AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, February 11, 2020, 1:00 P.M.

Meeting No. 1244

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Approval of Minutes of December 10, 2019 (Meeting No. 1241).

UNFINISHED BUSINESS

2. 22844—John Wyrrick
   Special Exception to permit a fence in the street setback to exceed 4 feet in height (Section 45.080-A).  **LOCATION:** 4141 South Zunis Avenue East (CD 9)

NEW APPLICATIONS

3. 22845—James Watson
   Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D).  **LOCATION:** 6123 East 31st Street South (CD 5)

   The applicant has withdrawn the application.

4. 22847—Ken Kelly
   Special Exception to permit a fence in the street setback to exceed 4 feet in height (Section 45.080-A);  Special Exception to allow a barbed-wire fence in a Residential District (Section 45.080-C).  **LOCATION:** 6238, 6302, and 6312 East Virgin Street North (CD 3)

5. 22848—William Farmer
   Variance to allow a detached accessory building to exceed 40% of the size of the principal residential structure in an RS-3 District (Section 45.030-A).  **LOCATION:** 14557 East 13th Street South (CD 6)

6. 22849—Robert Walenta
   Special Exception to permit moderate impact manufacturing in the IL District (Section 15.020);  Variance of the required 75-foot building setback between IL
7. **22851—Flavio Monteil**  
   Special Exception to permit a carport in the street setback; Special Exception to reduce the required 5-foot side yard setback for a carport in a RS-3 District (Section 90.090-C.1). **LOCATION:** 2623 North Quincy Avenue East (CD 1)

8. **22852—Eller & Detrich – Lou Reynolds**  
   Special Exception to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020). **LOCATION:** 2976 North Florence Avenue East (CD 1)

**OTHER BUSINESS**

**NEW BUSINESS**

**BOARD MEMBER COMMENTS**

**ADJOURNMENT**

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

CD = Council District

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

**NOTE:** This agenda is for informational purposes only and is not an official posting. Please contact the Tulsa Planning Office at 918-584-7526 if you require an official posted agenda.
Case Number: BOA-22844

Hearing Date: 02/11/2020 (Continued from 01/28/2020) 1:00 PM

Applicant: John Wyrrick

Action Requested: Special Exception to permit a fence in the street setback to exceed 4 ft in height (Sec. 45.080-A)

Location: 41415 ZUNIS AV E

Zoned: RE

Present Use: Residential

Tract Size: 47615.63 SQ FT

Legal Description: LT 3 BLK 1, BOLEWOOD ACRES

Relevant Previous Actions: None.

Relationship to the Comprehensive Plan: The Tulsa Comprehensive Plan identifies the subject property as part of a "Existing Neighborhood "and an "Area of Stability ".

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

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

Analysis of Surrounding Area: The subject tract is Located South of the SE/c of S. Zunis Ave and East 41st Street S.

Staff Comments: The applicant is requesting Special Exception to permit a fence in the street setback to exceed 4 ft in height (Sec. 45.080-A)
SAMPLE MOTION:

Move to ________ (approve/deny) a **Special Exception** to permit a fence in the street setback to exceed 4 ft in height (Sec. 45.080-A)

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

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

  ________________________________

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
Subject Tract, fence has already been installed

Facing South on Zunis
Subject Tract
Note: Graphic overlays may not precisely align with physical features on the ground.

Subject Tract

BOA-22844

Aerial Photo Date: February 2018

19-13 30
Tulsa County Board of Adjustment
2 West 2nd St.
Tulsa, Ok.

Ref: 4141 S. Zunis ave., Tulsa, Ok.
Lot(3) Block (1) Bolewood Acres

Re: Fence Violation Appeal

Type of Fence: 8' Ornamental Iron with gates (auto openers)
The fence is totally see thru

Setback from road: 40' from the edge of asphalt (no curb and gutter)

Other properties in Bolewood Acres with Fences that are in violation of Estate Zoning violations with regard to fences:

4222 S. Victor ave. - Fence is solid, 5' tall, is only 26' to 27' back from the edge of the street

4111 S. Wheeling ave. - Fence is 6' tall, solid, 10' back from the edge of the street

2120 E. 46th st. - Masonry wall is 6' to 8' tall, 15 to 20' from the edge of the street

1810 and 1833 E. 43rd - Gates and fences outside setback limits, taller than 4'

* None of these properties applied for or received special exemptions or variances from The Tulsa County Board of Adjustment or INCOG

** Bolewood Acres and the RE Zoning extends (in part) into the south side of E. 46th st to 41st. and from Lewis ave. to just west of Victor Ave.

Request: Special Exception due to the following

- the fence is for security purposes due to the health condition of one of the property owners. This fence will allow his dogs to be in the front yard as needed for security
- the fence does not obstruct the view of the house unlike some of the others in violation
- the fence is ornamental in nature and sets well back from the road and is in keeping with the original building guidelines set forth by the property owner/developer.
- The fence is 40' back from the road and Estate Zoning has a 35' set back
- For all practical purposes, the HOA is non-existent and inactive
- The owners visited with their neighbors to their south and they approved of the fence
Chapman, Austin

From: John Wyrrick <jwyrick@sbcglobal.net>
Sent: Monday, December 30, 2019 9:39 AM
To: Chapman, Austin
Cc: John Wyrrick
Subject: BOA-22844
Mr. Chapman

Kendall said I could email photos regarding this case to you. The first 4 are of the subject property. The fifth one is of 4222 S. Victor Ave. The 6th one is of 2120 E. 46th st. Both of these are in Bolewood and both are much closer to the road, both are solid, and both are taller than 4’ in height. Thank you for your time and if you have any questions please don’t hesitate to call.

Sincerely

John Wyrrick
Applicant
Sent from my iPhone
From: robob344@aol.com
Sent: Sunday, January 19, 2020 2:56 PM
To: esubmit
Subject: case number: BOA-22844

Tulsa Board of Adjustment,

Nowhere in our neighborhood is there a fenced in front yard (especially six or seven feet).

I thought there were rules and regulations (codes) that prohibited such an eyesore. What's next portable storage buildings? We have to follow the rules; why doesn't Mr. Wyrick?

Robert Moore, Bolewood Resident for 33 years
BOA-22845 – JAMES WATSON

THE APPLICANT HAS WITHDRAWN THE APPLICATION
BOARD OF ADJUSTMENT
CASE REPORT

Case Number: BOA-22847
STR: 215
CZM: 30
CD: 3
HEARING DATE: 02/11/2020 1:00 PM

APPLICANT: Ken Kelly

ACTION REQUESTED: Special Exception to permit a fence in the street setback to exceed 4 ft in height (Sec. 45.080-A); Special Exception to allow a Barbed-wire fence in a Residential Zoning District (Sec. 45.080-C)

LOCATION: 6312 E VIRGIN ST N; 6238 E VIRGIN ST N; 6302 E VIRGIN ST N ZONED: RM-1

PRESENT USE: Multi-family TRACT SIZE: 42693.33 SQ FT

LEGAL DESCRIPTION: LTS 1 & 2 BLK 3; LT 1 & 2 BLK 4; LTS 27 & 28 BLK 3, HOUSTON ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property: None

Surrounding Properties: None

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tracts are two separate properties located at the NW/c of E. Virgin Street and N. Norwood Pl. and Located at the NW/c of E. Virgin Street and N. Norwood Ave. The properties are multi family apartment building located immediately across Virgin from Tulsa MET Junior High and High School.
STAFF COMMENTS: The applicant is requesting **Special Exception** to permit a fence in the street setback to exceed 4 ft in height (Sec. 45.080-A); **Special Exception** to allow a Barbed-wire fence in a Residential Zoning District (Sec. 45.080-C)

Section 45.080  Fences and Walls

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

45.080-B Electrical fence charger systems are prohibited, except for the following:

1. Electrical fence charger systems are allowed on parcels of land with an area of 10 acres or more, provided the system is not readily accessible to the public; and
2. Electrical fence charger systems are allowed on parcels of land with an area of less than 10 acres, provided that the conductors are located at least 8 feet above grade and are not readily accessible to the public.

45.080-C Barbed-wire and razor-wire fencing is prohibited in all districts except agricultural and industrial districts unless also approved in accordance with the special exception procedures of Section 70.120 (See Title 24, Sec. 103 of the Tulsa Revised Ordinances).

Title 24 Sec. 103 of the Tulsa Revised Ordinances Declares the following to be a public nuisance affecting public peace and Safety: **All barbed wire fences which are located within three (3) feet of any public sidewalk.**

SAMPLE MOTION:

Move to _________ (approve/deny) a **Special Exception** to permit a fence in the street setback to exceed 4 ft in height (Sec. 45.080-A); **Special Exception** to allow a Barbed-wire fence in a Residential Zoning District (Sec. 45.080-C)

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

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
Facing East on Virgin, Tulsa MET Junior High and High School is located immediately across Virgin from subject properties.
Facing West on Virgin

Facing Northwest from N. Norwood Place
NOTICE OF VIOLATION – ZONING

To: AUGUSTA LLC
C/O DENNIS KELLY
9216 E 119TH PL
BIXBY, OK 74008

Date: 12/16/2019
Case: ZOVN-26610-2019
Compliance Date: 1/6/2020

Dear Property Owner and/or Occupant,

You are hereby notified of zoning code violations at (legal) LTS 1 & 2 BLK 3

HOUSTON ADDN
City of Tulsa, TULSA County State of Oklahoma; And located at the address of:
6312 E VIRGIN ST N

Violations:
- [ ] Home Occupations
- [ ] Commercial Vehicles
- [ ] Accessory Uses
- [ ] Mobile Storage Units
- [ ] Garage/Yard Sales
- [ ] Parking Surface
- [x] Fences and Walls
- [ ] Recreation Vehicles
- [ ] Permit Needed

Additional comments, descriptions or directions: Title 42 45.080-C

Barbed-wire and razor-wire fencing is prohibited in all districts except agricultural and industrial districts unless also approved in accordance with the special exception procedures of Section 70.120

Title 24 103 L All barbed wire fences which are located within three (3) feet of any public sidewalk; and

See back of page for what the resolution of each violation requires.

You still have time to correct the issue(s) at your property. To comply, must correct all violations prior to the compliance deadline listed on this notice above. If you are unable to correct any or all the violation(s) listed above, contact the Code Official listed below to work out an acceptable plan to bring your property into compliance. Ensure that all family members, employees, and/or contractors, etc. are familiarized with and adhere to these regulations. Additional notices will not be sent if recurring violations are found in the future.

Failure to make the correction may result in the issuance of a criminal citation or civil remedial penalties not to exceed $1,000.00 per day. Failure to comply may also result in revoking or withholding permits, certificates or other forms of authorization issued by the City of Tulsa; and/or any other remedies allowed by law.

Your property is an important investment for you and the community. I urge you to make the necessary corrections to eliminate all violations so that no further enforcement will be necessary.

Please understand that it is ultimately the responsibility of the owner to ensure these violations are corrected. Any civil agreements or rental agreements do not alleviate the owner of this responsibility.

Thank you,

Tim Mills
City of Tulsa – Working in Neighborhoods
tmills@cityoftulsa.org
918-576-5694
Note: Graphic overlays may not precisely align with physical features on the ground.

Subject Tract

BOA-22847

20-13 27

Aerial Photo Date: February 2018
BOA-22847

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

Aerial Photo Date: February 2018
SUBJECT TRACT
Board of Adjustment Case Report

Case Number: BOA-22848

STR: 9410
CZM: 40
CD: 6

Hearing Date: 02/11/2020 1:00 PM

Applicant: William Farmer

Action Requested: Variance to allow a detached accessory building to exceed 40% of the size of the principal residential structure in an RS-3 district (Sec. 45.030-A).

Location: 14557 E 13 ST S
Zoned: RS-3

Present Use: Residential
Tract Size: 23126.1 SQ FT

Legal Description: LT-12-BLK-4, CAROL ACRES

Relevant Previous Actions:

Subject Property: None

Surrounding Properties:

BOA-19703: On 11.25.03 the Board denied a variance of the allowable size for an accessory building from 500 sf to 1,685.2 sf. Property located 14567 E. 13th Street, immediately East of the Subject property.

Relationship to the Comprehensive Plan: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

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

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ANALYSIS OF SURROUNDING AREA: The subject tract is Located West of the NW/c of S. 149th E. Ave and E. 13th Street S.

STAFF COMMENTS: The applicant is requesting a Variance to allow a detached accessory building to exceed 40% of the size of the principal residential structure in an RS-3 district (Sec. 45.030-A)

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

The applicant is requesting to add 672 sf to an existing accessory building for a total of 1,392 sf. The code limits the applicant to 798 sf based on the size of the existing residence at 1,996 sf.

STATEMENT OF HARDSHIP: Applicant has not provided statement as of the writing of this staff report.

SAMPLE MOTION:
Move to ________ (approve/deny) a Variance to allow a detached accessory building to exceed 40% of the size of the principal residential structure in an RS-3 district (Sec. 45.030-A)

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

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

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

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

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

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

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

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

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

5.3

REVISED 1/31/2020
Facing East on 13th Street

Facing West on 13th Street
Case No. 19703

Action Requested:
Variance of the allowable size for an accessory building from 500 square feet to 1,685.2 square feet. SECTION 402.B.1.d. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions, located: 14567 E. 13th St.

Presentation:
Fred Pearce, 14567 E. 13th St., stated he proposed to construct an addition to the existing accessory building. It would be strictly for a hobby shop and personal use and no commercial use. He indicated the neighbors would not be able to see the addition.

Comments and Questions:
Ms. Turnbo asked what kind of shop. Mr. Pearce replied he wanted to work on hobbies, cars and motorcycles he owns mainly on weekends. Ms. Perkins asked for a hardship. Mr. Pearce could not provide a hardship.

Interested Parties:
James Mautino, 14628 E. 12th, stated he is on the Board of the Tower Heights Association. He stated that Mrs. Neeley was present, and she lives just north abutting the subject property. She has expressed concern that he wants to add on in closer proximity to her property line. He submitted photographs (Exhibit B-1) of the existing building and home. He suggested other options, such as adding onto the one-car garage attached to his home.

Applicant's Rebuttal:
Mr. Pearce stated he has lived there for ten years and has proven to be a quiet neighbor. He assured the Board there will be no commercial use. Mr. White asked if the access would be through the front of the existing building, to which he replied in the affirmative. He considered placing one door on the side to use for his lawn equipment. Mr. Pearce told the Board that a large portable building and bushes on the neighbors properties that block the view so they would not be able to see his building.

Comments and Questions:
Ms. Turnbo stated she could not find a hardship. She also pointed out that the staff could not find a building permit had been issued for the existing large accessory building. Mr. White asked Mr. Romig if they could approve the existing accessory building. Mr. Romig stated it is less square footage than was requested and the Board could approve the existing building.

Board Action:
On Motion of Dunham, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Stephens "aye"; no "nays"; no "abstentions"; no "absences") to DENY a Variance of the allowable size for an accessory building from 500 square feet to 1,685.2
square feet; and instead APPROVE the existing 1,072.4 sq. ft. accessory building, finding lack of a hardship, on the following described property:

Lot 13, Block 4, Carol Acres, City of Tulsa, Tulsa County, State of Oklahoma.

**********

Case No. 19704

Action Requested:
Variance to permit a detached accessory building to extend into the front yard setback. SECTION 402.B. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions - Use Unit 6; a Variance of required 15' side yard to 0' to permit a carport. SECTION 403.A.5. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS; and a Variance to permit parking of an RV within the required front and side yards. SECTION 402.B.7.a. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions, located: 105 S. 169th E. Ave.

Presentation:
William J. Yankee, 105 S. 169th E. Ave., proposed to park their motor home on their property. He informed the Board that they have experienced vandalism of their motor home on commercial storage lots. They are on a corner lot and they considered parking in the back yard, but they would have to remove several large trees. There is also a storm drain in the way that has occasionally flooded. They contacted three of the neighbors and they were in support.

Comments and Questions:
Mr. Dunham commented there are numerous carports in the neighborhood and several more objectionable problems.

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

Board Action:
On Motion of Dunham, the Board voted 3-2-0 (White, Dunham, Stephens "aye"; Turnbo, Perkins "nay"; no "abstentions"; no "absences") to APPROVE a Variance to permit a detached accessory building to extend into the front yard setback; a Variance of required 15' side yard to 0' to permit a carport; and a Variance to permit parking of an RV within the required front and side yards, with conditions: the side walls extend down no further than 8' above the ground level, per plan, finding the hardship: there is no place to park in the back yard with the drainage problems and the existing trees; it is at the end of a dead end street with a vacant field abutting the subject property; and numerous other carports in the neighborhood, on the following described property:

Lot 1, Block 1, Rose Dew Addition, City of Tulsa, Tulsa County, State of Oklahoma.
APPLICATION NO: BLDR-49331-2019 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 14557 E 13th St S
Description: Detached Accessory Building Addition

INFORMATION ABOUT SUBMITTING REVISIONS

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

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

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

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

IMPORTANT INFORMATION

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

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

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

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

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

### 45.030-B RS-2, RS-3, RS-4, RS-5 or RM Districts

In RS-2, RS-3, RS-4 and RS-5 districts, the total aggregate floor area of all detached accessory buildings and accessory buildings not erected as an integral part of the principal residential building may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater.

**Review comments:** You are proposing to add 672 sq ft of accessory building to an existing accessory building for a total of 1392 sq ft of detached accessory structure floor area. The proposed detached structure exceeds 500 sq ft and 40% of the size of your house. Based on the size of your house (1996 sq ft) you are allowed 798 sq ft of detached accessory structure floor area on your lot. Reduce the size of your proposed combined detached accessory structures to be less than 798 sq ft of total floor area or apply to BOA for a variance to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure.

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

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

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### END – ZONING CODE REVIEW

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

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.
1. House 19' x 40' = 798 sq ft allowed. Proposing 1392 sq ft.  
2. Structure height not in rear setback.
Lot 12  BLK 4  CAROL ACRES

"Change in plot plan must be submitted for approval."

Permit must be obtained from County Health Department before starting construction.

12/11/92
TULSA CITY-COUNTY HEALTH DEPARTMENT

By: [Signature]

5.11
Note: Graphic overlays may not precisely align with physical features on the ground.
BOARD OF ADJUSTMENT  
CASE REPORT

Case Number: BOA-22849  
STR: 215  
CZM: 30  
CD: 3  
HEARING DATE: 02/11/2020 1:00 PM

APPLICANT: Robert Walenta

ACTION REQUESTED: Special Exception to permit moderate impact manufacturing in the IL district (Section 15.020); Variance of the required 75 foot building setback between IL and AG/R districts. (Section 15.030)

LOCATION: 2315 N YALE AV E;  
ZONED: RS-3,IL

PRESENT USE: Vacant  
TRACT SIZE: 227789.24 SQ FT

LEGAL DESCRIPTION: LT 5 BLK 2; LT 1 BLK 1; LT 2 BLK 1, S R LEWIS ADDN (The Special Exception is Limited to the West 550 feet of LT 5 BLK 2; LT 1 BLK 1; LT 2 BLK 1, S R LEWIS ADDN which is the IL zoning on the property)

RELEVANT PREVIOUS ACTIONS:

Subject Property: None

Surrounding Property: None

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is Located South of the SE/c of E. Apache and North Yale Ave. The property is split zoned between IL on the Western Side of the Property and RS-3 on the Eastern. IL zoning was established by Ordinance Number 16132 approved 10.30.1984.
permissible to the eastern and western portions.

This site is zoned IL on the western 550' and RS-3 on the eastern 406'. We intend for
Hardship for Variance -

adverse land use or environmental impact:

In the absence of any conceivable conflict with zoning, the project will have negligible impact on this site. The processing will be conducted in an enclosed room within the facility, and

We are requesting a special exception to conduct moderate-impact processing of medical marijuana

JUSTIFICATION FOR SPECIAL EXCEPTION -

STATEMENT OF HARDSHIP:

Applicant has indicated their intention to apply to re-zone that property to AC.

The applicant has proposed a greenhouse to encroach on the RS-3 portion, but the

Revised 2/1/2010

above 13 feet.

When building height exceeds R-3, set back at least 20 feet or 2.5 feet.

Caution: doors must be set back at least 20 feet or 2.5 feet from the back of the

The following notes refer to the bracketed numbers (e.g., "\( \bar{t} \) in Table 1.5.3: 0, C or 1 Distrito Lot and building setbacks

between IL and AG/R districts (Section 15.030).

SAFETY COMMENTS: The applicant is requesting a special exception to permit moderate impact manufacturing in the IL district (Section 15.020). Variance of the required 7' toe building setback
SAMPLE MOTION:
Move to _______ (approve/deny) a Special Exception to permit moderate impact manufacturing in the IL district (Section 15.020)

- 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.

Move to _______ (approve/deny) a Variance of the required 75 foot building setback between IL and AG/R districts. (Section 15.030)

- 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.”
PUBLISHER'S AFFIDAVIT

TULSA DAILY BUSINESS JOURNAL & LEGAL RECORD
8545 E. 41st
Tulsa, Ok. 74145

PUBLICATION DATE(S)
November 6, 1984

LEGAL NOTICE

STATE OF OKLAHOMA
COUNTY OF TULSA

I, of lawful age, being duly sworn, am a legal representative of The Tulsa Daily Business Journal & Legal Record of Tulsa, Oklahoma, a daily newspaper of general circulation in Tulsa County, Oklahoma, printed in the English Language and published in the City of Tulsa, in Tulsa County, State of Oklahoma, regularly, continuously and uninterruptedly published in the County for a period of more than 104 consecutive weeks prior to the first publication of the attached notice, and having paid circulation therein and with admission to the United States mails as second class mail matter and printed in Tulsa, Tulsa County, where delivered to the United States mail.

That said notice, a true copy of which is attached thereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the ABOVE LISTED DATE(S)

Subscribed and sworn to before me this 7th day of November, 1984.

Phyllis McQueen
(Representative Signature)
Subject Property

Facing South on N. Yale
Facing North on N. Yale
BOARD OF ADJUSTMENT
CASE REPORT

STR: 319
Case Number: BOA-22851
CZM: 29
CD: 1
HEARING DATE: 02/11/2020 1:00 PM

APPLICANT: Flavio Monteil

ACTION REQUESTED: Special Exception to permit a carport in the street setback and Special Exception to reduce the required 5 foot side yard setback for a carport in a RS-3 District (Sec.90.090-C.1)

LOCATION: 2623 N QUINCY AV E
ZONED: RS-3

PRESENT USE: Residential
TRACT SIZE: 7000.12 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 3, MARTIN ROLL ADDN

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-9291; On 11.18.76 the Board approved a Variance of the Side yard setback from 5' to 3'-3" in an RS-3 Zoned District.

Surrounding properties: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is Located at the SE/c of E. 26 Pl. N and N. Quaker Ave.
STAFF COMMENTS: The applicant is requesting Special Exception to permit a carport in the street setback and Special Exception to reduce the required 5-foot side yard setback for a carport in a RS-3 District (Sec.90.090-C.1)

1. Carports

Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception procedures of Section 201.20. Any carport that occupies all or a portion of the street setback or street yard area must comply with the following regulations, unless otherwise expressly approved by the board of adjustment as part of the special exception process:

a. A carport may be a detached accessory building or an integral part of the principal building.

b. The area of a carport may not exceed 20 feet in length by 20 feet in width.

c. A detached carport may not exceed 8 feet in height at its perimeter or 18 feet in height at its highest point. A carport erected as an integral part of the principal building may not exceed 8 feet in height within 10 feet of a side lot line or 18 feet at its highest point.

d. The carport structure must be setback from side lot lines by a minimum distance of 5 feet or the depth of the principal building setback, whichever is a greater distance from the side lot line.

e. The carport structure may project into the required street setback by a maximum distance of 20 feet. This distance must be measured from the required street setback line or the exterior building wall of the principal building, whichever results in the least obstruction of the street setback.

f. All sides of a carport that are within the required street setback must be open and unobstructed, except for support columns, which may not obstruct more than 15% of the area of any side.

g. The entire area under a carport may be used only for storage of operable, licensed motor vehicles (i.e., cars, boats, pickup trucks, vans, sport utility vehicles), which are customarily accessory to the dwelling. No other use of the carport area is allowed.

SAMPLE MOTION:
Move to _______ (approve/deny) a Special Exception to permit a carport in the street setback and Special Exception to reduce the required 5-foot side yard setback for a carport in a RS-3 District (Sec.90.090-C.1)

- 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
NEW APPLICATIONS:

Action Requested:
Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) for permission to locate two mobile homes in an AG District located at the NE corner of 96th Street North and Lewis Avenue.

Presentation:
Glen Beck, the applicant, wants to place two trailers on his 20-acre tract of vacant land. He stated the mobile homes are not for rent; they are for his family and daughter. Mr. Beck stated there are other mobile homes in the area and one across the street. Upon questioning, Mr. Beck said the mobile homes would be located in the northwest corner of the property; beginning 200' north of 96th Street and 100' west of the east line of the property.

Protests: None.

Board Action:
On MOTION of PURSER, the Board voted unanimously to grant an Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) for permission to locate two mobile homes in an AG District for a period of seven (7) years on the following described tract:

W/2, SW/4, SW/4, of Section 17, Township 21 North, Range 13 East, Tulsa County, Oklahoma.

Action Requested:
Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) for a variance of the side yard requirements from 5' to 3'-3" in an RS District located at 2623 South Quincy Avenue.

Presentation:
Archie Love, applicant, wants to finish and remodel a home for his client, Mrs. Jones. He stated the existing house extended 1'-9" into the required side yard on the property.

Protests: None.

Board Action:
On MOTION of SMITH, the Board voted unanimously to approve a Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) varying the side yard requirements from 5' to 3'-3" per the Plot Plan in an RS-3 District on the following described tract:

Lot 1, Block 3, Martin Roll Addition to the City of Tulsa, Okla.

11.18.76:223(6)
INFORMATION ABOUT SUBMITTING REVISIONS

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

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

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

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

IMPORTANT INFORMATION

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

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

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

(continued)
**REVIEW COMMENTS**

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

Application No. BLDR-45160-2019

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

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

Special exception approval required; see §90.090-C1.

1. **Sec.90.090-C1 Carports:** Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception procedures of Section 70.120. Any carport that occupies all or a portion of the street setback or street yard area must comply with the following regulations, unless otherwise expressly approved by the board of adjustment as part of the special exception process:

   a. A carport may be a detached accessory building or an integral part of the principal building.

   b. The area of a carport may not exceed 20 feet in length by 20 feet in width.

   c. A detached carport may not exceed 8 feet in height at its perimeter or 18 feet in height at its highest point. A carport erected as an integral part of the principal building may not exceed 8 feet in height within 10 feet of a side lot line or 18 feet at its highest point.

   d. The carport structure must be setback from side lot lines by a minimum distance of 5 feet or the depth of the principal building setback, whichever is a greater distance from the side lot line.

   e. The carport structure may project into the required street setback by a maximum distance of 20 feet. This distance must be measured from the required street setback line or the exterior building wall of the principal building, whichever results in the least obstruction of the street setback.

   f. All sides of a carport that are within the required street setback must be open and unobstructed, except for support columns, which may not obstruct more than 15% of the area of any side.
g. The entire area under a carport may be used only for storage of operable, licensed motor vehicles (i.e., cars, boats, pickup trucks, vans, sport utility vehicles), which are customarily accessory to the dwelling. No other use of the carport area is allowed.

**Review comment:** The proposed carport is located in the street setback area and requires special exception granted by the BOA. Please contact an INCOG representative at 918-584-7526 for further assistance. Please note: the regulations underlined above must be addressed as part of the special exception process as the proposed structure is not in compliance with said regulations as submitted. If approved, submit a copy of the approved special exception as a revision to your application.

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

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

**END - ZONING CODE REVIEW**

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

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.
Monteil Carport
Martin Roll Addition - lot 1 block 3
2623 N. Quincy Ave. Tulsa, OK 74106

LEGAL DESCRIPTION
MARTIN ROLL ADDITION - LOT 1 BLOCK 3
ELSA, OKLAHOMA

E. 26TH PL N.

DRAINAGE

ARCHITECT

CONTRACTOR / OWNER

2409 S. Main St.
Elsa, OK 74436

918-639-8000

LEWISRIDDLE@GMAIL.COM

1/8 = 1'-0"
PLAT OF SURVEY

GENERAL NOTES

The bearings shown hereon are based on the Oklahoma State Plane Coordinate System.

The Property described hereon contains 0.16 acres, more or less.

Field work completed December 4, 2019.

LEGAL DESCRIPTION:

LOT ONE (1), BLOCK THREE (3), MARTIN ROLL, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

SURVEYOR'S STATEMENT


WHITE SURVEYING COMPANY CERTIFICATE OF AUTHORIZATION NO.

CERTIFICATE OF AUTHORIZATION NO.
CAT008 (RENEWAL 6/30/2021)

Randy K.
SHOFSTALL
LS.1670

Copyright 2019 By White Surveying Company. All Rights reserved. No part of this plot may be reproduced, stored in a retrieval system, or transmitted in any form without prior written permission of White Surveying Company, P.O. Box 471878, Tulsa, Oklahoma.
BOARD OF ADJUSTMENT
CASE REPORT

Case Number: BOA-22852
STR: 208
CZM: 29
CD: 1
HEARING DATE: 02/11/2020 1:00 PM

APPLICANT: Lou Reynolds

ACTION REQUESTED: Special Exception to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020).

LOCATION: 2976 N FLORENCE AV E  ZONED: IM

PRESENT USE: Industrial  TRACT SIZE: 137166.65 SQ FT

LEGAL DESCRIPTION: N75 LT 4 & ALL LT 5 BLK 3, SANTA FE INDUSTRIAL DISTRICT

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SW/c of E. 31st St. N. and N. Florence Ave.
STAFF COMMENTS: The applicant is requesting **Special Exception** to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020)

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Supplemental Regulations

**SAMPLE MOTION:**

Move to _________ (approve/deny) a **Special Exception** to permit a High-Impact Medical Marijuana Processing Facility in the IM District (Section 15.020).

- 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.
Facing North on N. Florence

Facing South on N. Florence
Subject Property
Subject Tract

BOA-22852

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

Aerial Photo Date: February 2018