

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

Meeting No. 1327

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: planning@cityoftulsa.org

Mail or In Person: City of Tulsa BOA, 175 E. 2nd St., Suite 480, Tulsa, OK 74103

MINUTES

1. Approval of **Minutes** of September 12th, 2023 (Meeting No. 1322)

UNFINISHED BUSINESS

2. **23557 – Lou Reynolds**

Action Requested: Special Exception to permit a Library in the RS-3 District (Table 5.020, Table 5-2, Table 5-2.5); Variance to reduce the required 25-foot street setback in the RS-3 District (Sec. 5.030-A, Table 5-3)

Location: 1110 E. 45th Pl. S. (CD 9)

(Item was approved on August 8th, 2023; the Board moved to reconsider item on September 12th, 2023; Board further continued item until 11/14/2023)

NEW APPLICATIONS

3. **23593 – Charles Okyere**

Action Requested: Special Exception to increase the permitted driveway width in a RS district (Sec. 55.090-F.3)

Location: 2501 S. Birmingham Pl. (CD 4)

4. **23594 – Lou Reynolds**

Action Requested: Special Exception to permit a Library in the RS-3 District (Table 5.020, Table 5-2, Table 5-2.5)

Location: 1017 N. Greenwood Ave. (CD 1)

5. **23595 – Lou Reynolds**

Action Requested: Variance to permit an accessory building in a side setback in the RE district (Sec. 90.080-C, Table 90-1)

Location: 2157 E. 26th Pl. (CD 4)

6. **23596 – City of Tulsa C/O Gary Shellhorn**

Action Requested: Special Exception to modify a previously approved site plan and conditions for a Parks use in the RS-3 District (Table 5.020, Table 5-2; Sec.70.120)

Location: 5002 N. Wheeling Ave. (Berry Park) (CD 1)

7. **23597 – Trigon Inc.**

Action Requested: Variance to increase the permitted sign area of 32 square feet for a wall sign in a residential district (Sec. 60.050-B.2)

Location: 5840 S. Hudson Ave. **(CD 9)**

8. **23598 – Keith Robertson**

Action Requested: Special Exception to permit a fraternal organization in the CS district. (Sec. 15.020, Table 15-2); Special Exception to increase the allowed fence height of 4-feet inside the street setback (Sec. 45.080-A)

Location: 3950 S. Union Ave. **(CD 2)**

9. **23599 – Phillip Doyle**

Action Requested: Special Exception to allow an Accessory Dwelling Unit in an RS-2 District (45.031-D); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-B); Variance to allow more than 25% coverage by an Accessory Dwelling Unit in the rear setback in an RS-2 District (Section 90.090-C); Variance to allow a detached Accessory Dwelling Unit to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate. (Section 90.090-C)

Location: 1324 E. 26th Pl. **(CD 4)**

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

Website: tulsaplanning.org **E-mail:** planning@cityoftulsa.org

CD = Council District

NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify Tulsa Planning Office at 918-596-7526. 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 Tulsa City Hall. All electronic devices must be silenced.



CITY OF Tulsa

Board of Adjustment

Case Number: BOA-23557

Hearing Date: 11/14/2023 (Continued from 9/26/23 Hearing)

Case Report Prepared by:

Austin Chapman

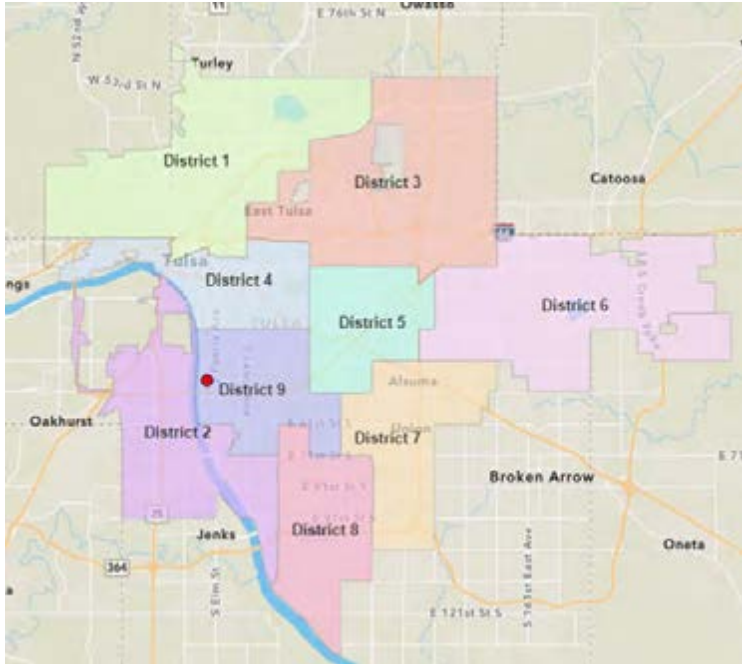
Owner and Applicant Information:

Applicant: Lou Reynolds

Property Owner: Independent School District No. 1

Action Requested: Special Exception to permit a Library in the RS-3 District (Table 5.020, Table 5-2, Table 5-2.5); Variance to reduce the required 25-foot street setback in the RS-3 District (Sec. 5.030-A, Table 5-3)

Location Map:



Additional Information:

Present Use: School

Tract Size: 3.87 acres

Location: 1110 E. 45 Pl. S.

Present Zoning: RS-3

Case History:

08/08/23: First appearance on agenda, Board continued item until the next hearing.

08/22/23: Board approved item in a vote of 3 yeas (Stauffer, Barrientos, Wallace) and 1 abstention (Radney).

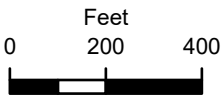
08/30/23: Notice of appeal of this case was filed with the Board of Adjustment staff.

09/12/23: Stauffer motioned to reconsider item at the 9/26 Hearing, all 3 Board member present voted in favor of reconsideration (Stauffer, Radney, and Bond).

09/26/23: Board move to continue reconsideration until 11/09/23 on advice of City of Tulsa Legal Counsel.



SUBJECT TRACT



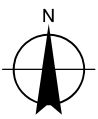
Subject
Tract

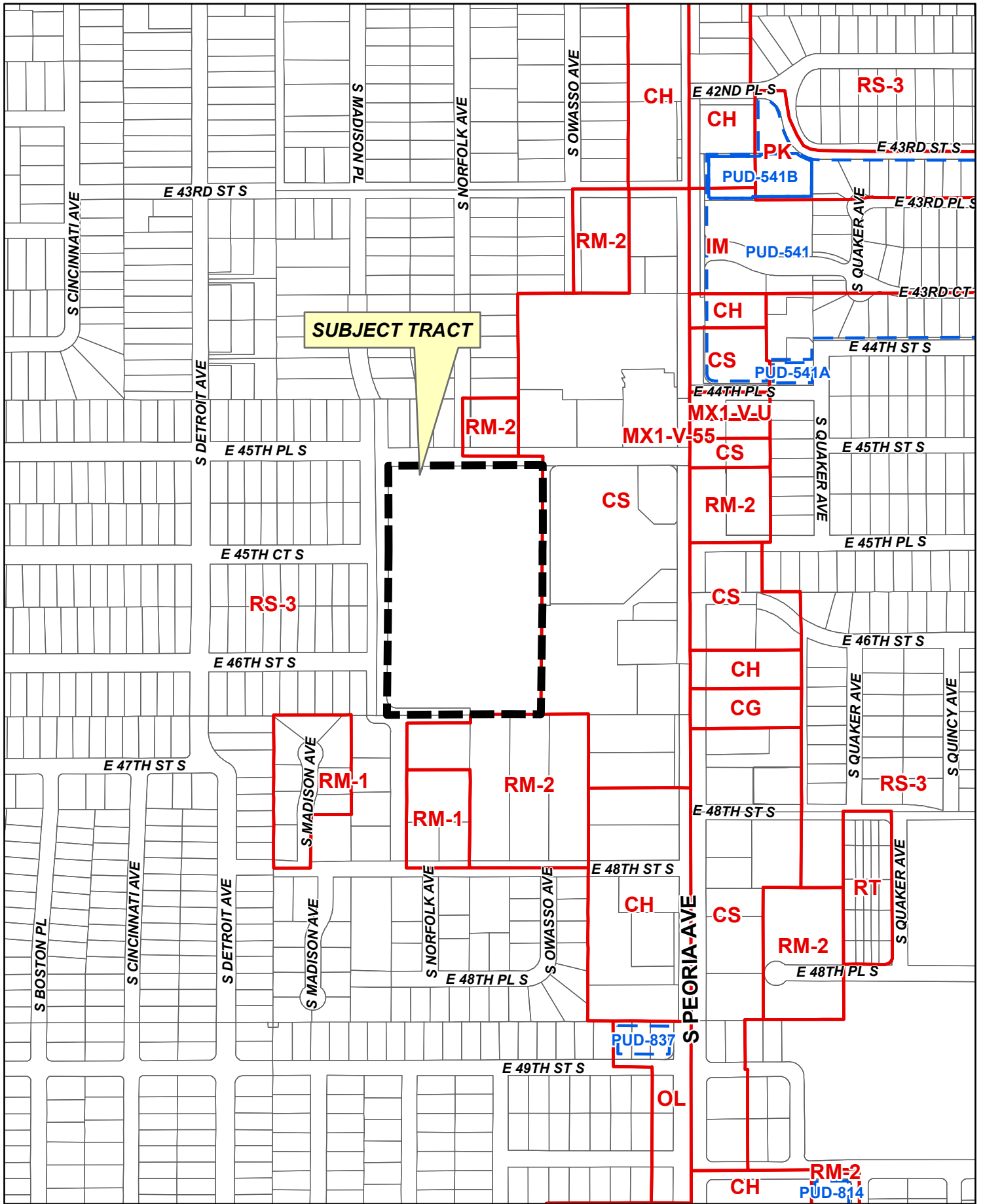
BOA-23557

19-12 25

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

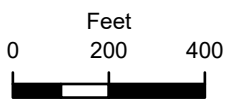
Aerial Photo Date: 2021



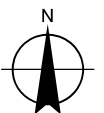


SUBJECT TRACT

BOA-23557



19-12 25



2.3

**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9225
CD: 9

Case Number: **BOA-23557**

HEARING DATE: 9/26/2023 (Board moved to reconsider item on 9/12/23 Hearing)08/22/2023 (Continued from 08/08/2023)

APPLICANT: Lou Reynolds

ACTION REQUESTED: Special Exception to permit a Library in the RS-3 District (Table 5.020, Table 5-2, Table 5-2.5); Variance to reduce the required 25-foot street setback in the RS-3 District (Sec. 5.030-A, Table 5-3)

LOCATION: 1110 E 45 PL S

ZONED: RS-3

PRESENT USE: School

TRACT SIZE: 168591.83 SQ FT

LEGAL DESCRIPTION: See attached.

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-21380; On 02.28.12 the Board **approved** a Variance to permit a digital sign to have non-constant light and a Variance to permit a digital sign within 200-feet of a residential district.

BOA-12091; On 08.19.82 the Board **approved** a Special Exception to permit a daycare use accessory to Wright Elementary School.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "Neighborhood".

Neighborhoods are "Mostly Residential Uses" which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents' daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off of a lower-order street separated from the arterial, then it would be considered Neighborhood.

STATEMENT OF HARDSHIP: See attached exhibits.

STAFF ANALYSIS: The applicant is requesting a Special Exception to permit a Library in the RS-3 District (Table 5.020, Table 5-2, Table 5-2.5);

35.040-I Library or Cultural Exhibit

Museum-like preservation and exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art or library collections of books, manuscripts and similar materials for study and reading. Includes aquariums and planetariums.

and a Variance to reduce the required 25-foot street setback in the RS-3 District (Sec. 5.030-A, Table 5-3):

Table 5-3: R District Lot and Building Regulations

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Min. Building Setbacks (ft.)													
Street [3]													
Arterial or fwy service rd.	35	35	35	35	35	35	35	35	10	10	10	10	35
Other streets	35	35	30	25	20	20	25	10	10	10	10	10	25
Side (interior) [4]	15	5	5	5	5	5	5	5[5]	5[6]	5[6]	5[6]	5[7]	10
Rear [4]	25	25	25	20	20	20	20	20	20	20	10	20	15

Applicant is requesting to reduce the street setback from 25-feet to 15-feet for non-arterial streets.

Facts staff finds favorable for variance request:

- The presence of the storm easement on the site as identified on the property does present a physical limitation of the building area of the site.

Facts Staff find unfavorable for the variance request:

- None.

SAMPLE MOTION:

Special Exception:

Move to _____ (approve/deny) a Special Exception to permit a Library in the RS-3 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.

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:

- That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;*
- That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;*
- That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;*

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

Exhibit "A"

A tract of land located in the City of Tulsa, Tulsa County, State of Oklahoma, more particularly described as follows, to-wit:

The East 995 feet of the South 474 feet of the Annie May Grant Tract "B" of the L.J.F. Rooney Survey of Annie May Grant (née Abdo) and Harry N. Abdo lands in Section 25, Township 19 North, Range 12 East, according to the recorded plat thereof, the East boundary thereof being the center of the Section line between said Section 25, T-19-N, R-12-E, and Section 30 T-19-N, R-13-E; and the East 995 feet of the Annie May Grant Tract "C" of the L.J.F. Rooney Survey of Annie May Grant (née Abdo) and Harry N. Abdo lands in Section 25, Township 19 North, Range 12 East, according to the recorded plat thereof, the East boundary thereof being the center of the Section line between said Section 25, T-19-N, R-12-E, and Section 30, T-19-N, R-13-E, LESS a tract of ground in the Southwest corner of the Annie May Grant "C" Tract (which is part of the N/2 of NE/4 of SE/4 of 25-19-12) specifically described as: Beginning at a point in the center of Section line on the East side of said Section 25 at the Southeast corner of the Annie May Grant "C" Tract, according to the recorded plat and running thence North in the center of said Section line along the East boundary of said Section 25 a distance of 160 feet, thence due West and parallel with the South boundary line of said Section 25 a distance of 170 feet, thence South and parallel with the East boundary line of said Section 25 a distance of 160 feet, thence East along the South boundary line of said Annie May Grant "C" Tract a distance of 170 feet to the Point of Beginning.

Exhibit "B"

The Applicant requests (1) a Special Exception pursuant to Table 5-2 of the Tulsa Zoning Code (the "Code") to permit a Library in the RS-3 district; and (2) a Variance to reduce the minimum non-arterial street setback from 25 feet to 15 feet, all for property located at 1110 E. 45th Place S. (the "Property").

The Property is comprised of approximately 9 acres, with Collegiate Hall, a public charter school, located on the northern half of the Property. The Tulsa City-County Library Commission desires to build a new Brookside Library at the southwest corner of the Property. A Conceptual Site Plan of the new library facility is attached hereto. Currently, Brookside Library is located just north of the Property, across E. 45th Place. The proposed 15,000 SF library will be a much needed upgrade to the current 7,000 SF library built in 1970.

Given the existence of a library in this neighborhood just a couple of blocks away for over 50 years, the proposed Library use will not be injurious to the neighborhood and the Special Exception is in harmony with the spirit and intent of the Code.

The RS-3 zoning district requires a 25 foot building setback from non-arterial streets. Due to an existing storm sewer easement crossing the northern portion of the Property, the location of the proposed Library is confined to the area of the Property to the south of the easement. In order to accommodate the building on the site, the Applicant requests a Variance to reduce the 25 foot street setback to 15 feet.

Taking into account the existing 50 feet of right-of-way of E. 47th Street, the Library building will be setback 65 feet from the residential property boundary to the south and 85 feet from the nearest residential building wall to the south. Accordingly, the literal enforcement of the setback established by the Code is not necessary to achieve its intended purpose and the Variance will not impair the use of the adjacent property or the spirit and intent of the Code.





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A Professional Corporation

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July 26, 2023

Antony & Najat Abdo
2020 Revocable Trust
7726 S. 69th East Ave.
Tulsa, OK 74133-3414

Re: Brookside Library, 1110 E. 45th Place South, Tulsa, Oklahoma 74105
Board of Adjustment Case No. BOA-23557

Dear Mr. and Ms. Abdo:

If you have not already, you will be receiving a notice in the mail from the Tulsa Planning Office regarding our application for Case No. BOA-23557, which will be heard by the City of Tulsa Board of Adjustment on Wednesday, August 8, 2023, at 1:00 p.m.

The Tulsa City-County Library Commission is in the design process for a new Brookside Library facility. The existing Brookside Library, on the north side of 45th Place, was built over fifty years ago in 1970 and, with approximately 7,000 square feet, simply does not have the space or amenities of a modern library.

The new Brookside Library facility is proposed to be built on the south side of Collegiate Hall, on South Madison Place. The new building on Madison will be approximately 15,000 square feet and in addition to a larger book selection, will have meeting areas, computers and multi-media resources available to the public.



July 26, 2023

Page 2

The purpose of this Board of Adjustment application is for a Special Exception for the library use to be in a residential district and, due to a large storm sewer bisecting the Property, a Variance to reduce the street setback by 10 feet (from 25 feet to 15 feet) along E. 46th Place. Attached to this letter are a Conceptual Site Plan and Building Elevation that will be provided to the Board.

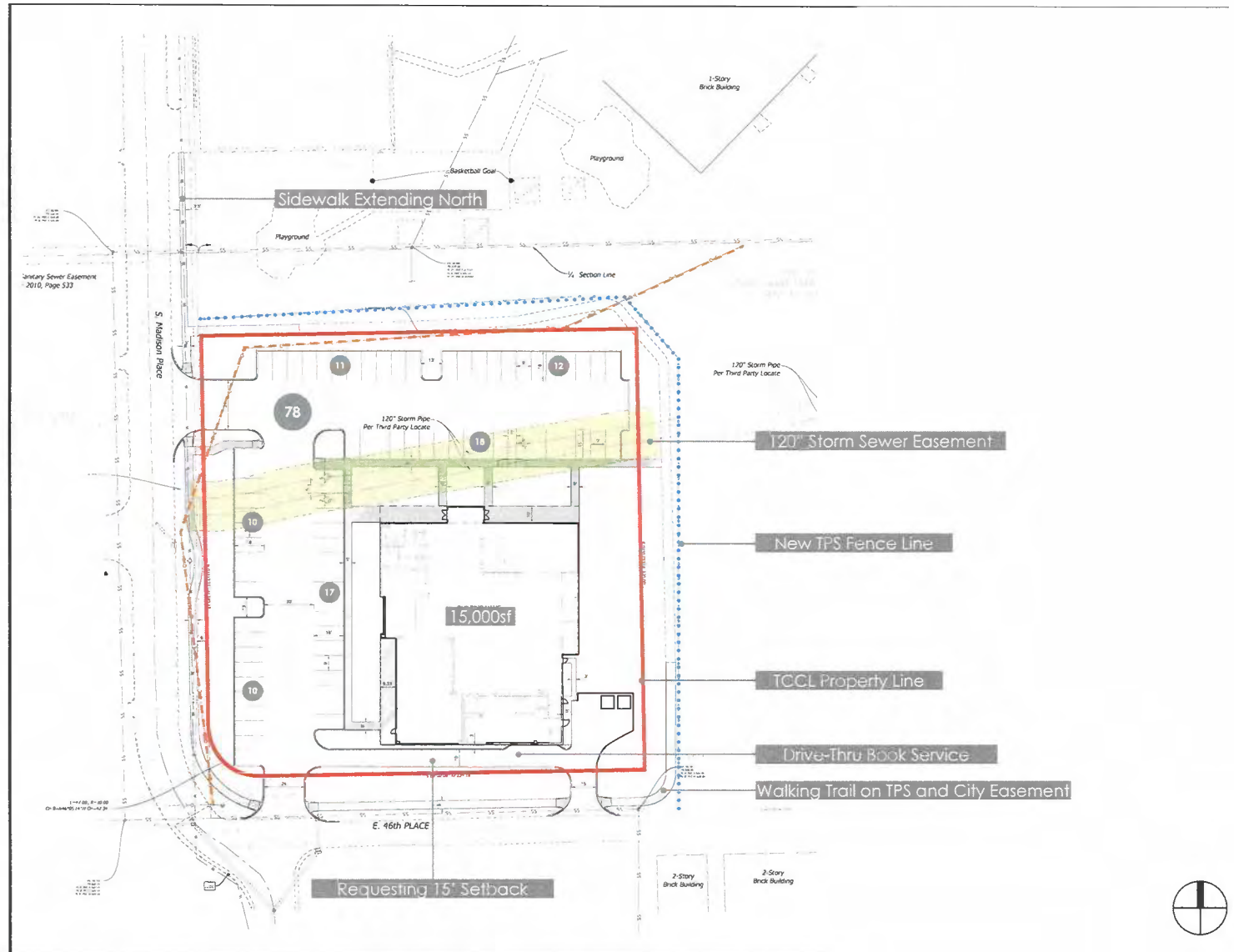
We are excited for the new Brookside Library and think it will be a wonderful, much needed upgrade for the community and you, as its neighbors. If you have any questions about the project, please do not hesitate to call me at (918) 747-8900.

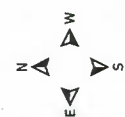
Yours very truly,

ELLER & DETRICH
A Professional Corporation

Lou Reynolds
Counsel for Tulsa-City County Library Commission

Enclosure





From: [Jonathan Pinkey](#)
To: [Chapman, Austin](#)
Subject: BOA-23557 New Brookside Library Being Planned
Date: Monday, August 7, 2023 5:47:58 AM

Greetings,

I am writing regarding Case BOA-23557 and the Brookside Library's planned new location. I wrote an earlier letter of concern to the Tulsa Library. Since writing that letter, I have spoken with some nearby residents. I have heard concerns that the project is unnecessary (regardless, the planned residential location seems very poor, all things considered). I have heard some strong concerns about the loss of green space. The large field has been in use for recreation and relaxation by many community members for decades (and would continue to be if left intact). Its size should not be substantially diminished, as it will be if this project proceeds. I have also become aware of concerns about this project contributing to the unnecessary existence of what the EPA calls a "heat island" in our neighborhood, which seems quite a serious consideration. There are other concerns as well. I agree with the statement that to grant the Special Exception/variance would do more harm than good for the local community. It seems that this project needs serious reconsideration.

Best wishes,

Jonathan Pinkey

4754 S Boston PL
Tulsa OK 74105-4418

P.S. Why not move the library somewhere else, perhaps on Peoria? (Possibly where the old Arby's was—there is a big field behind it that could provide plenty of parking. There are other possible locations that might be considered as well.)

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From: [Kelsey Royce](#)
To: [Chapman, Austin](#)
Subject: Request for Continuance BOA-23557
Date: Friday, July 28, 2023 4:15:57 PM

Good afternoon,

Per our conversation, I am requesting a continuance for BOA-23557 which is scheduled for August 8, 2023. A continuance is appropriate for the reason that it coincides with an election and would overburden residents who might have to make a choice between the two for reasons of personal or work-related obligations.

To date, no mail has been received notifying those of us living within 300 feet (or distance otherwise specified by law) that a variance has been requested for this project. I would also ask that a public hearing be held so that those of us who have concerns may bring them before the body that governs these changes.

If there are any other steps to be taken in order to ensure that affected residents are able to engage and fully participate in this process, please advise.

Regards,

Kelsey Royce
918-955-5007

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From: [Harry Potter](#)
To: [Tulsa Planning Office](#)
Subject: Case No. BOA-23557 - Opposition to Request for Special Exception and Variance
Date: Monday, August 21, 2023 6:51:17 PM

Members of the Board,

I am a resident of the affected neighborhood and strongly oppose granting the applicant's request in Case No. BOA-23557. I urge the Board to deny the requested special exception and variance because it is a commercial endeavor that is inappropriate for our quiet neighborhood and would be deleterious to our community.

Sincerely, Anique Swanson

Sent from my iPhone

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From: [M.Haddad](#)
To: [Tulsa Planning Office](#)
Subject: Case#BOA-23557
Date: Monday, August 21, 2023 10:42:06 PM

We are the owners of property located within 300 ft of the proposed Brookside Library. We strongly oppose this proposal and urge the BOA to deny the applicant's request.

As we understand it, there are two requests that the library is making of the BOA:

- 1) to be granted a special exception
- 2) to be granted a variance in the event that the exception is approved.

No variance can be granted.

The criteria for BOA approval of an exception are:

1) the exception will be in harmony with the spirit of the zoning code to the current residential zoning (RS-3)

2) it will not harm community or public welfare

We contend that the exception is not in harmony and will harm us. Therefore, an exception and resultant variance must be denied.

There is no proof that the library needs an "upgrade" and the Library Commission, as a fiduciary, must give the public evidence of such need.

We believe in and support the public library system ! As residents of the Brookside area, as well as owners of numerous properties in same neighborhood (that we pay real estate taxes on, and, in turn, support the library's existence), we want a safe and healthy environment for our neighborhood that protects the community's right to quiet enjoyment.

The applicant's proposal for a special exemption and the request for a variance that is to be brought before the BOA on Tuesday (8/22/23) is incomplete, confusing, and unprofessional.

We oppose the proposal and urge the BOA to deny the Applicant's request.

Sincerely,

Gary & Marianne Haddad
4128 S Norfolk Avenue
Tulsa, Ok 74105

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Chapman, Austin

From: callanhenrik@gmail.com
Sent: Monday, August 21, 2023 6:52 PM
To: Tulsa Planning Office
Subject: Case No. BOA-23557 - Opposition to Request for Special Exception and Variance

Members of the Board,

I am a resident of the affected neighborhood and strongly oppose granting the applicant's request in Case No. BOA-23557. I urge the Board to deny the requested special exception and variance because it is a commercial endeavor that is inappropriate for our quiet neighborhood and would be deleterious to our community.

Sincerely, Callan Swanson

Sent from my iPhone

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Chapman, Austin

From: Cherry swanson <cherlei1969@gmail.com>
Sent: Monday, August 21, 2023 6:52 PM
To: Tulsa Planning Office
Subject: Case No. BOA-23557 - Opposition to Request for Special Exception and Variance

ChMembers of the Board,

I am a resident of the affected neighborhood and strongly oppose granting the applicant's request in Case No. BOA-23557. I urge the Board to deny the requested special exception and variance because it is a commercial endeavor that is inappropriate for our quiet neighborhood and would be deleterious to our community.

Sincerely, cherry Swanson

Sent from my iPhone

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QUESTIONS FROM OUR NEIGHBORHOOD COMMUNITY

RE: BOA- 23557 Proposed Change to Applicable Code and Easement Minimum for 15,000 Sq Ft Library in Predominantly Single-family Neighborhood without Requisite Impact Studies.

1) The proposed building is a very large 15,000 square feet and requests setback of 15 feet instead of existing legal minimum of 25 feet. To accommodate the storm easement, the proposed setback is designated for the side and rear portions of the building, which are adjacent to multi-family dwellings.

1.1) Does this imperil adjacent buildings, and residents of those buildings, due to proximity in case of fire or emergency event?

1.2) What remedies exist in the case of fire, or emergency event? How will a fire truck and other emergency vehicles access the side and back of building with such limited space to navigate or turn?

2) This proposed new 15,000 square foot library is part of a developed parcel which houses a Charter School and serves our most vulnerable and treasured community members- our children. 2.1) Are we placing them at risk in the event of fire or, God forbid, armed hostility, by reducing clear and navigable access by emergency vehicles to all parts of the building?

2.2) Are there security risks and vulnerabilities due to the reduced easement of minimum 25 feet to proposed 15 feet?

3) Documents ask if there are any, "Facts staff find unfavorable," and in advance of tomorrow's hearing expressly answer, "None."

3.1) Where are the surveys of traffic flow, studies which identify impacts upon neighborhood residents, adjoining properties and existing infrastructure (i.e., roads, sewer, electrical, technology, etc.)?

3.2) Where are the studies and findings, including impacts upon community and taxpayers due to increased use and consumption of resources, as well as how hours of operation and after-hours special events may negatively impact individuals and families in a neighborhood predominantly of pre-existing single-family dwellings?

3.3) Will there be disruption of our quiet, tranquil neighborhood and how will it negatively affect our property values as tax paying homeowners?

3.4) If there are studies, who, or which company, conducted them?

3.5) Were there any Environmental Impact Reports requested, conducted and/or filed for this proposed use of the soccer and playground parcel?

3.6) Were impacts upon the loss of carbon-processing ancestral oaks and trees of large diameter identified and considered?

3.7) Were the impacts and devastation of habitat of resident and protected wildlife identified or considered? If so, how?

3.8) Most importantly, were the devastating impacts upon our most treasured community members - our children - identified and considered? When so many children in the world do not have a safe place, or chance, to play, breathe clean air and interact with God's Creation, why would we take one that already exists and is beloved here in Tulsa?

3.9) What were the methodologies, criteria, analysis and dates of any studies?

4. Was there Notice of Proposed Changes to Easement?

4.1) If so, how was legal Notice given and when?

4.2) Was each property owner and resident within the adjoining buildings and communities given Notice or asked how the new library would affect them positively or negatively?

TRAFFIC ON MADISON PLACE AFTERSCHOOL



STREET VARIOUSLY NAMED BY APPLICANT 47th & 46th PL



From: [Jim Diacon](#)
To: [Tulsa Planning Office](#)
Cc: [Chapman, Austin](#)
Subject: BOA-23557 New Library Proposed for 1110 E. 45th Place, Tulsa
Date: Friday, August 18, 2023 3:05:46 PM
Attachments: [preview.png](#)

		Case Number: BOA-23557 Meeting Date: 08/22/2023 (Continued from 08/19/2023)
Case Number Proposed By: Applicant:	Owner and Applicant Information: Applicant: Lisa Reynolds Property Owner: Independent School District No. 1	
Action Requested: Special Exception to permit a Library at the 45-02 Corner (Pages 5-200, Table 5-2, Table 5-2B); variance to reduce the required (33-foot street setback to the 45-02 Corner) (Sec. 5-152A, Table 5-2)		
Location Map: 	Additional Information: Proposed Use: School Tract Size: 3.87 acres Location: 1110 E. 45th Pl. S. Proposed Zoning: U-1-C	

6.1

BOA-23557
PDF Document - 9.1 MB

I own the apartments at 4611-4623 S. Madison Place. My property is located across the alley/46th Place to the south of the proposed location for the new library.

I am opposed to the applications to both allow from he library to be build and to reduce the setback from he the street from 25 to 15 feet.

Reasons are:

- This large commercial building will be huge change to the look and feel to what is now a residential neighborhood. It is not an appropriate use of the space.
- We purchased the property assuming that the open green space to the north would be protected by zoning requirements. The current park-like setting is a big draw for our tenants.
- What will basically be a two story building will loom over our property, especially if it allowed to be built 10 feet closer to the street than what is normal.
- Added car and foot traffic is bound to create a nuisance for all that live in the neighborhood, especially those adjacent to the property.
- In its current from, 46th Place is basically an alley; not a real street. There is no way that it can handle the extra curb cuts and traffic in existing form.
- According the plan, the curb cut located at the SE corner of the new building will be primarily used by trucks for deliveries and trash collection. That could cause extra noise and disruption for my tenants.
- Covering the current green space with a building and parking is bound to lead to water run-off problems for all adjacent property owners.
- If allowed, the project has the potential to REDUCE my property value.

At a minimum, if the project is allowed to move forward, we would expect that the alley on the south perimeter (46th PL) be totally brought up to current standards. This would require removal of the existing material, re-grading, addition of curbs and gutters, curb cuts on the south side to provide access to my tenant parking, etc. All of the cost of improving the alley into a real street should be borne by the project/library system.

Thanks for your time. Please don't hesitate to contact me if you have questions.

Jim Diacon
Owner and Managing Member
JNP, LLC

Jim Diacon
jdiacon@me.com
918-688-8950

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From: [Evan Inman](#)
To: [Tulsa Planning Office](#)
Subject: Case No. BOA-23557 - Opposition to Request for Special Exception and Variance
Date: Sunday, August 20, 2023 11:31:05 AM

Members of the Board,

I am a resident of the affected neighborhood and strongly oppose granting the applicant's request in Case No. BOA-23557. I urge the Board to deny the requested special exception and variance because it is a commercial endeavor that is inappropriate for our quiet neighborhood and would be deleterious to our community.

Sincerely,
Evan Inman

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From: [Mary C](#)
To: [Tulsa Planning Office](#)
Subject: Case No. BOA-23557 - Opposition to Request for Special Exception and Variance
Date: Sunday, August 20, 2023 7:50:15 PM

Members of the Board,

I am a resident of the affected neighborhood and strongly oppose granting the applicant's request in Case No. BOA-23557. I urge the Board to deny the requested special exception and variance because it is a commercial endeavor that is inappropriate for our quiet neighborhood and would be deleterious to our community. I have lived across the street from the school/greenspace since 1988 and the greenspace has been used and enjoyed by countless numbers of Tulsa residents to exercise their dogs, meet for ball practice and basketball and walk the perimeter for exercise. The greenspace is even a stop for the local geese on their way to the Arkansas River. I would like to see these activities continue in our little neighborhood. I think it's important to the residents' overall enjoyment with the area of town we live in.

Thank you,

Mary Campbell
331 East 45th Court
Tulsa, OK 74105

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Chapman, Austin

From: Katie Roberts <katieblue69@gmail.com>
Sent: Monday, August 21, 2023 4:39 PM
To: Tulsa Planning Office
Subject: Case BOA-23557

Hello. I oppose this case! We use that are to play, walk and socialize. Please do not make it a parking lot!

Sincerely

Katera Roberts
918-636-5393
4762 S Boston Pl
Tulsa OK 74105

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From: [Luka Gogibedashvili](#)
To: [Tulsa Planning Office](#); [Chapman, Austin](#); boa@incog.org
Subject: A letter regarding case 23557
Date: Tuesday, August 22, 2023 10:06:11 AM

Date: 8/22/2023

Case No. BOA - **23557**

Name: Luka Gogibedashvili

Address: 4712 South Boston Avenue, Tulsa, OK, 74105

Contact Information: 202-227-7902; Email: lukagog@gmail.com

To the distinguished board members of Tulsa City Hall,

My name is Luka Gogibedashvili, I am a resident near the Collegiate Hall and the public park of the same, located at the intersection of S. Madison Pl and E 45th Pl.

In this letter I would like to briefly convey my interest and reasoning in favor of keeping the public green space for the use of the local community. I do ask that the interests of residents be considered when ruling regarding the starting of a construction project that would pave away the lovely green space that has become so dear to us.

My wife, April Elise Gordon, and I visit the park every day, we have met and have become friends with people that also frequent the park. I see residents there that bring their children to play in the field and the playgrounds, I regularly see my former student playing basketball with his friends on the basketball court, a girls' soccer team uses the property to train for their games. I know people that have met, become friends, and started dating, all from meeting at this park. Many people bring their dogs, and the latter have formed a cheerful community of their own. The passers-by say hello and stop by for a chat, exchanging local news and to complain about the weather.

Speaking of the weather, the greenery acts as a heat sink, which is a welcome reprieve in hot Oklahoma summers. While the construction, which would bring even more cement than the area already has, would do the opposite. The green space does also, as one would imagine, serve as a failsafe against flooding, a benefit that extends far beyond the immediate vicinity of the surrounding houses.

As for the construction of the library itself, we welcome it, but surely an alternative location could be found that is not as important for the mental, physical, and social well-being of the community.

I regret that my work does not let me attend the hearing on August 22nd, 13:00, and I have to send this letter instead, I hope it will find you well. I implore you to consider the interests of the community and not deprive us of a public space that we use daily.

Respectfully Yours,

Luka Gogibedashvili

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BOA Case No. 23557
August 22, 2023
Looking North from SW Corner

2.34



BOA Case No. 23557
August 22, 2023
Looking North from NW Corner
2.35



BOA Case No. 23557
August 22, 2023
Looking East from NW Corner

2.36



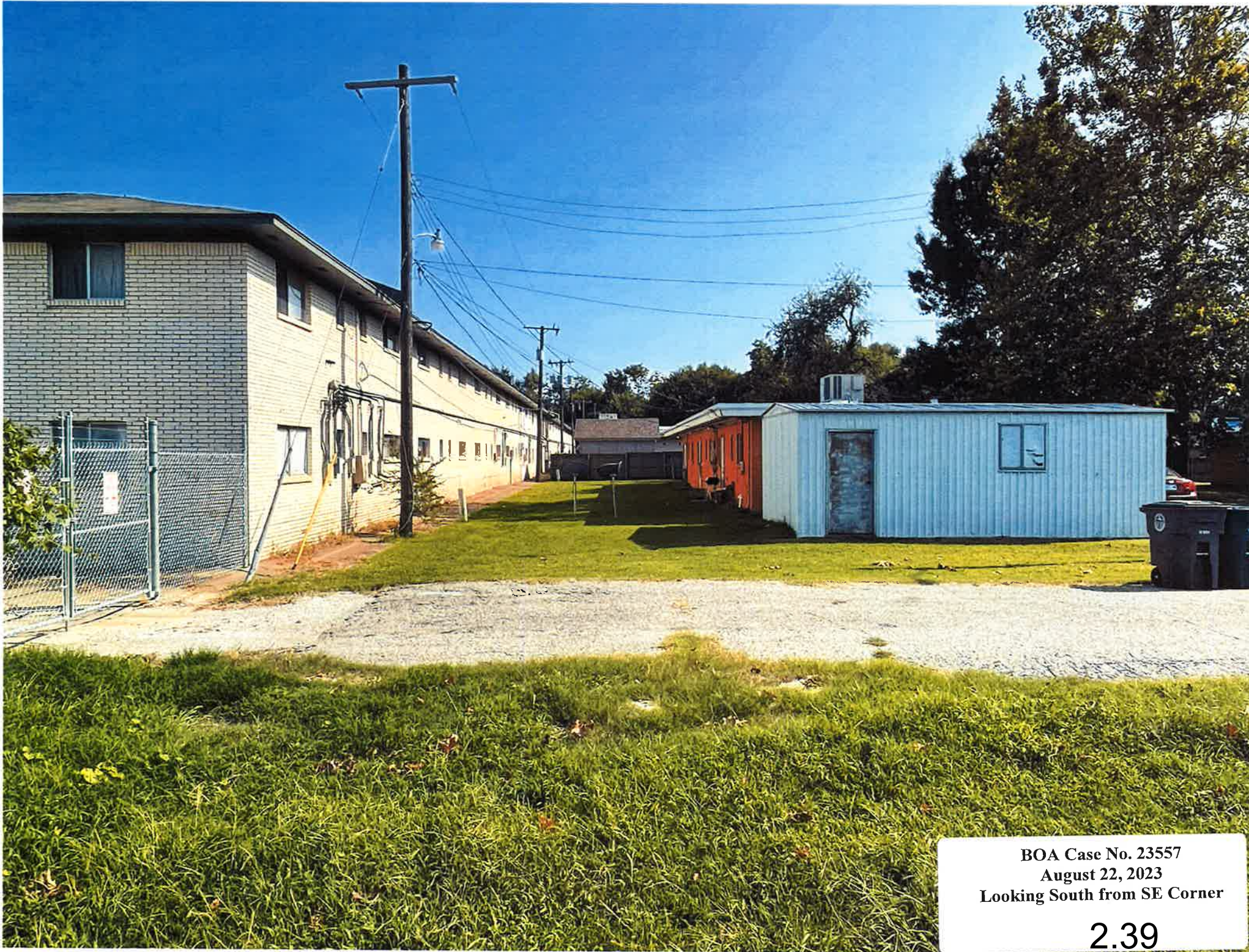
BOA Case No. 23557
August 22, 2023
Looking South from NW Corner

2.37



BOA Case No. 23557
August 22, 2023
Looking East from SW Corner

2.38



BOA Case No. 23557
August 22, 2023
Looking South from SE Corner

2.39



BOA Case No. 23557
August 22, 2023
Christ the King Food Pantry

2.40

Existing school fence line to Remain
(pink dotted lines)

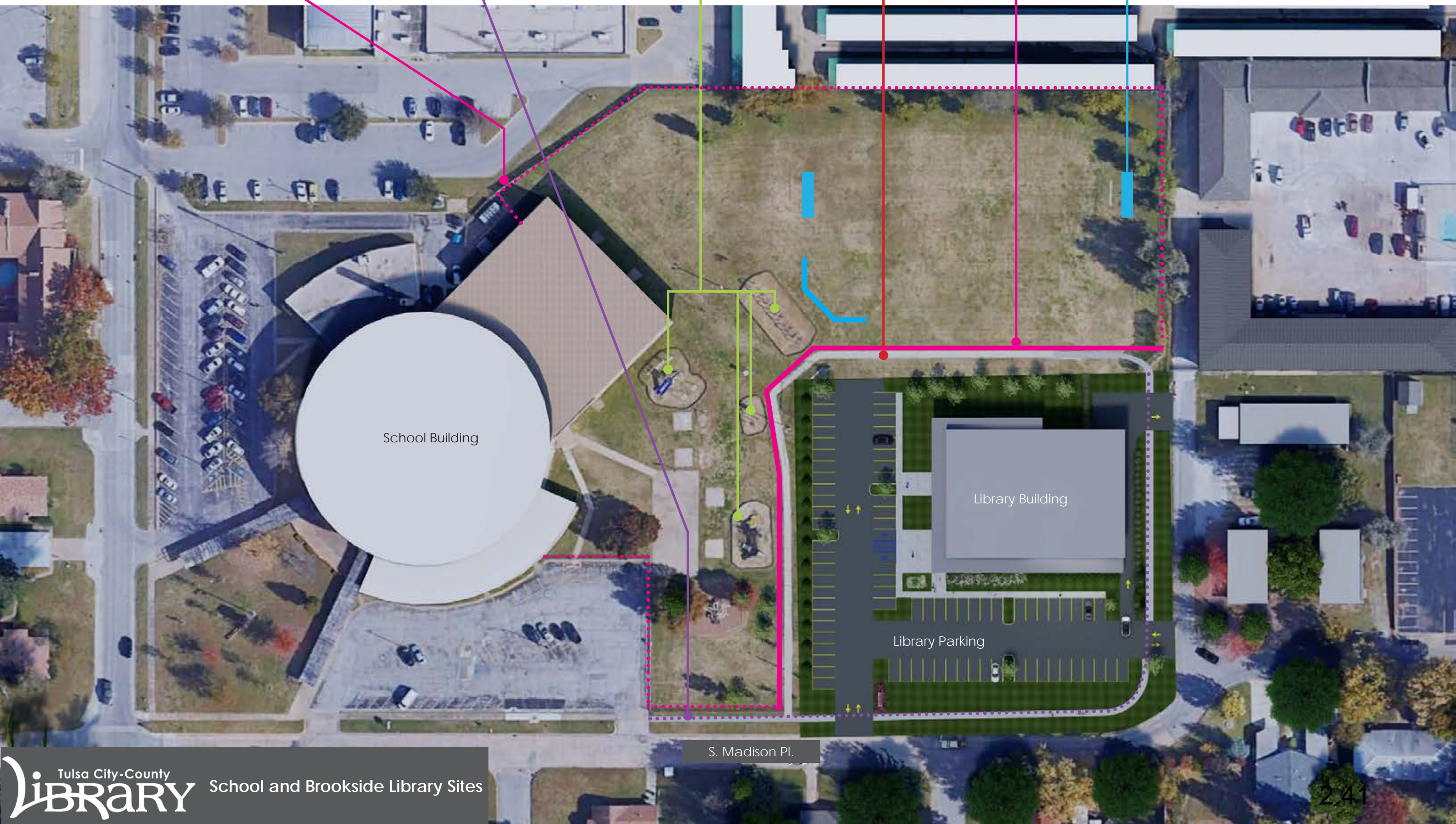
New sidewalk to extend and
connect to the school

All playground
equipment remains

Existing walking trail is
maintained and becomes
publicly accessible (no longer
behind the school's fence)

Adjusted Fence Line

New Soccer Goals and baseball backstop
added to school property

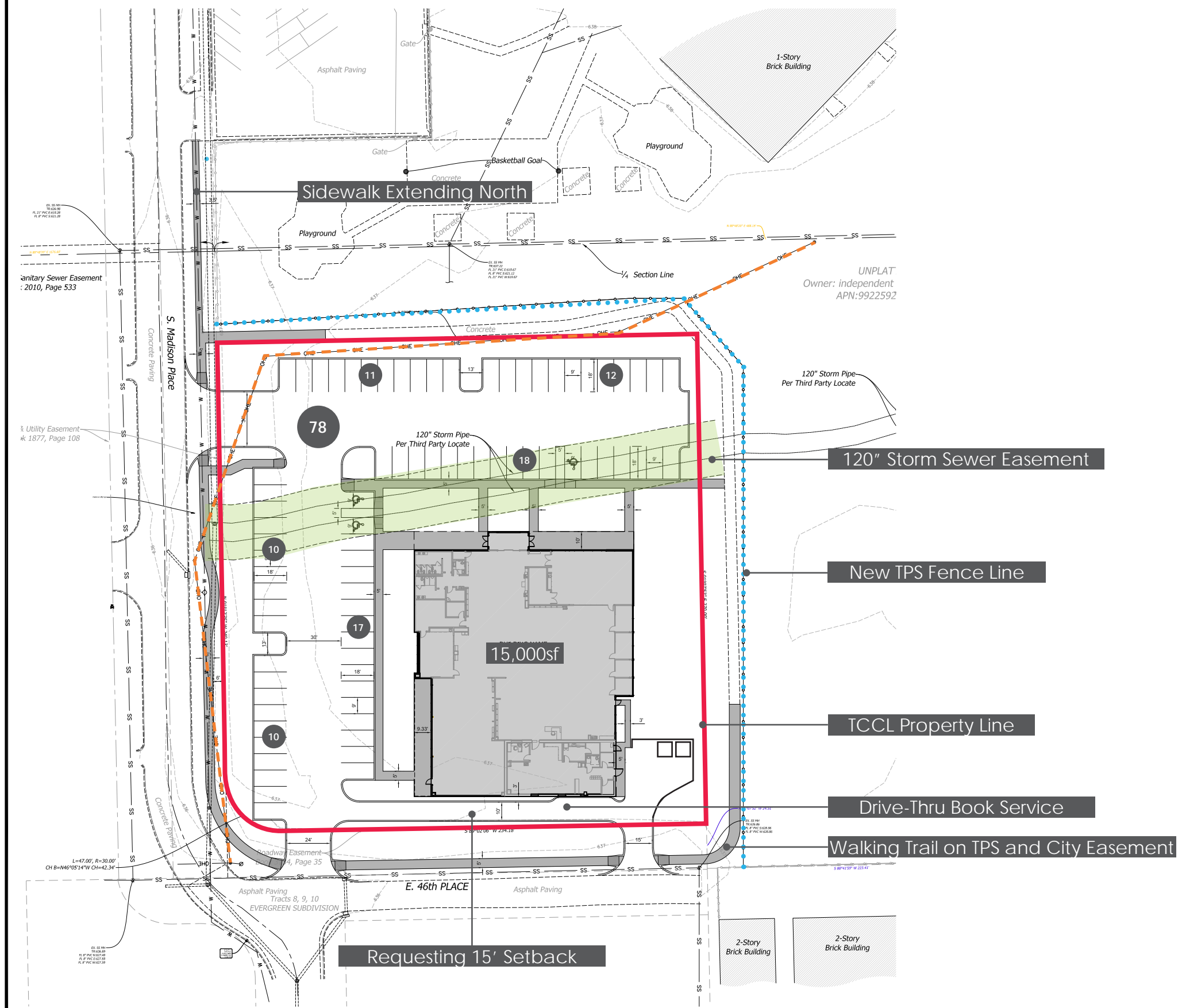


School Building

Library Building

Library Parking

S. Madison Pl.







NOTICE OF INTENT TO APPEAL
FROM CITY OF TULSA BOARD OF ADJUSTMENT

This constitutes notice of Intent to
Appeal the decision of the Board of
Adjustment (City of Tulsa) BOA-23557
August 22, 2023, to District Court. CV-2023-1809

Sept. 1, 2023

Kelsey [Signature]
336 E. 45th Ct.

FILED
CITY OF TULSA BOARD OF ADJUSTMENT
2023 SEP 01 10:06 AM

FILED
CITY OF TULSA BOARD OF ADJUSTMENT
DATE: 9/1/23 TIME: 4:14 (AM)(PM)
RECEIVED BY: [Signature]
CLERK OF THE BOARD: Austin Chapman



IN AND FOR THE DISTRICT COURT OF TULSA COUNTY
STATE OF OKLAHOMA

DISTRICT COURT
FILED

AUG 31 2023

DON NEWBERRY, Court Clerk
STATE OF OKLA. TULSA COUNTY

KELSEY ROYCE and Others, Home
Owners and Residents

Petitioners,

CV-2023-01809

Vs.

Caroline Wall

CITY OF TULSA BOARD OF ADJUSTMENT
Defendants,

IN RE: Appeal from the City of Tulsa Board of Adjustment meeting decision of August 8th and continued on August 22, 2023 on Agenda No. 1322, Case No. BOA-23557 when the BOA approved the special exception for the Tulsa City-County Library Commission to build a library on Tulsa Public Schools property in a residential neighborhood (RS-3) and resultant variance to the setback to 15ft.

2023 AUG 23 10 46 28
CITY OF TULSA

NOTICE OF APPEAL FROM CITY OF TULSA BOARD OF ADJUSTMENT

COMES NOW, Kelsey Royce and Other Home Owners and Residents, the Petitioners vs. The City of Tulsa Board of Adjustment Agenda No. 1322, in Case No. BOA-23557, hereby appeal the decision of said Board of Adjustment rendered on said application. In support of this Appeal, Petitioners state the following:

FILED
CITY OF TULSA

SEP 01 2023

A.M. 4:15 P.M.
OFFICE OF THE CITY CLERK
BY 14

FILED
CITY OF TULSA BOARD OF ADJUSTMENT

DATE: 9/1/23 TIME: 4:14 PM

RECEIVED BY: 84

CLERK OF THE BOARD: Austin Chapman

Page 1

2.46

1. The City of Tulsa Board of Adjustment ("BOA") is a quasi-judicial body organized under the authority of (11 O.S. 44-10) for the purpose of issuing final decisions on findings of fact in City land use zoning, special exceptions, and variances.
2. Pursuant to Tulsa Zoning Code 70.120-F approval of a special exception requires an affirmative vote of at least 3 members of the board of adjustment.
3. Pursuant to Tulsa Zoning Code 70.130-G approval of a variance requires an affirmative vote of at least 3 members of the board of adjustment.
4. On August 22, 2023, BOA approved Case No. BOA-23557 to build a Library on 1110 with the following votes: 3 - yea; 1 - absent; 1- abstain.
5. On August 22, 2023, conflicted BOA Member, Whitney Stauffer, did not recuse from discussion and voted to approve BOA-23557.
6. Pursuant to Tulsa Zoning Code 70.120-B Authority to File - Applications for special exception approval may be filed only by the owner of the subject property or by the property owner's authorized agent.
7. Pursuant to Tulsa Zoning Code 70.130-C Authority to File Variance applications may be filed only by the owner of the subject property or by the property owner's authorized agent.
8. The property owner of 1110 E. 45th Place ("the Property") is Independent School District No. 1 Tulsa, Tulsa County ("Property Owner").
9. The governing body of the Property Owner is a body of 7 elected members of the local Board of Education (BOE).
10. The governing body of the Property Owner did not approve the application for BOA-23557 and did not retain Lou Reynolds to represent them in the aforementioned case.
11. Lou Reynolds (Eller & Detrick) was retained as Counsel for the Tulsa City-County Library Commission ("TCCL") to apply for a special exception and variance for property that is not owned by TCCL.

12. The BOA is held to standards outlined in its Ethics Policy which instruct members to avoid what a reasonable person would understand to be a conflict of interest or appear to be a conflict of interest (General Policy & Procedures, Section III).
13. The Property Owner is currently under investigation by state and federal authorities.
14. Independent Auditor's Report Dated January 27, 2021, found a significant deficiency in internal control over financial reporting related to "inappropriate revenue recognition related to transactions with the Foundation" (Foundation for Tulsa Schools, hereafter, "FTS").

BOA Member Conflict of Interest

15. City of Tulsa Board of Adjustment ("BOA") Member, Whitney Stauffer, was appointed to the BOA on April 12, 2023.
16. BOA member, Whitney Stauffer, is Chairman of the Board of Directors of the Foundation for Tulsa Schools (FTS), a charitable entity organized to support the mission of the Property Owner.
17. The interests of FTS have become so confused with the operations of the Property Owner that it is inconceivable that Whitney Stauffer in her role as BOA Member and simultaneously Chair of FTS could make an unbiased decision when it comes to BOA-23557.
18. Moises Echeverria-Ashworth is the President and CEO of FTS and is a TCCL Commission Member.
19. Ellen Duecker is a TCCL Commission Member and is employed by the Property Owner as Special Bond Projects manager.
20. BOA Member, Whitney Stauffer, works closely with Moises Echeverria-Ashworth at FTS.
21. BOA Member, Whitney Stauffer, worked closely with TCCL Commission Member, Ellen Duecker on the 2021 Bond Committee for the Property Owner.

22. On August 15, 2023, BOA Member, Whitney Stauffer, presided over a meeting of FTS which included the Property Owner's Chief Financial Officer and now-resigned former superintendent Deborah Gist.

23. The interests of FTS have become so confused with the operations of Independent School District No.1, Tulsa, Tulsa County, that it is inconceivable that Whitney Stauffer in her role as BOA Member and simultaneously Chair of FTS could make an unbiased decision when it comes to BOA-23557.

BOA Failed to Consider the Concerns Brought Forth by Neighborhood

24. Questions and concerns emailed to Austin Chapman, Senior Planner at the Tulsa Planning Office in charge of BOA-23557, were not raised to the BOA.

25. Comments from residents and property owners all opposed the special exception and variance.

26. Findings of fact for approval were not made pursuant to 70.120G as required.

WHEREFORE, Kelsey Royce and others were deprived of their rights to an impartial public hearing before the City of Tulsa Board of Adjustment. The District Court should stay all proceedings on BOA-23557 and conduct a trial de novo to show that there was not only a conflict of interest when Whitney Stauffer was allowed to vote to approve the special exception for the construction for the building of library and variance; but also violated the rules when Lou Reynolds was allowed to represent the Library Commission because they aren't the property owner.

CERTIFICATE OF SERVICE

This is to certify that on this 30th day of August, 2023 the above was filed with the Tulsa County Court Clerk with a request that a filed and stamped copy be forwarded and sent to the Judge Presiding over this case and the City of Tulsa Board of Adjustment.



336 E. 45th Ct.
Tulsa, OK 74105



Board Meeting Minutes and Notes Tuesday, August 15, 2023

The Foundation for Tulsa Schools held its Board of Directors Meeting in person on August 15, 2023.

Board members present: 20 board members present, which represents quorum.

Attended: Dr. Deborah Gist, Daniel Regan, Larry Faulkner, Brad White, Lachelle King, Jared Kuykendall, Annie Tomecek, Joey Wignarajah, Whitney Stauffer, Drew France, Maggie Hille Yar, Mary Spears, Sarah Gould, Emily Fuller, Rick Kelly, Shanese Slaton, Molly Aspan, Judie Hackerott, Steffanie Bonner, Teil Blackshare, Lauren Sherry

Staff present: Moises Echeverria, Brena Meadows Thrash, Joey Oneal, Sam Tinker

-
- Welcome & Call to Order – Whitney Stauffer, Board Chair
 - Call to Order [Whitney Stauffer] – 7:35AM
 - Board portal will be available on FTS website this week. Link will be sent out by staff
 - New board members
 - Lachelle King, City of Tulsa
 - Jared Kuykendall, JP Morgan
 - Emily Fuller, Intern & Reading Partners
 - Addressing issues brought up by State Superintendent.
 - Board Member Spotlight
 - Lachelle King, City of Tulsa
 - Jared Kuykendall, JP Morgan
 - Emily Fuller, Intern & Reading Partners
 -
 - Consent Agenda – 7:41
 - (MOTION) To approve [Joey Wignarajah]. Seconded [Molly Aspan], passed unanimously.
 - Consent agenda items:
 - Finance Report
 - Committee Reports
 - Partners in Education
 - Program Evaluation & Development
 - Tulsa Public Schools Update - Dr. Deborah Gist speaks (7:42)
 - Accreditation
 - Accreditation officer visits each school as well as the district for the accreditation process annually.
 - Originally the district had 1 accreditation deficiency when process concluded in May, due to report late by 1 week

- 2nd deficiency was added by state after Dr. Gist had reviewed and signed document
- Deficiencies are not cumulative, start over each year, if deficiency is resolved
- The accreditation process does not look at student outcomes
- Accountability
 - Student outcomes measured by school report cards.
 - When schools with failing grades consolidate, their grades start over, examples can be seen by districts like Oklahoma City
 - Two major goals in Strategic Plan for TPS-- literacy for all ages and college/career readiness. Plan available for review.
- Audit
 - Misconduct found internally by TPS
 - Reported the employee immediately to authorities once discovered and district has been as transparent as possible throughout the process as there is an open investigation
 - TPS does have strong internal controls
 - Dr. Gist and CFO met with State Superintendent to discuss the new requests for documentation
- Additional Information Discussed
 - Claims that TPS disregard religious liberties – Opposite of what is established in law.
 - 65 school districts with the same or lower accreditation status than TPS.
- Open to questions.
 - Timeline for accreditation? (7:54AM)
 - Accreditation status remains same until state issues changes.
 - State board meeting Thursday, August 24 and accreditation has been stated to be on agenda
 - If tabled again, State Superintendent must address TPS accreditation by Dec.
 - If OSDE votes for accreditation with probation, the state has the ability to make leadership changes within the district
 - What happens to the kids? (8:05AM)
 - We will not know the long-term impact to students, but schools will still be open with instruction continuing
 - TPS has already lost teachers due to the accreditation question and will lose more if accreditation changes
 - There has not been public discussion from OSDE to change leadership in the 6 districts that are currently accredited with probation.
 - State Superintendent falsely claimed that 52% of TPS budget were administrative costs. The figure he used contained nutrition, buses, counselors, reading interventionists which are not administrative costs.
 - There is a cap by the state for every school district's administrative costs of 5% and there is dollar for dollar penalty if over 5%.
 - TPS; administrative costs are 4%

- What is the strategy moving forward for TPS? (8:14AM)
 - Launching landing page tulsapublicschools.org/facts
 - Would love to see business leaders take on addressing facts and media miscommunications.
- Has anyone spoken to legislators to address checks and balances in OSDE? (8:23AM)
 - Statutes need to be written more tightly to strengthen procedures and clarify step-by-step processes for accreditation
- Anything FTS can do to be proactive to address conversations relating to programs? (8:29AM)
 - Addressing it, but hard to plan for something that is unprecedented. Gathering data, we have strong arguments to show impact of our programs that support community.
- Dr. Gist meets with Chamber board members today (Aug 15th, 2023).
- President's Report – Moises Echiverria, President & CEO (8:39AM)
 - Discussing long-term strategies, current issues might create a temporary pause in philanthropic support.
 - Discussing worst-case scenarios while continuing to support schools.
 - Moving forward with what is already scheduled.
 - Outreach to officials is critical.
 - ProtectTPS.com – most organized support effort.
 - Letter campaign, draft included in packet.
- Other Updates – Whitney Stauffer
 - Calendar in board packet.
 - Board social networking at Driller's game September 16th.
 - Next Board Meeting: October 17th at 7:30AM at Memorial MS
 - Magic City Books have T-Shirts in support of TPS
- Adjourn
 - **(MOTION)** To Adjourn [Drew France]. Seconded [Larry Falkner], passed unanimously.
 - Adjourned 9:03AM



**Thursday, July 20, 2023
July Regular Meeting**

12:00 p.m.

**Central Library
Executive Conference Room on Level "L"
400 Civic Center
Tulsa, OK 74103**

1. Opening of Meeting

- A. Call to Order - Leanne Helmerich, Chair
- B. Roll Call/Announcement of a Quorum

2. Chief Executive Officer's Monthly Report

- A. CEO Remarks - Kimberly Johnson, CEO
- B. Employee Recognition

3. Committee Report

- A. Physical Facilities Committee Discussion and vote to Adopt, Reject or Modify an Agreement for Naming Rights for the new Brookside Library. Ellen Duecker (Action)
- B. Personnel Committee -Vote to Adopt, Reject or Modify the Proposed 2024 Library Commission Meeting Schedule-Dr. Wimberly (Action)

4. Consent Agenda

- A. Approval of Consent Agenda
- B. Approval of June 2023 Minutes
- C. TCCL June Financial Reports
- D. Resolution: Declaring IT Surplus Property

5. Nominating Committee

- A. Appointment of commissioners to the Nominating Committee - Leanne Helmerich, Chair (Report)

6. Closing of Meeting

- A. Announcement of Next Meeting: August 17, 2023 at Rudisill Regional Library - 1520 N. Hartford Avenue, Tulsa, OK - Leanne Helmerich, Chair
- B. Adjournment - Leanne Helmerich, Chair

General Policies and Rules of Procedure

Board of Adjustment of the City of Tulsa

SECTION I – RULES OF PROCEDURE

A. Name

The name of this board shall be "Board of Adjustment of the City of Tulsa", hereinafter referred to as the "Board".

B. Membership

The Board shall consist of five members, who shall be appointed by the Mayor and confirmed by the City Council. Members of the Board shall serve without pay for a term of three years and shall continue to serve until their successors are appointed. Vacancies shall be filled for an unexpired term of any member in the manner set forth for appointments to a full term.

C. Removal

A Board member may be removed for cause by the City Council after notice, written charges and a public meeting. Three consecutive absences from regular and/or special called meetings, or absences totaling 2/3 of the regularly called or special called meetings held during any six month period, shall be sufficient cause for removal from the Board.

D. Officers

The Board shall elect annually from its appointed members a Chairman, a Vice-Chairman and Secretary. The Vice-Chairman shall serve as Chairman in the absence of the Chairman. Any vacancy in office shall be filled by the Chairman for the unexpired term only. The election shall take place on the first regularly scheduled meeting of the Board in the month of June.

1) The duties of the Chairman shall include:

- a) Presiding over meetings with all powers under parliamentary procedure, unless the Chairman designates another member to preside;
- b) Signing official documents of the Board;
- c) Appointing a Vice-Chairman and Secretary in the event the said officers are absent from the meeting.

2) The duties of the Vice-Chairman shall include:

- a) Presiding over all meetings in the absence of the Chair and shall have full powers of the Chair in matters that come before the Board; and
- b) Assuming the duties of the Secretary in the event that the Secretary is absent from the meeting.

3) The duties of the Secretary shall include:

- a) Assuming duties of the Chair in the event that the Chair and Vice-Chair are absent from the meeting; and
- b) Collecting and stamping exhibits of each meeting for the official record.

E. Quorum

A numerical majority of three Board members shall constitute a quorum for the conduct of any Board business.

F. General Procedures

1. If inclined, the Board may grant a continuance of a scheduled public meeting at the request of the applicant, interested parties, or Board staff.
2. A motion to reconsider any action of the Board can be made by a Board member who voted for the prevailing party.

- a) The Board may take a vote to reconsider an action of the Board during the meeting or at the next regularly scheduled meeting of the Board.
- b) The action to be reconsidered will be placed on the subsequent meeting agenda and written notice must be given to all interested parties at least five working days in advance of the scheduled meeting.

3. When the public wishes to communicate with Board members, the appropriate way is through a letter or e-mail correspondence to Board staff, who will in turn distribute it to the Board members and the applicant.

G. Public Meeting Procedures

1. The Board shall consider only public meeting items which have been properly advertised as required by law and only those where all fees have been paid, including fees for legal advertising.
2. The Chair can modify the order in which the cases will be considered from the order in which they are listed on the agenda. The procedure for each case shall normally be as follows:

- a) Staff will announce the case by reading the item number, case number and applicant's name.
- b) Staff will read the location of the subject tract and the action requested from the case report.
- c) The Chair calls on the applicant for a presentation, **not to exceed fifteen (15) minutes**. If the applicant presents a significantly changed application from that submitted for BOA staff review (as determined by BOA staff and at the BOA at the time of the presentation), such action is considered grounds for continuance.
- d) Any member of the public may address the Board at a regular or special meeting after signing in for a specific item. When recognized by the Chair, a member of the public should state his or her name and address. Speakers will be given **five (5) minutes to speak on an item**; however, the Chair may further limit that time based on the number of speakers for an item or impose an aggregate time for all speakers.
- e) The Chair may rule a comment out of order if it is redundant, irrelevant, indecorous or untimely.
- f) The applicant is given the opportunity to rebut and is allowed **no more than ten (10) minutes to speak**. If the applicant, in the Chair's opinion, should present new facts or information, the Chair may allow the protestants time to rebut same.
- g) The Chair announces the public hearing is closed on the case and opens the review session, during which the Board members will discuss the case among themselves and make a recommendation.
- h) BOA members shall address only the presiding Chair for recognition and shall confine their remarks to the question under discussion.
- i) During the review session, which shall be open and public, no new evidence shall be admitted unless specifically requested by a member of the Board and permitted by the Chair. However, any Board member may make a motion at any point in time when he/she feel they have sufficient information to do so.
- j) Before a motion is made, there shall be an opportunity for discussion of the case by the Board and for each Board member to make comments. After a motion is made, there shall be further opportunity for discussion by the Board, and the maker of the motion may refine the terms of the motion pursuant to such discussion. When the motion is formalized, the Chair shall restate the motion, state the name of the maker of the motion and the member seconding the motion, and call for a vote. If a Board member desires to amend the motion following the Chair's restatement of the motion but prior to the Chair's call for a vote, the Board member suggesting the amendment may ask unanimous consent to modify the motion. If any Board Member objects to the modification of the motion, the Board Member proposing the amendment shall move that the motion be amended. The motion to amend must be seconded, is debatable, and must be adopted by a majority vote of the members present.

3. A second is required on all motions in order to bring the question to a vote of the Board.

Tulsa Public Schools
Independent School District No. 1-1, Tulsa County, Oklahoma

Schedule of Findings and Questioned Costs (Continued)
Year Ended June 30, 2020

II. Findings Relating to the Financial Statement Audit as Required to be Reported in Accordance with Government Auditing Standards

A. Internal Control

Finding 2020-001

Significant deficiency in internal control over financial reporting

Finding: The Foundation for Tulsa Schools (the Foundation) is a legally separate not-for-profit organization whose purpose is to enhance the educational programs of the District by providing a permanent entity through which contributions can be received and distributions made for the benefit of the District and its students. During the course of performing the FY 2020 audit, we noted the following matters with regards to the Foundation:

- District management did not perform a timely review to determine whether the Foundation met the reporting requirements of a component unit, as defined in GASB Statement No. 39, *Determining Whether Certain Organizations Are Component Units, an Amendment of GASB Statement No. 14*.
- The District did not adequately review contribution funds received from the Foundation in both FY2019 and FY2020 as described in the condition below. The misstatement was corrected by the District and recorded in its 2020 financial statements.

Criteria: Effective internal controls should be established and maintained to prevent, or detect and correct material misstatements in the annual financial statements on a timely basis. In addition, monitoring procedures should be established to ensure that potential component units are evaluated at least annually as to whether inclusion in the District's financial statements is required.

Condition: The Foundation is a legally separate but related organization. As such, transactions with them need to be subject to the same review and scrutiny as all other transactions. In the current year, certain Foundation receipt journal entries were posted in the financial statements incorrectly resulting in:

- (1) An overstatement of 2020 other local revenue in the government-wide activities financial statements (of approximately \$1.5 million) as there were revenues related to 2019 that were incorrectly recognized in 2020; and
- (2) An understatement of 2020 other local revenue in the government-wide activities financial statements (of approximately \$1.6 million) as there were receipts related to 2020 that were incorrectly recognized in 2021. This misstatement was corrected by the District and recorded in its 2020 financial statements.

In addition, U.S. GAAP requires that certain legally separate not-for-profit organizations be evaluated for potential inclusion in the primary government financial statements as a component unit. The District did not perform a timely review to determine whether the Foundation met those requirements. Although District management ultimately concluded that inclusion in the District's financial statements was not required, this is an accounting policy that needs to be reviewed in a timely manner in order to facilitate accurate financial reporting.

**Tulsa Public Schools
Independent School District No. I-1, Tulsa County, Oklahoma**

**Schedule of Findings and Questioned Costs (Continued)
Year Ended June 30, 2020**

Cause: With regards to the inappropriate revenue recognition related to transactions with the Foundation, the errors were caused by a combination of factors, including lack of review and scrutiny of Foundation-related transactions. With regards to the consideration of whether the Foundation financial statements should be included in the District's CAFR, this is the result of not having an accounting policy that specifically addresses monitoring of potential component units.

Effect: Preliminary fund financial statements, government-wide financial statements and note disclosures contained errors that were significant to its 2020 financial statements. Such errors were corrected and revised by the District, and are properly reflected in its 2020 financial statements.

Although it was ultimately determined that the Foundation did not meet the reporting requirements of inclusion in the District's financial statements as a component unit, failing to include a discrete component unit in accordance with U.S. GAAP would result in the District's financial statements being materially misstated.

Recommendation: We recommend that the District implement procedures to ensure that Foundation transactions are reviewed for proper cutoff. We also recommend that the District establish an accounting policy that requires regular review, at least annually, of all organizations that could meet the requirements for inclusion in the District's financial statements as a component unit.

District Management's Response: The District agrees with the finding and recommendation.

**Tulsa Public Schools
Independent School District No. 1-1, Tulsa County, Oklahoma**

**Schedule of Findings and Questioned Costs (Continued)
Year Ended June 30, 2020**

Finding 2020-002

Significant Deficiency in Internal Control Over Financial Reporting

Finding: The District's internal controls over financial reporting failed to detect significant errors in the District's financial statements in the recording of the Net Pension Liability and Deferred Inflows of Resources and Deferred Outflows of Resources related to the District's participation in employee retirement system sponsored by Oklahoma Teachers' Retirement System (OTRS). The District's internal control system also failed to detect errors in the recording and disclosures of the Net OPEB Asset and Deferred Inflows of Resources related to the District's participation in the post-employment benefits sponsored by OTRS.

Criteria: Effective internal controls should be established and maintained to prevent, or detect and correct material misstatements in the annual financial statements on a timely basis.

Condition: The District's financial statements as originally prepared contained significant misstatements in the recording of the financial statement amounts, specifically Deferred Inflows and Deferred Outflows of Resources related to the District's participation in the OTRS defined benefit pension plan. In addition, recorded amounts and disclosures related to the District's participation in the OTRS other Post-Employment Benefit Obligation were also misstated.

Cause: District personnel understand the financial reporting requirements of GASB Statement No. 68 and GASB Statement No. 75; however due to lack of experienced accounting personnel, there was not an adequate review of the supporting schedules maintained by the District to determine that the amounts reported by the District were correct.

Effect: Amounts reported for Deferred Outflows and Deferred Inflows of Resources were misstated in the original financial statements. The District subsequently corrected its June 30, 2020 financial statements.

Recommendation: More than one member of the District's financial reporting staff should be trained to have a deeper knowledge of the accounting and reporting requirements of GASB 68 and GASB 75, and an independent review of the supporting schedules and journal entries prepared by the District should be performed.

District's Management Response: The District agrees with the finding and recommendation.

B. Instance of Noncompliance

No matters to report.

Findings and Questioned Costs for Federal Awards

A. Internal Control

No matters to report.

B. Instances of Noncompliance

No matters to report.

Eller Detrich
A Professional Corporation

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R. Louis Reynolds
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Andrew A. Shank
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September 6, 2023

Donald L. Detrich, Retired

VIA HAND DELIVERY & E-MAIL

City of Tulsa Board of Adjustment
c/o Tulsa Planning Office
Tulsa City Hall
175 E. 2nd Street, 4th Floor
Tulsa, Oklahoma 74103
achapman@cityoftulsa.org

FILED
CITY OF TULSA BOARD OF ADJUSTMENT
DATE 9/6/23 TIME 2:37 (AM/PM)
RECEIVED BY: AC
CLERK OF THE BOARD Austin Chapman

Re: BOA-23557 Request for Reconsideration

Dear Mr. Chapman:

This letter serves as the Applicant's request for the Board of Adjustment to reconsider its decision in BOA Case No. BOA-23557 on August 22, 2023. The Applicant requested a Special Exception for a Library in the RS-3 District and a Variance to reduce the required 25-foot street setback to 15 feet.

After hearing from the Applicant and interested parties and following robust Board discussion, the Board voted to *approve* the Special Exception and the Variance. However, without explanation, acting Chairperson Radney abstained from the vote, resulting in a 3(aye) - 1(abstain) vote.

Following the Board's decision, a Notice of Appeal was filed by Kelsey Royce alleging that Board Member Stauffer had a conflict of interest and should not have voted. Because only four of the five Board members were present, acting Chairperson Radney's abstention has made the allegation of Board Member Stauffer's conflict of interest material to the resolution of the case.



www.EllerDetrich.com

2727 East 21st Street, Suite 200, Tulsa Oklahoma 74114-3533

2.60

Accordingly, the Applicant requests that Case No. BOA-23557 be placed on the September 12, 2023 Board agenda to be reconsidered by the full membership of the Board in order to resolve any potential impact of such alleged conflict of interest.

Sincerely,

ELLER & DETRICH
A Professional Corporation



Lou Reynolds



CITY OF Tulsa

Board of Adjustment

Case Number: BOA-23593

Hearing Date: 11/14/2023 1:00 PM

Case Report Prepared by:

Sean Wallace

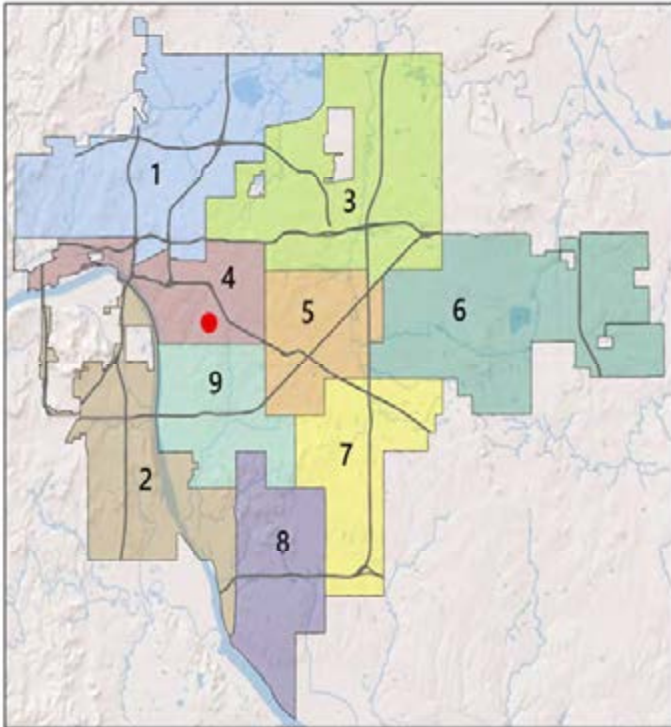
Owner and Applicant Information:

Applicant: Charles Okyere

Property Owner: CEO DEZIGNS INC

Action Requested: Special Exception to increase the permitted driveway width in an RS district (Sec. 55.090-F.3)

Location Map:



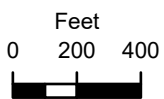
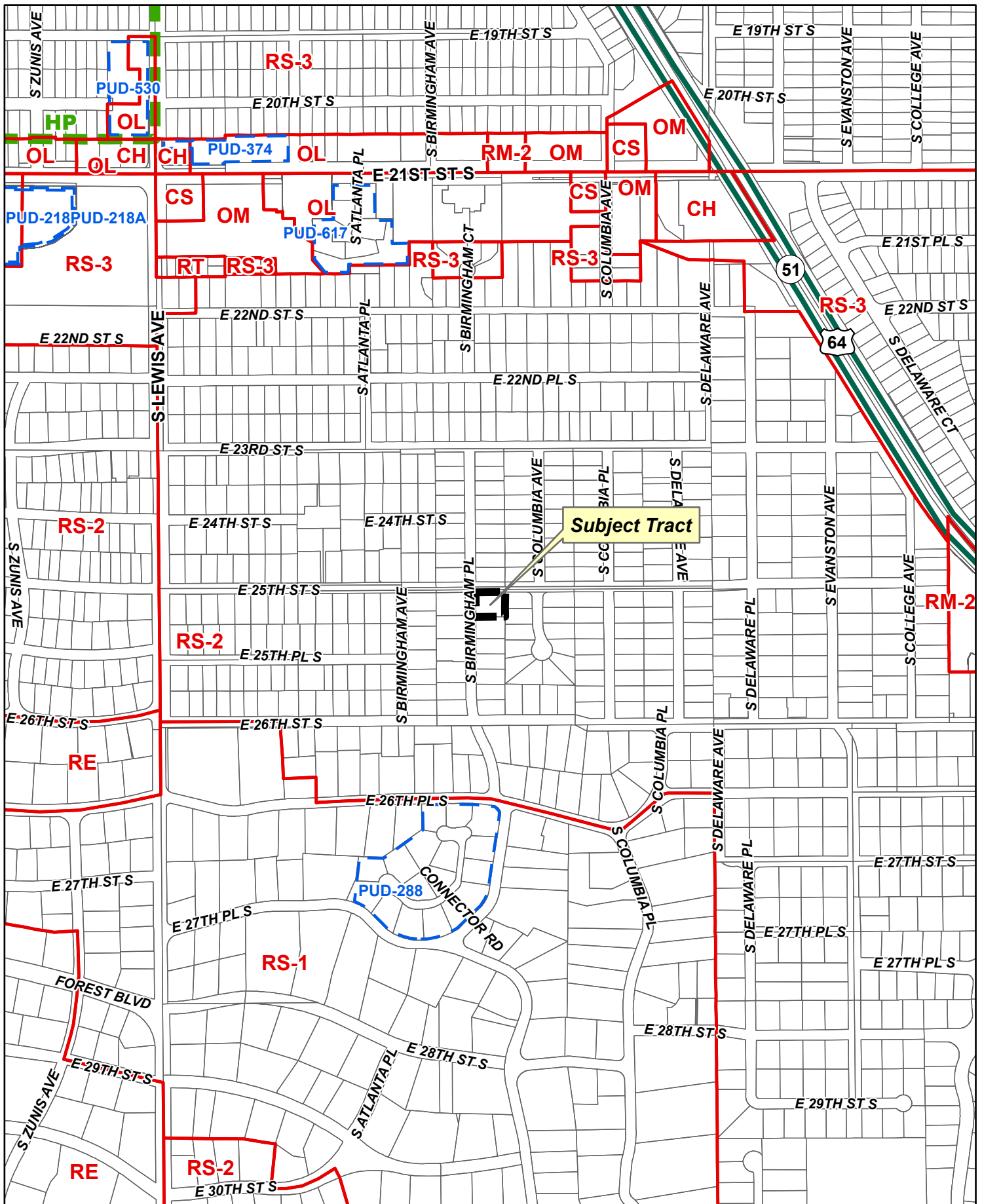
Additional Information:

Present Use: Residential

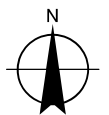
Tract Size: 0.38 acres

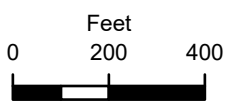
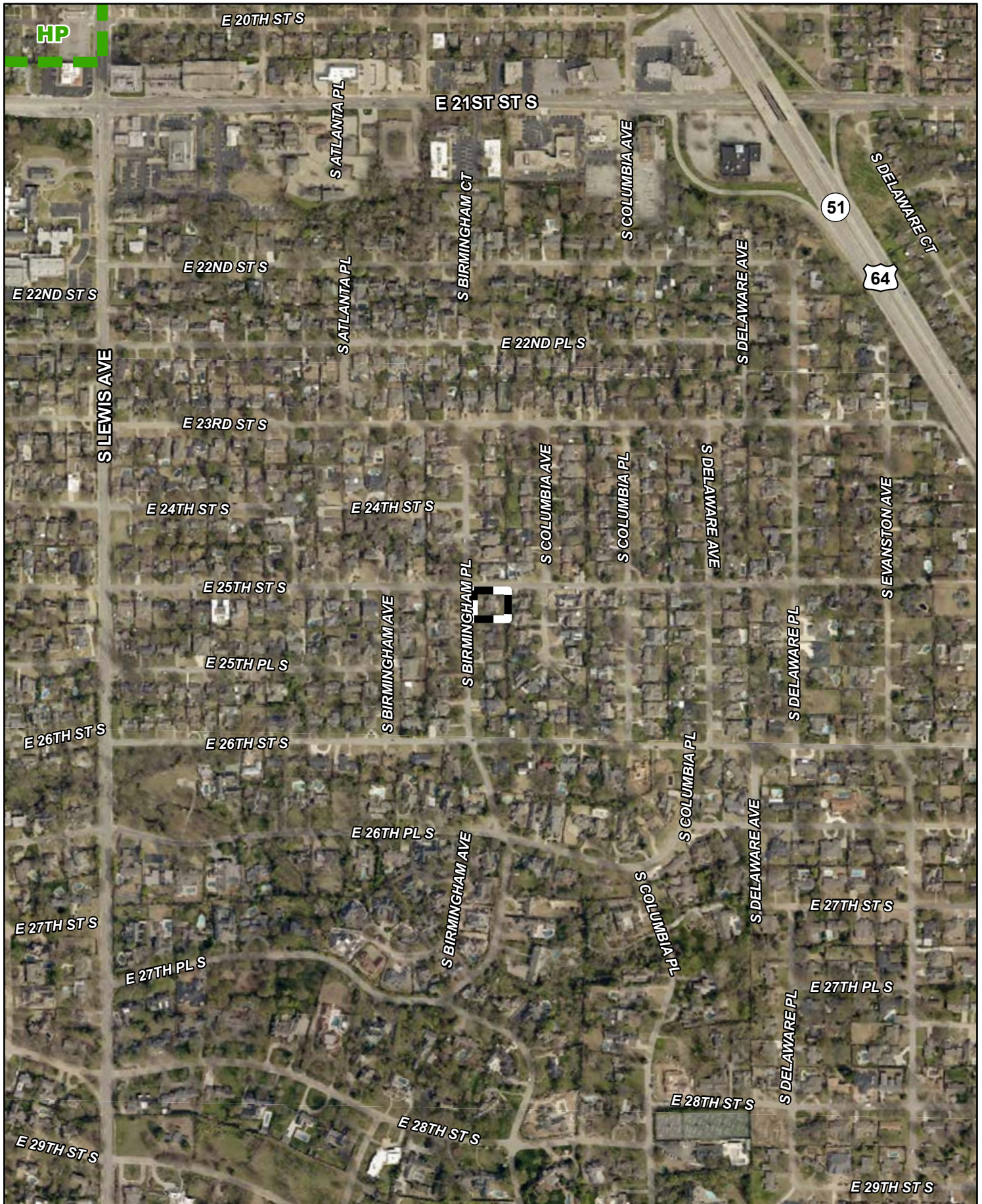
Location: 2501 S. Birmingham Pl. E

Present Zoning: RS-2



BOA-23593



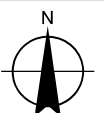


Subject
Tract

BOA-23593

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

Aerial Photo Date: 2021



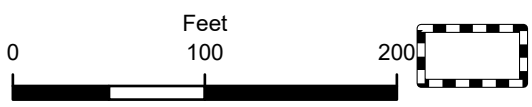
3.3



E 25TH ST S

S COLUMBIA AVE

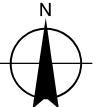
S BIRMINGHAM PL



Subject **BOA-23593**
Tract

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

Aerial Photo Date: 2021



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9317

Case Number: **BOA-23593**

CD: 4

HEARING DATE: 11/14/2023 1:00 PM

APPLICANT: Charles Okyere

ACTION REQUESTED: Special Exception to increase the permitted driveway width in a RS district (Sec. 55.090-F.3)

LOCATION: 2501 S. Birmingham Pl. E

ZONED: RS-2

PRESENT USE: Residential

TRACT SIZE: 16378.63 SQ FT

LEGAL DESCRIPTION: LT 1 N.44 LT 2 BK 1, PERAGEN ADDN RESUB L3-4 B1 WOODY CREST & PRT J P HARTER'S CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "Neighborhood."

Neighborhoods are "Mostly Residential Uses" which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents' daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off of a lower-order street separated from the arterial, then it would be considered Neighborhood.

STAFF ANALYSIS: The applicant is requesting a Special Exception to increase the permitted driveway width in a RS district (Sec. 55.090-F.3) by adding a circle driveway in front of the home, final width is 55-feet and 2-inches inside the right of way. Driveway has already been built without a right-of-way permit.

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](#)).

Maximum Driveway Width					
Lot Frontage	75'+	60' – 74'	46' – 59'	30' – 45'	Less than 30' [2]
Driveway Within Right-of-Way (feet) [1]	27'	26'	22'	20'	12'
Driveway Within Street Setback (feet)	30'	30'	--	--	--

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

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

SAMPLE MOTION:

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): (Suggested) Applicant must rebuild driveway in accordance with an approved City of Tulsa Right of Way permit.

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



CANVUS DESIGN

2501 S. BIRMINGHAM PL.
NEW DWELLING
TULSA, OK

Revisions:

No.	Description	Date
1	Revision 1 - Circle Drive	11/22/23

Date: 10/1/2023 11:41:32
Project: PROJECT NO.202202
Sheet Title: SITE PLAN

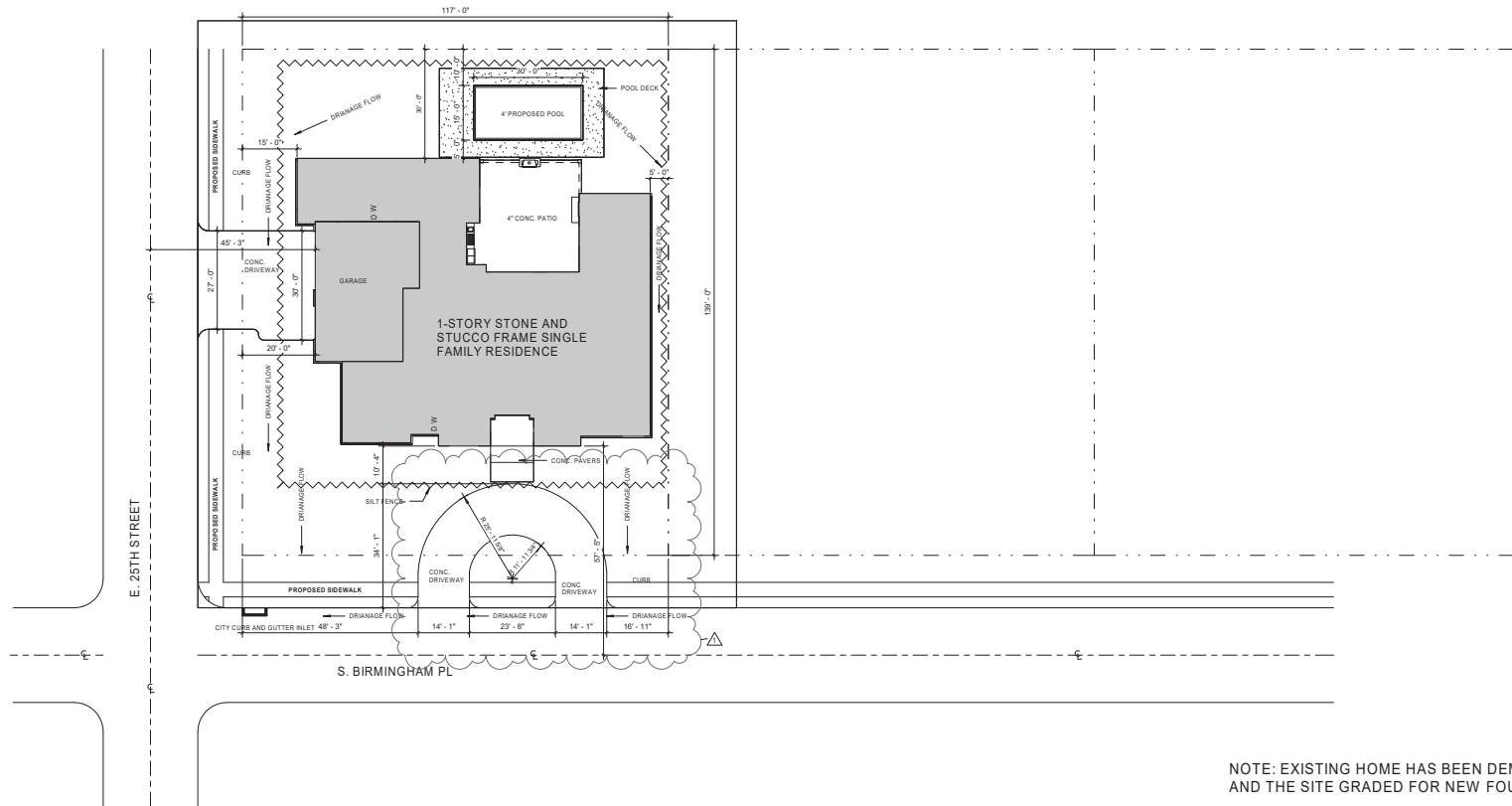
Drawn By: Author Checked By: Checker



AS1.1



1 SITE PLAN
1/16" = 1'-0"





CITY OF Tulsa

Board of Adjustment

Case Number: BOA-23594

Hearing Date: 11/14/2023 1:00 PM

Case Report Prepared by:

Sean Wallace

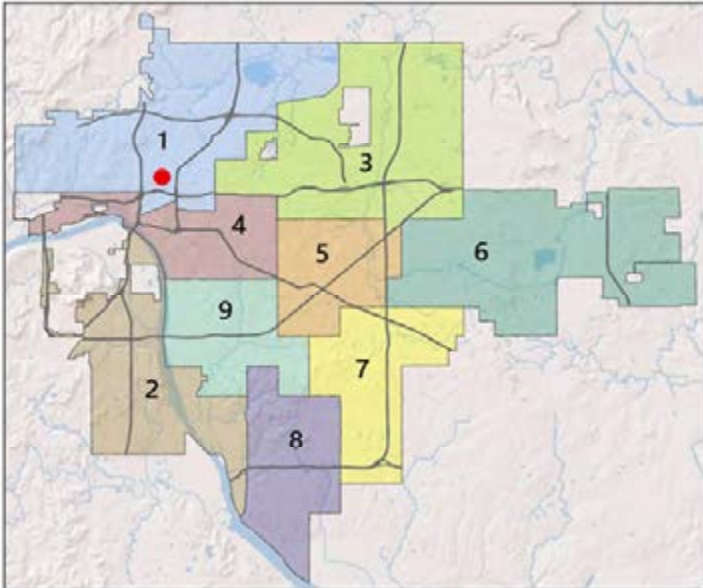
Owner and Applicant Information:

Applicant: Lou Reynolds

Property Owner: City-County Library Commission
of Tulsa County

Action Requested: Special Exception to permit a Library in the RS-3 District (Table 5.020, Table 5-2, Table 5-2.5);

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 3.09 acres

Location: 1017 N. Greenwood Ave. E

Present Zoning: RS-3

**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 158
CD: 1

Case Number: **BOA-23594**

HEARING DATE: 11/14/2023 1:00 PM

APPLICANT: Lou Reynolds

ACTION REQUESTED: Special Exception to permit a Library in the RS-3 District (Table 5.020, Table 5-2, Table 5-2.5);

LOCATION: 1017 N Greenwood Ave. E

ZONED: RS-3

PRESENT USE: Vacant

TRACT SIZE: 134573.55 SQ FT

LEGAL DESCRIPTION: See attached.

RELEVANT PREVIOUS ACTIONS: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "Park and Open Space."

The Park and Open Space designation includes parks, trails, public sports complexes, country clubs, stormwater facilities, forests, and cemeteries. While these individual uses differ greatly, the general goal of this designation is to ensure these areas remain in their current undeveloped state, and that new development in near proximity does not encroach in ways that undermine the purpose of the property. Active parks and open space should be further activated by development that faces these uses.

STAFF ANALYSIS: The applicant is requesting a Special Exception to permit a Library in the RS-3 District (Table 5.020, Table 5-2, Table 5-2.5);

35.040-I Library or Cultural Exhibit

Museum-like preservation and exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art or library collections of books, manuscripts and similar materials for study and reading. Includes aquariums and planetariums.

Sample Motion:

Move to _____ (approve/deny) a Special Exception to permit a Library in the RS-3 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.



(Subject Property)



(Subject Property)

Exhibit "A"

Lots Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Sixteen (16), GREENWOOD ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof,

AND

Lots Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), and Twenty-five (25), Block One (1), WASHINGTON ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, LESS AND EXCEPT the East 5 feet of Lot Sixteen (16), Block One (1), WASHINGTON ADDITION to Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof,

AND

Lots Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), and Thirty-five (35), Block Two (2), WASHINGTON ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, LESS AND EXCEPT the East 5 feet of Lots Sixteen (16) and Thirty-five (35), Block Two (2), WASHINGTON ADDITION to Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

Exhibit “B”

The Applicant requests (1) a Special Exception to permit a Library in the RS-3 District, and (2) a Variance of Section 55.080-C of the requirement of a screening fence for the parking areas abutting R-zoned lots for property located at 1017 N. Greenwood Ave. (the “Property”).

The Property is planned to be the new site of the Rudisill Regional Library, which is currently located several blocks north at 1520 N. Hartford Ave, across from Carver Middle School on the north side of Pine Street. The Property is bounded by E. Latimer Place to the north, the Osage Prairie Trail and City of Tulsa detention facility to the east, BS Roberts Park to the south, and N. Greenwood Ave. to the west. A conceptual site plan of the new library facility is attached.

The proposed 33,000 SF library will be a much needed upgrade to the current 20,000 SF library built in 1970. Given the existence of a library in this neighborhood just a couple of blocks away for over 50 years, the proposed Library use will not be injurious to the neighborhood and the Special Exception is in harmony with the spirit and intent of the Code.

The Code requires that parking areas within 50 feet of abutting R-zoned lots be screened with an F1 screening fence. The abutting property to the east, owned by the City of Tulsa for detention purposes, is zoned RS-3. This abutting detention facility is a unique neighbor and the screening requirement results in unnecessary hardship to the Property owner. The intended purpose of the screening requirement is to screen non-residential parking areas from residential uses. In this instance, though zoned RS-3, the abutting property is not, and will never be, used for residential purposes. Further, the Library desires its patrons to have unimpeded access to the nearby walking trails and park facilities. Accordingly, the Variance will not be injurious to the neighborhood and is in harmony with the spirit and intent of the Code.

LOCATION MAP:



PROJECT:

**RUDISILL
LIBRARY**

TULSA, OKLAHOMA

PROJECT NUMBER: 21025
DRAWING DATE: 07.12.21
ISSUE DATE: 07.12.21

SEAL:

SUBMITTAL:

**ISSUED FOR
REVIEW**

REVISIONS:

DATE: 07/12/21

THESE PLANS AND DRAWINGS ARE NOT TO BE REPRODUCED, COPIED, OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION AND CONSENT OF CEDAR CREEK CONSULTING, INC. THIS SHEET IS NOT TO BE USED FOR CONSTRUCTION UNLESS THE ISSUE DATE IN THE TITLE BLOCK CORRELATES WITH OR POST DATES THE DRAWING DATE. ANY CHANGES MADE FROM THESE PLANS WITHOUT CONSENT OF CEDAR CREEK CONSULTING, INC. ARE UNAUTHORIZED AND SHALL RELIEVE CEDAR CREEK CONSULTING OF ALL RESPONSIBILITY FOR ALL CONSEQUENCES ARISING OUT OF SUCH CHANGES.

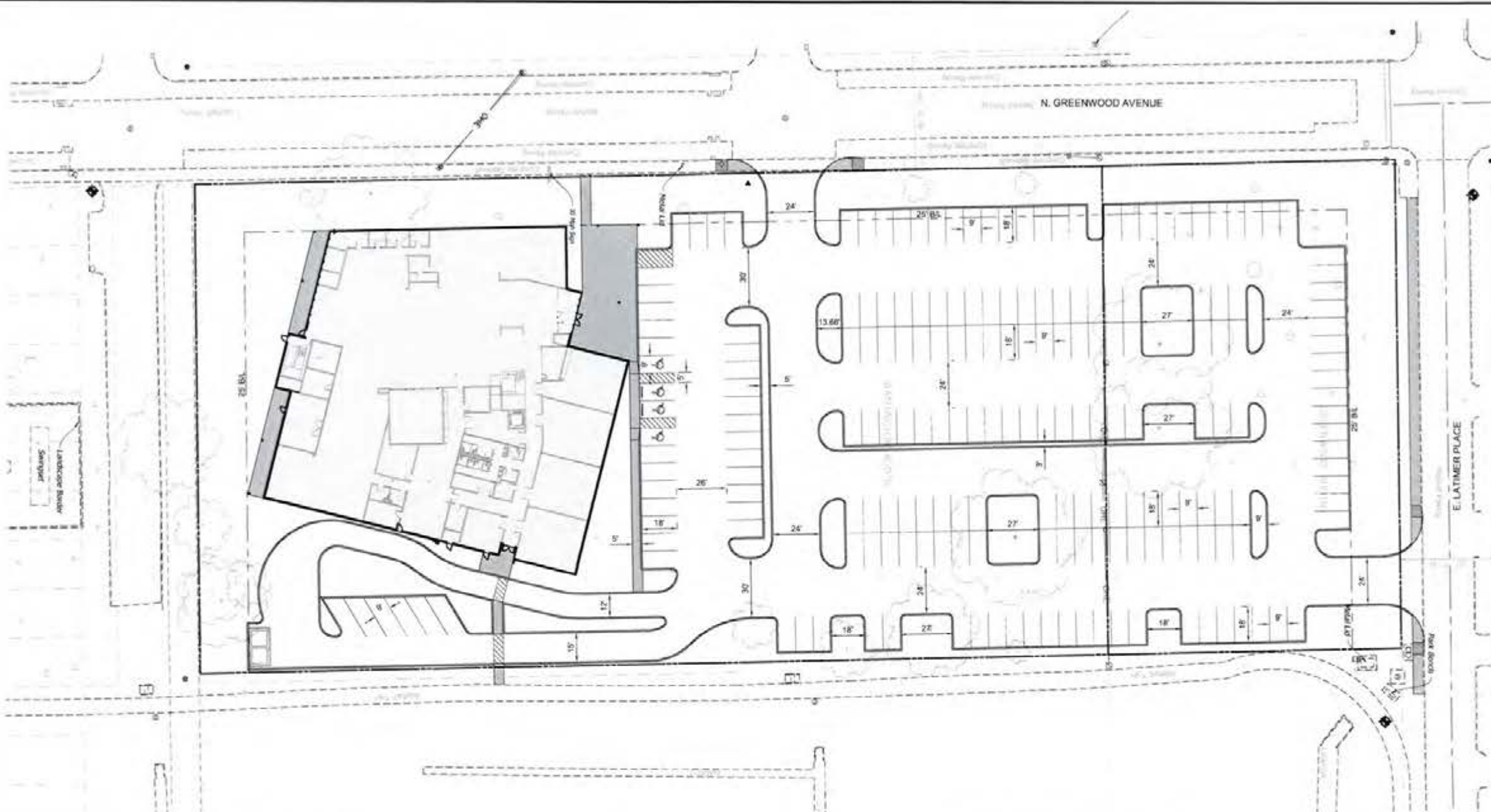
DRAWING TITLE:

SITE PLAN

SHEET:

C1.01

4.6



SITE NOTES

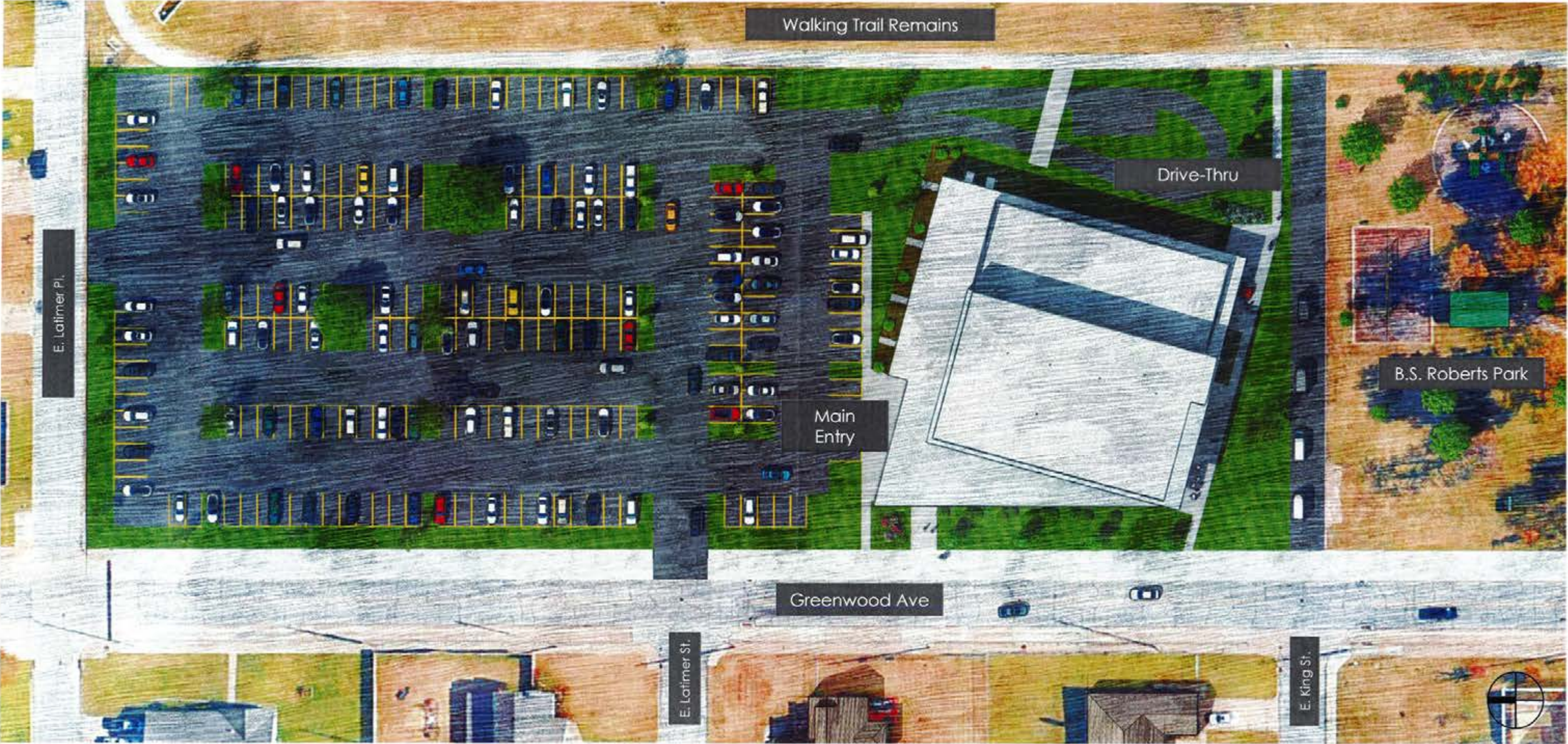
- CONTRACTOR SHALL REFER TO THE CONSTRUCTION DOCUMENTS INCLUDING BUT NOT LIMITED TO THE WRITTEN SPECIFICATIONS, CONSTRUCTION DRAWINGS, STORM WATER POLLUTION PLAN, AND GEOTECHNICAL REPORT.
- ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE OWNER'S DESIGN GUIDELINES AND SPECIFICATIONS, AND WHERE APPLICABLE SHALL MEET THE REQUIREMENTS OF THE GOVERNING PERMITTING AUTHORITY HAVING JURISDICTION.
- CONTRACTOR IS RESPONSIBLE FOR THEIR OWN HORIZONTAL AND VERTICAL CONTROL. REFERENCE POINTS AND CONSTRUCTION STAKING AS INCIDENTAL TO THE PROJECT.
- THE CONTRACTOR SHALL FIELD VERIFY EXISTING ELEVATIONS/PROPERTY LINES/UTILITIES/DRAINAGE PRIOR TO CONSTRUCTION START.
- ALL WORK NOT CLASSIFIED AS A CONTRACT PAY ITEM SHALL BE CONSIDERED AS INCIDENTAL AND THE COST THEREOF SHALL BE INCLUDED IN THE UNIT PRICE BID FOR ITEMS WHICH ARE CLASSIFIED FOR PAYMENT.
- CONTRACTOR SHALL REFER TO THE ARCHITECTURAL AND MEP PLANS AND SPECIFICATIONS BEING A PART OF THE CONSTRUCTION DOCUMENTS FOR THE EXACT LOCATIONS AND DIMENSIONS OF ENTRY, EXIT PORCHES, PRECISE BUILDING DIMENSIONS, EXACT BUILDING UTILITY ENTRANCE, AND DOWNSPOUT LOCATIONS/SPECIFICATIONS/DETAILS.
- ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB (FC) UNLESS OTHERWISE NOTED.
- PARKING LOT STRIPING SHALL BE 4" WIDE AND WHITE IN COLOR. HANDICAP PARKING STALLS STRIPING AND SIGNAGE SHALL BE IN STRICT ACCORDANCE WITH FEDERAL, STATE, AND LOCAL REQUIREMENTS.
- UNLESS OTHERWISE NOTED ALL RADII SHALL BE 3'.
- BUILDING DIMENSIONS ARE TO OUTSIDE OF MASONRY, UNLESS OTHERWISE SHOWN.
- CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS AND SPECIFICATIONS FOR ACTUAL LOCATION AND DETAILS OF ALL UTILITY ENTRANCES. CONTRACTOR SHALL COORDINATE INSTALLATION OF UTILITIES IN SUCH A MANNER AS TO AVOID CONFLICTS AND ASSURE PROPER DEPTHS ARE ACHIEVED, AS WELL AS COORDINATED WITH ANY UTILITY COMPANIES FOR APPROVED LOCATIONS AND SCHEDULING OF TIE-INS/CONNECTIONS TO THEIR FACILITIES.
- REFER TO ARCHITECTURE PLANS FOR SITE LIGHTING AND ELECTRICAL CONDUIT PLANS. POLE LOCATIONS ARE SHOWN ON THIS SHEET FOR REFERENCE ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO IDENTIFY AND ADJUST ANY CONSTRUCTED CONFLICTS WITH UNDERGROUND UTILITIES, SIDEWALKS, ETC.
- CHECK ARCHITECTURAL PLANS FOR EXACT DOWNSPOUT LOCATIONS.
- CONTRACTOR SHALL REFER TO LANDSCAPE AND IRRIGATION PLAN FOR LOCATION AND CONSTRUCTION DETAILS OF LANDSCAPING AND IRRIGATION.

NOTE: CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL PROPOSED WORK MEETS ADA REQUIREMENTS. REFER TO www.access-board.gov/ada-aba/ada-standards-02.cfm

NOTE: CONTRACTOR SHALL CONSTRUCT AND INSTALL WHEEL STOPS, SIGNS, AND ADA RAMPS AT ALL HANDICAP SPACES.



New Library Location





CITY OF Tulsa

Board of Adjustment

Case Number: BOA-23595

Hearing Date: 11/14/2023 1:00 PM

Case Report Prepared by:

Sean Wallace

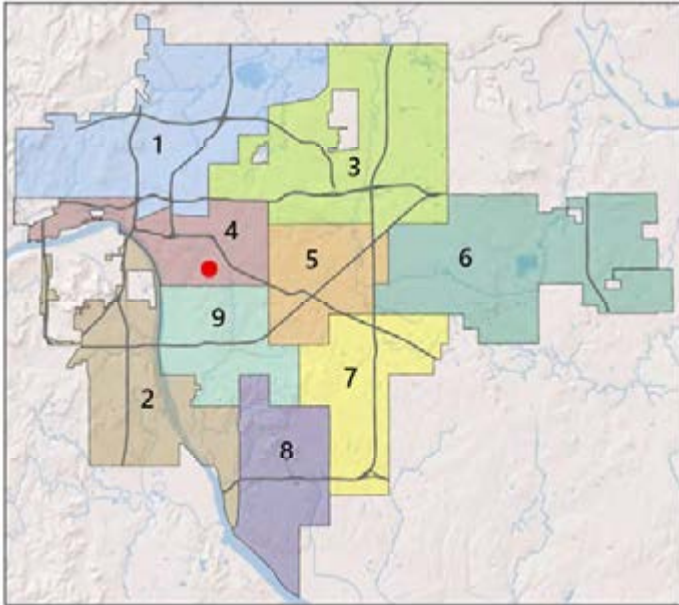
Owner and Applicant Information:

Applicant: Lou Reynolds

Property Owner: Ann & Mark Farrow

Action Requested: Variance to permit an accessory building in a side setback in the RE district (Sec. 90.080-C, Table 90-1)

Location Map:



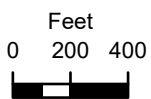
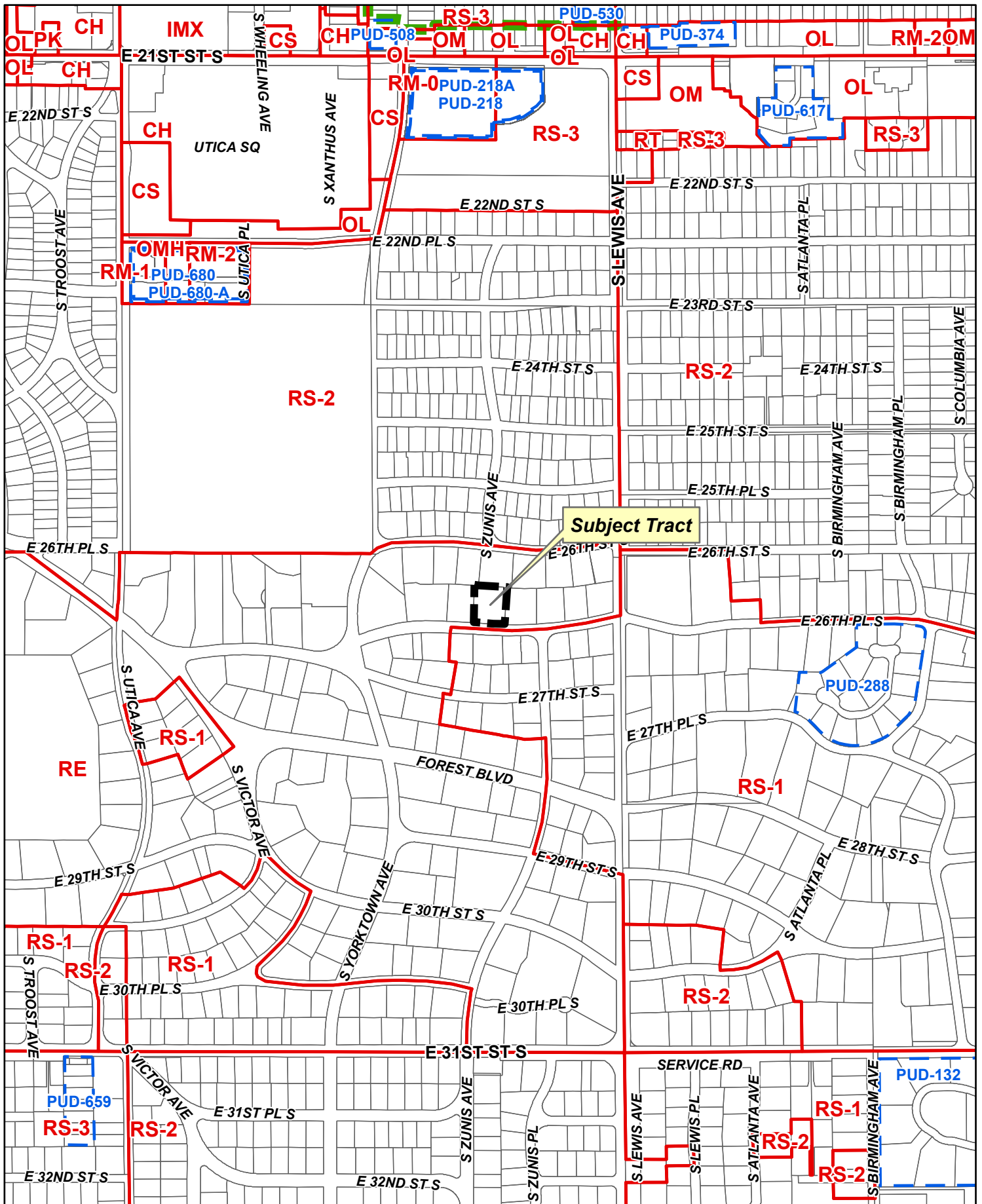
Additional Information:

Present Use: Residential

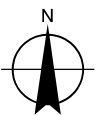
Tract Size: 0.67 acres

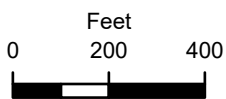
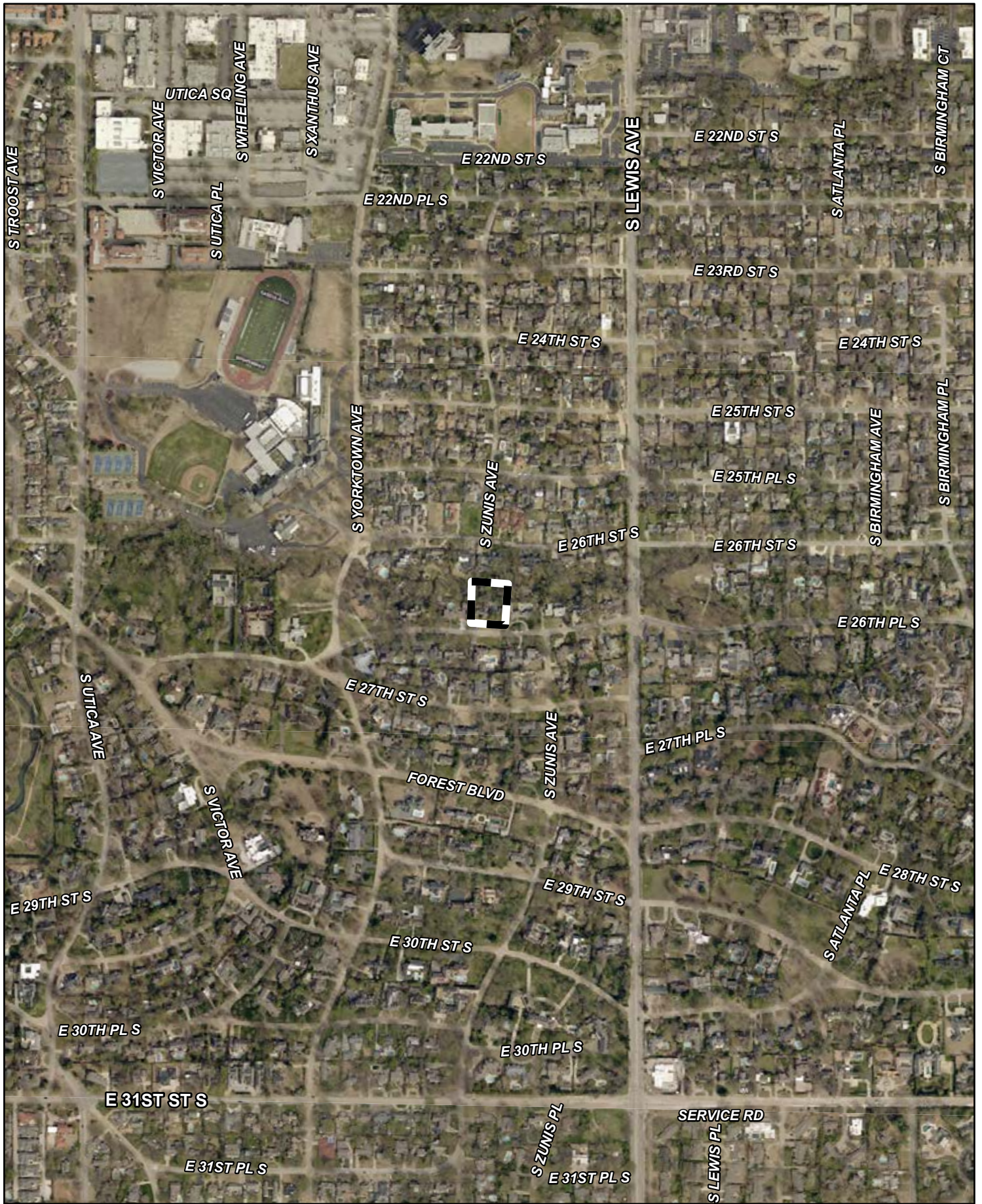
Location: 2157 E. 26th Pl. S

Present Zoning: RE



BOA-23595

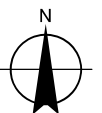




BOA-23595

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

Aerial Photo Date: 2021



5.3



E 26TH ST S

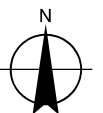
E 26TH PL S



Subject **BOA-23595**
Tract

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

Aerial Photo Date: 2021



5.4

**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9318
CD: 4

Case Number: **BOA-23595**

HEARING DATE: 11/14/2023 1:00 PM

APPLICANT: Lou Reynolds

ACTION REQUESTED: Variance to permit an accessory building in a side setback in the RE district (Sec. 90.080-C, Table 90-1)

LOCATION: 2157 E. 26th Pl. S

ZONED: RE

PRESENT USE: Residential

TRACT SIZE: 29398.76 SQ FT

LEGAL DESCRIPTION: E 10 OF LT 16 ALL OF LT 17 W 25 OF LT 18 BLK 2, FOREST HILLS 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 a "Neighborhood."

Neighborhoods are "Mostly Residential Uses" which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents' daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off of a lower-order street separated from the arterial, then it would be considered Neighborhood.

STATEMENT OF HARDSHIP: See attached.

STAFF ANALYSIS: The applicant is requesting a Variance to permit an accessory building in a side setback in the RE district (Sec. 90.080-C, Table 90-1):

Chapter 90 | Measurements
Section 90.090 | Setbacks

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

Obstruction	Setback		
	Street	Side	Rear
Accessory buildings (see also §90.090-C2)	No	No	Yes
Air conditioning units	No	Yes	Yes
Arbors and trellises	Yes	Yes	Yes
Awnings, canopies, light shelves and architecturally integrated solar shading devices projecting no more than 2 feet into the setback	Yes	Yes	Yes
Barbeque pits and outdoor fireplaces	No	No	Yes
Bay windows projecting no more than 2 feet into the setback	Yes	Yes	Yes
Fences	Vac 111	Vac	Vac

Facts staff finds favorable for variance request:

- Crow Creek lies in the rear setback and does present a spacing challenge.

Facts Staff find unfavorable for the variance request:

- None.

SAMPLE MOTION:

Move to _____ (approve/deny) a Variance to permit an accessory building in a side setback in the RE district (Sec. 90.080-C, Table 90-1).

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

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

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



Subject Property

Exhibit "A"

The East Ten (10) feet of Lot Sixteen (16), all of Lot Seventeen (17), and the West Twenty-five (25) feet of Lot Eighteen (18), Block Two (2), FOREST HILLS, an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded Plat thereof.

Exhibit “B”

The Applicant requests a Variance of Section 90.080-C, Table 90-1 of the Tulsa Zoning Code (the “Code”) to permit an accessory building in a side setback in the RE District for property located at 2157 E. 26th Place (the “Property”).

The Property is located just east of Lewis Avenue in the Forest Hills neighborhood. The Property owner desires to construct a detached garage and outdoor living area to the rear of the residence on the east side of the Property, approximately 5’9” from the east Property boundary, as shown on the attached site plan. The lot is approximately 200 feet deep; however, Crow Creek crosses the northern half of the lot, prohibiting any development within the rear half of the Property that is City of Tulsa Regulatory Floodplain.

Importantly, the Code *permits* accessory buildings to be constructed up to three feet (3’) from a side property boundary when located in the rear setback. In this case, due to a collective mistake, the rear setback was measured south of Crow Creek in the actual rear yard of the buildable area of the Property, not north of Crow Creek from the north Property boundary. A building permit was issued for the detached garage and outdoor living area and construction commenced. The footing, piers, and plumbing have been constructed, inspected and approved. However, before the slab was poured, the inspector (who previously approved the footing and piers), would not approve the location of the structure after observing that the accessory building, while located in the rear yard of the Property, was not actually located within the rear setback nearly 100 feet to the north.

The location of Crow Creek bisecting the Property is unique and results in unnecessary hardship. As a practical matter, the accessory building is located in the rear setback of the buildable area of the Property. Additionally, because the proposed garage and outdoor living area will be located in a similar location to a previously existing pool house, the Variance will not impair the use of adjacent property or be injurious to the neighborhood.



Stormwater Design Engineering
Engineering Services Department
2317 South Jackson Avenue
Tulsa, Oklahoma 74107

FLOODPLAIN DETERMINATION INFORMATION

CUSTOMER CARE CENTER: JPM SALVENDY
STORMWATER DESIGN ENGINEERING: JPM SALVENDY

CASE ID# EMAL

Date Received: 1/29/2020

Name: Richard Winn Phone: N/A FAX/Email: rwin@twarchitect.com

Mailing Address: N/A

Property Address: 2157 E. 26th Pl S Tulsa, OK Parcel No. 14725-03-18-01314

Legal: Lot(s) 16, 17, & 18 Block 2 Subdivision FOREST HILLS

The Engineering Services Department provides floodplain information as a public service for the information and understanding of floodplain management. It should be noted that floodplains are subject to periodic change as new data becomes available.

The City of Tulsa regulates certain floodplains (i.e., the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) which designates flood zones as 1A, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 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1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 214



CITY OF Tulsa

Board of Adjustment

Case Number: BOA-23596

Hearing Date: 11/14/2023 1:00 PM

Case Report Prepared by:

Sean Wallace

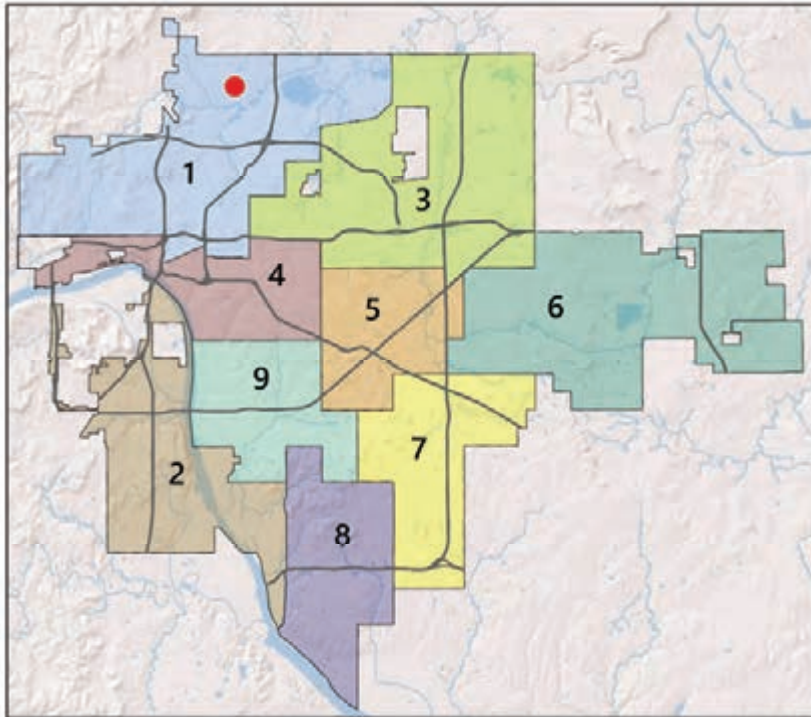
Owner and Applicant Information:

Applicant: Gary Schellhorn

Property Owner: City of Tulsa

Action Requested: Special Exception to to modify a previously approved site plan for a Parks use in the RS-3 District (Table 5.020, Table 5-2; Sec.70.120)

Location Map:



Additional Information:

Present Use: City Park (Berry Park)

Tract Size: 15.01 acres

Location: 5002 N. Wheeling Ave E

Present Zoning: RS-3

**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 199

Case Number: **BOA-23596**

CD: 1

HEARING DATE: 11/14/2023 1:00 PM

APPLICANT: Gary Schellhorn

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

LOCATION: 5002 N. Wheeling Ave E (Berry Park)

ZONED: RS-3

PRESENT USE: City Park

TRACT SIZE: 654016.87 SQ FT

LEGAL DESCRIPTION: SW NW SE & S/2 NW NW SE SEC 7 20 13, NORTHRIDGE SECOND ADDN AMD, NORTHRIDGE ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-9602 – 07/1977: Board approved an exception to permit a public park on site.

BOA-17107 – 07/25/1995: Board approved an amendment to a previously approved site plan. Additionally the Board conditioned their approval on no lighting being allowed on the playing courts.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as “Park and Open Space.”

The Park and Open Space designation includes parks, trails, public sports complexes, country clubs, stormwater facilities, forests, and cemeteries. While these individual uses differ greatly, the general goal of this designation is to ensure these areas remain in their current undeveloped state, and that new development in near proximity does not encroach in ways that undermine the purpose of the property. Active parks and open space should be further activated by development that faces these uses.

STAFF ANALYSIS: The Applicant is requesting a Special Exception to modify a previously approved site plan for a Parks use in the RS-3 District (Table 5.020, Table 5-2; Sec.70.120) and to permit lighting at the park per city ordinances.

35.040-K Parks and Recreation

Recreational, social or multi-purpose uses associated with public parks and open spaces, including playgrounds, playfields, play courts, community centers and other facilities typically associated with public parks and open space areas. Also includes public and private golf courses and tennis clubs.

SAMPLE MOTION:

Special Exception:

Move to _____ (approve/deny) a Special Exception to modify a previously approved site plan and conditions for a parks use in the RS-3 District (Table 5.020, Table 5-2; Sec.70.120).

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

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



(Subject Property)

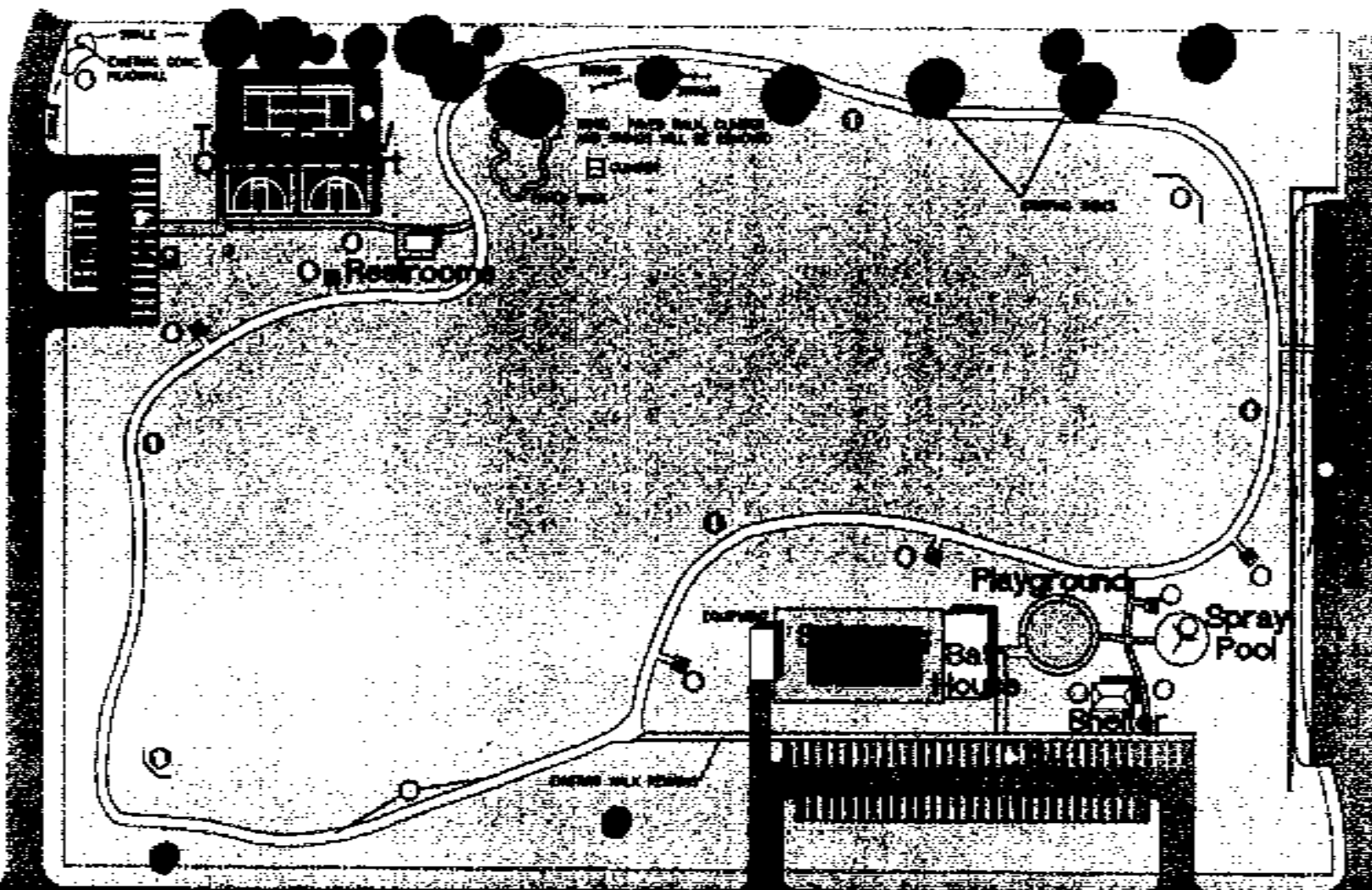


(Subject Property)

10 Year Development Plan Legend

- | | |
|--------------------------------------|----------------------------|
| ① 10' WIDE TRAIL (SCREENING) | ③ PINE TABLES W/GRILLS (6) |
| ② PORTABLE BACKSTOP | ④ SHELTER |
| ③ PERMANENT BACKSTOP | ⑤ SPRAY POOL/SPRAY COURT |
| ④ CONCRETE SIDEWALKS/HANDICAP ACCESS | ⑥ SPORTS COURT RESURFACING |
| ⑤ CROSSING CONTROL/STOP-PAY | ⑦ ASPHALT REMOVAL |

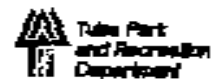
CASE NO. 17107
 OFFICIAL RECORD EXHIBIT 1
 ENTERED IN THE 17-1723
 MINUTES OF THE TULSA BOARD OF
 ADJUSTMENT.



BERRY PARK

10 YEAR DEVELOPMENT PLAN

JANUARY 1980



Case No. 17105 (continued)

Commencing at the SW/c, S/2, N2/3, N/2, NE/4, Section 14, T-18-N, R-12-E, City of Tulsa, Tulsa County, Oklahoma; thence north for 227' to POB; thence east for 1559.28'; thence north for 215.57'; thence west for 912.58'; thence south for 202.07'; thence west for 646.70'; thence south for 13.50' to POB.

Case No. 17107

Action Requested:

Amendment to previously approved site plan.

Presentation:

The applicant, **City of Tulsa**, was represented by **Ross Weller**, 707 South Houston, Suite 201, who submitted a plot plan (Exhibit G-1) and informed that City representatives met with the neighborhood homeowners association concerning the application. He stated that the major aspect of the development is the walking trail around the park. Mr. Weller informed that additional funded development includes back stops, erosion control and picnic tables. He stated that future additions include the construction of a shelter and the removal of asphalt to the north.

Comments and Questions:

Mr. Bolzle asked if the tennis and basketball courts will have lighting, and Mr. Weller advised that they are too close to the residential area to have lights

Protestants:

David Paton, 1908 East 50th Place North, stated that he received a notice regard the meeting and is concerned about the extent of the project and if dwellings will be removed.

Board Action:

On **MOTION** of **DOVERSPIKE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** an Amendment to the previously approved site plan; per amended plan submitted (funded portion), and the balance of the plan being conceptual, with final shape and location of improvements being determined during the final design and not subject to further Board approval; and subject to no lighting on the playing courts; finding the proposed improvements to be compatible with the neighborhood; on the following described property:

SW/4, NW/4, SE/4 and S/2, NW/4, NW/4, SE/4, Section 7, T-20-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma.



- ⑤ SAW CUT, FULL DEPTH
- ⑥ REMOVE CONCRETE CURB & GUTTER
- ⑦ REMOVE CONCRETE PAVEMENT
- ⑧ REMOVE ASPHALT PAVEMENT
- ⑨ REMOVE TREE
- ⑩ REMOVE BUILDING, BUILDING FOOTING, BUILDING FOUNDATION, CONCRETE RAMPS, WHEEL STOPS AND ALL ASSOCIATED UTILITIES.
- ⑪ REMOVE POOL, INCLUDING SURROUNDING PAVING, FENCING, AND POOL AMENITIES
- ⑫ REMOVE LIGHT POLE AND SURROUNDING OVERHEAD POWER LINE
- ⑬ REMOVE STEEL PIPE GUARD RAIL
- ⑭ REMOVE ASPHALT TRAIL
- ⑮ REMOVE CONCRETE SIDEWALK
- ⑯ REMOVE PLAYGROUND EQUIPMENT
- ⑰ REMOVE BENCH AND FOUNDATION
- ⑱ REMOVE UTILITY VAULT AND ALL ASSOCIATED UTILITIES
- ⑲ REMOVE SIGN
- ⑳ REMOVE CONCRETE HEADWALL AND CULVERT

CD101



CITY OF Tulsa

Board of Adjustment

Case Number: BOA-23597

Hearing Date: 11/14/2023 1:00 PM

Case Report Prepared by:

Dylan Siers

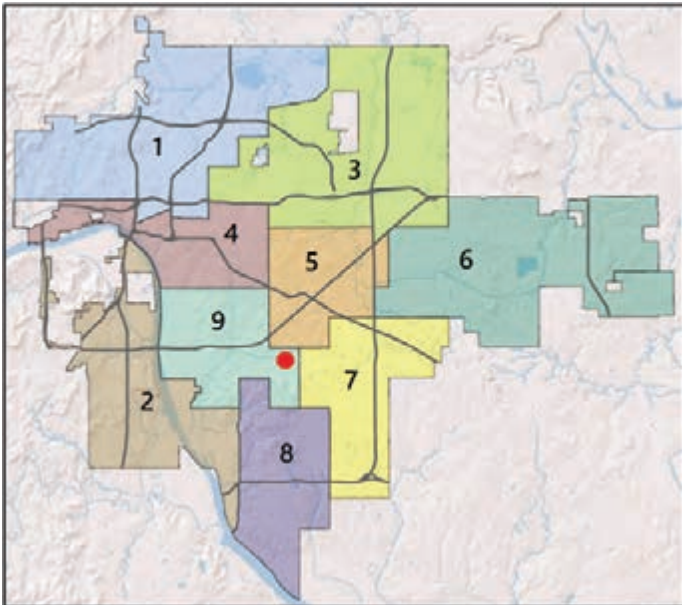
Owner and Applicant Information:

Applicant: Steven Ryan

Property Owner: Independent School District NO 1

Action Requested: Variance to increase the permitted sign area of 32 square feet for a wall sign in the residential district (Sec. 60.050-B.2)

Location Map:



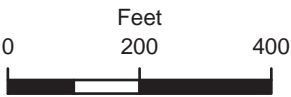
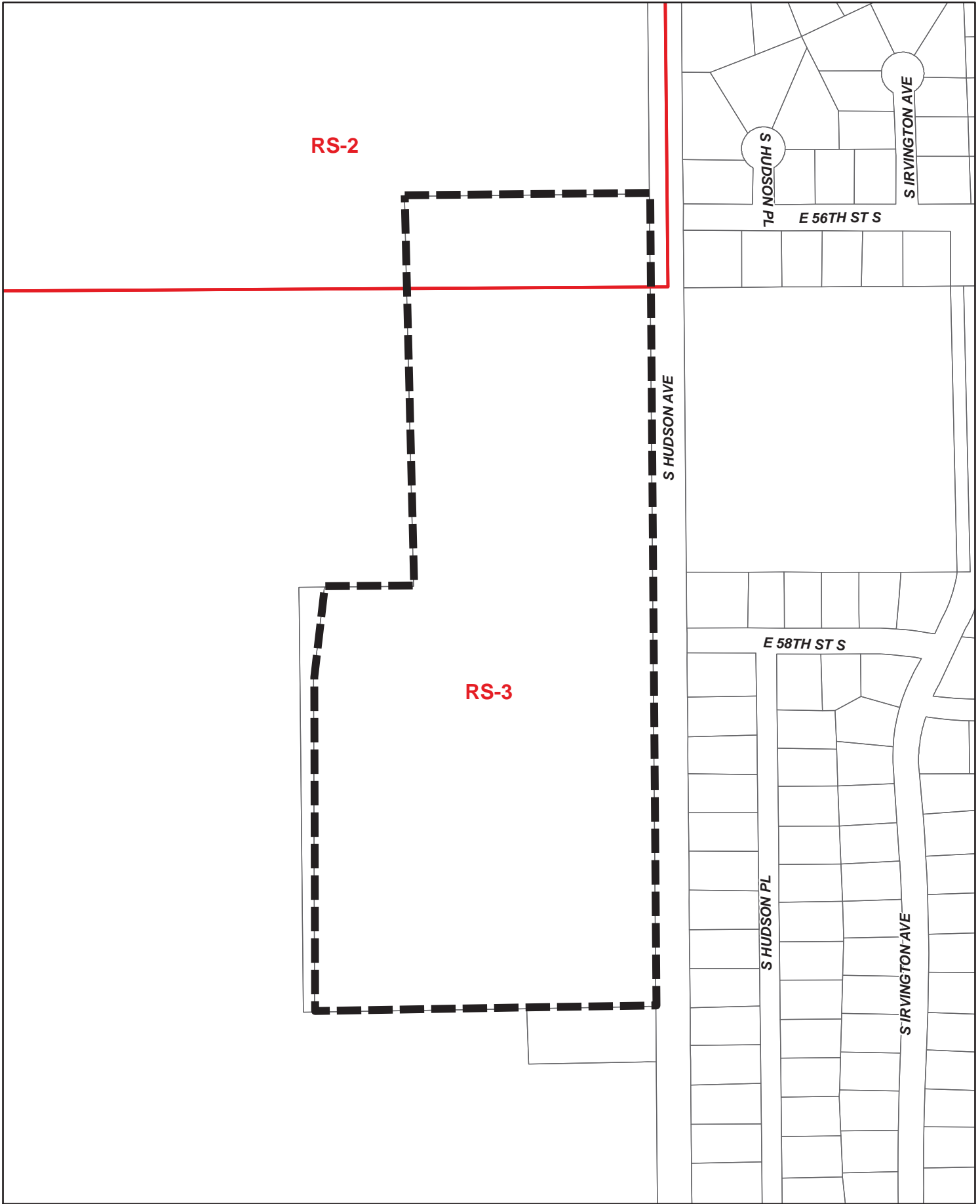
Additional Information:

Present Use: Memorial High School

Tract Size: 29.3 acres

Location: 5840 S. Hudson Ave. E.

Present Zoning: RS-2,RS-3



BOA-23597





Subject
Tract

Feet
200 400

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

BOA-23597

Aerial Photo Date: 2021



7.3

**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9334
CD: 9

Case Number: BOA-23597

HEARING DATE: 11/14/2023 1:00 PM

APPLICANT: Steven Ryan

ACTION REQUESTED: Variance to increase the permitted sign area of 32 square feet for wall signs in a residential district (Sec. 60.050-B.2)

LOCATION: 5840 S. Hudson Ave. E.

ZONED: RS-2,RS-3

PRESENT USE: Memorial High School

TRACT SIZE: 1276291.45 SQ FT

LEGAL DESCRIPTION: BEG 985N & 80W SECR SW TH N1865 W560 S875 W205 SWLY202 S790.63 E797.5 POB SEC 34 19 13 29.30ACS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:

BOA- 22092 – The Board approved a Special Exception to allow a dynamic display sign in an RS-3 district for Memorial High School.

BOA- 21695 – The Board approved a variance to allow for one 46 sq. ft. wall sign in an RS-3 district, for Memorial High School.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a “Neighborhood”:

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off of a lower-order street separated from the arterial, then it would be considered Neighborhood.

STATEMENT OF HARDSHIP: Memorial High School includes a large site plan and a large building. This property is not typical of most residential properties. The signage that is requested is modest in size, in relation to the building size. The code also counts the name and logo as two separate signs. However, the sign square footage totals 130 sq ft. The code places it as exceeding the combined 32 sq ft limit for all wall signs. We are asking for a variance to allow for a sign properly sized to properly fit the building and message that includes the school's name and logo.

STAFF ANALYSIS: Applicant is requesting Variance to increase the permitted sign area of 32 square feet for wall signs in a residential district (Sec. 60.050-B.2)

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.

Applicant is proposing 2 signs, one is proposed at 92 square feet the other at 37.9 square feet.

Facts staff finds favorable for variance request:

- The existing building is large and not typical of other sized Special Exception uses in residential districts.

Facts Staff find unfavorable for the variance request:

- None.

SAMPLE MOTION: Move to _____ (approve/deny) a Variance to increase the permitted sign area of 32 square feet for wall signs in a residential district (Sec. 60.050-B.2)

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."*



DEVELOPMENT SERVICES
175 E 2ND ST., STE 405
TULSA, OK 74103
918-596-9456

CITY OF TULSA CORRECTIONS SUMMARY

SIGN-158109-2023 (5840 S HUDSON AVE E Tulsa, OK 74135).pdf Markup Summary #1

Sign Review (2)



Subject: Sign Review
Page Label: 1
Author: DWhiteman
Date: 8/31/2023 12:19:54 PM
Status:
Color:
Layer:
Space:

Section 60.050-B.2, 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: This location is zoned RS-3. The wall sign aggregate area exceeds 32 square feet. Please reduce the wall sign aggregate area to 32 square feet or less. This includes any existing wall signs already in place. Otherwise you would need to request a variance from the Board of Adjustment for individual wall signs and the aggregate wall sign area on a non-residential use in an R zoned district to exceed 32 square feet.



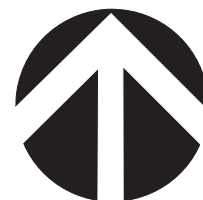
Subject: Sign Review
Page Label: 1
Author: DWhiteman
Date: 8/31/2023 12:21:21 PM
Status:
Color:
Layer:
Space:

Note: according to the rules of measurement in Section Section 60.130, these are considered two different wall signs and each one will require a separate permit.



SITE PLAN

5840 S HUDSON AVE



[illegible]HUDSON
AVE.

270' to Back of Houses

[illegible]

7.8



Benchmark #3
 IRON PIN
 N=399153.243 E=2584993.504
 ELEV=738.73'



10/20/2022



oklahoma ca #1460 exp 6/30/23

MEMORIAL HIGH SCHOOL - TULSA PUBLIC
SCHOOLS NEW FACADE/SECURE ENTRY
5940 S HUDSON AVE, TULSA, OK 74135

CO4
SITE PLAN

GH2ARCHITECTS
GH2.COM

GH2 PROJECT NUMBER:
20210120.01

ISSUE DATE:
10/20/2022

ISSUE:
BID SET

OTHER ISSUE DATES:

NO.	DESCRIPTION	DATE
-----	-------------	------

SHEET NAME:
SITE PLAN

SHEET NUMBER:
C04



Previous East Elevation – Approximately 52' Long and 2' High



SIGN SQ FOOTAGE:

"MEMORIAL HIGH SCHOOL" = 92
 "LOGO" = 37.9
TOTAL 129.9



+/- 200' BLDG LENGTH



File Path:
S:\JOBS FOLDER\

- Dimensions, Descriptions and Depictions stated or shown here are subject to minor modifications to accommodate numerous considerations such as final agreements on project pricing, future confirmed site conditions and requirements, fabrication method, and raw material yields.
- We will strive to match specific colors, such as Pantone values, and/or matching existing signage or surrounding building colors and/or textures. We cannot always guarantee an exact match due to the varying differences in materials, age, sheen and how colors are applied.

a
a·max
 SIGN COMPANY, INC.
 www.amaxsign.com
 9520 E. 55th Place
 Tulsa, Oklahoma 74145
 ph. (918) 622-0651 ... fax. (918) 622-0659

SCALE: As Noted WHEN PRINTED 11 x 17

DATE: 08-15-23

FILE: 3.0 Bldg ID

SALES REP: Bruce Anderson

DRAWN BY: BB

PROJECT: Memorial High School

LOCATION: Tulsa, OK

ADDRESS: 5840 S. Hudson

CLIENT APPROVAL SIGNATURE & DATE:

UL LISTED Signs will be built to meet UL specifications as required.
nfc All signs and outline lighting must comply with Article 600 of the N.E.C. standards, including proper grounding and bonding.

REVISIONS:

1.	1
2.	2
3.	3
4.	4
5.	5

This drawing is the property of A-Max Sign Co., and should not be copied, reproduced, or displayed in any fashion other than for the purchase of the product(s) depicted here.
 Distribution or exhibition of these drawings are strictly prohibited.
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FINAL APPROVAL FOR PRODUCTION:

Project Manager:

SHEET NUMBER

61534

Page 3

DWG
081523-26

7.10



CITY OF Tulsa

Board of Adjustment

Case Number: BOA-23598

Hearing Date: 11/14/2023 1:00 PM

Case Report Prepared by:

Dylan Siers

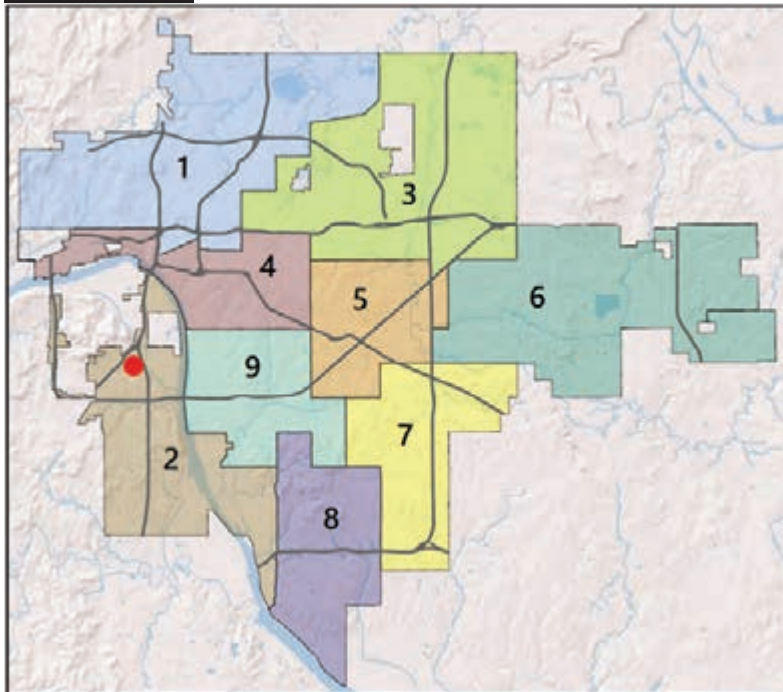
Owner and Applicant Information:

Applicant: Keith Robertson

Property Owner: RED FORK-BROOKSIDE
MASONIC LODGE #505 AF

Action Requested: Special Exception to permit a fraternal organization in the CS district. (Section 15.020); Special Exception to permit a fence height greater than 4 feet in the street setback. (Section 45.080-A)

Location Map:



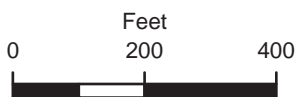
Additional Information:

Present Use: Vacant

Tract Size: 1.39 acres

Location: 3951 S. Union Ave.

Present Zoning: CS



BOA-23598





Subject
Tract

Feet
200

400

BOA-23598

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



Aerial Photo Date: 2021

8.3

**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9223
CD: 2

Case Number: BOA-23598

HEARING DATE: 11/14/2023 1:00 PM

APPLICANT: Keith Robertson

ACTION REQUESTED: Special Exception to permit a fraternal organization in the CS district. (Section 15.020)
Special Exception to permit a fence height greater than 4 feet in the street setback. (Section 45.080-A)

LOCATION: 3951 S UNION AV W

ZONED: CS

PRESENT USE: Vacant

TRACT SIZE: 60479.26 SQ FT

LEGAL DESCRIPTION: PRT LT 13 & PRT LT 14 BEG NWC LT 13 TH E307.62 SE112.34 S77 W330 N187 POB BLK 6, INTERURBAN ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "Local Center".

Local Centers serve the daily needs of those in the surrounding neighborhoods. This designation implies that the center generally does not serve an area beyond the nearby neighborhoods. Typical uses include commercial or retail uses that serve the daily needs of nearby residents. In order to introduce a regional trip generator, the entire local center designation should be amended to be Regional Center with significant input from all affected properties and nearby neighborhoods.

STAFF ANALYSIS: The Applicant is requesting a Special Exception to permit a fraternal organization in the CS district. (Section 15.020);

35.040-F Fraternal Organization

The use of a building or lot by a not-for-profit organization that restricts access to its facility to bona fide, annual dues-paying members and their occasional guests and where the primary activity is a service not carried on as a business enterprise.

And a Special Exception to permit a fence height greater than 4 feet in the street setback. (Section 45.080-A).

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

The proposed fence is approximately 6-feet in height.

SAMPLE MOTION:

Special Exception:

Move to _____ (approve/deny) a Special Exception to permit a fraternal organization in the CS district. (Section 15.020) and Special Exception to permit a fence height greater than 4 feet in the street setback. (Section 45.080-A)

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

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



Subject Property



KEITH D. ROBERTSON ARCHITECT A.I.A., PLLC

COMMERCIAL CHURCHES RESIDENTIAL INSTITUTIONAL SPACE PLANNING ADA CONSULTING 3D RENDERING



October 09, 2023

Commercial Development Services
175 East 2nd Street suite 450
Tulsa, OK 74103
Attn: – Dana Box, Zoning Plans Examiner

RE: LOD-BLDC-157419-2023
4005 S. Union Ave., Tulsa, OK 74107
Description: Masonic Lodge Building

1. Section 15.020 Table 15-2 The proposed Masonic Lodge Building is designated Public, Civic and Institutional Fraternal Organization Use will require a Special Exemption approved by the BOA. Contact the Tulsa Planning office for further instructions and next steps.

Contact has been made with Austin Chapman and have been instructed to submit Site plan and Elevations to his attention, fill out form and make required payment by this next Thursday, October 12, 2023, for a Special Exception Request before the BOA.

2. Section 65.030 Applicability – The landscaping and screening regulations of this chapter apply as set forth in the individual sections of this chapter.
Review comment: Provide a Landscaping Plan per Chapter 65 of the Tulsa Zoning Code.

RE: attached Landscaping plans Submittal per Chapter 65 Tulsa Zoning Code.

3. Section 45.080-A: Fences and walls within required building setbacks may not exceed 8 feet in height, except that in required street setbacks fences and walls may not exceed 4 feet in height. The board of adjustments is authorized to modify these fence and wall regulations in accordance with the special exception procedures of Sec. 70.120.

Review comment: Your proposed fence is approximately 6 feet in height and is within the required setback. Submit a revised site plan providing a special exception, reviewed and approved by the Board of Adjustment per Sec. 70.120, to increased height of 6 feet.

Contact has been made with Austin Chapman and have been instructed to submit Site plan and Elevations to his attention, fill out form and make required payment by this next Thursday, October 12, 2023, for a Special Exception request before the BOA.



KEITH D. ROBERTSON ARCHITECT A.I.A., PLLC

COMMERCIAL CHURCHES RESIDENTIAL INSTITUTIONAL SPACE PLANNING ADA CONSULTING 3D RENDERING



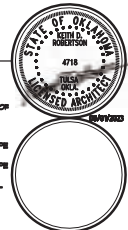
October 09, 2023

Commercial Development Services
175 East 2nd Street suite 450
Tulsa, OK 74103
Attn: – Roy Jordan, Water Shed Plans Examiner

RE: LOD-BLDC-157419-2023
4005 S. Union Ave., Tulsa, OK 74107
Description: Masonic Lodge Building

Review Comment: Current Commercial building application BLDC 157319-2023 has been placed in Active Hold due to required approval/signature IDP review.

RE: Please note that the IDP package submittal has been provided for the IDP review, has received review comments and will provide revision sets this week for your review as required.



KEITH D. ROBERTSON ARCHITECT A.I.A., PLLC

4073 S.W. BLVD., OLD RT. 46 HWY 170, BOX 9820
TULSA, OK 74109 FAX 918-444-3276
TEL 918-748-3210

NEW MASONIC LODGE FOR THE RED FOX - BROOKSIDE MASONIC LODGE NO. 505

SOUTH UNION AVE

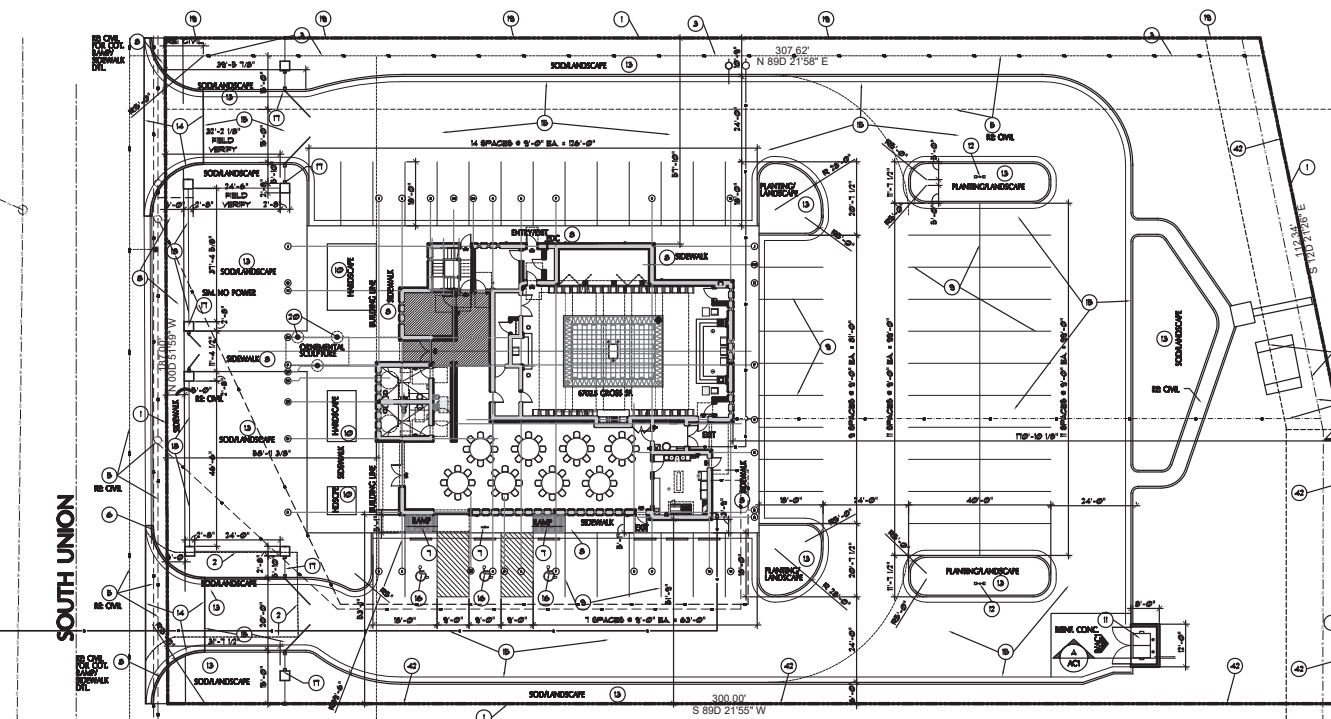
AC1

KEYED NOTES:

1. BURNING PROPERTY LINE
2. BURNING CURB CUT ENTRY/EXIT TO BE REMOVED IN ITS ENTIRETY AND DISPOSED OF PROPERLY TO APPROVED CONSTRUCTION DEPARTMENT LANDFILL SITE.
3. BURNING CHAINLINK FENCE TO BE REMOVED IN ITS ENTIRETY AND DISPOSED OF PROPERLY TO APPROVED CONSTRUCTION DEPARTMENT LANDFILL SITE.
4. BURNING STREET SEWER LINE/LET TO REMAIN. RES. TO CIVIL DUES FOR FULL SCOPE OF WORK THIS AREA.
5. BURNING UTILITY LINES/LET TO REMAIN. RES. TO CIVIL DUES FOR FULL SCOPE OF WORK THIS AREA.
6. BURNING FIRE HYDRANT LOCATION TO REMAIN. RES. TO CIVIL DUES THIS SET FOR FULL SCOPE OF WORK THIS AREA.
7. NEW HANDICAP SIGNAGE FOR CAR AND VAN ACCESSIBILITY. RES. TO ANE ITI 2009 STANDARDS AND CIVIL DUES THIS SET FOR ALL SLOPES AND GRASSES.
8. NEW REIN. CONC. SIDEWALK. RES. TO GENERAL NOTES THIS SET AND CIVIL DUES THIS SET.
9. NEW PAVEMENT LOT STRIPING - PAINT TRAFFIC YELLOW/WHITE. RES. TO ANE ITI 2009 STANDARDS FOR TRANSVERSE AND CROSS SLOPES. RES. TO GENERAL NOTES THIS SET AND CIVIL DUES THIS SET.
10. NEW BRICK PAVEMENT PATTERN LOCATION.
11. NEW DUMPSTER/DUMPSTER ENCLOSURE LOCATION. RES. TO DTLA THIS SET.
12. NEW SITE LIGHT STANDARD LOCATION.
13. NEW LANDSCAPE PLANTING/SCD LOCATION.
14. NEW CURB CUT ENTRY/EXIT PER CITY OF TULSA/CDDT STANDARDS/DTLA. RES. TO CIVIL DUES THIS SET.
15. NEW ASPHALT PAVING. RES. CIVIL DUES THIS SET FOR SPECIFICATIONS.
16. NEW HANDICAP PARKING SYMBOL - PAINT TRAFFIC BLUE.
17. NEW "REIN. CONC. CLOUD ORNAMENT" BEHIND WEATHER BRICK OR ARCHITECT APPROVED EQUAL RAINING BOLD CONCRETE/PAVING PATTERNS ON 1" AIR SPACE ON REIN. HIGH DENSITY CONC. BLOCK COLUMNS. RES. DTLA THIS SET. FOR COLOR, QUANTITY AND PATTERN. RES. STRUCTURAL ENGINEERING DRAWINGS THIS SET. INSTALL 2" REIN. HOLES BA SIDE. REIN. HOLES FLASHING CONT. SLEEVES PER MANUFACTURER'S PRACTICE STANDARDS. STEP REIN. HOLES FLASHING PERMANENT AS REQUIRED ABOVE GRADE SLOPES ALONG BA FACE OF COLUMN STRUCTURE. CONTACTOR TO PROVIDE COLOR SAMPLES FOR ARCHITECT'S REVIEW/OWNER ACCEPTANCE PRIOR TO ORDERING OF BRICK. RES. ARCHITECTURAL DTLA PLASTER COLUMN HST TO BE 6'-4" ABOVE GRADE.
18. NEW 6'-0" HIGH PREPARED/DECORATIVE WROUGHT IRON FENCING. PATTERN TO BE APPROVED BY ARCHITECT PRIOR TO INSTALLATION.
19. NEW 6'-0" HIGH SOLID/CONCRETE SURFACE FENCING. PATTERN TO BE APPROVED BY ARCHITECT PRIOR TO INSTALLATION.
20. NEW ORNAMENTAL SCULPTURAL COLUMN LIGHTING WITH TRELLIS COVER.
21. NEW 8" HIGH DENSITY 60" TALL EXTERIOR REIN. CONC. BLOCK WALL ENCLOSURE. FINISHES BOLD PATTERN "COLLIER" COLOR "NIGHT COAL" OR ARCHITECT APPROVED EQUAL. RES. EXTERIOR ELEVATION DTLA FOR COLOR, QUANTITY AND PATTERN. RES. STRUCTURAL ENGINEERING DRAWINGS THIS SET. INSTALL REIN. HOLES BA SIDE. REIN. HOLES FLASHING CONT. SLEEVES PER MANUFACTURER'S PRACTICE STANDARDS. STEP REIN. HOLES FLASHING PERMANENT AS REQUIRED ABOVE GRADE SLOPES ALONG BA WALL FACE CONTACTOR TO PROVIDE COLOR SAMPLES FOR ARCHITECT'S REVIEW/OWNER ACCEPTANCE PRIOR TO ORDERING OF BLOCK MATERIALS.
22. SOLID/CONC. FILLED REIN. CONC. CAP BLOCK. SLOPE FOR POSITIVE DRAINAGE.
23. REIN. CONC. BLOCK BOLD REIN. CONT. WITH 2" BA REIN. CONT. AND 40" BA DIA. OVERLAP SPICES AND CORNERS.
24. 3" BA REIN. CONT. TOP AND BOTTOM. PROVIDE 40" BA DIA. OVERLAP ALL SPICES AND CORNERS.
25. 8" DIA. CONC. FILLED PIPE BOLLARD WITH WELD REIN. STUBS. PREP FOR 3 COAT FINISH. (1 COAT PRIMER, 2 COATS FINISH).
26. 4" REIN. CONC. BLK. 3009 PER MIN. W/ 4 BA REIN. 8" DIA. BA WAY. SLOPE FOR POSITIVE DRAINAGE AWAY FROM STRUCTURE.
27. 4" X 4" X 3/4" TUBE STEEL. VERTICAL. COLLAPSIBLE SUPPORT.
28. 2" X 2" X 3/4" TUBE STEEL GATE FRAMING. MITER ALL CORNERS/END CONT. WELD ATTACH. GRIND SMOOTH ALL WELDED CONNECTIONS. SAND, PREP AND PRIME TO ACCEPT 3 COATS PAINT FINISH. (1 COAT PRIMER, 2 COATS FINISH). "SHERWIN-WILLIAMS" TRON CRYSTAL BU 7054.
29. NOT USED THIS SET.
30. 2" X 8" X 3/4" TUBE STEEL GATE FRAMING. MITER ALL CORNERS/END CONT. WELD ATTACH. GRIND SMOOTH ALL WELDED CONNECTIONS. SAND, PREP AND PRIME TO ACCEPT 3 COATS PAINT FINISH. (1 COAT PRIMER, 2 COATS FINISH). "SHERWIN-WILLIAMS" TRON CRYSTAL BU 7054.
31. 3/4" DIA. MIN. GA. MAX. PERFORATED STEEL PANEL. 3/4" DIA. 8" DIA. "HOLLOW" 6" DIA. OR ARCHITECT APPROVED EQUAL. CUT PANELS TO DIMENSIONS SHOWN AND THROUGH BOLT CONNECTION AT ALL CORNERS 8" DIA.
32. 2" X 2" TUBE STEEL FRAMES. MITER AND WELD CORNERS. GRIND SMOOTH ALL WELDS AND PREP FOR 3 COAT PAINT FINISH. (1 COAT PRIMER, 2 COATS FINISH).
33. 8" X 24" CUSTOM METAL SIGNAGE. SIGNAGE BACKGROUND COLOR "SHERWIN-WILLIAMS" COLOR - "BRITANNIA WHITE" BU 7054. HANDICAP SYMBOL AND LETTERING "SHERWIN-WILLIAMS" COLOR - "BLUE/BLACK" BU 666A. NOTE: "VAN ACCESSIBLE" IS TYPICAL OF 1 SIGN ONLY. ATTACH SIGN TO 12" BAR STOCK WITH VERTICAL PROOF BOLTS.
34. SET SIGN FRAMES INTO 2" DIA. X 1/2" REIN. CONC. RIS. 1/2" REIN. GRADE WITH (4) 1/2" BA REIN. VERTICAL WELD BRICK TO FRAME LEGS FOR ADDITIONAL REIN. CONT. WELD 3/4" ANGLE TO BACK OF SIGN FACE. PREP FOR PAINT FINISH.
41. 12" BAR STOCK. PREP FOR PAINT FINISH.
42. 6'-0" HIGH BLACK VINYL COATED CHAINLINK FENCING.

BOARD OF ADJUSTMENTS
COMPREHENSIVE SITE PLAN/
SITE DETAILS

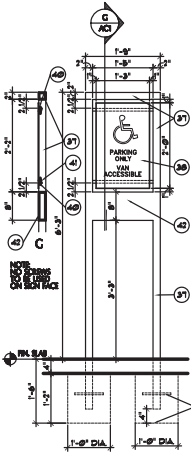
1/16"-1'-0"
AUGUST 01 2023



COMPREHENSIVE SITE PLAN

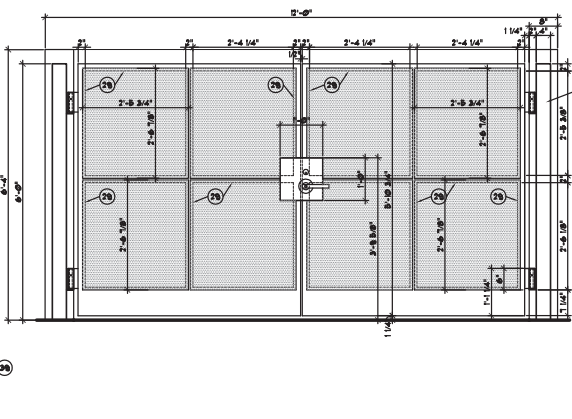
1/16"-1'-0"

42. 2" X 8" TUBE STEEL FRAMES. MITER AND WELD CORNERS. GRIND SMOOTH ALL WELDS AND PREP FOR 3 COAT PAINT FINISH. (1 COAT PRIMER, 2 COATS FINISH).



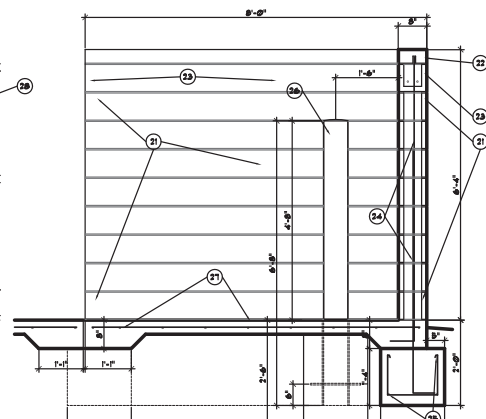
F FRONT ELEVATION
HANDICAP SIGN/DTLS

3/16"-1'-0"



B FRONT ELEVATION
DUMPSTER ENCLOSURE/DTLS

3/16"-1'-0"



A SECTION
DUMPSTER ENCLOSURE

3/16"-1'-0"

AC100 SITE PLAN 10/18/2023 Oct 18, 2023 - 3:00pm

NOTICE: ALL DRAWINGS ARE SUBJECT TO THE APPROVAL OF ANY AND ALL FEDERAL, STATE, COUNTY AND CITY BUILDING INSPECTIONS DEPARTMENTS. REPRODUCTION AND REDISTRIBUTION OF THE MATERIAL WITHOUT WRITTEN PERMISSION OF KEITH D. ROBERTSON IS NOT AUTHORIZED. COPYRIGHT 2023



CITY OF Tulsa

Board of Adjustment

Case Number: BOA-23599

Hearing Date: 11/14/2023 1:00 PM

Case Report Prepared by:

Austin Chapman

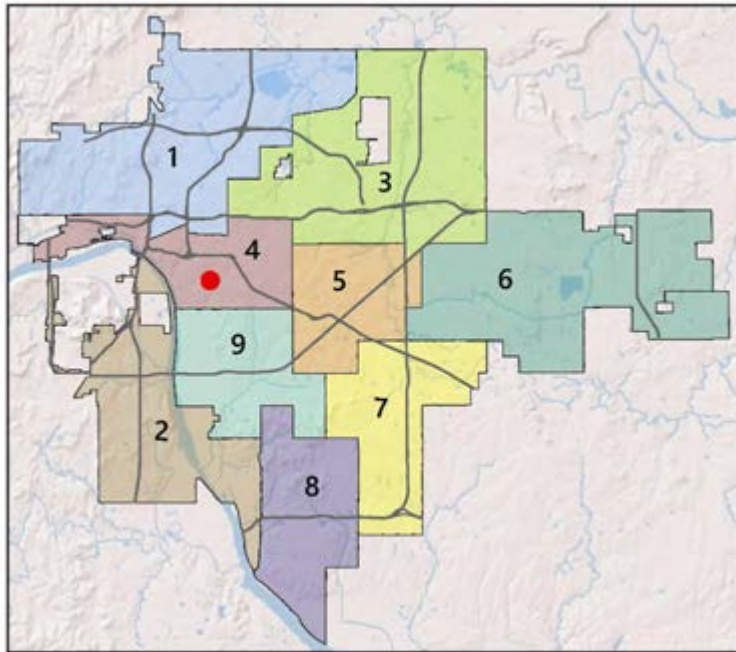
Owner and Applicant Information:

Applicant: Phillip Doyle

Property Owner: Adam & Crystal Wing

Action Requested: Special Exception to allow an Accessory Dwelling Unit in an RS-2 District (45.031-D); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-B); Variance to allow more than 25% coverage by an Accessory Dwelling Unit in the rear setback in the RS-2 District (Section 90.090-C); Variance to allow a detached Accessory Dwelling Unit to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C)

Location Map:



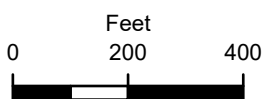
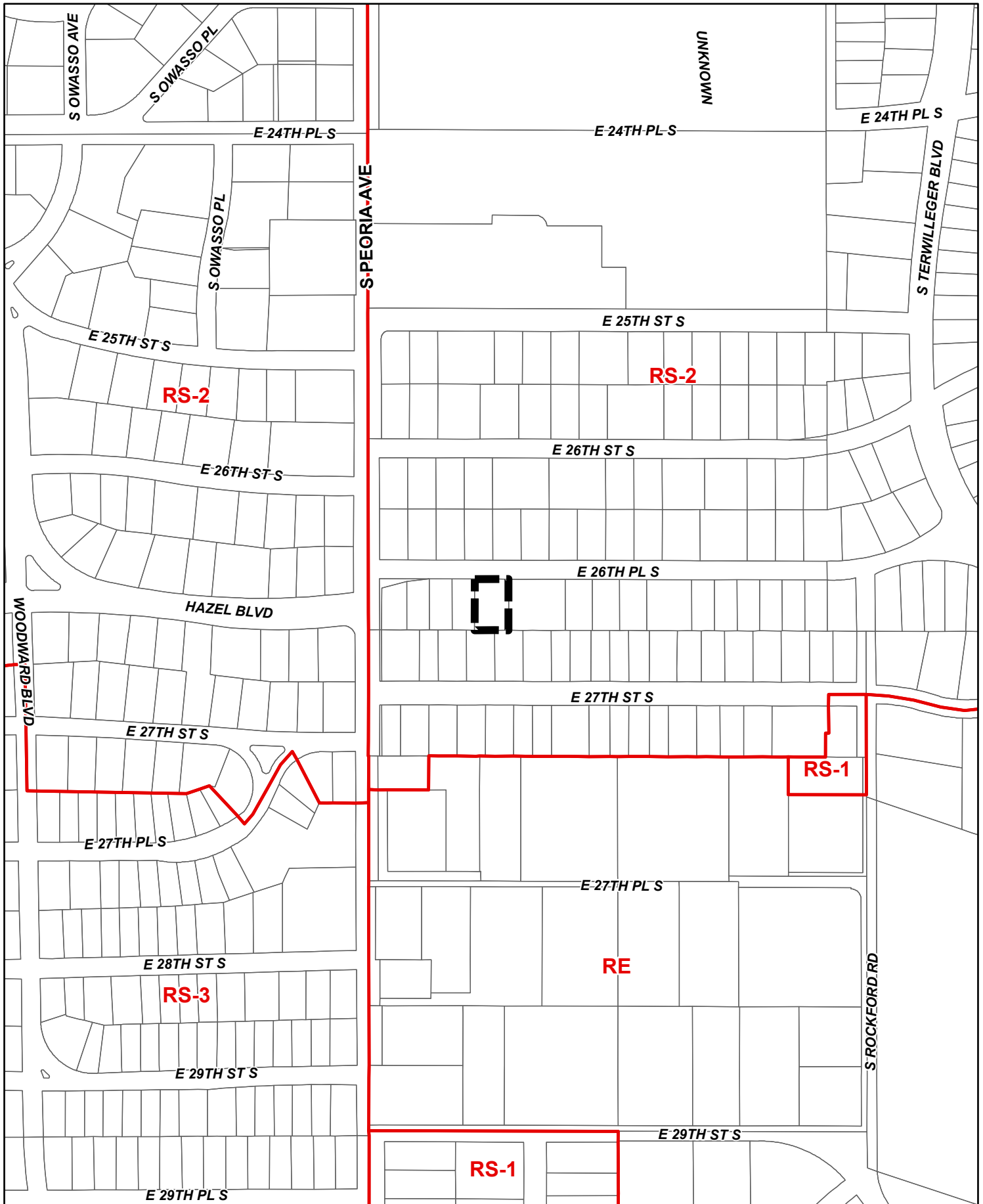
Additional Information:

Present Use: Residential

Tract Size: 0.28 acres

Location: 1324 E. 26 Pl. S.

Present Zoning: RS-2

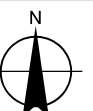


BOA-23599



Subject
Tract

9.2





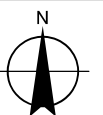
E 26TH PL S

E 27TH ST S

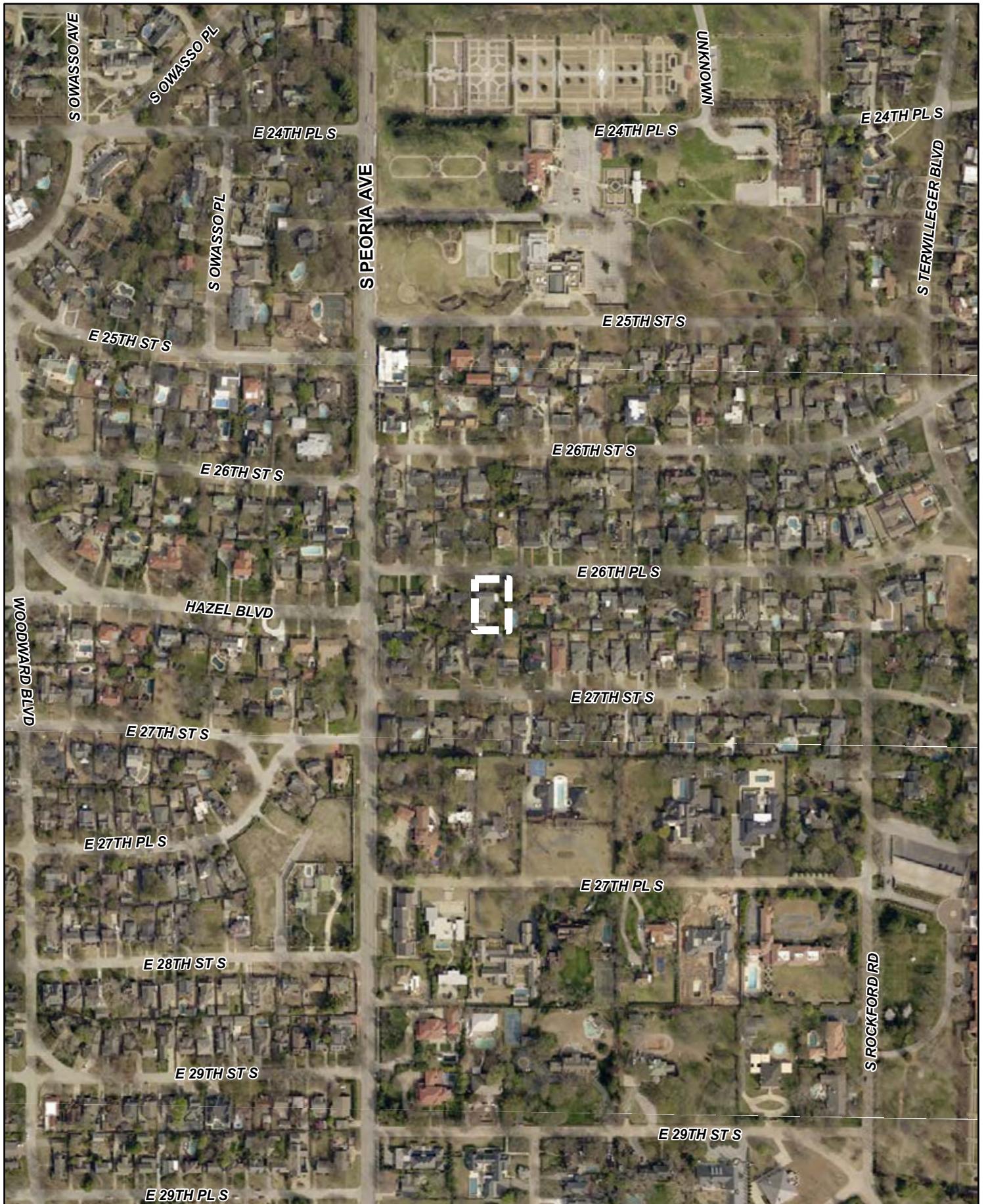
BOA-23599

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

Aerial Photo Date: 2020/2021



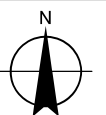
9.3



BOA-23599

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

Aerial Photo Date: 2020/2021



9.4

**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9318

Case Number: **BOA-23599**

CD: 4

HEARING DATE: 11/14/2023 1:00 PM

APPLICANT: Phillip Doyle

ACTION REQUESTED: Special Exception to allow an Accessory Dwelling Unit in an RS-2 District (45.031-D); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-B); Variance to allow more than 25% coverage by an Accessory Dwelling Unit in the rear setback in the RS-2 District (Section 90.090-C); Variance to allow a detached Accessory Dwelling Unit to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C)

LOCATION: 1324 E. 26 Pl. S.

ZONED: RS-2

PRESENT USE: Residential

TRACT SIZE: 12148.93 SQ FT

LEGAL DESCRIPTION: W1/2 LT 14 & ALL LT 15 BLK 1, TRAVIS HGTS 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 a "Neighborhood"

STATEMENT OF HARDSHIP:

Please describe how your hardship meets the following criteria:

1. *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: **ADU and Cabana need to be on the South side of the property to utilize existing garage footprint and not impeded surface drainage from East Neighbor.***
2. *That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose: **Literal enforcement not necessary to achieve purpose.***
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: **Drainage issue and historic detached garage are unique to property.***
4. *That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner: **Existing garage and drainage are pre-existing.***
5. *That the variance to be granted is the minimum variance that will afford relief: **It is the minimum square footage.***
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: **It is in line with the neighborhood.***
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.: **No detriment to public good- structure is designed to feel as small as possible.***

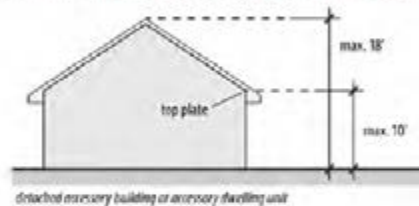
STAFF ANALYSIS: The applicant is requesting a Special Exception to allow an Accessory Dwelling Unit in an RS-2 District (45.031-D); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-B; 45.031.6.a);

A copy of sections 45.030 and 45.031 are included in your packet.

Variance to allow more than 25% coverage by an Accessory Dwelling Unit in the rear setback in the RS-2 District (Section 90.090-C); **Variance** to allow a detached Accessory Dwelling Unit to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C)

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

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



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

Table 90-2: Accessory Building, Including Accessory Dwelling Units, Coverage Limits in Rear Setback

Zoning District	Maximum Coverage of Rear Setback
RS-1 and RE Districts	20%
RS-2 District	25%
RS-3, RS-4, RS-5 and RD Districts	30%
RM zoned Lots Used for Detached Houses or Duplexes	30%

The applicant is seeking a 2-story accessory building that is 23-feet in height at its peak; would be covering 1,538 square feet (68 %) of the rear setback and has 1,662 square feet of building area (49% of the principal structure).

Facts staff finds favorable for variance request:

- The drainage issue stated by the applicant could constitute a unique condition to the subject property that is not generally applicable to other similarly zoned properties. .

Facts Staff find unfavorable for the variance request:

- None.

SAMPLE MOTION:

Special Exception:

Move to _____ (approve/deny) a Special Exception to allow an Accessory Dwelling Unit in an RS-2 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 to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-B); **Variance** to allow more than 25% coverage by an Accessory Dwelling Unit in the rear setback in the RS-2 District (Section 90.090-C);

Variance to allow a detached Accessory Dwelling Unit to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C)

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

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

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



Subject Property



DEVELOPMENT SERVICES
175 E 2ND ST., STE 405
TULSA, OK 74103
918-596-9456

CITY OF TULSA CORRECTIONS SUMMARY

ZCO-158888-2023 (1324 E 26TH PL S Tulsa, OK 74114).pdf Markup Summary #1

Zoning Comment (3)



Subject: Zoning Comment
Page Label: [1] 1(18x24)
Author: Jeff Taylor
Date: 9/19/2023 3:07:22 PM
Status:
Color: ■
Layer:
Space:

45.031-D Special Exception required from BOA to allow an ADU on a RS-2 zoned lot.



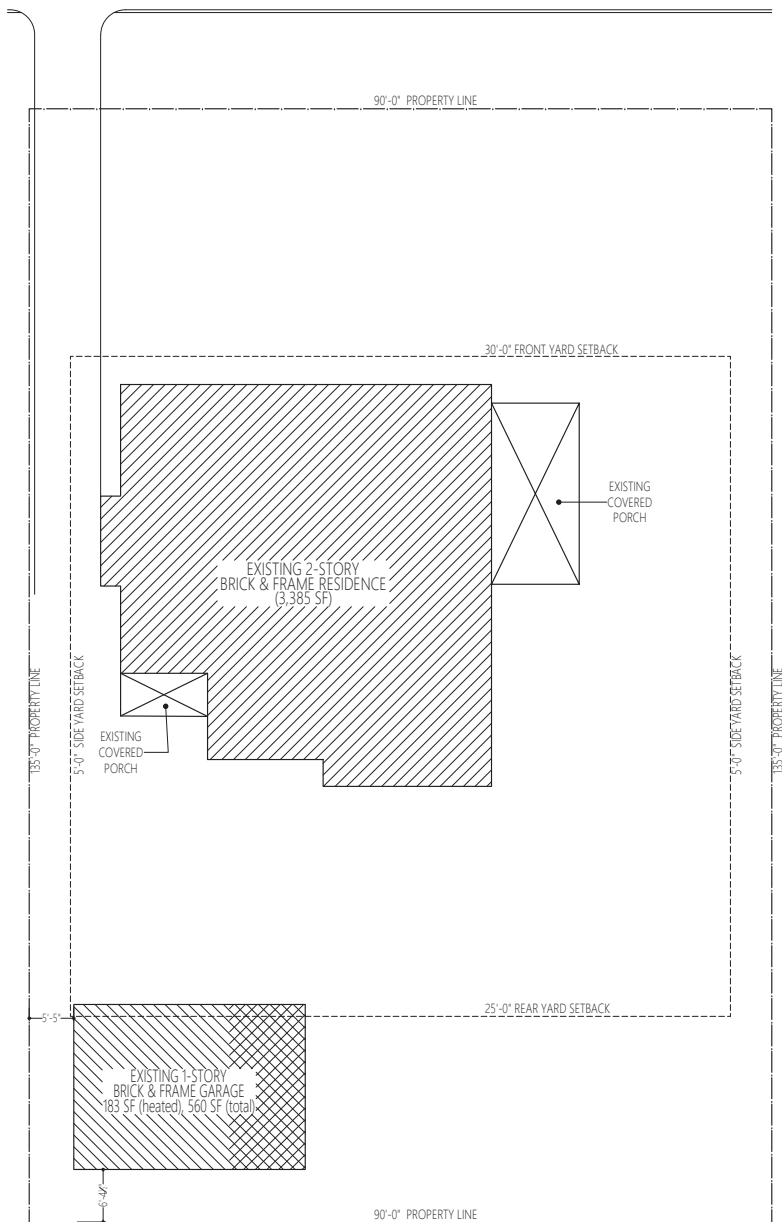
Subject: Zoning Comment
Page Label: [1] 1(18x24)
Author: Jeff Taylor
Date: 9/19/2023 3:22:08 PM
Status:
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Layer:
Space:

90.090-B,2 Accessory Building coverage in rear setback is 1083 sq ft which exceeds the 25% coverage allowed in the rear setback.

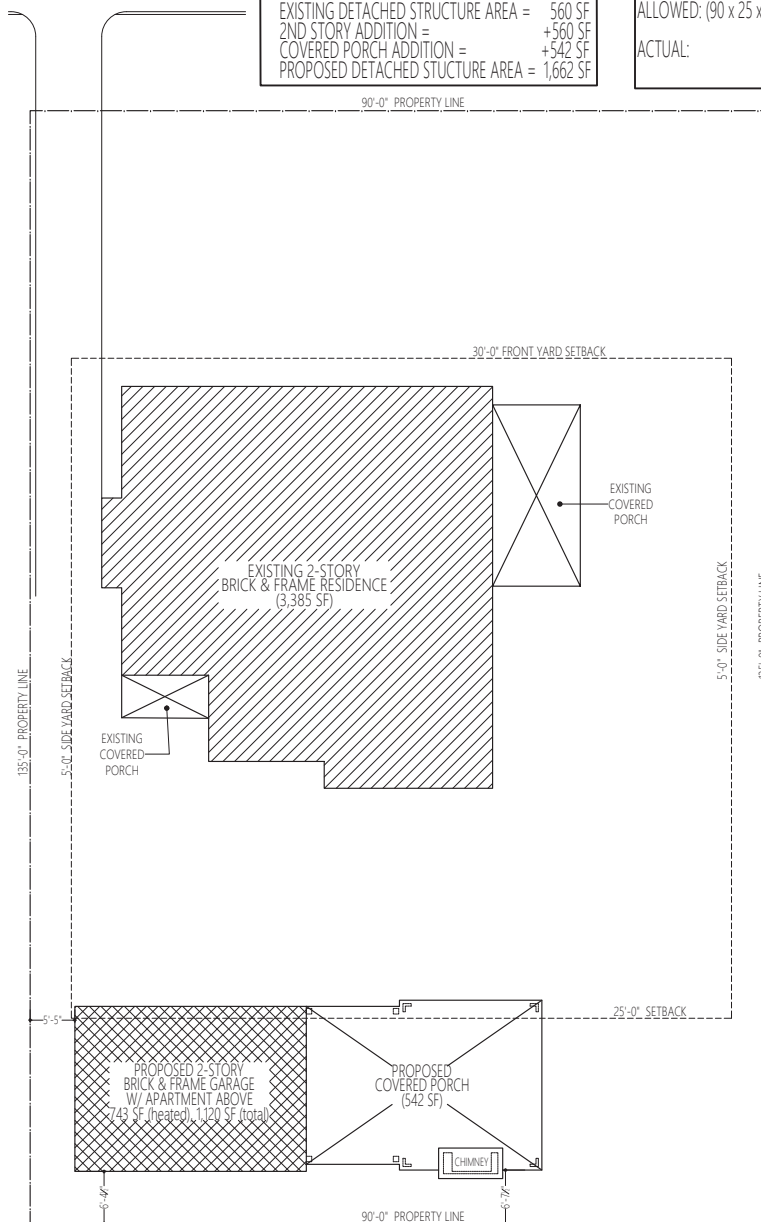


Subject: Zoning Comment
Page Label: [1] 1(18x24)
Author: Jeff Taylor
Date: 9/19/2023 3:22:20 PM
Status:
Color: ■
Layer:
Space:

90.090-B,2 Accessory Building height exceeds 1 story and 18' in overall height. Top plate is more than 10' in height to the top of the top plate.



B SITE PLAN-EXISTING
3/32" = 1'-0"



A SITE PLAN - NEW
3/32" = 1'-0"

45.030A ACCESSORY BUILDING SIZE

40% PRINCIPAL HOUSE FLOOR AREA =
3,385 SF x .4 = 1,354 SF ALLOWED

EXISTING DETACHED STRUCTURE AREA = 560 SF
2ND STORY ADDITION = +560 SF
COVERED PORCH ADDITION = +542 SF
PROPOSED DETACHED STRUCTURE AREA = 1,662 SF

TABLE 90-2: COVERAGE OF REAR SETBACK

AREA IN REAR YARD SETBACK IS LESS THAN 25% (RS-2 DISTRICT).

ALLOWED: (90 x 25 x 25%) = 562.5 SF

ACTUAL: 1,538 SF

GENERAL NOTES:

- All work shall conform to the International Residential code (2015) and all other Governing laws, codes, ordinances and regulations. See structural drawings for additional design criteria.
- These plans and specification documents are intended for one project only at one particular site only. Any additional use or reproduction without the written permission of the design firm is forbidden. Changes to plan and specification documents shall be made only by the approval of this office and/or owner. Changes should be submitted in writing.
- All exterior dimensions are to the face of the exterior frame wall and/or concrete or stemwall.
- All interior plan dimensions are to face of framing, centerline or an extension of an exterior dimension.
- Written dimensions take precedence over scaled dimensions.
- All contractors shall field verify all existing and new conditions, materials, elevations and dimensions. Any discrepancies, or omissions shall be immediately reported to this office and /or owner before construction proceeds.
- All contractors shall examine all drawings and existing conditions to determine locations and dimensions of any and all chases, inserts, openings, sleeves, depressions and of other project requirements.
- All wood in contact with concrete shall be pressure treated (PT).
- Provide for passive control of radon entry as membrane beyond outside face of the slab so as to seal openings or crack that connect the house interior to the sub-slab soil. Seal all penetrations, joints, tears and cuts with tape or mastic.
- General contractor shall coordinate and provide for termite protections and inspection as outlined in R318 (2015 IRC).
- Provide safety glazing at all Hazardous Locations as defined in section R308.4 (2015 IRC).
-

LEGAL DESCRIPTION:

W 1/2 LOT 14 & ALL LOT 15, BLOCK 1 OF TRAVIS HEIGHTS ADDITION, City of Tulsa, Tulsa County State of Oklahoma

CODE:

2015 International Residential code

ZONING:

RS-2 district

HEATED SQUARE FOOTAGE:

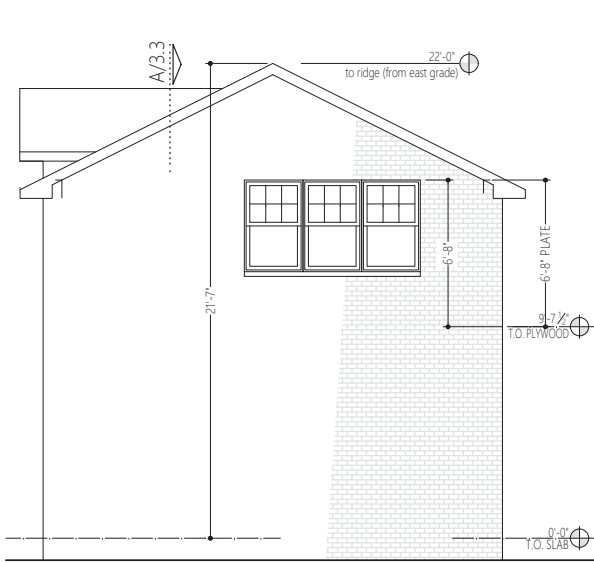
Existing residence: 3,385 SF
Existing accessory building: 183 SF
New accessory addition: 560 SF
Total: 4,128 SF

LEGEND:

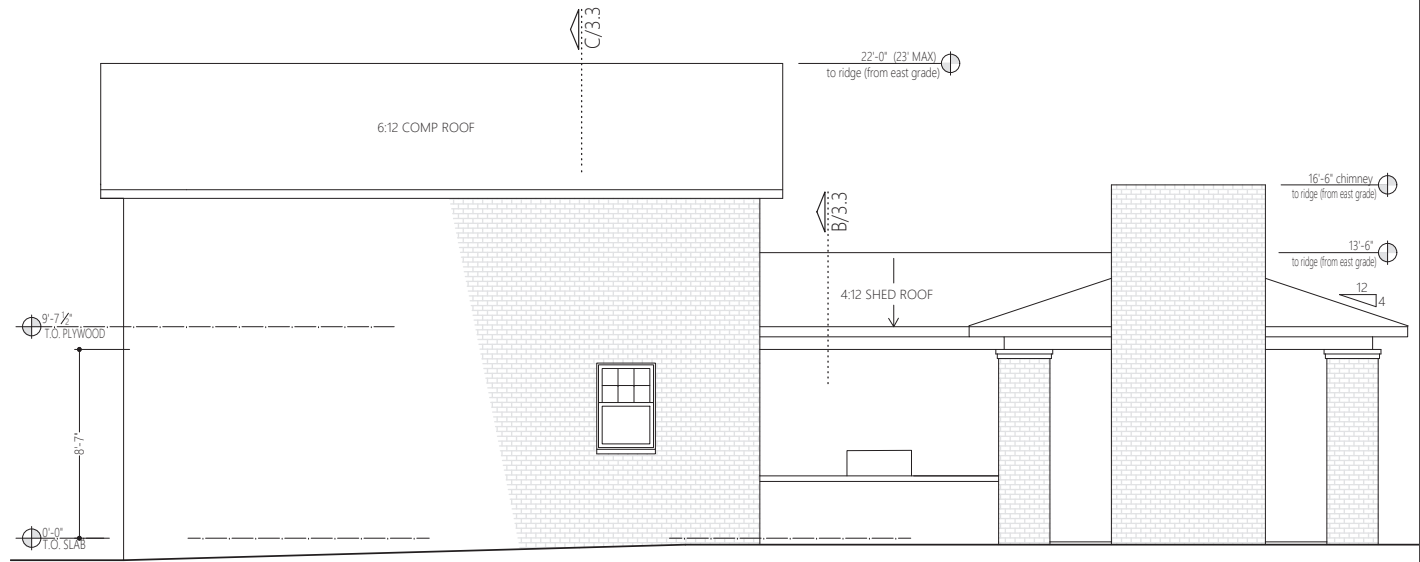
- [X] Drawing name and location
- [X] Reference grid for dimensions
- [X/X/X] Section through plan
- [X] Carpentry detail
- [X] Construction note/detail
- [X] Door number
- [X] Window type
- [X] Reference area
- T.O. "Top of" measure from
- C "Center line" measure to

SHEET INDEX:

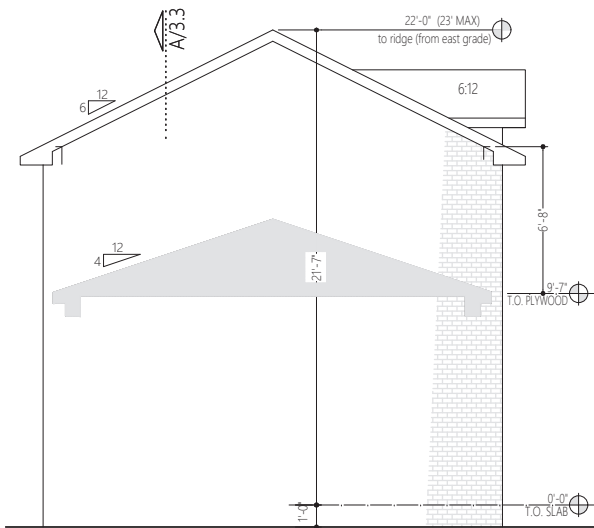
- 1 Title sheet, site plan



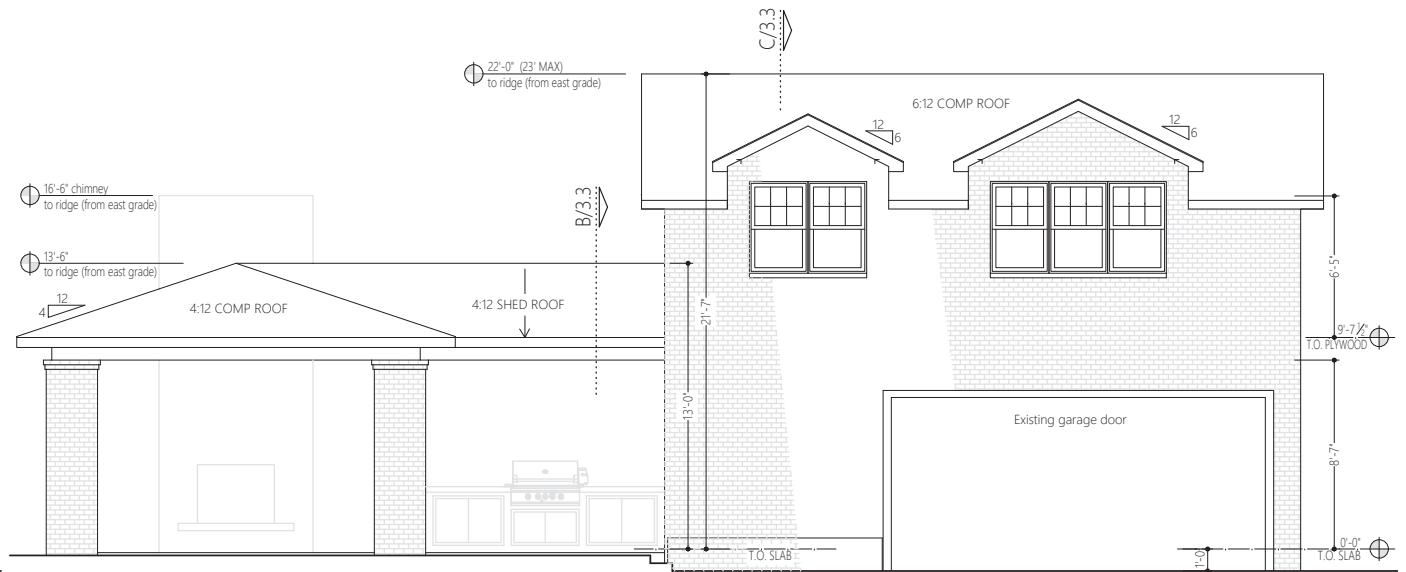
D WEST ELEVATION
1/4" = 1'-0"



C SOUTH ELEVATION
1/4" = 1'-0"



B EAST ELEVATION
1/4" = 1'-0"



A NORTH ELEVATION
1/4" = 1'-0"