

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 24, 2017, 1:00 P.M.

Meeting No. 1176

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

UNFINISHED BUSINESS

1. **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)**

NEW APPLICATIONS

2. **22190—Tom Neal**
Variance of the required street setback from East 101st Street from 35 feet to 20 feet; Variance of the required street setback from South Joplin Avenue from 15 feet to 5 feet (Section 5.030); Variance of the allowable height of detached accessory buildings from 10 feet to 11 feet to the top of the top plate (Section 90.90.C.a.1). **LOCATION:** 5910 East 100th Place South **(CD 8)**
3. **22191—Mark Nelson**
Variance of the rear setback from 20'-0" to 7'-11" to permit a garage addition attached by a breezeway (Section 5.030-A). **LOCATION:** 1630 South Columbia Place East **(CD 4)**
4. **22192—Dennis Tuthill**
Variance to increase the total combined floor area of detached accessory buildings from 750 sq. ft. to 784 sq. ft (Section 45.030-A). **LOCATION:** 8306 East 14th Street South **(CD 5)**
5. **22193—Crown Neon Signs – Gary Haynes**
Special Exception to allow a dynamic display in the RS-3 District (Section 60.050.2.c). **LOCATION:** 6730 South Sheridan Road East **(CD 5)**

6. **22194—Jackie Price**

Variance from the required parking area dimensional standards in Section 55.090-D to permit an under-ground parking garage, per conceptual plan.

LOCATION: SW/c of South Main Street West and West 6th Street South (CD 4)

7. **22195—Jack G. Arnold**

Variance of the required street setback from South Birmingham Place from 35 feet to 23 feet to permit a pool (Section 90.090-C). **LOCATION:** 2450 East 28th Street South (CD 4)

8. **22196—Shane Hood**

Verification of the 300 foot spacing requirement for a bar from public parks, schools, and religious assemblies and 50 feet from an R-zoned lot (Section 40.050). **LOCATION:** 326 East 1st Street South (CD 4)

Staff requests a continuance to the February 14, 2017 hearing date, to allow for re-noticing to make a correction to the legal description.

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

Website: www.cityoftulsa-boa.org

E-mail: esubmit@incog.org

CD = Council District

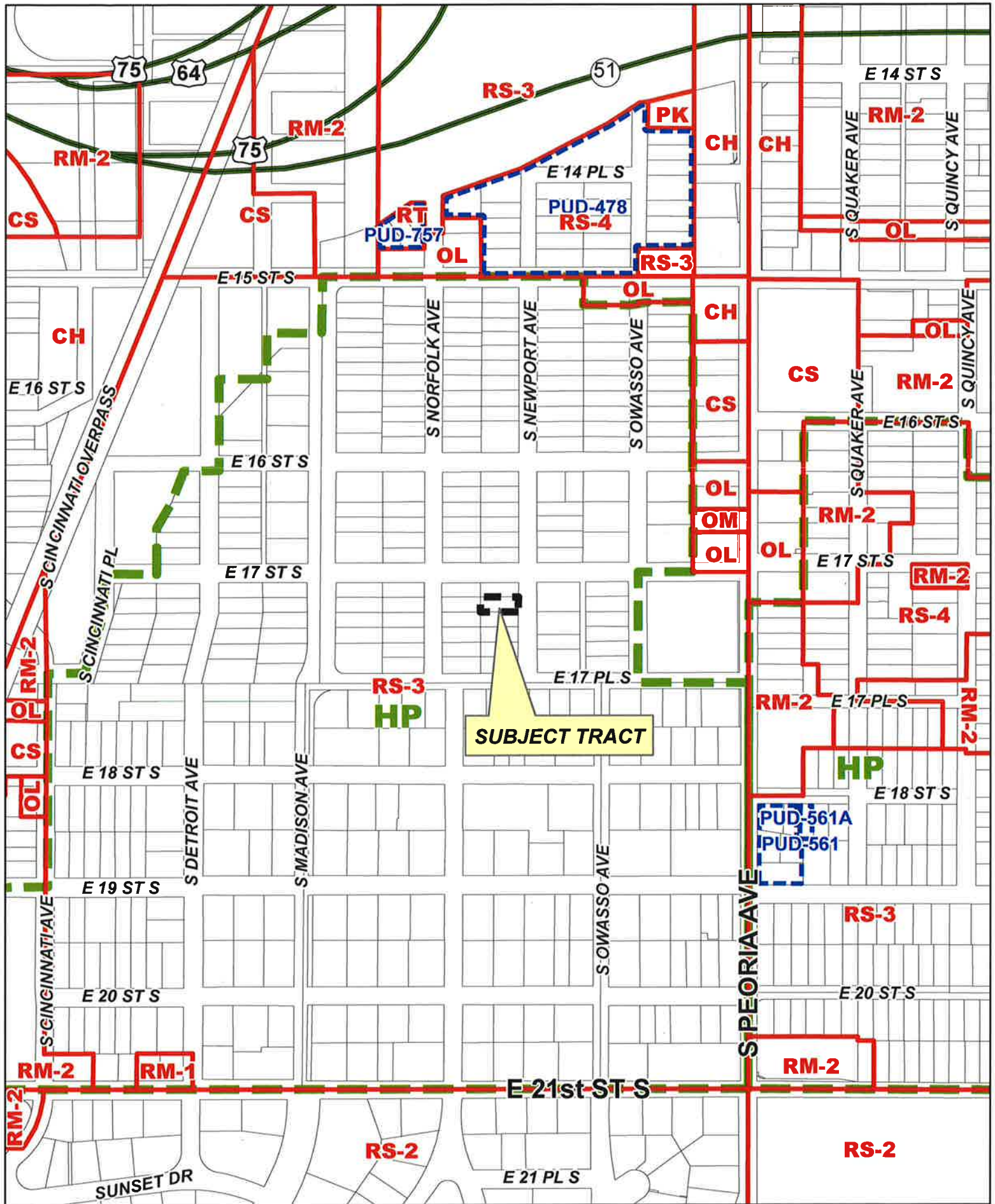
NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918)584-7526. Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained at Land Development Services, INCOG. The 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-22186

19-12 12

1.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9212
CZM: 36
CD: 4
A-P#: 409625

Case Number: **BOA-22186**

HEARING DATE: 01/24/2017 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.

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 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

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.

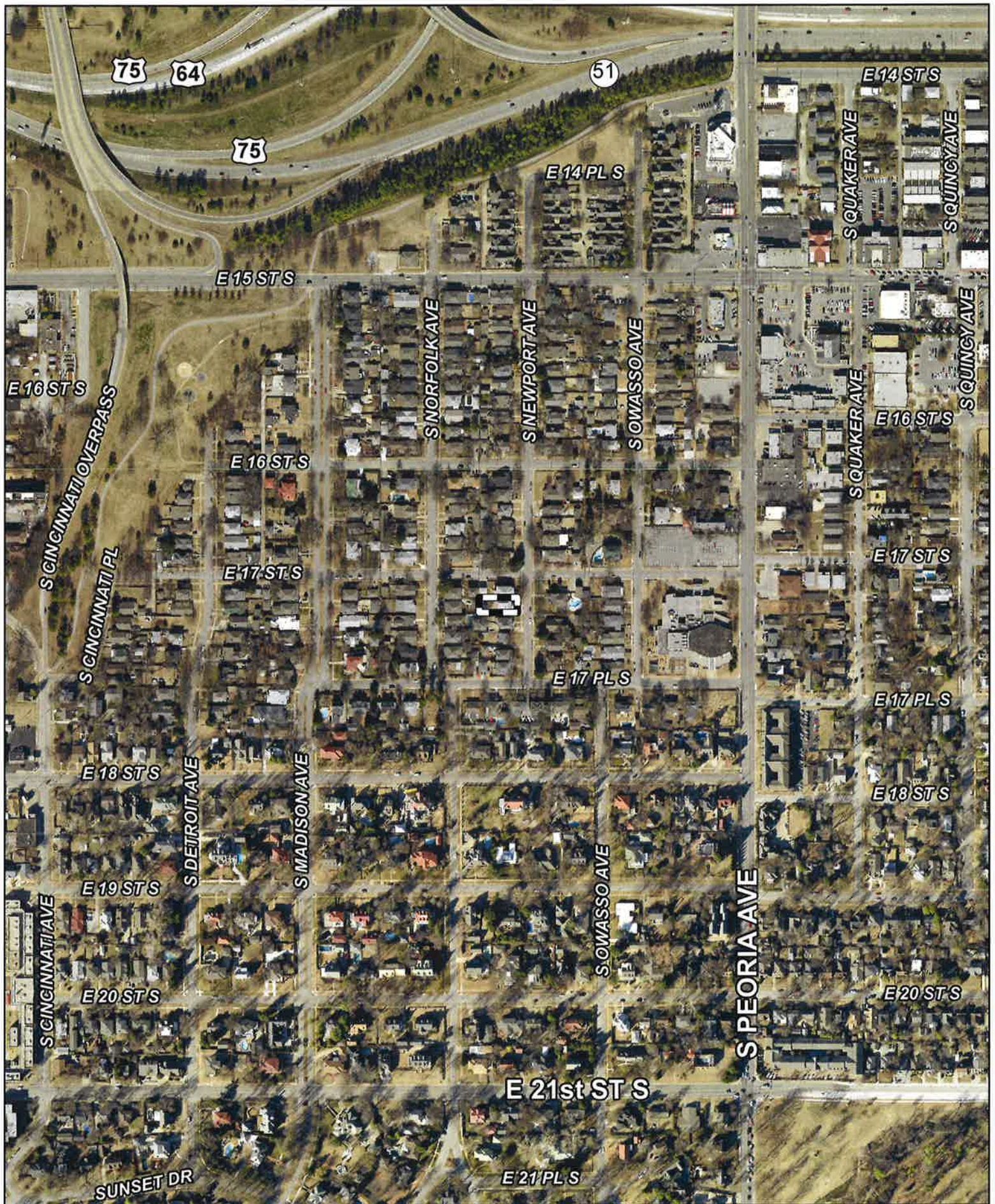
Protestants:

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

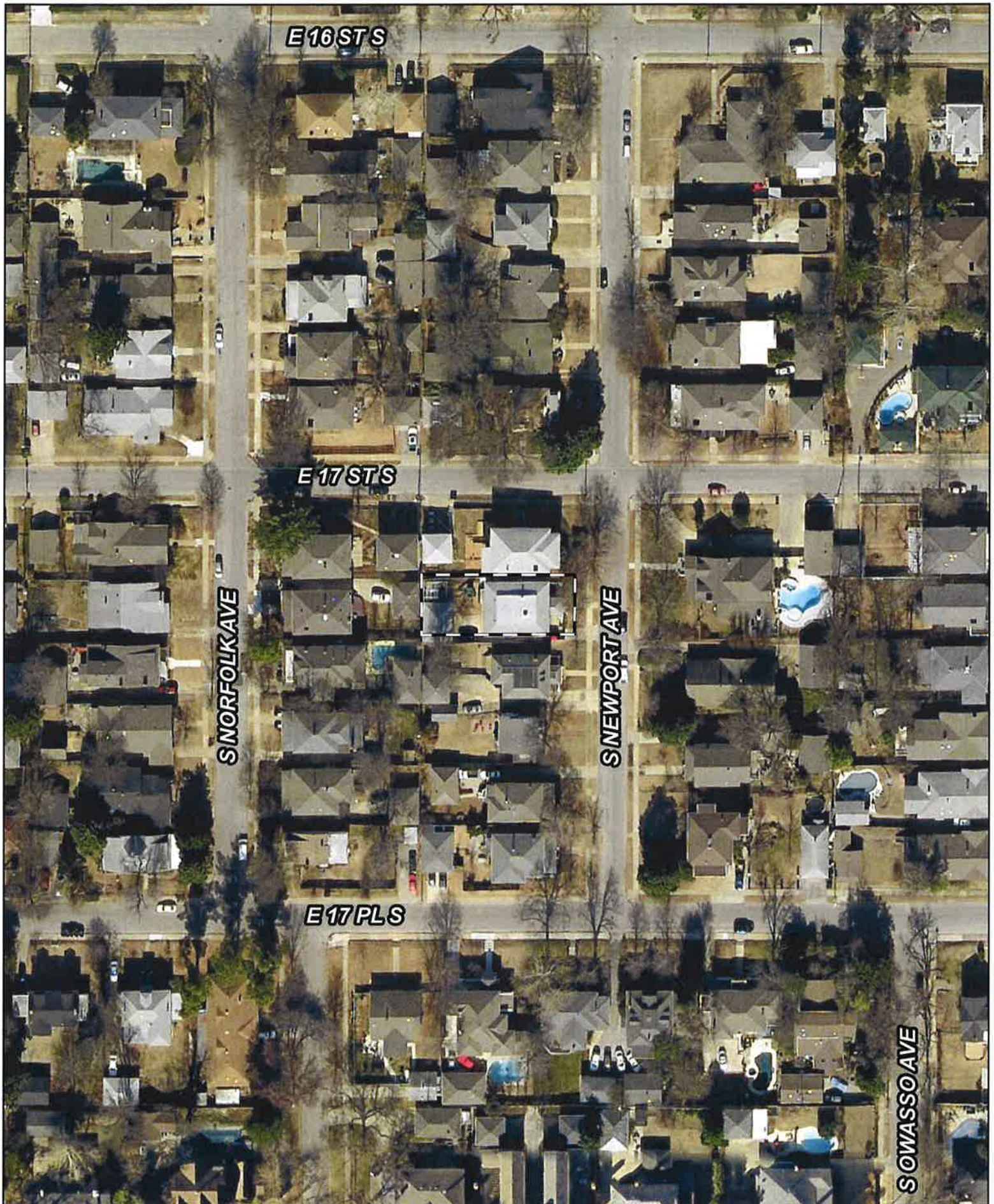
19-12 12

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

Aerial Photo Date: February 2016



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0 50 100
Feet



Subject
Tract

BOA-22186

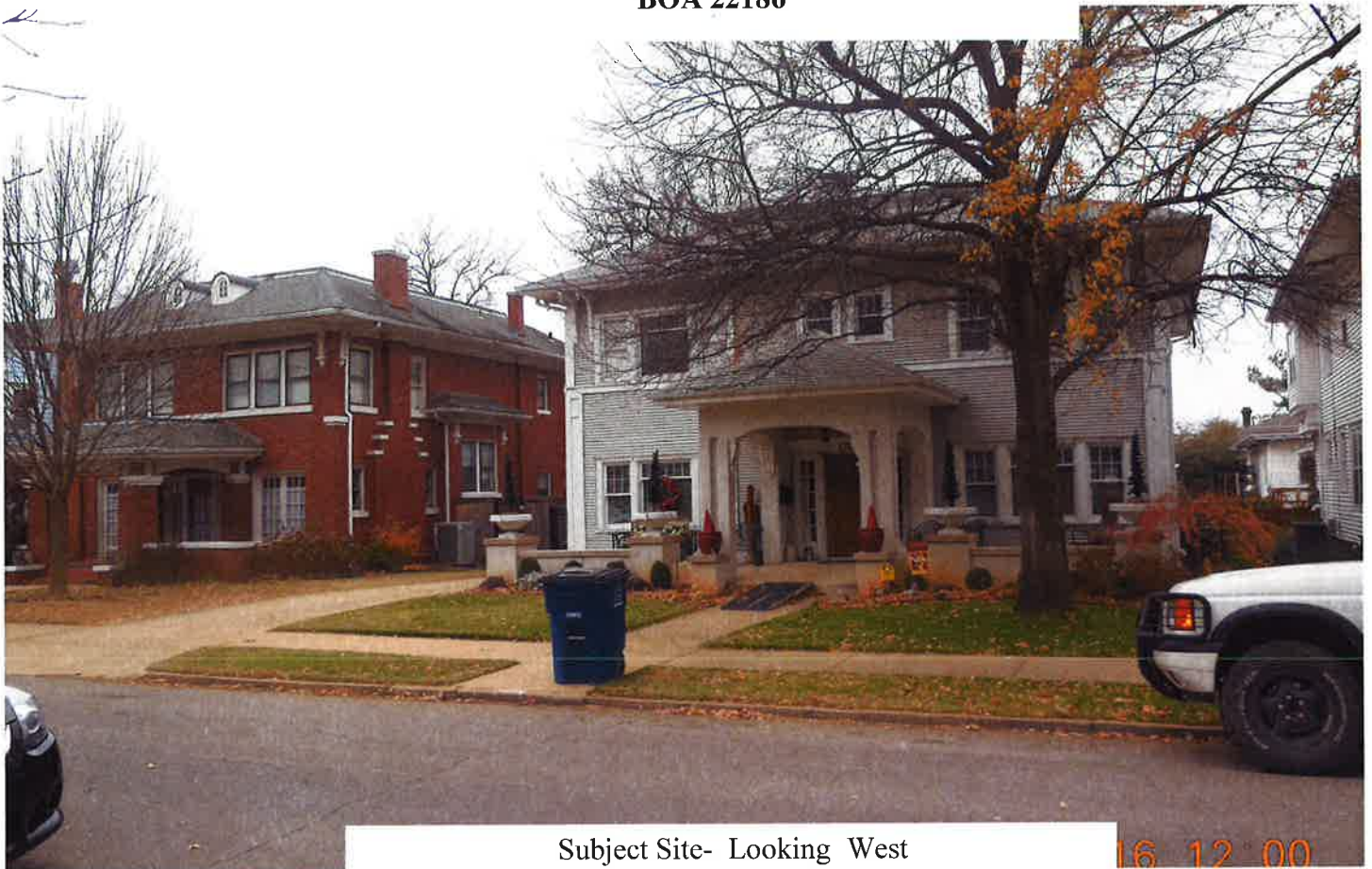
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



1.6



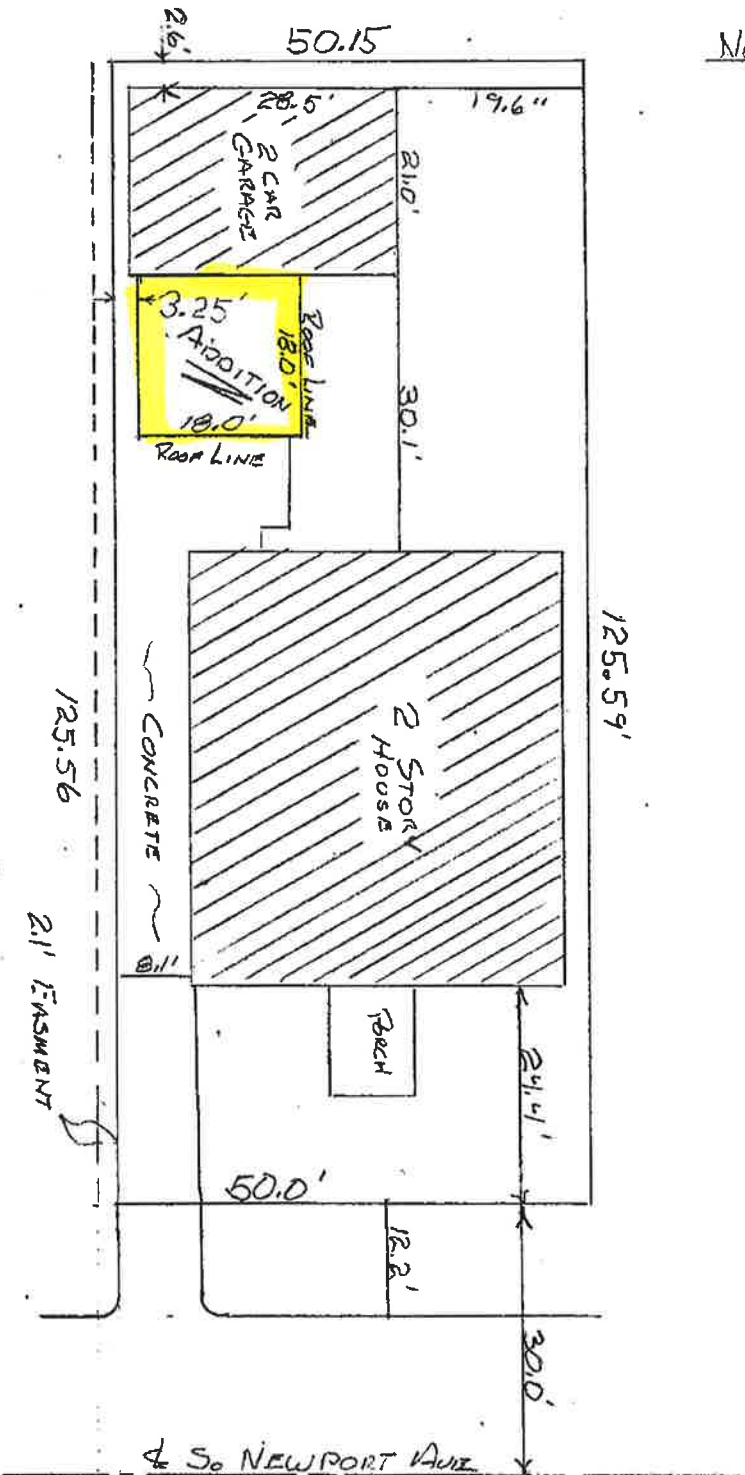
Subject Site- Looking West



Subject Site- Looking West

Plot Plan

NORTH



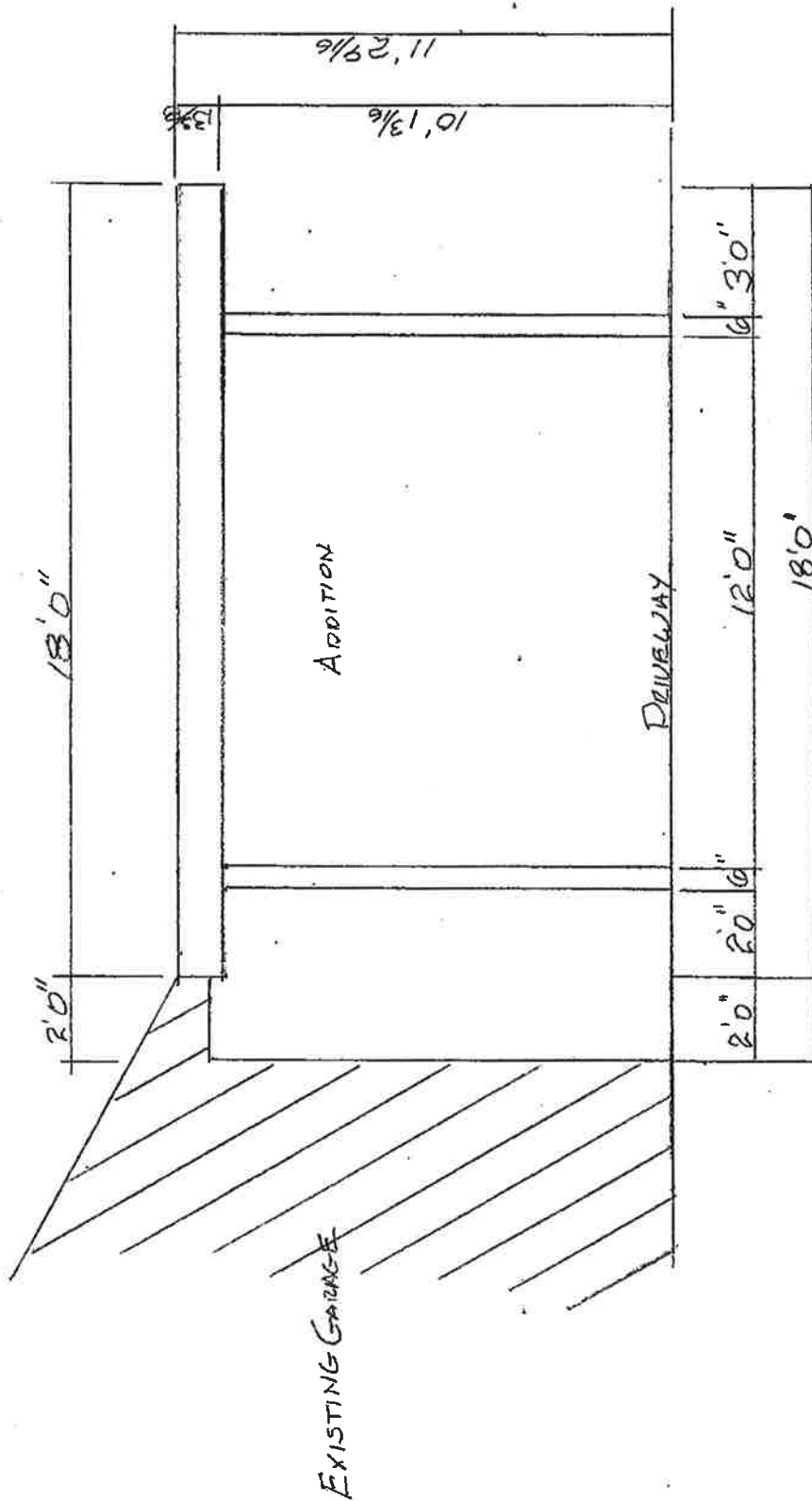
Resco, Inc.

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

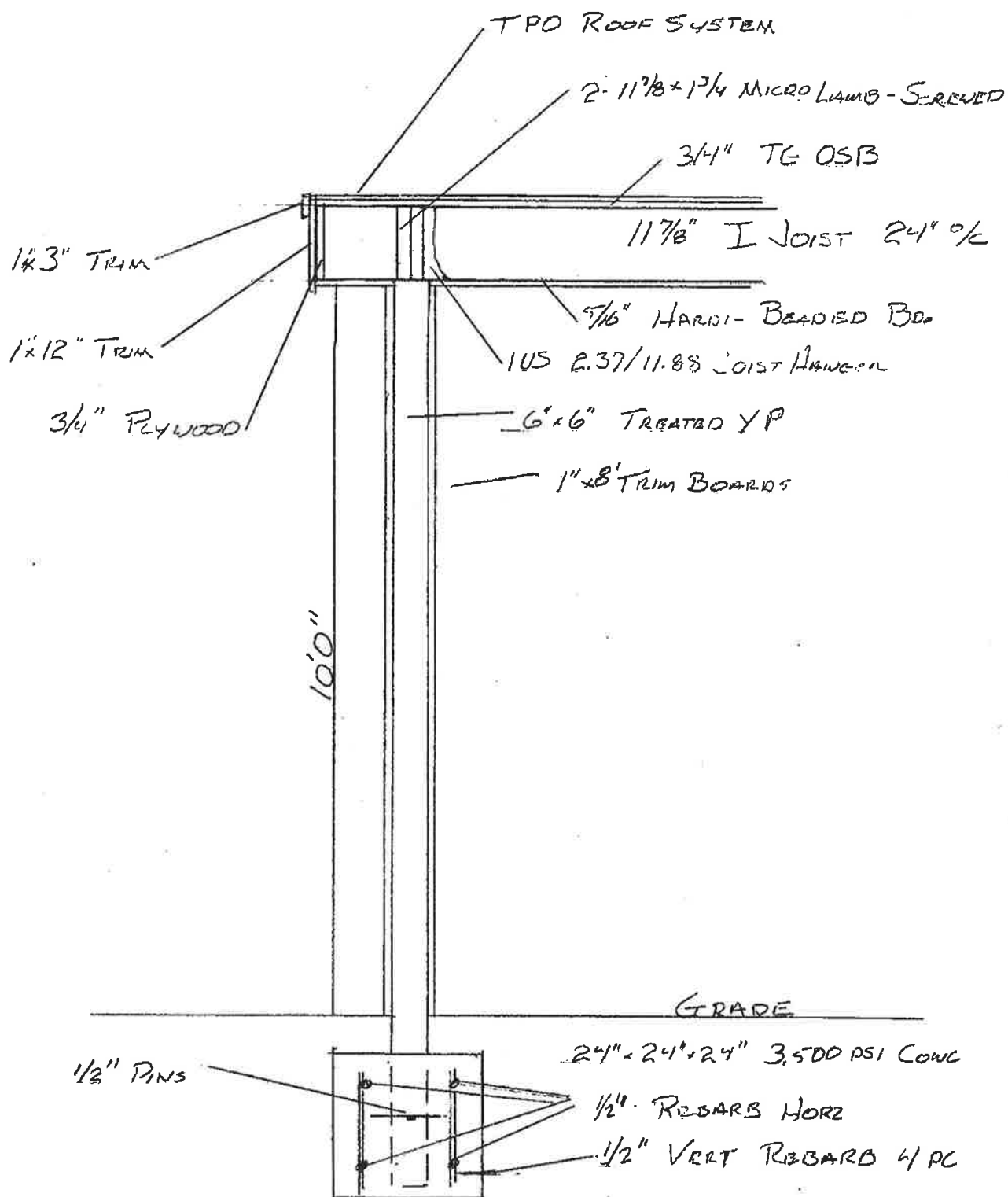


Resco, Inc.

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

WINTER

Scale 1/4" = 1' Date 11/18/16



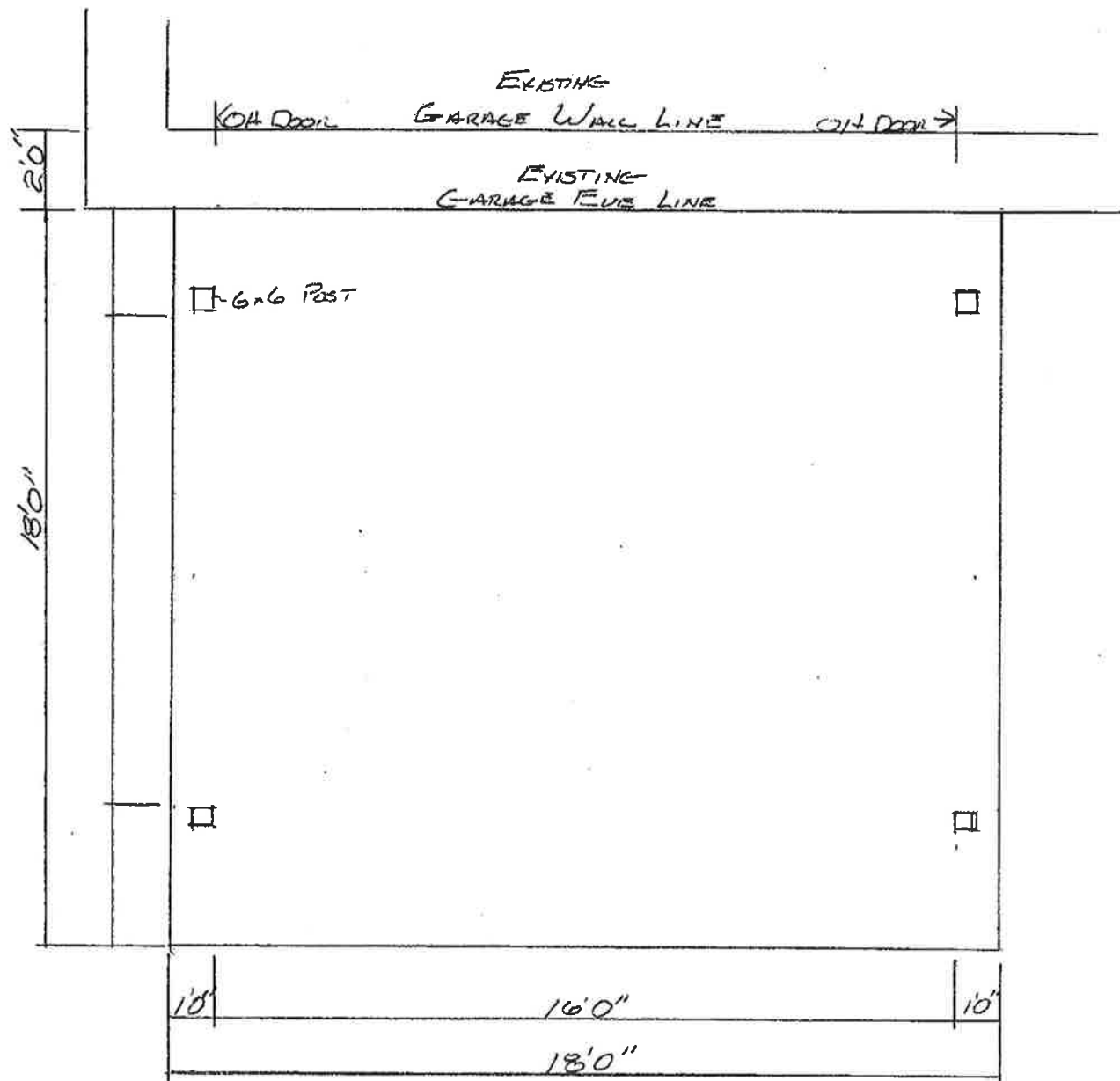
WEAVER

Resco, Inc.

Scale 1/2" = 1'

Date 10/10/16

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



WEAVER

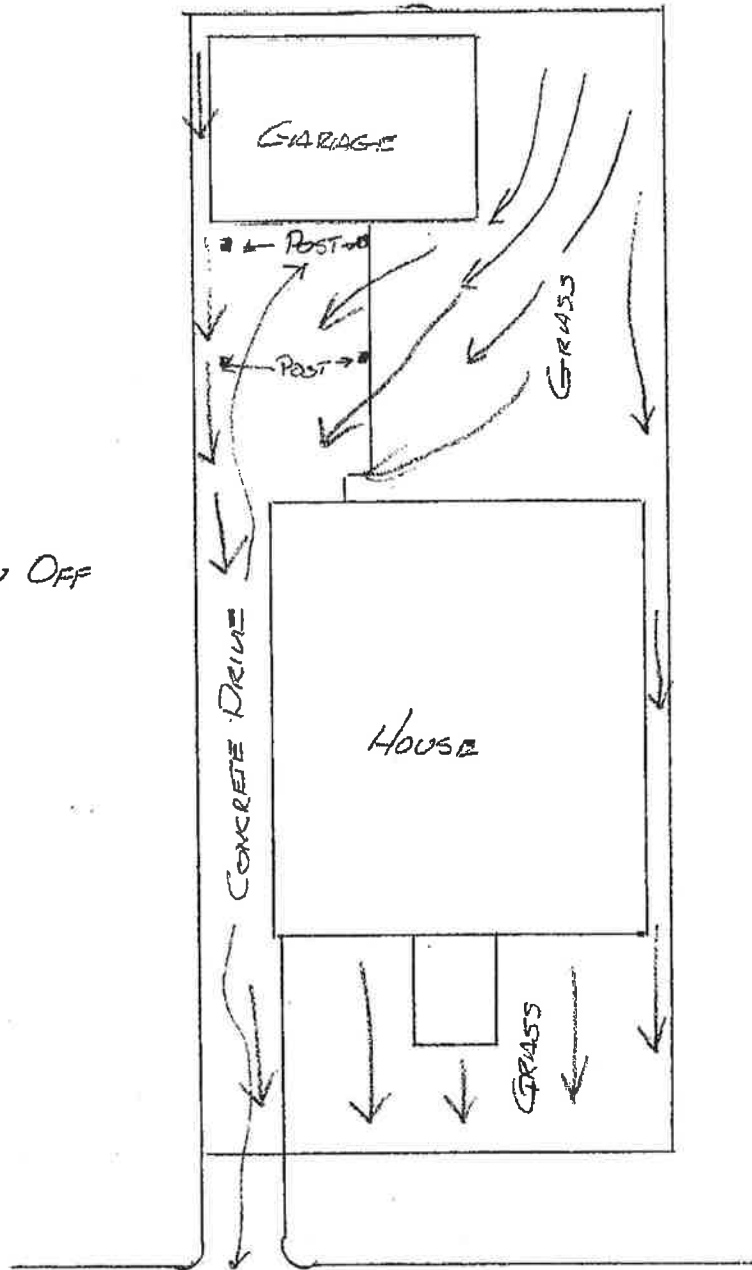
Resco, Inc.

Scale 1/4" = 1'

Date 11/8/16

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

NORTH



★ NO CHANGE ON ROW OFF WATER

S. NEWPORT AVE

Resco, Inc.

Scale NTS

Date 11/1/16

1844 East 26th Street, Tulsa, Oklahoma 74114, Ph. 747-5221

1.12.

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

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** ☒ **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. 409625

1708 S NEWPORT AV E

November 28, 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: 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.

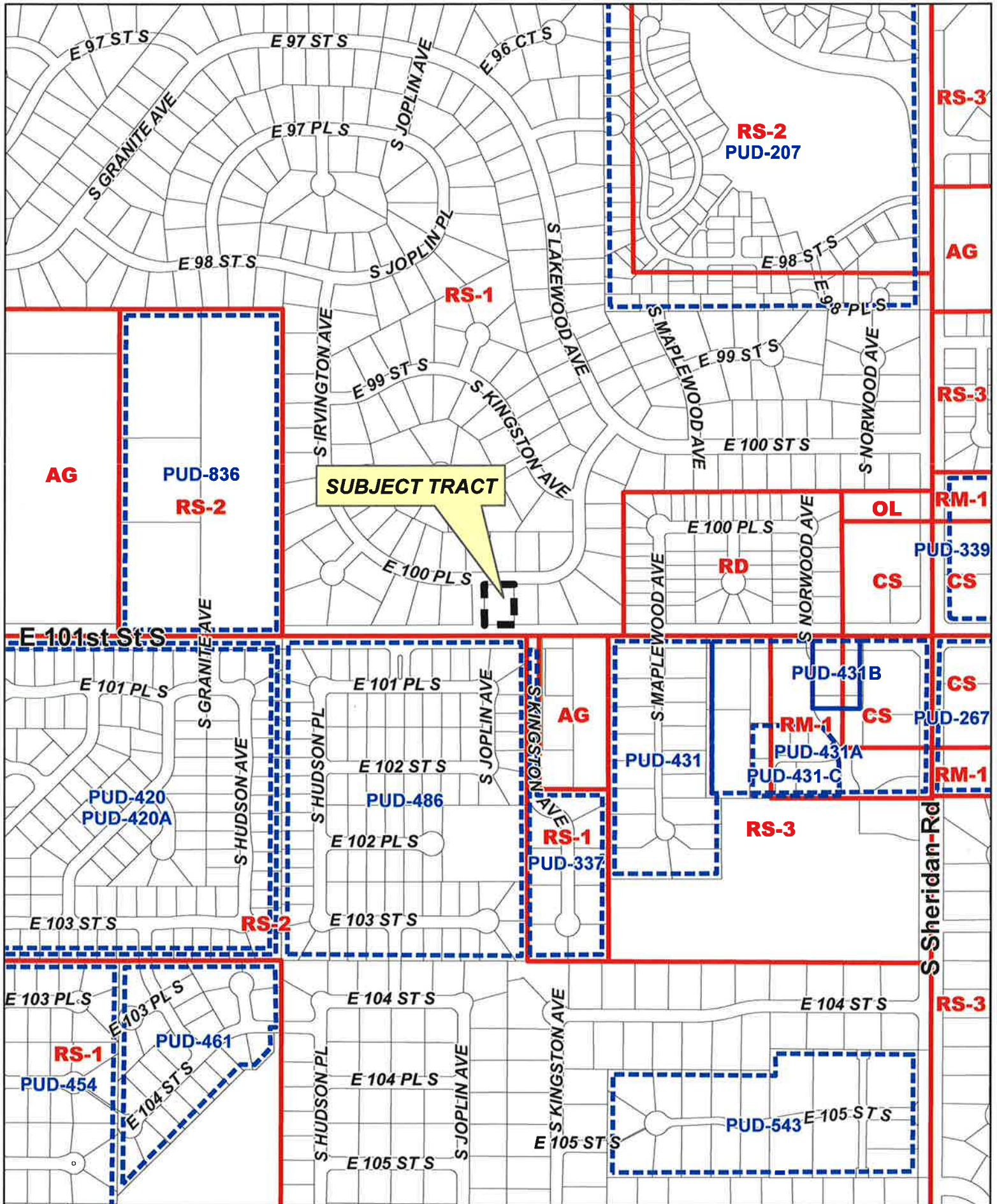
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

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

END – ZONING CODE REVIEW

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.

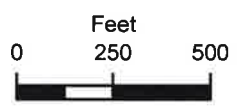
KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.



SUBJECT TRACT

BOA-22190

2.1



18-13 22



BOARD OF ADJUSTMENT CASE REPORT

STR: 8322

Case Number: BOA-22190

CZM: 57

CD: 8

A-P#: 8872

HEARING DATE: 01/24/2017 1:00 PM

APPLICANT: Tom Neal

ACTION REQUESTED: Variance of the required street setback from E 101st Street from 35' to 20'; Variance of the required street setback from S Joplin Avenue from 15' to 5' (Section 5.030); Variance of the allowable height of detached accessory buildings from 10' to 11' to the top of the top plate. (Section 90.90.C.a.1)

LOCATION: 5910 E 100 PL S

ZONED: RS-1

PRESENT USE: Residential

TRACT SIZE: 19201.33 SQ FT

LEGAL DESCRIPTION: LT 20 BLK 3, SUN MEADOW, 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".

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 abutted by RS-1 zoned residences on the east, west and north; E 101 St S and RS-1/PUD-486 residential abuts the site on the south.

STAFF COMMENTS:

As shown on the attached plans the applicant is proposing construction of a 1056 sq. ft. garage/storage building on the subject site. The applicant provided the following statement: *"The owner's lot abuts a street on three sides (one an arterial) and there is an existing in-ground pool in the rear yard. The owner has no way to build an accessory building without the requested variances."*

The Code states that detached accessory buildings in the RS-1 district are limited to a floor area of 750 sq. ft. or 40% of the principal dwelling (whichever is greater). The existing residence on the lot is 2678 sq. ft.; therefore the maximum allowed floor area for detached accessory buildings on the lot is 1071.2 sq. ft. Detached accessory building are permitted in the rear yard as long the building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate; the applicant has request a variance to increase the height at the top of the top plate to 11 ft.

Detached accessory buildings on the subject lot must maintain a street setback of 35 ft. from E. 101 St. S. and side street setback of 15 ft. from E. Joplin Ave. To permit the accessory building has proposed the applicant has requested a variance to reduce the side setback to 5 ft and a variance to reduce the street setback from E. 101 St. S. to 20 ft.

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) a **Variance** of the required street setback from E 101st Street from 35' to 20'; **Variance** of the required street setback from S Joplin Avenue from 15' to 5' (Section 5.030); **Variance** of the allowable height of detached accessory buildings from 10' to 11' to the top of the top plate. (Section 90.90.C.a.1)

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

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;

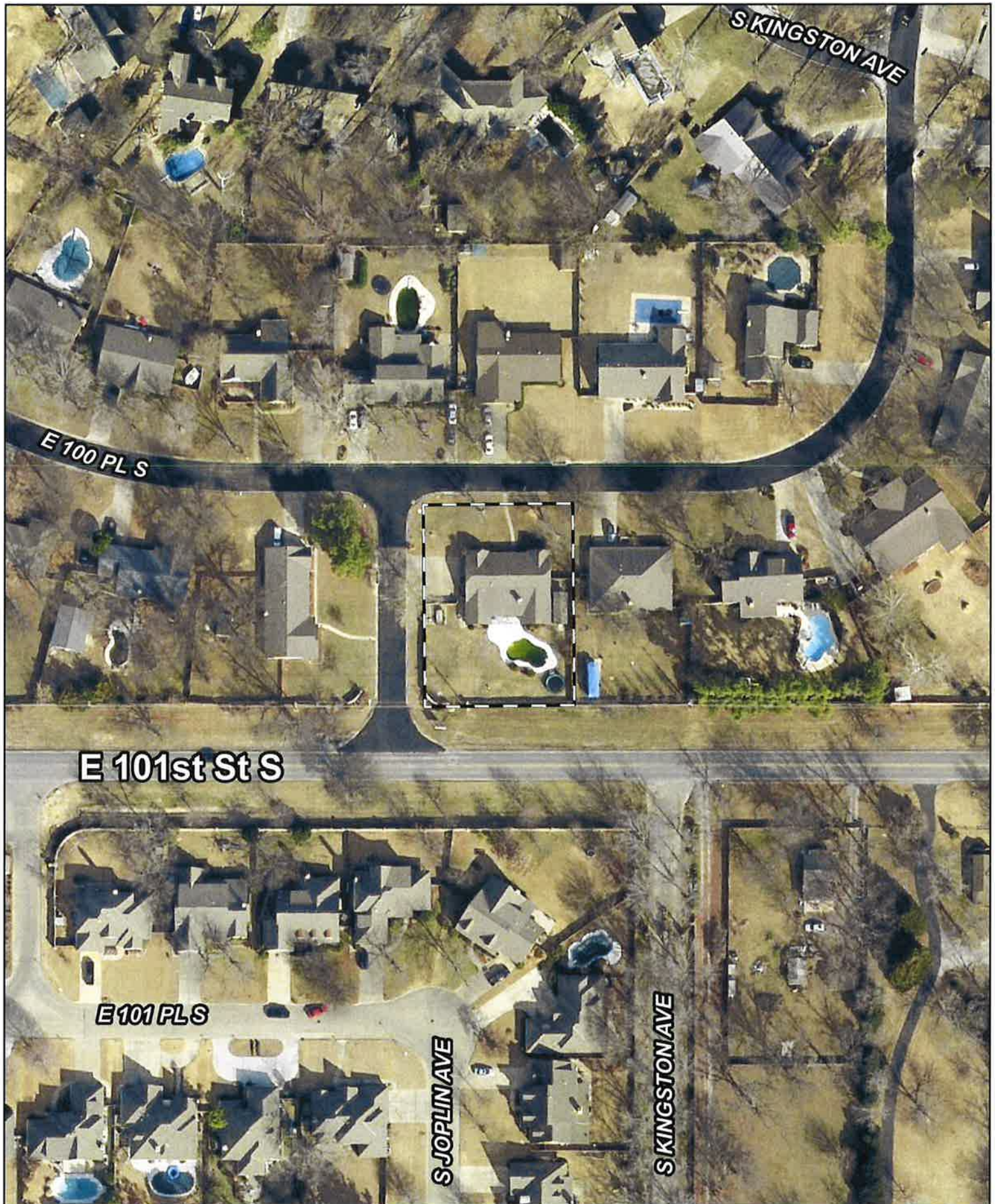
f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and

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.”



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18-13 22



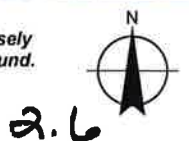
Subject
Tract

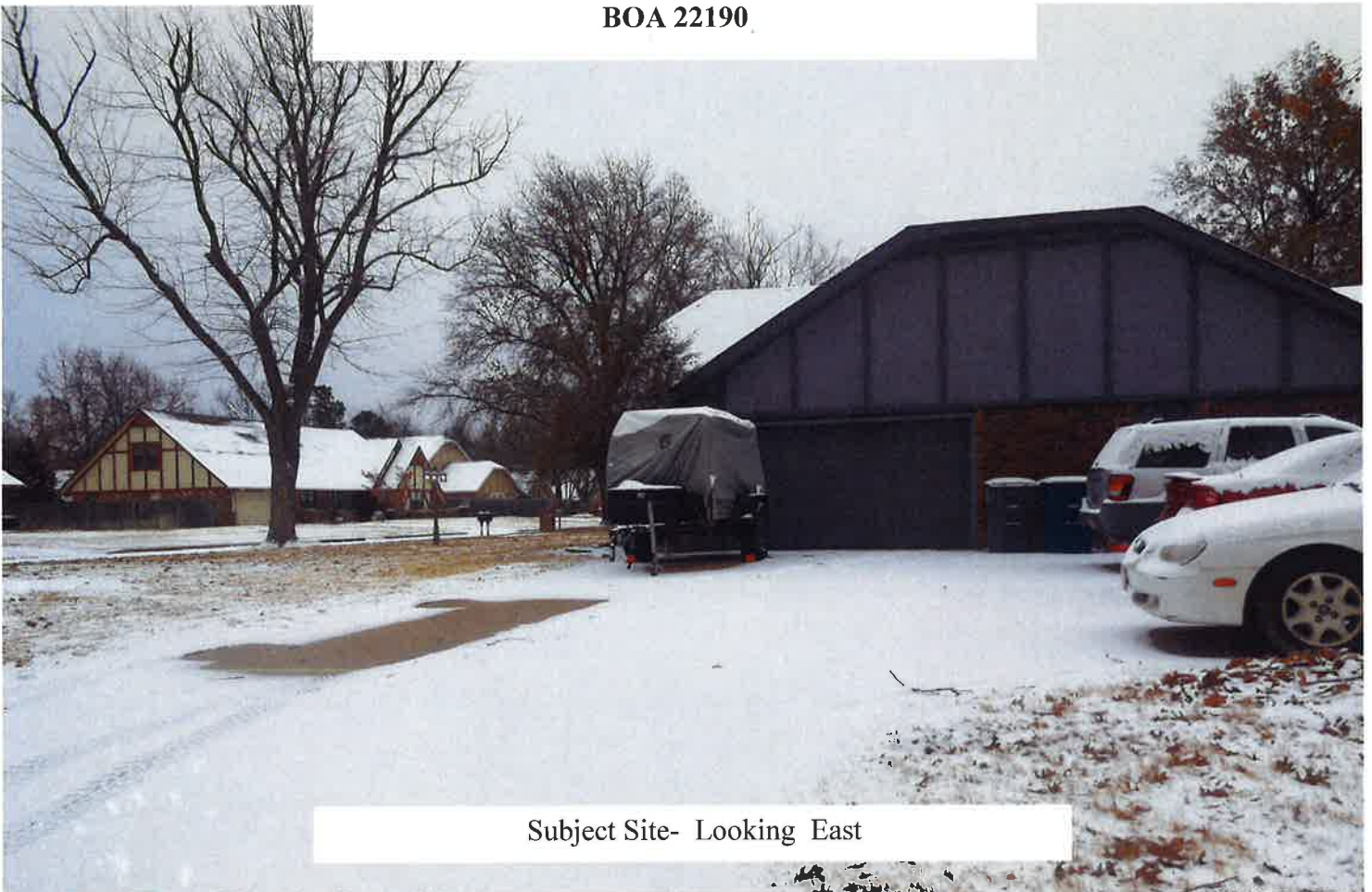
BOA-22190

18-13 22

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

Aerial Photo Date: February 2016





Subject Site- Looking East



Subject Site- Looking SE

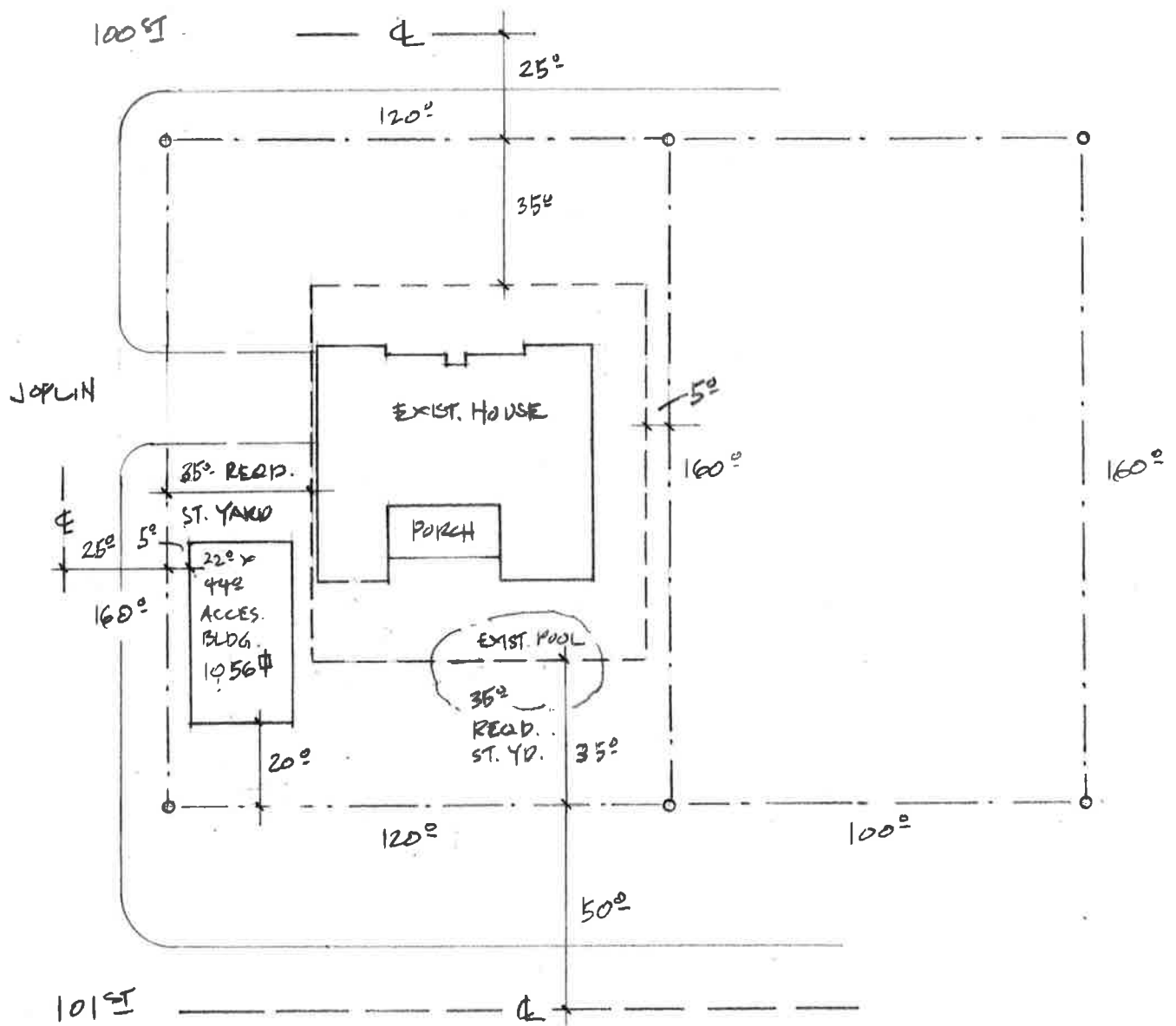
01 06 2017 12:43

BOA 22190



Subject Site- Looking South





SITE/DRAINAGE PLAN 1" = 40'



MANUEL PROJECT
 5910 EAST 101ST
 TULSA, OKLA
 DEC. 2016
 T. NEAL DESIGN
 918-231-7372 2.9

Moye, Nikita

From: Tom Neal [tdlneal@gmail.com]
Sent: Friday, January 13, 2017 9:34 AM
To: Moye, Nikita
Subject: Re: BOA 22190

Dear Ms. Moye,

Thank you for visiting with me by phone just now.

As I explained, my client collects and restores old Jeeps as a hobby. The purpose of this building for which we seek a variance is to get these old collectibles off his open driveway and out of sight. He acknowledges that right now his collection is a little unsightly and is more visible because his lot has streets on three sides and is near the entry to the neighborhood. By-the-way, there is no commercial component to this structure.

We have yet to create a floor plan and elevations because if we don't receive the variances, there is no point in spending the time, and my client's money for a building which cannot be built.

The building is very simple: a rectangle of 22' x 48' feet, metal framed on a concrete slab with a plate height of 11 ft. rising to 14 ft. (roof slope 3-4"/12"). The final exterior is to be covered with brick veneer similar to my client's house. We anticipate that it may be a thin veneer brick product rather than dimensional brick for reasons of cost. The installed look is very similar.

My client is on a tight budget and is largely self financing the construction and hopes to do the work in phases. He hopes to be allowed to build the garage first and to hide his old cars, then to add the brick veneer in a reasonable time as he has the funds to complete the project. Shorter term the finish would be coordinated with that of his house.

Thank you for your help!

Tom Neal
Associate member, American Institute of Architects

918.231.7372

PS, I called the neighbor who had concerns but to date I've not heard back.

On Fri, Jan 13, 2017 at 8:57 AM, Moye, Nikita <nmoye@incog.org> wrote:

Mr. Neal

Do you have elevation drawings of the proposed buildings?

Thanks.

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: 978918-1

December 06, 2016

TOM NEAL
TOM NEAL DESIGN
2507 E 11 PL
TULSA, OK 74104

Phone: (918)231-7372

APPLICATION NO: **8872** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **5910 E 100 PL S**
Description: **DETACHED GARAGE 24 X 44**

INFORMATION ABOUT SUBMITTING REVISIONS

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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** ☒ **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. 8872

5910 E 100 PL S

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.

1. 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. 101 st street is an arterial street. Revise plans to indicate that the detached accessory building will be set back at least 35 feet from the rear property line or apply to the BOA for a variance to allow an accessory structure to be located less than 35 feet from the rear property line.

2. 90.90.C: Detached Accessory Buildings

a. Detached accessory buildings may be located in rear setbacks in RE, RS and RD districts, provided that:

(1) The building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate; and

Review Comments: Revise plans to indicate that the detached accessory building will not exceed 10 feet in height to the top of the top plate or apply to the BOA for a variance to allow an accessory structure to exceed 10 feet in height to the top of the top plate.

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.

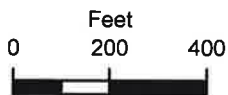
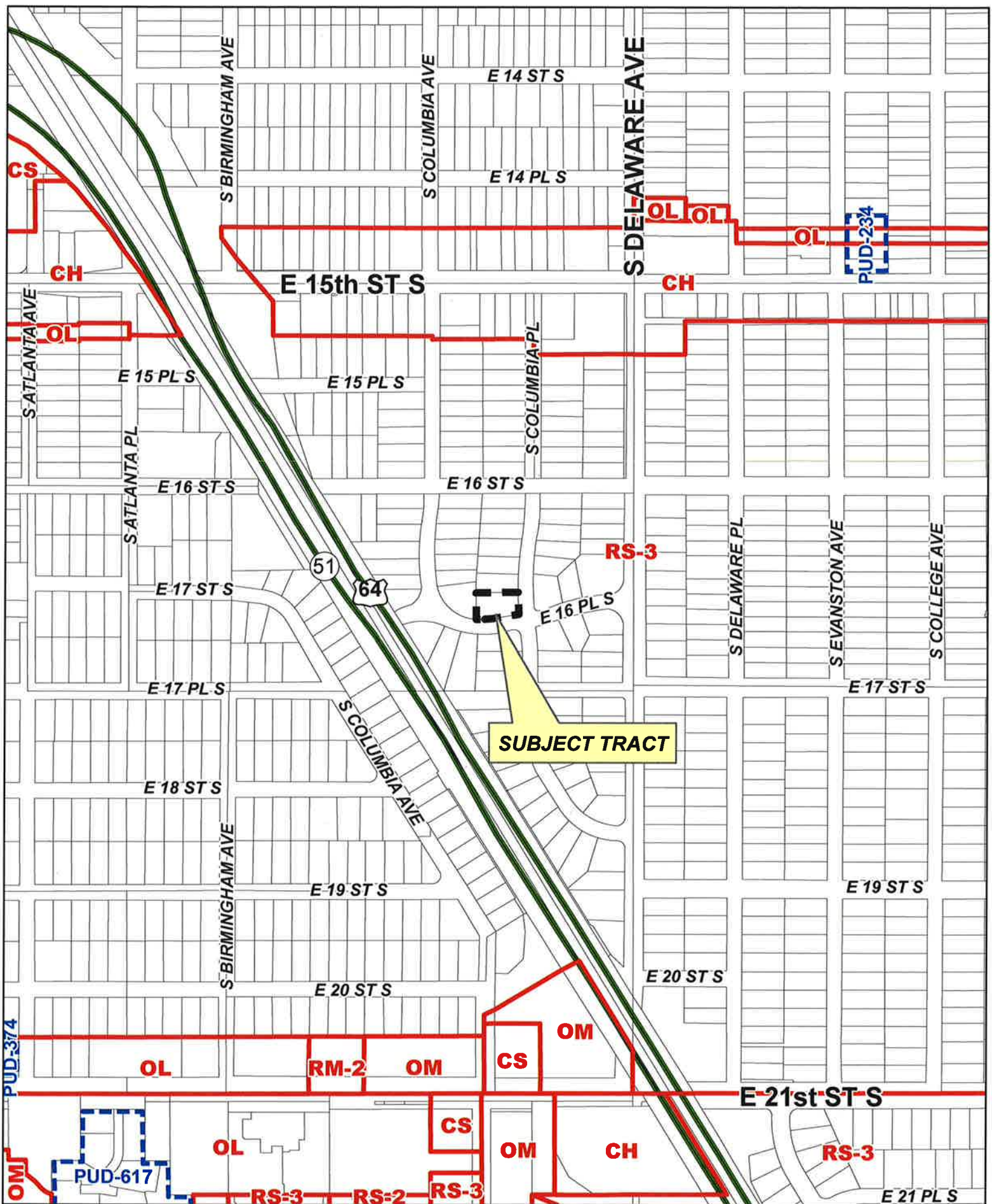
2.12

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-22191

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BOARD OF ADJUSTMENT CASE REPORT

STR: 9308
CZM: 37
CD: 4
A-P#: 394021

Case Number: BOA-22191

HEARING DATE: 01/24/2017 1:00 PM

APPLICANT: Mark Nelson

ACTION REQUESTED: Variance of the rear setback from 20 ft. to 7 ft. 11 in. to permit a garage addition, attached by a breezeway. (Section 5.030-A)

LOCATION: 1630 S COLUMBIA PL E

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 9840.24 SQ FT

LEGAL DESCRIPTION: LT 8 BLK 2, GLENDALE 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 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 provided the following statement with their application: *"The City of Tulsa will not allow a detached accessory structure within the regulatory floodplain. They will only allow the garage addition if attached to the principal structure but that pushes the garage over the rear setback."* Based on the submitted drawing it appears that the proposed garage addition to the house will reduce the rear yard setback to 7.11 ft; the applicant has requested a variance to reduce the rear yard setback to from 20 ft. to 7.11 ft. The RS-3 district requires a rear yard setback of 20 ft. in an attempt to establish and preserve desired development intensity and development patterns within the district.

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) a Variance of the rear setback from 20 ft. to 7 ft. 11 in. to permit a garage addition, attached by a breezeway. (Section 5.030-A)

- 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;

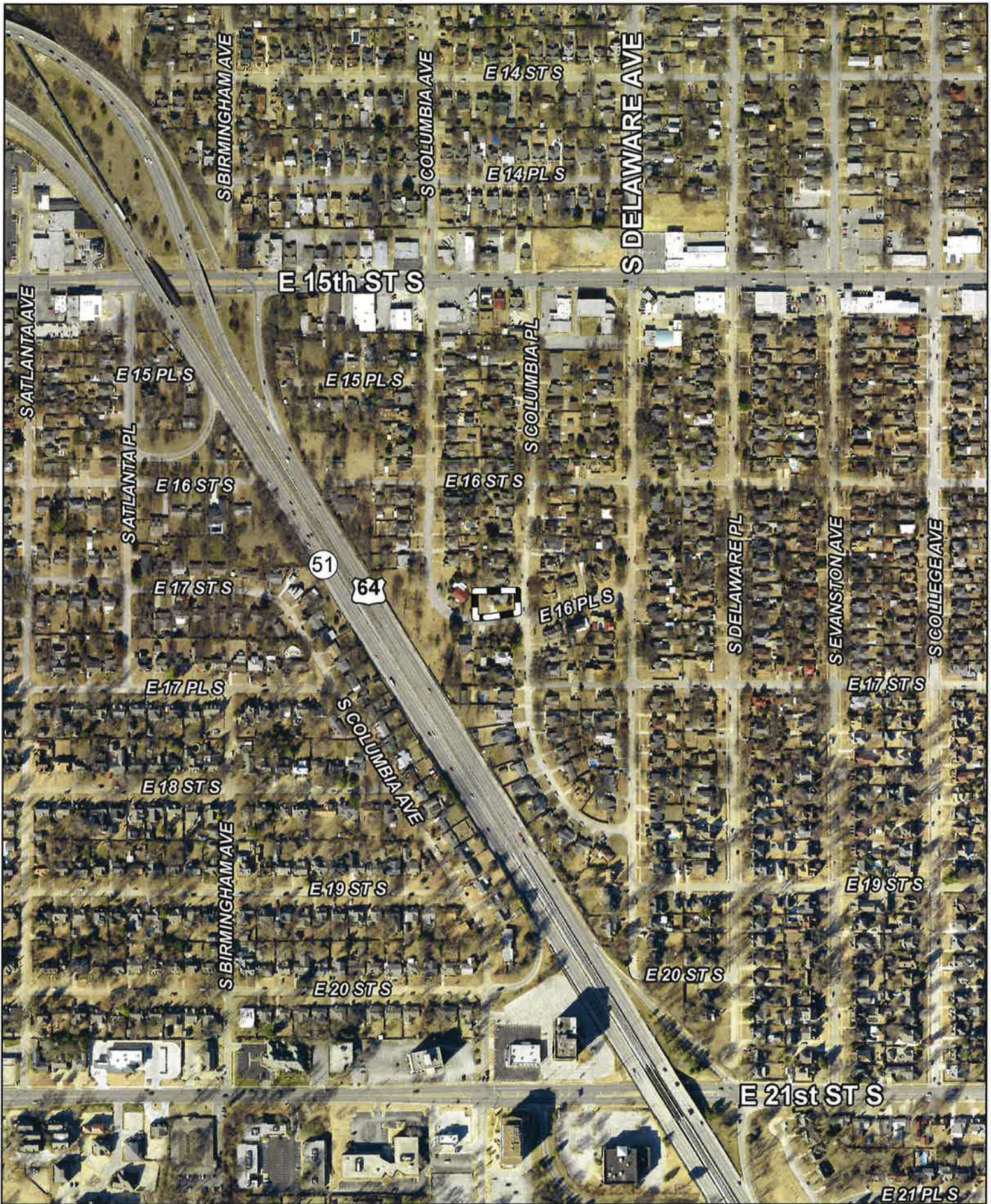
c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;

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."



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Subject
Tract

BOA-22191

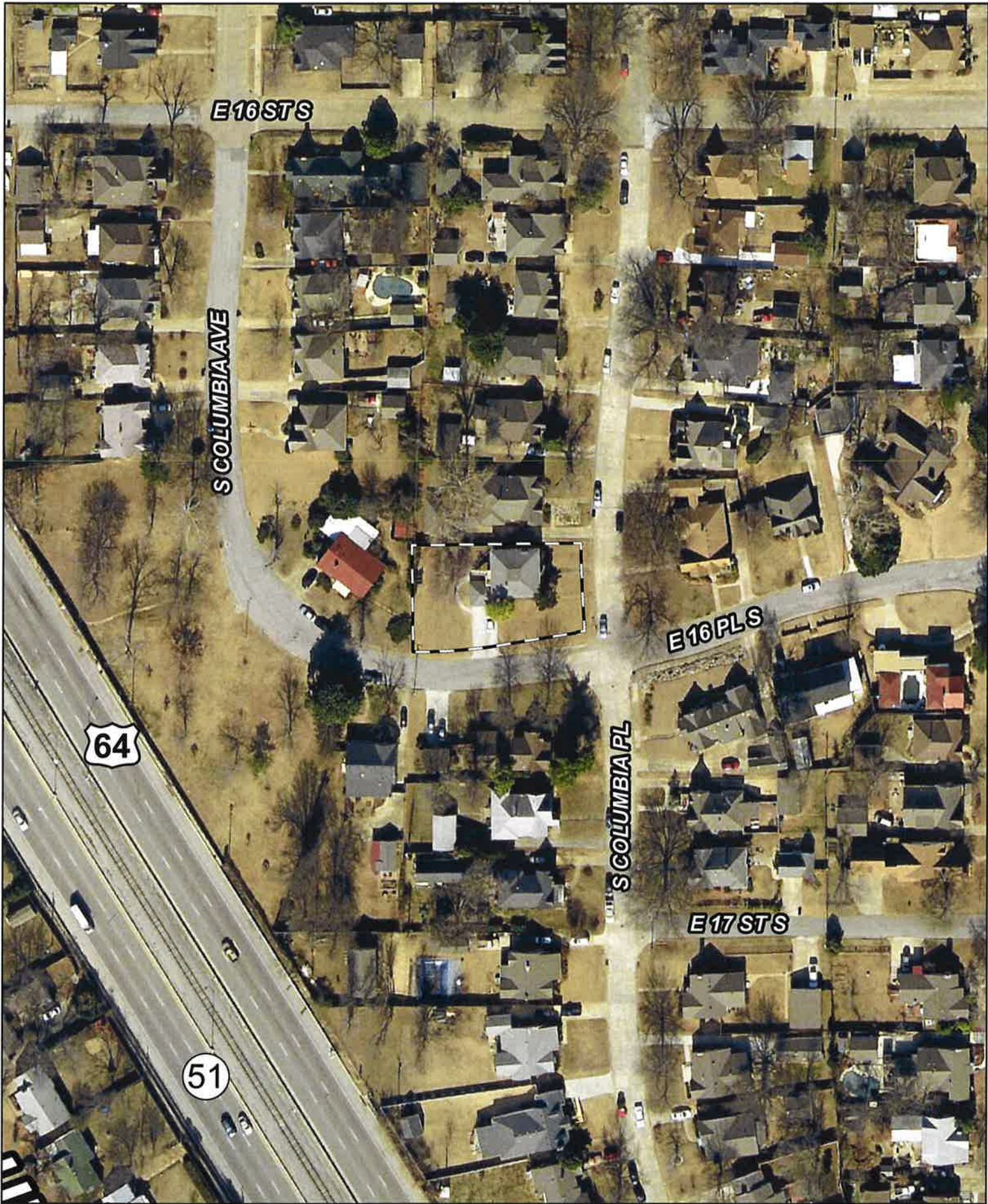
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



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Feet



Subject
Tract

BOA-22191

19-13 08

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

Aerial Photo Date: February 2016

3.5





Subject Site- Looking West

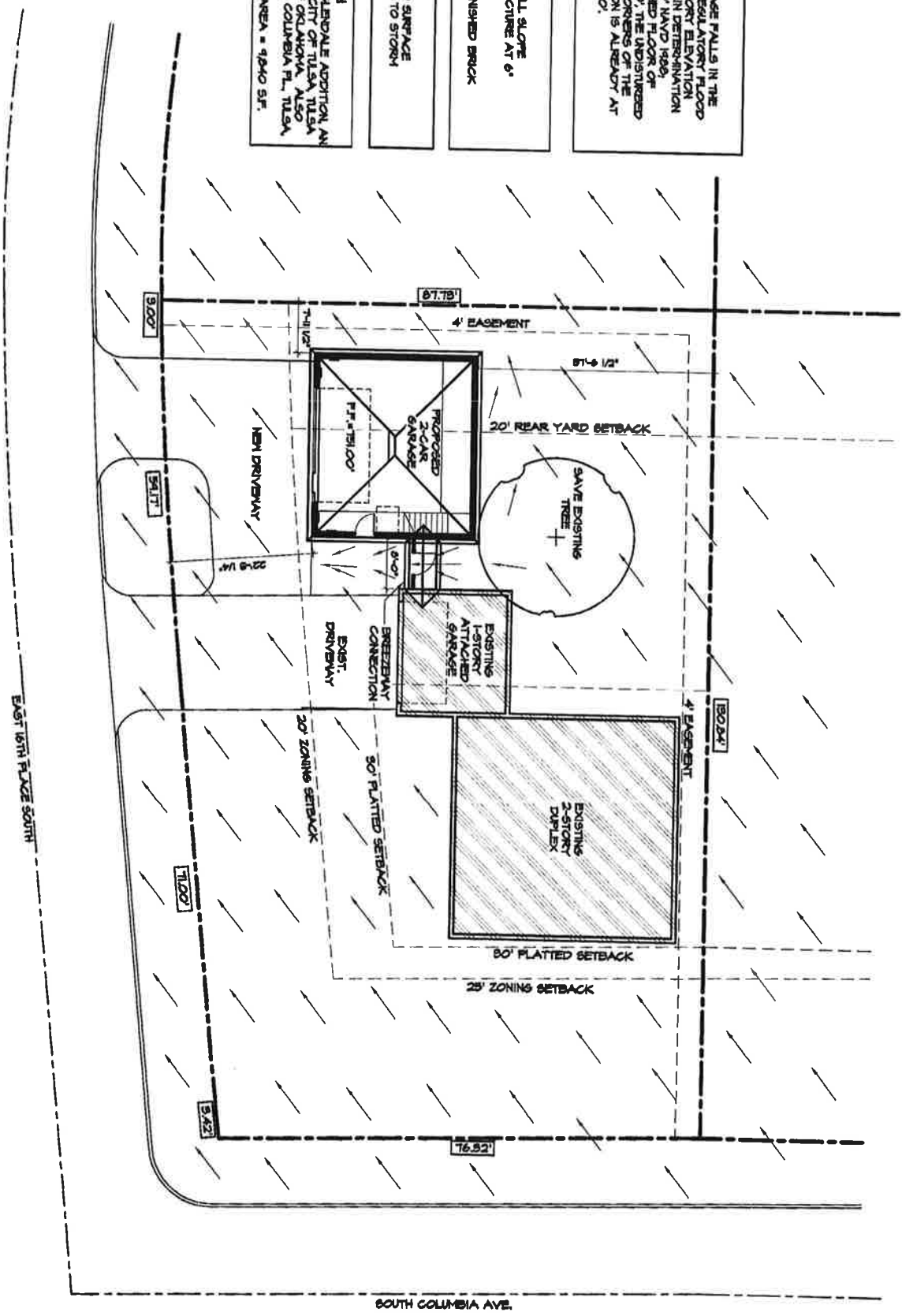


NOTE:
PROPOSED GARAGE FALLS IN THE CITY OF TULSA REGULATORY FLOOD PLAIN - REGULATORY ELEVATION FROM FLOODPLAIN DETERMINATION LETTER # 750.00' DATED 1989. PROPOSED FINISHED FLOOR OF GARAGE = 79.00'. THE UNDISTURBED GARAGE LOCATION IS ALREADY AT OR ABOVE 79.00'.

NOTE:
ALL GRADES SHALL SLOPE AWAY FROM STRUCTURE AT 6" PER 10'-0".
DIMENSIONS TO FINISHED BRICK VENEER.

NOTE:
ALL GUTTERS AND SURFACE DRAINS TIE INLINE TO STORM DRAIN SYSTEM.

LEGAL DESCRIPTION:
LOT 9, BLOCK 2, GLENDALE ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ALSO KNOWN AS 1980 S. COLUMBIA PL., TULSA OK 74104.
ZONED RS-5; LOT AREA = 1940 S.F.



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: 979995-3

December 02, 2016

JOHN FISHER
HUNTER CONSTRUCTION COMPANIES
10051 S YALE AVE SUITE 200
TULSA, OK 74137

Phone: (918)630-4393
Fax: (918)299-7109

APPLICATION NO: **394021** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **1630 S COLUMBIA PL 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.

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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. 394021

1630 S COLUMBIA PL E

December 02, 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: In the RS-3 zoned district the minimum rear yard setback shall be 20 feet from the rear property line.

Review Comments: Due to revisions being submitted to our office to attach the structure to the existing garage you will need to revise your plans to indicate a 20' rear setback to the property line, or apply to INCOG for a variance to allow less than a 20' rear setback.

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.

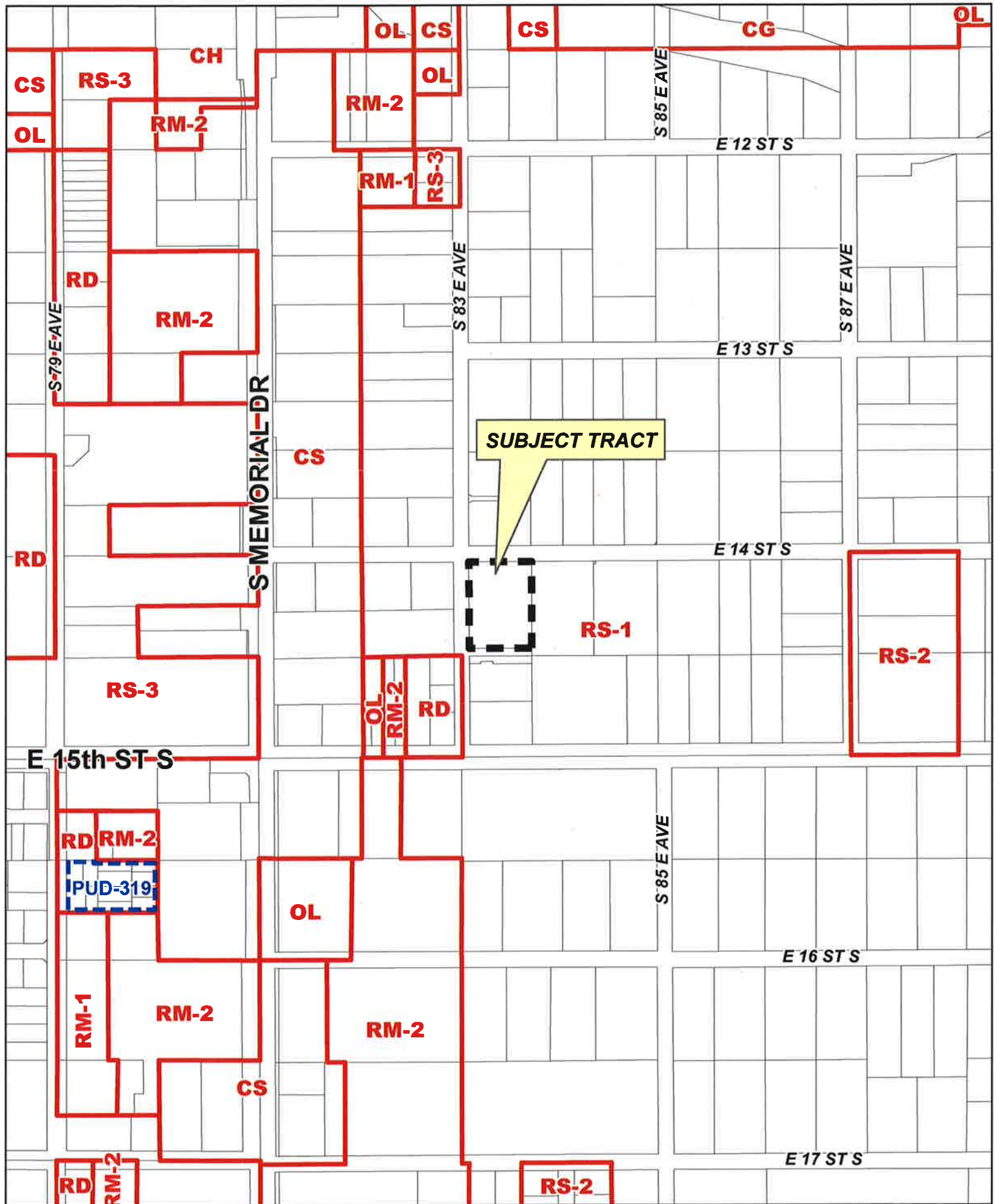
A hard copy of this letter is available upon request by the applicant.

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.

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BOA-22192

19-13 12

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BOARD OF ADJUSTMENT CASE REPORT

STR: 9312
CZM: 38
CD: 5
A-P#: 394552

Case Number: **BOA-22192**

HEARING DATE: 01/24/2017 1:00 PM

APPLICANT: Dennis Tuthill

ACTION REQUESTED: Variance to increase the total combined floor area of detached accessory buildings from 750 sq. ft. to 784 sq. ft (Section 45.030-A).

LOCATION: 8306 E 14 ST S

ZONED: RS-1

PRESENT USE: Residential

TRACT SIZE: 1.3 Acres

LEGAL DESCRIPTION: LT 6 BLK 9 LESS S25 FOR RD, FOREST ACRES, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

BOA 15155; on 06.01.89 The Board **denied** a request for a variance of the size of an accessory building from 750 sq. ft. to 3832.5 sq. ft. Located at 8350 East 13th Street (west of the southwest corner of 13th Street and 87th East Avenue).

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-1 and RD zoned residences.

STAFF COMMENTS:

The applicant is before the Board requesting a **Variance** to increase the allowable square footage for detached accessory buildings in the RS-1 district to 784 sq. ft. The applicant has stated that the existing storage shed on the site is small and does not allow enough space for storage of lawn equipment and personal items. The applicant has stated that the existing shed on the site will be demolished when construction of the pole barn is complete.

The Code states that detached accessory buildings in the RS-1 district are limited to a floor area of 750 sq. ft. or 40% of the principal dwelling (whichever is greater). The existing residence on the lot is 908 sq. ft.; therefore the maximum allowed floor area for detached accessory buildings on the lot is 750 sq. ft. The applicant has stated that the existing shed on the site is 7' x 12' (84 sq. ft.); the applicant is proposing to construct a 28' x 29' (700 sq. ft.) pole barn on the site. The applicant has requested a variance to increase the maximum permitted floor area of a detached accessory buildings on the lot to 784 sq. ft. to permit construction of the pole barn.

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) a Variance to increase the total combined floor area of detached accessory buildings from 750 sq. ft. to 784 sq. ft (Section 45.030-A).

- 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. 15154

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request a special exception to allow for an existing mobile home in an RS-3 zoned district.

Variance - Section 440 - Special Exception Requirements - Use Unit 1209 - Request a variance of the time restriction from one year to permanently, located 2210 North Canton Avenue.

Presentation:

The applicant, **Wanda Hasting**, 2210 North Canton, Tulsa, Oklahoma, stated that the mobile home in question was installed approximately five years ago after her home was destroyed by fire. She asked the Board to allow the mobile to be located permanently at this address.

Comments and Questions:

Mr. Chappelle asked Ms. Hasting if she made application for the mobile home in 1984, and she answered in the affirmative.

Board Action:

On **MOTION** of **SMITH**, the Board voted 3-0-0 (Chappelle, Bradley, Smith, "aye"; no "nays"; no "abstentions"; Quarles, White, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209) to allow for an existing mobile home in an RS-3 zoned district; and to **APPROVE** a **Variance** (Section 440 - Special Exception Requirements - Use Unit 1209) of the time restriction from one year to permanently; finding that the mobile home has been at the present location for approximately five years, and has proved to be compatible with the surrounding neighborhood; on the following described property:

The E/2, Lot 10, Block 1, S. R. Lewis Addition to Dawson, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15155

Action Requested:

Variance - Section 240.2(e) - Permitted Yard Obstructions - Use Unit 1206 - Request a variance of the size of an accessory building from 750 sq ft to 3832.25 sq ft to allow for a new building (includes the size of existing accessory buildings), located 8350 East 13th Street.

Presentation:

The applicant, **John A. Charon**, 8350 East 13th Street, Tulsa, Oklahoma, submitted a plot plan (Exhibit F-1) and stated that he is proposing to build a 74' by 32' building, which will replace some older structures on the property that will be removed. He stated that he has antique cars, two boats and a tractor that will be stored in the new building.

Comments and Questions:

Ms. Bradley asked the applicant if all accessory buildings will be removed from the property, and he replied that the buildings shown on the plot plan will be retained.

Mr. Gardner noted that the applicant is requesting an increase of 400% above the permitted square footage for the tract, and will have approximately 1500 sq ft of accessory buildings in addition to the new building that is to be constructed.

In response to Mr. Gardner's inquiry, the applicant replied that he is retired, but occasionally does some gas and oil consulting.

A Department of Stormwater Management case review (Exhibit F-2) was submitted to the Board.

Protestants:

Ray Cosby, 8705 East 21st Street, Tulsa, Oklahoma, District 5 Co-Chairman, stated that the Charon property is well maintained, but surrounding property owners are opposed to the construction of the large storage facility in the area. He submitted yellow page ads (Exhibit F-4), and pointed out that neighbors are concerned that business operations may be moved to this location. Mr. Cosby noted that area residents have informed him that the owner of the property at 8341 East 13th Street, which has a paving business, is a relative of the applicant. He stated that they are concerned that the business will be moved to the subject tract when the new building is constructed. A letter (Exhibit F-3) recommending denial of the application was submitted.

Stan Symansky stated that he is representing his wife, who is the owner of property at 1330 South 87th East Avenue, Tulsa, Oklahoma. He pointed out that the approval of the large building would invite future commercial activity in the area if the property should be sold to another owner.

Applicant's Rebuttal:

The applicant stated that his property is well maintained, but the appearance could be improved if some of the old buildings were removed.

Mr. Smith asked Mr. Charon if he is in the paving business, and he replied that he is not in the paving business and will not use the property for commercial purposes.

Ms. Bradley inquired as to the height of the proposed building, and the applicant informed that the structure will be 16' 8" in height.

Mr. Gardner pointed out that the applicant is requesting more buildings than would normally be customary and accessory. He noted that the total square footage of all buildings, including the proposed building, may be more than 4000 sq ft, since the new structure is 2368 sq ft, and the existing 1722 sq ft barn will also remain.

Case No. 15155 (continued)

Board Action

On **MOTION** of **BRADLEY**, the Board voted 3-0-0 (Chappelle, Bradley, Smith, "aye" no "nays" no "abstentions"; Quarles, White, "absent") to **DENY** a **Variance** (Section 240.2(e) - Permitted Yard Obstructions - Use Unit 1206) of the size of an accessory building from 750 sq ft to 3832.25 sq ft to allow for a new building (includes the size of existing accessory buildings); finding that there are numerous accessory buildings on the subject tract, and that the size of the proposed accessory building is excessive in a residential neighborhood; and finding that the request violates the spirit and intent of the Code; on the following described property:

Lots 2 and 3, Block 7, Forest Acres Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 15158

Action Requested:

Variance - Section 430.1 - Bulk & Area Requirements in Residential Districts - Use Unit 1206 - Request a variance of the required front setback from 25' to 20' on specific lots in an RS-3 zoned district, located east of Darlington Avenue at 87th Street South.

Presentation:

The applicant, **Greg Breedlove**, was represented by **Jack Cox**, 7935 East 57th Street, Tulsa, Oklahoma, who submitted a plot plan (Exhibit G-2) and requested a variance of the required front setback on the cul-de-sac lots of a new housing addition. A letter (Exhibit G-1) from the developer of the addition was submitted.

Protestants: None.

Board Action:

On **MOTION** of **SMITH**, the Board voted 3-0-0 (Chappelle, Bradley, Smith, "aye"; no "nays"; no "abstentions"; Quarles, White, "absent") to **APPROVE** a **Variance** (Section 430.1 - Bulk & Area Requirements in Residential Districts - Use Unit 1206) of the required front setback from 25' to 20' on specific lots in an RS-3 zoned district; per plot plan submitted; finding a hardship demonstrated by the the irregular shape of the lots and the cul-de-sac location; on the following described property:

Lots 7, 8 and 9, Block 1; Lots 28, 29 and 30, Block 2; Lots 5, 6, 7, 8 and 9, Block 3, Lots 12, 13 and 14, Block 4; and Lots 6, 7, and 8, Block 6, Southern Point Second Addition, City of Tulsa, Tulsa County, Oklahoma.



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Feet



Subject
Tract

BOA-22192

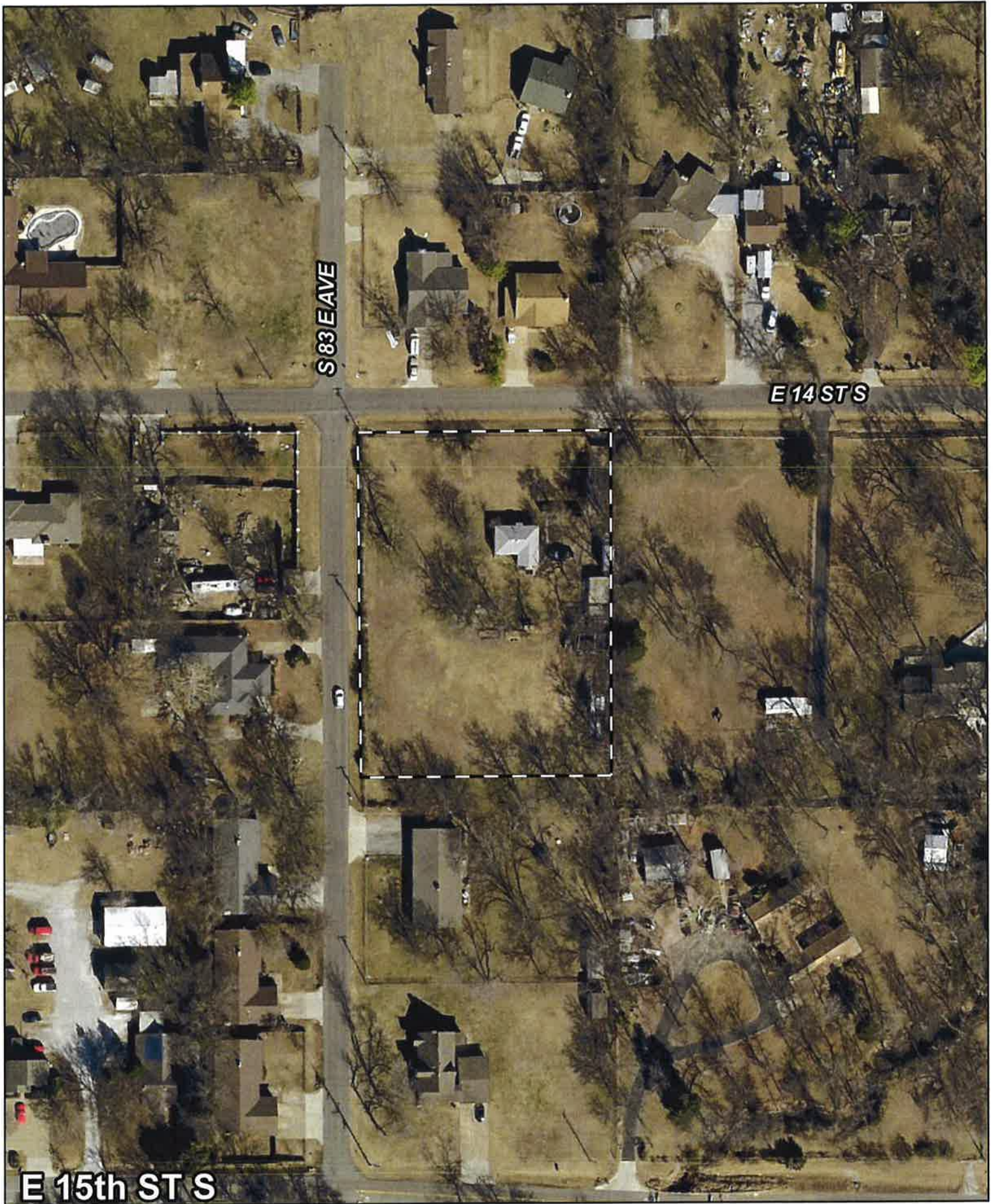
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Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2016

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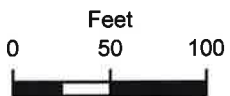




S 83rd AVE

E 14th ST

E 15th ST S



Subject
Tract

BOA-22192

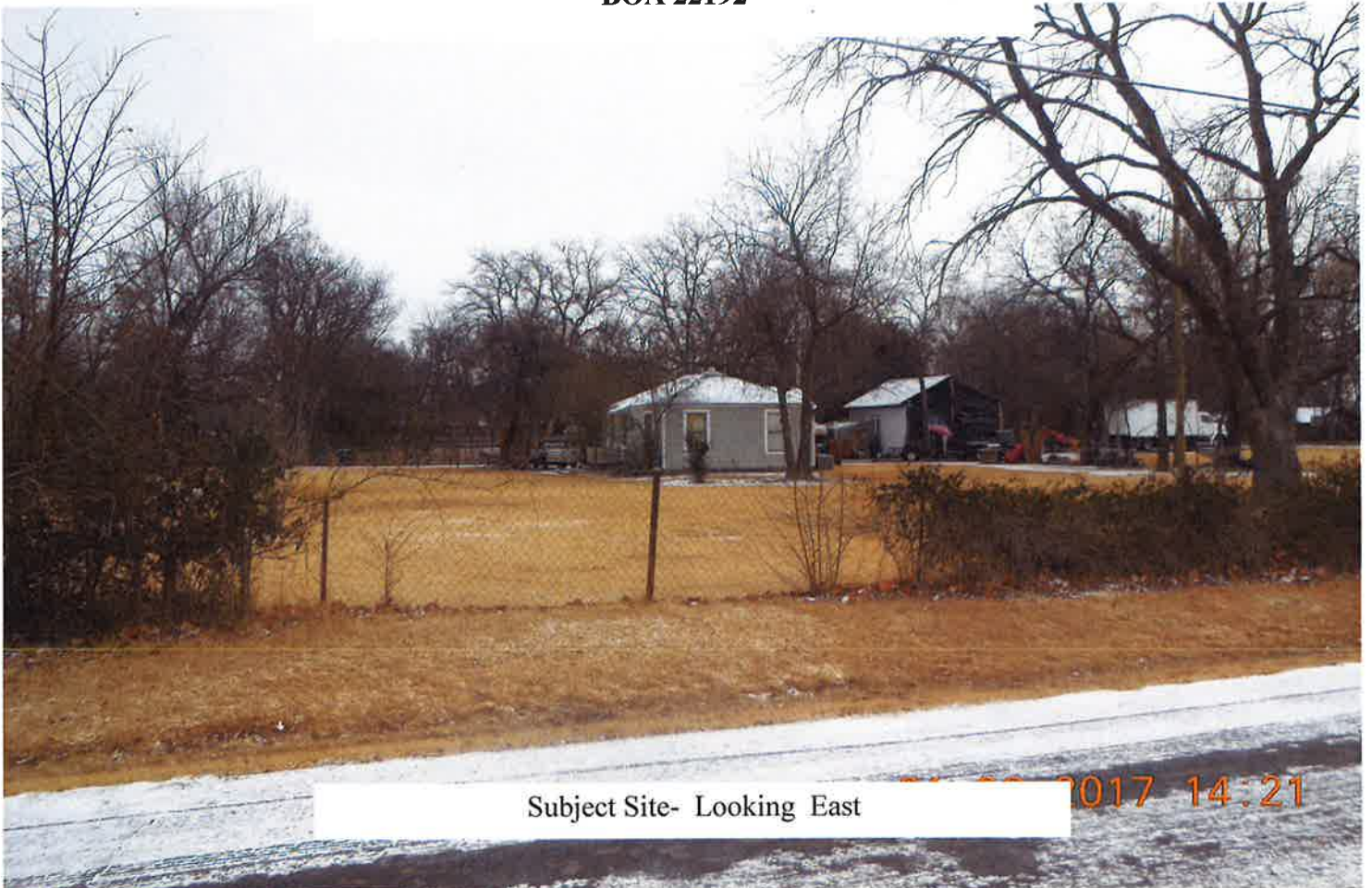
19-13 12

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

Aerial Photo Date: February 2016



4.9



Subject Site- Looking East



Subject Site- Looking East









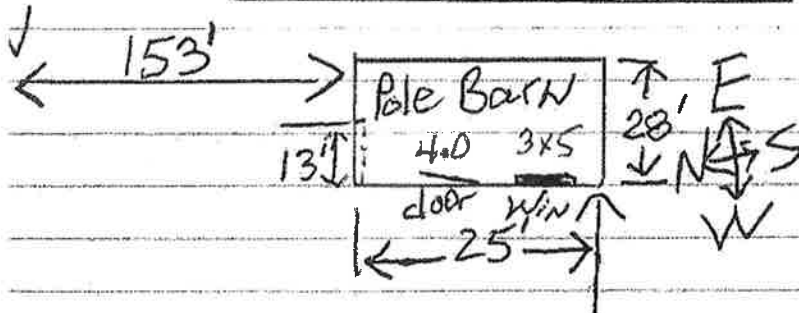


4.15



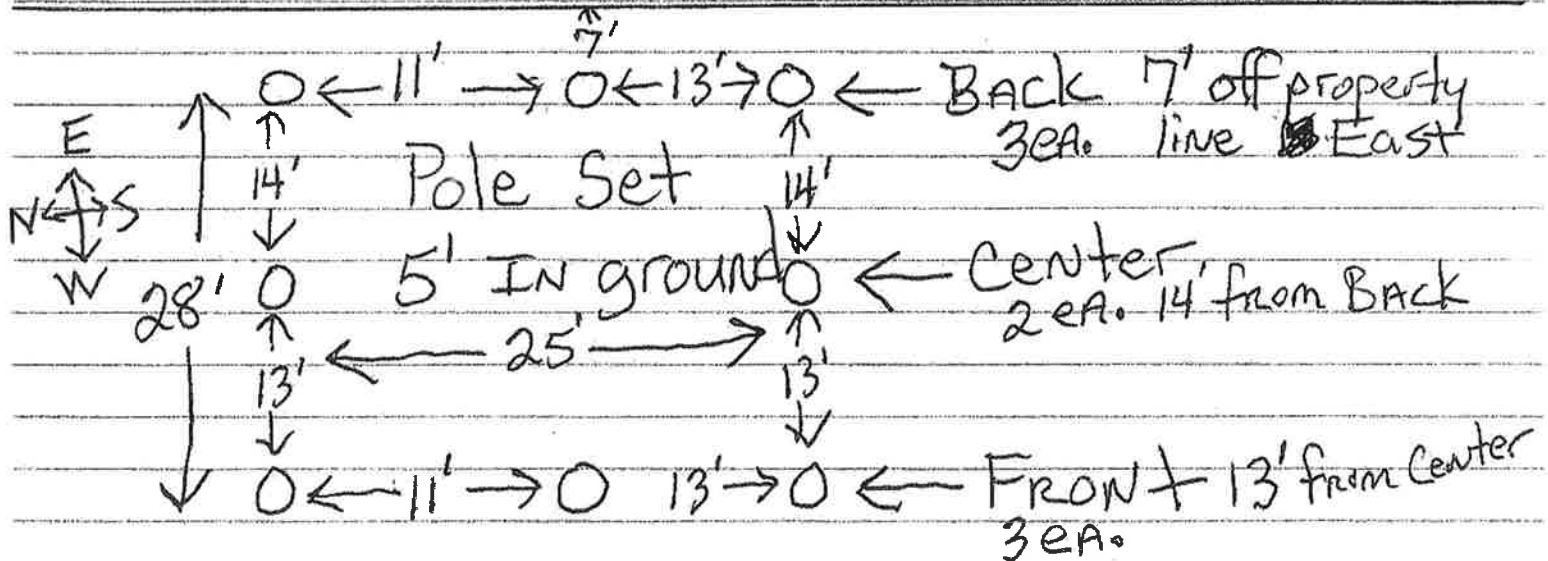


Pole Barn Design:



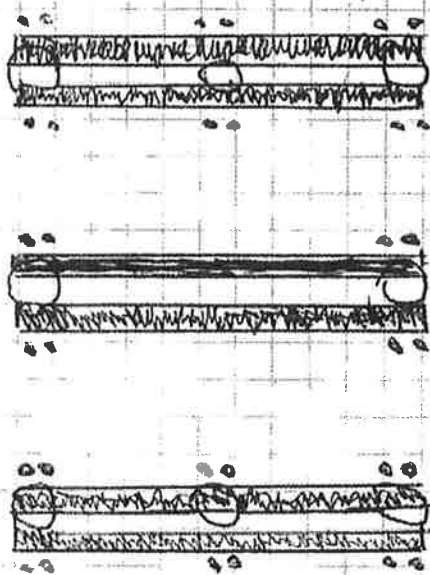
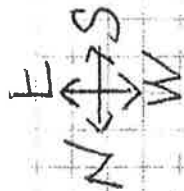
25' x 28' x 17' center height
 12' x 25' outside walls 2 ea.
 17' x 25' center Post 1 ea.
 13' x 12' Overhead Door 1 ea.
 4.0 Side Door 1 ea.
 3 x 5 Window 1 ea.

Poles 8 ea. 12" x 22'
 8 ea. Poles Barriach in ground.
 3 ea. Both Sides 12" x 17" making 6 total.
 2 ea. Center Post 12" x 17'
 6 ea. 12" x 28' Zee Purlins



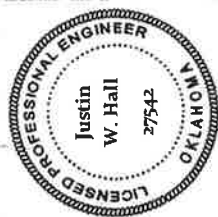
North Side Property line to Barn edge
 153'

West Side Property line to Front Barn
 173'

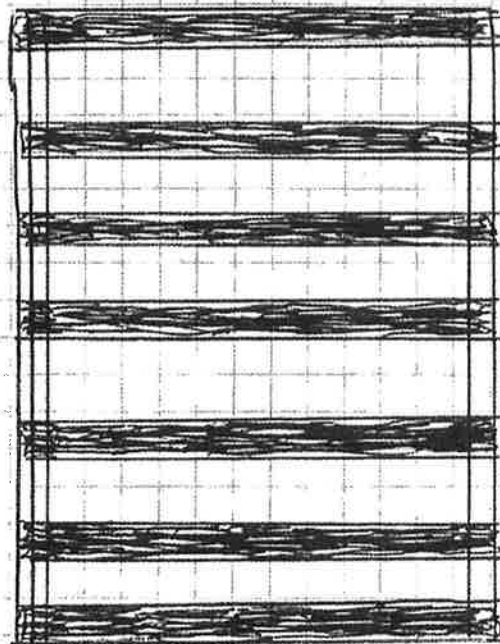


beam 12" x 2" x 28' Zee Purlins
2" Ends x 12" Center

12" All 6 zee's Purlins Bolted
At top & Bottom of Purlins
By 5/8" x 16" Carriage Bolts
w/ Lock washer & Nut. 36 ea.
Bolts are GALVANISED.



Prebuilt Wall Sections:



Top Plate doubled 2 1/2" x 5 1/2" x ? Between
Poles 10' Tall

← Wall Studs 2 1/2" x 5 1/2" x 8"
Set at 24" centers

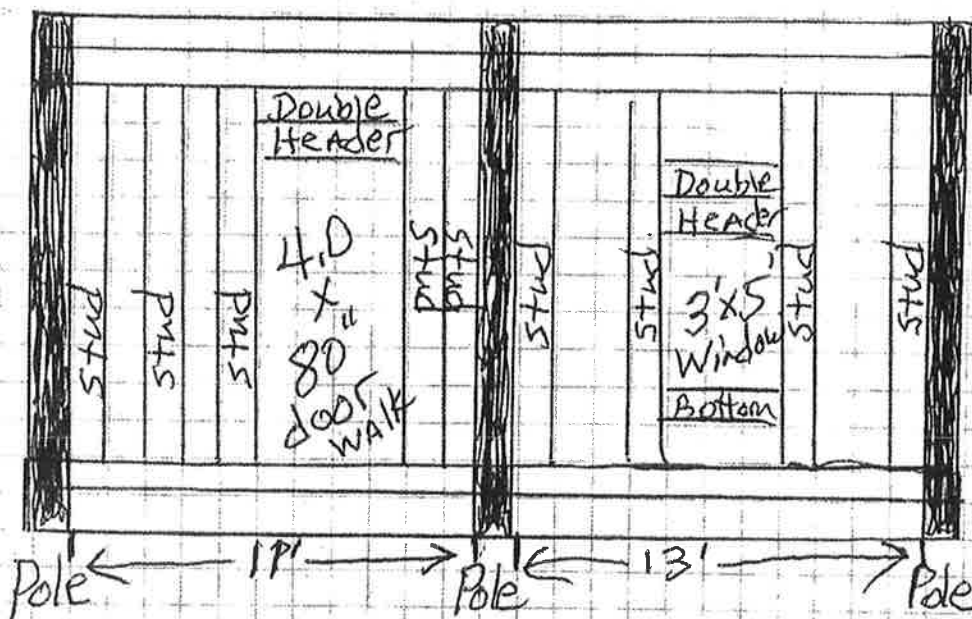
5 ea. Total

1 ea. w/ 4.0 Walkdoor
Bottom plate doubled

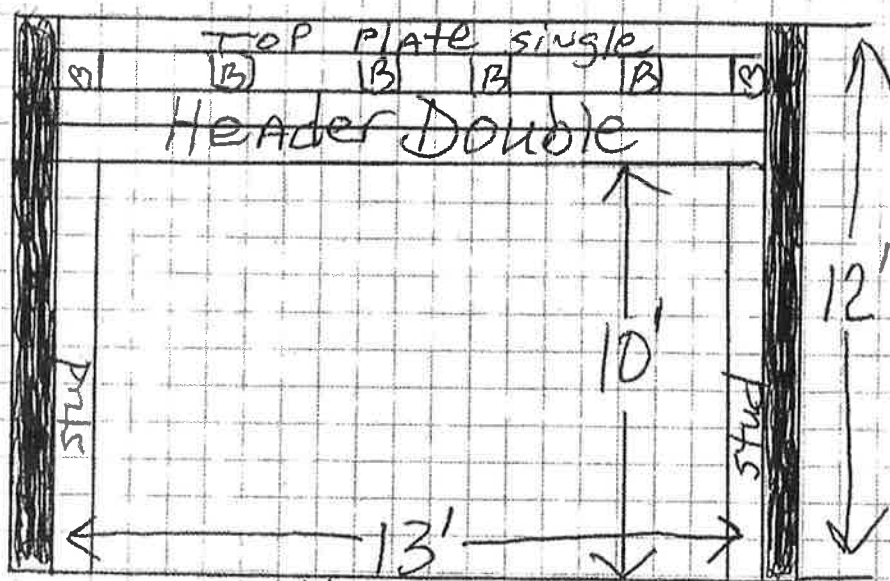
1 ea. w/ 3' x 5' window



Front of Pole Barn: page 4 of 6



2ea. Top Plate
 Door double
 studded HANGS
 w/double Header
 Window
 double Header
 single Bottom
 w/Hanging Flange
 All the way around
 2ea. Bottom Plate



Overhead
 Door frame

2ea. Studs
 Bolted to Pole
 Carried w/nu
 waster
 At Top & Bottom

Double Header
 Plates w/Block

Note: Not sure if putting up Rollup between Top Plate & Header
 door or slider:

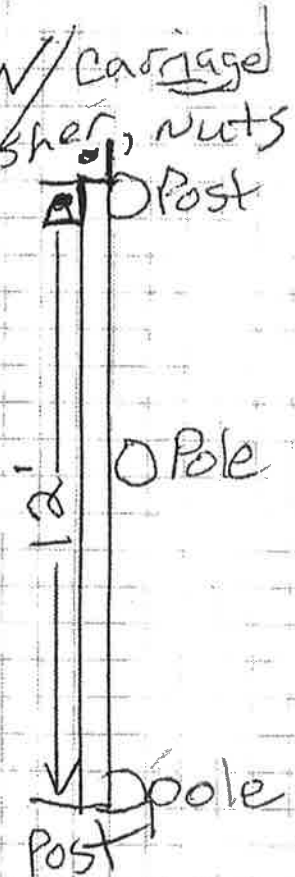
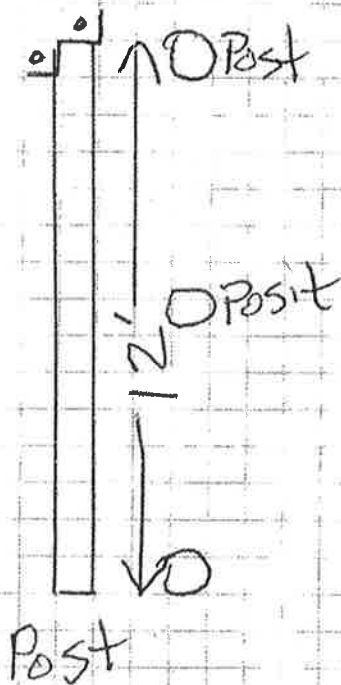
Roof Diagram:

page 5 of 6

2 ea. 12" x 25' Zee Purl

Bolted thru Zee;
At top & Bottom
With 1 on each
side.

Bolted w/ carriage
Bolts, washer, nuts



Note: 1. Zee Purlin's Hung on pole's Both
sides w/ 14" x 5/8".

2. 4 of them per Pole

3. Rafter's mount to Zee's
With Brackets & Welding.

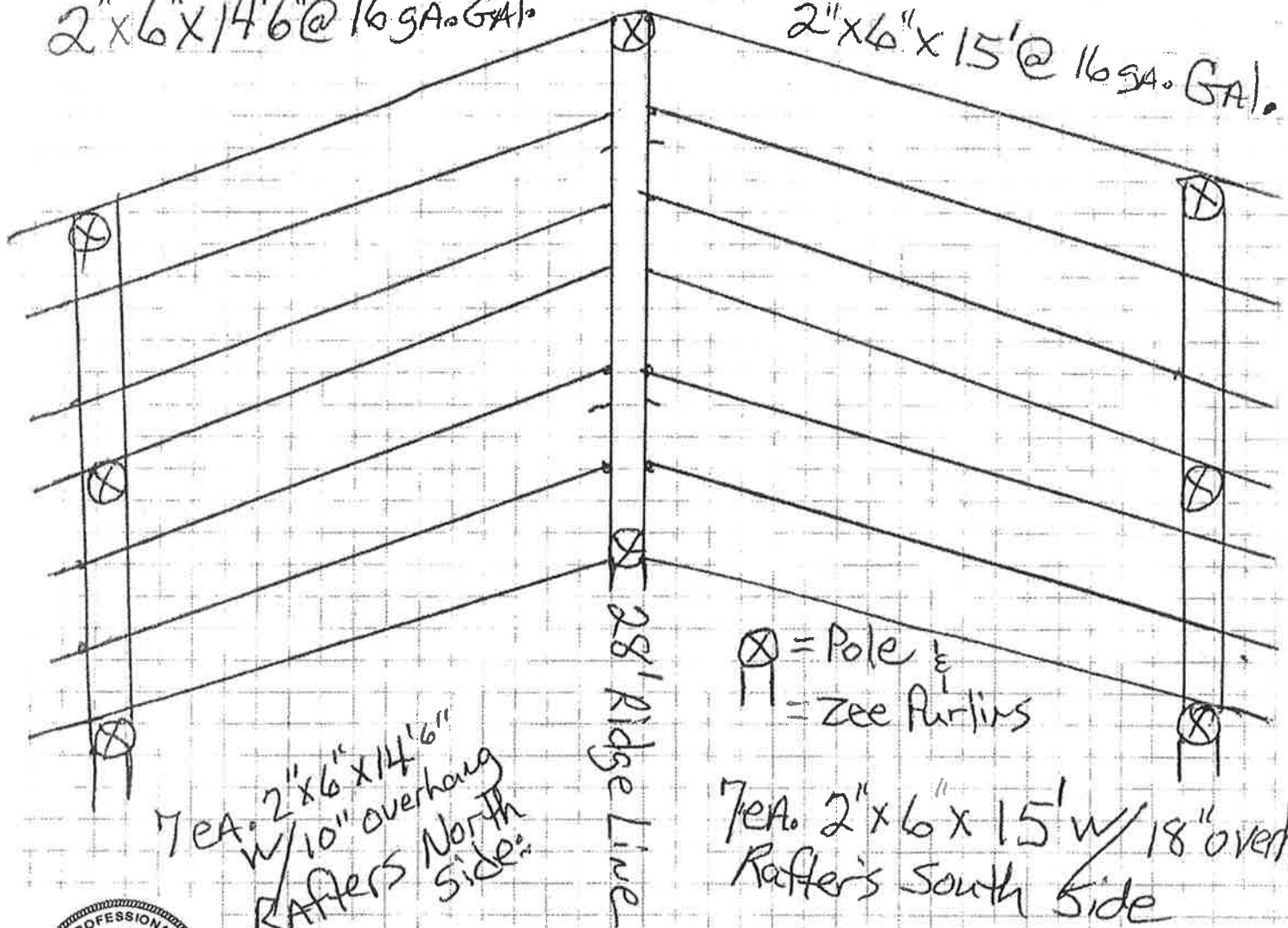


Rafters Diagram:

page 6 of 6

2"x6"x14'6"@16 GA. GAL.

2"x6"x15'@16 GA. GAL.



7ea. 2"x6"x14'6"
w/10" overhang
RAFTERS North Side

28' Ridge Line

⊗ = Pole
⊥ = Zee Purlins

7ea. 2"x6"x15' w/18" overhang
Rafter's South Side



Note: Rafters are connected with
Hangers & welded in place @ 4' center
All Rafters are cross braced running
2 5/8" Hat tracs w/1 at top ridge and
1 across bottom by overhang. The
rest are at 4' sections or less.
Screwed w/ 2ea 3/4" Long 5/16" thick Hex/Hea
3500 # Test ✓

4.21

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: 938413-1

May 19, 2016

DENNIS TUTHILL
8306 E 14 ST S
TULSA, OK 74112

APPLICATION NO: **394552** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 8306 E 014 ST S
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 ☒ 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. 394552

8306 E 014 ST S

May 19, 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. 45.030-A RE and RS-1 Districts

In RE and RS-1 districts, the total aggregate floor area of all detached accessory buildings and accessory buildings not erected as an integral part of the principal residential building may not exceed 750 square feet or 40% of the floor area of the principal residential structure, whichever is greater.

Review comments: The combined accessory buildings exceed 750 sq ft on this lot. Reduce the combined total size of your proposed and existing detached accessory structures to be less than 750 sq ft or apply to BOA for a variance to allow the combined total of detached accessory structures to exceed 750 sq ft.

2. **55.090-F Surfacing.** All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of §55.090-F4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

Review Comments: Provide an all-weather parking surface from the public street to the garage or apply to the Board of Adjustment for a special exception (section 70.120) to allow a material other than an approved material meeting the requirements of 55.090-F.

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.

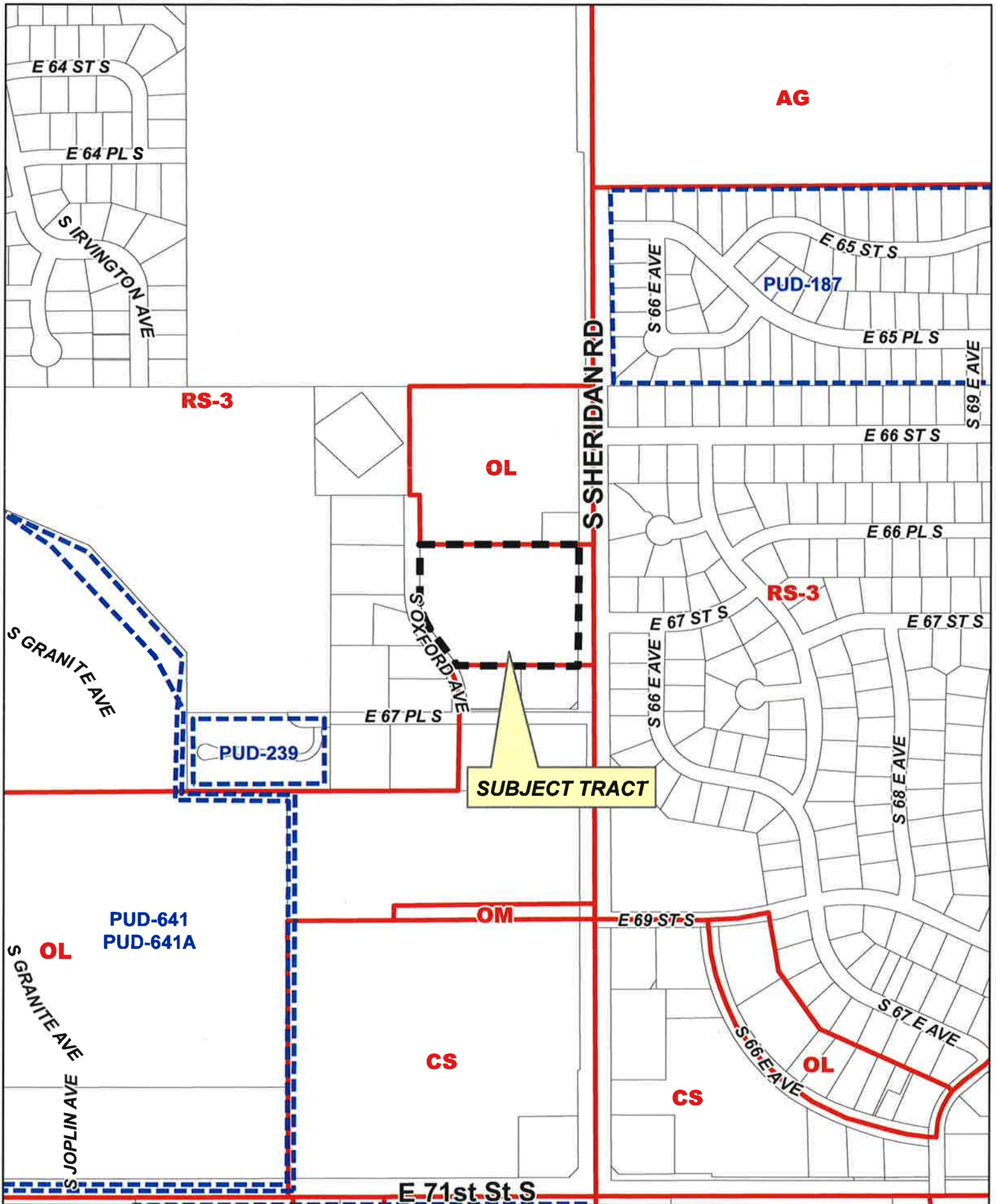
A hard copy of this letter is available upon request by the applicant.

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-22193

18-13 03



BOARD OF ADJUSTMENT CASE REPORT

STR: 8303
CZM: 53
CD: 9
A-P#: 410097

Case Number: BOA-22193

HEARING DATE: 01/24/2017 1:00 PM

APPLICANT: Gary Haynes

ACTION REQUESTED: Special exception to allow a dynamic display sign in a RS-3 zoning district (Section 60.050).

LOCATION: 6730 S SHERIDAN RD E

ZONED: RS-3

PRESENT USE: Church

TRACT SIZE: 4.4 Acres

LEGAL DESCRIPTION: BEG 518S & 50W NEC SE TH S393.44 W385.82 CRV LF27.10 NW103.52 CRV RT135.85 N168.27 E515.01 TO POB SEC 3 18 13 4.405ACS, SHERIDAN MEDICAL PARK, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Site:

BOA 18143; on 08.11.98 the Board approved an amended site plan for Bethany Christian Church to include a new addition (fellowship hall, classrooms, restroom and kitchen) per plan submitted.

BOA 17385; on 05.28.96 the Board approved a special exception to permit a private school (preschool only) in association with a previously approved church per plan submitted; subject to the enrollment for pre-school only

BOA 5048; on 05.11.66 the Board approved a special exception to permit a church in the RS-3 zoned district.

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

A **Mixed-Use Corridor** is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate single family neighborhoods.

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 abutted on the north and south by OL zoning; RS-3 zoning abuts the site on the west. S Sheridan Rd and RS-3 zoned residences abut the site on the east.

STAFF COMMENTS:

According to the submitted site plan and drawings the proposed ground sign will contain a 13.4 SF dynamic display. The Code defines a dynamic display sign as a *sign capable of displaying words, symbols, figures, images or messages that can be electronically or mechanically changed by remote or automatic means. This also includes any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows a sign to present a series of images, messages pr displays.*

Dynamic displays are prohibited in R districts except on a lot occupied by an allowed public, civic or institutional use; the Board is authorized to approve a special exception for the allowed freestanding sign to include a dynamic display. The permitted dynamic display in an R district is subject to the following regulations:

- (1) The allowed dynamic display component may not exceed 32 square feet in area, and no more than one (wall or freestanding) dynamic display is allowed per street frontage.
- (2) The sign area allowed for a dynamic display is not in addition to the maximum sign area allowed for a wall or freestanding sign, but rather is counted as part of the maximum area of a wall or freestanding sign.
- (3) Dynamic displays in R districts and in AG districts may operate only between the hours of 7:00 a.m. and 9:00 p.m. unless otherwise expressly approved through the special exception process.
- (4) Dynamic displays are subject to the dynamic display regulations of Section 60.100.

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) Special exception to allow a dynamic display sign in a RS-3 zoning district (Section 60.050).

- 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.

Case No. 18143

Action Requested:

An approval of amended site plan for Bethany Christian Church to include new addition (fellowship hall, classrooms, restroom & kitchen). **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 2**, located 6730 S. Sheridan

Presentation:

Barney McLaughlin, 5826 S. Quebec, Pastor of Bethany Christian Church, stated that an initial site plan for the church was approved in 1966, which reflected a possible addition to the church. The purpose of the change is to build a fellowship hall for additional classrooms and wheelchair accessible restrooms and kitchen. They would like to place that on a different location than reflected on the original site plan. A site plan packet was recorded as Exhibit S-1.

Interested Parties:

None.

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** an amended site plan for Bethany Christian Church to include new addition (fellowship hall, classrooms, restroom & kitchen). **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS – Use Unit 2** per plan submitted on the following described property:

The E line only of: A tract of land beginning at a point on the E line of Section 3, T-18-N, R-13-E, Tulsa County, Oklahoma, said point being 518' S of the NE/c of the NE/4 of the SE/4 of said Section 3; thence S along the E line of said Section 3, a distance of 543.49' to a point; thence W and parallel to the N line of the NE/4 of the SE/4 of said Section 3, a distance of 406.95' to a point on the E line of a dedicated road; thence N and parallel to the E line of said Section 3, a distance of 50' to a point of curve; thence NWly along a curve, having a radius of 187.86' a distance of 132.63' to a point of tangency; thence N 40°27' W a distance of 103.52' to a point of curve; thence Nly along a curve to the right, having a radius of 192.43' a distance of 168.27' to a point; thence E and parallel to the N line of said NE/4 of the SE/4 of Section 3, a distance of 564.84' to a point and place of beginning

Case No. 17384 (continued)

Presentation:

The applicants, **Charles and Nancy Cagle**, represented by Jim Daugherty, 616 South Boston, submitted a site plan (Exhibit G-1), tax receipt (Exhibit G-2), building application (Exhibit G-3) and photographs (Exhibit G-5). Mr. Daugherty stated there are several mobile homes in the immediate area and submitted a letter of approval from several neighbors (Exhibit G-4). He further stated that the manufactured home would be keeping with development in the area and would not cause a problem. He explained the large lot is a very long slender lot and it would be impossible to split the long narrow lot into two lots and have the necessary frontage on an arterial street. He stated the applicant wants to put his mother in the house already existing on the lot and move the manufactured home on the back of the property for the applicant and his wife to live in so they can assist their mother who is 74 years old.

Comments and Questions:

Mr. White asked the applicant if the property has a mobile home on it now? He answered affirmatively, but the mobile home will be moved out and the new manufactured home will replace it.

Ms. Abbott asked the applicant if the home will be on a permanent foundation? It will be placed on a platform with tie downs and skirting.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 3-0-0 (Abbott, Bolzle, White, "aye"; no "nays"; no "abstentions"; Turnbo, Box "absent") to **APPROVE** a **Special Exception** to permit a manufactured home in a RS-3 zoned district. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** and a **Variance** to permit 2 dwelling units on 1 lot of record. **SECTION 205. NUMBER OF DWELLING UNITS ON A LOT.** - Use Unit 9, per plan submitted; subject to the existing mobile home being removed; subject to Health Department approval and a building permit; finding that there had previously been two dwelling units on the property; finding the property is a large narrow tract and 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 6, Block 9, less S 20' and less beginning NW/c E 5.3 Swly 26.1 to pt on WL N 25.6 to beg., Lake View Heights, City of Tulsa, Tulsa County, Oklahoma.

Case No. 17385

Action Requested:

Special Exception to permit a private school (preschool only) in association with a previously approved church. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 2, located 6730 South Sheridan Road.

Presentation:

The applicant, **Kathryn A. Herwig**, 6730 South Sheridan Road, submitted a site plan (Exhibit H-1) and stated the pre-school had never been granted a special exception and it has been in operation since 1971. She further stated there has never been any complaints from neighbors. She explained the pre-school operates on Monday, Tuesday, Wednesday and Friday from 9:00 a.m. to 2:30 p.m. She further explained that there are 150 students enrolled and on a full day have 92 students present. She stated the original plot plan that was submitted to the Board in 1966 and resubmitted with this application shows 110 parking spaces, however four (4) of the spaces have been converted to a loading area. She further stated the sanctuary measures 3100 SF. She explained the classrooms for pre-school are the same classrooms used for Sunday school.

Comments and Questions:

Mr. Bolzle asked the applicant if she anticipated the enrollment to increase? She stated the enrollment is expected to stay at 150 students.

Board Action:

On **MOTION** of **WHITE**; the Board voted 3-0-0 (Abbott, Bolzle, White, "aye"; no "nays"; no "abstentions"; Turnbo, Box "absent") to **APPROVE** a **Special Exception** to permit a private school (preschool only) in association with a previously approved church. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** - Use Unit 2, per plan submitted; subject to the enrollment for pre-school only; finding that the approval of this special exception will not be injurious to the neighborhood nor harmful to the spirit and intent of the Code; on the following described property:

Beginning at a point 518' S of the NE/c NE/4, SE/4, Sec. 3, T-18-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma; thence S along the E. line said Sec. 3 for 543.49'; thence W and parallel to the N line said Sec. 3 for 406.95'; thence N and parallel to E line said Sec. 3 for 50' to PC; thence Nwly along curve w/radius of 187.86' for 132.63'; thence N40°27'W for 103.52' to PC; thence Nly along curve right w/radius of 192.43' for 135.65'; thence N and parallel to E line said Sec. 3 for 168.27'; thence E and parallel to N line said Sec. 3 for 564.84' to POB.

Case No.
5043-A
City of Tulsa Refuse
Department - Pt. of
Sec. 22-20-13

This being the date set down for public hearing on the application of the City of Tulsa Refuse Department, for permission to operate a sanitary fill in a U-1-C District. There appeared Russell Sullivan. No protest was offered.

MOVED by Sublett (Avery) that this application be approved.
All members voting yea. Carried

Case No. 5044-A
North Tulsa Tabernacle
Missionary Baptist Church
Lots 3 & 4, Block 5
Amos T. Hall

This being the date set down for public hearing on the North Tulsa Tabernacle Missionary Baptist Church, for permission to modify parking requirements and permission to use for church purposes, 100' x 135', in a U-1-C District. There appeared Mary Caroline Cole architect of the church.

The protestants filed the following petition bearing some 16 signatures of persons living the immediate vicinity. We do not want this church because of the lack of space for a church, no parking facilities in a residential zone. The church would be a disatisfactory to all neighbors.

MOVED by Avery (Sublett) that this application be approved.
All members voting yea. Carried

Case No. 5046-A
L & M Enterprises, Inc.
Lots 1, 2, 3, Block 2
Bicking Terrace

This being the date set down for public hearing on the application of L. & M Enterprises, Inc., for permission to erect duplexes on a U-1-C District and U-3-B District. No protest was offered.

MOVED by Sublett (Ingle) that this application be approved.
All members voting yea. Carried

Case No. 5048-A
Bethany Christian Church
Pt. of Sec. 3-18-13

This being the date set down for public hearing on the application of the Bethany Christian Church, for permission to erect a church in a U-1-C District. No protest was offered

MOVED by Avery (Sublett) that this application be approved
All members voting yea. Carried



0 200 400
Feet



Subject
Tract

BOA-22193

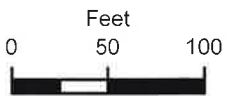
18-13 03

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

Aerial Photo Date: February 2016



5.8



Subject
Tract

BOA-22193

18-13 03

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

Aerial Photo Date: February 2016





01.06.2017 13:02

Subject Site- Looking SW



01.06.2017 13:02

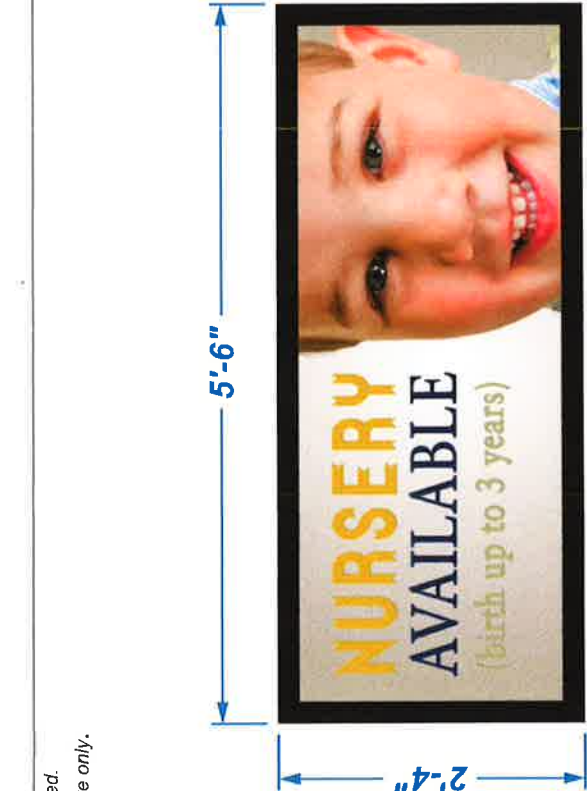


S Sheridan Rd - Street View



LED DISPLAY

- * This is NOT final artwork. Artwork will be finalized after order is placed.
- * Site survey needed. The measurements shown below are an estimate only.



1-1/2":1'
SCALE

Bethany Christian Church
CLIENT

ECCB Display
PROJECT

6730 S Sheridan Rd
ADDRESS

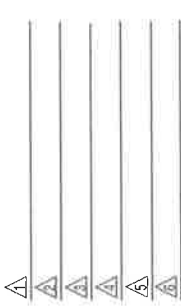
Tulsa, OK 74133
CITY, STATE, ZIP CODE

11-29-16
DATE

112916-01
DESIGN NUMBER

Vanessa Davis
DRAWN BY

APPROVED DATE



This is an original unpublished drawing created by Crown Neon. It is submitted for your personal use in conjunction with a project being planned for you. It is not to be shown to anyone outside your organization nor is it to be used, reproduced, copied or exhibited in any fashion without the express written consent of Crown Neon.



THIS SIGN IS DESIGNED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.



www.crownneonsigns.com
5676 S. 107th E. Ave
Tulsa, OK 74146
918.872.8425 Sales



Proposed

Existing



5.12

Approved by: _____ (print) _____ (signature) Date: _____



Google Earth

feet
meters



115' From Residential

BOB KOLIBAS
SIGN PLANS EXAMINER
918-596-9664



DEVELOPMENT SERVICES

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

SIGN PLAN REVIEW

LOD Number:

979278-1

December 06, 2016

Sign contractor:
Crown Neon Sign
5676 S. 7th E. Avenue
Tulsa OK 74146

APPLICATION NO: **410097** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **6730 S SHERIDAN RD E**
Description: **Bethany Christian Church Dynamic Display**

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. 410097

6730 S SHERIDAN RD E

December 06, 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.

Section 60.050 Signs in R and AG Zoning Districts

2. Nonresidential Uses

The following regulations apply to all principal nonresidential uses in R districts and AG districts.

c. Dynamic Displays

Dynamic displays are prohibited in R districts and AG districts except that on a lot occupied by an allowed public, civic or institutional use, the board of adjustment is authorized to approve a special exception for the allowed wall sign or the allowed freestanding sign to include a dynamic display.

- (1) The allowed dynamic display component may not exceed 32 square feet in area, and no more than one (wall or freestanding) dynamic display is allowed per street frontage.
- (2) The sign area allowed for a dynamic display is not in addition to the maximum sign area allowed for a wall or freestanding sign, but rather is counted as part of the maximum area of a wall or freestanding sign.
- (3) Dynamic displays in R districts and in AG districts may operate only between the hours of 7:00 a.m. and 9:00 p.m. unless otherwise expressly approved through the special exception process.
- (4) Dynamic displays are subject to the dynamic display regulations of Section 60.100.

Review Comments: The proposed dynamic display is located in a RS-3 zoning district and requires a special exception from the BOA prior to issuance of a sign permit.

Note: See additional conditions that apply.

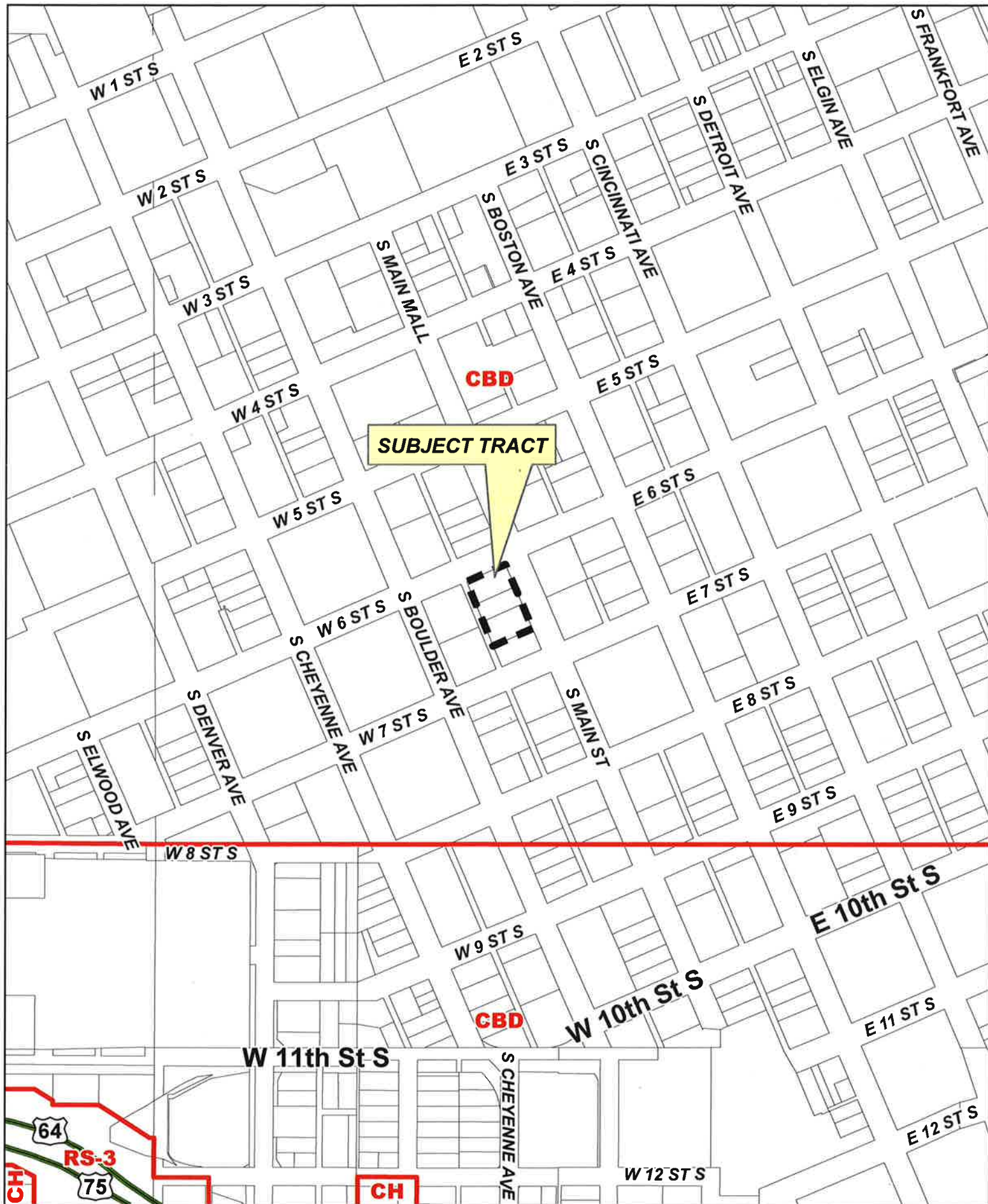
NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding (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.

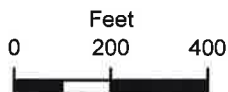
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BOA-22194

19-12 01

6.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9201

Case Number: BOA-22194

CZM: 36

CD: 4

A-P#: 408654

HEARING DATE: 01/24/2017 1:00 PM

APPLICANT: Jackie Price

ACTION REQUESTED: Variance from the required parking area dimensional standards in Section 55.090-D to permit an under-ground parking garage, per conceptual plan.

LOCATION: SW/c of W. 6th St. S. and S. Main St.

ZONED: CBD

PRESENT USE: Office/Residential

TRACT SIZE: 31,498.37 SQ FT

LEGAL DESCRIPTION: N80 OF LT 1 BLK 162; S20 LT 1 N40 LT 2 BLK 162; S60 LT 2 & N25 OF LT 3 BLK 162, TULSA-ORIGINAL TOWN, 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 the "Downtown Core" and an "Area of Growth".

Downtown Core is Tulsa's most intense regional center of commerce, housing, culture and entertainment. It is an urban environment of primarily high density employment and mixed-use residential uses, complemented by regional-scale entertainment, conference, tourism and educational institutions. Downtown core is primarily a pedestrian-oriented area with generous sidewalks shaded by trees, in-town parks, open space, and plazas. To support downtown's lively and walkable urban character, automobile parking ideally is located on-street and in structured garages, rather than in surface parking lots.

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 located in the CBD is surrounded by mixture of uses included surface parking lots, office space and restaurants.

STAFF COMMENTS:

The proposed underground-garage on the subject site is required to comply with the parking area design and layout standards of Section 55.090-D, Table 55-5 of the Code. The applicant provided the following statement: *"This is an existing building and we are not able to remove columns that will affect the layout of the parking garage. We are trying to create parking spaces for residents of downtown Tulsa that are not on the street and that help provide safe and convenient access to our building."*

The 60° angled parking stalls must contain a minimum stall width of 8.5 ft., a minimum stall length of 18 ft., and a minimum 1-way drive aisle of 15 ft. As highlighted on the attached plan the proposed 1-way drive aisles for the 60° angled parking spaces are 12 ft., which will require a variance from the 15 ft. 1-way drive aisle requirement.

The 0° angled parking stalls must contain a minimum stall width of 8.5 ft., a minimum stall length of 22 ft., and a minimum 1-way drive aisle of 12 ft. As highlighted on the attached plan the proposed stall lengths for the 0° angled parking spaces (numbered 26, 27, 38, and 39) are 20ft., which will require a variance from the 22 ft. stall length requirement.

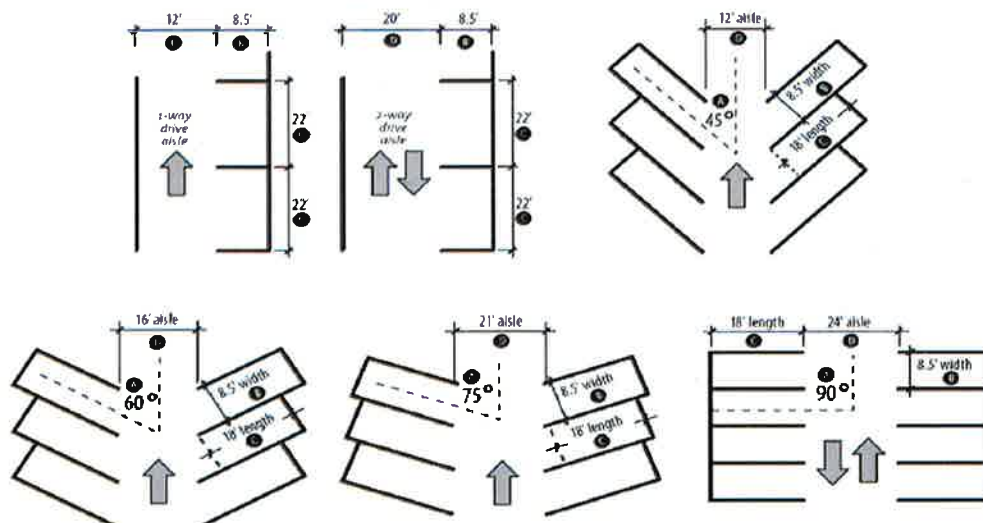
The 90° angled parking stalls must contain a minimum stall width of 8.5 ft., a minimum stall length of 18 ft., and a minimum drive aisle of 24 ft. As highlighted on the attached plan the proposed stall widths for the 90° angled parking spaces (numbered 1, 2, 34C, 35C, 36C, 37C) are 8 ft., which will require a variance from the 8.5 ft. stall width requirement. As shown on the attached plan the proposed drive aisles for the 90° angled parking spaces are 12 ft. and 20 ft., which will require a variance from the 24 ft. drive aisle requirement.

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

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

Figure 55-5: Parking Area Geometrics



Sample Motion for a Variance

Move to _____ (approve/deny) **Variance** from the required parking area dimensional standards in Section 55.090-D to permit an under-ground parking garage, per conceptual plan.

- 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."



Feet
0 200 400



Subject
Tract

BOA-22194

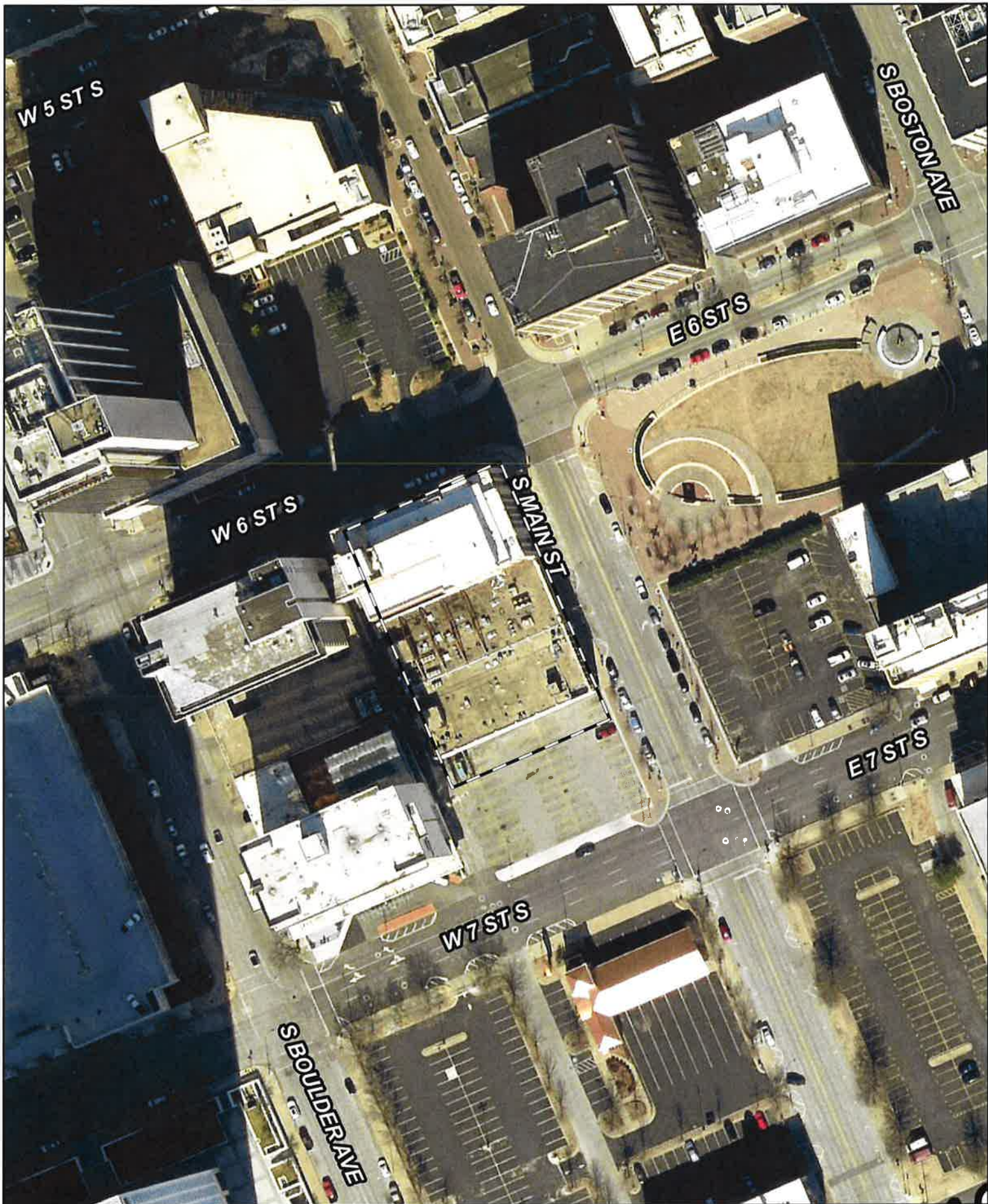
19-12 01

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

Aerial Photo Date: February 2016

6.5





0 50 100
Feet



Subject
Tract

BOA-22194

19-12 01

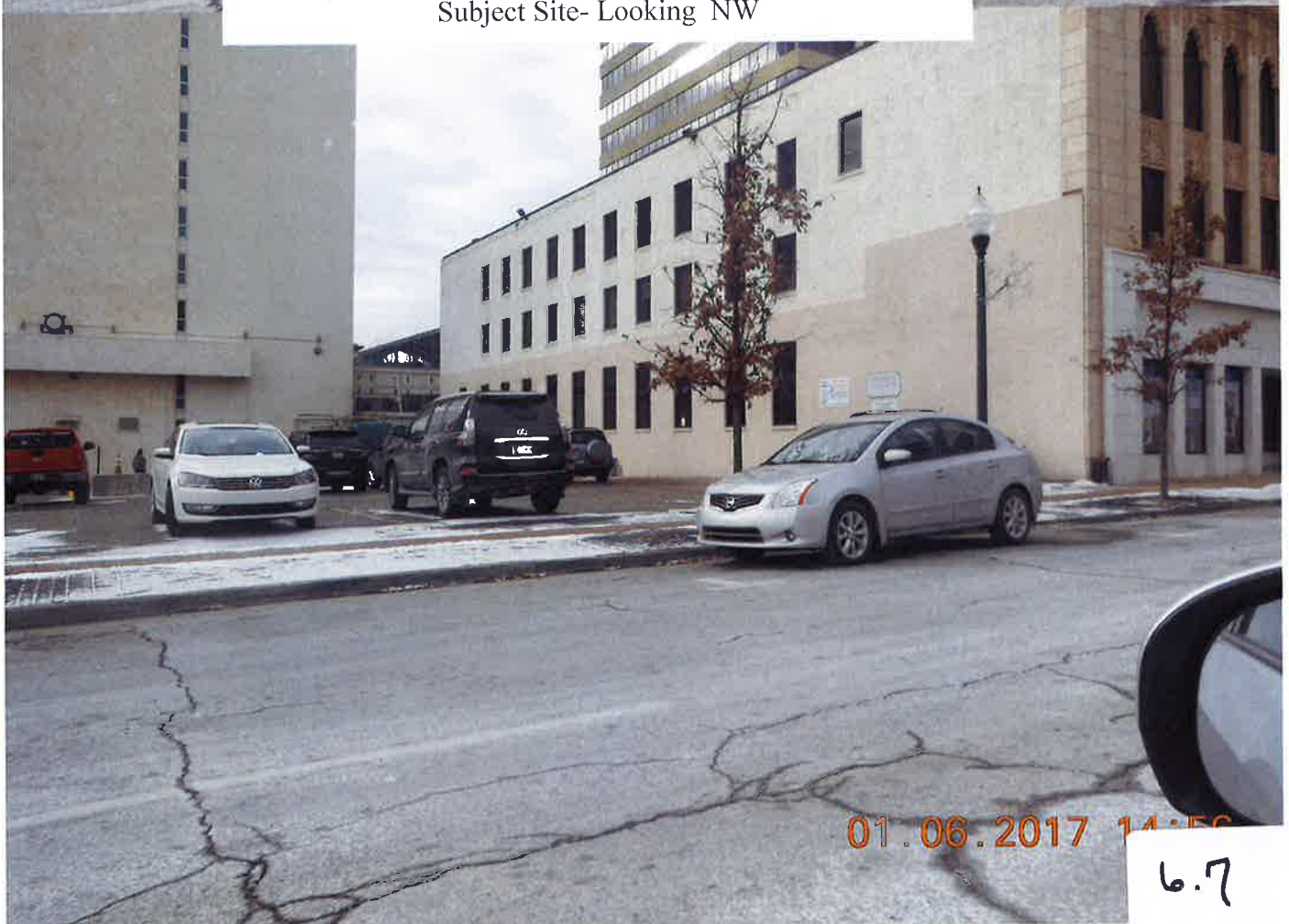
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016





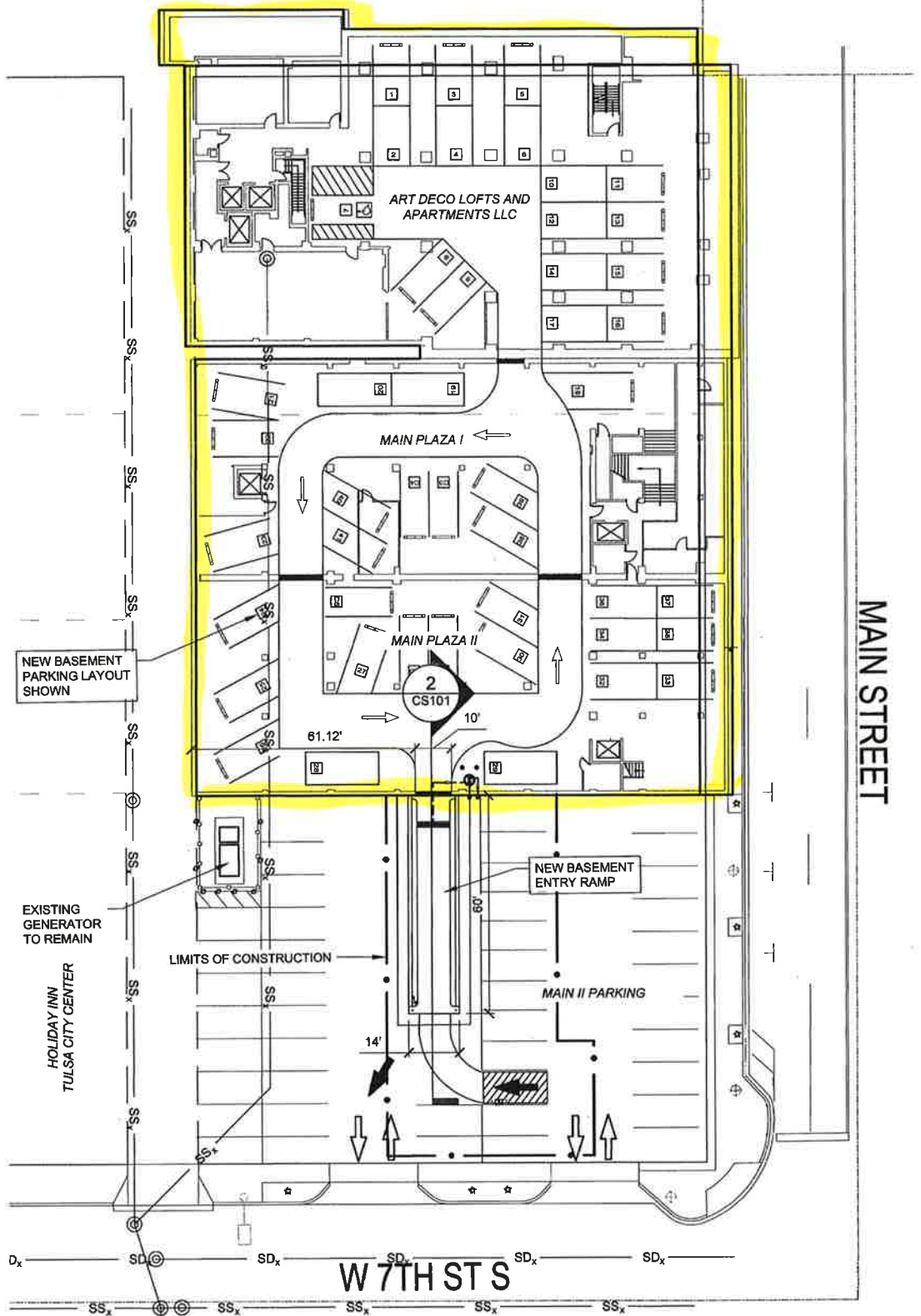
Subject Site- Looking NW





Subject Site - Looking North

W 6TH ST S



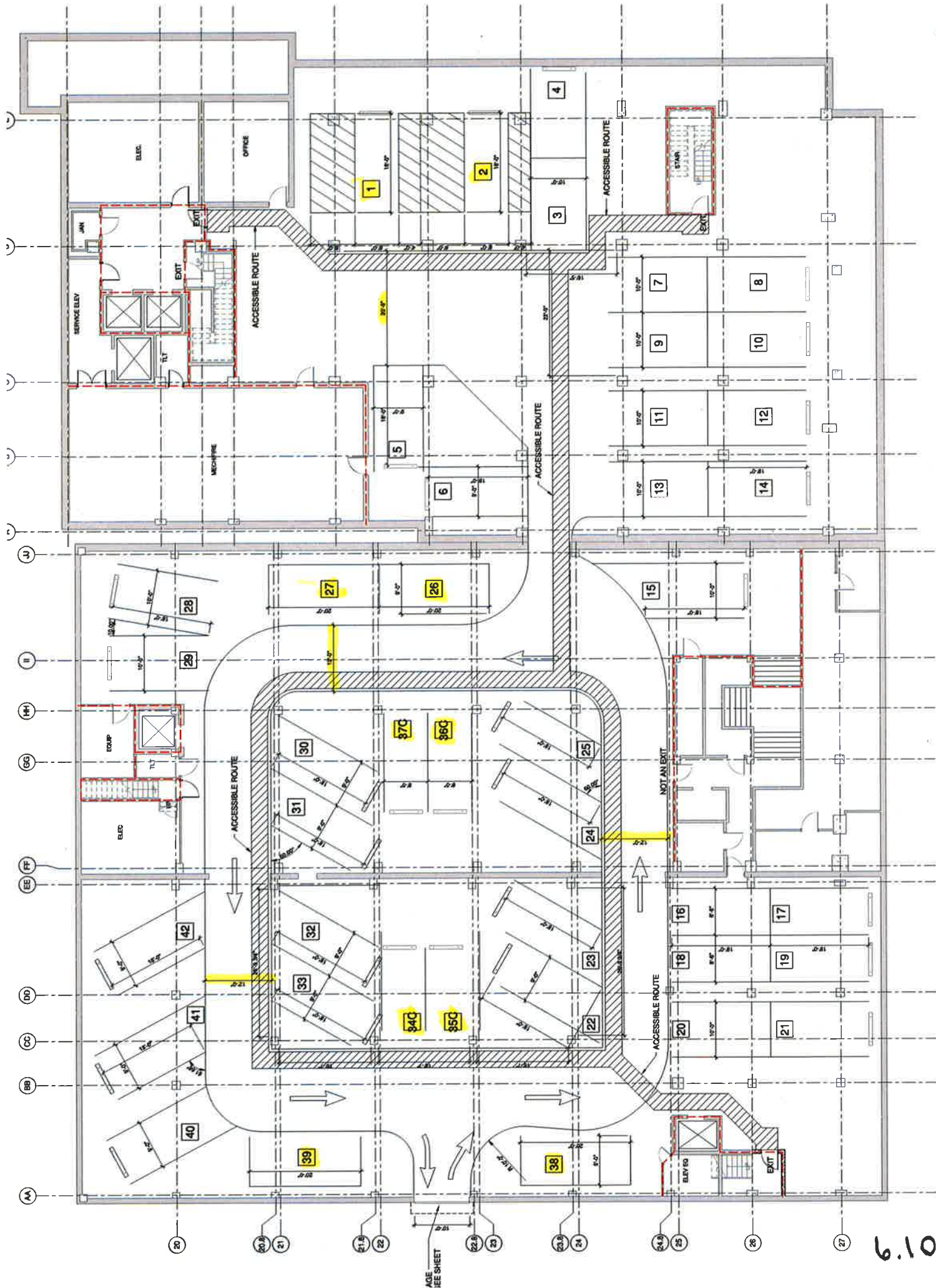
W 7TH ST S

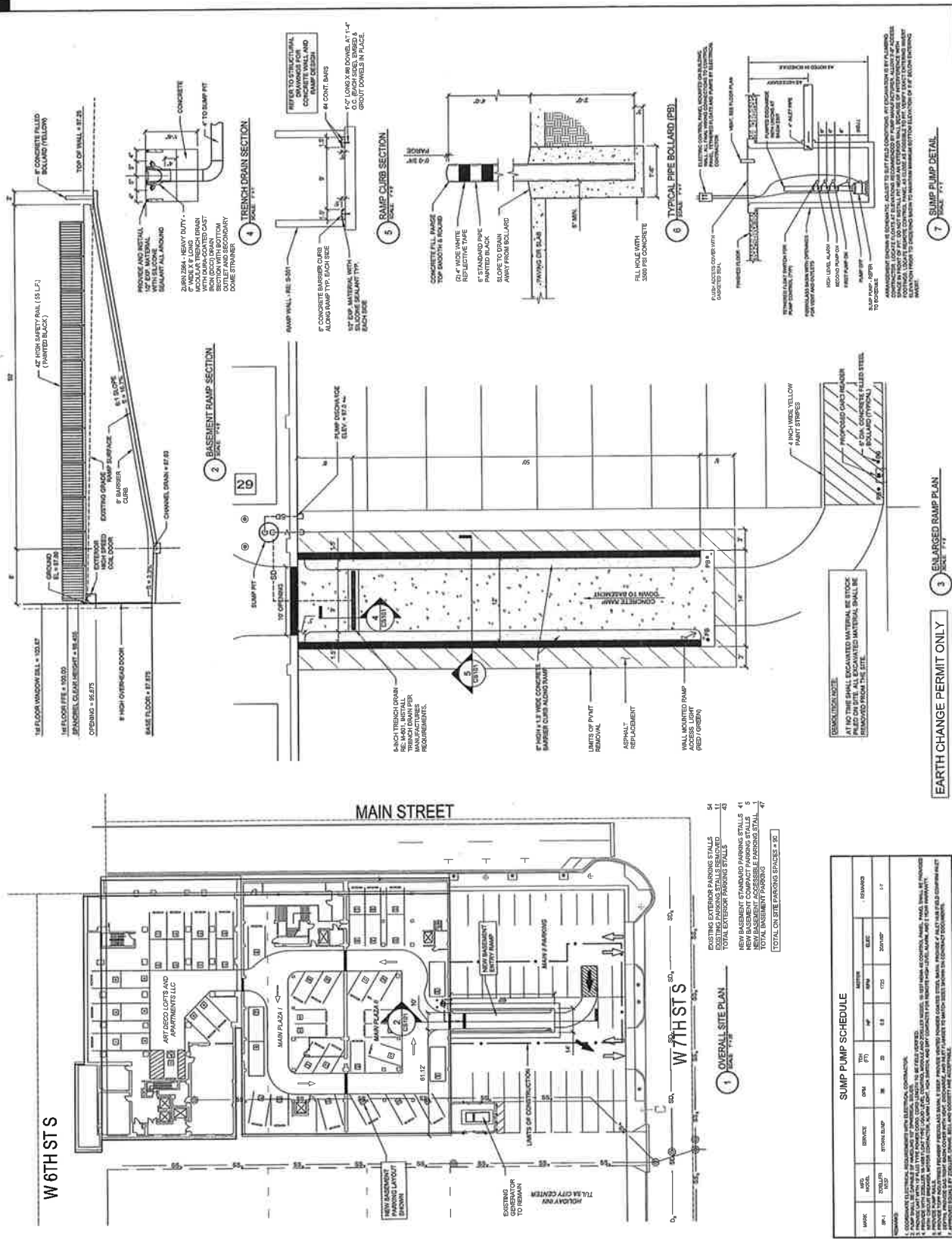
MAIN STREET

1 OVERALL SITE PLAN
SCALE: 1" = 20'

EXISTING EXTERIOR PARKING STALLS	54
EXISTING PARKING STALLS REMOVED	11
TOTAL EXTERIOR PARKING STALLS	43
NEW BASEMENT STANDARD PARKING STALLS	41
NEW BASEMENT COMPACT PARKING STALLS	5
NEW BASEMENT ACCESSIBLE PARKING STALL	1
TOTAL BASEMENT PARKING	47
TOTAL ON SITE PARKING SPACES = 90	

6.9





SUMP PUMP SCHEDULE									
PUMP	WFLD MODEL	PUMP SIZE	QPM	TPI	MINIMUM			STANDARD	
					HP	SIZE	DISCHARGE		
SP-1	TRANSFER PUMP	STORM SUMP	1	2	1.0	1/2	DISCHARGE	1-2	

NOTES:

1. DISCHARGE TO STORM MAIN OR TO STORM SEWER.
2. PUMP SHALL BE CAPABLE OF PUMPING AT LEAST 100 GPM AT 10' HEAD.
3. PUMP SHALL BE CAPABLE OF PUMPING AT LEAST 100 GPM AT 10' HEAD.
4. PUMP SHALL BE CAPABLE OF PUMPING AT LEAST 100 GPM AT 10' HEAD.
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8. PUMP SHALL BE CAPABLE OF PUMPING AT LEAST 100 GPM AT 10' HEAD.
9. PUMP SHALL BE CAPABLE OF PUMPING AT LEAST 100 GPM AT 10' HEAD.
10. PUMP SHALL BE CAPABLE OF PUMPING AT LEAST 100 GPM AT 10' HEAD.

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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: 976856-1

November 17, 2016

BILL YOUNG
KANBAR
PROPERTIES
15 E 5 ST
TULSA, OK 74103

Phone: (918)361-
3892
Fax: (918)587-
2941

APPLICATION NO: **408654** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **616 S MAIN ST W**
Description: **NOT APPLICABLE**

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** ☒ **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.).

6.12

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. 408654

616 S MAIN ST W

November 17, 2016

Note: As provided for in Section 70.130 you may request the Board of Adjustment (BOA) 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.55.090-A: The parking area design regulations of this section apply to all off-street parking lots for motor vehicles, whether containing required parking spaces or non-required parking spaces.

Review comment: Your proposed parking area does not meet the design requirements of this section. Submit a site plan compliant with the following sections.

Acknowledge: Please review the revised Garage Floor Plan Sheet A-101 for added dimensions.

Sec.55.090-D: 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.

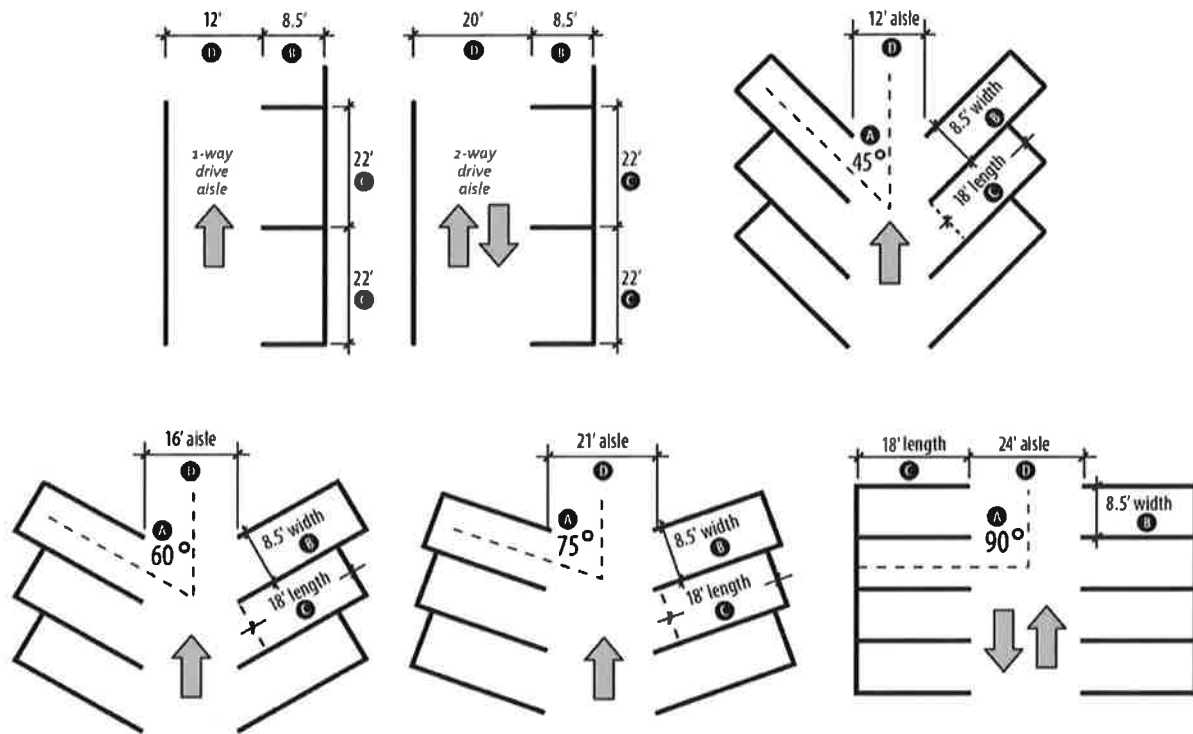
Review comment: Your site plan indicates a variety of parking stall angles, widths, and lengths and aisle widths. The dimensions are not provided. Refer to Table 55-5 and Figure 55-5 below and submit a site plan providing dimensions compliant with the prescribed parking geometrics.

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)

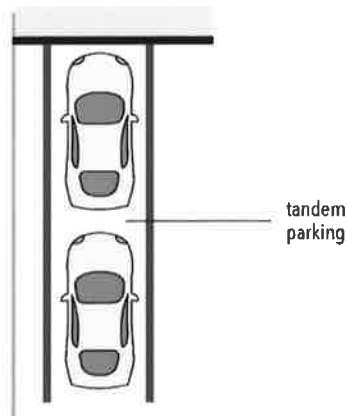
Figure 55-5: Parking Area Geometrics



Sec.55.090-E: Tandem parking spaces may be used to satisfy parking requirements for house-hold living uses when the spaces are assigned to the same dwelling unit. In all other cases required parking spaces must be designed to allow each parking space to be accessed without passing through another parking space. Tandem parking arrangements must have a minimum stall of 8.5 feet and a minimum length of 36 feet.

Review comment: Your site plan does not provide dimensions for the proposed tandem parking. Submit a site plan providing tandem parking compliant with this section.

Figure 55-6: Tandem Parking



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.

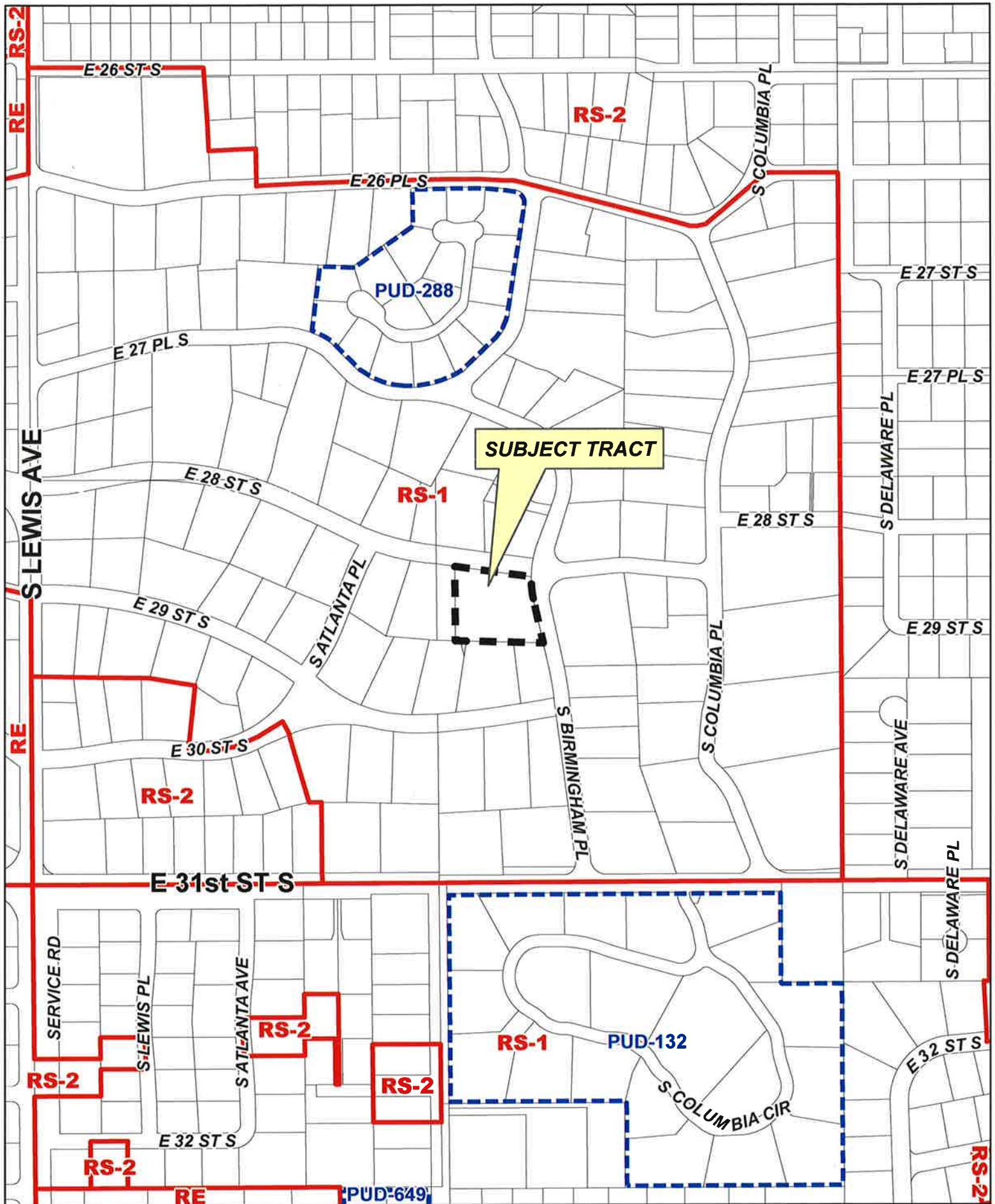
A hard copy of this letter is available upon request by the applicant.

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.

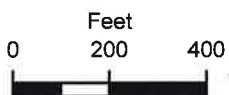
KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

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BOA-22195

7.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9317
CZM: 37
CD: 4
A-P#: 409915

Case Number: BOA-22195

HEARING DATE: 01/24/2017 1:00 PM

APPLICANT: Jack Arnold

ACTION REQUESTED: Variance of the required street setback from S. Birmingham Place from 35 ft. to 23 ft. to permit a swimming pool (Section 90.090-C).

LOCATION: 2540 E 28 ST S

ZONED: RS-1

PRESENT USE: Residential

TRACT SIZE: 1.2 Acres

LEGAL DESCRIPTION: PRT LT 2 BEG 61E NWC TH S252.20 SE280.3 NW116.35 TH ON CRV RT 104.4 NW248.7 POB LESS STREET BEG NEC TH NW283.17 S TO PT SE248.7 N9.42 POB BLK 3, WOODY-CREST SUB, City of Tulsa, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

BOA 14544; on 07.23.87 the Board approved a minor variance of the front yard setback (Birmingham Place) from 35' to 28' to allow for the construction of a dwelling unit per plot plan submitted. Located at the NW/c of E 29th St S and S Birmingham 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-1 zoned residences.

STAFF COMMENTS:

The applicant is before the Board requesting a **Variance** of the required side (street) setback in the RS-1 district from 35' to 23' (Section 5.030) to permit a swimming pool.

The applicant provided the following statement with their application: *"The house was built in the 1920's and was positioned over 100 ft. back from the front property line. Since the house was not relocated, but rather remained in its original location, we have limited space for locating an in-ground pool and outdoor recreation area. The proposed location for the pool does not distract from the character of the house or the surrounding neighborhood."*

The proposed swimming pool will establish a side (street) yard setback of 23 ft. along S. Birmingham Place S. The RS-1 district requires that a swimming pool meet the 35 ft. street setback in an attempt to establish and preserve development intensity and a uniform development pattern within the district.

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) a Variance of the required street setback from S. Birmingham Place from 35 ft. to 23 ft. to permit a swimming pool (Section 90.090-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."

Case No. 14518 (continued)

A resident at 2501 West 91st Street, Tulsa, Oklahoma, stated that a variance was required for her property that had less than 300' of frontage.

Applicant's Rebuttal:

Ms. Van Schoyck suggested that the hardship for the variance request is self created, and that the proposed road change would damage the value of her clients property.

One of the residents of the area voiced an objection to the boarding of horses on the four acre tract. Mr. Jackere pointed out that the area is zoned AG, is agricultural in nature and the raising of horses is a farming operation.

Additional Comments:

Mr. Quarles stated that he cannot see that the moving of the driveway will significantly affect the neighborhood and is inclined to support the application.

Ms. Bradley asked Mr. Sublett to state the hardship for this case, and he replied that the existing access is not in violation of the Code and the new driveway will be wider and better than the existing one.

Board Action:

On MOTION of QUARLES the Board voted 3-1-0 (Chappelle, Quarles, Smith, "aye"; Bradley, "nay"; no "abstentions"; White, "absent") to APPROVE a Variance (Section 207 - Street Frontage Required - Use Unit 1206) of the required street frontage from 30' to 0' to allow for private access to the rear lot; finding that the the access will actually be changed from the east side of the tract (12' frontage) to the west side (25' frontage), with easier access than now exists; on the following described property:

The west 300' of the E/2, SE/4, SW/4 of Section 15, T-18-N, R-12-E, City of Tulsa, Tulsa County, Oklahoma.

MINOR VARIANCES AND EXCEPTIONS

Case No. 14544

Action Requested:

Minor Variance - Section - Bulk and Area Requirements In Residential Districts - Use Unit 1206 - Request a minor variance of front yard setback (Birmingham Place) from 35' to 28' to allow for the construction of a dwelling unit, located 2545 East 30th Street South.

Presentation:

The applicant, John Woolman, 2411 East Skelly Drive, Tulsa, Oklahoma, was represented by Bill Grimm, 610 South Main, Tulsa,

Case No. 14544 (continued)

Oklahoma, who submitted a plot plan (Exhibit O-1) for a proposed dwelling. He informed that the site is heavily treed and is irregular in shape, with the north boundary being 87' and the south 113'. Mr. Grimm stated that, in an effort to preserve the trees, the construction protrudes into the setback approximately 6' 8". Mr. Grimm explained that the proposed dwelling will align with the other homes on the street.

Protestants: None.

Board Action:

On MOTION of QUARLES the Board voted 4-0-0 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; no "abstentions"; White, "absent") to APPROVE a Minor Variance (Section - Bulk and Area requirements in Residential Districts - Use Unit 1206) of the front yard setback (Birmingham Place) from 35' to 28' to allow for the construction of a dwelling unit; per plot plan submitted; finding a hardship imposed on the applicant by the corner location and the irregular shape of the lot; and finding that the new construction will align with the existing houses to the west; on the following described property:

A tract of land in Lot 2, Block 3, Woody-Crest Subdivision, an Addition in Tulsa County, Oklahoma, according to the recorded plat thereof, being more particularly described as follows, to-wit:

Commencing at a point on the east line of said Lot 2, said point being 13.0' northerly of the SE/c thereof, said point also being on the northerly right-of-way line of East 30th Street South; thence southwesterly along said northerly right-of-way a distance of 113.0' to a point; thence northwesterly a distance of 217.23' to a point; thence S 89°09'46" E a distance of 87.0' to a point on the east line of said Lot 2; thence S 12°36' E along the east line of said Lot 2, a distance of 99.85' to a point of curvature; thence southerly continuing along the east line of said Lot 2 on a curve to the right having a radius of 1220.4' a distance of 108.1' to the Point of Beginning, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14550

Action Requested:

Minor Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a minor variance of side yard setback (75th Street) from 30' to 25.5' to allow for an existing dwelling unit in order to clear the title, located 7507 South Richmond.



0 Feet 200 400



Subject Tract

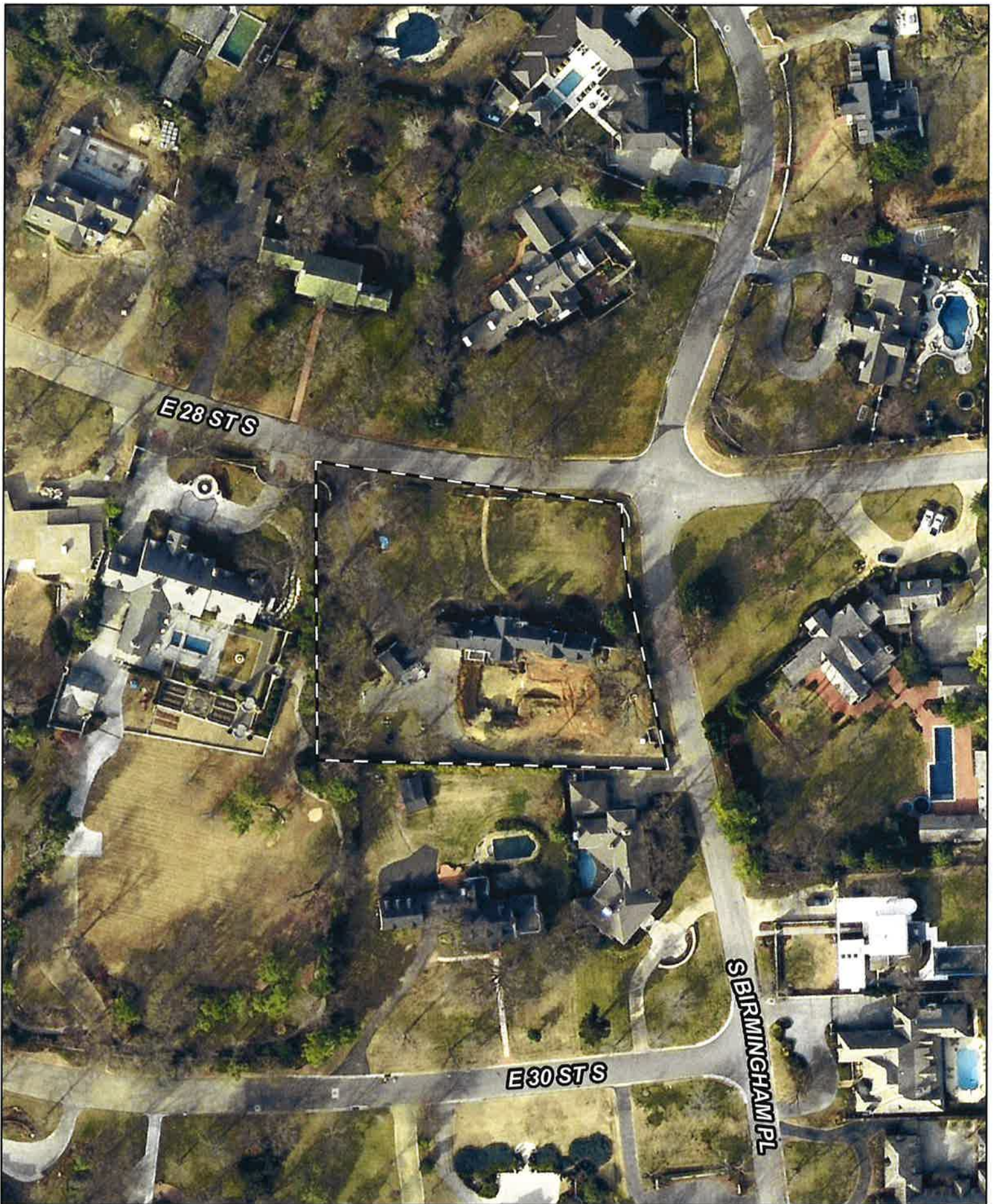
BOA-22195

19-13 17

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

Aerial Photo Date: February 2016





0 Feet 50 100



Subject
Tract

BOA-22195

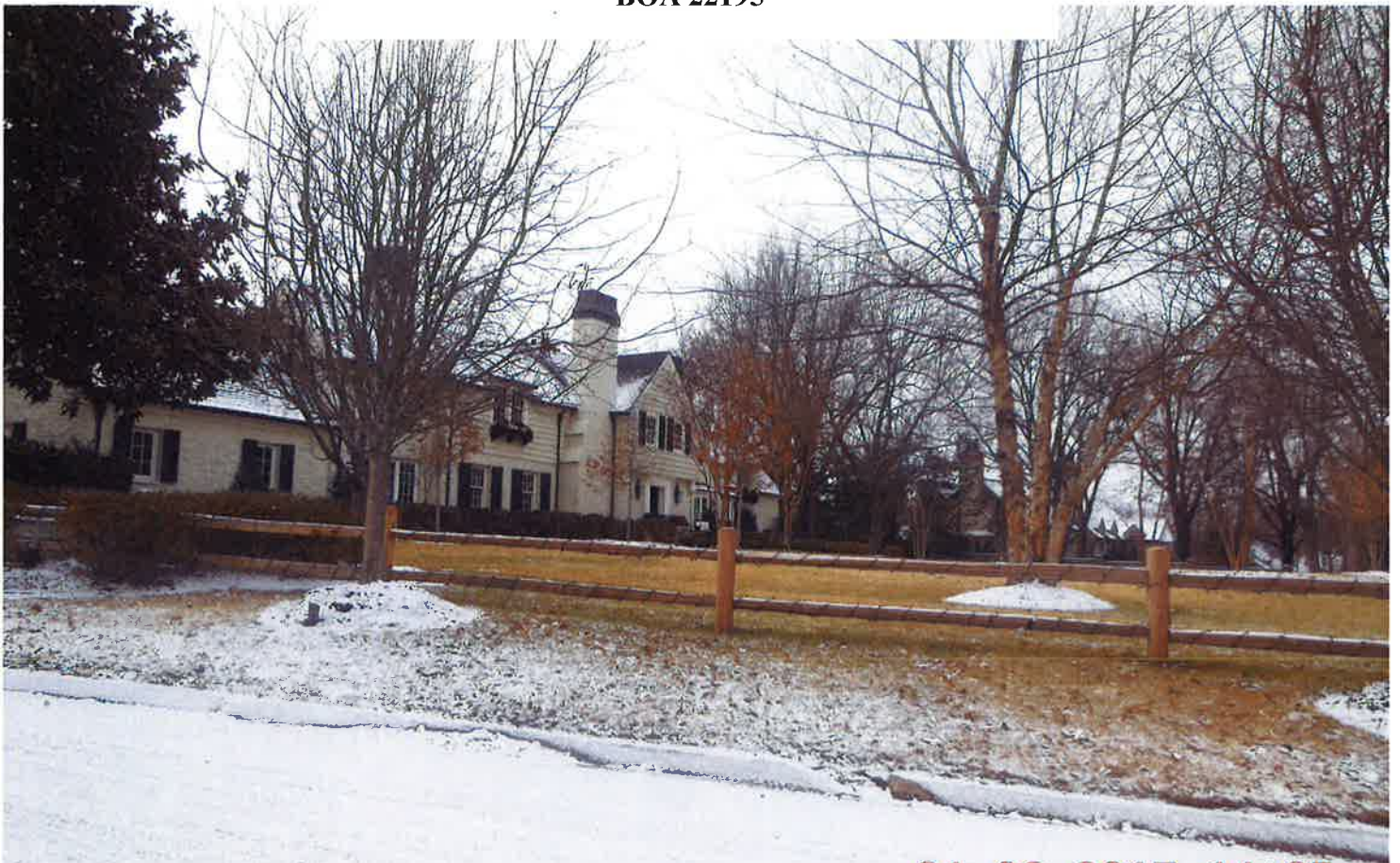
19-13 17

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

Aerial Photo Date: February 2016

7.8





01.06.2017 14:05

Subject Site - Looking SW



01.06.2017 14:05



L1

ARCHITECTURAL RESOURCES BY
JACK ARNOLD

1110 South Yale • Tulsa, Oklahoma 74130 • 918.434.2700 • www.jackarnold.com

DATE: 12/21/2018
JOB NO.: 1718
REVISED:

A NEW REMODEL FOR:
**MARK & JENNIFER
RADCLIFFE**
2540 East 28th Street, Tulsa, Oklahoma

THE PURCHASER OF THESE PLANS IS HEREBY LICENSED TO CONSTRUCT THE HOUSE FROM THESE PLANS. ANYONE ENTERING THE SITE OF THE HOUSE SHALL BE ADVISED BY THESE PLANS AND THE ARCHITECT OF THE RIGHTS TO THESE PLANS. THESE PLANS MAY NOT BE USED AGAIN, REPRODUCED, SOLD OR OTHERWISE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION FROM ARCHITECT. THE ARCHITECT ASSUMES ALL RESPONSIBILITY FOR THE ACCURACY OF THESE PLANS INCLUDING VERIFICATION OF ALL DIMENSIONS, CONDITIONS, AND ALL OTHER INFORMATION. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHER SOURCES. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHER SOURCES. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHER SOURCES.

JA

01.10

Moye, Nikita

From: Richard Groenendyke [rgroenendyke@gmail.com]
Sent: Thursday, January 12, 2017 1:00 PM
To: Moye, Nikita; esubmit
Subject: Fwd: Response To Case #: BOA-22195 (Request for Variance)

----- Forwarded message -----

From: Richard Groenendyke <rgroenendyke@gmail.com>
Date: Thu, Jan 12, 2017 at 12:57 PM
Subject: Response To Case #: BOA-22195 (Request for Variance)
To: nmoye@incoq.org
Cc: Mark/Jennifer Radcliffe <jlradcliffe@aol.com>, dwells@jackarnold.com, "Groenendyke, Cheryl" <cgroenendyke@gmail.com>

Nikita,

Cheryl and I live right next door to Mark and Jennifer Radcliffe. On behalf of the Radcliffes, Jack Arnold has applied for a variance (set back) regarding the location of their swimming pool. Cheryl and I have no objection whatsoever to the granting of the requested variance (Case #: BOA-22195). If a vote is necessary at the Tuesday, 1/24/2017, 1 PM hearing, we give our proxy to Jack Arnold.

Thank you,
Richard Groenendyke
2545 E 30th St
Tulsa, OK 74114
[918-520-3435](tel:918-520-3435)

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: 979000-1

December 09, 2016

DANNY WHITEMAN
JP CONSTRUCTION
4235 S 76 E AVE
TULSA, OK 74145

Phone: (918)664-6190

APPLICATION NO: **409915** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 2540 E 028 ST S
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 ☒ 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.).

7.12

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. 409915

2540 E 028 ST S

December 09, 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.

90.090-C Permitted Setback Obstructions in R Zoning Districts

Setbacks in R zoning districts must be unobstructed and unoccupied from the ground to the sky except as indicated in Table 90-1.

Review Comments: The proposed swimming pool is located within the 35 foot setback along S. Birmingham Avenue and is not permitted. Revise the pool setback to be outside the 35 foot requirement or you may pursue a variance from the BOA to permit a swimming pool to be located within the 35 foot street setback in a RS-1 zoning district.

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-22196 – W Design

**STAFF REQUESTS A
CONTINUANCE TO
FEBRUARY 14, 2017 TO
ALLOW FOR A
CORRECTION TO THE
LEGAL DESCRIPTION AND
RE-NOTICE THE CASE**