

AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, January 10, 2017, 1:00 P.M.

Meeting No. 1175

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Approval of **Minutes** of December 13, 2016 (Meeting No. 1174).
2. Approval of Amended **Minutes** of November 17, 2016 (Special Meeting).

UNFINISHED BUSINESS

3. **22166—Tracy Nonweiler**
Variance of the minimum open space per unit requirement from 7,000 square feet to 6,078 square feet; Variance of the rear setback from 25 feet to 6 feet (Section 5.030). **LOCATION:** 2622 East 33rd Place South **(CD 9)**

The applicant has withdrawn the application.

4. **22167—Len Wade**
Special Exception to permit a duplex in the CH District (Section 15.020).
LOCATION: 631 South Peoria Avenue East **(CD 4)**

Staff requests a continuance to February 14, 2017 to allow the City additional time to review the request.

5. **22168—Claude Neon Federal Signs – Ed Horkey**
Variance to increase the permitted sign display area to 1,092 square feet to permit two freestanding signs in the freeway corridor (Section 60.080-C).
LOCATION: 5866 South 107th Avenue East **(CD 7)**

NEW APPLICATIONS

6. **22177—Jerry E. Green**
Special Exception for parking and/or storage of a recreational vehicle in the street yard (Section 45.150-C). **LOCATION:** 238 South 70th East Avenue **(CD 3)**

7. **22178—Whistler Sign Company – John Allred**
Verification of the spacing requirement for an outdoor advertising sign 1,200 feet from another outdoor advertising sign on the same side of the highway; Verification of the spacing requirement for a dynamic display outdoor advertising sign of 1,200 feet from any other dynamic display outdoor advertising sign facing the same traveled way (Section 60.080 and Section 60.100). **LOCATION:** 14149 East Admiral Place North **(CD 3)**
8. **22180—Ronnie Potter**
Verification of the spacing requirement for liquor stores of 300 feet from plasma centers, day labor hiring centers, bail bonds offices, pawn shops, and other liquor stores (Section 40.300-A). **LOCATION:** 11512 East 21st Street South **(CD 6)**
9. **22181—J. D. Harp**
Special Exception to increase the permitted driveway width from 20 feet to 30 feet in the right-of way and on the lot within in an RS-4 District (Section 55.090-F). **LOCATION:** West and South of the SW/c of South 193rd Avenue East and East 41st Street South **(CD 6)**
10. **22182—Brent Barnes**
Special Exception to permit used car sales in the CS District (Section 15.020). **LOCATION:** 1901 South Garnett Road East **(CD 6)**
11. **22183—Kevin Hughes**
Variance to reduce the open space requirement to 3,834 square feet in the RS-3 District to permit construction of a new garage (Section 5.030). **LOCATION:** 1643 South Evanston Avenue East **(CD 4)**
12. **22184—Linda Foster**
Special Exception to permit a manufactured housing unit in the RM-2 District (Section 5.020). **LOCATION:** 1018 South 51st Avenue West **(CD 1)**
13. **22185—Kurt Barren**
Variance to allow a detached accessory building to be located less than 25 feet from the rear property line (Section 90.090.C-2.b). **LOCATION:** 1755 South St. Louis Avenue East **(CD 4)**
14. **22186—Ralph Smith**
Variance of the required open space on the lot from 2,878 square feet (approved by BOA-16467) to 2,253 square feet in the RS-3 District (Section 5.030). **LOCATION:** 1708 South Newport Avenue East **(CD 4)**

15. 22187—Matt Dawson

Variance to reduce the rear setback to 15 feet for an addition to a non-conforming structure (Section 80.030-D). **LOCATION:** 4755 South Yorktown Place East **(CD 9)**

16. 22188—Wallace Engineering – Jim Beach

Variance of the required street frontage from 50 feet to 37.5 feet; Variance to reduce the street setback from 10 feet to 4.7 feet in the OM District (Section 15.030-A, Table 15-3). **LOCATION:** 1408 South Cheyenne Avenue West **(CD 4)**

17. 22189—Mike Rice

Special Exception to permit storage/warehouse use in the CS District (Section 15.020, Table 15-2). **LOCATION:** 110 South 193rd Avenue East **(CD 6)**

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

Website: www.cityoftulsa-boa.org

E-mail: esubmit@incog.org

CD = Council District

NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918)584-7526. Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained at Land Development Services, INCOG. The ringing/sound on a cell phones and paggers must be turned off during the Board of Adjustment meeting.

NOTE: This agenda is for informational purposes only and is not an official posting. Please contact the INCOG Office at (918) 584-7526, if you require an official posted agenda.

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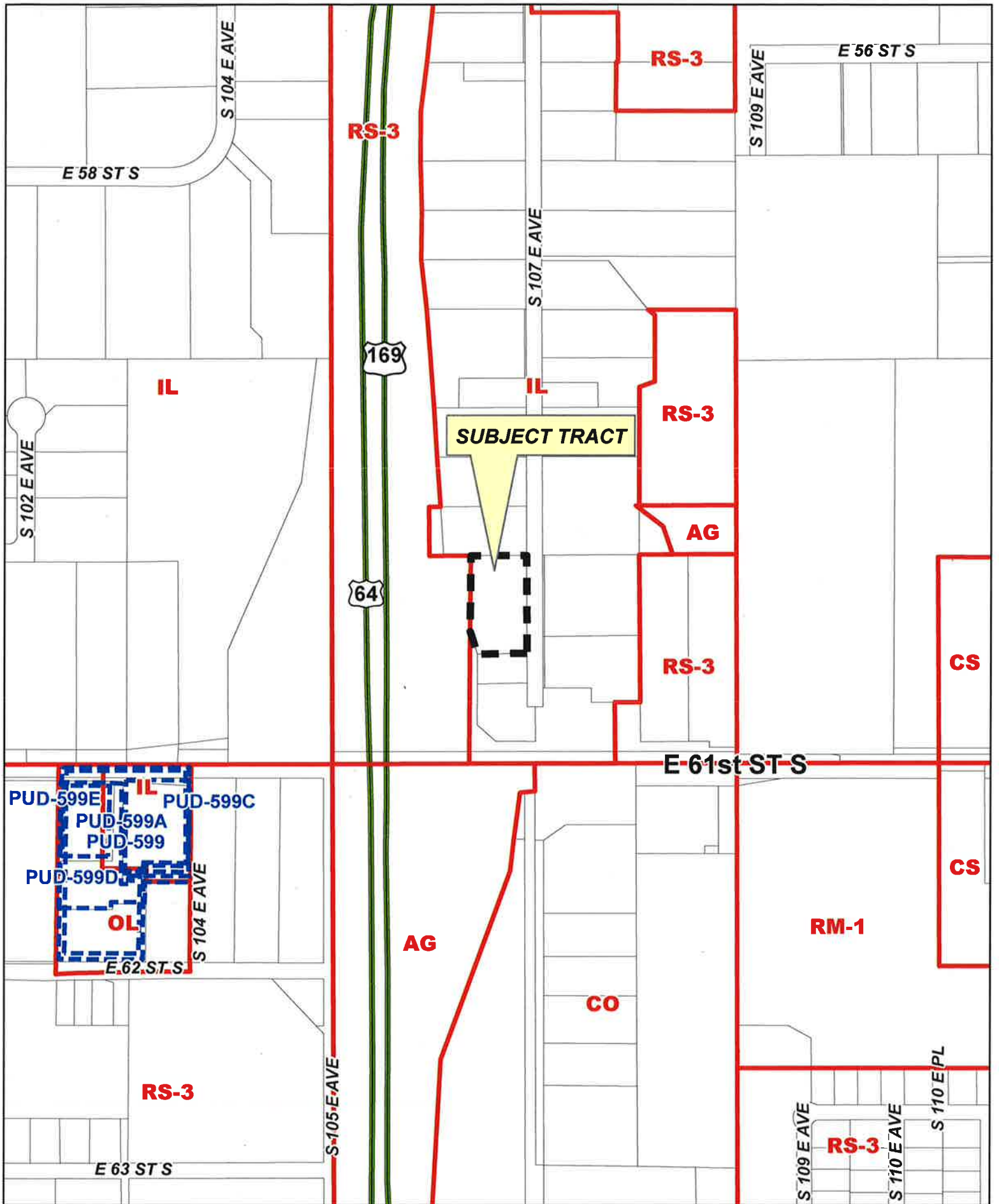
BOA-22166 – TRACY NONWEILER

**The application has been
withdrawn**

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BOA-22167 – LEN WADE

**Staff requests a continuance to
February 14, 2017 to allow the City
additional time to review the
request**



BOA-22168

5.1



19-14 31



BOARD OF ADJUSTMENT CASE REPORT

STR: 9431

Case Number: BOA-22168

CZM: 49

CD: 7

A-P#: 406639

HEARING DATE: 01/10/2017 1:00 PM

APPLICANT: Ed Horkey

ACTION REQUESTED: Variance to increase the permitted sign display area to 1092 sq. ft. to permit two freestanding signs in the freeway corridor (Sec.60.080-C).

LOCATION: 5866 S 107 AV E

ZONED: IL

PRESENT USE: Light Industrial

TRACT SIZE: 1.3 Acres

LEGAL DESCRIPTION: N320 LT 13 & E26.39 N320 LT 14 LESS BEG 320.93 N SECR LT 14 TH NW81.04 S76.58 E26.39 POB BLK 2, GOLDEN VALLEY, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Site:

BOA 20942; on 07.28.09 the Board approved a verification of the spacing requirement for an outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway and a verification of the spacing requirement for a digital outdoor advertising sign of 1,200 ft. from any other digital outdoor advertising sign facing the same traveled way.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an **Employment Area** and an **Area of Growth**.

Employment Areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity. **Employment Areas** require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances.

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 abutted by IL zoned business on the north, east and south; Highway 169 abuts the site on the west.

STAFF COMMENTS:

Current Staff Comments:

The case was heard by the Board at the 12.13.16 hearing; the Board continued the case to allow the applicant additional time to prepare a site plan showing the placement of the proposed sign and the viewing angles of proposed sign placement. The updated site plan and exhibits are attached for the Board's review.

Previous Staff Comments:

The applicant is requesting a Variance to increase the permitted sign display area to 1092 sq. ft. to permit two freestanding signs on the subject tract. In a statement attached to this case report the applicant stated that the hardship upon the business is that to advertise the business needs to use ground signage to overcome the visual difficulties associated with the grade differences between their property and the highway elevation.

The subject lot has 324.2 feet of frontage along Highway 169 which will permit a total sign display area of 648.4 sq. ft. on the site. As shown on the attached plans and drawings the existing outdoor advertising sign on the site is 672 sq. ft. and the proposed business sign is 420 sq. ft. The applicant has requested a variance to increase the permitted sign display area on the site from 648.4 sq. ft. to 1092 sq. ft. As shown on the attached pictures there are existing wall signs on the site; however the Code states that wall signs are not counted against a lot's allowed sign budget.

If inclined to approve the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed use and future development of the subject property is compatible with and non-injurious to the surrounding area.

Sample Motion for a Variance

Move to _____ (approve/deny) Variance to increase the permitted sign display area to 1092 sq. ft. to permit two freestanding signs in the freeway corridor (Sec.60.080-C).

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

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

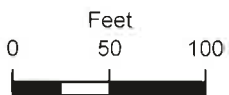
g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.”



169

S 107 E AVE

E 61st ST S



Subject
Tract

BOA-22168

19-14 31

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

Aerial Photo Date: February 2016



5.5



0 200 400
Feet



Subject
Tract

BOA-22168

19-14 31

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

Aerial Photo Date: February 2016



5.6



S 107 Ave E (Street View) - Looking North



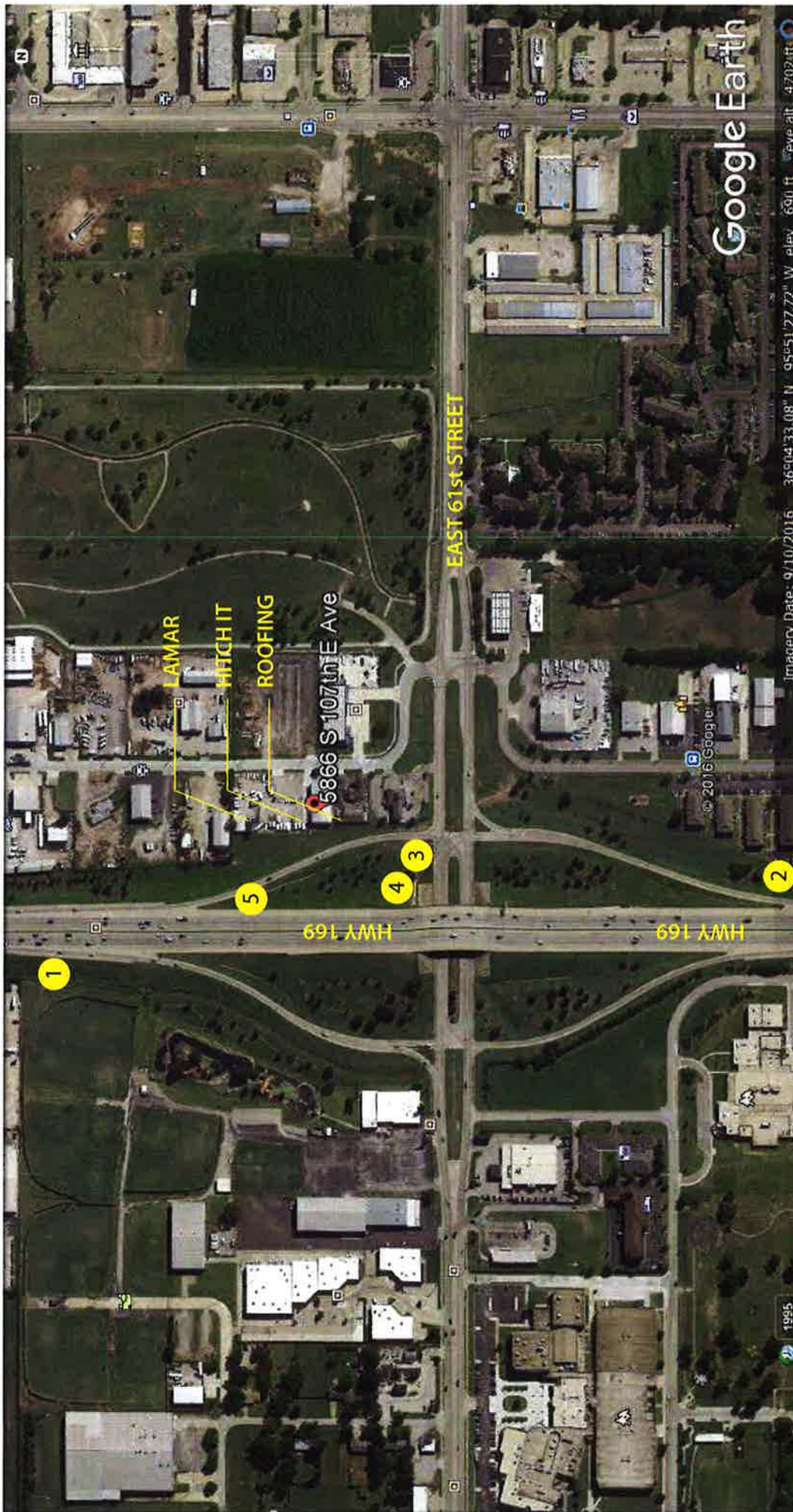
Subject Site- Looking West

11 16 2016 10:18



S 107 Ave E (Street View) - Looking North

6 10:18



These drawings are the exclusive property of Claude Leon Federal Signs, Inc. and are the result of original work by it's employees. They are submitted for the sole purpose of your consideration of whether to purchase these plans, or to purchase from CLE signage manufactured in accordance to these plans. Distribution or exhibition of these plans to others is expressly forbidden. © 2015 CLE Signs



1225 North Lansing Avenue
Tulsa, Oklahoma 74108
ph: 918.587.7171
fax: 918.587.7176
web: clesigns.com

I hereby give my approval to proceed with fabrication of the design depicted in these drawings to make to meet the project deadline in a timely fashion. I understand that any changes, additions, deletions, or modifications to the fundamental structure, including design, or the specific features of the signage may not be approved by the manufacturer at the completion time, without further negotiation or additional cost.

Approved as shown ☐ Approved as noted ☐ ☒ See Notes

PROJECT/CLIENT NAME:
HITCH IT

LOCATION:
5866 S. 107TH E. AVE.
TULSA, OK

DESIGNER:
DONALD DAVIS

DATE OF ORIGINAL DWSG:
JANUARY 3, 2017

ACCOUNT EXECUTIVE:
ED HERNY

REVISION HISTORY:
07.03.13

v 1.0

WORK ORDER #:
MATERIAL FAB
COPY ROUT/VINYL

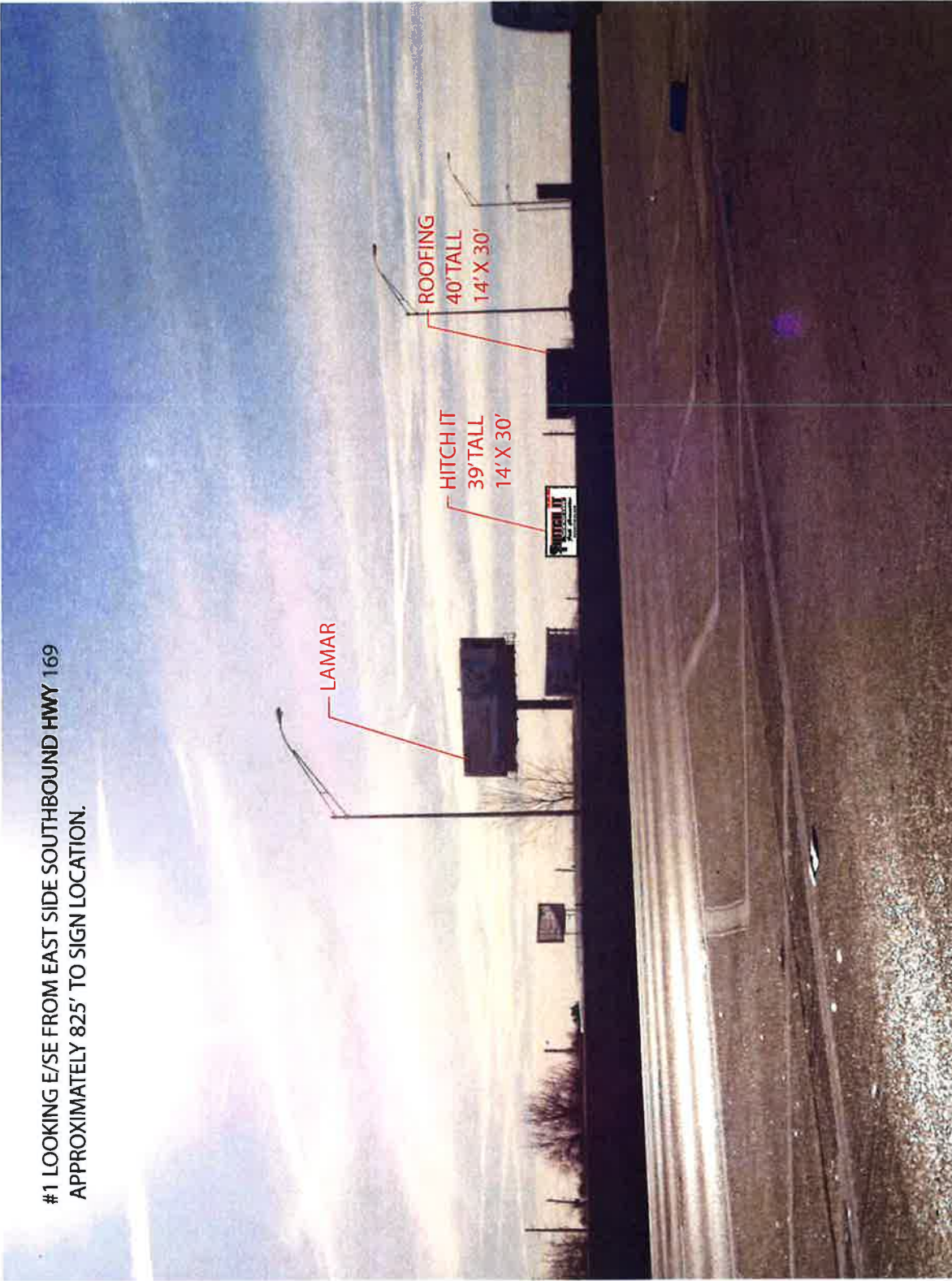
DATE:
PAINT
NEON

SIGN TYPE/DESCRIPTION:
OVERHEAD SITE MAP

FINAL ASSEMBLY
INSTALLATION

SHEET NAME:
ST-1.1

#1 LOOKING E/SE FROM EAST SIDE SOUTHBOUND HWY 169
APPROXIMATELY 825' TO SIGN LOCATION.



These drawings are the intellectual property of Cascade North Federal Signs, Inc. and are the result of original work by its employees. They are submitted for the sole purpose of your consideration of whether to purchase these signs, or to purchase from CFS signage manufactured in accordance to these plans. Distribution or exhibition of these plans without the express permission of Cascade North Federal Signs, Inc. is prohibited.

1225 North Lansing Avenue
Tulsa, Oklahoma 74106
PH: 918.587.7171
Fax: 918.587.7176
www.cascade-nfs.com

CLASS: MISC. FEDERAL SIGNS

PROJECT/CLIENT NAME: **HITCH IT**

LOCATION: **5555 S. 107TH E. AVE. TULSA, OK**

DESIGNER: **DONALD DAVIS**

DATE OF ORIGINAL DWG: **JANUARY 3, 2017**

ACCOUNT EXECUTIVE: **ED HONKEY**

REVISION HISTORY: **01.03.13**

WORK ORDER #: **1.0**

DUE DATE: **PAINT**

NEON: **FINAL ASSEMBLY**

INSTALLATION: **INSTALLATION**

SHEET NAME: **ST-1.7**

SHEET TYPE/DESCRIPTION: **PLYON SIGN #1**

DATE: **01.03.13**

DATE OF ORIGINAL DWG: **JANUARY 3, 2017**

ACCOUNT EXECUTIVE: **ED HONKEY**

DESIGNER: **DONALD DAVIS**

LOCATION: **5555 S. 107TH E. AVE. TULSA, OK**

PROJECT/CLIENT NAME: **HITCH IT**

Approved as shown ☐ Approved as noted ☒

I hereby give my approval to proceed with fabrication of the signs depicted in these drawings in order to meet the project deadline in a timely fashion. I understand that any changes (additions, deletions, or modifications) to the fundamental structure, underlying design, or the specific features of this design may result in delays of the completion date, additional materials, and/or additional cost.

LAMAR **HITCH IT** **ROOFING**



ENF
CLARKSON NICHOL FIDELITY, SONS
1225 North Lansing Avenue
Tulsa, Oklahoma 74106
ph: 918.587.7171
fax: 918.587.7176
web: enfclarkson.com

LOCATION:
5966 S. 107TH AVE.
THUSA, OK

ACCOUNT EXECUTIVE:
ED HONKEY

DESIGNER:
DONALD DAVIS

DATE OF ORIGINAL DWE:
JANUARY 3, 2017

EVISION HISTOIRE
1.03.13
v 1.0

WORK ORDER #:	DUE DATE:
DEPT METAL FAB	PAINT
COPY# ROUT/VINYL	NEON
	FINAL ASSEMBLY
	INSTALLATION

21950101 SIGN #2

美孚(Mobil)

ST-1.6

#3 LOOKING N/NE FROM NORTH ENTRANCE RAMP TO HWY 169
AND EAST 61st STREET APPROXIMATELY 380' TO SIGN LOCATION
APPROXIMATELY 280' TO ROOFING SIGN
APPROXIMATELY 530' TO LAMAR SIGN.

LAMAR

HITCH-IT

ROOFING

These drawings are the exclusive property of Claude Neon Federal Signs, Inc. and are the result of original work by its employees. They are submitted for the sole purpose of your consideration of whether to purchase these plans, or to purchase from CNE signage manufactured in accordance to these plans. Distribution or exhibition of these plans to others is expressly forbidden. © 2015 CNE Sign

 1225 North Lansing Avenue Tulsa, Oklahoma 74106 ph: 918.587.2171 fax: 918.587.2176 www.cneusa.com		1225 North Lansing Avenue Tulsa, Oklahoma 74106 ph: 918.587.2171 fax: 918.587.2176 www.cneusa.com	
I hereby give my approval to proceed with fabrication of the signage described in the above information. I understand that any changes, additions, deletions, or modifications to the information herein, without my written consent, shall be at the risk of the client. I warrant that the information herein is true and correct to the best of my knowledge and belief.		I warrant that the information herein is true and correct to the best of my knowledge and belief.	
PROJECT/CLIENT NAME: HITCH-IT		LOCATION: 5808 S. 107TH E. AVE TULSA, OK ACCOUNT EXECUTIVE: ED HURLEY	
DESIGNER: DONALD DAVIS		DATE OF ORIGINAL DWS: JANUARY 3, 2017	
REVISION HISTORY: 01.03.13 v 1.0		WORK ORDER #: DEPT. METAL FAB COP. ROUT/VINYL	
DATE: PAINT NEON		FINAL ASSEMBLY INSTALLATION	
SIGN TYPE/DESCRIPTION: PTCLON SIGN #3		SHEET NAME: ST-1.5	

5.12

ROOFING

HITCHHIT

LAVAR

5.13

CNF
by me
CLAUDE NICHOL FIBERGLASS SIGNS
1225 North Lansing Avenue
Tulsa, Oklahoma 74106
ph: 918.587.7171
fax: 918.587.7176
web: cncfsgns.com

I hereby give my approval to proceed with fabrication of the signage depicted in these drawings in order to meet the project deadline in a timely fashion. I understand that any changes (additions, deletions, or modifications) to the fundamental structure, underlying design, or the specific features of this signage may result in change of the completion date, additional resource requirements or additional cost.

Client Name: _____ Date: _____

☒ Approved as shown ☐ Approved as noted

LOCATION:
5866 S. 107TH E. AVE.
TULSA, OK

DESIGNER:
DONALD DAVIS

DATE OF ORIGINAL DWS:
JANUARY 3, 2017

REVISION HISTORY
01.03.13
v 1.0

WORK ORDER #:

DEPT METAL FAB

COPY: ROUT/VINYL

DUE DATE:	PAINT	FINA
	NEON	IF

ASSEMBLY	STG
INSTALLATION	PV1

ST
TYPE/DESCRIPTION:
ON SIGN #4

ST-1.8

Lamar

HITCH IT

ROOFING



These drawings are the exclusive property of Claude Mon Federal Sign, Inc. and are the result of original work by its employees. They are submitted for your consideration of whether to purchase these plants, or to purchase from the source mentioned in accordance to these plans. Distribution or exhibition of these plans to others is expressly forbidden. © 2015 CMF Sign.

CLM
Design
CLAUDE KLEIN FEDERAL SUPPLY

1225 North Lansing Avenue
Tulsa, Oklahoma 74106
ph: 918.587.7171
fax: 918.587.7176
web: cklinsigns.com

I hereby give my approval to proceed with fabrication of the signage depicted in these drawings in order to meet the project deadline in a timely fashion.

I understand that any changes to fabrication, materials, or specifications to the fundamental structure underlying design, or the specific features of this signage may result in slippage of the completion date. Additional instances of slippage may result in additional cost.

☐ Approved as shown ☒ Approved as noted

Client name: ABC

LOCATION:
5866 S. 107TH E. AVE.
TULSA, OK

PROJECT/CLIENT NAME: HITCH IT

DESIGNER:
DONALD DAVIS

REVISION HISTORY:
01.03.13 v1.0

WORK ORDER #:	DUE DATE:
DEPT METAL FAB	PAINT
COPY: ROUT/VINYL	NEON
	FINAL ASSEMBLY INSTALLATION

YOU DECIDE/PAUL MITTS

SWEET NAME

ST-1.4

#5 LOOKING EAST FROM HWY 169, APPROXIMATELY 280'

LAMAR

HITCH IT

ROOFING

These drawings are the exclusive property of Canfield Sign Systems, Inc. and are the work of original work by its employees. They are submitted for the sole purpose of your consideration or selection to purchase these plans, to be purchased from Canfield Sign Systems, Inc. in accordance with these plans. Distribution of these plans to others is expressly prohibited. © 2015 Canfield Sign Systems, Inc.

1225 North Lansing Avenue
Tulsa, Oklahoma 74108
ph: 918.587.7171
fax: 918.587.7176
web: canfield.com

I hereby give my approval to proceed with fabrication of the signage depicted in these drawings in order to meet the project deadline in a timely fashion. I understand that any changes to the project, or materials, or the installation of the signage, may result in changes to the project deadline, additional materials, and/or additional cost.

Client Name: _____
Date: _____

PROJECT/CLIENT NAME
HITCH IT

LOCATION:
5806 S. 107TH E. AVE.
TULSA, OK
ACCOUNT EXECUTIVE
ED HORNBY

DESIGNED:
DONALD DAVIS
DATE OF ORIGINAL DWG:
JANUARY 3, 2017

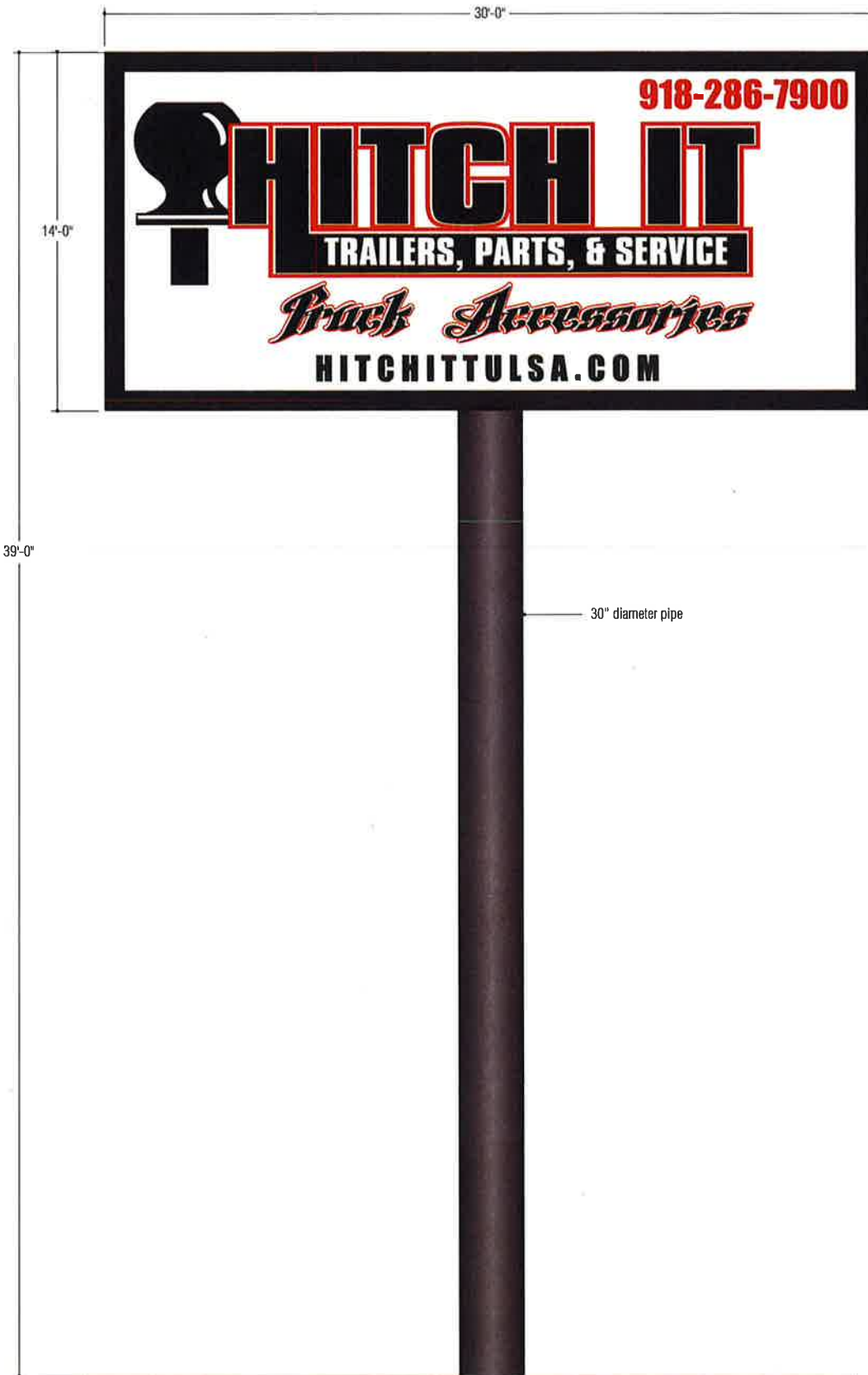
REVISION HISTORY:
01.03.13 v 1.0

WORK ORDER #:
DEPT: METAL FAB
COPY: ROUT/VINYL

DATE:
PAINT: NEON
FINAL ASSEMBLY
INSTALLATION

SHEET DESCRIPTION:
Pylon Sign #5

SHEET 14-02
ST-1.2



A ELEVATION
 scale: 1/4" = 1'-0"
 Manufacture and Install

5.17



Current Lamar Billboard



<p>CMF COMMUNITY MANAGEMENT FIRM</p>	<p>1025 SOUTH HAWTHORNE AVENUE SUITE 200 DENVER, CO 80202 PHONE: 303.733.7711 FAX: 303.733.7712 WWW.CMF-FIRM.COM</p>	<p>DESIGNED BY: CMF PREPARED BY: CMF CHECKED BY: CMF APPROVED BY: CMF</p>	<p><input type="checkbox"/> APPROVED AS SHOWN <input type="checkbox"/> APPROVED AS NOTED</p>	<p>PROJECT/CLEAN NAME: HITCH IT</p>	<p>LOCATION: 5866 S. 107TH E. AVE.</p>	<p>ACCOUNT EXEC: ED HORREY</p>	<p>DESIGNER: WADE SANDERS</p>	<p>DATE OF ORIGINAL DWS: OCT 04, 2016</p>	<p>REVISION HISTORY: 10.04.16 V 1.0</p>	<p>SIGN TYPE/DESCRIPTION: BDA - HWY 169 FRONTAGE</p>	<p>ZONING</p>
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Hitch It
5866 South 107th East Avenue
Tulsa, OK 74146

Actions Requested and Statement of Hardship

The current property Owner, JCCP Properties One LLC, dba: Hitch It purchased the property in November of 2014 from Larry Johnson. When the property was purchased, Mr. Johnson retained the current billboard lease that was existing with Lamar Outdoor Advertising, Lease #3885. The billboard is located on the NW corner of the property and is permitted on 320 lineal feet of Lot 13 and 14 of the west property line abutting Highway 169. The billboard is approximately 14'x48" or 672 square feet and is approximately 50 feet in height. The lease was made in March of 1996 for the term of 50 years.

Based upon the current City of Tulsa Sign Code, the billboard lease is considered part of the aggregate square footage available for advertising signage available on the property to the property owner. The available square footage of the signage would be $324.2 \times 3 \text{ sq. ft.} = 972.6$ square feet for a single sign.

The sign code also shows that if there is a second ground sign on the property, the available square footage will drop to 2 sq. ft. per lineal foot of available signage. That measurement then becomes $324.2 \times 2 \text{ sq. ft.} = 648.4$ square feet. Based upon the current billboard lease, the available ground signage on Highway 169 is all allocated to the billboard lease.

The current property owner is a retail type business relying upon their ability to advertise their business to the public. The property itself is on the east side of Highway 169 north of East 61st Street. The frontage is along a portion of the north bound entrance ramp from 61st Street and actual highway frontage. The bridge over East 61st Street carrying traffic of Highway 169 is approximately 25 – 30 feet higher than the grade of the property in question.

The hardship upon the business is that the ability to advertise the business requires the business to use ground signage in order to overcome the visual difficulties associated with the grade differences between their property and the highway elevation. Additionally, since the property owners do not own the billboard lease, they do not have the benefit of the ground signage advertising square footage available for their use.

The property owners are asking that they be allowed to use the square footage available for ground signage abutting a highway with two signs on the frontage. With this availability they would be allowed to have a ground sign for their own use with 648.2 square feet of sign area and 50 feet in height. We have attached a sample of the ground signage they are considering for demonstration purposes. This design has not been finalized for sizing and content, but is for demonstration purposes only.



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

SIGN PLAN REVIEW

October 24, 2016

LOD Number: 972191-1

Sign contractor:
Claude Neon Signs
1225 N. Lansing Avenue
Tulsa OK 74106

APPLICATION NO: 406639 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 5866 S 107 AV E
Description: Hitch It Freestanding 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. 406639

5866 S 107 AV E

October 24, 2016

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.

60.080-C Sign Budget

3. Maximum Area

b. Lots with Frontage on Major Streets

- (1) The maximum aggregate sign area of all on premise projecting and freestanding signs 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 60-3:

Review Comments: The proposed freestanding sign for hitch-it appears to have 324.2 feet of major street frontage along Hwy 169. Based on the major street frontage of 324.2 square feet times 2 square feet of display surface area for two freestanding signs (Existing Lamar OAS 672 sq. ft. & proposed Hitch-it sign 420 sq. ft.) the 324.2 lineal feet of freeway frontage will permit 648.4 square feet of freestanding sign display surface area. The existing 672 sq. ft. outdoor advertising sign plus the proposed 420 sq. ft. Hitch-It freestanding sign exceed the permitted display area by 443.6 square feet. As an option you may reduce the display surface area of the ground signs to be 648.4 square feet or pursue a variance from the BOA to permit two freestanding signs in the freeway corridor to exceed the permitted display area from 648.4 sq. ft. to 1092 sq. ft.

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

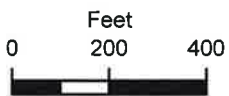
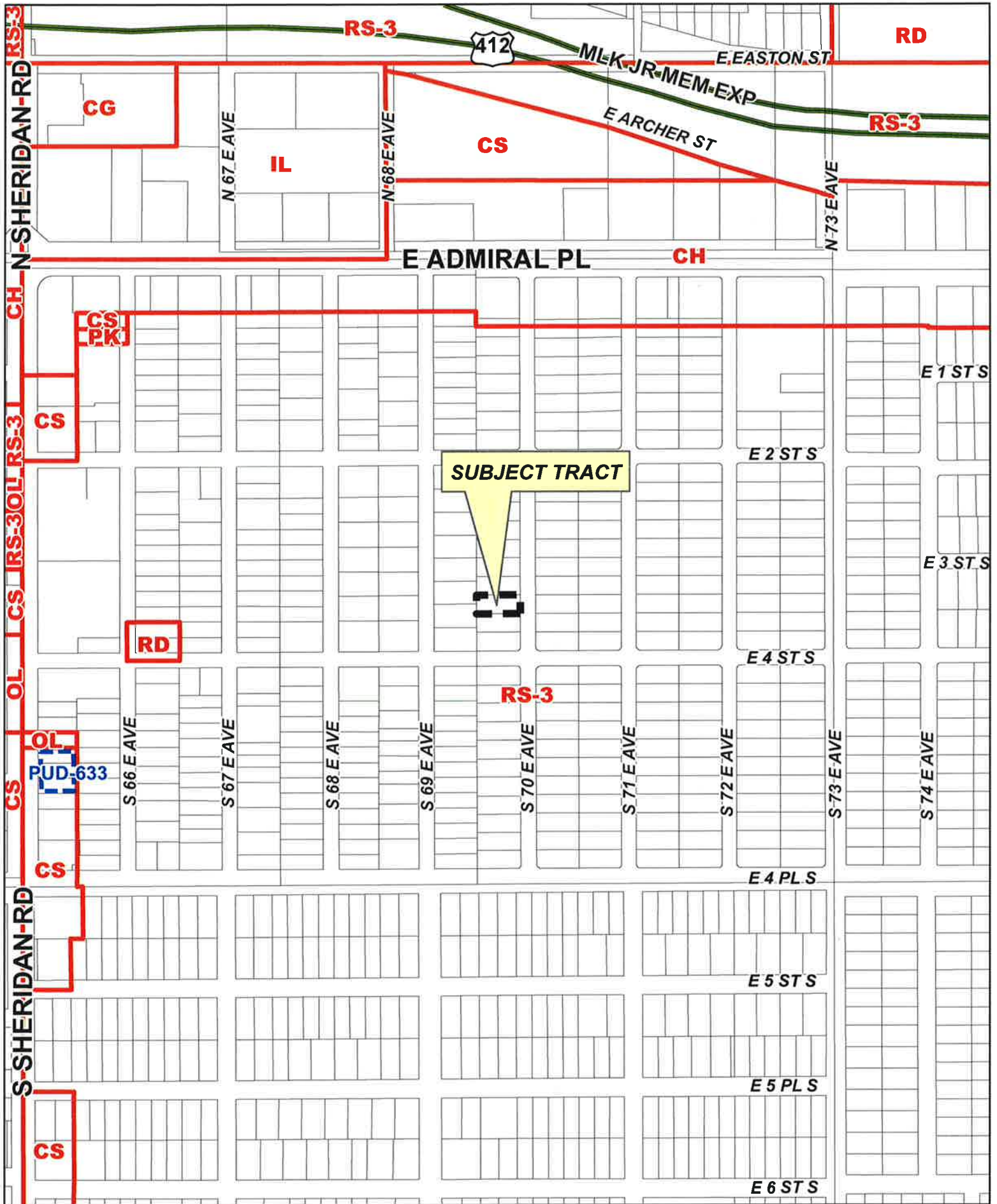
NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

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.

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BOA-22177

19-13 02

6.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9302

Case Number: **BOA-22177**

CZM: 38

CD: 3

A-P#: n/a

HEARING DATE: 01/10/2017 1:00 PM

APPLICANT: Jerry Green

ACTION REQUESTED: Special Exception to allow parking and/or storage of a recreational vehicle in the street yard in an R district (Section 45.150-C).

LOCATION: 238 S 70 AV E

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 8398.4 SQ FT

LEGAL DESCRIPTION: LT 8 BLK 5, 3RD CRESTVIEW ESTATES, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

None Relevant.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an 'Existing Neighborhood' and an 'Area of Stability'.

An **Existing Neighborhood** is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code.

The **Areas of Stability** include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS-3 zoned residences.

STAFF COMMENTS:

The applicant is before the Board request a Special Exception to allow parking and/or storage of a RV in the drive-way within the front yard of the subject site. The Code states that RV's may be parked within the street (front) yard, provided that the development administrator determines that all of the following conditions exist:

- a. Space is not available or there is no reasonable access to either the side yard or rear yard;

- b. Parking inside the garage is not possible due to the height or width of the recreational vehicle;
- c. The recreational vehicle is parked perpendicular to the street lot line;
- d. The body of the recreational vehicle is at least 12 feet from the face of the curb or travel lanes of the street and does not extend over a sidewalk; and
- e. No more than one recreational vehicle is parked or stored in the street yard.

The RV shown in the picture is less than 12 feet from the curb of the abutting street. In the event that the above mention regulations cannot be met the Board is authorized to the permit parking or storage of recreational vehicles in the street yard by special exception approval.

Sample Motion:

Move to _____ (approve/deny) a Special Exception to allow parking and/or storage of a recreational vehicle in the street yard in an R district (Section 45.150-C).

- **Subject to the following conditions (including time limitation, if any):_____.**

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



0 200 400
Feet



Subject
Tract

BOA-22177

19-13 02

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

Aerial Photo Date: February 2016

6.4





Feet
0 50 100



Subject
Tract

BOA-22177

19-13 02

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

Aerial Photo Date: February 2016

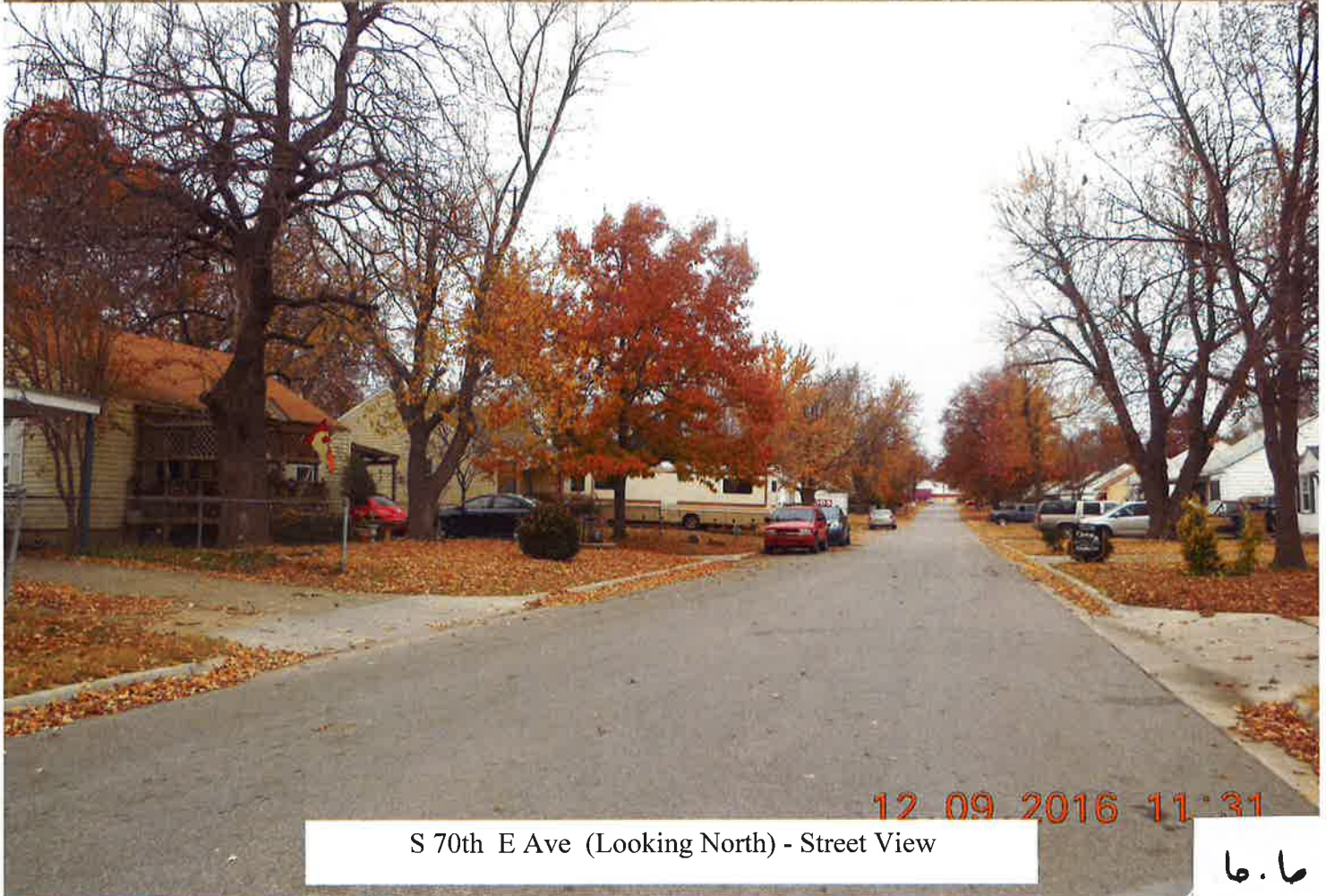
6.5



BOA 22177



Subject Site- Looking West



S 70th E Ave (Looking North) - Street View

6.6



Assessor
KEN YAZEL

Tulsa County Interactive Map

Disclaimer

The Tulsa County Assessor's Office has made every effort to insure the accuracy of the data contained on this web site; however, this material may be slightly dated which could have an impact on its accuracy.


The information must be accepted and used by the recipient with the understanding that the data was developed and collected only for the purpose of establishing fair market value for ad valorem taxation. Although changes may be made periodically to the tax laws, administrative rules and similar directives, these changes may not always be incorporated in the material on this web site.

The Tulsa County Assessor's Office assumes no liability for any damages incurred, whether directly or indirectly, incidental, punitive or consequential, as a result of any errors, omissions or discrepancies in any information published on this web site or by any use of this web site.

Township: 19 North Range: 13 East Section: 02



Summary Data [parcel with marker]

Account #:		R10225930203850	
Situs address:		238 S 70 AV E	
Owner name:		SPYERS, DENNIS R	
Fair market value:		\$51,152	
Last year's taxes:		\$667	
		Livable†:	868
		Year built:	1942

† Square footage and acreage values included in this record are approximations. They may not reflect what a licensed surveyor would determine by performing a formal survey. They are for tax purposes only and are not intended for use in making conveyances or for preparing legal descriptions of properties.

Ken Yazel — Tulsa County Assessor

6.8



Neighborhood Investigations
WORKING IN NEIGHBORHOODS

ZONING NOTICE OF VIOLATION

The City of Tulsa To:

Date: November 4, 2016

Spyres, Dennis R
16202 E 99th Street
Tulsa, OK 74134

You are hereby notified that the violation (s) maintained, operated or permitted to exist by you at **LT 8 BLK 5, 3RD CRESTVIEW ESTATES**, addition to the City of Tulsa, TULSA County, State of Oklahoma.

And located at the address of: **238 S 070 AVE**

Consisting of: (Official Ordinance Cited Information (if any) is on reverse.)

Title 42, Chap. 45, Sect. 150, 5,
Title 42, Chap. 45, Sect. 150, 5, d

This Violation requires:

The RV located in the front driveway of the property is in direct violation of City Zoning Ordinance 42.45.150.5.d. The RV must be moved into compliance of this ordinance within 10 business days of this notice.

To be in compliance with Municipal Codes, you will need to comply with this notice within 10 days. FAILURE TO COMPLY MAY RESULT IN THE ISSUANCE OF A CITATION OR CIVIL REMEDIAL PENALTIES NOT TO EXCEED \$1,000.00 PER DAY. You may appeal the administrative official's decision within 10 DAYS by filing a complete appeal application with the administrative official and INCOG located at Williams Tower II, 2 West 2nd Street, 8th Floor, Tulsa, Oklahoma, 74103. Appropriate fees must accompany your appeal application to INCOG. In addition, you may want to contact INCOG at 584-7526 to obtain information on filing an application for a special exception or variance related to your violation instead of appealing the decision.

Complaint No: 116490

Byron Hytche

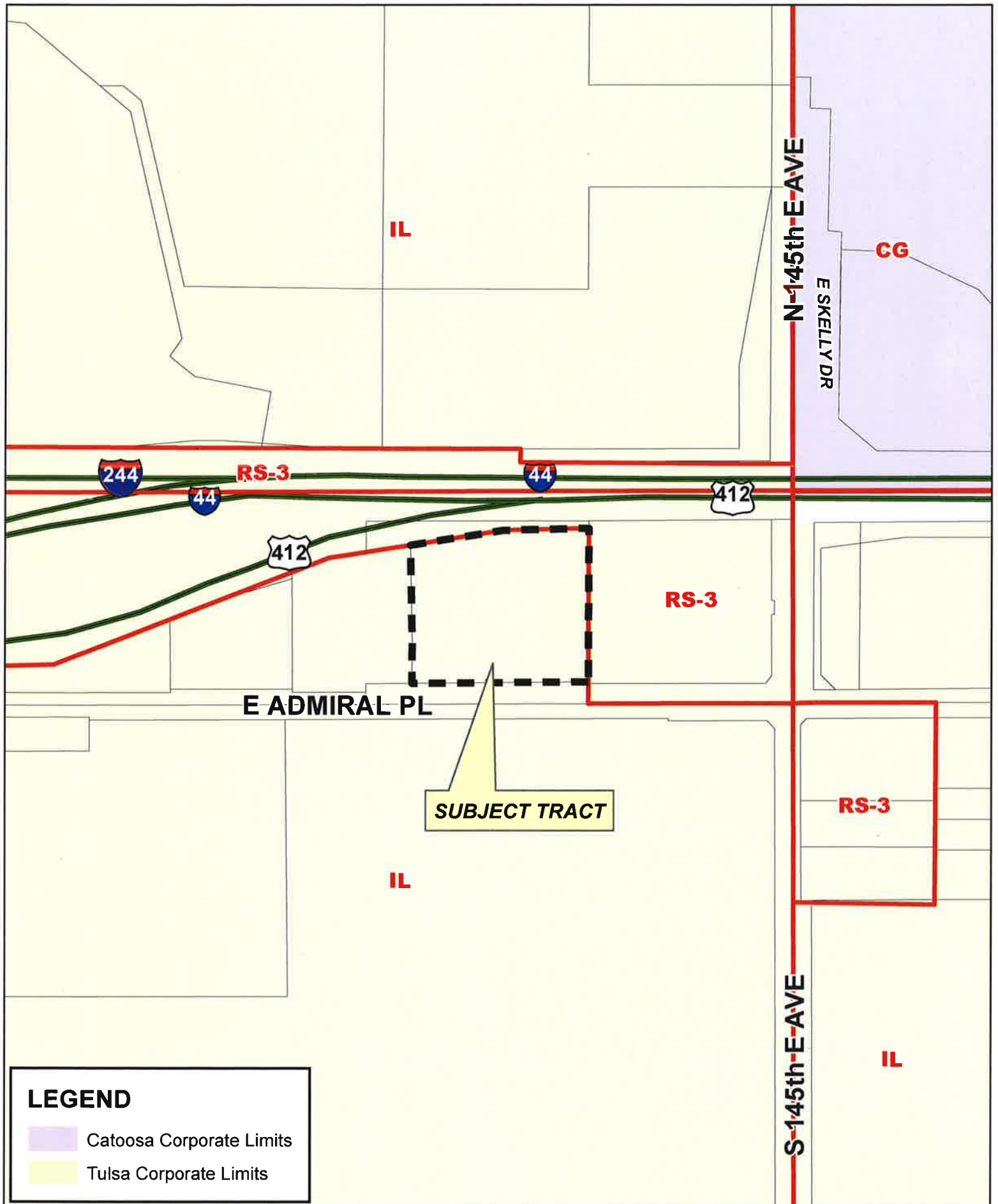
BYRON HYTCHE
Neighborhood Inspector
(918)596-2518 Office phone
918-576-5468 Fax

Meetings with Inspectors require a scheduled appointment.

A copy of this notice has also been sent to (if applicable):

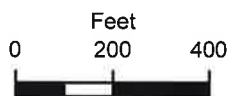
Bank of America
515 S. Boulder
Tulsa, OK 74103

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LEGEND

-  Catoosa Corporate Limits
-  Tulsa Corporate Limits



BOA-22178

19-14 04

7.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9404

Case Number: BOA-22178

CZM: 39

CD: 3

A-P#: n/a

HEARING DATE: 01/10/2017 1:00 PM

APPLICANT: Whistler Sign Company - John Allred

ACTION REQUESTED: Verification of the spacing requirement for a outdoor advertising sign 1,200 feet from another outdoor advertising sign on the same side of the highway; and Verification of the spacing requirement for a dynamic display outdoor advertising sign of 1,200 ft. from any other dynamic display outdoor advertising sign facing the same traveled way (Section 60.080 and 60.100).

LOCATION: 14149 E ADMIRAL PL N

ZONED: IL

PRESENT USE: Industrial

TRACT SIZE: 6.3 Acres

LEGAL DESCRIPTION: LT 1 LESS BEG SWC LT 1 TH N429.58 NE145.61 S319.88 S135 W150 POB & LESS BEG NEC LT 1 TH S APR 20 W APR 270 SW APR 448.14 N APR 91.53 CRV LF 14.40 E698.03 POB FOR HWY BLK 1, C EMIT WILSON, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Property:

BOA 21918; on 7.14.15, the Board **accepted** a verification of spacing requirement for a digital outdoor advertising sign 1,200 feet from another digital outdoor advertising sign on the same side of the highway; and 1200 feet from another digital outdoor advertising sign facing the same traveled way (Section 1221.G.9 and 1221.G.10).

BOA-20653; on 3.25.08, the Board **accepted** a verification of the spacing requirement for an outdoor advertising sign.

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

Employment Areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment Areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

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 surrounded by I-44 on the north; and IL zoning on the east, west and south.

STAFF COMMENTS:

The Code requires any digital outdoor advertising sign constructed be separated a minimum distance of 1,200 feet from any other outdoor advertising sign. **This spacing limitation shall not apply between signs separated by a freeway.** The 1,200 feet shall be measured in a straight line from the center of an outdoor advertising sign's structure to the center of any other outdoor advertising sign's structure.

Section 60.100-K requires a dynamic display outdoor advertising be separated by a minimum distance of 1,200 feet from any other dynamic display outdoor advertising sign **facing the same traveled way.** The 1,200 feet shall be measured in a straight line from the center of a sign's structure, as located on the ground, to the center of any other outdoor advertising sign's structure, as located on the ground.

The requested space verification is for a proposed dynamic display outdoor advertising sign on the subject lot. The applicant has submitted a surveyor's certification and exhibit's indicating the spacing requirements have been satisfied.

Staff examined the site and the proposed outdoor advertising sign appears to meet the spacing requirement for a standard and dynamic display outdoor advertising sign.

The verification is executed through a public hearing process to ensure that surrounding property owners are notified and have the ability to provide information to the Board relevant to the verification.

The Board must find that the proposed outdoor advertising sign meets or does not meet the spacing requirement.

Sample Motion:

I move that based upon the facts in this matter as they presently exist, we accept the applicant's verification of spacing between outdoor advertising signs (for either a dynamic display or conventional billboard) subject to the action of the Board being void should another outdoor advertising sign or conflicting use be constructed prior to this sign.



0 200 400
Feet



Subject
Tract

BOA-22178

19-14 04

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

Aerial Photo Date: February 2016



7.4



E ADMIRAL PL

0 50 100
Feet



Subject
Tract

BOA-22178

19-14 04

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

Aerial Photo Date: February 2016

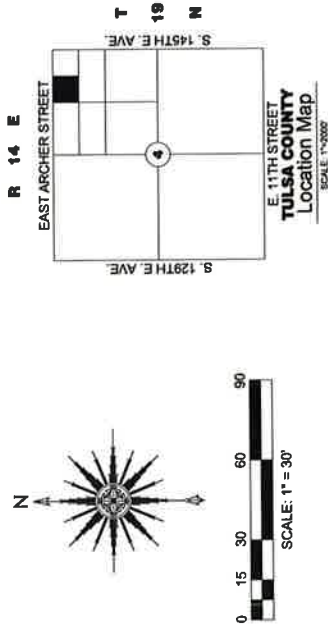
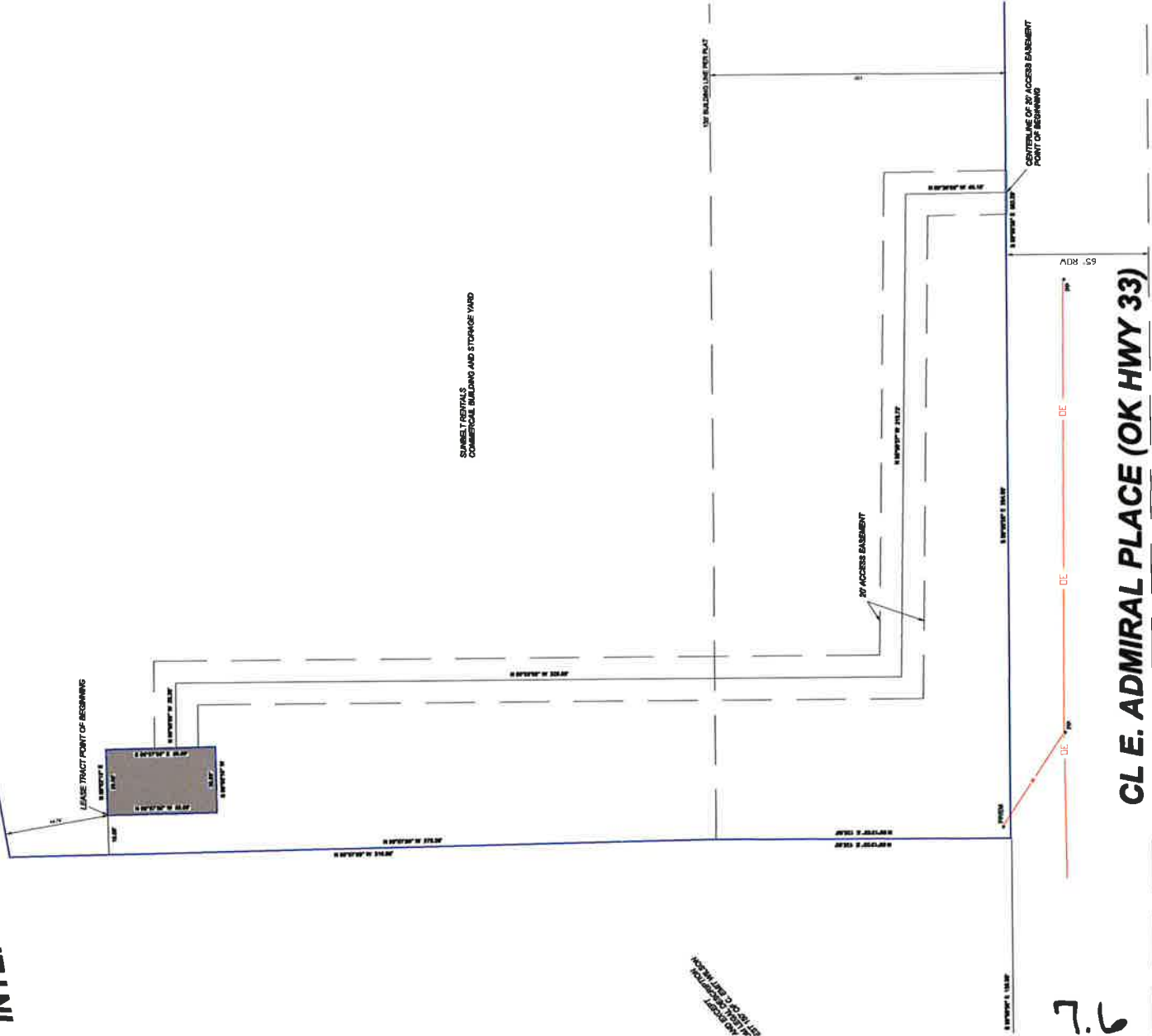
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INTERSTATE 44 RIGHT OF WAY

SITE PLAN

WHISTLER OUTDOOR ADVERTISING W-79
14149 E. ADMIRAL PLACE, TULSA, OK



PARENT TRACT LEGAL DESCRIPTION AS PROVIDED IN OMD FILED AS BOOK 884, PAGE 24 LESS AND EXCEPT THAT THE PORTION CONVERTED AND FILED AS BOOK 884, PAGE 15. THE EASEMENT AND EXCEPTED ARE IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF LESS AND EXCEPT. A TRACT OF LAND THAT IS PART OF C. EMT WILSON SUBDIVISION, AN ADDITION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT OF LAND, THENCE NORTH 89°56'30" E ALONG THE WESTERLY LINE OF SAID C. EMT WILSON SUBDIVISION FOR 429.58 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 44; THENCE NORTH 89°56'30" E ALONG THE SAID SOUTHERLY RIGHT OF WAY LINE FOR 146.81 FEET; THENCE S 0°27'30" E FOR 316.88 FEET; THENCE S 0°27'30" E PARALLEL WITH THE WESTERLY LINE OF SAID C. EMT WILSON SUBDIVISION FOR 146.81 FEET; THENCE S 0°27'30" E ALONG THE SOUTHERLY LINE FOR 150.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 1.500 ACRES.

LEASE TRACT LEGAL DESCRIPTION FOR OUTDOOR ADVERTISING SIGN PROVIDED BY GRANITON, TULL & ASSOC. COMMENCING AT THE SOUTHWEST CORNER OF C. EMT WILSON SUBDIVISION, LOT 1, BLOCK 1; THENCE S 89°56'30" E ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION A DISTANCE OF 150.00 FEET; THENCE N 0°27'30" E A DISTANCE OF 150.00 FEET; THENCE N 89°56'30" W A DISTANCE OF 146.81 FEET; THENCE S 0°27'30" E A DISTANCE OF 30.00 FEET; THENCE S 0°27'30" E A DISTANCE OF 90.00 FEET; THENCE S 89°56'30" W A DISTANCE OF 30.00 FEET; THENCE N 0°27'30" E A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.500 SQUARE FEET OR 0.03 ACRES.

CENTERLINE OF 20' WIDE ACCESS EASEMENT. LOT 1, BLOCK 1, C. EMT WILSON SUBDIVISION, TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 1; THENCE SOUTH 89°56'30" E ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 444.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 0°00'00" WEST 46.18 FEET; THENCE NORTH 89°56'30" WEST 218.73 FEET; THENCE NORTH 0°00'00" WEST 46.18 FEET; THENCE SOUTH 89°56'30" E ALONG THE EAST LINE OF THE LEASE TRACT AND THE POINT OF TERMINATION. SAID TRACT CONTAINS 12,408.43 SQUARE FEET OR 0.28 ACRES.

STADING CERTIFICATION FOR PROPOSED OUTDOOR ADVERTISING SIGN
I, ANDY PRITZ, LAND SURVEYOR, HAVE EXAMINED THE ORIGINAL RECORDS AND DO HEREBY CERTIFY THAT THE SAME TRAVELED WAY WITHIN 100 FT OF THE PROPOSED OUTDOOR ADVERTISING SIGN.

SURVEYOR'S STATEMENT
THIS IS TO CERTIFY THAT THIS SITE PLAN, AND THE INFORMATION SHOWN HEREON, ARE BASED ON A FIELD SURVEY AND PUBLIC RECORDS THAT EXISTED ON OR BEFORE DECEMBER 21, 2018. THE NEW LEGAL DESCRIPTIONS PROVIDED HEREON AND CREATED BY THIS SURVEYOR ARE IN ACCORD WITH THE RECORDS AND DO MATHEMATICALLY CLOSE. BASIS FOR BEARING IS PER THE RECORDED PLAT OF C. EMT WILSON SUBDIVISION.

WITNESS MY HAND AND SEAL THIS
22nd DAY OF DECEMBER, 2018



Andy Fritz
ANDY PRITZ, PLS
OK 1117 1694

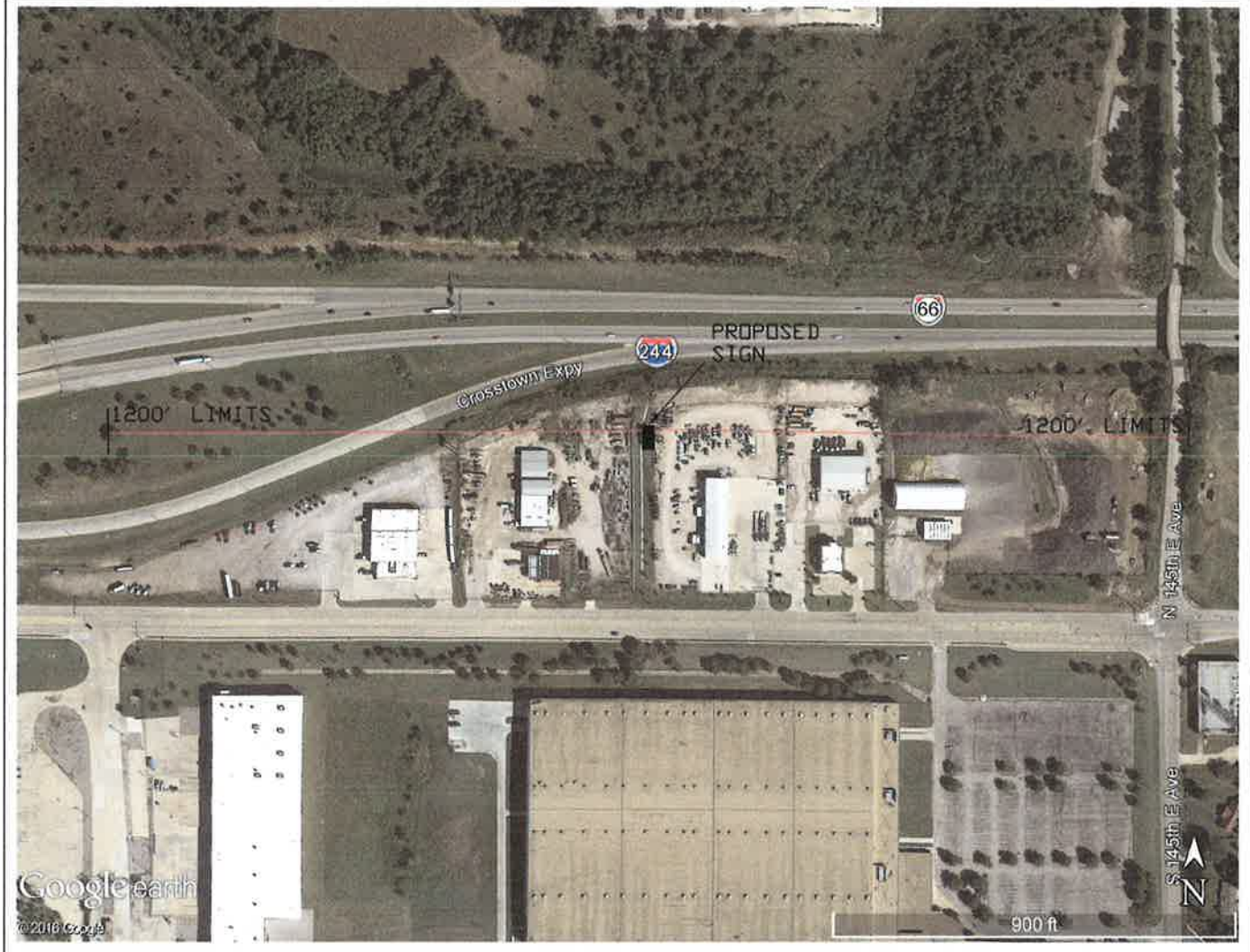
CL E. ADMIRAL PLACE (OK HWY 33)

PREPARED BY:
FRITZ LAND SURVEYING, LLC
2017 W. 91ST STREET, TULSA, OK 74132
PH: 918.231.0875

OUTDOOR ADVERTISING SPACING REVIEW CERTIFICATION

PROPERTY ADDRESS: 14149 E. ADMIRAL PLACE, TULSA, OK

EXISTING SIGN DESIGNATION: WHISTLER W-79



THIS PICTURE ILLUSTRATES THE PROPOSED LOCATION OF AN OUTDOOR ADVERTISING SIGN AND THE LIMITS OF 1200' ON EITHER SIDE OF THE PROPOSED SIGN INDICATING THAT THERE ARE NO OTHER OUTDOOR ADVERTISING SIGNS ON THE SAME SIDE OF THE ROAD WITHIN 1200' OF THE PROPOSED SIGN..

SURVEYOR'S STATEMENT

FRITZ LAND SURVEYING, LLC AND THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR, UNDER CERTIFICATE OF AUTHORIZATION CA #5848, DO HEREBY STATE THAT IN OUR PROFESSIONAL OPINION THIS DRAWING IS AN ACCURATE REPRESENTATION OF THE CONDITIONS THAT EXISTED ON NOVEMBER 17, 2016; THAT THE DISTANCES AND OTHER SPACING INFORMATION SHOWN OR NOTED HEREON ARE BASED ON FIELD MEASUREMENTS AND FIELD OBSERVATIONS.

PREPARED BY:

FRITZ LAND SURVEYING, LLC

2017 W. 91st STREET

TULSA, OK 74132

PH: 918.231.0575

FRITZPLS@YAHOO.COM

FLS# 15217 WHISTLER W-79A

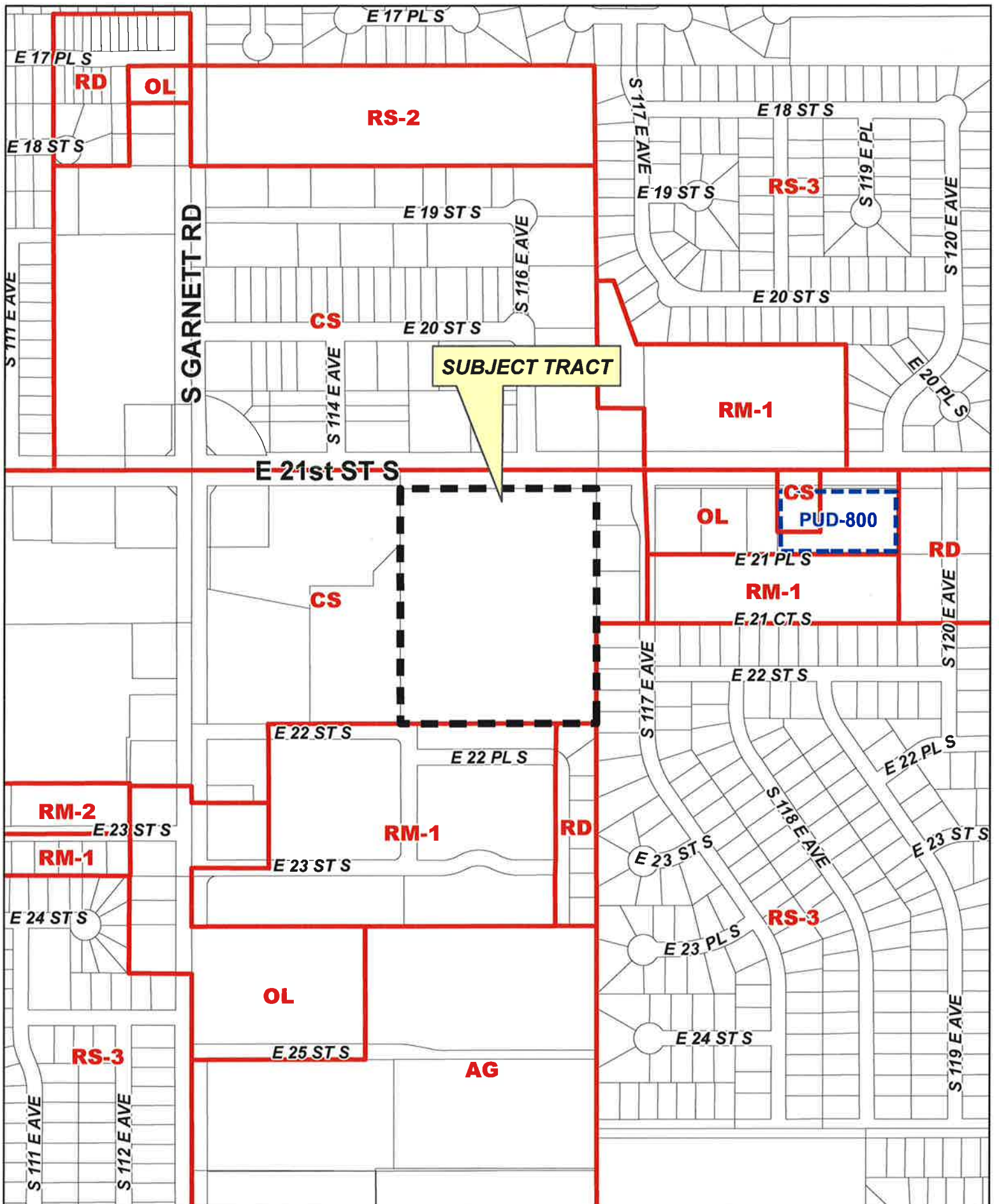
WITNESS MY HAND AND SEAL THIS
18TH DAY OF NOVEMBER, 2016.

ANDY FRITZ, PLS
OK LIC. 1694



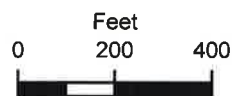
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BOA-22180

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19-14 17



BOARD OF ADJUSTMENT CASE REPORT

STR: 9417
CZM: 39
CD: 6
A-P#: 404544

Case Number: BOA-22180

HEARING DATE: 01/10/2017 1:00 PM

APPLICANT: Ronnie Potter

ACTION REQUESTED: Verification of the spacing requirement for liquor stores of 300' from plasma centers, day labor hiring centers, bail bonds offices, pawn shops, and other liquor stores. (Section 40.300-A)

LOCATION: Tenant Space -11512 E 21 ST S

ZONED: CS

PRESENT USE: Vacant Commercial Space

TRACT SIZE: 11.24 Acres

LEGAL DESCRIPTION: LT 1 BLK 1, BRIANA ANN ADDN RESUB L1 B1 LESLIE LEIGH ADDN, BURRIS SQUARE, LESLIE LEIGH ADDN, RICHARD HENRY ADDN, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:
None relevant.

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

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town Centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to their destinations.

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 exist 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 surrounded by CS zoning on the north and west; RS-3 and CS zoning east; and CS, RD and RM-1 zoning on the south.

STAFF COMMENTS:

The Code requires a liquor store to meet the spacing requirements provided in **Section 40.300** as follows:

Plasma centers, day labor hiring centers, liquor 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. The separation distance requirement 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.

A liquor store is a use allowed by right in the CS district provided the spacing is verified. The applicant submitted an exhibit measuring 300 ft from the boundaries of the subject site that will contain the proposed liquor store. The existing businesses and uses of the properties within 300 ft of the site were labeled in support of the verification.

During a site visit staff did not notice any of the above mentioned conflicting uses within 300 ft of the proposed space. The spacing from the perimeter wall for the proposed liquor store appears to meet the spacing requirement as stated in Section 40.300.

The verification is executed through a public hearing to ensure that surrounding property owners are notified and have the ability to provide information to the Board relevant to the verification.

The Board must find that the proposed liquor store meets or does not meet the spacing requirement.

Sample language that can be utilized by the Board in verifying the spacing requirement:

I move that based upon the facts in this matter as they presently exist, we accept the applicant's verification of spacing for the proposed liquor store subject to the action of the Board being void should another liquor store or other conflicting use be established prior to the establishment of this liquor store.

E 21st ST S

E 22 ST S



Subject
Tract

BOA-22180

19-14 17

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

Aerial Photo Date: February 2016

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Feet

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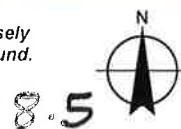
Subject
Tract

BOA-22180

19-14 17

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

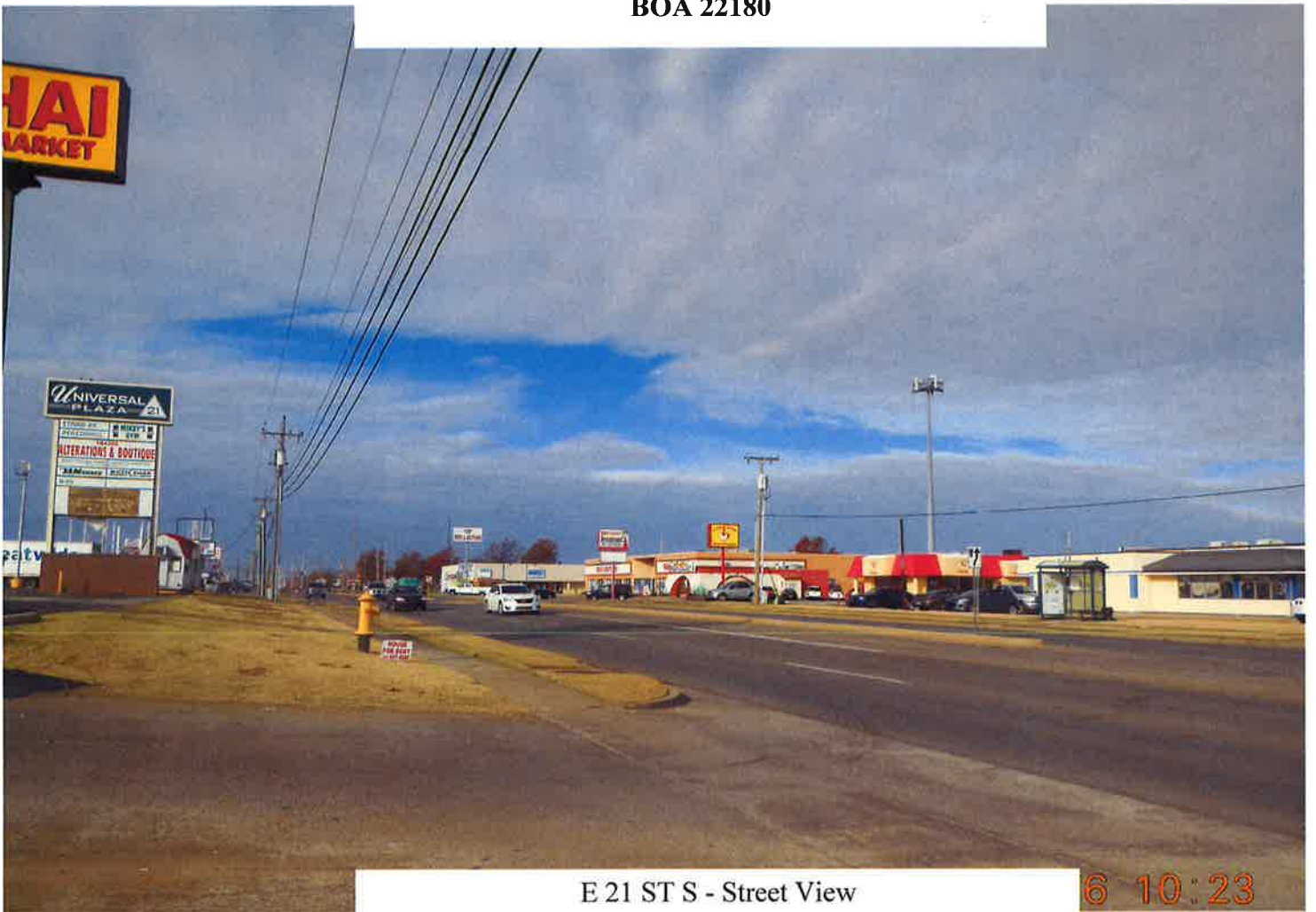
Aerial Photo Date: February 2016





Subject Site- Looking South





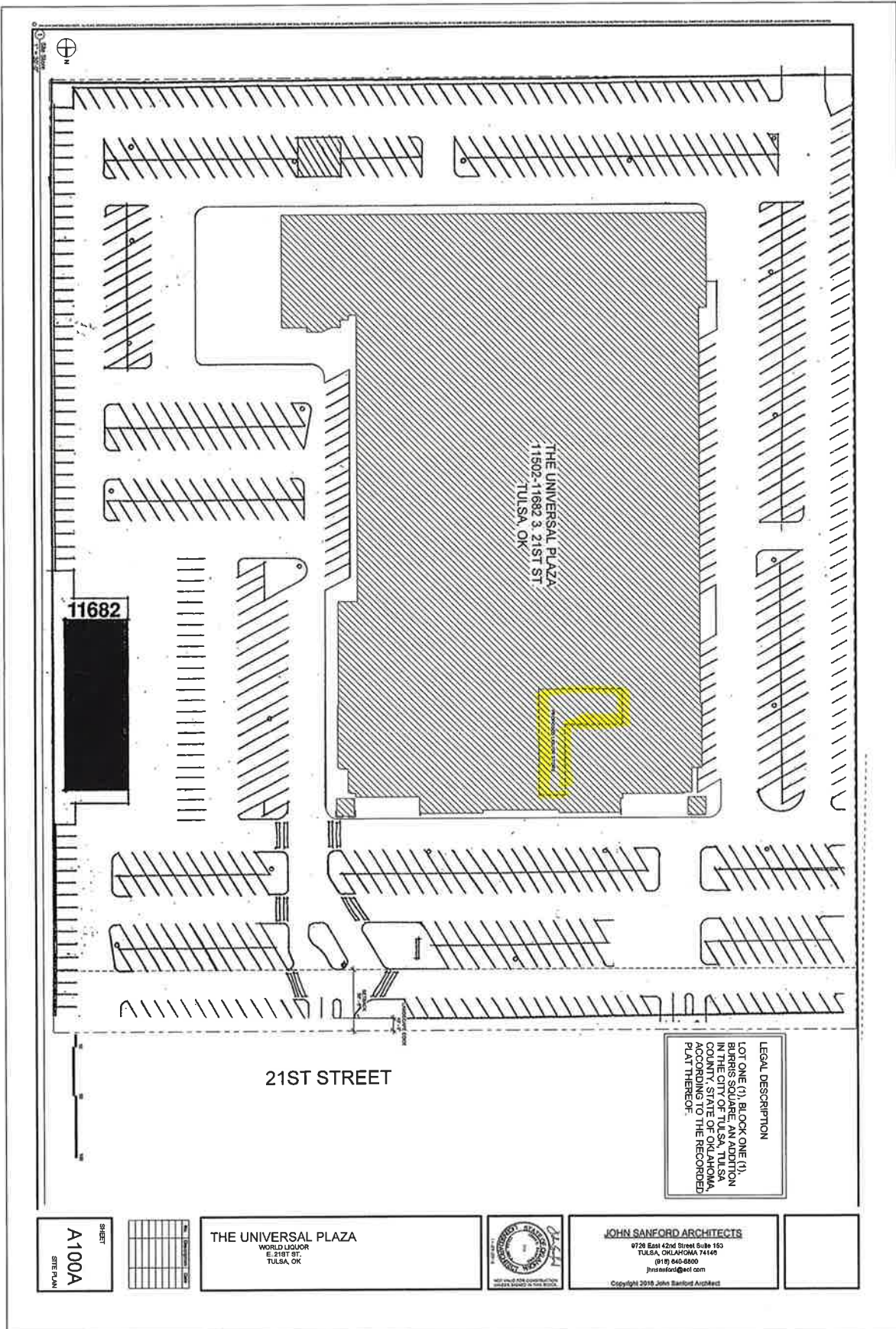
E 21 ST S - Street View

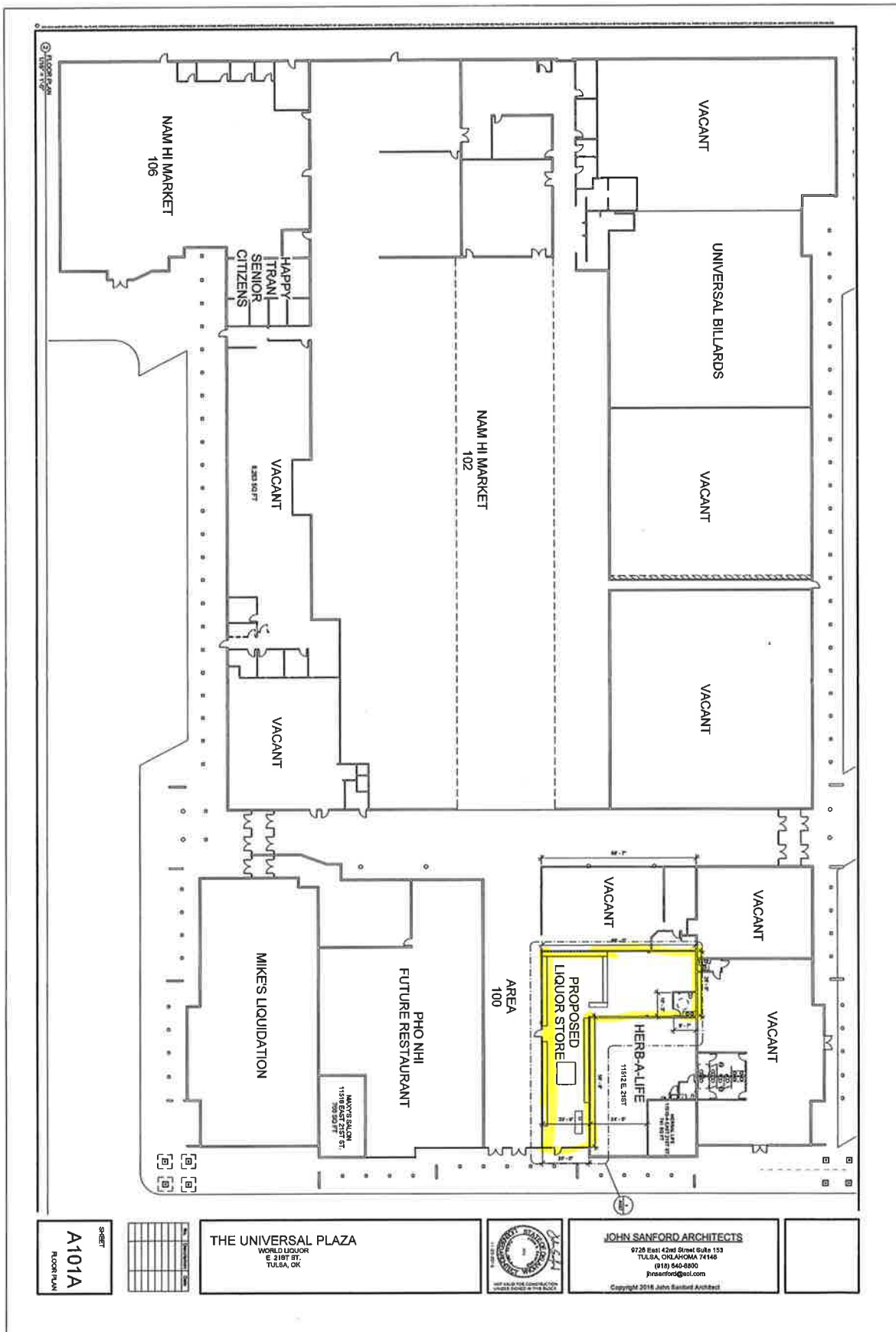
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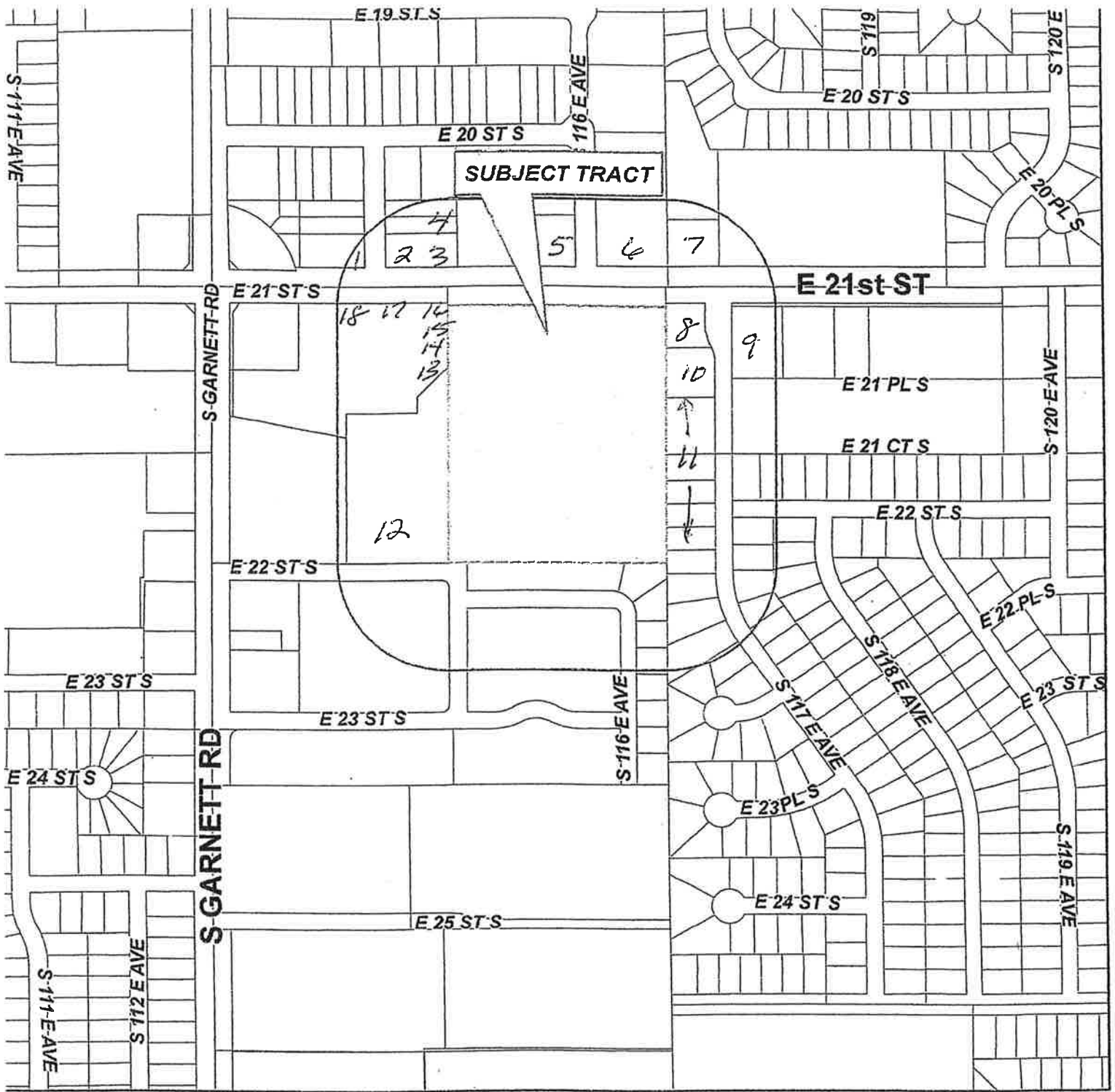


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17 19-14

8.10

1. Tops And Bottoms
2. Dona Glorias RESTURANT
3. Rons Hamburgers
4. Living Power Church
5. MORTON Comprehensive health
6. VACANT
7. Poncho ANAYA Bakery
8. Que Huong Market
9. Nyquist DDS.
10. DISCOUNT Bakery
11. Abogad
12. KRYSTAL PALACE
13. LAS CHICAS Fashion
14. SQUERADE ANTIFAZ Beauty Salon
15. LAS LAYRAS Billards
16. Coney Island
17. Caribbean Juicee
18. LAS AMERICAS Merchandise

BOB KOLIBAS
ZONING OFFICIAL
PLANS EXAMINER
TEL 918-596-9664



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 967057-1

October 11, 2016

RONNIE POTTER
RDSC CORPORATION
15405 E 530 RD
INOLA, OK 74036

Phone: (918)520-8670

APPLICATION NO: **404544** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **11512 E 021 ST S**
Description: **USE CHANGE**

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

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2. 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.
3. A COPY OF A "RECORD SEARCH" ☐ 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)

8.12

REVIEW COMMENTS

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

Application No. 404544

11512 E 021 ST S

October 11, 2016

Note: As provided for in Section 70.130 you may request the Board of Adjustment 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.

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

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

40.300-A Plasma centers, day labor hiring centers, liquor 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.

Review Comments: **40.300-A** Plasma centers, day labor hiring centers, liquor 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. The proposed liquor store requires a spacing verification from the BOA.

Note: **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. Plasma centers, day labor hiring centers, liquor stores, bail bond offices and pawn shops shall be spaced a minimum of 300 feet from each other.

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.

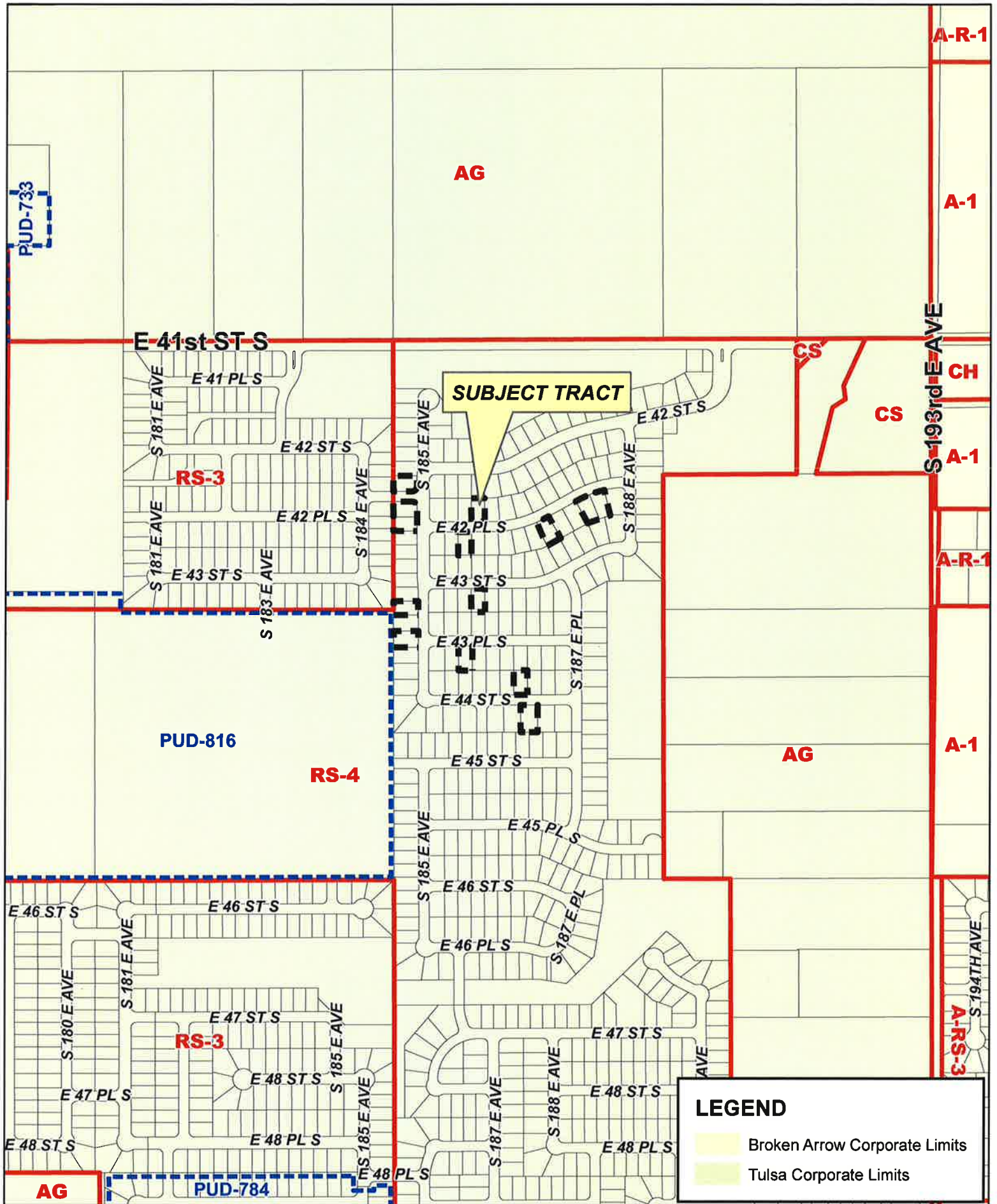
A hard copy of this letter is available upon request by the applicant.

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.

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BOA-22181

19-14 25

9.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9425

Case Number: BOA-22181

CZM: 50

CD: 6

A-P#: 406746, 406740

HEARING DATE: 01/10/2017 1:00 PM

APPLICANT: J.D. Harp

ACTION REQUESTED: Special Exception to increase the permitted driveway width from 20 ft. to 30 ft. in the right-of way and on the lot in an RS-4 district (Section 55.090-F).

LOCATION: West & South of the SW/c of S 193 E Ave and E 41 ST S **ZONED:** RS-4

PRESENT USE: Residential Lots

TRACT SIZE: 2.7 Acres (total)

LEGAL DESCRIPTION: LT 1 BLK 3; LT 7 BLK 2; LT 2 BLK 3; LT 8 BLK 3; LT 10 BLK 3; LT 4 BLK 8; LT 3 BLK 9; LT 14 BLK 9; LT 3 BLK 4; LT 3 BLK 7; LT 25 BLK 6; LT 9 BLK 7; LT 12 BLK 7; LT 13 BLK 7, CYPRESS CREEK, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

BOA 22155; on 11.08.16 the Board approved a special exception to increase the maximum driveway width, within the right-of-way and on the lot from 20 ft. to 30 ft. in an RS-4 district; located at 18521 E 44th St.

BOA 21440; on 06.26.12 the Board approved Variance to increase maximum area of all-weather material from 34% to 36% in the RS-3 district; located at 4102 S 181st E Ave.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

The **Existing Residential Neighborhood** category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

The **Areas of Stability** includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality

of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tracts are located in and RS-4 zoned subdivision.

STAFF COMMENTS:

The applicant is requesting that the Board approve a driveway width of 30 ft from several lots within the RS-4 zoned subdivision; the applicant has submitted conceptual plans showing the typical driveway width in the sbdivision and on the subject lots. The proposed driveway width of 30 ft exceeds the maximum allowed driveway width in the RS-4 zoning district.

In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120:

Maximum Driveway Width	RE	RS-1	RS-2	RS-3	RS-4	RS-5
Within Right-of-Way (feet)	20	20	20	20	20	12
On the Lot (Outside ROW) (feet)	30	30	30	30	20	12

From viewing the aerial photo it appears that there are existing driveways in the surrounding neighborhood that exceed 20 ft. in width, as most of homes in this community were built before the current Code was adopted. The only relief from the maximum driveway width requirements are provided through the special exception process at the Board.

If inclined to approve the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed use and future development of the subject property is compatible with and non-injurious to the surrounding area.

Sample Motion:

Move to _____ (approve/deny) a Special Exception to increase the permitted driveway width from 20 ft. to 30 ft. in the right-of way and on the lot in an RS-4 district (Section 55.090-F).

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions (including time limitation, if any): _____.

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

SAID SOUTH LINE 225.00 FEET TO THE WEST LINE OF LOT 1; THENCE NORTH 00°09'51" WEST ALONG SAID WEST LINE 125.00 FEET; THENCE NORTH 89°42'15" EAST A DISTANCE OF 225.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 0.646 ACRES, City of Tulsa, Tulsa County, State of Oklahoma

22155—Charles Sanders Homes, Inc.

Action Requested:

Special Exception to increase the maximum driveway width within the right-of-way and on the lot from 20 feet to 30 feet in an RS-4 District (Section 55.090-F.3).

LOCATION: 18521 East 44th Street South (CD 6)

Presentation:

Charles Sanders, Charles Sanders Homes, Inc., 107 South Ash, Broken Arrow, OK; no formal presentation was made by the applicant but he was available for any questions.

Mr. Van De Wiele asked Mr. Sanders if the other driveways in the neighborhood were 20 or 30 feet. Mr. Sanders stated that he counted the houses on the street and there are 19 and only one house had a 20 foot driveway while all the others had 30 foot driveways.

Mr. Sanders stated that he picked up his building permit from the City on March 28, 2016 and built the house. In the middle of September the City Inspector said the regulations had been changed in January and they were aware of it but approved the plan that had been turned in. Mr. Sanders he built the house and the driveway was poured when he was informed the Code had been changed.

Mr. White stated this is a problem the Board has encountered before the Code change in January. Other properties in the area, which are very close to Broken Arrow city limits, had over width by Tulsa standards that were allowed by Broken Arrow. He does not know how many applications the Board has heard for basically the very same thing. This is the first application that has come before the Board as a "gotcha" situation because of the Zoning Code change. At this point, since the Board will probably have more, the Board needs to come up with a procedure where the applicant will have similar problems.

Ms. Miller stated driveways are being treated differently in the new Code, the driveway is based on the width rather than lot coverage which use to require a Variance which requires a hardship, a higher test. In order to offset that, the City does not want anyone to pave half or more of the front yard, so a wider driveway is now requested by a Special Exception. Code changes are being worked on to clarify that process.

Ms. Back asked staff if she understood correctly that Mr. Sanders received his permit in March and the City missed the new Code change. Ms. Miller stated she was not sure,

but the new Code change took effect on January 1, 2016. The permit center had more flexibility on how they reviewed an application.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-0-0 (Back, Flanagan, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Bond absent) to **APPROVE** the request for a Special Exception to increase the maximum driveway width within the right-of-way and on the lot from 20 feet to 30 feet in an RS-4 District (Section 55.090-F.3), as constructed as shown per 7.8. The Board finds that the 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:

LT 17 BLK 9, CYPRESS CREEK, City of Tulsa, Tulsa County, State of Oklahoma

22156—Perry Dunham

Action Requested:

Special Exception to allow a non-conforming 2-story detached garage to be reconstructed (Section 80.030); Variance to increase the footprint of a non-conforming structure; Variance to allow an accessory structure to exceed 10 feet at the top of the top plate; Variance to allow a building to cover more than 25% of the rear yard setback area (Section 90.090). **LOCATION:** 2619 South Boston Place East (**CD 4**)

Presentation:

Perry Dunham, 2619 South Boston Place, Tulsa, OK; stated he is the owner of the subject property. He would like to rebuild the existing garage that had been built in 1930 and it is in poor condition. He would like to extend the garage to facilitate a modern vehicle because the existing garage is not deep enough. The stairs originally were set behind the structure on the outside on the utility easement and he wants to bring the stairs to the interior of the garage.

Mr. Van De Wiele asked Mr. Dunham if he was expanding the garage toward the house. Mr. Dunham answered affirmatively.

Mr. Van De Wiele asked Mr. Dunham if he had visited with his neighbors to see if they had any issues. Mr. Dunham stated that he had visited with everyone on the block and their general opinion is that the new garage will be a significant improvement to the neighborhood.

Mr. Henke stated the Board had received a letter from Jane Malone, President of the Chamberlain Neighborhood Association.

Rebuttal:

Ms. Thomas stated that the manufactured home has been twice in seven years and has been well kept.

Ms. Stead asked Ms. Thomas if she owned the lot where the manufactured home is proposed to be placed. Ms. Thomas stated that she just recently acquired the property immediately next to it. Her Godmother owns the subject property so in the future it will be hers. Ms. Thomas believes the manufactured would become an asset to the neighborhood because the houses closest to the subject property appear to be abandoned, are in very poor condition and an eyesore. If her request is approved it will create a hardship for her, but this is something she has worked for. If she is allowed to place the manufactured home on the subject property she and her son will have access public transportation relieving one of her worries.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 4-1-0 (Henke, Tidwell, Van De Wiele, White "aye"; Stead "nay"; no "abstentions"; none absent) to **APPROVE** the request for a **Special Exception** to permit a manufactured home (Use Unit 9) in an RS-3 district (Section 401); **Special Exception** to extend the time limitation from 1 year to 5 years from today's date (Section 404.E.1), finding that the 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. This approval is subject to the site plan on page 7.6 with a time limit of 5 years from today's date of June 26, 2012; for the following property:

LT 1 BLK 4, THE BEN C FRANKLIN ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21440—Shaw Homes, Inc.

FILE COPY

Action Requested:

Variance to increase maximum surface area of all-weather material from 34% to 36% in the RS-3 district (Section 1303.D). **LOCATION:** 4102 South 181st East Avenue (CD 6)

Presentation:

Glen Shaw, 1420 West Kenosha Street, Broken Arrow, OK; stated this is a large cul-de-sac lot with a narrow front, and the covenant require two parking spaces on the

BDA-21440

FILE COPY

outside. The zoning code only allows for 34% front coverage, and to be able to have a two-car driveway to the street an additional 2% is needed. This 36% coverage would allow for a normal driveway to the street.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **STEAD**, the Board voted 5-0-0 (Henke, Stead, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a **Variance** to increase maximum surface area of all-weather material from 34% to 36% in the RS-3 district (Section 1303.D). The Board finds that the very unusual, triangular lot contains over 15,000 square feet has requirements which prohibit ordinary building practices according to the current zoning code. The Board makes this approval per conceptual plan on page 8.6. In granting this variance the Board has found that 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 12 BLK 1, OAK RIDGE PARK, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21441—Paul Crosby

Action Requested:

Variance of the front yard setback from 25 feet to 22.7 feet in the RS-3 district; **Variance** of the side yard (west) setback from 5 feet to 4.9 feet in the RS-3 district (Section 403.A, Table 3). **LOCATION:** 421 West 77th Street South (CD 2)

Presentation:

Michael Miller, 655 West 79th Street, Tulsa, OK; no presentation was made.

Mr. White left the meeting at 2:41 p.m.



0 300 600
Feet



Subject
Tract

BOA-22181

19-14 25

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

Aerial Photo Date: February 2016



9.8



Feet
0 200



Subject
Tract

BOA-22181

19-14 25

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

Aerial Photo Date: February 2016

9.9



Homes by Classic Properties
Cypress Creek

Action needed,

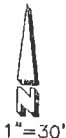
Approve drive already poured . 18628 E 42nd PI
Allow 3 car driveway on home under construction . 4218 S 185th E Ave
Allow 3 car driveway on home under construction . 18522 E 43rd St. S
Approve 3 car driveways on all vacant lots in Cypress Creek

lot	7	block	2
	2		3
	8		3
	10		3
	3		4
	25		6
	12		7
	13		7
	13		9
	14		9

Silver Crest Homes 18518 E 42nd PI S

Occupied residence: approve 3 car driveway already in place, cannot get a occupancy permit.

9.11
BOA 22181



INVOICE NO.: CP 07-36552

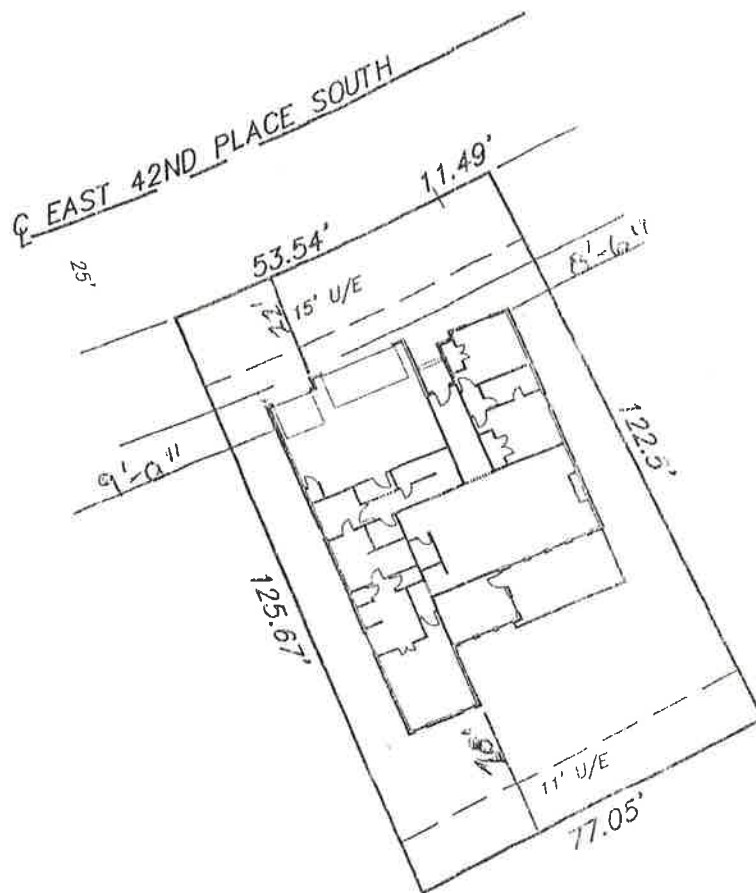
CLIENT: HOMES BY CLASSIC PROPERTIES

LEGEND

—X— FENCE
U/E UTILITY EASEMENT
D/E DRAINAGE EASEMENT
M/P METERING POINT
B/E BURIED ELECTRIC & TELEPHONE CABLE EASEMENT (APPROXIMATE LOCATION)
B.L. BUILDING LINE
O.B.L. OUTBUILDING LINE



BEFORE YOU DIG,
CALL OKIE
1-800-522-6543



3-CAR DRIVE
POURED

HAVE NOT ASKED
FOR FINAL (WSP),
WILL FAIL FINAL

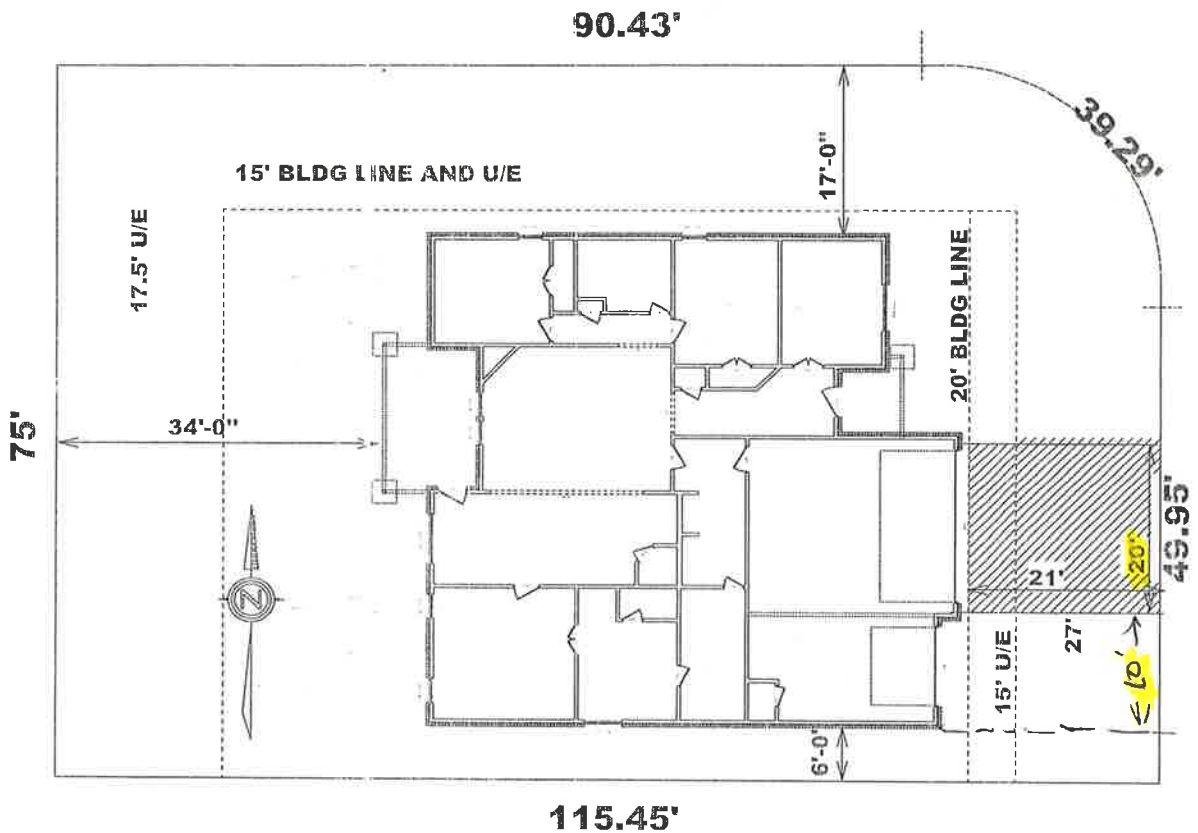
18628 E 42nd PL

PLAT NO. 6097

LEGAL DESCRIPTION AS PROVIDED:

LOT NINE (9), BLOCK SEVEN (7), CYPRESS CREEK, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

SITE PLAN



2 CAR SUBMITTED FOR PERMIT

1" = 20'

4218 S 185TH EAST AVE
 LOT 1 BLOCK 3 CYPRESS CREEK
 HOMES BY CLASSIC PROPERTIES

Permit #: 406746

9.13

JEFF S. TAYLOR
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-7637
jstaylor@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 972536-1

October 14, 2016

J HARP
HOMES BY CLASSIC PROPERTIE LLC
9959 E 51 ST
TULSA, OK 74146

Phone: (918)627-5600
Fax: (918)627-5661

APPLICATION NO: **406746** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **4218 S 185 AV E**
Description: **NEW**

INFORMATION ABOUT SUBMITTING REVISIONS

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

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9.14

REVIEW COMMENTS

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WWW.CITYOFTULSA-BOA.ORG

Application No. 406746

4218 S 185 AV E

October 14, 2016

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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.

New zoning code went in affect 1/1/2016

55.090-F3 Surfacing. In RS-4 zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120. Maximum Driveway Width in the Right Of Way (ROW) is 20' and 30' outside of ROW.

Review Comments: The submitted site plan proposes a driveway width that exceeds the maximum allowable driveway width on the lot. Revise plans to indicate the driveway shall not exceed 20' in width on the lot or apply to the BOA for a special exception to allow the driveway width to exceed 20' in width on the lot.

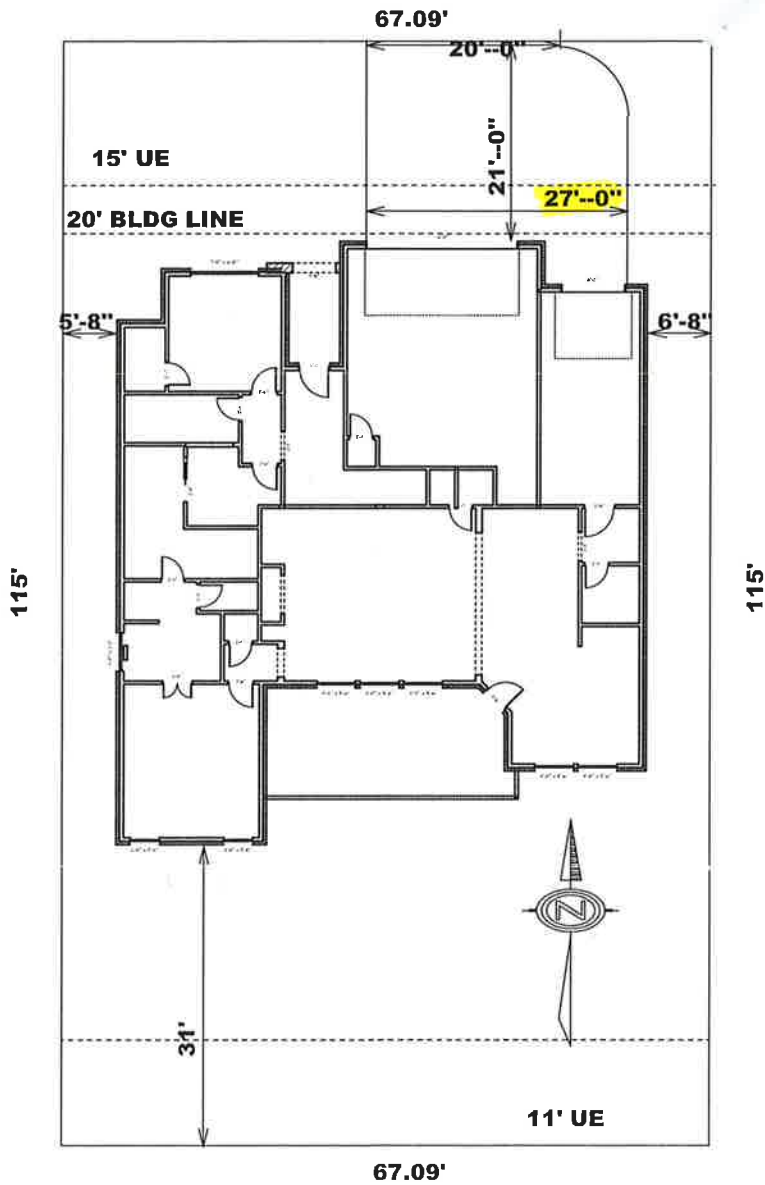
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Within Right of Way (feet)	20	20	20	20	20	12
On the Lot (Outside ROW) (feet)	30	30	30	30	20	12

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SITE PLAN



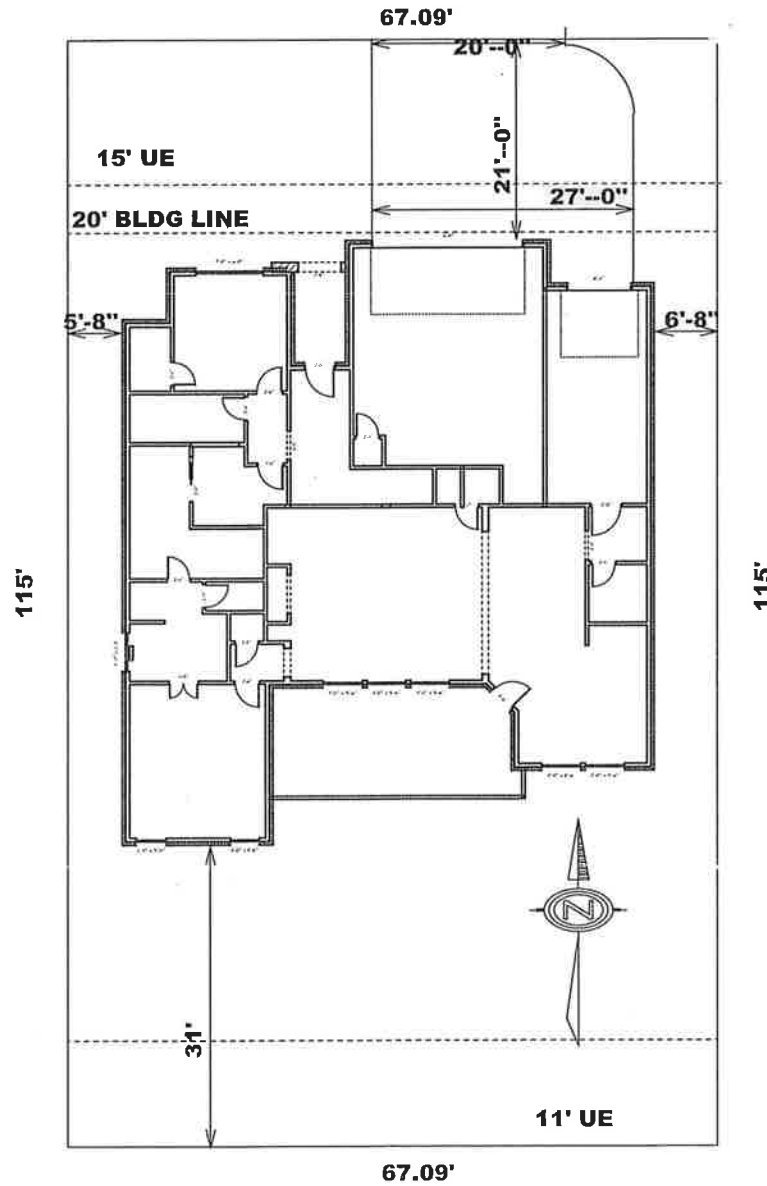
1" = 20'

18522 E 43RD ST SO.
LOT 4 BLOCK 8
CYPRESS CREEK
HOMES BY CLASSIC PROPERTIES

Permit #: 406740

9.16

SITE PLAN



1" = 20'

**18522 E 43RD ST SO.
LOT 4 BLOCK 8
CYPRESS CREEK
HOMES BY CLASSIC PROPERTIES**

9.17

JEFF S. TAYLOR
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-7637
jstaylor@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 972530-1

October 14, 2016

J HARP
HOMES BY CLASSIC PROPERTIE LLC
9959 E 51 ST
TULSA, OK 74146

Phone: (918)627-5600
Fax: (918)627-5661

APPLICATION NO: **406740** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **18522 E 043 ST S**
Description: **NEW**

INFORMATION ABOUT SUBMITTING REVISIONS

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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. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. 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.
3. A COPY OF A "RECORD SEARCH" ☐ 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.).

9.18

REVIEW COMMENTS

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

Application No. 406746

4218 S 185 AV E

October 14, 2016

Note: As provided for in Section 70.130 you may request the Board of Adjustment 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.

New zoning code went in affect 1/1/2016

55.090-F3 Surfacing. In RS-4 zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120. Maximum Driveway Width in the Right Of Way (ROW) is 20' and 30' outside of ROW.

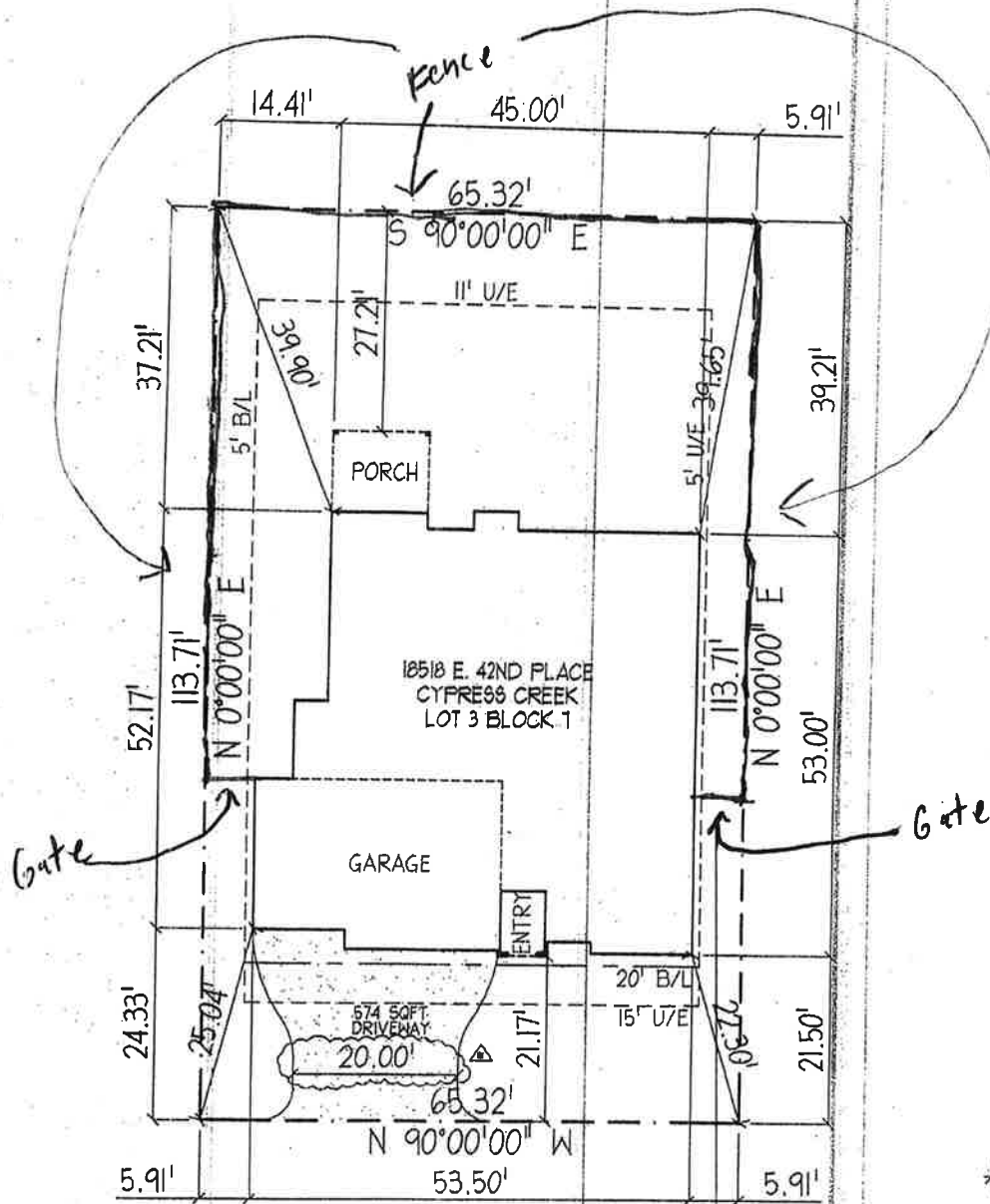
Review Comments: The submitted site plan proposes a driveway width that exceeds the maximum allowable driveway width on the lot. Revise plans to indicate the driveway shall not exceed 20' in width on the lot or apply to the BOA for a special exception to allow the driveway width to exceed 20' in width on the lot.

3. in RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120:


Maximum Driveway Width	RE	RS-1	RS-2	RS-3	RS-4	RS-5
Within Right of Way (feet)	20	20	20	20	20	12
On the Lot (Outside ROW) (feet)	30	30	30	30	20	12

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.



SCALE 1"=20'

	<p>307-16-21 - ADMIRE - ESSEX PLAN</p> <p>CYPRESS CREEK LOT 3 BLOCK 1</p>
---	---

18518 E. 42nd Pl. S.

☒ BUILDING—596-9663 ☐ ELECTRICAL—596-9659 ☐ MECHANICAL—596-9679 ☐ PLUMBING—596-9687

CITY OF TULSA, OKLAHOMA
OFFICIAL NOTICE

TO OWNER OR OTHER RESPONSIBLE PARTY:

DATE: 9-22-16

DRIVERS LICENSE # &/OR CONTRACTOR LICENSE#

☐ OWNER

☒ CONTRACTOR SILVERCREST HOMES

☐ OTHER RESPONSIBLE PARTY

TIME: AM 930 PM 7

18518 E. 42 PL. S.

RESIDENCE

STREET ADDRESS

BUSINESS NAME

YOU ARE HEREBY ORDERED TO IMMEDIATELY STOP ☒ CORRECT REMOVE THE FOLLOWING:

OCCUPANCY HAZARD CONSTRUCTION ON YOUR PROPERTY AT THE ABOVE ADDRESS, AND

DIRECTED TO TAKE THE FOLLOWING ACTION:

TITLE 42 SECTION 55.090-F, 3
RS-4 ZONING ALLOWS FOR 20' WIDE DRIVEWAY
ONLY. MAKE APPLICATION TO BOARD OF ADJUSTMENTS
FOR SPECIAL EXCEPTION OR REMOVE EXCESS
CONCRETE FROM DRIVEWAY WITHIN 30 DAYS.

☐ PENALTY FEE for work started prior to obtaining a permit shall be charged in addition to the regular permit fee per Title 49, Tulsa Revised Ordinance.

☐ Other

COMPLIANCE WITH THE ABOVE IS REQUIRED WITHIN: 30 DAYS 0 HOURS IMMEDIATELY

RECIPIENT SIGNATURE

TUL-547-9

RUBEN TORRES

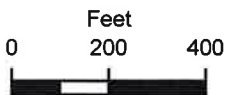
CODE OFFICIAL

KEVIN MINTON
9186361203

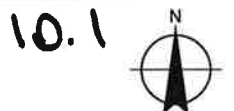
CITY OF TULSA

Building Permit - RESIDENTIAL

Form Number: 309287	Date Issued: 5/6/2016	Legal Description: Lot 3, Block 7, CYPRESS CREEK	Building Official: <i>Yuen Ho</i>
Construction Address: 18518 E 42nd PL S			
Classification of Work: NEW	Contractor: SILVERCREST HOME INC	Address: 10901 S MEMORIAL DR, TULSA, OK 74133-	
Type of Work: SGLFMR			
EROSION CONTROL Where construction disturbs the earth, a Placement of Erosion Control Inspection (PEC) must be requested by the responsible party and approved by the Building Inspector BEFORE further work. This permit is subject to compliance with all applicable codes and City ordinances and can be cancelled for failure to comply with any applicable construction standard or for failure to comply with any applicable WIN construction Schedule or WIN Letter of Understanding.			
Building: RLARKEY	Zoning: JSTAYLOR	W/S/D: OSOUTHERN	
Building Code: IRC 09 Storm Shelter: N Permit Area: 3455 Design Standard: No. Of Stories: 2 Basement: N COO Required Design Professional Plans required at job site: Y for Inspection: Special Inspections:	Zoning District: RS-4 Required Parking: 2 PUD # MPD # Screening Fence Required Structure Setbacks: Front: 20.00 ft Rear: 20.00 ft Left: 5.00 ft Right: 5.00 ft Allowable Building Height: 35 ft	Gen. Elev. Req'd: N Water Pressure Reducing Valve Req'd: Septic System: N Easements:	
Permit Notes IRC 2009. New residence. RAL	Use / Permit Notes Use: detached House Permit Notes: Approved for construction of a Detached House No approval granted for any construction or use violating any provision of Title 42. No other structures are included in this permit. This approval does not include permission for construction or encroachment of any kind upon city owned property, rights-of-way (ROW) and public or private utility easements whether actual or planned. Setback(s) to property lines. Open space to be no less than 2500 square feet of lot.	Permit Notes The subject property is not located within any floodplains. A Silt fence shall be installed and maintained as per submitted sediment and erosion plan. All construction shall be conducted so as to minimize erosion and prevent the discharge of any pollutants or sediment from entering the storm sewer system onto any adjacent property or street.	



19-14 08



BOARD OF ADJUSTMENT CASE REPORT

STR: 9408

Case Number: BOA-22182

CZM: 39

CD: 6

A-P#: 8793

HEARING DATE: 01/10/2017 1:00 PM

APPLICANT: Brent Barnes

ACTION REQUESTED: Special Exception to permit used car sales in the CS district (Section 15.020).

LOCATION: 1901 S GARNETT RD E

ZONED: CS

PRESENT USE: Commercial Lot

TRACT SIZE: 44,252.79 SQ FT

LEGAL DESCRIPTION: LT 1-4 BLK 3, 21 GARNETT PLACE RESUB PRT L1 & L2-3 GARNETT PLAZA, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

BOA 18135; 08.11.98 the Board approved a special exception to permit restoration, reconstruction, repair and resale of automobiles and a variance to reduce the required parking spaces to 7; located at 11323 East 20th Street, immediately east of the subject site.

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

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town Centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to their destinations.

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 exist 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 surrounded by a mixture of CS zoned uses including restaurants, car sales commercial/retail sales.

10.2

STAFF COMMENTS:

As shown on the submitted site plan applicant is before the Board requesting a special exception to permit car sales in a CS district (Section 15.020-C). Car sales are permitted in the CS district only by special exception due to potential adverse affect, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted.

The applicant has submitted a parking plan that is in compliance with the Code's parking lot spacing and drive aisle standards. Section 55.090-D, Table 55-5 of the Code is attached to this report for the Board reference.

Sample Motion:

Move to _____ (approve/deny) a Special Exception to permit used car sales in the CS district (Section 15.020).

•Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.

•Subject to the following conditions (including time limitation, if any):_____.

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.

55.090-D Parking Area Layout (Geometrics)

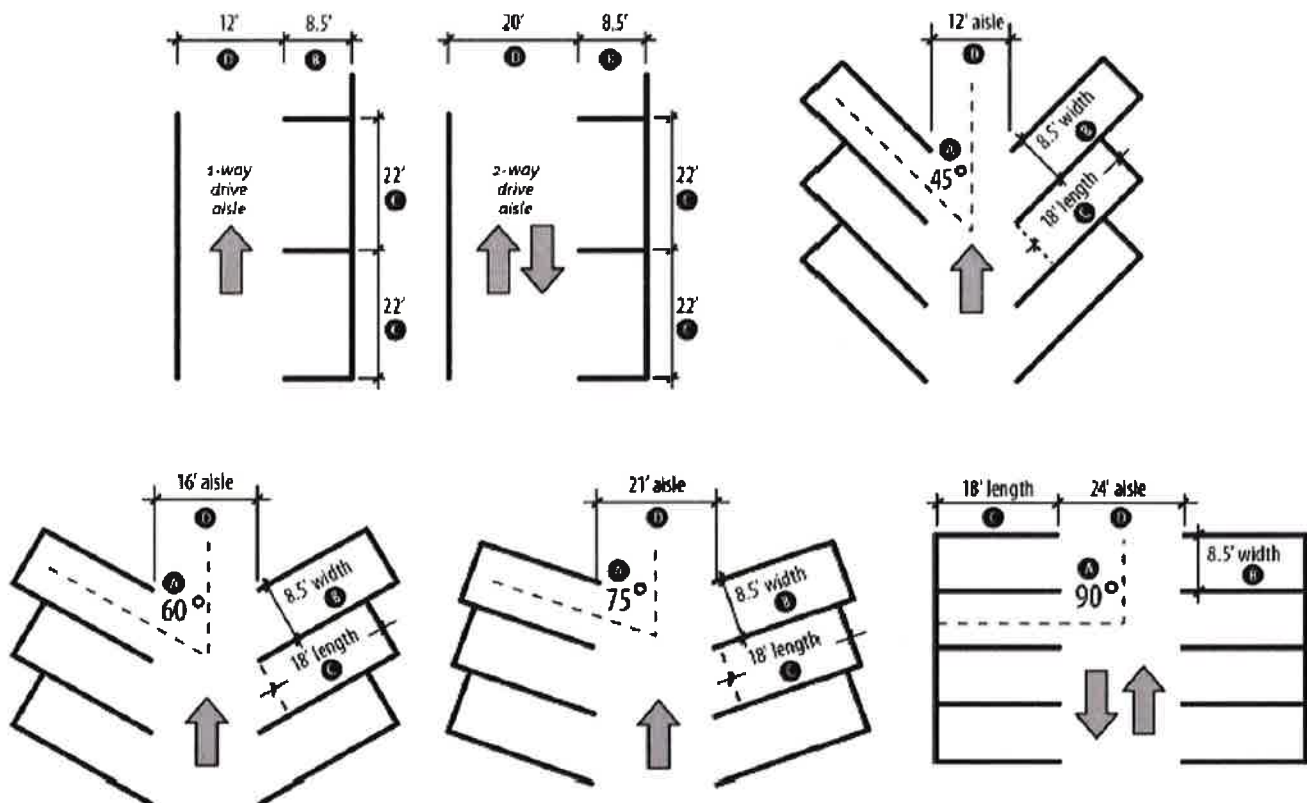
Parking areas must be designed in accordance with the dimensional standards of Table 55-5, which shows minimum dimensions for various parking layouts (angles). Requirements for layouts or angles not shown in Table 55-5 may be interpolated from the layouts shown, as approved by the development administrator.

Table 55-5: Parking Area Geometrics

A	B	C	D
0°	8.5	22.0	12.0/20.0
	9.0	22.0	12.0/20.0
45°	8.5	18.0	12.0/20.0
	9.0	18.0	11.0/19.0
60°	8.5	18.0	16.0/21.0
	9.0	18.0	15.0/20.0
75°	8.5	18.0	21.0/22.0
	9.0	18.0	20.0/21.0
90°	8.5	18.0	-/24.0
	9.0	18.0	-/22.0
	10.0	18.0	-/20.0

A = Stall Angle, **B** = Stall Width, **C** = Stall Length, **D** = Aisle Width (1-way/2-way)

Figure 55-5: Parking Area Geometrics



Case No. 18134 (continued)

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 4-0-0 (Cooper, Dunham, Perkins, White, "aye"; no "nays"; no "abstentions"; Turnbo "absent") to **APPROVE** a Special Exception to allow reconstruction of a nonconforming accessory building. **SECTION 1405. STRUCTURAL NONCONFORMITIES**, a Variance of setback of 3' from the property line to 1.10' to construct a garage. **SECTION 402.B.1.c. ACCESSORY USES IN RESIDENTIAL DISTRICTS, Accessory Use Conditions**; and a Variance to permit greater than 20% coverage of the required rear yard. **SECTION 210.B.5. YARDS** finding that Section 1607.C. requirements were met on the following described property:

Lot 555, Block 42, Tulsa Heights Addition, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 18135

Action Requested:

Special Exception to permit restoration, reconstruction, repair and resale of older classic and limited late model automobiles. **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 17** and a Variance of 8 required parking spaces to 7. **SECTION 1217.D. USE UNIT 17. AUTOMOTIVE AND ALLIED ACTIVITIES, Off-Street Parking and Loading Requirements**, located 11323 E. 20th St.

Mr. White stated that he would abstain from this vote.

Presentation:

Jim Herndon, 9205 E. 38th St., stated that the property is zoned CS, which would allow him to repair, reconstruct, and resale classic antique automobiles under Use Unit 17.

Comments and Questions:

Mr. Dunham asked how many vehicles were anticipated to be located on the site. Mr. Herndon responded three at the most, noting that the autos would be parked within the building most of the time.

Mr. Dunham asked for a clarification of staff's comments. Mr. Beach explained that staff felt that the noise created by use of air tools being during the night might disturb the area, and felt it appropriate for the work to be done behind closed doors during the evening hours. Mr. Herndon responded that the area contains light industrial uses, but he would not have a problem complying with the indoor work.

Case No. 18135 (continued)

Mr. Stump asked if the autos for sale would be displayed outdoors. Mr. Herndon responded that they would be parked outside for short periods during the day, but not during the night. Mr. Stump noted that if the cars were parking outside, that space would be considered display area and would not count toward the number of required off-street parking spaces, requiring addition relief. If the cars were kept indoors, the seven spaces could be counted toward the requirement. Mr. Herndon stated that he could keep the autos parked indoors. The site plan was recorded as Exhibit K-1.

Interested Parties:

None.

Board Action:

On **MOTION** of **PERKINS**, the Board voted 3-0-1 (Cooper, Dunham, Perkins, "aye"; no "nays"; White "abstentions"; Turnbo "absent") to **APPROVE** a Special Exception to permit restoration, reconstruction, repair and resale of older classic and limited late model automobiles. **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 17** and a Variance of 8 required parking spaces to 7. **SECTION 1217.D. USE UNIT 17. AUTOMOTIVE AND ALLIED ACTIVITIES, Off-Street Parking and Loading Requirements** finding that Section 1607.C. were met on the following described property:

Lot 5, Block 3, 21 Garnett Place

Case No. 18136

Action Requested:

Variance of setback for a ground sign from 50' to 30' from the centerline of E. 15th St. **SECTION 1221.C.6. USE UNIT 21. BUSINESS SIGNS AND OUTDOOR ADVERTISING, General Use Conditions for Business Signs – Use Unit 12**, located 1624 E. 15th St.

Presentation:

Bruce Anderson, 9520 E. 55th Pl., referring to the site plan, Exhibit L-1, stated that buildings have been constructed using a 30' setback, which would make their sign difficult to see even at the 30' setback as requested. He noted the hardship of the building line during the time of construction of the surrounding building. He presented a copy of the proposed sign, Exhibit L-2.

Interested Parties:

None.

10.7



0 50 100
Feet



Subject
Tract

BOA-22182

19-14 08

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

Aerial Photo Date: February 2016

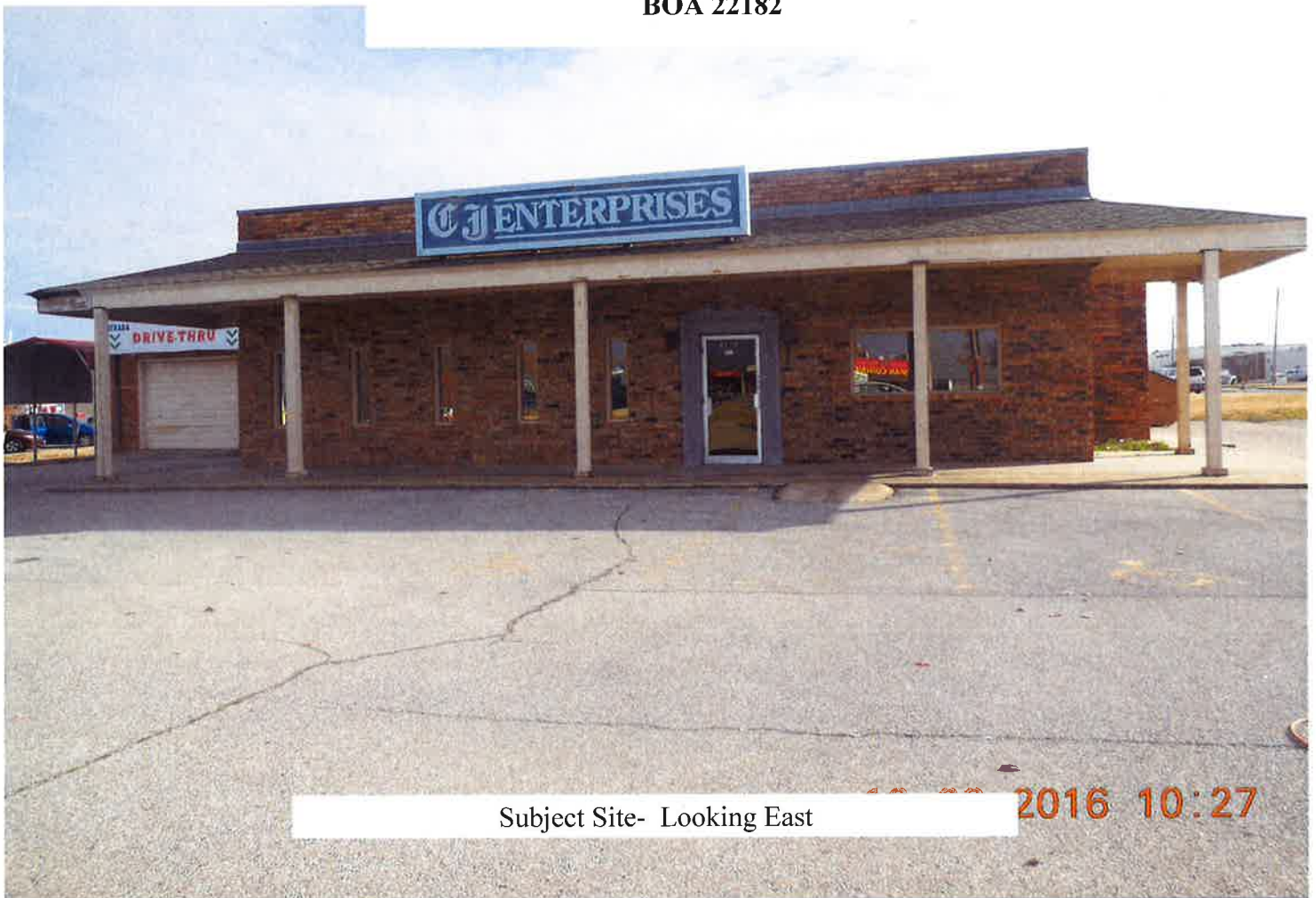


10.8



Subject Site- Looking East





Subject Site- Looking East

12 09 2016 10:27



S Garnett Rd - Street View

12 09 2016 10:28

10.10

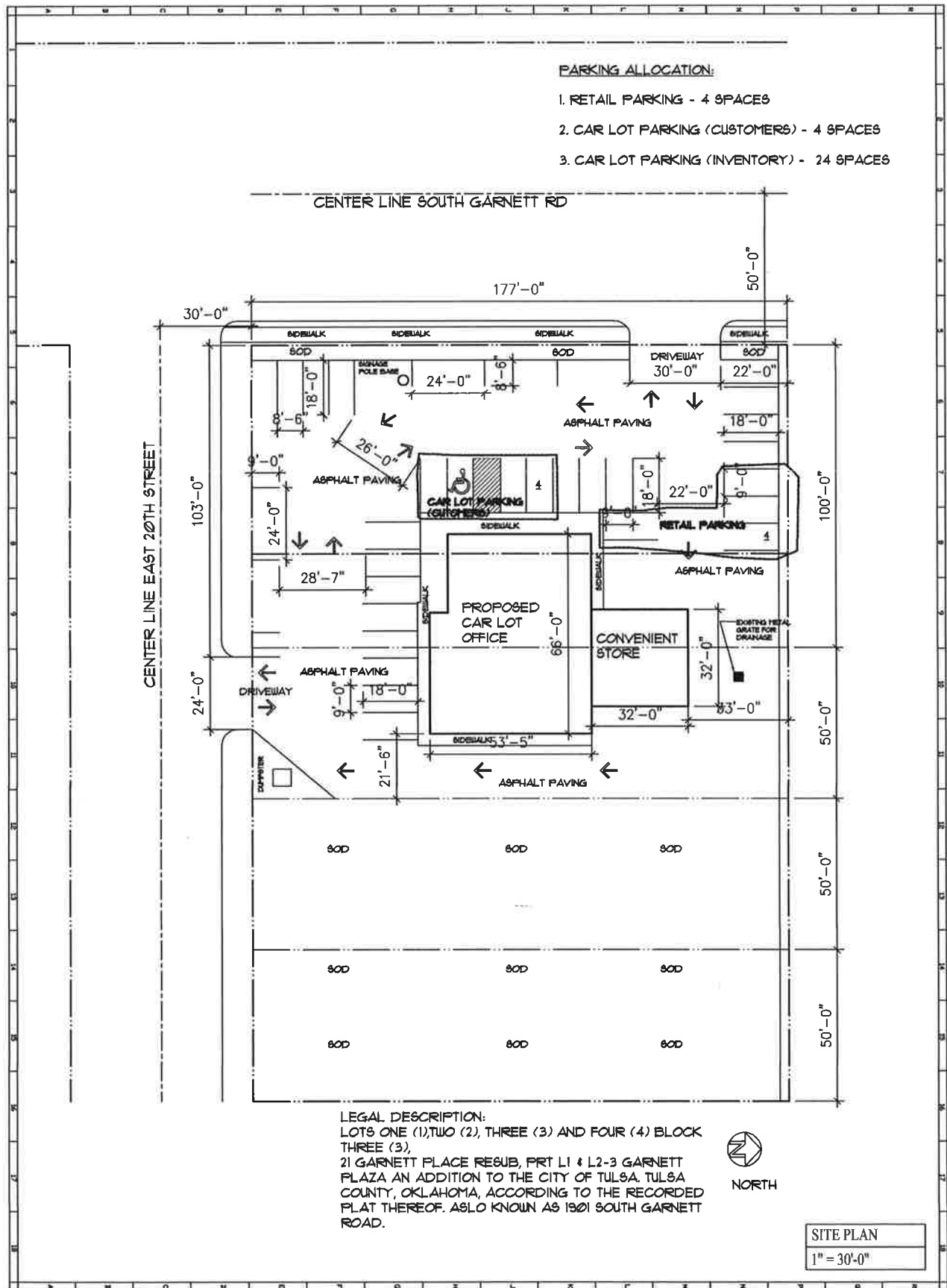


S Garnett Rd - Street View



PARKING ALLOCATION:

1. RETAIL PARKING - 4 SPACES
2. CAR LOT PARKING (CUSTOMERS) - 4 SPACES
3. CAR LOT PARKING (INVENTORY) - 24 SPACES



A-1

Site Plan

DATE

28 NOV 2016

SCALE

1" = 30'-0"

PROJECT

USED CAR LOT

AFFILIATED GARNETT INC

901 SOUTH GARNETT ROAD

Tulsa, Oklahoma

741XX

FEMI FASESIN, ARCHITECT
 ARCHITECTURE & PLANNING

421 SOUTH OLYMPIA AVE., TULSA, OKLAHOMA 74127
 PHONE 918-346-9700 • FAX 918-383-2289

USED CAR LOT
 AFFILIATED GARNETT INC
 901 SOUTH GARNETT ROAD
 Tulsa, Oklahoma
 741XX

10.12

BOB KOLIBAS
ZONING OFFICIAL
PLANS EXAMINER
TEL 918-596-9664



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 973542-1

November 08, 2016

ARNULFO MURILLO
AFFILIATED GARNETT INC
7030 S YALE AV
TULSA, OK 74136

Phone: (918)640-6893

APPLICATION NO: 8793 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 1901 S GARNETT RD E
Description: USED CAR LOT - AFFILIATED GARNETT INC

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)
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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.

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(continued)

10.13

REVIEW COMMENTS

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

Application No. 8793 1901 S GARNETT RD E November 08, 2016

Note: As provided for in Section 70.130 you may request the Board of Adjustment 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.35.050-Q5: Auto Sales are designated: Commercial Use Category/ Vehicle Sales and Service/ Personal Vehicle Sales and Rentals.

Review comment: The proposed use, Commercial Use Category/ Vehicle Sales and Service/ Personal Vehicle Sales and Rentals, is located in a CS district. This will require you to submit a Special Exception reviewed and approved in accordance with the Special Exception procedures of Section 70.120.

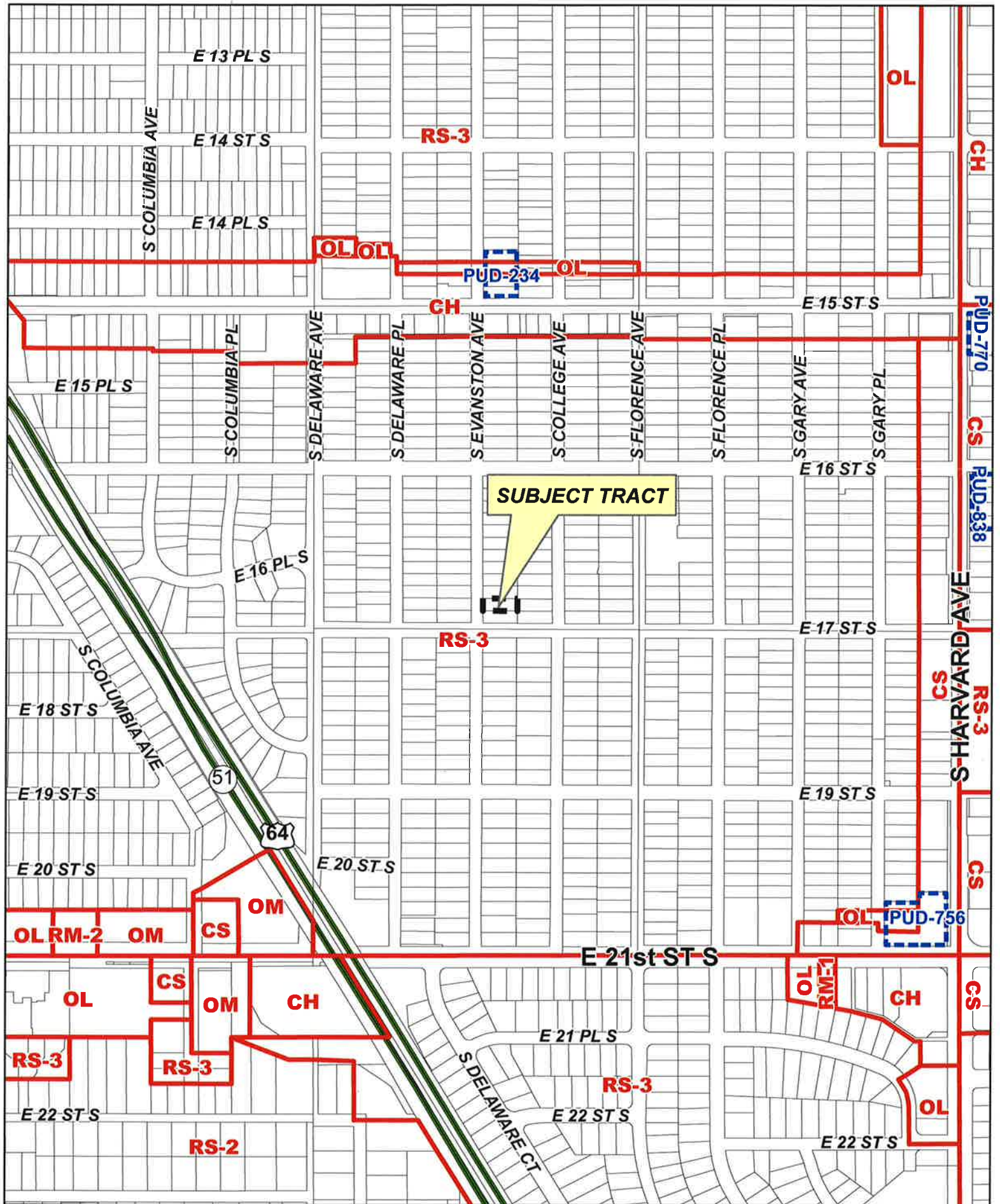
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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.



BOA-22183

19-13 08



BOARD OF ADJUSTMENT CASE REPORT

STR: 9308
CZM: 37
CD: 4
A-P#: 409131

Case Number: BOA-22183

HEARING DATE: 01/10/2017 1:00 PM

APPLICANT: Kevin Hughes

ACTION REQUESTED: Variance to reduce the open space requirement to 3834 square feet in the RS-3 district to permit construction of a new garage (Sec.5.030).

LOCATION: 1643 S EVANSTON AV E

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 7000.12 SQ FT

LEGAL DESCRIPTION: LT 14 BLK 7, AVONDALE ADDN, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

BOA 19413; on 08.27.02 the Board approved a variance of required side yard from 5 ft to 2 ft; and a variance of the livability space from 4000 square feet to 3200 square feet; located at 1631 S Delaware Place.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

The **Existing Residential Neighborhood** category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

The **Areas of Stability** includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS-3 zoned residences.

STAFF COMMENTS:

The applicant has stated the existing garage on the site will be demolished and replaced with the 660 SF garage shown on the submitted plans and drawings. The proposed accessory building will reduce the total open space on the site to 3834 SF. The Code requires a minimum open space of 4000 SF on the subject lot. The following may be counted toward satisfying minimum open space-per unit requirements:

- Outdoor areas that are not occupied by buildings, driveways or parking areas and are generally useable by residents;
- Driveways and parking areas located in the rear yard of a detached house or duplex; and

The Code attempts to establish and maintain desired development intensities as well as maintain desired levels of openness within the district. As the writing of this case report staff has not received any comments from the surrounding neighbors or property owners.

Sample Motion for a Variance

Move to _____ (approve/deny) a Variance to reduce the open space requirement to 3834 square feet in the RS-3 district to permit construction of a new garage (Sec.5.030).

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

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."

Case No.19411

Action Requested:

Variance of permitted signage in an OM district. SECTION 602.B.4. ACCESSORY USES PERMITTED IN OFFICE DISTRICTS, Accessory Use Conditions, located 2424 E. 21st St.

Presentation:

Mr. Beach stated the applicant asked for a continuance to the meeting on September 10, 2002.

Board Action:

On **MOTION** of **Turnbo**, the Board voted 4-0-0 (White, Perkins, Cooper, Turnbo "aye"; no "nays"; no "abstentions"; Dunham "absent") to **CONTINUE** Case No. 19411 to the meeting on September 10, 2002.

Mr. Dunham arrived at 1:05 p.m.

MINUTES

The minutes of the meeting on August 13, 2002 will be presented for approval at the meeting on September 10, 2002.

UNFINISHED BUSINESS

Case No. 19413

Action Requested:

Variance of required side yard from 5' to 2'. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS; and a Variance of livability space from 4000 square feet to 3200 square feet. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, located 1631 S. Delaware Pl.

Presentation:

William Elliott, 1631 S. Delaware, stated this case was continued from July 23, 2002 for more relief. There are no changes in the site plan (Exhibit B-1).

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **MOTION** of **Turnbo**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of required side yard from 5' to 2'; and a Variance of livability space from

4000 square feet to 3200 square feet, per plan, finding this is an older home in an older neighborhood, making it difficult to meet the current zoning requirements, on the following described property:

Lot 17, Block 6, Avondale Addition to City of Tulsa, Tulsa County, State of Oklahoma.

*****.

NEW APPLICATIONS

Case No. 19430

Action Requested:

Special Exception to permit a car wash in a CS district. SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 17, located SE/c W. 61st St. & S. 33rd W. Ave.

Presentation:

Ronald Smith, Box 1106, Sapulpa, Oklahoma, he described the surrounding properties with a shopping center, grocery store with gas pumps, a convenience store with gas pumps, and a car wash. He believes the intended use would be consistent with the area. A site plan was provided (Exhibit A-1).

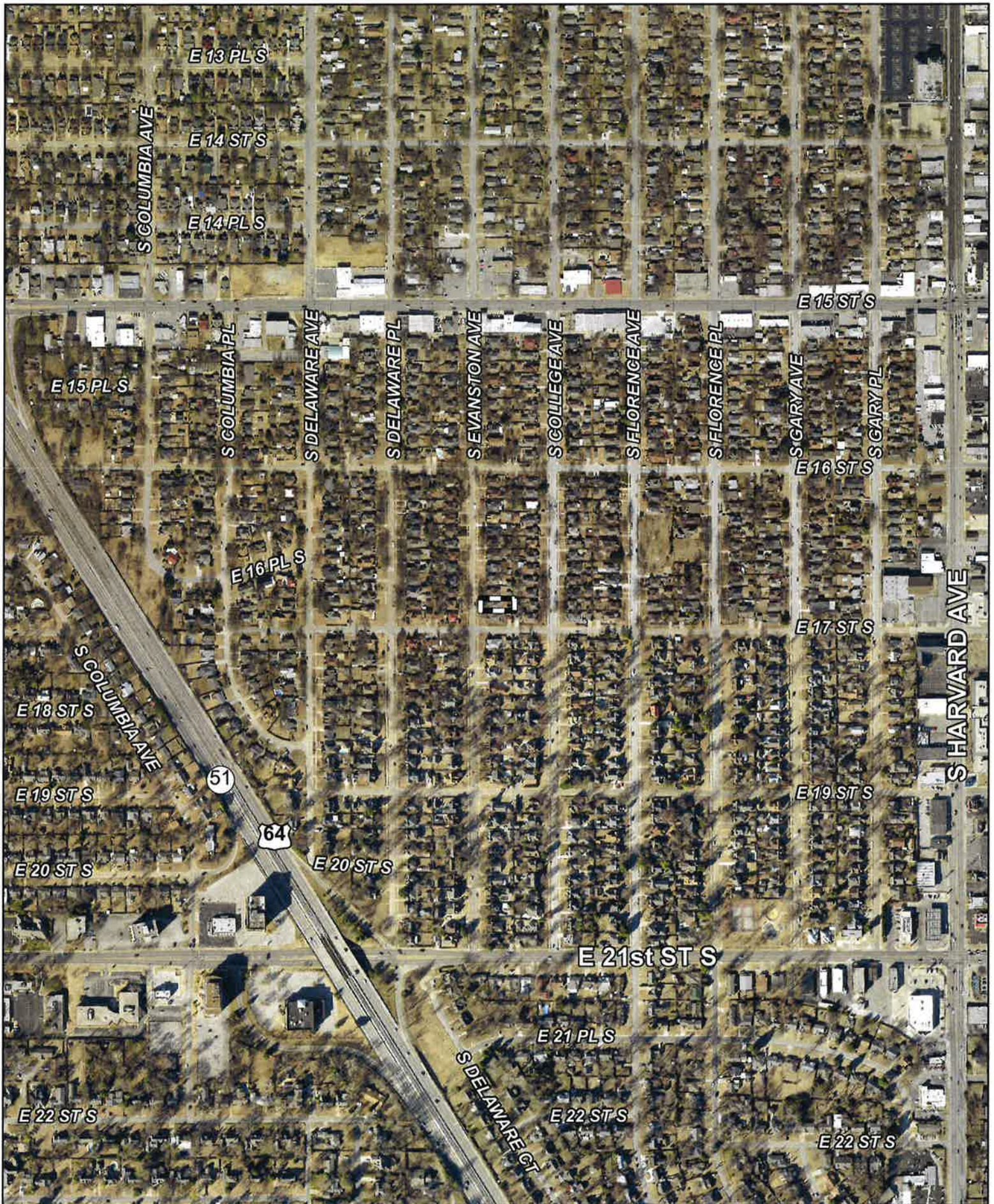
Interested Parties:

Marion Robinson, 5116 W. 64th St., stated that he owns the car wash across the street from the subject property. Last August an applicant was turned down for a car wash in the same area. He submitted a petition of opposition (Exhibit A-2), signed by about seventy neighbors.

Diana Wallace, 8086 S. Yale, stated she did some research of traffic in the area. She indicated the traffic has increased but not enough to support another car wash. She reminded the Board that a lot of people from the community came last year in protest of a second car wash. The business community is not in favor of this application. She added that she has taken out a loan to make improvements on the existing car wash.

Comments and Questions:

Ms. Turnbo asked why it would be injurious to the neighborhood. Ms. Wallace replied that access to the site would cause traffic problems. She suspected there might be problems with water pressure. Mr. White noted that approval for her car wash was granted in 1984, and asked if it has been in operation continuously since then. Ms. Wallace responded that it was out of service for 1 ½ to 2 years, maybe more. He asked if she was aware that a condition of the approval was that an attendant be present at the car wash. Ms. Wallace responded they plan to have an attendant. Ms. Turnbo explained to her that they must have one to comply with the condition to the approval. Ms. Perkins asked if there is a screening fence on



0 Feet
250
500



Subject
Tract

BOA-22183

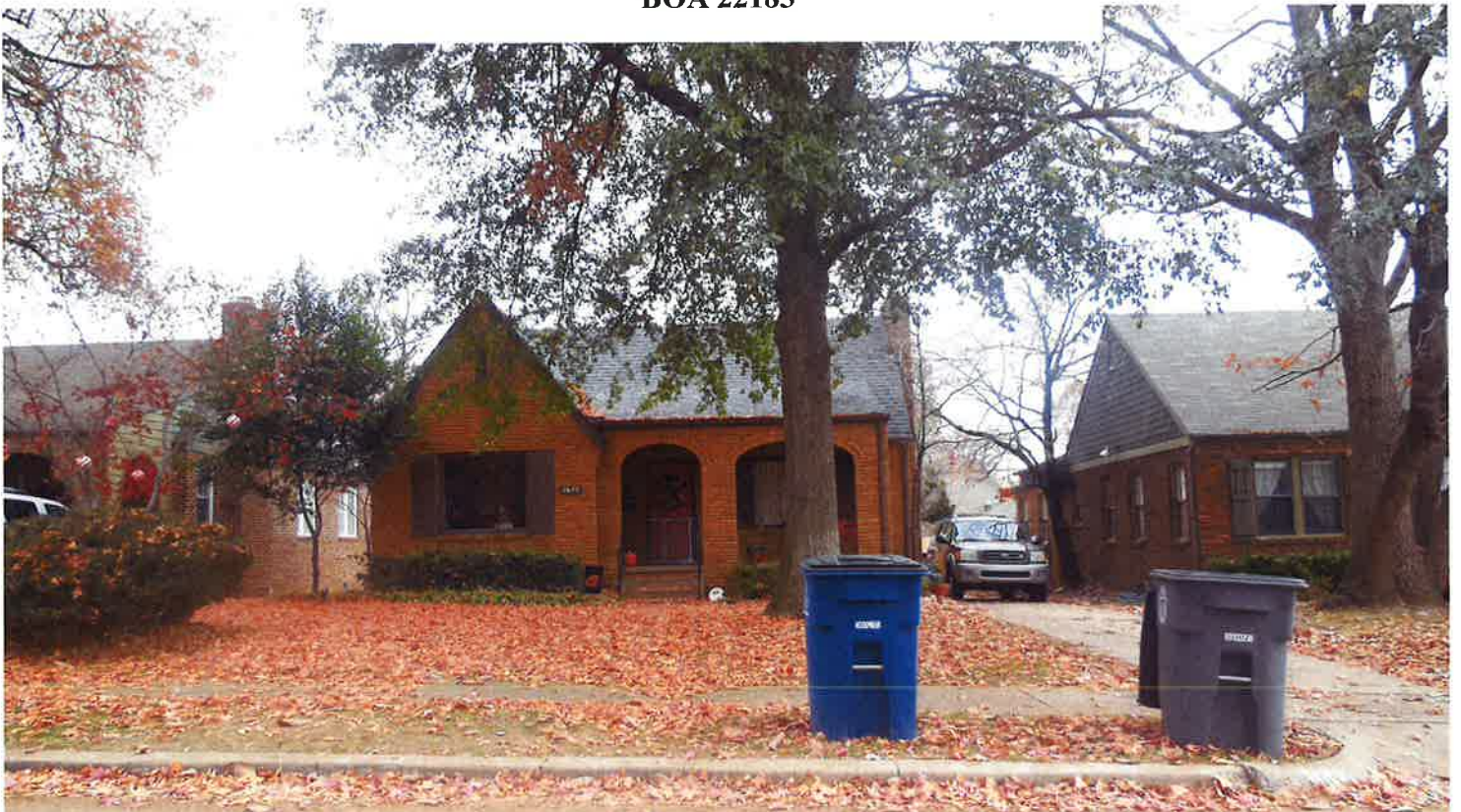
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

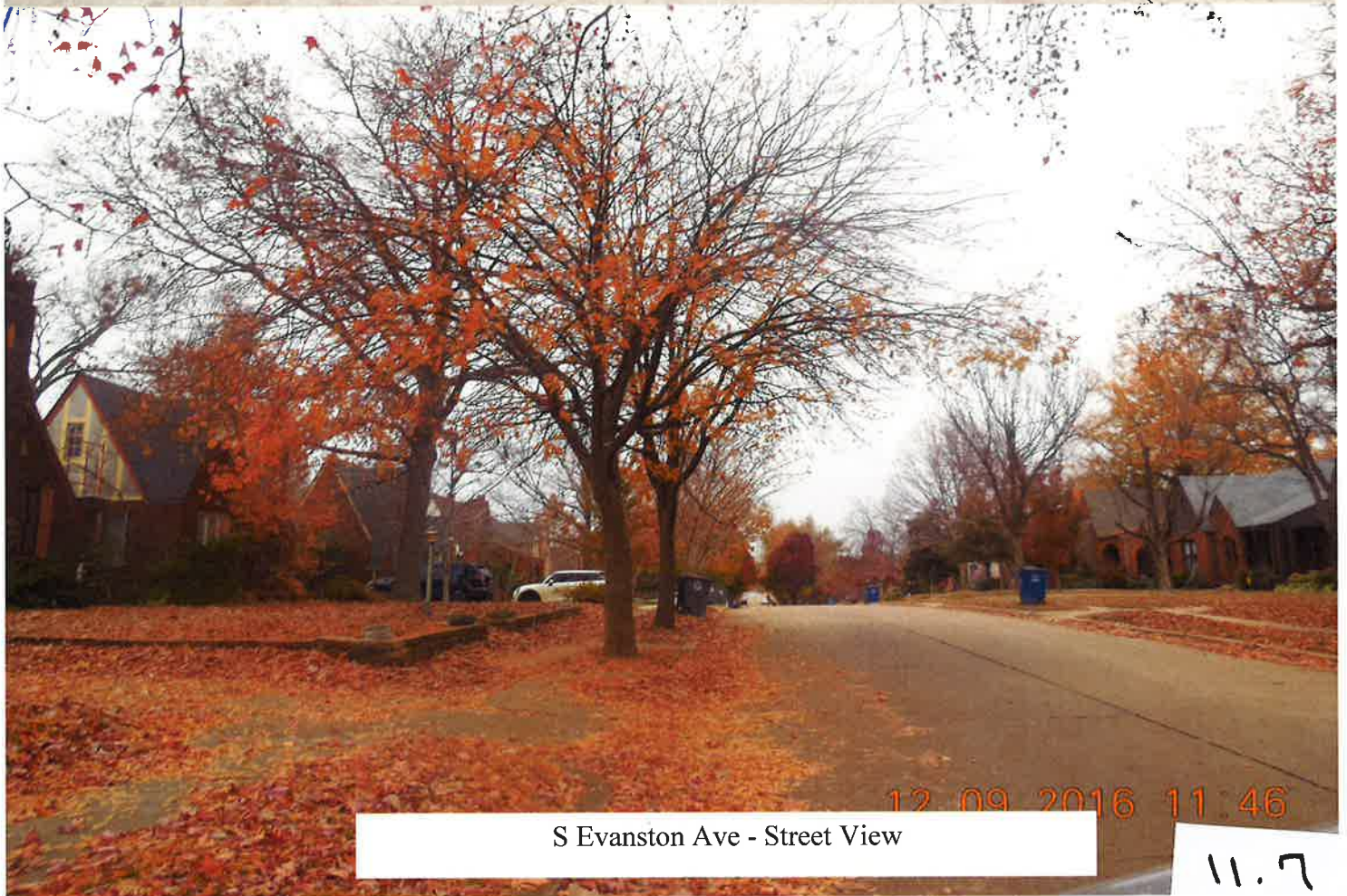


11.6



Subject Site- Looking West

12 09 2016 11:46



S Evanston Ave - Street View

12 09 2016 11 46

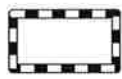
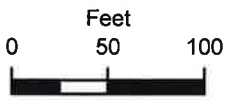
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E 17 ST S

S EVANSTON AVE

S COLLEGE AVE



Subject
Tract

BOA-22183

19-13 08

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

Aerial Photo Date: February 2016

11.8





WHITE SURVEYING COMPANY

• 8956 EAST 55TH PLACE TULSA, OKLAHOMA 74146 • (918) 683-8924

MORTGAGE INSPECTION REPORT



INVOICE NO.: GA 16-84428
MORTGAGOR: CROWELL, WILLIAM G. & LOVE, LINDA M.

CLIENT: GUARANTY ABSTRACT COMPANY
GUILD MORTGAGE COMPANY
FIDELITY NATIONAL TITLE INSURANCE COMPANY
251608

LEGEND

FENCE
U/E UTILITY EASEMENT
D/E DRAINAGE EASEMENT
M/P METERING POINT
B/E BURIED ELECTRIC & TELEPHONE CABLE EASEMENT (APPROXIMATE LOCATION)
B.L. BUILDING LINE
O.B.L. OUTBUILDING LINE

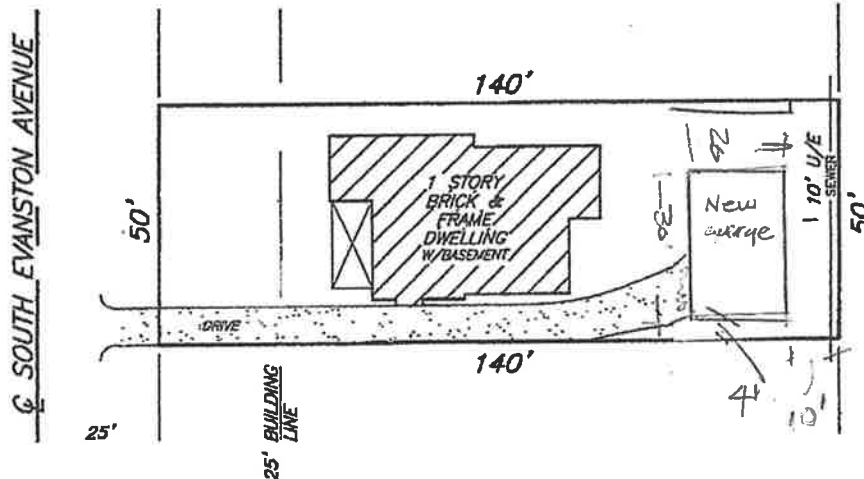


BEFORE YOU DIG,
CALL OKIE
1-800-522-6543

THIS PROPERTY LIES IN ZONE "X-UNSHADED" FLOOD HAZARD AREA PER F.I.R.M. NUMBER 40143C0240L, AS LAST REVISED 10/16/12.

LEGEND:

(1) - GARAGE IS 5.7' INTO U/E UTILITIES LOCATED AS SHOWN.



PLAT NO. 0839

LEGAL DESCRIPTION AS PROVIDED:

LOT FOURTEEN (14), BLOCK SEVEN (7), AVONDALE ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND KNOWN AS 1643 SOUTH EVANSTON AVENUE.

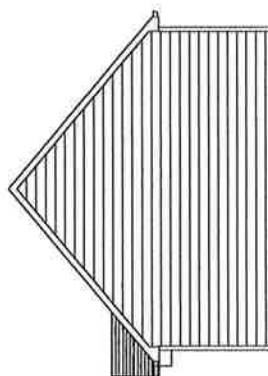
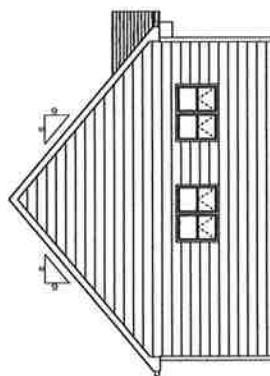
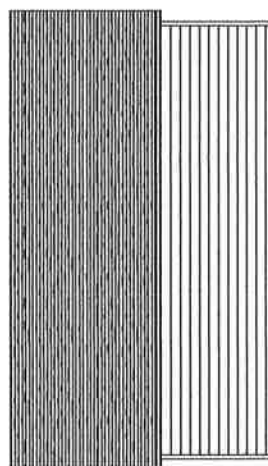
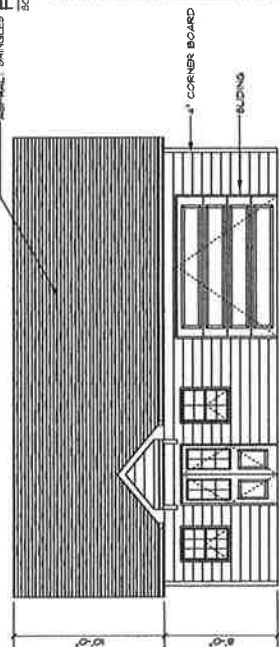
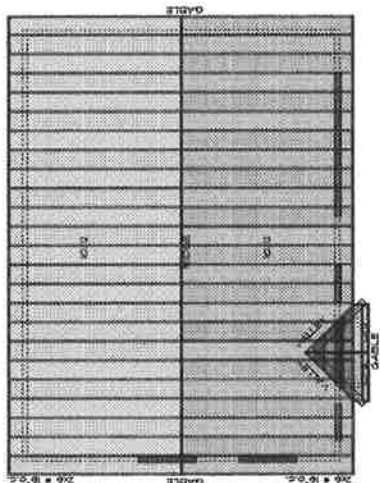
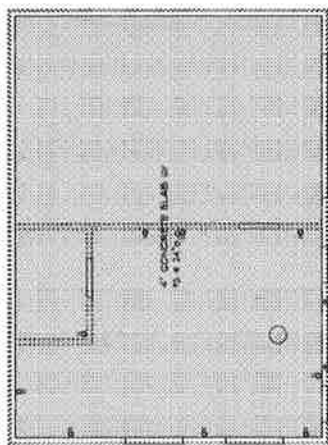
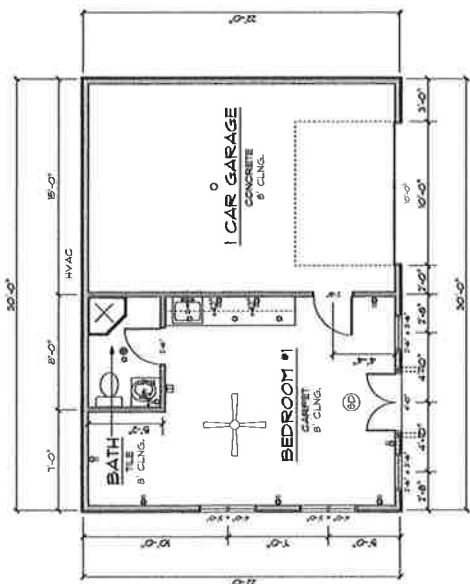
SURVEYOR'S STATEMENT


WHITE SURVEYING COMPANY, AN OKLAHOMA CORPORATION, AND THE UNDERSIGNED LICENSED PROFESSIONAL LAND SURVEYOR, UNDER CERTIFICATE OF AUTHORIZATION #CA1098 (RENEWAL DATE: JUNE 30, 2017), DO HEREBY STATE THAT IN OUR PROFESSIONAL OPINION THE ABOVE INSPECTION PLAT SHOWS THE DWELLING AS LOCATED ON THE PREMISES DESCRIBED, THAT IT IS ENTIRELY WITHIN THE DESCRIBED TRACT BOUNDARIES, AND THERE ARE NO ENCROACHMENTS THEREON BY VISIBLE PERMANENT IMPROVEMENTS, EXCEPT AS INDICATED; THAT THE ABOVE INSPECTION PLAT SHOWS ALL RECORDED PLAT EASEMENTS AND OTHER SUCH EASEMENTS WHICH HAVE BEEN DISCLOSED BY A CURRENT TITLE OPINION OR BY COMMITMENT FOR TITLE INSURANCE AND COPIES THEREOF PROVIDED TO US; THAT THIS INSPECTION PLAT WAS PREPARED FOR IDENTIFICATION PURPOSES ONLY FOR THE MORTGAGEE AND IS NOT A LAND OR BOUNDARY LINE SURVEY; THAT NO PROPERTY CORNERS WERE SET, AND IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING OR OTHER IMPROVEMENTS; THAT UNDERGROUND OR ABOVE GROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS INSPECTION PLAT UNLESS SPECIFICALLY REQUESTED BY THE CLIENT; THAT THIS INSPECTION PLAT IS PREPARED SOLELY FOR THE CLIENT LISTED HEREIN AS OF THIS DATE AND MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFINANCE, OR OTHER TRANSACTION; AND THAT NO RESPONSIBILITY OR LIABILITY IS ASSUMED HEREIN OR HEREBY TO THE PRESENT OR FUTURE LAND OWNER OR OCCUPANT.

WITNESS MY HAND AND SEAL THIS DATE: 8/22/16

WARNING! If the seal on this document is not RED, it is an unauthorized copy which may have been altered or modified, and cannot be used for any purpose without the written permission of White Surveying Company.

Copyright 2015 by White Surveying Company. All Rights reserved. No part of this plat may be reproduced, stored in a retrieval system, or transmitted in any form without prior written permission of White Surveying Company, P.O. Box 471676, Tulsa, Oklahoma.



 SOFTPLAN <small>ARCHITECTURAL SOFTWARE</small>	PHONE: _____ FAX: _____
	DRAWN BY: _____ SCALE: 1/8" = 1'-0" DATE: Friday, November 11, 2016

BOB KOLIBAS
ZONING OFFICIAL
PLANS EXAMINER
TEL 918-596-9664



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 977572-1

November 29, 2016

LINDA LOVE
HOME OWNER
1643 S EVANSTON AV E
TULSA, OK 74104

Phone: (918)381-6141

APPLICATION NO: **409131** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **1643 S EVANSTON AV E**
Description: **NEW**

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. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. 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.
3. A COPY OF A "RECORD SEARCH" [] IS [X] 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)

11.11

Lower 2nd Floor

REVIEW COMMENTS

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

Application No. 409131

1643 S EVANSTON AV E

November 29, 2016

Note: As provided for in Section 70.130 you may request the Board of Adjustment 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.

5.030-A Table of Regulations

The lot and building regulations of Table 5-3 apply to all principal uses and structures in R districts, except as otherwise expressly stated in this zoning code. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90. Regulations governing accessory uses and structures can be found in Chapter 45.

Review Comments: RS-3 zoned lots are required to have a minimum open space of 4000 square feet per lot. The proposed detached garage (660 sq. ft.), House (1530 sq. ft.), porches (304 sq. ft. and driveway (672 sq. ft.) in the front and side yard minus the lot (7000 sq. ft.) provides 3834 square feet of open space which is less than the required amount. Revise the detached garage floor plan area to 494 square feet to comply with the open space requirement or you may apply to the BOA for a variance to reduce the open space on an RS-3 lot from 4000 square feet to 3834 square feet.

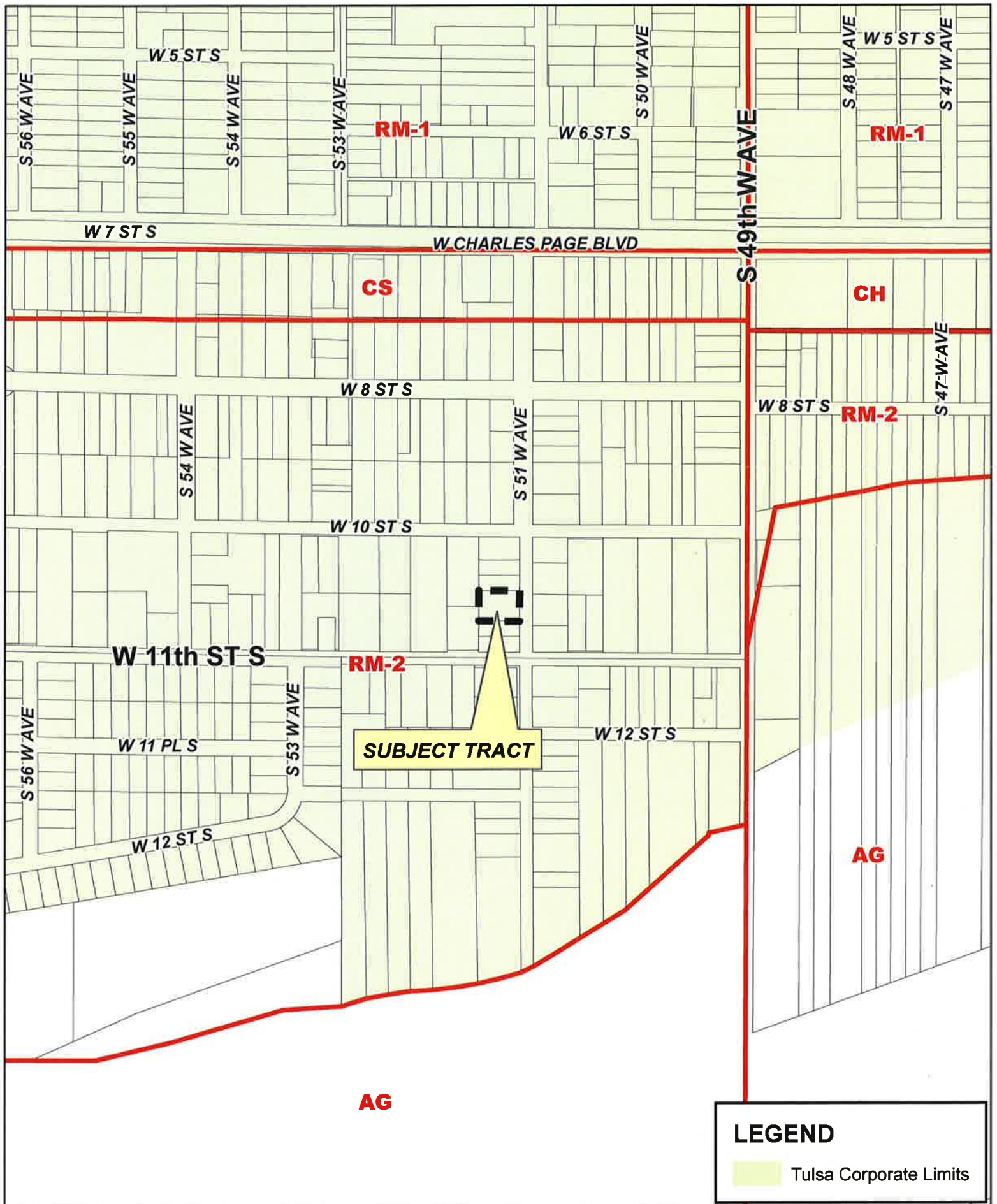
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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.



BOA-22184

19-12 08

12.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9208
CZM: 35
CD: 1
A-P#: 405049

Case Number: **BOA-22184**

HEARING DATE: 01/10/2017 1:00 PM

APPLICANT: Linda Foster

ACTION REQUESTED: Special Exception to permit a manufactured housing unit in a RM-2 zoning district. (Section 5.020)

LOCATION: 1018 S 51 AV W

ZONED: RM-2

PRESENT USE: Residential

TRACT SIZE: 13298.92 SQ FT

LEGAL DESCRIPTION: N 100' S 200' LT 1 N 100 S 200' E 13.77' LT 2 BLK 8, VERN SUB AMD, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

BOA 19337; on 04.23.02 Board denied a special exception to allow a manufactured home in an RM-2 district; a Special Exception to extend the time limit; and a Variance to allow two dwellings on one lot; located at 5123 W 11 St S.

BOA 19280; on 01.22.02 the Board approved a special exception for single-wide manufactured dwelling in RM-2 and waiver of the one-year limit to 30 years; located at 5147 West 12th Street.

BOA 17652; on 03.11.97 the Board approved a special exception to permit a mobile home in an RM-2 district permanently per plan submitted; located at 4929 West 11th Street.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

The **Existing Residential Neighborhood** category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

The **Areas of Stability** includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small

12.2

scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RM-2 zoned residences.

STAFF COMMENTS:

A Special Exception is required as a manufactured home is a use which is not permitted by right in the RM-2 district because of potential adverse affect. The majority of the homes within in the surrounding neighborhood are single-family however, there are existing manufactured homes within the surrounding area.

The Code requires that a manufactured housing unit in an R district be removed from the lot within one year of the special exception approval. The applicant has stated that the manufactured home will be removed within one year; if it is not removed within one year the applicant has the option of returning to the Board to extend the one year time limit by special exception approval.

As the writing of this case report staff has not received any comments from the surrounding neighbors or property owners.

If inclined to approve, the Board may apply any other conditions to the use or site it deems necessary and reasonably related to the requests.

Sample Motion:

Move to _____ (approve/deny) a Special Exception to permit a manufactured housing unit in a RM-2 zoning district. (Section 5.020).

- Subject to the following conditions: _____.

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.

the requirement for 30' of frontage on a public street or dedicated right-of-way to 0' for two lots to be created by a lot-split, subject to a mutual access and utility easement filed of record along the existing driveway for the benefits of Tracts 1, 2 and 3, finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or Comprehensive Plan, on the property described as follows:

A part of the N/2 SE NW, Beg. at the NE/c of N/2 SE NW; thence W 391.93' S 306.5'; E 391.89' to E line of N/2 SE NW; N 306.40' to POB, Section 28, T-18-N, R-13-E, City of Tulsa, Tulsa County, State of Oklahoma.

*.*****.

Case No. 19336

Action Requested:

Special Exception to allow five portable units (manufactured buildings) for two years for classrooms SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 5; and a Approval of an amended site plan to include locker rooms at the football stadium. SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS – Use Unit 5, located NE/c E. Latimer and N. 129th East Ave.

Presentation:

Mike Lowery, 1619 S. Boston, stated he is an architect in partnership with Wallace O. Wozencraft. The church proposes to place portable units for classrooms for two years and the addition of locker rooms in an amended site plan (Exhibit D-1).

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **MOTION** of **Dunham**, the Board voted 4-0-0 (White, Dunham, Turnbo, Cooper "aye"; no "nays"; no "abstentions"; Perkins "absent") to **APPROVE** a **Special Exception** to allow five portable units (manufactured buildings) for two years for classrooms; and a Approval of an amended site plan to include locker rooms at the football stadium, per amended site plan, on the following described property:

Lot 2, Block 1, Trinity Park Resubdivision, City of Tulsa, Tulsa County, State of Oklahoma.

*.*****.

Case No. 19337

Action Requested:

Special Exception to allow a manufactured home in an RM-2 district; a Special Exception to extend the time limit; and a Variance to allow two dwellings on one lot, located 5123 West 11th Street.

Presentation:

Cynthia Nail, 5521 E. Newton Pl., proposes to place a 16' x 80' manufactured home on the back of the subject property. The property belongs to her mother-in-law. She informed the Board that 10th Street does not actually go through.

Comments and Questions:

Mr. White questioned Ms. Nail regarding splitting the lots. Ms. Nail responded that they thought it would be easier and cheaper to do it according to the plan they submitted. Mr. Dunham noted that 10th Street on the site plan is labeled the south property line, but for the record it is the north property line. Mr. Dunham asked if the home was new or used. She replied that she bought it new in 1998.

Interested Parties:

Weldon Brewer, 5144 W. 10th, stated his opposition to the application. He felt that a mobile home is not appropriate in the neighborhood among 60 to 70 year old stick-built homes. He was concerned that it would set a precedent.

Shirley Nail, stated she owns the property. She informed the Board there are already mobile homes in the area, and recently one was approved and placed on 12th Street.

Applicant's Rebuttal:

Ms. Nail stated she is also opposed to run-down mobile homes. She stated her interest in bettering her family by owning their own property in a better neighborhood.

Comments and Questions:

Mr. Boulden asked for a hardship. Mr. Dunham noted that this lot is deeper than the other lots nearby that were the same size and have been split into two lots.

Board Action:

On **MOTION** of **Cooper**, the Board voted 4-0-0 (White, Dunham, Turnbo, Cooper "aye"; no "nays"; no "abstentions"; Perkins "absent") to **DENY** a **Special Exception** to allow a manufactured home in an RM-2 district; a **Special Exception** to extend the time limit; and a **Variance** to allow two dwellings on one lot, finding a lack of hardship, and finding it would cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or Comprehensive Plan, on the following described property:

Lot 3, Block 8, Vern Subdivision Amended, City of Tulsa, Tulsa County, State of Oklahoma.

Lots 1 through 6, Block 15, Orcutt Addition, City of Tulsa, Tulsa County, State of Oklahoma.

Mr. Cooper left the meeting at 3:02 p.m.

Case No. 19280

Action Requested:

Special Exception for singlewide manufactured dwelling in RM-2 and waiver of the one-year limit to allow as permanent use. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 9, located 5147 W. 12th St. S.

Presentation:

Willard Summerton, 5136 W. 11th, stated he was proposing to move a new manufactured home on the property. He felt it would be an improvement for the neighborhood and his property. He stated there are at lease two other manufactured homes in the neighborhood.

Interested Parties:

Robert Akia, 5153 E. 12th St., stated he was not opposed to the manufactured home if it is new. He indicated that he would appreciate the improvement of the neighborhood.

Board Action:

On **MOTION** of **Dunham**, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins, "aye"; no "nays"; no "abstentions"; Cooper "absent") to **APPROVE** a **Special Exception** for single-wide manufactured dwelling in RM-2 and waiver of the one-year limit to 30 years, and condition for skirting, tie-downs, DEQ approval of sewage system, and building permit, finding it 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, on the following described property:

Lot 11, Block 2, Vern Subdivision No. 2, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 19281

Action Requested:

Variance of Section 207 to allow two dwelling units per lot of record. SECTION 207. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD – Use Unit 6; a Variance of Section 403 from required 5' side setback on NE property line to 2'. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL

Case No. 17651 (continued)

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Abbott, Bolzle, Dunham, Turnbo, White, "aye"; no "nays" no "abstentions"; none "absent") to **APPROVE** a **Variance** of the required side yard from 10' to 6'-1" and a **Variance** of the required rear yard 25' to 6'-1" to permit attaching an existing detached garage. **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; per plan submitted; finding that the two structures could remain and meet the Code; finding that not connecting the addition will result in an unnecessary hardship for the applicant; finding that the approval of this application will not be injurious to the neighborhood, nor harmful to the spirit and intent of the Code, on the following described property:

Lot 17, Block 1, Terwilleger Heights, Tulsa County, City of Tulsa, Oklahoma.

Case No. 17652

Action Requested:

Special Exception to permit a mobile home in an RM-2 district permanently. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 9, located 4929 West 11th Street.

Presentation:

The applicant, **Brian R. Sorrels**, represented by Charles Voseles, 3336 East 32nd Street, submitted photographs (Exhibit J-1) and stated that Mr. Sorrels has resided in this neighborhood for a number of years. Mr. Voseles explained that the subject lot is approximately 1 acre in size and his family lives in the immediate area. Mr. Voseles indicated that there are other mobile homes in the immediate vicinity and they are being used as residential structures.

Protestants:

Mr. John Kerns, 409 South 54th West Avenue, stated he is representing his sister, who is the executor of the estate for his parents at 4915 West 11th Street. He inquired if the approval of this application will reduce the value of his parents property? Mr. Kerns stated that the possibility of the property value dropping is the main concern.

Applicant's Rebuttal:

Mr. Voseles stated this application will not decrease the value of property in the immediate area and will probably increase the value since the lot is currently vacant. He explained that the mobile home will not be new or unique for the area since there are several within one block of the subject lot.

Case No. 17652 (continued)

Comments and Questions:

Ms. Abbott asked the applicant if there are mobile homes within the subject block? He answered affirmatively.

Mr. Voseles approached the Board and indicated the locations of the various mobile homes in the area.

Mr. Bolzle stated that there are enough mobile homes in the area that this application will not affect the overall appraisals of the area. He further stated the only problem he has with this application is that the Board has never granted a mobile home permanently. He explained that the policy in the past has been to grant mobile homes for one, two or three years and have the applicant return to seek permanent use at the end of that time.

Mr. White asked the applicant if the tie downs and skirting are to be installed? He answered affirmatively.

In response to Mr. White, Mr. Voseles stated the mobile home will be hooked up to the City sewer system.

Mr. Kern stated that if the Board is going to approve the special exception, he would prefer the special exception be permanent.

Ms. Abbott asked Mr. Romig if the Board approves this special exception permanently will the approval stay with the land regardless of ownership? He answered affirmatively. Ms. Abbott stated she felt the Board should limit this approval.

Mr. Bolzle stated that in the past the reason the Board has not approved the mobile homes permanently is because over the years neighborhoods change. In many cases the Board has looked at mobile homes as interim housing uses until at such time the neighborhood improved in the future and then the mobile home would be replaced with permanent housing. Mr. Bolzle commented he does not see the same concern in this area because of the amount of mobile homes presently existing in the area.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 4-1-0 (Bolzle, Dunham, Turnbo, White, "aye"; Abbott "nay" no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit a mobile home in an RM-2 district permanently. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 9; per plan submitted; subject to tie downs and skirting; subject to the Health Department approval and a building permit; finding that the approval of this application will not be injurious to the neighborhood, nor harmful to the spirit and intent of the Code, on the following described property:

Case No. 17652 (continued)

NE/4, NE/4, Sec. 12, T-19-N, R-13-E, I.B.M., Tulsa County, City of Tulsa, Oklahoma, according to the U.S. Government survey thereof, described as follows, to-wit: Beg. 50' S, 25' E, NE/c, NW/4, NE/4; thence S 280'; thence E 140'; thence N 280'; thence E 140'; thence N 280'; thence W 140' to the POB and being located in an CS zoned district.

Case No. 17653

Action Requested:

Special Exception to allow the sale of auto parts and to allow auto detailing and window tinting in a CS zoned district. **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 17, located 9306 East 11th "A."

Presentation:

The applicant, **Ross Thomas (Tom) Wright III**, was not present.

Protestants: None.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 5-0-0 (Abbott, Bolzle, Dunham, Turnbo, White, "aye"; no "nays" no "abstentions"; none "absent") to **CONTINUE** Case No. 17653 to March 25, 1997, at 1:00 p.m. to enable staff to contact the applicant.

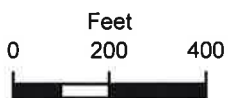
There being no further business, the meeting was adjourned at 2:55 p.m.

Date approved: _____

MARCH 25, 1997



Chair



Subject
Tract

BOA-22184

19-12 08

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

Aerial Photo Date: February 2016





S 51st WAVE

W 11th ST S

W 12th ST S

0 50 100
Feet



Subject
Tract

BOA-22184

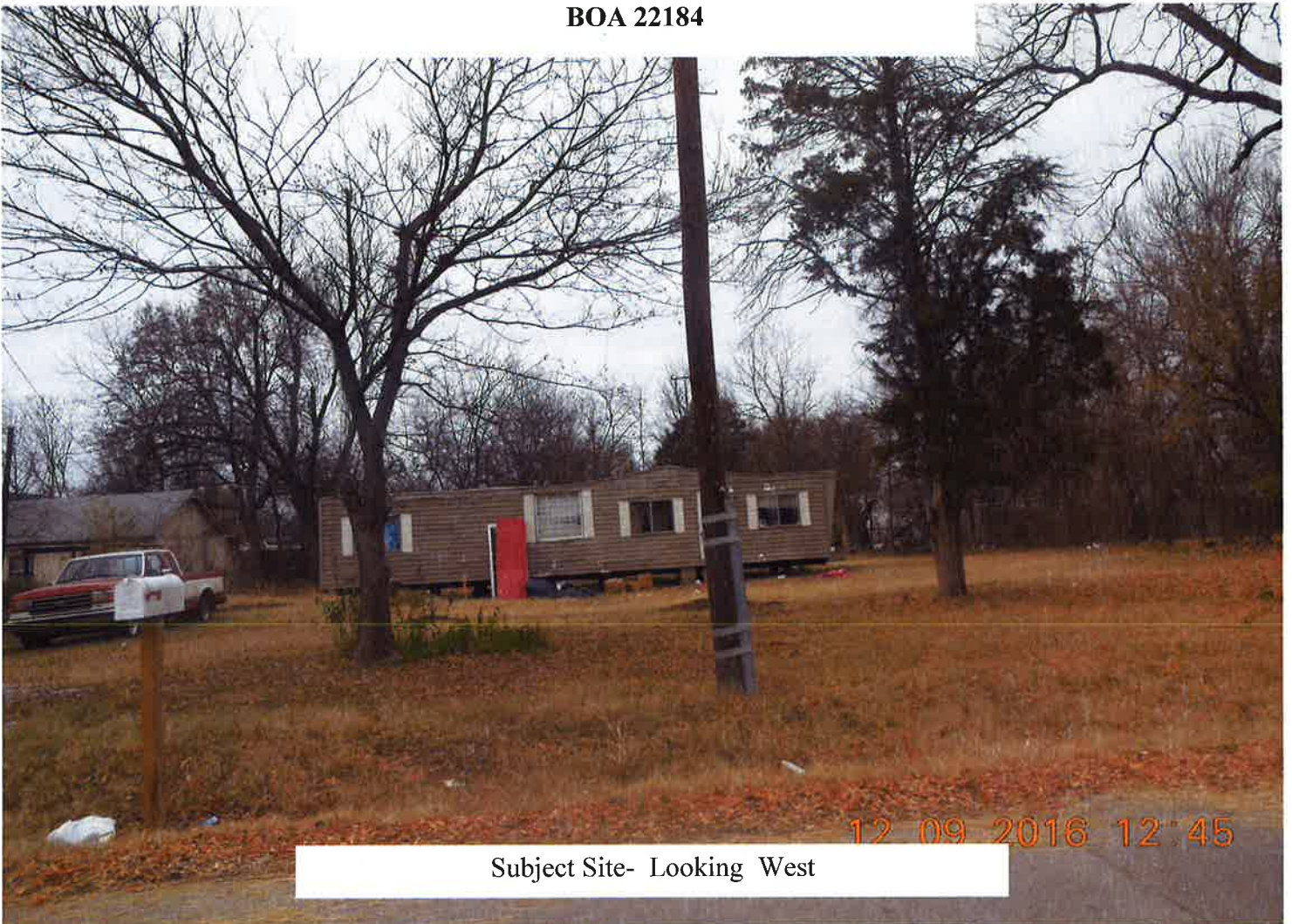
19-12 08

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

Aerial Photo Date: February 2016

12.11



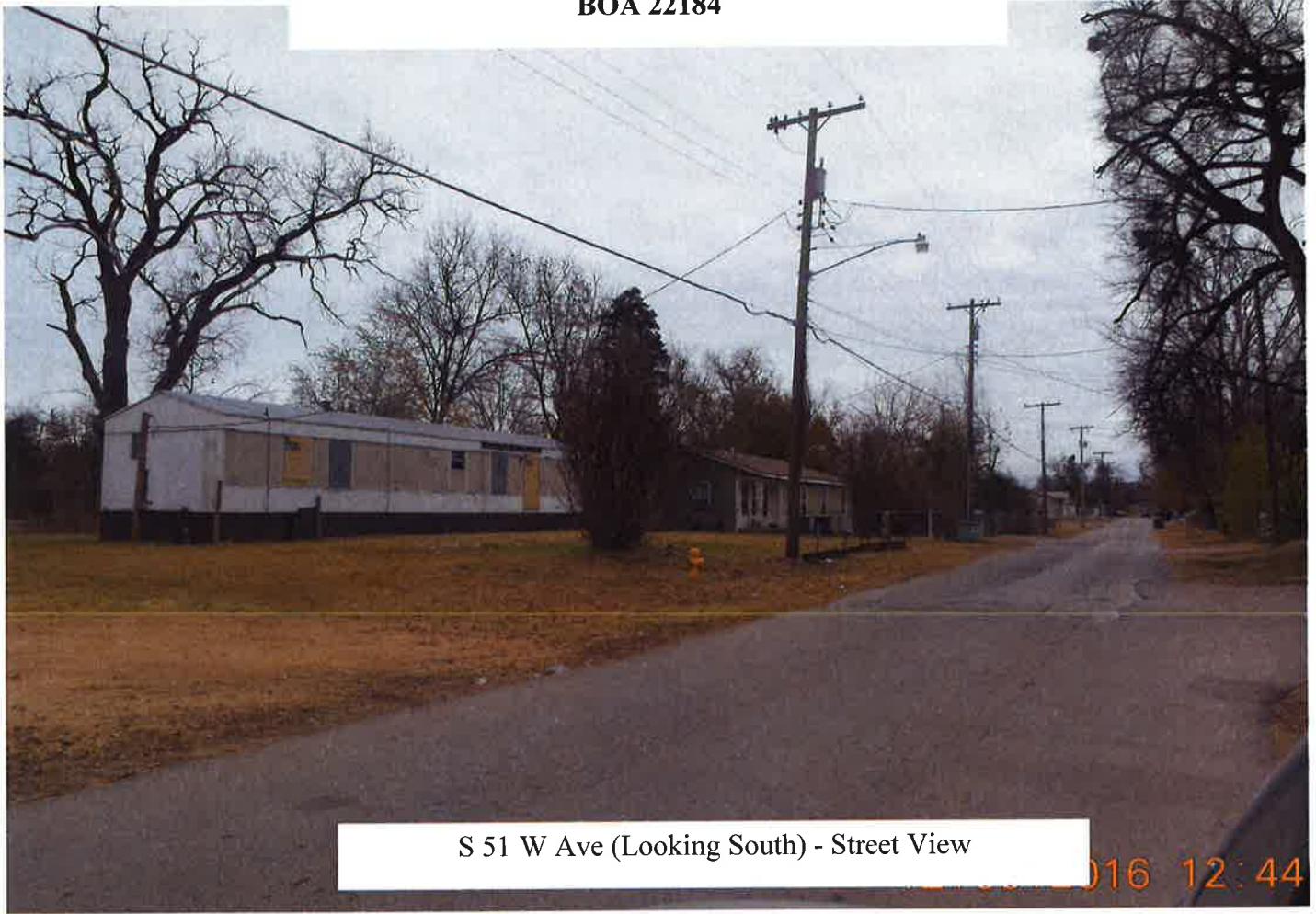


Subject Site- Looking West



Subject Site- Looking West

BOA 22184



S 51 W Ave (Looking South) - Street View

12/13/2016 12:44

BOA 22184
1018 S 51 Ave W
Tulsa, OK 74127

W 11 STS

100 ft

12 ft x 45 ft
(manufactured home)

133 ft

133 ft

68 ft

RM-2

S 51 W AVE

S 51st West Ave

8.5 ft wide by 22 ft long
(parking)



JEFF S. TAYLOR
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-7637
jstaylor@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 972089-2

November 15, 2016

LINDA FOSTER
HOMEOWNER
1018 S 51ST AV W
TULSA, OK 74127

Phone: (405)397-5411

APPLICATION NO: **405049** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **1018 S 051 AV W**
Description: **NEW**

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. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. 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.
3. A COPY OF A "RECORD SEARCH" 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.).

12.15

REVIEW COMMENTS

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

Application No. 405049

1018 S 051 AV W

November 15, 2016

Note: As provided for in Section 70.130 you may request the Board of Adjustment 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.

1. **Sec.5.020 Table 5-2:** The submitted application indicates construction of a "Manufactured Housing Unit" per documents submitted to our office. The proposed Manufactured Housing Unit is located in an RM-2 Zoning District.

Review Comments: Manufactured Housing Units are allowed in this zoning district by special exception. Apply for a Special Exception from the City of Tulsa Board of Adjustment (BOA) per Sec.70.120 to allow a Manufactured Housing Unit to be placed on your lot. Once you receive approval you will need to submit the approval documents to this office.

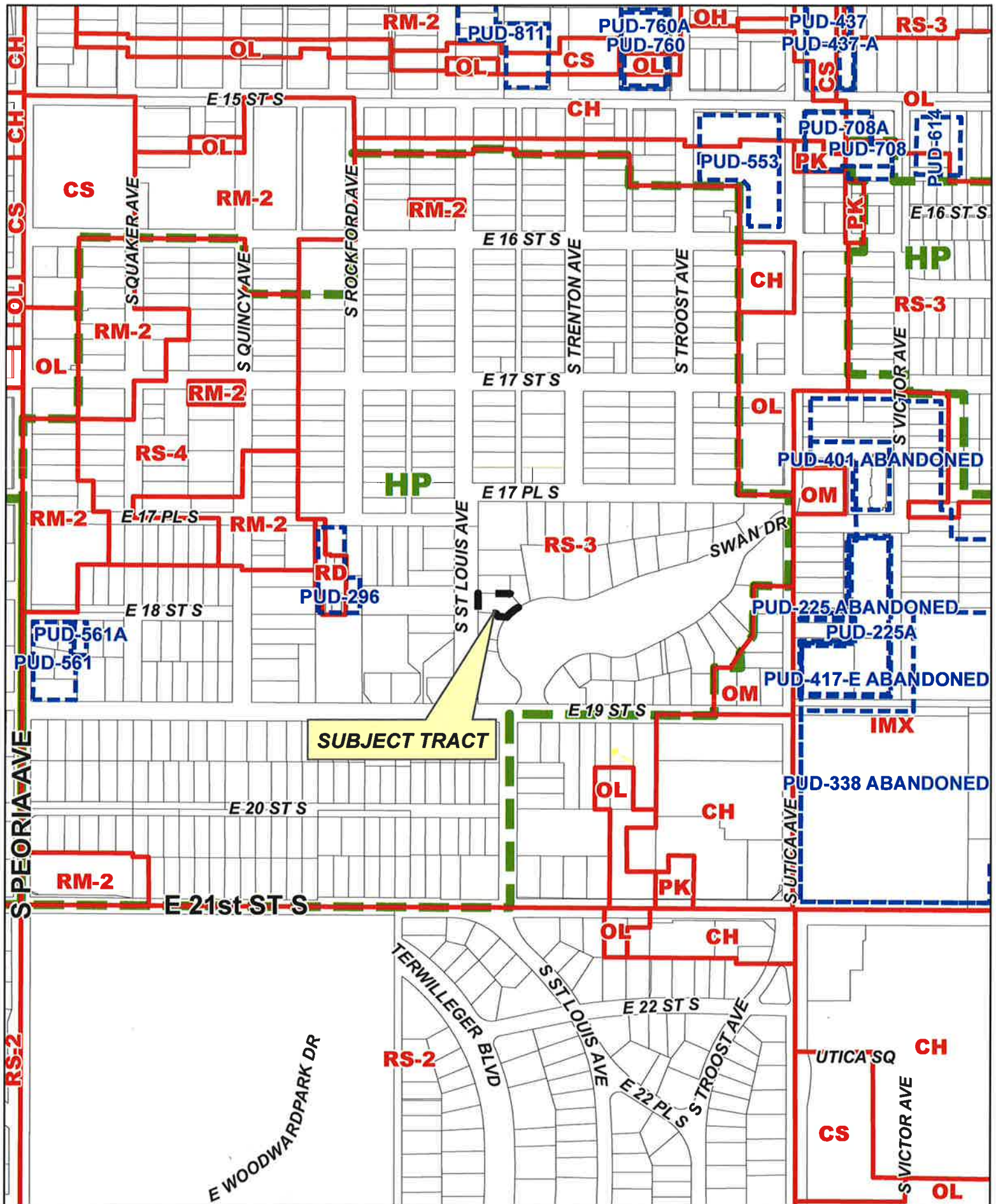
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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.



BOA-22185

19-13 07

13.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9307
CZM: 37
CD: 4
A-P#: 8399

Case Number: **BOA-22185**

HEARING DATE: 01/10/2017 1:00 PM

APPLICANT: Kurt Barron

ACTION REQUESTED: Variance to allow a detached accessory building to be located less than 25 ft. from the rear property line (Section 90.090.C-2.b).

LOCATION: 1755 S ST LOUIS AV E

ZONED: RS-3/HP

PRESENT USE: Residential

TRACT SIZE: 7013.19 SQ FT

LEGAL DESCRIPTION: PT LTS 3 & 4 BG 50 S OF NWC LT 3 TH S 62.4 SE 38.7 S 5.5 SE 51.25 NELY ON CRV 50 NW 54.9 TH W 101 TO BEG BLK 1, SWAN PARK, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Lot:

BOA 18100; on 07.14.98 the Board approved a variance of the required 25' front yard to 13' 6" to allow an addition to the garage and a variance to enlarge a nonconforming garage.

Surrounding Properties:

BOA 19876; on 07.24.04 the Board approved a variance of the required rear setback from 20 ft to 8.8' and a variance of the required side yard to 4.5 ft.; located at 1509 E 19th St S.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

The **Existing Residential Neighborhood** category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

The **Areas of Stability** includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality

13.2

of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is located in the Swan Lake Historic Preservation District and is surrounded by RS-3 zoned residences.

STAFF COMMENTS:

The applicant is before the Board requesting a **Variance** of the required rear setback in the RS-3 district from 25' to 3' to permit the construction of a 200 SF storage shed. The applicant provided the following statement: *"There is an existing water feature stream in this area that requires the shed be closer to the rear property line."*

The RS-3 district requires that the proposed accessory building be setback 25 ft. from the Swan Drive street right-of-way to establish and preserve desired development intensity within the district. The City of Tulsa provided the following comment: *"According to Section 70.070-B.4 of the Zoning Code, an exemption from the requirement for a Historic Preservation Permit would be available only if the accessory structure is not located in the street yard. Since the yard in which this accessory structure would be located is a street yard, as it abuts Swan Drive, a Historic Preservation Permit is be required"*. As the writing on this case report the proposed storage shed has not been and approved by the Tulsa Preservation Commission.

Sample Motion for a Variance

Move to _____ (approve/deny) a Variance to allow a detached accessory building to be located less than 25 ft. from the rear property line (Section 90.090.C-2.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 _____.

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."

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Stephens, Paddock "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of average lot width from 60' to 50' to permit a lot split, per plan, finding even the smaller lot would be equal to the average lot width in the area, on the following described property:

E 83 S 154.25 LT 15, and PT LT 18 W 30 OF S 149.25, OZARK GARDEN FARMS.

* * * * *

Case No. 19876

Action Requested:

Variance of required rear yard from 20' to 8.8'; Variance of required side yard from 5' to 4.5'. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, located: 1509 E 19TH ST S.

Mr. White abstained from Case No. 19876.

Presentation:

Lou Reynolds, 2727 E. 21st St., stated he represented the applicant, Lon Foster. The existing house was built over a setback line. The owner proposed to build an addition. This Board previously approved a rear yard setback. The Historic Preservation Board approved these plans. They obtained approval for a building permit subject to approval of the relief requested. The hardship is the irregularly shaped lot. The neighbors to the west expressed support of this application.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion** of **Turnbo**, the Board voted 4-0-1 (Dunham, Turnbo, Stephens, Paddock "aye"; no "nays"; White "abstained"; no "absences") to **APPROVE** a **Variance** of required rear yard from 20' to 8.8'; **Variance** of required side yard from 5' to 4.5', per plan, finding it would blend in with the older neighborhood; and finding it 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, on the following described property:

LT 5 BLK 1, PARK PLACE, SWAN LAKE ESTATES RESUB PRT L3 & ALL LT4
B26 PARK PLACE.

Case No. 19878

Action Requested:

Variance of regulation limiting one single-family dwelling, or mobile home on a lot of record, to permit 3 dwelling units on a tract of 10 acres, Special Exception to permit 2 mobile homes, Special Exception to extend the 1 year time limit in an AG zoned district. SECTION 207. ONE-SINGLE-FAMILY DWELLING PER LOT OF RECORD; SECTION 301. PRINCIPAL USES PERMITTED IN AGRICULTURE DISTRICTS, located: 2626 S LYNN LANE RD E.

Mr. Dunham out at 2:53 p.m.

Presentation:

Greg Tow, 2626 Lynn Lane, stated his name and address.

Comments and Questions:

Mr. White asked if the applicant had a site plan showing where the mobile homes would be placed. The applicant pointed out the locations for the Board to see.

Mr. Dunham returned at 2:55 p.m.

Mr. Paddock asked for the purpose of the homes. Mr. Tow replied they were for his daughters:

Interested Parties:

Hugh Durant, 2824 S. Lynn Lane, stated his property is south of the subject property. He stated he has a cow/calf operation on his property. He wanted to know the use for the mobile homes. Mr. White responded the homes were for the applicant's daughters. He asked for restriction to be used for family only and not commercial or renters.

Applicant's Rebuttal:

Mr. Boulden asked what time limitation the applicant would request. Mr. Durant was agreeable to ten years.

Board Action:

On **Motion** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Stephens, Paddock "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** of regulation limiting one single-family dwelling, or mobile home on a lot of record, to permit 3 dwelling units on a tract of 10 acres, **Special Exception** to permit 2 mobile homes, **Special Exception** to extend the 1 year time limit in an AG zoned district to ten years, finding it is a large tract and can support three dwellings, on the following described property:

Mr. Cooper stated that the Board tends to approve things per plan submitted and his guess is that the Board would reject this plan.

Ms. Perkins stated that you really have to look for the building because there is a lot of underbrush and trees covering it.

Ms. Turnbo has had personal experience with a contractor telling her he had all the permits and he did not.

Mr. White stated that if this was a plan coming before the Board he would deny the plan.

Board Action:

On **MOTION** of **COOPER**, the Board voted 3-2-0 (Cooper, White, Turnbo, "aye"; Perkins, Dunham "nays", no "abstentions"; no "absent") to **DENY** Variance to allow an accessory building in the front yard. **SECTION 210.B.5. YARDS; Permitted Obstructions in Required Yards**, on the following described property:

Lot 11, Block 3, Terrace Drive Addition, City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 18100

Action Requested:

Variance of required 25' front yard to 13'6" to allow an addition to the garage. **SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts – Use Unit 6;** a Variance to enlarge a nonconforming garage. **SECTION 1405. STRUCTURAL NONCONFORMITIES** and a Variance from the required 20' side yard for a garage that abuts a public street to 13'6". **SECTION 403.A.5. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts**, located 1755 South Street Louis Avenue.

Presentation:

The applicant, **Stephen Michael Poleman**, 1755 South St. Louis, submitted photos and site plan (Exhibits H-1 and H-3) and letters from his neighbors (Exhibit H-2) and stated that he is the owner of the property and has owned it for five years. Mr. Poleman is requesting a Variance to take an existing one-car garage, bring it two feet closer to the street and extend it to a two-car garage. The reason for the two-car garage is that they would like to keep the cars off the street and protect the vehicles. Mr. Poleman will keep the existing one car garage and make a two-foot extension on the front and then extend it over for the second car. This will comply with any request of the historic preservation commission and the board that governs the neighborhood.

The hardship is that they are on a unique lot and there is no other place where they could put a garage and the existing garage is 70 years old. Mr. Poleman stated that this is part of a remodel and they would like to make the garage accessible from the house and they would like to fit the larger cars of today in the garage. Mr. Poleman pointed out that the site plan that Mr. Arnold provided shows that the garage is 14'6" but he only needs relief of 13'6".

Comments and Questions:

Mr. White stated that on the site plan it does not show the driveway being widened, is that planned. Mr. Poleman answered affirmatively.

Ms. Turnbo asked if the existing garage will be brought out two feet and the other one will line up with it on the front. Mr. Poleman answered affirmatively.

Mr. White mentioned that the Board has six letters of approval from various neighbors (Exhibit H-2).

Mr. Beach stated that by looking over the plan, the last item, the Variance from the required 20' side yard for a garage that abuts a public street, does not apply in this case. That is a situation that comes up when you are on a corner lot. This is not a corner lot and the last request does not apply. Mr. White asked if this could stem from the fact that the property on the southeast owns one drive. Mr. Beach answered negatively. He stated that it abuts another street and has a 25' setback. Mr. White asked if they should strike the last variance request. Mr. Beach answered affirmatively.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 5-0-0 (Cooper, Dunham, Turnbo, Perkins, White, "aye"; no "nays", no "abstentions"; no "absent") to **APPROVE** Variance of required 25' front yard to 13'6" to allow an addition to the garage. **SECTION 403.A. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts – Use Unit 6; a Variance to enlarge a nonconforming garage. SECTION 1405. STRUCTURAL NONCONFORMITIES and to STRIKE** Variance from the required 20' side yard for a garage that abuts a public street to 13'6". **SECTION 403.A.5. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts**, finding that this is an irregular tract of land,, the house was built before 1930; per plan submitted on the following described property:

Part of Lots 3 and 4, Block 1, of Swan Park Addition to the City of Tulsa, Tulsa County, State of Oklahoma, more particularly described as follows: Beginning at a point on the west line of said Lot 3, 50' south of the NW/c of said lot, thence south along the west line of said Lot 3, a distance of 62.4' to a point, thence south 88°50' E a distance of 38.7' to a point; thence south and parallel with the Wly line of said Lot 3, a distance of 5.5' to a point; thence south 67°8' E a

distance of 51.25' to a point on the SEly line of said Lot 3; thence NEly on the SEly line around a curve whose radius is 140', a distance of 50' to a point; thence N 21°45' W a distance of 54.9' to a point, thence W and parallel with a Nly line of said Lot 4 a distance of 101' to the point of beginning.

* * * * *

Case No. 18101

Action Requested:

Special Exception for a mini-storage in a CS district and/or Special Exception for a mini-storage and a car wash in a CS district. **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 16** and a Variance of required setback from the centerline of E. 40th St. S. from 50' to 26'. **SECTION 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS**, located Southwest corner East 40th Street South & 129th East Avenue.

Presentation:

The applicant, **Larry R. Pennington**, was represented by **Jim Swears**, 13539 East 38th Place, submitted a site plan (Exhibit I-1) and stated that he is the owner of the property. Mr. Swears stated that he has a mini-storage directly to the east of this particular piece of property, which is two years old. Their buildings are built right on the property line and at that time the Planning Commission gave him the option to have a screening fence on the property line or to simply put the buildings on the property line, and that is what they did on that piece of property. Mr. Swears is asking for the same thing here. The building will run along 40th Street running east and west. The rest of the land would be used for open parking for cars and boats. They would have two approved accesses off of 129th East Avenue. The other approval that they are asking for is for a car wash. Another party approved this property for a car wash about three years ago. That approval ran out a few months ago. Their number one priority would be to do the car wash and that plot plan shows a mini-storage building 30'x150' located to the west of the car wash.

Comments and Questions:

Ms. Perkins asked the applicant if there is going to be any screening on the north lot line. Mr. Swears answered that if he is approved for the car wash and the mini-storage to the west, there would be no screening on 40th Street. The reason they asked for screening was in case people could look into the storage area.

Mr. Beach stated that he is required to have screening on the north side. In the case where the mini-storage runs along 40th Street, the building itself provides the screening. Ms. Perkins asked if Mr. Swears puts the mini-storage on the west, doesn't he have to provide screening. Mr. Beach answered yes. Ms. Perkins asked Mr. Swears what type of screening he will put there. Mr. Swears answered that if it is a car wash, they were not planning on any screening there. Mr. Stump stated that the Zoning Code requires that they put screening there because it abuts residential. Mr.



Feet
0 200 400



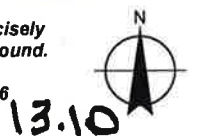
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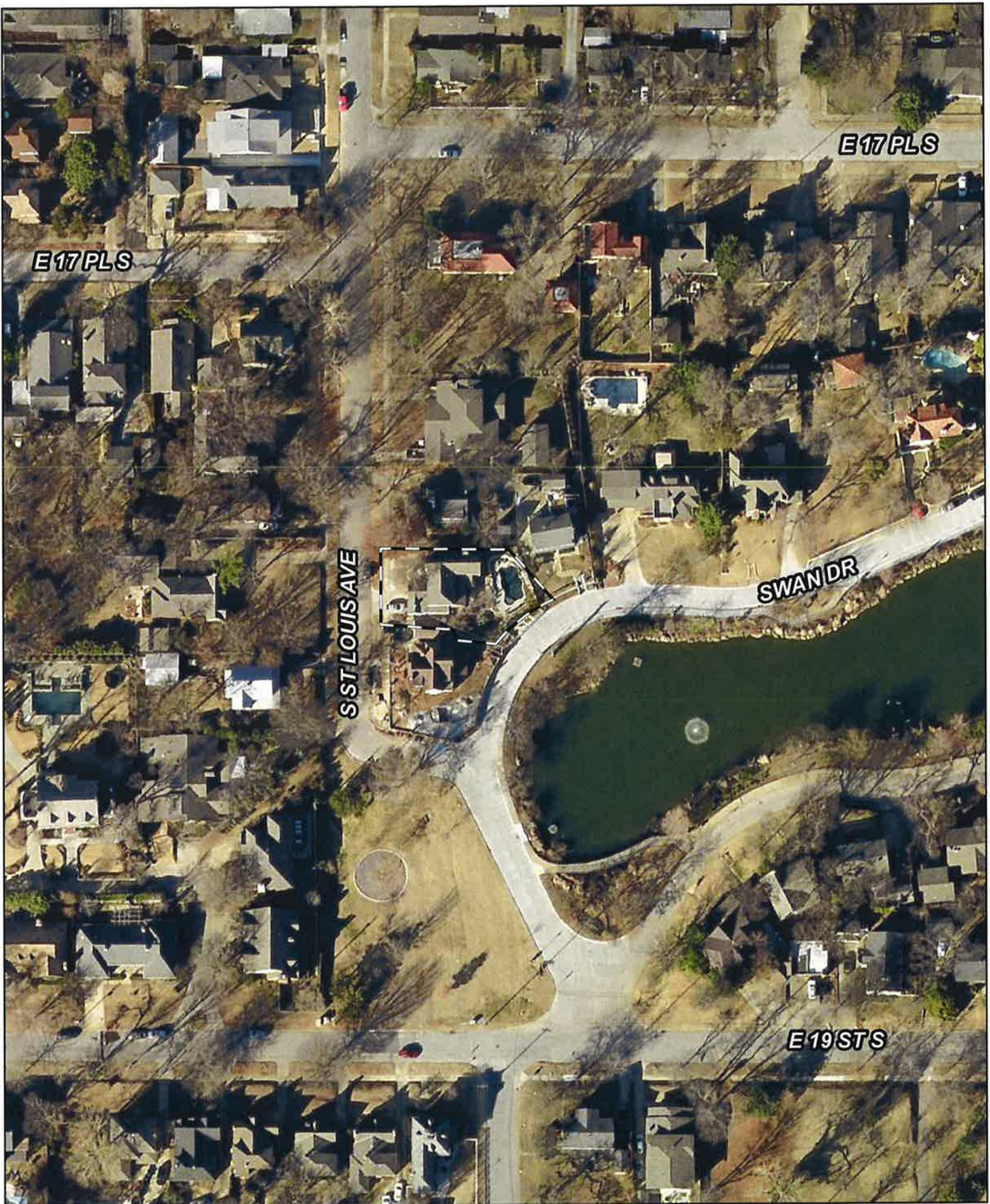
BOA-22185

19-13 07

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

Aerial Photo Date: February 2016





0 50 100
Feet



Subject
Tract

BOA-22185

19-13 07

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

Aerial Photo Date: February 2016



13.11



Subject Site- Looking East

2016 11:55

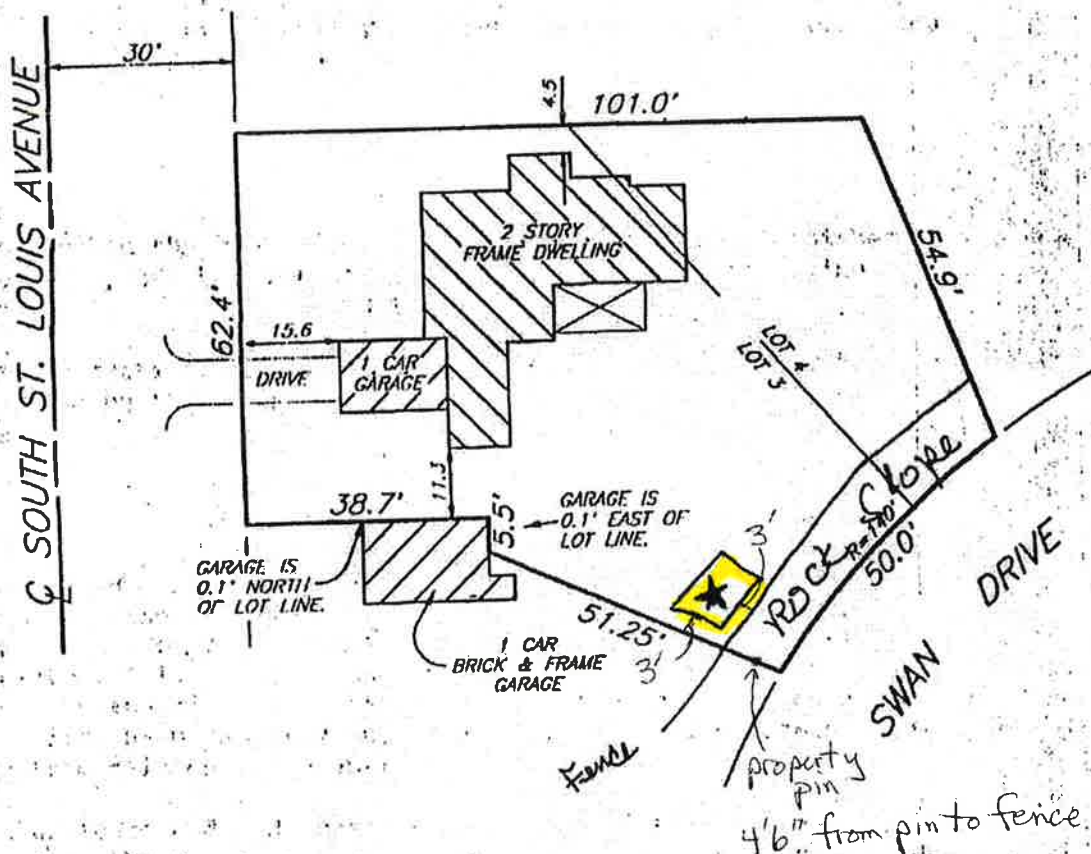
$1'' = 30'$

SURVEYING COMPANY

9936 EAST 35TH PLACE TULSA, OKLAHOMA 74148
(918) 883-8924

BORROWER:
 POLEMAN, STEPHEN M.
 FILE NO. 100606653

THIS PROPERTY LIES IN ZONE "C" FLOOD HAZARD AREA PER
F.I.R.M. COMMUNITY PANEL NO. 405381 0060F, AS LAST
REVISED NOVEMBER 3, 1989.



PLAT 1 204

CERTIFICATE

THIS PLAT IS MADE FOR AND AT THE REQUEST OF DELTA TITLE & ESCROW/ BANK UNITED OF TEXAS FSB

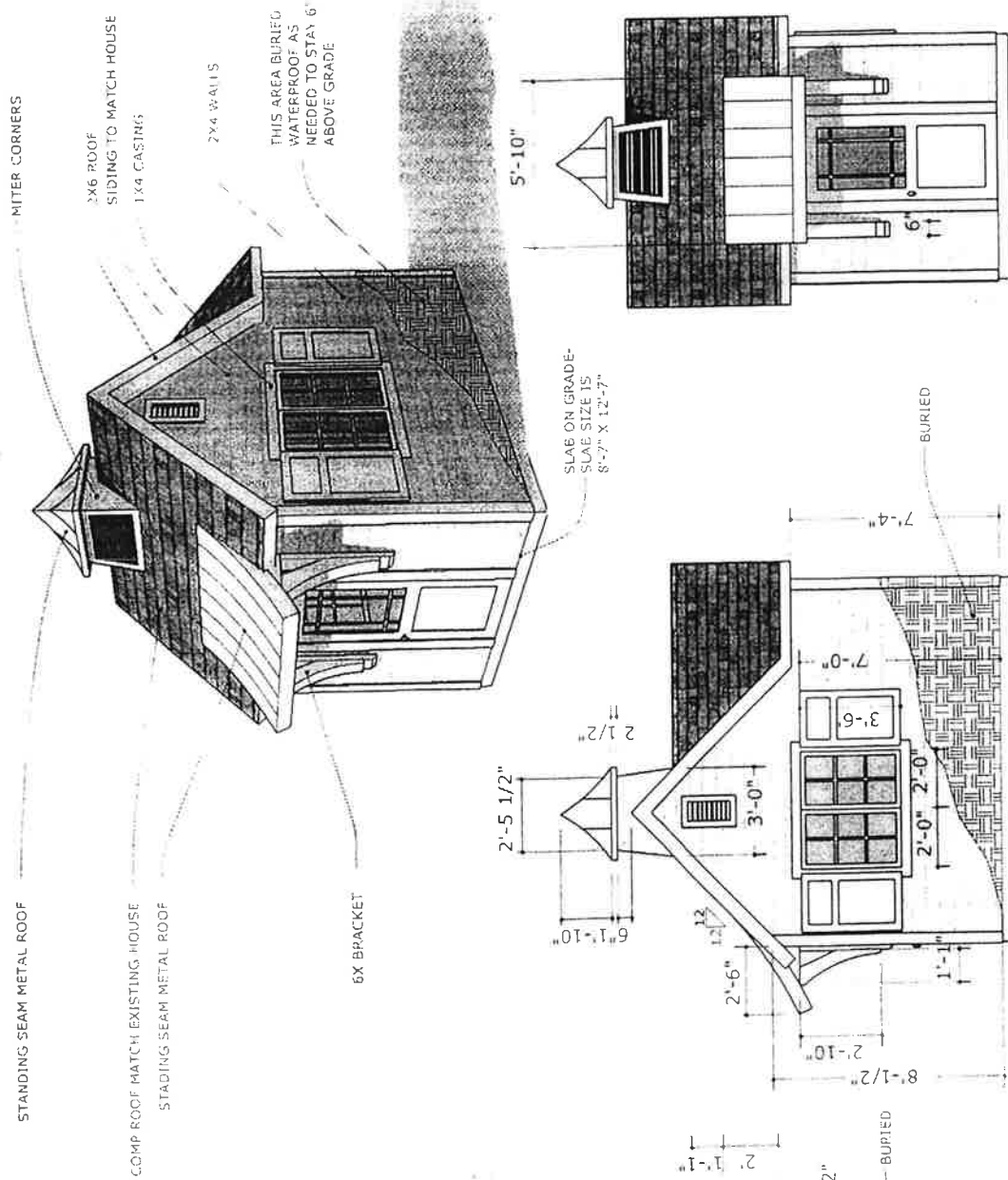
FOR MORTGAGE LOAN PURPOSES ONLY, COVERING PROPERTY DESCRIBED AS FOLLOWS:

THAT PART OF LOTS THREE (3) AND FOUR (4), IN BLOCK ONE (1), SWAN PARK, A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT THREE (3), FIFTY (50) FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT THREE (3), A DISTANCE OF SIXTY-TWO AND FOUR TENTHS (62.4) FEET TO A POINT; THENCE SOUTH EIGHTY-EIGHT DEGREES, FIFTY (50) MINUTES EAST A DISTANCE OF THIRTY-EIGHT AND SEVEN TENTHS (38.7) FEET TO A POINT; THENCE SOUTH AND PARALLEL WITH THE WESTERLY LINE OF SAID LOT THREE (3), A DISTANCE OF FIVE AND FIVE TENTHS (5.5) FEET TO A POINT; THENCE SOUTH SIXTY-SEVEN (67) DEGREES, EIGHT (8) MINUTES EAST A DISTANCE OF FIFTY-ONE AND TWENTY-FIVE ONE HUNDREDTHS (51.25) FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID LOT THREE (3); THENCE NORTHEASTERLY ON THE SOUTHEASTERLY AROUND A CURVE WHOSE RADIUS IS ONE HUNDRED FORTY (140) FEET, A DISTANCE OF FIFTY (50) FEET TO THE POINT OF BEGINNING.

13.13

Poleman - 1755 S. St. Louis

Barron & McClary
General Contractors, Inc
1424 S Harvard
Tulsa, OK 74112



Front Elevation
 1/4" = 1'-0"

Side Elevation
 1/4" = 1'-0"

Rear Elevation
 1/4" = 1'-0"

July 15, 2015

Garber, David | Poleman residence

13.14

JEFF S. TAYLOR
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-7637
jstaylor@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 928801-2

December 06, 2016

KURT BARRON
BARRON & MCCLARY GC INC
1424 S HARVARD AVE
TULSA, OK 74112

Phone: (918)740-7904
Fax: (918)749-9867

APPLICATION NO: **8399** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **1755 S ST LOUIS AV E**
Description: **BUILD SHED IN BACK YARD UNDER 200 SQ FT**

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

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3. A COPY OF A "RECORD SEARCH" ☐ **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.).

REVIEW COMMENTS

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

Application No. 8399

1755 S ST LOUIS AV E

December 06, 2016

Note: As provided for in Section 70.130 you may request the Board of Adjustment 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.

90.90.C,2: Detached Accessory Buildings

b. Detached accessory buildings in the rear yard must be set back at least 3 feet from all interior lot lines; For lot lines abutting street right-of-way, detached accessory buildings must comply with the same setback requirements that apply to principal buildings;

Review Comments: This lot has street setbacks at the front and rear property lines. Revise plans to indicate that the detached accessory building will be set back at least 25 feet from the rear property line or apply to the BOA for a variance to allow an accessory structure to be located less than 25 feet from the rear property line.

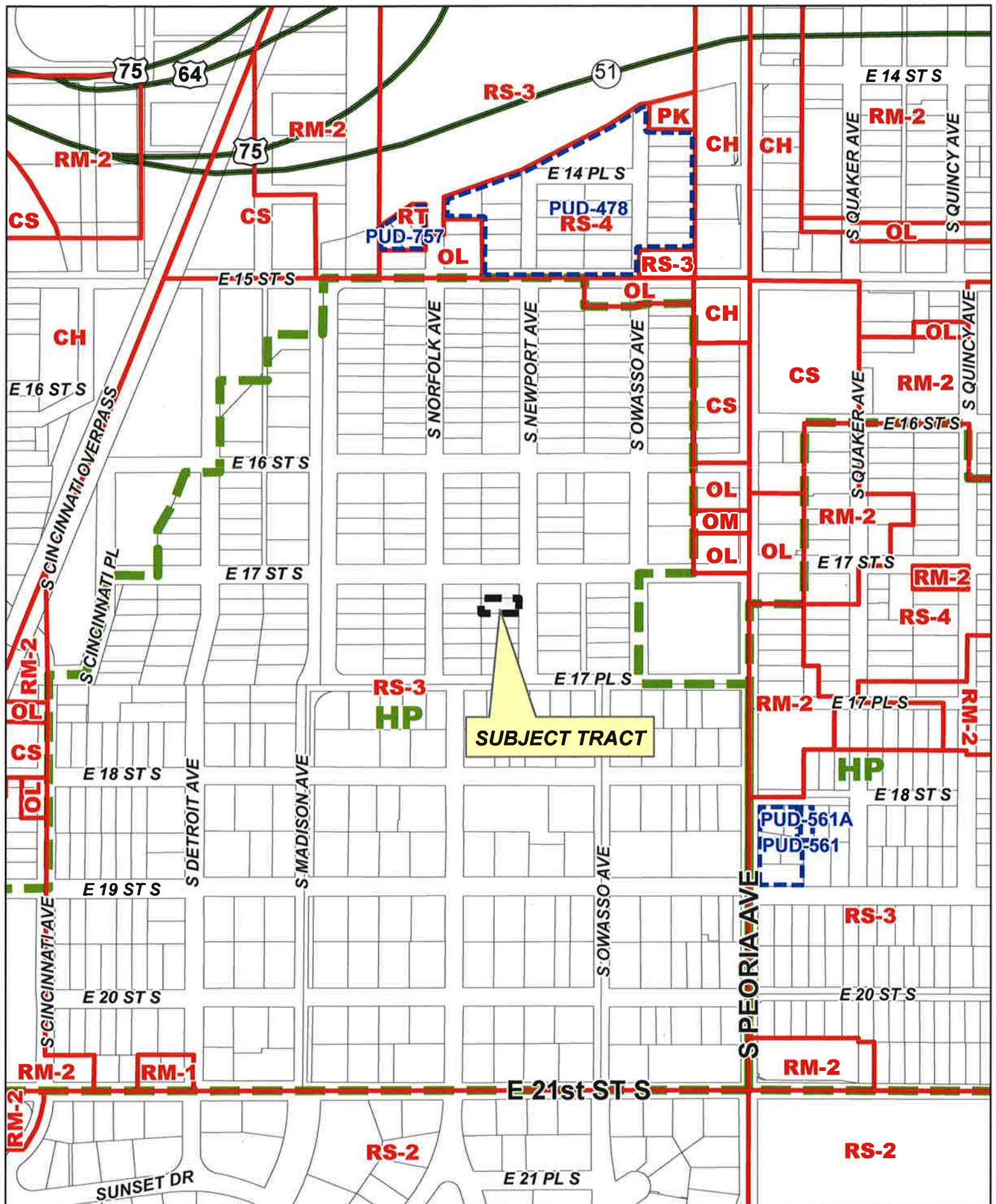
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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.



BOA-22186

14.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9212

Case Number: **BOA-22186**

CZM: 36

CD: 4

A-P#: 409625

HEARING DATE: 01/10/2017 1:00 PM

APPLICANT: Ralph Smith

ACTION REQUESTED: Variance of the required open space on the lot from 2878 SF (approved in BOA-16467) to 2253 SF in the RS-3 district. (Section 70.130-K)

LOCATION: 1708 S NEWPORT AV E

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 6250.89 SQ FT

LEGAL DESCRIPTION: LT 2 BLK 20, MORNINGSIDE ADDN, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Lot:

BOA-16467; on 10.26.93 the Board approved a variance to reduce the required livability space from 4000 square feet to 2878 square feet to permit an addition to the house.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

The **Existing Residential Neighborhood** category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

The **Areas of Stability** includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is located in the North Maple Ridge Historic Preservation District and is surrounded by RS-3 zoned residences.

14.2

STAFF COMMENTS:

In **BOA 16467** the Board approved a request to reduce the minimum open space on the site to 2878 SF to permit an addition to the existing house. As shown on the attached plans the applicant is proposing a 324 SF addition to the existing garage that will reduce the total open space on the site to 2253 SF. A request to change the specific nature of the approved variance must be processed as a new variance application. Therefore the applicant is before the Board requesting a variance of the approval in **BOA 16467** to reduce the total open space on the site to 2253 SF.

The subject property is legal nonconforming lot; the RS-3 district requires a lot area of 6,900 SF and a lot width of 60 ft. It appears the subject property currently contains a lot area of 6250.89 SF and a lot width of 50 ft.

Sample Motion for a Variance

Move to _____ (approve/deny) a Variance of the required open space on the lot from 2878 SF (approved in BOA 16467) to 2253 SF in the RS-3 district (Section 70.130-K).

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

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."

FILE COPY

Case No. 16467

Action Requested:

Variance of the required livability space from 4000 sq ft to 2878 sq ft - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 1708 South Newport.

Presentation:

The applicant, **Robert Day**, 1708 South Newport, submitted a plot plan (Exhibit E-1) and informed that an addition to square an exiting dwelling is proposed (Exhibit E-2). He stated that the new construction will add approximately 200 sq ft of floor space to the house. Mr. Day explained that the area was developed prior to the livability space requirement and has never complied with that Code requirement. Photographs (Exhibit E-3) were submitted.

Comments and Questions:

Mr. Doverspike asked if the construction materials will be the same as the existing structure, and the applicant answered in the affirmative.

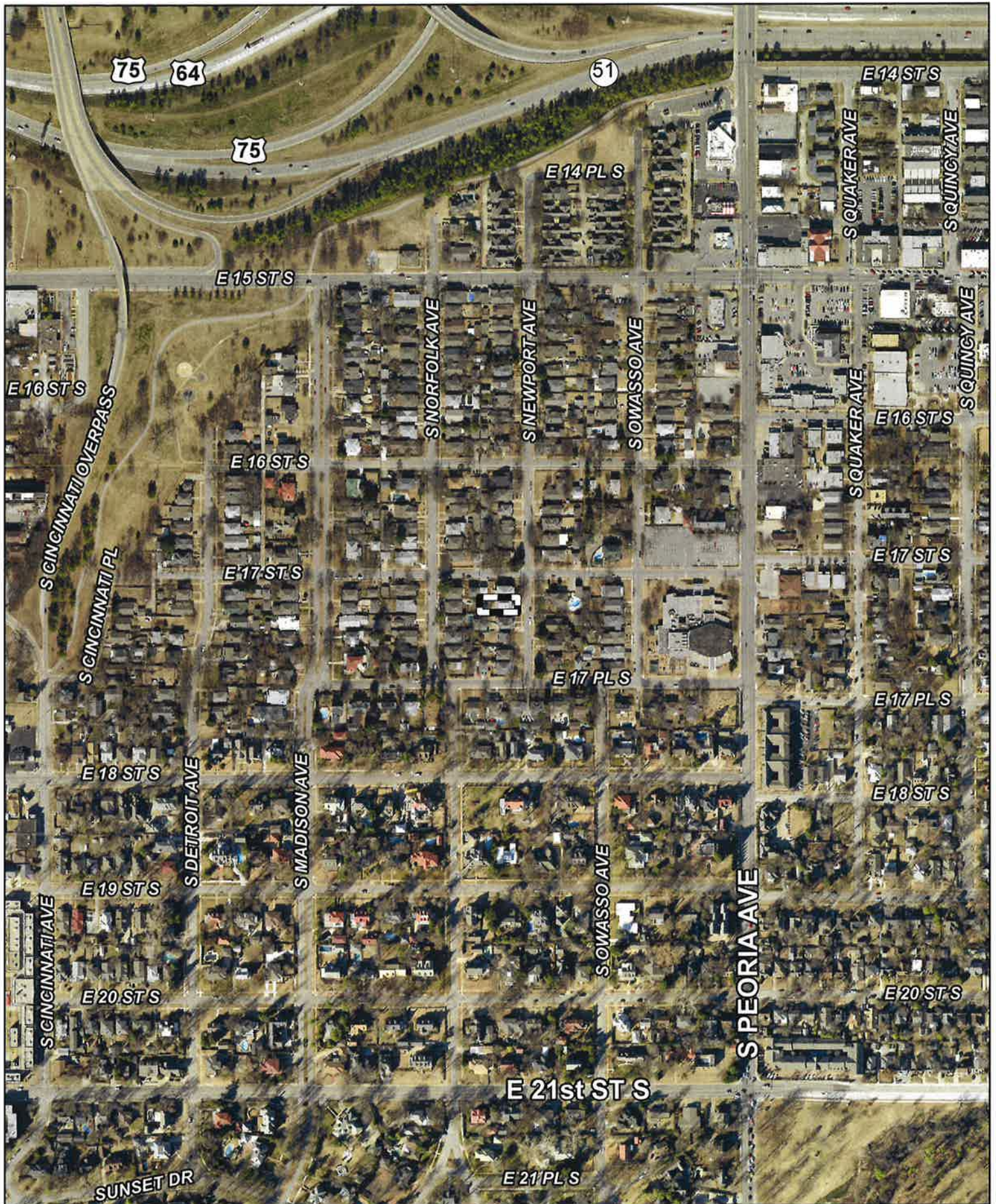
Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 4-0-0 (Bolzle, Doverspike, S. White, T. White "aye"; no "nays"; no "abstentions"; Chappelle, "absent") to **APPROVE** a **Variance** of the required livability space from 4000 sq ft to 2878 sq ft - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; per plan submitted; finding that development occurred in the area prior to the livability space requirement, and the houses in the neighborhood are not in compliance with the Code in that regard; and finding that approval of the request will not be detrimental to the area, or violate the spirit and intent of the Code; on the following described property:

Lot 2, Block 20, Amended Morningside Addition, City of Tulsa, Tulsa County, Oklahoma.



Feet
0 200 400



Subject
Tract

BOA-22186

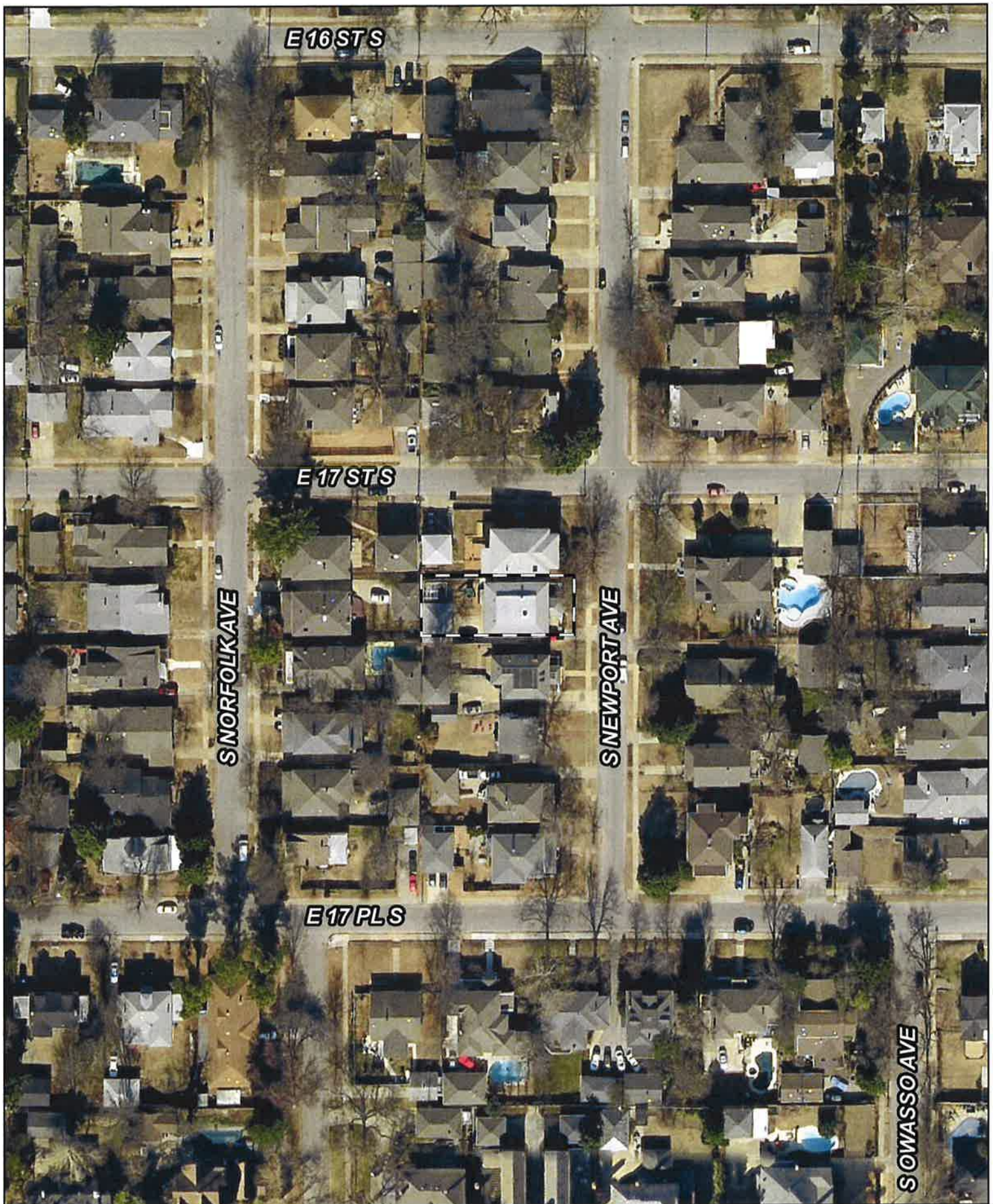
19-12 12

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

Aerial Photo Date: February 2016



14.5



0 50 100
Feet



Subject
Tract

BOA-22186

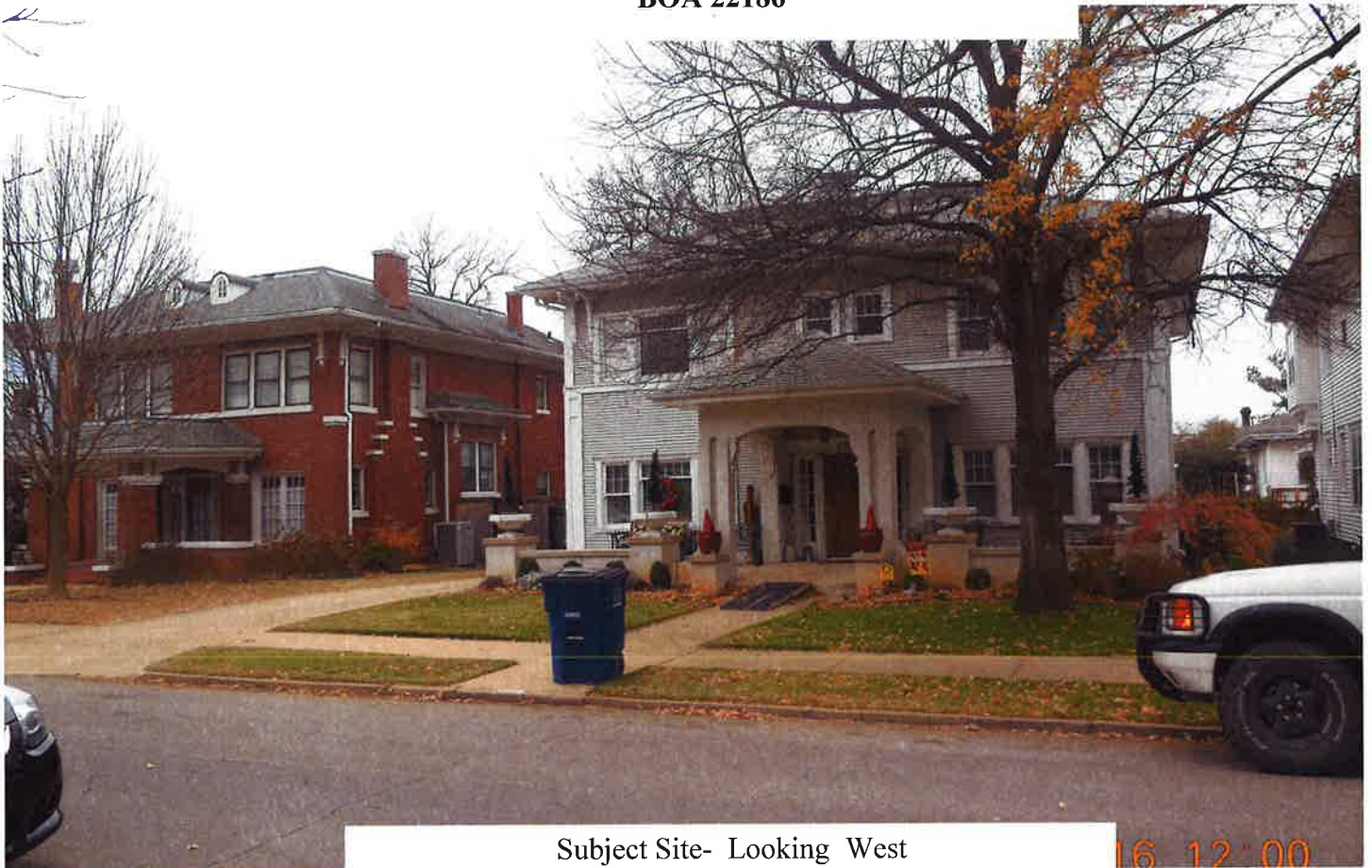
19-12 12

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

Aerial Photo Date: February 2016



14.6



Subject Site- Looking West

16 12 00

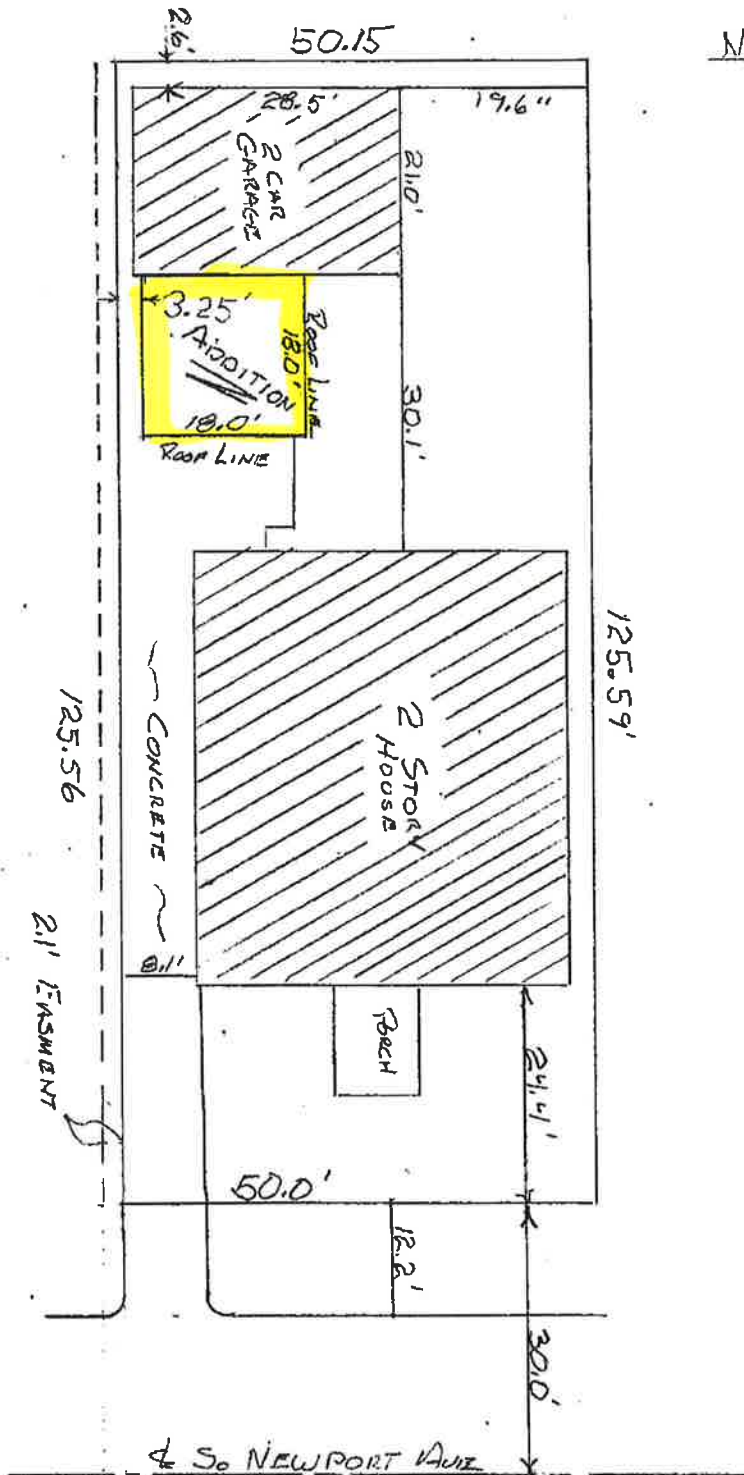


Subject Site- Looking West

12 16 2016 12:02

Plot Plan

NORTH



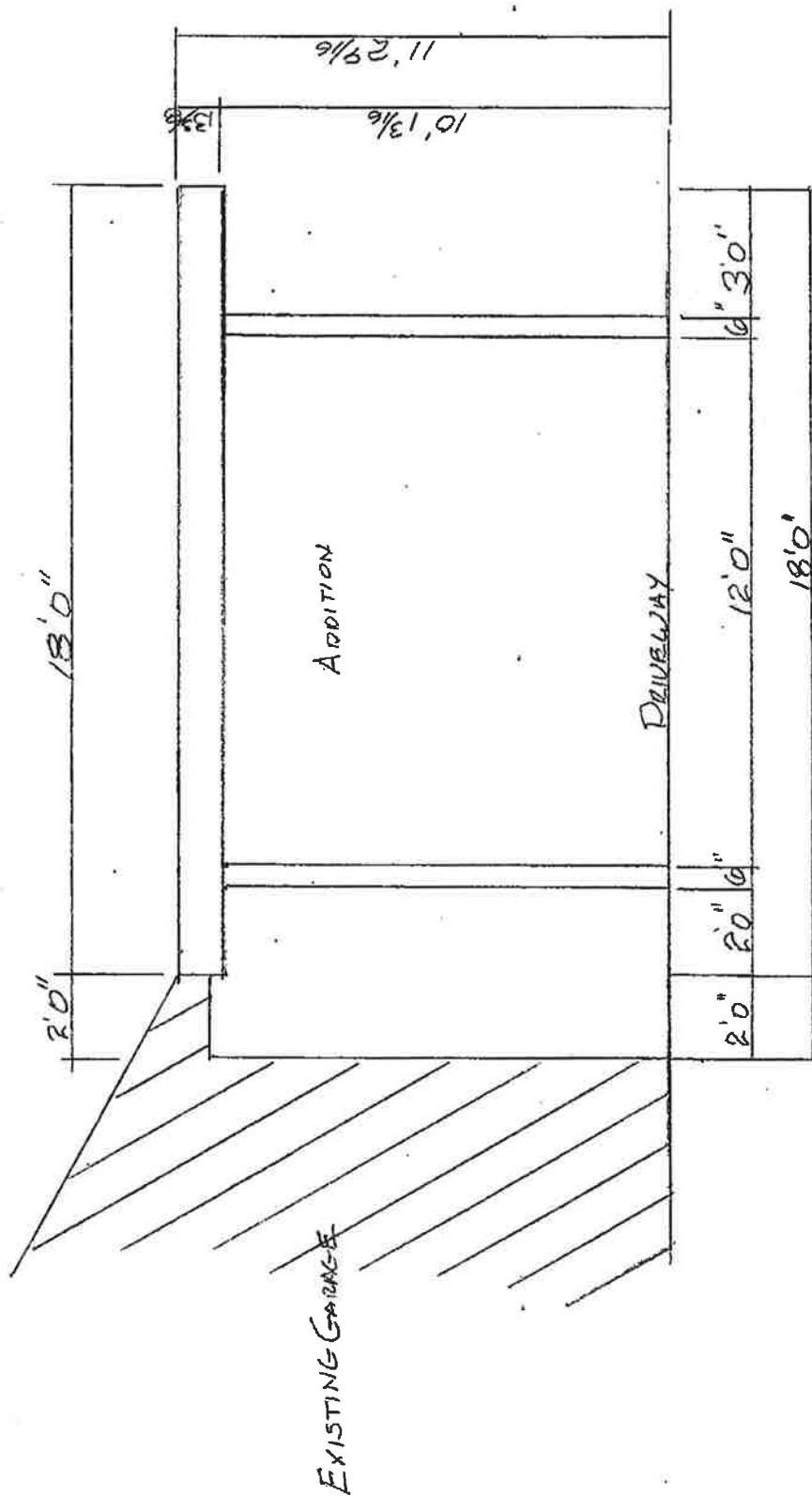
Resco, Inc.

Scale NTS

Date 11/10/16

2844 East 26th Street, Tulsa, Oklahoma 74114, Tel 918-747-5221

LOT 2, BLOCK 20, MORNING-SIDE
ADDITION, CITY OF TULSA, OKLA
1708 S. NEWPORT AVE



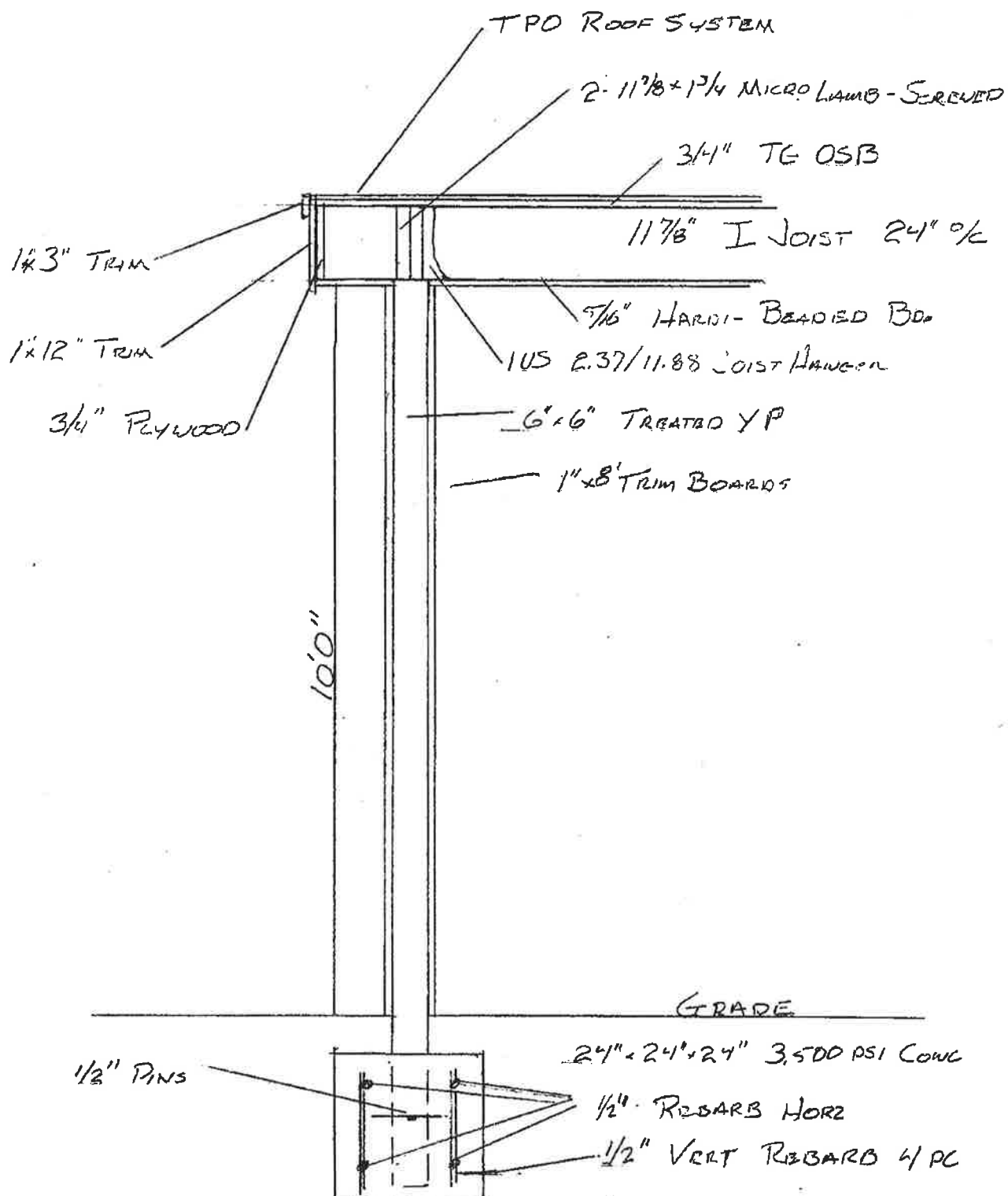
Resco, Inc.

2844 East 26th Street, Tulsa, Oklahoma 74114, Tel 918-747-5221

W134VER

Date 11/8/16

Scale 1/4" = 1'



WEAVER

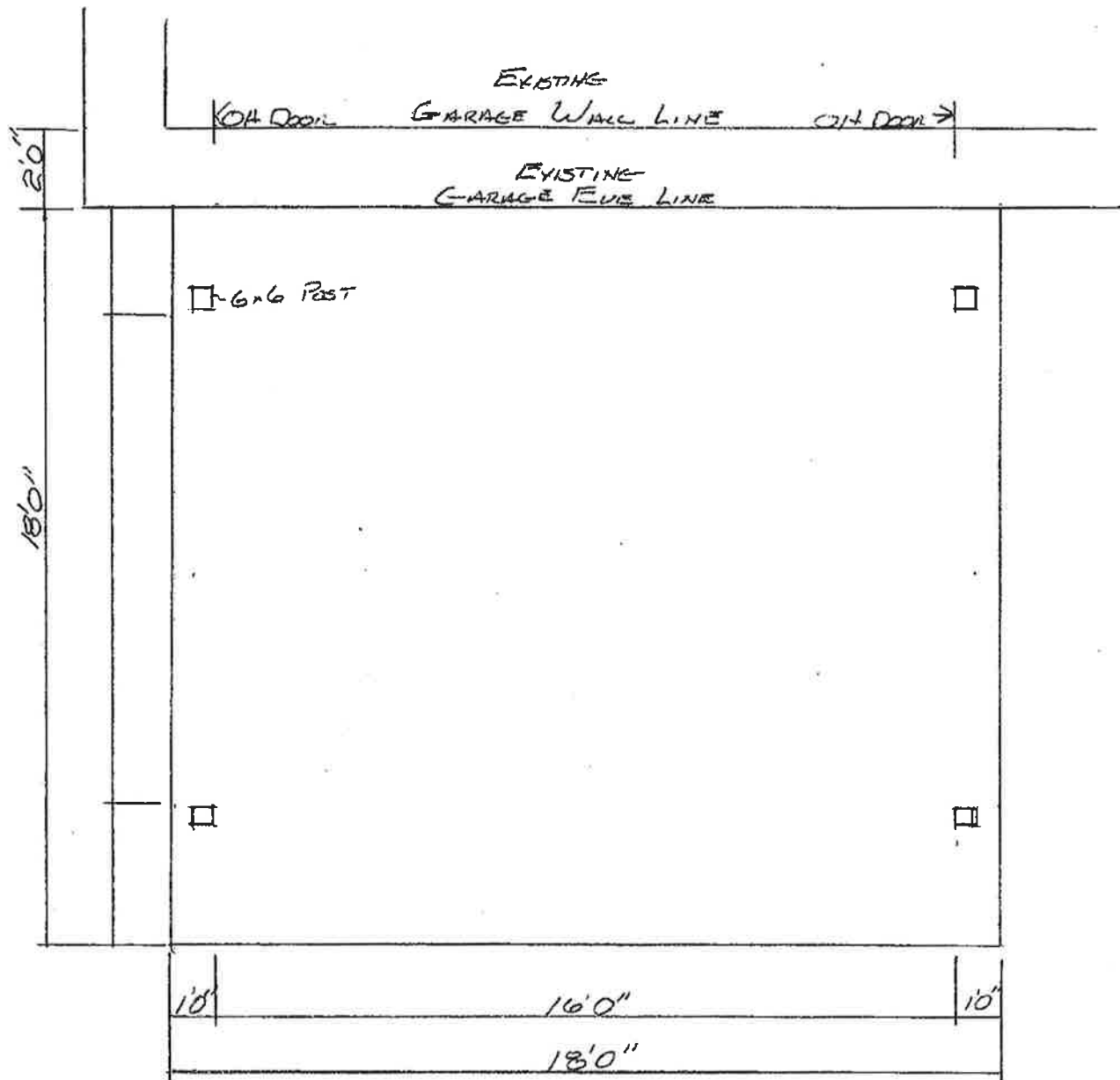
Resco, Inc.

Scale 1/2" = 1'

Date 10/10/16

2844 East 26th Street, Tulsa, Oklahoma 74114, Tel 918-747-5221

14.10



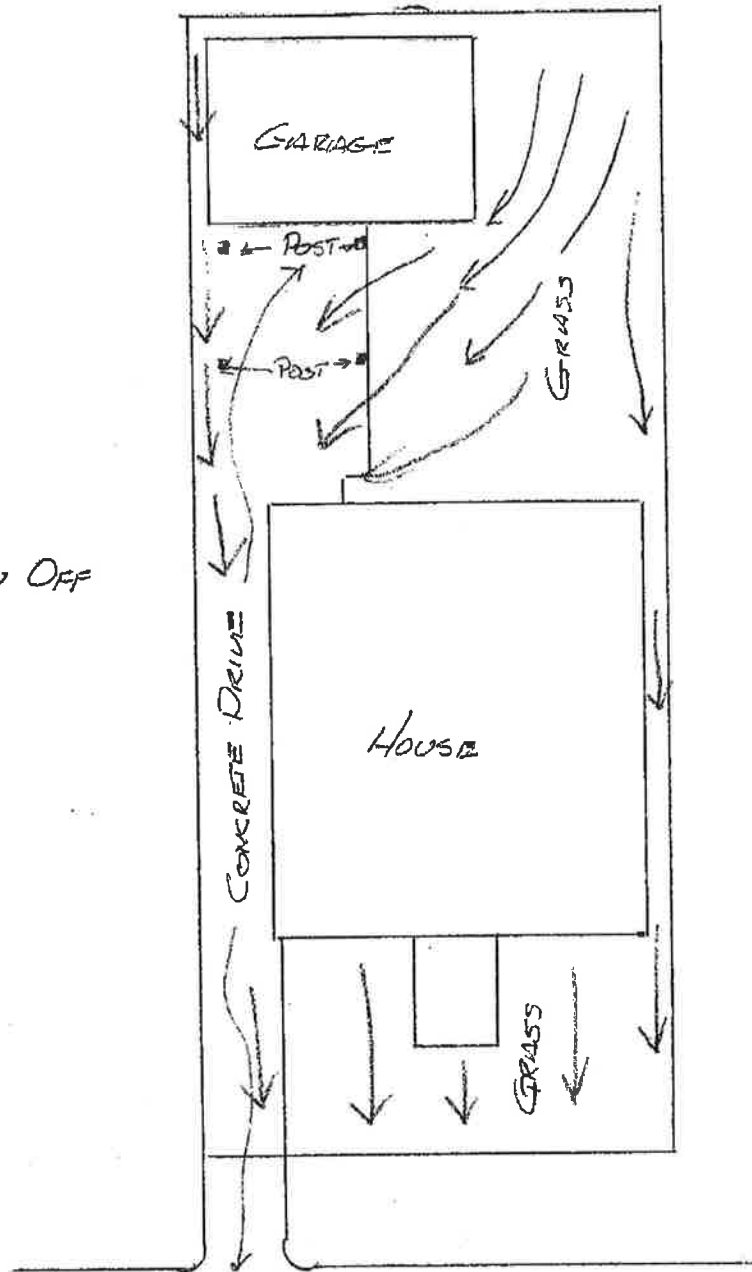
WRAVER

Resco, Inc.

Scale $\frac{1}{4}" = 1'$ Date 11/8/16

2844 East 26th Street, Tulsa, Oklahoma 74114, Ph. 747-5221

NORTH



★ NO CHANGE ON ROW OFF WATER

Resco, Inc.

Scale NTS

Date 11/11/16

844 East 26th Street, Tulsa, Oklahoma 74114, Ph. 747-5221

14.12

JEFF S. TAYLOR
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-7637
jstaylor@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 979038-1

November 28, 2016

RALPH SMITH
RESCO INC
2844 E 26 ST
TULSA, OK 74114

Phone: (918)638-4910
Fax: (918)742-0077

APPLICATION NO: **409625** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **1708 S NEWPORT AV E**
Description: **ADDITION**

INFORMATION ABOUT SUBMITTING REVISIONS

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

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REVIEW COMMENTS

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

Application No. 409625

1708 S NEWPORT AV E

November 28, 2016

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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.

5.030-A Table of Regulations

The lot and building regulations of Table 5-3 apply to all principal uses and structures in R districts, except as otherwise expressly stated in this zoning code. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90. Regulations governing accessory uses and structures can be found in Chapter 45.

Review Comments: BOA case 16467 approved 10/26/1993 allows 2878 sq ft of livability space on this lot. You are proposing 2253 sq ft which is less than the previously approved amount. Revise plans to show compliance or apply to BOA for a variance to allow less than 2878 sq ft of open space on this lot.

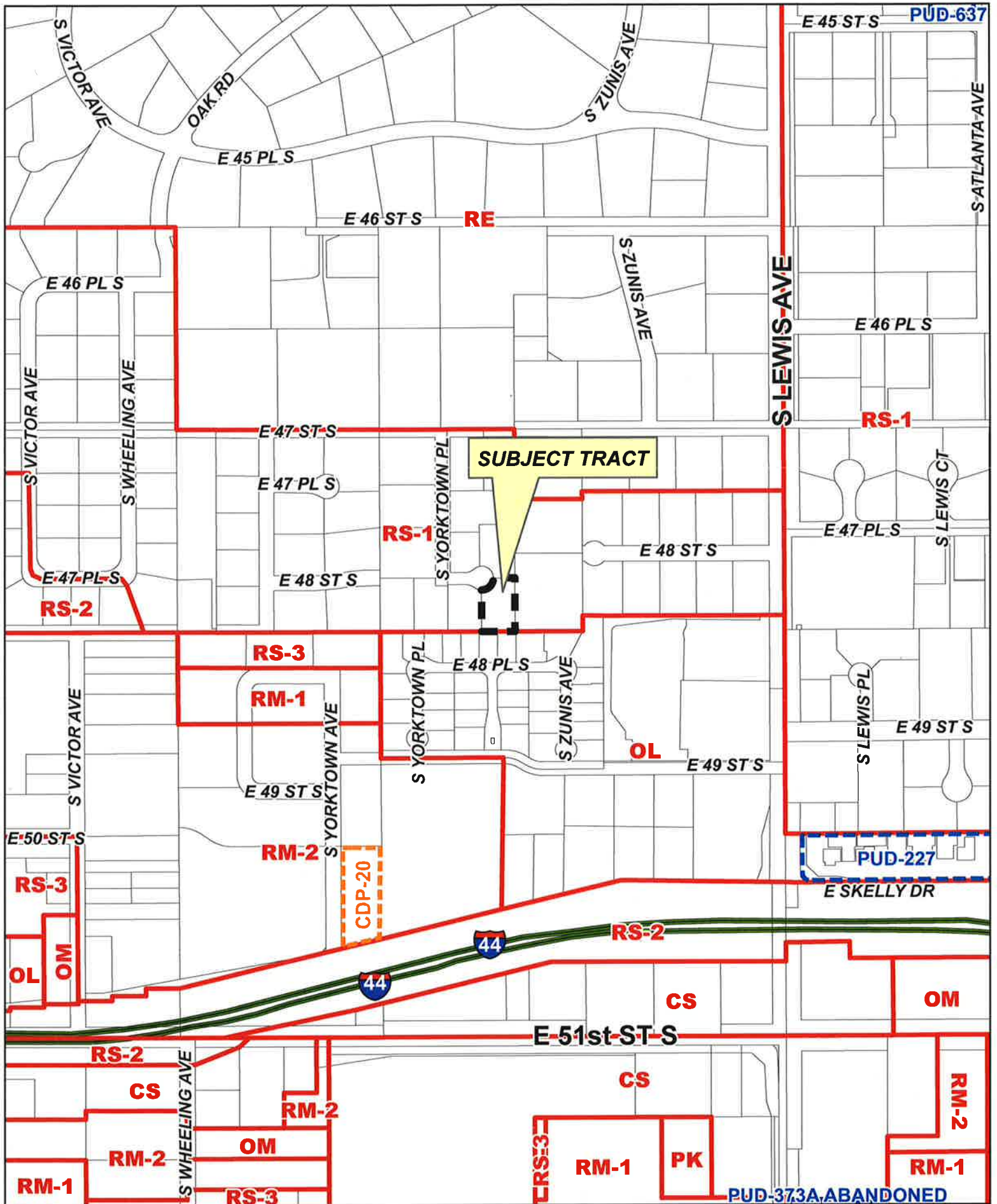
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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

END – ZONING CODE REVIEW

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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.



BOA-22187

15.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9330
CZM: 47
CD: 9
A-P#: 409881

Case Number: **BOA-22187**

HEARING DATE: 01/10/2017 1:00 PM

APPLICANT: Matt Dawson

ACTION REQUESTED: Variance to reduce the rear setback to 15 feet for an addition to a non-conforming structure (Section 80.030-D).

LOCATION: 4755 S YORKTOWN PL E

ZONED: RS-1

PRESENT USE: Residential

TRACT SIZE: 17607.02 SQ FT

LEGAL DESCRIPTION: LT 5 BLK 1, BOLEWOOD PLACE, BOLEWOOD GLEN, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

BOA 13239; on 08.09.84 the Board approved a variance to reduce the front setback to 18 ft and the rear setback to 15 ft to allow construction of a dwelling in the OL district; located at 4749 S Yorktown Place.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

The **Existing Residential Neighborhood** category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

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ANALYSIS OF SURROUNDING AREA: The subject tract is abutted by RS-1 zoned residential on the north, east and west; OL zoned residential abuts the site on the south.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance to permit an addition to a non-conforming dwelling (Section 80.030-D) as shown on the submitted site plan.

The existing house on the site currently has a south (rear) yard setback of 23 ft.; therefore the house is considered a non-conforming structure because it does not meet the minimum required rear yard setback of 25 ft. The applicant has requested a variance to reduce the rear yard to 15 ft. to permit the proposed addition.

The Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed use and future development of the subject property is compatible with and non-injurious to the surrounding area.

Sample Motion for a Variance

Move to _____ (approve/deny) Variance to reduce the rear setback to 15 feet for an addition to a non-conforming structure (Section 80.030-D).

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

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.”

Case No. 13238

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1205 - Request for an exception to allow an addition to an existing church in an RS-3 District under the provisions of Section 1680, located north of the NW corner of 28th Street North and Garrison Avenue.

Presentation:

Verdell Crawford represented the Free Church of God in Christ, 2828 North Garrison Avenue. He told how long the church has been on the subject tract and informed the church building is a converted residence and they would like to add on to it.

Comments and Questions:

There was discussion about whether church use was ever approved on the property.

Mr. Jackere thinks this request is inappropriate without the variance of the minimum lot size. He suggested it be continued to readvertise for the variance.

Protestants: None.

Interested Party:

Reverend Todd, Okmulgee, told of the procedures he has gone through in this case.

Comments:

Mr. Victor informed the applicants do not have enough land to be legal as a church. They need an additional variance.

Board Action:

On MOTION of CLUGSTON and SECOND by VICTOR, the Board voted 3-0-0 (Clugston, Smith, Victor, "aye"; no "nays"; no "abstentions"; Chappelle, Purser, "absent") to continue Case No. 13238 to August 23, 1984, meeting, to allow for advertisement of the proper variance.

Case No. 13239

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in the RS, RD, and RM Districts - under the provisions of Use Unit 1208 - Request for a variance of the front setback from 25' to 18' and rear setback from 25' to 15' to allow construction of a dwelling in an OL District under the provisions of Section 1680, per plot plan, located at 48th Place and Yorktown Court.

Presentation:

The Kelsey Company was represented by Howard Kelsey, 8905 East 60th Street who submitted some amended plot plans (Exhibit "C-1") and explained them. This is a zero lot line single-family development. A precedent has already been set in the area. He presented a letter from an adjoining addition and some people in the subdivision which stated their approval of the preliminary plans. Previous setback variances were granted in the area from 25 feet to 23 feet. He described how these houses will line up with other structures in the area. This will not be detrimental to other properties in the area.

Case No. 13239 (continued)

Protestants: None.

Board Action:

On MOTION of VICTOR and SECOND by CLUGSTON, the Board voted 3-0-0 (Clugston, Smith, Victor, "aye"; no "nays"; no "abstentions"; Chappelle, Purser, "absent") to approve a Variance (Section 430.1 - Bulk and Area Requirements in the RS, RD and RM Districts - under the provisions of Use Unit 1208) of the front setback from 25' to 18' and rear setback from 25' to 15' to allow construction of a dwelling in an OL district under the provisions of Section 1680, per plot plan, on the following described property:

Lot 10, Block 1, Bolewood Place, an addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 13240

Action Requested:

Special Exception - Section 710 - Principal Uses Permitted in Commercial Districts - Request for an exception to allow a satellite receiver in a CH district under the provisions of Section 1680, located at the SE corner of Skelly Drive and Peoria Avenue.

Presentation:

The applicant, Shirley Robertson, 5222 South Quincy, informed they have a satellite dish mounted on the back side of their business. She submitted 2 pictures of the satellite dish (Exhibit "D-1") and informed it is located on the east side of the building. She also submitted a plot plan (Exhibit "D-2").

Comments and Questions:

Mr. Jackere informed that CH is the most unrestrictive commercial zoning district that there is. They could by right have a tall transmitter tower that would be out of character.

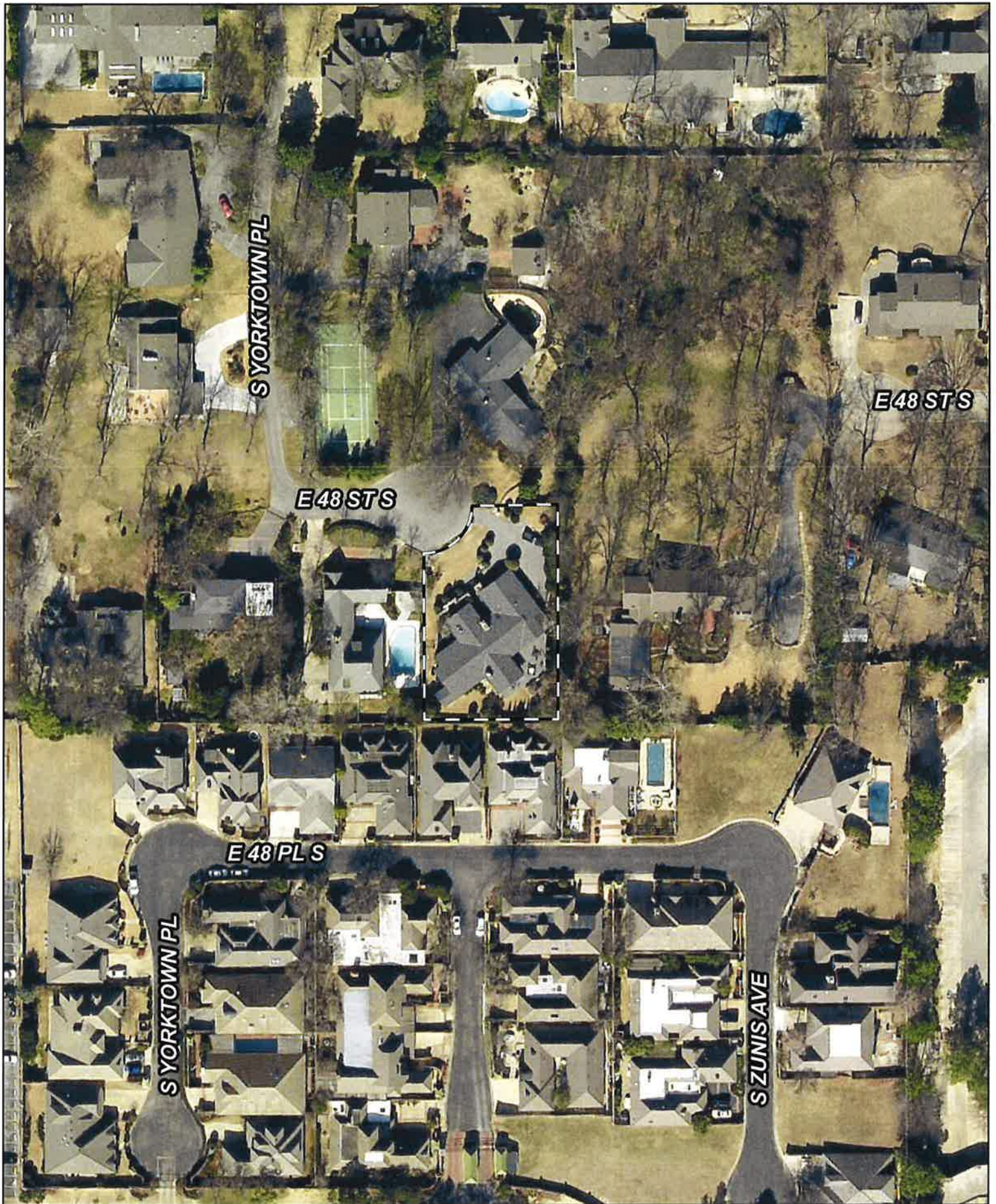
Mrs. Robertson informed the dish is made of mesh. They have had it mounted about 60 days. They got the dish mainly for sporting events. They receive the signal but do not transmit.

Protestants: None.

Board Action:

On MOTION of CLUGSTON and SECOND by VICTOR, the Board voted 3-0-0 (Clugston, Smith, Victor, "aye"; no "nays"; no "abstentions"; Chappelle, Purser, "absent") to approve a Special Exception (Section 710 - Principal Uses Permitted in Commercial Districts) to allow a satellite receiver in a CH district under the provisions of Section 1680, on the following described property:

Beginning at a point 550 feet East of the Northwest corner of Section 31, Township 19 North, Range 13 East of the Indian Base and Meridian, in Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, running East 110 feet; thence South 880 feet; thence West 660 feet; thence North 330 feet; thence East 550 feet; thence North 550 feet to the place of beginning; and



Subject
Tract

BOA-22187

19-13 30

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

Aerial Photo Date: February 2016



15.4



0 200 400
Feet



Subject
Tract

BOA-22187

19-13 30

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

Aerial Photo Date: February 2016



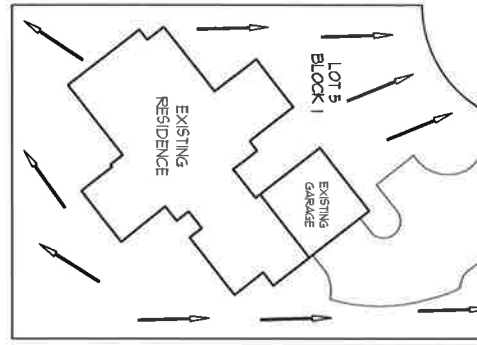
15.7

[illegible]

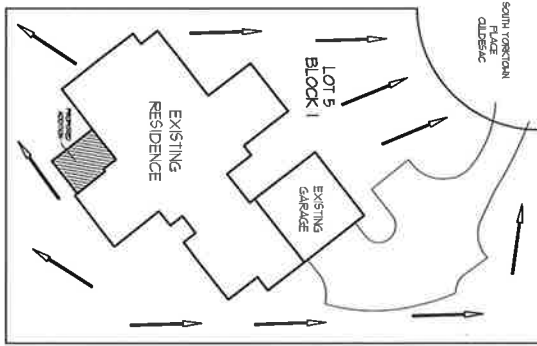
LEGAL DESCRIPTION: LOT 16E, BLOCK ONE (1) BOLDWOOD GLEN, A SUBDIVISION OF A PART OF THE S44, N24, E3E SECTION 30, T44N, R15E, CITY OF ILLA, T45S4, COUNTY OF ALABAMA, ACCORDING TO THE RECORDS PLAT NUMBER 9094.

CLIFF W
DESIGN
10 808 8102 cwright04
0 SOUTH IROQUOIS TUL

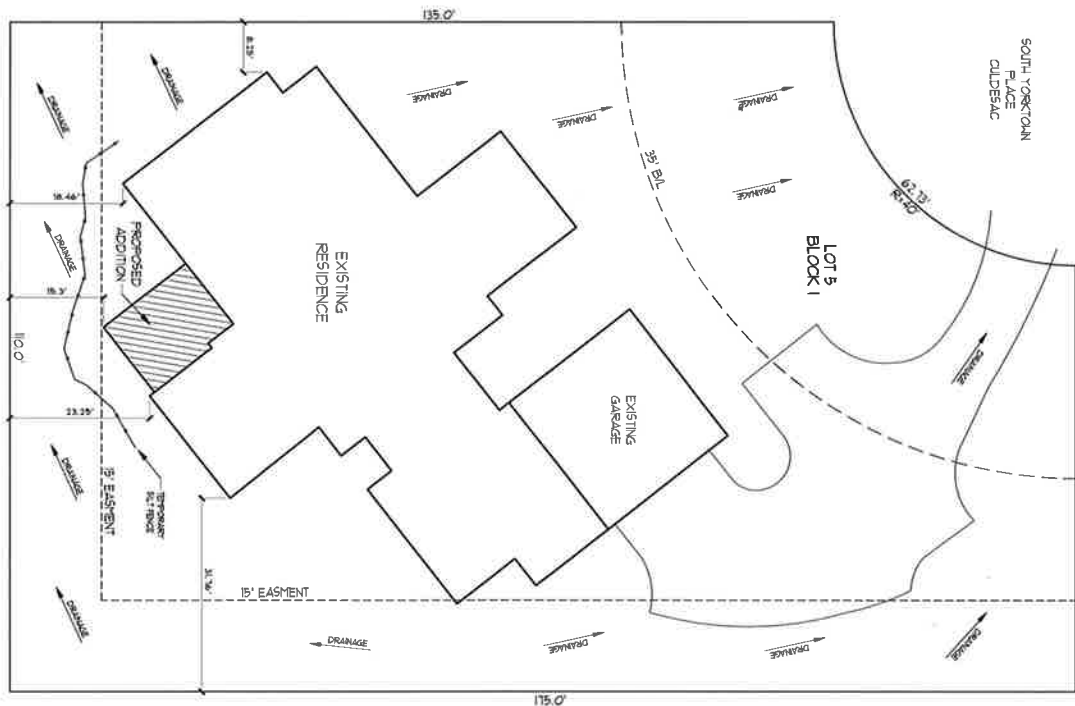
C) PRE CONSTRUCTION DRAINAGE PLAN
1"=20'-0"



N



NOTE:
ALL EXPOSED SOILS FROM
CONSTRUCTION SHALL BE COVERED
WITH SOIL GRASS COVER
PLANTED OR TILLED



A) SITE PLAN
1"=20'-0"

LEGAL DESCRIPTION:
LOT FIVE (5) BLOCK ONE (1) BOULEVARD GLEN
A SUBDIVISION OF A PART OF THE S.W. 1/4, SEC.
36, T.12N., R.10E., S.12E., DISTRICT 10, OKLAHOMA
COUNTY, OKLAHOMA, ACCORDING TO THE RECORD
PLAT NUMBER 1000.

SECTION CONTROL GENERAL NOTES:
A. ALL PRICES TO BE BIDDERS AROUND THE PROPOSED
SOIL, GRADES OF THE PROJECT SITE TO PREVENT EROSION
AND TO MAINTAIN THE EXISTING SURFACE OF THE SOUTH
SIDE OF THE PROPERTY AND ANY ADJOINING
PROPERTIES ACCORDING TO SPECIFICATIONS AS
CONTAINED BY THE CITY OF TULSA DEVELOPMENT
DEPARTMENT (SEE ATTACHMENT).

SINGLETON RESIDENCE

4755 SOUTH YORKTOWN PLACE
TULSA, OKLAHOMA

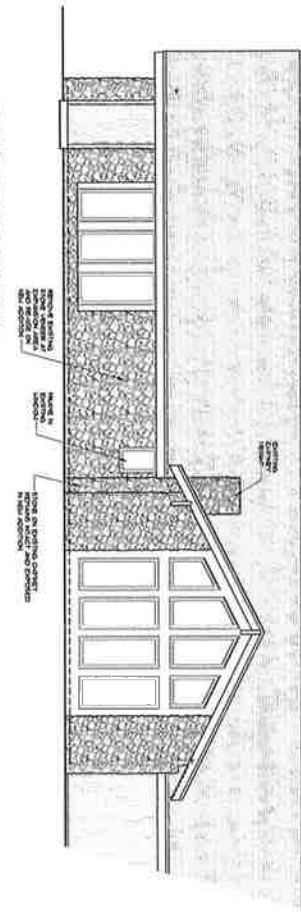
CLIFF W

DESIGN

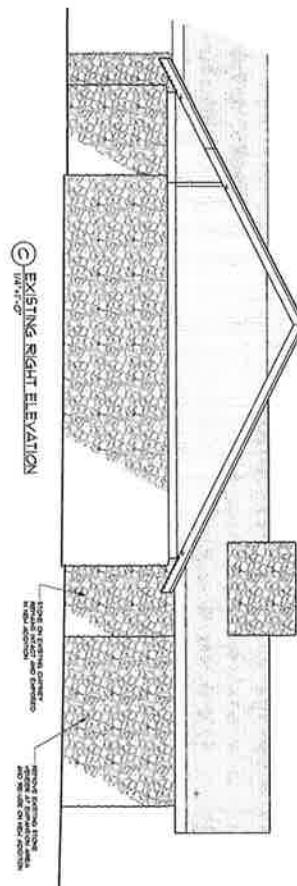
918.808.6103 cwright@cliffw.com
10 SOUTH INDIAN TULSA

15.9

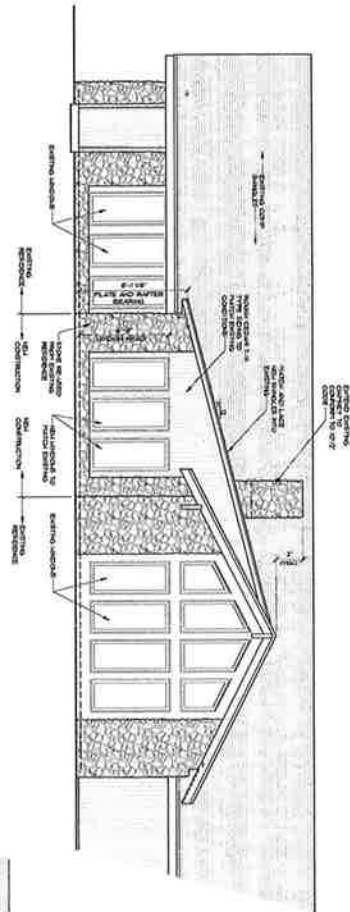
D EXISTING REAR ELEVATION
1/4" = 1'-0"



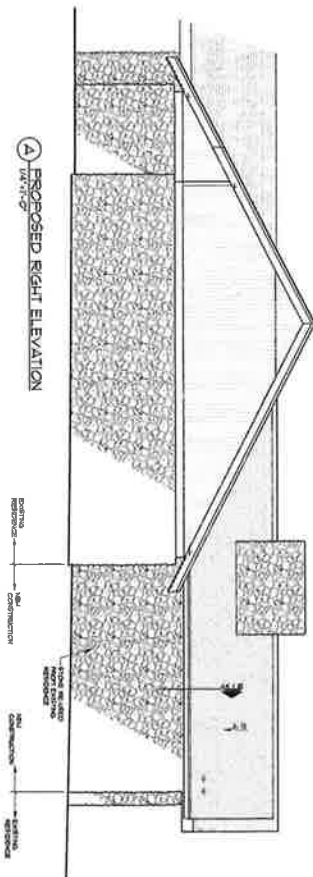
C EXISTING RIGHT ELEVATION
1/4" = 1'-0"



B PROPOSED REAR ELEVATION
1/4" = 1'-0"



A PROPOSED RIGHT ELEVATION
1/4" = 1'-0"



SINGLETON RESIDENCE 4755 SOUTH YORKTOWN PLACE TULSA, OKLAHOMA

CLIFF WRIGHT
DESIGN

918.888.6162 cwright@cliffwrightdesign.com
20 SOUTH TROQUOIS TULSA, OKLAHOMA 74120

A3
SCALE 1/4" = 1'-0"
CLIFF WRIGHT

BOB KOLIBAS
ZONING OFFICIAL
PLANS EXAMINER
TEL 918-596-9664



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 978911-1R

December 20, 2016

MATTHEW DAWSON
DAWSON GENERAL CONTRACTING LLC
PO BOX 52414
TULSA, OK 74152-0414

Phone: (918)637-6600

APPLICATION NO: **409881** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **4755 S YORKTOWN PL S**
Description: **ADDITION**

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. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. 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.
3. A COPY OF A "RECORD SEARCH" **[] IS [X] 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)

15.11

REVIEW COMMENTS

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

Application No. 409881

4755 S YORKTOWN PL S

December 07, 2016

Note: As provided for in Section 70.130 you may request the Board of Adjustment 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.

80.030-D Alterations, Enlargements and Expansions

Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building regulations and does not increase the extent of the nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback regulations and all other applicable lot and building regulations. Horizontal and vertical extensions of an exterior wall that is nonconforming with regard to applicable setbacks may be approved in accordance with the special exception procedures of Section 70.120.

Review Comments: You are proposing to add an addition to the rear of a structure that is non-conforming due to the rear setback being less than 25 from the property line in a RS-1 zoning district. You may apply to the BOA for a variance to reduce the rear setback for an addition to a non-conforming structure from 25 feet to 15 feet 3 inches.

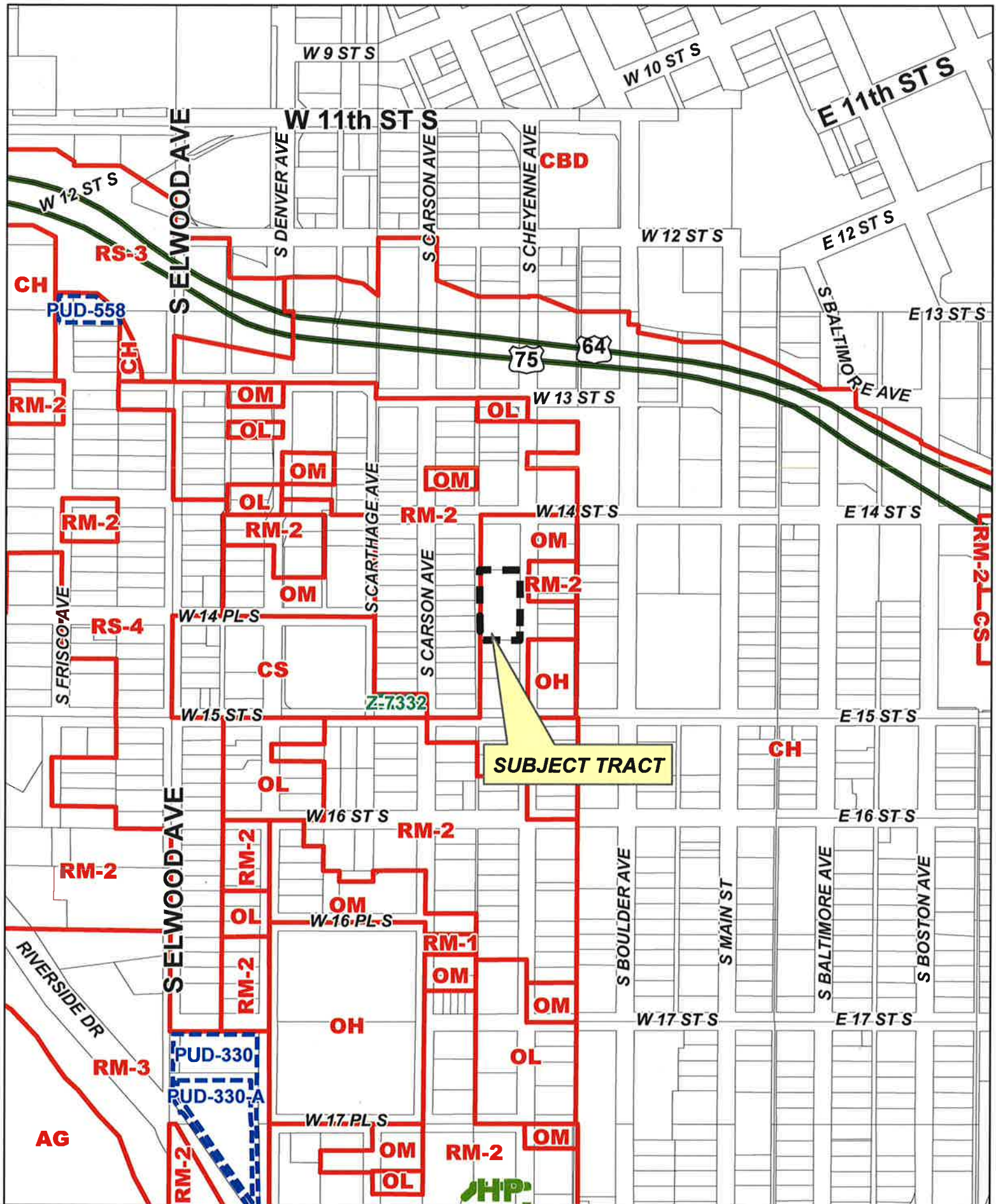
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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

END – ZONING CODE REVIEW

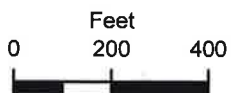
NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

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.



BOA-22188

16.1



19-12 12



BOARD OF ADJUSTMENT CASE REPORT

STR: 9212

Case Number: **BOA-22188**

CZM: 36

CD: 4

A-P#: 8818

HEARING DATE: 01/10/2017 1:00 PM

APPLICANT: Jim Beach

ACTION REQUESTED: Variance of the required street frontage from 50 to 37.5 ft.; and a Variance to reduce the street setback from 10 to 4.7 ft. in an OM district (Section 15.030-A Table 15-3).

LOCATION: 1408 S CHEYENNE AV W

ZONED: OM

PRESENT USE: Vacant/Parking

TRACT SIZE: 29,437.97 SQ FT

LEGAL DESCRIPTION: N30 LT 17 & ALL LTS 18 THRU 21 BLK 2, CARLTON PLACE, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Site:

BOA-20649; on 3.11.08 the Board **approved** a special exception to permit (Use Unit 8) Multi-Family Residential in the OM district.

BOA-19025; on 4.10.01 the Board **approved** a special exception to permit Use Unit 5, a cultural facility not elsewhere classified/ music conservatory and use unit 11, music school and foundation offices, in an RM-2 district; a variance of the required parking to permit 90 off-site parking spaces, 4 on-site parking spaces and 60 off-site off-hours spaces available by parking easement; variance of maximum permitted floor area from .5 to 1.4; a variance of building setback from 25 ft. to 0 ft.; a variance of landscaping and screening requirements; and a variance of frontage 100 ft. and lot width 50 ft. requirements in the RM-2 district to 25 ft.

Surrounding Properties:

BOA 21880; on 4.28.15 the Board **approved** a variance to reduce the required south sideyard setback from 35' to 5'; variance to reduce the required setback from the centerline of E 15th St from 70' to 40'; variance to increase the permitted building height from 35' to 40' to permit a 3 unit multi-family structure; located at the NE/c of S Carson Ave and W 15th St S.

BOA 21812; on 2.24.15 the Board **denied** requests for a variance to reduce the side yard setback from 10' to 0'; and a variance to reduce the setback from the centerline of E 15th ST from 70' to 40'; and a variance to increase the building height from 35' to 40'; located at the NE/c of S Carson Ave and W 15th St S.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "Downtown Neighborhood" and an "Area of Stability".

Downtown Neighborhoods are located outside, but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium- to high-rise mixed use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

The Land Use Category, **Area of Stability**, includes approximately 75% of the city's total parcels. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is abutted by RM-2 zoning on the west; OM zoning on the south and north. S Cheyenne Ave, RM-2, OH and OM zoning abuts the site on the east.

STAFF COMMENTS:

A townhouse development is a use permitted by right in the OM district. The proposed use is required by Code to contain 50 ft. of frontage; maintain a street setback of 10 ft.; a Floor Area Ratio of .50; and a lot area and lot area per unit requirement of 1600 SF. As shown on the submitted plan the proposed structures will be setback 4.7 ft. from S Cheyenne Ave. Five of the proposed lots will contain 37.5 ft. of frontage along S Cheyenne Ave, and one lot will have 42.5 ft. of frontage. Therefore the applicant has requested a variance to reduce the frontage and street setback requirements to permit the proposed townhouse development.

If inclined to approve the requests the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the use is compatible with the surrounding area and is non-injurious to surrounding properties.

Sample Motion for a Variance

Move to _____ (approve/deny) Variance of the required street frontage from 50 to 37.5 ft.; and a Variance to reduce the street setback from 10 to 4.7 ft. in an OM district (Section 15.030-A Table 15-3).

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

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."*

tract; tie agreement for the entire advertised property shall be executed; finding the 50 ft. width of the lots from the early platting of this property; finding there is plenty of room for unloading without a loading berth; finding the configuration of the properties creates a hardship that the literal enforcement of the terms of the code would result in an unnecessary hardship, and that such extraordinary exceptional conditions or circumstances do not apply generally to other properties in the same use district; and if granted that it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

All of lots 18, 19 and 20 less and except the northerly 29.25' thereof and the northerly 100.00' of lots 35, 36 and 37 all in the "re-subdivision of lots 1, 2, 3, 4, 5, 16, 17, 18, 19 & 20, block 1; and lot 1, block 2 of Rodger's Heights Subdivision", City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof; All of lot 21, less and except the northerly 29.25' thereof in the "re-subdivision of lots 1, 2, 3, 4, 5, 16, 17, 18, 19 & 20, block 1; and lot 1, block 2 of Rodger's Heights Subdivision" City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof; All of lots 124 and 125 of the "re-subdivision of lots 2, 3, 4, 5, 6, 7, 8, 9, 10, block 2 Rodger's Heights Subdivision", City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.

Case No. 20649

Action Requested:

Special Exception to permit (Use Unit 8) Multi-Family Residential in the OM district (Section 601), located: 1408 South Cheyenne Avenue West.

Presentation:

Kevin Stephens, 1506 East 14th Street, proposed to build RM-2 housing in OM zoning. The plans are for twenty townhouse units, three-story structures. He provided a site plan (Exhibit H-1).

Comments and Questions:

In response to Ms. Stead, he stated they would rebuild and maintain the sidewalks.

Interested Parties:

Larry Johnson, 1707 South Erie Avenue, Tulsa, Oklahoma, stated he is one of the owners of the building to the north of the project. He thought they were going to be apartments. His only concern was overflow parking. He added that already some of the other neighbors overflow onto his parking lot.

Mr. Kevin Stephens responded that the plans were never intended for rental units, but to be townhomes for sale. They planned for two parking spaces on site for each unit.

Ron Miller, 1406 South Carson, Tulsa, Oklahoma, stated he is President of the Riverview Neighborhood Association. He expressed their support of the application, recognizing the under utilized parking lot. They want the applicant to present details of the plans with the association. Mr. Miller stated their only concern is screening in the alley for the residences facing Carson. They want to know what the presentation to Cheyenne will be.

Applicant's Rebuttal:

Mr. Kevin Stephens stated he would gladly meet with the neighborhood association. The plans included landscape screening along the alley and trees on the ends of the structures between the alley and the townhomes.

Board Action:

On **Motion** of **White**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Special Exception to permit (Use Unit 8) Multi-Family Residential in the OM district (Section 601), per site plan A-2 and conceptual plans A-3, A-4 and A-5; sidewalks constructed and maintained to City standards; subject to a plat; to provide landscape screening on the west side of the property, finding 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, on the following described property:

N30 LT 17 & ALL LTS 18 THRU 21 BLK 2, CARLTON PLACE, City of Tulsa,
Tulsa County, State of Oklahoma

There being no further business, the meeting adjourned at 2:42 p.m.

Date approved: 9/8/08

Frank N. Henke, IV
Chair

Case No. 19046

Action Requested:

Mr. Beach informed the Board that this case needed to be stricken from the agenda. Notice was given, but it was discovered this property is in the county; case needs to go to the County Board of Adjustment. Case was stricken from the agenda.

MINUTES:

On **MOTION** of Dunham, the Board voted 4-0-0 (White, Dunham, Turnbo, Perkins "aye"; no "nays"; no "abstentions"; Cooper "absent") to **APPROVE** the Minutes of March 13, 2001 (No. 814), as amended.

UNFINISHED BUSINESS

Case No. 19025

Action Requested:

Special Exception to permit Use Unit 5 cultural facility not elsewhere classified/music conservatory and Use Unit 11 music school and Foundation Offices, in an RM-2 district. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 5 & 11; a Variance of Section 1301.D. required parking to permit 90 off-site parking spaces, 4 on-site parking spaces and 60 off-site off-hours spaces available by parking easement. SECTION 1301.D. GENERAL REQUIREMENTS; a Variance of maximum building height from 35' to 60' and from 2 stories to 3 stories. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS; Variance of maximum permitted floor area from .5 to 1.4. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS; a Variance of building setback from 25' to 0'. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS; a Variance of landscaping and screening requirements. SECTION 1002. LANDSCAPE REQUIREMENTS; and a Variance of frontage 100' and lot width 50' requirements in RM-2 district to 25'. SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS, located NW/c E. 14th St. & Cheyenne.

Presentation:

Roy Johnsen, 201 W. 5th St., Ste. 501, stated he is an attorney, representing the Barthelmes Foundation. They proposed to use the facility on the subject property for a Center for Arts, specifically to teach instrumental music. After evaluating the facility the applicants have decided that it is not an adequate or safe structure; and a new structure would be needed to accommodate all of the needs. He submitted a conceptual site plan, use conditions, and photographs (Exhibits A-1, A-2, and A-3).

Mr. Cooper arrived at 1:18 p.m.

Mr. Johnsen indicated that the landscaping plans should more than cover the requirements. He used the photographs to point out the surrounding zoning and setback footage of the existing buildings, which is comparable to the requests in this application. He went over the square footage of the proposed facility and totaled a number of 84 parking spaces required. They determined that 122 spaces would be needed during performances by comparison of stadium requirements of one space per four seats. Mr. Johnsen reviewed the plans and the greatest need for parking would be 6:00 p.m. and later for the Performance Hall during off-peak hours.

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Special Exception** to permit Use Unit 5 cultural facility not elsewhere classified/music conservatory and Use Unit 11 music school and Foundation Offices, in an RM-2 district; a **Variance** of Section 1301.D. required parking to permit 90 off-site parking spaces, 4 on-site parking spaces and 60 off-site off-hours spaces available by parking easement; **Variance** of maximum permitted floor area from .5 to 1.4; a **Variance** of building setback from 25' to 0'; a **Variance** of landscaping and screening requirements; and a **Variance** of frontage 100' and lot width 50' requirements in RM-2 district to 25', with the conditions provided by the applicant, except for #1 that it not be limited to a non-profit cultural facility, and that this be subject to the approval of a final site plan to be submitted at a later date, finding that it would not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

S 25' of Lot 4 and all of Lots 5 and 6, Block 5, Friend Addition; AND Lots 1, 2 and 3 and the N 25' of Lot 4, Block 5, Friend Addition; AND N 30' of Lot 17 and all of Lots 18, 19, 20, and 21, Block 2, Carlton Place Addition, all in the City of Tulsa, Tulsa County, State of Oklahoma.

..*.*.*.*.*.*.

Case No. 19026

Action Requested:

Special Exception to allow a 100' cell tower in an RS-2 zoned district. SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 4; Special Exception of the required 110% setback. SECTION 1204.C.3.g.1. USE UNIT 4. PUBLIC PROTECTION AND UTILITY FACILITIES, Use Conditions, located 3602 S. Lewis Ave.

Mr. White stated that he is concerned about the hardship because 2 ½ years ago Mr. Reynolds came before the Board requesting the lot be reduced from 60 feet down to 50 feet. Mr. Reynolds acknowledged that he had done that. Mr. Reynolds stated that by doing so made the lot consistent with what is in the neighborhood. Mr. White stated that he has a little trouble with a self imposed hardship but he has no problem with the application. Mr. Reynolds stated that he does not believe it is self imposed because it is a standard width and the driveway is 19 feet wide with a standard two-car garage which is typical of houses. Mr. Reynolds stated that he agrees with Mr. White in that it does have a self imposed concept.

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 allowed coverage of the required front yard in the RS-3 District from 34% to 38% (Section 1303.D), subject to conceptual plan 10.18. The Board has found that the lot at 50 feet in width is consistent with lot widths in the neighborhood, and the driveway coverage is typical of what is found for properties and homes this size, and the Variance from 34% to 38% to be justified based on those circumstances. 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:

W/2 LT 7 BLK 3, OLIVERS ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21880—Matt King

FILE COPY

Action Requested:

Variance to reduce the required south side yard setback from 35 feet to 5 feet (Section 403.A, Table 1); **Variance** to reduce the setback from the centerline of East 15th Street from 70 feet to 40 feet (Section 403.A, Table 1); **Variance** to increase the building height from 35 feet to 40 feet (Section 403.A, Table 1) to permit a three unit multi-family structure. **LOCATION:** 1445 South Carson Avenue (CD 4)

Mr. Van De Wiele informed the Board members that he was contacted by an interested party on this case. This party left a voice mail at work and Mr. Van De Wiele has not spoken to that party. Mr. Van De Wiele does not believe that to be a conflict of interest that would require recusal.

Presentation:

Matt King, 1513 East 15th Street, Tulsa, OK; stated this property has been before the Board before and it appears there are very few if any objections so the neighborhood concerns were apparently satisfied. The hardship is the setback requirements. Initially this case was before the Board for four units and it is now three units. The building has also been sat back a little farther from the street. The proposed building will be two bedroom units. A lot of the concerns prior to today was the traffic generated on the street, and it is not anticipated to be a problem. If there are visitors it would be no different than anyone else living in the neighborhood. Mr. King had a concept drawing placed on the overhead projector to show concept design. The intent is to design a building that is compatible with the neighborhood. The concept building will be three stories and the actual building will be no more than three stories. The existing retaining wall on 15th Street will be utilized.

Mr. Henke asked Mr. King if he met with the neighbors. Mr. King stated that he personally did not on this particular design.

Mr. Henke asked Mr. King about the parking for the proposed building. Mr. King stated the building will have rear parking garage for two cars. The cars will be pulled into the garage from the alley. The units have been limited to two bedrooms just so there cannot be a family of five living there with the possibility of four or five cars for the one household.

Mr. Van De Wiele stated that he understands the owner does not want to be tied to the exact print that is on overhead projector, but conceptually is it something similar? Mr. King stated the previous design was a box and that is not being done in this design because the intent is to pick up some of the elements of the neighborhood.

Mr. King stated this is not an inexpensive proposition and Mr. Menge does not want to go through any great expense until he has the Board's approval. Mr. King stated that the image on the overhead projector is let the Board know that Mr. Menge is attempting to pick up elements from the neighborhood. Each one of the facades is made up a little differently so there will be some unique characteristic feature about each unit. The concept drawing is to show the Board that the building will not be a big box but will be characteristic of the neighborhood.

Interested Parties:

Fred Menge, 1441 South Carson, Tulsa, OK; stated he did speak with the neighbors and the immediate neighbors are in favor of the building. The Riverview Home Owners

BOA-21880

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Association is not in attendance today so he believes they are happy with the smaller units.

Mr. Henke asked Mr. Menge if he had met with Mr. Demetrius Bereolos and if Mr. Bereolos is supportive. Mr. Menge stated that he has met with Mr. Bereolos and he believes Mr. Bereolos is supportive by the fact that he is not in attendance today.

Comments and Questions:

Mr. Van De Wiele asked staff if the words "archtiectural style" can be used in the motion if it is approved. Ms. Miller stated that if this is approved it then goes to the building permit office and they do not do digressionary review, so they will not know how to deal with that type of terminology.

Board Action:

On **MOTION** of **SNYDER**, 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 reduce the required south side yard setback from 35 feet to 5 feet (Section 403.A, Table 1); **Variance** to reduce the setback from the centerline of East 15th Street from 70 feet to 40 feet (Section 403.A, Table 1); **Variance** to increase the building height from 35 feet to 40 feet (Section 403.A, Table 1) to permit a three unit multi-family structure, subject to conceptual plan 11.16 more specifically with the two-car per unit rear loading garage. This lot with the existing setbacks is not able to be developed and that is the hardship for this case. 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 variances 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 36 BLK 2, CARLTON PLACE, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21882—Brian Casement

Action Requested:

Special Exception to permit storage of asphalt millings Use Unit 2) in the AG District (Section 301, Table 1). **LOCATION:** SW/c East 11th Street & South 193rd East Avenue (CD 6)

Presentation:

Ron Egge, Sherwood Construction, 9950 East 77th Street, Tulsa, OK; stated the asphalt millings are a by-product of construction. They become a green product when they are reused as a sub-grade material on the development of a parking lot. The owner of the subject property is going to develop the lot later with a time frame

for a Variance to permit a wall sign to exceed the permitted display surface area from 36 square feet to 39.5 square feet along East 44th Street; Variance to permit two signs to be erected per street frontage of a lot and to exceed the permitted display surface area from 32 square feet to 55.49 square feet along South Harvard Avenue (Section 602.B.4.b-c), subject to conceptual plans 3.18, 3.19 and 3.20. The Board has found that this is for a medical complex and medically related business, and it needs signage so the public can find the business. Another contributing factor is an utility easement and parking in front of the building. 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 variances 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:

E.180 OF LT 1 BLK 2, VILLA GROVE PARK, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21812—Matt King

FILE COPY

Action Requested:

Variance to reduce the required side yard setback from 10 feet to 0 feet (Section 403.A, Table 1); Variance to reduce the setback from the centerline of East 15th Street from 70 feet to 40 feet (Section 403.A, Table 1); Variance to increase the building height from 35 feet to 40 feet (Section 403.A, Table 1). **LOCATION:** 1445 South Carson Avenue (CD 4)

Presentation:

Matt King, King Architectural Solutions, 1513 East 15th Street, Suite B, Tulsa, OK; stated this case was continued from last month because of opposition to the request. Since then there has been a meeting with the neighborhood and the information provided clearly shows there is a significant hardship given the provided setbacks. This lot has been empty since the 1970s, and he assumes it was a single family previously because there is a brick wall that faces 15th Street and has three sets of stairs. His client has asked him to design a four unit townhouse project for the lot.

Mr. Henke asked staff if this case can be still be heard today because in the staff report the request is listed as a two or three unit structure. Mr. King stated that he does not exactly recall what was submitted but it probably was two or three units, but his client has determined that the structure needs to be four units. Ms. Moye stated that the request does not need to be readvertised because the number of units was not advertised to the public but the actual Variance request was advertised.

Mr. Van De Wiele asked if the drawing on page 4.18 was four units. Mr. King answered affirmatively. What was submitted since the last meeting is a builable unit with the

BOA-21812

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current zoning. There is also a preliminary floor plan to show how the building is proposed for the site. The rendering of the building that was being displayed on the screen is not exactly what is being proposed but an image to show what the client would like to do on the site. He is trying to pull in elements from the architecture of the neighborhood. He knows this is a sensitive issue and he thinks it is important to adapt to the surrounding neighborhood so he tried to find images that were similar in character of the area. He thinks the house used to face Carson which was the front yard, and in this case the ten foot setback would be the sideyard which is 15th Street.

Mr. Van De Wiele asked Mr. King to explain the diagrams on pages 4.15 and 4.16. Mr. King stated the image on 4.15 is what the client is trying to achieve while maintaining the ten foot rear yard and maintaining the ten foot side yard on Carson and on the alley while trying to vacate the setback entirely off 15th Street. He would like to maintain the brick wall on 15th Street as much as possible which would push the building back which means the loss of square footage. There will be rear entry garages which takes up 20 feet so all the living space for the tenants would be on the second floor hence the request for the additional height so there can be a sloped roof instead of a flat roof. Mr. King gave further description of the diagram rendering.

Interested Parties:

Demetrius Bereolos, 1929 South Cheyenne, Tulsa, OK; stated he is in opposition in the granting of the Variances. Mr. Bereolos stated that in terms of relevant previous actions, the most relevant previous actions that are in Stonebraker Heights and in the nearby Buena Vista Neighborhood, all these actions have occurred since the adoption of the Comprehensive Plan regarding setback variances, regarding centerline setback variances, and regarding height variances in the RM-2 zoning. In all the cases Variances were denied. In two cases they are dealing with a much larger lot on South Cheyenne the height variances and front yard setbacks were denied. In BOA-29519 a height variance in Stonebraker Heights was denied and the denial was upheld in District Court on appeal. So the most recent actions of the Board dealing with this type of setbacks on a large than the subject property have been denied Variances. In regards to multi-family units in the area, going from 13th Street to 21st Street over to Boulder and Denver, there are 28 multi-story multi-family apartments and condominiums of varying densities and housing costs. The zoning code speaks about the spirit and intent of the code being a variety of dwelling types and premises, and he believes that the 28 multi-family dwellings in that corridor constitutes a sufficient number of multi-family units in the area. If there were to be a random survey of 28 multi-story multi-family apartments and condominiums it will be found that a precious few of them want to build to the property lines as the applicant would like to do in this case. As to adequate off street parking, the code characterizes this development as Use Unit 8 which speaks to off street parking requirements being 1.5 parking spaces per one bedroom dwelling unit or two parking spaces per dwelling for two or more bedrooms. In the proposed site plan rendering it is still unclear whether there is sufficient parking because it is not sure how many bedrooms there are going to be per unit. He believes the applicant should clearly note that to allow the Board to make a decision regarding adequate off street parking. Mr. Bereolos stated the lot is too small to support a multi-family development. In

BOA-21812

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applications in 2012 and in 2013, on a lot that also adjoined an arterial corridor on South Cheyenne, a lot that was 8,600 square feet which is approximately a third larger than the subject property and the Board rejected variances. He believes the Board should also deny the variances on this significantly smaller lot. There is also a pressure of on street parking. The applicant does not recognize or provide for the detriment that would be caused by residents parking more vehicles than the assigned area might accommodate, and also by guest parking. The first on street parking within the 100 feet of the proposed development will not be available because of the driveways, and the adjoining property has right-of-ways in front of it. If there were a casual survey performed on South Carson in a two block area there are about 30 parking spaces available, and at almost any occasion almost all of those spaces are being used by existing residents or by visitors. There is also no parking in the alley because of Section 522 in the Municipal Code. This proposed development will place significant pressure on the on street situation that occurs on South Carson. There is an issue of the quality of sidewalks, and from the submitted drawing there is no indication that the suggested curb cuts comply with city development standards. Stonebraker Heights, South Carson and 15th Street are part of what the Comprehensive Plan calls a downtown neighborhood, a neighborhood that is primarily pedestrian oriented. If the Variances requested are granted and the building is allowed to be built almost on top of the property line on the south side it will have a negative impact on the quality of those sidewalks, and the curb cut on the west side will have a significant impact. The Comprehensive Plan is committed to making similar to this pedestrian friendly. This development goes against the notion of being pedestrian friendly. Mr. Bereolos would request the Board to deny the Variances.

Brent Garrett, 245 West 16th Street, Tulsa, OK; stated he is not opposed to the development of this property for multi-family use, but he is opposed to building something that is oversized for the lot. This property is located in the Carlton Place historic district and this area was listed on the National Register of Historic Places in September 2007. Initially the area was three blocks and over the years things have been razed for other development so what remains is the current 1 ½ blocks of historic homes dating from the 1910 era. Mr. Garrett has several slides placed on the overhead projector showing the subject neighborhood. Mr. Garrett stated that the staff comments states that based on conversations with the owner, it appears the site will support two residential units on two levels possibly three. This is confusing as to what is going to be built. Mr. Garrett stated that, to him, the Board case for 1522 South Carson is not relevant because it was a Variance to allow a kitchen to be built that did not extend beyond the existing structure. Mr. Garrett stated that parking is a big issue and when there is a structure that is large for the lot the question is where are the residents going to park even with two-car garages for each unit. The proposed two-car garages are for the residents not for the people that visit. He is not opposed to the multi-family unit being proposed but he does not see the hardship for the size of the proposed multi-family unit. He would ask the Board deny this Variance request at this time.

Fred Menge, 1441 South Carson Avenue, Tulsa, OK; stated he is the property owner of the subject lot. He purchased it with the intentions of future development. He

renovated and upgraded the 1441 building, and it is fully occupied. At the meeting in January he was asked to continue his case so he could speak with the Riverview Association and he did. He provided drawings to the association at their February 10th meeting also. He spoke to the association for 45 minutes and they kept asking for more information, and he did what he thought was reasonable by telling them his intention was to build a structure that is going to relate to the neighborhood. He has also met with the immediate neighbors, including a gentleman that lives in a condo across the street, and he was opposed because he thought the extra five feet in height would block his view. He posted everything, including drawings, on the Riverview Association bulletin board and no one has complained, nor has the immediate neighbors. He asks for the Board's approval to have the opportunity to improve the subject lot.

Rebuttal:

Matt King came forward and stated that the Form-Based Code, for the Pearl District in particular, are in place for a reason; to make the area pedestrian friendly. The building was intended to come to the street for that reason, to enhance the relationship between the pedestrian and the tenant. He is not saying the building will come right to the property line because there must be access to the building given. The issue is not so much the width as it is the depth. His client has been attempting to provide the information without spending an enormous amount of money on services, when it may not be in his benefit. His client is trying to show that this is what it takes to make the site financially viable. He is trying to be as sensitive as possible to the neighborhood. Mr. King stated that reason for the two-car garage was to get the traffic off the street, but everyone in the neighborhood has visitors. Mr. King hopes the Board can see what his client is facing and approve the request.

Ms. Snyder asked Mr. King if the existing sidewalk would remain. Mr. King stated the sidewalk will not be changed, it may be improved as part of the project, but the intent is to take the existing cuts in the existing brick wall and create a landing that may have stairs going in both directions to circle the units making the brick part of the project.

Ms. Snyder asked if the garages were coming off 15th Street. Mr. King stated they were not because they are rear entry garages.

Ms. Snyder asked Mr. King if this was a historic preservation district. Mr. King stated it may be on the Historic Register but it is not HP zoned.

Ms. Snyder asked Mr. King about the mention of the two or three units in the staff comments and asked if it was now a financial reason for the proposed four units. Mr. King deferred to Mr. Menge.

Fred Menge came forward and stated that when the project was started about six months ago he asked a realtor about the comps in the area, and that is how the conclusion of a four unit townhouse would be most reasonable.

BOA-21812

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John Nix, 1325 South Guthrie, Tulsa, OK; asked if the proposed project was going to be four two bedroom units?

Joanna Blackstock, 1235 East 24th Place, Tulsa, OK; came forward to answer Mr. Nix's question. She stated that she is Mr. Menge's realtor. Depending on the Variance allowance and where the setbacks need to be for the garages will determine the amount of bedrooms. It will probably be two bedrooms with a living space like the majority of Cherry Street, but the three bedroom is not the goal. The goal is the number of units.

Mr. Van De Wiele asked staff if this project was the type of project the City is leaning toward especially with the changes that will be coming in the zoning code. Ms. Miller stated that this is a downtown neighborhood and the new code proposes no parking requirements in downtown neighborhoods.

Matt King came forward and stated this is preliminary. There are still a lot of processes the project must go through to receive approval. Curb cuts and things like that will be dictated by regulations in zoning. There is still a long way to go.

Comments and Questions:

Mr. Van De Wiele stated that this type of development makes sense to him, whether it is too much for the lot or not, it certainly feels similar to the development that was proposed on 21st or 23rd and Cheyenne. Obviously the need or desire to have more units because the better a person is financially, but that is not for the Board's consideration. This type of project seems to be what the new code will be pushing for.

Ms. Snyder stated that she does not see a person wanting to build a single house on the subject property, but this project is different than the one that was proposed on Cheyenne because the entry was off the street. To her that project was on a street that is similar to an ingress ramp to the Riverside, and 15th Street is not like that even though it is busy. She thinks this project is what is coming in the future.

Mr. Henke stated that what this property has going for it is that the owner owns the lot to the north. An argument could be made for some of the Variances, but his concern is 15th Street and the alley and how this project will be adequately parked. This is not Boston or Chicago, a person can't just hop on the ell or hail a cab. People in Tulsa drive cars and where are they going to park those cars?

Mr. Tidwell stated that he likes the development and likes the looks but the intensity of the development is too much for the neighborhood. He can not support this project with four units.

Mr. White agrees that this is the type of project coming in the future because there are some very interesting things going to happen in the zoning code for developments similar to this, however, the change is not here yet. He sees too many parallels between this application and the application for the project at 21st and Cheyenne. This

BOA-21812

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project is not as severe but it is not much less. He thinks it is too intense for this particular location.

Board Action:

On **MOTION** of **WHITE**, the Board voted 3-2-0 (Henke, Tidwell, White "aye"; Snyder, Van De Wiele "nays"; no "abstentions"; none absent) to **DENY** the request for a Variance to reduce the required side yard setback from 10 feet to 0 feet (Section 403.A, Table 1); Variance to reduce the setback from the centerline of East 15th Street from 70 feet to 40 feet (Section 403.A, Table 1); Variance to increase the building height from 35 feet to 40 feet (Section 403.A, Table 1); for the following property:

LT 36 BLK 2, CARLTON PLACE, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21828—A-MAX Sign Company – Lori Worthington

Action Rrequested:

Variance to reduce the required setback from the centerline of East 11th Street to permit a cell tower, utility buildings and/or structures accessory to a cell tower in the CS District (Section 703, Table 2). **LOCATION:** 9316 East 11th Street (CD 5)

Presentation:

Kelly Kramer, 1516 South Boston, Tulsa, OK; stated the Variance is requested to get closer to the street to give the land owner the most use of his property as possible with the 50'-0" x 50'-0" compound being placed on the property. This would be permitted by right if the compound were to be moved to meet the setbacks. The lot is an odd shaped lot and if the compound were moved to meet the setbacks it would diminish the land owner's ability to build anything because meeting the setbacks would basically cut the property in half.

Mr. Van De Wiele asked Ms. Kramer if the subject property was commonly owned with the property to the west. Ms. Kramer stated that the owner of the subject property is partnered with his brother in the ownership of the property to the west. The property is to the west is used as overflow parking for the garage.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **WHITE**, the Board voted 4-1-0 (Henke, Snyder, Tidwell, White "aye"; Van De Wiele "nay"; no "abstentions"; Snyder absent) to **APPROVE** the request for a Variance to reduce the required setback from the centerline of East 11th Street from

BOA-21812

Variance to increase the building height from 35 feet to 40 feet (Section 403.A, Table 1). LOCATION: 1445 South Carson Avenue (CD 4)

Presentation:

Matt King, King Architectural Solutions, 1513 East 15th Street, Tulsa, OK; stated that in light of several recent conversations with members of the neighborhood association he would ask for a continuance to allow him time to make a presentation to the neighborhood association.

Interested Parties:

There were several 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 **CONTINUE** the request for a Variance to reduce the required side yard setback from 10 feet to 0 feet; Variance to reduce the setback from the centerline of 15th Street from 70 feet to 40 feet; Variance to increase the building height from 35 feet to 40 feet (Section 403.A, Table 1) to the Board of Adjustment meeting on February 24, 2015; for the following property:

LT 36 BLK 2, CARLTON PLACE, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Mr. Henke left the meeting at 1:25 P.M.

21813—A-MAX Sign Company – Lori Worthington**Action Requested:**

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). LOCATION: 4520 South Harvard Avenue (CD 9)

Mr. Henke re-entered the meeting at 1:28 P.M.

Presentation:

Brian Ward, 9520 East 55th Place, Tulsa, OK; stated there is an existing 47 square foot monument sign on the subject site, and since his initial site visit there has been an arched addition to the top increasing the sign to approximately 67 square feet. The

tract; tie agreement for the entire advertised property shall be executed; finding the 50 ft. width of the lots from the early platting of this property; finding there is plenty of room for unloading without a loading berth; finding the configuration of the properties creates a hardship that the literal enforcement of the terms of the code would result in an unnecessary hardship, and that such extraordinary exceptional conditions or circumstances do not apply generally to other properties in the same use district; and if granted that it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

All of lots 18, 19 and 20 less and except the northerly 29.25' thereof and the northerly 100.00' of lots 35, 36 and 37 all in the "re-subdivision of lots 1, 2, 3, 4, 5, 16, 17, 18, 19 & 20, block 1; and lot 1, block 2 of Rodger's Heights Subdivision", City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof; All of lot 21, less and except the northerly 29.25' thereof in the "re-subdivision of lots 1, 2, 3, 4, 5, 16, 17, 18, 19 & 20, block 1; and lot 1, block 2 of Rodger's Heights Subdivision" City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof; All of lots 124 and 125 of the "re-subdivision of lots 2, 3, 4, 5, 6, 7, 8, 9, 10, block 2 Rodger's Heights Subdivision", City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.

*****.

Case No. 20649

Action Requested:

Special Exception to permit (Use Unit 8) Multi-Family Residential in the OM district (Section 601), located: 1408 South Cheyenne Avenue West.

Presentation:

Kevin Stephens, 1506 East 14th Street, proposed to build RM-2 housing in OM zoning. The plans are for twenty townhouse units, three-story structures. He provided a site plan (Exhibit H-1).

Comments and Questions:

In response to Ms. Stead, he stated they would rebuild and maintain the sidewalks.

Interested Parties:

Larry Johnson, 1707 South Erie Avenue, Tulsa, Oklahoma, stated he is one of the owners of the building to the north of the project. He thought they were going to be apartments. His only concern was overflow parking. He added that already some of the other neighbors overflow onto his parking lot.

Mr. Kevin Stephens responded that the plans were never intended for rental units, but to be townhomes for sale. They planned for two parking spaces on site for each unit.



0 50 100
Feet



Subject
Tract

BOA-22188

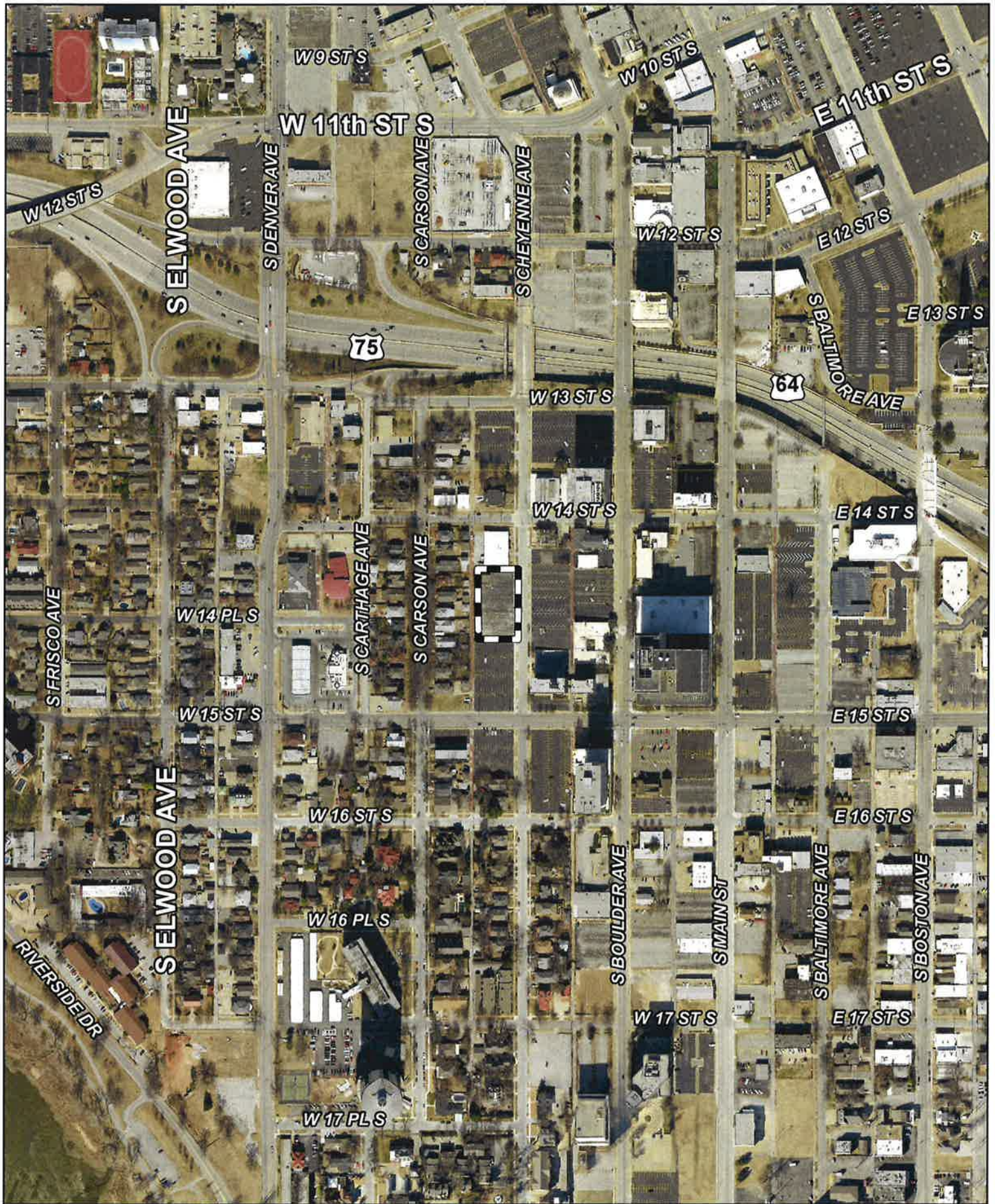
19-12 12

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

Aerial Photo Date: February 2016



16.20



0 Feet 200 400



Subject Tract

BOA-22188

19-12 12

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

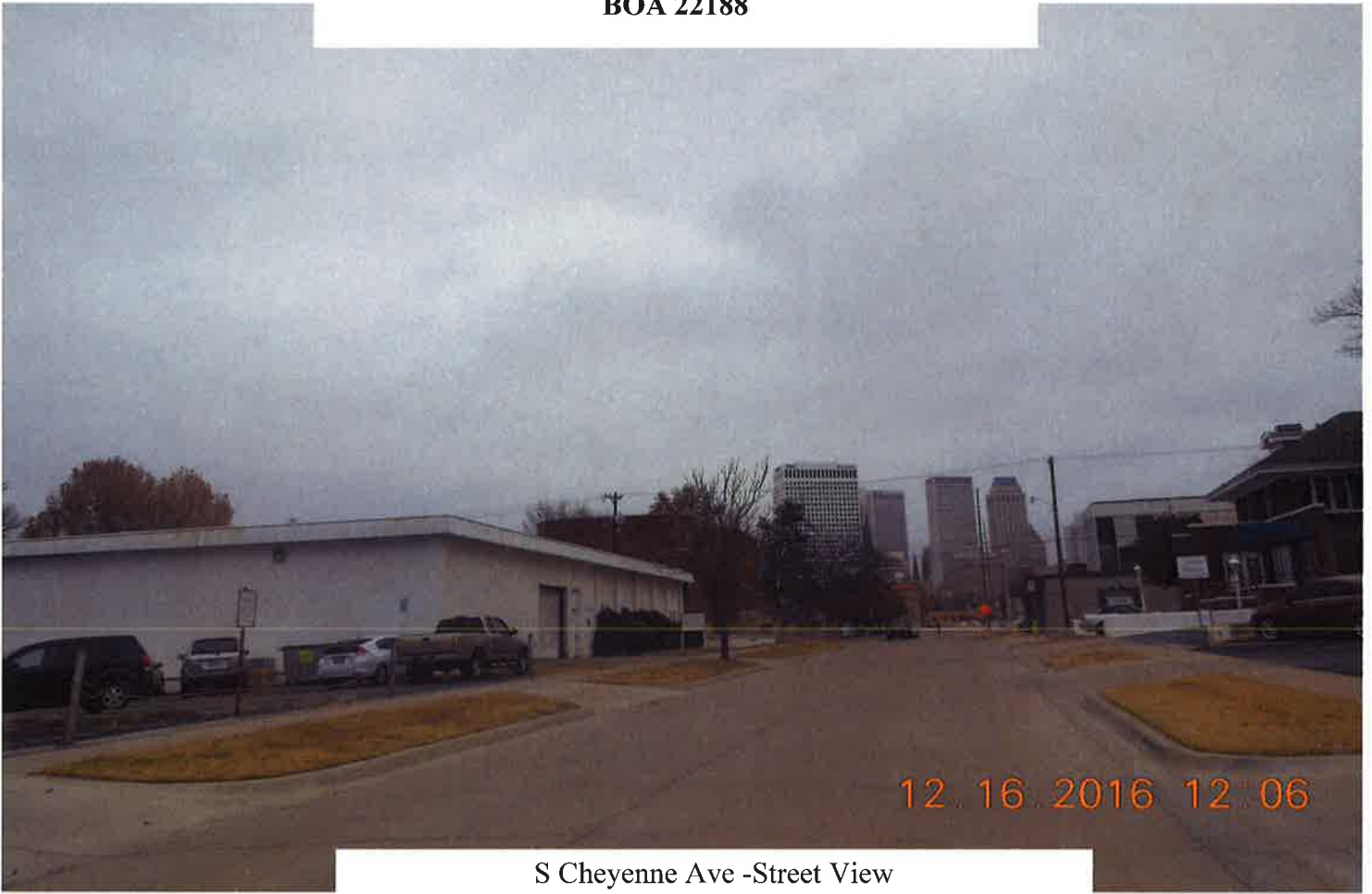
Aerial Photo Date: February 2016





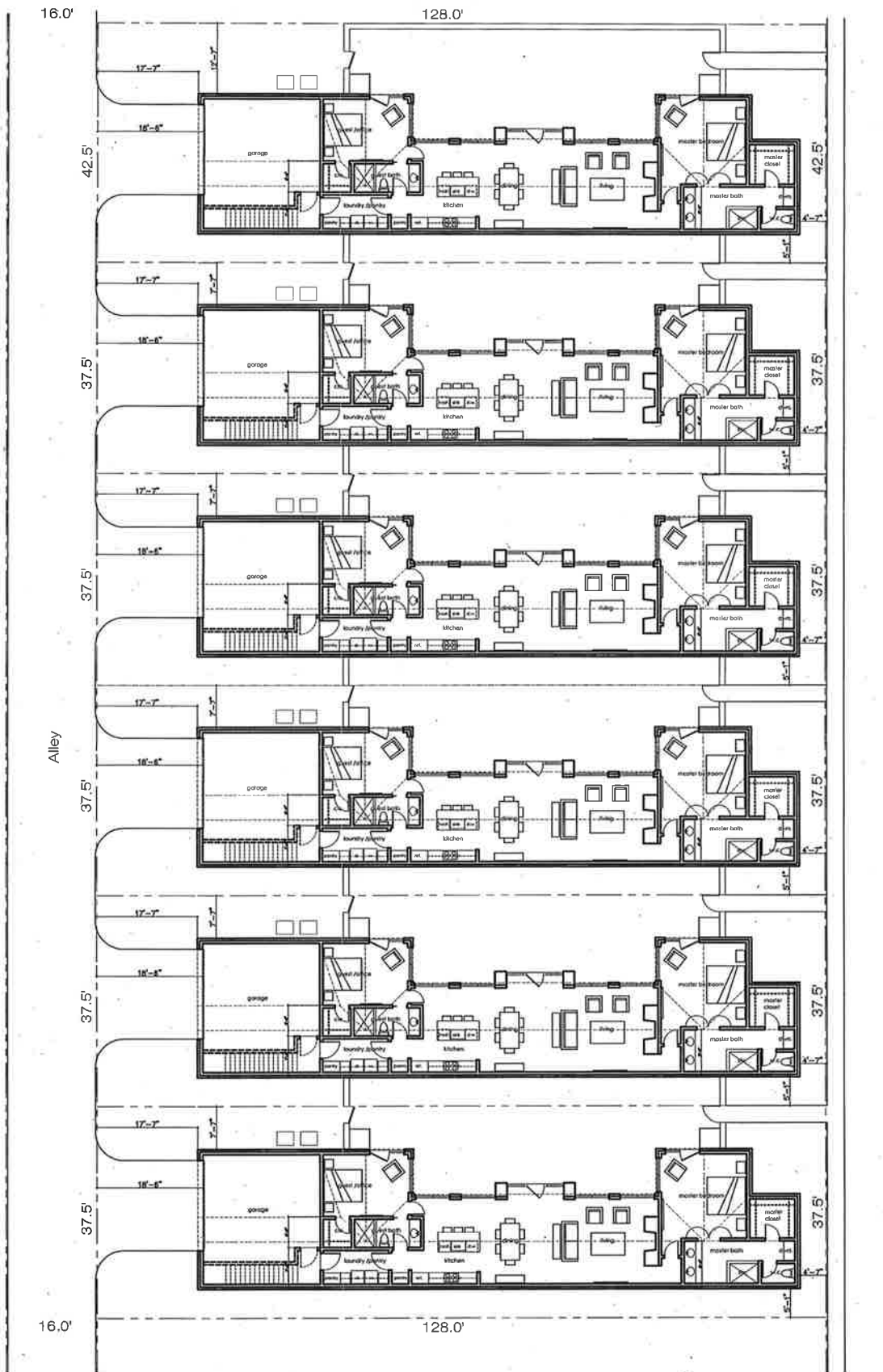
Subject Site- Looking West





S Cheyenne Ave -Street View





Fox Architects

1588 Swan Drive Tulsa, Oklahoma 74120

Site Plan

C-1

16.24

CHUCK LANGE
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-9688
clange@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number:

974809-1

November 21, 2016

JIM BEACH
200 E MB BRADY ST
TULSA, OK 74103

Phone: (918)639-0362

APPLICATION NO: **8818** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **1408 S CHEYENNE AV W**
Description: **Six townhouse lots (5 @37.5' WIDE & 1 @42.5' WIDE)**

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. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. 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.
3. 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)

16.25

REVIEW COMMENTS

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

Application No. 8818

1408 S CHEYENNE AV W

November 21, 2016

Note: As provided for in Section 70.130 you may request the Board of Adjustment 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 and all questions regarding BOA 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.15.030 -A Table 15-3: The lot and building regulations of Table 15-3 apply to all principal uses and structures in office, commercial and industrial districts, except as otherwise expressly stated in this zoning code. General exceptions to lot and building regulations and rules for measuring compliance can be found in Chapter 90. Additional regulations governing accessory uses and structures can be found in Chapter 45.

Table 15-3: O, C and I District Lot and Building Regulations

Regulations	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH
Minimum Lot Area (sq. ft.)	—	—	—	10,000	—	—	—	—	—	—	—
Minimum Street Frontage (feet)	50	50	50	—	50	50	—	—	50	50	50
Maximum Floor Area Ratio (FAR)	0.40	0.50	2.00	8.00	0.50	0.75	—	—	—	—	—
Minimum Lot Area per Unit (sq. ft.)	[1]	[2]	[2]	[3]	[2]	[2]	—	—	[2]	[2]	[2]
Min. Open Space per Unit (sq. ft.)	[1]	[2]	[2]	[3]	[2]	[2]	—	—	[2]	[2]	[2]
Building Setbacks (feet)											
Street [4]	10	10	10	10	10	10	—	—	10	10	10
From AG or R district	10	10[5]	10[5]	10	10[5]	10[5]	—	—	75[6]	75[6]	75[6]
From O district	—	—	—	—	—	—	—	—	75[6]	75[6]	75[6]
Max. Building Coverage (% of lot)	—	—	—	—	—	—	—	—	—	—	—
Maximum Building Height (feet)	35	—	—	—	—	—	—	—	—	—	—

15.030-B Table Notes

The following notes refer to the bracketed numbers (e.g., "[1]") in Table 15-3:

[1] Same as required in RT district.

[2] Same as required in RM-2 district.

[3] Same as required in RM-3 district.

[3] Same as required in RM-3 district.

[4] Garage doors must be set back at least 20 feet from back of sidewalk.

[5] When abutting RE-, RS- or RD-zoned lot, 2 feet of add'l building setback required for each foot of building height above 15 feet.

[6] Minimum building setback abutting freeway right-of-way that is zoned AG, R or O is 10 feet.

Review Comments: The proposed Townhouses are located in an OM zoning district. The following BOA actions are required:

1. The proposed street frontages are 42.5 ft or less. The required frontage is 50 ft. You are required to obtain a Variance from the BOA, reviewed and approved per Sec.70.030, to reduce the street frontage from 50 ft to 37.5 ft. Submit a copy of the approved Variance as a revision to this application.
2. The proposed street setback is 4 ft 7 in. The required setback is 10 ft. You are required to obtain a Variance from the BOA, reviewed and approved per Sec.70.030, to reduce the street setback from 10 ft to 4 ft 7 in. Submit a copy of the approved Variance as a revision to this application.

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.

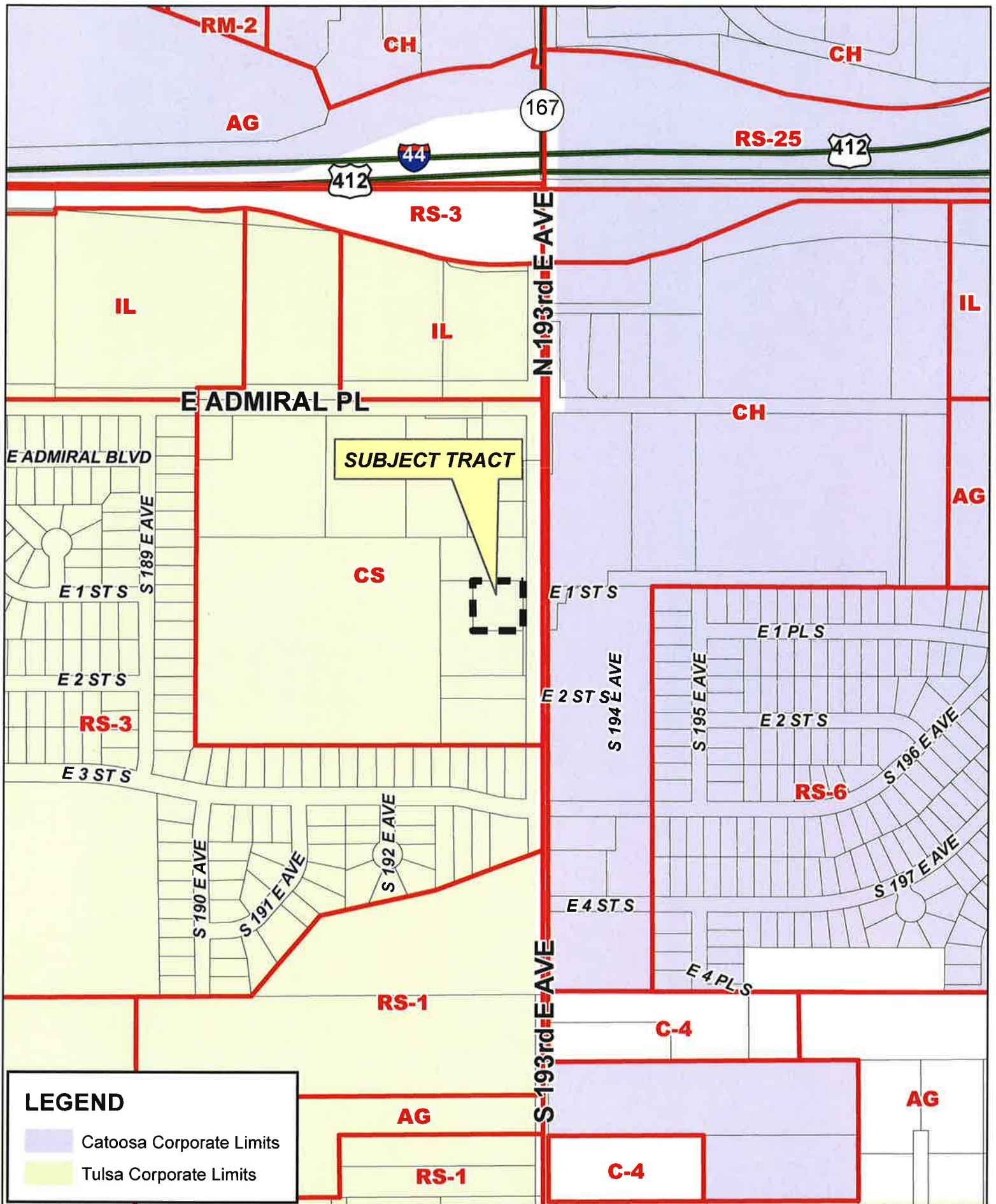
A hard copy of this letter is available upon request by the applicant.

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.

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LEGEND

-  Catoosa Corporate Limits
-  Tulsa Corporate Limits

BOA-22189

19-14 01

17.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9401
CZM: 40
CD: 6
A-P#: 8863

Case Number: **BOA-22189**

HEARING DATE: 01/10/2017 1:00 PM

APPLICANT: Mike Rice-Phoenix Restoration

ACTION REQUESTED: Special Exception to permit Storage/Warehouse Use in CS zoning district (Section 15.020 Table 15-2).

LOCATION: 110 S 193 AV E

ZONED: CS

PRESENT USE: Vacant Commercial Building

TRACT SIZE: 37,074.07 SQ FT

LEGAL DESCRIPTION: PRT LT 2 BEG 378N & 10W SECR LT 2 TH W165 N155 E165 S155 POB BLK 1, ROLLING HILLS CTR ADDN AMD, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

BOA 18063; the Board approved a special exception to allow a mini-storage in a CS district; located at 202 South 193rd East Avenue.

BOA 17963; the Board approved a special exception to allow a mini-storage in a CS district; located at 206 South 193rd East Avenue.

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 abutted by CS zoning on the north, west and south; S 193 E Ave and CH zoned residential abuts the site on the east.

STAFF COMMENTS:

The applicant is proposing to remodel the existing commercial building and convert it to a warehouse and storage space for customer property. The applicant has stated that the existing building will be use to provide secure storage of items and material from homes and business whose property is undergoing remodeling and/or restoration. The applicant is requesting a Special Exception as the proposed warehouse and storage facility is a use only allowed by a special exception in the CS district due to the potential adverse affects.

If inclined to approve the requests the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the use is compatible with the surrounding area and is non-injurious to surrounding properties.

Sample Motion for a Special Exception

Move to _____ (approve/deny) a Special Exception to permit Storage/Warehouse Use in CS zoning district (Section 15.020 Table 15-2).

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):

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.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 5-0-0 (Cooper, Dunham, Turnbo, Perkins, White "aye"; no "nays", no "abstentions"; no "absent") to **APPROVE** Special exception to modify the off-street parking and loading requirements resulting in a change of use from commercial to restaurant. **SECTION 1407.C. PARKING, LOADING AND SCREENING NONCONFORMITIES – Use Unit 14** and a Variance to permit required parking to be located on a lot other than the lot containing the principal use. **SECTION 1301.D. GENERAL REQUIREMENTS**, subject to a tie agreement tying the owners' 45% interest Tract B to Tract A on the following described property:

The S 42.3' of Lot 1, Block 1, Oliver's Addition to the City of Tulsa, Tulsa County, Oklahoma and Lot 12, Block 1, Oliver's Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 18063

Action Requested:

Special Exception to allow a mini-storage in a CS district. **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 16**, located 202 S. 193rd E. Ave.

Presentation:

The applicant, **Jerry Ledford, Sr.**, 8209 E. 63rd Pl. S., stated that he has requested a Special Exception to allow a mini-storage in a CS district. Mr. Ledford stated that this tract is within a CS tract and there is a trailer park to the west of the tract and that is also in a CS zoning and to the south is a tract that is 75' wide that allows access to the trailer park which is also CS. There is also a tract south of the panhandle for the trailer park that is 153' that abutts a single family residential. The single family is actually 225' south of the south property line of this tract, they are not really abutting a residential tract.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 5-0-0 (Cooper, Dunham, Turnbo, Perkins, White "aye"; no "nays", no "abstentions"; no "absent") to **APPROVE** Special Exception to allow a mini-storage in a CS district. **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 16** per plan submitted.

On **AMENDED MOTION** of **DUNHAM**, the Board voted 5-0-0 (Cooper, Dunham, Turnbo, Perkins, White "aye"; no "nays", no "abstentions"; no "absent") to **APPROVE** Special Exception to allow a mini-storage in a CS district. **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 16** to allow mini-storage in a CS district on the following described property:

Case No. 18063 (continued)

A part of Lot 2, Block 1, of the Amended Plat of Rolling Hills Center Addition, an Addition in Tulsa County, State of Oklahoma, more particularly described as follows: to-wit: Beginning at a point 153.00' N of the SE/c of said Lot 2, Block 1; thence N 89°50.9031' W 281.15'; thence due N for 530.00'; thence S 89°50.9031' E for 106.15'; thence due S for 150.00'; thence S 89°50.9031'; E for 175.00'; thence due S for 380.00' to the POB; less and except the S 75' thereof.

Case No. 18064

Action Requested:

Variance to remove landscaping requirements from a parking lot at the rear of a building. **SECTION 1002.B. LANDSCAPE REQUIREMENTS, Parking Area Requirements and SECTION 1002.C. LANDSCAPE REQUIREMENTS, Tree Requirements – Use Unit 11/22**, located 10226 E. 47th Pl.

Presentation:

The applicant, **Darrell D. Crowl**, 10324 E. 47th Pl., stated that he owns a business at 10324 E. 47th Pl. The map he submitted to the Board outlines all the property he owns on the block. The property is adjacent to Highway 169 on the east and 47th dead ends at the corner of his property. Mr. Crowl stated that he has been through the building permit process and the only holdup has been the landscaping requirement for a parking lot. Ms. Turnbo interrupted Mr. Crowl and stated that she thought the Board was ready for a Motion.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 5-0-0 (Cooper, Dunham, Turnbo, Perkins, White "aye"; no "nays", no "abstentions"; no "absent") to **APPROVE** Variance to remove landscaping requirements from a parking lot at the rear of a building. **SECTION 1002.B. LANDSCAPE REQUIREMENTS, Parking Area Requirements and SECTION 1002.C. LANDSCAPE REQUIREMENTS, Tree Requirements – Use Unit 11/22**, on the following described property:

Alsuma, Lots 1-6, Block 31, and 25' of adjacent vacated ROW of S. 104th E. Ave.

Case No. 17963

Action Requested:

Special Exception to allow a mini-storage. **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 16** located at 206 S. 193rd E. Ave.

Presentation:

The applicant, **Tom Christopolos**, 9125 S. Sheridan, Tulsa, OK 74133, wants to put a mini-storage on the site with 148 units. The applicant believes that it will be an asset to the area.

Comments and Questions:

Mr. White asked if the development would go all the way back to the mobile homes. The applicant answered affirmatively on the west side.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 5-0-0 (Bolzle, Cooper Dunham, Turnbo, White, "aye"; no "nays", no "abstentions"; no "absent") to **APPROVE** a Special Exception to allow a mini-storage. **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 16** on the following described property:

Part of Lot 2, Block 1, amended plat of Rolling Hills Center Addition beginning at the SE corner of said Lot 2, Block 1, thence west along the south line of said Block 2, for 281.15'; thence due north for 153'; thence east for 281.15'; thence due south for 153' to the POB, Tulsa County, Oklahoma.

Case No. 17964

Action Requested:

Variance of the setback from the centerline of S. Yale Ave. from 50' to 30' to allow for a sign. **BUSINESS SIGNS AND OUTDOOR ADVERTISING; SECTION 215. STRUCTURE SETBACK FROM ABUTTING STREETS – Use Unit 2** located at 510 S. Yale Ave.

Presentation:

The applicant, **Alan Parker**, 3513 S. Jamestown, Tulsa, OK 74135, (Exhibit F-1-Site Plan, Exhibit F-2 – Architectural Rendering) stated that the property is Yale Avenue Presbyterian Church. The church wants to replace an existing church sign. The side of the church building is 45' off the centerline of Yale Avenue. It is impossible for them to meet the 50' setback (that would be inside the building). The church is replacing the existing sign because the other one was old.

Comments and Questions:

Mr. White asked Mr. Parker if the church would have a problem with a removal contract. Mr. Parker said that the church had no problem with that.



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Feet



Subject
Tract

BOA-22189

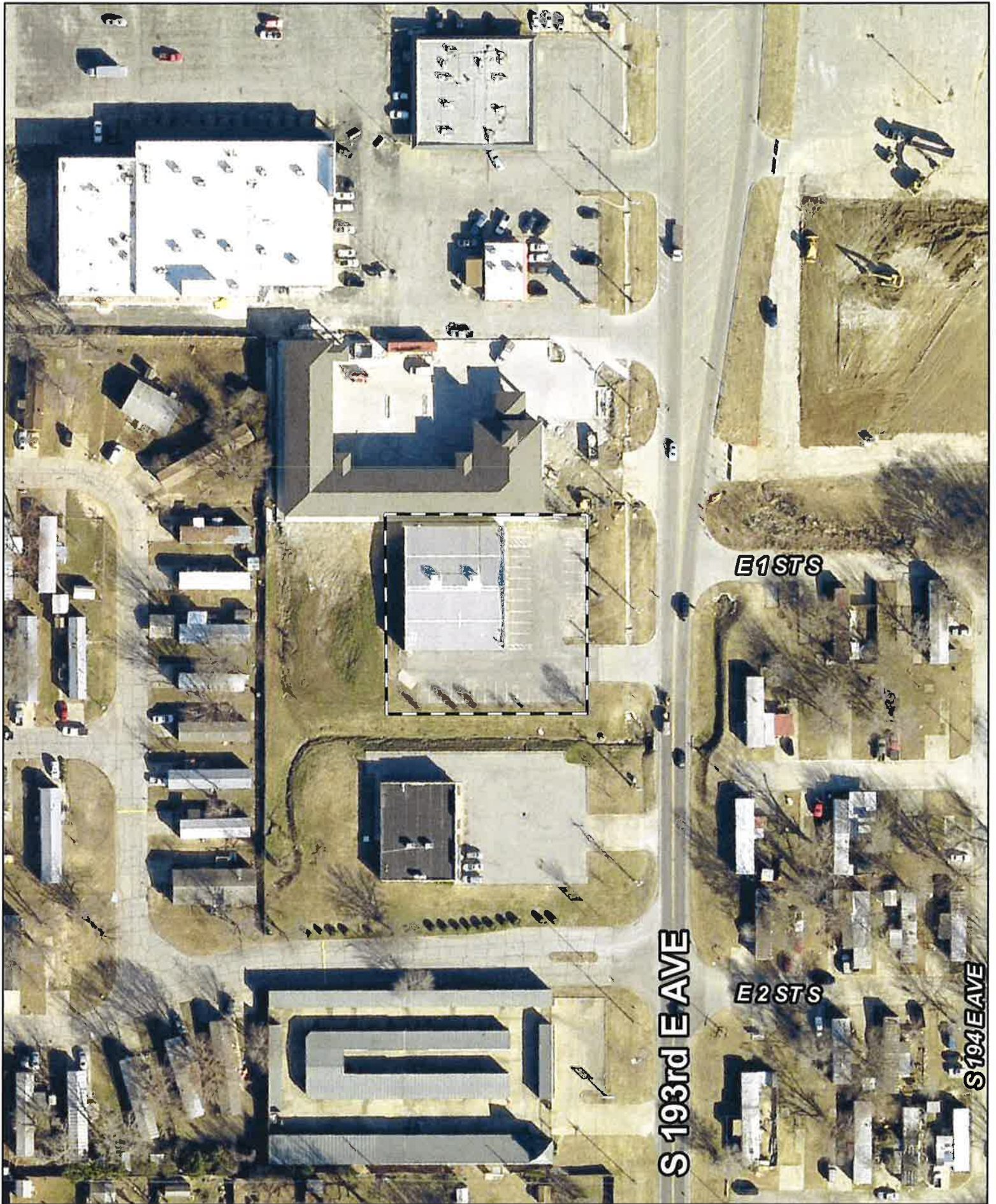
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



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0 50 100
Feet



Subject
Tract

BOA-22189

19-14 01

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

Aerial Photo Date: February 2016

17.8





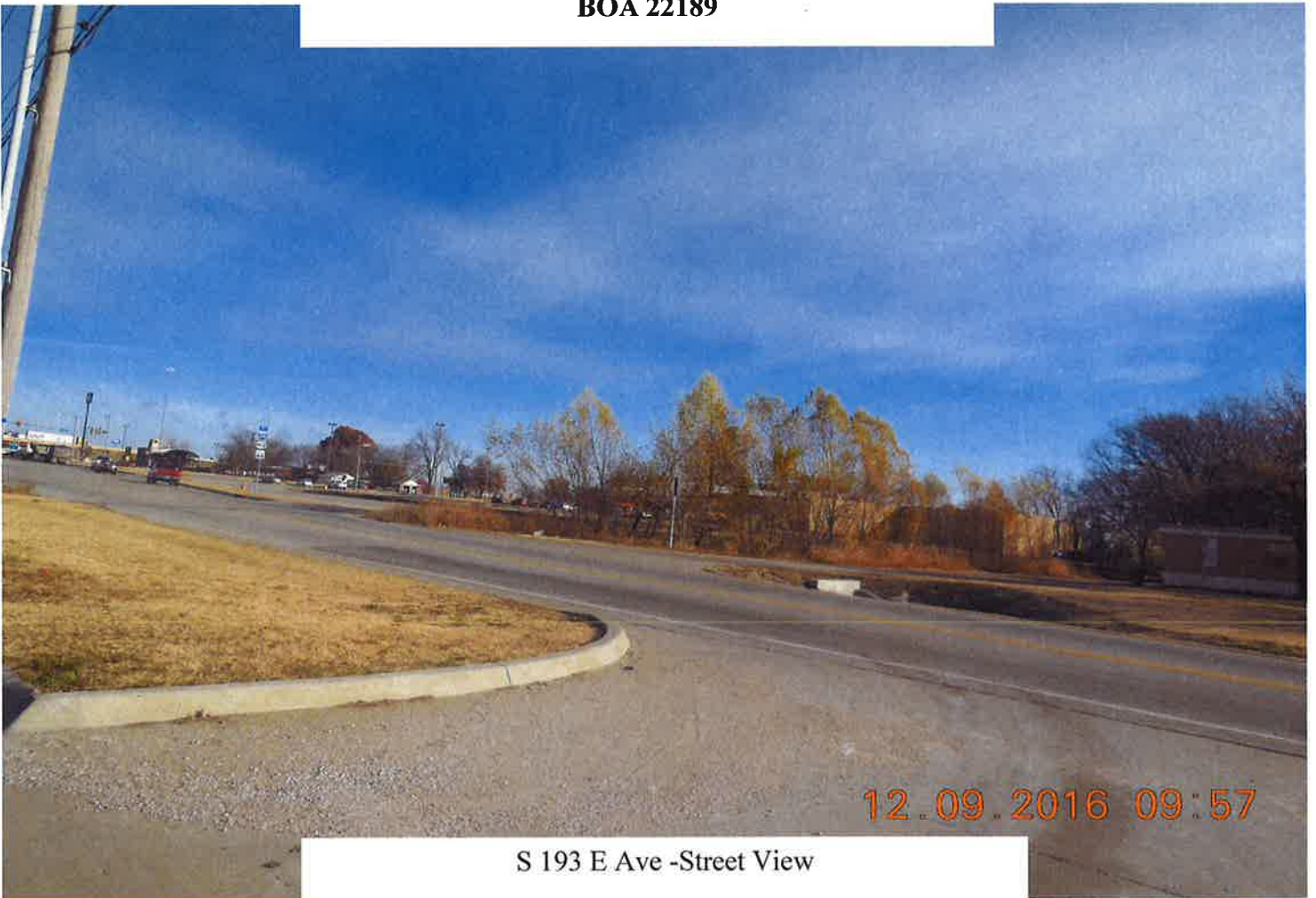
12.09.2016 09:56

Subject Site- Looking West



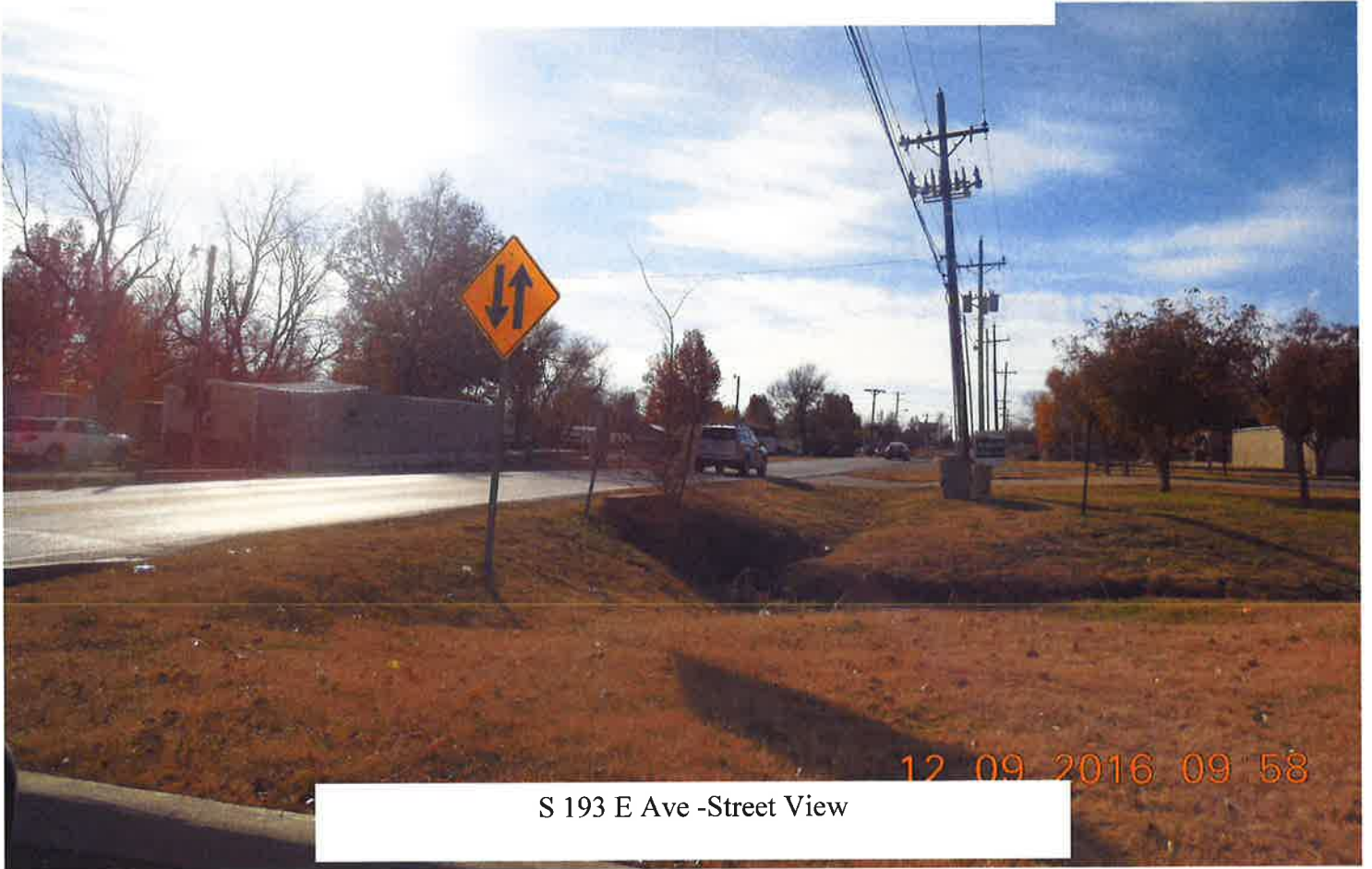
12.09.2016 09:57

17.9



S 193 E Ave -Street View





S 193 E Ave -Street View

CHUCK LANGE
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-9688
clange@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number:

977745-1

December 02, 2016

MIKE RICE
PHOENIX RESTORATION SERVICES
2108 N WILLOW AV
BROKEN ARROW, OK 74012

Phone: (918)710-5896
Fax: (918)872-6127

APPLICATION NO: **8863** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 110 S 193 AV E
Description: WAREHOUSE - STORAGE OF CUSTOMER PROPERTY

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. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. 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.
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(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

Application No. 8863

110 S 193 AV E

December 02, 2016

Note: Please direct all questions concerning Special Exceptions and all questions regarding BOA 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.35.060-C: Your proposed Warehouse is designated a Wholesale, Distribution & Storage/Warehouse Use and is located in a CS zoning district.

Review comment: Per *Sec.15.020 Table 15-2* this use requires a Special Exception reviewed and approved in accordance with the Special Exception procedures of *Sec.70.120*. Submit a copy of the approved Special Exception.

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.