

CITY OF TULSA BOARD OF ADJUSTMENT

[] ADMINISTRATIVE ADJUSTMENT

2 West 2nd Street, Suite 800 - Tulsa, Oklahoma 74103 - (918) 584-7526 - tulsaplanning.org Submit applications to esubmit@incog.org

APPLICATION INFORMATION

RECEIVED BY: _____ DATE FILED: _____ HEARING DATE: _____ CASE NUMBER _____

[] RESIDENTIAL [] NON-RESIDENTIAL [] COMBINATION

REFERRAL CITIES: _____

NEIGHBORHOOD ASSOCIATIONS: _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: _____

LEGAL DESCRIPTION: (email to: esubmit@incog.org) _____

PRESENT USE: _____ PRESENT ZONING _____ T-R-S _____ CD _____

AREA PREVIOUS CASE NUMBERS: _____ COMPREHENSIVE PLAN DESIGNATION: _____

SUBJECT: _____

INFORMATION ABOUT YOUR REQUEST

A SITE PLAN IS REQUIRED TO ILLUSTRATE YOUR REQUEST.

ACTION(S) REQUESTED:

LIST THE SPECIFIC SECTIONS OF THE ZONING CODE THAT APPLY TO EACH ACTION YOU'RE REQUESTING.

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION	
NAME		NAME	
ADDRESS		ADDRESS	
CITY, ST, ZIP		CITY, ST, ZIP	
DAYTIME PHONE		DAYTIME PHONE	
EMAIL		EMAIL	
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.			
SIGNATURE & DATE:			

DOES OWNER CONSENT TO THIS APPLICATION [] Y [] N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? _____

APPLICATION FEES (Make checks payable to INCOG)			
BASE REQUEST	\$		
ADDITIONAL REQUESTS	\$	APPLICATION SUBTOTAL	\$
NEWSPAPER PUBLICATION	\$		
SIGN (Special Exception Uses in CITY Only)	\$130 x = \$		
300' PROPERTY OWNERS MAILING & POSTAGE	\$45 + \$ = \$	NOTICE SUBTOTAL	\$
[] APPLICANT PROVIDED MAIL LIST	RECEIPT NUMBER	TOTAL AMOUNT DUE	\$

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

DISPOSITION

BOARD ACTION: _____

FINAL DATE: _____ VOTE: _____ SUBDIVISION COMPLIANCE REVIEW [] Y [] N

Site plan examples can be found at tulsaplanning.org. You may also obtain a current calendar of meetings and cutoff dates from the Tulsa Planning Office, or visit us at tulsaplanning.org.

SUBMITTAL REQUIREMENTS:

Site Plan: 1 copy; maximum 11" X 17"
Letter of Deficiency: 1 copy; can be obtained from the City of Tulsa Permit Department

APPLICATION FEES:

All fees must be paid with submittal. A current fee schedule is available at INCOG or on the web at tulsaplanning.org.

LETTER OF DEFICIENCY REQUIREMENT

The City of Tulsa Board of Adjustment policies require that an official "Letter of Deficiency" ("LOD") issued to the Applicant from the City of Tulsa accompany each application to the Board for a Variance, Special Exception or other relief.

I understand, and take responsibility for, the following:

1. All requirements set forth in the LOD must be met or the relief detailed in the LOD must be sought in an application to the Board for any of the requirements which will not be met. In the event that the applicant does not request the relief detailed in the LOD, additional BOA action may be required resulting in significant delays during the building permit process.
2. If the plans reviewed by the City for the issuance of the LOD are changed, the plans must be resubmitted to the City, and an additional LOD may be issued based upon the new plans which may result in additional requirements or an additional application to the Board being necessary.

I hereby certify that I have read and understood the above LOD requirements for the subject property in case number _____.

Applicant's Signature

Date

**AUTHORIZATION FOR INCOG TO OBTAIN NAMES AND MAILING ADDRESSES
OF OWNERS OF PROPERTY WITHIN 300 FEET LOCATED IN
TULSA AND OSAGE COUNTY ONLY***

AUTHORIZATION AND RELEASE

I authorize the INCOG Staff to obtain property owners' names and addresses as required for application number _____. I understand that INCOG Staff will use the Tulsa and Osage County Assessor's computer database to ascertain the names and addresses of the property owners. That database may not reflect recent ownership changes. I understand that I remain responsible for providing INCOG with the names and addresses of property owners within 300 feet of the property that is the subject of this application. I agree to provide any updates or corrections to INCOG at least 25 days prior to the public hearing on this application.

For valuable consideration duly received and acknowledged, I hereby release and forever discharge INCOG, its agents and successors from any actual or potential cause of action, suit or proceeding brought by me, my agents or assigns, based on the names and addresses obtained by INCOG as required in this application.

*I understand and accept that the applicant is responsible for providing INCOG the names and mailing addresses of the owners of those properties that are within the required notice area but are not in Tulsa or Osage Counties.

Applicant's Signature

Date

PLATTING/ SUBDIVISION COMPLIANCE REVIEW REQUIREMENT

For the purposes of providing a proper arrangement of streets and assuring the adequacy of open spaces for traffic, utilities, and access of emergency vehicles, commensurate with the intensification of land use customarily incident to a change of zoning, a platting requirement or subdivision conformance review is established as follows:

For any land which has been rezoned to a zoning classification other than AG upon application of a private party or for any land which has been granted a special exception by the Board of Adjustment to permit those uses expressly stated in Section 70.080-B.2.b of the City of Tulsa Zoning Code, no building permit or zoning clearance permit shall be issued until that portion of the tract on which the permit is sought has been included within a subdivision plat or replat, or a subdivision conformance review as the case may be, submitted to and approved by the Planning Commission, and filed of record in the office of the County Clerk where the property is situated.

I hereby certify that I have read and understand the above requirements and that I will plat, replat or comply with standards set by the subdivision conformance review for the subject property.

Applicant's Signature

Date

NEIGHBOR COMMUNICATIONS

1. Neighbor communications are encouraged by the board of adjustment, planning commission and city council to help:

- a. educate applicants and neighbors about one another's interests;
- b. resolve issues in a manner that respects those interests; and
- c. identify unresolved issues before initiation of formal public hearings.

2. Applicants are encouraged to submit a summary of their neighbor communication activities at or before the first required public hearing. The recommended content of such summaries is as follows:

- a. Efforts to notify neighbors about the proposal (how and when notification occurred, and who was notified);
- b. How information about the proposal was shared with neighbors (mailings, work-shops, meetings, open houses, flyers, door-to-door handouts, etc.);
- c. Who was involved in the discussions;
- d. Suggestions and concerns raised by neighbors; and
- e. What specific changes (if any) were considered and/or made as a result of the neighbor communications.

Applicant's Signature

Date

Board of Adjustment Case Number: _____ **Date: Tuesday** _____, **1:00 p.m.**
Tulsa City Council Room, 2nd Level, One Technology Center, 175 East 2nd Street

A person knowledgeable of the application and the property must attend the meeting to represent the application. Site Plans must be submitted at the time of application. Other drawings, photographs or exhibits may be submitted at the hearing.

VARIANCES:

The applicant must prove a hardship to the Board. The Board of Adjustment is allowed to approve variances only after determining that the following conditions exist. Please be ready to describe how your request satisfies each of these conditions at the hearing:

1. That the physical surroundings, shape, or topographic 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;
2. That the literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;
3. 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;
4. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;
5. That the variance to be granted is the minimum variance that will afford relief;
6. 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
7. 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.

In granting a variance, the Board may make appropriate conditions or safeguards and may require a bond or other guarantee necessary to enforce compliance with the conditions.

Please state your hardship:

Applicant Signature: _____

SPECIAL EXCEPTIONS:

The Board of Adjustment is allowed to approve special exceptions only after determining that the following conditions exist. Please be ready to describe how your request satisfies each of these conditions at the hearing:

1. The special exception will be in harmony with the spirit and intent of the Zoning Code.
2. The special exception will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Further, if the **special exception** is for "**special residential facilities**" the following factors shall be considered. Please be ready to address each of these items at the hearing:

- | | |
|---|--|
| A. Size of the facility; | F. Compliance with state licensure and certification requirements; |
| B. Number of staff and staff-to-client ratio; | G. Proximity to similar uses; |
| C. Levels of treatment; | H. Distance from sensitive uses (single-family residential districts, schools, parks, child day care centers). |
| D. Location of site in relation to needed services; | |
| E. City infrastructure in the area; | |

In granting any special exception, the Board may make appropriate conditions or safeguards, may limit the approval to a specified period of time and may require a bond or other guarantee necessary to enforce compliance with the conditions.

If your application is approved, you WILL need additional permits. Contact the Permit Center at 918-596-9601 or Development Services Plans Review at 918-596-9456.

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