AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, February 14, 2023, 1:00 P.M.

Meeting No. 1310

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

Email: esubmit@incog.org
Mail or In Person: City of Tulsa BOA c/o INCOG, 2 W. 2nd St., Suite 800 Tulsa 74103

INTRODUCTION AND NOTICE TO THE PUBLIC

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

1. Approval of Minutes of January 10, 2023 (Meeting No. 1308)

NEW APPLICATIONS

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

2. 23488 - Heather Thomas

   Action Requested:
   Special Exception to permit a Day Care use in the IM District (Sec.15.020, Table 15-2) Location: 2436 N. Lewis Ave (CD – 1)

3. 23489 - Lucas Daffern

   Action Requested:
   Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3) Location: 2547 E. 26th Pl S (CD – 4)
4. 23490 - Hemphill, LLC, c/o Faulk & Foster

**Action Requested:**
Special Exception to permit a Wireless Communications Facility in the AG District to allow a freestanding monopole tower (Sec. 25.020-B, Table 25-1); Special Exception to reduce the required setbacks of 110% the height of the tower from adjoining Office and Agricultural Zoned Lots (Sec. 40.420-E. 6.a) **Location:** 2525 S. Garnett Rd. (CD – 6)

5. 23491 - Phyllis Bedford

**Action Requested:**
Special Exception to permit duplexes in the RS-4 district (Table 5.020, Table 5-2, Table 5-2.5). Request is to allow up to 4 duplexes. **Location:** South of E. Woodrow Pl. between N. Midland Pl. and N. Lansing Ave. (CD – 1)

6. 23492 - Claude Neon Federal Signs

**Action Requested:**
Special Exception to permit a monument sign in the right-of-way/ planned right-of-way (Section 60.020-E) **Location:** 3720 E. 31st St. S. (CD – 9)

7. 23493 - AMAX Sign Company

**Action Requested:**
Variance to increase the permitted size for a wall sign serving a non-residential use in a Residential District (Sec. 60.050-B.2.a) **Location:** 3001 N. Martin Luther King Boulevard (CD – 1)

8. 23494 - Jim McClellan Residence

**Action Requested:**
Special Exception to allow an Accessory Dwelling Unit in an AG District (45.031-D); Variance to reduce the 10-foot setback for an Accessory Dwelling Unit from the principal house; and Variance of the requirement that the exterior finish materials and roof pitch match of the Accessory Dwelling Unit match those of the principal house (Sec. 45.031-D) **Location:** 9010 S. 28th W. Ave. (CD – 2)

9. 23495 - Lonnie Basse

**Action Requested:**
Special Exception to modify the conditions of the previously approved case BOA-21563 and extend the 10-year time limit an additional 10-years and amend the approved site plan for a temporary Seasonal Sales Use (Pumpkin Patch) originally approval expires on 5/14/2023 (Sec. 50.020-D); Variance of the parking design standards to allow the use of gravel parking lot (Sec. 55.090) **Location:** 5950 S. Garnett (CD – 7)
10.23496 - Phillip Doyle

**Action Requested:**
Special Exception to allow an Accessory Dwelling Unit in the RS-4 District (45.031-D); Variance to allow the floor area of Detached Accessory Buildings/Dwelling Units to exceed 750 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A, 45.031-D.6) **Location:** 2915 E. 45th Pl. (CD – 9)

11.23497 - Chyla Gibbs

**Action Requested:**
Special Exception to permit a Day Care Use in the RS-2 District (Table 5.020, Table 5-2); Variance to reduce the 12,000 square-foot minimum lot size; and 100-foot minimum lot width for Special Exception uses in the RS-2 District (Sec. 5.030-A, Table 5-3); Variance to reduce the 25-foot setback for non-residential Special Exception uses from R-zoned lots (Sec. 5.030-B, Table note [4]) **Location:** 4905 E. 4th Pl. (CD – 3)

**OTHER BUSINESS**

12. **Review** and approval of changes to the City of Tulsa Board of Adjustment Policies and Procedure.

**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.
OTHER BUSINESS

Review and approval of changes to the City of Tulsa Board of Adjustment Policies and Procedure.

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

Website: tulsaplanning.org  E-mail: esubmit@incog.org
CD = Council District
<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austin Chapman</td>
<td>Applicant: Heather Thomas</td>
</tr>
<tr>
<td></td>
<td>Property Owner: Ampco Electric, INC</td>
</tr>
</tbody>
</table>

**Action Requested:** Special Exception to permit a Day Care use in the IM District (Sec.15.020, Table 15-2)

**Location Map:**

**Additional Information:**
- Present Use: Vacant
- Tract Size: 0.1 acres
- Location: 2436 N. Lewis Ave.
- Present Zoning: IM
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021
HEARING DATE: 02/14/2023 1:00 PM

APPLICANT: Heather Thomas

ACTION REQUESTED: Special Exception to permit a Day Care use in the IM District (Sec.15.020, Table 15-2)

LOCATION: 2436 N. Lewis Ave.

PRESENT USE: Vacant

ZONED: IM

TRACT SIZE: 4160 SQ FT

LEGAL DESCRIPTION: PRT NE NE BEG 824.54S NEC NE NE TH W116.69 SW76.81 E177.52 N46.08 POB LESS E16.5 FOR RD SEC 30 20 13 .13AC, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

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

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.

STAFF ANALYSIS: The applicant is requesting a Special Exception to permit a Day Care use in the IM District (Sec.15.020, Table 15-2).

There are no relevant supplemental regulations for this use in this zoning district. The applicant has provided a survey of the current conditions of the property without showing any proposed improvements on the property.
SAMPLE MOTION:

Move to ______ (approve/deny) a Special Exception to permit a Day Care use in the IM 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

2.6
ZCO-137288-2022 (2436 N LEWIS AVE E Tulsa, OK 74110)
ALTANSPS LAND_v1.pdf Markup Summary #1

Subject: Note
Page Label: 1
Status: 
Author: danabox
Date: 1/5/2023 3:17:08 PM
Color: 

Sec.15.020 Table 15-2: The proposed Day Care is designated a Public, Civic or Institutional/Day Care Use and is located in an IM zoned district. This will require a Special Exception approved by the BOA. Review comment: Submit an approved BOA Special Exception, reviewed and approved per Sec.70.120, to allow a Public, Civic or Institutional/Day Care Use in an IM zoned district. Contact INCOG at 918-584-7526 for further instructions and next steps.

2 W 2nd St
Suite 800
**Case Number:** BOA-23489  
**Hearing Date:** 02/14/2023 1:00 PM

### Case Report Prepared by:
Austin Chapman

### Owner and Applicant Information:
- **Applicant:** Lucas Daffern  
- **Property Owner:** JHA 2547 LLC

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

### Location Map:

![Location Map](image)

### Additional Information:
- **Present Use:** Residential  
- **Tract Size:** 0.7 acres  
- **Location:** 2547 E. 26 Pl. S.  
- **Present Zoning:** RS-2
BOA-23489

Subject Tract

19-13 17

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

Aerial Photo Date: 2020/2021
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9317
CD: 4

HEARING DATE: 02/14/2023 1:00 PM

APPLICANT: Lucas Daffern

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


PRESENT USE: Residential  TRACT SIZE: 30636.13 SQ FT

LEGAL DESCRIPTION: PRT LTS 5 & 6 BEG 14.06W SECR LT 6 TH NELY196.88 E14.06 SWLY17 E155 SWLY179.80 W169.06 POB BLK 1, WOODY-CREST SUB CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

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.

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

<table>
<thead>
<tr>
<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>
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<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>
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<td>Driveway Within Street Setback (feet)</td>
<td>30'</td>
<td>30'</td>
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[1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.
[2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.

The applicant has shown a site plan with a circle drive and two curb-cuts totaling 34-feet.

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

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

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
APPLICATION NO: ROWSR 124896 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 2547 E 26th PI S
Description: Driveway Expansion

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
(TMARC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT
2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

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

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

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

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

55.090-F3 Surfacing. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120. Maximum Driveway Width allowed in the Right Of Way (ROW) is 27' and 30' outside of ROW.

Review Comments: The submitted site plan proposes expanding the width of one entrance to the circle drive. Two approaches with a combined width of more than 27' wide in ROW which exceeds the maximum allowable driveway width within the ROW. Revise plans to indicate the combined driveway widths shall not exceed the maximum allowable widths or apply to the BOA for a special exception for the proposed combined driveway widths within the ROW.
NOTES:
1. CONTRACTOR SHALL INSTALL AND MAINTAIN ALL BARRIERS FOR EROSION CONTROL FOR THE DURATION OF THE PROJECT.
2. ALL GRADES ADJACENT TO THE STRUCTURE SHALL HAVE A MINIMUMSLOPE AWAY FROM THE STRUCTURE OF 6" PER 10'-0".
3. ALL GUTTERS, DOWNSPOUTS, AND SURFACE DRAINS SHALL TIGHTLINE TO STORM DRAIN SYSTEMS. ALL DRAINING ONTO DECK AND/OR PATIOS SHALL BE DIRECTED TO SUB-SURFACE SYSTEMS.
4. NEW CONSTRUCTION SHALL NOT CAUSE ANY ADDITIONAL RUNOFF ONTO ADJACENT PROPERTIES.
5. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS.
6. CONTRACTOR SHALL COORDINATE WITH OWNER ON PRESERVATION OR REMOVAL OF ANY AND ALL EXISTING TREES AND LANDSCAPING MATERIALS.
7. EXACT LOCATION OF HOUSE IS APPROXIMATE. CONTRACTOR SHALL VERIFY EXACT COORDINATES WITH OWNER.
8. CENTERLINE AND EDGE OF ROAD FOR CURB CUTS TO BE FIELD VERIFIED.

LEGAL DESCRIPTION:
THE WEST ONE HUNDRED FIFTY-FIVE (155) FEET OF LOT FIVE (5) LESS THE NORTH ONE HUNDRED FORTY-FIVE (145) FEET THEREOF AND PART OF LOT SIX (6), BLOCK ONE (1), WOODY CREST ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 628.

STREET ADDRESS:
2547 EAST 26TH PLACE SOUTH
TULSA, OK 74114-4303
| **Case Number:** BOA-23490  
**Hearing Date:** 02/14/2023 1:00 PM |
|---|
| **Case Report Prepared by:**  
Austin Chapman |
| **Owner and Applicant Information:**  
**Applicant:** Hemphill, LLC, by Faulk and Foster  
**Property Owner:** Christview Christian Church |
| **Action Requested:** Special Exception to permit a Wireless Communications Facility in the AG District to allow a freestanding monopole tower (Sec. 25.020-B, Table 25-1); Special Exception to reduce the required setbacks of 110% the height of the tower from adjoining Office and Agricultural Zoned Lots (Sec. 40.420-E. 6.a) |
| **Location Map:**  
[Location Map Image] |
| **Additional Information:**  
**Present Use:** Church  
**Tract Size:** 5.08 acres  
**Location:** 2525 S. Garnett Rd.  
**Present Zoning:** AG |
Note: Graphic overlays may not precisely align with physical features on the ground.
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9417  Case Number: B0A-23490
CD: 6

HEARING DATE: 02/14/2023 1:00 PM

APPLICANT: Hemphill, LLC, by Faulk and Foster

ACTION REQUESTED: Special Exception to permit a Wireless Communications Facility in the AG District to allow a freestanding monopole tower (Sec. 25.020-B, Table 25-1); Special Exception to reduce the required setbacks of 110% the height of the tower from adjoining Office and Agricultural Zoned Lots (Sec. 40.420-E. 6.a)

LOCATION: 2525 S. Garnett Rd.  ZONED: AG

PRESENT USE: Church  TRACT SIZE: 221429.45 SQ FT

LEGAL DESCRIPTION: N363 OF S726 OF W/2 NW LESS E660 THEREOF & W50 FOR ST SEC 17 19 14 5.084ACS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:
Subject Property:

BOA-8455: On 1.23.75 the Board approved an Exception to use the property for a church.

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.

STAFF ANALYSIS: The applicant is requesting Special Exception to permit a Wireless Communications Facility in the AG District to allow a freestanding monopole tower (Sec. 25.020-B, Table 25-1); Special Exception to reduce the required setbacks of 110% the height of the tower from adjoining Office and Agricultural Zoned Lots (Sec. 40.420-E. 6.a)
6. The following setback requirements apply to all towers unless otherwise expressly approved by the board of adjustment as part of the special exception approval:

a. Towers must be set back a distance equal to at least 110% of the height of the tower from any adjoining lot line of an R-, O-, AG-, or AG-R-zoned lot, excluding R-zoned expressway rights-of-way.

b. Accessory buildings are subject to applicable zoning district building setback requirements.

Figure 40-14: Tower Setback from R, O, AG, or AG-R districts

In granting a Special Exception for any tower the Board must take the following items into consideration per sec. 40.420-F:

40.420-F Antennas and Towers Requiring Special Exception Approval

1. Applicability
   The regulations of this subsection (40.420-F) apply to all antennas and towers that require special exception approval.

2. Factors to be Considered
   a. In addition to any other applicable requirements, the following factors must be considered in a decision to approve or deny special exception approval for a tower:
      
      (1) Height of the proposed tower;
The applicant has provided detailed responses describing their requested relief and how the relief is in compliance with sec. 40.420-F.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Special Exception to permit a Wireless Communications Facility in the AG District to allow a freestanding monopole tower (Sec. 25.020-B, Table 25-1); and a Special Exception to reduce the required setbacks of 110% the height of the tower from adjoining Office and Agricultural Zoned Lots (Sec. 40.420-E. 6.a)

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.
- Subject to the following conditions (including time limitation, if any): _________________
- Suggested Condition: Relief is not granted for any non-conforming improvements that currently exist on the property.

The applicant has provided detailed responses describing their requested relief and how the relief is in compliance with sec. 40.420-F.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Special Exception to permit a Wireless Communications Facility in the AG District to allow a freestanding monopole tower (Sec. 25.020-B, Table 25-1); and a Special Exception to reduce the required setbacks of 110% the height of the tower from adjoining Office and Agricultural Zoned Lots (Sec. 40.420-E. 6.a)

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.
- Subject to the following conditions (including time limitation, if any): _________________
- Suggested Condition: Relief is not granted for any non-conforming improvements that currently exist on the property.

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 also finds that the following factor have been taken into account in this decision:

1. Height of the proposed tower;
2. Proximity of the tower to residential structures, residential district boundaries and existing towers;
3. Nature of uses on adjacent and nearby properties;
4. Surrounding topography;
5. Surrounding tree coverage and foliage;
6. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
7. The total number and size of antennas proposed and the ability of the proposed tower to accommodate co-location;
8. Architectural design of utility buildings and accessory structures to blend with the surrounding environment;
9. Proposed ingress and egress;
10. The need for a tower within the immediate geographic area to provide an acceptable level of communications service to the area.
11. The size of the tract and the most likely future development as indicated by the comprehensive plan, planned infrastructure, topography and other physical considerations.

Subject property
Section 25.020 Table 25-1: The proposed monopole tower is considered a Public, Civic, and Institutional/Wireless Communication Facility/Freestanding Tower Use and is located within an AG zoned district. This use required a Special Exception approved by the BOA.

Review Comment: Submit an approved BOA Special Exception to allow a Public, Civic, and Institution/Wireless Communication Facility/Freestanding Tower use within an AG zoned district.

40.420-E.6(a): Towers must be set back a distance equal to at least 110% of the height of the tower from any adjoining lot line of an R-, O-, AG-, or AG-R- zoned lot, excluding R-zoned expressway rights-of-way.

Review Comment: The proposed 100' tower would be required to be at least 110' (110% of tower height) away from the lot lines of the adjoining AG lots. Please provide plans indicating the tower is at least 110' from the lot lines OR provide BOA approval to adjust the requirement to allow the tower in the proposed location.
DESCRIPTION OF SPECIAL EXCEPTIONS REQUESTED

Applicant: Hemphill, LLC
Property Owner: Christview Christian Church
Project: 100’ monopole wireless communications tower with 4’ lightning rod. The tower will accommodate Verizon Wireless at a 190’ centerline and other future carriers at lower levels.
Hemphill Site Name: 1745 North Meadows
Assessor Account: R99417941716860 (5.08 acres)
Parcel ID: 99417-94-17-16860
Parcel Address: 2525 S Garnett Rd E, Tulsa, OK 74129
Zoning District: AG Agricultural
Letter of Deficiency (Corrections Summary): BLDC-131119-2022 (Issued by Jeffrey Bush on 10/26/22)

I. Special Exception to Allow a Freestanding Monopole Tower Within an AG Zoned District

Per Tulsa Zoning Code Section 25.020, Table 25-1, a freestanding wireless communication facility is only allowed in the AG Agricultural zoning district with Special Exception approval by the Board of Adjustment. In this case the proposed tower is sorely needed, there are no alternatives, and the selected location avoids any significant impact and meets the criteria for granting a Special Exception.

A. Need for Site

RF coverage plots from Verizon RF Engineer Radu Moisa are provided as Exhibit A. The first page shows Verizon Wireless coverage without the proposed site. The second page shows proposed coverage with this site on air. Areas of coverage are shown in green.

Page one has been labeled to show how current coverage is insufficient for residential neighborhoods to the west, south, east, and northeast of the proposed site and for Disney Elementary School and Martin Library. As shown on page two, these coverage gaps are filled by the proposed tower.

In addition to serving residents and travelers on neighborhood streets, the site will support communication and data needs for home businesses and remote learning, school students and parents, and library patrons. From a public safety standpoint, most 911 calls come from cell phones and so good service is essential to quick response to accidents, fires, floods, crimes, health events, and natural disasters. Good data service supports amber alerts and weather alerts and allows monitoring of weather radar and access to other critical information in emergencies.

B. Lack of Alternatives

There are no existing towers in the area needing service identified in Exhibit A. There are no zoning districts in this area where a tower would be permitted as-of-right. A new tower requiring Special Exception approval is unavoidable.

The necessary site placement to address the coverage hole is in the middle of a dense single-family residential neighborhood so options are extremely limited. Fortunately, there is an AG zoned hole in this donut of residential construction that allows placement of the site away from homes. Within this donut hole are the selected Christview Christian Church parcel as well as adjacent library and park parcels which form an island of AG zoned property with RS-3 on three sides and RM-1 to the north. Please see Exhibit B for an aerial view of this area.
In considering these AG zoned parcels, Hemphill, LLC reached out to the Heather Daley at the Tulsa City-County Library Commission and Anna America, Director of Tulsa’s Parks, Culture and Recreation Department. However, there was no interest in a location on the Martin Regional Library or McCullough Park parcels. Ms. America also advised that current city policy prohibits leasing park land for commercial purposes. Furthermore, based on her consultation with the city’s legal department, she advised that a change in this policy was unlikely, particularly in light the 2021 Oklahoma Supreme Court decision in the case of *Immel et al v. Tulsa Public Facilities Authority and the City of Tulsa* that park land is held in a public trust for the people and could not be privately developed unless abandoned or unfit for use as a public park.

This leaves only the Christview Christian Church parcel as a viable option to meet the need.

**C. No Significant Impact**

The proposed monopole location avoids any significant impact on residences. Placement of the site in the southeast corner of the parcel behind the church maximizes the distance from public streets (South Garnett Road to the west and East 25th Street to the north). It also maximizes the distance from the single family residential on the west side of Garnett Road and is buffered from residential development to the northwest by church buildings in the other directions by library and city park property.

With the height limited to a modest 100’, no aviation obstruction lighting required so the site will have no visual impact at night. Because the placement in the southeast corner maximizes the distance from homes, the site will have no significant visual impact during the day either. Also, in the three directions where there is single family residential there are utility poles and overhead lines in the immediate foreground of any view toward the proposed location (in addition to the tree cover on those yards):

- Utility poles and overhead lines along both sides of Garnett Road
- Utility poles and overhead lines along the south boundary of library and park parcels adjacent to the back yards of homes along E 27ths Street to the south
- Utility poles and overhead lines adjacent to the back yards of homes north of Disney Elementary

These are shown as light blue lines on Exhibit B.

**D. Special Exception Factors**

Section 40.420-F.2.a contains a list of specific factors to be considered in approving a Special Exception. These are addressed as follows:

1. Height of the proposed tower;

   **The tower height is limited to 100’. That height allows service objectives to be met and can accommodate Verizon Wireless plus three additional future providers as depicted on sheet C3-1 of the drawings provided. The 100’ height also avoids the need for obstruction lighting for aviation so the monopole can remain completely dark and invisible at night.**

2. Proximity of the tower to residential structures, residential district boundaries and existing towers;

   **As described above, this is the only AG zoned parcel available in this area surrounded by RS-3 on three sides and RM-1 to the north. Selection of this parcel and placement in the southeast corner of the parcel avoids residences as shown in Exhibit B. There are no existing towers in this donut hole of AG within residential where the coverage is needed as depicted on page 1 of Exhibit A.**

3. Nature of uses on adjacent and nearby properties;

   **The church parcel on which the tower will be placed is buffered by city park property to the north, east, and south and by library property to the southwest. Public use on these parcels is not concentrated in the area of the proposed monopole. This location was selected to avoid any negative impacts on adjacent uses.**
Surrounding topography;

The topography is level which allows good signal propagation in all directions to Disney Elementary, Martin Library and the surrounding streets and residential neighborhoods to address the coverage needs as depicted in Exhibit A.

Surrounding tree coverage and foliage;

The area is mostly open but there are some trees that, along with the church buildings, will help screen the site from public view from the road. Use of the existing parking lot footprint also avoids any destruction of existing greenspace. Homes in the distance also have trees in their own yards as well as foreground utility line views that mitigate any daytime view of a single 100’ pole in the distance.

Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;

The monopole design has the smallest footprint of any tower design and is less visually impactful than a guyed or lattice self-support tower. Vinyl privacy slats will be placed in the chain link fence enclosing the compound to screen and view of ground equipment. The distance from residences, the placement behind church buildings, and buffering by city park and library parcels all mitigate any potential for visual impact (the impact from utility poles and overhead lines in the foreground will be greater). Also, the 100’ tower height avoids any tower lighting requirement so the pole will not be visible at night.

The total number and size of antennas proposed and the ability of the proposed tower to accommodate co-location;

The monopole will be designed to accommodate Verizon Wireless at an antenna centerline of 96’ above ground level and at least three additional carriers at antenna centerlines of 86’, 76’, and 66’. Maximum antenna panel size is generally 8’. Actual size and number of antennas will vary depending upon each carrier’s objective.

Architectural design of utility buildings and accessory structures to blend with the surrounding environment;

No utility buildings are proposed. Supporting equipment for Verizon Wireless and other future providers will be in outdoor equipment cabinets. Vinyl privacy slats will be inserted into the chain link fencing around the compound to hide any view of the equipment.

Proposed ingress and egress;

Ingress and egress uses the existing church driveway and parking area. No undisturbed land will be affected and no new impervious surface will be created.

The need for a tower within the immediate geographic area to provide an acceptable level of communications service to the area;

On the first page of Exhibit A, areas with current coverage are shown in green. Disney Elementary and Martin Library as well as the residential areas around the proposed site do not currently have an acceptable level of service. There are no towers in the area needing service. The proposed location is on the only available parcel in the AG zoned area surrounded by residential RS-3 zoning on three sides and RM-1 to the north.

The size of the tract and the most likely future development as indicated by the comprehensive plan, planned infrastructure, topography and other physical considerations.

The church parcel is fully developed with the church buildings and parking lot. The chosen location is behind the buildings in the southeast corner away from public streets and residences. Using the corner of the parking lot minimizes loss of parking spaces and disruption to traffic circulation. The adjacent city park and library parcels are open with no structures in the immediate vicinity. The adjacent land will remain open for outdoor uses and there will not ever be any homes adjacent to the
site. This is a rare opportunity where a site is needed in the middle of a residential area but is able to be placed in a location that does not impact any homes.

II. Special Exception from 110% Tower Height Setback Requirement from City Owned AG Zoned Parcels to South and East

Per Tulsa Zoning Code Section 40.420-E.6(a) towers must be set back a distance equal to at least 110% of the height of the tower from the lot line of adjoining R-, O-, AG-, or AG-R zoned property. For a 100 foot tower, the required setback would be 110 feet. The distances from property lines for this proposed tower location as shown on sheet C1-3 of the drawings provided are:

- North: 339'-10"
- West: 576'7"
- South: 23'-2"
- East: 32'-3"

In this case, setback requirements to the north and west are met, but Special Exception approval is needed to modify the setback requirement to allow the 23'-2" and 32'-3" setbacks to the city owned AG zoned parcels to the south and east.

A. Maximizes Distance from Roads and Residences

Modification of the setbacks to the south and east allows tower placement that maximizes the distance of the site from Garnett Road to the west and East 25th Street to the north. It also maximizes the distance from the single-family residences west of Garnett Road and uses the existing church buildings as a buffer.

B. Minimizes Impact on Parking and Circulation

Tower placement in the southeast corner of the parcel also minimizes impact on parking and traffic circulation. As depicted on sheet C1-4 of the drawings provided, the site compound will take up 5 existing parking spaces and moving the existing traffic flow lane westward will take 8 spaces but removal of an unused fenced church bus area will add 5 new parking spaces so the net impact is a loss of only 8 parking spaces. This proposed configuration will meet all city parking requirements.

C. No Disruption of Drainage or Utility Easements

The project will occur entirely within the current parking lot footprint. There will be no change in impervious surface. This location also stays away from storm sewer, underground right-of-way, and utility easements on the parcel.

D. No Impact on Adjacent Parcels

Granting a Special Exception modifying setbacks to the south and east will not negatively impact the adjoining AG zoned parcels. There are no structures or planned development adjacent to the proposed tower location. It is not an area of heavy public use. As city owned park and library property, the adjacent land will not ever be residentially developed in the future.

Conclusion

These Special Exception requests are in harmony with the spirit and intent of the zoning code and would not be injurious to the neighborhood or otherwise detrimental to public welfare. The site will serve neighborhood residences as well as the school and library while maintaining distance from residential...
uses. Positioning the site in the southeast corner of the parcel uses a portion of the existing parking lot footprint that avoids parking, drainage, or utility disruption and maximizes distances to roads and residences.

Applicant Hemphill, LLC respectfully seeks Special Exception approval to allow a freestanding monopole tower within an AG zoned district and to allow a south setback of 23’-2” and an east setback of 32’-3”.

Ralph Wyngaard
Faulk & Foster, by Ralph Wyngaard, for Applicant Hemphill, LLC

Date: 1/9/2023
General area of coverage

“As is” coverage / in building coverage
General area of coverage

Added coverage with North Meadows site / in building coverage
NORTH MEADOWS
SITE: 1745

100' MONOPOLE TOWER
FOR MULTIPLE WIRELESS CARRIERS

BEFORE YOU DIG, CALL OKLAHOMA LINE LOCATION FOR LOCATION OF UNDERGROUND UTILITIES. CALL 811

STS (SPECIALTY TELECOMMUNICATIONS CONSULTANTS, LLC)
13431 BROADWAY EXT., SUITE 120.
OKLAHOMA CITY, OK 73114
405-753-7167

PROJECT DATA
SITE NUMBER 1745
SITE NAME NORTH MEADOWS
SITE ADDRESS 2537 S GARNETT RD E CELL TOWER TULSA OK 74129
COUNTY TULSA
ZONING CLASS
POWER COMPANY PSO
CONTACT NAME
TELEPHONE 888-776-1368
TELCO COMPANY ATT
CONTACT NAME
TELEPHONE
PROPERTY OWNER CHRISTVIEW CHRISTIAN CHURCH
TELEPHONE 918-663-6533
HEMPHILL CONTACT JOHN HEMPHILL
TELEPHONE 918-605-5639
SURVEY CONTACT POINT TO POINT LAND SURVEYORS
TELEPHONE 678-565-4440

2C COORDINATES
LAT 36° 07' 38.19"
LONG -95° 50' 56.35"
SURVEY AND 2C PROVIDED BY POINT TO POINT LAND SURVEYORS AND INCLUDED IN THIS SET OF DRAWINGS FOR REFERENCE ONLY.

ENGINEER OF RECORD

DIRECTIONS
DRIVING FROM HEMPILL HQ, HEAD SOUTH ON N LOUISVILLE AVE TOWARD E NEWTON ST, IN 315 FT. TURN RIGHT ONTO E NEWTON ST, IN 0.3 MI. TURN LEFT ONTO N HARVARD AVE, IN 0.8 MI. CONTINUE ONTO N HARVARD AVE, IN 0.2 MI. TURN LEFT TO MERGE ONTO I-244 E/US-412 E, IN 0.2 MI. MERGE ONTO I-244 E/US-412 E, IN 4.0 MI. TAKE EXIT 13B TO MERGE ONTO US-169 S, IN 2.2 MI. TAKE THE EXIT TOWARD 21 ST ST, IN 482 FT. KEEP LEFT AT THE FORK, FOLLOW SIGNS FOR UNIV OF PHOENIX, IN 164 FT. TURN LEFT ONTO E 21 ST ST, IN 0.5 MI. TURN RIGHT ONTO S GARNETT RD, IN 0.4 MI. TURN LEFT, IN 0.1 MI. SITE AND ACCESS WILL BE ON THE RIGHT.

PROJECT NOTES
HEMPHILL TOWER SITE DEVELOPMENT SPECIFICATIONS SUPPLEMENT THE CONSTRUCTION DRAWINGS. FACILITY IS NOT STAFFED AND NORMALLY NOT OCCUPIED.
CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE CONSTRUCTION MANAGER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR THE SAME

CONSULTING ENGINEER

STANDARD TOPOGRAPHIC SURVEY INDEX

DRAWING INDEX
SHEET SHEET TITLE REV
TS TITLE SHEET 0
C1-1 SITE SURVEY 0
C1-2 SITE SURVEY 0
C1-3 ZONING OVERVIEW 0
C1-4 OVERALL SITE PLAN 0
C2-1 COMPOND LAYOUT 0
C3-1 TOWER ELEVATION 0
C3-2 GROUND EQUIPMENT DETAILS 0
C3-3 TRENCHING DETAILS 0
C4-1 ROADWAY AND COMPOUND DETAILS 0
C4-2 COMPOUND FENCE DETAILS 0
E1-1 ELECTRIC, LIGHTING, AND TELCO PLAN 0
E2-1 ELECTRICAL DETAILS 0
E3-1 GROUNDING PLAN 0
E4-1 GROUNDING DETAILS 0
G1-1 GENERAL NOTES 0
G1-2 GENERAL NOTES 0

ONE CALL SYSTEM
BEFORE YOU DIG, CALL OKLAHOMA LINE LOCATION FOR LOCATION OF UNDERGROUND UTILITIES. CALL 811
### Legal Description Sheet

#### Parent Parcel

*Per Office File No. 22285570*

- **SCALE:**
- **REVISION:**
- **SHEET NUMBER:**

The land is described as follows:

1. **Tract located in the West half of the Northeast Quarter in the North half of the Southeast Quarter of Section Nineteen (19), Township Nineteen (19) North, Range Twelve (12) East of the Indian River Meridian, Tulsa County, State of Oklahoma.** According to the United States Government Survey System, more particularly described as follows, to wit: Beginning at a point on the west line of said Section Nineteen (19), Township Nineteen (19) North, Range Twelve (12) East, and running south to the north line of said Section Nineteen (19), thence east to a point 1040.80 feet south of the north line of said Section Nineteen (19), thence south to the west line of said Section Nineteen (19), thence north to the point of beginning.

2. **Revision Date:** 12/20/22

#### Title Exceptions

This survey was completed with the aid of title work prepared by Old Republic Title Company of Oklahoma, completing date of July 28, 2022, as a surveying office file no. 22285570, for the parent parcel, to determine the existence of any title exceptions.

- **Date:** 12/20/22

### Lease Area

This tract of land is located in City of Tulsa, recorded in Book 3441, Page 276.

- **This item is not applicable to the parent parcel, because it is located on an adjacent property.**
- **Exemption in favor of SouthwestBell Telephone Company in Book 4120, Page 966.**
- **This item is applicable to the parent parcel.**
- **Exemption in favor of Public Service Company of Oklahoma in Book 4212, Page 95.**
- **This item is applicable to the parent parcel and is plotted herein.**
- **Storm water easement in favor of the City of Tulsa in Book 6573, Page 56.**
- **This item is applicable to the parent parcel and is plotted herein.**
- **Mortgage dated December 18, 2003, in the original amount of $1,200,000.00, executed by Christy Christian Church, of Tulsa, Oklahoma, mortgagee, in favor of BankFirst Mortgage, recorded January 1, 2004, in Book 7210, Page 1050, and modification recorded October 22, 2013 in Doc. No. 2013109450 and May 2, 2016 in Doc. No. 2016050470.**
- **This item is not a survey-related item.**
- **Financing statement showing Christy Christian Church, as debtor, and BankFirst, as securityholder, filed of record January 2, 2004 in Book 7210, Page 1050 and continuation filed November 28, 2006 in Doc. No. 2006113557 and continuation filed September 27, 2010 in Doc. No. 2010087687 and continuation filed December 10, 2018 in Doc. No. 2018110388.**
- **This item is not a survey-related item.**

### 20' Ingress-Egress & Utility Easement

Together with a 20-foot ingress-egress and utility easement lying 20 feet east of centerline lying and being in Section 17, Township 19 North, Range 12 East, Tulsa County, State of Oklahoma, and being a portion of the land of Christy Christian Church, of Tulsa, Oklahoma, a religious corporation, as recorded in Book 3667, Page 1133, Tulsa County records and being more particularly described by the following centerline data:

- **To find the point of beginning, commence at a 3.80-foot radius with a cap stamped "White CA 199" found on the eastern right-of-way of South Garrett Road, said radius having an Oklahoma Grid North, North, North Zone, value of N 41746.932, E 260718.697, thence running along said right-of-way, North 079’21’67” West, 963.40 feet to a point, thence South 079’21’67” East, 963.40 feet to a point, thence North 079’21’67” East, 963.40 feet to a point, thence South 079’21’67” West, 963.40 feet to a point, thence North 079’21’67” East, 963.40 feet to a point, thence North 079’21’67” West, 963.40 feet to a point, thence North 079’21’67” East, 963.40 feet to a point, thence South 079’21’67” West, 963.40 feet to a point, thence North 079’21’67” East, 963.40 feet to a point and the true point of beginning.**

- **Bearings are based on Oklahoma Grid North, North, North Zone.**

- **Subtract contoured area 2.700 square feet, more or less.**

### Site Survey

- **Surveyor:**
- **Surveyed By:**
- **Survey Date:**
- **Survey Number:**
- **Surveyor:**

---

**NORTH MEADOWS**

**Site No.:**

**Surveyed By:**

**Survey Date:**

**Survey Number:**

**Surveyor:**

---

**EMPHILL**

1306 NORTH LOUISVILLE AVE
TULSA, OK 74115
(918) 634-2258

---

**PROJECT SURVEYED:**

**PROJECT MANAGER:**

**SURVEYOR:**

**DATE:**

**FILE:**

---

**Hemphill Survey Group**

1306 North Louisville Ave
Tulsa, OK 74115
(918) 634-2258

---

**Site Survey**

**Surveyor:**

**Survey Date:**

**Survey Number:**

**Surveyor:**

---

**Scale:**

**N.T.S.**

---

**C1-2**

---

**Surveyor:**

**Survey Date:**

**Survey Number:**

**Surveyor:**

---

**Scale:**

**N.T.S.**

---

**C1-2**
ENTRY - EXIT AND PARKING AREA

CENTER OF PROPOSED TOWER

LEASE AREA

339'-10"
342'-11"
32'-3"
33'-10"
23'-2"

576'-7"

EAST 25TH STREET

SOUTH GARNETT ROAD

SCALE
N.T.S.

ZONING OVERVIEW

4.21

C1-3 0
EXISTING SIDEWALK

CONVERSION OF (2) EXISTING PARKING SPACES INTO (2) TRAFFIC FLOW BUFFERS

EXISTING SIDEWALK
ENTRY - EXIT AND PARKING AREA

REMOVAL OF (7) EXISTING PARKING SPACES AND (2) TRAFFIC FLOW BUFFERS

REMOVAL OF EXISTING CHURCH BUS FENCE

ADDITION OF (5) NEW PARKING SPACES

LEASE AREA
CENTER OF PROPOSED TOWER

ENTRY - EXIT AND PARKING AREA

CHURCH SANCTUARY
(ESTIMATED 7,600 SQ-FT TOTAL AREA)

CHURCH BUS FENCE

LEASE AREA
CENTER OF PROPOSED TOWER
NOTES:
1. ALL COMPONENTS SHOWN ARE NEW CONSTRUCTION
2. PLACEMENT OF VERIZON LEASE AREA, AND HEMPHILL H-FRAME, WITHIN THE COMPOUND IS APPROXIMATE AND MAY VARY DEPENDING ON SITE CONDITIONS AT TIME OF CONSTRUCTION
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF APPROPRIATE EROSION CONTROL MEASURES, INCLUDING SILT FENCES, ON THE DOWN SLOPE SIDES OF ALL SOIL DISTURBING ACTIVITIES. SEE SHEET C4-1 DETAIL 3
THESE DRAWINGS ARE NOT INTENDED TO REFLECT THE STRUCTURAL INTEGRITY OF THE TOWER. THE PROPOSED ANTENNAS AND TRANSMISSION LINES SHOWN ARE REPRESENTATIVE IN NATURE AND DO NOT REFLECT THE ACTUAL CONFIGURATIONS REQUIRED. THE CONTRACTOR SHALL REFER TO THE STRUCTURAL ANALYSIS OF THIS TOWER SITE FOR THE APPROVED LOCATION AND CONFIGURATION OF ALL ANTENNAS AND TRANSMISSION LINES. ALL ANTENNAS MUST BE MOUNTED AND THE TRANSMISSION LINES CONFIGURED IN STRICT ACCORDANCE WITH THE STRUCTURAL ANALYSIS.

100'-0" TOP OF TOWER

4'-0" LIGHTNING ROD

VERIZON ANTENNAS AT 96'-0" RAD CENTER ELEVATION

FUTURE CARRIER ANTENNAS AT 86'-0" RAD CENTER ELEVATION

FUTURE CARRIER ANTENNAS AT 76'-0" RAD CENTER ELEVATION

FUTURE CARRIER ANTENNAS AT 66'-0" RAD CENTER ELEVATION

MICROWAVE DISH(ES) AT 50'-0" RAD CENTER ELEVATION

100' MONOPOLE TOWER

COMPOUND FENCE SEE SHEET C6-1

104'-0" TOTAL HEIGHT WITH APPURTENANCES

4.24
POSTS TO BE SPACED MINIMUM 4'-0" O.C. AND MAXIMUM 10'-0" O.C.

2'-0" MINIMUM

24" UNIVERSAL CANTILEVER WELDMENT

24" WIDE GRIP STRUT

SINGLE STACK, 24" ANGLE-BRACKET TRAPEZE KIT

CABLE ROUTE

3-1/2" Ø O.D. GALV. PIPE

NORTH MEADOWS
2537 S GARNETT RD E
N.T.S.

405-753-7167

POSTS TO BE SPACED MINIMUM 4'-0" O.C. AND MAXIMUM 10'-0" O.C.

24" UNIVERSAL CANTILEVER WELDMENT

24" WIDE GRIP STRUT

SINGLE STACK, 24" ANGLE-BRACKET TRAPEZE KIT

CABLE ROUTE

3-1/2" Ø O.D. GALV. PIPE

NORTH MEADOWS
2537 S GARNETT RD E
N.T.S.
FIBER TRENCH DETAIL
SCALE: N.T.S.

ELECTRICAL TRENCH DETAIL
SCALE: R.T.S.

DUAL TRENCH DETAIL
SCALE: R.T.S.

RESTORE SURFACE MATERIAL TO ORIGINAL CONDITION AFTER INSTALLATION OF UTILITIES.
GRADE SURFACE TO LEVEL.
UNDISTURBED SOIL.

BACKFILL EARTH TO 90% RELATIVE COMPACTION PER ASTM D1557.
UTILITY WARNING TAPE ENTIRE LENGTH OF CONDUIT RUN.
BACKFILL (SAND OR NATIVE SOIL WITH SAND EQUIVALENT GREATER THAN 30) COMPACT TO 90% RELATIVE COMPACTION PER ASTM D1557.
2" Ø FIBER CONDUIT WHERE APPLICABLE (OR PVC SIZING AS REQUIRED PER CABLE SIZE).

3" PVC SCH 40 ELECTRICAL CONDUIT WHERE APPLICABLE (OR PVC SIZING AS REQUIRED PER POWER PROVIDER DESIGN).

BACKFILL (SAND OR NATIVE SOIL WITH SAND EQUIVALENT GREATER THAN 30) COMPACT TO 90% RELATIVE COMPACTION PER ASTM D1557.
UTILITY WARNING TAPE ENTIRE LENGTH OF CONDUIT RUN.
BACKFILL (SAND OR NATIVE SOIL WITH SAND EQUIVALENT GREATER THAN 30) COMPACT TO 90% RELATIVE COMPACTION PER ASTM D1557.
3" PVC SCH 40 ELECTRICAL CONDUIT WHERE APPLICABLE (OR PVC SIZING AS REQUIRED PER POWER PROVIDER DESIGN).

RESTORE SURFACE MATERIAL TO ORIGINAL CONDITION AFTER INSTALLATION OF UTILITIES.
GRADE SURFACE TO LEVEL.
UNDISTURBED SOIL.

BACKFILL EARTH TO 90% RELATIVE COMPACTION PER ASTM D1557.
UTILITY WARNING TAPE ENTIRE LENGTH OF CONDUIT RUN.
BACKFILL (SAND OR NATIVE SOIL WITH SAND EQUIVALENT GREATER THAN 30) COMPACT TO 90% RELATIVE COMPACTION PER ASTM D1557.
2" Ø FIBER CONDUIT WHERE APPLICABLE (OR PVC SIZING AS REQUIRED PER CABLE SIZE).

3" PVC SCH 40 ELECTRICAL CONDUIT WHERE APPLICABLE (OR PVC SIZING AS REQUIRED PER POWER PROVIDER DESIGN).
**CONSTRUCTION SEQUENCE**

1. INSTALLATION OF SILT FENCE - PRIOR TO ANY EARTH MOVING OPERATIONS, AS REQUIRED.
2. INSTALLATION OF STABILIZED CONSTRUCTION ENTRANCE.
3. STRIPPING AND STOCK PILING OF TOPSOIL AND ROUGH GRADING. TEMPORARY STABILIZATION WITHIN 15 DAYS.
4. CONSTRUCTION OF UNDERGROUND IMPROVEMENTS.

---

**ENTRANCE DETAIL**

- RIGHT OF WAY
- WOODEN POST WITH SPACING @ 4' MAX
- PLACE PLACE PARALLEL TO CONTOURS
- 30'-0" TURN RADIUS

**COMPONOUP DETAIL**

- 6" BASE MATERIAL COMPACTED TO 95% OF MAX DRY DENSITY PER AASHTO T99
- MIRAFI 500 OR EQUAL
- 5% MAXIMUM CROSS SLOPE

---

**ROADWAY DETAIL**

- 6" COMPACTED (TO 95% PER AASHTO T99) SUBGRADE (WHERE REQUIRED)
- DITCH CENTERLINE
- SLOPE 1/4" PER FT.
NOTES:
1. REFER TO SHEETS G1-1 AND G1-2 FOR ADDITIONAL INFORMATION
2. ALL PIPE DIMENSIONS ARE INTERIOR DIAMETER

VINYL PRIVACY SLATS INSERTED INTO CHAIN LINK
3 STRANDS OF 12 GAUGE GALV. BARBED WIRE
9 GA 2"x2" FENCE FABRIC
4" STANDARD GAUGE GATE POST WITH CAP
1.5" STANDARD GAUGE PIPE TOP RAIL
2" STANDARD GAUGE INTERMEDIATE POST
TENSION BAND 15" O/C MAX
4" MAX FROM BTM. OF FABRIC
3" STANDARD GAUGE CORNER AND END POST
TENSION BAND
1.5" STANDARD GAUGE PIPE
8" STEEL TRUSS
7 GA GALVANIZED TENSION WIRE
ALL FENCE POST FOOTINGS SHALL BE A MINIMUM OF 3,000 PSI COMpressive STRENGTH AT 28 DAYS

SEE MUSHROOM STOP DETAIL
CONCRETE
METAL MUSHROOM STOP INSTALL WITH SLOT
FINISH GRADE PARALLEL WITH CLOSED GATE

MUSHROOM STOP DETAIL
FINISH GRADE

ELEVATION VIEW
SCALE: N.T.S.
NOTES:

1. FOR ADDITIONAL INFORMATION REFERENCE C2-1
2. COMPLETION OF ELECTRICAL SERVICE SHALL BE PERFORMED BY LICENSED ELECTRICAL CONTRACTOR

PROPOSED
100' MONOPOLE TOWER
SEE SHEET C3 FOR ELEVATION DETAILS

PROPOSED
H-FRAME

PROPOSED
6'-0" CHAIN LINK FENCE WITH VINYL PRIVACY SLATS AND 1'-0" BARBED WIRE 58'x43'
NOTES

1. CONTRACTOR SHALL PROVIDE AND INSTALL MODULAR METERING MAIN. 120/240V, 400A, NEMA 3R WITH FOUR METER SOCKETS. METER CENTER SHALL BE FURNISHED WITH 200A METER AND 200A CIRCUIT BREAKER. CIRCUIT BREAKERS SHALL BE COVERED WITH LEXAN METER COVER.

2. SHOULD CLIENT REQUEST A TELCO DEMARCATION BOX, CONTRACTOR SHALL PROVIDE AND INSTALL TELCO DEMARCATION BOX TO INCLUDE 48" X 48" X 12" NEMA 3R ENCLOSURE WITH BACKPLATE AND GFI RECEPTACLE (120V, 5A).

3. TOWER LIGHTING SHALL BE REQUIRED ON ALL TOWERS EXCEEDING 200' IN HEIGHT OR AS OTHERWISE REQUIRED BY FAA.

4. DIMENSIONS SHOWN ARE APPROXIMATE AND MAY BE ALTERED IN THE FIELD TO BETTER SUIT ACTUAL CONDITIONS OR EQUIPMENT RECEIVED.

5. ALL CONDUIT SHALL BE SCH. 40 PVC UNDERGROUND.

6. ALL MATERIALS AND EQUIPMENT SHALL BE NEW AND IN GOOD WORKING CONDITION WHEN INSTALLED AND SHALL BE OF THE BEST GRADE AND BY THE SAME MANUFACTURER THROUGHOUT FOR EACH CLASS OR GROUP OF EQUIPMENT. MATERIALS SHALL MEET WITH APPROVAL OF ALL GOVERNING ENTITIES HAVING JURISDICTION. MATERIALS SHALL BE MANUFACTURED IN ACCORDANCE WITH APPLICABLE STANDARDS AS ESTABLISHED BY ANSI, NEMA, NSFU, AND "UL" LISTED.

7. ALL CONDUIT SHALL HAVE A PULL STRING.

8. THE ENTIRE ELECTRICAL INSTALLATION SHALL BE GROUNDED AS REQUIRED BY IBC, NEC, AND APPLICABLE CODES.

9. UNDERGROUND AND/OR OVERHEAD LINES SHALL BE OF THE SIZE AND MATERIAL NECESSARY TO MEET THE LOCAL CODE REQUIREMENTS.

10. ALL FRAME MEMBERS TO BE 1-5/8" X 1-5/8" P1000 UNISTRUT (EXCEPT FOR LEGS). CONNECT TO LEGS WITH "U" BOLTS.
NOTES:
1. INFORMATION SHOWN IS FOR INFORMATION PURPOSES ONLY. DESIGN OF GROUNDING SYSTEM IS TO BE CONFIRMED BY LYNCOLE PRIOR TO INSTALLATION.
2. REFERENCE LYNCOLE DESIGN FOR INSTALLATION OF GROUNDING.
3. REFERENCE SHEET C2-1 FOR ADDITIONAL INFORMATION.

#2 TINNED AWG GROUND RING WITH 3/4" X 10'-0" COPPER CLAD GROUNDING RODS
SEE SHEET E4-1 DETAILS 1 & 4

RAYCAP GROUND LEAD

BUSBAR GROUND LEADS (2)
1. THE #2 AWG BCW, FROM THE RING GROUND SHALL BE CADWELDED TO THE POST, ABOVE GRADE

2. VERTICAL POST SHALL BE BONDED TO THE RING AT EACH CORNER AND AT EACH GATE POST. AS A MINIMUM, ONE VERTICAL POST SHALL BE BONDED TO THE GROUND RING IN EVERY 100 FEET

3. INSTALLATION OF FLEXIBLE GATE JUMPERS IS REQUIRED FOR ALL COMPOUND ACCESS GATES

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**LEGEND**

1. COPPER GROUND BAR, \(3\frac{3}{4}\times4\times20\), HOLE CENTERS TO MATCH NEMA DOUBLE LUG CONFIGURATION
2. INSULATORS
3. \#10 LOCKWASHERS
4. WALL MOUNTING BRACKET
5. \(3\frac{1}{4}\times1\frac{1}{2}\) H.H.C.S. BOLTS
CONSTRUCTION

GENERAL

General construction, electrical, tower and foundation drawings are interrelated. In performance of the work each contractor must refer to all drawings. Coordination is the responsibility of the general contractor.

SITE WORK

PART 1 - GENERAL

1. Work included: See Site Plan
2. Access road, turnaround areas and sites are constructed to provide a well-drained, easily maintained, even surface for material and equipment deliveries and maintenance personnel access.

3. SEQUENCING

A. Confirm survey stakes and set elevation stakes prior to any construction.
B. Grub the complete road (if applicable) and site area prior to foundation construction or placement of backfill or subbase materials.
C. Construct temporary construction zone along access drive.
D. Bring the site area to subbase course elevation and bring the access road to base course elevation prior to forming foundation.
E. Soil stabilizer shall be Mirafi - 500X or equal.
F. Grade, seed, fertilize and mulch disturbed areas immediately after bringing site and access road to base course elevation.
G. Remove gravel from temporary construction zone to an authorized area or as directed by the owner's representative.

4. SUBMITTALS

A. Before construction:
   i. If landscaping is applicable to contract, submit two copies of the landscape plan under nursery letterhead. If a landscape allowance was included in the contract, provide an itemized listing of proposed costs on nursery letterhead (refer to plans for landscaping requirements).

5. WARRANTY

A. In addition to the warranty on all construction covered in the contract documents, the contractor shall repair all damage and restore area as close to original condition as possible at site and surroundings.
B. Disturbed area will reflect growths of new grass cover prior to final inspection.

PART 2 - PRODUCTS

1. MATERIALS

A. Road and site materials shall conform to DOT specifications fill material - acceptable select fill shall be in accordance with State Department of Highways and Transportation standard specifications and approved by the owner's representative.
B. Soil stabilizer shall be Mirafi - 500X or equal.

PART 3 - EXECUTION

1. INSPECTIONS

Local building inspectors shall be notified no less than 24 hours in advance of concrete pours, unless otherwise specified by jurisdiction.

2. PREPARATION

A. Clear trees, brush and debris from site area and access road right-of-way.
B. Prior to other excavation and construction, grub organic material to a minimum of six (6) inches below grade.
C. Prior to placement of fill or base materials, roll the soil.
D. Where unstable soil conditions are encountered, line the areas with stabilizer mat prior to placement of fill or base material.

3. INSTALLATION

A. The site and turnaround areas shall be at the subbase course elevation prior to forming foundation. Grade or fill the site and access road as required in order that upon distribution of spoils resulting from foundation excavations, the resulting grade will correspond with said subbase course, elevations are to be calculated from finished grades or slopes indicated.
B. Clear excess spoils, if any, from site and do not spread beyond the limits of project area unless authorized by the owner's representative and agreed to by Landowner.
C. Bring the access road to base course elevations prior to use to permit construction and observation during construction of the site.
D. Avoid creating depressions where water may pond.
E. The contract shall include grading, banking and ditching, unless otherwise indicated.
F. When improving an existing access road, grade the existing road to remove any organic matter and smooth the surface before placing fill or stone.
G. Place fill or stone in six inch maximum lifts and compact before placing next lift.
H. The top surface course shall extend a minimum of six inches beyond the site fence and shall cover the area as indicated.
I. Apply top gravel to the slopes of all fenced areas and parking areas and all other slopes greater than 2:1.
J. Apply seed, fertilizer and straw cover to all other disturbed areas, ditches, drainage and swales not otherwise riprapped.
K. Apply seed and fertilizer to surface conditions which will encourage rooting. Rake areas to be seeded to even the surface and loosen the soil.
L. Sow seed in two directions to twice the quantity recommended by the seed producer.
M. Protect seeded areas from erosion by spreading straw to a uniform loose depth of 1 - 2 inches, stake and tie down as required. Use of erosion control mesh or mulch net will be an acceptable alternate.
N. Protect all exposed areas against washouts and soil erosion, place straw bales at the inlet approaches to all new or existing culverts. Where the site or road areas have been elevated immediately adjacent to the rail line, stake erosion control fabric full length in the swale to prevent contamination of the rail ballast.

4. PROTECTION

A. Protect seeded areas from erosion by spreading straw to a uniform loose depth of 1 - 2 inches, stake and tie down as required. Use of erosion control mesh or mulch net will be an acceptable alternate.
B. Protect all exposed areas against washouts and soil erosion, place straw bales at the inlet approaches to all new or existing culverts. Where the site or road areas have been elevated immediately adjacent to the rail line, stake erosion control fabric full length in the swale to prevent contamination of the rail ballast.

5. The required structural fill operation to the grades indicated for PCS equipment shelters shall be performed as follows:
A. The structural fill material shall be placed in lifts not exceeding six inches in loose thickness.
B. Each layer of structural fill material placed shall be compacted to a minimum of 95% of maximum density obtainable by ASTM compaction test designation D-357-67T for cohesive fill or 75% relative as determined by ASTM D-2049-67T for cohesionless fill, whichever is greater.
C. The final grade of structural fill for all footings shall be capable of supporting the design soil bearing pressure load of 3,000 lbs. per square foot minimum.

FENCING AND GATES

PART 1 - GENERAL

1. Work included: See plan for location of fence and gate(s).

2. QUALITY ASSURANCE

All steel materials utilized in conjunction with this specification will be galvanized or stainless steel. Weight of zinc coating of the fabric shall not be less than 12 ounces per square foot of material coated. Posts shall be hot-dipped galvanized.

3. SEQUENCING

If the site has been brought up to surface course elevation prior to the fence construction, fence post excavation spoils must be controlled to preclude contamination of said surface course.

4. SUBMITTALS

A. Manufacturer's descriptive literature.
B. Certificate or statement of compliance with the specifications.

PART 2 - PRODUCTS

1. FENCE MATERIAL

A. All fabric wire, rails, hardware and other steel materials shall be hot-dipped galvanized.
B. Fabric shall be six-foot height two-inch chain link mesh of No. 9 gauge wire. The fabric shall have a knuckled finish for the top selvage. Fabricshall conform to the specifications of ASTM A-392 Class C.
C. Barb wire shall be double-strand, 1-5/2 gauge twisted wire with strand of 1-5/8 inches by 1/2-inch diameter eyebolt to hold tension wire shall be placed at the line posts.
D. All posts except gateposts shall have a combination cap and barbed wire supporting arm. Gateposts shall have a dome cap.
E. Gate hinges shall be Merchants Metal Model 6-4386-hinge adapter with Model 6-409, 188 degree attachment.
F. Gate frame shall have a full height vertical brace and a full width horizontal brace, secured in place by use of gate brace clamps.
G. Gate frame and braces shall be 1-5/8" diameter Schedule 40 mechanical service pipe. Frames shall have welded corners.
H. Gate posts shall be extended 12 inches, including dome cap, to provide for attachment of barbed wire.
I. Gate frames shall be six-foot height two-inch chain link mesh of No. 9 gauge wire. The fabric shall have a knuckled finish for the top selvage. Fabric shall conform to the specifications of ASTM A-392 Class C.
J. Barb wire shall be double-strand, 1-5/2 gauge twisted wire with strand of 1-5/8 inches by 1/2-inch diameter eyebolt to hold tension wire shall be placed at the line posts.
K. Gate hinge shall be 3-inch by 1/2-inch diamond shaped gate hinge with 3/8-inch hole through center of bearing. Gateposts shall have a dome cap.
L. Gate frame shall have a full height vertical brace and a full width horizontal brace, secured in place by use of gate brace clamps.
M. Gate frame and braces shall be 1-5/8" diameter Schedule 40 mechanical service pipe. Frames shall have welded corners.
N. Gate frame shall have a full height vertical brace and a full width horizontal brace, secured in place by use of gate brace clamps.
O. Gate frame shall have a full height vertical brace and a full width horizontal brace, secured in place by use of gate brace clamps.
P. Gate post shall have a combination cap and barbed wire supporting arm. Gateposts shall have a dome cap.
Q. Gate post shall have a combination cap and barbed wire supporting arm. Gateposts shall have a dome cap.
R. Gate frame shall have a full height vertical brace and a full width horizontal brace, secured in place by use of gate brace clamps.
S. Gate frame shall have a full height vertical brace and a full width horizontal brace, secured in place by use of gate brace clamps.
T. Gate frame shall have a full height vertical brace and a full width horizontal brace, secured in place by use of gate brace clamps.
U. Gate frame shall have a full height vertical brace and a full width horizontal brace, secured in place by use of gate brace clamps.
PART 3 - EXECUTION

1. INSPECTION
   To confirm proper depth and diameter of post hole excavations, all post holes will be excavated as per construction documents.

2. INSTALLATION
   A. Foundations shall have a minimum six-inch concrete cover under post.
   B. All fencer posts shall be vertically plumb plus/minus one-quarter inch.
   C. At corner posts, gateposts and sides of gate frame, fabric shall be attached with stretcher and tension band-clips at fifteen inch intervals.
   D. At line posts, fabric shall be attached with band-clips at fifteen inch intervals.  
   E. Fabric shall be attached to brace rails, tension wire and truss rods with tie clips at two foot intervals.
   F. A maximum gap of two inches will be permitted between the chain link fabric and the final grade.
   G. Gate shall be installed so locks are accessible from both sides.
   H. Gate hinge bolts shall have their threads peened or welded to prevent unauthorized removal.
   1. Concrete to be a minimum of 3,000 psi.

3. PROTECTION
   Upon completion of erection, inspect fence material and paint field cuts or galvanizing breaks with zinc-based paint, color to match the galvanized metal.

Applicable Standards:
ASTM-A120 Specification for pipe, steel black and hot-dipped, zinc coated (galvanized) welded and seamless.
ASTM-A123 Zinc (hot-dipped galvanized) coated steel chain link fence fabric.
ASTM-A155 Specification for zinc coating (hot-dip) on iron and steel hardware.
ASTM-G52 Standard specification for steel sheet zinc coated (galvanized) by the hot-dipped process.
Federal Specification RR-F-191: Fencing Wire and Post Metal (and Gates, Chain Link Fence Fabric and Accessories)

ELECTRICAL

1. Contractor shall review the contract documents prior to the ordering of the electrical equipment and starting the actual construction. Contractor shall issue a written notice of all findings to the architect listing any discrepancies or conflicting information.

2. Verify exact locations and mounting heights of electrical equipment with owner prior to installation.

3. All materials and equipment shall be new and in good working condition when installed and shall be of the best grade and of the same manufacturer throughout for each class or group of equipment. Materials shall be listed "J" where applicable. Materials shall meet with approval of all governing bodies having jurisdiction. Materials shall be manufactured in accordance with applicable standards established by ANSI, NEMA, NSF-U, and "UL" listed.

4. All conduit shall have a pull string.

5. Provide Project Manager with one set of complete electrical "As Installed" drawings at the completion of the job showing actual dimensions, routing and circuits.

6. The entire electrical installation shall be grounded as required by IBC, NEC and all applicable codes.

7. Patch, repair and paint any area that has been damaged in the course of the electrical work.

8. Wire and cable conduits shall be copper 600 amp, type THHN or THWN with a minimum size of 2 AWG color-coded. All rectifier drops shall be stranded to accept crimp connectors.

9. All chemical ground rods shall be "UL" approved.

10. Meter socket amperes, voltage, number of phases shall be as noted on the drawings, manufactured by Mihank or approved equal and shall be utility company approved.

11. CONDUIT
   A. Electrical metallic tubing shall have UL label; fitting shall be gland ring compression type.
   B. Flexible metallic conduit shall have UL listed label and may be used where permitted by code. Fittings shall be "Jake" or "Squeeze" type. All flexible conduits shall have full length ground wire.
   C. All underground conduit shall be PVC Schedule 40 with UV protection (unless noted otherwise) at a minimum depth of 24" below grade.
   D. Contractor to coordinate with utility company for connection of temporary and permanent power to the site. The temporary power and all hookup costs are to be paid by the contractor.

13. All electrical equipment shall be labeled with permanent engraved plastic labels with white on blue background lettering (minimum letter height shall be 3/4"). Nameplates shall be fastened with stainless steel screws, not adhesive.

14. GROUNDING ELECTRODE SYSTEM
   A. PREPARATION
      i. Surface Preparation: All connections shall be made to bare metal. All painted surfaces shall be field inspected and modified to ensure proper contact. No washers are allowed between the items being grounded. All connections are to have a non-oxidizing agent applied prior to installation.
      ii. Ground Bar Preparation: All copper ground bars shall be cleaned, polished and a non-oxidizing agent applied. No fingerprints or discolored copper will be permitted.
      iii. All grounding conductors shall run through seal tight wherever conductors run through walls, floors or ceilings. If conductors must run through EMT, both ends of conduit shall be grounded. Seal both ends of conduit with silicone caulk.
   B. GROUND BARS
      i. All ground bars shall be 1/4" thick copper and of size indicated on drawings.
   C. EXTERNAL CONNECTIONS
      i. All grounding connections shall be made by the exothermic weld process. Connections shall include all cable, splices, tee's, x's, etc. All cable to ground rods, ground rod splices and lightning protection systems are to be as indicated. All materials used (molds, welding metal, tools, etc.) shall be cadweld and installed per manufacturer's recommended procedures.
   D. GROUND RODS
      i. All ground rods shall be 5/8" diameter by 10'-0" long "copperweld" or approved equal of the number and locations indicated.
      ii. Ground rods shall be driven full length vertically in undisturbed earth.
   E. GROUND CONDUCTORS
      i. All ground conductors shall be standard tinned, solid bare copper, annealed and size indicated on drawings.
   F. GROUND RING
      i. The external ground ring encircling the tower (if applicable) and future carrier shall be minimum size of No. 2 AWG solid tinned, bare copper conductor in direct contact with the earth at a depth specified on plan sheets and details. Conductor bends shall have a minimum bending radius of eight inches.
      ii. Ground rings shall be of the best grade and of the same manufacturer throughout for each class or group of equipment. Materials shall be listed "J" where applicable. Materials shall meet with approval of all governing bodies having jurisdiction. Materials shall be manufactured in accordance with applicable standards established by ANSI, NEMA, NSF-U, and "UL" listed.
   G. FENCE/ GATE
      i. Ground each gatepost, corner post and gate as indicated on drawing. Ground connections to fence posts and all other connections for the ground grid system shall be made by exothermic weld process and installed per manufacturer's recommendations and procedures and sprayed and cold-galvanized paint.
### Case Report

**Case Number:** BOA-23491  
**Hearing Date:** 02/14/2023 1:00 PM

**Case Report Prepared by:**  
Austin Chapman

**Owner and Applicant Information:**

**Applicant:** Phyllis Bedford  
**Property Owner:** Lot 9: City Of Tulsa / Lot 8: Raynette Knight

**Action Requested:** Special Exception to permit duplexes in the RS-4 district (Table 5.020, Table 5-2, Table 5-2.5). Request is to allow up to 4 duplexes.

**Location Map:**

**Additional Information:**

- **Present Use:** Vacant
- **Tract Size:** 0.51 acres
- **Location:** South of E. Woodrow Pl. between N. Midland Pl. and N. Lansing Ave.
- **Present Zoning:** RS-4
BOARD OF ADJUSTMENT
CASE REPORT

**STR:** 0225  
**CD:** 1

**HEARING DATE:** 02/14/2023 1:00 PM

**APPLICANT:** Phyllis Bedford

**ACTION REQUESTED:** Special Exception to permit duplexes in the RS-4 district (Table 5.020, Table 5-2, Table 5-2.5). Request is to allow up to 4 duplexes.

**LOCATION:** South of E. Woodrow Pl. between N. Midland Pl. and N. Lansing Ave.  
**ZONED:** RS-4

**PRESENT USE:** Vacant  
**TRACT SIZE:** 22145.99 SQ FT

**LEGAL DESCRIPTION:** LT 9 BLK 5; LT 8 BLK 5, LECLAIRE ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**RELEVANT PREVIOUS ACTIONS:** None.

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

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

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

**STAFF ANALYSIS:** The applicant is requesting a Special Exception to permit duplexes in the RS-4 district (Table 5.020, Table 5-2, Table 5-2.5)

35.010-E  
**Duplex**  
A duplex is a principal residential building occupied by 2 dwelling units, both of which are located on a single lot that is not occupied by other principal residential buildings. The 2 dwelling units are attached and may be located on separate floors or side-by-side.

*Figure 35-5: Duplex*
The applicant is requesting permission to build 4 duplexes for a total of 8 dwelling units.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Special Exception to permit duplexes in the RS-4 district (Table 5.020, Table 5-2, Table 5-2.5)

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

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

  ____________________________________________:

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
BOA-23491
20-12 25

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

Aerial Photo Date: 2020/2021

Subject Tract

5.6
<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austin Chapman</td>
<td>Applicant: James Adair</td>
</tr>
<tr>
<td></td>
<td>Property Owner: TULSA TEACHERS CREDIT UNION</td>
</tr>
</tbody>
</table>

**Action Requested:** Special Exception to permit a monument sign in the right-of-way/planned right-of-way (Section 60.020-E)

**Location Map:**

**Additional Information:**

- **Present Use:** Bank/ Office
- **Tract Size:** 2.89 acres
- **Location:** 3720 E. 31st St.
- **Present Zoning:** OL, OM/ PUD-435
BOA-23492

Subject Tract

19-13 21

Aerial Photo Date: 2020/2021

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

Aerial Photo Date: 2020/2021

Subject Tract

BOA-23492

19-13 21

6.4
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9321
CD: 9
HEARING DATE: 02/14/2023 1:00 PM

APPLICANT: James Adair

ACTION REQUESTED: Special Exception to permit a monument sign in the right-of-way/planned right-of-way (Section 60.020-E)

LOCATION: 3720 E. 31 St. S.

PRESENT USE: Bank/ Office

ZONED: OL, OM/ PUD-435

TRACT SIZE: 126000.52 SQ FT

LEGAL DESCRIPTION: LT 3 & E/2 LT 4 LESS N20 LTS 3 & 4 THEREOF, ALBERT PIKE SUB CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA-19536; On 03.11.03 the Board approved a Variance to allow a sign in the planned right-of-way of E. 31st St.

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

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

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

STAFF ANALYSIS: The applicant is requesting a Special Exception to permit a monument sign in the right-of-way/planned-right-of-way (Section 60.020-E)

The proposed sign is approximately 160-feet West of the Eastern property line and 36-feet from the Center for E. 31st St. There is currently and existing monument sign to be removed that was approved by Variance in the case cited above.

Applicant must secure a license/ removal agreement prior to installation of the sign.
REVISED 1/31/2023

SAMPLE MOTION:
Move to ________ (approve/deny) a Special Exception to permit a monument sign in the right-of-way/planned right-of-way (Section 60.020-E)

- 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.
SIGN-136735-2022 (3720 E 31ST ST S Tulsa, OK 74135) Markup Summary #1

Measurement: 1 Count
Subject: Sign Review
Page Label: 1
Page Index: 1
Lock: Unlocked
Checkmark: Unchecked
Author: DWhiteman
Date: 1/3/2023 4:09:46 PM
Creation Date: 1/3/2023 4:02:04 PM
Color: 
X: 11.8682 in
Y: 2.4544 in
Unit: Count
Measurement: 1 Count
Capture: No
File Name: doc00289520221220123100_v1.pdf

60.020-E Signs located in or that project into the right-of-way or planned right-of-way of a public street, unless a special exception has been approved by the board of adjustment in accordance with the procedures of Section 70.120 and 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. (Title 11 § 1400 and following of the Tulsa Revised Ordinances grants a license for certain signs located in the "Central Business District" as therein defined).

Review Comments: PUD sign approval from INCOG does not include a review in regard to easements, right of way, etc. According to the Major Street and Highway Plan, at this location the planned right of way (ROW) for 31st St. is 100' wide. The proposed freestanding sign is shown to be 36.88 feet from the centerline of E. 31st St.; the proposed sign location is in the planned ROW of this street and therefore requires a City of Tulsa ROW license and removal agreement and a Special Exception from the COT Board of Adjustment (BOA). Contact Jenna Richardson at 918-596-7821 for information on acquiring a license and removal agreement and INCOG at 918-584-7526 to apply for a special exception to permit a freestanding sign to be located in the planned ROW of E. 31st St. Alternatively you may relocate the sign so that the leading edge of the sign is at least 50 feet from the center of 31st St.
Site plan shows proposed sign inside of a ROW (Right of Way). The minimum setback from the centerline of 31st for this location is 55'. Revise site plan to show all portions of sign outside of ROW.

If construction is to remain occupying area of dedicated Right of Way, you must first:

a. Obtain permission from the City of Tulsa for an encroachment agreement and/or easement closure. This process takes a minimum of about 6 weeks, as the proposal must be approved by the Mayor.

b. To begin, please contact the Utility coordinator (link below), at Engineering Services, City of Tulsa, to discuss the process required to obtain approval to construct within U/E.

**Case Number:** BOA-23493  
**Hearing Date:** 02/14/2023 1:00 PM

**Case Report Prepared by:**  
Austin Chapman

**Owner and Applicant Information:**  
**Applicant:** Lori Worthington  
**Property Owner:** SALVATION ARMY

**Action Requested:** Variance to increase the permitted size for a wall sign serving a non-residential use in a Residential District (Sec. 60.050-B.2.a)

**Location Map:**

![Location Map](image)

**Additional Information:**  
**Present Use:** Recreation Center  
**Tract Size:** 20 acres  
**Location:** 3001 N. Martin Luther King Jr. Blv.  
**Present Zoning:** RS-3
BOARD OF ADJUSTMENT
CASE REPORT

STR: 0224 Case Number: B0A-23493
CD: 1

HEARING DATE: 02/14/2023 1:00 PM

APPLICANT: Lori Worthington

ACTION REQUESTED: Variance to increase the permitted size for a wall sign serving a non-residential use in a Residential District (Sec. 60.050-B.2.a)

LOCATION: 3001 N. Martin Luther King Jr. Blv. ZONED: RS-3

PRESENT USE: Recreation Center TRACT SIZE: 871203.57 SQ FT

LEGAL DESCRIPTION: N/2 NW NW & NE NW SW SEC 24-20-12; S1/2 NW NW SEC 24 20 12 5ACRES, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-7577: On 08.02.72 the Board approved a recreation center with a children’s nursery.

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.

STATEMENT OF HARDSHIP: Due to the distance from the street, they are needing the larger signage on the wall for visibility. The building sits over 100-feet from the 31st St. N.

STAFF ANALYSIS: The applicant is requesting a Variance to increase the permitted size for a wall sign serving a non-residential use in a Residential District (Sec. 60.050-B.2.a):
**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.

**Facts staff finds favorable for variance request:**
- The property is roughly 300-feet from the street.

**Facts Staff find unfavorable for the variance request:**
- The applicant has not provided any evidence that the building placement was not a self-imposed hardship from the property owner.
- Staff has requested the applicant provide an exhibit comparing the allowed square footage of 32 square feet compared to the proposed 333.185 square feet.

**SAMPLE MOTION:**

Move to _________ (approve/deny) a Variance to increase the permitted size for a wall sign serving a non-residential use in a Residential District (Sec. 60.050-B.2.a)

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

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

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

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

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

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

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

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

g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.”
Subject property (Image taken from google.com street view. Capture date: January 2023)
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.

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.

Review Comment: The allowed area of a wall sign within an R district may not exceed an area of 32sqft. Please provide plans indicating the wall sign does not exceed 32sqft.

Jeff Bush

1
7.8
Case Number: BOA-23494
Hearing Date: 02/14/2023 1:00 PM

Case Report Prepared by:
Austin Chapman

Owner and Applicant Information:
Applicant: Jim McClellan
Property Owner: Jimmie N. & Michelle L. McClellan

Action Requested: Special Exception to allow an Accessory Dwelling Unit in an AG District (45.031-D) Variance to reduce the 10-foot setback for an Accessory Dwelling Unit from the principal house and Variance of the requirement that the exterior finish materials and roof pitch match of the Accessory Dwelling Unit match those of the principal house (Sec. 45.031-D)

Location Map:

Additional Information:
Present Use: Residential
Tract Size: 2.31 acres
Location: 9010 S. 28 W. Ave.
Present Zoning: AG
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021
BOARD OF ADJUSTMENT  
CASE REPORT

STR: 8215 Case Number: B0A-23494
CD: 2

HEARING DATE: 02/14/2023 1:00 PM

APPLICANT: Jim McClellan

ACTION REQUESTED: Special Exception to allow an Accessory Dwelling Unit in an AG District (45.031-D) Variance to reduce the 10-foot setback for an Accessory Dwelling Unit from the principal house and Variance of the requirement that the exterior finish materials and roof pitch match of the Accessory Dwelling Unit match those of the principal house (Sec. 45.031-D)

LOCATION: 9010 S. 28 W. Ave. ZONED: AG

PRESENT USE: Residential TRACT SIZE: 100624.01 SQ FT

LEGAL DESCRIPTION: BEG 330N OF SWC SE SW TH N330 E330.97 S330 W331.7 POB LESS E25 FOR RD SEC 15 18 12, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

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.

STATEMENT OF HARDSHIP: The applicant has provided a separate exhibit included in the packet.

STAFF ANALYSIS: The applicant is requesting a Special Exception to allow an Accessory Dwelling Unit in an AG District (45.031-D) Variance to reduce the 10-foot setback for an Accessory Dwelling Unit from the principal house and Variance of the requirement that the exterior finish materials and roof pitch match of the Accessory Dwelling Unit match those of the principal house (Sec. 45.031-D)

A Copy of Sec. 45.031 containing supplemental regulations for Accessory Dwelling Units is included in your packet.
8. Additional Regulations for Accessory Dwelling Units

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

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

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

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

Facts staff finds favorable for variance request:

- With regard to the variance of the setback the owner described the existing floodplain that prescribes the location of the ADU.

- Per the applicant’s exhibit the roof pitch and exterior will match the final construction of the house once both building are rebuilt.

Facts Staff find unfavorable for the variance request:

- The hardship does seem to be related to the personal circumstances of the property owner, if the Board is inclined to grant the variance of the roof pitch and matching finishing materials they may wish to prescribe a time for which those features are to be brought into compliance with the code.

**SAMPLE MOTION:**

Special Exception:

Move to ________ (approve/deny) a Special Exception to allow an Accessory Dwelling Unit in an AG District (45.031-D);

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

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

  ____________________________________________________

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

Variance:

Move to _________ (approve/deny) a Variance to reduce the 10-foot setback for an Accessory Dwelling Unit from the principal house and Variance of the requirement that the exterior finish materials and roof pitch match of the Accessory Dwelling Unit match those of the principal house (Sec. 45.031-D);

- Finding the hardship(s) to be__________________________________.
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.”
supporting structure (excluding any guy lines) to the nearest point on the residential zoning district boundary line, excluding R-zoned freeways.

Section 45.030 Accessory Buildings and Carports in R

45.030-A Accessory Building Size

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

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

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

45.030-B Carports

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

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

Section 45.031-A Definition

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

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

Section 45.031-B Purpose

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

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

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

Section 45.031-D Regulations

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

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

3. Methods of Creation
An accessory dwelling unit may be created only through the following methods:

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

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

4. Density (Minimum Lot Area and Lot Area per Unit)
No additional lot area or lot area per unit is required for the accessory dwelling unit.

5. Open space (Minimum open space per unit)
No additional open space is required for the accessory dwelling unit.

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

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

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

7. Building and Fire Codes

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

8. Additional Regulations for Accessory Dwelling Units

a. Entrances

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

b. Setbacks

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

c. Exterior Finish Materials

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

d. Roof Pitch

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

Section 45.040 Compressed Natural Gas (CNG) Refueling Appliances

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

Section 45.050 Dumpsters

45.050-A Regulations

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

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

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

3. Dumpsters may not:

   a. Obstruct motorized or non-motorized traffic;
### CITY OF TULSA
### CORRECTIONS SUMMARY

**BLDR-132631-2022 (9010 S 28TH AVE W Tulsa, OK 74132)
MCCLELLAN MIL FINAL 12.01.2022_v2.pdf Markup Summary #2**

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

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

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This constitutes a Plan Review to date in response to the information submitted with and after the above referenced application. Additional issues may develop when the review continues upon receipt of additional information requested in this letter or upon additional submittal from the client. Any code items not reviewed are still in force, and it shall be the responsibility of the owner and design professional(s) to ensure that all code requirements are satisfied.
Section 45.031-D Additional Regulations for Accessory Dwelling Units

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

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

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

Review Comments: Provide information to confirm code compliance to the above items, or include them in the ADU approval from the Board of Adjustments. The current setback for the proposed structure from the existing structure is 8.35'.
Jim & Michelle McClellan  
9010 S 28th W Ave  
Tulsa, OK 74132  
Re: BOA-23494

Current Overview
We recently relocated back to Tulsa to get closer to family and to help with aging parents with some health issues. We purchased the 2.5 acre tract with 2 bedroom 2 bath house and detached 2 car garage, at address above, from the parents of Jim McClellan.

The house was built in early 1970’s and was purchased by McClellan family in 1991. Structurally, the house is good shape but there are some concerns/issues with under slab HVAC ducting as well as hot/cold copper water supply lines and both have had recent leaks due to corrosion. Additionally, the current house is too small for all of us to occupy.

Ultimate plan is to demo the current house and replace with new 3 bedroom 2.5 bath home after the Auxiliary Dwelling Unit (ADU) (as submitted under BLDR-132631-2022) is completed and we have parents moved into the new ADU. Once approved, plan would be to start construction of the ADU as soon as contractor schedule allows and estimate 6 months to complete construction of ADU. Once completed, would then start process of relocating parents from current home to new ADU as well as permit submittal for “phase II” consisting of demo of the existing primary home and building of new home. Would estimate 9 months to a year to complete the “phase II”.

The ADU will not match the roofline/pitch or exterior finish of the existing house but the new home constructed during “phase II” would match the ADU. The required 10’ setback of ADU to primary house will also not be met due to needing to construct the ADU further to the east to provide distancing from existing 100 and 500 year floodplains as noted on site plan. Both the ADU and “phase II” home will be designed and built outside the floodplains and above the required elevations.

Neighbor Communications
Our neighbors to the north on adjacent tract, Rick and Janet Willis, are aware of the phased plans and are very supportive. We speak to them almost daily as they are very close friends/neighbors to the family.

Neighbor directly to the east on adjacent tract, Don Macgiver, has been approached and is also supportive of the overall plan and has no concerns. I spoke to Don personally on January 12th, 2023.
PROPOSED STRUCTURE 59.1'
EXISTING GARAGE STRUCTURE, 27.9' TO BE REMOVED @ F.F. 637.5'
EXISTING RESIDENCE
NEW CONCRETE DRIVEWAY
EXISTING DRIVEWAY
EXISTING DRIVEWAY
CONCRETE PAD
SILT FENCE FOR EROSION CONTROL
PER CITY OF TULSA STANDARD 126
CORNER GRADE @ 637.0'
CORNER GRADE @ 636.5'
CORNER GRADE @ 637.5'
CORNER GRADE @ 637.5'
DEMO-132669-2022 PERMIT #
(4) TREES, CURRENTLY REMOVED
STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE

NOTE:
1. STONE SIZE AGRICULTURAL DESIGNATION 3AS, SIZE NO. 3 (3-1/2" to 1-1/2"), USE CRUSHED STONE.
2. LENGTH - AS EFFECTIVE, BUT NOT LESS THAN 50 FEET.
3. THICKNESS - NOT LESS THAN EIGHT (8) INCHES.
4. WIDTH - NOT LESS THAN 36 INCHES ALONG THE LENGTH OF THE TRENCH.
5. ADDITIONAL MATERIALS DESIGNED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY, WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE WHICH DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BARRIER. ALL SEDIMENT SHALL BE REMOVED FROM EXISTING NATIVE DRAINAGE SYSTEMS, Ditches, OR IN-GROUND SYSTEMS OR OTHER APPROVED METHODS.
6. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE periodic TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR ANY DAMAGE

REFERENCE
CHAPTER 1030: CITY OF TULSA STORMWATER MANAGEMENT CRITERIA MANUAL.

STANDARD OBTAINED FROM USEA-306 NO. 1 STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL IN DEVELOPMENT AREAS.
This design plan (Plan) has been prepared by WSB Homes, LLC (WSB). The use of this Plan by the customer and representation or warranty of any kind made by WSB without any contractor working for the customer, the customer is made subject to the following binding conditions: (i) WSB shall have no liability attributable to the Plan; and (ii) it is the responsibility of customer and its/his/her contractor to verify all specifications incorporated in the Plan before utilizing the Plan in connection with any construction activities. Local building codes vary and should be consulted by the customer/contractor.
The use of this Plan by the customer and representation or warranty of any kind made by WSB Homes, LLC (WSB) without binding conditions: (i) WSB shall have no liability attributable to the Plan; and (ii) it is the responsibility of customer and its/his/her contractor to verify all specifications incorporated in the Plan before utilizing the Plan in connection with any construction activities. Local building codes vary and must be consulted by the customer/contractor.
This design plan (Plan) has been prepared by WSB Homes, LLC (WSB) for use by the customer. The use of this Plan by the customer is made subject to the following:

(i) WSB shall have no liability attributable to the Plan; and (ii) it is the responsibility of customer and its/his/her contractor to verify all specifications incorporated in the Plan before utilizing the Plan in connection with any construction activities. Local building codes vary and should be consulted by the customer/contractor.

Drawn Date: 12.1.2022  
Revision: 12.01.2022  
Elevations: 1 1/4" = 1'  
Architectural Front View: 2 1/4" = 1'  
Architectural Right View: 1 1/4" = 1'
This design plan (Plan) has been prepared by WSB Homes, LLC (WSB) without binding conditions: (i) WSB shall have no liability attributable to the Plan; and (ii) it is the responsibility of customer and its/his/her contractor to verify all specifications incorporated in the Plan before utilizing the Plan in connection with any construction activities. Local building codes vary and be consulted by the customer/contractor.
This design plan (Plan) has been prepared by WSB Homes, LLC (WSB). The use of this Plan by the customer and any contractor working for the customer is made subject to the following:

1. WSB shall have no liability attributable to the Plan; and
2. It is the responsibility of customer and its/her contractor to verify all specifications incorporated in the Plan before utilizing the Plan in connection with any construction activities. Local building codes vary and should be consulted by the customer/contractor.

Any revisions to the Plan are dated as follows:

- 12.01.2022
- 12.1.2022
**Case Number:** BOA-23495  
**Hearing Date:** 02/14/2023 1:00 PM

### Case Report Prepared by:  
Austin Chapman

### Owner and Applicant Information:  
**Applicant:** Lonnie Basse  
**Property Owner:** MLBPM LLC

**Action Requested:** Special Exception to modify the conditions of the previously approved case BOA-21563 and extend the 10-year time limit an additional 10-years and amend the approved site plan for a temporary Seasonal Sales Use (Pumpkin Patch) originally approved expires on 5/14/2023 (Sec. 50.020-D); Variance of the parking design standards to allow the use of gravel parking lot (Sec. 55.090)

### Additional Information:  
**Present Use:** Seasonal Sales  
**Tract Size:** 19.44 acres  
**Location:** 5950 S. Garnett Rd.  
**Present Zoning:** CS, IL

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**Location Map:**

![Location Map](image_url)
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9431
CD: 7
HEARING DATE: 02/14/2023 1:00 PM

APPLICANT: Lonnie Basse

ACTION REQUESTED: Special Exception to modify the conditions of the previously approved case BOA-21563 and extend the 10-year time limit an additional 10-years and amend the approved site plan for a temporary Seasonal Sales Use (Pumpkin Patch) original approval expires on 5/14/2023 (Sec. 50.020-D); Variance of the parking design standards to allow the use of gravel parking lot (Sec. 55.090)

LOCATION: 5950 S. Garnett Rd.
ZONED: CS, IL
TRACT SIZE: 846933.45 SQ FT

PRESENT USE: Seasonal Sales
LEGAL DESCRIPTION: PRT SE SE BEG 472W & 50N SECR SE TH W335.09 N1271.66 E748.51 S835.01 W72 S137 W136 S228 W114 S72 POB SEC 31 19 14 19.443ACS, GARNETT PLACE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-21563: On 05.14.2013 the Board approved a Special Exception to permit a Seasonal Sales Use and a special Exception to permit alternative parking material (gravel). Approval was conditioned that the approval runs together and the relief granted on the parking materials was not to be used in conjunction with the approved use, use limited to 179 days per year, and the approval is limited to 10-years.

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

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

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.

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.
**STATEMENT OF HARDSHIP:** We are requesting a variance form the hard surface requirement. It would create a huge hardship to hard surface an area for seasonal use.

**STAFF ANALYSIS:** The applicant is requesting a Special Exception to modify the conditions of the previously approved case BOA-21563 and extend the 10-year time limit an additional 10-years and amend the approved site plan for a temporary Seasonal Sales Use (Pumpkin Patch) originally approval expires on 5/14/2023 (Sec. 50.020-D); Variance of the parking design standards to allow the use of gravel parking lot (Sec. 55.090);

<table>
<thead>
<tr>
<th>Section 50.020</th>
<th>Authority to Approve</th>
</tr>
</thead>
<tbody>
<tr>
<td>50.020-A</td>
<td>Except as expressly stated in Section 50.050, all temporary uses require city approval.</td>
</tr>
<tr>
<td>50.020-B</td>
<td>The development administrator is authorized to establish administrative procedures governing the processing, review and approval of temporary uses.</td>
</tr>
<tr>
<td>50.020-C</td>
<td>The development administrator is authorized to approve a zoning clearance permit for temporary uses that comply with the provisions of this chapter and to impose conditions on the operation of temporary uses to help ensure that they do not create significant adverse impacts on surrounding uses and that they operate safely and without causing nuisances, consistent with the general purposes of this zoning code.</td>
</tr>
<tr>
<td>50.020-D</td>
<td>Temporary uses that do not comply with all applicable regulations and all conditions of approval may be approved as special exceptions in accordance with Section 70.120. The development administrator is authorized to refer any temporary use to the board of adjustment for consideration in accordance with special exception procedures of Section 70.120.</td>
</tr>
<tr>
<td>50.020-E</td>
<td>Special events require city council review and approval.</td>
</tr>
</tbody>
</table>

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 §55.090-F.4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

The applicant is seeking to continue the original use approved which is a pumpkin patch located at the NW/c of E. 61st St. S. and S. Garnett Ave. the Use has expanded since the original approval to included additional gravel parking lot not originally identified in the original approval.

**Facts staff finds favorable for variance request:**

- None.

**Facts Staff find unfavorable for the variance request:**

- Staff is unaware of any physical conditions related to the property that would prevent the installation of a dustless, all-weather surface.
SAMPLE MOTION:

Special Exception:

Move to ________ (approve/deny) a __________________________

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

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

Variance:

Move to ________ (approve/deny) a __________________________

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

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

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

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

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

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

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

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

  g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan."
Subject Property
SECTION 18, FOR 1322.83 FEET; THENCE N 01°01'57" W FOR 60.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE S 88°58'03" W FOR 392.16 FEET TO A POINT ON THE EXISTING MINGO VALLEY EXPRESSWAY RIGHT-OF-WAY; THENCE N 78°46'03" W ALONG SAID RIGHT-OF-WAY, FOR 70.62 FEET; THENCE S 88°58'03" W ALONG SAID RIGHT-OF-WAY, FOR 350.00 FEET; THENCE N 83°48'43" W ALONG SAID RIGHT-OF-WAY, FOR 204.22 FEET TO A POINT ON NEW U.S. HIGHWAY NO. 169 RIGHT-OF-WAY AS AQUIRED BY CONDEMNATION BY OKLAHOMA TURNPIKE AUTHORITY, CASE NO. CJ 98-05826, ORDER FOR CONFIRMATION OF REPORT OF COMMISSIONERS FILED APRIL 22, 1999; THENCE N 01°01'57" W ALONG SAID NEW U.S. HIGHWAY NO. 169 RIGHT-OF-WAY, FOR 475.46 FEET; THENCE N 06°57'38" E ALONG SAID NEW U.S. HIGHWAY NO. 169 RIGHT-OF-WAY FOR 732.32 FEET; THENCE N 89°58'35" W ALONG SAID NEW U.S. HIGHWAY NO. 169 RIGHT-OF-WAY, FOR 14.89 FEET; THENCE N 06°16'25" E ALONG SAID NEW U.S. HIGHWAY NO. 169 RIGHT-OF-WAY, FOR 18.44 FEET, TO A POINT ALONG SAID NEW U.S. HIGHWAY NO. 169 RIGHT-OF-WAY AS AQUIRED BY CONDEMNATION BY OKLAHOMA TURNPIKE AUTHORITY, CASE NO. CJ 98-5736, ORDER FOR CONFIRMATION OF REPORT OF COMMISSIONERS FILED JUNE 14, 2005; THENCE N 89°03'03" E ALONG SAID NEW U.S. HIGHWAY NO. 169 RIGHT-OF-WAY, FOR 2.99 FEET; THENCE N 07°01'11" E ALONG SAID NEW U.S. HIGHWAY NO. 169 RIGHT-OF-WAY, FOR 286.42 FEET; THENCE N 05°05'34" W ALONG SAID NEW U.S. HIGHWAY NO. 169 RIGHT-OF-WAY, FOR 220.08 FEET; THENCE N 01°51'52" E ALONG SAID NEW U.S. HIGHWAY NO. 169 RIGHT-OF-WAY, FOR 315.18 FEET; THENCE N 89°01'16" E FOR 2144.76 FEET; THENCE S 01°16'35" E FOR 2011.05 FEET; THENCE S 88°58'03" W FOR 8.00 FEET; THENCE S 01°16'31" E FOR 36.75 FEET; THENCE S 43°50'46" W FOR 39.51 FEET; THENCE S 88°58'03" W FOR 1236.57 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND, CONTAINING 105.37 ACRES OF LAND MORE OR LESS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21563—Lonnie Basse

Action Requested:
Special Exception to permit seasonal sales (Use Unit 2) in a CS and IL District (Section 901, Table 1) not to exceed 179 days in a calendar year (Section 1202.C.1); Special Exception to allow alternative off-street parking materials (gravel) for parking area (Section 1202.C.1). LOCATION: 5950 South Garnett Road East (CD 7)

Presentation:
Melissa Basse, 4721 South Columbia Place, Tulsa, OK; stated she and her husband will be moving their business, The Pumpkin Patch, to the subject property. The subject property has existing gravel that has been in place for a long time and it would be easier to add to that base, and it fits into the community.
Mr. Van De Wiele asked Ms. Basse if she leased the subject property. Ms. Basse stated that she leases the subject property and has a 20 year lease for the subject property.

**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 seasonal sales (Use Unit 2) in a CS and IL District (Section 901, Table 1) not to exceed 179 days in a calendar year (Section 1202.C.1); **Special Exception** to allow alternative off-street parking materials (gravel) for parking area (Section 1202.C.1), this will be per conceptual plan on page 5.7. The two Special Exceptions will be linked together, whereby, if the seasonal sales cease then Special Exception for the parking materials will also cease. This approval for the two Special Exceptions will have a time limit of 10 years from today’s date, May 14, 2013. Finding the Special Exceptions will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

PRT SE SE BEG 233W & 50N SECR SE TH W574.88 N1091.83 E749.26 S934.13 W8 S103 W75 S235 POB SEC 31 19 14 21.005AC, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**21489-A—Mark Bragg**

**Action Requested:**
**Variance** to permit a second dwelling above the detached garage, in an RS-3 district (Section 207); **Variance** to reduce the required side yard from 5 feet to 3 feet to permit an addition onto the primary house (Section 403. A, Table 3). **LOCATION:** 1621 South Detroit Avenue East (CD 4)

**Presentation:**
**Mark Bragg,** 1624 South Detroit, Tulsa, OK; stated he currently lives across the street from the subject property. He purchased the subject property with the intention of moving and down-sizing. He came before the Board for the garage and he is back before the Board to ask for permission to install an addition to the house and have living quarters above the garage. The zoning code allows for a three foot setback for the garage, and the house would also have a three foot setback which would be like all the other houses in the neighborhood. Mr. Bragg presented a petition to the Board with 15 neighbor’s signatures showing they are in favor of the proposed project. Mr. Bragg also
1-12-23

RE: BOA-23495

We are requesting a variance from the hard surface requirement. It would create a huge hardship to hard surface an area for a seasonal use.

Thanks for your consideration.

Lonnie Basse

[Signature]
**Case Report Prepared by:**
Austin Chapman

**Owner and Applicant Information:**

**Applicant:** Philip Doyle  
**Property Owner:** J B Jarboe II Revocable Trust

**Action Requested:** Special Exception to allow an Accessory Dwelling Unit in the RS-1 District (45.031-D); Variance to allow the floor area of Detached Accessory Buildings/Dwelling Units to exceed 750 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A, 45.031-D.6)

**Location Map:**

**Additional Information:**

**Present Use:** Residential  
**Tract Size:** 0.88 acres  
**Location:** 2915 E. 45 Pl. S.  
**Present Zoning:** RS-1
Note: Graphic overlays may not precisely align with physical features on the ground.
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021

BOA-23496

19-13 29

0 250 500 Feet

Subject Tract

10.4
A special exception to allow an Accessory Dwelling Unit in the RS-1 District (45.031-D); Variance to allow the floor area of Detached Accessory Buildings/Dwelling Units to exceed 750 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A, 45.031-D.6)

LOCATION: 2915 E. 45 Pl. S.  ZONED: RS-1

PRESENT USE: Residential  TRACT SIZE: 38123.87 SQ FT

LEGAL DESCRIPTION: LT 23  BLK 7, VILLA GROVE PARK CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

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.

STATEMENT OF HARDSHIP:

1. That the physical surroundings, shape, or topographic 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: Cabana has to be detached as majority of lot's surface drainage is immediately North of existing house, as well as very mature trees. Detached Structure is below allowed building size, but existing oversized detached garage pushes square footage over allowed amount.

2. That the literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose: Detached Structure is below allowed building size, but existing oversized detached garage pushes square footage over allowed amount.

3. 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: Surface drainage suns through the center of the lot and beautiful mature trees.

4. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner: Surface drainage patterns are existing and the garage was built by the previous owners.
5. **That the variance to be granted is the minimum variance that will afford relief:** Cabana square footage has been condensed as much as possible.

6. **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:** Cabana is 1-story, built in the same architectural vocabulary as existing home.

7. **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:** Cabana placement if on the rear lot line so as to not disturb site lines of neighbors.

**STAFF ANALYSIS:** The applicant is requesting a Special Exception to allow an Accessory Dwelling Unit in the RS-1 District (45.031-D); Variance to allow the floor area of Detached Accessory Buildings/ Dwelling Units to exceed 750 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A, 45.031-D.6)

A copy of Sec. 45-031 of the Zoning Code containing supplemental regulations for Accessory Dwelling Units is included in your packet.

Applicant requesting to increase the permitted standard from 40% (1,686 square feet) of the size of the detached house to 55% (2,344 square feet) the size of the detached house for the aggregate floor area of detached accessory buildings on the lot. Existing detached house is 4,217 square feet.

**Facts staff finds favorable for variance request:**
- Drainage patter that could affect the placement of a structure are topographic conditions of the lot that are unique to a specific property.

**Facts Staff find unfavorable for the variance request:**
- Applicant should better describe the drainage issues preventing the detached building from being attached to the existing home.

**SAMPLE MOTION:**

**Special Exception:**

Move to _______ (approve/deny) a **Special Exception** to allow an Accessory Dwelling Unit in the RS-1 District (45.031-D);

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

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

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

**Variance:**

Move to _______ (approve/deny) a **Variance** to allow the floor area of Detached Accessory Buildings/ Dwelling Units to exceed 750 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A, 45.031-D.6)

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

Section 45.030 Accessory Buildings and Carports in R

45.030-A Accessory Building Size

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

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

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

45.030-B Carports

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

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

45.031-A Definition

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

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

45.031-B Purpose

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

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

Section 45.031-C Applicability

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

Section 45.031-D Regulations

1. Where Allowed

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

2. Number

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

3. Methods of Creation

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

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

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

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

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

5. Open space (Minimum open space per unit)

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

6. Accessory Dwelling Unit Size

a. RE and RS-1 Districts

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

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

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

7. **Building and Fire Codes**

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

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

a. **Entrances**

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

b. **Setbacks**

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

c. **Exterior Finish Materials**

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

d. **Roof Pitch**

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

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

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

**Section 45.050 Dumpsters**

45.050-A **Regulations**

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

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

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

3. Dumpsters may not:

   a. Obstruct motorized or non-motorized traffic;
ZCO-136851-2022 (2915 E 45TH PL S Tulsa Tulsa, OK 74105)  
136851 PLANS_v1.pdf Markup Summary #1

Zoning Comments (3)

Subject: Zoning Comments  
Page Label: 1  
Status:  
Author: LParker  
Date: 1/5/2023 9:45:27 AM  
Color: 

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

Review comments: You are proposing 2,344 sq ft of detached accessory structure. The proposed detached structure exceeds 750 sq ft and 40% of the size of your house. Based on the size of your house (4,217 sq ft) you are allowed 1,686 sq ft of detached accessory structures on your lot. Reduce the size of your proposed detached accessory structure to be less than 1,686 sq ft or apply to BOA for a variance to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure.

Subject: Zoning Comments  
Page Label: 1  
Status:  
Author: LParker  
Date: 1/5/2023 9:48:15 AM  
Color: 

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

Review Comments: Apply to INCOG for a special exception to allow an Accessory Dwelling Unit in an RS-1 zoned area. Please note: Only 1 ADU is permitted per lot.
Subject: Zoning Comments
Page Label: 1
Status:
Author: LParker
Date: 1/5/2023 9:50:00 AM
Color: 

90.90.C: Detached Accessory Buildings. Detached accessory buildings may be located in rear setbacks in RE, RS and RD districts, provided that the building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate.

Review Comments: Revise plans to indicate that the detached accessory building will 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. If it does not meet these requirements apply to the BOA for a variance to allow an accessory structure to exceed 18 feet in height.

This constitutes a Plan Review to date in response to the information submitted with and after the above referenced application. Additional issues may develop when the review continues upon receipt of additional information requested in this letter or upon additional submittal from the client. If code issues not reviewed are still in force, and it shall be the responsibility of the owner and design professional(s) to ensure that all code requirements are submitted.
# Case Report

**Case Number:** BOA-23497  
**Hearing Date:** 02/14/2023 1:00 PM

## Case Report Prepared by:

Austin Chapman

## Owner and Applicant Information:

**Applicant:** Chyla Gibbs  
**Property Owner:** SMITH, THERESE C REV TRUST

## Action Requested:

Special Exception to permit a Day Care Use in the RS-2 District (Table 5.020, Table 5-2) Variance to reduce the 12,000 square-foot minimum lot size and 100-foot minimum lot width for Special Exception uses in the RS-2 District (Sec. 5.030-A, Table 5-3); Variance to reduce the 25-foot setback for non-residential Special Exception uses from R-zoned lots (Sec. 5.030-B, Table note [4])

## Location Map:

![Location Map](image)

## Additional Information:

**Present Use:** Vacant Office Space  
**Tract Size:** 0.24 acres  
**Location:** 4905 E. 4 Pl. S.  
**Present Zoning:** RS-2
Subject Tract

BOA-23497

19-13 03

Aerial Photo Date: 2020/2021

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

Aerial Photo Date: 2020/2021

BOA-23497

19-13 03

Subject Tract

0 50 100 Feet

11.4
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9303
CD: 3

HEARING DATE: 02/14/2023 1:00 PM

APPLICANT: Chyla Gibbs

ACTION REQUESTED: Special Exception to permit a Day Care Use in the RS-2 District (Table 5.020, Table 5-2) Variance to reduce the 12,000 square-foot minimum lot size and 100-foot minimum lot width for Special Exception uses in the RS-2 District (Sec. 5.030-A, Table 5-3); Variance to reduce the 25-foot setback for non-residential Special Exception uses from R-zoned lots (Sec. 5.030-B, Table note [4])

LOCATION: 4905 E. 4 Pl. S. ZONED: RS-2

PRESENT USE: Vacant Office Space TRACT SIZE: 10406.53 SQ FT

LEGAL DESCRIPTION: LT 4 LESS E60 THEREOF & LESS BEG SWC THEREOF TH E24.50 N3.50 W12 NW12.67 N18 W3.50 S30.50 POB BLK 11, WHITE CITY ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

STATEMENT OF HARDSHIP: Applicant provide a separate exhibit provided in your packet.

STAFF ANALYSIS: The applicant is requesting Special Exception to permit a Day Care Use in the RS-2 District (Table 5.020, Table 5-2) Variance to reduce the 12,000 square-foot minimum lot size and 100-foot minimum lot width for Special Exception uses in the RS-2 District (Sec. 5.030-A, Table 5-3); Variance to reduce the 25-foot setback for non-residential Special Exception uses from R-zoned lots (Sec. 5.030-B, Table note [4])
Facts staff finds favorable for variance request:

- Property has direct access unto an arterial street (S. Yale Ave.) and a collector street (E. 4th Pl.).

Facts Staff find unfavorable for the variance request:

- Applicant has not provided information about traffic flow unto the lot and the number of children to be served. The Board should consider the amount of traffic generated from the pick-up and drop off period and the applicant should take steps to prevent stacking unto the street.

SAMPLE MOTION:

Special Exception:
Move to _________ (approve/deny) a Special Exception to permit a Day Care Use in the RS-2 District (Table 5.020, Table 5-2)

- 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 reduce the 12,000 square-foot minimum lot size and 100-foot minimum lot width for Special Exception uses in the RS-2 District (Sec. 5.030-A, Table 5-3); and a **Variance** to reduce the 25-foot setback for non-residential Special Exception uses from R-zoned lots (Sec. 5.030-B, Table note [4])

- 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.*
Intersection of Yale and E. 4th Pl.

Facing East on E. 4th Pl. from subject property
Subject property
STATEMENT OF HARDSHIP:

1. The variances that are included with the special exception are that of the property having to have a 25ft setback from the surrounding home, it is impossible to meet that requirement in that the structure cannot be moved to satisfy the requirement. It is an existing structure and has been in place for several years. Also the structure does not meet the lot requirement of being 100 ft. wide, the lot is measured at 75ft wide which is a 25 ft. difference. Although it is not at 100 ft. wide it still provides an adequate amount of space for the purpose proposed for the dwelling without any interruption to the flow of the neighboring structures. The final variance that is included is the structure has to be 12,000 sq. ft., the properties square footage is a little over 10,000 square ft., this variance is also challenging to meet like stated before the structure is already existing and it is impossible to change to meet this variance as well. The hardship is that although these are the requirements put in place arduous to impossible to meet and with the small differences that are apparent, they do not cause any significant problems to the surrounding dwellings. The property cannot be moved and it is not practical as a residence, it had been vacant for the last 4 or so years and before the property became vacant it was operated as a commercial insurance business that maintained for 10 plus years. The occupants left the dwelling, when the prior owner passed away and the structure was placed in a trust which ultimately went up for sale and was then purchased by the current owner whom was under the impression of it being a commercial property.

2. It is not necessary to enforce the provisions that are being requested for the intended purpose because the intended purpose will not negatively change or hinder the quality of the neighborhood.

3. The conditions of the property are unique because the property had been used as a commercial dwelling, no one has lived in the property for over 15-20 years or more. The property faces a main street (4th Pl) and sits on the corner of an arterial street (Yale avenue). Other properties that are in this zoning code typically do not have the access of a corner lot of two main streets. Although it is in a neighborhood it is not the typical residence.

4. The practical difficulty was not self-imposed by the owner, as stated before the property has been this way for several years. The property cannot be made any bigger, it is unique in its own way. The current owner has just recently purchased the property as it is currently and has not created or self-imposed any of the variances that are being addressed.

5. If these variances are granted they are the minimum variances that are required to afford relief, there are no other variances or any other major requirements that are needed to establish the intended purpose.

6. The variances that are being requested will in no shape alter the character of the neighborhood, the structure had been sitting vacant, it has not had anyone living in it as a residence in several years, no one has actually requested to live there (it looks like a business), it has been operating
as a business in its prior use for many years. The structure fronts an arterial street, it will not substantialy or permanently impair the use or development of the adjacent property.

7. The variance is to be granted it will not cause determent to the public good, it is to improve the good of the community. It will not deter the spirit or intent of this zoning code or the comprehensive plan. The variance would allow exceptional quality childcare for people in the neighborhood and be a community beacon to those in need. It also will provide jobs to individuals that are qualified and are able to pass a state required background check. Childcare centers are spread out all around the Tulsa area, which makes it difficult sometimes for parents that may have to travel miles out of the way to drop their children off before work. There is a need for more childcare facilities all around to help the growing demand of a good quality childcare providers.
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.

Review Comment: Per table 15-3 an RS-2 zoned lot requires a Minimum lot width of 100 feet for Special Exceptions. You are proposing a lot width of 75 feet for a Detached House. If you are unable to meet the Minimum lot width requirements mentioned above, then you will need to apply to the City of Tulsa Board of Adjustment (BOA) for a Variance to reduce the required Minimum lot width requirements.

Sec. 45.070-G A family child care home may not be established on any lot located within 300 feet of another lot occupied by a family child care home if any boundary of the subject lot abuts the same street.

Review Comment: Provide a spacing map to show the closest family child care home is over 300 feet from your family child care home.
Sec. 5.020 Table 5-2: Your proposed Day Care is designated a Public, Civic and Institutional/Day Care use and is located in an RS-2 zoning district. Review Comments: Day Care uses are only allowed in an RS-3 zoned lot by Special Exception. Submit a Special Exception reviewed and approved per Sec. 70.120 to allow Day Care in a RS-2 zoned district. Contact the Tulsa Planning Office at 918-584-7526 for next steps and further instruction.
LEGAL DESCRIPTION:
Lot Four (4) in the East Sixty (60) thereof and
LESS Beginning at the Southwest corner of said Lot
4; thence N 88°11'42" E along the South line of
said Lot 4 for a distance of 21.50 feet; thence N
01°18'18" W a distance of 3.50 feet; thence S
88°11'42" W running parallel to said South line for
a distance of 12.00 feet; thence N 44°32'18" W for
a distance of 12.65 feet; thence N01°18'18" W
running parallel to the West line of said Lot 4 for
a distance of 18.50 feet; thence S 88°11'42" W a
distance of 3.50 feet to a point on said West line;
thence S 01°18'18" E along the West line of said Lot
4 for a distance of 30.50 feet to the Point of
Beginning, containing 220.73 square feet, more or
less.

PHYSICAL ADDRESS:
4903 East 4th Place, Tulsa, OK 74112

BUYER: Theresa C. Smith, Trustee of the
Theresa C. Smith Revocable Trust
dated March 1, 2013

SELLER: G.L. "Pete" Larkin, Trustee of The G.L.
"Pete" Larkin Family Trust dated June
7, 1996

CLIENT: Apex Title

FLOOD PLAIN STATEMENT
This property lies in zone X-Unshaded flood hazard
area per FEMA Map No. 401400243, as last
revised October 16, 2012.

SURVEYOR'S NOTES
The property described hereon is subject to the
terms, conditions, provisions, covenants,
restrictions, easements, limitations, and setback
lines contained in the recorded plat listed hereon.
Any Special Exceptions (SK) shown on this
drawing are from title commitment 22160786,
dated April 29, 2022.
7. Easement, BK 587 PG 165, (Affects along rear /
north end of lot, width not given in document)

Date of Field Inspection: 4/15/2022

DEB 2022

Deb Mel W. Converse, Licensed Professional Land Surveyor No. 132 in the State of Oklahoma, do hereby certify that the Mortgage Inspection Report was prepared
for the client. It is not a land or boundary survey plat, and that it is not to be relied upon for the establishment of fences, buildings, or other future improvement lines.
Neither party shall be liable for the improvements on the above described parcel on the date of field inspection except utility connections are entirely
within the parcel, except as indicated, and that the prior approvals or evidence of any easement crossing or burdening any part of said parcel, except as noted, for the purpose of this
certificate fences and improvements are not considered to be improvements.

DEB 2022

Date of Certification 5/19/2022