BOA-22879

HEARING DATE: 03/24/2020 1:00 PM

APPLICANT: JR Donelson

ACTION REQUESTED: Variance of the Parking Area Design Standards to permit an existing gravel parking lot (Sec. 55.090)

LOCATION: 5866 S 107 AV E

PRESENT USE: Trailer Sales


ZONED: IL

TRACT SIZE: 59198.28 SQ FT

RELEVANT PREVIOUS ACTIONS:

Subject Property: None

Surrounding Properties:

BOA-22886; This requesting is a pending Variance request for the same relief sought by the subject the applicant to be heard on 4/14/20. Staff anticipates more requests of this nature along 107th E Ave between E 56th St S and E 61st St S. City of Tulsa Code enforcement has issued several notices of violation along 107th that are in violation of Sec. 55.090.

BOA-18280; The Board approved a variance of the all-weather surfacing requirements for a period of 2 years ending 01.12.2001. Property locate approximately 1,200’ S of the SE/c of E 56th St S and S 107th E Ave.

BOA-14124; On 7.10.86 the Board approved a variance of the screening requirements and the off-street parking design standards. Property located 5845 S 107th E. Ave.

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 S of the SW/c of E 56th St S and S 107th E Ave.

**STAFF COMMENTS:** The applicant is requesting a Variance of the Parking Area Design Standards to permit an existing gravel parking lot (Sec. 55.090). This request would permit the existing gravel parking areas and drive lane that do not conform to the surfacing requirements, striping requirements of geometric standards for parking areas. A copy of Sec. 550.090 is included in your packets.
STATEMENT OF HARDSHIP:

City of Tulsa
Board of Adjustment

Re: JCPP Properties One, LLC at 5866 So. 107th E. Ave.

Request for Variance:
We have operated Hitch It Trailers at the above location since November 2014. The property had a gravel surface for parking automobiles and storage of cars in disrepair. We have cleaned and made great improvements to our property. During which time we have left the parking/storage surface to remain gravel. We have installed concrete in the business drive lanes from 107th E. Ave. The gravel area is used from the placement of our trailers.

The Golden Valley subdivision, located east of Highway 169 is zoned industrial with approximately 20 businesses. Many of these businesses were operating prior to the City of Tulsa paving 107th E. Ave. in 2015. To require our business and the other existing businesses in Golden Valley to comply with 'All weather' parking/driving surfaces is unrealistic. The City of Tulsa Zoning Code should have taken into consideration existing businesses such as ours when adopting a 'All off-street parking areas must be surfaced with a dustless, all-weather surface' policy.

Leaving our parking lot gravel will not adversely affect surrounding properties. The intended purpose of reducing dust can be achieved with our 'Dust Abatement Program' for our business. It is impractical for my existing business and my neighbors to close and install an 'All Weather Surface'. The property to the west of this site is Highway 169, being 18 feet higher in elevation, the land to the east of our addition is a detention pond and neither is affected by any possible dust from our business. Granting the 'Variance' will not change the character of the addition. Granting the 'Variance' will in no way cause detriment to the public. Granting the 'Variance' will in no way impair the purpose of the zoning code or the comprehensive plan.

We respectfully request the City of Tulsa revisit the zoning code and consider changing the 'All Weather paving requirement' for existing 'II' zoned properties in operation before the present zoning code was adopted.
SAMPLE MOTION:

Move to ________ (approve/deny) a Variance of the Parking Area Design Standards to permit an existing gravel parking lot (Sec. 55.090)

- 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.

\[13.5\]
3. Design
Off-site parking areas must comply with all applicable parking area design regulations of Section 55.090. Off-site parking proposed to take place on a newly constructed parking area must comply with the PK district lot and building regulations of §55.090-C.

4. Control of Off-Site Parking Area
The property to be occupied by the off-site parking facilities must be under the same ownership as the lot containing the use to be served by the parking. The off-site parking area may be under separate ownership only if an agreement is provided guaranteeing the long-term availability of the parking, commensurate with the use served by the parking. The agreement must be filed of record in the county clerk's office of the county in which the property is located. Off-site parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. If an off-site parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this chapter.

Section 55.090 Parking Area Design

55.090-A Applicability
The parking area design regulations of this section apply to all off-street parking lots for motor vehicles, whether containing required parking spaces or non-required parking spaces.

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

55.090-C Stall Size
Parking spaces must be at least 8.5 feet in width and 18 feet in length, exclusive of access drives and aisles. In parking areas where permanent wheel stops have been
installed, 2.5 feet of the parking space length (depth) beyond the wheel stop may be counted as part of the required stall length if that area is unobstructed and not part of another parking stall, drive aisle or sidewalk.

55.090-D Parking Area Layout (Geometrics)
Parking areas must be designed and marked in accordance with the dimensional standards of Table 55-5, which shows minimum dimensions for various parking layouts (angles). Requirements for layouts or angles not shown in Table 55-5 may be interpolated from the layouts shown, as approved by the development administrator.

Table 55-5: Parking Area Geometrics

<table>
<thead>
<tr>
<th>Angle</th>
<th>Stall Angle</th>
<th>Stall Width</th>
<th>Stall Length</th>
<th>Aisle Width (1-way/2-way)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0°</td>
<td>8.5</td>
<td>22.0</td>
<td>12.0/20.0</td>
<td></td>
</tr>
<tr>
<td>9.0</td>
<td>22.0</td>
<td>12.0/20.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>45°</td>
<td>8.5</td>
<td>18.0</td>
<td>12.0/20.0</td>
<td></td>
</tr>
<tr>
<td>9.0</td>
<td>18.0</td>
<td>11.0/19.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>60°</td>
<td>8.5</td>
<td>18.0</td>
<td>16.0/21.0</td>
<td></td>
</tr>
<tr>
<td>9.0</td>
<td>18.0</td>
<td>15.0/20.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>75°</td>
<td>8.5</td>
<td>18.0</td>
<td>21.0/22.0</td>
<td></td>
</tr>
<tr>
<td>9.0</td>
<td>18.0</td>
<td>20.0/21.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>90°</td>
<td>8.5</td>
<td>18.0</td>
<td>-/-24.0</td>
<td></td>
</tr>
<tr>
<td>9.0</td>
<td>18.0</td>
<td>-/-22.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.0</td>
<td>18.0</td>
<td>-/-20.0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

= Stall Angle,  = Stall Width,  = Stall Length,  = Aisle Width (1-way/2-way)

Figure 55-5: Parking Area Geometrics
55.090-E Tandem Parking

Tandem parking spaces may be used to satisfy parking requirements for household living uses when the spaces are assigned to the same dwelling unit. In all other cases parking spaces must be designed to allow each parking space to be accessed without passing through another parking space. Tandem parking arrangements must have a minimum stall of 8.5 feet and a minimum length of 36 feet.

Figure 55-6: Tandem Parking

55.090-F Surfacing

1. All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of Section 55.090-F.4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

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

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 Section 70.120.12. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

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

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

[2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.
For approvals granted under the terms of the zoning code in effect prior to January 1, 2016, including (1) variances of maximum driveway coverage measured by width, square footage or percentage of yard and (2) establishment of PUD development standards that increase the maximum permitted driveway coverage measured by any such means, the foregoing maximums do not apply.

4. Pervious pavement or pervious pavement systems, including pervious asphalt, pervious concrete, modular pavers designed to funnel water between blocks, lattice or honeycomb shaped concrete grids with turf grass or gravel filled voids to funnel water, plastic geocells with turf grass or gravel, reinforced turf grass or gravel with overlaid or embedded meshes, resin-bound pervious pavement systems, or similar structured and durable systems are allowed as parking lot surfacing materials. Gravel, turf, or other materials that are not part of a structured system designed to manage stormwater are not considered pervious pavement or a pervious pavement system. Pervious pavement and pervious pavement systems must comply with the following:

a. Materials must be installed and maintained in accordance with all applicable city standards. Damaged areas must be promptly repaired. Gravel that has migrated from a pervious pavement system onto adjacent areas must be regularly swept and removed.

b. Accessible parking spaces and accessible routes from the accessible space to the principal structure or use served must comply with the building code.

c. Pervious pavement or pervious pavement systems are prohibited in areas used for the dispensing of gasoline or other liquid engine fuels or where other hazardous materials are used or stored.

d. Pervious asphalt, pervious concrete, or modular pavers may be used for drive aisles and driveways, but no other pervious pavement systems may be used in such areas unless expressly approved by the development administrator.

e. Pervious pavement or pervious pavement systems that utilize turf grass may not be used to meet minimum off-street parking requirements, but may be used for overflow parking spaces that are not used for required parking and that are not occupied on a daily or regular basis.

f. Pervious pavement or pervious pavement systems that utilize gravel with overlaid or embedded mesh or geocells may be used only in industrial zoning districts.

g. Parking areas with pervious pavement or pervious pavement systems must have the parking spaces marked as required by this chapter, except that pervious pavement systems that utilize gravel or turf may use alternative marking to indicate the location of the parking space, including markings at the end of spaces on the drive aisle or curbing, wheel stops, or concrete or paver strips in lieu of painted lines.

55.090-G Vertical Clearance
All parking spaces must have overhead vertical clearance of at least 7 feet.
55.090-H Landscaping and Screening
See Chapter 65.

55.090-I Lighting
See Chapter 67.

Section 55.100 Stacking Spaces for Drive-through Facilities

55.100-A Spaces Required
In addition to the parking required for each use, establishments with drive-through facilities must provide stacking spaces for each drive-through station as indicated in Table 55-6:

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Spaces (per lane)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automated teller machine</td>
<td>2 (measured from ATM)</td>
</tr>
<tr>
<td>Bank</td>
<td>3 (measured from teller or service area)</td>
</tr>
<tr>
<td>Car wash, automated or customer-operated</td>
<td>2 (measured from vehicle entrance)</td>
</tr>
<tr>
<td>Car wash, attendant hand wash</td>
<td>3 (measured from vehicle entrance)</td>
</tr>
<tr>
<td>Drug store</td>
<td>2 (measured from pick-up window)</td>
</tr>
<tr>
<td>Restaurant drive-through</td>
<td>3 (measured from order board)</td>
</tr>
<tr>
<td>Kiosks</td>
<td>2 (measured from service window)</td>
</tr>
<tr>
<td>Other</td>
<td>As determined by the development administrator</td>
</tr>
</tbody>
</table>

55.100-B Dimensions
Each lane of stacking spaces must be at least 8 feet in width and at least 18 feet in length. Stacking lanes must be delineated with pavement markings.

55.100-C Location and Design
1. Stacking lanes must be located on the subject property. They may not be located within required driveways or drive aisles, parking spaces or loading areas and may not interfere with access to parking and ingress and egress from the street.

2. All areas associated with drive-through facilities, including drive-through signs, stacking lanes, trash receptacles, loudspeakers and service windows must be located to the rear or on the non-street-facing side of the property. Drive-through lanes must be set back at least 10 feet from abutting R- or AG-R-zoned lots, and a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of §65.070-C.

55.100-D Pedestrian Access
The principal pedestrian access to the entrance of the use from a public sidewalk may not cross the drive-through facility stacking lane.

Section 55.110 Accessible Parking for People with Disabilities
Accessible parking facilities must be provided in accordance with the building code.

Section 55.120 Loading
Unenclosed off-street loading areas may not be located within 50 feet of any abutting R- or AG-R-zoned properties unless the loading areas is screened on all sides abutting the R- or AG-R-zoned property in accordance with the F1 screening fence or wall standards of §65.070-C.
Board Action:
On MOTION of COOPER, the Board voted 4-1-0 (Cooper, Turnbo, Perkins White "aye"; Dunham "nays", no "abstentions"; no "absent") to DENY Approval of site, landscape and drainage plan. PERSUANT TO APPROVAL OF THE FOLLOWING REQUESTED ACTIONS: a Special Exception to permit Use Unit 13, Convenience Goods and Services and Use Unit 14, Shopping Goods and Services in an IL district SECTION 901. PRINCIPAL USES PERMITTED IN THE INDUSTRIAL DISTRICTS – Use Units 13 and 14; a Variance of the required building setback line from the centerline of E. 61st St. from 100' to 93'. SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS; a Variance of the required building setback line from the north property line from 75' to 15'. SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS; a Variance to delete the required 5' wide landscaped area along E. 61st St. for a distance of approximately 65' per the site and landscape plan. SECTION 1002.A.2. LANDSCAPE REQUIREMENTS; a Variance of the required setback of off-street parking areas from the centerline of S. 100th E. Ave. to permit 5 standard off-street parking spaces and 2 handicapped spaces to be 30' from the centerline of S. 100th E. Ave. per the site plan. SECTION 1302.B. OFF-STEET PARKING AND OFF-STREET LOADING; SETBACKS; a Variance of the required 5' setback of off-street parking areas abutting a residential district to permit 5 parking spaces 3' from the north property line per the site and landscape plan. SECTION 1002.A.3. LANDSCAPE REQUIREMENTS and a Variance of the required minimum width of driveway isles from 24' to 20' along E. 61st St. and from S. 100th E. Ave. per the site and landscape plan. SECTION 1303. DESIGN STANDARDS FOR OFF-STEET PARKING AREAS, on the following described property:

Lot 8, Block 2, Guy Cook Addition, City of Tulsa, Tulsa County, State of Oklahoma.

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Case No. 18280

Action Requested:
Variance of the required 75' setback from an R zoned district on the N, S and E. SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS – Use Unit 25; a waiver of the screening requirements. SECTION 1215.C. USE UNIT 15. OTHER TRADES AND SERVICES, Use Conditions and a Variance of the all-weather surface for parking. SECTION 1303.D. DESIGN STANDARDS FOR OFF-STEET PARKING AREAS, located N of NE/c E. 61st St. & S. 107th E. Ave.
Presentation:
The applicant, Alan Roark, of Roark Landscape Corporation, 3704 E. 28th St., submitted a site plan (M-1), stated that his company is in preparation of putting up a 40'x80' building structure to house both office and storage facilities. Mr. Roark pointed out that they have 159' of frontage along 107th Street and they want to turn the building around so that it is 80' long and there is not enough left over to meet the setback. To the north of the property is zoned commercial and behind that is residential but there are not any houses on the residually zoned part. In the back is a detention facility and the south is zoned residentially. Mr. Roark would like a variance for the all-weather parking for a certain amount of time. It is their intention to pave the surface but because of a financial hardship they can not afford to do so at this time.

Comments and Questions:
Ms. Turnbo asked the applicant when he would be able to put in the all-weather surface pavement. Mr. Roark replied five years. Mr. White pointed out that they usually granted them for six months to one year.

Mr. Stump mentioned that to the east of this property is a stormwater detention facility, where there won’t be any residences and this area is in transition to Industrial. Mr. Dunham mentioned that there are quite a few gravel drives in the immediate area.

Mr. Dunham suggested allowing the applicant 18 months to put in the gravel parking. Ms. Turnbo suggested allowing the applicant two years, taking into consideration the time to get a building permit.

Mr. Cooper does not see a hardship for the all-weather surface. It is a new building and it should be required. Mr. Cooper pointed out that the Board has sometimes allowed a nonprofit the opportunity to raise the money for the hard surface parking but this is a new business in a new building and the money should be factored into the cost of new building construction.

Interested Parties:
None.

Board Action:
On MOTION of COOPER, the Board voted 5-0-0 (Cooper, Dunham, Turnbo, Perkins, White “aye”; no “nays”, no “abstentions”; “absent”) to APPROVE Variance of the required 75' setback from an R zoned district on the N, S and E, finding that it meets the requirements of Section 1607.C., SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS – Use Unit 25; a waiver of the screening requirements. SECTION 1215.C. USE UNIT 15. OTHER TRADES AND SERVICES, Use Conditions;
AND

On MOTION of COOPER, the Board voted 2-3-0 (Cooper, White "aye"; Dunham, Perkins, Turnbo "nays", no "abstentions"; no "absent") to and DENY a Variance of the all-weather surface for parking. SECTION 1303.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS;

AND

On MOTION of TURNBO, the Board voted 3-2-0 (Dunham, Perkins, Turnbo "aye"; Cooper, White "nays", no "abstentions"; "absent") to and APPROVE a Variance of the all-weather surface for parking, finding that it meets the requirements of Section 1607.C., SECTION 1303.D. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS for a period of two years, on the following described property:

Lot 10, Block 1, Golden Valley, a subdivision of the W/2 of the SE/4 of Section 31, T-19-N, R-14-E, IBM, Tulsa County, State of Oklahoma, less and except: Beginning at the NE/c of said Lot 10; thence S 01°21'01" E a distance of 160.24' along the E line of Lot 10 to the SE/c of said Lot 10; thence S 88°40'50" W a distance of 317.22' along the S line of Lot 10; thence N 01°21'08" W a distance of 160.23' to a point on the N line of Lot 10; thence N 88°40'36" E a distance of 317.23' to the Point of Beginning.

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Case No. 18281

Action Requested:
Special Exception for drive-in use within CS zoned property. SECTION 701.
PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 18, located SW/c 59th St. & S. Lewis.

Presentation:
The applicant, Sack and Associates, Inc., 111 S. Elgin Ave., was represented by Ted A. Sack who stated that this property will be used for a Sonic Drive-in.

Comments and Questions:
Mr. White referred to Staff Comments while asking Mr. Sack about the 150' of frontage on a major arterial street. Mr. Sack responded that this has been a commercial site for a long time. They do have 203' of frontage on the collector street (59th Street) but in a drive-in restaurant it does say that it needs 150' of frontage on an arterial street and they only have 145'. They are going to readvertise for the frontage variance but would like approval today for the special exception.
Case No. 14123 (continued)
A tract of land located in the City of Tulsa, Tulsa County, State of Oklahoma, said tract being in the SE corner of the Annie May Grant "C" Tract (which is a part of the North Half of the NE Quarter of the SE Quarter of Section 25, Township 19 North, Range 12 East), said tract being more particularly described as follows, to-wit:

Beginning at a point in the center of the Section line on the east side of said Section 25 at the SE corner of the Annie May Grant "C" Tract according to the recorded plat thereof and running thence north in the center of said Section line along the east boundary of said Section 25 a distance of 160 ft.; thence due west and parallel with the south boundary line of said Section 25 a distance of 170'; thence south and parallel with the east boundary line of said Section 25 a distance of 160'; thence east along the south boundary line of said Annie May Grant "C" Tract a distance of 170' to the point of beginning, less and except, street right-of-way for South Peoria Avenue previously deeded therefrom to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 14124

Action Requested:
Special Exception - Section 250.3 - Modification of the Screening Wall or Fence Requirement/Section 1215.3 - Other Trades and Services, Use Conditions - Use Unit 1215 - Request a variance to waive screening requirement along the lot line in common with the R District.

Variance - Section 1340(d) - Design Standards for Off-Street Parking Areas - Request a variance of the all-weather material required for off-street parking, located north of the NE/C of 61st Street and South 107th East Avenue.

Presentation:
The applicant, William Preaus, 2535 East 55th Place, Tulsa, Oklahoma, who submitted a plot plan (Exhibit M-1) and photographs (Exhibit M-2), stated that he and his brother have a landscape and tree service business. He informed that they have recently relocated to an area where there are 3 other landscape companies within a 3 block area and asked the Board to allow the off-street parking lot to be covered with material other than all-weather material. He pointed out that none of the other landscape businesses have hard surface roads and parking. He informed that there are no residences to the north or south of the property in question and asked that the screening requirement be waived.

Comments and Questions:
Mr. Gardner informed that this area is designated by the Comprehensive Plan to become Industrial and if it was zoned IL the
Case No. 14124 (continued)

screening requirement would not be required.

Interested Parties:

Mr. Chappelle stated that the Board received a letter (Exhibit M-3) from Grace Davis, a neighbor of Mr. Preaus, who stated that there is a water problem in the area.

Mr. Preaus informed that Ms. Davis has sublet a portion of her land to a nursery company that does excessive watering which creates a problem. He stated that he has dug a ditch on the south boundary of his property line to prevent the water from flowing onto his lot.

Mr. Quarles asked the applicant if he is a landscape contractor and he answered in the affirmative.

Board Action:

On MOTION of SMITH, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "abstent") to APPROVE a Special Exception (Section 250.3 - Modification of the Screening Wall or Fence Requirement/Section 1215.3 - Other Trades and Services, Use Conditions - Use Unit 1215) to waive screening requirement along the lot line in common with the R District; and to APPROVE a Variance (Section 1340(d) - Design Standards for Off-Street Parking Areas) of the all-weather material required for off-street parking; per plot plan submitted; until such time as residential use develops on the surrounding RS-3 properties; finding that the area has been planned for IL development and there are several landscaping businesses operating in the neighborhood at this time without hard surface parking lots; on the following described property:

Lot 12, Block 1, Golden Valley Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14125

Action Requested:

Special Exception - Section 440.2 - Special Exception Uses in Residential Districts, Requirements - Request a special exception to allow a home occupation for tape duplicating business in an RS-3 zoned district, located on the NW/c of 26th Street and Joplin.

Presentation:

The applicant, Trevor Baldwin, was represented by Leon Whitman, 5905 East 26th Street, Tulsa, Oklahoma, who submitted a plat of survey (Exhibit N-1) and photographs (Exhibit N-3). He pointed out that Mr. Baldwin is doing some construction work for him and is not operating the business. Mr. Whitman informed that most of his tape
Subject property

Facing South on 107th E Ave
Facing North on 107th E Ave
Subject Tract

BOA-22879

19-14 31

Aerial Photo Date: February 2018

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