

**BOA-23072**

20.1



**BOARD OF ADJUSTMENT  
CASE REPORT**

**STR:** 9317

Case Number: **BOA-23072**

**CZM:** 37

**CD:** 4

**HEARING DATE:** 01/12/2021 1:00 PM

**APPLICANT:** Lou Reynolds

**ACTION REQUESTED:** Variance of Sec. 60.060-B of the Zoning code to allow two on-premise signs on the same street frontage in an OL District and a Variance of Sec. 60.060-C of the Zoning Code to allow 117 square feet of aggregate display surface of on-premise signage on the same frontage in an OL District

**LOCATION:** 2642 E 21 ST S

**ZONED:** OL

**PRESENT USE:** Office

**TRACT SIZE:** 101852.41 SQ FT

**LEGAL DESCRIPTION:** LT 1 BLK 1, CROW-DOBBS OFFICE PARK II RSB PT HARTER'S 2ND&PT VIOGHT

**RELEVANT PREVIOUS ACTIONS:**

**Subject property:**

**BOA-14365;** On 01.08.87 the Board **approved** a variance of the setback from the centerline of E. 21<sup>st</sup> St. from 60' to 45' for an existing sign.

**BOA-10383;** On 03.29.79 the Board **approved** an Exception to permit a floor area ratio of .40 for a two-story office building in an OL District.

**Surrounding properties:**

**BOA-22938;** On 06.23.20 the Board Denied a **variance** of the allowable display area and to allow a Dynamic Display sign in an OM District. Property located 2654 E. 21<sup>st</sup> St.

**BOA-22405;** On 03.13.18 the Board **approved** a Special Exception to allow a sign in the right-of-way. Property located 2654 E. 21<sup>st</sup> St.

**BOA-21814;** On 01.13.2015 the Board **approved** a variance of the allowable display area to permit a ground sign. Property located 2121 S. Columbia Ave.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:** The Tulsa Comprehensive Plan identifies the subject property as part of a "Mixed-use Corridor " and an "Area of Growth".

**Mixed-Use Corridors** are Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses

include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

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

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located West of the SW/ of E. 21<sup>st</sup> St. S. and S. Columbia Place. The property has frontage both on E. 21<sup>st</sup> St. and S. Columbia Place.

**STAFF COMMENTS:** The applicant is requesting a **Variance** of Sec. 60.060-B of the Zoning code to allow two on-premise signs on the same street frontage in an OL District and a **Variance** of Sec. 60.060-C of the Zoning Code to allow 117 square feet of aggregate display surface of on-premise signage on the same frontage in an OL District:

**60.060-B Signs Allowed**

1. In addition to any sign exceptions allowed pursuant to Section 60.030, and any development identification sign allowed pursuant to Section 60.060-B2, lots in office zoning districts are allowed a maximum of one on-premise sign per street frontage. The allowed on-premise sign may be a wall sign, a projecting sign or a freestanding sign. Roof signs and off-premise outdoor advertising signs are prohibited in office districts.

**2. Development Identification Signs**

Developments with multiple tenants are allowed a single monument style or freestanding sign with a maximum height of 8 feet at each street entrance to the development. Such signage shall count against the maximum sign area permitted on the lot in which it is located, and may not identify any tenant or tenants within the development.

**60.060-C Maximum Area**

Signs allowed in the OH district may not exceed 48 square feet in area or 0.50 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may a sign in an OH district exceed 225 square feet in area. Signs allowed in all other O districts may not exceed 32 square feet in area or 0.30 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

**STATEMENT OF HARDSHIP:** See attached comments from the applicant.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Variance** of Sec. 60.060-B of the Zoning code to allow two on-premise signs on the same street frontage in an OL District and a **Variance** of

Sec. 60.060-C of the Zoning Code to allow 117 square feet of aggregate display surface of on-premise signage on the same frontage in an OL District

- 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."*

10381

Action Requested:

Exception (Section 910 - Principal Uses Permitted in Industrial Districts - Section 1226 - Moderate Manufacturing and Industry) for permission to operate a concrete batch plant in an IL District located SW of 36th Street North and Mingo Valley Expressway.

Presentation:

Harvey Carpenter, 4111 South Darlington Avenue, advised his client was proposing an exception to allow a moderate industry, concrete batch plant, which is in existence and has been granted two exceptions in the past. The applicant has five years left on an option and one year on a principal lease and is also negotiating for a ten-year lease on the property. A plot plan (Exhibit "K-1") was presented.

Mr. Gardner advised that the batch plant is located in an industrial area that is sparsely developed and this area is a good location for an operation of this type.

Mr. Carpenter stated the Tulsa Airport Authority would have the authority to terminate the lease if they decide to put a runway in the area. Flintco is a party to the lease on the property and the applicant, Oklahoma Concrete Products will be subleasing from Flintco.

Protestants: None

Board Action:

On MOTION of THOMPSON, the Board voted 4-0-0 (Lewis, Smith, Thompson, Wait "aye"; no "nays"; no "abstentions"; Purser "absent") to approve an Exception (Section 910 - Principal Uses Permitted in Industrial Districts - Section 1226 - Moderate Manufacturing and Industry) to operate a concrete batch plant in an IL District, for a period of ten (10) years, on the following described tract:

Beginning at the SE corner of the NE/4 of Section 19, Township 20 North, Range 14 East, Tulsa County, Oklahoma; thence Westerly 331.10' to a point of beginning; thence North 150' along the East line of Section 19; thence West 300'; thence South 150'; thence East 300' to the point of beginning.

✓ 10383

Action Requested:

Exception (Section 630 - Bulk and Area Requirements In The Office Districts) to permit a floor area ratio of .40 and a two-story building in an OL District located south and west of 21st Street and Columbia Place.

Presentation:

Charles Norman, representing the prospective purchasers of the property, stated that the property is approximately three acres in size with substantial frontage on 21st Street. The western 1/3rd of the property is zoned OL and the remainder of the property is zoned RS-3. The subject application, which is to permit a floor area ratio of .40 and a two-story building in an OL District, is to be subject to the

3.29.79:2B2(12)

10383 (continued)

final approval of OL zoning by the City Commission and the submission of a detailed site plan to the Board showing the location and arrangement of the building. Mr. Norman advised that the Planning Commission Staff had recommended OL on all of the property except for the small lot on the east for which they recommended OM. The applicant is willing to accept this recommendation, subject to the Board approving the concept of the .40 ratio and the two-story buildings. As part of the agreement with the neighborhood Association, the applicant would also amend the application and reduce the OM request to OL on the small lot which fronts on Columbia Avenue. This would allow maximum development of the tract with two-story buildings and less floor area than under the zoning application as submitted.

Interested Parties:

Suzette Burch, 2687 South Utica Avenue, Chairman of the Utica Area Homeowners Association, advised that if the zoning on the property is reduced to OL the Homeowners Association will support the request for .40 floor ratio and the two-story buildings, subject to the two conditions presented by Mr. Norman.

Mrs. Earl R. Smith, 2502 East 19th Street, speaking in behalf of the Lewiston Gardens Homeowners Association, stated the group would not protest the request for a floor ratio of .40 and the exception for two-story buildings on the property if the OL zoning was approved by the City Commission; however, the Homeowners could not approve the procedure of the Board of Adjustment approving an exception to zoning which does not exist as yet.

Discussion for the Record:

Board member Lewis asked Mr. Jackere if the Board was empowered to grant exceptions conditioned on the zoning being approved at a later time and was told that the Board has done so on several occasions in the past. Mr. Jackere advised he had researched the question and was unable to find any authority one way or the other; he stated that the only problem he could foresee was that the City Commission might be influenced in one way or another by the Board of Adjustment's decision.

Protestants: None.

Board Action:

On MOTION of LEWIS, the Board voted 3-0-1 (Lewis, Smith, Thompson "aye"; no "nays"; Wait "abstaining"; Purser "absent") to approve an Exception (Section 630 - Bulk and Area Requirements in the Office Districts) to permit a floor area ratio of .40 and a two-story building in an OL District, subject to approval of OL zoning by the City Commission, and the applicant returning to the Board with a detailed site plan, on the following described tract:

Lot 27, Harter's Second Addition and Lot 2, Block 2, Voight Addition to the City of Tulsa, Oklahoma.

3.29.79:2B2(13)

**Case No. 14362 (continued)**

Off-Street Parking and Loading Requirements - Use Unit 1214) of the parking requirements; and to **APPROVE** a Variance (Section 280 - Structure Setback from Abutting Streets - Use Unit 1214) of setback from the centerline of Utica Avenue from 50' to 30' and from the centerline of 15th Street from 50' to 38' to allow for parking; per plot plan submitted; finding that the new addition will be a continuation of the existing building along the alley, with a solid wall along that line which is across from the residential area, therefore, making screening along the wall unnecessary; finding a hardship on the basis that the business is located on a lot with multiple zoning classifications, and the existing building encroaches on 15th Street and the corner lot encroaches into the planned major street setback; on the following described property:

Lots 13 - 16, Block 1, Orcutt Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 14365**

Action Requested:

Variance - Section 1221.3(f) - General Use Conditions for Business Signs - Use Unit 1221 - Request a variance of setback from the centerline of 21st Street from 60' to 45' to allow for an existing sign in an OL zoned district, located at 2642 East 21st Street.

Presentation:

The applicant, Tad Osgood, 7666 East 61st Street, Tulsa, Oklahoma, was represented by Matthew Lipinski, who stated that a second ground sign was proposed for Sooner Federal, but an agreement has been reached with the landlord for the construction of one sign on the premises. He informed that there is an existing sign within the 60' setback, and with the Board's approval the old sign will be replaced with the new sign. He pointed out that there are other businesses along 21st Street that have signs within the 60' setback. A plot plan (Exhibit C-1) and photographs (Exhibit E-1) were submitted.

Board Actions:

On MOTION of BRADLEY, the Board voted 4-0-0 (Bradley, Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Quarles, "absent") to **APPROVE** a Variance (Section 1221.3(f) - General Use Conditions for Business Signs - Use Unit 1221) of setback from the centerline of 21st Street from 60' to 45' to allow the replacement of an existing sign in an OL zoned district; per plot plan submitted; finding that there are numerous signs along 21st Street that are located as close to the street as the sign in question, and that the variance request will not be detrimental to the area; on the following described property:

01.22.87:482(4)

Case No. 14365 (continued)  
Lot 1, Block 1, Crow-Dobbs Office Park II, City of Tulsa, Tulsa  
County, Oklahoma.

NEW APPLICATIONS

Case No. 14366

Action Requested:

Variance - Section 730 - Bulk and Area Requirements in Commercial  
Districts - Use Unit 1213 - Request a variance of the frontage  
requirements from 150' to 122.30' to allow for a lot split in a CS  
zoned district, located at 4815 South Harvard.

Comments and Questions:

Mr. Jones informed that TNAPC approved the lot split on  
December 21, 1986, subject to Board of Adjustment approval.

Mr. Gardner explained that the property in question consists of 2  
different uses, Harvard Towers office building and a small strip  
center to the north. He informed that the purpose of the lot split  
is to divide the office district from the shopping center in order  
that the 2 properties can be mortgaged separately. He pointed out  
that there is adequate parking for both the office complex and the  
shopping center, with a common access agreement executed between the  
properties.

Presentation:

The applicant, Amos Baker II, was represented by Charles Gotwails,  
2000 Fourth National Bank Building, Tulsa, Oklahoma, who submitted a  
survey (Exhibit F-1). He explained that no physical changes will be  
made to the property, and asked the Board to allow a variance of the  
lot frontage on the north portion of the tract where the shopping  
center is located.

Protestants: None.

Board Action:

On MOTION of SMITH, the Board voted 4-0-0 (Bradley, Chappelle,  
Smith, White, "aye"; no "nays"; no "abstentions"; Quarles, "absent")  
to APPROVE a Variance (Section 730 - Bulk and Area Requirements in  
Commercial Districts - Use Unit 1213) of the frontage requirements  
from 150' to 122.30' to allow for a lot split in a CS  
zoned district; per survey submitted; finding a hardship demonstrated by  
the size and shape of the tract; on the following described  
property:

Lot 2, Patrick Henry Addition, City of Tulsa, Tulsa County,  
Oklahoma.

01.22.87:482(5)

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**22938—Encinos 3D Custom Products & Signs**

**Action Requested:**

Variance of the maximum allowable sign area in an OM District (Section 60.060-C); Variance to allow a dynamic display sign in an OM District for a use that is not public, civic, or institutional (Section 60.060-E). **LOCATION:** 2651 East 21st Street South (CD 4)

**Ms. Radney recused at 5:37 P.M.**

**Presentation:**

**Christian Ortiz**, 9810 East 58th Street, Tulsa, OK; stated this is for a sign that will exceed the allowable to 114 square feet. The electronic message center will be used as a static image only for the core tenant which is Keller Williams. The remaining ten spaces will be for the other tenants in the five-story building.

Mr. Van De Wiele asked Mr. Ortiz if the 108 square feet included the LED panel. Mr. Ortiz answered affirmatively.

**Interested Parties:**

**Jennifer Overmyer**, 2612 East 20th Street, Tulsa, OK; stated she lives in the neighborhood that backs up to Keller Williams, and the neighborhood has concerns regarding the sign and the lighting. It is not necessary to have this large of a sign because coming from the east driving to the west there is a good line of sight and coming from the west there is also a clear view of any signage. This proposed sign is quite a bit larger than the other modest signs in the area. The building is on the corner and the proposed sign could block other signs, and this new sign could start a domino effect of requests for larger lit signs. This will change the aesthetics of the mid-town area.

**Mr. Wilkerson left the meeting at 5:42 P.M.**

**Rebuttal:**

**Christian Ortiz** stated the sign is only 20 feet tall which is within Code requirements. There is other signage within the area; across the street there is a six-story office complex that has a sign that is also 20 feet tall. Across from Columbia heading east there is another sign that exceeds the 20-foot height, but he believes that is a sign that has been grandfathered in. Going down 21st Street there are several signs that are all 20 feet in height, including the bank and the medical facilities. The lighting panels will have an ivory vinyl overlay to mimic the color of the building and in keeping with the

BoA - 22938

design of the existing building, the Columbia Building. The message center is equipped with an ambient light source which adjusts to the surrounding light.

**Mr. Wilkerson re-entered the meeting at 5:45 P.M.**

Ms. Shelton asked Mr. Ortiz if the new sign would be placed in the existing planter. Mr. Ortiz stated that is where the sign will be located. This sign has been before the Board of Adjustment in 2018 and it was approved, but the owner at that time became discouraged with the process and has reached out to 3D to complete the permitting process. Mr. Ortiz the only thing that was left was to receive a right-of-way construction permit through the City of Tulsa Engineering Department. However, that owner provided an incorrect site plan showing the sign to be in the right-of-way and after additional surveying the sign is not in the right-of-way. Mr. Ortiz stated he has been in meetings with the Engineering Department and the Sewer and Water Department, and those departments agree the sign is not in the right-of-way.

Mr. Van De Wiele asked Mr. Ortiz to state the hardship for the request. Mr. Ortiz stated the visibility of the sign is limited heading east because of trees, and heading west the building is blocked by the highway underpass, by a seven-story building on the same side of the street and across the street there is a seven-story building. This is the only six-story building in the area without a tenant directory.

**Comments and Questions:**

Mr. Van De Wiele stated he does not see a hardship for the dynamic display.

Ms. Ross agreed with Mr. Van De Wiele about the dynamic display.

**Board Action:**

On **MOTION** of **BOND**, the Board voted 4-0-1 (Bond, Ross, Shelton, Van De Wiele "aye"; no "nays"; Radney "abstaining"; none absent) to **APPROVE** the request for a Variance of the maximum allowable sign area in an OM District (Section 60.060-C) and to **DENY** the request for a Variance to allow a dynamic display sign in an OM District for a use that is not public, civic, or institutional (Section 60.060-E), subject to conceptual plans 18.11 and 18.12 of the agenda packet. The Board has found the hardship to be the size of the previous sign in relation to the existing sign. 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;

BDA-22938

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- 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; for the following property:

**RESERVE GREENHOUSE SECOND, City of Tulsa, Tulsa County, State of Oklahoma**

**Ms. Radney re-entered the meeting at 5:45 P.M.**

**22940—Abraham Adedokun**

**Action Requested:**

Special Exception to permit a Type-2 Home Occupation (Beauty Salon) in an RS-3 District (Section 45.100-G). **LOCATION:** 7719 East 31st Street South (CD 5)

**Presentation:**

**Abraham Adedokun**, 7719 East 31st Street, Tulsa, OK; stated he would like to have a beauty salon in his home, and it would be an appointment only salon. The salon would be operated by his wife. He would convert his two-car garage into a beauty salon on one side and a one car garage on the other side.

Ms. Ross asked Mr. Adedokun how many clients his wife expects to see, what days of the week would the shop be open, and what would the hours of operation be? Mr. Adedokun stated that she will see two or three clients a day, and the shop would be open from 9:00 A.M. to 4:00 P.M. and occasionally 5:00 P.M., Monday through Friday with some Saturday appointments.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

- 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; for the following property:

**E. 6" LT 9 ALL LT 10 BLK 1, LEWISTON GARDENS SECOND ADDN RESUB L10 GLEN ACRES, City of Tulsa, Tulsa County, State of Oklahoma**

**22405—Danny Overton**

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**Action Requested:**

**Special Exception to permit a freestanding sign within the City of Tulsa Right of Way (Section 60.020-E). LOCATION: 2651 East 21<sup>st</sup> Street South (CD 4)**

**Mr. Flanagan recused and left the meeting at 2:59 P.M.**

**Presentation:**

**Danny Overton, 6440 South Lewis Avenue, Suite 2400, Tulsa, OK; stated he is the CEO for the asset management company for the subject property. Mr. Bullick of Bullick Enterprises, LP is the owner of the subject property. Mr. Bullick purchased the property two years ago with the intent of revitalizing the property and has been finalizing the renovations ever since. One of the last agreed to items in an agreement with the tenant was to erect a monument sign on the property. Once the other tenants heard about the monument sign they were all in support of it. The City has approved the sign so what he is asking is to be able to use the right-of-way to push the sign into the parking space, so it will fit. In 1959 an off-street parking easement was created for the subject property with the right to off-street parking. The easement is still in existence today. That is essentially the area he is asking to go into for the sign. Nobody takes advantage of the easement and this property has used it exclusively. The sign being erected is 10'-0" x 2'-6" x 17'-0" wide. All of those measurements have been agreed to by the City and have been finalized. The edge of the sign will stick into the drive area by about four feet or less. The detriment to the owner would be that he would not be able to live up to the full execution of the agreement that he has with the tenant, and he would lose the competitive advantage that most building of this size have. The ability to modernize is important for any development for today with multi-tenant buildings. At this time there**

BDA-22405

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has been no utility infringement found that would interfere with placing the sign. The area for the sign is essentially five feet of one parking space. The sign will be a static sign with low energy LED lighting and the architecture will complement the building.

Mr. Van De Wiele asked Mr. Overton if he knew he had to have a license agreement with the City. Mr. Overton answered affirmatively.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

Ms. Back would like to have the condition added that the applicant receive utility company approval or sign off stating the sign will not interfere with any utilities.

**Board Action:**

On **MOTION** of **BACK**, the Board voted 4-0-1 (Back, Bond, Ross, Van De Wiele "aye"; no "nays"; Flanagan "abstaining"; none absent) to **APPROVE** the request for a **Special Exception** to permit a freestanding sign within the City of Tulsa Right of Way (Section 60.020-E), subject to conceptual plans 5.8, 5.9 and 5.10 of the agenda packet. The approval is subject to the following conditions: utility company approval or sign off to allow the sign to be located in the area depicted on the site plan, and subject to the City of Tulsa approval for a license and removal agreement within the right-of-way for the area. 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; for the following property:

**RESERVE GREENHOUSE SECOND, GREENHOUSE SECOND, BOOKER'S 2ND ADDN, City of Tulsa, Tulsa County, State of Oklahoma**

Mr. Flanagan re-entered the meeting at 3:07 P.M.

**22406—Brian Seller**

**Action Requested:**

Variance to reduce the lot width in an RS-4 District to allow a lot split (Section 5.030). **LOCATION:** 1301 North Main Street (CD 1)

**Presentation:**

The applicant was not present. Mr. Van De Wiele moved the case to the end of the agenda.

**Interested Parties:**

There were no interested parties present.

client now wants to revamp the entire structure and place their ad on the top. The client wants to bring the sign into compliance, and to do that a Variance is needed.

Mr. Van De Wiele asked Mr. Ward how long he thought the arched top had been on the existing monument sign. Mr. Ward he would guess that it is less than five years.

Mr. White asked Mr. Ward if the sign would remain in the same location. Mr. Ward stated that actually the sign will be moved farther south approximately 75 feet on the property for better visibility. The sign will not be moved any farther east or no closer to Harvard.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Henke, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Tidwell absent) to **APPROVE** the request for a **Variance** to increase the square footage from 47 square feet to 66.9 square feet to allow for a ground sign (Section 602.B.4). The Board has found that the sign to be constructed is basically a reconstruction and replacement of an existing non-conforming sign. The new sign will be the same size and dimension of the existing sign. The sign to be constructed will be placed no closer to Harvard than the current existing signage. This approval is subject to conceptual plan 5.15 for the location and 5.16 for the style and size. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

**N. 1/2 OF LT 2 BLK 3, VILLA GROVE PARK, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

**21814—A-MAX Sign Company – Lori Worthington**

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**Action Requested:**

**Variance** of the square footage of display surface area per lineal foot of street frontage from 32 square feet to 124.6 square feet to permit a ground sign (Section 602.B.4). **LOCATION:** 2121 South Columbia Avenue (CD 4)

BOA-21814

**Presentation:**

**Greg Simmons**, Twenty-first Properties, 2121 South Columbia, Suite 650, Tulsa, OK; stated Twenty-first Properties is the owner of the subject site. Today's request is to replace an existing sign that is on the property. The new sign will be the same height and width, and stay in the same location as the existing sign. The only difference is there will be a tenant panel added so tenants names can be added and displayed, and the width will be brought all the way down. The lack of tenant identification creates the hardship for the tenants in the building. Mr. Simmons believes that the new sign will not have any impact on the neighboring businesses and/or the neighborhood which is south of the subject property.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Henke, Snyder, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Tidwell absent) to **APPROVE** the request for a **Variance** of the square footage of display surface area per lineal foot of street frontage from 32 square feet to 124.6 square feet to permit a ground sign (Section 602.B.4). This approval will be subject to conceptual plan on 6.18 for the size and 6.17 for the location. The new sign will be in the same location as the existing sign, and will be no taller and no wider than the existing sign. The Board has found that the size of the building warrants the information that needed to be conveyed as to who the occupants of the building are. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

**LT 1 BLK 1, VOIGHT ADDN AMD RESUB L1-4 B1, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

**21815—David Merrill****Action Requested:**

**Special Exception** to allow an Enclosed Commercial Recreation facility, Use Unit 19, in an IL District (Section 901, Table1). **LOCATION:** 11915 East 51<sup>st</sup> Street, Bays 39-43 (CD 7)



*Property entrance from Columbia*



*Subject property*



*Facing East on 21<sup>st</sup> St.*

20.17

### Exhibit "A"

The Applicant requests (1) a Variance of Section 60.060-B of the Tulsa Zoning Code (the "Code") to allow two (2) on-premise signs on the same street frontage in an OL District, and (2) a Variance of Section 60.060-C of the Code to allow 117 square feet of aggregate display surface area of on-premise signage on the same street frontage in an OL District, for property located at 2642 E. 21<sup>st</sup> Street (the "Property").

The Property is a 2.34 AC tract and the location of the 39,526 SF "21 Centre Park" office building, constructed in 1983. The office park is undergoing renovations to modernize the building and update signage, including adding signage for the new Grand Bank location.

Section 60.060-B of the Code allows for one (1) on-premise sign per street frontage. Multi-tenant developments, such as this one, are also allowed a development identification sign at the street entrance. The Property has 329 feet of street frontage to the north along E. 21<sup>st</sup> Street and 70 feet of street frontage to the east along S. Columbia Ave. Based on the foregoing, the Property is allowed to have two (2) on-premise signs by right – one oriented to 21<sup>st</sup> Street and one oriented to Columbia Ave, and a development identification sign at each street entrance. The Applicant desires to have both of its permitted on-premise signs oriented toward 21<sup>st</sup> Street.

The building entrance faces 21<sup>st</sup> Street, with Columbia used as a secondary access point into a side parking lot behind the Einstein Bagel shop. While the Code allows for up to 32 square feet signage along the east side of the building, the building is set back almost 200 feet from Columbia Ave and faces only parking lots. The Applicant desires to shift the 32 square feet of permitted signage along Columbia to face 21<sup>st</sup> Street.

The Applicant further requests a variance to allow 117 sf of signage to be oriented to 21<sup>st</sup> Street. Section 60.060-C of the Code permits 0.30 square feet of sign area per linear foot of street frontage, which allows for 99 square feet of signage for the Property facing 21<sup>st</sup> Street. The owner desires to have three (3) signs: A 55 SF Wall Sign, a 30 SF Development Identification Sign, and a 32 SF Tenant Identification Sign. A conceptual sign plan is attached hereto as **Exhibit "B"**.

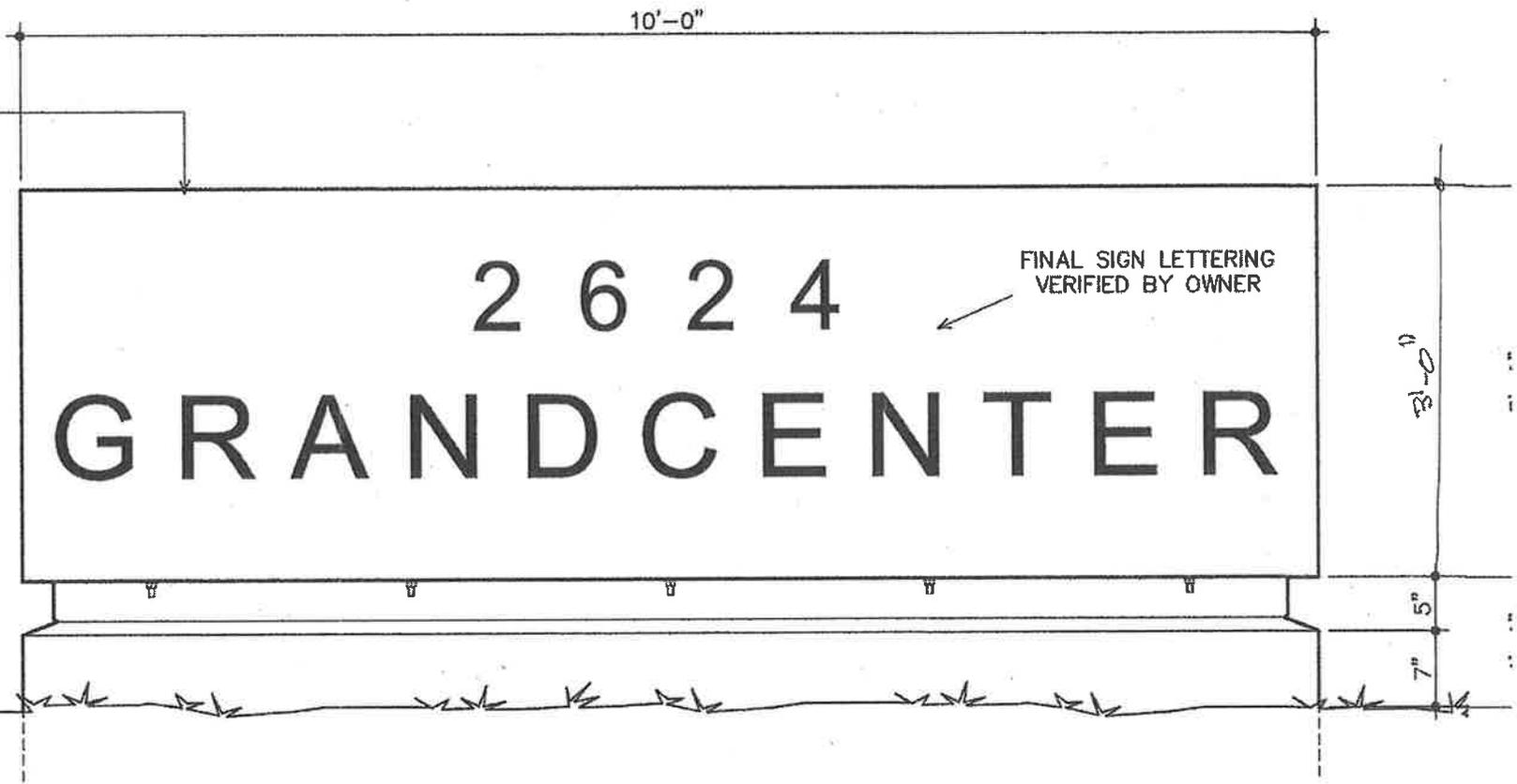
If the 32 SF tenant sign were oriented toward Columbia, no relief would be necessary and all three proposed signs would be permitted by right. However, with the relocation of the 32 sf tenant sign to face 21<sup>st</sup> Street, the aggregate display area of the three signs is 117 sf, exceeding the 99 sf allowed under the Code.

The shape of the lot and the location of the building on the Property results in unnecessary hardship to the Property owner by effectively eliminating the availability of 32 square feet of otherwise allowable signage. The requested variances are the minimum to afford relief and will not cause substantial detriment to the public good or impair the spirit and intent of the Code.



CORTEN STEEL PLATE WELDED  
TO INNER STEEL ANGLE  
FRAME. DO NOT WELD CORNERS  
TO THE CORTEN. PLUG WELD TO  
STEEL ANGLE FRAME. TOP  
CORNER WILL OVERLAP SIDE  
CORNER ON ALL SIDES. CORNERS  
TO BE STRAIGHT 90 DEGREE  
CORNERS W/ NO GRINDING.

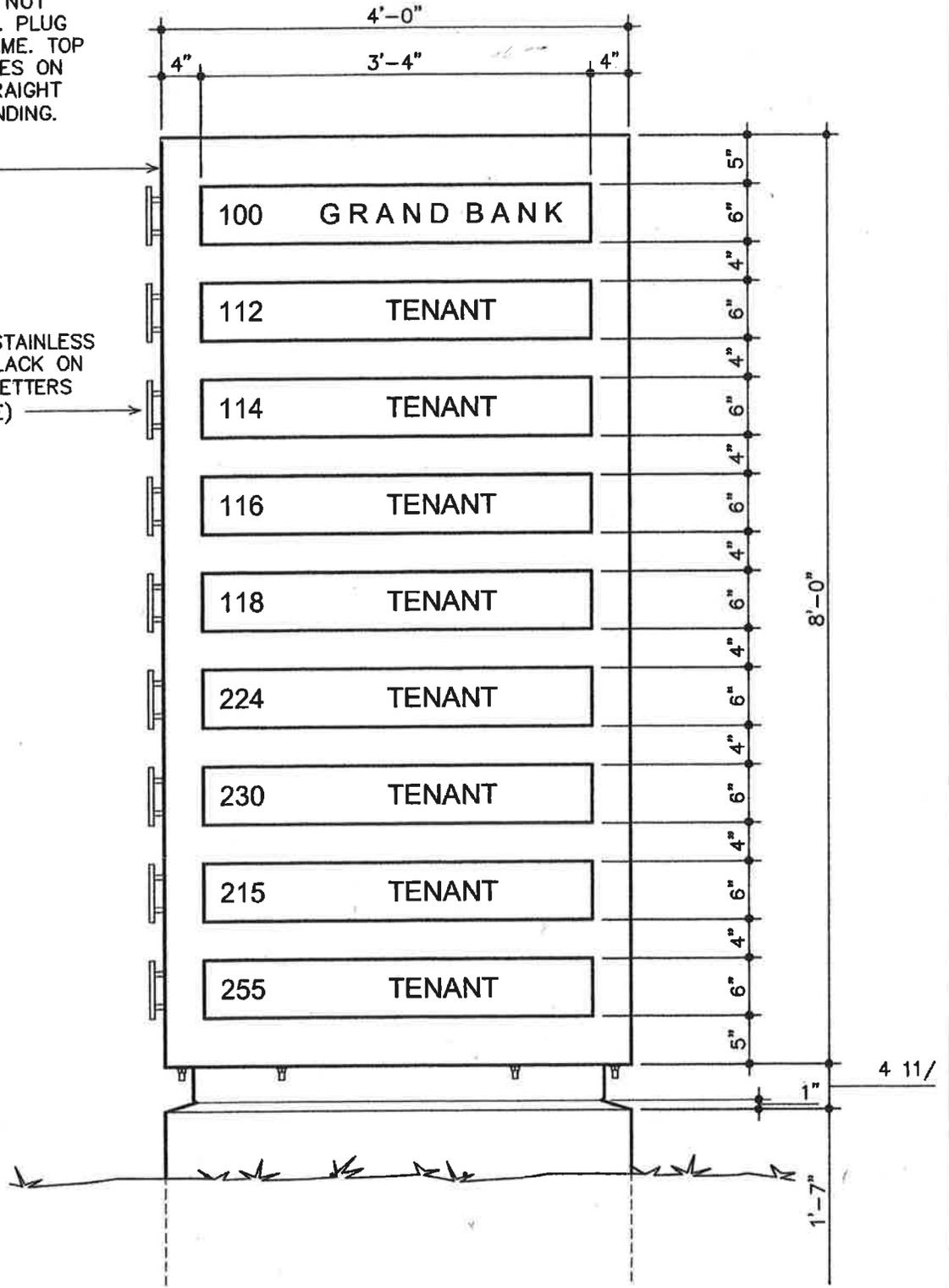
BLACK LETTERS ON 1"  
— STAND-OFFS



20.20

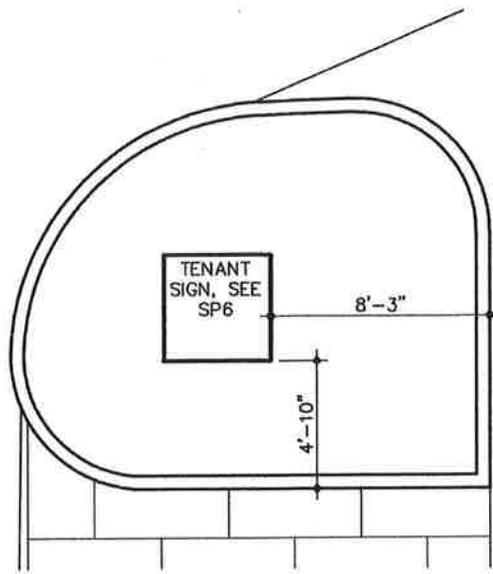
$\frac{3}{16}$ " CORTEN STEEL PLATE WELDED TO AN INNER STEEL ANGLE FRAME. DO NOT WELD CORNERS OF THE CORTEN. PLUG WELD TO THE STEEL ANGLE FRAME. TOP PLATE WILL OVERLAP SIDE PLATES ON ALL SIDES. CORNERS TO BE STRAIGHT 90 DEGREE ANGLES W/ NO GRINDING.

TENANT NAME PLATES ARE  $\frac{1}{4}$ " STAINLESS STEEL POWDER COATED FLAT BLACK ON 1" STAND-OFF RODS. TENANT LETTERS TO BE WHITE VINYL (REMOVABLE)



1 5/16"

4 11/16"



**TENANT DIRECTORY  
PLAN VIEW**  
E SCALE: 3/16"=1'-0"



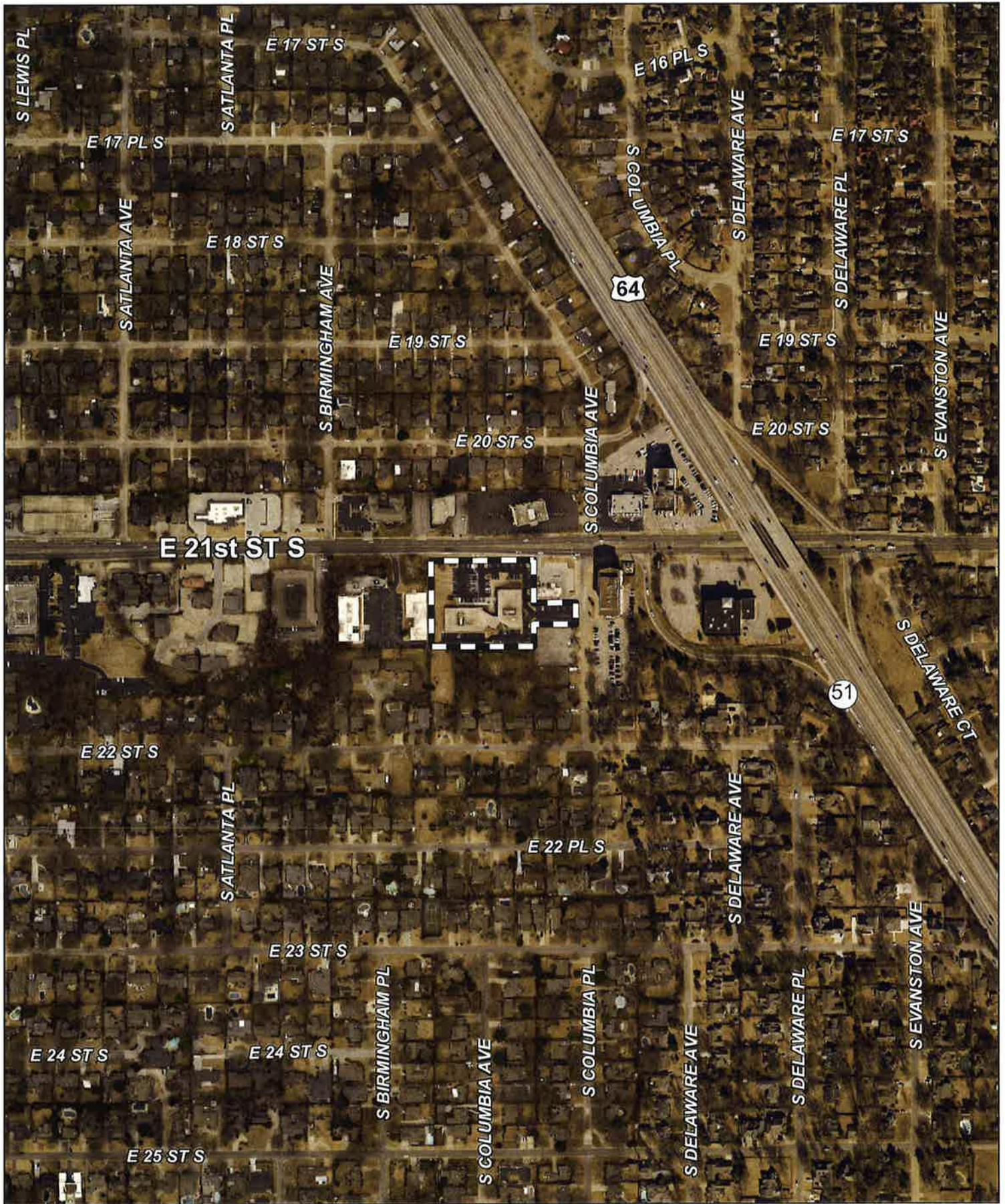
20.23



20.24



20.25



S LEWIS PL  
S ATLANTA PL  
E 17 ST S  
E 17 PL S  
S ATLANTA AVE  
E 18 ST S  
S BIRMINGHAM AVE  
E 19 ST S  
E 20 ST S  
E 21st ST S  
E 22 ST S  
S ATLANTA PL  
E 23 ST S  
E 24 ST S  
E 24 ST S  
E 25 ST S  
S BIRMINGHAM PL  
S COLUMBIA AVE  
S COLUMBIA PL  
S DELAWARE AVE  
S DELAWARE PL  
S EVANSTON AVE  
S DELAWARE AVE  
S DELAWARE PL  
S EVANSTON AVE  
S DELAWARE CT  
E 16 PL S  
S COLUMBIA PL  
E 19 ST S  
E 20 ST S  
64  
51



Subject  
Tract

**BOA-23072**

19-13 17

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

Aerial Photo Date: February 2018



20.26



E 21st ST S

S COLUMBIA AVE

E 22 ST S



Subject Tract

**BOA-23072**

19-13 17

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

Aerial Photo Date: February 2018



20.27