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

Meeting No. 1299

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@incoq.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.

1. Approval of Minutes of June 14, 2022 (Meeting No. 1296).
2. Approval of Minutes of June 28, 2022 (Meeting No. 1297).

UNFINISHED BUSINESS

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

3. 23309 - Ryan Neuhor, Image Builders

   Special Exception to permit a Dynamic Display sign in a Residential District containing a School Use (Sec. 60.050-B.2.c) Special Exception to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F) Location: 3909 E. 5th Pl. S. (Rogers) (CD 4)
4. **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 East 15th St. S. (CD 4)

5. **23386 - Precision Sign & Design**

   Variance to allow more than one sign per street frontage in the OM District (Sec. 60.060-B.1); Variance to increase the maximum allowable sign area in the OM district (Sec. 60.060-C) **Location:** 5151 East 51st St. (CD 5)

**NEW APPLICATIONS**

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

6. **23391 - Raul Cisneros**

   Variance to reduce the required 20-foot rear setback in the RS-3 District (Sec. 5.030-A, Table 5-3) **Location:** 2647 S. 90th E. Ave. (CD 5)

7. **23392 - Bradley Pirpich**

   Modification to remove or extend the three year-time limit for a Special Exception to permit a Low-Impact Medical Marijuana Processing Use in the CH District (Sec. 15.020, Table 15-2) **Location:** 916 West 23rd St. S. (CD 2)

8. **23393 - Jacob King**

   Special Exception to permit Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL district (Sec. 15.020, Table **Location:** 4133 South 87th E. Ave. (CD 7)

9. **23394 - Garcia Martinez Zuniesky**

   Special Exception to permit a Personal Vehicles Sales and Rental Use in the CS District (Sec. 15.020, Table 15-2); Variance to allow outdoor merchandise display within 300-feet of an abutting R- or AG-R district (Section 15.040-A); Special Exception to permit the storage of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface outside of the required building setbacks to permit a gravel parking lot (Sec. 55.090-F-2) **Location:** 6520 E. Latimer Pl. N. (CD 3)
10. 23395 - Jesse Bucelluni

   Variance to permit a dynamic display sign within 200-feet of a Residential District (Sec.60.100-F) **Location:** 6611 South Memorial Dr. *(CD 7)*

11. 23396 - Jeremy Perkins

   Variance to allow a detached accessory building to exceed 25% of the rear setback area for this RS-2 zoned lot. *(Sec. 90.090- C, Table 90-2)*
   *(Sec.90.090)* **Location:** 1252 East 25th Street *(CD 4)*

12. 23399 - Bryan Broaddrick

   Special Exception to amend a previously approved site plan for a school use in the RS-3 District *(Table 5.020, Table 5-2; Sec.70.120)* **Location:** 3909 East. 5th Place South. *(CD 4)*

   **NEW BUSINESS**

   **BOARD MEMBER COMMENTS**

   **ADJOURNMENT**

   **Website:** tulsaplanning.org    **E-mail:** esubmit@incog.org
   CD = Council District

   **NOTE:** If you require special accommodation pursuant to the Americans with Disabilities Act, please notify Tulsa Planning Office at 918-584-7526. Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained by the Tulsa Planning Office at INCOG. All electronic devices must be silenced.
BOA-23309

19-13 04

3.1
HEARING DATE: 07/26/2022 (Continued from 7/12/2022)

APPLICANT: Ryan Neurohr, Image Builders

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

LOCATION: 3909 E 5 PL S

PRESENT USE: Roger High School

TRACT SIZE: 1127254.65 SQ FT

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

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

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

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

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

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

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

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

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
60.040-D  Dynamic Displays
Unless otherwise expressly stated, all signs that include a dynamic display are subject to the supplemental regulations of Section 60.100.

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

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

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

60.050-A  Applicability
The regulations of this section apply to signs in R, AG, and AG-R districts. See also the general regulations of Section 60.040.

60.050-B  Signs Allowed
The following signs are allowed in R, AG, and AG-R districts in addition to any signs allowed pursuant to Section 60.030. On-premise roof signs, on-premise projecting signs and all off-premise outdoor advertising signs are prohibited in R, AG, and AG-R districts.

1.  Apartment/Condo Buildings and Neighborhood and Subdivision Identification Signs
   a.  Lots occupied by one or more apartment/condo buildings are allowed a maximum of one freestanding sign per street frontage and a maximum of one wall sign per building wall. Wall signs may not exceed 32 square feet in area.
   b.  Residential neighborhoods and residential subdivisions, including manufactured housing parks, are allowed a single freestanding sign at each street entrance to the neighborhood or subdivision.
   c.  The freestanding signs allowed by this section may not exceed 32 square feet in area or 0.20 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on
2. **Nonresidential Uses**

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

   a. **Wall Signs**

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

   b. **Freestanding Signs**

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

   c. **Dynamic Displays**

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

   (1) The allowed dynamic display component may not exceed 32 square feet in area, and no more than one (wall or freestanding) dynamic display is allowed per street frontage.

   (2) The sign area allowed for a dynamic display is not in addition to the maximum sign area allowed for a wall or freestanding sign, but rather is counted as part of the maximum area of a wall or freestanding sign.

   (3) Dynamic displays in R, AG, and AG-R districts may operate only between the hours of 7:00 a.m. and 9:00 p.m. unless otherwise expressly approved through the special exception process.

   (4) Dynamic displays are subject to the dynamic display regulations of Section 60.100.

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

**60.060-A**  
**Applicability**

The regulations of this section apply to signs in all office zoning districts. See also the general regulations of Section 60.040.
a. Off-premise outdoor advertising signs;
b. Dynamic displays;
c. Inflatable signs; and
d. Roof signs.

**MPD District**

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

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

**Section 60.100 Dynamic Displays**

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

- **60.100-A** The images and messages displayed on a dynamic display must have a minimum dwell time of at least 8 seconds and may not contain any movement, animation, audio, video, pyrotechnics or other special effects.

- **60.100-B** The transition or change from one message to another must occur in one second or less and involve no animation or special effects.

- **60.100-C** The images and messages displayed must be complete in and of themselves within the required dwell time.

- **60.100-D** Dynamic displays may not be located within 50 feet of the driving surface of a signalized intersection, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the intersection.

- **60.100-E** Dynamic displays may not be located within or within 20 feet of the driving surface of a street, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the street curb or edge of the traveled roadway marked or understood as such.

- **60.100-F** Dynamic displays may not be located within 200 feet of any of the following: (1) an R or AG-R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R, AG, and AG-R districts if approved through the special exception process. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign structure to the nearest point of an R or AG-R district or residential development area boundary.

- **60.100-G** Dynamic displays must be equipped with a default mechanism that freezes the display in one position or presents a static or blank display if a malfunction occurs.
60.100-H Dynamic displays must be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.

60.100-I The maximum brightness level of a dynamic display may not exceed 6,500 nits (candelas per square meter) during daylight hours or 500 nits between 30 minutes after sunset and 30 minutes before sunrise, as those times are determined by the National Weather Service (Actual Time). Brightness must be measured from the brightest element of the sign's face.

60.100-J Any outdoor advertising sign that includes a dynamic display that was lawfully established before January 1, 2010, must be separated by a minimum distance of 1,200 feet from any other outdoor advertising sign that includes a dynamic display. This spacing limitation does not apply between signs separated by a freeway. The 1,200-foot distance must be measured in a straight line from the center of the subject sign structures, as located on the ground.

60.100-K Except as provided in §60.100-I, any outdoor advertising sign that includes a dynamic display and that was approved by a permit issued on or after January 1, 2009, must be separated by a minimum distance of 1,200 feet from any other outdoor advertising sign that includes a dynamic display facing the same traveled way. The 1,200-foot distance must be measured in a straight line from the center of the subject sign structures, as located on the ground.

Section 60.110 Administration

60.110-A Any person proposing to erect any sign requiring a sign permit must submit a sign permit application to the development administrator. Applications for such permit must be accompanied by detailed plans, including scaled drawings of the proposed sign, a detailed site plan and other information deemed necessary by the development administrator to determine compliance with applicable regulations.

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

60.110-C If the work associated with a sign permit has not been completed within 180 days of the date of the issuance of the permit, such permit will lapse and become null and void.

Section 60.120 Nonconforming Signs
See Section 80.060.

Section 60.130 Rules of Measurement
60.130-A Sign Area
1. Signs Enclosed in Frames or Cabinets
   The area of a sign enclosed in a frame or cabinet is determined based on the outer dimensions of the frame or cabinet surrounding the sign face (see Figure 60.2).
Thanks to Tulsa voters who approved funding for digital marquees in the 2021 bond package, Tulsa Public Schools will be submitting requests for approval for approximately 45 digital school marquees over the next year. The district is sensitive to neighborhood concerns and aware of city regulations. We intend to adhere to all elements of the Tulsa Zoning Code including those of Section 60.100 relating to dynamic displays.

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

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

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

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

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

Sincerely,

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

March 2, 2022

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

Phone: 918-232-8024

APPLICATION NO: SIGN-111259-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 3909 E. 5th Pl.
Description: Freestanding sign with dynamic display

INFORMATION ABOUT SUBMITTING REVISIONS

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

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

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

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

IMPORTANT INFORMATION

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

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

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

(Continued)
1. **Section 60.050 Signs in R and AG Zoning Districts**

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

(1) The allowed dynamic display component may not exceed 32 square feet in area, and no more than one (wall or freestanding) dynamic display is allowed per street frontage.

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(3) Dynamic displays in R districts and in AG districts may operate only between the hours of 7:00 a.m. and 9:00 p.m. unless otherwise expressly approved through the special exception process.

(4) Dynamic displays are subject to the dynamic display regulations of Section 60.100.

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

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

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

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**END – ZONING CLEARANCE AND SIGN CODE REVIEW**

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

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

Proposed

ELEVATION

SCALE: 3'-6" = 1'-0"
D/F ILLUMINATED

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

NEW EMC UNIT
3'-1" X 7'-10"

.063 ALUMINUM FILLER PAINTED BLACK

POLE PAINTED BLACK

Existing Condition
Relocating Pylon
Sign to the School Main Entrance

ROGERS HIGH SCHOOL

WILL ROGERS
THANK YOU
FOR VOTING

JUNIOR & HIGH SCHOOL
Will Rogers High School
3909 E 5th Place
Tulsa, OK 74112

Note: Existing School sign is located on the Southeast corner of 5th Place & Pittsburg Ave. New Pylon sign structure will be located near School Entrance adjacent to 5th Place.
EMT 3/4 compression X
NPSM Male

RIGHT

WRONG
AC wiring Diagram

Primary Back View

Secondary Back View

Total Power Required: 1869 Watts/Face
Avg/Operating Power: 366 Watts/Face

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Total number of circuits per face

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

3.16
Air Ventilation Requirements (Natural Convection):

DO
- Provide Sufficient Vents to allow outside air into a skinned/closed structure
- Provide Fans if necessary to push Hot Air out of closed structures
- Maintain at least a 0.15 inch clearance at bottom of enclosure sign
- Maintain Temperature inside sign between 220 to 430 Degrees F
- Keep Temperatures below 110 Degrees F inside cabinet
- Provide Axial Air Fans if Air Flow Restricted inside Frame/Structure
- Provide Thermal Switches to turn on Fans at 90-105 degrees F

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

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

Air Ventilation Requirements (Force Air):

FAN CFM = 3.19 x Total Watts/20

Forced Air Circulation

Front View
- Marquee or Top cover
- Display
- Hot Air IN
- Hot Air OUT
- Air Flow into back of sign
- Gap 0.15" min

Side View
- Marquee or Top cover
- Display
- Hot Air IN
- Hot Air OUT
- Air Flow into back of sign
- Gap 0.15" min

DO
- Provide Sufficient Vents to allow outside air into a skinned/closed structure
- Provide Fans if necessary to push Hot Air out of closed Structures
- Maintain at least a 0.15 inch clearance at bottom of enclosure sign
- Maintain Temperature inside sign between 220 to 430 Degrees F
- Keep Temperatures below 110 Degrees F inside cabinet
- Provide Axial Air Fans if Air Flow Restricted inside Frame/Structure
- Provide Thermal Switches to turn on Fans at 90-105 degrees F

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

Note: The warranty does not cover damages caused by improper ventilation.
I am writing to oppose the placement of a Dynamic Display Sign at the front of Will Rogers High School- BOA-23309.

Will Rogers High is a beautiful building that was listed on the National Register of Historic Places in 2007. Many people, including tour busses of individuals, make special stops to take pictures of the beautiful Art Deco building. The school was built during the Great Depression through funding from a Public Works Administration grant and now stands as one of the best examples of Art Deco high school architecture in the United States.

This proposed sign does not conform to the Federal Guidelines for Rehabilitating Cultural Landscapes. The key thing is whether the proposed alteration is compatible with the historic materials, features, etc. of the historic property. The Federal Standards for Rehabilitation state the following:

“New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.”

**Alterations/Additions for the New Use**

**RECOMMENDED**

"Designing and installing a new structure, furnishing or object when required by the new use, which is compatible with the preservation of the historic character of the landscape. For example, constructing a new farm outbuilding utilizing traditional building materials or installing appropriately scaled and detailed signage.

**NOT RECOMMENDED**

Placing a new structure, furnishing, or object where it may cause damage, or is incompatible with the historic character of the landscape. For example, constructing a new maintenance facility in a primary space.

Locating any new structure, furnishing or object in such a way that it detracts from or alters the historic character of the landscape. For example, installing a “period” gazebo that was never present in the cultural landscape.

Introducing a new structure, furnishing or object in an appropriate location, but making it visually incompatible in mass, scale, form, features, materials, texture or color. For example, constructing a visitors’ center that is incompatible with the historic character of the cultural
The materials, placement and dynamic nature of the sign will be visually incompatible with and detract from the historic character and nature of the building and will create an adverse effect. The sign may be better suited elsewhere or where the current sign is located - Not in front of the building listed on the National Register of Historic Places.

I contacted Matthew Pearce, National Register of Historic Places Coordinator, and he stated that he has not been consulted regarding the proposed sign. I also contacted Jed Porter, Tulsa Historic Preservation Officer, and he has not been consulted, either. In order to preserve the unique and beautiful historic nature of this gem of a building, I propose that one or both of the Historic Preservation experts be consulted prior to approval of this application.

I also object to placement of Dynamic Display Signage anywhere within a residential neighborhood. The City Code of Ordinances has prohibited this with good reason - to protect the residents and property owners from unnecessary and undue disturbances. Having a dynamic display in an otherwise visually quiet neighborhood will be a nuisance to the residents. I respectfully ask that if this Board votes to approve the sign, that the Board will expressly state that the display has to be turned off between the hours of 9pm and 7am.

Thank you for your consideration.

Respectfully,

Brooke Kononchuk
Environmental Consultant
Kononchuk Environmental
521 South New Haven Avenue
Tulsa, Oklahoma 74112
(918) 636-3983
HEARING DATE: 07/16/2022 (Continued from 7/26/2022, item was originally on the 4/26/2022 agenda)

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

PRESENT USE: RS-3

LEGAL DESCRIPTION: LT 10 BLK 4, ELECTA HGTS ADDN

RELATIVELY 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.

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### 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>
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</thead>
<tbody>
<tr>
<td>Min. Building Setbacks (ft.)</td>
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<tr>
<td>Arterial or fwy service rd.</td>
<td>35</td>
<td>35</td>
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<td><strong>35</strong></td>
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<td>35</td>
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<td>10</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>
<td>20</td>
<td>25</td>
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<td>10</td>
<td>10</td>
<td>25</td>
</tr>
</tbody>
</table>

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**(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

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**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)**

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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.

#1646066613886371
No ground will be disturbed. If silt fence is needed, it will be supplied at that time by E/E.
ZONING CLEARANCE PLAN REVIEW

1/14/2022

LOD No. 1

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

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

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

INFORMATION ABOUT SUBMITTING REVISIONS

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

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

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

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

IMPORTANT INFORMATION

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

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

3. A COPY OF A "RECORD SEARCH" [ ] IS [ ] NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).
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 15th street;

c. Identify any easements and public rights of way.


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

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

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

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

4. **55.090-F.3 Surfacing.** In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage of 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>
<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>
<td>--</td>
<td>--</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 584-7526. 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.
24' W x 25' L x 10' H

Approximate center clearance: 13'
BOA-23386
19-13 27
5.1
HEARING DATE: 07/26/2022 (Continued from 7/12/2022)

APPLICANT: Precision Sign & Design

ACTION REQUESTED: Variance to allow more than one sign per street frontage in the OM District (Sec. 60.060-B.1); Variance to increase the maximum allowable sign area in the OM district (Sec. 60.060-C)

LOCATION: 5151 E 51 ST S  
ZONED: OM

PRESENT USE: Meels on Wheels Distribution

TRACT SIZE: 130678.53 SQ FT

LEGAL DESCRIPTION: PRT LT 1 BEG SWC LT 1 TH N429.10 E304.52 S429.10 W304.57 POB BLK 1, LINCOLN CTR RESUB L1 B1 SE YMCA & L16 CANFIELD SUB

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-22915: On 06.09.20 the Board approved a Special Exception to allow a Public, Civic & Institutional/Governmental Service Use (Headquarters for Meals on Wheels) in an OM District (Sec. 15.020, Table 15-2). The sign regulations and the OM zoning were in place at the time the Special Exception for a Governmental Service Use was approved. Tulsa Planning Office Staff and the City of Tulsa Permit Center Staff did not review any sign plans at time this approval was granted. The Board did not grant any relief related to signage in their approval.

Surrounding properties:

BOA-5393: On 4.04.67 the Board approved a Special Exception to permit the YMCA located 5002 S. Fulton Ave. This YMCA is inside a residential zoning district containing similarly restrictive sign allowances as the subject property.

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

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

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.
ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c of E. 51st Street S. and S. Darlington Ave.

STATEMENT OF HARDSHIP: Please see attached statement provided by the applicant.

STAFF COMMENTS: The applicant is requesting a Variance to allow more than one sign per street frontage in the OM District (Sec. 60.060-B.1); and a Variance to increase the maximum allowable sign area in the OM district (Sec. 60.060-C)

60.060-B Signs Allowed
1. In addition to any sign exceptions allowed pursuant to Section 60.030, and any development identification sign allowed pursuant to Section 60.060-B.2, lots in office zoning districts are allowed a maximum of one on-premise sign per street frontage. The allowed on-premise sign may be a wall sign, a projecting sign or a freestanding sign. Roof signs and off-premise outdoor advertising signs are prohibited in office districts.

60.060-C Maximum Area
Signs allowed in the OH district may not exceed 48 square feet in area or 0.50 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may a sign in an OH district exceed 225 square feet in area. Signs allowed in all other O districts may not exceed 32 square feet in area or 0.30 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

The applicant is seeking two signs per street frontage. The maximum allowed display area for the proposed wall sign fronting Darlington is 128.73 square feet and it is proposed at 226 square feet.

The stated hardship explains that the facility size will not be “functionally branded” if the variances are not approved. The applicant should further explain how the building is not “functionally branded” with the “Hardesty Service Center” wall sign on 51st and monument sign on Darlington which the applicant stated they anticipate approval from the City.

SAMPLE MOTION: Move to ________ (approve/deny) a Variance to allow more than one sign per street frontage in the OM District (Sec. 60.060-B.1); and a Variance to increase the maximum allowable sign area in the OM district (Sec. 60.060-C)

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

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

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

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

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

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

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

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

LT 1 BLK 4, OAKNOLL, City of Tulsa, Tulsa County, State of Oklahoma

**Action Requested:**
Special Exception to allow a Public, Civic & Institutional/Governmental Service Use (Headquarters for Meals on Wheels) in an OM District (Section 15.020, Table 15-2). **LOCATION:** 5151 East 51st Street South (CD 5)

**Presentation:**
James Weger, Jones Gotcher, 15 East 5th Street, Suite 3800, Tulsa, OK; stated he represents Meals on Wheels. Meals on Wheels is building a new corporate headquarters located at 51st and Darlington. In the building there will be offices and a large commercial kitchen. Meals will be prepared at this site and then delivered to various pick-up sites around the city. There will be some truck traffic bringing food in and out; these are mostly panel trucks. Mr. Weger stated that he has reached out to the neighbors and the neighbors are in favor of this request.

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

**Comments and Questions:**
Mr. Van De Wiele stated that one of his law partners is on the capital campaign for Meals on Wheels, and for that reason he will abstain from the vote. Mr. Van De Wiele stated that it would not have impacted his decision but in an abundance of caution he will abstain from voting.

**Board Action:**
On MOTION of **BOND**, the Board voted 4-0-1 (Bond, Radney, Ross, Shelton "aye"; no "nays"; Van De Wiele "abstaining"; none absent) to **APPROVE** the request for a Special Exception to allow a Public, Civic & Institutional/Governmental Service Use (Headquarters for Meals on Wheels) in an OM District (Section 15.020, Table 15-2), subject to the conceptual plans 30.10 through 30.24 of the agenda packet. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

LT 1 BLK 1, LINCOLN CTR RESUB L1 B1 SE YMCA & L16 CANFIELD SUB, CANFIELD SUB, L7-10 & E/2 L11-12 CANFIELD SUB, City of Tulsa, Tulsa County, State of Oklahoma
Action Requested: Exception under the provisions of Section 5 (g) (bb) to permit a YMCA at the northeast corner of 51st & Darlington, zoned U-2B.

Presentation: A representative of the YMCA of Greater Tulsa, Inc., applicant, presented a plot plan and building elevation, which were not submitted for exhibit.

Protests: None.

Board Action: On MOTION of SUBLETT, the Board of Adjustment (4-0) granted an exception under Section 5 (g) (bb) to permit a YMCA facility on the following property:

Lot 1, Block 2, Southeast YMCA Addition, to the City of Tulsa, Tulsa County, Oklahoma.

*****

(Goodman in 2:30)

Action Requested: Exception under the provisions of Section 8 (e) to permit erection of duplex and a Variance under the provisions of Section 23 to allow construction on lot area of 8,280 square feet at the NW corner of 56th Street & Quincy, zoned U-1C.

Presentation: D.C. Dickson, applicant, was present.

Protests: None.

Remarks: Mr. Edwards pointed out that there are presently five duplexes existing on the remainder of the tract, although only three have been approved by the Board.

At the suggestion of the Chair, the applicant agreed to amend his application to request approval of six duplexes on Block 5.

Board Action: On MOTION of SUBLETT, the Board of Adjustment (4-0) granted an exception under Section 8 (e) and a variance of Section 8 (e) to permit construction of one duplex on each of the following six tracts:

1. The North 91.26 feet of the West 110 feet of the East 300 feet of Block 5;
June 6, 2022

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

Re: Variance Application for Signage at Meals on Wheels Hardesty Service Center

To Whom it May Concern;

As you may be aware, Meals on Wheels Metro Tulsa is building a new ground up 22,500 square foot at 5151 E 51st St (corner of E 51st St and South Darlington). Sign permit applications were made for 2 signs facing Darlington and 2 signs facing E 51st St (See attached for details on sign sizes and placement). However, due to the OM zoning, LODs were issued based on the number of signs per frontage and the size of the “Together We Can Deliver” sign facing Darlington.

In order to expedite signage that is allowable under current OM guidelines, we are currently pursuing and anticipate City of Tulsa approval for the “Hardesty Service Center” building sign on the 51st St elevation and the “Hardesty Service Center” sign on the container facing Darlington Ave.

We respectfully request a variance be issued allowing for 1 additional sign on each frontage. Those signs would be a “Hardesty Service Center” sign on the container facing 51st St and the 226 square foot, non illuminated “Together We Can Deliver” sign on the building facing Darlington.

We would like to state the following hardships created by the signage restrictions in the OM zoning code.
1. Including the recently purchased lot to the north, the property is 4.25 acres. The building, at 22,500 square feet is of substantial size. The Darlington frontage is over 580 linear feet and the 51st St frontage is over 300 linear feet. 1 sign, under 150 SF, per frontage does not allow for a bldg and property of this size to be appropriately branded. Being able to easily locate and navigate to the facility is imperative for volunteers, suppliers and visitors to the site.

2. The previously reviewed and approved use of the property more closely resembles a commercial distribution center. Most distribution centers are commercially zoned and the requested sign package would easily be approved. Additionally, the Board of Adjustment made a prior accommodation for the property use by approving it for "Governmental Service Use" and not strictly office use.

We feel that the size of the property and the approved use of the property justify the requested variance. We hope you see the need as well. The intent is simply to have a functionally branded facility that will represent Meals on Wheels Metro Tulsa as the community asset they are.

Regards,

Steve Ballard
GM/Owner
SIGN PLAN REVIEW

May 21, 2022

LOD Number: 1

Daniel Stephens
Precision Sign and Design
195 S. 122nd Ave E.
Tulsa, OK 74128

APPLICATION NO: SIGN-117858-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 5151 E. 51st St.
Description: Wall sign

INFORMATION ABOUT SUBMITTING REVISIONS

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

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

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2ND STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A $55 RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

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

IMPORTANT INFORMATION

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

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

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

(Continued)
REVIEW COMMENTS

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

Application No. SIGN-117858-2022

This letter of deficiencies covers Sign Plan Review items only.

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

1. 60.060-B.1 Signs Allowed
In addition to any sign exceptions allowed pursuant to Section 60.030, and any development identification sign allowed pursuant to Section 60.060-B2, lots in office zoning districts are allowed a maximum of one on-premise sign per street frontage. The allowed on-premise sign may be a wall sign, a projecting sign or a freestanding sign. Roof signs and off-premise outdoor advertising signs are prohibited in office districts.
Review Comments: You are proposing more than one sign per street frontage on this lot which is Office (OM) zoned. You may reduce the number of proposed signs to one for the 51st St. frontage and one for the S. Darlington Ave. frontage; or you may request a variance from the Board of Adjustment to allow an office zoned district to have more than one sign per street frontage.

2. 60.060-C Maximum Area
Signs allowed in the OH district may not exceed 48 square feet in area or 0.50 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may a sign in an OH district exceed 225 square feet in area. Signs allowed in all other O districts may not exceed 32 square feet in area or 0.30 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.
Review Comments: The proposed wall sign has an area of 226 square feet. Based on the Darlington Ave. frontage that it is oriented to, which is 429.1 feet, the maximum sign area allowed is 128.73 square feet. You may reduce the sign display area to no more than 128.73 square feet, or you may request a variance from the Board of Adjustment to allow a sign in an office zoned district with a frontage of 429.1 feet to have a display area of 226 square feet.

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

END – ZONING CLEARANCE AND SIGN CODE REVIEW

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

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A CITY OF TULSA SIGN PERMIT.
DEVELOPMENT SERVICES
175 EAST 2ND STREET, SUITE 450
TULSA, OKLAHOMA  74103-3227

SIGN PLAN REVIEW

May 21, 2022

LOD Number: 1

Daniel Stephens
Precision Sign and Design
195 S. 122nd Ave E.
Tulsa, OK 74128

APPLICATION NO: SIGN-117928-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 5151 E. 51st St.
Description: Wall sign

INFORMATION ABOUT SUBMITTING REVISIONS

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

IMPORTANT INFORMATION

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(Continued)
This letter of deficiencies covers Sign Plan Review items only.

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

**END – ZONING CLEARANCE AND SIGN CODE REVIEW**

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KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A CITY OF TULSA SIGN PERMIT.
HARDESTY SERVICE CENTER
MEALS ON WHEELS
METRO TULSA

PRIMARY IDENTIFICATION SIGNAGE
18' 2" X 5' 3", ARIAL FONT
N.T.S.

Illuminated

APPROVED AS SHOWN: Y OR N
CLIENT: Myers Cherry Construction
CONTACT INFO:
JOB DESCRIPTION: Meals on Wheels Metro Tulsa New Headquarters
SALESPERSON: John Stamper

CUSTOMER SIGNATURE:
DATE: 09/27/2021
SCALE: 1/10th
MEDIA: Mixed
LAMINATE: Mixed

DRAWING DESCRIPTION: Meals on Wheels Metro Tulsa New Headquarters: Primary Identification Signage

134.6 ft²
Non Illuminated
Variance needed for 51st 5+

3 + 4

15'4"

3 MONUMENT SIGNAGE - SHIPPING CONTAINER (EAST)
15'9" x 3'0"
N.T.S.

2 MONUMENT SIGNAGE - SHIPPING CONTAINER (WEST)
15'9" x 3'0"
N.T.S.

ALUMINUM 1"
PANTONE (COATED)
302C
3115C
380C

47.25 sq/ft

15'9"
3'6"

15'9"
TOGETHER, WE CAN DELIVER.

SECONDARY IDENTIFICATION SIGNAGE
39' 0" X 7' 6", ARIAL FONT
N.T.S.

226.125 ft²
Non Illuminated
Varience Needed

APPROVED AS SHOWN: Y OR N

CLIENT: Myers Cherry Construction
CONTACT INFO:
JOB DESCRIPTION: Meals on Wheels Metro Tulsa New Headquarters
SALESPERSON: John Stamper

CUSTOMER SIGNATURE:
DATE: 09/27/2021
SCALE: 1/10th
MEDIA: Mixed
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BOARD OF ADJUSTMENT
CASE REPORT

STR: 9313  Case Number: BOA-23391
CZM: 38
CD: 5

HEARING DATE: 07/26/2022 1:00 PM

APPLICANT: Raul Cisneros

ACTION REQUESTED: Variance to reduce the required 20-foot rear setback in the RS-3 District (Sec. 5.030-A, Table 5-3)

LOCATION: 2647 S 90 AV E  ZONED: RS-3

PRESENT USE: Single-family Residential  TRACT SIZE: 9774.9 SQ FT

LEGAL DESCRIPTION: LT 12 BLK 14, LONGVIEW ACRES FOURTH EXT

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 a corner lot located at the NE/c of S. 90th E. Ave. and E. 26th Ct. S.

STATEMENT OF HARDSHIP: Asking for a variance because there is not enough space for a rear covered porch with the current setback.

STAFF COMMENTS: The applicant is requesting a Variance to reduce the required 20-foot rear setback in the RS-3 District (Sec. 5.030-A, Table 5-3)
The covered patio has been built without any permits. The stated hardship does not speak to any unique physical surroundings, shape, or topographical conditions of the subject property and the hardship as stated does not meet the criteria found in Sec. 70.130-H of the Zoning Code.

The lot is conforming to the zoning code and the house prior to the addition was consistent with the size and scale of houses in the immediate area.

SAMPLE MOTION: Move to _________ (approve/deny) a Variance to reduce the required 20-foot rear setback in the RS-3 District (Sec. 5.030-A, Table 5-3)

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

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

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

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

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

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

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

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

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

Covered Porch has been constructed without permits

Subject property from S. 90th E. Ave.
LOD No. 2
Alfonso Claros

APPLICATION NO: BLDR-100709-2021 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 2647 S. 90th Ave. E.
Description: Addition

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

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3. A COPY OF A “RECORD SEARCH” [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)
Application No. BLDR-100709-2021

1. **Section 5.030-A Table of Regulations**
   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. RS-3 zoned lots require a 20’ rear setback per this table.

   **Review Comment:** The east side of this lot is the rear of the lot, and the proposed addition only has a 10’ 8” rear setback. Per Table 5-3, RS-3 zoned lots require a 20’ rear setback. Request a variance from the Board of Adjustment for an addition with a 10’ 8” rear setback on an RS-3 zoned lot.

The zoning review for your permit application will resume after the revised plans and Board of Adjustment approval documents are submitted. Additional deficiencies may be found and are required to be resolved prior to approval of your application.

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

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

---

**END – ZONING CODE REVIEW**

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

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

1/8" = 1'-0"

SITE FENCE DETAIL

1. STEEL POLES WHICH SUPPORT THE SITE FENCE SHALL BE IMPALED ON A SLIGHT ANGLE TOWARDS THE SOURCES OF WEATHER ELEMENTS.
2. THE TIE-ROD OF THE FENCE SHALL BE MOUNTED IN SUCH A MANNER AS TO MAINTAIN THE SAME EXACT LOCATION OF THE TIE-ROD AT ALL TIMES AND TO PERPENDICULARLY SUPPORT OF THE FENCE.
3. THE TIE-ROD SHOULD BE MADE OF STEEL OR MECHANICAL ADEQUATE TO MAINTAIN THE SAME EXACT LOCATION OF THE TIE-ROD AT ALL TIMES AND TO PERPENDICULARLY SUPPORT OF THE FENCE.
4. THE TIE-ROD SHOULD BE MAINTAINED IN SUCH A MANNER AS TO MAINTAIN THE SAME EXACT LOCATION OF THE TIE-ROD AT ALL TIMES AND TO PERPENDICULARLY SUPPORT OF THE FENCE.
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LEGEND

- EXISTING BUILDING FOOTPRINT
- EXISTING ASPHALT PAVING
- NEW ASPHALT PAVING
- EXISTING DRIVEWAY
- DRIVEWAY PAVEMENT
- TALL/STANDARD BLOOD PLANT
- EXISTING SOD TO REMAIN
- NEW CONCRETE DRIVEWAY/PATHWAY
- PRE-EXISTING
- PRE-EXISTING}

WAY BALE DETAIL

- EMBODORING DETAIL
- ANCHORING DETAIL

DRAWN FOR:
ALFONSO CASTRO
CASTRO PORCH
ADDITION
2416 E. 14TH AVE.
TULSA, OK 74104

SP

6.8
2 LEFT ELEVATION
1/4" = 1'-0"

RIGHT ELEVATION
1/4" = 1'-0"
BOA-23391

Subject Tract

19-13 13

Aerial Photo Date: 2020/2021

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

6.13
BOA-23391
Subject Tract
19-13 13

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2020/2021

6.14
HEARING DATE: 07/26/2022 1:00 PM

APPLICANT: Bradley Pirpich

ACTION REQUESTED: Special Exception to remove or extend the three year-time limit for a Low-Impact Medical Marijuana Processing Use in the CH District (Sec. 15.020, Table 15-2)

LOCATION: 916 W 23 ST S ZONED: CH

PRESENT USE: CH TRACT SIZE: 12388.51 SQ FT

LEGAL DESCRIPTION: S137.75 LT 1 WESTDALE ADD & S110 LTS 1 & 2 BLK 41, WEST TULSA ADDN

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-22715: On 08.27.2019 the Board approved a Special Exception to permit a Low-Impact Medical Marijuana Processing Use in the CH District (Sec. 15.020, Table 15-2) for three years ending in August of 2022.

Surrounding properties: None.

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

Mixed-Use Corridors are Tulsa’s modern thoroughfares that pair high-capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

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

ANALYSIS OF SURROUNDING AREA: The subject tract is a CH zoned property located West of the SW/c of W. 23rd Street S. and S. Maybelle Ave. The property abuts CH zoning on the North, West, and East. The property to the South is an RS-3 zoned Church.
**STAFF COMMENTS:** The applicant is requesting a Modification to remove or extend the three year-time limit for a Special Exception to permit a Low-Impact Medical Marijuana Processing Use in the CH District (Sec. 15.020, Table 15-2) approved in BOA-22715.

In addition to the 3-year time limit the Board restricted any marijuana or medical marijuana products facility from having signage.

**SAMPLE MOTION:** Move to _________ (approve/deny) Special Exception to (remove/extend) the three year-time limit for a Low-Impact Medical Marijuana Processing Use in the CH District (Sec. 15.020, Table 15-2)

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

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

![Subject Property](image)

*Subject Property*
N173.70 S327.70 LT 2 BLK 1, HUNTERS GLEN, City of Tulsa, Tulsa County, State of Oklahoma

22715—Cheryl Cohenour

Action Requested:
Special Exception to permit a low-impact medical marijuana processing facility in a CH District (Section 15.020, Table 15-2). LOCATION: 916 West 23rd Street South (CD 2)

Presentation:
Cheryl Cohenour, 2809 East 28th Street, Tulsa, OK; stated she owns the building on the subject property, and she has owned it since 1997. Previously she had a consulting, engineering and environmental laboratory in the building. She likes the area and is involved in the community, and she would like to have a low impact medical marijuana processing facility in the building; this is basically an industrial kitchen. There will be no combustible processing equipment. There should be no odor. There will be no signage, but the neighborhood has approached her about having painted murals on her building to enhance the neighborhood plan, so she would not want to exclude murals. It will be an industrial kitchen where edibles are made, and the product will not be sold to the public. There will be no public access.

Mr. Van De Wiele asked Mr. Chapman to display page 2.10 on the overhead projector and he asked Ms. Cohenour if the building lays on top of the building line as shown. Ms. Cohenour stated she does not know what that is about, she would need to go back to look at her old survey.

Mr. Van De Wiele asked Ms. Cohenour if she would be using all or some of the darker tan roofed building and the lighter tan roofed building. Ms. Cohenour stated that it is a two-story building. When she purchased the building, it had just been remodeled so it has really thick concrete block structure on the lower floors. She will be using two or three of the lower floor offices as the industrial kitchen and packaging. There are offices above and there is a warehouse.

Mr. Van De Wiele asked Ms. Cohenour if she had seen the letter that was received from the Tulsa Housing Authority. Ms. Cohenour answered affirmatively.

Mr. Van De Wiele asked Ms. Cohenour to address the concerns stated in the letter. Ms. Cohenour stated that she understands the concerns, but she is not going to display a marijuana leaf on the building or anything like that. There will be no signage to indicate what is going on inside the building. The impact to the neighborhood will be low. There will be no sales to the public so no one will know what is going on inside the building. There will be no heavy foot traffic and no public access with people coming and going.
Mr. Van De Wiele asked Ms. Cohenour if the building is intended to be used like a bakery where there will be distillate or oils used that are processed elsewhere. Ms. Cohenour answered affirmatively. Mr. Van De Wiele asked Ms. Cohenour if there would be no processing on site. Ms. Cohenour stated that she will be doing some processing, but it is usually done in crockpots with olive oil and coconut oil. There is not an odor that protrudes from the building, so someone walking by will not smell anything.

Ms. Cohenour stated that she is active in the neighborhood and in the Route 66 Village so it is important to her that all the development or the redevelopment that is going on in the area is a good thing, so she will not doing anything that will compromise the integrity of the neighborhood.

**Interested Parties:**

**Jeff Hall,** Tulsa Housing Authority, 415 East Independence Avenue, Tulsa, OK; stated the Authority’s concerns are primarily with the proximity to the elementary school as well as the development plan for Eugene Field. Many of the concerns at the time of the notice was the perceived use of the building, and he thinks some of the concerns remain even after hearing the intent of the processing. The fact that it will still be medical marijuana processing near kids that live in the neighborhood, and the kids walking past to go to the school. Even though there is no direct selling to the public the concerns remain about any waste products, or anyone that could enter the building or that people will understand what is happening in the building. Could crime be increased in the area knowing that medical marijuana is being produced through edibles in the building in an area that is really trying to combat crime.

**Rebuttal:**

**Cheryl Cohenour** came forward and stated that since she has owned the building starting in 1997 there has virtually been very little crime in the neighborhood. This is a very stable neighborhood and she is not concerned about crime. Also, there is not going to be waste products that anybody can get into. Ms. Cohenour stated that her building is fenced all the way around and gated; those gates will not be open during the day. There is also a camera security system for the building making it relatively secure. Ms. Cohenour stated she has a letter of support from her next-door neighbor to the east, Construction Enterprises, Inc. Ms. Cohenour stated that she thinks she meets all the requirements of the City Code.

**Comments and Questions:**

Ms. Ross stated that she has no issues with this request.

Ms. Shelton stated she is a little torn by this request. She knows the Board has approved similar cases in other parts of the City, but she is squimish about this being in Eugene Field. The City is investing so much in this area and THA has come out to speak against this request. She is not sure this should be in this neighborhood, because the Board does not know the affects these facilities have on neighborhoods yet.
Mr. Bond wonders what the discussion would be like if this were a pharmaceutical manufacturing facility that made pain pills. He thinks the City should be proud with what they are doing with Eugene Field. This is a case of first impression, and he does not take it lightly where it is situated. He thinks a restriction on the type of advertising outside would be appropriate.

Ms. Radney stated that she is sensitive to what Ms. Shelton is saying. For instance, if this were located on 15th Street between Utica and Lewis the Board would probably be having a different conversation. She acknowledges that this will probably have a low impact on the area, but she is a little more sensitive about the filtration system and other environmental issues. She would be more persuaded if she knew that everything would be environmentally contained.

Mr. Van De Wiele asked staff if there were requirements in the Code or the Building Code that would address those issues. Ms. Blank stated that on page 2.4 of the agenda packet there is a list of requirements that does apply to processing. Mr. Chapman stated that the waste materials are probably regulated by OMMA.

Mr. Van De Wiele stated that there has been the discussion about this being medicine; that certainly is how it was approved by the voters of the State. If this were an aspirin factory, he thinks people would be before the Board touting job creation, tax revenue, etc. This is unique and it is different. If there were truly no external indication of what is going on inside the building, whether that be signage, sight, sound, smell or that sort of thing he thinks it gets close. Injurious to the neighborhood is the one that he is having some issue with. Mr. Van De Wiele stated that maybe the Board could consider a time limit on this request.

Ms. Cohenour stated that she has made a significant investment in the building over the years, and it does not require a lot of renovation for conversion from an environmental testing laboratory to an industrial kitchen. Ms. Cohenour stated that she is not sure what the Board means by time limit.

Mr. Van De Wiele stated that term “time limit” meaning the Special Exception is only good for a particular period of time.

Ms. Cohenour stated that her commitment to this neighborhood has been with the rest of the City, to see this neighborhood to come up and grow. According to the newspaper it looks like what will be directly across the street from her building will be a grocery store which is a wonderful addition to the neighborhood. Also, this building does not lend itself to retail on the bottom and housing on the top. This is an industrial piece and that is why she bought it in 1997, because it fit her business at the time. It is an unusual property that is probably is not going to have other types of uses other than an industrial type.
Board Action:
On MOTION of BOND, the Board voted 4-1-0 (Bond, Radney, Ross, Van De Wiele "aye"; Shelton "nay"; no "abstentions"; none absent) to APPROVE the request for a Special Exception to permit a low-impact medical marijuana processing facility in a CH District (Section 15.020, Table 15-2), subject to the actual plan on 2.11 of the agenda packet. There is a three-year time limit on the Special Exception, August 2022. There is to be no signage for a marijuana or medical marijuana products facility but there can be a neighborhood mural; this is limited to the existing building as shown on page 2.11 of the agenda packet. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

S137.75 LT 1 WESTDALE ADD & S110 LTS 1 & 2 BLK 41, WEST DALE ADDN, WEST TULSA ADDN, City of Tulsa, Tulsa County, State of Oklahoma

22717—Jim Butler

Action Requested:
Variance to increase the maximum building height from 35 feet in an RS-1 District (Section 5.030, Table 5-3). LOCATION: 2723 South Zunis Avenue East (CD 9)

Presentation:
Jim Butler, 11327 East 60th Place, Tulsa, OK; stated he is building a house on the subject property; he razed an existing older house. There was a basement under the older house, and he would like to rehab that basement into a tornado shelter. By doing so the elevation of the top of the basement pushed the roof above the 35-foot height restriction; the area that did that is only 2% of the total roof. Mr. Butler stated that he has made it through permitting and nothing was said about the height, but when started construction he realized the height exceeded 35 feet. Mr. Butler stated that he has signatures of all the neighbors in the entire area showing support of his project. He also had the President of the Homeowner’s Association sign a letter showing support of the project.

Ms. Shelton asked Mr. Butler if there was something structurally or architecturally that requires that steep of a pitch on the roof? Mr. Butler stated that it is a design that the Architect put together and with that style of house that style of roof goes with it. Both the houses on either side of his property have roofs that are higher than his proposed roof.

Interested Parties:
There were no interested parties present.

Comments and Questions:
None.
To Whom It May Concern,

I have been a neighboring business to Cheryl Cohenour of the White Rabbit located at 916 W. 23rd street for a little over one year since March 2021. During this period, we have not had any issues or concerns of them being located next to our business, or as a community member. We have experienced no noise or traffic from their business location whatsoever and could not ask for a better business neighbor next door to us.

If you have any additional questions or need clarification, please feel free to contact me on my cell or by email.

Best regards,

Billy Martin
Operations Director
The Food Dude’s Burger Joint
928 W. 23rd Street
Tulsa, OK 74107
Office: 918-800-1299
Cell: 918-264-1198
Email: TheFoodDudeBurgerJoint@gmail.com
April 14, 2022

To Whom it May Concern
Tulsa Board of Adjustment

I own a business located on W. 23rd Street named Green Cross Dispensary and have an approved variance for 5 years granted from the Board of Adjustment.

I know and support the owner of 916 W 23rd Street that operates as a discreet processing company called White Rabbit Medicinals. They are quiet and are good neighbors and are concerned that the neighborhood maintains active businesses that contribute to the economy of The City of Tulsa. I would support them receiving another long-term variance in order to be able to continue to operate in this location.

Sincerely,

Mathew Boyd
Green Cross Dispensary and Processing
April 14, 2022

To Whom it May Concern

Tulsa Board of Adjustment

I own a business located on W. 23rd Street named Construction Enterprises Inc. and am next door to 916 W 23rd Street that operates a cannabis processing business called White Rabbit Medicinals.

I know and support the owner and the operator of 916 W 23rd Street which operates as a discreet processing company called White Rabbit Medicinals. The business has no signage on the building and there are few employees. They are quiet and are good neighbors and we look out for each other and our businesses. The owners are concerned that the neighborhood maintains active businesses that contribute to the economy of The City of Tulsa. I would support them receiving another long-term variance in order to be able to continue to operate in this location.

Sincerely,

Construction Enterprises Inc.

Thomas H. Viuf

Thomas H., Viuf

President
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9325  Case Number: BOA-23393
CZM: 48
CD: 7

HEARING DATE: 07/26/2022 1:00 PM

APPLICANT: Jacob King

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: 4133 S. 87th E. Ave.  ZONED: IL

PRESENT USE: Industrial  TRACT SIZE: 9783.62 SQ FT

LEGAL DESCRIPTION: LT 20 BLK 2, SOUTHPLACE INDUSTRIAL PARK

RELEVANT PREVIOUS ACTIONS:

None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as an "Employment" Land Use 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 in an Industrial subdivision South of the SE/c of S. 87th E. Ave. and E. 41st St. S.

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

Moderate-impact Processing is defined as follows:

2. Moderate-impact Medical Marijuana Processing Facility
   An establishment 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.

Medical Marijuana Uses are subject to the following supplemental regulations:
Per the site plan submitted it appears the applicant will be utilizing the entire building for this use and there will not be any exterior changes to the building.

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

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

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

4. A COPY OF A “RECORD SEARCH” [X] IS 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


COO-120046-2022  4133 S. 87th E. Ave.  June 3, 2022

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

Sec.15.020 Table 15-1: 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 Board of Adjustment (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: 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 CONTINES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.
BOA-23393

Subject Tract

19-13 25

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

Aerial Photo Date: 2020/2021
BOA-23393
19-13 25

Subject Tract

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2020/2021
CASE REPORT

STR: 0335  Case Number: BOA-23394
CZM: 30
CD: 3
HEARING DATE: 07/26/2022 1:00 PM

APPLICANT: Garcia Martinez Zuni

ACTION REQUESTED: Special Exception to permit a Personal Vehicles Sales and Rental Use in the CS District (Sec. 15.020, Table 15-2); Special Exception to permit the storage of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface outside of the required building setbacks to permit a gravel parking lot (Sec. 55.090-F-2); Variance to allow outdoor merchandise display within 300-feet of an abutting R- or AG-R district (Section 15.040-A);

LOCATION: 6520 E. E. Latimer Pl. N.  ZONED: CS

PRESENT USE: CS  TRACT SIZE: 49562.77 SQ FT

LEGAL DESCRIPTION: E162.5 LT 4 LESS N5 ST BLK 2, AVIATION VIEW SUB

RELEVANT PREVIOUS ACTIONS:
Subject property:
BOA-21810: On 11.25.14 the Board approved a Special Exception to permit a landscaping/irrigation business in the CS District.

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

Mixed-Use Corridors are Tulsa’s modern thoroughfares that pair high-capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located East of the SE/c of E. Latimer Pl. and N. Sheridan Rd. The property has Residential Zoning to the immediately North and East and is approximately 75-feet from the nearest house.

STATEMENT OF HARDSHIP: We are trying to get a car dealer on this property because we think our community deserves another car dealer closer to this residential area and we are going to offer good service in this area.
STAFF COMMENTS: The applicant is requesting **Special Exception** to permit a Personal Vehicles Sales and Rental Use in the CS District (Sec. 15.020, Table 15-2); **Special Exception** to permit the storage of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface outside of the required building setbacks to permit a gravel parking lot (Sec. 55.090-F-2); **Variance** to allow outdoor merchandise display within 300-feet of an abutting R- or AG-R district (Section 15.040-A)

Vehicle Sales and Service Uses are subject to the following supplemental regulations:

**Section 40.400 Vehicle Sales and Service**

40.400-A Whenever a vehicle sales and service use is located on a lot abutting an R- or AG-R-zoned lot, a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of 565.070.C.

40.400-B Whenever commercial or personal vehicle sales or rentals are within 300 feet of an R- or AG-R-zoned lot, off-street parking and vehicle display areas must comply with the parking area design standards of Section 55.090.

**55.090-F Surfacing**

1. All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of 555.090-F.4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

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

**15.040-A Outdoor Storage and Display**

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

The applicant has not provided a hardship that meets the Standards and Review Criteria found in Sec. 70.130-H of the Zoning Code. The intended purpose of the Sec. 15.040-A is to prevent outdoor display in the proximity of residential district, granting this variance would put this car lot next to a Residential property and within 75-feet of an existing house.

Per the photos included in your packet the current use of the property appears to be a junk or salvage operation. Tulsa Planning Office Staff has contacted City of Tulsa Code Enforcement to begin an investigation.

**SAMPLE MOTION:**

Special Exceptions:
Move to _________ (approve/deny) a **Special Exception** to permit a Personal Vehicles Sales and Rental Use in the CS District (Sec. 15.020, Table 15-2); **Special Exception** to permit the storage of motorized vehicles on
a surface other than one consisting of a dustless, all-weather surface outside of the required building setbacks to permit a gravel parking lot (Sec. 55.090-F-2)

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

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

**Variances:**

Move to _________ (approve/deny) a **Variance** to allow outdoor merchandise display within 300-feet of an abutting R- or AG-R district (Section 15.040-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.”
Taken near the Eastern property

Front of Property from Latimer
Facing East on Latimer

Taken near the Eastern property
zoned lot (Section 403, Table 3), subject to the property as constructed as shown on page 8.10. The Board has found that this property which fronts onto a private drive, the legal front yard faces Lewis Avenue, the property’s practical rear yard faces the private drive which is the legal back yard but is the practical front yard on the private drive creating the hardship for which the Variances need to be granted. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variances to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan for the following property:

PRT LT 6 BEG 25.01E NWC LT 6 TH S183.68 NE128.49 N155.6 W126.92 TO POB & 25.01 VAC STREET ADJ ON W BLK 2, WOODY-CREST SUB, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21810—Eli Ingram

Action Requested:
Special Exception to permit a landscaping/irrigation business (Use Unit 15) in a CS District (Seciton 701, Table 1). LOCATION: 6520 East Latimer Place (CD 3)

Presentation:
Shawna Hale, 1245 South Owasso Avenue, Tulsa, OK; stated she represents the buyer and the seller as the subject property is currently under contract. The property has already undergone the rezoning through the the Tulsa Metropolitan Area Planning Commission. The business will provide security and general beautification for the neighborhood just because of their line of business. Neighbors have already let it be known that they are happy to see the property occupied because of past issues with vandalism and vagrancy.

Mr. White asked Ms. Hale if there would be outside storage of products such as sod or dirt. Ms. Hale stated that due to the location it is the intention to store 90% of the equipment and materials indoors. The materials will be on site based on a job-by-job basis. There will be trees stored outdoors. The front of the building is about 100 feet from the street and the building itself is about 100 feet long. Any outside storage would be contained in the rear yard.

Mr. White asked Ms. Hale what the days and hours of operation for the business would be. Ms. Hale stated the hours of operation would be the normal business hours of 8:00 A.M. to 5:00 P.M., Monday through Friday.

Interested Parties:
There were no interested parties present.
Comments and Questions:
None.

Board Action:
On MOTION of WHITE, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White “aye”; no “nays”; no “abstentions”; none absent) to APPROVE the request for a Special Exception to permit a landscaping/irrigation business (Use Unit 15) in a CS District (Section 701, Table 1). The days and hours of operation will be typical business commensurate with this sort of business. Finding the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

E162.5 LT 4 LESS N5 ST BLK 2, AVIATION VIEW SUB, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

* * * * * * * * * * *

OTHER BUSINESS
None.

* * * * * * * * * * *

NEW BUSINESS
None.

* * * * * * * * * * *

BOARD MEMBER COMMENTS
None.

* * * * * * * * * * *

There being no further business, the meeting adjourned at 3:01 p.m.

Date approved: 12/9/14

Chair

11/25/2014-1129 (15)
WEST SIDE BUILDING

EAST SIDE BUILDING

CASE NUMBER: BOA-23394
Subject Tract

BOA-23394

20-13 35

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

Aerial Photo Date: 2020/2021

9.14
BOARD OF ADJUSTMENT
CASE REPORT

STR: 8301  Case Number: BOA-23395
CZM: 53
CD: 7

HEARING DATE: 07/26/2022 1:00 PM

APPLICANT: Jessie Bucelluni

ACTION REQUESTED: Variance to permit a dynamic display sign within 200-feet of a Residential District (Sec. 60.100-F)

LOCATION: 6603 S. Memorial Dr.  ZONED: CS

PRESENT USE: Vacant  TRACT SIZE: 59799.41 SQ FT

LEGAL DESCRIPTION: N200 LT 1 BLK 3, WOODLAND HILLS MALL

RELEVANT PREVIOUS ACTIONS:

Subject property:

PUD-470-B/ Z-7638; On 03.2.22 the Tulsa City Council Abandoned PUD-470 on the subject site and re-zoned it from OM to CS.

Surrounding properties:

None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SE/c of 66th Street S. and S. memorial Dr. The property is currently vacant but is in the process of development into a Kum and Go convenience store with fuel sales.

STATEMENT OF HARDSHIP: Residential Zone is within 200-feet of gas station not allowing for digital gas pricers as they are considered dynamic display.

STAFF COMMENTS: The applicant is requesting a Variance to permit a dynamic display sign within 200-feet of a Residential District (Sec. 60.100-F)
Per the applicant the requested relief is only for the price sign. Should the Board be inclined to grant the requested relief they should consider a condition that the dynamic display portion of the sign be limited to “Price Sign” as described in the sign specification included in your agenda packet.

**SAMPLE MOTION:**

Move to ______ (approve/deny) a **Variance** to permit a dynamic display sign within 200-feet of a Residential District (Sec. 60.100-F)

Finding the hardship(s) to be__________________________________.

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

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

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

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

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

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

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

- 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

- 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.”
View taken from subject property facing North

Approximate location of proposed sign

Subject property
SIGN PLAN REVIEW

June 15, 2022

Phone: (918) 587-7171

Teresa Bailey
1225 N. Lansing Ave.
Tulsa OK 74106

APPLICATION NO: SIGN-119488-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 6611 S. Memorial
Description: Freestanding sign

INFORMATION ABOUT SUBMITTING REVISIONS

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

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

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

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

IMPORTANT INFORMATION

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

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

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

(Continued)
1. Section 60.100-F Dynamic Displays
Dynamic displays may not be located within 200 feet of any of the following: (1) an R or AG-R district (other
than street, highway or freeway right-of-way); (2) a residential development area. This separation distance
does not apply if the dynamic display is not visible from the referenced district, area or lot, and the
requirements may be modified in R, AG, and AG-R districts if approved through the special exception
process. Required separation distances must be measured horizontally in a straight line from the nearest point
on a sign structure to the nearest point of an R or AG-R district or residential development area boundary.

Review comments: The gas price portion of this sign meets the definition of a dynamic display. There are
residential zoned lots within 200' of this proposed dynamic display sign to the north. Please revise the sign to
remove dynamic display elements or revise the location to comply with this requirement and show on a
revised site plan that this dynamic display sign will not be located within 200' of the residential lots to the
north of this lot.

Note: 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. Requests for variances from the Board of Adjustment require proof of a hardship per Section
70.130.

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 CLEARANCE AND SIGN CODE REVIEW

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

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN
AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A CITY OF TULSA SIGN PERMIT.
View of residential zone from sign location
view from gas station location
SIGN A

Store # 2362 TULSA, OK

Kum & Go

Go Fresh
MARKET

Kum & Go

7'-6" x 15'-0"
12 3/4" x .375 wall x 20'-4" pipe
4'-5" x 8'-0"
3'-4" x 12'-7 1/2" w/ 18" digits
16" x .375 wall x 36'-0" pipe

40'-0"

22'-10 1/8"

3' x 13' pier foundation w/
3.4 yds. of 4000 PSI concrete.

SIGNS SPECIFICATIONS

KUM & GO OVAL
FLEX FACE WITH DIGITAL PRINT GRAPHICS
ALUMINUM CABINET STANDARD RETAINER
INTERNAL WHITE LED ILLUMINATION
PMS 200 (RED)

GO FRESH MARKET
FLEX FACE WITH DIGITAL PRINT GRAPHICS
ALUMINUM CABINET BLEED FACE RETAINER
INTERNAL WHITE LED ILLUMINATION
PMS 200 (RED)

PRICE SIGN
INTERNALLY ILLUMINATED PRODUCT PANEL
RED / GREEN LED PRICE DIGIT

- 7' 6" X 15' OVAL - 88.32 SQ FT
- 4'5" X 8' GO FRESH - 35.33 SQ FT
- 3'4" X 12' 75" GAS PRICE SIGN - 42.08 FT
18" GAS PRICE NUMERAL

DRAWN BY: Terry Howard

40' Main Pole Sign

KG-40

10.9
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9213  Case Number: BOA-23396
CZM: 36
CD: 4

HEARING DATE: 07/26/2022 1:00 PM

APPLICANT: Jeremy Perkins

ACTION REQUESTED: Variance to allow a detached accessory building to exceed 25% coverage of the rear setback area in the RS-2 zoned lot. (Sec. 90.090- C, Table 90-2)

PRESENT USE: Residential  TRACT SIZE: 10624.33 SQ FT
LEGAL DESCRIPTION: LT 4 BLK 10, SUNSET TERRACE

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located West of the SW/c of E. Peoria Ave. and E. 25th St. S.

STATEMENT OF HARDSHIP: See attached.

STAFF COMMENTS: The applicant is requesting a Variance to allow a detached accessory building to exceed 25% coverage of the rear setback area in the RS-2 zoned lot. (Sec. 90.090- C, Table 90-2)
Allowed coverage in the 25-foot rear setback ≈ 25% or 505 square feet

Existing coverage area in the 25-foot rear setback ≈ 34% or 685 square feet

Proposed coverage area in the 25-foot rear setback ≈ 43% or 865 square feet

In granting the variance the applicant should explain why the existing structure can’t be altered within its current non-conforming footprint.

**SAMPLE MOTION:** Move to ________ (approve/deny) a Variance to allow a detached accessory building to exceed 25% coverage of the rear setback area in the RS-2 zoned lot. (Sec. 90.090- C, Table 90-2)

- 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
INFORMATION ABOUT SUBMITTING REVISIONS

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

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

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

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

IMPORTANT INFORMATION

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

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

3. A COPY OF A “RECORD SEARCH” [ ] IS [x] NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE “RECORD SEARCH” ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).
APPLICATION NO.  BLDR-118919-2022

1. **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:** With the proposed addition to the garage, it appears that the total accessory building coverage will exceed 25% of the rear setback area for this RS-2 zoned lot. Please revise the site and building plans so that the building coverage of accessory buildings in the rear setback does not exceed 25%.

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:** 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.
WILLET Residence
1252 East 25th Street
Tulsa, Oklahoma 74114

North Elevation
Scale: 3/16" = 1'-0"

0'

East Elevation
Scale: 3/16" = 1'-0"

South Elevation
Scale: 3/16" = 1'-0"

Elevations

Date: 6/23/22
BOA-23396

Subject Tract

Aerial Photo Date: 2020/2021

Note: Graphic overlays may not precisely align with physical features on the ground.
BOA-23396

Subject Tract

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

Aerial Photo Date: 2020/2021
ACTION REQUESTED: Special Exception to amend a previously approved site plan for a school use in the RS-3 District (Table 5.020, Table 5-2; Sec.70.120)

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

PRESENT USE: School TRACT SIZE: 1127254.65 SQ FT

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

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-22540; On 11.13.18 the Board approved a a Special Exception to permit a school use to allow for a stadium and locker room and a Variance of the required number of parking spaces. Through an amendment to the Zoning Code in 2021 the required parking for a High School use has been decreased and per the site plan provided the proposal meets those new standards

BOA- 19797; on 4.13.04, the Board approved a Variance of maximum height allowed for RS-3 from 35' to 63'; Variance of minimum setback for parking lots from 25' to 13'(east side of parking), and 17'6" (south side of parking) for a new lot on corner of Pittsburg and 5th Place.

Surrounding properties:

BOA-17111-A; on 5.22.12, the Board approved a modification to a previously approved site plan (BOA-17111). Located: 3503 E. 5th Pl. (Turner Park).

BOA-17111; on 8.8.95, the Board approved an amendment to a previously approved site plan (BOA-8649). Located: 3503 E. 5th Pl. (Turner Park).

BOA-8649; on 2.6.75, the Board approved an exception to use property as a public park, per plan. Located: 3503 E. 5th Pl. (Turner Park).

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 abuts RS-3 zoned residences to the North, South and East; Turner Park is immediately West of the subject property.

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

The proposed additions included an auxiliary gym and bleachers for the football stadium. There is a concession stand proposed to be located on the Tracy Park property which will need to be permitted in a separate application.

On 09.09.07 Will Rogers High School was added listed on the National Registry of Historic Places. This designation is only regulatory if federal funds are used in this project, for informational purposes included below is a web link to the Registration form for the school’s inclusion on the registry.

Oklahoma State Historic Preservation Office Registration form for Will Rogers High School:

[http://nr2_shpo.okstate.edu/pdfs/7000918.pdf](http://nr2_shpo.okstate.edu/pdfs/7000918.pdf)

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

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

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

  ________________________________________________________________.

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
Subject Property
Action Requested:
Special Exception to permit a school use to allow for a stadium and locker room (Section 40.350-A); Variance of the required number of parking spaces (Table 55-1). LOCATION: 3909 East 5th Place South (CD 4)

Presentation:
Scott Rodehaver, Wallace Engineering, 200 East Brady, Tulsa, OK; stated that in 2015 the Tulsa voters approved a bond issue for Tulsa Public Schools which included a physical education facility for Rogers High School among other projects. This included a football stadium, bleachers, lockers, concessions and a weight room. A Special Exception is requested for stadium use within a residential zoning and a Variance is requested to allow non-simultaneous uses of on-site parking as well as street parking to be used during non-class hours. Rogers High School is an early college academy and hosts TCC classes on campus. It has 1,400 students in grades 7 through 12, and approximately 1,000 of those students are bussed. The existing school was built in 1939 and the current track and football field, as well as baseball and softball fields, were added in 1990. Currently Rogers High School shares a stadium for its home football games at Booker T. Washington and Webster High School. This particular project is located between the football field and the existing school. It will be elevated above the football field approximately 25 feet.

Mr. Van De Wiele asked Mr. Rodehaver if this was on the east side of the stadium. Mr. Rodehaver answered affirmatively.

Mr. Rodehaver stated there will be a plaza that will connect the school with the facility. It is a 20,000 square foot building with bleachers for 1,920 people. In the building there is a locker room, offices, a weight room, a training room, restrooms, a concession area, event room and a press box. In addition, there will be lighting for the evening events that will be placed to illuminate the field and will be in full compliance with the Zoning
Code. The scoreboard will be replaced on the northern end of the field and the school would also like to have a message board for the street side of the scoreboard. In terms of the parking requirements, the stadium requires about 408 spaces and there are 450 spaces available both on campus as well as street parking that is allowed along the perimeter of the site. There are currently proposed spaces to be added along the front of the school in the drop off area. There is currently no net loss in spaces on site when adding the on-street parking spaces. Football games happen in the evenings when classes are not being held so there is no need for parking for multiple class use and stadium use. Mr. Rodehaver stated the lights are 80 feet tall on the east side and 90 feet tall on the west side to get the appropriate foot candles on the field, which is 75-foot candles. By the time you get to the property lines on both the north and south streets it is less than 1-foot candle.

Mr. Bond left the meeting at 4:23 P.M.

Ms. Back asked Mr. Rodehaver if she heard that the school would like to have a message board on the street side of the scoreboard which is in an R District. Mr. Rodehaver answered affirmatively; on the 5th Street side on the south side. Mr. Rodehaver stated the field in the area is about 16 feet below the street and the sign will be about 15 feet above the field. The message board is proposed to be a 3'-0" x 5'-0" monochrome message board.

Ms. Miller stated that is not part of this application. Mr. Rodehaver stated the question was whether or not that is part of the stadium or is it something separate. Ms. Miller asked Mr. Rodehaver if the message board was internal to the stadium. Mr. Rodehaver stated that it is on the back of the scoreboard.

Mr. Bond re-entered the meeting at 4:26 P.M.

Mr. Van De Wiele stated the Board cannot grant that request because it is not part of the application.

Interested Parties:
Gil Cloud, Director of Athletics for the Tulsa Public Schools, 3027 South New Haven, Tulsa, OK; stated he has 20 secondary schools and 66 elementary schools that he deals with on a daily basis for physical education through athletics. The stadium project was approved in the 2015 bond issue by an 80/20 percent margin, which is one of the highest in Tulsa County. The stadium will also be used for soccer, physical education and track and field; it is a multi-purpose facility for the high school and the junior high school. All of the stadiums are open until 10:00 P.M. when they are locked for security.
Mr. Van De Wiele asked Mr. Cloud if there would be any other high school co-locating football teams. Mr. Cloud stated that it is a possibility for Nathan Hale to play some of their home games there to take the load off Eastside. This is a project that the alumni are excited about as they get ready to celebrate the 80th year of Will Rogers High School this next year.

Ms. Miller left the meeting at 4:32 P.M.

Krystel Markward, 2717 East 4th Street, Tulsa, OK; stated she is the current athletic director at Will Rogers High School. This would be a home for the school’s kids, and this will help with transportation costs and would allow a place for the kids to be after school. It will also house not only football, but soccer, track, physical education, band and ROTC. It will allow the school to have more physical education and fitness classes. It will give the neighborhood and the students a place to gather and be proud of.

Nicolette Dennis, 3904 South St. Louis Avenue, Tulsa, OK; stated she is the principal of Will Rogers College Junior and Senior High School. In 2011 TPS reconstituted the school, closed Wilson Middle School and Cleveland Middle School and redistricted those students. They opened Will Rogers as an early college academy. She came from Albuquerque in 2014 to take this position, there were fewer than 800 students. The goal of the school has always been to have 1,500 students; 500 seventh and eighth graders and 1,000 high school students; there are presently about 1,400 students. People that want to be there and it is a school that has really changed its reputation and the school has the second highest graduation rate in the city. Will Rogers High School is a low-income school and serves a community that is often under represented.

Ms. Miller re-entered the meeting at 4:48 P.M.

Having the stadium is a benefit for children that have had to travel long distances at a cost to TPS to attend the football and sporting events. In the long run this will be a gathering place for the community. There will be cameras in place to create a safe environment for people. There was a community at the school about a week ago and most of the concerns were around access and some concerns about removing and relocating parking spaces in front of the building; there will be diagonal parking instead of parallel parking in the front. There be nothing done to change the historic value or the significance of the school; it is on the National Historic Register and the school will maintain the beauty and dignity of the Tulsa public treasure.

Brooke Kononchuk, 521 South New Haven Avenue, Tulsa, OK; she is concerned about the on-street parking. She lives directly across the street from the school and it is an issue. The majority of the neighborhood works 8:00 A.M. to 5:00 P.M. so most of the residents do not see the issues there is with on-street parking. Ms. Kononchuk
recorded a video and had the video played at the meeting for the on-street parking during the after-school pickup, which starts at 3:00 P.M. and ends at 4:30 P.M. She would request the Board place a stipulation on the street parking that would still allow the street parking for the residents on the weekends. Ms. Kononchuk stated she cannot have company over during the week because parking is currently not allowed until 9:00 P.M. and her driveway will only fit a couple of cars, so it is essentially left to the weekends. The plan being proposed is only showing parking on the school side of the street, so she would request signage to be placed showing that parking is only allowed on the school side of the street. Ms. Kononchuk stated she works from home and her driveway is almost always blocked on a daily basis.

**Nicolette Dennis** came forward and stated that the illegal parking is a Tulsa Police Department issue because it is about ticketing the people that are parked illegally. Ms. Dennis stated she has no jurisdiction as the Principal as to what happens on the street, but it is an issue. She does not think it will happen at games because part of the problem people come early and park to pick up their children. She has gone outside and asked people to move but her jurisdiction is the building and not the street.

Mr. Van De Wiele asked Ms. Dennis what level of outreach is she doing with the students and the parents to help alleviate this problem. This is not the first time the Board has had these issues come before them; they have had them at Edison with expansions, at Celia Clinton, McClain, Booker T. Washington and it is an issue. His only comment that has ever been is to be as good a neighbor as possible to the residents in the area. Ms. Dennis stated that she does try; she sends out messages, speaks at almost every public event about parking, sent flyers out, had announcements through telephone calls, people just get in a hurry and do not pay attention. Mr. Van De Wiele told the neighbors to be a major thorn in the side of the schools and the Police; call early and often.

**Russell McDaris,** 439 South Pittsburg Avenue, Tulsa, OK; stated he lives by the softball and baseball field areas. Parking is a nightmare. When he comes home at 5:00 P.M., if there is a baseball or softball game, there is no parking on the street left for him to park at his house. He has a one car spot in the driveway and three people live in his house. The parking request is for non-simultaneous use, but the problem is there are three gyms, an auditorium, two other sports fields on the property and the parking that is there does not even cover the normal needs before a stadium is added. He does not see how the school can coordinate and guarantee there will be absolutely no other use on the subject property except for the football or except for the soccer or whatever event is happening in the stadium. There is no parking anywhere in the area. This is an 80-year-old school. The field has been just a practice field for 20 years and now they want to have not only this school's game but bus other schools to the subject stadium. He does not understand why a school that has been in existence without a stadium this long all of a sudden has to have an additional stadium at the facility.

Ms. Ross stated that is was a bond issue that was voted on, so it is not before the Board about whether the stadium can go in.
Mr. McDaris stated that it is great that 80% voted for this bond, but it was a gigantic all-inclusive bond that was supposed to repair the schools across the entire City. This is one little small sliver of that bond issue. This does not make sense because it seems like money is being spent just to spend the money.

Ben Jarvis, 3741 East 4th Place, Tulsa, OK; stated he lives right across the street from the school. He thinks this is a good idea; he has two children that attend the school. He thinks the kids deserve this. He knows that the parking on the street is problem; he sees it.

Matt Tarvin, 3710 East 5th Place, Tulsa, OK; stated that for the most part he does not have a problem with the project but agrees with the concerns about parking. The largest concern is the message board on the back of scoreboard. That sign will shine right into his living room window. He does not know of a lot people that will be able to see that message board because it will be fairly close to the road. There will not be a great diagonal view in either direction. If the message board is for the neighborhood, he would prefer that it not be done. Mr. Van De Wiele stated that the Board is not taking any action on the message board today because it would be through a separate application that the neighbors would receive notice of, and the residents would have another opportunity to spend an afternoon with the Board.

Travis Eslick, 524 South Marion Avenue, Tulsa, OK; stated he thinks it will be great for the school to have the stadium, but there are concerns about parking. Mr. Eslick thinks a staggered dismissal would help with the parking issues. He would like to see striping for the parallel parking on the street, possibly install a bike lane. Fifth Street is an extra wide street and there are no markings for that on the street, so traffic meanders around and causes a lot of congestion. Another concern is that the field remain open, and if this is approved, he would ask there be public hours for the field because currently the public uses that field and track. Mr. Eslick stated there is not really any need for a scoreboard; the north side of the stadium is a better location for that. Locating the scoreboard on the north side will also would not require spectators to look into the fall southwest sun. There is currently a message board on 5th and Pittsburg.

Shane Bevel, 826 South Jamestown, Tulsa, OK; stated he lives in the southwest corner of the neighborhood near 11th and Harvard; he lives two blocks from the Tulsa University stadium; he knows what it is like to live next to a football stadium. It is not a huge bother and occasionally he has to pick up trash, but it is no different than the middle of the week. Fifth Place and Fourth Place are wider because they were widened for school bus access, but people do drive down the middle of the street because there are no stripes on the road, not even a middle stripe. He would highly suggest that the streets are marked and striped, not only for the lanes but where parking is. Mr. Bevel stated he supports the stadium and he supports Will Rogers High School, and he is excited for the new addition to the neighborhood, but the parking issues can be real and can be solved. The neighborhood is an RS-3 neighborhood and is a fairly high-density
neighborhood and there is not a lot of green space, he would much rather use the asphalt that is in place rather than add any more.

**Comments and Questions:**
Mr. Bond stated that he understands the parking issues, but they are City issues. The best way to get those resolved is to work with the City or the Tulsa Police Department, as well as the high school. Part of living next to a school is residents have to deal with traffic. This is Oklahoma and in Oklahoma schools play football on Friday nights, sometimes Thursday nights. He would like to see the City help the residents, but he is excited for the students and for the school. He will support the project.

Ms. Back stated that she is very excited that there will be a football stadium for the students to hone their skills and their craft. If she were living across from the stadium, she would not want the reader board in front of her house.

Ms. Ross stated she is in support of the project. There definitely appears to be a problem and hopefully the street striping is something the City can resolve.

Ms. Radney stated she would like to hear from the applicant about the suggestion of not taking some of the green space that is in front of the historical front door of the property, because if that were to be removed, she would be curious to know what the impact is going to be in terms of the necessity of street parking.

**Nicolette Dennis** came forward and stated that if more parking can around the circle, and there won't be that much green space taken, the cars are now parking parallel and they will be diagonally. If the cars are parked diagonally parking can be taken off the street. The parking spaces would be doubled, from 18 to 36 spaces.

Mr. Van De Wiele asked if one of the school members would commit to undertake the street striping and somehow address the traffic flow issues, the Board would appreciate that.

**Chris Hudgins**, Tulsa Public Schools, 3027 South New Haven, Tulsa, OK; stated there is a vision project that has funding, so one of things that could be done is to prioritize Will Rogers to get a study done by a traffic engineer.

Mr. Van De Wiele stated he is in support of the project. The funds have been allocated and secured, and some of this is just part of the pain of living near a high school. He believes he is seeing the school system at least attempting to address some of the issues.

**Board Action:**
On **MOTION** of **BOND**, the Board voted 4-1-0 (Back, Bond, Ross, Van De Wiele "aye"; Radney "nay"; no "abstentions"; none absent) to **APPROVE** the request for a **Special Exception** to permit a school use to allow for a stadium and locker room (Section 40.350-A); **Variance** of the required number of parking spaces (Table 55-1), subject to
conceptual plans 12.8, 12.9, 12.10, 12.11, 12.12, 12.22, 12.23, 12.24, 12.25, 12.26, 12.27, 12.28, 12.29, 12.30 and 12.31 of the agenda packet and the plans submitted today. The Board has found the hardship to be existing parking spaces not in use at the time of athletic events. 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. The Board finds that the following facts, favorable to the property owner, have been established:

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

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

BEG 1219.4E & 25S NWC OF SW TH S791 SW40.03 E1437.1 N826 TH W1417.08
POB LESS S35 FOR ST SEC 4 19 13, City of Tulsa, Tulsa County, State of Oklahoma

Ms. Blank left the meeting at 4:55 P.M.

22536—Gerardo Campos

**Action Requested:**
Special Exception to allow a commercial/commercial service/building service use in a CS District (Table 15-2); Variance of the dustless, all-weather surface requirement to permit gravel drive and parking area (Section 55.090-F2).

**LOCATION:** 13100 East 11th Street South (CD 6)

**Presentation:**
The applicant was not present.
assured the first house would be temporary; maintained well; and removed upon completion of the new home.

Earnest Moody, 11455 S. Winston, stated his property abuts the subject property. He was not in objection to a temporary variance to allow the applicant to build a house.

Board Action:
On Motion of Dunham, the Board voted 4-0-0 (White, Dunham, Turnbo, Stephens "aye"; no "nays"; no "abstentions"; Perkins "absent") to APPROVE a Variance to allow two single-family dwellings on one lot for a period of three years, with the condition the existing house is removed within 30 days of the completion of the new house, finding the size of the property; and finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

Lot 4, Block 3, Country Squire Estates, City of Tulsa, Tulsa County, State of Oklahoma.

**********

Case No. 19797

Action Requested:
Variance of maximum height allowed for RS-3 from 35' to 63' –SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS; and a Variance of minimum setback for parking lots from 25' to 13' (east side of parking), and 17' 6" (south side of parking) for a new lot on corner of Pittsburg and 5th Place – SECTION 1201.C.2.d., located: 3909 East 5th Place.

Presentation:
Wit Todd, architect for Tulsa Public Schools, stated the project is a new gymnasium for Rogers High School. He submitted a map of the property.

Mr. Dunham out at 4:11 p.m.

He pointed out the area for a detention pond, which the school system gave up and limited the amount of room left for expansion. Mr. Todd stated that the new gym would approximately double the size of the old gym. It would allow the high school to have assemblies of the whole student body at one time. He commented that the locker rooms are on the lower level and do not work very well. The new gym would be to the north of the main building. They would increase parking by 68 spaces, which would be 30+ spaces more than the required parking. The plans include a small parking lot on the southeast corner for faculty and visitor parking only. He supplied site plans and other exhibits (Exhibits H-1 and H-2). The new building architecture would be close to the same level of detail as the original building. It would be free-standing and would not be attached to the existing
building. It will include 1200 seats in the gym, locker rooms, weight room, cheerleading room, and a running track.

Mr. Dunham returned at 4:17 p.m.

They plan for additional landscaping to meet the code requirements.

**Interested Parties:**

Bill Kumpe, 519 S. Pittsburg, stated he spoke for himself, his wife, and other neighbors in opposition to the parking lot at the corner of 5th and Pittsburg. They oppose a variance to any change in the setback for the parking lot and they oppose construction of a gymnasium. They are concerned about the heavy volume of traffic, and high speed traffic at this corner at times. He added that when the school buses are parked at the school, it causes a blind corner. He stated the proposed construction is incompatible with the residential neighborhood.

Russell McDaris, 439 S. Pittsburg, stated he is an architect, submitted photographs (Exhibits H-3 and H-4) to show existing and proposed views. He indicated the mature trees would be removed. He added that the current parking lot does not meet the parking needs.

Bruce Beldon, 439 S. Pittsburg, Joyce Rhienke, 708 S. Oswego, and Robert Rhienke expressed some of the same objections to the application as mentioned previously. An aerial photos and letters of support and opposition were provided (Exhibits H-5 through H-9).

**Applicant’s Rebuttal:**

Mr. Todd responded that this project was approved with the 2001 bond issue and was advertised in the newspapers. The plans were reviewed by Kurt Ackermann and meet the required parking spaces. When they apply for the building permit it will be reviewed again. He stated that this will not increase enrollment, or the number of cars coming to the school. It is an amenity for the existing school population. They will not bulldoze all of the trees as the plans were drawn to preserve numerous mature trees. The faculty would use the new parking lot and faculty leaves after the buses run.

Board discussion ensued.

**Board Action:**

On Motion of Dunham, the Board voted 4-0-0 (White, Dunham, Turnbo, Stephens "aye"; no "nays"; no "abstentions"; Perkins "absent") to APPROVE a Variance of maximum height allowed for RS-3 from 35' to 63'; and a Variance of minimum setback for parking lots from 25' to 13' (east side of parking), and 17' 6" (south side of parking) for a new lot on corner of Pittsburg and 5th Place, per plan, finding they are meeting the parking requirement; there is limited space to provide these facilities; finding the restraints of the existing building and the flood plain that lies to
the west of the facility these are logical locations to make these improvements, on
the following described property:

NW/c of the SW/4 Section 4, T-19-N, R-13-E, City of Tulsa, Tulsa County, State
of Oklahoma; thence S 0°08' W a distance of 791.00'; thence S 28°45' W a
distance of 40.03' to the center line of Fifth Place projected; thence E along said
center line a distance of 1,437.10' to the E boundary line of said line a distance of
1,437.1' to the E boundary line of said SW/4; thence N 0°3.50' E a distance of
826.00' to a point on said E boundary line 25.00' S of the NE/c of said SW/4;
therefore W and parallel to the N line of said SW/4 a distance of 1,417.08' to the
POB and containing 26.894 acres.

Case No. 19798
Action Requested:
Variance of the required 25' setback from 3rd Street to 18' 8" for an existing non-
conforming building, located: 220 South Sheridan Rd.

Presentation:
Cory Crockett, 6380 E. 31st St., Ste. A, represented the applicant, John Bradley.
This application is to correct an existing condition.

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

Board Action:
On Motion of Dunham, the Board voted 4-0-0 (White, Dunham, Turnbo, Stephens
"aye"; no "nays"; no "abstentions"; Perkins "absent") to APPROVE a Variance
of the required 25' setback from 3rd Street to 18' 8" for an existing non-conforming
building, finding the building has existed for a number of years, and this is to
approve an existing condition, on the following described property:

Lot 1, Block 1, L&M Center Addition to the City of Tulsa, Tulsa County, State of
Oklahoma, according to the recorded plat thereof.

Case No. 19799
Action Requested:
Special Exception to waive the screening requirement along east property lines.
SECTION 1218/C.1. USE UNIT 16. MINI-STORAGE, located: 1125 South Peoria.

Presentation:
Danny Mitchell, 5110 S. Yale, Ste 510, stated he was the architect and the owner
of the project. The zoning code requires a screening fence a commercial property
Action Requested:
Variance of the side yard requirement, on the west side, from 15 feet to 8 feet for an addition to align with existing structure (Section 403). Location: 2685 East 37th Street (CD 9)

Presentation:
Scott Pohlenz, Architect, 3402 South Peoria Avenue, Tulsa, OK; stated that he is available for any questions the Board might have. He also presented additional information to the Board for their review.

Interested Parties:
There were no interested parties present.

Comments and Questions:
None.

Board Action:
On Motion of Stead, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to APPROVE the request for a Variance of the side yard requirement, on the west side, from 15 feet to 8 feet for an addition to align with existing structure (Section 403), subject to the conceptual site plan on page 5.24. Finding that this large lot with estate residential zoning is adequate to support the addition. The addition will not protrude further than the existing house. In granting this variance the Board has found that there are extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; all for the following property:

PRT LT 2 BEG SWC LT 2 TH N220 E TO PT 237N SECR LT 2 TH S237 W145.88
POB BLK 1, OAKVIEW ESTATES, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

17111-A—Gary Schellhorn (City of Tulsa)

Action Requested:
Modification to previously approved site plan (BOA-17111) to permit demolition of dilapidated structures and construction of new facilities for Turner Park. Location: 3503 East 5th Place (CD 4)
Presentation:
Gary Schellhorn, City of Tulsa Parks Department, 2317 South Jackson, Tulsa, OK; stated there will be a future water playground for the park that is not funded and not in the planning stages currently, but is in the master plan for the park.

Interested Parties:
There were no interested parties present.

Comments and Questions:
None.

Board Action:
On MOTION of STEAD, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to APPROVE the request for a Modification to a previously approved site plan (BOA-17111) to permit demolition of dilapidated structures and construction of new facilities for Turner Park, subject to the conceptual site plan on page 6.7 and as described in the status report dated April 20, 2012. This modification of proposed park amenities are compatible with and are non-injurious to surrounding residential area, and meets the previously granted special exception. Subsequent approved modifications meets the current zoning requirements per code; for the following property:

THAT PORTION OF THE E ½ OF THE SW ¼, SEC. 4, T-19-N, R-13-E, AS FOLLOWS: BEGINNING AT A POINT 25' S OF THE NW/C OF SAID QUARTER AND 959.4' E AT AN IRON PIPE; THENCE N81°50'E, 260' TO AN IRON PIPE; THENCE S8°05'E, 791' TO AN IRON PIPE; THENCE S20°35'W, 80.6' TO AN IRON PIPE; THENCE S39°30'E, 280.20'; THENCE S81°20'W, 150.88'; THENCE N39°35'W, 640.47' TO A PC; THENCE CURVING TO THE RIGHT ALONG A CURVE OF RADIUS 716.34' A DISTANCE OF 389.20' TO A POINT; THENCE N7°55'W, 75.16'; THENCE N81°50'E, 234.38'; THENCE N7°55'W, 146.03' TO THE P.O.B. AND ALL OF BLOCK 4, CHULA VISTA 1ST ADDITION TO THE CITY OF TULSA; AND THAT PORTION OF A STREET VACATED BY ORDINANCE NUMBER 4845 ON MAY 5, 1944, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21433—Andrew Shank

Action Requested:
Approval of license agreement to locate awnings/signs within right-of-way (Section 1221.C.14). LOCATION: 1523 East 15th Street (CD 4)

Mr. White recused himself and left the meeting at 1:33 p.m.
CITY BOARD OF ADJUSTMENT  
MINUTES of Meeting No. 686  
Tuesday, August 8, 1995, 1:00 p.m.  
Francis F. Campbell City Council Room  
Plaza Level of City Hall  
Tulsa Civic Center

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<th>MEMBERS PRESENT</th>
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<td>Abbott</td>
<td>Bolzle</td>
<td>Gardner</td>
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<td>Doverspike</td>
<td>Turnbo, Chairman</td>
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The notice and agenda of said meeting were posted in the Office of the City Clerk on Thursday, August 3, 1995, at 11:34 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

On MOTION of WHITE, the Board voted 3-0-0 (Abbott, Doverspike, White, "aye"; no "nays"; no "abstentions"; Bolzle, Turnbo, "absent") to APPROVE the minutes of July 25, 1995 (No. 685)

UNFINISHED BUSINESS

Case No. 17111

Action Requested:
Approval of an amendment to a previously approved site plan, located 4th Place and South Jamestown Avenue.

Comments and Questions:
Ms. Abbott advised that a letter (Exhibit A-1) requesting a continuance has been received from a representative of a newly formed neighborhood association. She stated that the request was not timely and was received just before the meeting.

There were numerous interested parties in the audience and, after discussion, it was the consensus of the Board that the application should be heard as scheduled.
Case No. 17111 (continued)

**Presentation:**
The applicant, City of Tulsa, was represented by Ross Weller, 707 South Houston, Suite 201, who advised that the site in question was reconfigured as a stormwater detention facility in 1993 and the parking lot on 5th Place was moved out of the flood area on Jamestown (26 spaces). Mr. Weller noted that the park is in compliance with the Code in regard to parking, and informed that approximately 43,000 individuals visit the park per year. He stated that one tennis court is planned to be converted to basketball use, with no lights being installed on the court.

**Comments and Questions:**
Mr. Doverspike asked if lighting is in place on the tennis courts, and Mr. Weller replied that the courts do not have lights, and the only lights installed in the park are for security purposes.

Mr. Doverspike asked if the recreation center uses are those that generate overflow traffic in the area, and Mr. Weller answered in the affirmative. He replied that parking inside the 100-year floodplain could result in cars being washed away during the rapid rise of water.

In reply to Mr. Doverspike, Mr. Weller informed that the existing parking lot is outside the 100-year flood plain.

In response to Mr. Doverspike, Mr. Weller stated that there will be no expansions of buildings and that the only change is the conversion of the tennis court to a basketball court.

**Protestants:**
Carolyn Ross, 3518 East 4th Place, stated that her back yard abuts the park property and the changes that are proposed will be detrimental to the neighborhood. She pointed out that the basketball court will generate additional noise, and trash will become a greater problem. Ms. Ross suggested that funds allocated for park renovation could be put to better use in the community.

Jack Wall, 3503 East 4th Place, informed that he is opposed to a lighted basketball court, and advised that pedestrian traffic is already a problem in the neighborhood. He pointed out that the existing facilities in the park are poorly maintained, and the wading pool has been closed for two years. Mr. Wall stated that the neighborhood has been poorly informed by the City regarding the park improvements.

Robert Gutherie, 466 South Jamestown, stated that the park does not need the proposed improvements, and requested that the park remain as it currently exists.
Applicant's Rebuttal:
Mr. Weller informed that a neighborhood survey regarding the park was mailed to area residents and only 95 of the 3297 letters were returned. He stated that a public viewing was also held (3297 letters mailed) on the site and four individuals attended. Mr. Weller advised that the jogging trail is the main item of interest at this time. He reiterated that the only real change to the site is the conversion of the tennis court to a basketball court.

Additional Comments:
In response to Ms. Abbott, Mr. Weller advised that the wading pool has been closed for two years because of a cutback in guard staff.

Ms. Abbott asked if houses will be acquired to build additional parking lots, and Mr. Weller replied that the City does not plan to acquire additional property.

Mr. Doverspike stated that he finds basketball courts to be a natural accessory use to a park facility.

Mr. White pointed out that the basketball court could generate more traffic in the neighborhood.

Ms. Abbott noted that the use complies with Code requirements in regard to parking.

Mr. White stated that he is supportive of the application, except for the conversion of the tennis court.

Board Action:
On MOTION of DOVERSPIKE, the Board voted 3-0-0 (Abbott, Doverspike, White, "aye"; no "nays"; no "abstentions"; Bozle, Tumbo, "absent") to APPROVE an amendment to a previously approved site plan; per plan submitted; subject to funded items only, with the exclusion of the conversion of a tennis court to a basketball court; subject to no lighting being installed except for security lights (unfunded items not considered at this hearing); finding the proposed improvements to the park, as amended by the Board, to be compatible with the neighborhood and in harmony with the spirit and intent of the Code; on the following described property:

That portion of the E 1/2 of the SW 1/4, Sec. 4, T-19-N, R-13-E, as follows: beginning at a point 25' S of the NW/c of said quarter and 959.4' E at an iron pipe; thence N81°50'E, 260' to an iron pipe; thence S8°15'E, 791' to an iron pipe; thence S20°35'W, 80.8' to an iron pipe; thence N39°30'E, 280.20'; thence S81°20'W, 150.88'; thence N39°35'W, 640.47' to a PC; thence curving to the right along a curve of radius 715.34' a distance of 389.20' to a point; thence N7°55'W, 75.18'; thence N81°50'E, 234.38'; thence N7°55'W, 146.03' to the P.O.B. and all of Block 4, Chula Vista 1st, an Addition to the City of Tulsa; and that portion of a street vacated by Ordinance Number 4645 on May 5, 1944.
Action Requested: Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property as a public park in an RS-3 District located northeast of 5th Street and Jamestown Ave.

Presentation: Randy Nicholson, representing the City of Tulsa Park Department, submitted a site plan (Exhibit "F-1") of the proposed park facilities to be located on the 8-acre Turner Park adjacent to Will Rogers High School. The facilities to be located at the southwest corner of the tract include a recreation center, junior swimming pool and bathhouse, and a 32-space parking lot. The center will include a basketball gymnasium, office and restaurant facilities, craft rooms, and multi-purpose rooms. In reviewing the proposal on this particular site with various City agencies, the water problems were the main concern. The City Engineer was not able to give any enlightenment upon the flood lines, and the architect personally spoke with several residents in the area who made reference to several high-water marks in the park which have been considered in the development plans. In regard to the facilities to be provided, the recreation facility will be operated five days a week from 9 a.m. to 10 p.m. and the pool will be operated only 2 1/2 months per year from 1 p.m. to 6 p.m. for general public use with private swimming lessons being given before 1 p.m. The junior pool depth range is from 3 1/2 feet to 5 feet, while the wading pool is 18" deep. Also submitted with the site plan were topography maps, floor plans, and elevations of the facility (Exhibit "F-2"), at which time it was pointed out that the total heighth of the facility is 23' and creates no problem in regard to height requirements. Mr. Nicholson advised that the existing spray pool, restrooms, and playground storage area have been removed to prepare for the construction of the proposed facilities. He submitted four letters (Exhibit "F-3") from area residents in support of the proposal.

Protests: None.

Board Action: On MOTION of SMITH, the Board (5-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property as a public park, per plan and as presented, in an RS-3 District on the following described tract: 2.6.75:181(14)
A tract of land being a portion of the N/2 of the SW/4 of Section 4, Township 19 North, Range 13 East, Tulsa County, Oklahoma, more particularly described as follows: Beginning at a point 25' South of and 959.58' East of the NW corner of said SW/4; thence East and parallel to the North line of said 1/4 section a distance of 260' to a point; thence South 0°-7' West a distance of 791' to a point on the North line of Fifth Place; thence West and parallel to the North line of said 1/4 section a distance of 524.38' to a point; which point is 50' East of the East line of Block 1, Chula Vista First Addition; thence North along a line parallel to and 50' East of the East line of Block 1, said Chula Vista First Addition to a point, said point being 146.03' South and 50' East of the NE corner of Block 1, said Chula Vista First Addition; thence East and parallel to the North line of said 1/4 section a distance of 264.38' to a point; thence North 0°-34' East a distance of 146.03' to the point of beginning, for park purposes.

Action Requested: Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630) to extend a residence within 8 feet of the north property line, per plot plan, in an RS-2 District located at 1345 South 99th East Avenue.

Presentation: Charles Lee submitted the plot plan (Exhibit "G-1") to the Board requesting permission to extend a residence 7.2' from the north property line, advising that the residence to the north will be located 15' from the property line in question.

Protests: None.

Board Action: On MOTION of GUERRERO, the Board (5-0) approved a Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts) - Under the Provisions of Section 1630) to extend a residence within 7.2' of the north property line, per plot plan, in an RS-2 District on the following described tract:

Lot 16, Block 6, Crescent Heights Addition to the City of Tulsa, Tulsa County, Oklahoma.
INFORMATION ABOUT SUBMITTING REVISIONS

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

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

IMPORTANT INFORMATION

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

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

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

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

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

BLDC-112029-2022 3909 E. 5th Pl. March 8, 2022

Note: As provided for in Section 70.130 you may request the Board of Adjustment (BOA) to grant a variance from
the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions
concerning 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.

Modification of previous City of Tulsa Board of Adjustment (BOA) approval required.

1. BOA-22540:11/13/18 approved a Special Exception to permit a school use to allow for a stadium
and locker room. This approval was per plan submitted. The proposed auxiliary gymnasium is a
modification to the plan approved on 11/13/18.
REVIEW COMMENT: Submit an approved BOA modified site plan reviewed and approved per Sec.70.120
to allow an auxiliary gymnasium use at this site.

2. BOA-22540:11/13/18 approved a variance of the required number of parking spaces. This
approval was per plan submitted. The proposed decrease in off-street parking is a modification
to the plan approved on 11/13/18.
REVIEW COMMENT: Submit an approved BOA modified site plan reviewed and approved per Sec.
70.120 to allow a decrease in required parking due to the proposed auxiliary gym use at this site.

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.
Existing Site Data:

**SITE DATA**

**BUILDING DATA**
- Existing Gymnasium: 28,883 SF
- Total Gymnasium: 35,708 SF
- High School Existing Building 1: 99,830 SF
- High School Existing Building 2: 21,900 SF

**OFF-STREET PARKING REQUIREMENTS**
- Required in parking:
  - Required Spaces: 230
  - Provided Spaces: 229
- Proposed in street:
  - Proposed Spaces: 57
  - Provided Spaces: 57

**ZONE DEPARTMENT**
- Zoning: RS-3

**TOTAL SITE DATA**
- Required on-site: 287 spaces
- Required provided: 287 spaces
- Provided on-site: 287 spaces
- Provided off-street: 57 spaces
- Provided total: 344 spaces

**EXISTING CONDITIONS**

1" = 60'

Scale: 1" = 60'

NORTH
BOA-23399

Subject Tract

19-13 04

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

Aerial Photo Date: 2020/2021

12.31