AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center Tuesday,
June 28, 2022, 1:00 P.M.

Meeting No. 1297

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 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.

UNFINISHED MINUTES

1. Approval of Minutes from April 12, 2022 (Meeting 1292)
2. Approval of Minutes from April 26, 2022 (Meeting 1293)
3. Approval of Minutes from May 10, 2022 (Meeting 1294)

MINUTES

4. Approval of Minutes from May 24, 2022 (Meeting 1295)

UNFINISHED BUSINESS

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

5. 23319 - Jason Evans
    Variance to allow the floor area of a detached accessory building to exceed 500 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.2); Variance of the 35-foot setback from an arterial street (Sec. 5.020, Table 5-2); Variance to permit a Detached Accessory Building exceeding 10-feet in height to the top of the top plate in the rear setback (Sec. 90.090-C) Location: 4217 E. 15th St. (CD 4)

6. 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 Unit 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. (CD 9)

7. 23351- Tulsa Precise Investments LLC
    Special Exception to permit a duplex in the RS-4 District (Table 5.020, Table 5-2, Table 5-2.5); Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3) Location: 1015 E Young St (CD 1).
8. **23357 – Nathan Cross**  
Special Exception to allow a Public, Civic & Institutional/Governmental Service or Similar Functions Use in the CS district. (Sec. 15.020, Table 15-2) **Location**: NE/c of MLK Jr. Blvd & E. Pine St. (CD 1). **APPLICATION WITHDRAWN**.

**NEW APPLICATIONS**

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

9. **23374- Multipurpose Properties, LLC**  
**Special Exception** to allow a Large (>250-person capacity) Commercial Assembly & Entertainment Use in the CS District to permit an Event Center (Sec.15.020, Table 15-2). **Location**: 3146 S. Mingo Rd. E. (CD 5)

10. **23375- Nathalie Cornett**  
**Variance** to reduce the 200-feet minimum lot width in the AG district (Sec 25.020-D, Table 25-2). **Location**: 4402 S 193rd E Ave (CD 6)

11. **23376- Guy and Kim Thiessen**  
**Variance** to permit a detached accessory building in the rear setback to exceed 10-feet in height to the top of the top plate (Sec. 90.090-C2); **Variance** to allow more than 25% coverage by a detached accessory building in the rear setback in an RS-2 District (Section 90.090-C2) **Variance** to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A). **Location**: 3127 S. Rockford Dr. (CD 9)

12. **23378- Jason Day**  
**Variance** of the required street setbacks in the RS-2 District (Section 5.030-A, Table 5-3). **Location**: 4112 S. New Haven Pl. (CD 9)

13. **23379- Arlen Gregory**  
**Special Exception** to permit Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL district (Sec. 15.020, Table 15-2). **Location**: 9901 E. 46th Pl. S. (CD 7)

14. **23380- Kory Myers**  
**Special Exception** to increase the permitted driveway width in a Residential District (Section 55.090-F.3). **Location**: 5922 E. 54th St. (CD 9)

**OTHER BUSINESS**

**NEW BUSINESS**

**BOARD MEMBER COMMENTS**

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

HEARING DATE: 06/28/2022 1:00 PM (Continued from 6/14/2022, additional relief requested on height)

APPLICANT: Jason Evans

ACTION REQUESTED: Variance to allow the floor area of a detached accessory building to exceed 500 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.2) Variance of the 35-foot setback from an arterial street. (Sec. 5.020, Table 5-2) Variance to permit a Detached Accessory Building exceeding 10-feet in height to the top of the top plate in the rear setback (Sec. 90.090-C)

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

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

LEGAL DESCRIPTION: LT 10 BLK 4, ELECTA HGTS ADDN

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c of E. 15th St. S. and S. Richmond Ave. Property is immediately North of the Tulsa County Fairgrounds.

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

STAFF COMMENTS: The applicant is requesting a Variance to allow the floor area of a detached accessory building to exceed 500 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.2) Variance of the 35-foot setback from an arterial street. (Sec. 5.020, Table 5-2) Variance to permit a Detached Accessory Building exceeding 10-feet in height to the top of the top plate in the rear setback (Sec. 90.090-C)
2. **RS-2, RS-3, RS-4, RS-5 and RM Districts**

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

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

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

<table>
<thead>
<tr>
<th>Regulations</th>
<th>RE</th>
<th>RS-1</th>
<th>RS-2</th>
<th>RS-3</th>
<th>RS-4</th>
<th>RS-5</th>
<th>RD</th>
<th>RT</th>
<th>RM-0</th>
<th>RM-1</th>
<th>RM-2</th>
<th>RM-3</th>
<th>RMH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Building Setbacks (ft.)</td>
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<tr>
<td>Street [3]</td>
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<tr>
<td>Arterial or fwy service rd.</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td><strong>35</strong></td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>35</td>
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<tr>
<td>Other streets</td>
<td>35</td>
<td>35</td>
<td>30</td>
<td>25</td>
<td>20</td>
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<td>25</td>
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<td>10</td>
<td>10</td>
<td>10</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>Side (interior) [4]</td>
<td>15</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
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<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>10</td>
<td></td>
</tr>
</tbody>
</table>

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

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

The applicant would be allowed 500 square foot detached accessory building by right based on the size of the existing structure and is requesting 576 square feet. East 15th street is classified as a Secondary arterial Street which prescribes a 100-feet Right-of-way. The planned Right-of-way would encroach 10 feet into his property. The 35-foot street setback would cover almost the entirety of the lot including the existing house and without relief from the code would not permit any new structures on the lot. The applicant is requesting a top plate height of 12-feet.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Variance to allow the floor area of a detached accessory building to exceed 500 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.2) Variance of the 35-foot setback from an arterial street. (Sec. 5.020, Table 5-2) Variance to
permit a Detached Accessory Building exceeding 10-feet in height to the top of the top plate in the rear setback (Sec. 90.090-C)

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

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

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

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

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

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

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

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

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

to
its, setback

wing

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

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

Sidewalk 139.3'

SIDING DWELLING

E. 15TH ST.
CarportView 3D Configurator

**LEFT SIDE**

- FRONT: 5'
- BACK: 24'
- LEFT SIDE: 12'
- RIGHT SIDE: 25'

**RIGHT SIDE**

- D1: 12'x10' Rollup Door
- D2: Walk-in Door (36x80)
- Closed Wall

**Symbol Legend**

![Symbol Legend](https://carportview.texwicarports.com/#42e22aedb08e6152d224b1ae8e90816e)

#1637544847434086
Building Images

Perspective View

Front

Left Side

Right Side

Back

#1546066613886371
ZONING CLEARANCE PLAN REVIEW

1/14/2022

LOD No. 1

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

APPLICATION NO: BLDR-104073-2021 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 4217 E. 15th St.
Description: New detached accessory building

<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>4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT</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>SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>IMPORTANT INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</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 [X] 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)
1. R106.2: Site plan or plot plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site and distances from lot lines. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted. 

Review comments: Your application did not include a complete site plan. Submit a site plan that provides the following information:
   a. Drawing to scale with location, dimensions and identification of existing and proposed buildings, structures and driveway. Dimensions for both existing and proposed driveways must be shown;
   b. Drawing to scale with distances from the side and rear property lines to the proposed building, and the distance from the existing house and proposed building to the centerline of 16th street;
   c. Identify any easements and public rights of way.

2. 45.030-A.2 Accessory Building Size, RS-2, RS-3, RS-4, RS-5 and RM Districts
   In RS-2, RS-3, RS-4, RS-5 and RM zoned lots used for detached houses or duplexes, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, and accessory buildings not erected as an integral part of the principal residential building may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater.

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

3. 55.090-B: Ingress and Egress: All parking areas must be designed to allow vehicles to enter and exit a street and cross public sidewalks in a forward motion, except that this requirement does not apply to lots with access on a minor street.

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

4. 55.090-F.3 Surfacing. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of Section 70.120, or, in a PUD, in accordance with the amendment procedures of Section 30.010-I.2. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

<table>
<thead>
<tr>
<th>Maximum Driveway Width</th>
<th>Lot Frontage</th>
<th>75'+</th>
<th>60' - 74'</th>
<th>46' - 59'</th>
<th>30' - 45'</th>
<th>Less than 30' [2]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Driveway Within Right-of-Way (feet) [1]</td>
<td>27'</td>
<td>26'</td>
<td>22'</td>
<td>20'</td>
<td>12'</td>
<td></td>
</tr>
<tr>
<td>Driveway Within Street Setback (feet)</td>
<td>30'</td>
<td>30'</td>
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<td></td>
</tr>
</tbody>
</table>

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

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

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

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

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

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

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

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

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

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

Note: Please direct all questions concerning variances, special exceptions, alternative landscape plans, alternative compliance parking ratios and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7525. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

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

END—ZONING CODE REVIEW

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

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

STR: 9320  Case Number: BOA-23348
CZM: 47
CD: 9

HEARING DATE: 06/28/2022 1:00 PM (Continued from 5/24/2022)

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

PRESENT USE: Residential

ZONED: RS-1

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.
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.”
Subject property

Facing South on Atlanta PL.
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] 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 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

   **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.
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 ensure perfect results. 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 increase 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 arising 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

1103, 1105, 1203, 1205

TO FIRST FLOOR

TO SECOND FLOOR

KITCHEN

LIVING ROOM

M. BEDROOM

W.I.C.

BATH

GARAGE

T.OYLER

BUILDING ADDRESS

MOMIC

MOMIC APARTMENT GARAGE

December 20, 2021

TOTAL LIVING: 657 (VENEEER)
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 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 VENTILATION / ROOF VENTS PER LOCAL GOVERNING CODE. INSTALL CONTINUOUS RIDGE VENTILATION AND PROVIDE APPROPRIATE SOFFIT VENTILATION AT OVERHANGS.

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

7. CONTRACTOR SHALL PROVIDE ADEQUATE ATTIC VENTILATION / ROOF VENTS PER LOCAL GOVERNING CODE. INSTALL CONTINUOUS RIDGE VENTILATION AND PROVIDE APPROPRIATE SOFFIT VENTILATION AT OVERHANGS.
**FOOTING NOTES:**

1. ALL FOOTINGS SHALL REST ON VIRGIN, UNDISTURBED SOIL.
2. PROVIDE 1/2" DIAMETER X (8" OR 12") SILL PLATE ANCHOR BOLTS AT EACH VERTICAL REBAR (WHERE OCCURRING) OR 6" X 6" W.W.M. ON .006 MIL VISQUEEN. FOOTING UNDER FOOTING UNDER SLOPE GARAGE SLAB.
3. UNLESS OTHERWISE NOTED, ALL 4" SLABS ON GRADE SHALL BE 3000 P.S.I. (28 DAY COMPRESSIVE STRENGTH) CAPACITY OF 2000 LBS/SQ FT.
4. PROVIDE 1/2" EXPANSION JOINT MATERIAL BETWEEN ALL CONCRETE SLABS ON ABUTTING CONCRETE OF MINIMUM 4" COMPACTED FILL.
5. PLACE 1/2" DIAMETER X 1'0" SILL PLATE ANCHOR BOLTS AT EACH CORNER AND BOTH SIDES OF UNHEATED INTERIOR AREAS.
6. FOOTING SIZES SHOWN ARE ONLY TYPICAL FOR STATED CONDITIONS; WHICHEVER IS MORE RESTRICTIVE.
7. PROVIDE TERMITE PROTECTION AS REQUIRED BY LOCAL CODES.
8. PROVIDE QUIVEX/WATERPROOF JOINTS AT ALL JOINTS OF ALL GARAGES, BOTH DIRECTIONS.
9. PROVIDE QUIVEX/WATERPROOF JOINTS AT ALL JOINTS OF THE COVERED PATIO. MINIMUM 16" x 18" COURSE ABOVE GRADE.
10. MASONRY VENEER MUST BE ANCHORED TO BACK-UP WALLS OCCURRING IN EXTERIOR OR UNHEATED SPACE PERIODICALLY. MINIMUM traces of DRY CLAY WITH A MINIMUM BEARING CAPACITY OF 2000 LBS/SQ FT.
11. PROVIDE QUIVEX/WATERPROOF JOINTS AT ALL JOINTS OF THE COVERED PATIO. MINIMUM 16" x 18" COURSE ABOVE GRADE.
12. BUILDER TO VERIFY ALL SOIL CONDITIONS BEFORE CONSTRUCTING FOUNDATION DETAILS WITH LOCAL ENGINEER TO CONFIRM UNDER LOAD BEARING WALLS 12" x 12" THICKENED SLAB.
13. PROVIDE QUIVEX/WATERPROOF JOINTS AT ALL JOINTS OF THE COVERED PATIO. MINIMUM 16" x 18" COURSE ABOVE GRADE.
14. BUILDER TO VERIFY FOUNDATIONS DETAILS W/ LOCAL BUILDING CODES.
15. PROVIDE QUIVEX/WATERPROOF JOINTS AT ALL JOINTS OF THE COVERED PATIO. MINIMUM 16" x 18" COURSE ABOVE GRADE.
16. NOTICE DUTY OF COOPERATION.
17. BUILDING ADDRESS

**SQUARE FOOTAGE**

TOTAL LIVING: 857 (VEINEER)

**DATE: December 20, 2021**

**T.OYLER**

**BUILDING ADDRESS**

100 N. BROADWAY SUITE 100
EDMOND, OK 73014
(405) 270-6417

120 E. TOPHAWA SUITE 103
NORMAN, OK 73069
(405) 857-9059

6112 S. MEMORIAL DR.
TULSA, OK 74133
(918) 943-5154

www.creativehomedesigns.com
UPPER ELECTRICAL
SCALE: 1/4" = 1'-0"

FIRST FLOOR ELECTRICAL
SCALE: 1/4" = 1'-0"

4' LED LIGHT
FLOOR MOUNTED OUTLET

CH
SMOKE AND CARBON MONOXIDE DETECTOR
DOOR CHIME
SMOKE DETECTOR
220V DUPLEX OUTLET
110V GROUND FAULT INTERCEPTOR
BULLET LIGHT
RECESSED CAN LIGHT
RECESSED SPOT LIGHT
BATHROOM EXHAUST VENT
BATHROOM EXHAUST VENT, HEATER & LIGHT
BRACKET LIGHT
4' VANITY SURFACE-MOUNTED STRIP LIGHT
3' VANITY SURFACE-MOUNTED STRIP LIGHT
TRACK LIGHT (IDEAL SPECIFIED)
CEILING FAN W/ LIGHT KIT
EXTERIOR FLOOD LIGHT
110V DUPLEX OUTLET
110V WEATHER PROOF - NO FAULT

ELECTRICAL/LIGHTING SYMBOLS
CEILING MOUNTED OUTLET
WALL MOUNTED LIGHT
PHONE/CABLE
220V
TRK
BL
GFI
WP
SD
2
CO
JS
JAMB SWITCH
FOUR (4) PHASE SWITCH (3 WAY)
THREE (3) PHASE SWITCH (2 WAY)
DIMMER SWITCH
SINGLE PHASE SWITCH

MOMIC APARTMENT
GARAGE
December 20, 2021
T. OYLER
BUILDING ADDRESS

TOTAL LIVING:
657 (VENNER)
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 Haglund & Jacqueline O’Neil, 3927 S Atlanta Pl, Tulsa, OK 74105
25. Charles Zoellner & K Chera, 3868 S Atlanta Pl, Tulsa, OK 74105
Hana Momic  
3822 S Atlanta Place  
Tulsa, OK 74105  

Hello, Neighbor!  

My name is Hana Momic and I live at 3822 S Atlanta Place with my husband, three children, and my parents. My husband and I chose to down-size much earlier than anticipated and prior to our two adult sons “leaving the nest”. Until this happens, we are hoping to take advantage of some dead space at the end of our driveway and create a beautiful, seamless extension of our home with a separate 2-car garage and 2nd story 1-bedroom apartment above the new garage.  

I’m writing this letter to inform you of my intent to file for a zoning clearance for a 2-story accessory dwelling unit. It will be a 28’(W) x 23’ (D) x 25’ (H) 2-story structure, identical to our main residence, with the same brick, dormers, and elevation (see attached drawing). Due to the 5’ PSO easement running diagonally across the middle of our backyard, we cannot build the dwelling portion anywhere but above the new garage. This apartment is for my parents. They need to have their own space, privacy, and adjacent bathroom. They have some health issues so this space will help aide in their care and comfort. This will also enable us to park all of our vehicles in the four garage spaces and bottom of the driveway. We want to comply with the City of Tulsa parking ordinance while keeping our street clear of vehicles for prolonged periods. We love our new home (and neighbors!) and take great pride in being a part of this beautiful neighborhood.  

My only ask from you is if you have no concerns about my 2-story garage apartment (or if you’re completely indifferent), please print and sign your name at the bottom of this letter along with your address. I’ve enclosed a self-addressed envelope for you to mail back to me (or drop in my door mail slot). Please feel free to stop by or call me at any time, especially those neighbors I haven’t had the pleasure of meeting just yet. I welcome any and all conversations. I look forward to getting started with this exciting venture with the support of my neighbors.  

Thank you for your time.  

Regards,  

Hana Momic  
918-938-2491  

[Signature]  

[Signature]  

Jennifer Norman  
2512 E 38th St  
Tulsa, OK
Hana Momic  
3822 S Atlanta Place  
Tulsa, OK 74105  

Hello, Neighbor!  

My name is Hana Momic and I live at 3822 S Atlanta Place with my husband, three children, and my parents. My husband and I chose to down-size much earlier than anticipated and prior to our two adult sons “leaving the nest”. Until this happens, we are hoping to take advantage of some dead space at the end of our driveway and create a beautiful, seamless extension of our home with a separate 2-car garage and 2nd story 1-bedroom apartment above the new garage.

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My only ask from you is if you have no concerns about my 2-story garage apartment (or if you’re completely indifferent), please print and sign your name at the bottom of this letter along with your address. I’ve enclosed a self-addressed envelope for you to mail back to me (or drop in my door mail slot). Please feel free to stop by or call me at any time, especially those neighbors I haven’t had the pleasure of meeting just yet. I welcome any and all conversations. I look forward to getting started with this exciting venture with the support of my neighbors.

Thank you for your time.

Regards,

Hana Momic  
918-938-2491  

[Signature]

[Signature]  
Jennifer & Rob McMahon  
2522 E. 38th St.  
Tulsa, OK 74105
Hana Momic  
3822 S Atlanta Place 
Tulsa, OK 74105 

Hello, Neighbor! 

My name is Hana Momic and I live at 3822 S Atlanta Place with my husband, three children, and my parents. My husband and I chose to down-size much earlier than anticipated and prior to our two adult sons “leaving the nest”. Until this happens, we are hoping to take advantage of some dead space at the end of our driveway and create a beautiful, seamless extension of our home with a separate 2-car garage and 2nd story 1-bedroom apartment above the new garage. 

I’m writing this letter to inform you of my intent to file for a zoning clearance for a 2-story accessory dwelling unit. It will be a 28'(W) x 23’ (D) x 25' (H) 2-story structure, identical to our main residence, with the same brick, dormers, and elevation (see attached drawing). Due to the 5’ PSO easement running diagonally across the middle of our backyard, we cannot build the dwelling portion anywhere but above the new garage. This apartment is for my parents. They need to have their own space, privacy, and adjacent bathroom. They have some health issues so this space will help aide in their care and comfort. This will also enable us to park all of our vehicles in the four garage spaces and bottom of the driveway. We want to comply with the City of Tulsa parking ordinance while keeping our street clear of vehicles for prolonged periods. We love our new home (and neighbors!) and take great price in being a part of this beautiful neighborhood. 

My only ask from you is if you have no concerns about my 2-story garage apartment (or if you’re completely indifferent), please print and sign your name at the bottom of this letter along with your address. I’ve enclosed a self-addressed envelope for you to mail back to me (or drop in my door mail slot). Please feel free to stop by or call me at any time, especially those neighbors I haven’t had the pleasure of meeting just yet. I welcome any and all conversations. I look forward to getting started with this exciting venture with the support of my neighbors. 

Thank you for your time. 

Regards, 

Hana Momic  
918-938-2491 

John & Jodi Govett 
3821 S Atlanta Pl 
Tulsa, OK 74105 
918-200-4086 
tulsatough83@gmail.com
Hana Momic  
3822 S Atlanta Place  
Tulsa, OK 74105  

Hello, Neighbor!  

My name is Hana Momic and I live at 3822 S Atlanta Place with my husband, three children, and my parents. My husband and I chose to down-size much earlier than anticipated and prior to our two adult sons “leaving the nest”. Until this happens, we are hoping to take advantage of some dead space at the end of our driveway and create a beautiful, seamless extension of our home with a separate 2-car garage and 2nd story 1-bedroom apartment above the new garage.

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Thank you for your time.

Regards,

[Signature]

Hana Momic  
918-938-2491

Jackie & Todd Coker  
[Signature]

3839 S. Atlanta Pl.  
Tulsa, OK 74105
Hana Momic  
3822 S Atlanta Place  
Tulsa, OK 74105

Hello, Neighbor!

My name is Hana Momic and I live at 3822 S Atlanta Place with my husband, three children, and my parents. My husband and I chose to down-size much earlier than anticipated and prior to our two adult sons “leaving the nest”. Until this happens, we are hoping to take advantage of some dead space at the end of our driveway and create a beautiful, seamless extension of our home with a separate 2-car garage and 2nd story 1-bedroom apartment above the new garage.

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Thank you for your time.

Regards,

Hana Momic  
918-938-2491

Sandra Trujillo  
Andrea Trujillo  
3828 So. Atlanta Pl  
Tulsa, OK 74105
Hana Momic
3822 S Atlanta Place
Tulsa, OK 74105

Hello, Neighbor!

My name is Hana Momic and I live at 3822 S Atlanta Place with my husband, three children, and my parents. My husband and I chose to down-size much earlier than anticipated and prior to our two adult sons “leaving the nest”. Until this happens, we are hoping to take advantage of some dead space at the end of our driveway and create a beautiful, seamless extension of our home with a separate 2-car garage and 2nd story 1-bedroom apartment above the new garage.

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Regards,

Hana Momic
918-938-2491

D.W. Thompson
2430 E, 38th St.
Hana Momic  
3822 S Atlanta Place  
Tulsa, OK 74105  

Hello, Neighbor!  

My name is Hana Momic and I live at 3822 S Atlanta Place with my husband, three children, and my parents. My husband and I chose to down-size much earlier than anticipated and prior to our two adult sons “leaving the nest”. Until this happens, we are hoping to take advantage of some dead space at the end of our driveway and create a beautiful, seamless extension of our home with a separate 2-car garage and 2nd story 1-bedroom apartment above the new garage.  

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Thank you for your time.  

Regards,  

[Signature]  

Hana Momic  
918-938-2491  

[Handwritten note: Looks good! Welcome to the neighborhood. Thank you,  
Bruce Norton  
2505 E. 38th St.  
74105]  

6.27
Hello, Neighbor!

My name is Hana Momic and I live at 3822 S Atlanta Place with my husband, three children, and my parents. My husband and I chose to down-size much earlier than anticipated and prior to our two adult sons “leaving the nest”. Until this happens, we are hoping to take advantage of some dead space at the end of our driveway and create a beautiful, seamless extension of our home with a separate 2-car garage and 2nd story 1-bedroom apartment above the new garage.

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Thank you for your time.

Regards,

Hana Momic
918-938-2491

Good luck with your project!

Welcome to the neighborhood.

3919 S. Atlanta Pl.
Tulsa, OK 74105

Michael & Laurie 6.28
Neighbor Communications

1. Jenifer Norman, 2512 E 38th St, Tulsa, OK 74105 — personal service
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 — personal
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 — mail slot
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 Brightmise, 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 — Phillip Ansteth
22. Scott Eslicker, 3911 S Atlanta Pl, Tulsa, OK 74105 — front door
23. Michael & Laurie Davie, 3919 S Atlanta Pl, Tulsa, OK 74105
24. Roger Haglund & Jacqueline O’Neil, 3927 S Atlanta Pl, Tulsa, OK 74105
25. Charles Zoellner & K Chera, 3868 S Atlanta Pl, Tulsa, OK 74105

2411 — pers n d u w
2430 — le r t c l a y t o n K o s s

6.29
Good afternoon Austin,

By way of introduction my name is Keith Colgan and I own the property North-Northwest of the petitioning party in the above case, (my address if 2506 E. 38th St.). We just returned home from a two week trip abroad and found the notice dated 4/29/2022 for the 5/10/22 hearing.

If we would have had more advance notice, we would have arranged representation to express opposition to providing a Special Exception based on the following:

- Decreased privacy - The structure will be placed in a position which places the 2nd story above the existing fence and vegetation line, essentially along the north 1/3 to 1/2 of our pool.
- In order to build the structure, they will need to remove a large, slow-growth tree, (and of course our view will no longer be of the tree, but the side of living structure instead).
- Potential impact on our vegetation due to altered sun exposure
- Decrease in property value due to all the above

I would appreciate a discussion to understand the current status of the case and available options.

Thank you in advance for your assistance.

Regards,
Keith Colgan
mobile - 918.859.2249
BOARD OF ADJUSTMENT
CASE REPORT

STR: 0225  
CZM: 28  
CD: 1  

HEARING DATE: 06/28/2022 1:00 PM (Continued from 06/14/2022)

APPLICANT: Tulsa Precise Investments LLC

ACTION REQUESTED: Special Exception to permit a duplex in the RS-4 District (Table 5.020, Table 5-2, Table 5-2.5); Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)

LOCATION: 1015 E. Young St.  
ZONED: RS-4

PRESENT USE: Vacant  
TRACT SIZE: 9674.72 SQ FT

LEGAL DESCRIPTION: W 1/2 OF LT 9 BLK 3, SUNNY SLOPE ADDN

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is West of the NW/c of E. Young St. and N. Madison Pl.

STAFF COMMENTS: The applicant is requesting Special Exception to permit a duplex in the RS-4 District (Table 5.020, Table 5-2, Table 5-2.5); Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)

Duplexes are defined as follows:
The applicant is seeking to widen the allowed driveway width from 26-feet within the driveway and 30-feet on the lot to allow a 40-foot wide driveway. Applicant will be required to get right-of-way permit from City of Tulsa.

SAMPLE MOTION: Move to _________ (approve/deny) a Special Exception to permit a duplex in an RS-3 District (Table 5.020, Table 5-2, Table 5-2.5); Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)

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

- Subject to the following conditions (including time limitation, if any):
  
  The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
Subject property

Facing East on Young St.
DEVELOPMENT SERVICES
175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

4/1/2022

LOD No. 2

Damon Ousley
PO Box 481046
Tulsa, OK 74148

APPLICATION NO: BLDR-111566-2022 (PLEASE REFER TO THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 1015 E. Young St. Unit A

Description: New duplex

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

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

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

(continued)
REVIEW COMMENTS

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

Application No. BLDR-111556-2022

1. 5.020 Use Regulations - Principal uses allowed in R districts in accordance with Table 5-2.
   Review Comments: Duplexes are only allowed on an RS-4 zoned lot by special exception.
   Apply to the Board of Adjustment for a special exception to allow a duplex on an RS-4 zoned lot.

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

2. 55.090-F.3 Surfacing. In RE and RS zoning districts, driveways serving residential dwelling units may not
   exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is
   approved in accordance with the special exception procedures of Section 70.120, or, if in a PUD, in
   accordance with the amendment procedures of Section 30.010-1.2. (Refer to the City of Tulsa Standard
   Specifications and Details for Residential Driveways #701-704).

<table>
<thead>
<tr>
<th>Maximum Driveway Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Frontage</td>
</tr>
<tr>
<td>75'</td>
</tr>
<tr>
<td>60' - 74'</td>
</tr>
<tr>
<td>46' - 59'</td>
</tr>
<tr>
<td>30' - 45'</td>
</tr>
<tr>
<td>Less than 30'</td>
</tr>
<tr>
<td>Driveway Within Right-of-Way [1]</td>
</tr>
<tr>
<td>27'</td>
</tr>
<tr>
<td>26'</td>
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<tr>
<td>22'</td>
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<tr>
<td>20'</td>
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<tr>
<td>12'</td>
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<tr>
<td>Driveway Within Street Setback [2]</td>
</tr>
<tr>
<td>30'</td>
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<tr>
<td>30'</td>
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</tbody>
</table>

Review Comments: This lot has a 64.5' wide street frontage, which permits a maximum driveway
width of 26' in the right of way (ROW) and 30' within the street setback area. Please revise the site
plan to show a driveway that conforms to these maximum widths; or you may apply to INCOG for a special
exception to allow a driveway width of 40' in the ROW and in the front setback area.

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

Note: Please direct all questions concerning variances, special exceptions, alternative landscape plans,
alternative compliance parking ratios and all questions regarding (BOA) or (TMAPC) application forms and fees
to an INCOG representative at 984-7528. 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.
YOUNG ST DUPLEX
1015 E Young St, Tulsa, OK 74106  Job# 21243

SCOPE OF WORK
SUMMARY:
NEW RESIDENTIAL BUILDING ON AN EMPTY LOT.

PROJECT TEAM
DESIGN:
RCJ DESIGNS, LLC
3902 E 51st St
TULSA, OK 74135
RAUL CISNEROS JR
RAUL@RCJDESIGNS.COM
918.859.9343
WWW.RCJDESIGNS.COM

SCHEMATIC INDEX
CS
COVER SHEET

YOUNG ST DUPLEX
PROJECT # 21243
1015 E Young St Tulsa, OK 74106

PERMIT SET
01.07.2022
Tulsa, OK 74106

PROJECT STATUS
01.07.2022

SHEET INDEX
CS
COVER SHEET
SITE PLAN

SILT FENCE SHALL BE REMOVED WHEN IT HAS SERVED ITS USEFULNESS SO THAT THE TOE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW.

THE TRENCH SHOULD BE A MINIMUM OF 6 INCHES DEEP AND 3 TO 4 INCHES WIDE (150 MM X 75 MM). THE TRENCH SHOULD BE DUG 4 INCHES (100 MM) LESS THAN THE BLADE END OF THE HAY BALES. BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.

INCHES AND DISPOSED OF IN AN APPROVED SPOIL SITE OR AS IN NO. 7 ABOVE.

SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POST OR TO WOVEN WIRE, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POSTS.

EXISTING CONCRETE DRIVEWAY/WALKWAY.

EXISTING SOD TO REMAIN.

EXISTING ASPHALT PAVING./ TRACK.

EXISTING GRASS/grASS/PERENNIALS.

EXISTING BUILDING FOOTPRINT. AREA NOT IN SCOPE OF WORK.

EXISTING ASPHALT PAVING .

NEW ASPHALT PAVING/ TRACK.

NEW

SIDEWALK

NEW

DRIVEWAY

NEW

SILT FENCE DETAIL

1. STEEL POSTS MUST SUPPORT THE SILT FENCE SHALL BE INSTALL ON A FLAT, PELLED SURFACE WITH THE UNIT FACING TOWARD THE ANTICIPATED RUNOFF SOURCE. MECHANICAL TRENCHER SO THAT THE DEEPER FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW.

2. THE TRENCH SHOULD BE A MINIMUM OF 6 INCHES DEEP AND 3 TO 4 INCHES WIDE (150 MM X 75 MM). THE TRENCH SHOULD BE DUG 4 INCHES (100 MM) LESS THAN THE BALE END OF THE HAY BALES. BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.

3. INSPECTION SHALL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.

4. INCHES AND DISPOSED OF IN AN APPROVED SPOIL SITE OR AS IN NO. 7 ABOVE.

5. ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6 INCHES AND DISPOSED OF IN AN APPROVED SPOIL SITE OR AS IN NO. 7 ABOVE.

6. SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POST OR TO WOVEN WIRE, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POSTS.

7. INSPECTION SHALL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.

8. SILT FENCE SHALL BE REMOVED WHEN IT HAS SERVED ITS USEFULNESS SO THAT THE TOE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW.

9. THE TRENCH SHOULD BE A MINIMUM OF 6 INCHES DEEP AND 3 TO 4 INCHES WIDE (150 MM X 75 MM). THE TRENCH SHOULD BE DUG 4 INCHES (100 MM) LESS THAN THE BLADE END OF THE HAY BALES. BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.

10. ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6
7.9

All interior walls to be A4 U.N.O.

3' - 6"

CO

3' - 6"

All interior finishes including but not limited to flooring, paint, wall coverings, lighting fixtures, trim, laminate, solid surfaces, and millwork to be selected by the owner and installed by the contractor.

3' - 6"

LEGEND NOTES

1. Note: all dimensions are to centerline of object, except for the following:

2. General contractor shall use existing walls and become familiar with them.

3. Not to scale - 1/4" = 1'-0"

4. General contractor shall work closely with the architect.

5. Not to scale - 1/4" = 1'-0"

6. Fire seal all penetrations.

7. Check all dimensions against the existing walls and centerline of object.

8. Fire seal all penetrations between slab and gyp. board.

9. Referencing:

- SD
- SHELF & ROD
- LINEN
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- CABINET
- CUSTOM UPPER CABINETS
- TV MOUNTED ON WALL
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CONCRETE SLAB

RIGID HT 21'-9" - 0"

WIN./DOOR HEAD HT 6'-8" - 0"

PLATE HEIGHT 9'-0" - 0"

FINISH FLOOR 0'-0" - 0"

2' - 0" MIN.

0' - 3" MIN.

2 x 4 TREATED SILL PLATE W/ 1/2" X 12" ANCHOR BOLTS AT 72" O.C. ATTACH TO FLOOR AS REQ'D.

WOOD BASE (SELECTION BY OWNER)

DBL. 2 x 4 SILL PLATE

2 x 4 STUDS @ 16" O.C.

BATT INSULATION

WINDOW AS SCHEDULED

(2) 2 X 12 HDR

DOUBLE 2X4 HEAD PLATE.

ATTACH TO CEILING JOIST AS REQ'D

2X6 CLG. JOISTS @ 16" O.C.

R - 30 BATT INSULATION

2X6 RAFTERS @ 16" O.C.

COMPOSITION SHINGLE ROOF

OVER 1/2" PLYWOOD DECKING

1/2" GYP, BOARD SIDING OVER 1/2" SHEATHING W/MOISTURE BARRIER MEMBRANE

2X BLOCKING @ EAVE

CEMENT BOARD SOFFIT W/ CONTINUOUS VENTING

RE: ROOF PLAN

PERIMETER RIGID INSULATION

(4) 5/8" REINFORCEMENT BARS SHALL BE PLACED HORIZONTALLY, TWO AT THE TOP AND TWO AT THE BOTTOM, IN EACH CONTINUOUS FOOTING

GRAVEL LAYER

CONCRETE SLAB

SLOPE GRADE AWAY FROM STRUCTURE

MIN. 1/2" DOWEL @ 4'-0" - 0" O.C.
LEFT SIDE ELEVATION
1/4" = 1'-0"

RIGHT SIDE ELEVATION
1/4" = 1'-0"
1. CONTRACTOR TO PROVIDE ADEQUATE VENTILATION PER R806, IRC 2015
Subject Tract

BOA-23351
20-12 25

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

Aerial Photo Date: 2020/2021

7.13
Yes. I can confirm that my client is, as of today, withdrawing its application for the above-referenced case.

Nathan

From: Chapman, Austin <AChapman@incog.org>
Sent: Wednesday, June 1, 2022 10:03 AM
To: Cross, Nathan S. <ncross@dsda.com>
Subject: BOA-23357

Nathan,

I’m in receipt of the attached statement from the Cherokee Nation and been asked if it is accurate, are you able to confirm that you are withdrawing BOA-23357?

Best,

Austin Chapman, AICP
Planner, City of Tulsa Board of Adjustment
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9471
achapman@incog.org

Determining compliance to zoning or building code requirements is not a function of this office. The Building Permits Division will address compliance upon application for a building permit or occupancy permit.

{918) 596-9456}
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9324  Case Number: BOA-23374
CZM: 48
CD: 5

HEARING DATE: 06/28/2022 1:00 PM

APPLICANT: Multipurpose LLC

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

LOCATION: 3146 S MINGO RD E

PRESENT USE: Vacant

TRACT SIZE: 33345.32 SQ FT

LEGAL DESCRIPTION: PRT NE NE BEG 592S & 200W NEC NE TH S266.31 SW126.03 N266.31 SE124.40 POB SEC 24 19 13 .766AC AND BEG 592S & 237.10W NEC NE TH N55 W88.83 S55 E87.30 POB SEC 24 19 13 .11AC

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-16692; On 06.16.94 the Board approved a variance to reduce the frontage requirement from 30-feet to 0-feet to permit a lot split.

Surrounding Properties: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan identifies the subject property as part of a "Town Center" and an "Area of Growth".

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

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

ANALYSIS OF SURROUNDING AREA:

The subject tract is located southwest of the SW/c of E. Mingo Rd. and E. 31st St. S. The property currently does not have frontage to a public street but has an easement to access Mingo Road. The property is bounded by Mingo Creek on the West property line.
STAFF COMMENTS: The applicant is requesting a Special Exception to allow a Large (>250-person capacity) Commercial Assembly & Entertainment Use in the CS District to permit an Event Center (Sec.15.020, Table 15-2).

The use would not trigger any additional supplemental regulations since it is not abutting any residential property.

SAMPLE MOTION: Move to _________ (approve/deny) a Special Exception to allow a Large (>250-person capacity) Commercial Assembly & Entertainment Use in the CS District to permit an Event Center (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.
Case No. 16690 (continued)
Ms. Parnell stated that the inoperable vehicles are being removed and other debris has been cleared from the lot.

Protestants:
Terry Wilson, District 5 planning chairman, recommended that any outside storage on the property be screened or otherwise concealed from public view, with a 90-day review by Code Enforcement to ensure compliance.

Applicant’s Rebuttal:
Mr. Moore informed that it will be necessary to have cars parked on the property that are awaiting repair.

Board Action:
On MOTION of BOLZLE, the Board voted 3-0-0 (Bolzie, Doverspike, T. White, "aye"); no "nays"; no "abstentions"; Chappelle, S. White, "absent") to APPROVE a Special Exception to permit automobile repair in a CS zoned district - SECTION 701. PRINCIPAL USES PERMITTED IN THE COMMERCIAL DISTRICTS - Use Unit 17, per plan submitted; subject to all repair work being completed inside the structure; subject to no outside storage; and subject to no storage of inoperable vehicles, except those awaiting repair; finding that an automobile repair business has been operated at this location for many years and the use has proved to be compatible with the area; on the following described property:

South 150' Reserve Block 1, Irving Acres, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16692

Action Requested:
Variance of the required frontage to 0’ - SECTION 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS - Use Unit 15, located 3146 South Mingo.

Presentation:
The applicant, Nolan Gross, 3146 South Mingo Road, informed that he purchased the subject property several years ago and was not aware that it was tied to an additional lot by a tie contract. He informed that the front lot was sold and the back property was left without street frontage. Mr. Gross informed that the lot is accessed by a 60’ easement extending to Mingo Road. A plot plan (Exhibit CC-1) was submitted.

Comments and Questions:
Mr. Bolzie asked if the Planning Commission has approved the lot split and the applicant answered in the affirmative.
Case No. 16692 (continued)

Protestants:
None.

Board Action:
On MOTION of BOLZLE, the Board voted 3-0-0 (Bolzle, Doverspike, T. White, "aye": no "nays"; no "abstentions"; Chappelle, S. White, "absent") to APPROVE a Variance of the required frontage to 0' - SECTION 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS - Use Unit 15, per plan submitted; subject to approval of a lot split by TMAPC; finding that the lot is accessed by a mutual access easement, and that approval of the request will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

Beginning at the NE/c of NE/4, Section 24, T-19-N, R-13-E, thence S 0°11'14" W along the east boundary of the NE/4 532', thence west 50' to the POB, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16693

Action Requested:
Variance to amend a condition of approval of a previously approved Board case and clarification of a condition of approval to permit storage of chrome bumpers without change in the condition that chrome plating will cease - Use Unit 25, located 18420 East Admiral Place.

Presentation:
The applicant, Joseph Hull, III, 1717 South Cheyenne Avenue, stated that he is representing the owner of the property, who was issued a citation by Ms. Parnell, a Code Enforcement officer. He informed that Ms. Parnell determined that the fence was not installed at the location stipulated in the previously approved conditions, and asked that it be permitted to remain at the current location. Mr. Hull noted that the existing fence is 104' from the south residential property line, and pointed out that it is difficult to operate the business without utilizing more of the property. The applicant also requested that his client be permitted to store chrome bumpers on the lot, even though the chrome plating portion of the business has been moved to another location. Photographs (Exhibit D-2) were submitted.

Comments and Questions:
Mr. Doverspike asked if the fence was installed after the initial hearing concerning the business, and Mr. Hull answered in the affirmative.

Mr. Doverspike stated that it was not the intent of the Board to restrict the sale of chrome bumpers at this location after the chroming business was moved to another site.
APPLICATION NO: BLDC-116781-2022

(Please reference this number when contacting our office)

Location: 3146 S MINGO RD E
Description: Alteration

Information About Submitting Revisions

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

Revisions Need to Include the Following:

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

4. A copy of a “Record Search” [X] is [ ] is not included with this letter. Please present the “Record Search” along with this letter to INCOG staff at time of applying for Board of Adjustment action at INCOG. Upon approval by the Board of Adjustment, INCOG staff will provide the approval documents to you for immediate submittal to our office. (See revisions submittal procedure above.)
**REVIEW COMMENTS**


| BLDC-116781-2022 | 3146 S MINGO RD E | April 27, 2022 |

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

**Sec.15.020 Table 15-2:** The proposed Event Center is a use categorized as a Commercial/and is a 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.

**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.
### Project Data

**Project Description**
TULSA, OK, 74146

**Legal Description**

**Subdivision:** Unplatted

**Insulation**

**Floor Space**

**Construction Type**

**Dimensions**

**Notes:**

1. The re-use of these contract documents except by mutual agreement in writing. The contract documents shall not be used for any other project.

### Notes:

- **Scale:** 1/2" = 1'-0"
- **ASSEMBLY, EVENT CENTER (585 Occupants)**
- **Lighting:** Battery Backup
- **Exit Sign:** 68" provided
- **Elevation:** 32" provided
- **Total Exit:** 132" provided
- **Levels:**
  - **Base:** 3/32" = 1'-0"
  - **Dimensions:** All interior dimensions are to the centerline of framing, to the centerline of openings or to the inside finish face unless noted otherwise.
  - **Electrical:** The contractor is responsible for all safety precautions or safety programs used to provide a safe working environment on the job site. Reference specifications for safety requirements.
  - **Reuse:** These contract documents are for use solely with respect to this project. The owner shall not re-use or permit their re-use by any other person performing any of the work, or for the failure of any of them to carry out the work in accordance with these contract documents.
  - **Permits:** Prior to construction, the contractor shall be responsible for obtaining all required permits and approvals required by the code. All permits shall be obtained prior to the beginning of construction or fabrication.
  - **Revisions:** These contract documents are for use solely with respect to the project. The owner shall not re-use or permit their re-use by any other person performing any of the work, or for the failure of any of them to carry out the work in accordance with these contract documents. The contractor documents shall not be used for any other project.
  - **Subcontractors:** The contractor is responsible for obtaining all required permits and approvals required by the code. The contractor is also responsible for obtaining all necessary permits and approvals required by the code.
  - **Shoring and Bracing:** During all phases of construction, the contractor is responsible for all safety precautions or safety programs used to provide a safe working environment on the job site.
  - **Architect:** The architect shall be notified immediately of any discrepancies or possible deficiencies. Any and all costs associated with work performed following discovery of discrepancies, inconsistent conditions, or deficiencies shall be borne by the contractor.
  - **Mandatory:** All work dimensions are to the centerline of framing, to the centerline of openings or to the inside finish face unless noted otherwise.
  - **Supervision:** The supervisor is responsible for all safety precautions or safety programs used to provide a safe working environment on the job site. Reference specifications for safety requirements.
  - **Thermal Insulation:** All assemblies shall be constructed in accordance with the thermal insulation requirements of the International Existing Building Code and the International Residential Code.
  - **Electrical:** The electrical contractor shall be responsible for obtaining all necessary permits and approvals required by the code.
  - **Sprinkler System:** The sprinkler system contractor shall be responsible for obtaining all necessary permits and approvals required by the code.
LEGAL DESCRIPTION

ALL THAT PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS,

COMMENCING AT THE NORTHEAST CORNER OF SAID NE/4; THENCE SOUTH 0°11'14" WEST ALONG THE EAST LINE OF SAID NE/4, A DISTANCE OF 532.00 FEET; THENCE DUE WEST AND PARALLEL TO THE NORTH BOUNDARY OF SAID NE/4, A DISTANCE OF 50 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 0°11'14" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTH MINGO ROAD, A DISTANCE OF 187.10 FEET; THENCE NORTH 0°11'14" EAST AND PARALLEL TO THE EAST LINE OF SAID NE/4 A DISTANCE OF 55.00 FEET; THENCE DUE WEST AND PARALLEL TO THE NORTH LINE OF SAID NE/4 A DISTANCE OF 100.00 FEET; THENCE NORTH 0°11'14" EAST AND PARALLEL TO THE EAST LINE OF SAID NE/4 A DISTANCE OF 5.00 FEET; THENCE DUE EAST AND PARALLEL TO THE NORTH LINE OF SAID NE/4 A DISTANCE OF 287.10 FEET TO THE POINT OF BEGINNING.

INSTRUMENT NOTES

1. EASEMENT RECORDED IN BOOK 790, PAGE 392; PARTIAL RELEASE IN BOOK 2920, PAGE 125 OF THE RECORDS OF THE TULSA COUNTY CLERK. DOES NOT AFFECT THE PROPERTY DESCRIBED HEREON.

2. DEDICATION RECORDED IN BOOK 3551, PAGE 121 OF THE RECORDS OF THE TULSA COUNTY CLERK.

3. EASEMENT RECORDED IN BOOK 3889, PAGE 457 OF THE RECORDS OF THE TULSA COUNTY CLERK.

4. DEDICATION RECORDED IN BOOK 4717, PAGE 1041 OF THE RECORDS OF THE TULSA COUNTY CLERK.

5. EASEMENT RECORDED IN BOOK 5883, PAGE 1903 OF THE RECORDS OF THE TULSA COUNTY CLERK. EXHIBITS A, B, AND C ARE ATTACHED TO THE TRACT.

SITE PLAN

3/64" = 1'-0"
NOTES:
1. **ALL CEILINGS TO BE 9' - 0'' UNLESS NOTED OTHERWISE.**
2. **REFERENCE LIFE SAFETY PLAN FOR EXIT AND EGRESS LIGHTING.**

**REFLECTED CEILING PLAN LEGEND**

- **Key Note**
- **Existing to Remain**
- **2X4 Return Register**
- **2X4 Light Fixture**
- **Light Fixture, Emergency Back Up Lighting**
- **Exhaust Fan, 150 CFM**
- **Exit Sign**
- **Emergency Light W/ Battery Backup**
- **2' x 4' ACT Acoustical Ceiling Tile**
- **Painted Gypsum Acolboard**
- **Tile**
- **Light Fixture, Selection by Owner**

**NOTE:** **ALL LIGHTING FIXTURES TO BE LED W/ DIMMABLE BALLAST.**

**NOT ALL ITEMS MAY BE USED**

**2X2 Return Register**
**2X4 Light Fixture**
**Light Fixture, Emergency Back Up Lighting**
**Exhaust Fan, 150 CFM**
**Exit Sign**
**Emergency Light W/ Battery Backup**
**2' x 4' ACT Acoustical Ceiling Tile**
**Painted Gypsum Acolboard**
**Tile**
**Light Fixture, Selection by Owner**

**REFLECTED CEILING PLAN**

1/8" = 1'-0"
USE ROLLED PRODUCT AS SCHEDULED
RUBBER BASE TO BE INSTALLED IN LONGEST SECTIONS POSSIBLE
SEMI OFFICE VERTICAL WALLS
SEMI FLAT
BREAK ROOM
2" 5/8 INCH, TYPE X ON ALL HORIZONTAL SURFACES,
CORRIDOR 5/8 INCH, MOISTURE AND MOLD RESISTANT ON ALL WET LOCATIONS,
PROVIDE GYPSUM BOARD AS FOLLOWS:
AS SCHEDULED
AS SCHEDULED
2' - 0"
ALL CEILINGS
FLAT
GLOSS LEVELS**
RESTROOMS
BATT INSULATION
BATT INSULATION
FINISH SCHEDULE
ROOFING / STRUCTURAL
NAME NUMBER WALL CEILING FLOOR BASE NOTES
SYSTEM
SYSTEM
ENTRY 100 GYP O.T.S. CONCRETE RUBBER
KITCHEN 101 GYP ACT TILE TILE RUBBER
SERVING 102 GYP O.T.S. CONCRETE RUBBER
@ 10'-0" MAX. TO EXTEND GYPSUM
MENS R.R. 103 GYP GYP TILE RUBBER
STRUCTURE ABOVE (DOUBLE STUDS)
WOMENS R.R.
SEATING #1 105 GYP O.T.S. CONCRETE RUBBER
CEILING
SEATING #2 107 GYP O.T.S. CONCRETE RUBBER
CEILING
STORAGE 108 GYP ACT TILE CONCRETE RUBBER
STAGE 109 GYP O.T.S. CONCRETE RUBBER
110 GYP ACT TILE SEALED RUBBER
SOUND ATTENUATION ROOM
CONCRETE
04/22/2022
BLANKET (EXTEND FROM FLOOR TO TOP OF WALL)
04/22/2022
BLANKET (EXTEND FROM FLOOR TO STRUCTURE ABOVE)
FINISH MATERIAL LEGEND
--------ACT SUSPENDED ACOUSTICAL TILE
--------EPX EPOXY FLOORING
--------RB RUBBER BASE
5/8" GYPSUM BOARD
5/8" GYPSUM BOARD
--------TB TILE BASE
NOTES:
1.
2.
3.
1. BASE
2. BASE
3. BASE
• FINISH LEVEL 4*
• FINISH LEVEL 5*
• FLOORING RE: ROOM FINISH RE: ROOM FINISH RE: ROOM FINISH
• SCHEDULE & REFLECTED SCHEDULE & REFLECTED SCHEDULE & REFLECTED
• GLOSS LEVELS

DOOR SCHEDULE
SIZE
SPACING
RATING
NO.
SIZE
SPACING
RATING
NO.
2x4 2x6 16" O.C.
5/8" 5/8"
A1 A2
A3 2x4 2x6 16" O.C.
16" O.C.
5/8" 5/8"
B1 B2
C1 C2
D 1 HR
E 2 PASSAGE
D 2 STORAGE
D 1 ENTRY PANIC HARDWARE
D 2 PRIVACY
D 2 PRIVACY
E 2 PRIVACY
D 2 STORAGE
D 2 STORAGE
D 2 STORAGE
D 2 STORAGE
D 2 STORAGE
F 2 - OVERHEAD DOOR
GWB FIRE STC U.L.
GWB FIRE STC U.L.
GWB FIRE STC U.L.
GWB FIRE STC U.L.
GWB FIRE STC U.L.
HWD FUNCTION NOTES WIDTH HEIGHT TYPE TYPE
# 1
1
2
5' - 0" 5' - 0"
3' - 0" 6' - 0"

ROOM & DOOR SCHEDULES
A401
TEMP.
TEMP.
FIXED
FIXED
GLASS
GLASS
OVERHEAD
OVERHEAD
2 WAY SWING
2 WAY SWING
WOOD DOOR
WOOD DOOR
DOOR TYPES
3/6" = 1'-0"
DOOR FRAME TYPES
3/6" = 1'-0"
NON-EXCLUSIVE EASEMENT

Dated: August 9, 1983
Filed: August 16, 1983 at 10:36 AM
Recorded in Book 4717 Page 1041

THIS INDENTURE is made and entered into this 24th day of August, 1983, by and between MARK HIGGINS, an individual and PAUL L. ALDRIDGE and CARLA R. ALDRIDGE, husband and wife, ("Grantors") and NOLAN L. GROSS and GINGER L. GROSS, husband and wife, ("Grantees").

WHEREAS, Grantees have concurrently herewith sold and conveyed to Grantors certain real property located in the City of Tulsa, Tulsa County, State of Oklahoma ("Conveyed Property");

WHEREAS, Grantees own certain real property located in the City of Tulsa, Tulsa County, State of Oklahoma, adjacent to the Conveyed Property ("Grantees' Property"), which real property is more particularly described hereinbelow;

WHEREAS, Grantors, in consideration of the conveyance of the Conveyed Property, have agreed to grant to Grantees a mutual non-exclusive right-of-way easement, utility easement and construction easement over certain portions of the Conveyed Property, the right to relocate or cause to be relocated certain utility poles in the easement area and a sign easement, all to run in favor of the Grantees' Property described below.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantors do hereby grant, bargain, sell and convey unto Grantees the following easements:
1. A right-of-way easement for access, ingress, egress, regress, vehicular traffic and parking, to, over, through, upon, across and from the following-described portion of the Conveyed Property, with grantees and grantees, respectively, paying one-half the cost of maintaining the easement, to wit:

All that part of the Northeast Quarter (NE/4) of Section Twenty-Four (24), Township Nineteen (19), Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, more particularly described as follows, to-wit:

COMMENCING at the Northeast Corner of said NE/4; thence South 00° 11' 14" West along the East boundary of said NE/4 a distance of 512.00 feet; thence due West and parallel to the North boundary of said NE/4 a distance of 50.00 feet to the Point of Beginning;
thence South 00° 11' 14" West along the West right-of-way line of South Mango Road a distance of 22.0 feet; thence due West a distance of 24.8 feet; thence due North a distance of 5.6 feet; thence due West a distance of 73.0 feet; thence due South a distance of 59.5 feet; thence due West a distance of 22.0 feet; thence due East a distance of 107.1 feet to the Point of Beginning;

2. (4) A right-of-way easement for access, ingress, egress, regress, vehicular traffic and parking; and

(11) An easement for the surveying, excavating, installation, construction, laying, relaying, erecting, repairing, maintaining and operating of any and all utilities including but not limited to telephone, gas, electric, water, cable television and sewers, including lines, cables, pipes, conduits, valves, transformers, fittings, meters and together with all necessary and convenient appurtenances thereto; together with Grantors' covenant to grant, if required or necessary, an easement as herein conveyed to Grantees to any and all utility franchisers, companies or others making such utility installations, including maintenance and operation, for the benefit of Grantees, for such area within this easement as shall
be required for such utilities, as well as five (5) feet on either side thereof; and
(iii) An easement for the construction, laying, erect-
ing, maintaining, operating, destruction or recon-
struction of structures, buildings, fences and other
improvements and encroachments of any kind or char-
acter whatsoever; to, over, across, upon, under,
through and from the following-described portion of
the Conveyed Property, to-wit:
All that part of the Northeast Quarter (NE/4) of
Section Twenty-Four (24), Township Nineteen (19),
Range Thirteen (13) East of the Indian Base and
Meridian, Tulsa County, State of Oklahoma, more
particularly described as follows, to-wit:
COMMENCING at the Northeast Corner of said NE/4;
thence South 90° 11' 14" West along the East
boundary of said NE/4 a distance of 532.00 Feet;
thence due West and parallel to the North boun-
dary of said NE/4 a distance of 227.1 Feet to the
Point of Beginning; thence West a distance of
100.0 Feet; thence South a distance of 5.0 Feet;
thence due East a distance of 100.0 Feet; thence
North a distance of 5.0 Feet to the Point of
Beginning;

3. An easement for the relocation of a certain utility
pole by Grantors, at the request of Grantees and at
Grantees' expense, or by Grantee's located as follows
to any other location on either of the above-described
tracts adjacent to the Ningo Road Veterinary Hospital
not to unreasonably interfere with Grantor's use of
such property, to-wit:
Commencing at the Northeast corner of the NE/4 of
Section 24, Township 19 North, Range 13 East of
the Indian Base and Meridian, Tulsa County,
Oklahoma, according to the United States Govern-
ment Survey therefor, THENCE South 90° 11' 14" West
along the East boundary of said NE/4 a distance
of 206.1 feet; THENCE due West and parallel to the
North boundary of said NE/4 a distance of 206.1
feet; THENCE due South a distance of 1.5 feet;
said point being the location of said utility
pole.

4. An easement for the continued location, maintenance,
installation, repair, replacement, servicing or alter-
ation of an electrical advertising sign not to exceed
one hundred fifty (150) square feet in size to advertise Seller's business under the name "Southern Agriculture Inc." or any successor or assignee of such company in perpetuity provided such sign does not unreasonably interfere with Grantors' sign for the Mingo Road Veterinary Hospital and further that such sign does not contain any reference to veterinary pharmaceutical vaccines or antibiotics, together with all necessary electrical lines, cables, conduits, and other necessary appurtenances thereto, to, over, across, under and from the following-described portion of the Conveyed Property, to-wit:

Commencing at the Northeast corner of the NE/4 of Section 24, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the United States Government Survey thereof, thence South 0° 11' 14" West along the East boundary of said NE/4 a distance of 522 feet; thence due West and parallel to the North boundary of said NE/4 a distance of 50 feet; thence South 0° 11' 14" West along the Westerly right-of-way of South Mingo Road a distance of 16.3 feet; thence due West a distance of 2.6 feet, said point being the location of the electric sign.

EACH AND EVERY of the above-described easements shall be perpetual non-exclusive easements to become appurtenant to and run with the land of Grantors described as follows:

All that part of the Northeast Quarter (NE/4) of Section 24, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, more particularly described as follows, to-wit:

COMMENCING at the Northeast Corner of said Northeast Quarter (NE/4); thence South 0° 11' 14" West along the East boundary of said Northeast Quarter (NE/4) a distance of 522.00 feet; thence due West and parallel to the North boundary of said Northeast Quarter (NE/4) a distance of 200.00 feet to the Point of Beginning; thence due West and parallel to the North line of said NE/4 a distance of 27.1 feet; thence North 0° 11' 14" East a distance of 55.00 feet; thence due West and parallel to the North line of said NE/4 a distance of 100.00 feet; thence North 0° 11' 14" East a distance of 5.0 feet; thence West and parallel to the North line of said NE/4 a distance of 132.75 feet

-Continued-
To the point on the East Avenue,cth the County Line, at a distance of 222.42 feet south of the East Avenue, and along the right of way of the County Line, at a distance of 570.15 feet south of the East Avenue, and parallel to a point on the East Avenue, a distance of 59.4 feet west of the line of said NE/4, a distance of 59.79 feet to a point on the East Avenue, a distance of 11.74 feet to a point on the East Line of said NE/4, a distance of 266.31 feet to the point of beginning.

The North 64.5 feet of the East 120.00 feet of the following described tract of land:

LESS THE FOLLOWING:

The grant of a particular easement or license shall bind the successors and assigns of the grantee, and shall be binding on the successors and assigns of the grantor, and the successors and assigns of any person or persons claiming through or under any of them.

A party granting an easement or license is relieved of all the obligations of this Agreement, and the successors and assigns of the grantee shall be subject to all the obligations of this Agreement.

The grant of a particular easement or license shall bind the successors and assigns of the grantee, and shall be binding on the successors and assigns of any person or persons claiming through or under any of them.

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thereby bind and include not only such party, but its heirs, successors and assigns as well.

A party to which an easement is granted is referred to as the "Grantee" thereof, it being intended that the grant shall benefit and include not only such party, but its heirs, successors and assigns as well.

All easements hereby granted are non-exclusive and irrevocable.

IN WITNESS WHEREOF, each of the parties hereto has caused this Agreement to be duly executed as of the date first above written.

GRANTORS:

[Signatures]

GRANTEES:

[Signatures]
STATE OF OKLAHOMA  
COUNTY OF TULSA  

Before me, a Notary Public in and for said county and state, on the 24th day of August, 1983, personally appeared
PAUL A. ALDRIDGE and CARLA A. ALDRIDGE, husband and wife, to me
known to be the identical persons who executed the foregoing
instrument, and acknowledged to me that they executed the same
as their free and voluntary act and deed for the uses and pur-
poses therein set forth.

[Signature]
Notary Public

Commission Expires: 5/15/84
(SEAL)

STATE OF OKLAHOMA  
COUNTY OF TULSA

Before me, a Notary Public in and for said county and state,
on the 24th day of August, 1983, personally appeared
NOLAN L. GROSS and GINGER L. GROSS, husband and wife, to me
known to be the identical persons who executed the foregoing
instrument, and acknowledged to me that they executed the same
as their free and voluntary act and deed for the uses and pur-
poses therein set forth.

[Signature]
Notary Public

Commission Expires: 5/15/84
(SEAL)

STATE OF OKLAHOMA  
COUNTY OF TULSA

Before me, a Notary Public in and for said county and state,
on the 24th day of August, 1983, personally appeared
MARK HIGGINS, to me known to be the identical persons who exe-
cuted the foregoing instrument, and acknowledged to me that
they executed the same as their free and voluntary act and deed
for the uses and purposes therein set forth.

[Signature]
Notary Public

Commission Expires: 5/15/84
(SEAL)
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021

BOA-23374

19-13 24

Subject Tract

9.26
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9425  
CZM: 50  
CD: 6  
HEARING DATE: 06/28/2022 1:00 PM

APPLICANT: Nathalie Cornett

ACTION REQUESTED: Variance to reduce the 200-feet minimum lot width in the AG district (Sec 25.020-D, Table 25-2)

LOCATION: 4402 S 193 AV E  
ZONED: AG

PRESENT USE: Residential  
TRACT SIZE: 435601.78 SQ FT

LEGAL DESCRIPTION: N/2 N/2 SE NE SEC 25 19 14 ,

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located South of the SW/c of S. 193rd E. ave. and E. 41st St. S. 193rd serves as the corporate limits boundary between the City of Tulsa and the City of Broken Arrow.

STATEMENT OF HARDSHIP: Please see exhibit provided by the applicant in the agenda packet.

STAFF COMMENTS: The applicant is requesting Variance to reduce the 200-feet minimum lot width in the AG district (Sec 25.020-D, Table 25-2)

Applicant is seeking variance in order to permit a lot-split that would result in two lots, both with a lot width of 164.92-feet.
SAMPLE MOTION: Move to _________ (approve/deny) a Variance to reduce the 200-feet minimum lot width in the AG district (Sec 25.020-D, Table 25-2)

Finding the hardship(s) to be__________________________________________.

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

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

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

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

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

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

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

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

g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.”
Subject property from 193rd (Image taken from Google Street View. Image capture date: April 2021.)
Exhibit “A”

Legal Descriptions

Undivided Tract

The North Half of the North Half of the Southeast Quarter of the Northeast Quarter (N/2 N/2 SE/4 NE/4) of Section 25, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, containing 9.98 acres.

North Tract

The North Half of the North Half of the North Half of the Southeast Quarter of the Northeast Quarter (N/2 N/2 N/2 SE/4 NE/4) of Section 25, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, containing 4.99 acres.

South Tract

The South Half of the North Half of the North Half of the Southeast Quarter of the Northeast Quarter (S/2 N/2 N/2 SE/4 NE/4) of Section 25, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, containing 4.99 acres.
Exhibit “B”

The Applicant requests a Variance of Table 25-2 of the Tulsa Zoning Code (the “Code”) to permit a lot split of a 10 acre tract into two, 5 acre tracts each with a lot width of 165 feet for property located in an AG District at 4402 S. 193rd East Avenue (the “Property”).

The Property is located on the west side of 193rd E. Ave., between E. 41st Street and E. 51st Street. South 193rd is both the county line between Tulsa and Wagoner counties and city limit between Tulsa and Broken Arrow. This properties along the west side of 193rd are developed primarily as a rural, residential area. However, to the east, south and west of the Property are dense residential subdivisions zoned RS-3 and RS-4.

The proposed lot split will result in two, 5 acre tracts, one with an existing home and the other vacant. Each tract will be over 1300 feet deep, have 165 feet of frontage on 193rd, and will otherwise comply with the bulk and area requirements of the AG district. Given the exceptional depth of the Property, the literal enforcement of the Code results in unnecessary hardship to the owner. Further, due the density of surrounding development and the comprehensive plan designation of New Neighborhood, the variance does not impair the spirit and intent of the Code and will not alter the character of the neighborhood or otherwise be detrimental to the public good.
LEGAL DESCRIPTION

The South Half of the North Half of the North Half of the Southeast Quarter of the Northeast Quarter (5/2 N/2 N/2 SE/4 NE/4) of Section 25, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa county, State of Oklahoma, according to the US Government Survey thereon; Containing 4.59 acres

SURVEYOR CERTIFICATION

I, Charles W. Chastain, certify that the survey shown herein was made in accordance with the Oklahoma Minimum Requirements for Land Surveying, and that the above described tract was surveyed under my direct supervision.

Charles W. Chastain
L.S. 1532

TULSA COUNTY OKLAHOMA MORTGAGE MAP
LEGAL DESCRIPTION
The North Half of the North Half of the North Half of
the Southeast Quarter of the Northeast Quarter (N/2
N/2 N/2 SE/4 NE/4) of Section 25, Township 19
North, Range 14 East of the Indian Base and Meridian,
Tulsa county, State of Oklahoma, according to the US
Government Survey thereof; Containing 4.99 acres

SURVEYOR CERTIFICATION
I, CHARLES WARREN CHASTAIN, CERTIFY THAT THE SURVEY SHOWN
HEREIN WAS MADE IN ACCORDANCE WITH THE OKLAHOMA MEASURING
STANDARDS FOR THE PRACTICE OF LAND SURVEYING, AND TO THE BEST
OF MY KNOWLEDGE, IT WAS SURVEYED UNDER MY DIRECT SUPERVISION.

[Signature]
CHARLES W. CHASTAIN  P.E.  OK.
DATE: 4/27/22

1/8 SEC LINE

10.8
APPLICANT: Guy and Kim Thiessen

ACTION REQUESTED: Variance to permit a detached accessory building in the rear setback to exceed 10-feet in height to the top of the top plate (Sec. 90.090-C2); Variance to allow more than 25% coverage by a detached accessory building in the rear setback in an RS-2 District (Section 90.090-C2) Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A)

LOCATION: 2241 E 32 PL S

ZONED: RS-2

PRESENT USE: Residential

TRACT SIZE: 13499.3 SQ FT

LEGAL DESCRIPTION: LT 6 BLK 3, OAKNOLL

RELATIVE PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located East of the NE/c of S. Zunis Pl. and E. 32nd Pl. S.

STATEMENT OF HARDSHIP: Like many midtown homes, the property has a detached garage, which unfairly limits the ability to improve the property with outdoor living space the given square foot limitations.

STAFF COMMENTS: The applicant is requesting a Variance to permit a detached accessory building in the rear setback to exceed 10-feet in height to the top of the top plate (Sec. 90.090-C2); Variance to allow more than 25% coverage by a detached accessory building in the rear setback in an RS-2 District (Section 90.090-C2) Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A)
Maximum rear yard coverage: 25% or 625 square feet  Proposed Coverage: 37% or 927 square feet

Maximum top plate height: 10-feet  Proposed top plate height: +/- 13-feet

Maximum size for accessory buildings: 1,124 square feet  Proposed size for accessory buildings: 1,239 square feet

The applicant is seeking to enclose an existing pergola, the existing conditions are in violation of the zoning code per the plans provided. Staff is unaware how the existing pergola and garage was permitted when it was originally built.

SAMPLE MOTION: Move to _________ (approve/deny) a Variance to permit a detached accessory building in the rear setback to exceed 10-feet in height to the top of the top plate (Sec. 90.090-C2); Variance to allow more than 25% coverage by a detached accessory building in the rear setback in an RS-2 District (Section 90.090-C2) Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A)
• 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
## 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.inco.org](http://www.inco.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.).
In RS-2, RS-3, RS-4, RS-5 and RM zoned lots used for detached houses or duplexes, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, and accessory buildings not erected as an integral part of the principal residential building may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater.

Review comments: The proposed and existing accessory structures will have a combined square footage of 1,239 square feet. The square footage of the principal residential building is 2,809 square feet. The maximum allowable floor area of accessory buildings is 1,124 square feet (2,809 square feet x 40%) for this lot. You may seek a variance from the Board of Adjustment (BOA) to allow the floor area of all detached accessory buildings on this RS-2 zoned lot to exceed 40% of the floor area of the principal residential structure.

2. Section 90.090-C.2.a.1 Detached accessory buildings, including Accessory Dwelling Units, may be located in rear setbacks provided that: (1) The building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate.

Review Comment: The proposed detached structure will have a height over 10’ to the top of the top plate. You may revise the plans to show 10’ or less to the top of the top plate, or you may apply for a variance from the Board of Adjustment to have a detached accessory building in the rear setback over 10’ in height to the top of the top plate.

3. Section 90.090-C.2.a.2 Detached accessory buildings, including Accessory Dwelling Units, may be located in rear setbacks provided that: (2) Building coverage in the rear setback does not exceed the maximum limits established in Table 90-2:

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

Review Comment: The proposed pool house and existing detached garage will exceed 25% of coverage for accessory buildings in a rear setback for this RS-2 lot. This lot has a 2,500 square foot rear setback area (100’ lot width x 25’ rear setback); the setback may have a building coverage of 625 square feet. The proposed and existing detached structures will cover 927 square feet of the rear setback. You may revise the site and building plans so that the aggregate coverage of accessory buildings in the rear setback does not exceed 25%, or you may pursue a variance from the BOA to exceed the allowed coverage of detached accessory buildings in the rear setback.
The zoning clearance review for your permit application will resume after revised plans and/or BOA approval documents are submitted. Please note that additional deficiencies may be found and will need to be resolved prior to approval of your application.

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

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

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

END – ZONING CODE REVIEW

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

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.
ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SE/c of E. 41st St. S. and S. New Haven Pl.

STATEMENT OF HARDSHIP: The property is a pie shaped lot with significant restriction to building or improving the property within with the updated setbacks. Without the given variance no improvement to update and align the property to the standards of the neighborhood for improvement can be made within keeping to the standards of the property. This is a single level mid-century ranch style house. My proposed building is a setback garage no larger than to accommodate 2 standard size vehicles, which will allow the house current space to accommodate modern convivences such as an additional bath, laundry room (which the current home does not have) updated kitchen with an office/bed space for a single-family home.

STAFF COMMENTS: The applicant is requesting a Variance of the required street setbacks in the RS-2 District (Section 5.030-A, Table 5-3)
The applicant is seeking to reduce the 30-foot setback from S. New Haven Pl. to accommodate an addition to the existing house and to reduce the 35-foot setback from E. 41st St. S. to 21-feet and 7-inches. The existing house is encroaching on the setback from S. New Haven Pl. Staff would agree that the unique shape of the lot does present a hardship on the property.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Variance of the required street setbacks in the RS-2 District (Section 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 showing the existing setback to 41st St.

Subject Property
APPLICANT NO: BLDR-116989-2022  (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location:  4112 S New Haven Pl
Description: Residential - Addition

INFORMATION ABOUT SUBMITTING REVISIONS

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

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

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 DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN “SUPPORTING DOCUMENTS”, IF ORIGINALY SUBMITTED ON-LINE, FOR 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.).
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. Site Plan: Provide a dimension line from the centerline of both S. New Haven Pl and E 41st St to the respective property line.

2. Site Plan: Provide dimensions for the proposed driveway. There should be two-dimension lines. One in the Right-of-way and one in the front setback.

3. 5.030-A Table of Regulations – Front Setback
   The lot and building regulations of Table 5-3 apply to all principal uses and structures in R districts, except as otherwise expressly stated in this zoning code. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90. Regulations governing accessory uses and structures can be found in Chapter 45.

   Review Comments: The proposed garage addition requires a 30-foot street setback from the front property line in an RS-2 zoning district. You may increase the garage street setback to 30 feet from the P/L or pursue a variance from the BOA (INCOG) to reduce the street setback to permit a garage addition in an RS-2 zoning district from 30 feet to 21 feet.

4. 5.030-A Table of Regulations – Side Street Setback
   The lot and building regulations of Table 5-3 apply to all principal uses and structures in R districts, except as otherwise expressly stated in this zoning code. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90. Regulations governing accessory uses and structures can be found in Chapter 45.

   Review Comments: East 41st St is a secondary arterial per the major street and highway plan. The proposed garage addition requires a 35-foot street setback from the side street property line along E 41st St in an RS-2 zoning district. You may increase the garage street setback to 35 feet from the P/L or pursue a variance from the BOA (INCOG) to reduce the street setback to permit a garage addition in an RS-2 zoning district from 35 feet to 21 feet.

CONT. ON NEXT PAGE
5. **55.090-F3 Surfacing**

In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120. Maximum Driveway Width is 27’ within ROW and 30’ in the street setback on your lot.

**Review Comments:** The submitted site plan proposes a driveway width of more than 30’ in width on the lot in the street setback and more than 27’ wide in ROW which exceeds the maximum allowable driveway widths both within and outside of the ROW. Revise plans to indicate the driveway shall not exceed the maximum allowable widths in the table or apply to the BOA for a special exception, one for the proposed driveway width within the ROW and also for the proposed driveway width outside of the ROW.

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.
<table>
<thead>
<tr>
<th>Address</th>
<th>Spoken to</th>
<th>Any Issue</th>
<th>Do they support the plans</th>
</tr>
</thead>
<tbody>
<tr>
<td>4107 S. New Haven pl</td>
<td>y</td>
<td>None</td>
<td>Yes</td>
</tr>
<tr>
<td>4113 S. New Haven PL</td>
<td>Y</td>
<td>None</td>
<td>Yes</td>
</tr>
<tr>
<td>4122 S. New Haven PL</td>
<td>Y</td>
<td>None</td>
<td>Yes</td>
</tr>
<tr>
<td>4130 S. New Haven PL</td>
<td>Y</td>
<td>None</td>
<td>Yes</td>
</tr>
<tr>
<td>4121 S. New Haven PL</td>
<td>N</td>
<td>None</td>
<td>Yes</td>
</tr>
<tr>
<td>4129 S. New Haven PL</td>
<td>Y</td>
<td>None</td>
<td>Yes</td>
</tr>
<tr>
<td>4135 S. New Haven PL</td>
<td>N</td>
<td>None</td>
<td>Yes</td>
</tr>
<tr>
<td>4141 S. New Haven PL</td>
<td>N *group home</td>
<td>None</td>
<td>Yes</td>
</tr>
<tr>
<td>4153 S. New Haven PL</td>
<td>N</td>
<td>None</td>
<td>Yes</td>
</tr>
<tr>
<td>4161 S. New Haven PL</td>
<td>N</td>
<td>None</td>
<td>Yes</td>
</tr>
<tr>
<td>4171 S. New Haven PL</td>
<td>Y</td>
<td>None</td>
<td>Yes</td>
</tr>
<tr>
<td>4179 S. New Haven PL</td>
<td>N</td>
<td>None</td>
<td>Yes</td>
</tr>
</tbody>
</table>
BOUNDARY SURVEY

LEGAL DESCRIPTION:
LOT 66, BLOCK THIRTEEN (13), PARTNER HOLLOW BLOCKS 13 THROUGH 23, INCLUSIVE, AN ADDITION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDS FILED THEREOF.

SURVEYOR'S STATEMENT:
I, hereby certify that the description of the premises herein shown is correct, and that I have personally measured and surveyed said premises. An examination of the records of the City of Tulsa, Tulsa County, State of Oklahoma, shows this description to be correct. I hereby certify that I am qualified to make and execute this survey.

WHITE SURVEYING COMPANY
9936 E. 55th Place • Tulsa, OK 74146 • 918.663.6924 • 918.664.9396 fax

12.16
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9430
CZM: 49
CD: 7

HEARING DATE: 06/28/2022 1:00 PM

APPLICANT: Arlen Gregory

ACTION REQUESTED: Special Exception to permit Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL district (Sec. 15.020, Table 15-2)

LOCATION: 9901 E 46 PL S

PRESENT USE: Office mfg

TRACT SIZE: 19575.94 SQ FT

ZONED: IL

LEGAL DESCRIPTION: W20 LT 9 & ALL LTS 10 THRU 12 & E40 VAC ST ADJ ON W THEREOF BLK 6, ALSUMA

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located on the North side of E. 46th Pl. S. between S. Mingo Rd. and S. 101st E. Ave.

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

Moderate-impact Processing is defined as follows:

13.2
Medical Marijuana Uses are subject to the following supplemental regulations:

Section 40.225  Medical Marijuana Uses
The supplemental use regulation of this section apply to medical marijuana uses.

40.225-A A medical marijuana grower operation must be located inside an enclosed building.

40.225-B A medical marijuana processing facility, whether moderate-impact or high-impact, must be located inside an enclosed building.

40.225-C A medical marijuana dispensary must be located inside an enclosed building.

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

40.225-E Drive-through windows and drive-through lanes are prohibited for medical marijuana grower operations, processing facilities, and research facilities.

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

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

2. An electronic security system and surveillance camera.

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

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

40.225-I The separation distance required under Section 40.225-D must be measured in a straight line between the nearest perimeter walls of the buildings (or portion of the building, in the case of a multiple-tenant building) occupied by the dispensaries. The separation required under Section 40.225-D shall not be applied to limit the location of a medical marijuana dispensary for which a license was issued by the Oklahoma State Department of Health prior to December 1, 2018 for the particular location.
SAMPLE MOTION: Move to ________ (approve/deny) a Special Exception to permit a Moderate-impact Medical Marijuana Processing (Moderate-impact Manufacturing and Industry) Use in the IL District (Sec. 15.020, Table 15-2)

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

- Subject to the following conditions (including time limitation, if any):
  ________________________________

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
LOD Number: 1
Arlen Gregory
4127 S. 87th E. Ave.
Tulsa, OK 74145

APPLICATION NO: BLDC-117730-2022
(Please reference this number when contacting our office)

Location: 9901 E. 46th Pl.
Description: Medical Marijuana Processing

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.inco.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 included with this letter. Please present the “Record Search” along with this letter to INCOG staff at time of applying for Board of Adjustment action at INCOG. Upon approval by the Board of Adjustment, INCOG staff will provide the approval documents to you for immediate submittal to our office. (See revisions submittal procedure above.)

(continued)
REVIEW COMMENTS

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

BLDC-117730-2022 9901 E. 46th Pl. S. May 9, 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@incoq.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.15.020 Table 15-1: You are proposing a Moderate-impact Medical Marijuana Processing Facility in which the preparation, manufacture, processing or packaging of medical marijuana products by the holder of a medical marijuana processor license issued by the Oklahoma State Department of Health is conducted, in accordance with the terms of such license, and in which extraction processes are limited to use of non-flammable substances such as carbon dioxide, and to food based and water-based extraction. It is in an IL zoning district.

Review comment: A Moderate-impact Medical Marijuana Processing Facility use requires an approved BOA Special Exception to be in an IL district. Submit a copy of the approved BOA Special Exception as a revision to this application.

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.
Site plan 9901 E 46th Pl S, Tulsa OK 74146

Fenced all 4 sides
ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SW/c of E. 33rd St. S. and S. Florence Pl.

STAFF COMMENTS: The applicant is requesting Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)
Applicant is proposing to increase the permitted driveway width from 30-feet inside the street setback to 35-feet and 2-inches.

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

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

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
E 33RD ST S
S FLORENCE PL
S GARY AVE

BOA-23380

Subject Tract

19-13 20

Aerial Photo Date: 2020/2021

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