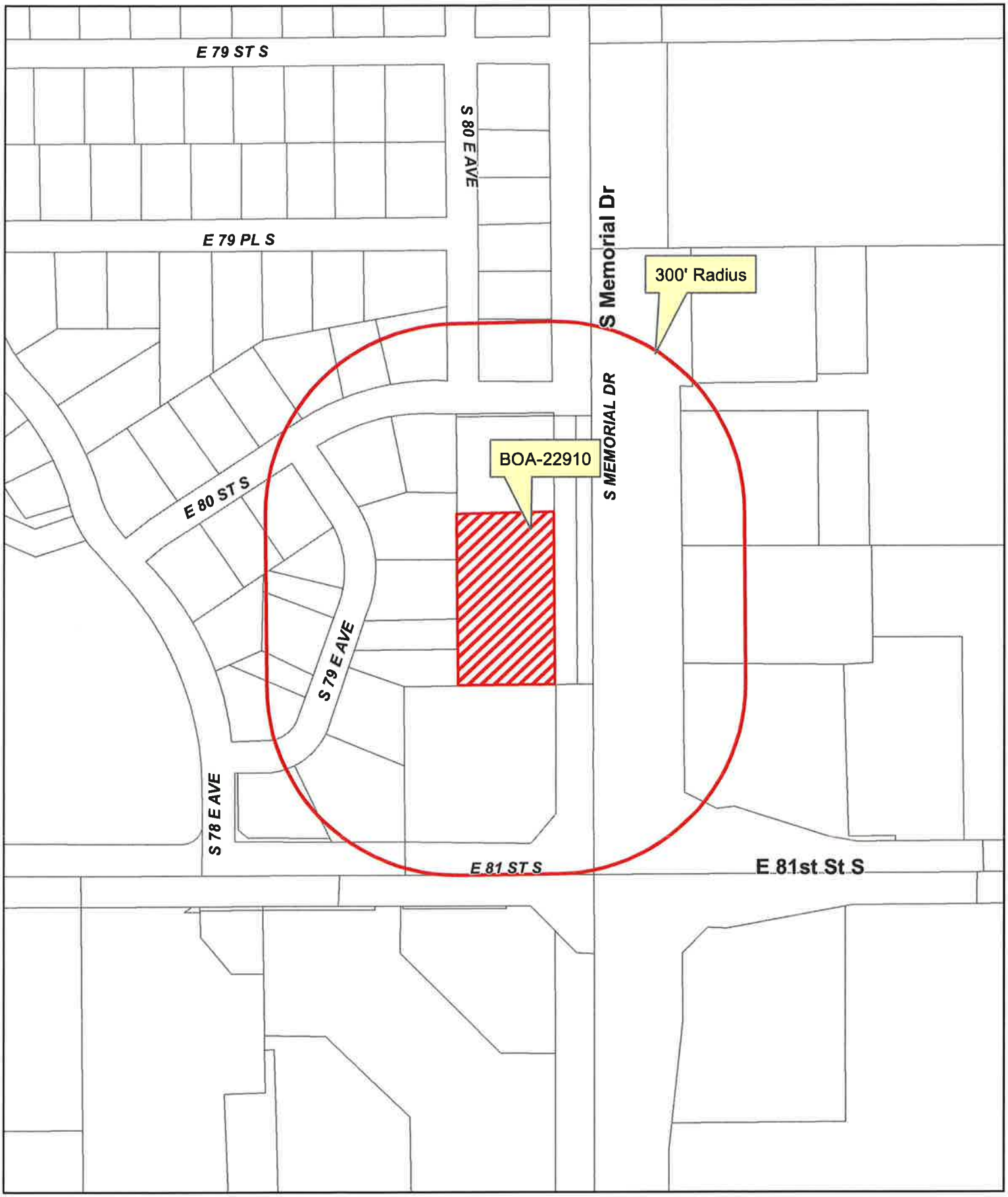



Feet
0 150 300

**BOA-22910**

14.1

N

# BOARD OF ADJUSTMENT
# CASE REPORT

**STR:** 8311 Case Number: **BOA-22910**

**CZM:** 53

**CD:** 8

**HEARING DATE:** 04/28/2020 1:00 PM

**APPLICANT:** Crystal Stark

**ACTION REQUESTED:** Verification of the spacing requirement for a package store from blood banks, plasma centers, day labor hiring centers, bail bond offices, pawn shops, and other package stores (Section 40.300-A&B)

**LOCATION:** 8016 S. MEMORIAL DR E, TENANT SPACE:8030 S MEMORIAL DR E, SUITE B **ZONED:** CS

**PRESENT USE:** Vacant **TRACT SIZE:** 40502.25 SQ FT

**LEGAL DESCRIPTION:** LT 2 BLK 1, SWEETBRIAR EAST, KENNEDY-WALKER CENTER

**STAFF COMMENTS:** The applicant is requesting Verification of the spacing requirement for a package store from blood banks, plasma centers, day labor hiring centers, bail bond offices, pawn shops, and other liquor stores (Section 40.300-A&B)

Section 40.300 Plasma Centers, Day Labor, Package Stores, Bail Bonds, Pawn Shops

The supplemental use regulations of this section apply to all plasma centers, day labor hiring centers, package stores, bail bond offices and pawn shops.

40.300-A Plasma centers, day labor hiring centers, package stores, bail bond offices and pawn shops must be separated by a minimum distance of 300 feet, provided that bail bond offices located within the CBD district are not subject to this separation requirement.

40.300-B For uses established after July 1, 2001, the separation distance requirement of §40.300-A must be measured in a straight line from the nearest perimeter wall of the portion of the building occupied by one of the subject uses to the nearest perimeter wall of the portion of the building of any other subject use.

Included in your packet is an inventory of the uses within 300' of the subject property. The proposed package store is moving to the subject site from an adjacent piece of property.

**SAMPLE MOTION:**

I move that based upon the facts in this matter as they presently exist, we accept the applicant's verification of spacing to permit the package store subject to the action of the Board being void should another package store or other conflicting use be established prior to the establishment of this package store.
Suggested condition: The Board should note that the existing package store within 300' of the proposed package store must be closed prior to the subject package store opening for business.

14.2

***Facing South on Memorial***

***Subject property***

***Facing North on Memorial***

**DANA L. BOX**
ZONING
PLANS EXAMINER II

TEL (918) 596-9657
danabox@cityoftulsa.org

**DEVELOPMENT SERVICES**
175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

# ZONING CLEARANCE PLAN REVIEW

**March 16, 2020**

**Phone: 918-949-7979**

**LOD Number: 1**
**Crystal Stark**
**8030 S. Memorial Dr.**
**Tulsa, OK 74133**

**APPLICATION NO:** **BLDC-054884-2020**
*(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)*
**Location:** **8030 S. Memorial Dr.**
**Description:** **Interior remodel for retail package store**

## INFORMATION ABOUT SUBMITTING REVISIONS

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

**REVISIONS NEED TO INCLUDE THE FOLLOWING:**

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

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

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

## IMPORTANT INFORMATION

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

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

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

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

(continued)

## REVIEW COMMENTS

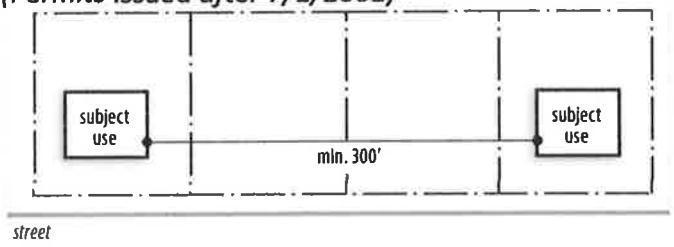
SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT WWW.CITYOFTULSA-BOA.ORG

**BLDC-054884-2020** **8030 S. Memorial Dr.** **March 16, 2020**

**Note: As provided for in Section 70.130 you may request the Board of Adjustment (BOA) to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to 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.**

**Sec.40.300-A & B:** Plasma centers, day labor hiring centers, package stores, bail bond offices and pawn shops must be separated by a minimum distance of 300 feet. For uses established after July 1, 2001, the separation distance requirement of *Sec.40.300-A* must be measured in a straight line from the nearest perimeter wall of the portion of the building occupied by one of the subject uses to the nearest perimeter wall of the portion of the building of any other subject use.

*Figure 40-11: Measurement of Required Use Separation (Permits Issued after 7/1/2001)*




**Review comment:** A package store is required to be separated from the nearest perimeter wall of the portion of a building occupied by plasma centers, day labor hiring centers, other package stores, bail bond offices and pawn shops. Submit a spacing verification reviewed and accepted by the BOA per Sec.70.110 that demonstrates compliance with Sec.40.300-A & B.

**Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:**
**http://tulsaplanning.org/plans/TulsaZoningCode.pdf**

**Please notify the reviewer via email when your revisions have been submitted**

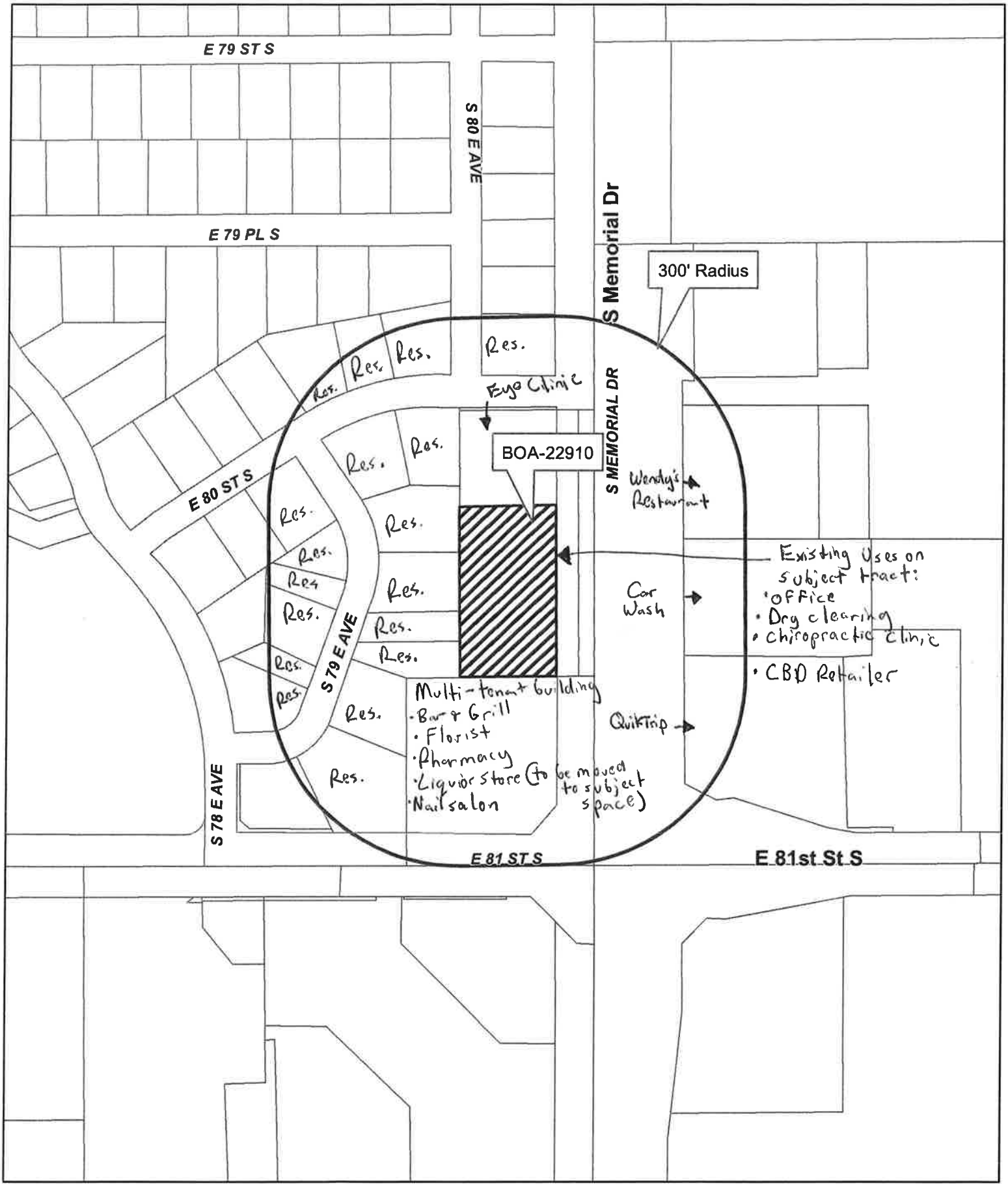
**This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.**

**A hard copy of this letter is available upon request by the applicant.**

## END – ZONING CODE REVIEW

**NOTE:** THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW 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.




Feet
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**BOA-22910**

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14.7

Feet
0 150 300

**BOA-22910**

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

*Aerial Photo Date: February 2018*

N

14.8