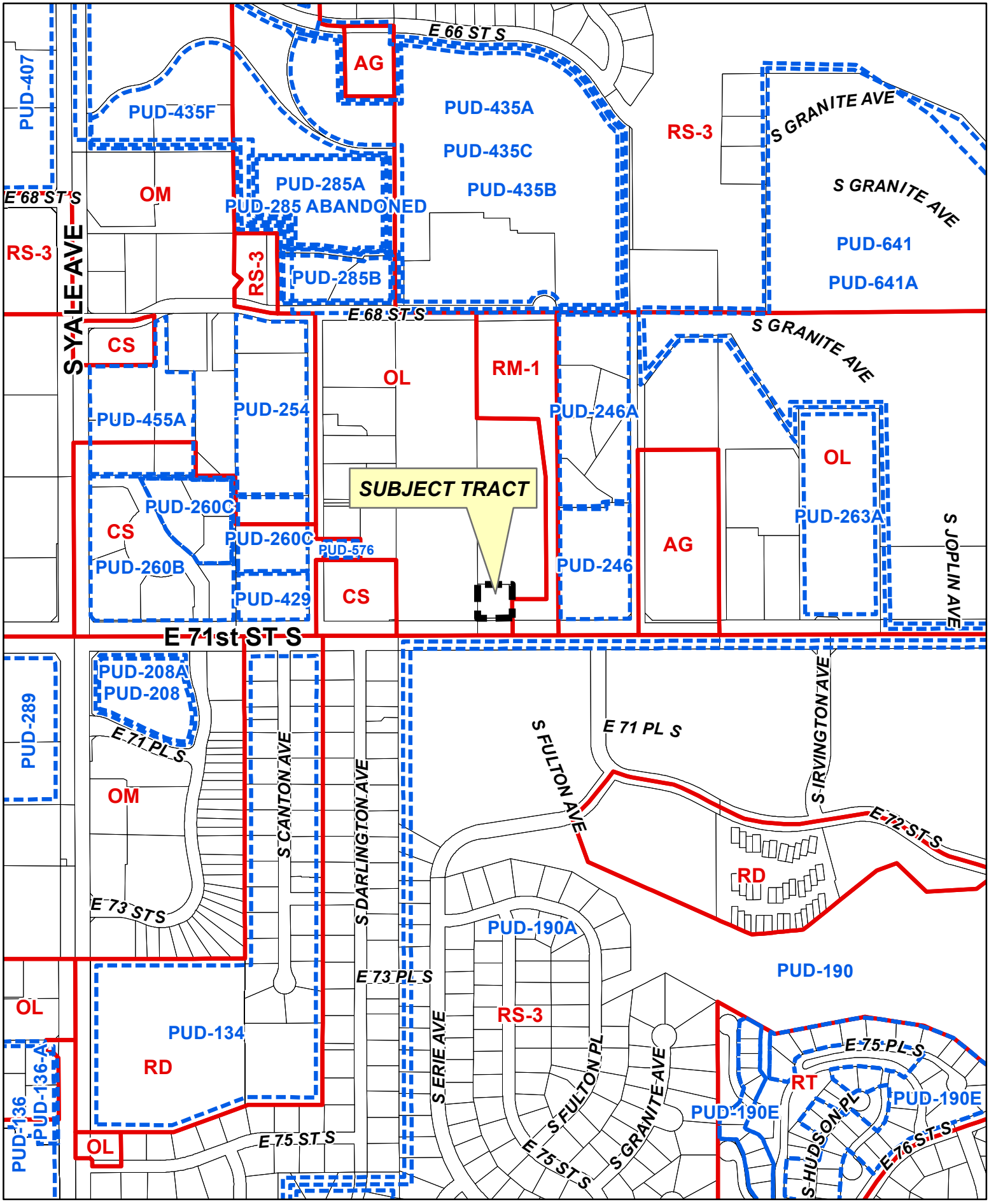

Feet
0 250 500

BOA-23220

18-13 03

13.1

N

BOARD OF ADJUSTMENT
CASE REPORT

STR: 8303 Case Number: **BOA-23220**

CZM: 53

CD: 9

HEARING DATE: 12/14/2021 1:00 PM

APPLICANT: Lori Worthington

ACTION REQUESTED: Variance to allow more than 1 sign per street frontage in the OL Zoning District (Sec. 60.060-B.1)

LOCATION: 5401 E 71 ST S **ZONED:** OL

PRESENT USE: Office. **TRACT SIZE:** 19075 SQ FT

LEGAL DESCRIPTION: PRT SE SW BEG 330E SWC SE SW TH E140 N207 W140 S207 POB LESS S70 THEREOF SEC 3 18 13 .438ACS,

RELEVANT PREVIOUS ACTIONS: None.

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

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

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 on the Northside of E. 71st street between S. Granite and S. Canton Avenues.

STAFF COMMENTS: The applicant is requesting a Variance to allow more than 1 sign per street frontage in the OL Zoning District (Sec. 60.060-B.1)

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.

It is staff's opinion that there are **no physical challenges** related to the property that would not allow the existing pole sign to be modified. It is also staff's opinion that the stated hardship **is self-imposed** by the current property owner due to agreements between the property owner and the tenant which the owner agreed to when leasing the property. Multi-tenant buildings are common on Office and Commercial Zoning Districts and it is unclear to staff how the current conditions are unique to the current property.

APPLICANT'S STATEMENT OF HARDSHIP: The current ground sign is not owned by the property owner. It is owned by the tenant that will not allow his sign to be changed at all. it is mandatory that State Farm agents have exterior identification with certain specifications.

SAMPLE MOTION: Move to _____ (approve/deny) a ***Variance*** to allow more than 1 sign per street frontage in the OL Zoning District (Sec. 60.060-B.1)

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

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

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

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

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

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

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

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

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

Existing pole sign on property

DANNY WHITEMAN
SIGN PLANS EXAMINER
TEL (918)596-9664
EMAIL dwhiteman@cityoftulsa.org

DEVELOPMENT SERVICES
175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103-3227

SIGN PLAN REVIEW

October 25, 2021

LOD Number: 1

Phone: 918-622-0651

Lori Worthington
9520 E. 55th Pl.
Tulsa, OK 74145

APPLICATION NO: **SIGN-098402-2021** *(PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)*
Location: **5401 E. 71st St.**
Description: **Wall Sign**

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)

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 OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.

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

3. PRESENT THIS LETTER TO INCOG WHEN APPLYING FOR BOARD OF ADJUSTMENT OR PLANNING COMMISSION ACTION.

(Continued)

REVIEW COMMENTS

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

Application No. SIGN-098402-2021

This letter of deficiencies covers Sign Plan Review items only.

For ground, monument, pole & outdoor advertising structure sign applications only, you may receive additional letters from other disciplines such as Water/Sewer/Drainage for additional deficiencies regarding Utility Easement placement which are not addressed in this letter.

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1. 60.060-B.1 Signs Allowed

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.

Review Comments: There is an existing freestanding sign on this office zoned lot. Apply to the Board of Adjustment for a variance to have more than one sign per street frontage in an office zoning district.

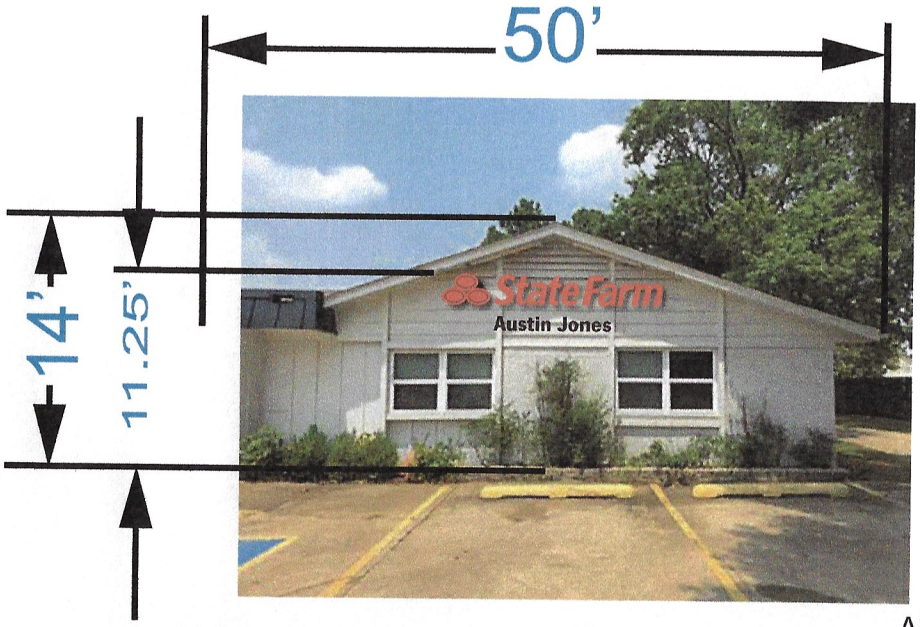
NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to send the decision of any actions by the BOA or TMAPC affecting the status of your application for a Sign Permit to our office 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.

END – ZONING CLEARANCE AND SIGN 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 CITY OF TULSA SIGN PERMIT.

BEFORE



AFTER

1.79' X 12.5'=22.37SQFT
.83' X 6.59'=5.46SQFT
TOTAL=27.83SQFT

20" LED RED LOGO STATE FARM RACEWAY MOUNT

20" high letters / 3-oval symbol is 21.6" high x 24.8" wide;
(12' - 5.625" overall length) **CL20 Red** ***(22.4 sq. ft.)***

10" ACR NI FLUSH K IMP

Raceway painted to match SW 7014 Eider White

NOTE: Install does not include facade repair (patch/paint of existing wall).

NOTE: Agent is responsible to have dedicated, adequate electric run to sign location by a local licensed electrician(120V, 20amp). Installers to perform final connect within 5' of sign only. Such wiring must have the approval of the National Board of Fire Underwriters or the municipal department having jurisdiction.

NOTE: Sign does not ship with a photocell or timer. Agent is responsible to have a timer installed at the breaker by a local licensed electrician if needed

Everbrite

DISCLAIMER: Renderings are for graphic purposes only and not intended for actual construction dimensions. For windload requirements, actual dimensions and mounting detail, please refer to engineering specifications and install drawings. These drawings and designs are the exclusive property of Everbrite LLC Use of, or duplication in any manner without express written permission of Everbrite LLC is prohibited.

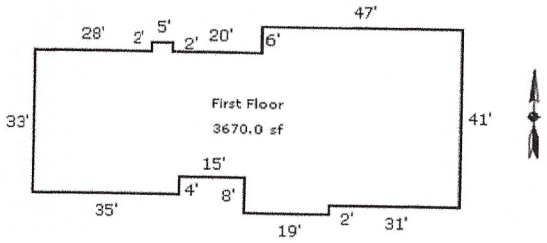
Customer: State Farm		Description: 24"H LETTERS W/25.8"H OVALS X 14'11"W. LED ILLUM., RACEWAY MOUNTED. CL24RED
Project No: 454408-2 CD	Scale:	
Date: 8/6/21	Drawn By: ERJ	
Location & Site No: 5401 E. 71ST ST TULSA, OK 74136 SF97511		Revised: 8/23/21
		Revised:

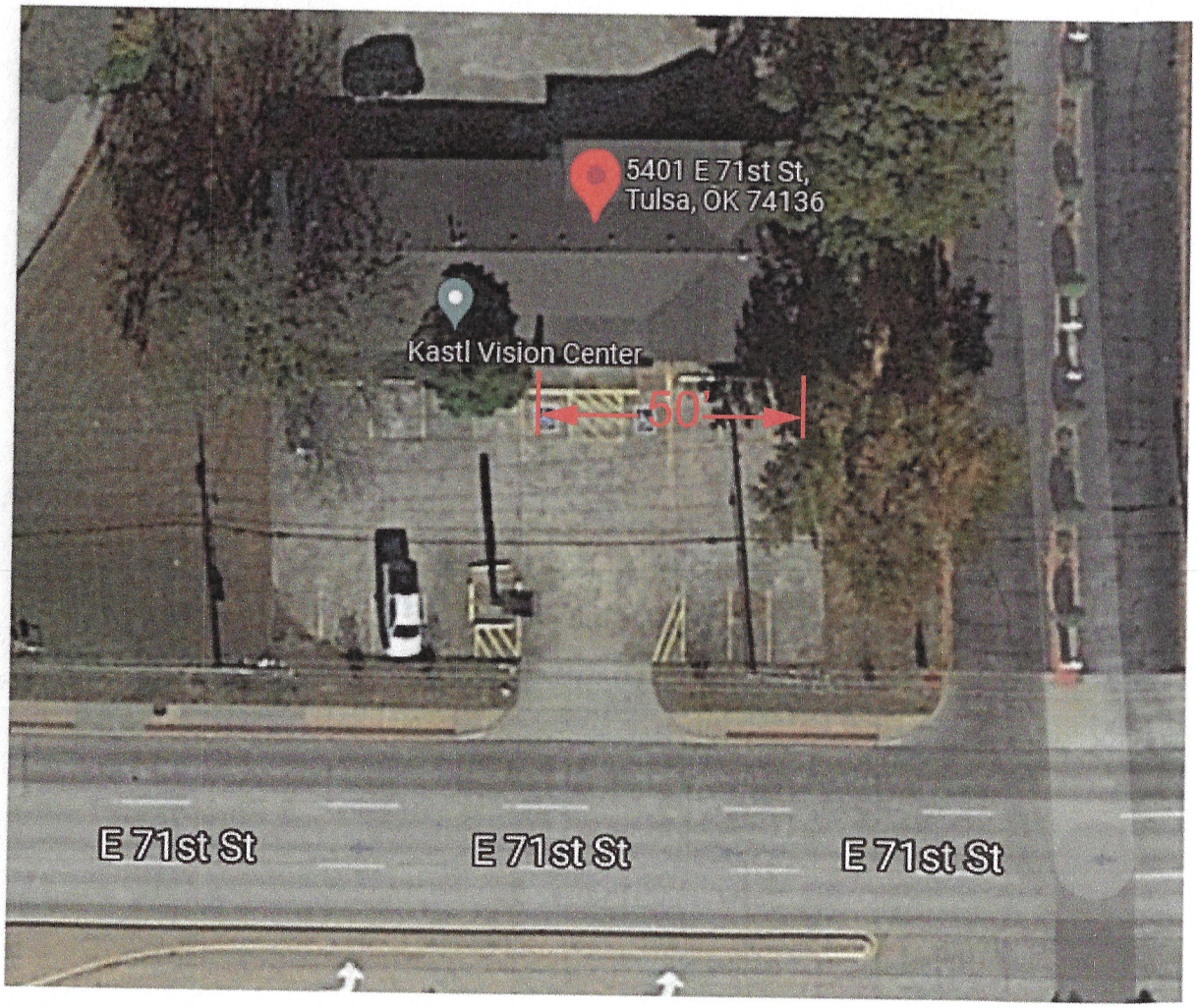
Customer Approval: Graphics and colors on file will be used unless otherwise specified by customer. Please review drawing carefully. By signing below, you agree to graphics as shown above, and to location of sign as shown. Please return signed copy back to Everbrite.

CUSTOMER SIGNATURE _____ DATE _____

LANDLORD SIGNATURE _____ DATE _____

STATE FARM
5401 E 71ST





Huntington

Feet
0 250 500

Subject Tract

BOA-23220

18-13 03

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

Aerial Photo Date: 2020/2021

N

13.10

Feet
0 50 100

Subject Tract

BOA-23220

18-13 03

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

Aerial Photo Date: 2020/2021

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