AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, May 10, 2022, 1:00 P.M.

Meeting No. 1294

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. 23325- Ryan Neuhor, 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 Ave. (Mayo Demonstration Academy) (CD 4)
NEW APPLICATIONS

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

2. **23332- Cheryl Harlin Jones**  
   Variance of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Sec. 40.225-D)  
   **LOCATION:** 2730 S HARVARD AV E (CD 4)

3. **23335- Jack Taber**  
   **Special Exception** to permit a Self-service Storage Facility in a CS District (Sec. 15.020, Table 15-2)  
   **LOCATION:** 7626 E 51 ST S (CD 7)

4. **23336- 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:** 5402 N MARTIN LUTHER KING JR BV E (John Hope Franklin Elem) (CD 1)

5. **23337- 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)  
   **LOCATION:** 12150 E 11 ST S (East Central High School) (CD 6)

6. **23338- 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:** 1921 E 29th St N (Anderson Elementary) (CD 1)

7. **23339- 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:** 4309 E 56 ST S (Carnegie Elementary) (CD 9)

8. **23340- 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:** 3213 E 56 ST S (Building Address: 3111 E. 56th St. S.) (Eisenhower Elementary) (CD 9)
9. **23341- Jason Coutant**  
   **Special Exception** to allow a wall or fence to exceed 8-feet in height (Sec. 45.080-A)  
   **LOCATION:** 1257 E HAZEL BV S (CD 4)

10. **23342- Kensy Maxwell**  
    **Special Exception** to permit the storage or display of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface outside of the required building setbacks (Sec. 55.090-F-2)  
    **LOCATION:** 14115 E APACHE ST N (CD 3)

11. **23343- Shirley Thomas**  
    **Special Exception** to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); **Special Exception** to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec.40.210-A)  
    **LOCATION:** 2138 N DELAWARE AV E (CD 3)

12. **23344- OSAGE- Concept Builders, Inc**  
    **Special Exception** to permit Detached Houses in the CS District (Sec.15.020-H, Table 15-2.5)  
    **LOCATION:** West side of N. Country Club Dr. in between West Jasper St. and W. Haskell Pl. (Multiple Lots) (CD 1)

13. **23345- Randy Brandstetter**  
    **Variance** to reduce the required 25-foot rear building setback in the RS-2 District (Sec. 5.030-A; Table 5-3)  
    **LOCATION:** 2539 S OWASSO AV E (CD 4)

14. **23347- Tom Beverage**  
    **Special Exception** to permit an Accessory Dwelling Unit in the AG-R District (Sec. 45.031-D)  
    **LOCATION:** 3045 W 77 ST S (CD 2)

15. **23348- Hana Momic**  
    **Special Exception** to permit an Accessory Dwelling Unit in the RS-1 District (Sec. 45.031-D); **Variance** to permit a Detached Accessory Dwelling exceeding 1-story or 18-feet in height and 10-feet to the top of the top plate in the rear setback (Sec. 90.090-C)  
    **LOCATION:** 3822 S ATLANTA PL E (CD 9)

16. **23349- Charles Maddox**  
    **Special Exception** to allow Accessory Dwelling Unit in an RS-2 Zoned District (45.031-A); **Variance** to reduce the 30-foot street setback in the RS-2 District (Sec. 5.030-A, Table 5-3) **Variance** to allow a detached accessory building/dwelling unit
to exceed 40% of the floor area of the principal residential building (Sec. 45.030-A, Sec. 45.031-D)

**LOCATION:** 221 E HAZEL BV S (CD 4)

17. **23350- Gregory Helms**

*Special Exception* to amend a previously approved site plan for a school use in the RS-3 District (Table 5.020, Table 5-2; Sec.70.120)

**LOCATION:** 1919 W 40 ST S (CD 2)

**NEW BUSINESS**

**BOARD MEMBER COMMENTS**

**ADJOURNMENT**

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

CD = Council District

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

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.
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-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.

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.
Thanks to Tulsa voters who approved funding for digital marqueees in the 2021 bond package, Tulsa Public Schools will be submitting requests for approval for approximately 45 digital school marqueees 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 marqueees 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 marqueees.

**Improved appearance and perception of our schools:**
- New marqueees 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 marqueees 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-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)
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.
FRONT VIEW

SIDE VIEW

TOP VIEW

BACK VIEW

NOTES:
MATERIAL: 5092
FINISHING: MATT PLASTIC SPRAY, BLK
SPEC'S: 60x150 1R161B
PITCH: 16mm
WEIGHT: 294 lbs./FACE

Note:
Positions and dimensions of the vents in this drawing are for reference only.
For accurate drawing, please request production drawing from Optec.
EMT 3/4 compression X NPSM Male

WRONG

RIGHT
AC wiring Diagram

Primary Back View

Secondary Back View

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

Max Power Used Per Single Phase

<table>
<thead>
<tr>
<th># of Units</th>
<th>Watt</th>
<th>Amps</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1000</td>
<td>9</td>
</tr>
</tbody>
</table>

Total Number of Units: 1

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

1.16
Air Ventilation Requirements (Forced Air):
FAN CFM = 3.19 x Total Watts/20

**Forced Air Circulation**
- **Front View**
  - Hot Air OUT
  - Display
  - Vent
  - Structure
- **Side View**
  - Hot Air OUT
  - Display
  - Vent
  - Structure

**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" clearance of bottom of encasing sign
- Maintain Temperature inside sign range of 22 to +130 Degrees F
- Keep Temperature inside cabinet temperature below 110 degrees F
- Provide Axial Air Fans if Air Flow Restricted inside Frame/Structure
- Provide Thermal Switches to fan on fans of 90-105 degrees F

**Natural Convection**
- **Front View**
  - Display
  - Leave inside Open
  - Leave Sides Open
- **Side View**
  - Display
  - Leave inside Open

**DO**
- Provide Outside Air TO Reach Cabinet Air Input Vents
- Maintain Temperature inside sign range of 22 to +130 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"

**Forced Air Circulation**
- **Front View**
  - Hot Air OUT
  - Display
  - Fan
  - Vents
  - Structure
- **Side View**
  - Hot Air OUT
  - Display
  - Fan
  - Vents
  - Structure

**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 E2 Sign/Merger Cover above or below the Optec LED Sign without 15" clearance needed for ventilation

**Natural Convection II**
- **Front View**
  - Display
  - Hot Air OUT
  - Structure
- **Side View**
  - Display
  - Hot Air OUT
  - Structure

**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
E 11th ST S
S DELAWARE AVE
S COLUMBIA AVE
E 12TH ST S

BOA-23325
Subject Tract
19-13 08

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2020/2021
BOA-23332
19-13 17
2.1
RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a “Main Street” and an “Area of Growth“.

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located on the West side of Harvard in between E. 27th Pl. S. and E. 28th St. S. Per staff estimation the proposed dispensary is 966 feet away from Dr. Z Leaf located 3020 S. Harvard.
**STATEMENT OF HARDSHIP:** The applicant has provided a statement in a separate exhibit included in your packet.

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

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

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

40.225-1 The separation distance required under Section 40.225-D must be measured in a straight line between the nearest perimeter walls of the buildings (or portion of the building, in the case of a multiple-tenant building) occupied by the dispensaries. The separation required under Section 40.225-D shall not be applied to limit the location of a medical marijuana dispensary for which a license was issued by the Oklahoma State Department of Health prior to December 1, 2018 for the particular location.
The applicant has indicated in their statement they have a survey showing compliance with the distance requirement. Staff has not been provided a copy of that exhibit and if that is the case the variance should be withdrawn, and that survey should be submitted to the permit Center to re-evaluate. Staff is not aware of any hardship related to the physical surroundings, shape, or topographical conditions of the subject property.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Variance of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Sec. 40.225-D)

- Finding the hardship(s) to be__________________________.

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.

- Subject to the following conditions ___________________________.

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

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

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

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

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

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

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

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

Facing South on Harvard Ave. (Red arrow indicates the location of Dr. Z Leaf)
ZONING CLEARANCE PLAN REVIEW

November 8, 2021
Phone: 702-409-5784

BLDC-100071-2021
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
2730 S. Harvard Ave.
Medical Marijuana Dispensary

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

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

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

4. A COPY OF A "RECORD SEARCH" 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)

2.6
Note: As provided for in Section 70.130 you may request the Board of Adjustment (BOA) to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning separation distance acceptance and all questions regarding BOA application forms and fees to the INCOG BOA Planner at 918-584-7526. It is your responsibility to submit to our office documentation of any decisions by the BOA affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

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

   1. An aerial photograph identifying the location of the proposed dispensary at the center of a circle with a 1,000-foot radius, which is the required separation distance from another dispensary; and
   2. Locate and identify the nearest dispensary on the map, including the distance from the proposed dispensary; and
   3. Send an e-mail notifying the city councilor that you plan to open a dispensary in their district. The councilor is NOT required to respond. Provide a copy of the e-mail to the Zoning Plans Examiner so your application can move forward. To find the councilor for your district, click here. (http://maps.cityoftulsa.org/citycouncil/).

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


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

40.225-D: A medical marijuana dispensary may not be located within 1000 ft of another medical marijuana dispensary. Please provide the following information:

1. **RESOLVED.** An aerial photograph identifying the location of the proposed dispensary at the center of a circle with a 1,000 foot radius, which is the required separation distance from another dispensary; and

2. **UNRESOLVED.** Locate and identify the nearest dispensary on the map, including the distance from the proposed dispensary. It appears you are within 1,000 feet of another dispensary. Per 40.225-l-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. You may consider seeking a variance from the Board of Adjustment to have one dispensary within 1,000 feet of another dispensary. Contact Austin Chapman, Board of Adjustment Administrator at 918-584-7526 for further instruction and next steps on seeking a variance.

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

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


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

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.
When we encountered this building there were two homeless people living in the back of this building and using the sides of the building as their bathrooms! On each side of this building, Albert G's was on southside and on the other northside is a Jiffy Lube, both were excited that we were going to be in the building as the Dispensary as we all told them! Our dispensary will be, as all the store fronts in the area, really nice and a compliment to the neighborhood!

We measured the distance with a roller, before we leased the building, that distance measured 1056ft!

We completed all paperwork for building permit and when we submitted the distance requirements this is when we came to the road block!

We truly believe that the distance is over the city ordinance of 1000 ft! We also have two professional surveyors that have measured it at 1000.3ft and 1030ft!

Thank you

Cheryl Harlin-Jones
918-261-5639
Total distance: 1,024.41 ft (312.24 m)
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9335  Case Number: BOA-23335
CZM: 48
CD: 7

HEARING DATE: 05/10/2022 1:00 PM

APPLICANT: Jack Taber

ACTION REQUESTED: Special Exception to permit a Self-service Storage Facility in a CS District (Sec. 15.020, Table 15-2)

LOCATION: 7626 E 51 ST S  ZONED: CS

PRESENT USE: Commercial  TRACT SIZE: 223245.91 SQ FT

LEGAL DESCRIPTION: PRT LT 1 BEG NWC LT 1 TH E331 S250 W6 S339.13 W146.19 NW292.90 NE425.34 N130 POB BLK 13, SOUTHERN PLAZA B8-15

RELEVANT PREVIOUS ACTIONS:

Subject property: None.

Surrounding properties:

BOA-22339; On 10.10.17 the Board approved a Special Exception to approve a fitness center (greater than 250-person capacity) in the CS District. Property located 7990 E. 51st St. S.

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 East of the SE/c of S. 76th E. Ave. and E. 51st St. S. The proposed Self-storage facility is to be developed on a tract of undeveloped property that sits behind a Dollar General Store.
**STAFF COMMENTS:** The applicant is requesting a Special Exception to permit a Self-service Storage Facility in a CS District (Sec. 15.020, Table 15-2). The supplemental regulations for a Self-Service Storage Facility in the CS District is included below:

**Section 40.360  Self-Service Storage Facilities**

40.360-A General

1. The general provisions of this section apply to all self-service storage facilities.

2. A screening fence or masonry wall is required along all lot lines that abut R- or AG-R-zoned lots. Required screening fences and walls must be at least 8 feet in height. If buildings are masonry, the building wall can serve as the screening wall, provided that any open spaces between perimeter buildings are screened with a masonry screening wall at least 8 feet in height. The screening fence/wall requirements of this section do not apply to climate-controlled self-storage buildings in which self-storage spaces are accessed only from within the building.

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**TULSA ZONING CODE | December 24, 2021**

**Chapter 40 | Supplemental Use and Building Regulations**

**Section 40.370 | Sexually Oriented Business Establishments**

**Figure 40-12: Screening of Drive-up Style Self-Storage Facilities from Abutting R or AG-R Districts**

3. A single dwelling unit may be integrated into the self storage facility.

4. No activities other than storage and pick-up and deposit of stored materials are allowed within the storage units.

40.360-C CS District

In the CS district, no outdoor (open-air) storage of any kind is allowed that is visible at ground level from abutting R, O, or AG-R districts or from any street rights-of-way.

Per the code the applicant must provide an 8-foot screening fence or wall, the site plan provided does not indicate how that screening will be accomplished, and the existing masonry wall on the perimeter does not meet that standard. Should the Board be inclined to approve the request the Board may wish to prescribe the materials included in that screening barrier.

**SAMPLE MOTION:** Move to ________ (approve/deny) a **Special Exception** to permit a Self-service Storage Facility in a CS District (Sec. 15.020, Table 15-2)
• Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.

• Subject to the following conditions (including time limitation, if any):
  ____________________________________________________

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

View from 51st St.
Facing West on 51st St.

Facing East on 51st St.
22339—Kirk Livingstone

Action Requested:
Special Exception to allow a Commercial/Assembly Indoor Entertainment use (large capacity over 250) in a CS District to allow a fitness center (Section 15.020). LOCATION: 7990 East 51st Street South (CD 7)

Presentation:
Kirk Livingstone, 1259 South 800 East, Orem, Utah; stated this request is for a proposed large fitness facility to be located in the former Food Pyramid. The space has been vacant for quite some time and he would revitalize the space for a fitness center.

Interested Parties:
There were no interested parties present.

Comments and Questions:
None.

Board Action:
On MOTION of FLANAGAN, the Board voted 4-0-0 (Back, Bond, Flanagan, Van De Wiele "aye"; no "nays"; "abstaining"; White absent) to APPROVE the request for a Special Exception to allow a Commercial/Assembly Indoor Entertainment use (large capacity over 250) in a CS District to allow a fitness center (Section 15.020). The space is to be solely used as a fitness center. 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:

PRT LT 1 BEG 723.82E NWC LT 1 TH E141 S200 E210 S415.15 W299.68 NW159.42 N304.51 E106 N302 POB LESS E10 THEREOF FOR ST BLK 13 4.64AC, SOUTHERN PLAZA B8-15, City of Tulsa, Tulsa County, State of Oklahoma

22340—Randy Branstetter

Action Requested:
Special Exception to allow a fence or wall height greater than 4 feet in the street setback area (Section 45.080). LOCATION: 2730 East 33rd Street South (CD 9)

Presentation:
Randy Branstetter, 1708 West 119th Place South, Jenks, OK; stated he is building a house for the Roberts and the front entry gate system is over four feet tall. The walls would be about seven feet tall and the columns would be about 7'-9" tall. The actual gate would be about six foot tall. There is approximately 40 feet of the entry feature that will be over four feet. There is a house two doors away that has a masonry wall that is
Detailed Site Plan

51 Street Self-Service Storage

A tract of land contained within a part of Lot One (1), Block Thirteen (13), “Southern Plaza, Blocks 8 through 15, inclusive”, an addition to the city of Tulsa, Tulsa County, State of Oklahoma, Plat No. 2508, as recorded in the office of the Tulsa County Clerk.

Site Plan Statistics

- Total Lot Area: 133,685 S.F. or 3.0684 Acres
- Proposed Uses: Self-Service Storage via Special Exception
- Those uses as a matter of right in the CS District and uses customarily accessory thereto.
- Existing: 1 Story Rock & Brick Commercial
- Proposed: 1 Story Rock & Brick Self-Service Storage
- Off-Street Parking
  - Minimum: 3,051 S.F.
  - Proposed: 17,207 S.F.
- Sales Office
  - Existing: 7626 EAST 51ST STREET
  - Proposed: 7,472 S.F.

Location Map

- Section 35
- Tulsa County
- 133,685 S.F. or 3.0684 Acres

OWNER / DEVELOPER

Omega Properties
an Oklahoma corporation
504 S. Santa Ave.
Tulsa, OK 74106
(918) 742-0745
Owner/Developer: office@omegaproperties.net

ENGINEER / SURVEYOR

Tulsa Engineering & Planning Associates, Inc.
910 E. 42nd St., Suite 100
Tulsa, Oklahoma 74146
Phone: 918.252.9621

CERTIFICATE OF AUTHORIZATION NO. 991
RENEWED DATE: JUNE 30, 2023

51 Street Self-Service Storage

Date of Preparation: February 25, 2022

02.21.21 Draft: 02.21.21 Detailed Site Plan; edg; 02/28/2022; 02:57 PM
**ZONING CLEARANCE PLAN REVIEW**

**March 16, 2022**

**APPLICATION NO:** ZCO-113213-2022  
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

**Location:** 7626 E 51ST ST S  
**Description:** Zoning Clearance Only

### INFORMATION ABOUT SUBMITTING REVISIONS

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

**REVISIONS NEED TO INCLUDE THE FOLLOWING:**

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)
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](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

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

(continued)
Sec.15.020 Table 15-2: The proposed Used Mini storage is a use categorized as a Commercial/Self-Storage Facility and is located in a CS zoning district. This stated use is only permitted in the CS zoning district by Special Exception per Sec.15.020 Table 15-2: O, C, and I District Use Regulations.

Review Comment: All applications for Special Exception requests will be heard by the City of Tulsa Board of Adjustment (BOA) per Sec.70.120 Special Exceptions. If approved, two copies of the Special Exception shall be submitted as a revision to this application. Please contact an INCOG representative at 584-7526 to assist you with this process.

Sec.65.050-A: The interior parking lot landscaping regulations of this section are intended to help mitigate the visual and stormwater runoff impacts of parking lots and provide shade for parked vehicles and pedestrians.

65.050-B: Unless otherwise expressly stated, the interior parking lot landscaping regulations of this section apply to all the following:

1. The construction of any new principal building or addition to a principal building that increases the floor area of principal buildings on the subject lot by more than 20%;
2. The construction or installation of any new parking lot containing 10 or more parking spaces; and
3. The expansion of any existing parking lot that increases the number of parking spaces or amount of paved area by more than 33%.

65.050-C: Parking areas used solely for the display of motor vehicles for sale, lease or rental are exempt from the interior parking lot landscaping requirements of this section.

65.050-D Requirements:

1. Landscape Area
   a. At least 35 square feet of interior parking lot landscape area must be provided for each parking space. If compliance with this regulation would result in the loss of required parking spaces, the amount of parking required is automatically reduced by the amount needed to accommodate the required interior parking lot landscape area.
   b. When at least 50% of interior parking lot landscape area consists of depressed bioretention areas used for stormwater management, the minimum interior parking lot landscape area requirement is reduced from 35 square feet per parking space to 28 feet per parking space. To receive this bioretention credit, the stormwater harvesting area must be at least 6 inches and not more than 18 inches in depth and planted with vegetation that can withstand periodic inundation.

2. Trees and Plant Material
Required interior parking lot landscape areas must include at least one large tree per 10 parking spaces. Small trees may be substituted for large trees if the land use administrator determines that the presence of overhead lines or other obstructions make the installation of large trees unsafe or impractical or would result in poor growing conditions. Minimum tree planting requirements may be satisfied by the installation of new trees or by the preservation of existing trees (see Sec. 65.080-B4 to determine available incentives for preservation of existing trees).

3. Location and Design
   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:
      (1) They must be bordered by a paved surface on at least 2 sides;
      (2) They must be at least 7 feet wide, as measured from the back of the curb;
      (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-D3.a apply to the landscape terminal island.
   c. The land use administrator is expressly authorized to approve landscape plans that do not provide terminal islands at the end of each parking row or that otherwise provide for reduced dispersal of interior parking lot landscape areas when proposed landscape planting areas are combined to form functional bioretention areas or to preserve existing trees and vegetation.

4. Vehicle Overhangs: A portion of a motor vehicle parking space may be landscaped instead of paved to meet interior parking lot landscaping requirements. The landscaped area may be up to 2.5 feet of the front of the space, as measured from a line parallel to the direction of the bumper of the vehicle using the space. Groundcover plants or mulch must be provided in the allowed overhang area.

5. Relationship to Vehicular Use Area Buffer Regulations: Landscape areas and plant material provided to satisfy the vehicular use area buffer regulations of Section 65.060 may not be counted toward satisfying the interior parking lot landscaping regulations of this section (Section 65.050).


   Figure 65-2: Interior Parking Lot Landscaping
Review Comment: Please submit landscape plan for interior parking lot landscape.

Review Comment: The parking ratio on your plans is currently set at .1 per 1000sqft. Per Table 55-1 This is only for CH and MX districts. The CS district minimum ratio is .2 per 1000sqft. $57K \times .2 = 12$ spots. Please provide a minimum of 12 parking spots on plans.

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

STR: 137  Case Number: BOA-23336
CZM: 21
CD: 1

HEARING DATE: 05/10/2022 1:00 PM

APPLICANT: Ryan Neurohr ,Image Builders

ACTION REQUESTED: Special Exception to permit a Dynamic Display sign in the AG zoned lot 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: 5402 N MARTIN LUTHER KING JR BV E
ZONED: AG

PRESENT USE: School
TRACT SIZE: 1316558.48 SQ FT

LEGAL DESCRIPTION: BEG NEC NE TH W750 S1733 E750 N1733 TO POB SEC 11 20 12,

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SE/c of W. 56th St. N. and M.L.K. Blvd.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit a Dynamic Display sign in a Residential District containing a School Use (Sec. 60.050-B.2.c) Special Exception to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F).

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.

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

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...
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.
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.
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-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.

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.

See Section 80.060.

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 signs in the 2021 bond package, Tulsa Public Schools will be submitting requests for approval for approximately 45 digital school marquee signs 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 marquee signs 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 signs.

**Improved appearance and perception of our schools:**
- New marquee signs 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 signs 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 7, 2022

Phone: 918-232-8024

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

APPLICATION NO: SIGN-111263-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 5402 N. Martin Luther King Jr. Blvd.
Description: Freestanding sign with dynamic display

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.

2. INFORMATION ABOUT ZONING CODE, THE INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 WEST 2ND STREET, 8TH FLOOR, TULSA, OK, 74103 OR TELEPHONE (918) 584-7526.

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

(Continued)
REVIEW COMMENTS

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

Application No. SIGN-111263-2022

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.

(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 an AG 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 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.

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.
John Hope Franklin Elementary School
5402 N MLK Jr. Blvd
Tulsa, OK 74126

Note: Will be using existing Sign location
JOHN HOPE FRANKLIN
ELEMENTARY SCHOOL

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 VINY GARAPHICS APPLIED
WHITE LED ILLUMINATION

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

POLE PAINTED BLACK

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

SIDE VIEW

TOP VIEW

BACK VIEW

NOTES:

MATERIAL: 5012
FINISHING: MATT PLASTIC SPRAY, BLK
SPECS: 60x150, 1R1618
PITCH: 16mm
WEIGHT: 294 lbs/FACE

Note:
Positions and dimensions of parts in this drawing are for reference only.
For accurate drawing, please request production drawing from Optic.
EMT 3/4 compression X NPSM Male

RIGHT

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

FAN CFM = 3.19 x Total Watts/20

**Forced Air Circulation**

**Front View**
- Fan
- Hot Air Out
- Display

**Side View**
- Fan
- Hot Air Out
- Display

**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 inches clearance at bottom of enclosure sign
- Maintain Temperature inside sign between 220 to 430 Degrees F
- Keep Temperature below 100 Degrees F inside cabinet
- Provide Axial Fan(s) if Air Flow Restricted inside frame/structure
- Provide Thermostats to run fans 50% on fans 90% of 150 degrees F

**Natural Convection**

**Front View**
- Display

**Side View**
- Display

**DO**
- Provide Outside Air TO Reheate Cabinet Air Input Vents
- Maintain Temperature inside sign 220 to 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 15°

**Forced Air Circulation**

**Front View**
- Fan
- Hot Air Out
- Vents

**Side View**
- Fan
- Hot Air Out
- Vents

**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/Mercury Cover above or below the Optec LED Sign without 15° clearance needed for ventilation

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

STR: 9408  Case Number: BOA-23337
CZM: 39
CD: 6

HEARING DATE: 05/10/2022 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: 12150 E 11 ST S
ZONED: RS-2, RS-3, CS

PRESENT USE: School
TRACT SIZE: 1852959.6 SQ FT

LEGAL DESCRIPTION: LT 1 GEMO ADDN & E130 N660 NE NE NW & N300 NE NE NW LESS E130 & PRT W200 E/2 NE NW BNG 300S NWC THEREOF TH S65 E200 N65 W200 POB LESS W25 & BNG 365S & 25E NWC W200 E/2 NE NW TH S55 E175 N55 W175 POB & NW NE LESS ALL E/2 E/2 NW NW BNG NEC E/2, GEMO 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 along the Southside of E. 11th St. S. in between S. 129th and S. 124th E Avenues.

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)

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)

- 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.

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(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.

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a. Off-premise outdoor advertising signs;
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Except as otherwise expressly allowed as part of an approved MPD development plan:

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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.

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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).
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Sincerely,

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

March 7, 2022

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

Phone: 918-232-8024

APPLICATION NO: SIGN-111265-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 12150 E. 11th St.
Description: Freestanding sign with dynamic display

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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.

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(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.

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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 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.
East Central High School
12150 E 11th Street
Tulsa, OK 74128

Note: Will be using current sign location for new sign
FRONT VIEW

SIDE VIEW

TOP VIEW

BACK VIEW

NOTES:

MATERIAL: 5092
FINISHING: MATT PLASTIC SPRAY, BLK
SPECs: 60x150 1R160
PITCH: 16mm
WEIGHT 294 lbs/FACE

Note:
Positions and dimensions of the parts in this drawing are for reference only.
For accurate drawing, please request production drawing from Optec.
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># of Circuits</th>
<th>1</th>
<th>2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Watt/Phase</td>
<td>540</td>
<td>300</td>
</tr>
<tr>
<td>Watt/Phase</td>
<td>360</td>
<td>180</td>
</tr>
<tr>
<td>Total Watt</td>
<td>1080</td>
<td>540</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.*

5.16
**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 skinned/closed structure
- Provide Fans if necessary to push Hot Air out of closed Structures
- Maintain minimum of 1/2 inch clearance at bottom of enclosc Sign
- Maintain Temperature inside sign between 220 to +300 Degrees F
- Keep Temperatures below 100 Degrees F inside cabinet
- Provide Axial Air Fans if Air Flow Restricted inside Frame/Structure
- Provide Thermal Switches to turn off Fans at 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 any I.D. Sign/Marquee Cover above or below the Optex LED Sign without 1/2" clearance needed for ventilation

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

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

**Natural Convection**

**DO**
- Provide Outside Air to Reach Cabinet Air Inlet Vents
- Maintain Temperature inside sign 22 to +300 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 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
BOARD OF ADJUSTMENT
CASE REPORT

STR: 0319
CZM: 29
CD: 1

HEARING DATE: 05/10/2022 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: 1921 E 29 ST N

PRESENT USE: School

ZONED: RS-3

TRACT SIZE: 441774.26 SQ FT

LEGAL DESCRIPTION: SE NW SE SEC 19 20 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 along the Northside of E. 29th St. N. in between N. Wheeling and Yorktown Avenues.

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.

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**Section 60.060 | Signs in Office Zoning Districts**

**Applicability**

The regulations of this section apply to signs in all office zoning districts. See also the general regulations of Section 60.040.
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-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

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 marquee signs in the 2021 bond package, Tulsa Public Schools will be submitting requests for approval for approximately 45 digital school marquee signs 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 these marquee signs 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 signs.

**Improved appearance and perception of our schools:**
- New marquee signs 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 signs 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 7, 2022

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

Phone: 918-232-8024

APPLICATION NO: SIGN-111269-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 1921 E. 29th St. N.
Description: Freestanding sign with dynamic display

INFORMATION ABOUT SUBMITTING REVISIONS

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

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

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

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.

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

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

(Continued)
REVIEW COMMENTS

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

Application No. SIGN-111269-2022

This letter of deficiencies covers Sign Plan Review items only.

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----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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The sign review will resume once BOA approval paperwork is submitted.

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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.
FRONT VIEW

SIDE VIEW

TOP VIEW

BACK VIEW

NOTES:

MATERIAL: S092

FINISHING: MATT PLASTIC SPRAY, BLK

SPECS: 60x150, 1R1G1B

PITCH: 16mm

WEIGHT: 294 lbs/FACE

Note:
Positions and dimensions of the parts in this drawing are for reference only. For actual production, please request a production drawing from Optec.
EMT 3/4 compression X NPSM Male

TOP VIEW

FRONT VIEW

SIDE VIEW

DETAIL K

DETIAL S

WRONG

RIGHT
AC wiring Diagram

Primary Back View

Secondary Back View

Total Power Required: 1800 Watts/Phase
Avg. Operating Power: 900 Watts/Phase

# of lights | watts | units
--- | --- | ---
1 | 1000 | 1

Total number of circuits per row: 1

Electrician 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**

**Front View**
- Fan
- Hot Air OUT
- Display
- Structure
- Gap 1-5 mm

**Side View**
- Marquee or Top cover
- Hot Air OUT
- Display
- Structure
- Gap 15 mm

**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 skinned sign
- Maintain Temperature inside sign between 220 to 300 Degrees F
- Do Not Use Air in Fans if Air flow Restricted inside Frame/Structure
- Provide Thermal Switches to run on Fans of 50-105 degrees F

**Don't**
- Block Cabinet Vents at back of Display
- Do Not Place cabinet against a wall without back side of cabinet open to outside air
- Do Not Allow Heat to Rise above 100 Degrees F inside cabinet
- Do Not Mount an E Sign/Marquee Cover above or below the Optec LED Sign without 15° clearance needed for ventilation

**Natural Convection**

**Front View**
- Display

**Side View**
- Leave Skies Open

**DO**
- Provide Outside Air to Reach Cabinet Air Input Vents
- Maintain Temperature inside sign 22 to 300 Degrees F
- Provide Sufficient Venting For Natural Convection if Skinned
- Do Not Block Cabinet Air in Vents
- Do Not Allow Temperature to Rise Above 100 degrees F
- Maintain clearance above and below cabinet a min of 15°

**Natural Convection II**

**Front View**
- Display

**Side View**
- Leave inside open

**DO**
- Provide Outside Air to Reach Cabinet Air Input Vents
- Maintain Temperature inside sign 22 to 300 Degrees F
- Provide Sufficient Venting For Natural Convection if Skinned
- Do Not Block Cabinet Air in Vents
- Do Not Allow Temperature to Rise Above 100 degrees F
- Maintain clearance above and below cabinet a min of 15°

**Don't**
- Block Cabinet Air Vents in back of Display
- Do Not 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: 9333
CZM: 47
CD: 9

HEARING DATE: 05/10/2022 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: 4309 E 56 ST S

PRESENT USE: School

ZONED: RS-2

TRACT SIZE: 326409.48 SQ FT

LEGAL DESCRIPTION: BG 264 W SE COR SW NE TH N 495.09 W 396.96 S.179.8 W 415 S.315.33 E 811.99 TO BG SEC 33 19 13,

RELEVANT PREVIOUS ACTIONS:

Subject property: None.

Surrounding properties:

BOA-22248: On 06.27.17 the Board approved a Special Exception to permit a dynamic display sign for the New Haven United Methodist Church located at the SE/c of E. 56th St. S. and S. New Haven Ave. E.

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 property is located on the NW/c of E. 56th St. S. and S. Toledo 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.
Presentation:
Hugh Keen, 8923 South 48th West Avenue, Tulsa, OK; stated this is to replace the old outdated existing sign at Southern Hills. Southern Hills does a lot of good in the community and the ministry is very interested in growing the outreach work. The best way to do that is with advertising and a dynamic display sign will be a great vehicle to accomplish that.

Mr. Van De Wiele asked Mr. Keen if the sign is double sided and if the display sides faced north and south. Mr. Keen answered affirmatively.

Mr. Van De Wiele asked Ms. Moye about what is allowed in regards to the size. Ms. Moye stated the square footage for the sign allowed along South Lewis Avenue there is a total of 71.56 square feet allowed, and the sign proposed is 56.25 square feet total so it does meet the signage allowed for the lot. Mr. Van De Wiele asked if the Variance is needed. Ms. Moye stated that the Variance is not needed and the applicant can withdraw the request if they would like to do so.

Mr. Van De Wiele asked Mr. Keen if he would like to withdraw his request for the Variance that was advertised. Mr. Keen stated that he would like to withdraw the Variance request.

Interested Parties:
There were no interested parties present.

Comments and Questions:
None.

Board Action:
On MOTION of BACK, the Board voted 4-0-0 (Back, Flanagan, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Bond absent) to APPROVE the request for a Special Exception to permit a dynamic display in the RS-2 District, subject to conceptual plans 2.13 and 2.14 in the agenda packet. The applicant has withdrawn the Variance request as it is not needed. The Board finds that the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

PRT NE SE BEG NEC SE TH W408 S50 W100 N50 W100 S358 E608 N358 POB LESS E50 THEREOF FOR ST SEC 31 19 13 4.47ACS, City of Tulsa, Tulsa County, State of Oklahoma

22248—Crown Neon Signs – Gary Haynes

Action Requested:
Special Exception to permit a dynamic display for a church in the RS-2 District (Section 60.050). LOCATION: 5603 South New Haven Avenue East (CD 9)
Presentation:
Gary Haynes, Crown Neon Signs, 5676 South 107th East Avenue, Tulsa, OK; stated a couple of weeks ago the Board asked the church to go to the neighborhood to see if a compromise could be reached. The church did reach out to the neighborhood by sending out over a 100 invitations and five or six residents attended the meeting. Five of the residents were not in support of the proposed sign while one resident supported the request. The church has proposed operating hours for the sign and there is a new drawing with a few modifications to make it look similar to the existing sign.

Interested Parties:
Mary Rebecca Hutchens, 5649 South New Haven Avenue, Tulsa, OK; stated her house is directly behind the church parking lot. Two weeks ago she attended the Board of Adjustment meeting and spoke about her concerns with the LED sign. The Board had concerns about the placement of the sign and delayed action on the request. Last Monday morning her friend who is a member of the church helped distribute flyers announcing a neighborhood meeting the following evening. The meeting was not well attended because people had plans that could not be changed on such short notice, and she had to change her plans in order to attend that meeting. The lady who lives directly across the street from the church to the west, who will be most affected by the lighted LED sign, and was interviewed by KOTV News On 6 was unable to attend the meeting because she never received a notice and could not change her plans when she did find out about the meeting. During the meeting concerns were discussed about the distraction an LED sign will cause at an intersection that is already busy and only has stop signs on New Haven Avenue. People think the sign will not fit into the neighborhood or in front of the beautiful colonial style church. There was also discussion about the Fleet Feet runners that wear black clothing and run in the street while running two or three side by side and the distraction the LED sign could cause. Everyone at the meeting understood why the church wants to update the sign but they thought there are other computerized signs that would be in keeping with the style of the church, and the sign that is in front of First Presbyterian Church downtown was given as an example. The church calls itself the neighborhood church and she is not the only church neighbor who feels it is not very neighborly to place a LED sign in the front yard that will shine brightly into people’s houses or drive through the neighborhood. Ms. Hutchens requests the Board deny the application and suggests Crown Neon Signs goes back to the drawing board and design a sign that is more acceptable to the neighbors.

Susan Harris, 8259 South Sandusky Avenue, Tulsa, OK; stated she is the lay leader of the church. Since the neighborhood meeting the church has asked the sign company to look at a frame that will be similar to the one that exists. The stop signs and the Fleet Feet runners are out of the church’s control. She thinks that by having more light on the corner might make it easier to see the runners. Ms. Harris stated the church does want to be a good neighbor and asks for the Board’s approval.
Stephen Merrick, 880083 South Carey Lane, Chandler, OK; stated he is the music minister at the church, and the pastor could not attend today’s meeting because of another meeting in Oklahoma City. The church is there for the community and actually started the community. The church has been supporting and giving back to the community for 50 years. The sign will help the community more than it hurts it, and the church wants to use it not only for the church but as a billboard for the community.

Rebuttal:
Gary Haynes came forward and stated the church is willing to do whatever they need to do to get the request approved.

Comments and Questions:
Mr. Flanagan stated that he is not in support of the request because it is not in the spirit and harmony of the Code and believes it will be injurious to the neighborhood.

Mr. White and Mr. Van De Wiele are both glad to see that the church decided to keep certain elements of the sign, i.e., the scrolling on the sign. They are both glad to hear that the church worked at the sign limitations which are clarified in the document they provided.

Ms. Back stated that she understands the neighborhood’s concern but she does believe the church has gone beyond their means to reach out an olive branch to the neighborhood. She tends to lean toward supporting the request with the time limitations presented.

Board Action:
On MOTION of BACK, the Board voted 3-1-0 (Back, Van De Wiele, White "aye"; Flanagan "nay"; no "abstentions"; Bond absent) to APPROVE the request for a Special Exception to permit a dynamic display for a church in the RS-2 District (Section 60.050), per the exhibit submitted today and dated June 20, 2017. The church proposes a dynamic display sign be dimmed to minimal levels after dark and turned on and off as follows: 1) during the months of October through February, the sign will be turned on no earlier than 7:00 A.M. and turned off no later than 7:00 P.M., except as noted in paragraph #3. 2) during the months of March through September, the sign will be turned on no earlier than 7:00 A.M. and turned off no later than 8:00 P.M., except as noted in paragraph #3. 3) exceptions are limited to these occasions and times: a) on Ash Wednesday, the sign may stay on 30 minutes after church services begin but in no event later than 7:30 P.M., b) during Holy Week (Palm Sunday through Easter Sunday) the sign may stay on 30 minutes after church services begin but in no event later than 7:30 P.M., c) on Sundays in December, the sign may stay on until 7:30 P.M. for Advent program notices, d) on Christmas Eve, the sign may stay on until 8:00 P.M., e) the sign may stay on until 7:30 P.M. for up to four (4) more special events per year. The Board finds that the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:
BEG NE COR NE NE SW TH S 460.01 W 317.53 N 460.01 E 317.56 TO BEG SEC 33
19 13,HOLLIDAY HILLS ADDN B21-29, LOU NORTH WOODLAND ACRES 4TH
ADDN, RUSTIC HILLS 2ND ADDN, City of Tulsa, Tulsa County, State of Oklahoma

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NEW APPLICATIONS

22254—A-Max Sign Company – Lori Worthington

Action Requested:
Variance to permit two freestanding dynamic display signs on the lot (Section 60.080-E); Variance to allow a dynamic display ground sign within 20 feet of the driving surface of a street (Section 60.100-E). LOCATION: 522 West 3rd Street South (CD 4)

Presentation:
Brian Ward, A-Max Sign Company, 9520 East 55th Place, Tulsa, OK; stated the application is being made on behalf of Tulsa Parking Authority. This sign is a ground mount sign and is located between the old City Hall building and the parking structure to the west with the frontage being Frisco Avenue. The sign meets all the requirements of the City Code except for the setback and the second sign on the subject property in the CBD District.

Mr. Van De Wiele asked Mr. Ward where the second sign is located. Mr. Ward stated the second sign is located at the 1st Street entrance to the parking garage, and that sign has been issued a permit.

Mr. Van De Wiele asked Mr. Ward if the sign was for directing visitors and Tulsans into the parking facility for events and other venues. Mr. Ward answered affirmatively.

Interested Parties:
There were no interested parties present.

Comments and Questions:
None.

Board Action:
On MOTION of FLANAGAN, the Board voted 4-0-0 (Back, Flanagan, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Bond absent) to APPROVE the request for a Variance to permit two freestanding dynamic display signs on the lot (Section 60.080-E); Variance to allow a dynamic display ground sign within 20 feet of the driving surface of a street (Section 60.100-E), subject to conceptual plans 4.15 and 4.14 for the general location. The hardship is to direct visitors into the parking facility. The Board finds that the following facts, favorable to the property owner, have been established:

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Interested Parties:
There were no interested parties present.

Comments and Questions:
None.

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

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

22248—Crown Neon Signs — Gary Haynes

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

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

Mr. Van De Wiele asked Mr. Haynes if the top part of the sign was a back lit cabinet. Mr. Haynes answered affirmatively. Mr. Haynes stated there will be continuous LED lighting inside that cabinet. The display is 2'-7" x 8'-1" with a brick base around the
bottom of the sign. The sign will have an automatic dimmer and it can be programmed to shut off at a certain time of night and come back on in the morning.

Mr. Van De Wiele asked Mr. Haynes if the new sign would be in the same location as the existing sign. Mr. Haynes answered affirmatively.

**Interested Parties:**

**Rev. James Graham**, 5603 South New Haven Avenue, Tulsa, OK; stated he is the new pastor of New Haven United Methodist Church. This project started before he became the pastor of the church; he has been there three days. New Haven was created and platted in the community 50 years ago and it is a special community. It had a vision that it set to provide the community with a park, a school and a single foundational church in the center of the community in order to have a self-contained community. Tulsa has grown up around it in the years that have come since. United Methodist Church bought into the concept and came into the community and purchased the property in order to be that foundational church in the community. The church is a neighborhood church and is very active in being a part of the community, and the church wants to be good neighbors to all. The church thinks they need to have this opportunity to install a new modern sign as a way to better communicate with the community and anyone passing by. The church, along with other churches, is struggling membership wise with a decline. Part of that reason is the church fails to keep up with the times and the out of date sign does not provide the church the ability to communicate and to have a good first impression. The church is committed to dimming the proposed sign down to a low level in the evening as it gets dark and shutting it off at the appropriate time to meet the neighbors concerns. The church would use the sign to communicate community events as well as church events.

Mr. Van De Wiele asked Rev. Graham what time he thinks the sign would be shut off in the evening. Rev. Graham stated he understands it is required to have the sign off by 9:00 P.M. however the church would be flexible in that. Rev. Graham stated he is not a fan of flashy signs. The church wants to be a good neighbor of the community and they would like the flexibility to be able to come up to the times to relay the church's message to the community.

Mr. White asked Rev. Graham if he would be agreeable to meeting with the neighborhood committee periodically for a review of the sign. Rev. Graham answered affirmatively.

Rev. Graham stated the church also would like to use the sign in ways that are not connected with the church, i.e., a 50th wedding anniversary in the neighborhood.

**Rebecca Hutchens**, 5649 South New Haven Avenue, Tulsa, OK; stated her house is adjacent to the parking lot behind the church. Ms. Hutchens stated the church is located in the very middle of the neighborhood, Harvard to Yale and 51st to 61st. The church says it is the neighborhood church but it is not very neighborly for the installation of a bright LED sign in someone’s front yard. The sign will bother people driving
through the neighborhood. LED signs are very popular for churches located on major arterial streets. The purpose of the sign is to make people aware of the church. New Haven Avenue and 56th Street are not major arterial streets, they are neighborhood streets. The majority of the people driving on those streets in the square mile are people that live there or are visiting people within that square mile, visiting Carnegie Elementary or attending services at the church. People in the area are aware of the church and they do not need an LED sign to promote the church. LED signs glare into the faces of drivers on the major arterial streets, and they can momentarily affect vision. Fleet Feet runners run through the neighborhood three nights a week and they do not wear much to illuminate their clothing or shoes and are in the street three nights a week. Ms. Hutchens stated that she is concerned that if a driver is blinded by an LED light they will not see the runners at all. Ms. Hutchens requests the Board of Adjustment deny the request.

Ken Fox, 6138 South Marion Avenue, Tulsa, OK; stated he has lived in the neighborhood for about 35 years and he has the same concerns about property values as everyone in the area. Mr. Fox stated he is a member of the church and as a member of the church he has been involved in the discussions regarding the sign. The signage discussion originally started because the parish was concerned about the health of the church. The health of the church is very important to the values of the houses in the area and he does not think that is fully appreciated. If the church is unhealthy it will adversely affect the values of the homes in the neighborhood.

Laurie Fulbright, 3851 East 56th Place, Tulsa, OK; stated she lives three doors away from the church. She loves the church being there but she is concerned about the LED sign. There are people wheeling children from the day care centers down the street and there are the runners. Ms. Fulbright feels the LED would be unsightly.

Mr. Van De Wiele asked Ms. Fulbright if the sign were dimmed at dusk and turned off around 9:00 P.M. every night does that help in her opinion. Ms. Fulbright stated that it would help a lot. Mr. Van De Wiele asked Ms. Fulbright if that were a condition would it change he opinion. Ms. Fulbright she would be less opposed but she still thinks the bright light would be blinding.

Stephen Merrick, 880083 South Cary Lane, Chandler, OK; stated he is the worship leader at New Haven United Methodist Church and he has been with the church for 2 ½ years. The one thing the church does really well is partner with the community. When the church does have events that the community is aware of they come out in droves. The church does not have the means to notify the community with a constant letter, campaign, e-mails, etc. so for this sign to be updated after 50 years would help. The current sign sends a message of this church is out of date so why would people want to come to the church. New Haven United Methodist Church does get lost a little bit and one of the reasons is the sign. The current sign cannot be seen from 15 feet away. There are too many relevant events for the community that cannot be seen posted on a regular basis.
Susan Harris, 8259 South Sandusky Avenue, Tulsa, OK; stated she does not live in the neighborhood but has been a member of the church for 22 years. The reason the church wants to change the sign is so that it will be dynamic, so they can run current events easily and that cannot be done with the current sign. The current sign sits quite a bit back from the intersection so she thinks that the LED lights will not be much of an issue for drivers.

Rebuttal:
Gary Haynes came forward.

Mr. Van De Wiele asked Mr. Haynes if the proposed sign will have the same brick base as the current sign. Mr. Haynes stated it will not be the same base because the plan is place faux brick around the base but it will be in the same location and the same size footprint. Mr. Haynes stated the current sign is a little over six feet in height and the proposed sign will be 6'-7”.

Ms. Back asked Mr. Haynes if the proposed sign will be positioned the same as the current sign. Mr. Haynes stated the proposed sign will be turned so that it is facing east and west. Ms. Back asked if the proposed sign is a double sided sign. Mr. Haynes answered affirmatively.

Mr. Haynes stated the church is constantly receiving permits to have flags or banners in their yard to advertise events, and they feel the new sign would alleviate that issue.

Mr. Flanagan asked Mr. Haynes if the proposed sign were going to be moved any closer to the street. Mr. Hayne stated that it will not be moved any closer to the street because the proposed sign will be placed in the same location as the existing sign.

Comments and Questions:
Ms. Back stated that a white lighted sign will be quite bright within the neighborhood. She does not understand why it cannot be more like a message board. It is a beautiful church and she understands that the church wants to keep up with the times and attract millennials to the church, but she hears the neighbors as well.

Mr. Van De Wiele stated that churches seem to have the most animation and brightest signs. What it comes down to, for him, is when is the sign turned off? It certainly has been the trend that churches and businesses are needing to get their message out to the public but he would certainly not approve this if it were lit full tilt at dark o’clock in the winter because that would absolutely light up that corner. During the day the sign would not add to any light pollution but when it is dark outside it absolutely would add to the light pollution. So to him it is the hours of operation.

Mr. Flanagan stated that church is right in the middle of a neighborhood and is a commercial concern, so if the sign were on later than 6:00 P.M. he would not be in favor of it because in December it could be distracting.

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Mr. Van De Wiele asked Mr. Swiney if the approval of the sign could be linked to the sunset. Mr. Swiney stated the Board has the discretion to set hours that they think is appropriate, i.e., sunset at one time of the year and an hour on the clock at another time of the year.

Mr. White concurred with everyone on the lighting time frame.

Mr. Van De Wiele asked Mr. Haynes if the Board were to continue this case for a couple of weeks could he and the church meet with the neighborhood. The Board would also like to have more definitive information as to the location and orientation and times of operation. Mr. Haynes stated that the top part of the sign is the portion that would have the LED lighting, and LED lighting is a very small bulb.

Rev. Graham came forward and stated if it comes down to having the sign declined or a continuance to work with the neighborhood he would like to have the continuance.

Board Action:
On MOTION of FLANAGAN, the Board voted 4-0-0 (Back, Flanagan, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Bond absent) to CONTINUE the request for a Special Exception to permit a dynamic display for a church in the RS-2 District (Section 60.050) to the June 27, 2017 Board of Adjustment meeting; for the following property:

BEG NE COR NE NE SW TH S 460.01 W 317.53 N 460.01 E 317.56 TO BEG SEC 33 19 13, HOLLIDAY HILLS ADDN B21-29, LOU NORTH WOODLAND ACRES 4TH ADDN, RUSTIC HILLS 2ND ADDN, City of Tulsa, Tulsa County, State of Oklahoma

22250—Corbin Smith

Action Requested:
Special Exception to allow the driveway width to exceed 20 feet in width on the lot and in the Right-of-Way in the RS-4 District (Section 55.090-F3). LOCATION: 4110 South 185th Avenue East (CD 6)

Presentation:
Corbin Smith, 9959 East 51st Street, Tulsa, OK; stated the 27 foot driveway is for a typical three car garage which is on most of the lots in the neighborhood. The neighborhood is about eight years old and the Code changed in January 2016 thus the Special Exception request.

Interested Parties:
There were no interested parties present.

Comments and Questions:
None.
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.

**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 7, 2022

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

Phone: 918-232-8024

APPLICATION NO: SIGN-111266-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 4309 E. 56th St.
Description: Freestanding sign with dynamic display

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.

2. INFORMATION ABOUT ZONING CODE, THE INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 WEST 2ND STREET, 8TH FLOOR, TULSA, OK, 74103 OR TELEPHONE (918) 584-7526.

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

(Continued)
REVIEW COMMENTS

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

Application No. SIGN-111266-2022

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.

(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.

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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-2 zoning district and requires a special exception from the BOA prior to issuance of a sign permit.

The sign review will resume once 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.

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"
0.063 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'-1" X 7'-10"

0.063 ALUMINUM FILLER PAINTED BLACK

POLE PAINTED BLACK

Proposed

Existing Condition

Replacing existing 2-pole structure with single pole structure
FRONT VIEW

TOP VIEW

SIDE VIEW

BACK VIEW

NOTES:

MATERIAL: 5052
FINISHING: MATT PLASTIC SPRAY, BLK
SPECS: 60x150, 1R101B
PITCH: 16mm
WEIGHT: 294 lbs/face

Note:

Positions and dimensions of the vents in this drawing are for reference only. For accurate drawing, please request production drawing from Optec.
EMT 3/4 compression X NPSM Male

WRONG

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

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

---

**Forced Air Circulation**

**Front View**
- Marquee or Top cover
- Fan
- Hot Air Out
- Display

**Side View**
- Marquee or Top cover
- Fan
- Hot Air Out

**DO**
- DO Provide Sufficient Vents to allow outside air into a skinned/closed structure
- DO Provide Fans if necessary to push Hot Air out of closed Structures
- DO Maintain minimum of 1.5 inch clearance at bottom of enclosed sign
- DO Maintain Temperature inside sign between 22°F to +130 Degrees F
- DO Keep Temperature below 100 Degrees F inside cabinet
- DO Provide Axial Air Fans if Air Flow Restricted inside Frame/Structure
- DO Provide Thermal Switches to turn on Fans at 90-105 degrees F

---

**Natural Convection**

**Front View**
- Display

**Side View**
- Display

**DO**
- DO Provide Outside Air TO Reach Cabinet Air Inlet Vents
- DO Maintain Temperature inside sign between 22°F to +130 Degrees F
- DO Provide Sufficient Venting for Natural Convection if Skinned
- DO Inspect Vents Periodically to ensure they are Clean/Open
- DO Keep inside cabinet temperature below 100 degrees F
- DO Maintain clearance above and below cabinet a min of 15''

---

**Forced Air Circulation**

**Front View**
- Marquee or Top cover
- Fan
- Hot Air Out
- Vents

**Side View**
- Marquee or Top cover
- Fan
- Hot Air Out
- Vents

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

---

**Natural Convection II**

**Front View**
- Display

**Side View**
- Display

**DON'T**
- DON'T Block Cabinet Air Vents in back of Display
- DON'T 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: 9332  Case Number: BOA-23340
CZM: 47
CD: 9

HEARING DATE: 05/10/2022 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: 3213 E 56 ST S

ZONED: RS-2

PRESENT USE: School

TRACT SIZE: 1268354.78 SQ FT

LEGAL DESCRIPTION: SE NE LESS E466.69 N766.69 & LESS E199.5 S200.5 & LESS BEG SWC TH N30 E619.98 N30 E242.4 S30 E258.12 S30 W POB & LESS BEG 766.69S NEC SE NE TH W100 S353.56 E100 N353.56 POB FOR STS SEC 32 19 13 29.117ACS,

RELEVANT PREVIOUS ACTIONS:

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 property is located on the North side of E. 56th St. S. just East of Manion Park.

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.
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 marques.

**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
LOD Number: 1

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

APPLICATION NO: SIGN-111264-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)  
Location: 3111 E. 56th St.  
Description: Freestanding sign with dynamic display

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**SUBMITTALS Faxed / Emailed to Plans Examiners Will Not Be Accepted.**

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**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.

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KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A CITY OF TULSA SIGN PERMIT.
Eisenhower International School
3111 E 56th Street
Tulsa, OK 74105
**Proposed new sign Location on 56th Street South**

**Existing Condition**

Sign will be removed and repositioned to the south of the School Building adjacent to East 56th Street South.
FRONT VIEW

SIDE VIEW

TOP VIEW

BACK VIEW

NOTES:

MATERIAL: 5052
FINISHING: MATT PLASTIC SPRAY BLK
SPEC: 60x150 1R101B
PITCH: 16mm
WEIGHT: 294 lbs/face

8.13
EMT 3/4 compression X
NPSM Male

RIGHT

WRONG
AC wiring Diagram

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

Max. Power [Watt/Phase]

<table>
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<tr>
<th>Circuit</th>
<th>Watts</th>
<th>Units</th>
</tr>
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<tbody>
<tr>
<td>Phase 1</td>
<td>900</td>
<td>3</td>
</tr>
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Total number of circuits per row: 9

Electrical must be installed in accordance with the requirements of National Electrical Codes or local codes.
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 a minimum of 15 inch clearance at bottom of enclosing sign
- Maintain Temperature inside sign between 220 to +300 Degrees F
- Keep Temperatures below 110 degrees F inside cabinet
- Provide AxialAir Fans if Air Flow Restricted inside Frame/Structure
- Provide Thermal Switches to turn on fans at 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 ID Sign/Marker 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 22 to +300 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°

**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: 9213  Case Number: BOA-23341
CZM: 36
CD: 4

HEARING DATE: 05/10/2022 1:00 PM

APPLICANT: Jason Coutant

ACTION REQUESTED: Special Exception to allow a wall or fence to exceed 8-feet in height (Sec. 45.080-A)

LOCATION: 1257 E HAZEL BV S  ZONED: RS-2

PRESENT USE: Residential Single Family  TRACT SIZE: 9618.09 SQ FT

LEGAL DESCRIPTION: LT 21 BLK 11, SUNSET TERRACE

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 Hazel Boulevard and S. Peoria Ave.

STAFF COMMENTS: The applicant is requesting a Special Exception to allow a wall or fence to exceed 8-feet in height (Sec. 45.080-A)
The applicant is seeking to add fencing onto an existing retaining wall which would put the structure over 8-feet from grade. Per the applicant the fencing will not be greater than 8-feet from the grade of the neighboring properties.

**SAMPLE MOTION:** Move to ________ (approve/deny) a **Special Exception** to allow a wall or fence to exceed 8-feet in height (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**
## DEVELOPMENT SERVICES

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

ZOING CLEARANCE  
PLAN REVIEW

Lauren Parker  
PLANS EXAMINER  
TEL (918) 596-9499  
laurenparker@cityoftulsa.org

LOD Number: 01

Jason Coutant  
1257 Hazel Blvd.  
Tulsa, OK 74114

APPLICATION NO: BLDR-106550-2021  
(PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 1257 E Hazel Blvd

Description: Zoning Clearance Only - Fence

### INFORMATION ABOUT SUBMITTING REVISIONS

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

**REVISIONS NEED TO INCLUDE THE FOLLOWING:**

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

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

1. **45.080-A – Fences and Walls.**

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

**90.170-A Fences and Walls.**

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

**Review Comments:** Provide documentation indicating the proposed fence will not exceed 8’ in height measured from grade (the base of the retaining wall) or apply to BOA for a special exception to allow a fence to exceed 8’ in height.

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


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

1. *The special exception will be in harmony with the spirit and intent of the Zoning Code.*

Section 45.080 Fences and Walls

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

Section 90.170 Other Height Measurements

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

Response:

*The requested exception will be in harmony with the spirit and intent of the Zoning Code because 90.170-A was drafted assuming that grade of a wall is the same on both sides of the wall (the bottom of the wall). In the applicant’s case, grade on one side of the wall is the bottom of the wall, and grade on the other side of the wall is the top of the wall. The wall in question is a retaining wall. See photo. The proposed fence is therefore in harmony with the spirit and intent of the Zoning Code because the proposed fence will be not exceed 8 feet in height as measured from the top of the wall grade side. The proposed fence will be 6 feet in height and will be installed directly on top of the existing retaining wall.*

2. *The special exception will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

Response:

*The proposed fence will be wood construction privacy fence. The proposed fence will not be injurious to the neighborhood or otherwise detrimental to the public welfare. Applicant’s neighbor to the east will benefit from reduced noise pollution from applicant’s cars and basketball. The proposed fence will also be aesthetically pleasing from the curb.*
Legal Description

Lot Twenty-one (21), Block Eleven (11), SUNSET TERRACE, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat No. 644.

NOTE: COVERED PATIO ENCROACHES INTO 4' ESMT.

SCALE
1" = 40'

LENGTH OF PROPOSED FENCE = 55 FEET
HEIGHT OF PROPOSED FENCE = 6 FEET
DISTANCE FROM CENTER OF HAZEL BLVD. TO BEGINNING OF FENCE = 81 FEET

SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "UNSHAD ED X" AN AREA OF MINIMAL FLOOD HAZARD AS SHOWN ON FIRM MAP #40143C0240L, DATED 10/16/12

PROPERTY ADDRESS: 1257 HAZEL BOULEVARD, TULSA, OKLAHOMA

SURVEYORS STATEMENT

I, DARRELL BIBLE, PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT IN MY PROFESSIONAL OPINION, THE ABOVE INSPECTION PLAT SHOWS THE DWELLING AS LOCATED ON THE PREMISES DESCRIBED, THAT IT IS ENTIRELY WITHIN THE DESCRIBED TRACT BOUNDARIES AND THERE ARE NO ENCROACHMENTS THEREON BY VISIBLE PERMANENT IMPROVEMENTS, EXCEPT AS INDICATED. FENCING NOT SHOWN; THAT THE ABOVE INSPECTION PLAT SHOWS ALL RECORDED PLAT EASEMENTS AND OTHER SUCH EASEMENTS WHICH HAVE BEEN DISCLOSED BY A CURRENT TITLE OPINION OR BY COMMITMENT FOR TITLE INSURANCE AND COPIES THEREOF PROVIDED TO US; THAT THE INSPECTION PLAT WAS PREPARED FOR IDENTIFICATION ONLY FOR THE MORTGAGER AND IS NOT A LAND OR BOUNDARY LINE SURVEY. THAT NO PROPERTY CORNERS WERE SET, AND IS NOT TO BE USED OR RELIED UPON, FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER IMPROVEMENTS. THAT UNDERGROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS INSPECTION PLAT UNLESS SPECIFICALLY REQUESTED BY THE CLIENT; THAT THIS INSPECTION PLAT WAS PREPARED SOLELY FOR THE CLIENT LISTED ABove AND MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFINANCE, OR OTHER TRANSACTION, AND THAT NO RESPONSIBILITY OR LIABILITIES ASSUMED HEREIN OF ERRORS OR OMISSIONS TO THE PRESENT OR FUTURE LANDOWNER OR OCCUPANT. BURIED SERVICE CABLE LOCATIONS ARE APPROXIMATE. CALL OKE BEFORE DIGGING 1-(800)-522-8543.
Proposed fence
It will look like this. New fence to go here.
BOARD OF ADJUSTMENT
CASE REPORT

STR: 0421  Case Number: BOA-23342
CZM: 31
CD: 3

HEARING DATE: 05/10/2022 1:00 PM

APPLICANT: Kensy Maxwell

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

LOCATION: 14115 E APACHE ST N  ZONED: IM

PRESENT USE: Light-Industrial  TRACT SIZE: 422085.06 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 1, UC-1

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c of E. Apache St. and N. 141st E. Ave. The property is surrounded by Industrial property including multiple gravel drives serving those industrial uses.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit the storage or display of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface outside of the required building setbacks (Sec. 55.090-F-2)
The applicant is adding a vehicle sales use to the property and as a part of the update to their building permit they are required to bring the existing gravel parking lot into compliance.

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

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

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

March 2, 2022

Kensy Maxwell
14115 E. Apache St. N.
Tulsa, OK 74116

Phone: 816-591-8763

APPLICATION NO: ZCO-110846-2022

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 14115 E. Apache St.
Description: Auto Sales

INFORMATION ABOUT SUBMITTING REVISIONS

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4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

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

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3. INFORMATION ABOUT THE ZONING CODE, BOARD OF ADJUSTMENT (BOA), PLANNING COMMISSION (TMAPC), AND THE TULSA PLANNING OFFICE AT INCOG CAN BE FOUND ONLINE AT WWW.TULSAPLANNING.ORG; IN PERSON AT 2 W. 2ND ST., 8TH FLOOR, IN TULSA; OR BY CALLING 918-584-7526 AND ASKING TO SPEAK TO SOMEONE ABOUT THIS LETTER OF DEFICIENCY.

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)
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:** Zoning clearance permit applications must be accompanied by a legal description of the lot and plans, drawn to scale, showing at least the following information:
   - The location and size of any existing buildings or structures to be erected or altered;
   - The existing and intended use of each building or structure and portion of the lot; and
   - The location and dimensions of customer and employee parking and outdoor display of vehicles for sale. This includes the parking spaces and the maneuvering areas necessary to enter and exit the parking and display area.

   **Review Comment:** Submit a site plan indicating the location of the prospective auto lot and the designated parking on the lot.

2. **Sec.55.090-F2:** All motorized vehicles designed for travel upon public streets and that are being parked, stored or displayed for sale must be parked, stored or displayed on dustless, all-weather surface. This surfacing requirement does not apply to junk or salvage yards. The board of adjustment is authorized to grant a special exception permitting the storage or display of motorized vehicles on a surface other than one consisting of a dustless; all-weather surface if the location complies with all applicable minimum building setbacks.

   **Review comment:** The proposed vehicle storage area is not located on a dustless, all-weather surface. Resubmit a site plan providing a dustless, all-weather surface. You may consider submitting a Special Exception, reviewed and approved per Sec.70.120, to permit the storage of motorized vehicles on a surface other than one consisting of a dustless; all-weather surface if the location complies with all applicable minimum building setbacks. Contact INCOG/Tulsa Planning Office for further instruction and next steps. 918-584-7526.
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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

NOTE: 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: 329  Case Number: BOA-23343
CZM: 29
CD: 3

HEARING DATE: 05/10/2022 1:00 PM

APPLICANT: Shirley Thomas

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

LOCATION: 2138 N DELAWARE AV E  ZONED: RS-3
PRESENT USE: RS-3  TRACT SIZE: 6751.83 SQ FT
LEGAL DESCRIPTION: LOT 3 BLK 1, WAFUL HGTS RESUB B9 CITY VIEW & PRT B8&19 TULSA HGTS

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 a vacant parcel located South of the SW/c of E. Woodrow Pl. and N. Delaware Ave.

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

11.2
The applicant has provided a site plan showing the placement of the unit on the property but did not show a model year or renderings of the home.

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

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

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

Facing South on N. Delaware
Facing North on N. Delaware
STAFF COMMENT: Applicant has not provided parking spaces on site plan, per code 2 spaces will be required per Table 55-1 of the Zoning Code. Those spaces must meet the parking area design standards of Sec. 55.090.
ZONING CLEARANCE PLAN REVIEW

10/27/2021

 Lod No. 1

Shirley Thomas
2139 N. Delaware Ave.
Tulsa, OK 74110

APPLICATION NO: BLDR-098898-2021 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 2138 N. Delaware Ave.
Description: Manufactured housing unit

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

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

2. 35.010-H Manufactured Housing Unit A detached house is a principal residential building, other than a manufactured housing unit or mobile home, that contains only one dwelling unit and that is located on a single lot that is not occupied by other principal residential buildings. Detached houses are not attached to and do not abut other dwelling units.

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

3. Sec. 55.090-A Applicability The parking area design regulations of this section apply to all off-street parking lots for motor vehicles, whether containing required parking spaces or non-required parking spaces. You are required to provide 2 parking spaces on this lot per Table 55-1.

**Review Comments:** Each parking space must be 8.5 feet by 18 feet on this lot. Therefore, the parking area must be at least 17' wide by 18' deep and it must be entirely on your lot; it cannot be in the right of way. Provide two parking spaces on this lot or apply to BOA for a variance to allow less than the required parking spaces.

4. Sec. 70. 080-C-Site Plan for Zoning Plan Review: Applications for a Building Permit shall include a site plan that provides zoning data for the Zoning review portion of the Building Permit application.

**Review Comment:** Your site plan is insufficient to complete the Zoning portion of your application. The dimensions of the building and the setbacks from the property line should add up. For instance, the building is shown to be 60' long, and there are setbacks shown of 58' 2" and 30' 5" to the property lines. This adds up to a distance of 148' 7" which is longer than the 123.38' long property line shown on the south side of the lot.

Submit a site plan that provides the following:
- North arrow
- Appropriate drawing to scale;
- Legal description of the lot;
- Actual shape and dimensions of the lot;
- Lot lines and names of abutting streets;
- Public rights-of-way;
- The location, dimensions and height of proposed buildings or structures, drawn to scale;
- The setbacks from the proposed new buildings or structures to the centerline of abutting street.

The zoning review for your permit application will resume after these revised documents are submitted. Additional deficiencies may be found and are required 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 584-7626. 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.
BOA-23343

Aerial Photo Date: 2020/2021

Note: Graphic overlays may not precisely align with physical features on the ground.
BOA-23343

20-13 29

Subject Tract

Note: Graphic overlays may not precisely align with physical features on the ground.
BOARD OF ADJUSTMENT  
CASE REPORT 

STR: 0234  
CD: 1,  

HEARING DATE: 05/10/2022 1:00 PM  

APPLICANT: Concept Builders, Inc.  

ACTION REQUESTED: Special Exception to permit Detached Houses in the CS District (Sec.15.020-H, Table 15-2.5)  

LOCATION: West side of N. Country Club Dr. in between West Jasper St. and W. Haskell Pl. (Multiple Lots)  

ZONED: RS-3  

PRESENT USE: Vacant  

TRACT SIZE:  

LEGAL DESCRIPTION: Lots 3, 4, 5, 7, 8 Block 2 Country Club Addition  

RELEVANT PREVIOUS ACTIONS: 

Subject property: None.  

Surrounding properties:  

BOA-19945; On 11/23/2004 the Board approved a Special Exception to allow Single-family Residential Use in the CS district located NW/c of Country Club Drive and W. Independence.  

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 properties are five lots located West side of N. Country Club Dr. in between West Jasper St. and W. Haskell Pl. There is no commercial activity in the area and it is unclear the original intent of the Commercial Zoning at that location.
STAFF COMMENTS: The applicant is requesting Special Exception to permit Detached Houses in the CS District (Sec.15.020-H, Table 15-2.5)

SAMPLE MOTION: Move to ________ (approve/deny) a Special Exception to permit Detached Houses in the CS District (Sec.15.020-H, Table 15-2.5)

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

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

Subject Properties
MORTGAGE INSPECTION REPORT
NOT A LAND OR BOUNDARY SURVEY

LEGEND
- CENTERLINE
- RL - BUILDING LINE
- UE - UTILITY EASEMENT
- SE - SERVICE ENTRANCE
- RW - RIGHT-OF-WAY
- MAE - MUTUAL ACCESS ESM
- B/E - BURIED ELEC. ESM
- UE - LANDSCAPE ESM
- D/E - DRAINAGE ESM
- W/E - WATERLINE ESM
- TR/PS - TRANSFORMER

SELLER: Housing Authority of the City of Tulsa
BUYER: CBG Investments, LLC
CLIENT: Charter Title & Escrow Company, LLC

FLOOD PLAIN STATEMENT:
THIS PROPERTY IS LOCATED IN ZONE X (UNSHADED AREAS). PER FLOOD INSURANCE RATE MAP 40113C1242K EFFECTIVE APRIL 02, 2008. ZONE X (UNSHADED) DEFINED AS AREA OF MINIMAL CHANCE OF FLOOD HAZARD.

SURVEYOR'S NOTE:
THE FOLLOWING FOUND IN TITLE OPINION #21110055, DATED 01/11/2022; DOES AFFECT THE PROPERTY:
- #F ITEMS CONTAINED IN THE PLAT AND DEED OF DEDICATION/COVENANTS AND RESTRICTIONS, OF COUNTRY CLUB ADDITION I, PLAT BK 1217 PG 829 DOES NOT AFFECT THE PROPERTY.
- #E BK 1050 PG 672

DATE OF FIELD INSPECTION:
JANUARY 20TH, 2022

LEGAL DESCRIPTION:
LOT THREE (3), BLOCK TWO (2), COUNTRY CLUB ADDITION I, A SUBDIVISION IN THE CITY OF TULSA, OSAGE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE Recorder PLAT THEREOF.
ALSO KNOWN AS:
TBD COUNTRY CLUB DRIVE, TULSA, OK

CERTIFICATION:
THIS MORTGAGE INSPECTION REPORT WAS PREPARED FOR CHARTER TITLE & ESCROW COMPANY, LLC. IT IS NOT A LAND OR BOUNDARY SURVEY PLAT, AND IT IS NOT TO BE REPLIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. THIS INSPECTION PLAT WAS PREPARED SOLELY FOR THE CLIENT LISTED HEREON AND MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFINANCE, OR OTHER TRANSACTION, AND THAT NO RESPONSIBILITY OR LIABILITIES ASSUMED HEREIN OR HEREBY TO THE PRESENT OR FUTURE LAND OWNER OR OCCUPANT. THE ACCOMPANYING SKETCH IS A TRUE REPRESENTATION OF THE CONDITIONS THAT WERE FOUND AT THE TIME OF THE INSPECTION, AND THE LINEAR AND ANGULAR VALUES SHOWN ON THE SKETCH, IF ANY, ARE BASED ON RECORD OR DEED INFORMATION AND HAVE NOT BEEN VERIFIED UNLESS NOTED. THE DWELLING LIES WHOLLY WITHIN THE BOUNDARIES OF THE DESCRIBED LOT UNLESS OTHERWISE NOTED, NO PROPERTY CORNERS WERE SET BY BAKER SURVEYING. UNDERGROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS INSPECTION PLAT UNLESS SPECIFICALLY REQUESTED BY THE CLIENT. BURIED SERVICE CABLE LOCATIONS ARE APPROXIMATE.

WITNESS MY HAND AND SEAL THIS DATE: JANUARY 21ST, 2022

ROBERT T. HORTON
1447

PROFESSIONAL LAND SURVEYOR
OKLAHOMA

BAKER SURVEYING, LLC
4877 SOUTH 63RD EAST AVENUE
TULSA, OKLAHOMA 74145
OKLAHOMA #5816 EXPIRES 6/30/2022
(918) 271-5733
LEGEND
- CENTER LINE
- RL - BUILDING LINE
- UE - UTILITY EASEMENT
- SE - SERVICE ENTRANCE
- RW - RIGHT-OF-WAY
- MA - MUTUAL ACCESS ESMT
- BE - BURIED ELEC. ESMT
- LE - LANDSCAPE ESMT
- DLE - DRAINAGE ESMT
- WEL - WATERLINE ESMT
- TRANS - REFINEMENTS

MORTGAGE INSPECTION REPORT
NOT A LAND OR BOUNDARY SURVEY

SCALE: 1'-30"

SELLER: Housing Authority of the City of Tulsa
BUYER: C3G Investments, LLC
CLIENT: Charter Title & Escrow Company, LLC

FLOOD PLAIN STATEMENT:
THIS PROPERTY IS LOCATED IN ZONE X (UNSHADED AREAS). PER FLOOD INSURANCE RATE MAP 40113C1242K EFFECTIVE APRIL 02, 2008. ZONE X (UNSHADED) DEFINED AS AREA OF MINIMAL CHANCE OF FLOOD HAZARD.

SURVEYOR’S NOTE:
THE FOLLOWING FOUND IN TITLE OPINION #21110055, DATED 01/11/2022;
DOES AFFECT THE PROPERTY:
- #F ITEMS CONTAINED IN THE PLAT AND DEED OF DEDICATION/COVENANTS
AND RESTRICTIONS, OF COUNTRY CLUB ADDITION I PLAT BK 1217 PG 825
DOES NOT AFFECT THE PROPERTY:
- #E BK 1050 PG 672

DATE OF FIELD INSPECTION:
JANUARY 24TH, 2022

LEGAL DESCRIPTION:
LOT FOUR (4), BLOCK TWO (2), COUNTRY CLUB ADDITION I, A SUBDIVISION IN THE CITY OF TULSA, OSAGE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.
ALSO KNOWN AS: TBD COUNTRY CLUB DRIVE, TULSA, OK

CERTIFICATION:
THIS MORTGAGE INSPECTION REPORT WAS PREPARED FOR CHARTER TITLE & ESCROW COMPANY, LLC. IT IS NOT A LAND OR BOUNDARY SURVEY PLAT, AND IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. THIS INSPECTION PLAT WAS PREPARED SOLELY FOR THE CLIENT LISTED HEREIN AND MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFINANCE, OR OTHER TRANSACTION; AND THAT NO RESPONSIBILITY OR LIABILITIES ASSUMED HEREIN OR HEREBY TO THE PRESENT OR FUTURE LAND OWNER OR OCCUPANT. THE ACCOMPANYING SKETCH IS A TRUE REPRESENTATION OF THE CONDITIONS THAT WERE FOUND AT THE TIME OF THE INSPECTION, AND THE LINEAR AND ANGULAR VALUES SHOWN ON THE SKETCH, IF ANY, ARE BASED ON RECORD OR DEED INFORMATION AND HAVE NOT BEEN VERIFIED UNLESS NOTED. THE DWELLING LIES WHOLLY WITHIN THE BOUNDARIES OF THE DESCRIBED LOT UNLESS OTHERWISE NOTED. NO PROPERTY CORNERS WERE SET BY BAKER SURVEYING.
UNDERGROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS INSPECTION PLAT UNLESS SPECIFICALLY REQUESTED BY THE CLIENT. BURIED SERVICE CABLE LOCATIONS ARE APPROXIMATE.

WITNESS MY HAND AND SEAL THIS DATE: JANUARY 21ST, 2022

Robert T. Hector
1447

BAKER SURVEYING, LLC
4577 SOUTH 83RD EAST AVENUE
TULSA, OKLAHOMA 74145
OKLAHOMA CPA #8516 EXPIRES 6/30/2022
(918) 271-5793

12.6
FLOOD PLAIN STATEMENT:
THIS PROPERTY IS LOCATED IN ZONE X (UNSHADED AREA) PER FLOOD INSURANCE RATE MAP 40115C/242K EFFECTIVE APRIL 02, 2008. ZONE X (UNSHADED) DEFINED AS AREA OF MINIMAL CHANCE OF FLOOD HAZARD.

SURVEYOR'S NOTE:
The following found in title opinion #21110555, dated 01/11/2022:
DOES AFFECT THE PROPERTY:
- #1 ITEMS CONTAINED IN THE PLAT AND DEED OF DEDICATION/COVENANTS AND RESTRICTIONS, OF COUNTRY CLUB ADDITION I, PLAT BK 1277 PG 825 DOES NOT AFFECT THE PROPERTY:
- #2 BK 1050 PG 672

DATE OF FIELD INSPECTION:
JANUARY 23RD, 2022

LEGAL DESCRIPTION:
LOT FIVE (5), BLOCK TWO (2), COUNTRY CLUB ADDITION I, A SUBDIVISION IN THE CITY OF TULSA, ORANGE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.
ALSO KNOWN AS:
TBD COUNTRY CLUB DRIVE, TULSA, OK

CERTIFICATION:
THIS MORTGAGE INSPECTION REPORT WAS PREPARED FOR CHARTER TITLE & ESCROW COMPANY, LLC. IT IS NOT A LAND OR BOUNDARY SURVEY PLAT, AND IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. THIS INSPECTION PLAT WAS PREPARED SOLELY FOR THE CLIENT LISTED HEREIN AND MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFINANCE, OR OTHER TRANSACTION; AND THAT NO RESPONSIBILITY OR LIABILITIES ASSUMED HEREIN OR HEREBY TO THE PRESENT OR FUTURE LAND OWNER OR OCCUPANT. THE ACCOMPANYING SKETCH IS A TRUE REPRESENTATION OF THE CONDITIONS THAT WERE FOUND AT THE TIME OF THE INSPECTION, AND THE LINEAR AND ANGULAR VALUES SHOWN ON THE SKETCH, IF ANY, ARE BASED ON RECORD OR DEED INFORMATION AND HAVE NOT BEEN VERIFIED UNLESS NOTED. THE DWELLING LIES WHOLLY WITHIN THE BOUNDARIES OF THE DESCRIBED LOT UNLESS OTHERWISE NOTED. NO PROPERTY CORNERS WERE SET BY BAKER SURVEYING. UNDERGROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS INSPECTION PLAT UNLESS SPECIFICALLY REQUESTED BY THE CLIENT. BURIED SERVICE CABLE LOCATIONS ARE APPROXIMATE.

WITNESS MY HAND AND SEAL THIS DATE: JANUARY 21ST, 2022

BAKER SURVEYING, LLC
4677 SOUTH BIRD EAST AVENUE
TULSA, OKLAHOMA 74145
OKLAHOMA #5816 EXPIRES 6/30/2023
(918) 271-0707

Robert T. Hinton
1447

PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 332831

12.7
SELLER: Housing Authority of the City of Tulsa
BUYER: CBG Investments, LLC
CLIENT: Charter Title & Escrow Company, LLC

FLOOD PLAIN STATEMENT:
THIS PROPERTY IS LOCATED IN ZONE X (UNSHADED AREAS) PER FLOOD INSURANCE RATE MAP 4011301242K EFFECTIVE APRIL 02, 2008. ZONE X (UNSHADED) DEFINED AS AREA OF MINIMAL CHANCE OF FLOOD HAZARD.

SURVEYOR'S NOTE:
THE FOLLOWING FOUND IN TITLE OPINION #21110055, DATED 01/11/2022:
- #F ITEMS CONTAINED IN THE PLAT AND DEED OF DEDICATION/COVENANTS AND RESTRICTIONS, OF COUNTRY CLUB ADDITION I, PLAT BK 1217 PG 625 DOES NOT AFFECT THE PROPERTY:
- #E BK 1050 PG 672

LEGEND:
E - CRYSTALINE
BL - BUILDING LINE
UE - UTILITY EASEMENT
SE - SERVICE ENTRANCE
RP - RIGHT-OF-WAY
MA - MUTUAL ACCESS EMIT
SE - BURIED ELEC. EMIT
UE - LANDSCAPE EMIT
DE - DRAINS EMIT
WE - WATERLINE EMIT
TRANS - TRANSFORMER

DATE OF FIELD INSPECTION:
JANUARY 20TH, 2022

LEGAL DESCRIPTION:
LOT SEVEN (7), BLOCK TWO (2), COUNTRY CLUB ADDITION I, A SUBDIVISION IN THE CITY OF TULSA, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.
ALSO KNOWN AS:
TBD COUNTRY CLUB DRIVE, TULSA, OK

CERTIFICATION:
THIS MORTGAGE INSPECTION REPORT WAS PREPARED FOR CHARTER TITLE & ESCROW COMPANY, LLC. IT IS NOT A LAND OR BOUNDARY SURVEY PLAT, AND IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. THIS INSPECTION PLAT WAS PREPARED SOLELY FOR THE CLIENT LISTED HEREON AND MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFINANCE, OR OTHER TRANSACTION, AND THAT NO RESPONSIBILITY OR LIABILITIES ASSUMED HEREIN OR HEREBY TO THE PRESENT OR FUTURE LAND OWNER OR OCCUPANT. THE ACCOMPANYING SKETCH IS A TRUE REPRESENTATION OF THE CONDITIONS THAT WERE FOUND AT THE TIME OF THE INSPECTION, AND THE LINEAR AND ANGULAR VALUES SHOWN ON THE SKETCH, IF ANY, ARE BASED ON RECORD OR DEED INFORMATION AND HAVE NOT BEEN VERIFIED UNLESS NOTED. THE DWELLING LIES WHOLLY WITHIN THE BOUNDARIES OF THE DESCRIBED LOT UNLESS OTHERWISE NOTED. NO PROPERTY CORNERS WERE SET BY BAKER SURVEYING. UNDERGROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS INSPECTION PLAT UNLESS SPECIFICALLY REQUESTED BY THE CLIENT. BURIED SERVICE CABLE LOCATIONS ARE APPROXIMATE.

WITNESS MY HAND AND SEAL THIS DATE: JANUARY 21ST, 2022

ROBERT T. HALL
PROFESSIONAL LAND SURVEYOR
OKLAHOMA

1447

12.8
MORTGAGE INSPECTION REPORT
NOT A LAND OR BOUNDARY SURVEY

SELLER: Housing Authority of the City of Tulsa
BUYER: CIG Investments, LLC
CLIENT: Charter Title & Escrow Company, LLC

FLOOD PLAIN STATEMENT:
THIS PROPERTY IS LOCATED IN ZONE X (UNSHADED AREAS) PER FLOOD INSURANCE RATE MAP 40113C1242K EFFECTIVE APRIL 02, 2008. ZONE X (UNSHADED) DEFINED AS AREA OF MINIMAL CHANCE OF FLOOD HAZARD.

SURVEYOR'S NOTE:
THE FOLLOWING FOUND IN TITLE OPINION #21110555, DATED 01/12/2022:
DOES AFFECT THE PROPERTY:
- #0 ITEMS CONTAINED IN THE PLAT AND DEED OF DEDICATION/COVENANTS AND RESTRICTIONS, OF COUNTRY CLUB ADDITION I, PLAT BK 1217 PG 825
DOES NOT AFFECT THE PROPERTY:
- #1 BK 1050 PG 672

DATE OF FIELD INSPECTION:
JANUARY 29TH, 2022

LEGAL DESCRIPTION:
LOT EIGHT (8), BLOCK TWO (2), COUNTRY CLUB ADDITION I, A SUBDIVISION IN THE CITY OF TULSA, OSAGE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.
ALSO KNOWN AS: TBD COUNTRY CLUB DRIVE, TULSA, OK

CERTIFICATION:
THIS MORTGAGE INSPECTION REPORT WAS PREPARED FOR CHARTER TITLE & EScROW COMPANY, LLC. IT IS NOT A LAND OR BOUNDARY SURVEY PLAT, AND IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. THIS INSPECTION PLAT WAS PREPARED SOLELY FOR THE CLIENT LISTED HEREIN AND MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFINANCE, OR OTHER TRANSACTION, AND THAT NO RESPONSIBILITY OR LIABILITY IS ASSUMED HEREIN OR HEREBY TO THE PRESENT OR FUTURE LANDOWNER OR OCCUPANT. THE ACCOMPANYING SKETCH IS A TRUE REPRESENTATION OF THE CONDITIONS THAT WERE FOUND AT THE TIME OF THE INSPECTION, AND THE LINEAR AND ANGULAR VALUES SHOWN ON THE SKETCH, IF ANY, ARE BASED ON RECORD OR DEED INFORMATION AND HAVE NOT BEEN VERIFIED UNLESS NOTED. THE DWELLING LIES WHOLLY WITHIN THE BOUNDARIES OF THE DESCRIBED LOT UNLESS OTHERWISE NOTED. NO PROPERTY CORNERS WERE SET BY BAKER SURVEYING.
UNDERGROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS INSPECTION PLAT UNLESS SPECIFICALLY REQUESTED BY THE CLIENT. BURIED SERVICE CABLE LOCATIONS ARE APPROXIMATE.

WITNESS MY HAND AND SEAL THIS DATE: JANUARY 21ST, 2022

Robert T. Horton

12.9
DEVELOPMENT SERVICES  
175 EAST 2nd STREET, SUITE 450  
TULSA, OKLAHOMA  74103-3227  

ZONING CLEARANCE  
PLAN REVIEW  

March 15, 2022  
Phone: (918) 948-1808  

Jesse Powell  
Concept Builders Inc.  
1236 s Lewis E  
Tulsa, OK 74104  

APPLICATION NO: BLDR-110542-2022  
(PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)  

Location: 736 N Country Club Dr W  
Description: New Single Family  

<table>
<thead>
<tr>
<th>INFORMATION ABOUT SUBMITTING REVISIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
</tr>
<tr>
<td>REVISIONS NEED TO INCLUDE THE FOLLOWING:</td>
</tr>
<tr>
<td>1. A COPY OF THIS DEFICIENCY LETTER</td>
</tr>
<tr>
<td>2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED</td>
</tr>
<tr>
<td>3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td><strong>SUBMITTALS FAXED/EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.</strong></td>
</tr>
<tr>
<td>IMPORTANT INFORMATION</td>
</tr>
<tr>
<td>1. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN &quot;SUPPORTING DOCUMENTS&quot;, IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.</td>
</tr>
<tr>
<td>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 <a href="http://WWW.INCOG.ORG">WWW.INCOG.ORG</a> OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.</td>
</tr>
<tr>
<td>3. A COPY OF A &quot;RECORD SEARCH&quot; IS NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE &quot;RECORD SEARCH&quot; 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.).</td>
</tr>
</tbody>
</table>

(Continued)
REVIEW COMMENTS

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

Application No. BLDR-110542-2022 736 N Country Club Dr W March 15, 2022

Note: As provided for in Section 70.130 you may request the Board of Adjustment to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our 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. 15.020-H Residential Building Types

Per Table 15-2.5, a Detached House use is allowed in a CS zoning district only if approved in accordance with the special exception procedures of Section 70.120.

Review Comment: The proposed Detached House use is located in a CS district and requires a special exception granted by the BOA. Please contact an INCOG representative at 918-584-7526 for further assistance in obtaining a special exception. If approved, submit a copy of the approved special exception as a revision to your application.

2. Site Plan: Provide a dimension for the proposed driveway. There should be two dimension lines on the driveway: one near the house (street setback) and one at the street outlet not including curb flares (ROW). Revise the site plan and resubmit

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-23344

20-12 34

Subject Tract

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

Aerial Photo Date: 2020/2021

0 50 100

Feet

12.12
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9213  Case Number: BOA-23345
CZM: 36
CD: 4
HEARING DATE: 05/10/2022 1:00 PM

APPLICANT: Randy Brandstetter

ACTION REQUESTED: Variance to reduce the required 25-foot rear building setback in the RS-2 District (Sec. 5.030-A; Table 5-3)

LOCATION: 2539 S OWASSO AV E  ZONED: RS-2

PRESENT USE: Residential Single-family  TRACT SIZE: 8437.61 SQ FT

LEGAL DESCRIPTION: LT 5 BLK 9, SUNSET TERRACE

RELEVANT PREVIOUS ACTIONS:
Subject Property: None.

Surrounding properties:
BOA-21856; On 03.10.15 the Board approved a Variance of the rear yard setback from 20-feet to 11-feet to permit an addition to an existing home. Property located 1131 E. 26th St. S.

BOA-5199; On 09.14.1966 the Board approved relief to allow a dwelling unit 10-feet from the rear lot line. Property located 2541 S. Owasso Ave. E.

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 on the Southside of S. Owasso Ave. in between S. Norfolk and Woodward Boulevard.

STATEMENT OF HARDSHIP: Owners need a ground level master suite due to physical limitations of the husband, a Veteran with some back problems making stairs almost impossible to access the upstairs. There are 2 houses adjacent (with shared property lines) that are closer to rear property line than this variance request.
STAFF COMMENTS: The applicant is seeking a **Variance** to reduce the required 25-foot rear building setback in the RS-2 District (Sec. 5.030-A; Table 5-3)

### Chapter 5 | Residential Districts
#### Section 5.030 | 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>
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The statement of hardship speak to the personal situation of property owner and does not describe any hardships related to the physical surroundings, shape, or topographical conditions of the subject property. The requested relief would decrease the rear setback from 25-feet to 13-feet and 3-inches at its closest point.

**SAMPLE MOTION:** Move to _________ (approve/deny) a **Variance** to reduce the required 25-foot rear building setback in the RS-2 District (Sec. 5.030-A; Table 5-3)

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

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

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

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

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

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

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

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

g. *That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan."*
Subject property
Front & Side Driveway
~400 sf

New Building coverage
and front driveway 2046 total sf therefore open space 8430.2244 sf or
5182 open space
BOA-23345

19-12 13

Aerial Photo Date: 2020/2021

Note: Graphic overlays may not precisely align with physical features on the ground.
BOARD OF ADJUSTMENT
CASE REPORT

STR: 8210 Case Number: BOA-23347
CZM: 51
CD: 2

HEARING DATE: 05/10/2022 1:00 PM

APPLICANT: Tom Beverage

ACTION REQUESTED: Special Exception to permit an Accessory Dwelling Unit in the AG-R District (Sec. 45.031-D)

LOCATION: 3045 W 77 ST S ZONED: AG-R

PRESENT USE: Vacant with a residence under construction TRACT SIZE: 100624.01 SQ FT

LEGAL DESCRIPTION: NE NW NW SW LESS S25 FOR RDS SEC 10 18 12,

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located East of the NE/c of E. 77th St. S. and S. 33rd W. Ave. property is located approximately 350-feet East of the boundary line between the City of Tulsa and the City of Sapulpa.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit an Accessory Dwelling Unit in the AG-R District (Sec. 45.031-D), included in your packet is a copy of Sec. 45.031 including the supplemental regulations for ADU’s.
The property is included in the West Highlands/ Tulsa Hills Small Area Plan Area, included in that plan is a goal stating the following, taken from page 13 of the West Highlands/ Tulsa Hills Small Area Plan available at http://tulsaplanung.org/plans/West-Highlands-Tulsa-Hills-Small-Area-Plan.pdf:

2.7 Support a change to the zoning code that enables a property owner to construct and rent an accessory dwelling unit (commonly known as "mother-in-law flat") on their residential-zoned property. Support Board of Adjustment applications asking for such uses in this area.

**SAMPLE MOTION:** Move to ______ (approve/deny) a **Special Exception** to permit an Accessory Dwelling Unit in the AG-R District (Sec. 45.031-D)

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

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
Section 45.030 Accessory Buildings and Carports in R Districts

45.030-A Accessory Building Size

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

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

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

45.030-B Carports

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

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

Section 45.031-A Definition

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

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

Section 45.031-B Purpose

1. The purpose of allowing accessory dwelling units within R, AG, and AG-R districts is to:
   a. accommodate new housing units while preserving the character of existing neighborhoods;
   b. allow efficient use of the city's existing housing stock and infrastructure;
   c. provide housing options and choices that respond to varying income levels, changing household sizes and lifestyle needs; and
d. provide a means for residents—particularly seniors, single parents, and empty-nesters—to remain in their homes and neighborhoods, and obtain extra income, security, companionship and assistance.

2. The ADU supplemental regulations are also intended to help ensure that that new buildings and modifications to existing buildings are designed with sensitivity to their context in terms of building placement, proportions, building materials, and similar design features.

Section 45.031-C Applicability

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

Section 45.031-D Regulations

1. Where Allowed

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

2. Number

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

3. Methods of Creation

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

a. Constructing an accessory dwelling unit on a lot with a new or existing detached house; or

b. Converting or increasing existing floor area within an accessory building on a lot with an existing detached house.

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

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

5. Open space (Minimum open space per unit)

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

6. Accessory Dwelling Unit Size

a. RE and RS-1 Districts

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

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

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

7. **Building and Fire Codes**

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

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

a. **Entrances**

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

b. **Setbacks**

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

c. **Exterior Finish Materials**

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

d. **Roof Pitch**

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

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

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

**Section 45.050**  
**Dumpsters**

45.050-A **Regulations**

Dumpsters established or placed on or after the effective date specified in Section 1.030 are subject to the following regulations:

1. Dumpsters may only be placed with the written permission of the owner of the subject property.

2. Dumpsters must be located on a dustless, all-weather surface.

3. Dumpsters may not:

   a. Obstruct motorized or non-motorized traffic;
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 [X] 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


Note: As provided for in Section 70.130 you may request the Board of Adjustment to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

1. Definitions: Dwelling Unit
   A room or group of rooms arranged, intended, or designed as a habitable unit, containing kitchen, bath and sleeping facilities, for not more than one household living independently of any other household.

   Section 45.031 ADU, Accessory Dwelling Units in R, AG, and AG-R Districts
   Section 45.031-D Regulations
   A dwelling unit that is located in an accessory building on the same lot as a detached house to which it is accessory and subordinate. Examples of ADUs include carriage houses, garage apartments, and mother-in-law flats.

   Section 45.031-D Regulations Where Allowed. Accessory dwelling units are allowed by special exception in RE, RS, AG, and AG-R districts on lots occupied by a detached house. Accessory dwelling units are allowed by right in RD, RT, RM and RMH districts on lots occupied by a detached house.

   Review Comments: Apply to INCOG for a special exception to allow an Accessory Dwelling Unit in an AG-R zoned area.

2. 55.090-F Surfacing. All off-street drives and parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of §55.090-F4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

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

STR: 9320
CZM: 47
CD: 9

HEARING DATE: 05/10/2022 1:00 PM

APPLICANT: Hana Momic

ACTION REQUESTED: Special Exception to permit an Accessory Dwelling Unit in the RS-1 District (Sec. 45.031-D); Variance to permit a Detached Accessory Dwelling exceeding 1-story or 18-feet in height and 10-feet to the top of the top plate in the rear setback (Sec. 90.090-C)

LOCATION: 3822 S ATLANTA PL E
ZONED: RS-1

PRESENT USE: Residential
TRACT SIZE: 13499.3 SQ FT

LEGAL DESCRIPTION: S100 N294 E135 NW SW SW SEC 20 19 13 .31AC,

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 South of the SW/c of E. 38th ST. S. and S. Atlanta Pl. The property’s rear lot line abuts and a Church on the West side.

STATEMENT OF HARDSHIP: A 5-foot PSO easement runs diagonally across the middle of the backyard, thus preventing the living space to be adjacent to the new 2-car garage. The plans are for a 2-story 1 bedroom apartment over the garage. We are a family of 7. this includes elderly parent. They are currently sleeping in the formal dining room with no adjacent bathroom. The apartment will aide in their care and comfort as they have numerous health issues.

STAFF COMMENTS: The applicant is requesting Special Exception to permit an Accessory Dwelling Unit in the RS-1 District (Sec. 45.031-D); Variance to permit a Detached Accessory Dwelling exceeding 1-story or 18-
feet in height and 10-feet to the top of the top plate in the rear setback (Sec. 90.090-C) included in your packet is a copy of Sec. 45.031 including the supplemental regulations for ADU's.

Detached accessory buildings, including Accessory Dwelling Units, may be located in rear setbacks provided that:

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

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

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

The proposed structure includes a 10-foot plate height and a 25-foot ridge height.

The applicant has presented a hardship that is unique to the subject property and the board should confirm with applicant before making their decision that the variance of the height of the structure is the minimum variance that will afford relief.

15.3
SAMPLE MOTION:

Special Exception:

Move to _________ (approve/deny) a Special Exception to permit an Accessory Dwelling Unit in the RS-1 District (Sec. 45.031-D);

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

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

Variance: Move to _________ (approve/deny) a Variance to permit a Detached Accessory Dwelling exceeding 1-story or 18-feet in height and 10-feet to the top of the top plate in the rear setback (Sec. 90.090-C)

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

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

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

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

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

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

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

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

  g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.”
Facing North on Atlanta Pl.
supporting structure (excluding any guy lines) to the nearest point on the residential zoning district boundary line, excluding R-zoned freeways.

Section 45.030  Accessory Buildings and Carports in R Districts

45.030-A  Accessory Building Size

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

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

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

45.030-B  Carports

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

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

Section 45.031-A  Definition

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

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

Section 45.031-B  Purpose

1. The purpose of allowing accessory dwelling units within R, AG, and AG-R districts is to:
   a. accommodate new housing units while preserving the character of existing neighborhoods;
   b. allow efficient use of the city’s existing housing stock and infrastructure;
   c. provide housing options and choices that respond to varying income levels, changing household sizes and lifestyle needs; and
d. provide a means for residents—particularly seniors, single parents, and empty-nesters—to remain in their homes and neighborhoods, and obtain extra income, security, companionship and assistance.

2. The ADU supplemental regulations are also intended to help ensure that that new buildings and modifications to existing buildings are designed with sensitivity to their context in terms of building placement, proportions, building materials, and similar design features.

Section 45.031-C Applicability

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

Section 45.031-D Regulations

1. Where Allowed

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

2. Number

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

3. Methods of Creation

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

a. Constructing an accessory dwelling unit on a lot with a new or existing detached house; or

b. Converting or increasing existing floor area within an accessory building on a lot with an existing detached house.

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

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

5. Open space (Minimum open space per unit)

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

6. Accessory Dwelling Unit Size

a. RE and RS-1 Districts

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

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

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

7. Building and Fire Codes

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

8. Additional Regulations for Accessory Dwelling Units

a. Entrances

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

b. Setbacks

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

c. Exterior Finish Materials

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

d. Roof Pitch

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

Section 45.040 Compressed Natural Gas (CNG) Refueling Appliances

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

Section 45.050 Dumpsters

45.050-A Regulations

Dumpsters established or placed on or after the effective date specified in Section 1.030 are subject to the following regulations:

1. Dumpsters may only be placed with the written permission of the owner of the subject property.

2. Dumpsters must be located on a dustless, all-weather surface.

3. Dumpsters may not:

   a. Obstruct motorized or non-motorized traffic;
APPLICATION NO: ZON LOD 112738  (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 3822 S ATLANTA PL E
Description: Detached Garage/ADU

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

1. **Section 45.031-D Regulations Where Allowed.** Accessory dwelling units are allowed by special exception in RE, RS, AG, and AG-R districts on lots occupied by a detached house. Accessory dwelling units are allowed by right in RD, RT, RM and RMH districts on lots occupied by a detached house.

    **Review Comments:** Apply to INCOG for a special exception to allow an Accessory Dwelling Unit in an RS-1 zoned area.

2. 4. **Sec. 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:
      (1) The building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate; and

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

    **Review Comments:** The proposed Accessory Dwelling Unit (ADU) exceeds one floor in height and exceeds the allowed maximum of 10’ to top plate and 18’ maximum in height. Revise plans to indicate compliance or apply to INCOG for a variance to allow a 2-story structure in rear setback and to exceed 18’ in total height.
Reproduction of these plans, in any form, without the written consent of the Designer, is prohibited. CREATIVE HOME DESIGNS 2021

NOTICE

DUTY OF COOPERATION

CREATIVE HOME DESIGN assumes no liability for any HOME constructed from this plan. Release of these plans contemplates further cooperation among the owner, his contractor and the designer. Design and construction are complex. Although the designer and his consultants performed their services with due care and diligence, they cannot guarantee perfection. Communication is imperfect and every contingency cannot be anticipated. Any ambiguity or discrepancy discovered by the use of these plans shall be reported immediately to the designer. A failure to notify the designer may result in construction delays and increases construction costs. A failure to cooperate by a simple notice to the designer shall relieve the designer from responsibility for all consequences. Changes made from the plans without the consent of the designer are unauthorized and shall relieve the designer of responsibility for all consequences arriving out of such changes. Only qualified Designer, Architect, Contractor, or Structural Engineer should attempt to modify any portion of this design.

Written dimensions on these drawings shall have precedence over scaled dimensions; contractors shall verify and be responsible for all dimensions and conditions on the job. This office must be notified of any variations from the dimensions and conditions shown by these drawings. Shop details must be submitted to this office for approval before proceeding with fabrication.

MOMIC APARTMENT

December 20, 2021

T.OYLER

BUILDING ADDRESS

SQUARE FOOTAGE

TOTAL LIVING: 657(VENEER)
ELEVATION NOTES:

1. GUTTERS AND DOWNSPOUTS ARE NOT SHOWN FOR CLARITY. DOWNSPOUTS SHALL BE LOCATED TOWARDS THE FRONT AND REAR OF THE HOUSE. LOCATE DOWNSPOUTS IN NON-VISUALLY OFFENSIVE LOCATIONS, COLUMNS, ETC. GENERAL CONTRACTOR SHALL VERIFY.

2. PLUMBING AND HVAC VENTS SHALL BE GROUPED AWAY FROM PUBLIC VIEW, I.E. AT THE REAR OF THE HOUSE AND SHALL BE PRIMED AND PAINTED TO MATCH THE ROOF COLOR.

3. PROVIDE ATTIC VENTILATION PER LOCAL CODE REQUIREMENTS.

4. EXTERIOR FLASHING SHALL BE CORRECTLY INSTALLED AT ALL CONNECTIONS BETWEEN ROOFS, WALLS, CHIMNEYS, PROJECTIONS AND PENETRATIONS AS REQUIRED BY APPROVED CONSTRUCTION PRACTICES.

5. CONTRACTOR SHALL PROVIDE ADEQUATE ATTIC VENTILATIONS / ROOF VENTS PER LOCAL GOVERNING CODE STANDARDS. INSTALL CONTINUOUS RIDGE VENTILATION AT THE ATTIC TO LIMIT ROOF PENETRATIONS AND TO BE LOCATED FOR EXAMPLE, FRONT WALL OF HOUSE, BESIDE PORCH.

6. DETERMINE THE APPROPRIATE LEVEL OF FLOORING MATERIALS BASED ON THE NEW GRADES AND COORDINATE ANY NECESSARY ADJUSTMENTS TO HOUSE WITH OWNER.

NOTICE DUTY OF COOPERATION

CREATIVE HOME DESIGN assumes no liability for any HOME constructed from this plan. Release of these plans contemplates further cooperation among the owner, his contractor and the designer. Design and construction are complex. Although the designer and his consultants performed their services with due care and diligence, they cannot anticipate every possibility of failure. Communication is imperfect and every contingency cannot be anticipated. Any ambiguity or discrepancy discovered by the use of these plans shall be reported immediately to the designer. Failure to notify the designer of any variation from the plans may result in incomplete or improper construction and increases construction costs. A failure to cooperate by a simple notice to the designer shall relieve the designer from responsibility for all consequences.

Written dimensions on these drawings shall have precedence over scaled dimensions; contractors shall verify and be responsible for all dimensions and conditions on the job. This office must be notified of any variations from the dimensions and conditions shown by these drawings. Shop details must be submitted to this office for approval before proceeding with fabrication.

Designer, Architect, Contractor, or Structural Engineer should attempt to modify any portion of this design only after approval by the designer. Shop details must be submitted to this office for approval before proceeding with fabrication.

MOMIC APARTMENT GARAGE

December 20, 2021
T.OYLER
BUILDING ADDRESS

SQUARE FOOTAGE

TOTAL LIVING: 657(VENEER)

Creative Home Designs
100 N. BROADWAY
SUITE 100
EDMOND, OK 73034
(405) 270-6417
120 E. TONHAWA
SUITE 103
NORMAN, OK 73069
(405) 857-9059
6112 S. MEMORIAL DR.
TULSA, OK 74133
(918) 943-5154
www.creativehomedesigns1.com
Reproduction of these plans, in any form, without the written consent of the Designer, is prohibited.

Although the designer and his consultants performed their services with due care and diligence, they cannot guarantee the accuracy of the plans. Communication is imperfect and every contingency cannot be anticipated. Any ambiguity or discrepancy discovered by the use of these plans shall be reported immediately to the designer. Failure to notify the designer could lead to errors in construction and increases construction costs. A failure to cooperate by a simple notice to the designer shall relieve the designer from responsibility for all consequences. Changes made from the plans without the consent of the designer are unauthorized and shall relieve the designer of responsibility for all consequences arriving out of such changes.

Release of these plans contemplates further cooperation among the owner, his contractor and the designer. Design and construction are complex processes. If variations from the dimensions and conditions on the job are necessary, this office must be notified of any variations from the dimensions and conditions shown by these drawings. Shop details must be submitted to this office for approval before proceeding with fabrication.

NOTE:

- Verify all floor outlets, range & dryer vents in slab.
- Provide termite protection as required by local codes.
- Provide sewer protection as required by local codes.
- Provide sewer control junctions at all points of all garages, with concentrations.
- Masonry veneer must be anchored to back-up material, with concentrations.
- Sill plate anchor shall be 1/2" x (8" or 12") sill plate anchor, at 4'0" O.C. and at each corner and both sides of all garage stems, both directions.
- Sill plate anchors shall be made from componentary dimension on all members of the garage stems. The designer shall specify the material anchors to the garage stems.
- Provide TV antenna when required by local codes.
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Neighbor Communications

1. Jenifer Norman, 2512 E 38th St, Tulsa, OK 74105
2. Keith & Laura Colgan, 2506 E 38th St, Tulsa, OK 74105
3. Robert & Jennifer McMahon, 2522 E 38th St, Tulsa, OK 74105
4. Jodi Govrik, 3821 S Atlanta Pl, Tulsa, OK 74105
5. Todd & Jacqueline Coker, 3839 S Atlanta Pl, Tulsa, OK 74105
6. Sandy Trujillo, 3828 S Atlanta Pl, Tulsa, OK 74105
7. Lorenzo Collins & Lindy Hawes, 3832 S Atlanta Pl, Tulsa, OK 74105
8. Douglas Thompson, 2430 E 38th St, Tulsa, OK 74105
9. Battlecreek Church Midtown, 3819 S Lewis Ave, Tulsa, OK 74105
10. William Lobeck & Kathryn Taylor, 2532 E 38th St, Tulsa, OK 74105
11. Kristen & Jon Brightmire, 3740 S Atlanta Pl, Tulsa, OK 74105
12. Bruce Norton, 2505 E 38th St, Tulsa, OK 74105
13. David & Jennifer Wong, 3836 S Atlanta Pl, Tulsa, OK 74105
14. Wayne & Sharon Pyle, 3849 S Atlanta Pl, Tulsa, OK 74105
15. Catherine & Mona Shannon, 2429 E 38th St, Tulsa, OK 74105
17. Leslie Johnston, 3859 S Atlanta Pl, Tulsa, OK 74105
18. Daniel Rice & Shelby Helmerich, 3848 S Atlanta Pl, Tulsa, OK 74105
19. Thomas & Lindsay Hutchison, 3865 S Atlanta Pl, Tulsa, OK 74105
20. William Ansteth & Rebecca Thomas, 3873 S Atlanta Pl, Tulsa, OK 74105
21. Howard Allen, 3907 S Atlanta Pl, Tulsa, OK 74105
22. Scott Eslicker, 3911 S Atlanta Pl, Tulsa, OK 74105
23. Michael & Laurie Davie, 3919 S Atlanta Pl, Tulsa, OK 74105
24. Roger Heglund & Jacqueline O’Neil, 3927 S Atlanta Pl, Tulsa, OK 74105
25. Charles Zoellner & K Chera, 3868 S Atlanta Pl, Tulsa, OK 74105
Subject Tract

BOA-23348

19-13 20

15.20

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

Aerial Photo Date: 2020/2021
STR: 9213  Case Number: BOA-23349
CZM: 36
CD: 4

HEARING DATE: 05/10/2022 1:00 PM

APPLICANT: Charles Maddox

ACTION REQUESTED: Special Exception to allow Accessory Dwelling Unit in an RS-2 Zoned District (45.031-A); Variance to reduce the 30-foot street setback in the RS-2 District (Sec. 5.030-A, Table 5-3) Variance to allow a detached accessory building/dwelling unit to exceed 40% of the floor area of the principal residential building (Sec. 45.030-A, Sec. 45.031-D)

LOCATION: 221 E HAZEL BV S
ZONED: RS-2

PRESENT USE: Residential
TRACT SIZE: 19253.6 SQ FT

LEGAL DESCRIPTION: PRT LT 14 BEG SEC TH W40 N TO PT 42W OF NEC E42 S POB & ALL LT 15 BLK 12, SUNSET TERRACE

RELEVANT PREVIOUS ACTIONS:

Subject property: None.

Surrounding properties:

BOA-23007; On 10.27.22 the Board approved a Variance to allow more than 25% coverage of the rear yard in an RS-2 District and a variance of the allowable height for a detached accessory building in the rear setback, property located 2507 E. 11th St.

BOA-22471; On 07.24.18 the Board approved a Variance to allow more than 25% coverage of the rear yard in an RS-2 District and a variance of the allowable height for a detached accessory building in the rear setback, property located 237 Hazel Boulevard.

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

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

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

STATEMENT OF HARDSHIP: A Separate Exhibit is provided in your packet.

STAFF COMMENTS: The applicant is requesting Special Exception to allow Accessory Dwelling Unit in an RS-2 Zoned District (45.031-A); Variance to reduce the 30-foot street setback in the RS-2 District (Sec. 5.030-A, Table 5-3) Variance to allow a detached accessory building/dwelling unit to exceed 40% of the floor area of the principal residential building (Sec. 45.030-A, Sec. 45.031-D)

Included in your packet is a copy of Sec. 45.031 including the supplemental regulations for ADU’s.

Chapter 5 | Residential Districts
Section 5.030 | 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>
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Section 45.030 Accessory Buildings and Carports in R Districts

45.030-A Accessory Building Size

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

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

[1] For detached accessory buildings, including accessory dwelling units, located within rear setbacks see 590.090-C2.

The stated hardship is not related to the physical surroundings, shape, or topographical conditions of the subject property and is related to the personal circumstances of the property owner. Should the Board grant the requested variances they should find the property itself poses a unique hardship.
SAMPLE MOTION:

Special Exceptions:

Move to ________ (approve/deny) a Special Exception to allow Accessory Dwelling Unit in an RS-2 Zoned District (45.031-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.

Variances:

Move to ________ (approve/deny) a Variance to reduce the 30-foot street setback in the RS-2 District (Sec. 5.030-A, Table 5-3) Variance to allow a detached accessory building/dwelling unit to exceed 40% of the floor area of the principal residential building (Sec. 45.030-A, Sec. 45.031-D)

- Finding the hardship(s) to be________________________________.

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.

- Subject to the following conditions ___________________________.

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

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

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

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

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

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

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

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

16.4
Subject property

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

Section 45.030 Accessory Buildings and Carports in R Districts

45.030-A Accessory Building Size

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

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

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

45.030-B Carports

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

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

Section 45.031-A Definition

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

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

Section 45.031-B Purpose

1. The purpose of allowing accessory dwelling units within R, AG, and AG-R districts is to:
   a. accommodate new housing units while preserving the character of existing neighborhoods;
   b. allow efficient use of the city’s existing housing stock and infrastructure;
   c. provide housing options and choices that respond to varying income levels, changing household sizes and lifestyle needs; and
d. provide a means for residents—particularly seniors, single parents, and empty-nesters—to remain in their homes and neighborhoods, and obtain extra income, security, companionship and assistance.

2. The ADU supplemental regulations are also intended to help ensure that new buildings and modifications to existing buildings are designed with sensitivity to their context in terms of building placement, proportions, building materials, and similar design features.

Section 45.031-C Applicability

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

Section 45.031-D Regulations

1. Where Allowed

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

2. Number

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

3. Methods of Creation

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

a. Constructing an accessory dwelling unit on a lot with a new or existing detached house; or

b. Converting or increasing existing floor area within an accessory building on a lot with an existing detached house.

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

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

5. Open space (Minimum open space per unit)

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

6. Accessory Dwelling Unit Size

a. RE and RS-1 Districts

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

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

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

7. Building and Fire Codes
All accessory dwelling units are subject to applicable building and fire codes.

8. Additional Regulations for Accessory Dwelling Units
a. Entrances
Building entrances to accessory dwelling units may not face the nearest side or rear property line unless there is an alley abutting that property line.

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

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

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

Section 45.040 Compressed Natural Gas (CNG) Refueling Appliances
Private (restricted access), consumer-oriented (home), CNG refueling appliances are permitted as an accessory use to lawfully established household living uses in all zoning districts.

Section 45.050 Dumpsters

45.050-A Regulations
Dumpsters established or placed on or after the effective date specified in Section 1.030 are subject to the following regulations:

1. Dumpsters may only be placed with the written permission of the owner of the subject property.

2. Dumpsters must be located on a dustless, all-weather surface.

3. Dumpsters may not:
   a. Obstruct motorized or non-motorized traffic;
APPLICATION NO: ZON LOD 112122  
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)  
Project Location: 112122 E Hazel Pl E  
Description: House Addition & 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 \*x \*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)
Note: As provided for in Section 70.130 you may request the Board of Adjustment to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

1. **Section 45.031-D Regulations**
   A dwelling unit that is located in an accessory building on the same lot as a detached house to which it is accessory and subordinate.
   Examples of ADUs include carriage houses, garage apartments, and mother-in-law flats.
   **Section 45.031-D Regulations Where Allowed.** Accessory dwelling units are allowed by special exception in RE, RS, AG, and AG-R districts on lots occupied by a detached house. Accessory dwelling units are allowed by right in RD, RT, RM and RMH districts on lots occupied by a detached house.

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

2. **5.030-A. Setback(s) (Residential):** In the RS-2 zoned district the minimum front setback shall be 30’ from the front property line, or 70’ from the centerline of the street.

   **Review Comments:** Revise your plans to indicate a 30’ front setback to the property line or apply to INCOG for a variance to allow less than a 30’ front setback.

3. **5.030-A:** In the RS-2 zoned district the minimum rear setback shall be 25 feet from the rear property line.

   **Review Comments:** If this detached accessory building encroaches on the required rear setback, more relief from the board of adjustment will be required due to the height and number of stories above grade. Revise your plans to indicate a 25’ rear setback to the property line or apply to INCOG for an administrative adjustment to allow less than a 25’ rear setback.

4. **Section 45.031-D, 6,a b:** In RS-2, RS-3, RS-4, RS-5 or RM zoned lots used for detached houses, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater.

   [1] For detached accessory buildings, including accessory dwelling units, located within rear setbacks, see Section 90.090-C2.
Review comments: You are proposing 1704 sq ft of detached accessory structure floor area. The proposed detached structure exceeds 500 sq ft and 40% of the size of your house. Based on the size of your house (3480) you are allowed 1392 sq ft of detached accessory structures floor area on your lot. Reduce the size of your proposed detached accessory structure to be less than 1392 sq ft of total floor area or apply to BOA for a variance to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure.

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 ZONINGCLEARANCE PERMIT.
April 6, 2022

Charles Maddox  
221 Hazel Blvd  
Tulsa, Ok 74114

Please see the hardship request for Variances Pertaining to #BOA-23349:

2. We are requesting that the structure be allowed to have a small foyer, only 5' deep and 10' wide, added to the home at the front entrance as the original entrance is in close proximity to the second story staircase. This would be in keeping with the style of the home and neighborhood.

3. The rear of the accessory building meets the requirement of 25' at all points from the rear property line. It was not defined in the original submitted plans but now has been corrected.

4. The additional square footage requested for the detached accessory building is in relation to the large size of the Robinsons blended family. There are children and possibly in the future grandchildren who visit and occupy a larger percentage of space than is proposed to the existing structure and would also be to a smaller version of the proposed detached accessory building as in regards to sufficient bathroom and bedroom accommodations.

Thank you, Charles Maddox  
281.608.0097
NEW APPLICATIONS

23020—Sherwood Construction Company, Inc.

Action Requested:
Appeal of the Administrative Decision issued by the Land Use Administrator dated September 14th, 2020 that the activity described by the appellant is an Industrial/Mining and Mineral Processing Use (Section 70.140). LOCATION: N/A

Presentation:
The application was withdrawn.

Interested Parties:
There were no interested parties present.

Comments and Questions:
None.

Board Action:
No Board action required; for the following property:

SW/4 of the NW/4 of Section 8, Township 19 North, Range 12 East and Beginning 427.01 S NWC SE NW TH E101.97 N146.31 E215.12 S211.59 E498 S825.67 W820 TO SWC SE NW TH N899.08 POB in Section 8, Township 19. Range 12, City of Tulsa, Tulsa County, State of Oklahoma

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

UNFINISHED BUSINESS

23007—Tom Neal

Action Requested:
Variance to allow more than 25% coverage by an accessory building in the rear setback (Section 90.090-C); Variance of the allowable height of a detached accessory building from one story or 18 feet in height to two stories and 26 feet in height and from 10 feet to 18 feet in height to the top of the top plate (Section 90.090.C); Variance of the minimum required open space in the RS-2 District (Section 5.030, Table 5-3). LOCATION: 210 East Hazel Boulevard South (CD 4)

Presentation:
Tom Neal, 2507 East 11th Place, Tulsa, OK; stated he has revised the project in coordination with the neighbor to eliminate one of the primary concerns, which was the windows to the south. Those windows have been replaced with shorter fixed frosted
glass windows which the neighbor agreed to. The other windows that are necessary for fire egress and ventilation have been moved to the sides and the height of the project has been reduced to a total of 26'-0" in height. By reducing the top plate to 7'-6" rather than 8'-0" it has been brought down to about 24'-9".

**Interested Parties:**

**Jane Campbell,** 211 East 27th Street, Tulsa, OK; stated she lives directly in back of the subject property. The window issue has been addressed. One of her main concerns is the water issue.

Mr. Van De Wiele stated the Board of Adjustment does not deal with drainage issues, but the Board will ask Mr. Neal to give a generic description of how the drainage will be addressed.

Mr. Van De Wiele asked Ms. Campbell if the reduced height and the window changes that have been described are a compromise that she approves of. Ms. Campbell answered affirmatively.

**Rebuttal:**

**Tom Neal** came forward and stated his client is very concerned about the drainage, it is a pre-existing condition that was there when he purchased the house. There is a garage apartment on the property, so the density is not being increased, it is a slightly larger footprint, but it is still a single occupancy unit as before. Mr. Neal stated there has been discussion about on-site water catchment basins, and his client is particularly interested because it appears that along the fence line there is the possibility of taking a drainage pipe out to the street, west to Cincinnati, for the runoff. Where there were pairs of 3-0 5-0 windows facing into the neighbor’s back yard, they have been eliminated with 3-0-1 ½ frosted fixed glass windows up under the eaves on the south side.

Mr. Brown asked Mr. Neal about the height of the windows. Mr. Neal stated the header is about 6'-0" so the bottom will be about 4'-6".

Mr. Van De Wiele asked Mr. Neal about the top plate. Mr. Neal stated the top plate will be 17'-6" rather than 18'-0". Mr. Neal stated he also changed the roof slope from 9/12 to 8/12 trying to be responsive and still have a functional space.

Ms. Shelton asked Mr. Neal to state the hardship for his request. Mr. Neal stated the intention is to create garages that can accommodate contemporary sized vehicles. The hardship is that the original garage was 20 x 20 and built for cars of 1928. The height of the door accommodates the big trucks.

Mr. Van De Wiele asked Mr. Neal if the old garage had the stairwell on the outside. Mr. Neal answered affirmatively, and this design allows the stairwell to be pulled out of the required side yard. The garage is going four feet in each direction for contemporary sized garage, and the last remaining four feet is for the staircase.
Mr. Chapman stated the request for the Variance regarding the open space is not needed, and Mr. Neal agreed to withdraw that request.

Comments and Questions:
None.

Board Action:
On MOTION of BOND, the Board voted 5-0-0 (Bond, Brown, Radney, Shelton, Van De Wiele "aye"; "nay"; no "abstentions"; none absent) to APPROVE the request for a Variance to allow more than 25% coverage by an accessory building in the rear setback (Section 90.090-C); Variance of the allowable height of a detached accessory building from one story or 17'-6" in height to two stories and 24'-9" feet in height and from 10 feet to 17'-6" in height to the top of the top plate (Section 90.090.C), subject to conceptual plan submitted today. The south facing windows are to be fixed and frosted. The Board has found the hardship to be the house and the plat of the neighborhood predates the City of Tulsa's Comprehensive Zoning Plan. 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 9 BLK 14, SUNSET TERRACE, City of Tulsa, Tulsa County, State of Oklahoma

***********

NEW APPLICATIONS
Ms. Back stated that she took it upon herself to see who the neighbors were, and through the Assessor's office she found out that quite a few of the people are renters. She did notice that the two houses to the north of the subject address did not sign showing support. Ms. Back stated that she is still undecided.

Ms. Radney stated that she is new to the Board, but in anticipation of being a determining vote she drove by the subject property and looked at it. She does not think this is out of keeping with the rest of the neighborhood. There are a number of houses in the neighborhood that have recreation vehicles parked in their drives. The way the homeowner has accommodated those vehicles on the property is probably in better keeping with the original character of the neighborhood than others in the neighborhood. Ms. Radney stated that she can support the request.

**Board Action:**
On **MOTION** of **ROSS**, the Board voted 4-0-0 (Back, Radney, Ross, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the request for a **Special Exception** to permit the parking and storage of recreational vehicles in an RS-3 District (Section 45.150). The approval is subject to the condition that the boat and the trailer must remain of similar size that currently exists, or they can be smaller. 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 14 BLK 6, SUMMERFIELD SOUTH, City of Tulsa, Tulsa County, State of Oklahoma**

**22471—Jody Cole**

**Action Requested:**
**Variance** to permit an accessory building to exceed 25% of the building coverage in the rear setback (Section 90.090-C-2); **Variance** to allow a detached accessory building that exceeds the maximum height requirement (Section 90.090-C.2).

**LOCATION:** 237 Hazel Boulevard East (CD 4)

**Presentation:**
Jody Cole, 2440 West 81st Street, Tulsa, OK; stated he represents Cole and Ray Davis. They would like to demolish an existing very small two-car garage which was originally built in the 1920s. The existing garage has a small office area on the side and the home owners would like to have a three-car garage with an artist studio on the second floor.

Mr. Van De Wiele asked Mr. Cole if the existing garage was a one-story structure. Mr. Cole answered affirmatively.
Mr. Van De Wiele stated that the existing garage is 18 x 20, and he asked Mr. Cole what the size of the proposed garage would be. Mr. Cole stated the new garage will be about 25 x 25 with a storage area.

Mr. Van De Wiele asked Mr. Cole about the roofline and the exterior of the new garage. Mr. Cole stated the new garage will look like the main house, but the second story materials are still being discussed.

Mr. Cole stated the second story will not be the entire footprint of the garage; it will be a smaller footprint with a patio. Mr. Cole stated the studio will be about half of the garage.

Mr. Van De Wiele asked Mr. Cole if he had heard from any of the neighbors. Mr. Cole stated the neighbor from the north had a concern about parties being held on the patio. Mr. Cole stated the homeowner likes to work outside and will be using that patio for that purpose.

Mr. Van De Wiele asked Mr. Cole if the patio wrapped all the way around the back of the structure. Mr. Cole stated that it did not.

Mr. Van De Wiele asked Mr. Cole to state his hardship. Mr. Cole stated the garage cannot be constructed any larger going to the south, toward the house, because a person could not navigate a car into the garage so it could only go to the east. There is a utility easement to the north and the setback on the west side. Mr. Cole stated his client would like to have the studio because there is not an area that can be partitioned off for a studio.

Mr. Van De Wiele asked Mr. Cole how tall the garage would be overall. Mr. Cole stated that it would be about 22 feet. Mr. Van De Wiele asked Mr. Cole how tall the principal house is. Mr. Cole stated the house is about 28 feet tall; it sits four feet off the grade with a basement.

Interested Parties:
There were no interested parties present.

Comments and Questions:
Ms. Back stated that the hardship seems to be a valid hardship, with the navigation of a car and the utility easement. The garage is tall but it is not taller than the house so she can support this request.

Mr. Van De Wiele stated he agreed with Ms. Back. He would like to see some kind of limitation on roof lines and materials being complimentary to the house.

Ms. Ross stated she has no issues with request as long as the studio is used for personal use and not a business.
Ms. Radney stated that she appreciates the design and the way the windows and doors have been positioned to allow maximum privacy for the adjoining neighbors and the owner.

**Board Action:**
On **MOTION** of **BACK**, the Board voted 4-0-0 (Back, Radney, Ross, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the request for a **Variance** to permit an accessory building to exceed 25% of the building coverage in the rear setback from 584 square feet to 684 square feet (Section 90.090-C-2); **Variance** to allow a detached accessory building to exceed 18 feet in height to 22 feet in height and to exceed 10 feet in height at the top of the top plate to 11 feet (Section 90.090-C.2), subject to conceptual plans 2.10 and 2.11 of the agenda packet. The Board has found the hardship to be for the area **Variance** there is not enough room to navigate automobiles in and out of the garage due to easements and setbacks that exist, and for the height **Variance** the garage is not as tall as the house and is in keeping with the style and character of the house. The roofline and the materials being used will be complimentary to the principal residence. The studio is to be for personal use and not business use and if the studio is used as a dwelling unit it will be for family members only. The Board finds that the following facts, favorable to the property owner, have been established:

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

**ALL LT 18 W 20 LT 19 BLK 12, SUNSET TERRACE, City of Tulsa, Tulsa County, State of Oklahoma**
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9222
CZM: 46
CD: 2

HEARING DATE: 05/10/2022 1:00 PM

APPLICANT: Gregory Helms

ACTION REQUESTED: Minor Special Exception to amend a previously approved site plan for a school use in the RS-3 District (Table 5.020, Table 5-2; Sec.70.120)

LOCATION: 1919 W 40 ST S
ZONED: RS-3

PRESENT USE: TRACT SIZE: 985274.61 SQ FT

LEGAL DESCRIPTION: LTS 4 THRU 23 BLK 1 & LTS 7 THRU 26 BLK 2 & ALL BLKS 3 & 4 & LTS 8 THRU 27 BLK 5 & VAC STREETS ADJ THEREOF & W10 VAC ALLEY ADJ LT 4 BLK 1 ON E & W10 VAC ALLEY ADJ LTS 8 & 27 BLK 5 ON E, CLINTON HOMESITES

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-21153; On 10.26.2010 the Board approved a Special Exception Special Exception to permit building additions to an existing athletic stadium/field and to permit modifications to the same stadium

BOA-18977; On 2.13.01 the Board approved a Variance from required parking from 384 to 96 spaces to permit the addition of a new gymnasium to Webster High School; and a Special Exception to approve an amendment to a previously approved site plan, per plan, with the condition that not more than 1 event take place at the same time.

BOA-17820; On 9.9.97 the Board approved a Special Exception to allow an expansion to an existing school per plan submitted, subject to 12 required parking spaces being provided and subject to 3 pre-fabrication buildings being removed.

Surrounding properties: None.

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

An Existing Neighborhood is intended to preserve and enhance Tulsa’s existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code.
The **Areas of Stability** include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located at the West of the NW/c of S. Union Ave. and W. 40th St. S. On 06.10.21 Daniel Webster High School was added listed on the National Registry of Historic Places. This designation is only regulatory if federal funds are used in this project, for informational purposes included below is a web link to the Registration form for Daniel Webster High School’s inclusion on the registry.

Oklahoma State Historic Preservation Office Registration form for Daniel Webster High School:  
[http://nr2_shpo.okstate.edu/pdfs/SG100006632.pdf](http://nr2_shpo.okstate.edu/pdfs/SG100006632.pdf)

**STAFF COMMENTS:** The applicant is requesting a Minor Special Exception to amend a previously approved site plan for a school use in the RS-3 District (Table 5.020, Table 5-2; Sec.70.120)
The most recent site plan amendment was in 2010 in case BOA-21153:

The proposed addition consists of building expansions for a greenhouse and the bandroom both towards the SE/c of the property.

**SAMPLE MOTION:**
Move to _________ (approve/deny) a **Minor Special Exception** to amend a previously approved site plan for a school use in the RS-3 District (Table 5.020, Table 5-2; Sec.70.120)

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

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 from W. 40th St.*
Location of proposed addition to band room
**Case No. 21153-Gregory Helms**

**Action Requested:**
Special Exception to permit building additions to an existing athletic stadium/field and to permit modifications to the same stadium (Section 401). **Location:** 1919 West 40th Street

**Presentation:**
Greg Helms, 329 South Elm Street, Jenks, OK; stated this Special Exception request is for Webster High School and it is a 2010 Bond Project. It is similar in nature to the McLain High School project previously discussed today. It is being requested to modify the bleachers for the visitors and home sides of the field to make them handicap accessible, build a new locker room, replace the existing press box, and replace the existing ticket booths. There will be a few parking spaces added to the interior of the property but those additions will not affect the traffic flow.

**Interested Parties:**
Jill Morris, 1737 West 37th Place, Tulsa, OK; stated she lives a block north of the existing stadium. There is inadequate parking for the high school events and she objects to any addition to the high school that will take up parking space. She stated her street is very narrow and many neighborhood residents park on the street, and when Webster High School has athletic events the neighborhood residents have problems with their driveways being blocked or people parking on their lawns.

Mr. Helms stated there would be eleven parking spaces added to the existing parking area, but the stadium seating capacity is being reduced to accommodate the wheelchair accessible seats.

Ms. Stead asked Mr. Helms if the proposed new locker room would be taking away from the existing parking area, and Mr. Helms stated no because it will be located on the practice field.

Juanita Murray, 2028 West 37th Place, Tulsa, OK; stated she lives next door to the new stadium that was built for Webster High School. She told the Board that she works nights and when Webster has an event she has had to wait for people to come back to their car and move their car because it was parked in front of her driveway. Ms. Murray stated she objects to anything being added to Webster High School until the parking overflow has been addressed.

**Comments and Questions:**
None.

**Board Action:**
On MOTION of WHITE, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions") to APPROVE the Special Exception to permit building additions to an existing athletic stadium/field and to permit modifications to the
same stadium (Section 401), per conceptual plan on page 8.6; 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; for the following described property:

LTS 4 THRU 23 BLK 1 & LTS 7 THRU 26 BLK 2 & ALL BLKS 3 & 4 & LTS 8 THRU 27 BLK 5 & VAC STREETS ADJ THEREOF & W10 VAC ALLEY ADJ LT 4 BLK 1 ON E & W10 VAC ALLEY ADJ LTS 8 & 27 BLK 5 ON E, CLINTON HOMESITES

**********

Mr. Tidwell left the room at 3:13 P.M.

Case No. 21154-Gregory Helms

Action Requested:
Special Exception to permit a building addition to an existing athletic field (Section 401). Location: 6960 East 21st Street

Presentation:
Greg Helms, 329 South Elm Street, Jenks, OK; stated this Special Exception request is for Hale High School. The request is to build a locker room facility. This school does not have a stadium but does have a practice field. The new locker room will be between the existing softball field and the existing baseball field in what is currently a grassy area. No parking will be taken away to build the proposed locker room facility.

Interested Parties:
None.

Comments and Questions:
None.

Board Action:
On MOTION of WHITE, the Board voted 4-0-1 (Henke, Stead, Van De Wiele, White "aye"; no "nays"; Tidwell "abstains") to APPROVE the Special Exception to permit a building addition to an existing athletic field (Section 401), per conceptual plan on page 9.6; 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; for the following described property:

NE NW SEC 14 19 13

**********
Case No. 18975 (continued)

required front yard from 30' to 24' in an RS-2 zoned district, finding that it would cause substantial detriment to the public good and impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan.

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Case No. 18977

Action Requested:
Variance from required parking from 384 to 96 spaces to permit the addition of a new gymnasium to Webster High School. SECTION 1205.C. USE UNIT 5. COMMUNITY SERVICES AND SIMILAR USES, Off-Street Parking and Loading Requirements – Use Unit 5; and a Special Exception to approve an amendment to a previously approved site plan, located NE/c W. 40th St. & S. Yukon Ave.

Presentation:
Jeannie Kovach, 3027 S. New Haven, P.O. Box 470208, Tulsa, OK 74147, stated that she represented Tulsa Public Schools. She stated Dale Ragland, Sr. was with her at the hearing.

Comments and Questions:
Mr. Dunham asked if she had seen the Staff comments on the application. She stated she had not seen them, but would address them. She called their attention to the existing and proposed gymnasiums on the site plan. The existing gymnasium will be turned into a practice gym. They would not have simultaneous uses on campus. This means an increase of only 185 seats, requiring only 52 new parking spaces on this site according to the architect, and they are able to provide 92 new spaces.

Interested Parties:
George Parker, 3928 S. Union, stated his opposition to the application because the creek still overflows and he was concerned about the flood control problems.

Comments and Questions:
Mr. Dunham explained to Mr. Parker that they would have to meet the requirements of the City Stormwater Management Department regarding those issues.

Board Action:
On MOTION of Dunham, the Board voted 3-0-0 (White, Dunham, Turnbo "aye"; no "nays"; no "abstentions"; Perkins, Cooper "absent") to APPROVE a Variance from required parking from 384 to 96 spaces to permit the addition of a new gymnasium to Webster High School, finding that it would not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; and a Special Exception to approve an amendment to a previously approved site plan, per plan, with the condition that not more than 1
event take place at the same time, 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 following described property:

A portion of SE/4 SE/4 of Section 22, T-19-N, R-12-E, City of Tulsa, Tulsa County,
State of Oklahoma, consisting of Lots 4-23, Block 1 inclusive, Lots 7-26, Block 2
inclusive, Lots 1-20, Block 3 inclusive, Lots 1-20, Block 4 inclusive, Lots 8-27, Block 5
inclusive, and that portion of W. 38th St. bounded on the W by the E right-of-way of
S. Yukon Ave. and bounded on the E by the centerline of 20’ alley and W. 39th St.
bounded on the W by the E right-of-way of S. Yukon Ave. and bounded on the E by
the centerline of a 20’ alley and S. Waco Ave. bounded on the N by the S line of
Block 1 and bounded on the S by the N right-of-way of W. 40th St. and the W 10’ of
an alley perpendicular with and contiguous to Lot 4, Block 1, W. 38th St., Lots 7 and
26, Block 2, W. 39th St., and Lots 8 and 27, Block 5, all in Clinton Homesites an
Addition to Red Fork; now an Addition to the City of Tulsa, Tulsa County, State of
Oklahoma.

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Case No. 18978
Action Requested:
Special Exception to permit retail sales in an IL district. SECTION 901.
PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 14 / 23;
and a Variance of required parking from 28 spaces to 8. SECTION 1214.D. USE
UNIT 14. SHOPPING GOODS AND SERVICES, Off-Street Parking and Loading
Requirements and SECTION 1223.D. USE UNIT 23. WAREHOUSING AND
WHOLESALING, Off-Street Parking and Loading Requirements, located 8516 E.
41st St.

Presentation:
Roy Johnsen, 201 W. 5th, Ste. 501, stated that they discovered there was a
previous Board action (BOA Case No. 7477) that granted the relief he was seeking
today. He saw no need to proceed and asked to withdraw this application.

Board Action:
Withdrawal was accepted.

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Case No. 18979
Action Requested:
Variance of the maximum height for a business sign from 25' to 64'. SECTION
1103.B.2.b.4. USES PERMITTED IN A PLANNED UNIT DEVELOPMENT,
Accessory Uses – Use Unit 19; and a Variance of maximum display surface area
from 325 square feet to 348 square feet. SECTION 1221.D.3. USE UNIT 21.
Case No. 17818 (continued)

new detached garage. **SECTION 402.B.1.c. ACCESSORY USES IN RESIDENTIAL DISTRICTS** - Use Unit 6 and a **Variance** of the maximum allowable coverage of 20% of the required rear yard by a detached accessory building to 24.4%. **SECTION 210.B.5. YARDS**; per plan submitted; finding that the requirements for a variance in Sec. 1607.C. have been met, on the following described property:

S 64’, Lot 2, Block 4, Highland Park Estates, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 17820**

**Action Requested:**
Special Exception to amend a previously approved site plan to add an addition to the existing High School. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 2, and a Variance of required building setback from 55’ to 48’ from the centerline of W. 40th St. **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS**, located: 1919 West 40th.

**Presentation:**
The applicant, **Steve Brown**, 717 South Houston, Suite 200, representing Webster High School, submitted a site plan (Exhibit P-1) and stated that the building plans approved in April of 1997 have been revised. He explained that the revision includes four (4) new toilet rooms with 16 fixtures, the new science laboratory was enlarged and an additional science laboratory added. There is a new state-wide curriculum change upcoming that will require graduating High School students to complete four (4) years of English, History, Math and Science. He explained that the school felt that an additional science laboratory was needed. Because the addition is larger, a new Administrative and Attendance Office is needed as well. The previously approved 9,400 SF addition grew to approximately 12,500 SF. The setbacks changed from 77’ to 70’-3” from the centerline of Yukon and 68’ to 48’-8” from the centerline of West 40th Street. Other sites were considered for the addition, but it was strongly felt that the new labs and classrooms are in an appropriate location because they are connected to existing classrooms and labs in the annex area. To the west of the existing annex there are six, 20 year old Memorial trees that the school did not want to remove.

**Comments and Questions:**
Mr. Bolzle asked the applicant for the amount of square footage that has been added since the first approval? Mr. Brown stated that approximately 3,000 SF has been added.
Case No. 17820 (continued)

Mr. Boizle asked the applicant if there is an additional parking requirement for the additional 3,000 SF? He stated that there is an additional parking requirement and it has been accommodated. Mr. Brown indicated that 18 additional parking spaces will be required with the new addition and the new site plan provides 20 additional parking spaces.

In response to Mr. Boizle, Mr. Brown stated that the new additional parking spaces shown by the field house were not on the previous site plan because they were not needed at that time.

Board Action:
On MOTION of DUNHAM, the Board voted 4-0-0 (Boizle, Dunham, Turnbo, White, "aye"; no "nays" no "abstentions"; Cooper "absent") to APPROVE a Special Exception to amend a previously approved site plan to add an addition to the existing High School. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS - Use Unit 2, and a Variance of required building setback from 55' to 48' from the centerline of W. 40th St. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS; per plan submitted; finding that the approval of this application will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and will be in harmony with the spirit and intent of the Code, on the following described property:

Block 2, all of Blocks 3 & 4, Lots 8-27, Block 5, Clinton Homesites Addition to Redfork, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17821
Action Requested:
Special Exception to modify a previously approved site plan, located 6140 South Lewis.

Presentation:
The applicant, Brian L. Freese, 5319 South Lewis, 74105, submitted a site plan (Exhibit Q-1) and stated the subject property is located at 6144 South Lewis, which is adjacent to the Liberty Bank Building. He indicated that he is seeking a change in the square footage from 5,000 SF, which was previously approved in an earlier PUD, to 9,700 SF. He explained that in 1996 a 5,000 SF building was approved and he is proposing an increase of approximately 4,700 SF. The existing dental office will have approximately 1900 SF added on. He explained that at the time of the 1996 hearing the owner did not assess his needs and then realized after the hearing that he would need additional square footage. Mr. Freese stated that his client discovered that he was under-utilizing his property and saw an opportunity to allow additional professional tenant space of 2800 SF. He indicated that the first floor will have approximately 7400 SF and the remainder of the square footage will be on the second
Case No. 17674 (continued)

Tract "A": Beg. at a point 20’ N, 50’ W, SE/c, NE/4, NE/4, Sec. 24, T-20-N, R-12-E, Tulsa County, Oklahoma; thence W, parallel to the S line for 822.96’; thence N, parallel to the E line for 712.50’; thence E, parallel to the S line for 822.96’; thence S, parallel to the E line for 712.50’ to the POB, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 17675**

**Action Requested:**
Special Exception to allow an expansion to an existing school (Webster High School).

**SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS - Use Unit 2, and a Variance of required parking for stadium use (1,000 spaces required), located 1919 West 40th Street.**

**Presentation:**
The applicant, **Stephen E. Brown/Dewberry Design Group**, 717 South Houston, Suite 200, submitted a site plan (Exhibit M-1) and stated that the addition is to the annex building of Daniel Webster High School. Mr. Brown indicated that the addition will include six (6) classrooms and two (2) laboratories, which is funded by the Tulsa Public School Bond Issue money. He indicated that with this addition the school will be removing three (3) pre-fabricated structures. Mr. Brown stated the stadium and field house will not be expanded with this addition. He explained that with the addition, existing school building, field house and auto shop, there is a requirement for 172 parking spaces on site. He stated that currently there are 285 parking spaces on site, which are all-weather surfaced. Mr. Brown explained that if the school was being built today, the required parking would be 1315 parking spaces to accommodate the stadium and the basketball field house. He reiterated that there is no expansion of the stadium or field house in this request.

**Comments and Questions:**
Mr. Gardner stated that apparently the school is non-conforming with regard to parking. He explained that with the stadium, the school cannot meet the parking requirement. Mr. Gardner stated that with this application, the school is asking that the variance be granted for the stadium that already exists.

Mr. Brown stated that over the years the parking has been accommodated in the neighborhood and that is not an excuse or justification, but that is the way it has been over the past years. He commented that the neighbors know that they can contact the school if there are any problems with people parking in their driveways. Mr. Brown indicated that the school hires extra security during sporting events at the subject property.
Case No. 17675 (continued)

Mr. Bolzle asked the applicant what the use for the site in the northwest corner between the parking for the stadium and the school is used for? Mr. Brown stated that the area mentioned is open area and in the future it will be used for the expansion of a Performing Arts Center or a new field house.

Mr. Gardner stated that there is quite a difference in topography because of the creek that runs through the property. Mr. Gardner informed the applicant that the Board is wanting to know if there are any flat surfaces on site that could be paved for parking?

Mr. Bolzle stated he has attended football games at the subject site and the parking is inadequate. He commented that vehicles park on the street, in the ditches, across resident’s driveways, etc. Mr. Bolzle stated he cannot support the variance request with regard to the required parking.

Mr. Brown stated that technically he is not talking about the parking for sporting events, but parking for daytime activities for the school itself.

Mr. Brown stated that staff’s recommendation is 12 additional spaces for this particular expansion.

Protestants:
Earl Wescott 1764 West 37th Place, stated that when the larger schools play sporting events at the subject facility he cannot get in or out of his driveway. He explained that vehicles park in his yard and across his drive. Mr. Wescott stated that there was a rumor in the neighborhood that the school was going to buy everyone out and build parking for the stadium. Mr. Wescott requested information regarding any plans to buy out the neighbors.

Comments and Questions:
Mr. Bolzle asked the protestant if he had a problem with the request for expansion? He answered negatively.

In response to Mr. Bolzle, Mr. Wescott stated he will be glad to see the pre-fabricated structures removed and he understands that the school cannot meet the required parking.

Mr. Gardner informed the Board that he reviewed the notice and the notice stated a variance of the required parking with the requirement being 1,000 parking spaces. He stated the notice did not state that the school was going to add 1,000 parking spaces.
Applicant's Rebuttal:

Mr. Brown reiterated that the sport facilities are not being expanded. He stated the expansion is for the educational facilities. He detailed the expansions to include six (6) classrooms, two (2) science labs and other small areas.

Comments and Questions:

Mr. White asked staff if the two requests have to go together? Mr. Gardner informed the Board that if they denied the variance and approved the expansion, then the school will still be non-conforming, with regard to parking for the stadium, but they will be able to continue with the expansion if they add 12 parking spaces.

Mr. Dunham stated he did not have a problem with the expansion and there is no way the school can come close to meeting the parking requirements in the near future.

Mr. Bolzle stated that the school has not made an attempt to address the parking issue as part of the application. Mr. Bolzle commented that if there is a good engineering reason why the school cannot meet the parking requirement, then the Board should hear that reason. Mr. Bolzle continued that the school system should have the same responsibility to their neighbors as any developer or property owner has, which is to be a good neighbor. Mr. Bolzle concluded the school should review this issue and determine whether, in this re-design, they can provide additional parking for the stadium.

In response to Mr. Bolzle, Mr. Gardner stated that there is a provision in the Code that deals with expanding a non-conforming use. The use may be enlarged or extended and the parking must be provided for the enlargement or extension, but they do not have to meet the required parking for the existing non-conformity.

Mr. Linker agreed with Mr. Gardner's statement.

Mr. Beach informed the Board that the school will have to provide 12 parking spaces with the expansion.

Mr. Gardner asked the applicant if he is prepared to tell the Board how the school can meet the required 12 parking spaces for the expansion? Mr. Brown stated that the 12 parking spaces could be in the parking area at the northwest corner of the site. He commented that the new 12 parking spaces can be used for stadium events when they take place.

Mr. Gardner explained to the applicant that if he withdrew the variance for the required parking, then he would have to provide the required 12 parking spaces.
Case No. 17675 (continued)

Mr. Brown stated he is prepared to meet the 12 required parking spaces and he will withdraw the variance of the parking.

**Board Action:**
On **MOTION** of DUNHAM, the Board voted 3-0-0 (Bolzle, Dunham, White, "aye"; no "nays" no "abstentions"; Abbott, Turnbo "absent") to **APPROVE** a Special Exception to allow an expansion to an existing school (Webster High School). **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 2, per plan submitted; subject to twelve (12) required parking spaces being provided; subject to the three (3) pre-fabrication buildings being removed; finding that the approval of this application will not be injurious to the neighborhood, nor harmful to the spirit and intent of the Code, on the following described property:

Lots 4-23, Block 1, Lots 7-26, Block 2, all of Block 3 & 4, Lots 8-27 of Block 5, of Clinton homesites addition to Red Fork, Tulsa County, Oklahoma, including: W 38th St., vacated from E side of S Yukon Ave. to center line of alley of E property line. W 39th St., vacated from E side of S. Yukon Ave. to center line of alley at E property line. S Waco Ave. from N line of W 38th St. to N line of W 40th St. and all easements in Blocks 1-2-3-4 and 5 as shown on plat, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 17676**

**Action Requested:**
Special Exception to permit a produce stand in a CS zoned district. **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS**, a Variance of the setback from centerline of South Sheridan Road from 100’ to 56’. **SECTION 703. BULK AND AREA REQUIREMENTS IN COMMERCIAL DISTRICTS** - Use Unit 2, and a Variance of the time to permit 3 years of operation from May 1 to September 1, and days November 25 through December 25th, 8:00 a.m. to 8:00 p.m. **SECTION 1202.B. USE UNIT 2. AREA-WIDE SPECIAL EXCEPTION USES;** Use Conditions, located 8104 South Sheridan.

**Presentation:**
The applicant, Mike McLearan, 8104 South Sheridan, stated that the subject property is basically the same as it has been for the past five (5) years. He requested the Board to approve his application.

**Comments and Questions:**
Mr. White asked the applicant if he is in a permanent building or in a tent? He stated he is in a tent, but he does have a small building for a rose shop
ZONING CLEARANCE PLAN REVIEW

March 28, 2022
Phone: 918-298-7257

Application No: ZCO-114303-2022
(Please reference this number when contacting our office)
Location: 1919 W 40TH ST S
Description: Zoning Clearance Only

Information about submitting revisions

Our review has identified the following code omissions or deficiencies in the project application forms, drawings, and/or specifications. The documents shall be revised to comply with the referenced code sections.

Revisions need to include the following:

1. A copy of this deficiency letter
2. A written response as to how each review comment has been resolved
3. The completed revised/additional plans form (see attached)
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.incoh.org or at INCOG offices at 2 W. 2nd St., 8th Floor, Tulsa, OK, 74103, phone (918) 584-7526.

4. A copy of a “record search” is not included with this letter. Please present the “record search” along with this letter to INCOG staff at time of applying for board of adjustment action at INCOG. Upon approval by the board of adjustment, INCOG staff will provide the approval documents to you for immediate submittal to our office. (See revisions submittal procedure above.)

(continued)
REVIEW COMMENTS
ZCO-114303-2022 1919 W 40TH ST S March 28, 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.

70.120-E1c: BOA approval of a minor special exception is required for an amendment to a plot plan that was made a condition of the granting of a special exception that involved an increase in building floor area of no greater than 15% and did not require the granting of any variances.

Review comment: BOA-17675:4/08/1997 for an expansion to existing school (Webster) at this location subject to the applicant submitting an acceptable site plan. The site plan was approved on 4/08/1997. The proposed addition is a modification to that site plan and will require approval from the BOA. Submit a site plan that has been reviewed and approved in compliance with Sec. 70.120.

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.
Subject property from W. 40th St.

Location of proposed addition to band room
EXISTING GRADE ELEVATION AT WEST END OF BUILDING = 657.57'  
EXISTING GRADE ELEVATION AT NEW EAST END OF BUILDING = 647.0'  
AVERAGE GRADE ELEVATION = (657.57 + 647.0) / 2 = 652.285'  
ALLOWABLE BUILDING HEIGHT IN RESIDENTIAL DISTRICT IS 35' FROM AVERAGE GRADE ELEVATION = 687.285'  
PROPOSED ADDITION BUILDING HEIGHT ELEVATION = 683.0'  
PROPOSED ADDITION IS 4.285' LOWER THAN ALLOWED HEIGHT.