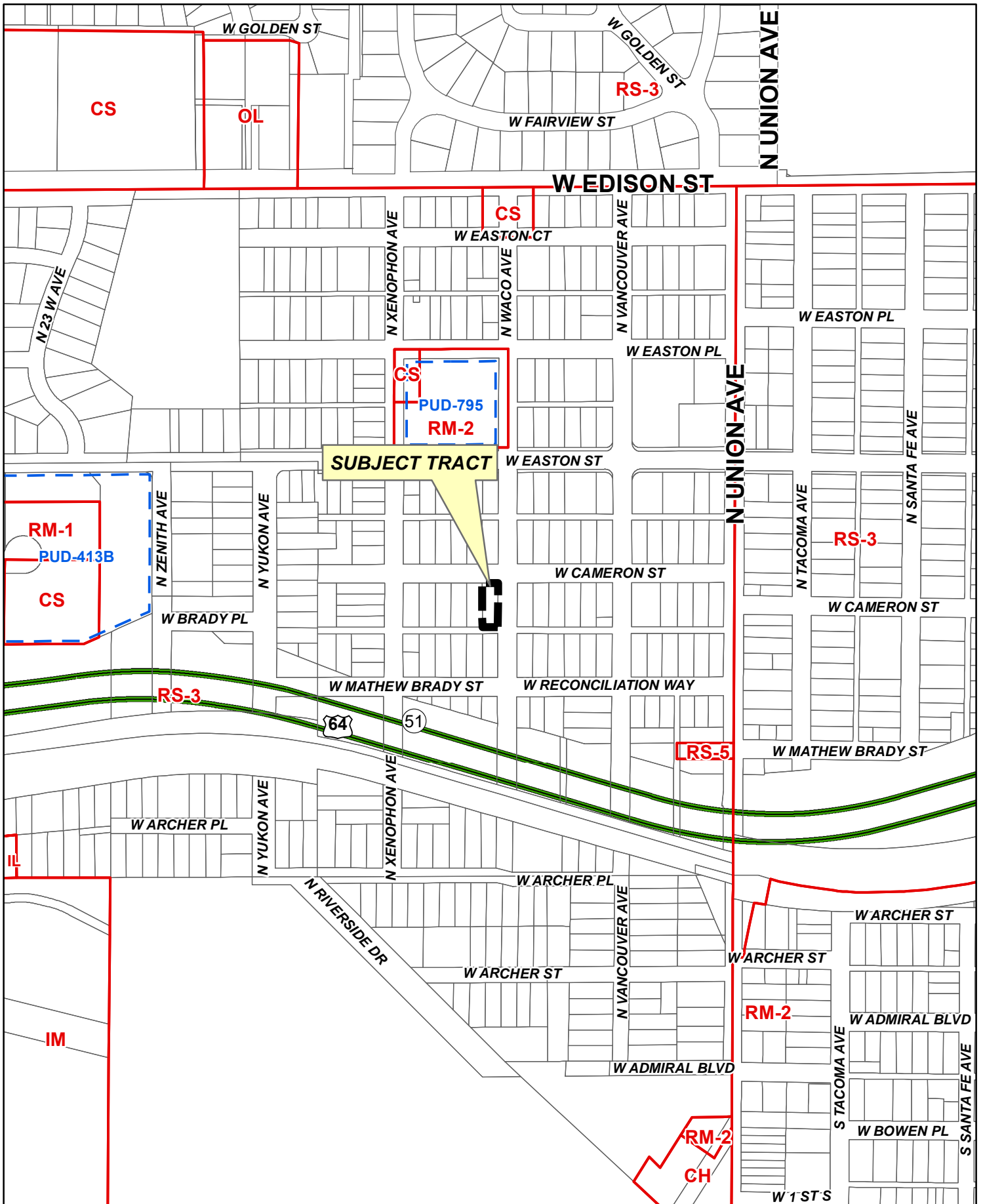
20-13 30

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

Aerial Photo Date: 2020/2021



8.15



BOA-23294

19-12 03

9.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9203

CZM: 36

CD: 4

Case Number: **BOA-23294**

HEARING DATE: 03/22/2022 1:00 PM

APPLICANT: Raul Cisneros

ACTION REQUESTED: Special Exception to reconstruct a structure with a non-conforming setback (Sec. 80.030-D)

LOCATION: 1902 W CAMERON ST N

ZONED: RS-3

PRESENT USE: Single-family

TRACT SIZE: 7000.12 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 19, IRVING PLACE

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SW/c of W. Cameron St. and N. Waco Ave.

STAFF COMMENTS: The applicant is requesting a **Special Exception** to reconstruct a structure with a non-conforming setback (Sec. 80.030-D)

Alterations, Enlargements and Expansions

Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building regulations and does not increase the extent of the nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback regulations and all other applicable lot and building regulations. Horizontal and vertical extensions of an exterior wall that is nonconforming with regard to applicable setbacks may be approved in accordance with the special exception procedures of [Section 70.120](#), provided the extensions are not located closer to the lot line than the existing structure.

Per the photo below the construction has been completed prior to Seeking relief. The applicant's plan presents right-of-way widths of 25-feet from the centers of both Waco and Cameron which is incorrect. The right-of-way width should be 30-feet from the center of both streets.

SAMPLE MOTION: Move to _____ (approve/deny) a **Special Exception** to reconstruct a structure with a non-conforming setback (Sec. 80.030-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.



Subject property facing West



Subject property facing South

Lauren Parker
PLANS EXAMINER

TEL (918) 596-9499
lauren.parker@cityoftulsa.org



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 01

January 27, 2022

Raul Cisneros
RCJ Designs, LLC
3902 E 51st St. S.
Tulsa, OK 74135

Phone: (918) 859-9343

APPLICATION NO: **BLDR-107569-2022** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 1902 W. Cameron St. N.
Description: Residential – Addition and Alteration

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

(Continued)

REVIEW COMMENTS

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

Application No. BLDR-107569-2022

1902 W. Cameron St. N.

January 27, 2022

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

1. 80.030-D Alterations, Enlargements and Expansions

Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building regulations **and** does not increase the extent of the nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback regulations and all other applicable lot and building regulations. Horizontal and vertical extensions of an exterior wall that is nonconforming with regard to applicable setbacks may be approved in accordance with the special exception procedures of Section 70.120.

Review Comments: The current porch is non-conforming and is located 7' into the front setback. Since the front porch is being removed and reconstructed, this is categorized as an addition. In order to approve this application, you will need to be granted a special exception from the BOA to allow the front porch reconstruction. Please contact an INCOG representative at 918-584-7526 for further assistance for a special exception. If approved, submit a copy of the approved special exception as a revision to your application.

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:
<http://www.tmapc.org/Documents/TulsaZoningCodeAdopted110515.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.

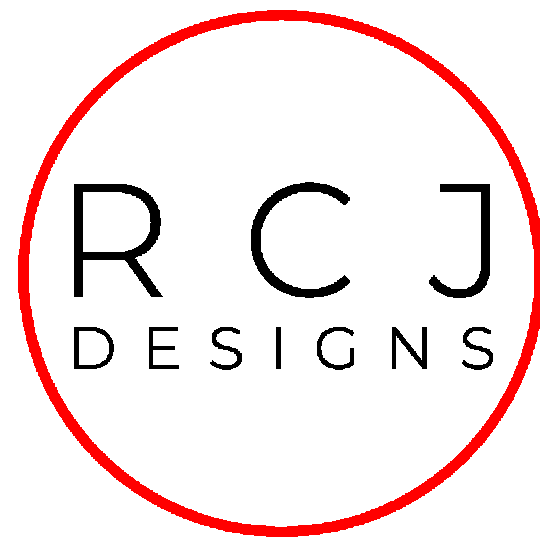
END – ZONING CODE REVIEW

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.

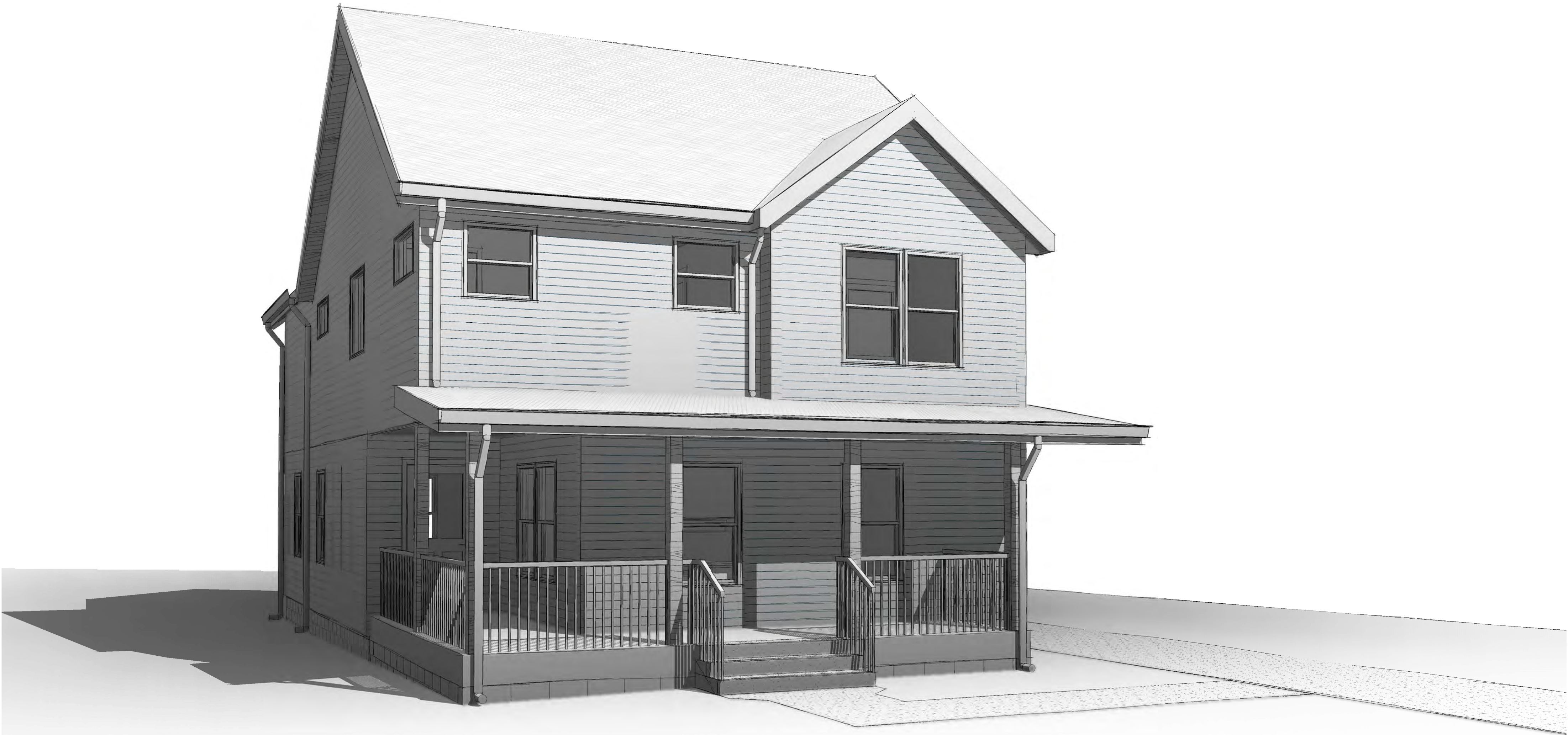
1902 W CAMERON

1902 W CAMERON ST TULSA, OK 74127 Job#21201



T U L S A , O K .
[P] 9 1 8 . 8 5 9 . 9 3 4 3
WWW.RCJDESIGNS.COM

CONSULTANT



PROJECT

1902 W
CAMERON ST

PROJECT # 21201

1902 W CAMERON ST
TULSA, OK 74127

REVISIONS

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

PROJECT STATUS

PERMIT SET

ISSUE DATE

01.03.2022

SHEET NAME

COVER SHEET

SHEET NUMBER

CS

PROJECT TEAM

DESIGN:

RCJ DESIGNS, LLC
1312 S. GARNETT RD, SUITE E
TULSA, OK. 74128

RAUL CISNEROS JR
918.859.9343
WWW.RCJDESIGNS.COM

SCOPE OF WORK

SUMMARY:

FIRST FLOOR REMODEL & SECOND FLOOR ADDITION

SHEET INDEX

CS	COVER SHEET
SP	SITE PLAN
D1	DEMOLITION PLAN
A1	FIRST FLOOR / SECOND FLOOR PLAN
A3	EXTERIOR ELEVATIONS
A4	EXTERIOR ELEVATIONS/ WALL SECTION
A5	ROOF PLAN

PROJECT INFORMATION

LEGAL DESCRIPTION

SUBDIVISION: IRVING PLACE
LEGAL: LOT - 1 - BLK - 19
SECTION: 03 TOWNSHIP: 19 RANGE: 12

GENERAL INFORMATION

ZONING: RS-3
LOT SIZE: 0.16 ACRES / 7,000 SQ FT
FIRST FLOOR AREA: 1,020 SQ FT
SECOND FLOOR AREA: 994 SQ FT
TOTAL: 2,014 SQ FT

ADDITIONAL INFORMATION

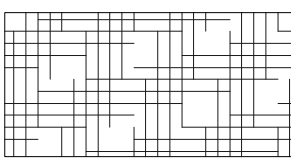
FIRST FLOOR AREA: 1,020 SQ FT
DRIVEWAY/WALKWAY: 402 SQ FT
FRONT COVERED PORCH: 194 SQ FT
TOTAL: 1,621 SQ FT

REGULATIONS

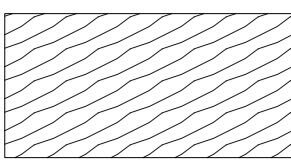
RS-3: MIN. OPEN SPACE REQ'D: 4,000 SQ FT
OPEN SPACE PROPOSED: 5,374 SQ FT
MAX. BUILDING HEIGHT: 30' 0"
RES. STRUCTURE HEIGHT: +/- 27'-4 1/2"

LEGEND

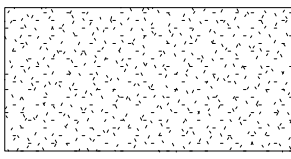
SITE PLAN
NOT ALL ITEMS MAY BE USED



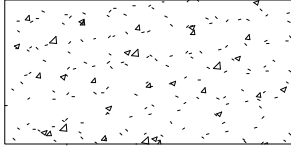
NEW ASPHALT PAVING/ TRACK



TULSA REGULATORY FLOOD PLAIN



EXISTING SOD TO REMAIN



NEW CONCRETE
DRIVEWAY/WALKWAY

PROPERTY LINE

BUILDING SETBACKS

BUILDING OUTLINE

SILT FENCE

DRAINAGE FLOW

DOWNSPOUTS

SURVEY DISCLAIMER

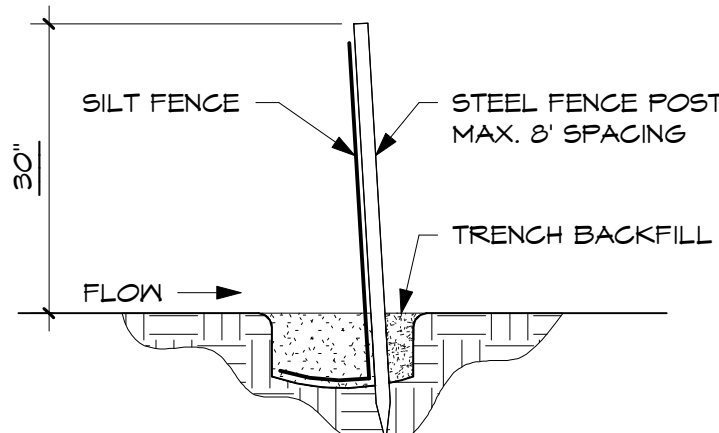
SITE PLAN

- THIS SITE PLAN IS DRAWN WITHOUT THE BENEFIT OF A BOUNDARY SURVEY. BOUNDARY AND EXISTING STRUCTURE LOCATIONS ARE APPROXIMATE BASED ON FIELD INFORMATION AND FOR ILLUSTRATIVE PURPOSES ONLY.

SILT FENCE DETAIL

SITE PLAN

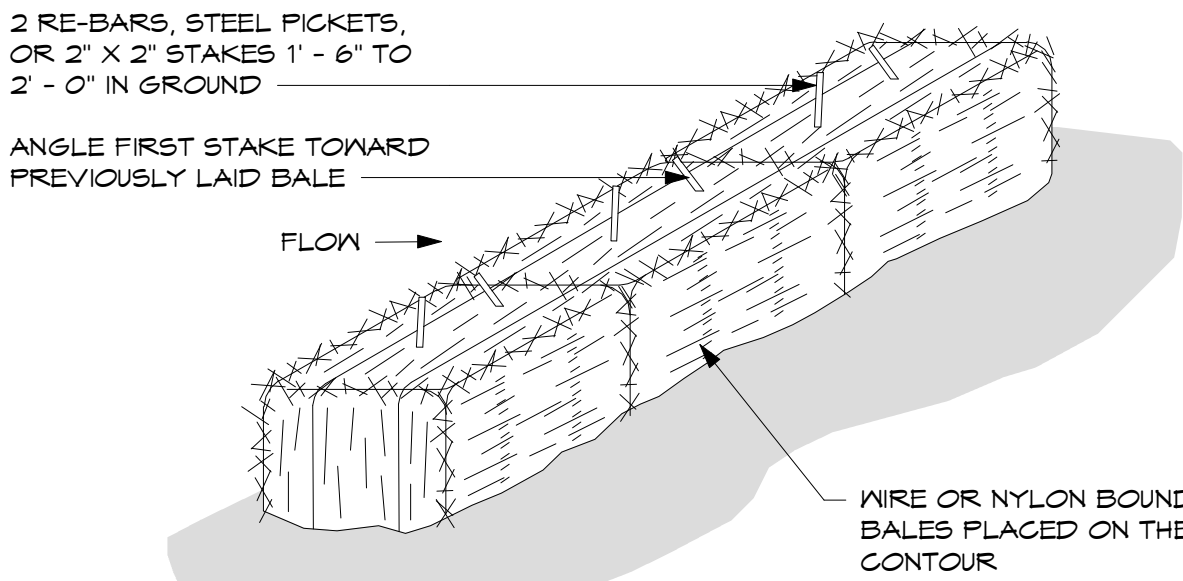
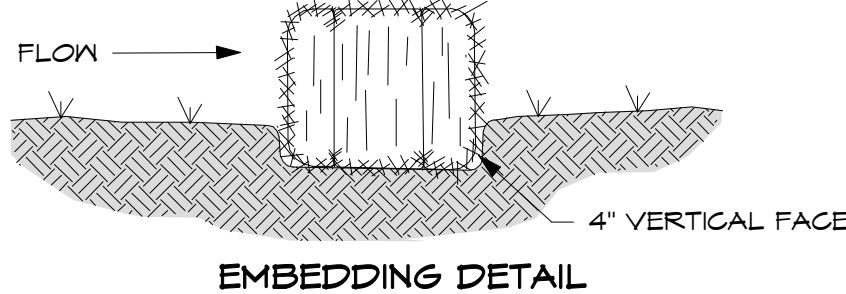
- STEEL POSTS WHICH SUPPORT THE SILT FENCE SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE.
- THE TOE OF THE SILT FENCE SHALL BE TRENCHED IN WITH A SPADE OR MECHANICAL TENCHER, SO THAT THE DOWNSLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW.
- THE TRENCH SHOULD BE A MINIMUM OF 6 INCHES DEEP AND 3 TO 4 INCHES WIDE TO ALLOW FOR THE SILT FENCE TO BE LAID IN THE TRENCH 4 INCHES AND BACKFILLED.
- SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POST OR TO WOVEN WIRE, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POSTS.
- INSPECTION SHALL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
- SILT FENCE SHALL BE REMOVED WHEN IT HAS SERVED ITS USEFULNESS SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.
- SEDIMENT TRAPPED BY THIS PRACTICE SHALL BE DISPOSED OF IN AN APPROVED SITE, IN A MANNER THAT WILL NOT CONTRIBUTE TO ADDITIONAL SILTATION.
- ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6 INCHES AND DISPOSED OF IN AN APPROVED SPOIL SITE OR AS IN NO. 7 ABOVE.



SCALE: NOT TO SCALE

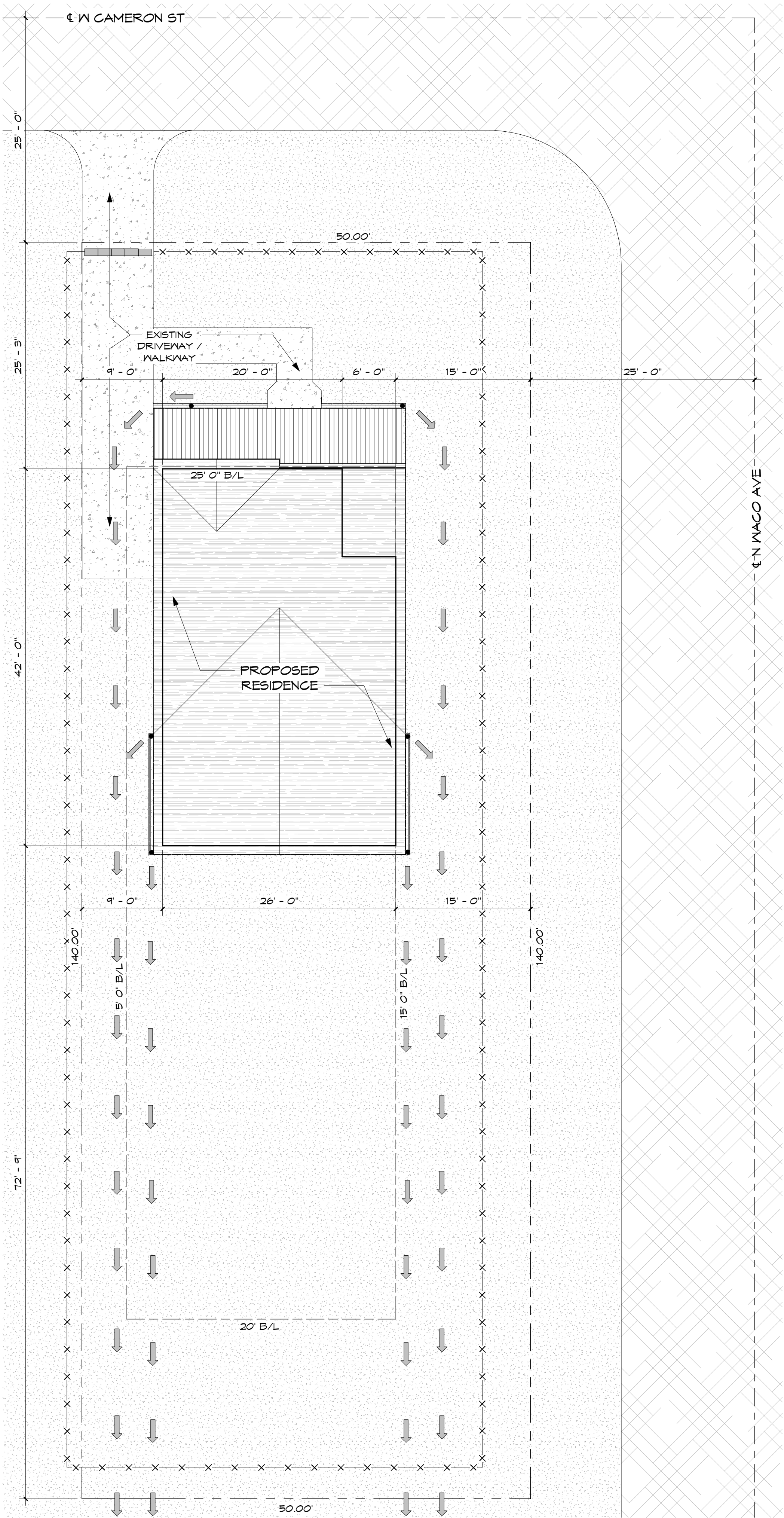
HAY BALE DETAIL

SITE PLAN

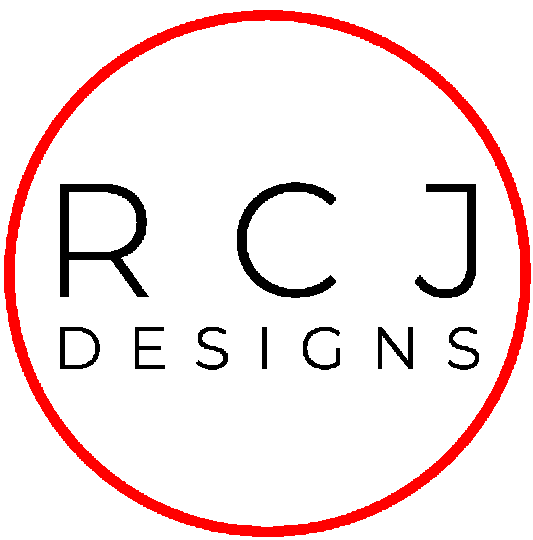


ANCHORING DETAIL

- BALES SHALL BE PLACED IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT BALES.
- EACH BALE SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF FOUR INCHES, WHERE POSSIBLE.
- BALES SHALL BE SECURELY ANCHORED IN PLACE BY STAKES OR RE-BARS DRIVEN THROUGH THE BALES. THE FIRST STAKE IN EACH BALE SHALL BE ANGLED TOWARD PREVIOUSLY LAID BALE TO FORCE BALES TOGETHER.
- INSPECTION SHALL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED BY CONTRACTOR.
- BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.
- ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6 INCHES.



1 SITE PLAN
1/8" = 1'-0"



T U L S A , O K .
[P] 9 1 8 . 8 5 9 . 9 3 4 3
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CONSULTANT

PROJECT

1902 W
CAMERON ST

PROJECT # 21201

1902 W CAMERON ST
TULSA, OK 74127

REVISIONS

No. Description Date

PROJECT STATUS

PERMIT SET

ISSUE DATE

01.03.2022

SHEET NAME

SITE PLAN

SHEET NUMBER

SP

GENERAL NOTES

DEMOLITION FLOOR PLAN

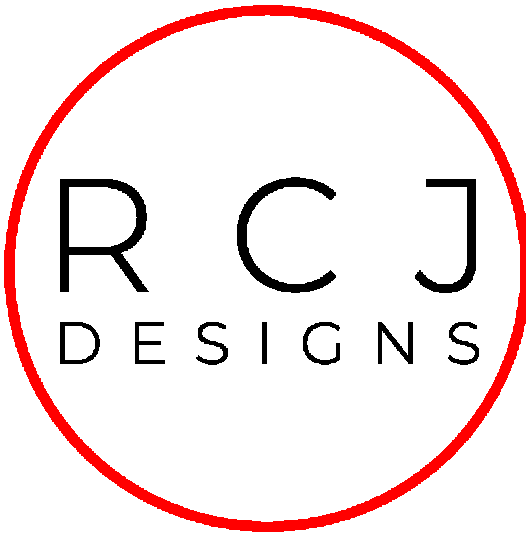
1. ALL EXTERIOR WALLS ARE EXISTING TO REMAIN UNLESS NOTED OTHERWISE.
2. GENERAL CONTRACTOR SHALL VISIT SITE AND BECOME FAMILIAR WITH SITE CONDITIONS.
3. NOTIFY DESIGNER IMMEDIATELY IF DIFFERENT CONDITIONS EXIST FROM WHAT IS DESCRIBED.
4. CONTRACTOR SHALL INCLUDE AND PERFORM ALL DEMOLITION WORK REQUIRED TO ACCOMMODATE NEW WORK.
5. ALL AREAS AFFECTED BY DEMOLITION SHALL BE PATCHED AND/OR REPAIRED TO MATCH EXISTING ADJACENT SURFACES AND FINISHES.
6. ALL CONSTRUCTION SHALL CONFORM TO ALL APPLICABLE LOCAL CITY AND FEDERAL CODES, STANDARDS, AND ORDINANCES.
7. WHERE DASH LINE IS REPRESENTED, REMOVE WALLS, DOORS, WINDOWS, AND ALL ASSOCIATED COMPONENTS.
8. PROTECT ALL WORK TO REMAIN FROM DAMAGE DURING DEMOLITION. MAINTAIN EXISTING STRUCTURAL INTEGRITY OF BUILDING AT ALL TIMES. WHERE STRUCTURAL ELEMENTS ARE NOT IDENTIFIED ON THE PLANS, NOTIFY DESIGNER/OWNER PRIOR TO REMOVAL.

KEYNOTES

#

DEMOLITION FLOOR PLAN

1. REMOVE & DEMOLISH EXISTING WINDOW.
2. REMOVE & DEMOLISH DOORS.
3. REMOVE & DEMOLISH INTERIOR WALL.
4. REMOVE & DEMOLISH EXTERIOR WALL.
5. REMOVE & DEMOLISH EXTERIOR STAIRS.
6. REMOVE & DEMOLISH FIREPLACE.
7. REMOVE & DEMOLISH COLUMNS.



T U L S A , O K .
[P] 9 1 8 . 8 5 9 . 9 3 4 3
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PROJECT

1902 W
CAMERON ST

PROJECT # 21201

1902 W CAMERON ST
TULSA, OK 74127

REVISIONS

No.	Description	Date
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PROJECT STATUS

PERMIT SET

ISSUE DATE

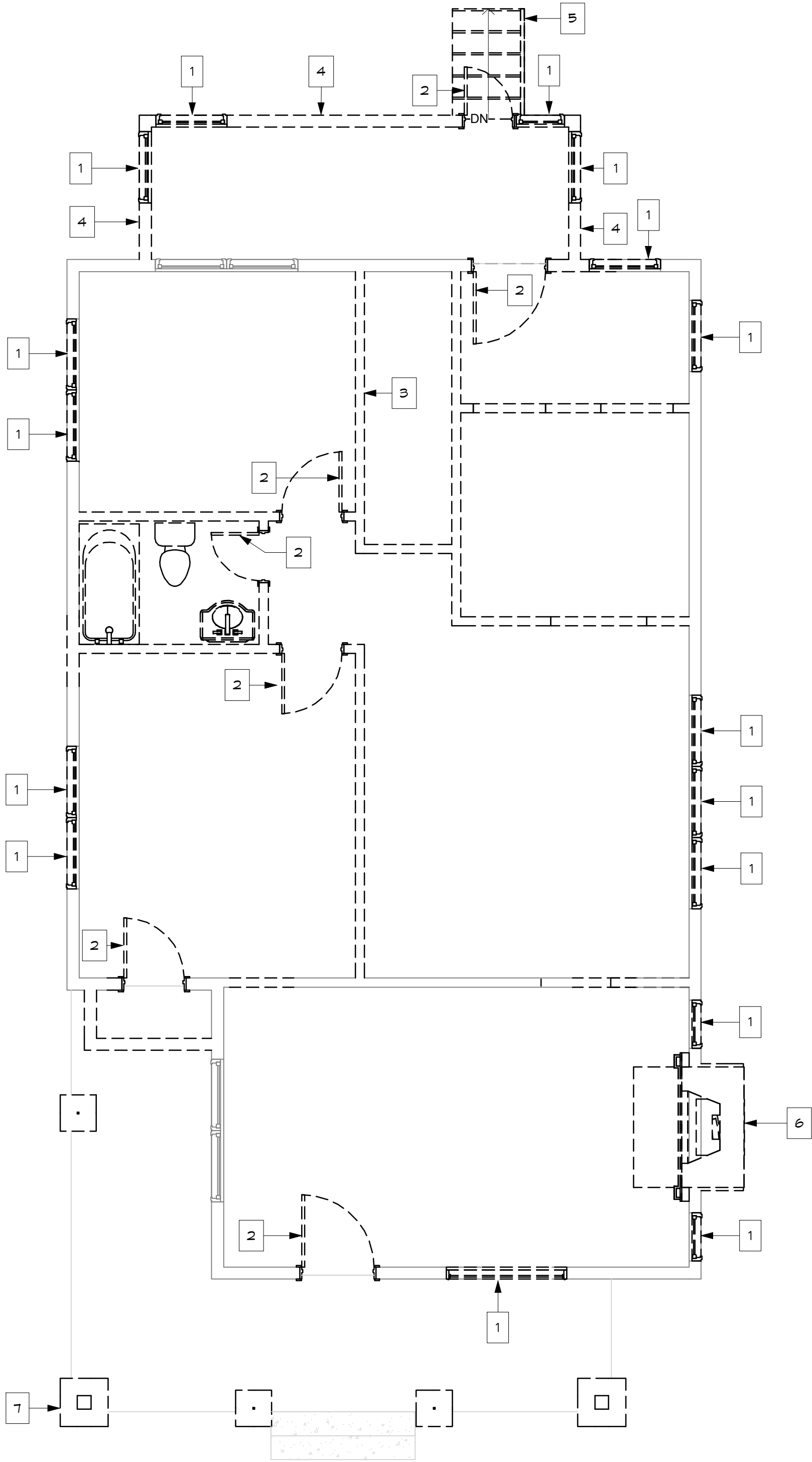
01.03.2022

SHEET NAME

DEMOLITION
FLOOR PLANS

SHEET NUMBER

D1



1

DEMO - FIRST FLOOR

1/4" = 1'-0"



GENERAL NOTES

FLOOR PLAN

- ALL EXTERIOR WALLS ARE EXISTING TO REMAIN UNLESS NOTED OTHERWISE.
- ALL INTERIOR WALLS TO BE A4 U.N.O.
- ALL DIMENSIONS ARE TO FACE OF EXISTING WALLS AND CENTERLINE OF NEW WALL/ROUGH OPENING U.N.O.
- ALL INTERIOR FINISHES INCLUDING BUT NOT LIMITED TO FLOORING, PAINT, WALLCOVERING, LIGHT FIXTURES, TRIM, LAMINATE, SOLID SURFACES AND MILLWORK TO BE SELECTED BY OWNER AND INSTALLED BY CONTRACTOR PER MANUF. GUIDELINES AND IN ACCORDANCE WITH ALL LOCAL CODES AND ORDINANCES.
- GENERAL CONTRACTOR SHALL VISIT SITE AND BECOME FAMILIAR WITH SITE CONDITIONS.
- NOTIFY DESIGNER IMMEDIATELY IF DIFFERENT CONDITIONS EXIST FROM WHAT IS DESCRIBED.
- ALIGN NEW WALL'S FINISH FACE WITH THE EXISTING WALL'S FINISH FACE AT AREAS WHERE THE TWO ABUT.
- ALL MECHANICAL, ELECTRICAL AND PLUMBING ITEMS TO BE PROVIDED ON A DESIGN/ BUILD BASIS, IN ACCORDANCE WITH ALL LOCAL CODES AND ORDINANCES, ASIDE FROM ALL ELECTRICAL AND PLUMBING ITEMS REPRESENTED ON PLANS, PROVIDE ADDITIONAL DEVICES AS REQUIRED BY LOCAL CODE.
- ALL DIMENSIONS ARE TO CENTERLINE OF OBJECT, EXCEPT FOR THE PERIMETER STUDS WHICH ARE DIMENSIONS TO EDGE OF SLAB, MASONRY OPENINGS WHICH ARE FROM FACE OF BRICK, AND AREAS WHERE SHOWN CLEAR DIMENSION IS REQUIRED; U.N.O.
- ALL INTERIOR WINDOWS TO BE DEMOLISHED AND REPLACED WITH EXISTING SIZE WINDOWS

KEYNOTES

FLOOR PLAN

- 26" CUSTOM COUNTERTOP ON 24" CUSTOM BASE CABINETS. 12" CUSTOM UPPER CABINETS 15" ABOVE COUNTERTOP. BACKSLASH BY OTHERS
- FURR DOWN TO 9' 0"

REFERENCING

FLOOR PLAN

- A. RE. SHEETS A3/A4 FOR EXTERIOR ELEVATIONS
B. RE. SHEETS A5 FOR ROOF PLAN

WALL ASSEMBLIES

ITEM	DESCRIPTION
	EXISTING EXTERIOR WALL TO REMAIN
	EXISTING INTERIOR WALL TO REMAIN
	NEW EXTERIOR WALL W/ LAP SIDING
	NEW INTERIOR WALL

LETTER INDICATES WALL TYPE

NUMBER INDICATES STUD SIZE AS FOLLOWS:

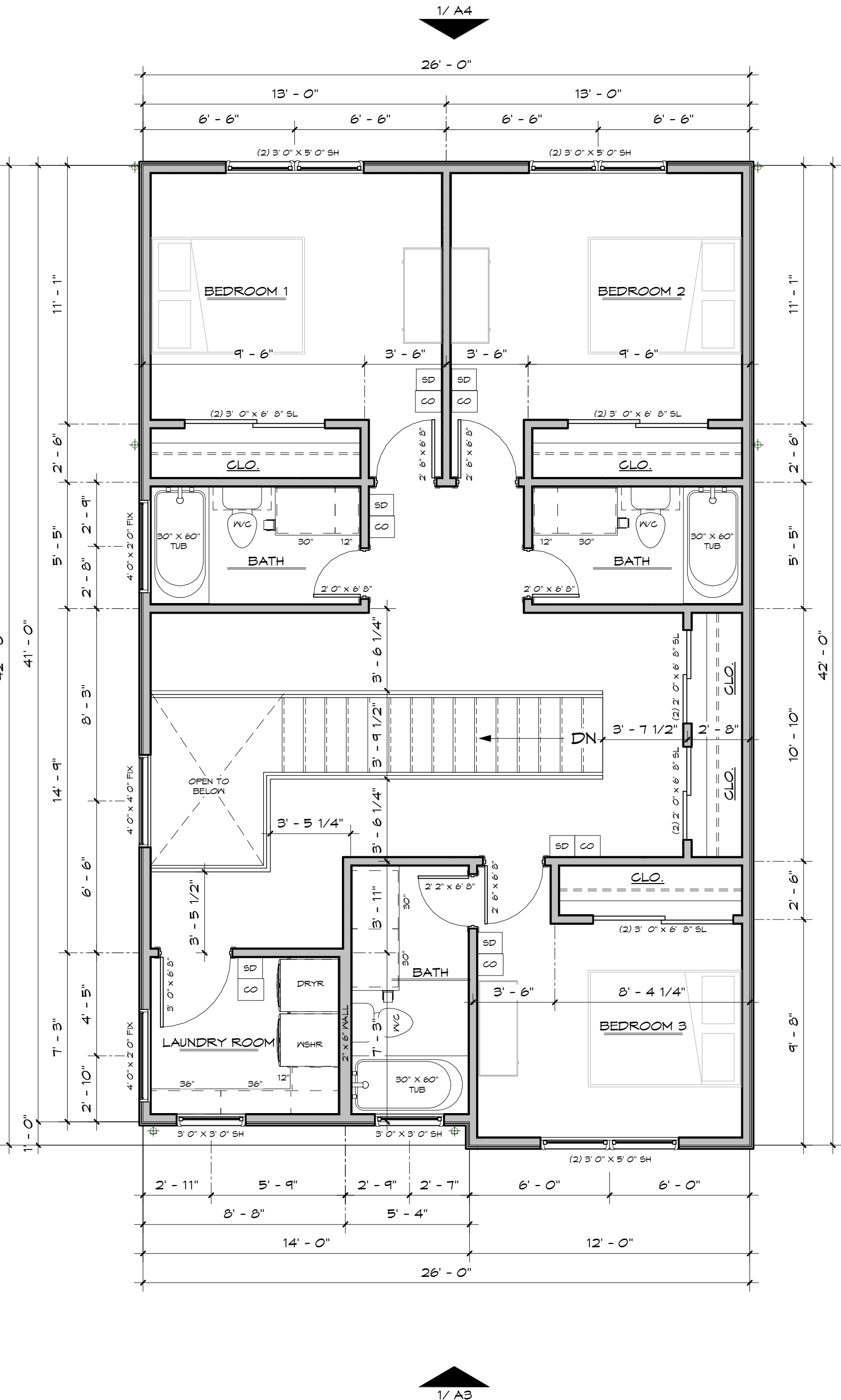
- 2 - 2" X 4" WOOD STUD FLAT FURRING
- 4 - 2" X 4" WOOD STUD
- 6 - 2" X 6" WOOD STUD
- 8 - 2" X 8" WOOD STUD
- 10 - 2" X 10" WOOD STUD

NOTE: ALL INTERIOR WALLS TO BE A4 U.N.O.

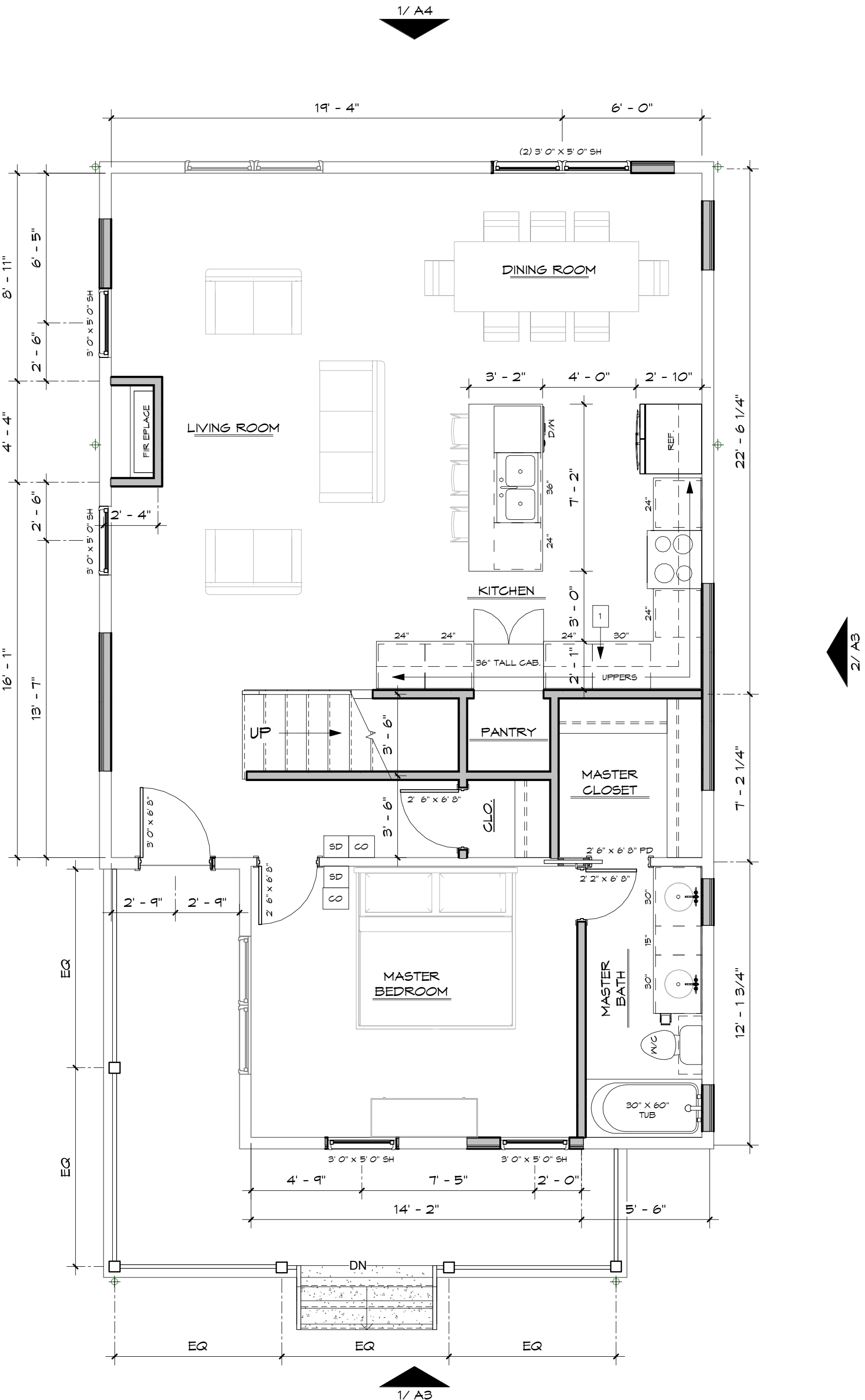
FLOOR PLAN LEGEND

ITEM	DESCRIPTION
	NEW WINDOW - FIXED (FX)
	NEW WINDOW - SINGLE HUNG (SH)
	NEW DOOR OPENING (OP)
	NEW ARCHED DOOR OPENING (AO)
	NEW STANDARD DOOR
	NEW SLIDING DOOR
	NEW BI-FOLD DOOR (BD)
	CEILING MOUNTED SMOKE DETECTOR
	CEILING MOUNTED CARBON MONOXIDE DETECTOR

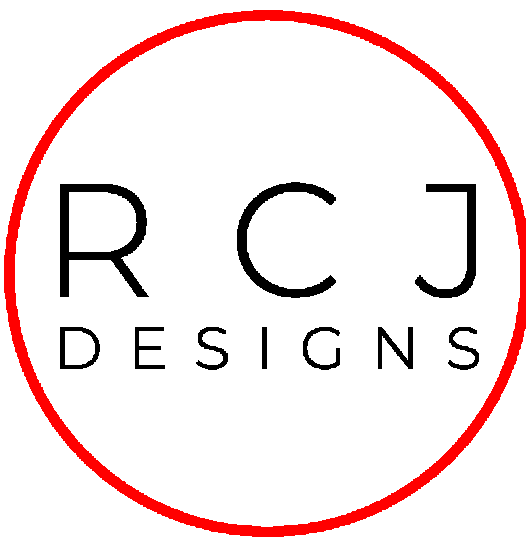
LEGEND NOTES:
1. NOT ALL ITEMS MAY BE USED.



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



1 FLOOR PLAN - FIRST FLOOR
1/4" = 1'-0" 1ST FLOOR: 1,020 SQ FT 2ND FLOOR: 994 SQ FT TOTAL: 2,014 SQ FT FRONT COVERED PORCH: 199 SQ FT



T U L S A , O K .
[P] 9 1 8 . 8 5 9 . 9 3 4 3
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PROJECT

1902 W
CAMERON ST

PROJECT # 21201

1902 W CAMERON ST
TULSA, OK 74127

REVISIONS

No. Description Date

PROJECT STATUS

PERMIT SET

ISSUE DATE

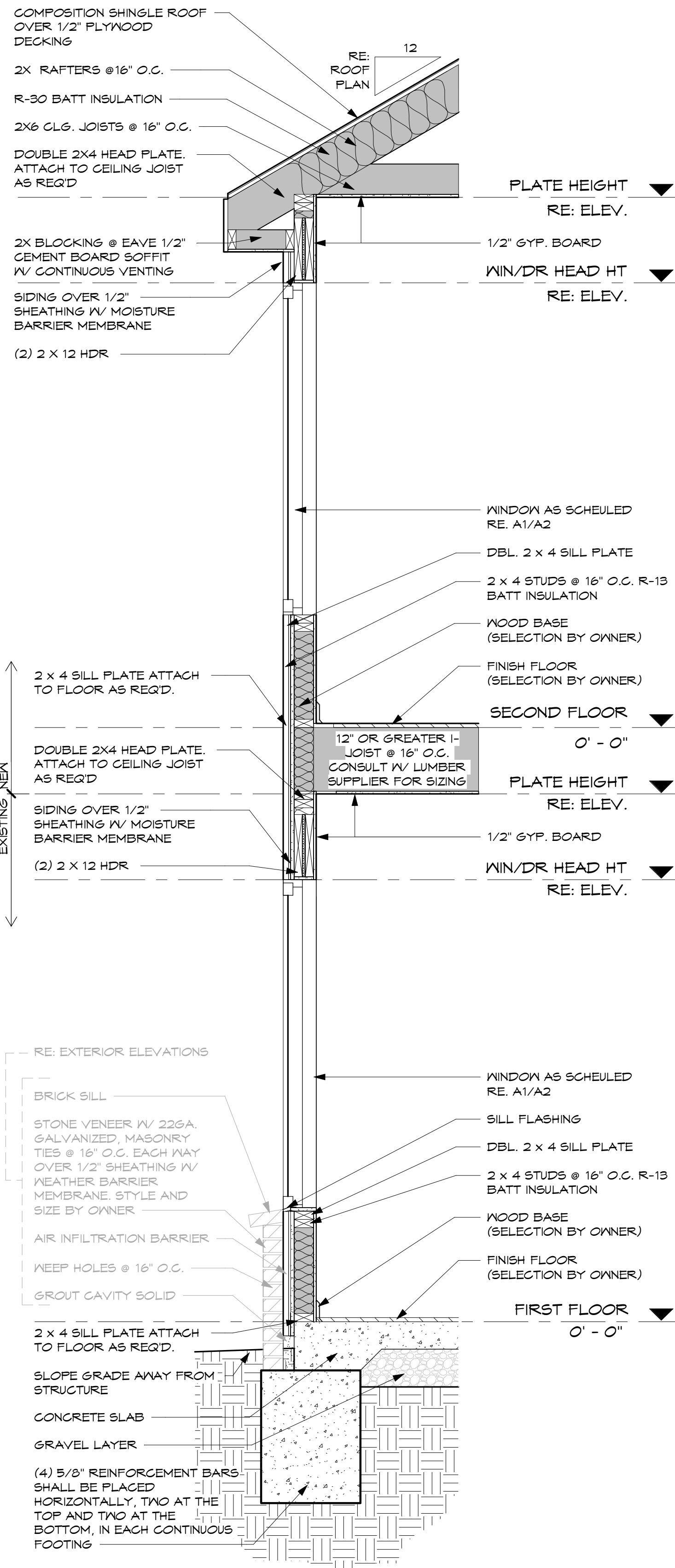
01.03.2022

SHEET NAME

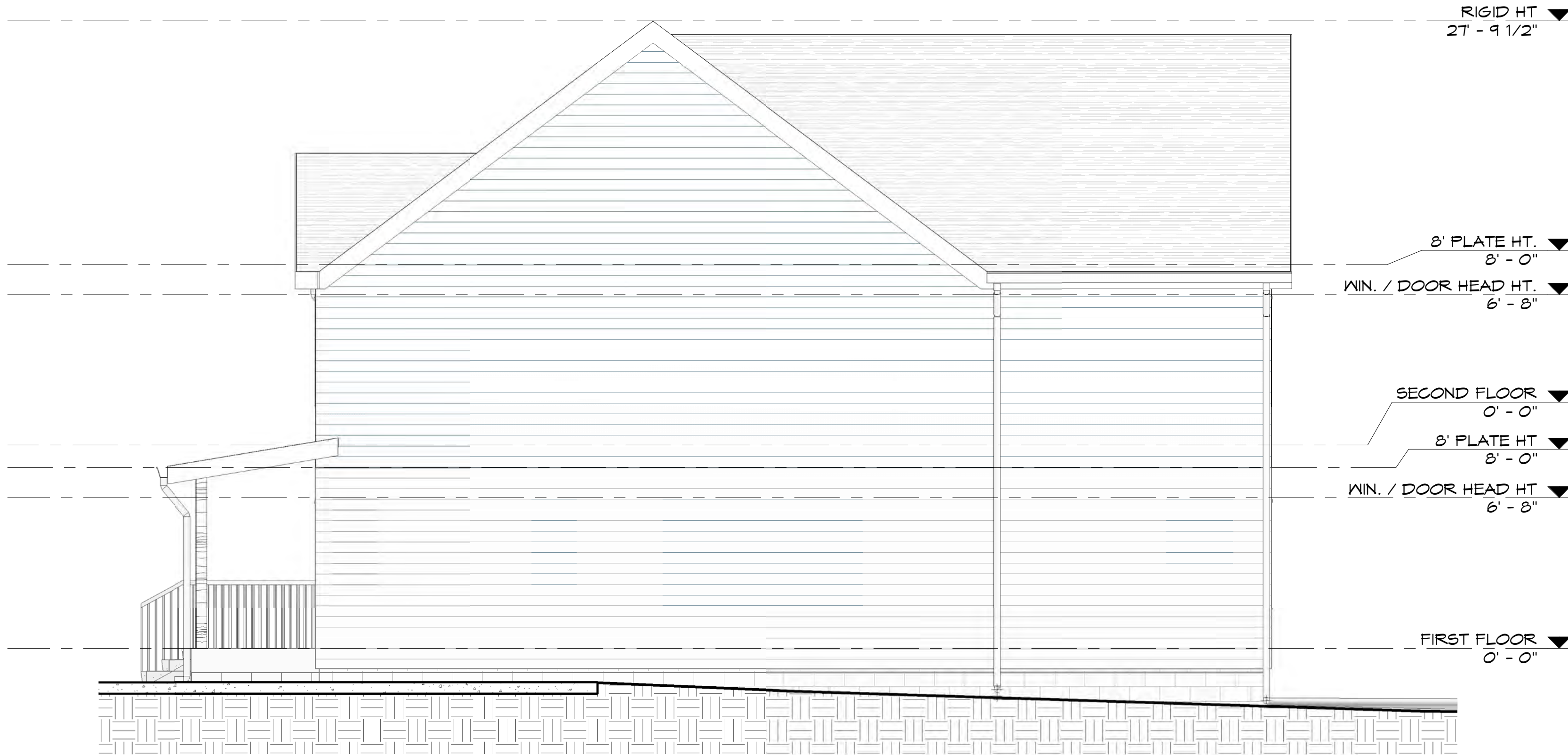
FLOOR PLAN
FIRST FLOOR /
SECOND FLOOR

SHEET NUMBER

A1



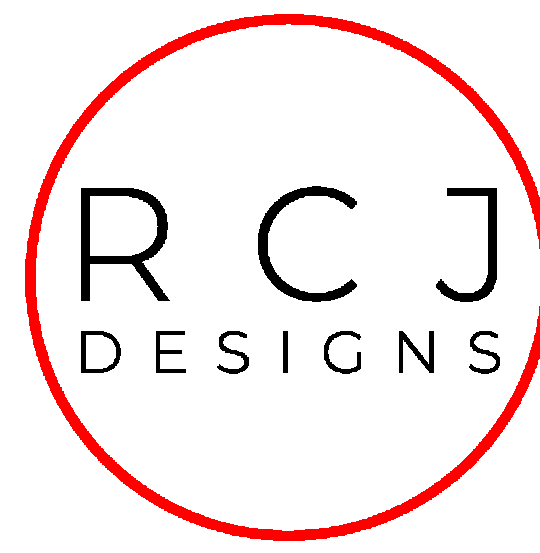
3 TYP. WALL SECTION - TWO STORY
3/4" = 1'-0"



2 RIGHT SIDE ELEVATION
1/4" = 1'-0"



1 FRONT ELEVATION
1/4" = 1'-0"



T U L S A , O K .
[P] 9 1 8 . 8 5 9 . 9 3 4 3
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PROJECT # 21201

1902 W CAMERON ST
TULSA, OK 74127

REVISIONS

No.	Description	Date
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PROJECT STATUS

PERMIT SET

ISSUE DATE

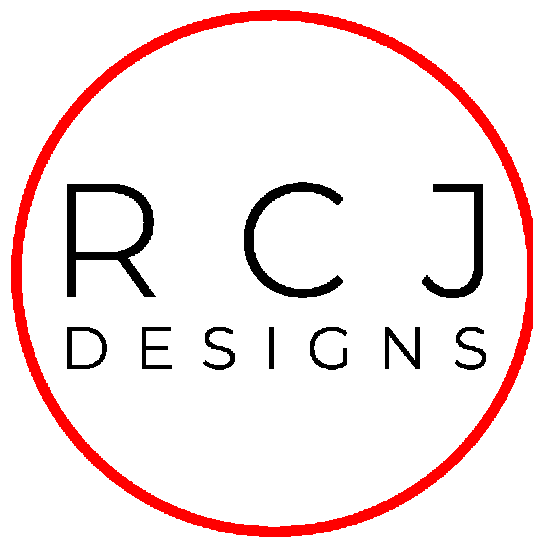
01.03.2022

SHEET NAME

EXTERIOR
ELEVATIONS/
WALL SECTION

SHEET NUMBER

A3



T U L S A , O K .
[P] 9 1 8 . 8 5 9 . 9 3 4 3
W W W . R C J D E S I G N S . C O M

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PROJECT

1902 W
CAMERON ST

PROJECT # 21201

1902 W CAMERON ST
TULSA, OK 74127

REVISIONS

No.	Description	Date
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PROJECT STATUS

PERMIT SET

ISSUE DATE

01.03.2022

SHEET NAME

EXTERIOR
ELEVATIONS

SHEET NUMBER

A4

9.12



2 LEFT SIDE ELEVATION
1/4" = 1'-0"



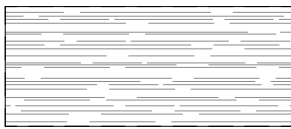
1 REAR ELEVATION
1/4" = 1'-0"

GENERAL NOTES

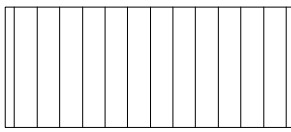
1. CONTRACTOR TO PROVIDE ADEQUATE VENTILATION PER R306, IRC 2015

ROOF PLAN

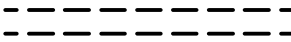
LEGEND



ARCHITECTURAL SHINGLES



ARCHITECTURAL METAL ROOF

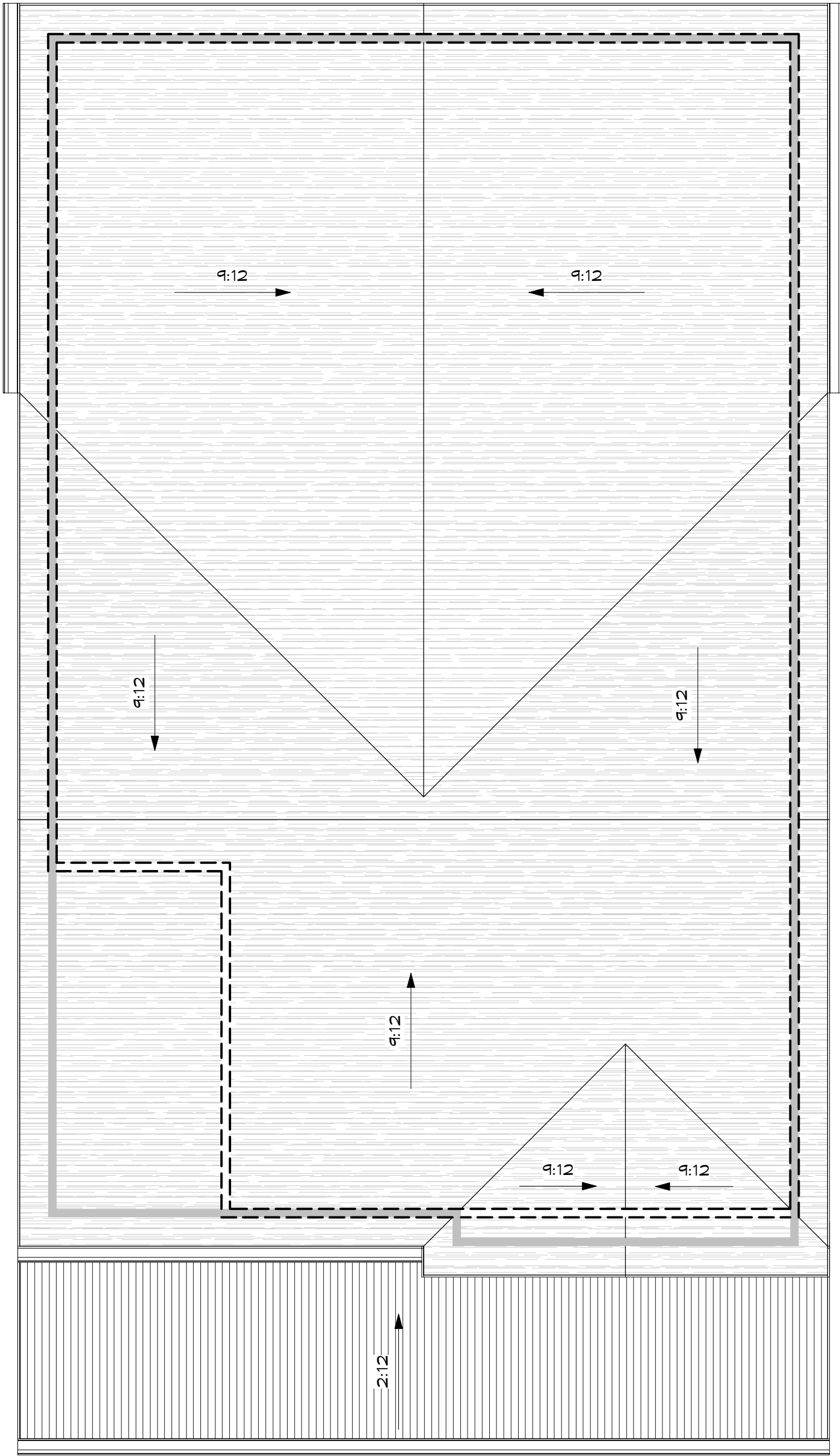


FIRST FLOOR OUTER STUD OUTLINE



SECOND FLOOR OUTER STUD OUTLINE

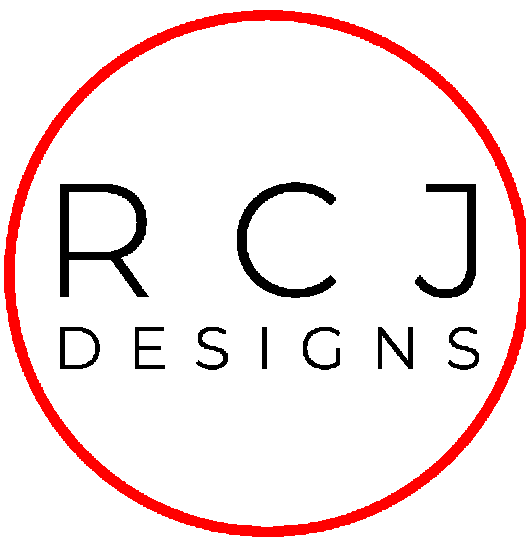
ROOF PLAN



1

ROOF PLAN

1/4" = 1'-0"



T U L S A , O K .
[P] 9 1 8 . 8 5 9 . 9 3 4 3
W W W . R C J D E S I G N S . C O M

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1902 W
CAMERON ST

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TULSA, OK 74127

REVISIONS

No.	Description	Date
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PROJECT STATUS

PERMIT SET

ISSUE DATE

01.03.2022

SHEET NAME

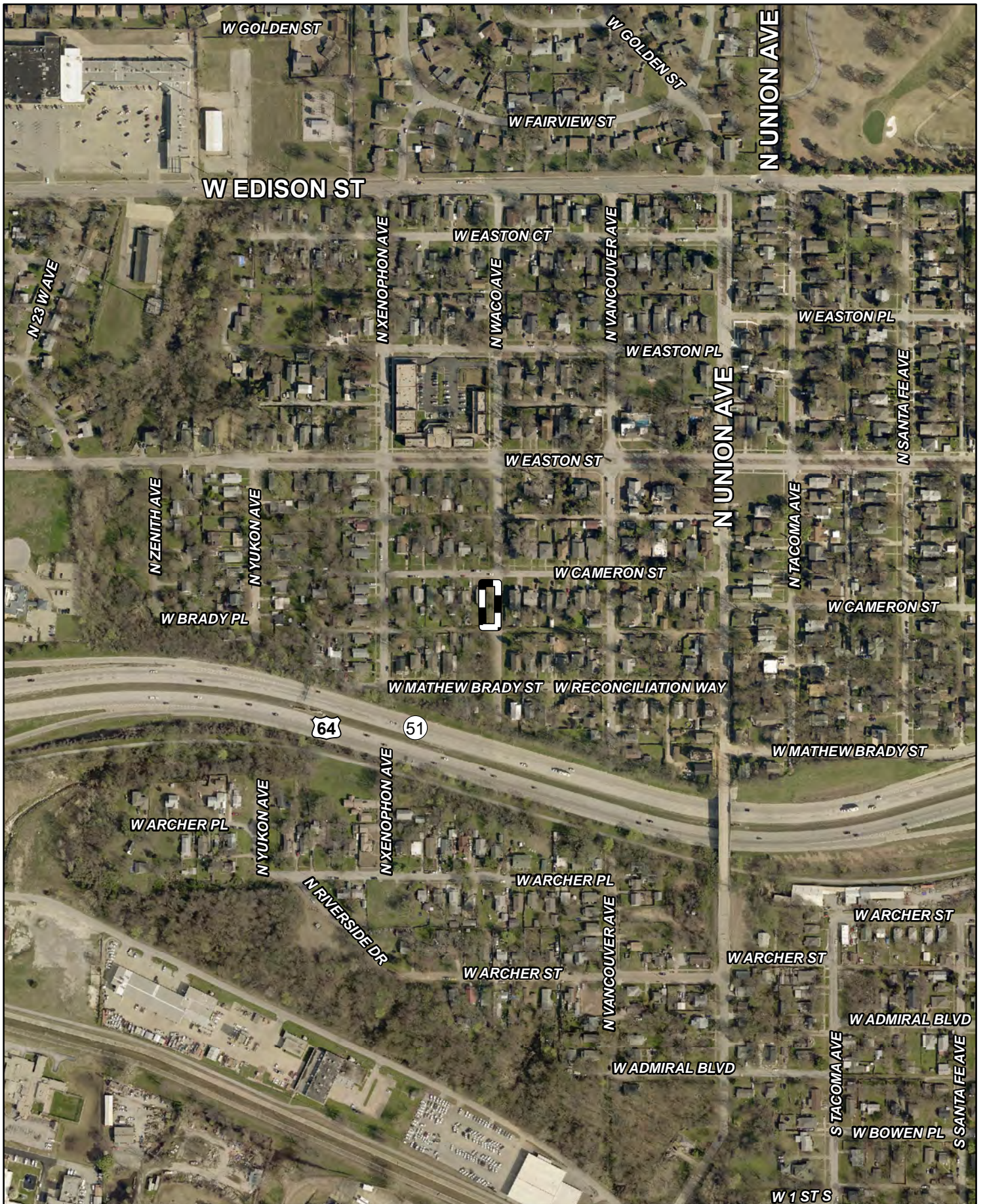
ROOF PLAN

SHEET NUMBER

A5

9.13





0 Feet 200 400



Subject Tract

BOA-23294

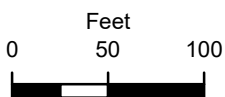
19-12 03

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

Aerial Photo Date: 2020/2021



9.14



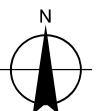
Subject
Tract

BOA-23294

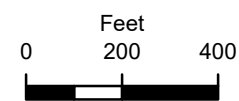
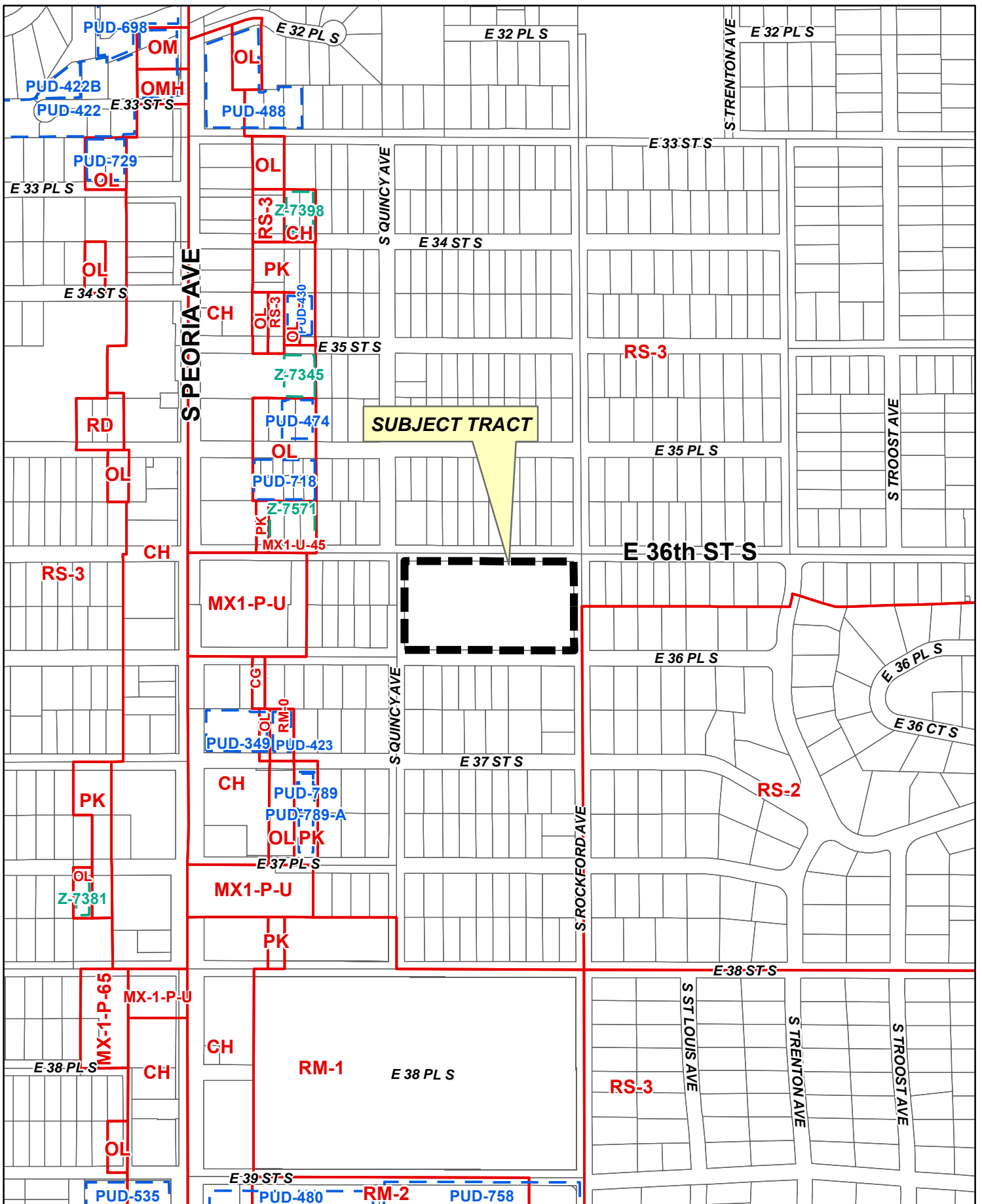
19-12 03

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

Aerial Photo Date: 2020/2021



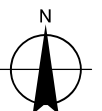
9.15



BOA-23295

19-13 19

10.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9319

Case Number: **BOA-23295**

CZM: 47

CD: 9

HEARING DATE: 03/22/2022 1:00 PM

APPLICANT: Ryan Neurohr ,Image Builders

ACTION REQUESTED: Special Exception to permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c) Special Exception to permit a dynamic display sign within 200-feet of Residentially Zoned Lots or Residential Development Area (Sec. 60.100-F)

LOCATION: 1442 E 36 ST S

ZONED: RS-3

PRESENT USE: Eliot Elementary School

TRACT SIZE: 152077.29 SQ FT

LEGAL DESCRIPTION: LTS 1 10 INC BLK 1, LEOKI PLACE

RELEVANT PREVIOUS ACTIONS: None

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 located at the SW/c of of S. Rockford Ave. and E. 36th St. S. The proposed sign will be located on E. 36th St.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit a Dynamic Display sign in an Residential District containing a School 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).

Included in your packet are the standards for Sec. 60.050 and 61.100 for Dynamic Display signs in a Residential District and the general Regulations for Dynamic Display Signs.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to permit a Dynamic Display sign in an Residential District containing a School 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.

60.040-D Dynamic Displays

Unless otherwise expressly stated, all signs that include a dynamic display are subject to the supplemental regulations of [Section 60.100](#).

60.040-E Off-Premise Business Signs

Off-premise business signs may be approved for multi-tenant developments only when such developments are included in a mandatory development plan (See [Section 70.040](#)). The authority to approve off-premise business signs is intended to be used only when the location of the identified business or activity precludes placement of a sign that is visible to motorists and pedestrians along the highest (traffic) volume street that provides access to the subject development and when the result of the approval will be in keeping with the stated purposes of this chapter ([§60.010-A](#)). The intent of this off-premise business sign authorization is to provide flexibility in overcoming the locational and visibility challenges of lots within a mandatory development plan area, not to allow an overall increase in the amount of signage allowed or encourage a proliferation of signs within the area covered by the mandatory development plan. Any waiver, modification, or variance to the regulations of [Section 60.040-E](#) is considered a use variance and is thereby prohibited in accordance with [§70.130-B1](#).

60.040-F Illumination

Except for authorized dynamic displays, the illumination on the face of any sign where illumination is permitted must be by constant light and may not exceed 70 foot candles measured at a distance of 2 feet from the face of the sign.

Section 60.050 Signs in R, AG, and AG-R Zoning Districts

60.050-A Applicability

The regulations of this section apply to signs in R, AG, and AG-R districts. See also the general regulations of [Section 60.040](#).

60.050-B Signs Allowed

The following signs are allowed in R, AG, and AG-R districts in addition to any signs allowed pursuant to [Section 60.030](#). On-premise roof signs, on-premise projecting signs and all off-premise outdoor advertising signs are prohibited in R, AG, and AG-R districts.

1. Apartment/Condo Buildings and Neighborhood and Subdivision Identification Signs

- a. Lots occupied by one or more apartment/condo buildings are allowed a maximum of one freestanding sign per street frontage and a maximum of one wall sign per building wall. Wall signs may not exceed 32 square feet in area.
- b. Residential neighborhoods and residential subdivisions, including manufactured housing parks, are allowed a single freestanding sign at each street entrance to the neighborhood or subdivision.
- c. The freestanding signs allowed by this section 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. Maximum height may not exceed 20 feet.

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 60.060 Signs in Office Zoning Districts

60.060-A Applicability

The regulations of this section apply to signs in all office zoning districts. See also the general regulations of [Section 60.040](#).

- a. Off-premise outdoor advertising signs;
- b. Dynamic displays;
- c. Inflatable signs; and
- d. Roof signs.

60.090-E MPD District

Except as otherwise expressly allowed as part of an approved MPD development plan:

- 1. Residential development areas are subject to the sign regulations that apply to R districts; and
- 2. Nonresidential development areas are subject to the sign regulations that apply to CS districts.

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.

Section 60.110 Administration

- 60.110-A** Any person proposing to erect any sign requiring a sign permit must submit a sign permit application to the development administrator. Applications for such permit must be accompanied by detailed plans, including scaled drawings of the proposed sign, a detailed site plan and other information deemed necessary by the development administrator to determine compliance with applicable regulations.
- 60.110-B** Sign permit fees must be paid prior to the issuance of a sign permit.
- 60.110-C** If the work associated with a sign permit has not been completed within 180 days of the date of the issuance of the permit, such permit will lapse and become null and void.

Section 60.120 Nonconforming Signs

See [Section 80.060](#).

Section 60.130 Rules of Measurement

60.130-A Sign Area

1. Signs Enclosed in Frames or Cabinets

The area of a sign enclosed in a frame or cabinet is determined based on the outer dimensions of the frame or cabinet surrounding the sign face (see [Figure 60-2](#)).

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

February 8, 2022

LOD Number: 1

Phone: 918-232-8024

Bonnie Moore
204 E. 5th Ave.
Owasso, OK 74055

APPLICATION NO: SIGN-108264-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 1442 E. 36th St.
Description: Freestanding sign with dynamic display

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A 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-108264-2022

1442 E. 36th St.

This letter of deficiencies covers Sign Plan Review items only.

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

1. Section 60.050 Signs in R and AG Zoning Districts

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

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

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

2. Section 60.100 Dynamic Displays

60.100-E Dynamic displays may not be located 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 road-way marked or understood as such.

Review comments: This leading edge of the proposed dynamic display sign is located 14 feet from the driving surface of the street. You may relocate the sign to be at least 20 feet away from the centerline of the street, or you may apply for a variance from the BOA to permit a sign with a dynamic display to be located 14 feet from the driving surface of E. 36th St.

The sign review will resume once the required revised plans and BOA approval paperwork is submitted.

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.

City of Tulsa Board of Adjustment
2 West 2nd Street, Suite 800
Tulsa, OK 74103

Thanks to Tulsa voters who approved funding for digital marquees in the 2021 bond package, Tulsa Public Schools will be submitting requests for approval for approximately 45 digital school marquees over the next year. The district is sensitive to neighborhood concerns and aware of city regulations. We intend to adhere to all elements of the Tulsa Zoning Code including those of Section 60.100 relating to dynamic displays.

Nearly all of the marquees will be replacing older, manually managed signs. Schools are truly excited about this opportunity to install dynamic digital signs for several reasons including:

Improved communication with families and neighbors:

- Messages can be easily displayed in multiple languages to match community needs
- Displays can be quickly changed to share emergency information when needed
- Sharing information about multiple and varied school activities helps spark and grow family and neighborhood interest and connections

Improved safety:

- The displays can be centrally managed via a cellular network to quickly share emergency notifications in multiple languages if needed. Messages can be controlled individually by school, by neighborhood or district wide.
- School staff will no longer need to climb on ladders in challenging weather to change out manual marquees.

Improved appearance and perception of our schools:

- New marquees will brighten and modernize the look and “curb appeal” of our schools and show the community that we are investing in our children, schools, and neighborhoods.

We know the importance of keeping families informed and we use multiple lines of communication to reach the families of our more than 33,000 students. We see the digital marquees as another valuable tool, especially for families who don’t have reliable access to internet and technology. The marquee project was one of the bond items that generated the most positive response from parents and school leaders during the 2021 bond election and we look forward to meeting with members of the Board of Adjustment to discuss this work and answer any questions. We appreciate your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Robles', is written over a light blue grid background. The signature is fluid and stylized, with a long horizontal stroke extending to the left.

Jorge Robles

Chief Finance and Information Officer

Tulsa Public Schools



Eliot
ELEMENTARY SCHOOL

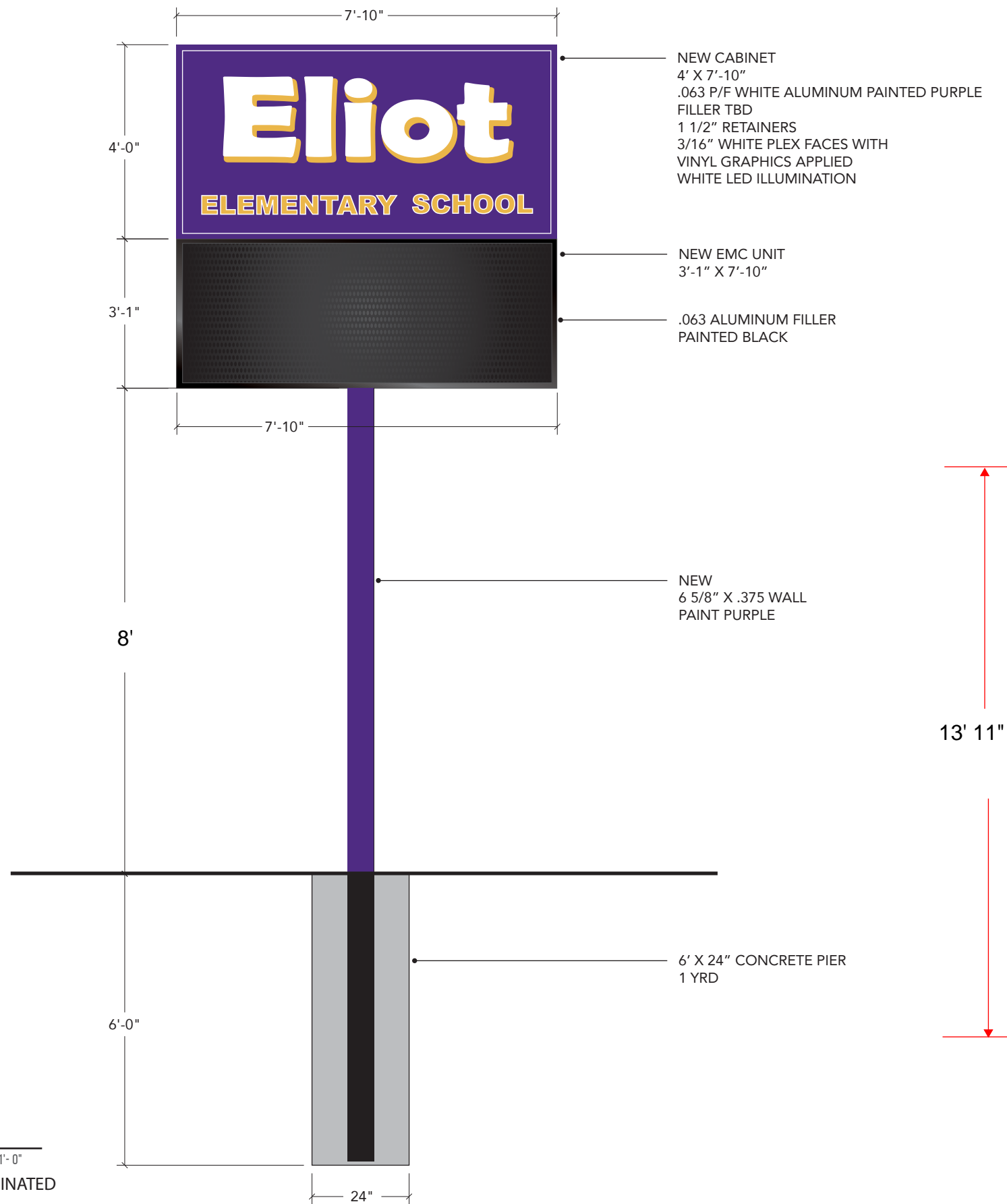
This furthest North Catappa tree might need to be removed to improve visibility in east bound lane



Cedar Tree may need to be trimmed back to improve visibility of Static Sign & Dynamic Display



Top of Bush may need to be trimmed down to improve visibility of Dynamic Display



A | ELEVATION
SCALE: 3/8" = 1'-0"
D/F ILLUMINATED



THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF IMAGE BUILDERS, AND ARE THE RESULT OF ORIGINAL WORK BY IT'S EMPLOYEES. THEY ARE SUBMITTED FOR THE SOLE PURPOSE OF YOUR CONSIDERATION OF WHETHER TO PURCHASE THESE PLANS, OR TO PURCHASE FROM IMAGE BUILDERS, SIGNAGE MANUFACTURED IN ACCORDANCE TO THESE PLANS. DISTRIBUTION OR EXHIBITION OF THESE PLANS TO OTHERS IS EXPRESSLY FORBIDDEN. © 2019 I.B.






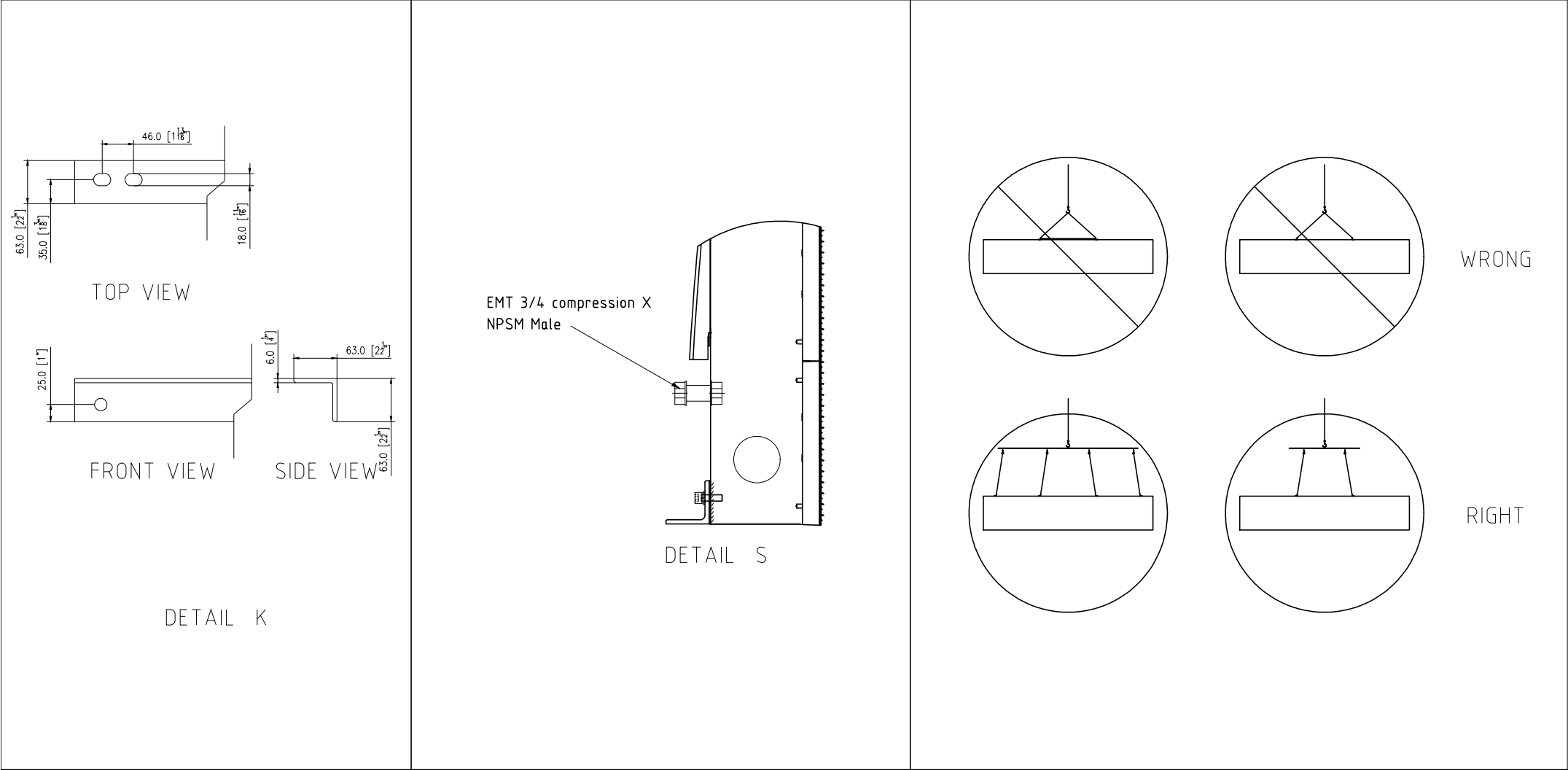
K	ANGLE IRON-SEE DETAIL K
Q	EYEBOLT-SEE DETAIL Q
S	STRAIGHT CONDUIT-SEE DETAIL S
J	GROUND LUG
I	VENTILATION INTAKE
G	VENTILATION EXHAUST



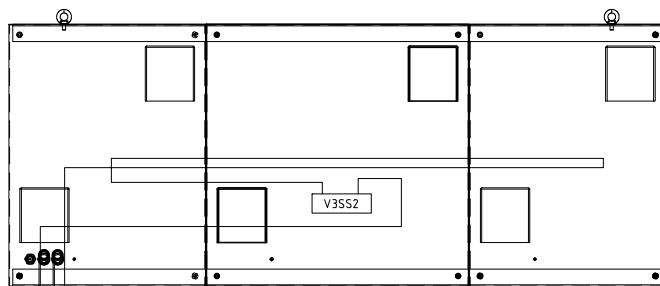
Note:
Positions and dimensions of the vents in this drawing are for reference only.
For accurate drawing, please request production drawing from Optec.

NOTES:
MATERIAL: 5052
FINISHING: MATT PLASTIC SPRAY, BLK
SPECS: 60x150 1R1G1B
PITCH: 16mm
WEIGHT:294 lbs/FACE

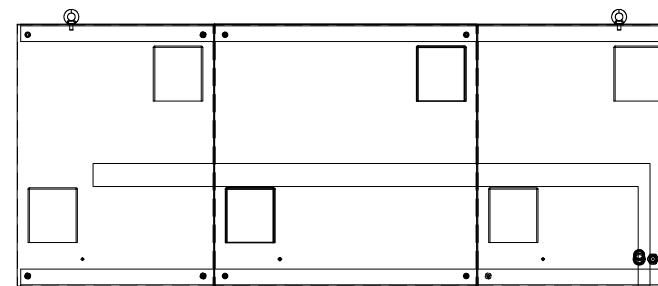
REV.	DATE	DESCRIPTION	BY	APPR
 OPTEC DISPLAYS, INC.		COPYRIGHT OPTEC DISPLAYS, INC. ALL RIGHTS RESERVED. UNAUTHORIZED REPRODUCTION AND DISTRIBUTION PROHIBITED		
DISPLAY MODEL				
DRAWING NUMBER		2021-000755-INF-MOD-16mm-1R1G1B-GR-60X150-DF-V2		
REFERENCE				
DESIGNED BY		SCALE/SHEET SIZE	1:1	
DRAWN BY		TOLERANCE	±1/4"	
DATE	2021/09/02	UNITS	MM (INCHES)	
PAGE		REVISION		



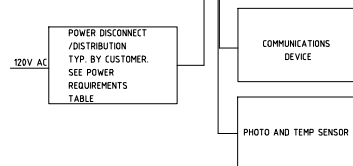
REV.	DATE	DESCRIPTION	BY	APPR
		COPYRIGHT OPTEC DISPLAYS, INC .ALL RIGHTS RESERVED.UNAUTHORIZED REPRODUCTION AND DISTRIBUTION PROHIBITED		
		DISPLAY MODEL		
		DRAWING NUMBER	2021-000755-INF-MOD-16mm-1R1G1B-QR-60X150-DF-V2	
		REFERENCE		
DESIGNED BY		SCALE/SHEET SIZE	1:1	
DRAWN BY		TOLERANCE	±1/4"	
DATE		UNITS	MM (INCHS)	
PAGE		REVISION		



PRIMARY BACK VIEW



SECONDARY BACK VIEW



Total Power Required: 1080 Watt/Face
Avg. Operating Power: 360 Watt/Face

Max. Power Load Per Single Face					
# of Circuits		120 VOLT Each Circuit		240 VOLT Each Circuit	
		WATTS	AMPS	WATTS	AMPS
Primary	1	1080	9		
Secondary	1	1080	9		

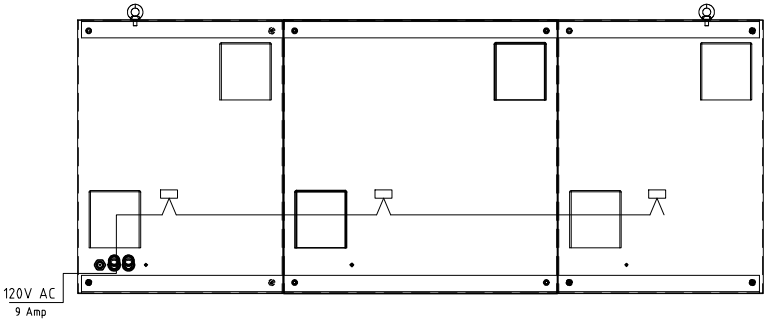
Total number of circuits per face 1
INPUT VOLTAGE FOR DISPLAY MUST BE
SPECIFIED AT TIME OF ORDER

**Electrical must be installed in accordance with the requirements of National Electrical Codes or local codes.

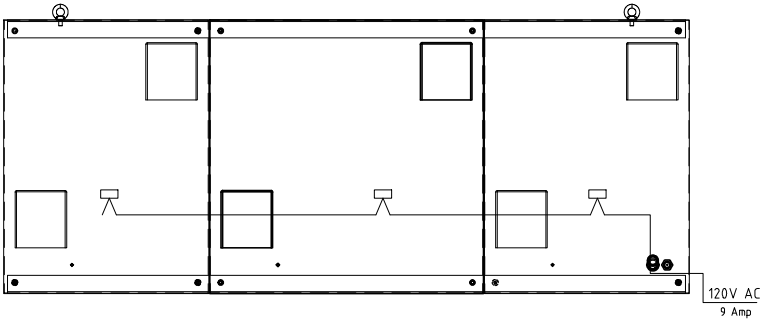
REV.	DATE	DESCRIPTION	BY	APPR

		COPYRIGHT OPTEC DISPLAYS, INC. ALL RIGHTS RESERVED. UNAUTHORIZED REPRODUCTION AND DISTRIBUTION PROHIBITED		
DISPLAY MODEL				
DRAWING NUMBER		2021-000755-INF-MOD-16mm-1R1G1B-QR-60X150-DF-V2		
REFERENCE				
DESIGNED BY		SCALE/SHEET SIZE	1:1	
DRAWN BY		TOLERANCE	±1/4"	
DATE	2021/09/02	UNITS	MM (INCHS)	
PAGE		REVISION		

AC wiring Diagram



PRIMARY BACK VIEW




SECONDARY BACK VIEW

Total Power Required: 1080 Watt/Face
Avg.Operating Power: 360 Watt/Face

Max.Power Load Per Single Face					
# of Circuits		120 VOLT Each Circuit		240 VOLT Each Circuit	
		WATTS	AMPS	WATTS	AMPS
Primary	1	1080	9		
Secondary	1	1080	9		

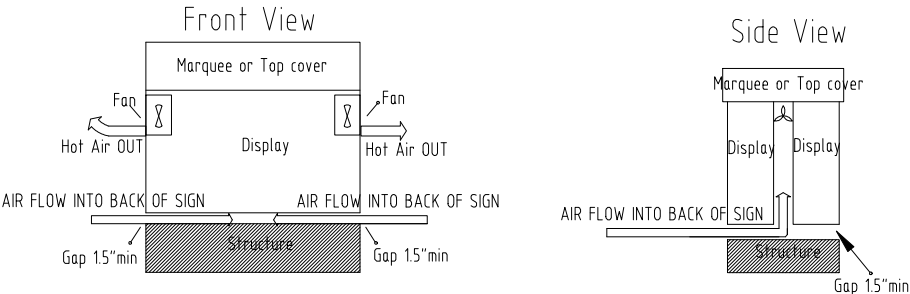
Total number of circits per face 1
INPUT VOLTAGE FOR DISPLAY MUST BE SPECIFIED AT TIME OF ORDER

xxElectrical must be installed in accordance with the requirements of National Electrical Codes or local codes.

REV.	DATE	DESCRIPTION	BY	APPR
		 COPYRIGHT OPTEC DISPLAYS, INC .ALL RIGHTS RESERVED.UNAUTHORIZED REPRODUCTION AND DISTRIBUTION PROHIBITED		
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		DRAWING NUMBER	2021-000755-INF-MOD-16mm-1R1G1B-QR-60X150-DF-V2	
		REFERENCE		
		DESIGNED BY	SCALE/SHEET SIZE	1:1
		DRAWN BY	TOLERANCE	±1/4"
		DATE	UNITS	MM (INCHS)
		PAGE	REVISION	

Air Ventilation Requirements(Force Air):
FAN CFM = 3.19 x Total Watts/20

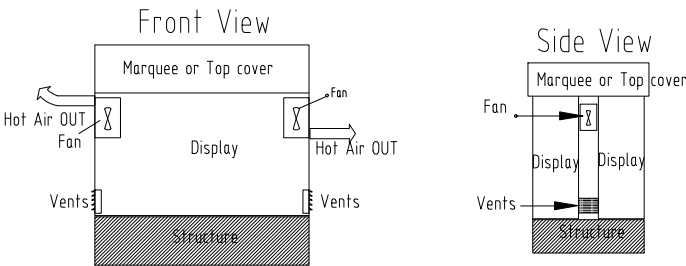
Forced Air Circulation



DO

- DO Provide Sufficient Vents to allow outside air into a skinned/closed structure
- DO Provide Fans if necessary to push Hot Air out of closed Structures
- DO Maintain minimum of 1.5 inch clearance at bottom of enclosed sign
- DO Maintain Temperature inside sign between -22to +130 Degrees F
- DO Keep Temperatures below 110 Degrees F inside cabinet
- DO Provide Axial Air Fans if Air Flow Restricted inside Frame/Structure
- DO Provide Thermal Switches to turn on Fans at 90-105 degrees F

Forced Air Circulation



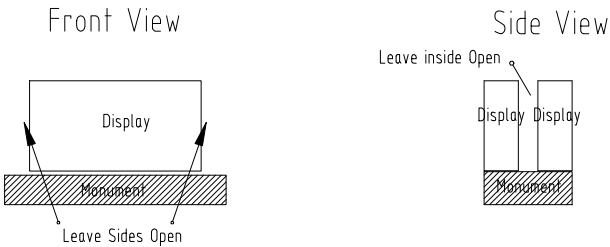
DON'T

- DON'T Block Cabinet Vents at back of Display
- DON'T Place cabinet against a wall without back side of cabinet open to outside air
- DON'T Allow Heat to Rise above 110 Degrees F inside cabinet
- DON'T Mount an ID Sign/Marquee Cover above or below the Optec LED Sign without 1.5" clearance needed for ventilation

NOTE: THE WARRANTY DOES NOT COVER DAMAGES CAUSED BY IMPROPER VENTILATION

AIR Ventilation Requirements(Natural Convection):

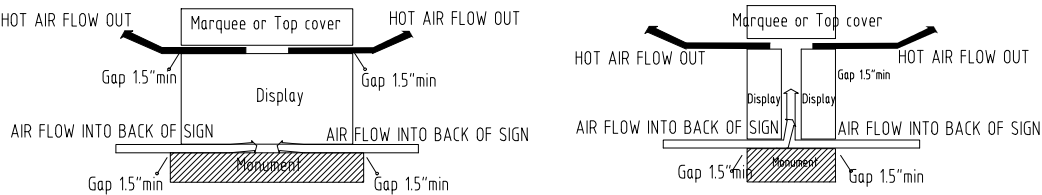
Natural Convection



DO

- DO Provide Outside Air TO Reach Cabinet Air input Vents
- DO Maintain Temperature inside sign -22 to +130 Degrees F
- DO Provide Sufficient Venting For Natural Convection if Skinned
- DO inspect Vents Periodically to Ensure they are Clear/Open
- DO Keep inside cabinet temperature below 110 degrees F
- DO Maintain clearance above and below cabinet a min of 1.5"


Natural Convection II

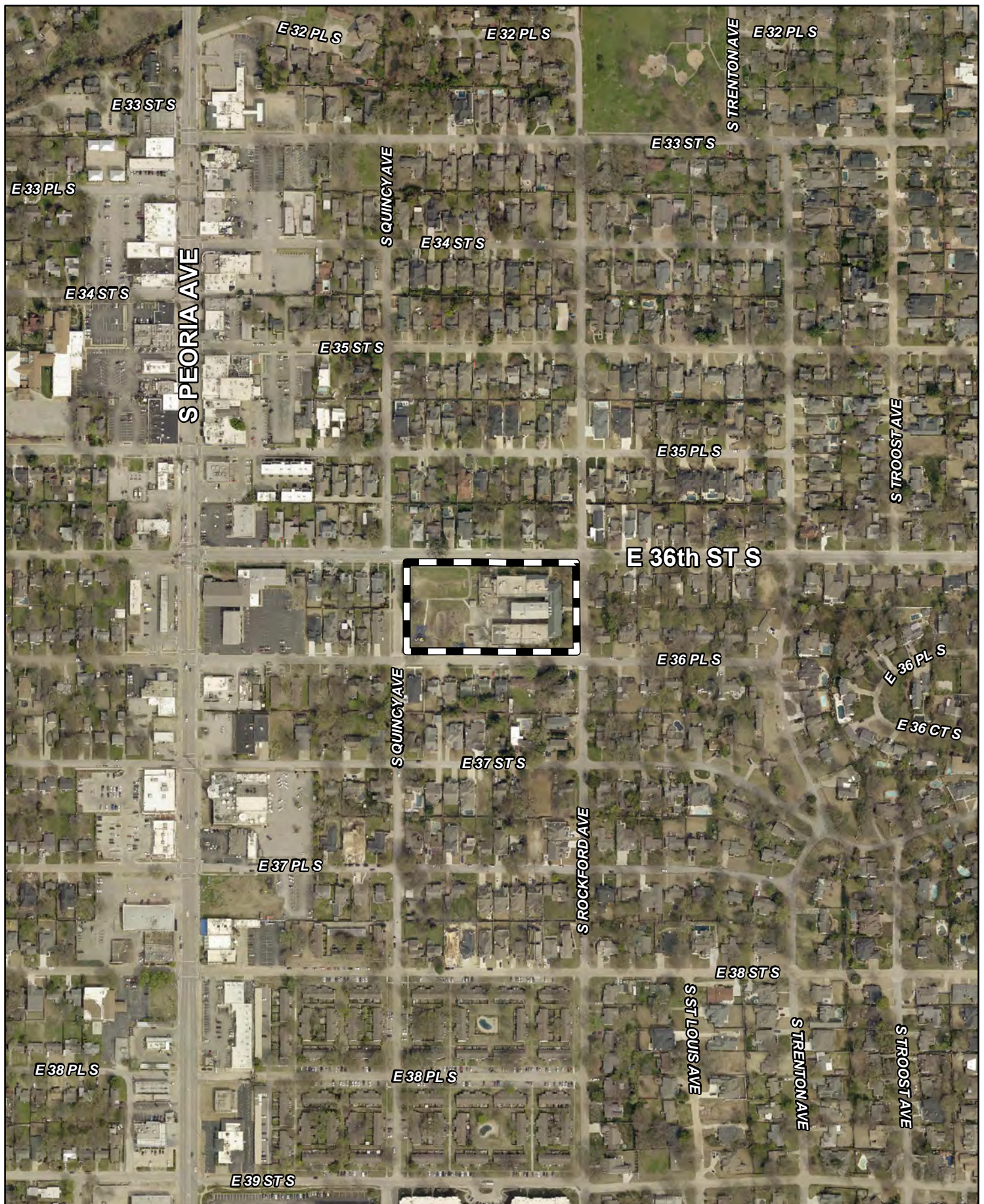


DON'T

- DON'T Block Cabinet Air Vents in back of Display
- DON'T Allow Temperature to Rise Above 110 degrees F

NOTE: THE WARRANTY DOES NOT COVER DAMAGES CAUSED BY IMPROPER VENTILATION

REV.	DATE	DESCRIPTION	BY	APPR
				
		COPYRIGHT OPTEC DISPLAYS, INC. ALL RIGHTS RESERVED. UNAUTHORIZED REPRODUCTION AND DISTRIBUTION PROHIBITED		
		DISPLAY MODEL		
		DRAWING NUMBER		
		REFERENCE		
		DESIGNED BY		
		SCALE/SHEET SIZE		
		TOLERANCE		
		UNITS		
		REVISION		



Feet

0 200 400

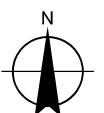
Subject
Tract

BOA-23295

19-13 19

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

Aerial Photo Date: 2020/2021



10.21

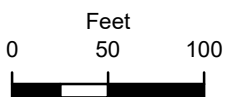


E 36th ST S

SQUINCY AVE

E 36th PL S

S ROCKFORD AVE



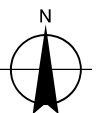
**Subject
Tract**

BOA-23295

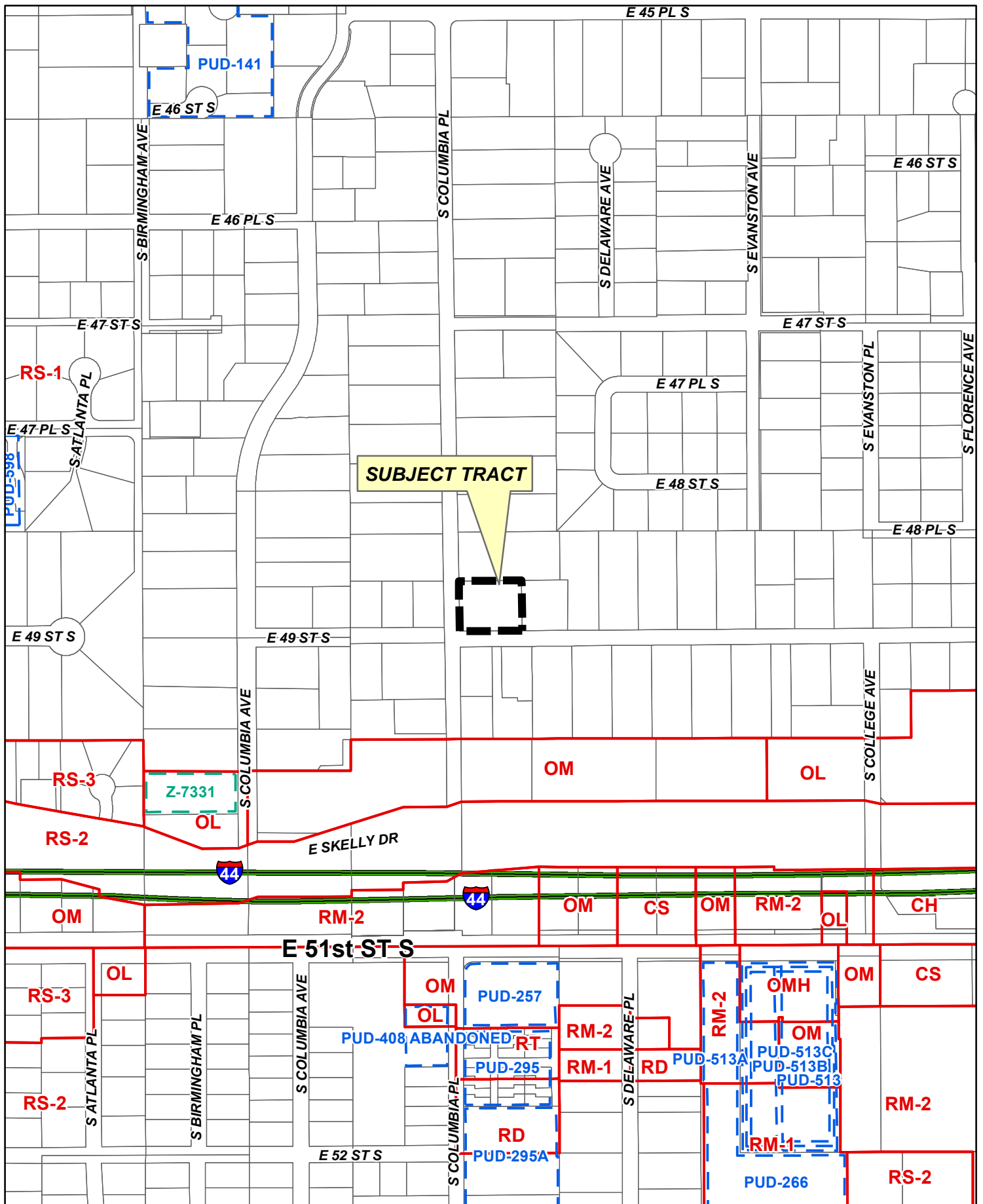
19-13 19

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

Aerial Photo Date: 2020/2021



10.22



BOA-23296

19-13 29

11.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9329

CZM: 47

CD: 9

Case Number: **BOA-23296**

HEARING DATE: 03/22/2022 1:00 PM

APPLICANT: Keri Kraus

ACTION REQUESTED: Special Exception to increase the permitted driveway width (Sec. 55.090-F)

LOCATION: 4749 S COLUMBIA PL E

ZONED: RS-1

PRESENT USE: Residential

TRACT SIZE: 30801.4 SQ FT

LEGAL DESCRIPTION: W. 200 OF LT 21 BLK 1, VILLA GROVE SUB

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c of E. 49th St. S. and S. Columbia Pl.

STAFF COMMENTS: The applicant is requesting a Special Exception to increase the permitted driveway width (Sec. 55.090-F)

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.
3. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of [Section 70.120](#), or, if in a PUD, in accordance with the amendment procedures of [Section 30.010-1.2](#). (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

Maximum Driveway Width					
Lot Frontage	75'+	60' - 74'	46' - 59'	30' - 45'	Less than 30' [2]
Driveway Within Right-of-Way (feet) [1]	27'	26'	22'	20'	12'
Driveway Within Street Setback (feet)	30'	30'	--	--	--

The applicant is limited to 27-feet of driveway width in the right of way and 30-feet of driveway width on the inside the right-of-way. The applicant is proposing adding an additional parking area on the lot inside the street setback from S. Columbia Ave.

SAMPLE MOTION: Move to _____ (approve/deny) a Special Exception to increase the permitted driveway width (Sec. 55.090-F)

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

_____.

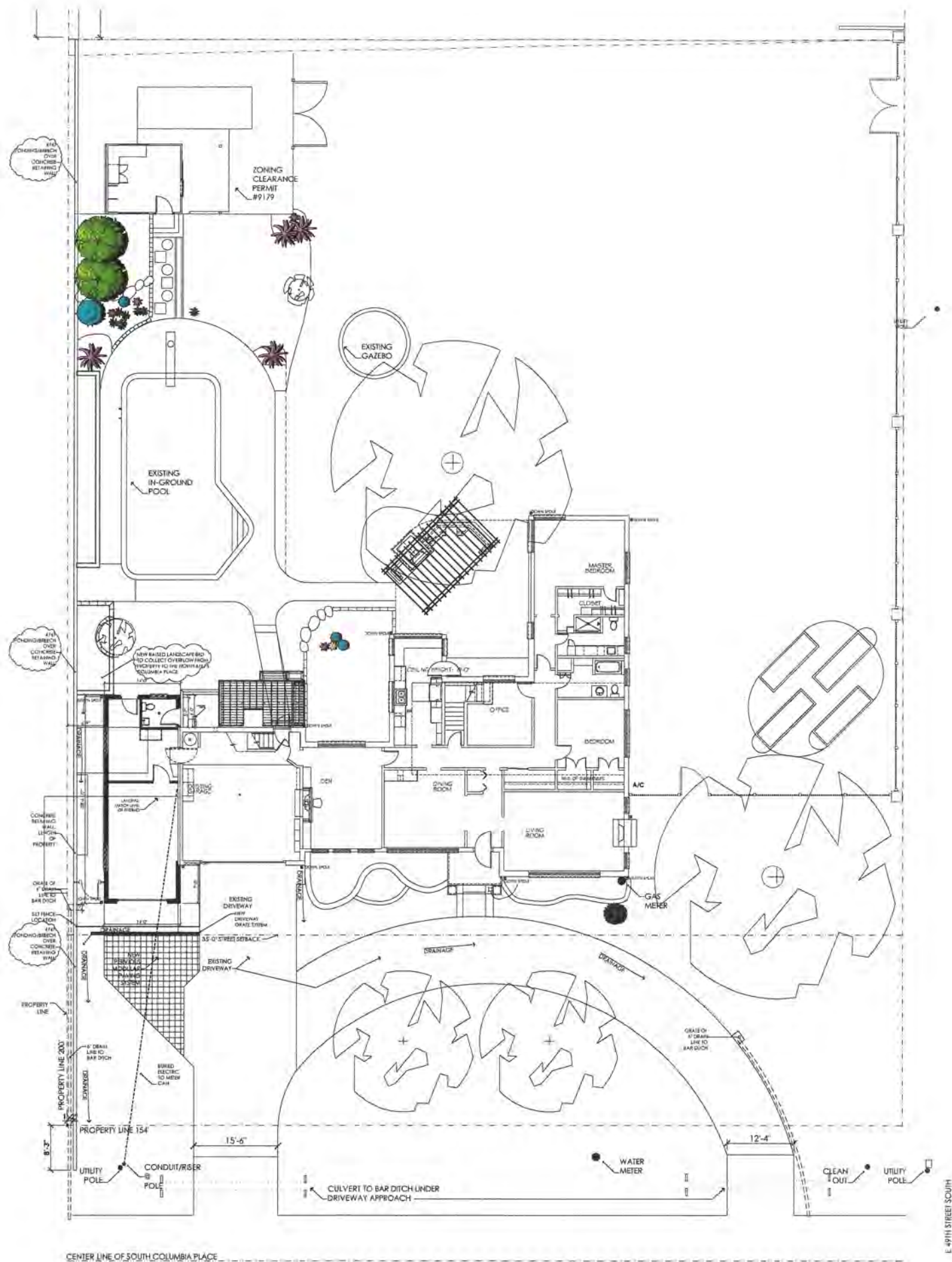
The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Subject property

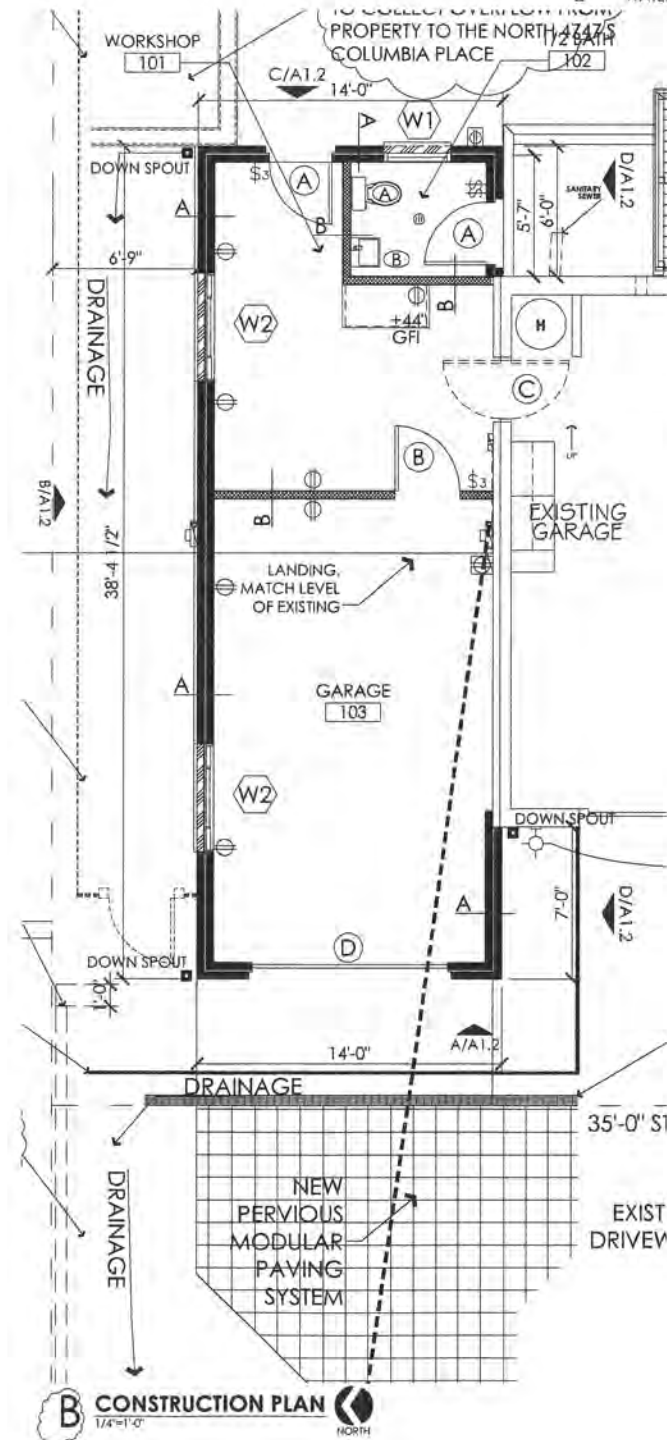


Location of new parking area



GENERAL NOTES
1. ALL WORK SHALL CONFORM TO ALL APPLICABLE BUILDING CODES
2. THE GENERAL CONTRACTOR SHALL COORDINATE AND SCHEDULE ALL WORK WITH THE OWNER.
3. GENERAL CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS FOR ACCURACY PRIOR TO BID SUBMITTAL. IF THERE ARE ANY QUESTIONS, THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING A CLARIFICATION FROM THE OWNER BEFORE PROCEEDING WITH WORK IN QUESTION OR RELATED WORK.

LEGEND	ABBREVIATIONS
101	ROOM NUMBER
---	EXISTING WALLS TO REMAIN
---	NEW WALLS AND TYPE
⊗	NEW DOOR
⊙	KEY NOTE
⊙	RECESSED CAN
⊙	WALL LIGHT SWITCH/DIMMER/SWITCHING
⊙	DUPLEX WALL OUTLET/FLOOR
⊙	QUADPLEX WALL OUTLET/FLOOR
⊙	PLUMBING FIXTURES
⊙	SMOKE DETECTOR
⊙	CEILING MOUNTED LIGHT FIXTURE
⊙	VANITY LIGHTING
⊙	VENT/FAN (150 CFM)
⊙	WATERPROOF LIGHT FIXTURE



WALL TYPES
A NEW 2X4 WOOD STUDS @ 16" O.C. WITH EXTERIOR SHEATHING & BRICK TO MATCH EXISTING
REF. F/A1.2
B NEW 2X4 WOOD STUDS @ 16" O.C. WITH 5/8" GYP. BOARD EACH SIDE

DOOR SCHEDULE
A NEW 34" X 77" EXTERIOR DOOR WITH FULL VIEW TEMPERED GLASS PANEL
B RELOCATED EXTERIOR METAL DOOR & HOLLOW METAL FRAME
C CASD OPENING AFTER DOOR REMOVAL
D NEW 9'-0" WIDE X 7'-0" HIGH AUTOMATIC GARAGE DOOR

WINDOW SCHEDULE
W1 NEW 37" X 47" FIXED GLASS WINDOW WITH BOTTOM VENT, MATCH HEIGHT & STYLE OF EXISTING
W2 NEW 26" X 58" WINDOW; SLIDE/FIXED/SLIDE OPERATION, MATCH HEIGHT & STYLE OF EXISTING

PLUMBING SCHEDULE
A NEW FLOOR MOUNTED FLUSH VALVE TOILET
B NEW WALL MOUNTED LAVATORY (HOT & COLD WATER CONNECTION)
Note: connect to existing hot water tank

CODE INFORMATION
ZONING DISTRICT: RS-1
REPETITIVE FLOOD LOSS AREA #59
SHED: ZONING CLEARANCE PERMIT #9179

LEGAL DESCRIPTION
W. 200' of LOT 21 BLOCK 1
Section: 29 Township: 19 Range: 13
VILLA GROVE SUBDIVISION
CITY OF TULSA, TULSA COUNTY

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

1/4/2022

LOD No. 2

Keri Kraus
4749 S. Columbia Pl.
Tulsa, OK 74105

APPLICATION NO: BLDR-095654-2021 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 4749 S. Columbia Pl.

Description: Addition, carport, and driveway expansion

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

IMPORTANT INFORMATION

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

(continued)

REVIEW COMMENTS

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

Application No. BLDR-095654-2021

1. 55.090-F3 Surfacing. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of Section 70.120, or, if in a PUD, in accordance with the amendment procedures of Section 30.010-I.2. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

Maximum Driveway Width

Lot Frontage	75'+	60' - 74'	46' - 59'	30' - 45'	Less than 30' [2]
Driveway Within Right-of-Way (feet) [1]	27'	26'	22'	20'	12'
Driveway Within Street Setback (feet)	30'	30'	--	--	--

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

Review Comments: For a lot with 154' of street frontage, the maximum width of all driveways combined cannot exceed 30' within the street setback. The revised site plan still appears to propose a combined driveway width of more than 30' in the street setback. The circle drive appears to be approximately 12' wide, and the existing driveway approach to the garage and new driveway approach to the proposed garage addition appear to be approximately 35' wide. The total sum of the driveway widths therefore is approximately 47' wide. You may revise the site plan to indicate that the combined width of all driveways shall not exceed 30' in the street setback or, alternatively, you may apply to the Board of Adjustment for a special exception to exceed the maximum combined allowable width on a lot with 154' of street frontage.

Note: modular paving systems are viewed the same way as typical concrete in regard to the driveway width. It is an approved alternative to concrete, but it is still counted as driveway width.

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

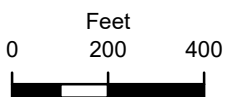
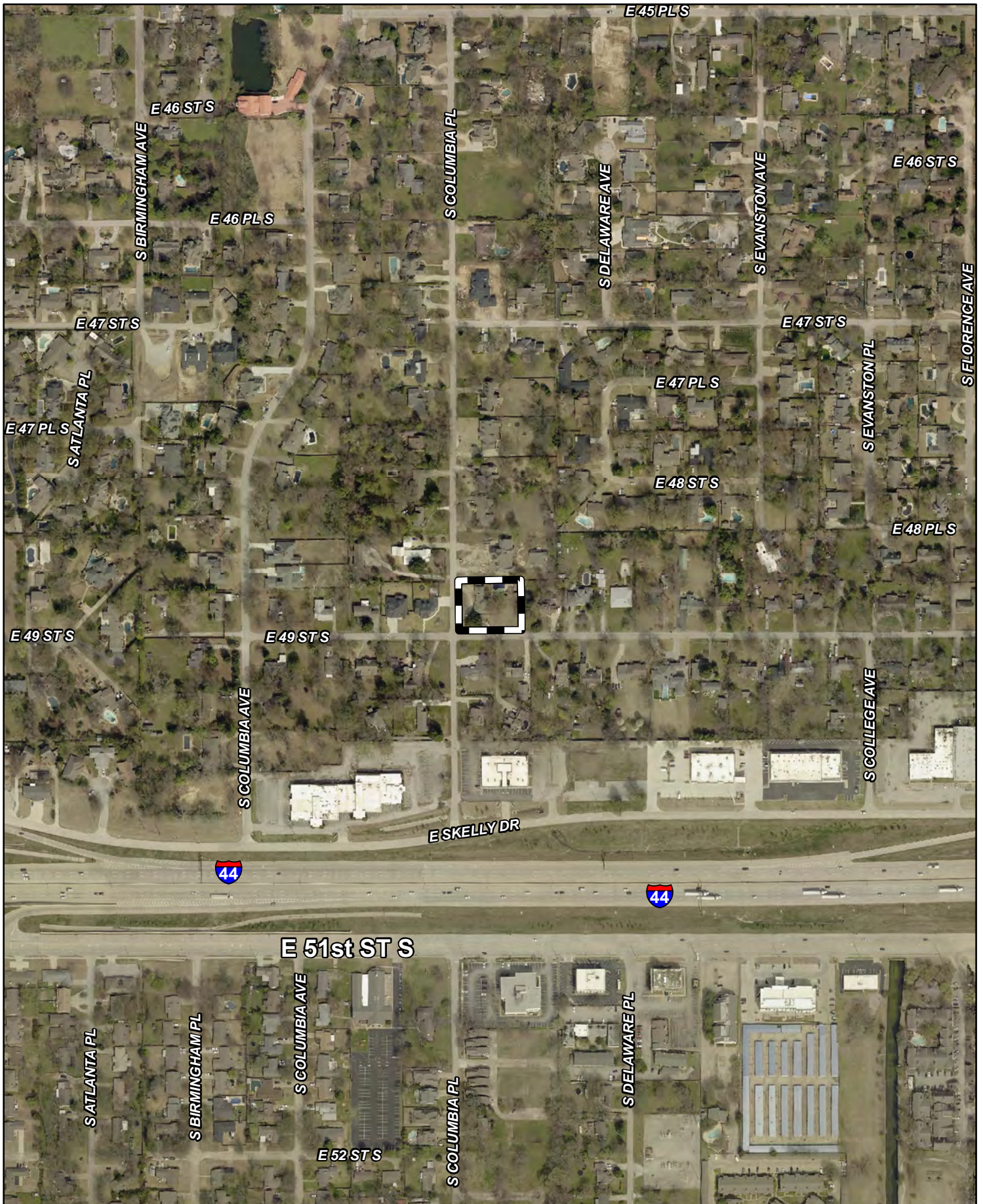
Note: Please direct all questions concerning variances, special exceptions, alternative landscape plans, alternative compliance parking ratios and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices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



Subject
Tract

BOA-23296

19-13 29

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

Aerial Photo Date: 2020/2021



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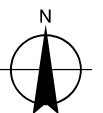
**Subject
Tract**

BOA-23296

19-13 29

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

Aerial Photo Date: 2020/2021



11.10