AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, April 26, 2022, 1:00 P.M.

Meeting No. 1293

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

UNFINISHED BUSINESS

1. 23297- Happy Hour Medicinals
   Appeal of the Administrative Decision by a Neighborhood Inspector in Case NUZO-054682-2022 that the subject property is in violation Sec. 40.225.F of the City of Tulsa Zoning Code
   LOCATION: 147 S 122 AV E (CD 3)

2. 23301- Lori Worthington
   Variance to increase the permitted sign display area from 88.5 square feet to 144 square feet in the OM District (Sec. 60.060-C)
   LOCATION: 5314 S YALE AV E (CD 9)
3. **23303- Pedro Quintero**  
**Special Exception** to permit a fence or wall exceeding 4-feet in height inside the required front street setback (Sec. 45.080-A)  
**LOCATION:** 10109 E 4 PL S (CD 3)

4. **23309- Ryan Neurohr, Image Builders**  
**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)  
**LOCATION:** 3909 E 5 PL S (Rogers) (CD 4)

**NEW APPLICATIONS**

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

5. **23319- Jason Evans**  
**Variance** to allow the floor area of a detached accessory building to exceed 500 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.2) **Variance** of the 35-foot setback from an arterial street. (Sec. 5.020, Table 5-2)  
**LOCATION:** NW/c of E 15th St S & S Richmond Ave (CD 4)

6. **23320- Lektron Branding Solutions**  
**Variance** to allow two freestanding signs on one lot with only minor street frontage (Sec. 60.080-C.2.a)  
**LOCATION:** 7400 AND 7418 E 42 PL S (CD 5)

7. **23321- Ryan Neurohr, Image Builders**  
**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)  
**LOCATION:** 3613 S HUDSON AV E (Zarrow International School) (CD 5)

8. **23322- Ryan Neurohr, Image Builders**  
**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)  
**LOCATION:** 3924 N LANSING AV E (Whitman Elementary School) (CD 1)
9. 23323- Ryan Neurohr, Image Builders  
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)  
LOCATION: 2721 W 50 ST S (Robertson Elementary) (CD 2)

10. 23324- Ryan Neurohr, Image Builders  
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)  
LOCATION: 2940 S 90 AV E (Skelly Elementary) (CD 5)

11. 23325- Ryan Neurohr, Image Builders  
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)  
LOCATION: 1127 S COLUMBIA AV E (Mayo Demonstration Academy) (CD 4)

12. 23326- Ryan Neurhor, Image Builders  
Special Exception to permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c)  
LOCATION: 1727 S HARVARD AV E (Lanier Elementary) (CD 4)

13. 23327- OSAGE- Damon Ousley  
Special Exception to permit a duplex in an RS-3 District (Table 5.020, Table 5-2, Table 5-2.5); Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)  
LOCATION: 1327 N. Olympia Ave. (CD 1)

14. 23328- Damon Ousley  
Special Exception to permit alternative compliance parking ratios in an RM-1 District to reduce the required number of parking spaces for a multi-unit house (Section 55.050-K; Section 55.020 Table 55-1)  
LOCATION: 2423 N PEORIA AV E (CD 1)

15. 23329- JB LaCombe  
Special Exception to allow a Large (>250-person capacity) Commercial Assembly & Entertainment Use in the CS District to permit a Health Club (Sec.15.020, Table 15-2).  
LOCATION: 5313 E. 41st St. (CD 5)

16. 23330- Tom Neal  
Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)  
LOCATION: 1802 S CHEYENNE AV W (CD 4)
17. **23331- Pool Creations Inc**  
   Variance to permit a swimming pool within the required 35' side street setback  
   (Sec. 5.030, Table 5-3; Sec. 90.090, Table 90-1)  
   **LOCATION:** 1305 E 26 ST S (CD 4)

18. **23333- Jeremy Perkins**  
   Variance to allow more than 30% coverage of the rear setback by a Detached Accessory Building (Sec.90.090-C.2)  
   **LOCATION:** 1003 E 20 ST S (CD 4)

**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
CASE REPORT

STR: 9405
CZM: 39
CD: 3

HEARING DATE: 04/26/2022 1:00 PM (Continued from 4/12/2022)

APPLICANT: Happy Hour Medicinals

ACTION REQUESTED: Appeal of the Administrative Decision by a Neighborhood Inspector in Case NUZO-054682-2022 that the subject property is in violation Sec. 40.225.F of the City of Tulsa Zoning Code in accordance with Section 70.140.

LOCATION: 147 S 122 AV E
ZONED: IL

PRESENT USE: Industrial
TRACT SIZE: 19301.52 SQ FT

LEGAL DESCRIPTION: LT 6 BLK 3, EASTGATE INDUSTRIAL PARK THIRD ADDN RESUB

RELEVANT PREVIOUS ACTIONS:

Subject Property: None.

Surrounding properties:

BOA-23050; The Board approved a Minor Special Exception to amend the site plan approved in BOA-22981. Property located 165 S. 122nd E. Ave.

BOA-22981; On 08.25.2020 the Board approved a Special Exception to permit a moderate-impact medical marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL District (Sec. 15.020, Table 15-2). Property located 165 S. 122nd E. Ave.

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

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

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

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located on the East side of S. 122nd E. Ave. between E. Admiral Place and E. Skelly Drive. The property is located inside an Industrial Park surrounded by other industrial properties.

**STAFF COMMENTS:** The appellant is Administrative Decision by a Neighborhood Inspector in Case NUZO-054682-2022 that the subject property is in violation Sec. 40.225.F of the City of Tulsa Zoning Code in accordance with Section 70.140.

40.225-F Medical marijuana grower operations, processing facilities and dispensaries must provide the following:

1. A ventilation/air filtration system that prevents odor from being detectible at the boundaries of the lot within which the building housing the medical marijuana grower operation, processing facility or dispensary is located, except that if such use is located in multiple-tenant building, the ventilation/air filtration system must prevent odor from being detectible outside the tenant space housing the use.

2. An electronic security system and surveillance camera.

A copy of Section 70.140 of the City of Tulsa Zoning Code is attached to this staff report.

**SAMPLE MOTION:**

Move to ________ (affirm/reverse) Administrative Decision by a Neighborhood Inspector in Case NUZO-054682-2022 that the subject property is in violation Sec. 40.225.F of the City of Tulsa Zoning Code

Finding that the Neighborhood Inspector (acted appropriately/erred) in the Administrative Decision by a Neighborhood Inspector in Case NUZO-054682-2022, and that the subject property (is/is not) in violation of Sec. 40.225.F.
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.

70.130-i **Lapse of Approval**

1. An approved variance will lapse and become void 3 years after it is granted by the board of adjustment, unless a building permit for the work or improvements authorized has been issued and the project has commenced and is diligently pursued to completion. If no building permit is required, the improvement that is the subject of the variance must be in place within the 3-year period.

2. The board of adjustment may extend the expiration period by up to one year at the time of approval of the variance or any time before expiration of the approval. Requests for extensions after the variance is approved must be processed in accordance with the variance procedures, including applicable fees, notices and public hearings.

70.130-j **Transferability**

Approved variances run with the land and are not affected by changes of tenancy, ownership, or management.

70.130-K **Amendments**

A request for changes in the specific nature of the approved variance or changes to any conditions attached to an approved variance must be processed as a new variance application, including all requirements for fees, notices and public hearings.

70.130-L **Appeals**

Board of adjustment decisions on variances may be appealed to District Court in accordance with §75.010-K.

**Section 70.140 | Appeals of Administrative Decisions**

70.140-A **Authority**

Appeals of administrative (staff-level) decisions on site plans go to the planning commission (See §70.050-C). The board of adjustment is authorized to hear and decide all other appeals where it is alleged there has been an error in any order, requirement, decision or determination made by the land use administrator, the
development administrator or any other administrative official in the administration, interpretation or enforcement of this zoning code.

Figure 70-7: Appeals of Administrative Decisions (Generally)

70.140-B Right to Appeal
Appeals of administrative decisions may be filed by any person aggrieved by the land use administrator’s, the development administrator’s or other administrative official’s decision or action. The board of adjustment is authorized to make determinations about whether individuals filing appeals are “aggrieved” by the decision or action.

70.140-C Application Filing

1. Complete applications for appeals of administrative decisions must be filed with the land use administrator and the administrative official who made the decision being appealed.

2. Appeals of administrative decisions must be filed within 10 days of the date of the decision being appealed.

70.140-D Effect of Filing
The filing of a complete notice of appeal stays all proceedings in furtherance of the action appealed, unless the land use administrator or the administrative official who made the decision being appealed certifies to the board of adjustment, after the appeal is filed, that, because of facts stated in the certification, a stay would cause immediate peril to life or property, in which case the proceedings will not be stayed unless by a restraining order, which may be granted by the board of adjustment or by a court of record based on due cause shown.

70.140-E Record of Decision
Upon receipt of a complete application of appeal, the land use administrator or other administrative official whose decision is being appealed must transmit to the board of adjustment all papers constituting the record related to decision being appealed.

70.140-F Notice of Hearing
Notice of the board of adjustment’s required public hearing must be provided as follows (see §70.010-F for additional information on required newspaper and mail notices).

1. Newspaper Notice
Notice must be published in the newspaper at least 10 days before the scheduled public hearing.
2. **Mailed Notice**

When an appeal affects a specific property, notice must be mailed to the owner of the subject property and all owners of property within 300 feet of the subject property at least 10 days before the scheduled public hearing.

**70.140-G Hearing and Final Decision**

1. The board of adjustment must hold a public hearing on the appeal.

2. Following the close of the public hearing, the board of adjustment must make its findings and take action on the appeal.

3. In exercising the appeal power, the board of adjustment has all the powers of the administrative official from whom the appeal is taken. The board of adjustment may affirm or may, upon the concurring vote of at least 3 members, reverse, wholly or in part, or modify the decision being appealed.

4. In acting on the appeal, the board of adjustment must grant to the official’s decision a presumption of correctness, placing the burden of persuasion of error on the appellant.

**70.140-H Review Criteria**

The decision being appealed may be reversed or wholly or partly modified only if the board of adjustment finds that the land use administrator, the development administrator or other administrative official erred.

**70.140-I Appeals**

Board of adjustment decisions may be appealed to District Court in accordance with §75.010-K.
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 16 BLK 2, TRAVIS HGTS ADDN, City of Tulsa, Tulsa County, State of Oklahoma

23050—Cody Welch

Action Requested:
Minor Special Exception to amend a previously approved site plan for a Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL District (Section 70.120). LOCATION: 165 South 122nd Avenue East (CD 3)

Presentation:
Cody Welch, 2878 East 34th Street, Tulsa, OK; stated the Board approved his proposition in August and he now has to rename is area to Suite C on the advisement of Adam Murray in the Permit Office. He has to move a bathroom door to be compliant with the City of Tulsa and OMMA.

Mr. Van De Wiele asked Mr. Welch if he would now be doing business in Suite C and not in Suite B. Mr. Welch stated the whole area was Suite B and his proposed area is a 10 x 20 room within Suite B, and that room has been redesignated as Suite C with the City of Tulsa.

Interested Parties:
There were no interested parties present.

Comments and Questions:
None.

Board Action:
On MOTION of RADNEY, the Board voted 4-0-0 (Brown, Radney, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) to APPROVE the request for a Minor Special Exception to amend a previously approved site plan for a Moderate-
Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL District (Section 70.120) approved in Case BOA-22981, subject to conceptual plan 22.6 of the agenda packet and designated as Suite C on the conceptual plan. 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:

LT 8 BLK 3, EASTGATE INDUSTRIAL PARK THIRD ADDN RESUB, City of Tulsa, Tulsa County, State of Oklahoma

23051—William Bell

Action Requested:
Special Exception to permit a 12-foot wall in the front street setback and a 10-foot wall around the perimeter (Section 45.080-A); Variance to allow a wall to be located inside the City of Tulsa right-of-way or planned right-of-way (Section 90.090-A). LOCATION: 3514 South Yale Avenue East (CD 9)

Presentation:
William Bell, 2 East Broadway Street, Sand Springs, OK; stated the project is to allow a ten-foot sound/security wall on the front easement of the subject property. The issue is that there are easements around the entire property that he was not aware of during the original permitting process and construction has already started. The wall is built, and he would like to have the wall stay as constructed.

Mr. Van De Wiele asked Mr. Bell if he was asking for a twelve-foot wall on the front and a ten-foot wall around the remainder of the property. Mr. Bell answered affirmatively.

Mr. Van De Wiele asked Mr. Bell what type of easements are surrounding the property. Mr. Bell stated they are utility easements. On the south side there is a sanitary sewer easement; a quarter of the sewer is on the subject property. On the north side there are power lines.

Mr. Van De Wiele asked Mr. Bell to explain how the easements necessitate a taller wall. Mr. Bell stated the front wall is one item and it is currently in the Tulsa right-of-way. The second issue is the ten-foot-tall wall around the perimeter inside an easement.

Mr. Van De Wiele asked Mr. Bell why is the homeowner wanting a twelve-foot wall in a location where there normally would only have a four-foot wall or fence, and why does the homeowner want a ten-foot wall where there would otherwise normally only be allowed an eight-foot wall? Mr. Bell stated that during construction, when the project was first started, there was a six-foot chain link construction fence that was continuously broken in to, and through the first eight months of the project the lock and chain on that fence was replaced seven times and then overnight security was hired to sit in front of the house for four months. With the wall built the theft ceased. His client lived on the
LTS 7 & 8 BLK 3, UTICA ADDN, City of Tulsa, Tulsa County, State of Oklahoma

Ms. Shelton re-entered the meeting at 2:52 P.M.

Action Requested:
Special Exception to permit moderate-impact medical marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL District (Section 15.020, Table 15-2). LOCATION: 165 South 122nd Avenue East, Suite B (CD 3)

Presentation:
Cody Welch, 2878 East 34th Street, Tulsa, OK; no presentation was made, and he deferred to Mr. Logan Jones.

Logan Jones, Attorney, 616 South Boston Avenue, Tulsa, OK; stated his client would like to have cannabis processing facility located at 165 South 122nd East Avenue, Suite B. The process his client wants to engage in is something generically referred to as non-combustible. The application that is before the Board is for a building that is currently zoned IL, where the zoning requirements for the City of Tulsa state that any cannabis processing, including this moderate impact, be placed in an IM or an IH zone. Mr. Welch is looking to occupy a floor space of about 200 square feet. The difference between a combustible and a non-combustible process is obviously the use of combustible gases, which is a concern for anyone who has to be in close proximity to this, however, that does not apply to this specific situation. His client will be using a simple heat and force machines to take the cannabis plant, heat and compress it down, extract the oil and that is it. There are no flammable products. There are no toxic gases. The specific requirements for a permitted business in the city limits of Tulsa are going to require that a cannabis processing facility mirror and implement a lot of the requirements which are used for licensing purposes from the State, both the Oklahoma Medical Marijuana Authority and the Oklahoma Bureau of Narcotics and Dangerous Drugs which will regulate the actual presence of cannabis on the subject site. Specific to the Bureau of Narcotics and Dangerous Drugs any commercial cannabis facility in the State of Oklahoma has to abide by a monitored alarm system by a third party, a lock that will segregate access to the cannabis from general access to the facility, and recordable cameras that will track the physical presence of individuals. He understands that since the subject property abuts a residential area there is a concern about the traffic pattern. The reality is that Mr. Welch is not the first cannabis business in the area; there are already two others that exist in the industrial light area, which are cannabis growers. Mr. Welch will be occupying 200 square feet in a portion of a building that a grower currently is permitted to occupy. As for the smell, the City of Tulsa has a ventilation requirement to make this process as indistinguishable to neighbors as possible. The buildings are non-descript buildings in east Tulsa and there is no identification signifying the buildings are commercial cannabis businesses. There
is no signage. There are no additional security protocols. There is nothing to
distinguish the building occupants from any other building occupants. The subject
building does not actually abut any residential property; there is a corridor or a row of
industrial buildings separating the residences in question. Mr. Jones stated the reason
Mr. Welch does not have an existing medical marijuana license today is because he is
attempting to attach his license to the subject address which requires the consent of the
City of Tulsa via the Certificate of Compliance; he is awaiting the resolution of today's
decision. There was a question by Mr. Triplett whether the building owner consented to
this application and he does. At this point Mr. Jones deferred to Mr. Welch so he can
discuss the processing technology in the subject space.

Cody Welch came forward and stated that what he does is mechanical extraction. He
has two machines that fit on a 6'-0" x 2'-6" worktable. He applies heat and pressure,
and the pressure is about 800 pounds per square inch and the heat does not exceed
200 degrees. There would virtually be zero environmental footprint for what he is doing.
The solvent used in the process is water except for the cleaning supplies. He is not
interested in using chemicals in the processing because he wants to keep an organic
approach to the processing. Mr. Welch stated he hired Mr. Jones to help him get
through some of the language of the process and the hearing process. He plans to use
the existing alarm that is there for the marijuana farm. He has fingerprint digital wi-fi
activated locks to enter the shop. He has two cameras on the interior. The plans are to
have an HVAC system and it will have a carbon filtration system.

Ms. Shelton asked Mr. Welch if mechanical extraction without the use of chemicals
produce any marijuana odors? Mr. Welch stated marijuana has an odor no matter what
a person does to it. The grievances that were written to him, he believes, are
grievances more toward the existing cannabis businesses because he has not operated
or done anything at the subject site. Mr. Welch stated the extreme pungent smell
comes from the harvesting of the cannabis and he will not be harvesting.

Ms. Shelton asked if the applicant decides to not have organic processing in the future
would that change his designation and prompt him to come back before the Board? Mr.
Van De Wiele stated that it would if it were one of the combustible processes, the ones
designated in the high intensity processing.

Interested Parties:
Robert Triplett, 139 South 122nd East Avenue, Tulsa, OK; stated he appreciates
everything Mr. Welch has said, and he gave him an opportunity to meet with him, he
was very forthright. Mr. Triplett stated he has encountered over the last year a really
pungent smell from other marijuana growers, to the point that his employees cannot
leave their car windows down. On the day of harvest and/or when the marijuana is
squeezed the pungent smell is going to be serious. He and his employees get the smell
on their clothes and they are concerned about being stopped for probable cause by the
Police because the odor can be that strong.
Mr. Van De Wiele asked Mr. Triplett where his facility is located in relation to the subject building. Mr. Triplett stated that his facility is three doors north of the subject site. Mr. Triplett stated there are at least three other growers along the street and he knows that because of the pungent smell.

Mr. Bond asked Mr. Triplett if he disagreed with the applicant about his process not creating any additional smells. Mr. Triplett stated that he would strongly disagree. It is like a piece of garlic, once you start peeling it there will be more smell. Mechanically the marijuana will have more smell.

Mr. Van De Wiele asked Mr. Triplett if he was aware of the filter ventilation equipment at the other locations? Does he know if the other locations have them or don’t have them? Mr. Triplett stated there has been a concentrated effort by the people along that street that are growing to add scrubbers. But on harvest day on a small parcel there cannot be enough scrubbers installed to remove all the odor. Mr. Triplett stated that he knows from a practical standpoint people cannot roll their windows and leave them down because the smell gets really bad. He thinks the City was smart when they wrote the zoning to have the marijuana facility or processing be in IM or IH, because those parcels are larger and farther apart. This area has buildings nested together very closely on the small IL lots.

**Rebuttal:**

Cody Welch came forward and stated there is an enormous difference in the smell when it comes to processing and harvesting.

**Comments and Questions:**

Mr. Van De Wiele stated that he has read in the Code, in 9.3, "a ventilation air filtration system that prevents odor from being detectable at the boundaries of the lot within which the building is housing", so who is checking on that? Who verifies that? Mr. Chapman stated the building permit level verifies that there is some type of system. There is no one going to perform a smell check on a business; it would be a complaint-based inspection performed by Code Enforcement.

Ms. Radney stated this one is a tough call for her. This does strike her as being about intensity and through no fault of this applicant, he may be prepared to comply with the Code as it relates to the air scrubbing system, but she cannot get past Mr. Triplett’s suggestion that adding additional manufacturing capacity into the space is injurious to the neighborhood. Ms. Radney recognizes that there may be a recourse with the City in the terms of Code Enforcement but what is acceptable per Code to date isn’t adequate and adding more manufacturing capacity into this environment seems problematic. Ms. Radney stated that she is leaning toward a no vote, but she will listen to the rest of the discussion.

Ms. Shelton stated that she is struggling the same thing as Ms. Radney, she is not a fan of compounding problems. The last thing the applicant said, that there is a distinct difference in the smell of extraction versus the smell of harvesting so what is being
proposed is extraction not harvesting and that has her favoring a yes vote more than a no vote but that doesn't mean that she is not sympathetic to the odor. Ms. Shelton stated she hates the smell so she can image the pain of working around the odor.

Board Action:
On MOTION of BOND, the Board voted 3-1-0 (Bond, Shelton, Van De Wiele "aye"; Radney "nays"; no "abstentions"; none absent) to APPROVE the request for Special Exception to permit moderate-impact medical marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL District (Section 15.020, Table 15-2), subject to conceptual plan 9.10 of the agenda packet. This approval is limited to the 200 square foot space identified as Suite B. 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:

LT 8 BLK 3, EASTGATE INDUSTRIAL PARK THIRD ADDN RESUB, City of Tulsa, Tulsa County, State of Oklahoma

22985—Christian & Kristen Meyers

Action Requested:
Variance of the minimum lot width in the RE District to permit a lot line adjustment (Section 5.030, Table 5-3); Variance of the minimum lot area and lot area per dwelling unit in the RE District to permit a lot line adjustment (Section 5.030, Table 5-3). LOCATION: 2604 East 38th Street South (CD 9)

Presentation:
Lou Reynolds, 2727 East 21st Street, Tulsa, OK; stated he represents Mr. and Mrs. Chris Meyers who own the subject property. In the back of their property there is a square tract that they would like to attach that portion to the neighbor's property to the southeast. The unusual issue is that the northern lot, Tract A, is an RE zone property and Tract B and Tract C where the small portion will be attached is zoned RS-1, and they each have significant zoning requirements. Tract A is supposed to 150-foot width on 38th Street and it has 83 feet of width, that is how it was platted. So, there is not any change in the street frontage for the subject property, it is actually the rear of the property. The north boundary line of Tract C and the south boundary line of Tract A is the zoning line. Everything north of Tract C is zoned RE and everything south of Tract A is zoned RS-1.

Mr. Van De Wiele asked Mr. Reynolds if Tract B was its own separate lot. Mr. Reynolds answered no and stated that it is a piece of Tract A. Tract A and Tract C are a single lot and Tract B is its own lot. Mr. Van De Wiele asked Mr. Reynolds if the goal is to cut C off from A and tie it to B. Mr. Reynolds answered affirmatively.

Mr. Reynolds stated that on Tract B there is a house, a pool and that owner wants to have the small portion of land so they will have a back yard behind the pool.
NOTICE OF VIOLATION - ZONING

Date: 02/09/2022
Case: NUGO-03-466-2022
Compliance Date: 02/19/2022

To: Old W. Houston St.,
Broken Arrow, OK 74012-4670

Dear Property Owner and/or Occupant,

You are hereby notified of zoning code violations at (legal) LT6 BLK 3
SUBDIVISION: EASTGATE INDUSTRIAL PARK THIRD ADDN RESUB SECTION: 05 19 14
City of Tulsa, Tulsa County State of Oklahoma; And located at the address of:
147 S. 122nd EA, Tulsa, OK 74128

Violations:

X Medical Marijuana Uses

X Medical marijuana grower operations, processing facilities and dispensaries must provide the following:
(See reverse side)

Accessory Uses

Permit Needed

Additional comments, descriptions or directions: The odor of marijuana is detectable at the boundaries of the lot within which the building housing the medical marijuana operation is located.

See back of page for what the resolution of each violation requires.

You still have time to correct the issue(s) at your property. To comply, must correct all violations prior to the compliance deadline listed on this notice above. If you are unable to correct any or all the violation(s) listed above, contact the Code Official listed below to work out an acceptable plan to bring your property into compliance. Ensure that all family members, employees, and/or contractors, etc. are familiarized with and adhere to these regulations. Additional notices will not be sent if recurring violations are found in the future.

Failure to make the correction may result in the issuance of a criminal citation or civil remedial penalties not to exceed $1,000.00 per day. Failure to comply may also result in revoking or withholding permits, certificates or other forms of authorization issued by the City of Tulsa and/or any other remedies allowed by law.

Your property is an important investment for you and the community. I urge you to make the necessary corrections to eliminate all violations so that no further enforcement will be necessary.

Please understand that it is ultimately the responsibility of the owner to ensure these violations are corrected. Any civil agreements or rental agreements do not alleviate the owner of this responsibility.

Thank you,

A McPherson
City of Tulsa - Working in Neighborhoods
Amcpherson@cityoftulsa.org
918-575-5623

Appeals: You may appeal the administrative official's decision by filing a complete appeal application (1) with the official listed above or the Tulsa City Clerk AND (2) with the Director of the Tulsa Planning Office at INCOG, at the address below. Appeals must be filed within 10 DAYS of the date of this notice, and the applicable fees must be paid. Appeals are heard by the Tulsa Board of Adjustments. For more information related to appeals, see Chapter 70, Section A, Revised Ordinances, Appeals of Administrative Decisions.

INCOG Metropolitan Council of Governments
7th and Woodward Ave Suite 260
Tulsa, OK 74104

City of Tulsa - Planning Office
175 East Second St Suite 260
Tulsa, OK 74103

Monday-Friday 8 a.m. - 5 p.m.

1.13
Code Decision Appeal Form

A/P Happy Hour Medicinals, LLC Address 147 S. 122nd EA, Tulsa, OK 74128
Contact: Name Dillon J. Hollingsworth Phone (918) 594-1600 Fax

Set forth in detail the precise decision or requirement being appealed:
Happy Hour Medicinals is appealing the "Notice of Violation - Zoning" issued on February 9, 2022, Case No. ZONV-054682-2022.
This Notice indicates that Happy Hour's duly licensed Medical Marijuana Grow Facility is in violation of Zoning Code 42.40.225(F), and states "The odor of marijuana is detectable at the boundaries of the lot within which the building housing the medical marijuana operation is located." This is the third such notice issued to Happy Hour, after the previous two were dismissed or rescinded. In fact, an identical notice was issued on January 6, 2022, and rescinded by Mr. Aaron McPherson on January 26, 2022 because "there has already been a notice issued regarding the same violation." This is incongruous with a third notice being issued, and when combined with the behavior of Mr. McPherson in the month between issuance of the notices, constitute clear evidence of unwarranted harassment by Mr. McPherson and/or the City of Tulsa.

State precisely why the decision or requirement is in error:
Beyond the harassing nature of the City Inspector's behavior, and the constitutional defects alluded to below, Happy Hour is in full compliance with the requirements of Zoning Code 42.40.225(F), and has implemented extensive measures to reduce any odors which may emit from its facility.
Specifically, Happy Hour has installed, for the express purpose of complying with the City's Code, the following filtration equipment at its facility:
Can-Lite 14" 2200 CFM Filter; Can-Lite Mini 6x16" 420 CFM Filter; Can-Fan 6" HD 427 CFM Filter; Ruck 14" Prime Fan;
Can-Lite 6" 600 CFM Filter; Vortex 6" 44 CFM Inline Fan; Can-Fan 6" Max PS 420 CFM Filter; and Can-Fan Mini 6" x 16" CFM Filter.
Happy Hour has also communicated directly (and successfully) with neighboring businesses to elicit and address any concerns.
The requirements of the Zoning Code establish a nebulous standard which is open to arbitrary and capricious application, renders complete and constant compliance unattainable, and does not require evidentiary support from those issuing violations.

Designate the section(s) of the code, the statute(s) or the ordinance(s) which support(s) the appellant's position:
42.40.225(A) - (I); 63 O.S. § 420 ct. al; 75 O.S. § 322; Okl. Const. Art. II § 7; U.S. Const. amend. XIV.

Additional information may be submitted on a separate sheet of paper.
Signature: [Signature]
Date: 2/18/22
SEE BACK FOR IMPORTANT INFORMATION

Violations: Resolution of the violation requires:

Medical Marijuana Uses
42.40.225. A A medical marijuana grower operation must be located inside an enclosed building.
42.40.225. B A medical marijuana processing facility, whether moderate-impact or high-impact, must be located inside an enclosed building.
42.40.225. C A medical marijuana dispensary must be located inside an enclosed building.
42.40.225. D A medical marijuana dispensary may not be located within 1,000 feet of another medical marijuana dispensary.
42.40.225. F Medical/marijuana grower operations, processing facilities and dispensaries must provide the following:
   1. A ventilation/air filtration system that prevents odor from being detectable at the boundaries of the lot within which the building housing the medical marijuana grower operation, processing facility or dispensary is located, except that if such use is located in multiple-tenant building, the ventilation/air filtration system must prevent odor from being detectable outside the tenant space housing the use.
   2. An electronic security system and surveillance camera.

42.40.225. G Medical marijuana grower operations, processing facilities, dispensaries and research facilities must be conducted and maintained in compliance with the license issues by the Oklahoma State Department of Health and in compliance with Oklahoma law, including but not limited to all applicable statutes, rules and regulations.

42.440. H No medical marijuana grower operation, processing facility, dispensary or research facility shall be permitted or maintained unless there exists a valid license, issued by the Oklahoma State Department of Health for the particular use at the particular location.

42.40.225. 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.

Permit Needed
42.70.050A Property owners or their authorized agent must obtain a zoning clearance permit from the development administrator before constructing, moving, or structurally altering any building or structure or establishing or changing the use of any building or lot.

A copy of this notice has been sent to: (if applicable)

Happy Hour Medicinals
Management -
Bradley Wilferth – Kerry Vo, employees, et al.
147 S. 122nd EA
Tulsa, OK 74128

916.594.7926 918.596.7513
January 26th. 2022

Oklahoma Industrial Partners L.L.C
4500 W. Houston St.
Broken Arrow, OK 74012-4670

To whom it may concern:

This letter confirms that the Notice of Violation-Zoning dated January 6th. 2022 regarding your property was issued in error. There has already been a notice issued regarding the same violation. Accordingly, the Notice of Violation-Zoning ZONV-053482-2022 is hereby rescinded.

I sincerely apologize for any inconvenience this error may have caused. Please do not hesitate to contact me if I can be of any further assistance.

Regards.

Aaron D. McPherson, Zoning and Sign Official

Cc:

Happy Hour Medicinals
Management – Bradley Wilferth –
Kerry Vo. employees. et al
147 S. 122nd EA
Tulsa, OK 74128

Attorney Dillon Hollingsworth – Barrow Grimm
110 W. Seventh St. Suite 900
Tulsa, OK 74104
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021
Austin,

Our client, Happy Hour Medicinals, LLC, has a matter on the agenda for the April 12, 2022 Board of Adjustment hearing. City counsel Audrey Blank this morning advised my partner Trevor Henson that, in order to avoid a scheduling conflict, we could reach out to you directly and have this matter pushed to the first hearing after April 12. Please advise if that’s possible, or whether you need additional information from us.

Thank you,

Dillon Hollingsworth
BARROW & GRIMM, P.C. | 110 W. 7th St., Ste. 900 | Tulsa, OK 74119
918.584.1600 | 918.585.2444 Fax
d.hollingsworth@barrowgrimm.com

The information contained in the accompanying transmission is or may be protected by the attorney-client and/or work product privilege and is confidential. It is intended only for the use of the individual or entity identified above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of the accompanying communication is prohibited. The party sending the accompanying transmission does not waive the applicable privilege. If you have received this communication in error, please notify us immediately. Thank you.
Education:
- Bachelor's Degree from Northeastern State University-Criminal Justice/Counseling 2004/3.82 GPA
- Oklahoma Real Estate License

Employment History:
- City of Tulsa – Zoning & Sign Official, Feb. 2021 to Present
  - Create positive relationships within the community.
  - Attend community meetings, educate and develop rapport.
  - Know, interpret and apply City of Tulsa Code.
  - Document code violations and provide professional courtroom testimony.
  - Attention to detail.
- City of Fort Worth – Code Compliance Officer, Nov. 2019 to Jan. 2021
  - Create positive relationships within the community.
  - Attend community meetings, educate and develop rapport.
  - Know, interpret and apply City of Fort Worth Code.
  - Document code violations and provide professional courtroom testimony.
  - Attention to detail.
  - Serve as a key communications facilitator, trainer, coach and counselor for production workers and supervisors.
  - Make appropriate work assignments among department personnel and monitor results.
  - Ensure the efficient and safe operation of all equipment (Caterpillar, Volvo, etc.) in the area of responsibility.
  - Assume that safety, quality and cost requirements are adhered to and that production requirements are met.
  - Interface closely with internal process partners from a scheduling, parts availability and quality standpoint to assure a smooth flow of production.
  - Complete administrative paperwork (various reports for safety, HR, payroll, attendance, vacation, etc.)
  - Engage in honest, open and factual communications in a professional manner.
  - Make computer entries.
  - Operate heavy equipment when needed to keep production goals.
  - Protect company assets and keep customers safe.
- Police Investigations Specialist/Supervisor/Patrol Officer/Tulsa Police Department Aug. 2004 to Dec. 2018
  - Supervise numerous investigators and field officers.
  - Communicate and promote policy and procedures to subordinates.
  - Accountable for training department personnel as a certified trainer and instructor. Effectively present to personnel during yearly in-service training updated laws and procedures.
  - Assuring that assigned personnel write effective, grammatically correct and precise report writing.
  - Investigate the public’s complaints on assigned personnel when needed.
  - Initiate and document when disciplinary action is needed.
  - Communicate with upper management about departmental goals.
  - Present and post nightly reports to the departmental intranet to inform multiple facets of a large department.
  - Ability to solve practical problems and deal with a variety of concrete variables in life or death situations through specialized training.
  - Ability to interpret laws and disseminate them to personnel.
  - Utilize active listening skills to defuse high stress situations and mitigate use of force.
  - Communicate with co-workers to work as a team and solve problems.
  - Work with little supervision while maintaining high quality performance.
  - Routinely volunteer to assist various units in various tasks including authoring and conducting search warrants.
  - Provide hundreds of courtroom appearances giving professional testimony.
reserve Cherokee Nation Marshal and cross deputized throughout 14 Oklahoma Counties and municipalities and dispatcher from approximately 2003 until August 2004.
- United States Marine Corp. in 2000
- Whirlpool Corporation-1999 to 2000 joined the Marine Corps.
- Worked at Belco Materials operating heavy equipment in a mine on and off during the summers after high school and during college.
- Worked with United Healthcare doing remote fraud investigations.

Skills:
- Proficient in data entry utilizing Microsoft Word, Outlook, Excel, PowerPoint.
- Utilized multiple databases to conduct investigations.
- Excellent verbal and written communication.
- Leadership mindset.
- Active listening skills.
- Exceptional organizational skills.

Attributes:
- Attentive
- Dependable
- Team oriented
- Self-Motivated

Special Assignments:
- 2011 assigned to the Robbery Task Force for approximately 3 months

Special Training:
- Pepperball Certification on Dec. 29th 2012
- ARIDE Training/Pre-requisite training for DRE School Sept. 19th and 20th 2013
- Completed CLEET Instructor School on March 31st 2014
- Completed TPD Supervisor School in Jan. 2014
- Less lethal flexible baton launcher certification during TPD supervisor School in Jan. 2014
- Taser Operator Certification July 30th 2012
- Patrol Rifle Certification Aug 31st 2011
- Tactical Leader certification 2015
- Oklahoma Gang Investigators Association School from May 24th 2011 to May 27th 2011
- OGIA OKC School from June 6th to June 10th 2016
- Gangs 101 Training on April 15th 2011
- FEMA NIMS IS-100 Federal Disaster Workers Training June 20th 2005
- FEMA NIMS IS-100 Intro to ICS Training January 13th 2006
- FEMA NIMS IS-700 Fire Service Training Aug 15th 2005
- FEMA NIMS IS-700 Intro Training Oct 7th 2005
- Dive Team Training August 14th 2013
- Vice Investigations June 18th 2013
- Advanced Mental Health Response Officer Nov 18th 2011
- Bullet Proof Mind Training April 7th 2011
- Interpersonal Communications Training Oct. 19th 2010
- First Aid/CPR/AED Training and kept current
- Clandestine Labs Training July 8th 2009
- Forensic DNA Evidence Training Aug 20th 2007
- Interrogation and Interview Training put on by an Iraq War Veteran and Intelligence Officer March 22nd 2006
- Basic Investigator Training April 13th 2006
- Police Ethics Training Sept. 1st 2007
- Field Training Officer School July 8th 2011
- Field Training Supervisor 2015
- LEDT Driving Instructor since July 2014
- Crisis Intervention Team training Nov. 13-17
- CPR and First Aid Certified 2019

Leadership Experience and Training:
- Certified Oklahoma Department of Mines Supervisor
- Certified Oklahoma Real Estate Agent
- Certified Oklahoma Code Enforcement Agent
- Field Training Officer
- FTO School
- Trained several rookie officers and an 18-year veteran officer as a field training officer
- Field Training Supervisor
- Trained a new corporal as field training supervisor 2016
- LEDT Driving Instructor for the Tulsa Police Department
- Trained numerous officers and staff members throughout the Tulsa Police Department during annual In-Service training.
- Advanced Mental Health Response Officer
- AMHDRD School Nov 18th 2011
- Defused many critical suicidal incidents
- Numerous letters of acknowledgment from staff, investigators, field officers, and citizens in regards to my investigation skills and reports
- Voluntarily used my personal four-wheel drive vehicle for patrol duties during inclement weather on multiple shifts
- Received high evaluations throughout my career with the Tulsa Police Department
- Graduated with Top Honors from NSU with a Bachelor’s of Science in Criminal Justice
- Member of the American Indian Science and Engineering Society in 2004
- Member of the Alpha Chi National Honor Society
- Voluntarily completed Psychology Practicum II with an emphasis on my earned counseling minor

Awards:
- Received Trainee Officer of the Year at City of Fort Worth Code Compliance.
- Received the “Top Cop” award in 2006 and 2007 at the 13th and 14th annual Oklahoma Buckledown Awards
- Received recognition in the TPD traffic safety news for outstanding DUI enforcement
- Received a departmental commendation for actions taken on Feb 13th 2011 for the capture of a stabbing suspect
- Received a commendation for actions taken on Mar 14th 2011 involving the arrest of an armed subject
- Received a commendation for actions taken on May 2nd 2011 involving the use of my personal vehicle in inclement weather conditions
- Received a commendation for actions taken on June 29th 2011 for being “professional, polite, and a credit to the force” involving a citizen contact
- Received “Officer of the month” in Sept and Dec 2007 at GID
- Received numerous honors for scholastic excellence throughout my studies in criminal justice at NSU

Community Involvement:
- Worked with the Tulsa Community Foundation from 2012 for 2014
- Worked with Church on The Move from 2011 until 2014
- Worked with Family and Children’s Services since 2012
- Volunteered with the Little Light House in 2011
- God Behind Bars Prison Ministries – State Penitentiary, Current
- Graduated from Mighty Oaks Warrior Program – 2021
- Attend Garden Heights Freewill Baptist Church Sand Springs – Current
- Attend Church on the Move – Current
- Attend the Assembly Church
- Attend First Baptist Church Hominy
- Reboot Recovery/Trauma/First Responder/Veteran Instructor
NUZO-054682-2022

• 147 S. 122\textsuperscript{nd} EA
• Tulsa, OK 74128
• Legal: LT 6 BLK 3
• Eastgate Industrial Park Third Addn Resub
COT ZONING
Working In Neighborhoods

42.40.225. F Medical marijuana grower operations, processing facilities and dispensaries must provide the following:

1. A ventilation/air filtration system that prevents odor from being detectible at the boundaries of the lot within which the building housing the medical marijuana grower operation, processing facility or dispensary is located, except that if such use is located in multiple-tenant building, the ventilation/air filtration system must prevent odor from being detectible outside the tenant space housing the use.

2. An electronic security system and surveillance camera.
MCPHERSON, AARON

From: <a href="mailto:u@gmail.com">u@gmail.com</a>
Sent: Thursday, February 7, 2012 8:19 AM
To: MCPHERSON, AARON
Cc: [Redacted]
Subject: Re: 122 S. 147th EA

Now that it is still a bit cool in the air outside and in our warehouse.

They are working today and must have worked yesterday due to the smell before sunrise this morning.

No wind has it settles in around here today.

They probably would have worked last week if not for the snow.

If free I am sure they have a day or two more of harvesting this week.

Thanks

On Tue, Jan 25, 2012, 4:22 PM MCPHERSON, AARON <mcorpsherson@dsphs.dos.org> wrote:

Hello [Redacted]

As we have spoken on different occasions about the odor of marijuana emitting from the building north of you. I am recording a notice I count them for this odor, due to the smell it outside the lot line on the day of the notice. We have spoken about when the odor is the strongest and you advised that it is the week of the harvest about once a month and an increase of vehicles at the location. I will be out a week before you recognise the pattern of their harvest and will come out the following week, document everyday that I could smell the odor of marijuana outside their lot line and then trace it back to their building. I will also have you fill out a witness statement to assist with the new notice, if you would. They also came under new ownership recently, so that is why a new notice needs to be submitted for enforcement to proceed.

Thanks,

Aaron McPherson | Zoning Official
City of Tulsa Working in Neighborhoods Department
175 East 2nd Street, Suite 590. Tulsa, OK 74103

1 918 576 5623
NUZO-054682-2022

Neighborhood Investigations
WORKING IN NEIGHBORHOODS

WITNESS STATEMENT

NEIGHBORHOOD USES 4111-231

DESCRIPTION OF EVENTS BY WITNESS

Since the plant was gone the smell under the area has been neutral off and on. Each month as time has gone I've noticed past times the wind would bring in or out of the south. About with the time it has been.

Several times over past, it was made. This was from the east. Now I remember the east they come from far.

I have worked at this location for 30 years and this odor was never smell during the time when it was used and the smell went full of cars.
NUZO-054682-2022
Correct Time Stamp is 1 hour earlier than displayed on all photos.

No wind at approximately 1805 Hours on 2.9.22 and extremely pungent odor of marijuana.
NUZ0-054682-2022
NUZO-054682-2022
Damaged Solid Waste Container, open and no lock. Contents exposed. No screening fencing for the dumpster.
NUZO-054682-2022

- Open and damaged solid waste container with exposed contents. Marijuana waste.
Zoning Official Mike Rider detecting the odor of marijuana on the East edge of the property line.
THE END
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9333                                      Case Number: BOA-23301
CZM: 47
CD: 9

HEARING DATE: 04/26/2022 1:00 PM (Continued from 4/12/2022)

APPLICANT: Lori Worthington

ACTION REQUESTED: Variance to increase the permitted sign display area from 88.5 square feet to 144 square feet in the OM District (Sec. 60.060-C)

LOCATION: 5314 S YALE AV E

ZONED: OM

PRESENT USE: Office.

TRACT SIZE: 198359.98 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 1, LA FORTUNE PARK PLAZA,

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-19977; On 01.25.05 the Board approved a variance to permit an existing wall sign having a display area of 142 square feet.

BOA-18667; On 02.22.00 the Board approved a variance of the display area for a business sign from 59 Square Feet to 132.92 Square Feet.

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 NW/c of E. 54th St. S. and S. Yale Ave.

STATEMENT OF HARDSHIP: Office Medium is the only Office Zone that allows 3 square feet for each linear foot of Street front. The code is a little outdated for this day and age. Businesses are trying to utilize every inch
of space therefore leasing to multiple tenants rather than one business having the whole building. The sign basically is being squared off to allow for the extra tenant.

**STAFF COMMENTS:** The applicant is requesting a **Variance** to increase the permitted sign display area from 88.5 square feet to 144 square feet in the OM District (Sec. 60.060-C)

![Maximum Area](image)

| Signs allowed in the OH district may not exceed 48 square feet in area or 0.50 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may a sign in an OH district exceed 225 square feet in area. Signs allowed in all other O districts may not exceed 32 square feet in area or 0.30 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. |

The applicant is requesting to increase their display area of the sign by 55.5 square feet. The stated hardship is not unique to the subject property. The stated hardship is a general statement toward all Office Zoning, the applicant should provide a hardship that is unique to this property, otherwise the Board should deny the variance.

Additionally, the applicant should clarify if the existing “Commerce Bank” will be removed as part of this application. Office zoned lots are allowed only 1 sign per street frontage.

![Signs Allowed](image)

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

| Development Identification Signs |

| Developments with multiple tenants are allowed a single monument style or freestanding sign with a maximum height of 8 feet at each street entrance to the development. Such signage shall count against the maximum sign area permitted on the lot in which it is located, and may not identify any tenant or tenants within the development. |

**SAMPLE MOTION:** Move to _________ (approve/deny) a **Variance** to increase the permitted sign display area from 88.5 square feet to 144 square feet in the OM District (Sec. 60.060-C)

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

In granting the **Variance** the Board finds that the following facts, favorable to the property owner, have been established:
a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;

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

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

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

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

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

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

Facing South on Yale Ave.

2.5
setback line. Mr. Jennings stated this fence was inappropriate and the hardship is self-imposed.

Herb Beattie, 3474 South Zunis Avenue, stated he represented the neighborhood. They consider the fence inappropriate for the neighborhood. This is a corner lot where there is heavy pedestrian and auto traffic, including events such as the Tulsa Run. After discussing the case with the applicants they understood their compelling arguments for a special exception but hope this will not set a precedent.

**Applicant's Rebuttal:**
Mr. Wall reminded the Board there is an eight foot concrete wall across the street.

Maggie MacKool, stated she lives in the home on the subject property. She described problems with someone coming into their yard to sit on their porch during the July 4 Riverparks activities and was involved in an altercation in her front yard. Her husband is seriously ill and they are concerned for safety reasons.

**Comments and Questions:**
Ms. Stead asked if the contractor informed them that a permit was required for the fence. Ms. MacKool replied that he did not. She added that when they were advised of the need for the sight distance triangle, they made those revisions to the construction. She was advised that a four-foot fence would be too easy for someone to climb over.

**Board Action:**
On Motion of Paddock, the Board voted 5-0-0 (Dunham, Stephens, Paddock, Stead, Henke "aye"; no "nays"; no "abstentions"; no "absences") to DENY a Special Exception to modify the allowable height of a fence in the required front yard from 4 ft to 6 ft (Sec. 210.B.3), finding it will not be in harmony with the spirit and intent of the Code, and would be injurious to the neighborhood or otherwise detrimental to the public welfare, on the following described property:

N.5 OF LT 44 & ALL OF LT 45 BLK 5, BROOKSIDE ADDN AMD, PEEBLES SECOND ADDN, City of Tulsa, Tulsa County, State of Oklahoma

*.*.*.*.*.*.*.*.*

**Case No. 19977**

**Action Requested:**
Variance of maximum display surface area to permit an existing wall sign having a display surface area of 142 sq. ft. (294.97 ft frontage on S. Yale), 5314 South Yale Avenue East.

**Presentation:**
John Moody, 1800 South Baltimore, Suite 900, stated he represented the bank. A sign plan was provided in the application. The sign was previously approved
before the increase of size of the existing sign. The small size of the tract and the small frontage is the hardship.

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

Board Action:
On Motion of Paddock, the Board voted 5-0-0 (Dunham, Stephens, Paddock, Stead, Henke "aye"; no "nays"; no "abstentions"; no "absences") to APPROVE a Variance of maximum display surface area to permit an existing wall sign having a display surface area of 142 sq. ft. (294.97 ft frontage on S. Ya's), finding would not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, and finding the literal interpretation of the code would work an unnecessary hardship, on the following described property:

LT 1 BLK 1 , L.V. ONE, LA FORTUNE PARK PLAZA, LINCOLN ESTATES, City of Tulsa, Tulsa County, State of Oklahoma

* * * * * * * *

Case No. 19979
Action Requested:
Special exception for a church and church use in an IL zoned district and a variance of the required number of parking spaces, 4705 South Memorial Drive East.

Presentation:
John Moody, 1880 South Baltimore, Suite 900, stated he represented the Believers' Church. The location is in the former Name Brand Clothing store, in an IL district. They have been looking for a location in the geographical area of the members.

Mr. Henke out at approximately 2:51 p.m. and returned at 2:53 p.m.

Mr. Moody submitted a site plan and parking analysis (Exhibits D-1 and D-2). The sanctuary size is 1,029 sq. ft. He determined that 161 parking spaces would be available. Helmerich and Payne have signed a parking agreement to share parking to the south, as the church hours would not be the same as office hours. Name Brand Clothing has also given the church permission to use their parking to the east. He did not bring the agreements at this time since they do have a clause to revoke the agreement with a two-week notice from the property owners.

Comments and Questions:
Mr. Cuthbertson noted that the required parking is 233 spaces, based on the 698 seats in the sanctuary.
Board Action:
On MOTION of Dunham, the Board voted 4-0-0 (White, Turnbo, Cooper
Dunham "aye"; no "nays"; no "abstentions"; Perkins "absent") to APPROVE the
Special Exception for an antique shop and other retail sales as permitted in use
units 13 and 14, in an IL zoned district, finding that it will be in harmony with the
spirit and intent of the Code, and will not be injurious to the neighborhood or
otherwise detrimental to the public welfare, on the property described as follows:

The Sly 125' of Lot 1 and the Sly 125' of the Wly 12' of Lot 2, Block 4, Tulsa
Southeast Industrial District, Block 4 Inclusive an addition in the City of Tulsa,
Tulsa County, Oklahoma.

Case No. 18667
Action Requested:
Variance of display surface area for a business sign from 59' SF to 132.92 SF,
located at the Northwest corner E. 54th St. & Yale.

Presentation:
John Moody, stated he is representing First United Bank. He stated that
because of the scale, and irregular shape of the building the applicant is not able
to count all of the wall face of the building. He informed the Board that the sign
would face LaFortune Park and not the residential area.

Comments and Questions:
None.

Interested Parties/Protestants:
None.

Board Action:
On MOTION of Dunham, the Board voted 4-0-0 (White, Turnbo, Cooper
Dunham "aye"; no "nays"; no "abstentions"; Perkins "absent") to APPROVE the
Variance of display surface area for a business sign from 59' SF to 132.92 SF,
per plan, finding the hardship to be the other existing signs in the area and the
shape of the land on the following described property:

Lot 1, Block 1, LaFortune Park Plaza, City of Tulsa, Tulsa County, Oklahoma
SIGN PLAN REVIEW

February 17, 2022

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

Phone: 918-622-0651

APPLICATION NO: SIGN-110492-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 5314 S. Yale Ave.
Description: Freestanding Sign

INFORMATION ABOUT SUBMITTING REVISIONS

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

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A 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)
APPLICATION NO. SIGN-110492-2022

This letter of deficiencies covers Sign Plan Review items only.

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

1. 60.060-C Maximum Area

Signs allowed in the OH district may not exceed 48 square feet in area or 0.50 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may a sign in an OH district exceed 225 square feet in area. Signs allowed in all other O districts may not exceed 32 square feet in area or 0.30 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: The proposed freestanding sign appears to be on a lot with 294.97 feet of street frontage along S. Yale Ave. Based on the street frontage of 294.97 feet x 0.3, the frontage will enable an 88.5 square foot freestanding sign. The proposed sign modification will create a 144 square foot sign, exceeding the permitted display surface area by 55.5 square feet. As an option you may revise the sign so that the display surface area of the freestanding sign will not exceed 88.5 square feet, or you may pursue a variance from the BOA to permit a freestanding sign along S. Yale Ave. to exceed the permitted display surface area by 55.5 square feet on an OM zoned lot.

The sign plan review will resume once these items are 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, plating, 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.
ADD NEW CABINET
SCALE: 3/4" = 1'

2.1

Remove top sections as show and install new double sided fabricated metal sign cabinet, 2" white pre-finished retainers.
White acrylic faces with digital print graphics.
White LED illumination
HEARING DATE: 04/26/2022 1:00 PM (Continued from 4/12/2022)

APPLICANT: Pedro Quintero

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

LOCATION: 10109 E 4 PL S

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 7222.28 SQ FT

LEGAL DESCRIPTION: LT 16 BLK 8, ROSEWOOD ADDN

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located East of the NE/c of S. 101st E. Ave. and E. 4th Pl.

STAFF COMMENTS: The applicant is requesting Special Exception to permit a fence or wall exceeding 4-feet in height inside the required front street setback (Sec. 45.080-A)
The applicant is seeking approval of a 5-foot structure that has been built.

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

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

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
Subject Property
I live at 9772 East 4th Place and I am unable to attend this meeting about my neighbors fence. I have no problem with the height. We have a problem with people going through our cars and stealing things at our houses. A couple of years ago, I had someone break into my house at night while I was asleep in the house, so I am just fine with their fence. They have had people trying to steal their cars.

Dixie Tarrant
9772 East 4th Place
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 (Sec. 60.100-F)

LOCATION: 3909 E 5 PL S
ZONED: RS-3

PRESENT USE: Roger High School
TRACT SIZE: 1127254.65 SQ FT

LEGAL DESCRIPTION: BEG 1219.4E & 25S NWC OF SW TH S791 SW40.03 E1437.1 N826 TH W1417.08 POB LESS S35 FOR ST SEC 4 19 13,

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c of E. 5th Pl. and S. Pittsburgh Ave.

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.
Dynamic Displays
Unless otherwise expressly stated, all signs that include a dynamic display are subject to the supplemental regulations of Section 60.100.

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.

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.

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.
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.
Dynamic displays must be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.

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.

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.

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

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.

Sign permit fees must be paid prior to the issuance of a sign permit.

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

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).
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,

Jorge Robles
Chief Finance and Information Officer
Tulsa Public Schools
SIGN PLAN REVIEW

March 2, 2022

Phone: 918-232-8024

LOD Number: 1

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

APPLICATION NO: SIGN-111259-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 3909 E. 5th Pl.
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

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 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.

The sign review will resume once the required revised plans and/or 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.
Will Rogers High School
3909 E 5th Place
Tulsa, OK 74112

Note: Existing School sign is located on the Southeast corner of 5th Place & Pittsburg Ave. New Pylon sign structure will be located near School Entrance adjacent to 5th Place
Air Ventilation Requirements (Force Air):
FAN CFM = 3.19 x Total Watts/20

**DO**
- Provide Sufficient Vents to allow outside air into a skinned/closed structure
- Provide Fans if necessary to push Hot Air out of closed Structures
- Maintain minimum of 1.5 inch clearance at bottom of enclosing sign
- Maintain Temperature inside sign between -22 to +30 Degrees F
- Keep Temperatures below 100 Degrees F inside cabinet
- Provide Axial Air Fans if Air Flow Restricted inside Frame/Structure
- Provide Thermostat Switches to turn on Fans of 90-105 degrees F

**DON'T**
- Block Cabinet Vents at back of Display
- Place cabinet against a wall without back side of cabinet open to outside air
- Allow Heat to Rise above 100 Degrees F inside cabinet
- Mount an E-Stop/Marquee Cover above or below the Optec LED Sign without 1.5" clearance needed for ventilation

**Natural Convection**

**DO**
- Provide Outside Air to Reach Cabinet Air Input Vents
- Maintain Temperature inside sign -22 to +30 Degrees F
- Provide Sufficient Venting For Natural Convection if Skinned
- Inspect Vents Periodically to Ensure They are Clean/ Open
- Keep Inside cabinet temperature below 100 degrees F
- Maintain clearance above and below cabinet a min of 1.5"

**DON'T**
- Block Cabinet Air Vents in back of Display
- Allow Temperature to Rise Above 100 degrees F

**NOTE:** THE WARRANTY DOES NOT COVER DAMAGES CAUSED BY IMPROPER VENTILATION
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9309                          Case Number: BOA-23319
CZM: 37                          CD: 4

HEARING DATE: 04/26/2022 1:00 PM

APPLICANT: Jason Evans

ACTION REQUESTED: Variance to allow the floor area of a detached accessory building to exceed 500 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.2) Variance of the 35-foot setback from an arterial street. (Sec. 5.020, Table 5-2)

LOCATION: 4217 E 15 ST S                      ZONED: RS-3

PRESENT USE: RS-3                          TRACT SIZE: 7139.51 SQ FT

LEGAL DESCRIPTION: LT 10 BLK 4, ELECTA HGTS ADDN

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 is located at the NW/c of E. 15th St. S. and S. Richmond Ave. Property is immediately North of the Tulsa County Fairgrounds.

STATEMENT OF HARDSHIP: The proposed building is necessary to house a vehicle and would not alter the appearance of the property or neighborhood. This is a significant aesthetic improvement and functional improvement for the property.

STAFF COMMENTS: The applicant is requesting a Variance to allow the floor area of a detached accessory building to exceed 500 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.2) Variance of the 35-foot setback from an arterial street. (Sec. 5.020, Table 5-2)
2. **RS-2, RS-3, RS-4, RS-5 and RM Districts**

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

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

---

### Table 5-3: R District Lot and Building Regulations

<table>
<thead>
<tr>
<th>Regulations</th>
<th>RE</th>
<th>RS-1</th>
<th>RS-2</th>
<th>RS-3</th>
<th>RS-4</th>
<th>RS-5</th>
<th>RD</th>
<th>RT</th>
<th>RM-0</th>
<th>RM-1</th>
<th>RM-2</th>
<th>RM-3</th>
<th>RMH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Building Setbacks (ft.)</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Street [3]</td>
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</tr>
<tr>
<td>Arterial or fwy service rd.</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>35</td>
</tr>
<tr>
<td>Other streets</td>
<td>35</td>
<td>35</td>
<td>30</td>
<td>25</td>
<td>20</td>
<td>20</td>
<td>25</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>25</td>
</tr>
</tbody>
</table>

The applicant would be allowed 500 square foot detached accessory building by right based on the size of the existing structure and is requesting 576 square feet. East 15th street is classified as a Secondary arterial Street which prescribes a 100-feet Right-of-way. The planned Right-of-way would encroach 10 feet into his property. The 35-foot street setback would cover almost the entirety of the lot including the existing house and without relief from the code would not permit any new structures on the lot.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Variance to allow the floor area of a detached accessory building to exceed 500 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.2) Variance of the 35-foot setback from an arterial street. (Sec. 5.020, Table 5-2)

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

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

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

b. *That literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose;*
c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;

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

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

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

g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.”
The information below is an estimate only. Final pricing - including pricing adjustments, discounts, delivery, and taxes - will be provided with final quote prior to purchase.
ed per rer 16,

LEGEND
U/E - Utility Easement
B/L - Building Line
C - Center Line

No ground will be disturbed. If silt fence is needed, it will be supplied at that time. U/E.

SIDING DWELLING

Drainage

Existing DRIVE

Porch

51.1' 10' 20' 30' B/L 40' 50.71'

5.6
CarportView 3D Configurator

LEFT SIDE

FRONT

RIGHT SIDE

SYMBOL LEGEND

<table>
<thead>
<tr>
<th>D1</th>
<th>12'x10' Rollup Door</th>
</tr>
</thead>
<tbody>
<tr>
<td>D2</td>
<td>Walk-in Door (36x80)</td>
</tr>
</tbody>
</table>

https://carportview.texwincarports.com/#42e22af0b08b6152d224b1aef8e90b16e

#1637544847434086

5.7
ZONING CLEARANCE PLAN REVIEW

1/14/2022

LOD No. 1

Jason Evans
4217 E. 15th St.
Tulsa, OK 74112

APPLICATION NO: BLDR-104073-2021 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 4217 E. 15th St.
Description: New detached accessory building

INFORMATION ABOUT SUBMITTING REVISIONS

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

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

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

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

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

IMPORTANT INFORMATION

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

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

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

**Review comments**: Your application did not include a complete site plan. Submit a site plan that provides the following information:

- a. Drawing to scale with location, dimensions and identification of existing and proposed buildings, structures and driveway. Dimensions for both existing and proposed driveways must be shown;
- b. Drawing to scale with distances from the side and rear property lines to the proposed building, and the distance from the existing house and proposed building to the centerline of 16th street;
- c. Identify any easements and public rights of way.


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

**Review comments**: The proposed detached building has 600 square feet of floor area. According to the county assessor’s website, the floor area of the principal residential structure (the house and attached garage) is 1,239 square feet. Based on the floor area of the house you are allowed 500 sq. ft. of total detached accessory building floor area on your lot. You may revise the plans to show that the total square footage of the proposed accessory building will not exceed 500 square feet, or you may seek a variance from the Board of Adjustment (BOA) to allow the floor area of a detached accessory building on this RS-3 zoned lot to exceed 500 sq. ft. and 40% of the floor area of the principal residential structure.

3. **55.090-B: Ingress and Egress**

All parking areas must be designed to allow vehicles to enter and exit a street and cross public sidewalks in a forward motion, except that this requirement does not apply to lots with access on a minor street.

**Review comments**: Since the required driveway would be accessed from 15th St., which is not a minor street; the driveway needs to be designed so that cars can enter and exit in a forward motion. Show this on the revised site plan.

4. **55.090-F.3 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'   |
| 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.

[2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.
Review comments: Revise the site plan to show a driveway for the building and show the dimensions of the new driveway, as well as the dimensions for the existing driveway. For any new driveway areas in the street setback, the combined widths of all driveways (including existing driveways) on the lot may not exceed 22' in the right of way, or 25.35' within the street side building setback, since this lot has 50.71' of frontage. Revise the plans to show the width and dimensions of both the existing and proposed driveways. If you are proposing greater than 22' in the right of way, or 25.35' within the street side building setback, you may seek a special exception from the Board of Adjustment for driveways exceeding the allowed width in an RS-3 zoned lot with 50.71' of street frontage. In addition, the street setback from 26th W. Ave is 55' from the center of the street and from 48th St. it is 40' from the center of the street. Please show these setback lines on the revised site plan.

5. 90.090-A Setbacks Measurement Required setbacks are measured from the applicable lot line, right-of-way, planned right-of-way or location referred to below. Building setbacks are measured to the nearest exterior building wall. Minimum setbacks that apply to other features (parking areas, fences, storage areas) are measured from the nearest point of the area or feature for which a setback is required. See §90.090- C for information on structures and building features that are allowed to occupy setback and yard areas in R zoning districts. Unless otherwise expressly stated, no part of any structure may be located within the street right-of-way, nor within the planned right-of-way of streets shown on the major street and highway plan, nor within 25 feet of the centerline of the right-of-way on streets not shown on the major street and highway plan. If a variance of the prohibition against location of a structure within the right of way or planned right of way is granted by the Board of Adjustment, no part of any structure may be located within the street right-of-way, nor within the planned right-of-way of streets shown on the major street and highway plan, nor within 25 feet of the centerline of the right-of-way on streets not shown on the major street and highway plan, unless a license has been granted by the city, in the case of the right-of-way, or a removal agreement has been entered into, in the case of the planned right-of-way.

1.) Street setbacks are measured from the actual right-of-way line of the street (other than an alley), provided that if the following measurement results in a greater setback, the greater setback applies:

a.) For streets shown on the major street and highway plan, if the width of the planned right-of-way exceeds the width of the actual right-of-way, the measurement must be taken from the planned right-of-way.

Review comments: According to the major street and highway plan, 15th St. is shown to be a secondary arterial with a 100' wide planned right of way (ROW). According to the rules of measurements for 90.090-A, the planned ROW line is 50' from the centerline of 15th St. The setback from an arterial street in an RS-3 district is 35'. Therefore, the building setback line for this property is 85' from the centerline of 15th St. (50' from the center of the street plus the 35' setback). Show that this building is not going to be located any closer than 85' to the center of 15th St.

6. 90.090-C. Detached Accessory Buildings, including Accessory Dwelling Units, in RE, RS, RD Districts and RM Zoned Lots Used for Detached Houses or Duplexes.

a. Detached accessory buildings, including Accessory Dwelling Units, may be located in rear setbacks provided that: (2) Building coverage in the rear setback does not exceed the maximum limits established in Table 90-2:

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Maximum Coverage of Rear Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>RS-1 and RE Districts</td>
<td>20%</td>
</tr>
<tr>
<td>RS-2 District</td>
<td>25%</td>
</tr>
<tr>
<td>RS-3, RS-4, RS-5 and RD Districts</td>
<td>30%</td>
</tr>
<tr>
<td>RM zoned Lots Used for Detached Houses or Duplexes</td>
<td>30%</td>
</tr>
</tbody>
</table>

Review comments: This lot is zoned RS-3; and the proposed building cannot take up more than 30% of the rear setback (RS-3 lots require a 20' rear setback). Once the revised site plan is resubmitted, we can determine how much of the building is located in the rear setback, and we can verify whether or not the west or north side of the property is considered to be the rear of the lot. If the proposed building will take up more than 30% of the rear setback, you may apply for a variance from the Board of Adjustment for a detached accessory building which covers more than 30% of a rear setback for an RS-3 zoned lot.
NOTE: The zoning clearance review for your permit application will resume after a complete site plan is submitted. Please note that additional deficiencies may be found and will need to be resolved prior to approval of your application.

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

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

END - ZONING CODE REVIEW

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

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

STR: 9326  Case Number: BOA-23320
CZM: 48
CD: 5
HEARING DATE: 04/26/2022 1:00 PM

APPLICANT: Lektron Branding Solutions

ACTION REQUESTED: Variance to allow two freestanding signs on one lot with only minor street frontage (Sec. 60.080-C.2.a)

LOCATION: 7400 and 7418 E 42 PL S  ZONED: IL

PRESENT USE: Light Industrial  TRACT SIZE: 167314.65 SQ FT

LEGAL DESCRIPTION: PRT NW BEG 896.29NW NWC BLK 4 INDUSTRIAL EQUIPMENT CENTER TH NW290 CRV RT 115.54 CRV LF 71.88 CRV LF 195.33 S231 E418.69 NE289.97 POB SEC 26 19 13

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SE/c of E. 42nd Pl. S. and S. 74th E. Ave. Those two streets are not classified in the Major Street and Highway Plan and E. 42nd Pl. merges into S. 74th E. Ave. after the point of intersection.

STATEMENT OF HARDSHIP: There are 2 different companies with 2 different addresses located on this lot. They would each like to have an ID sign with two addresses on this one lot. (7400 & 7418) E. 42nd Pl., Tulsa, 74145.

STAFF COMMENTS: The applicant is requesting a Variance to allow two freestanding signs on one lot with only minor street frontage (Sec. 60.080-C.2.a)
The property currently has two monument signs, and the applicant is seeking to replace one of those signs. I currently have no information stating the existing sign was installed legally and would not classify it as legally non-conforming per the zoning code. The stated hardship by the applicant is not related to the “physical surroundings, shape, or topographical conditions of the subject property” as required by the code to grant a variance. Should the Board grant the variance a hardship should be found that is related to the “physical surroundings, shape, or topographical conditions of the subject property” and not the nature of the business.

**SAMPLE MOTION:**

Move to _________ (approve/deny) a **Variance** to allow two freestanding signs on one lot with only minor street frontage (Sec. 60.080-C.2.a)

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

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

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

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

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

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

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

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

g. *That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.”*
Subject Property
**SIGN PLAN REVIEW**

February 17, 2022

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

APPLICATION NO: SIGN-110190-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 7400 E. 42nd PL.
Description: Freestanding Sign

<table>
<thead>
<tr>
<th>INFORMATION ABOUT SUBMITTING REVISIONS</th>
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<td>REVISIONS NEED TO INCLUDE THE FOLLOWING:</td>
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<td>2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED</td>
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<td>3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)</td>
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**SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.**

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<tr>
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</tr>
<tr>
<td>3. PRESENT THIS LETTER TO INCOG WHEN APPLYING FOR BOARD OF ADJUSTMENT OR PLANNING COMMISSION ACTION.</td>
</tr>
</tbody>
</table>

(Continued)
<table>
<thead>
<tr>
<th>REVIEW COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT <a href="http://WWW.INCOG.ORG">WWW.INCOG.ORG</a></td>
</tr>
<tr>
<td>Application No. SIGN-110190-2022</td>
</tr>
</tbody>
</table>

This letter of deficiencies covers Sign Plan Review items only.

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

1. **60.080-C.2.a Sign Budget, Lots with Frontage on Only Minor Streets: Maximum Number**

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

**Review Comments:** This lot abuts E. 42nd Pl. and S. 74th Ave. E., which are minor streets according to the Major Street and Highway Plan. This lot has two buildings on it, so the sign for US&C at 7418 E. 42nd Pl. is on the same lot as the proposed sign. A variance will be required from the Board of Adjustment to have two freestanding signs on one lot that has only minor street frontage.

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

### 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.
**Property Search**

**Disclaimer**

The Tulsa County Assessor's Office has made every effort to insure the accuracy of the data contained on this web site; however, this material may be slightly dated which could have an impact on its accuracy.

The information must be accepted and used by the recipient with the understanding that the data was developed and collected only for the purpose of establishing fair cash (market) value for ad valorem taxation. Although changes may be made periodically to the tax laws, administrative rules and similar directives, these changes may not always be incorporated in the material on this web site.

The Tulsa County Assessor's Office assumes no liability for any damages incurred, whether directly or indirectly, incidental, punitive or consequential, as a result of any errors, omissions or discrepancies in any information published on this web site or by any use of this web site.

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**Quick Facts**

- **Account #**: 99326932610900
- **Parcel #**: 99326-93-26-10900
- **Situs address**: 7418 E 42 PL S TULSA 74145
- **Owner name**: RADFORD PROPERTIES LLC
- **Fair cash (market) value**: $1,790,400
- **Last year's taxes**: $26,010

**Legal description**

- **Subdivision**: UNPLATTED
- **Legal**: PRT NW NE BEG 896.29NW NWC 4 INDUSTRIAL EQUIPMENT CENTER TH NW290 CRV RT 115.54 CRV LF 71.88 CRV LF 195.33 S231 E418.69 NE289.97 POB SEC 26 19 13 3.841ACS

**General Information**

- **Situs address**: 7418 E 42 PL S TULSA 74145
- **Owner name**: RADFORD PROPERTIES LLC
- **Owner mailing address**: 7400 E 42ND PL, TULSA, OK 741454702
- **Land area**: 3.84 acres / 167,314 sq ft
- **Tax rate**: T-1A (TULSA)

**Tax Information**

- **Fair cash (market) value**: $1,790,400
- **Total taxable value (capped)**: $1,790,400
- **Assessment ratio**: 11%
- **Gross assessed value**: $196,944
- **Exemptions**: $0
- **Net assessed value**: $196,944
- **Tax rate**: T-1A (TULSA)
- **Tax rate mills**: 130.27
- **Estimated taxes**: $25,656
- **Most recent**: March 5, 2019

**Values**

- **Land value**: 2020 $501,900, 2021 $501,900
- **Improvements value**: 2020 $1,288,500, 2021 $1,288,500
- **Fair cash (market) value**: 2020 $1,790,400, 2021 $1,790,400

**Exemptions claimed**

- **Homestead**: 2020 2021 2022
- **Additional homestead**: 2020 2021 2022
- **Senior Valuation Limitation**: 2020 2021 2022
- **Veteran**: 2020 2021 2022

(Continued on next page)
## Improvements

<table>
<thead>
<tr>
<th>Block ID#</th>
<th>Property type</th>
<th>Use</th>
<th>Year built</th>
<th>Year remodeled</th>
<th>SF A F</th>
<th>SF B F</th>
<th>Stories</th>
<th>Story height</th>
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<tbody>
<tr>
<td>1</td>
<td>Commercial</td>
<td>Office Building</td>
<td>1980</td>
<td>—</td>
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<td>12.0</td>
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<td>2</td>
<td>Commercial</td>
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<td>35,194 SF</td>
<td>35,194 SF</td>
<td>1.0</td>
<td>16.0</td>
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## Sales/Documents

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<th>Grantor</th>
<th>Grantee</th>
<th>Price</th>
<th>Doc type</th>
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<td>Feb 8, 2018</td>
<td>OIL CAPITAL VALVE COMPANY</td>
<td>RADFORD PROPERTIES LLC</td>
<td>$—</td>
<td>Quit Claim Deed</td>
<td>2018011214</td>
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<tr>
<td>Nov 3, 1994</td>
<td></td>
<td></td>
<td>$—</td>
<td>Special Warranty Deed</td>
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</table>

Square footage and acreage values included in this record are approximations. They may not reflect what a licensed surveyor would determine by performing a formal survey. They are for tax purposes only and are not intended for use in making conveyances or for preparing legal descriptions of properties.

---

Click to view this area on the Google Maps web page in a new window

---

John A. Wright — Tulsa County Assessor  
Tulsa County Headquarters, 5th floor | 218 W. Sixth St. | Tulsa, OK, 74119  
Phone: (918) 596-5100 | Fax: (918) 596-4799 | Email: assessor@tulsacounty.org  
Office hours: 8:00–5:00 Monday–Friday (excluding holidays)
Existing V-Mount Sign to be removed leaving concrete base to be used as a planter. New sign sits behind the current V-Mount Sign for 7400 E 42nd Pl, Tulsa, OK 74145.
Option 2b: 1 single sided 96" x 60" .090 aluminum sign with cut-out acrylic letters (1/2" and 1/4" thick) and reverse waterjet cut 96" x 18" .080 aluminum address portion to mount on new metal 4" x 4" x 96" posts and frame. Back panel is painted 96" x 60" .090 aluminum only (Pantone 540C). Top logo piece is possible 1" thick pvc with 1/4" thick raised acrylic logo.

Main sign front panel is .090 aluminum single sided and painted Pantone 540C.

7400 East 42nd Place

751 White Vinyl

Contact: 918-622-4978

www.LektronInc.com
43 ft from Center – E 42nd Pl
Close up of current signage
BOARD OF ADJUSTMENT  
CASE REPORT  

STR: 9322  
CZM: 48  
CD: 5  

HEARING DATE: 04/26/2022 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 (Sec. 60.100-F)  

LOCATION: 3613 S HUDSON AV E(Zarrow International School) ZONED: RS-2  
PRES\ntent Use: School  
TRACT SIZE: 333483.66 SQ FT  

LEGAL DESCRIPTION: BEG 85E NWC SE TH S500 E670 N500 W670 POB SEC 22 19 13,  

RELEVANT PREVIOUS ACTIONS: None.  

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located on the East side of S. Hudson Ave. where 36th Street intersects at a traffic circle.  

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.
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 60.040. 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.

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**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-I, 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).
City of Tulsa Board of Adjustment  
2 West 2nd Street, Suite 800  
Tulsa, OK 74103

Thanks to Tulsa voters who approved funding for digital marquee 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,

Jorge Robles  
Chief Finance and Information Officer  
Tulsa Public Schools
SIGN PLAN REVIEW

March 9, 2022

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

Phone: 918-232-8024

APPLICATION NO: SIGN-111944-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 3613 S. Hudson Ave.
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)
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-2 zoning district and requires a special exception from the BOA prior to issuance of a sign permit.

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.
AC wiring Diagram

Primary Back View

Secondary Back View

Total Power Required: 1200 Watts/Face
Avg/Operating Power: 360 Watts/Face

<table>
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<tr>
<th>Model</th>
<th>Power Level Per Single Face</th>
<th># of Flashes</th>
<th>Total Wattage</th>
<th>Total Watts/Face</th>
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<tr>
<td></td>
<td>1</td>
<td>500</td>
<td>1500</td>
<td>500</td>
</tr>
</tbody>
</table>

Total number of circuits per face: 1

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

7.16
**Air Ventilation Requirements (Forced Air):**

FAN CFM = 3.19 x Total Watts/20

---

**Forced Air Circulation**

**Front View**
- Marquee or Top Cover
- Fan
- Display
- Gap 15" min

**Side View**
- Marquee or Top Cover
- Display
- Gap 15" min

**DO**
- Provide Sufficient Vents to allow outside air into a sealed/closed structure
- Provide fans if necessary to push hot air out of closed structures
- Maintain minimum of 1-1/2 inch clearance at bottom of enclosed sign
- Maintain temperature inside sign between 220° to 630° Degrees F
- Ensure temperatures below 110° degrees F inside cabinet
- Provide Axial Air Fans if Air Flow Restricted inside Frame/Structure
- Provide Thermal Switches to run on fans of 90-105 degrees F

---

**DO**
- Provide Outside Air TO Reach Cabinet Air Input Vents
- Maintain Temperature inside sign between 220° to 630° Degrees F
- Provide Sufficient Venting For Natural Convection If Skinned
- Inspect Vents Periodically to Ensure they are Clear/Open
- Keep inside cabinet temperature below 110° degrees F
- Maintain clearance above and below cabinet a min of 15"

---

**Natural Convection**

**Front View**
- Display
- Leave inside open
- Leave skies open

**Side View**
- Structure

---

**DO**
- Provide Outside Air TO Reach Cabinet Air Input Vents
- Maintain Temperature inside sign between 220° to 630° Degrees F
- Provide Sufficient Venting For Natural Convection If Skinned
- Inspect Vents Periodically to Ensure they are Clear/Open
- Keep inside cabinet temperature below 110° degrees F
- Maintain clearance above and below cabinet a min of 15"

---

**Natural Convection II**

**Front View**
- Display
- Leave inside open
- Leave skies open

**Side View**
- Structure

---

**DO**
- Provide Outside Air TO Reach Cabinet Air Input Vents
- Maintain Temperature inside sign between 220° to 630° Degrees F
- Provide Sufficient Venting For Natural Convection If Skinned
- Inspect Vents Periodically to Ensure they are Clear/Open
- Keep inside cabinet temperature below 110° degrees F
- Maintain clearance above and below cabinet a min of 15"

---

**NOTE:** The warranty does not cover damages caused by improper ventilation.
BOA-23321

Subject Tract

19-13 22

Aerial Photo Date: 2020/2021

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

7.18
I regret that I am notable to attend this meeting concerning a new LED sign at Zarrow International School. I live directly across the street and I feel that if a LED light was installed it would impact my life in a negative way. My bedroom window is right across the street just a little to the south of where the sign would be. If this sign were running all night long I would see the flashing of the lights coming into my bedroom and keeping me awake. I already deal with the lights at the high school football field but they do not stay on all night. I am all for updating the sign but the LED part is what I am against. I think this would effect the two houses across the street (My house and John Petherick’s house.). When I leave the house early in the morning I see Bishop Kelley’s LED light blearing into the darkness. Their sign in on a busy 41st street with no private neighbors around. Comparing this new proposed sign to the one at the high school. I think it would be a little over the top for an elementary school.

I am apposed to this sign.

Please make my concerns known. Blinking lights into the master bedroom of my home could also affect the resale of the property and if this happens compensation would need to be made. This would be unfair and unjust to me and Mr. Petherick.

Thank you for hearing what I have to say.

Sarah A. Clay
918-698-8199
BOARD OF ADJUSTMENT
CASE REPORT

HEARING DATE: 04/26/2022 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 (Sec. 60.100-F)

LOCATION: 3924 N LANSING AV E (Whitman Elementary School) ZONED: RS-3

PRESENT USE: School TRACT SIZE: 372003.92 SQ FT

LEGAL DESCRIPTION: PRT NW BEG 365.3E NWC S/2 NW SE TH E766.19 SLY511.85 W768.42 ON CRV TO RT72.44 NELY338.52 N190 POB LESS S30 THEREOF SEC 13 20 12 8.54AC,

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. 39th St. N. and N. Lansing Ave.

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-I, 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).
Thanks to Tulsa voters who approved funding for digital marquee 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 marquee.

**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 marques 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,

Jorge Robles
Chief Finance and Information Officer
Tulsa Public Schools
FRONT VIEW

SIDE VIEW

TOP VIEW

BACK VIEW

NOTES:
MATERIAL: 5052
FINISHING: MATT PLASTIC SPRAY, BLK
SPECS: 60 x 150
PITCH: 16mm
WEIGHT: 294 lbs/face

Note:
Positions and dimensions of the vents in this drawing are for reference only.
For actual product, please refer to the production drawing from Optec.
**Air Ventilation Requirements (Force Air):**

* FAN CFM = 3.19 x Total Watts/20

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**Forced Air Circulation**

**DO**
- Provide Sufficient Vents to allow outside air into a skinned/closed structure
- Provide Fans if necessary to push Hot Air out of closed Structures
- Maintain minimum of 1/16 inch clearance at bottom of enclosure sign
- Maintain Temperature inside sign between 220 to +130 Degrees F
- Keep Temperatures below 110 Degrees F inside cabinet
- Provide Axial Air Fans if Air Flow Restricted inside Frame/Structure
- Provide Thermal Switches to turn on Fans at 90-105 degrees F

---

**DONT**
- Block Cabinet Vents at back of Display
- Place cabinet against a wall without back side of cabinet open to outside air
- Allow Heat to Rise above 110 Degrees F inside cabinet
- Mount an ID Sign/Marquee Cover above or below the Optec LED Sign without 15° clearance needed for ventilation

---

**Natural Convection**

**DO**
- Provide Outside Air to Reach Cabinet Air Input Vents
- Maintain Temperature inside sign between 220 to +130 Degrees F
- Provide Sufficient Venting for Natural Convection if Skinned
- Inspect Vents Periodically to Ensure they are Clean/Open
- Keep inside cabinet temperature below 110 degrees F
- Maintain clearance above and below cabinet a min of 15°

---

**DONT**
- Block Cabinet Air Vents in back of Display
- Allow Temperature to Rise Above 110 degrees F

---

**NOTE:** THE WARRANTY DOES NOT COVER DAMAGES CAUSED BY IMPROPER VENTILATION
SIGN PLAN REVIEW

March 9, 2022

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

Phone: 918-232-8024

APPLICATION NO: SIGN-111946-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 3924 N. Lansing Ave.
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)
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.

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

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**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.
WALT WHITMAN
ELEMENTARY SCHOOL

NEW CABINET
4' X 7'-10"
0.63 P/F WHITE ALUMINUM PAINTED BLACK
FILLER TBD
1 1/2" RETAINERS
3/16" WHITE PLEX FACES WITH
VINYL GRAPHICS APPLIED
WHITE LED ILLUMINATION

NEW EMC UNIT
3'-1" X 7'-10"
0.63 ALUMINUM FILLER
PAINTED BLACK

POLE PAINTED BLACK

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

ELEVATION

8.16
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9227  Case Number: BOA-23323
CZM: 46
CD: 2

HEARING DATE: 04/26/2022 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 (Sec. 60.100-F)

LOCATION: 2721 W 50 ST S (Robertson Elementary)  ZONED: RS-3

PRESENT USE: School  TRACT SIZE: 167440.97 SQ FT

LEGAL DESCRIPTION: ALL BLK 1, OAK GROVE ADDN - CARBONDALE

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located on a square block bounded by W. 48th St. to the North, W. 50th St. to the South, S. 28th W. Ave. to the West and S. 27th W. Ave. on the East.

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.

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Sincerely,

Jorge Robles

Chief Finance and Information Officer

Tulsa Public Schools
SIGN PLAN REVIEW

March 9, 2022

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

Phone: 918-232-8024

APPLICATION NO: SIGN-111957-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 2721 W. 50th 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)
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.

The sign review will resume once the required revised plans and BOA approval paperwork is submitted.
NEW CABINET
4' X 7'-10"
.063 P/F WHITE ALUMINUM PAINTED BLACK
FILLER TBD
1 1/2" RETAINERS
3/16" WHITE PLEX FACES WITH
VINYL GRAPHICS APPLIED
WHITE LED ILLUMINATION

NEW EMC UNIT
3'-11" X 7'-10"
.063 ALUMINUM FILLER
PAINTED BLACK

POLE PAINTED BLACK

Street Surface

48-1/4"
14' 2-1/4"
3'-2"
7-

9.11

These drawings are the exclusive property of Image Builders, and are the result of original work by its 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.
EMT 3/4 compression X NPSM Male

DETAIL K

TOP VIEW

FRONT VIEW

SIDE VIEW

DETAIL S

RIGHT

WRONG
AC wiring Diagram

Total Power Required: 3000 Watts/Phase
Avg. Operating Power: 300 Watts/Phase

<table>
<thead>
<tr>
<th>Model</th>
<th>Code 1</th>
<th>1000 Watts</th>
<th>9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Value</td>
<td>1</td>
<td>1000</td>
<td>9</td>
</tr>
</tbody>
</table>

Total number of circuits per row: 1

Electrical must be installed in accordance with the requirements of National Electrical Codes or local codes.
**Air Ventilation Requirements (Forced Air):**

- **FAN CFM** = 3.19 x Total Watts/20

**Forced Air Circulation**

- **DO**
  - Provide Sufficient Vents to allow outside air into a closed structure
  - Provide Fans if necessary to push Hot Air out of closed structures
  - Maintain minimum of 1.5 inches clearance at bottom of enclosur sign
  - Maintain Temperature inside sign below 120 to 130 Degrees F
  - Keep inside cabinet temperature below 100 Degrees F
  - Provide Auto Air Fans if Air Flow Restricted inside Frame/Structure
  - Provide Thermal Switches to turn off Fans of 90-105 degrees F

- **DON'T**
  - Block Cabinet Vents at back of Display
  - Place cabinet against a wall without back side of cabinet open to outside air
  - Allow Heat to rise above 100 Degrees F inside cabinet
  - Mount an LED Sign/Marquee Cover above or below the Optec LED sign without 15" clearance needed for ventilation

**Natural Convection**

- **DO**
  - Provide Outside Air to Reach Cabinet Air Input Vents
  - Maintain Temperature inside sign at 22 to 430 Degrees F
  - Provide Sufficient Venting for Natural Convection if Skinned
  - Inspect Vents Periodically to Ensure they are Clear/Open
  - Keep inside cabinet temperature below 100 Degrees F
  - Maintain clearance above and below cabinet ≥ 1”

- **DON'T**
  - Block Cabinet Air Vents in back of Display
  - Allow Temperature to rise above 100 degrees F

**Natural Convection II**

**NOTE:** The warranty does not cover damages caused by improper ventilation.
Subject Tract

BOA-23323

19-12 27

Aerial Photo Date: 2020/2021

Note: Graphic overlays may not precisely align with physical features on the ground.
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. 31st St. S. and S. 90th E. Ave.

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.
Dynamic Displays
Unless otherwise expressly stated, all signs that include a dynamic display are subject to the supplemental regulations of Section 60.100.

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.

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.

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.

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...
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.
Chapter 60 | Signs
Section 60.100 | Dynamic Displays

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-I, 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).
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,

Jorge Robles

Chief Finance and Information Officer

Tulsa Public Schools
SIGN PLAN REVIEW

March 9, 2022

Phone: 918-232-8024

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

APPLICATION NO: SIGN-111953-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 2940 S. 90th Ave. E.
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
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3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)

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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)
Application No. SIGN-111953-2022

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.

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   (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.

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.
AC wiring Diagram

**AC wiring Diagram**

**Primary View**

**Secondary View**

**Table:**

<table>
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<th># of Items</th>
<th>1000W 9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Power Used Per Single Phase</td>
<td>1000W 9</td>
</tr>
<tr>
<td>Total Power Required: 1000W</td>
<td>Max Operating Power: 360W</td>
</tr>
</tbody>
</table>

Total number of circuits per row: 1

Electrical must be installed in accordance with the requirements of National Electrical Codes or local codes.
Air Ventilation Requirements (Forced Air):
FAN CFM = 3.19 x Total Watts/20

**DO**
- Provide Sufficient Vents to allow outside air into a skinned/closed structure
- Provide Fans if necessary to push Hot Air out of closed structures
- Maintain minimum of 1/3 inch clearance at bottom of enclosures
- Maintain Temperature inside 220 - 430 Degrees F
- Do not allow Temperature to rise above 100 Degrees F inside cabinet
- Provide Axial Air Fans if Air Flow Restricted inside Frame/Structure
- Provide Thermal Switches to turn on fans of 90-105 degrees F

**DON'T**
- Block Cabinet Vents at back of Display
- Place cabinet against a wall without back side of cabinet open to outside air
- Allow Heat to rise above 100 Degrees F inside cabinet
- Mount an LED Sign/Marker cover above or below the Optec LED Sign without 1/3 inch clearance needed for ventilation

Note: The warranty does not cover damages caused by improper ventilation.

---

Air Ventilation Requirements (Natural Convection):

**DO**
- Provide Outside Air To Reach Cabinet Air Input Vents
- Maintain Temperature inside 220 - 430 Degrees F
- Provide Sufficient Venting For Natural Convection If Skinned
- Inspect Vents Periodically To Ensure They Are Clean Open
- Keep inside cabinet temperature below 100 Degrees F
- Maintain clearance above and below cabinet a min of 1/3 inch

**DON'T**
- Block Cabinet Air Vents in back of Display
- Allow Temperature to rise above 100 Degrees F

Note: The warranty does not cover damages caused by improper ventilation.
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9308  Case Number: BOA-23325
CZM: 37
CD: 4
HEARING DATE: 04/26/2022 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 (Sec. 60.100-F)

LOCATION: 1127 S COLUMBIA AV E (Mayo Demonstration Academy) ZONED: RS-3

PRESENT USE: School  TRACT SIZE: 435601.78 SQ FT

LEGAL DESCRIPTION: NE NE NW SEC 8 19 13,

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located on the Southside of E. 11th Street between S. Columbia Ave. and S. Delaware Ave.

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.

11.2
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...
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.
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.
Dynamic displays must be equipped with a light detector/photocell that automatically adjusts the display’s brightness according to natural ambient light conditions.

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.

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.

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

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.

Sign permit fees must be paid prior to the issuance of a sign permit.

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

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).
Thanks to Tulsa voters who approved funding for digital marquee 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
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- 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 marquee 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,

Jorge Robles

Chief Finance and Information Officer

Tulsa Public Schools
SIGN PLAN REVIEW

March 9, 2022

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

Phone: 918-232-8024

APPLICATION NO: SIGN-111960-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 1127 S. Columbia Ave.
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)
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.

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### 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.

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

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

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**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.
NEW CABINET
4' X 7'-10"
0.63 P/F WHITE ALUMINUM PAINTED BLACK
FILLER TBD
1/2" RETAINERS
3/16" WHITE PLEX FACES WITH
VINYL GRAPHICS APPLIED
WHITE LED ILLUMINATION

NEW EMC UNIT
3'-1" X 7'-10"
0.63 ALUMINUM FILLER
PAINTED BLACK

POLE PAINTED BLACK

8'

14' 1-1/2"

9' 1-1/2"

5'
AC wiring Diagram

Primary Back View

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

<table>
<thead>
<tr>
<th>Power Level</th>
<th># of circuits</th>
<th>120V AC</th>
<th>240V AC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase</td>
<td>1</td>
<td>1080</td>
<td>9</td>
</tr>
</tbody>
</table>

**Total number of circuits per face: 1**

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

Secondary Back View
**Air Ventilation Requirements (Forced Air):**

**FAN CFM = 3.19 x Total Watts/20**

**DO**
- Provide Sufficient Vents to allow outside air into a skinned/closed structure
- Provide Fans if necessary to push Hot Air out of closed structures
- Maintain minimum of 15 inch clearance at bottom of encasing sign
- Maintain Temperature inside sign between 220 to +130 Degrees F
- Keep Temperatures below 110 Degrees F inside cabinet
- Provide Axial Air Fans if Air Flow Restricted inside Frame/Structure
- Provide Thermal Switches to turn on Fans of 90-105 degrees F

**DON'T**
- Block Cabinet Vents at back of Display
- Place cabinet against a wall without back side of cabinet open to outside air
- Allow Heat to Rise above 110 Degrees F inside cabinet
- Mount an E-3 Sign/Mercury Cover above or below the Optic LED Sign without 15° clearance needed for ventilation

**Air Ventilation Requirements (Natural Convection):**

**DO**
- Provide Outside Air to Reach Cabinet Air Input Vents
- Maintain Temperature inside sign 220 to +130 Degrees F
- Provide Sufficient Ventilation for Natural Convection if Skinned
- Inspect Vents Periodically to Ensure they are Clear/Open
- Keep inside cabinet temperature below 110 degrees F
- Maintain clearance above and below cabinet a min of 15°

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

**NOTE:** THE WARRANTY DOES NOT COVER DAMAGES CAUSED BY IMPROPER VENTILATION
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9309                Case Number: BOA-23326
CZM: 37                  
CD: 4

HEARING DATE: 04/26/2022 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)

LOCATION: 1727 S HARVARD AV E (Lanier Elementary)       ZONED: RS-3

PRESENT USE: School                                     TRACT SIZE: 216141.25 SQ FT

LEGAL DESCRIPTION: W/2 NW SW SW SEC 9 19 13,

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 on the East side of S. Harvard between E. 17th St. S. and E. 19th St. S.

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.

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### 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.

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Chapter 60 | Signs
Section 60.100 | Dynamic Displays

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Tulsa Public Schools
SIGN PLAN REVIEW

March 9, 2022

Phone: 918-232-8024

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

APPLICATION NO: SIGN-111963-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 1727 S. Harvard Ave.
Description: Freestanding sign with dynamic display

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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)
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.

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.
NEW CABINET
4' X 7'-10"
.063 P/F WHITE ALUMINUM PAINTED BLACK
FILLER TBD
1 1/2" RETAINERS
3/16" WHITE PLEX FACES WITH
VINYL Graphics APPLIED
WHITE LED ILLUMINATION

NEW EMC UNIT
3'-11" X 7'-10"

0.63 ALUMINUM FILLER
PAINTED BLACK

POLE PAINTED BLACK

12' 11/2"
8' 11/2"

48"

LANIER ELEMENTARY SCHOOL

ELEVATION
SCALE 3'-0" - 1'-0"
D/F ILLUMINATED

12.12
EMT 3/4 compression X NPSM Male

Wrong

Right
AC wiring Diagram

Primary Back View

Secondary Back View

Total Power Required: 1080 Watts/Phase
Avg. Operating Power: 360 Watts/Phase

<table>
<thead>
<tr>
<th>Phase</th>
<th>120° out of phase</th>
<th>Wats/Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td></td>
<td>9</td>
</tr>
</tbody>
</table>

Electrical must be installed in accordance with the requirements of National Electrical Codes or local codes.
Air Ventilation Requirements (Forced Air):
FAN CFM = 3.19 x Total Watts/20

**DO**
- Provide Sufficient Vents to allow outside air into a sealed/closed structure
- Provide Fans if necessary to push Hot Air out of closed Structures
- Maintain minimum of 15 inch clearance of bottom of enclosel Sign
- Maintain Temperature inside sign between 220 to 430 Degrees F
- Do not keep inside cabinet temperature below 100 Degrees F
- Do not mount signs above or below the Optec LED Sign without 15’ clearance needed for ventilation

**DON’T**
- Block Cabinet Vents at back of Display
- Place cabinet against a wall without back side of cabinet open to outside air
- Allow Heat to Rise above 100 Degrees F inside cabinet
- Mount an ID Sign/Marking above or below the Optec LED Sign without 15” clearance needed for ventilation

Note: The warranty does not cover damages caused by improper ventilation

---

Air Ventilation Requirements (Natural Convection):

**DO**
- Provide Outside Air To Reach Cabinet Air Input Vents
- Maintain Temperature inside sign between 220 to 430 Degrees F
- Provide Sufficient Venting For Natural Convection if Skinned
- Inspect Vents Periodically to Ensure they are Clear/Open
- Keep inside cabinet temperature below 100 Degrees F
- Maintain clearance above and below cabinet a min of 15”

**DON’T**
- Block Cabinet Air Vents in back of Display
- Allow Temperature to rise above 100 degrees F

Note: The warranty does not cover damages caused by improper ventilation
I live directly across from Lanier. You can see my home on this tract. I have owned my home for 25 years. Due to the short notice of the hearing and having to work, I will be unable to attend. Please accept my email as my ‘No’ vote to putting in a dynamic display sign in a residential district. This is absolutely unnecessary. As homeowners near populated streets we have to fight every light and noise polluting installment. Please reconsider this unnecessary addition. If the sign needs to be replaced, fine. But please NO MORE LIGHTS!! Lanier already added unnecessary football stadium type flood lights that shine directly into mine and my neighbors homes.

Sincerely

Jennifer Latham R.N.
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9202 Case Number: BOA-23327-OSAGE
CZM: 36
CD: 1

HEARING DATE: 04/26/2022 1:00 PM

APPLICANT: Damon Ousley

ACTION REQUESTED: Special Exception to permit a duplex in an RS-3 District (Table 5.020, Table 5-2, Table 5-2.5); Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)

LOCATION: 1327 N. Olympia Ave. ZONED: RS-3
PRESENT USE: Vacant TRACT SIZE: 9450 SQ FT

LEGAL DESCRIPTION: L8 B1 DE VOL, City of Tulsa, Osage County

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located on the East side of N. Olympia Ave. in between W. Oklahoma Street and W. Newton Street.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit a duplex in an RS-3 District (Table 5.020, Table 5-2, Table 5-2.5); Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)

Duplexes are defined as follows:
The applicant is seeking to widen the allowed driveway width from 26-feet within the driveway and 30-feet on the lot to allow a 40-foot wide driveway.

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

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

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

Facing South on Olympia
APPLICATION NO: BLDR-111551-2022 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 1327 N. Olympia Ave. Unit A
Description: New 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.

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9501. THE CITY OF TULSA WILL ASSASSE 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" [lis] [x lis 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)
1. Section 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 the Board of Adjustment for a special exception to allow a duplex on a RS-3 zoned lot. 

NOTE: each duplex unit requires a permit. Apply for a separate permit for Unit B. This application is reviewed for Unit A.

2. Section 55.090-F.3 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).

<table>
<thead>
<tr>
<th>Maximum Driveway Width</th>
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<tbody>
<tr>
<td>Lot Frontage</td>
</tr>
<tr>
<td>75&quot;+</td>
</tr>
<tr>
<td>60&quot; - 74&quot;</td>
</tr>
<tr>
<td>46&quot; - 59&quot;</td>
</tr>
<tr>
<td>30&quot; - 45&quot;</td>
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<tr>
<td>Less than 30&quot; [2]</td>
</tr>
<tr>
<td>Driveway Within Right-of-Way (feet) [1]</td>
</tr>
<tr>
<td>27’</td>
</tr>
<tr>
<td>26’</td>
</tr>
<tr>
<td>22’</td>
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<tr>
<td>20’</td>
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<tr>
<td>12’</td>
</tr>
<tr>
<td>Driveway Within Street Setback (feet)</td>
</tr>
<tr>
<td>30’</td>
</tr>
<tr>
<td>30’</td>
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[1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided. 

[2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.

Review Comments: This lot has 70' of lot frontage; therefore the maximum allowed driveway width in the street setback is 30' and 26' in the right of way (ROW). You may revise the plans to reduce the driveway width to 30' or less inside the street setback, and 26' or less within the ROW; or you may seek a special exception from the Board of Adjustment for a driveway on a lot with 70' of lot frontage to be 40' wide in the street setback and ROW.

3. Section 90.090-A.1: Street setbacks are measured from the actual right-of-way line of the street (other than an alley).

Review Comments: The platted ROW for Olympia Ave, at this location is 60' wide. The site plan shows the property line to be 25' from the center of Olympia, but this should be revised to 30' wide (half the ROW). Revise the site plan to show that the property line is 30' from the center of Olympia Ave., and that the duplex will have a setback of 55' from the center of the street (RS-3 setback of 25' plus half the ROW width). Alternatively, you may seek an administrative adjustment from INCOG to reduce a front street setback by 5'.

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

Note: Please direct all questions concerning variances, special exceptions, alternative landscape plans, alternative compliance parking ratios and 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. |
1. Bales shall be placed in a row with ends tightly abutting the adjacent bales.
2. Each bale shall be embedded in the soil a minimum of four inches, where possible.
3. Steel posts which support the silt fence shall be installed on a site plan.
4. Accumulated silt shall be removed when it reaches a depth of six inches.
5. Sediment trapped by this practice shall be disposed of in an approved spoil site or as in no. 7 above.
6. The trench should be a minimum of six inches deep and three to four inches wide to allow for the silt fence to be laid in the trench four inches above ground.
7. Inspection shall be frequent and repair or replacement shall be made promptly as needed.
8. Bales shall be removed when they have served their usefulness so as not to block or impede storm flow or drainage.
9. A slight angle toward the anticipated runoff source.
10. The toe of the silt fence shall be trenched in with a spade or mechanical trencher, so that the downspout rake of the trench is flat and remains flat.
11. The fence should be a minimum of six inches deep and six to eight inches from the end of the silt fence and a distance from the trench is four to six inches.
12. Silt fence shall be securely fastened to each steel support or to woven wire, which is in turn attached to the steel fence post.
13. Inspect shall be frequent and repair or replacement shall be made promptly as needed.
14. Silt fence shall be removed when it has served its usefulness so as not to block or impede storm flow or drainage.
15. Sediment trapped by this practice shall be disposed of in an approved spoil site or in no. 7 above.
16. Accumulated silt shall be removed when it reaches a depth of six inches and disposed of in an approved spoil site or in no. 7 above.
17. Scale not to scale.
18. Scale not to scale.
19. Scale not to scale.
20. Scale not to scale.
21. Scale not to scale.
22. Scale not to scale.
CONTRACTOR TO PROVIDE ADEQUATE VENTILATION PER R806, IRC 2015

GENERAL NOTES

CONTRACTOR TO PROVIDE ADEQUATE VENTILATION PER R806, IRC 2015

LEGEND

ARCHITECTURAL SHINGLES

EXTERIOR WALL STUD BELOW ROOF
BOARD OF ADJUSTMENT
CASE REPORT

STR: 0330
CZM: 29
CD: 1

HEARING DATE: 04/26/2022 1:00 PM

APPLICANT: Damon Ousley

ACTION REQUESTED: Special Exception to permit alternative compliance parking ratios in an RM-1 District to reduce the required number of parking spaces for a multi-unit house (Section 55.050-K; Section 55.020 Table 55-1)

LOCATION: 2423 N PEORIA AV E
ZONED: RM-1

PRESENT USE: vacant
TRACT SIZE: 5998.24 SQ FT

LEGAL DESCRIPTION: LT 18 BLK 4 & W 10 VAC ALY, CARVER HGTS 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 on the East side of the Peoria Service Road South of Zion Pl. The service road dead ends into a cul-de sac and on-street parking is allowed.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit alternative compliance parking ratios in an RM-1 District to reduce the required number of parking spaces for a multi-unit house (Section 55.050-K; Section 55.020 Table 55-1)
Alternative Compliance

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

1. The board of adjustment determines that the other allowed parking reduction alternatives of Section 55.050 are infeasible or do not apply; and

2. The board of adjustment determines that the reduced parking ratios proposed are not likely to cause material adverse impacts on traffic circulation and safety or on the general welfare of property owners and residents in the surrounding area.

---

**SAMPLE MOTION:**

Move to _________ (approve/deny) a Special Exception to permit alternative compliance parking ratios in an RM-1 District to reduce the required number of parking spaces for a multi-unit house (Section 55.050-K; Section 55.020 Table 55-1)

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

   _______________________________________________________________________________________

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

Subject Property
APPLICATION NO: BLDC-113388-2022

LOCATION: 2423 N. Peoria Ave.

DESCRIPTION: New Quad Construction

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:

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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


BLDC-13388-2022 2423 N. Peoria Ave. March 21, 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.

1. **Sec.70.080-C:** Applications for Zoning Clearance must be accompanied by a legal description of the lot and plans, drawn to scale.
   **Review comment:** Submit a site plan with the following information:
   - Location and dimensions of all easements;
   - Lot lines and names of abutting streets;
   - The location, dimensions and height of proposed buildings or structures to be erected or altered.

2. **Sec. 55.040-D**- Occupancy- or Capacity-based Standards For the purpose of computing parking requirements based on employees, students, members, residents or occupants, calculations must be based on the average number of persons working on any single shift, the average enrollment or membership or the building code-rated capacity, whichever is applicable.
   **Review Comment:** Your plans indicate four (4) two-bedroom apartment units and four (4) parking spaces. Parking for 2+ bedroom dwelling unit is equal to 2 parking spaces. 4 units x 2 parking spaces = 8 parking spaces. Resubmit your plan to indicate 8 parking spaces or seek a variance from the Board of Adjustment. Contact INCOG at 918-584-7526 for further instruction/next steps.

3. **Sec. 65.040 C 1:** At least one large tree is required per 30 feet of street frontage.
   **Review comment:** Your plan indicates approximately 50 feet of street frontage /30 =1.67 or 2 street trees required. Provide a landscape plan with 2 street trees.

4. **Sec. 65.050 D 1:** At least 35 square feet of interior parking lot landscape area must be provided for each parking space.
   **Review comment:** Your plan indicates 4 spaces x 35 square feet = 140 square feet of landscaping required.

5. **Sec. 65.050 D 2:** Required interior parking lot landscape areas must include at least one large tree per 10 parking spaces.
   **Review comment:** Provide one large tree per 10 spaces. 4 spaces/10 = .40 or 1 large tree is required.

6. **Sec. 65.050 D 3:**
   a. Interior parking lot landscaping must be reasonably distributed throughout the parking lot and provided in landscape islands or medians that comply with all the following requirements:
      (3) They must include at least one tree per island and be covered with ground cover plants or mulch;
      (4) They must be protected by curbs or other barriers, which may include breaks or inlets to allow stormwater runoff to enter the landscape island; and
      (5) They must be located so that every parking space is within 100 feet of a tree.
b. Parking rows that end abutting a paved driving surface must have a landscape terminal island (end cap) at that end of the parking row. All other parking lot landscape islands must be located to comply with all applicable regulations of this section. The regulations of 65.050-D 3.a apply to the landscape terminal island.

**Review Comment:** Provide a landscape plan with location and design as indicated above.

7. **Sec. 65.070 C 1 b:** The S1 screen requires shrubs planted to form a continuous visual barrier (hedge) at least 3 feet in height.

**Review Comment:** Provide a landscape plan per the code referenced above.

8. **Sec. 65.080 B 1:** Unless otherwise expressly approved by the land use administrator, trees used to satisfy the tree planting requirements of this chapter must be selected from the recommended tree list.

**Review Comment:** Include a landscape plan to indicate the proper trees are used and referenced.

9. **Sec. 65.090 C:**
   1. All required landscaped areas must be provided with irrigation in accordance with one of the following two options:
      a. A permanent irrigation system with a controller to tailor watering schedules to weather and site conditions; or
      b. A temporary irrigation system that provides enough water to ensure that all trees and plants will become established.
   2. Irrigation systems must comply with all applicable building and plumbing codes.

**Review Comment:** Provide a landscape plan with an irrigation method as referenced above.

10. **Sec. 65.100-D:** To accommodate creativity in landscape and screening design and to allow for flexibility in addressing site-specific development/redevelopment challenges, the land use administrator is authorized to approve alternative compliance landscape plans sealed by a landscape architect licensed to practice in the State of Oklahoma.

**Review Comment:** You may want to consider an Alternative Compliance Landscape and Screening Plan. Contact Jay Hoyt at INCOG for further information. 918-584-7526 or jhoyt@incog.org.

**Note:** All references are to the City of Tulsa Zoning Code. Link to Zoning Code: [http://tulsaplaying.org/plans/TulsaZoningCode.pdf](http://tulsaplaying.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.
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9322  Case Number: BOA-23329
CZM: 48
CD: 5

HEARING DATE: 04/26/2022 1:00 PM

APPLICANT: JB LaCombe

ACTION REQUESTED: Special Exception to allow a Large (>250-person capacity) Commercial Assembly & Entertainment Use in the CS District to permit a Health Club (Sec. 15.020, Table 15-2).

LOCATION: 5313 E. 41st St.  ZONED: CS
PRESENT USE: Vacant  TRACT SIZE: +- 418029.61 SQ FT
LEGAL DESCRIPTION: LOT 3 BLK 1, SOUTHROADS MALL

RELEVANT PREVIOUS ACTIONS:

Subject property: None.

Surrounding properties:

BOA-23318: On 4.12.22 the Board approved Special Exception to allow a Large (>250-person capacity) Commercial Assembly & Entertainment Use in the CH district to permit a Tulsa Oilers facility (Sec. 15.020, Table 15-2). Property located 4143 S. Yale Ave. in the former Macy’s building at promenade mall.

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

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

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 inside Southroads Shopping center near 41st St. S. and Darlington Ave. The proposed Health Club would occupy the Tenant Space that is immediately East of a party supply store.

STAFF COMMENTS: The applicant is requesting a Special Exception to allow a Large (>250-person capacity) Commercial Assembly & Entertainment Use in the CS District to permit a Health Club (Sec. 15.020, Table 15-2).
Assembly and Entertainment

Assembly and Entertainment Uses are subject to the following supplemental regulations:

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 allow a Large (>250-person capacity) Commercial Assembly & Entertainment Use in the CS District to permit a Health Club (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
ZONING CLEARANCE PLAN REVIEW

March 3, 2022

LOD Number: 1
Jessica Swanson
6601 Six Forks Rd, Unit 130
Raleigh, NC 27615
Phone: 918-878-1600

APPLICATION NO: BLDC-110986-2022
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 5311 E. 41st St.
Description: Health Club

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

2. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN “SUPPORTING DOCUMENTS”, IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.

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

4. A COPY OF A “RECORD SEARCH” [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-110986-2022  5311 E. 41st St.  March 3, 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: Your proposed location is considered a Health Club, designated a Commercial/Assembly & Entertainment/Other Indoor/Large (>250) Use. This facility is in an CS zoned district and will require a Special Exception approved by the BOA.

Review comment: Submit an approved BOA Special Exception, reviewed and approved per Sec. 70.120, to allow a Commercial/Assembly & Entertainment/Large (>250) Use in the CS district. Contact Austin Chapman, Board of Adjustment Administrator, 918-584-7526, for next steps and further instruction.

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.
BOA-23329

19-13 22

Subject Tract

E SOUTHRoad DR

E 41st ST S

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

Aerial Photo Date: 2020/2021

15.9
ASSISTANT: **Case Report**

**Board of Adjustment**

**Case Number:** BOA-23330

**STR:** 9212  
**CZM:** 36  
**CD:** 4

**Hearing Date:** 04/26/2022 1:00 PM

**Applicant:** Tom Neal

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

**Location:** 1802 S Cheyenne AV W  
**Zoned:** RS-4

**Present Use:** Residential  
**Tract Size:** 11608.79 SQ FT

**Legal Description:** LTS 1 & 2 BLK 5, BUENA VISTA PARK,

**Relevant Previous Actions:** None.

**Relationship to the Comprehensive Plan:** The Tulsa Comprehensive Plan identifies the subject property as part of a “Downtown Neighborhood” and an “Area of Stability”.

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

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

**Analysis of Surrounding Area:** The subject tract is located at the SW/c of S. Cheyenne Ave. and W. 18th St. S.

**Staff Comments:** The applicant is requesting a Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)
The applicant is requesting a driveway that is 32-feet wide as a composite of the three curb-cuts on the property. Applicant will need to obtain a right-of-way permit from the City of Tulsa.

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

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

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

North side of subject property
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021

Subject Tract

BOA-23330

19-12 12

16.6
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9318  Case Number: BOA-23331
CZM: 37
CD: 4

HEARING DATE: 04/26/2022 1:00 PM

APPLICANT: Pool Creations Inc.

ACTION REQUESTED: Variance to permit a swimming pool within the required 35’ side street setback (Sec. 5.030, Table 5-3; Sec. 90.090, Table 90-1)

LOCATION: 1305 E 26 ST S

ZONED: RS-2

PRESENT USE: Residential

TRACT SIZE: 10876.98 SQ FT

LEGAL DESCRIPTION: LT 17, TRAVIS HGTS SECOND ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-22059: On 04.26.16 the Board approved a Special Exception to permit a carport in the Peoria Street yard with modifications of the allowable height and square footage and a variance of the allowable coverage by a detached accessory building in the rear yard.

Surrounding properties:

BOA-23049: On 12.09.20 the Board approved a Variance to permit a swimming pool within the required 35’ side street setback. Property located 1306 E. 26th St. S.

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 NE/c of S. Peoria Ave and E. 26th St. S. Peoria Ave is Classified as an Urban Arterial at this location and would trigger a 35-foot street setback.
The applicant is seeking to reduce the setback from 35-foot to 23-feet or as described on the site plan 58-feet from the center of Peoria Ave.

**STATEMENT OF HARDSHIP:** We are asking for a variance on the 70-foot setback from the center of Peoria for a swimming pool placement. There are many homes as well as other swimming pools in the immediate area that are within the required setback. A variance is needed for pool placement in the backyards.

**STAFF COMMENTS:** The applicant is requesting **Variance** to permit a swimming pool within the required 35' side street setback (Sec. 5.030, Table 5-3; Sec. 90.090, Table 90-1)

---

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

<table>
<thead>
<tr>
<th>Obstruction</th>
<th>Setback Street</th>
<th>Side</th>
<th>Rear</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory buildings (see also Sec. 90.090, C3)</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Air conditioning units</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Arbors and trellises</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Awnings, canopies, light shelves and architecturally integrated solar shading devices projecting no more than 2 feet into the setback</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Barbeque pits and outdoor fireplaces</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Bay windows projecting no more than 2 feet into the setback</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Carports</td>
<td>Yes [1]</td>
<td>[1]</td>
<td>[1]</td>
</tr>
<tr>
<td>Chimneys and flues projecting no more than 2 feet into the setback</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Clotheslines</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Decks, patios, and other features and structures less than 30 inches in height above grade</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Eaves and gutters projecting no more than 2 feet into the setback</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Fences and walls (see also Section 45.080)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Fire escapes projecting no more than 4.5 feet into the setback</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Flagpoles and similar features</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Geothermal heat pumps and geothermal heat exchange system equipment up to 4 feet in height above grade</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Green houses and hoop houses</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Insulation added to the outside of the exterior wall of an existing building</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Plants and cold frames</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Rainwater harvesting equipment projecting no more than 4.5 feet into the setback</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Recreational equipment (e.g., swing sets, playground equipment, tree houses, etc)</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Satellite dish antennas</td>
<td>See Section 45.180</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Signs (see also Chapter 60)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Stills, belt courses, cornices and similar architectural features projecting no more than 2 feet into the setback</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Solar energy systems, building mounted</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Solar energy systems, ground mounted</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Swimming pools and tennis courts</td>
<td>No [3]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Vehicle parking/storage, inoperative (see also Section 45.140)</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Wheelchair lifts and ramps that meet federal, state and local accessibility standards</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

The Board may consider the existing lot development which includes a house that is non-conforming with respect to the required setback from Peoria Ave.

**SAMPLE MOTION:**

Move to _________ (approve/deny) a **Variance** to permit a swimming pool within the required 35' side street setback (Sec. 5.030, Table 5-3; Sec. 90.090, Table 90-1)

- 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
Board Action:
On MOTION of WHITE, the Board voted 4-0-0 (Henke, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Flanagan absent) to APPROVE the request for a full REFUND of $350.00; for the following property:

LT 7 LESS N147.9 FOR HWY & LESS S10 THEREOF FOR ST BLK 1, FOSTER SUB, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

***********

NEW APPLICATIONS

FILE COPY

22059—Aaron Sattre

Action Requested:
Special Exception to permit a carport in the Peoria Avenue street yard with modifications to allowable height, square footage (Section 90.090-C.1); Variance of the allowable coverage of the rear yard by detached accessory buildings in the RS-2 District (Section 90.090-C.2). LOCATION: 1305 East 26th Street South (CD 4)

Ms. Moye informed the Board that the Staff Report on page 3.3 in the Board’s agenda packet needs to have a correction. On page 3.3 under “Staff Comments” it states “The Board approved a Special Exception” and it should actually read “The applicant is requesting a Special Exception”.

Presentation:
Aaron Sattre, 1305 East 26th Street, Tulsa, OK; no formal presentation was made but the applicant was available for any questions from the Board.

Mr. Henke asked Mr. Sattre when the house was built. Mr. Sattre stated that the house was built in 1930.

Mr. Van De Wiele asked Mr. Sattre if the portion he was covering with the carport was the existing driveway. Mr. Sattre answered affirmatively and stated that it is the existing driveway.

Mr. Van De Wiele asked Mr. Sattre if the entirety of the driveway was inside the fence line. Mr. Sattre answered affirmatively.

Interested Parties:
Brian Easlon, 1268 East 26th Street, Tulsa, OK; stated he lives southwest of the subject property. Mr. Easlon stated that he in favor of this request. He has seen the plans and has the clearest view of the subject proposed project area. He believes it will
be aesthetically pleasing to the neighborhood and will bring great value to the neighborhood and the subject property.

Comments and Questions:
None.

Board Action:
On MOTION of WHITE, the Board voted 4-0-0 (Henke, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Flanagan absent) to APPROVE the request for a Special Exception to permit a carport in the Peoria Avenue street yard with modifications to allowable height, square footage (Section 90.090-C.1); Variance of the allowable coverage of the rear yard by detached accessory buildings in the RS-2 District (Section 90.090-C.2), subject to conceptual plans 3.9, 3.10 for the height, and 3.14 for the style. The Board has found the hardship to be that the house was built in 1930 and the proposed carport will accommodate today's vehicles with protection from the elements. There are other similar applications in the neighborhood. Finding the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. The Board determines 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 17 BLK 1, TRAVIS HGTS SECOND ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA
will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

LOT 6 BLOCK 2, DELAWARE PARK, City of Tulsa, Tulsa County, State of Oklahoma

23049—Justin Kingsley

**Action Requested:**
Variance to permit a swimming pool within the required 35-foot side street setback (Section 5.030, Table 5-3 & Section 90.090, Table 90-1). **LOCATION:** 1306 East 26th Street South (CD 4)

**Presentation:**
Justin Kingsley, 3301 East 176th Street North, Skiatook, OK; stated the client would like to have swimming pool. The house has a garage on the back with a driveway that goes all the way back which prohibits placing the pool in the rear. The only access door to the backyard is on the west side of the property and it opens up onto an existing deck. The original pool size has been shrunk to allow for the pool edge to be five feet from the house. The wooden deck will be removed and there will be no decking on the west side, it will be a raised wall. There are power lines running along the south property line and the pool will be 32 feet from the center of Peoria.

**Interested Parties:**
There were no interested parties present.

**Comments and Questions:**
None.

**Board Action:**
On **MOTION** of RADNEY, the Board voted 4-0-0 (Brown, Radney, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the request for a Variance to permit a swimming pool within the required 35-foot side street setback (Section 5.030, Table 5-3 & Section 90.090, Table 90-1), subject to conceptual plan submitted today. The Board has found the hardship to be the site location is on a corner as well as being on an arterial street corner, and existing conditions prevent the pool being elsewhere on the lot. 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 16 BLK 2, TRAVIS HGTS ADDN, City of Tulsa, Tulsa County, State of Oklahoma

23050—Cody Welch

Action Requested:
Minor Special Exception to amend a previously approved site plan for a Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL District (Section 70.120). LOCATION: 165 South 122nd Avenue East (CD 3)

Presentation:
Cody Welch, 2878 East 34th Street, Tulsa, OK; stated the Board approved his proposition in August and he now has to rename is area to Suite C on the advisement of Adam Murray in the Permit Office. He has to move a bathroom door to be compliant with the City of Tulsa and OMMA.

Mr. Van De Wiele asked Mr. Welch if he would now be doing business in Suite C and not in Suite B. Mr. Welch stated the whole area was Suite B and his proposed area is a 10 x 20 room within Suite B, and that room has been redesignated as Suite C with the City of Tulsa.

Interested Parties:
There were no interested parties present.

Comments and Questions:
None.

Board Action:
On MOTION of RADNEY, the Board voted 4-0-0 (Brown, Radney, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) to APPROVE the request for a Minor Special Exception to amend a previously approved site plan for a Moderate-
Summary | Locations | Fees | Reviews | Inspections | Attachments | Contacts | Sub-Records | More Info

Pool Review

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<tr>
<th>Submittal Status</th>
<th>Received Date</th>
<th>Due Date</th>
<th>Completed Date</th>
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<td>03/09/2022</td>
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1 Planning/Zoning • Requires Re-submit • Taylor Jeff • Completed: 03/09/2022

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Correction (1)

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<th>Category</th>
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<tr>
<td>General</td>
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<td>Revise plans to indicate a 70' setback from center of Peoria ROW to pool or apply to BOA for a variance to allow less than 70' from center of Peoria. 70' required side setback required from center of arterial street known as Peoria to pool.</td>
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✔ Water/Sewer/Drainage • Approved • Westbrook Randy • Completed: 02/25/2022

✔ Building • Approved • Taylor Jeff • Completed: 03/10/2022
BOARD OF ADJUSTMENT  
CASE REPORT  

STR: 9212  
CZM: 36  
CD: 4

HEARING DATE: 04/26/2022 1:00 PM

APPLICANT: Jeremy Perkins

ACTION REQUESTED: Variance to allow more than 30% coverage of the rear setback by a Detached Accessory Building (Sec.90.090-C.2)

LOCATION: 1003 E 20 ST S  
ZONED: RS-3

PRESENT USE: Residential  
TRACT SIZE: 15002.13 SQ FT

LEGAL DESCRIPTION: E50 LT 9 & ALL LT 10 & S10 VAC ALLEY ADJ ON N BLK 6, MAPLE RIDGE ADDN

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NE/c of E. 20th St. S. and S. Madison Ave. The property is located inside the North Maple Ridge Historical Preservation Overlay. Accessory structures or buildings, such as storage sheds, garages, decks, patios, fencing, swimming pools and pool houses that are not part of the primary structure, provided that the structures or buildings are not located in street yards.

STATEMENT OF HARDSHIP: The applicant’s statement is included in your packet as a separate exhibit.

STAFF COMMENTS: The applicant is requesting Variance to allow more than 30% coverage of the rear setback by a Detached Accessory Building (Sec.90.090-C.2)
The applicant is allowed 200 square feet of coverage and is requesting additional 325 square feet. The additional coverage area is a shade structure for the pool and will be open air. The applicant should be asked to explain the unique physical surroundings, shape, or topographical conditions of the subject property that creates the hardship.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Variance to allow more than 30% coverage of the rear setback by a Detached Accessory Building (Sec.90.090-C.2)

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

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

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

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

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

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

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

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

g. *That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.*
Subject property
City of Tulsa Board of Adjustment application

03.24.22

Addendum

Action(s) Requested:

Requesting an additional 325 sf of coverage in the required rear yard setback.

Hardship statement:

The residence located at 1003 East 20th Street is an RS3 lot that allows for 30% coverage in the required rear yard. This percentage equates to 200 sq. ft. for the property. Based on the existing garage structure there is 56 sq. ft. of coverage remaining. We are requesting an additional 325 sq. ft. for a permanent shading structure adjacent to the existing swimming pool. The shading structure is open air with solid and perforated material as the covering. This structure is very similar to a modern Trellis or Arbor of which is are permittable obstructions in the required rear yard.

Thank you,
Jeremy Perkins, AIA
KINCAID ARBOR
1003 EAST 20TH STREET
TULSA, OKLAHOMA
74120

SECTION DETAIL

9'-0"
2'-11"
2'-6"
5"
2'-6"
2'-4"
2"
5'-5"

3" x 5" x 1/4" steel angle
2" steel tube frame
2" steel tube frame
perforated metal panel - 48" x 60"

single-ply membrane
roof system

HSS main frame column
- refer to Structural

flashing with hemmed drip edge and continuous membrane
3" x 1/4" steel angle

LED tape light at flange

steel beam - refer to Structural

steel main frame - refer to Structural

HSS main frame column
- refer to Structural

Note:
All steel to be primed by fabricator and painted on-site.

top of main frame

top of eave extension