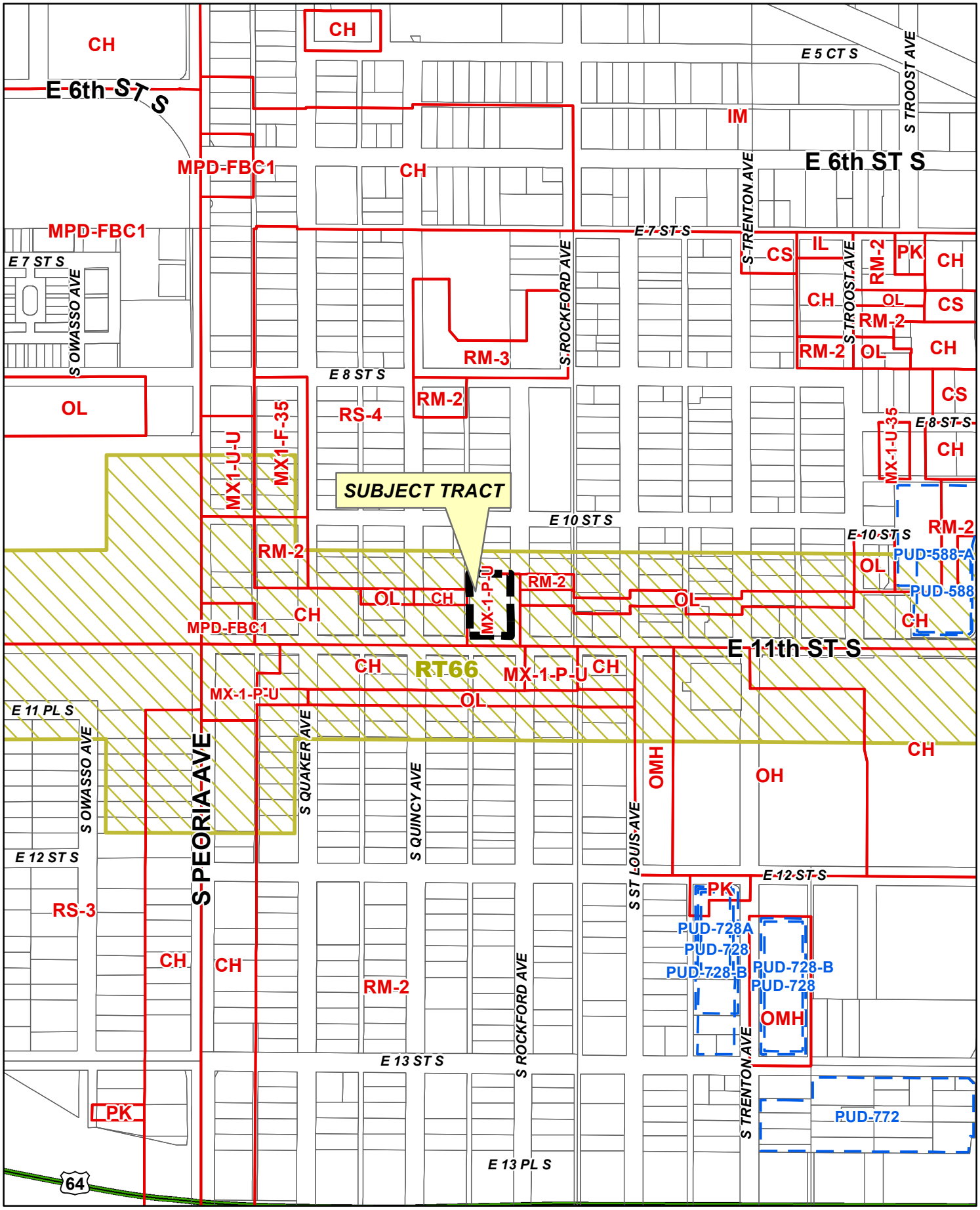

Feet
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BOA-23272

19-13 06

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BOARD OF ADJUSTMENT
CASE REPORT

STR: 9306 Case Number: **BOA-23272**
CZM: 37
CD: 4

HEARING DATE: 02/22/2022 1:00 PM

APPLICANT: Peter Janzen

ACTION REQUESTED: Variance to increase the permitted number of signs along E. 11th street to permit 1 freestanding sign and 5 roof signs (Sec. 60.080-C.2) and a Variance to allow roof signs within 30-feet of other roof signs (Sec. 60.040-B.2)

LOCATION: 1018 S ROCKFORD AV E **ZONED:** MX-1-P-U

PRESENT USE: Retail **TRACT SIZE:** 25674.37 SQ FT

LEGAL DESCRIPTION: ALL LTS 4 THRU 6 & LT 7 LESS S2.5 THEREOF BLK 8, EAST LYNN ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property: None.

Surrounding Properties:

BOA-23125: On 05.25.21 the Board approved a variance to allow projecting signs within 30-feet of other projecting signs and to increase the number of allowed projecting signs. Property located 1404 and 1406 E. 11th ST. S.

BOA-22761: On 10.22.19 the Board approved a variance to increase the maximum permitted display area for sign in the CH district. Property located 1347 E. 11th St. S.

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

Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c of S. Rockford Ave. and E. 11th St. S. The property is located inside the Route 66 Overlay.

STATEMENT OF HARDSHIP: The relationship between the original warehouse wall and the canopy preclude the use of wall signs of acceptable size to be visible or to accommodate neon construction, required for the route 66 Neon Sign grant, which several tenants are interested in pursuing. When upgrading the old warehouse building to a shopping center, the owner intended to preserve as much of the original design and construction as possible; which at the time of original construction would have allowed the proposed roof signs plan. In this case, literal interpretation of the modern code would work against the historic character of both the building and the neighborhood'

STAFF COMMENTS: The applicant is requesting **Variance** to increase the permitted number of signs along E. 11th street to permit 1 freestanding sign and 5 roof signs (Sec. 60.080-C.2) and a **Variance** to allow roof signs within 30-feet of other roof signs (Sec. 60.040-B.

2. Maximum Number

   a. Lots with Frontage on Only Minor Streets
   Lots with frontage on only minor streets are allowed a maximum of one freestanding or projecting sign per lot.

   b. Lots with Frontage on Major Streets
   The maximum aggregate number of projecting, freestanding and off-premise outdoor advertising signs allowed on lots with frontage on one or more major streets may not exceed the limits established in Table 60-2.

Table 60-2: Maximum Aggregate Number of Signs

Zoning District	Maximum Aggregate Number of Signs Allowed
CG, CH, and CBD	1 per 100 feet of major street frontage or fraction thereof
CO, CS, MX and IL	1 per 150 feet of major street frontage or fraction thereof
IM and IH	1 per 200 feet of major street frontage or fraction thereof

60.040-B Required Setbacks, Spacing and Separations

1. All parts of a sign must be set back at least 10 feet of a freeway planned right-of-way.

2. All on-premise projecting signs, roof signs and freestanding signs and all off-premise outdoor advertising signs must be separated from all other roof signs, projecting signs, freestanding signs and off-premise outdoor advertising signs by a minimum distance of 30 feet. Additional spacing requirements apply between off-premise outdoor advertising signs (See §60.080-F5).

The applicant has made an application to the permit center of the sign rendering included in your packet. In addition to that sign they are wishing to be allowed to place 5 roof signs on the building oriented towards 11th street. The Board should condition that any sign approved through this variance be at least 25% exposed Neon take advantage of the Route 66 Overlay's sign allowance benefits.

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** to increase the permitted number of signs along E. 11th street to permit 1 freestanding sign and 5 roof signs (Sec. 60.080-C.2) and a **Variance** to allow roof signs within 30-feet of other roof signs (Sec. 60.040-B.

- Finding the hardship(s) to be_____.
- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions _____.
- ***Suggested Condition:*** The signs approved are to be at least 25% exposed Neon as measured by total sign area of each 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;

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."

Subject 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

January 6, 2022

LOD Number: 1

Peter Janzen
9810 E. 58th St.
Tulsa, OK 74146

APPLICATION NO: **SIGN-106795-2021** (*PLEASE REFERENCE WHEN CONTACTING OUR OFFICE*)
Location: **1020 S. Rockford Ave.**
Description: **Roof 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-106795-2021

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.

---

1. 60.080-C.2.b Sign Budget: Maximum Number, Lots with Frontage on Major Streets

The maximum aggregate number of projecting, freestanding and off premise outdoor advertising signs allowed on lots with frontage on one or more major streets may not exceed the limits established in Table 60-2.

Table 60-2: Maximum Aggregate Number of Signs

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IM and IH	1 per 200 feet of major street frontage or fraction thereof

Review Comments: This lot is zoned MX (mixed use) and is allowed 1 sign (roof, projecting, or freestanding) per 150 feet of major street frontage. This lot has 130' of major street frontage, and there is an existing freestanding sign on this lot already. Therefore, the proposed sign would exceed the allowed number of signs on this lot. You may pursue a variance from the Board of Adjustment (BOA) to permit two signs on an MX zoned lot with 130' of street frontage.

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.

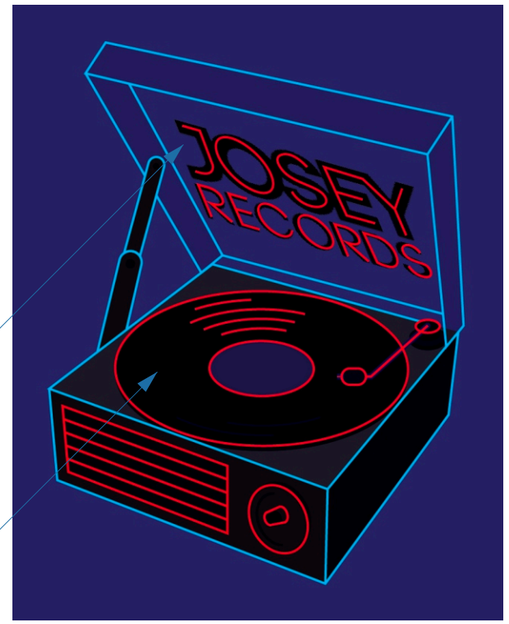
ENCINOS 3D CUSTOM PRODUCTS, LLC Signs
9810 E 58th St, Tulsa, OK 74146
(918) 286 8535
www.encinos3d.com

CUSTOMER:
Josey Records
CITY AND STATE:
1020 S Rockford Ave Suite B
Tulsa, OK 74120
DRAWN BY:
Martha Hernandez
SOLD BY:
Peter Janzen
DRAWING NUMBER:
JR110121-002
APPROVED BY:

DATE APPROVED:

Please proofread all information carefully for accuracy before signing. Check names, numbers, spelling, punctuation as well as the general layout. Revisions requested after second proof are not included in the original quoted price and will be charged accordingly.
Any typographical and or layout errors not found now will be the customers responsibility.

- Pylon Signs
- Casino Signs
- Monument Signs
- Neon Signs
- Blade Signs
- Wall Signs
- Channel Letters
- Interior Signs
- Way finding Signs
- Post & Panel
- LED Display
- Commercial & Architectural Signs



6.8 Rev 3

THIS DESIGN IS SOLELY FOR REFERENCE ONLY, REMAINS PROPERTY OF ENCINOS 3D CUSTOM PRODUCTS LLC, UNTIL AGREEMENT HAS BEEN REACHED BETWEEN THE CLIENT AND ENCINOS 3D CUSTOM PRODUCTS LLC

ENCINOS 3D CUSTOM PRODUCTS, LLC Signs
9810 E 58th St, Tulsa, OK 74146
(918) 286 8535
www.encinos3d.com

CUSTOMER:
The Pearl Shops
CITY AND STATE:
1020 S Rockford Ave, suites A-G'
DRAWN BY:
Martha Hernandez
SOLD BY:
Peter Janzen
DRAWING NUMBER:
TPS010222-001
APPROVED BY:

DATE APPROVED:

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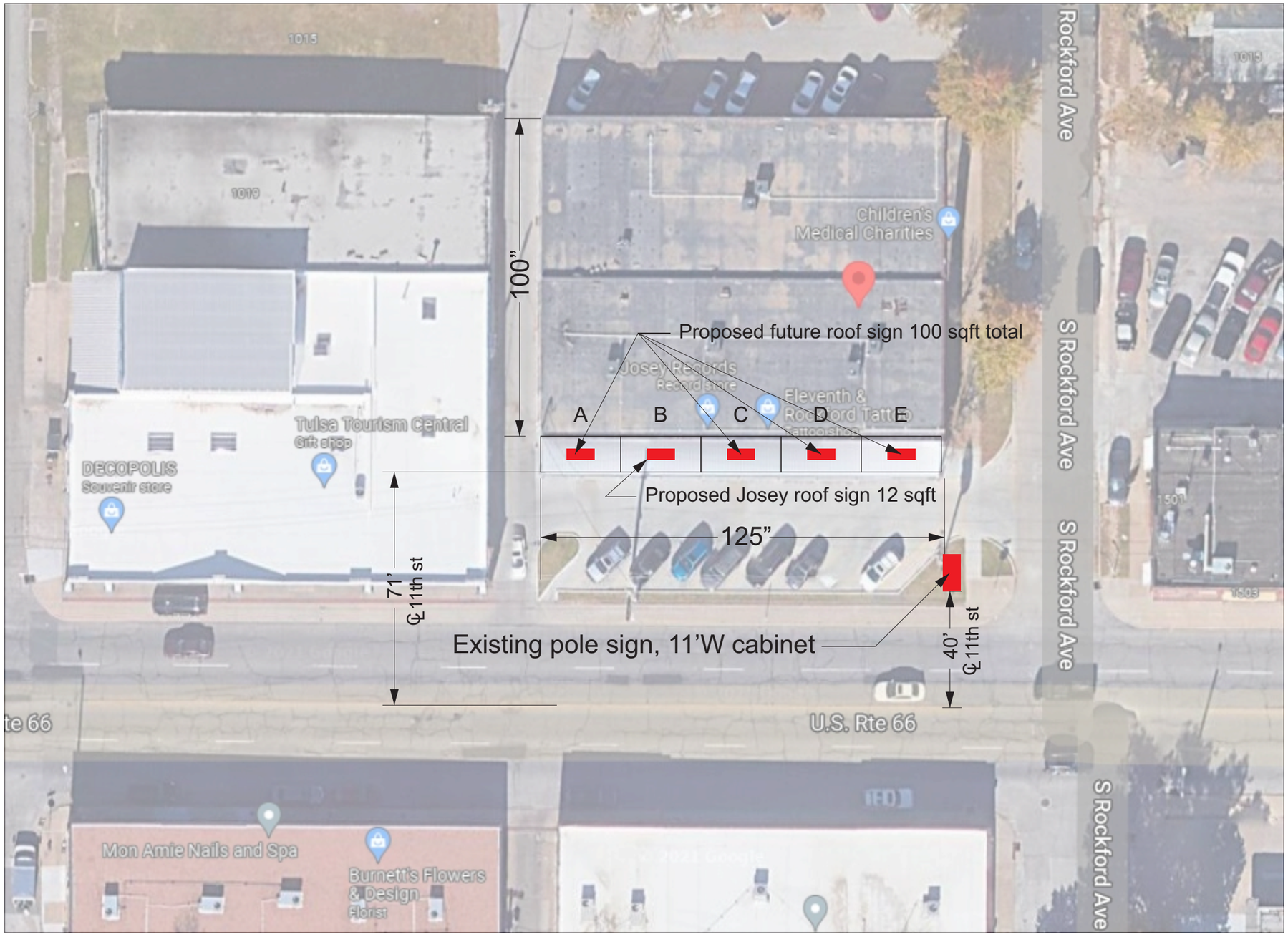
Site Map



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Feet
0 200 400

Subject Tract

BOA-23272

19-13 06

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

Aerial Photo Date: 2020/2021

N

Feet
0 50 100

Subject Tract

BOA-23272

19-13 06

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

Aerial Photo Date: 2020/2021

N