AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center Tuesday,
July 12, 2022, 1:00 P.M.

Meeting No. 1298

If you wish to present or share any documents, written comments, or exhibits during the hearing, please submit them by 9:00 a.m. the day of the hearing. Remember to reference the case number and include your name and address.

Email: esubmit@incog.org
Mail or In Person: City of Tulsa BOA c/o INCOG, 2 W. 2nd St., Suite 800 Tulsa 74103

INTRODUCTION AND NOTICE TO THE PUBLIC
At this Meeting the Board of Adjustment, in accord with and pursuant to applicable Board of Adjustment Policies and Procedures, will review, consider, discuss, and may take action on, approve, amend, modify, approve with amendment(s) or modification(s), deny, reject, or defer any action on any item listed on this Agenda.

UNFINISHED BUSINESS

Review and possible approval, approval with modifications, denial, or deferral of the following:

1. **23309 - Ryan Neuhor, Image Builders**
   Special Exception to permit a Dynamic Display sign in a Residential District containing a School Use (Sec. 60.050-B.2.c) Special Exception to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F) **Location:** 3909 E. 5th Pl. S. (Rogers)

2. **23319 - Jason Evans**
   Variance to allow the floor area of a detached accessory building to exceed 500 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.2); Variance of the 35-foot setback from an arterial street. (Sec. 5.020, Table 5-2); Variance to permit a Detached Accessory Building exceeding 10-feet in height to the top of the top plate in the rear setback (Sec. 90.090-C) **Location:** 4217 E. 15th St. S. (CD 4)

3. **23376 - Guy and Kim Thiessen**
   Variance to permit a detached accessory building in the rear setback to exceed 10-feet in height to the top of the top plate (Sec. 90.090-C2); Variance to allow more than 25% coverage by a detached accessory building in the rear setback in an RS-2 District (Section 90.090-C2) Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A) **Location:** 2241 E. 32nd Pl. S (CD 9)
4. **23380 - Kory Myers**  
   *Special Exception* to increase the permitted driveway width in a Residential District (Section 55.090-F.3)  
   **Location:** 3144 E. 33 St. S. (CD 9)

**NEW APPLICATIONS**

Review and possible approval, approval with modifications, denial, or deferral of the following:

5. **23383 - Tom Hanlon**  
   Variance to reduce the required 20-foot rear setback in the RS-3 District (Sec. 5.030-A, Table 5-3)  
   **Location:** 523 E. Pine Pl. (CD 1)

6. **23384 - Laura Hasbun**  
   *Special Exception* to permit Low-impact Medical Marijuana Processing (Low-impact Manufacturing & Industry Use) in the CH District (Sec. 15.020, Table 15-2)  
   **Location:** 3216 E. Admiral Pl. (CD 3)

7. **23385 – Bija Investments, LLC**  
   *Special Exception* to permit Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL district (Sec. 15.020, Table 15-2)  
   **Location:** 1247 N. Garnett Rd. E. (CD 3)

8. **23386 – Precision Sign & Design**  
   Variance to allow more than one sign per street frontage in the OM District (Sec. 60.060-B.1);  
   Variance to increase the maximum allowable sign area in the OM district (Sec. 60.060-C)  
   **Location:** 5151 E. 51st St. (CD 5)

9. **23387 – Kyle Gibson**  
   Variance of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Sec. 40.225-D)  
   **Location:** 4818 E. Pine St. N. (CD 3)

10. **23388 – Nathalie Cornett**  
    *Special Exception* to permit a monument sign to be partially located in the right-of-way (Sec 60.020-E);  
    Variance to permit a dynamic display to be located within 200-feet of a residential district (Sec 60.100-F)  
    **Location:** 4132 E. 51st St. S. (CD 9)

11. **23389 – Chay Tyner**  
    *Special Exception* to expand a non-conforming structure in the RM-2 district (Section 80.030-D)  
    **Location:** 1319 S. Rockford Ave. (CD 4)

12. **23390 – Travis Harris, GH2 Architects**  
    *Special Exception* to permit a carport in the street yard to and modifications of the allowable height requirements (Sec. 90.090-C.1).  
    **Location:** 2645 S. Boston Ave. (CD 4)
OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

Website: tulsaplaning.org    E-mail: esubmit@incog.org
CD = Council District

NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify Tulsa Planning Office at 918-584-7526. Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained by the Tulsa Planning Office at INCOG. All electronic devices must be silenced.
APPLICANT: Ryan Neurohr, Image Builders

ACTION REQUESTED: Special Exception to permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c) Special Exception to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F)

LOCATION: 3909 E 5 PL S

PRESENT USE: Roger High School

TRACT SIZE: 1127254.65 SQ FT

LEGAL DESCRIPTION: BEG 1219.4E & 25S NWC OF SW TH S791 SW40.03 E1437.1 N826 TH W1417.08 POB LESS S35 FOR ST SEC 4 19 13,

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c of E. 5th Pl. and S. Pittsburgh Ave.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c) Special Exception to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F).

Included in your packet are the standards for Sec. 60.050 and 61.100 for Dynamic Display signs in a Residential District and the general Regulations for Dynamic Display Signs.
SAMPLE MOTION:

Move to _________ (approve/deny) a Special Exception to permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c) Special Exception to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F)

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

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
**Chapter 60 | Signs**

**Section 60.050 | Signs in R, AG, and AG-R Zoning Districts**

**60.040-D Dynamic Displays**
Unless otherwise expressly stated, all signs that include a dynamic display are subject to the supplemental regulations of Section 60.100.

**60.040-E Off-Premise Business Signs**
Off-premise business signs may be approved for multi-tenant developments only when such developments are included in a mandatory development plan (See Section 70.040). The authority to approve off-premise business signs is intended to be used only when the location of the identified business or activity precludes placement of a sign that is visible to motorists and pedestrians along the highest (traffic) volume street that provides access to the subject development and when the result of the approval will be in keeping with the stated purposes of this chapter (§60.010-A). The intent of this off-premise business sign authorization is to provide flexibility in overcoming the locational and visibility challenges of lots within a mandatory development plan area, not to allow an overall increase in the amount of signage allowed or encourage a proliferation of signs within the area covered by the mandatory development plan. Any waiver, modification, or variance to the regulations of Section 60.040-E is considered a use variance and is thereby prohibited in accordance with §70.130-B1.

**60.040-F Illumination**
Except for authorized dynamic displays, the illumination on the face of any sign where illumination is permitted must be by constant light and may not exceed 70 foot candles measured at a distance of 2 feet from the face of the sign.

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**Section 60.050 Signs in R, AG, and AG-R Zoning Districts**

**60.050-A Applicability**
The regulations of this section apply to signs in R, AG, and AG-R districts. See also the general regulations of Section 60.040.

**60.050-B Signs Allowed**
The following signs are allowed in R, AG, and AG-R districts in addition to any signs allowed pursuant to Section 60.030. On-premise roof signs, on-premise projecting signs and all off-premise outdoor advertising signs are prohibited in R, AG, and AG-R districts.

1. **Apartment/Condo Buildings and Neighborhood and Subdivision Identification Signs**
   a. Lots occupied by one or more apartment/condo buildings are allowed a maximum of one freestanding sign per street frontage and a maximum of one wall sign per building wall. Wall signs may not exceed 32 square feet in area.
   b. Residential neighborhoods and residential subdivisions, including manufactured housing parks, are allowed a single freestanding sign at each street entrance to the neighborhood or subdivision.
   c. The freestanding signs allowed by this section may not exceed 32 square feet in area or 0.20 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on...
the street frontage to which the sign is oriented. Maximum height may not exceed 20 feet.

2. Nonresidential Uses
The following regulations apply to all principal nonresidential uses in R, AG, and AG-R districts.

a. Wall Signs
Nonresidential uses in R, AG, and AG-R districts are allowed a maximum of one wall sign per public building entrance. No individual wall sign may exceed 32 square feet in area. In buildings with multiple public building entrances, the sign area of all wall signs may not exceed 32 square feet in the aggregate.

b. Freestanding Signs
Nonresidential uses in R, AG, and AG-R districts are allowed a maximum of one freestanding sign per street frontage. Allowed freestanding signs are subject to a maximum height limit of 20 feet and may not exceed 32 square feet in area or 0.20 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

c. Dynamic Displays
Dynamic displays are prohibited in R, AG, and AG-R 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, AG, and AG-R 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.

Section 60.060 Signs in Office Zoning Districts

60.060-A Applicability
The regulations of this section apply to signs in all office zoning districts. See also the general regulations of Section 60.040.
a. Off-premise outdoor advertising signs;
b. Dynamic displays;
c. Inflatable signs; and
d. Roof signs.

60.090-E MPD District
Except as otherwise expressly allowed as part of an approved MPD development plan:

1. Residential development areas are subject to the sign regulations that apply to R districts; and
2. Nonresidential development areas are subject to the sign regulations that apply to CS districts.

Section 60.100 Dynamic Displays
The supplemental regulations of this section apply to all signs with dynamic displays. Except as otherwise expressly stated, these regulations apply whether incorporated into off-premise outdoor advertising signs or on-premise signs that are allowed to include a dynamic display.

60.100-A The images and messages displayed on a dynamic display must have a minimum dwell time of at least 8 seconds and may not contain any movement, animation, audio, video, pyrotechnics or other special effects.

60.100-B The transition or change from one message to another must occur in one second or less and involve no animation or special effects.

60.100-C The images and messages displayed must be complete in and of themselves within the required dwell time.

60.100-D Dynamic displays may not be located within 50 feet of the driving surface of a signalized intersection, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the intersection.

60.100-E Dynamic displays may not be located within or within 20 feet of the driving surface of a street, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the street curb or edge of the traveled roadway marked or understood as such.

60.100-F Dynamic displays may not be located within 200 feet of any of the following: (1) an R or AG-R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R, AG, and AG-R districts if approved through the special exception process. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign structure to the nearest point of an R or AG-R district or residential development area boundary.

60.100-G Dynamic displays must be equipped with a default mechanism that freezes the display in one position or presents a static or blank display if a malfunction occurs.
60.100-H Dynamic displays must be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.

60.100-I The maximum brightness level of a dynamic display may not exceed 6,500 nits (candelas per square meter) during daylight hours or 500 nits between 30 minutes after sunset and 30 minutes before sunrise, as those times are determined by the National Weather Service (Actual Time). Brightness must be measured from the brightest element of the sign's face.

60.100-J Any outdoor advertising sign that includes a dynamic display that was lawfully established before January 1, 2010, must be separated by a minimum distance of 1,200 feet from any other outdoor advertising sign that includes a dynamic display. This spacing limitation does not apply between signs separated by a freeway. The 1,200-foot distance must be measured in a straight line from the center of the subject sign structures, as located on the ground.

60.100-K Except as provided in §60.100-I, any outdoor advertising sign that includes a dynamic display and that was approved by a permit issued on or after January 1, 2009, must be separated by a minimum distance of 1,200 feet from any other outdoor advertising sign that includes a dynamic display facing the same traveled way. The 1,200-foot distance must be measured in a straight line from the center of the subject sign structures, as located on the ground.

Section 60.110 Administration

60.110-A Any person proposing to erect any sign requiring a sign permit must submit a sign permit application to the development administrator. Applications for such permit must be accompanied by detailed plans, including scaled drawings of the proposed sign, a detailed site plan and other information deemed necessary by the development administrator to determine compliance with applicable regulations.

60.110-B Sign permit fees must be paid prior to the issuance of a sign permit.

60.110-C If the work associated with a sign permit has not been completed within 180 days of the date of the issuance of the permit, such permit will lapse and become null and void.

Section 60.120 Nonconforming Signs
See Section 80.060.

Section 60.130 Rules of Measurement
60.130-A Sign Area
1. Signs Enclosed in Frames or Cabinets
   The area of a sign enclosed in a frame or cabinet is determined based on the outer dimensions of the frame or cabinet surrounding the sign face (see Figure 60.2).
Thanks to Tulsa voters who approved funding for digital marquees in the 2021 bond package, Tulsa Public Schools will be submitting requests for approval for approximately 45 digital school marquees over the next year. The district is sensitive to neighborhood concerns and aware of city regulations. We intend to adhere to all elements of the Tulsa Zoning Code including those of Section 60.100 relating to dynamic displays.

Nearly all of the marquees will be replacing older, manually managed signs. Schools are truly excited about this opportunity to install dynamic digital signs for several reasons including:

**Improved communication with families and neighbors:**
- Messages can be easily displayed in multiple languages to match community needs
- Displays can be quickly changed to share emergency information when needed
- Sharing information about multiple and varied school activities helps spark and grow family and neighborhood interest and connections

**Improved safety:**
- The displays can be centrally managed via a cellular network to quickly share emergency notifications in multiple languages if needed. Messages can be controlled individually by school, by neighborhood or district wide.
- School staff will no longer need to climb on ladders in challenging weather to change out manual marquees.

**Improved appearance and perception of our schools:**
- New marquees will brighten and modernize the look and “curb appeal” of our schools and show the community that we are investing in our children, schools, and neighborhoods.

We know the importance of keeping families informed and we use multiple lines of communication to reach the families of our more than 33,000 students. We see the digital marquees as another valuable tool, especially for families who don’t have reliable access to internet and technology. The marquee project was one of the bond items that generated the most positive response from parents and school leaders during the 2021 bond election and we look forward to meeting with members of the Board of Adjustment to discuss this work and answer any questions. We appreciate your time and consideration.

Sincerely,

Jorge Robles
Chief Finance and Information Officer
Tulsa Public Schools
SIGN PLAN REVIEW

March 2, 2022

Bonnie Moore
204 E. 5th Ave.
Owasso, OK 74055

Phone: 918-232-8024

APPLICATION NO: SIGN-111259-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 3909 E. 5th Pl.
Description: Freestanding sign with 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 (TMACP) 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)
1. **Section 60.050 Signs in R and AG Zoning Districts**

60.050-B.2.c 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 freestanding sign with a 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.

The sign review will resume once the required revised plans and/or BOA approval paperwork is submitted.

**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.
Proposed relocation Rendering

Proposed

- **ELEVATION**
- **SCALE:** 3'-0" = 1'-0"
- **D/F ILLUMINATED**

- **NEW CABINET**
  - 4' X 7'-10"
  - .063 P/F WHITE ALUMINUM PAINTED BLACK FILLER TRO
  - 1 1/2" RETAINERS
  - 3/16" WHITE PLEX FACES WITH VINYL GRAPHICS APPLIED
  - WHITE LED ILLUMINATION

- **NEW EMC UNIT**
  - 3'-1" X 7'-10"

- **.063 ALUMINUM FILLER PAINTED BLACK**

- **POLE PAINTED BLACK**

Existing Condition

- Relocating Pylon
- Sign to the School
- Main Entrance
Will Rogers High School
3909 E 5th Place
Tulsa, OK 74112

Note: Existing School sign is located on the Southeast corner of 5th Place & Pittsburg Ave. New Pylon sign structure will be located near School Entrance adjacent to 5th Place.
USE ALL EYEBOLTS PROVIDED FOR LIFTING!

FRONT VIEW

SIDE VIEW

TOP VIEW

BACK VIEW

NOTES:

MATERIAL 5052
FINISHING: MATT PLASTIC SPRAY, BLK
SPECS: 60x150 1R1G1B
PITCH: 16mm
WEIGHT: 694 lbs/FACE

Note:
Positions and dimensions of the vents in this drawing are for reference only. For actual vents, please request production drawing from Optec.
EMT 3/4 compression X
NPSM Male

RIGHT

WRONG
Air Ventilation Requirements (Forced Air):
FAN CFM = 3.19 x Total Watts/20

**DO**
- Provide Sufficient Vents to allow outside air into a skinned/closed structure
- Provide Fans if necessary to push Hot Air out of closed structures
- Maintain minimum of 1/2 inch clearance at bottom of enclosure
- Maintain Temperature inside sign between 22°C ± 10°C
- Keep Temperature below 100°F inside cabinet
- Provide Axial Fans if Air Flow Restricted inside Frame/Structure
- Provide Thermal Switches to turn on Fans at 90-100 degrees F

**DON'T**
- Block Cabinet Vents at back of Display
- Place cabinet against a wall without back side of cabinet open to outside air
- Allow Heat to rise above 100°F inside cabinet
- Mount an LED sign/marquee above or below the Optec LED Sign without 1.5” clearance needed for ventilation

Air Ventilation Requirements (Natural Convection):

**DO**
- Provide Outside Air to Reach Cabinet Air Input Vents
- Maintain Temperature inside sign 22°C ± 10°C
- Maintain sufficient venting for natural convection if skinned
- Inspect Vents Periodically to Ensure they are Clear/Open
- Keep inside cabinet temperature below 100°F
- Maintain clearances above and below cabinet a min of 1.5”

**DON'T**
- Block Cabinet Air Vents in back of Display
- Allow Temperature to rise above 100°F

**NOTE:** The warranty does not cover damages caused by improper ventilation.
I am writing to oppose the placement of a Dynamic Display Sign at the front of Will Rogers High School- BOA-23309.

Will Rogers High is a beautiful building that was listed on the National Register of Historic Places in 2007. Many people, including tour busses of individuals, make special stops to take pictures of the beautiful Art Deco building. The school was built during the Great Depression through funding from a Public Works Administration grant and now stands as one of the best examples of Art Deco high school architecture in the United States.

This proposed sign does not conform to the Federal Guidelines for Rehabilitating Cultural Landscapes. The key thing is whether the proposed alteration is compatible with the historic materials, features, etc. of the historic property. The Federal Standards for Rehabilitation state the following:

“New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.”

**Alterations/Additions for the New Use**

**RECOMMENDED**

"Designing and installing a new structure, furnishing or object when required by the new use, which is compatible with the preservation of the historic character of the landscape. For example, constructing a new farm outbuilding utilizing traditional building materials or installing appropriately scaled and detailed signage.

**NOT RECOMMENDED**

Placing a new structure, furnishing, or object where it may cause damage, or is incompatible with the historic character of the landscape. For example, constructing a new maintenance facility in a primary space.

Locating any new structure, furnishing or object in such a way that it detracts from or alters the historic character of the landscape. For example, installing a “period” gazebo that was never present in the cultural landscape.

Introducing a new structure, furnishing or object in an appropriate location, but making it visually incompatible in mass, scale, form, features, materials, texture or color. For example, constructing a visitors’ center that is incompatible with the historic character of the cultural
The materials, placement and dynamic nature of the sign will be visually incompatible with and detract from the historic character and nature of the building and will create an adverse effect. The sign may be better suited elsewhere or where the current sign is located- Not in front of the building listed on the National Register of Historic Places.

I contacted Matthew Pearce, National Register of Historic Places Coordinator, and he stated that he has not been consulted regarding the proposed sign. I also contacted Jed Porter, Tulsa Historic Preservation Officer, and he has not been consulted, either. In order to preserve the unique and beautiful historic nature of this gem of a building, I propose that one or both of the Historic Preservation experts be consulted prior to approval of this application.

I also object to placement of Dynamic Display Signage anywhere within a residential neighborhood. The City Code of Ordinances has prohibited this with good reason- to protect the residents and property owners from unnecessary and undue disturbances. Having a dynamic display in an otherwise visually quiet neighborhood will be a nuisance to the residents. I respectfully ask that if this Board votes to approve the sign, that the Board will expressly state that the display has to be turned off between the hours of 9pm and 7am.

Thank you for your consideration.

Respectfully,

Brooke Kononchuk
Environmental Consultant
Kononchuk Environmental
521 South New Haven Avenue
Tulsa, Oklahoma 74112
(918) 636-3983
HEARING DATE: 07/12/2022 (Continued from 6/28/2022, item was originally on the 4/26/2022 agenda)

APPLICANT: Jason Evans

ACTION REQUESTED: Variance to allow the floor area of a detached accessory building to exceed 500 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.2) Variance of the 35-foot setback from an arterial street. (Sec. 5.020, Table 5-2) Variance to permit a Detached Accessory Building exceeding 10-feet in height to the top of the top plate in the rear setback (Sec. 90.090-C)

LOCATION: 4217 E 15 ST S

PRESENT USE: RS-3

LEGAL DESCRIPTION: LT 10 BLK 4, ELECTA HGTS ADDN

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c of E. 15th St. S. and S. Richmond Ave. Property is immediately North of the Tulsa County Fairgrounds.

STATEMENT OF HARDSHIP: The proposed building is necessary to house a vehicle and would not alter the appearance of the property or neighborhood. This is a significant aesthetic improvement and functional improvement for the property.

STAFF COMMENTS: The applicant is requesting a Variance to allow the floor area of a detached accessory building to exceed 500 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.2) Variance of the 35-foot setback from an arterial street. (Sec. 5.020, Table 5-2) Variance to permit a Detached Accessory Building exceeding 10-feet in height to the top of the top plate in the rear setback (Sec. 90.090-C)
2. **RS-2, RS-3, RS-4, RS-5 and RM Districts**

In RS-2, RS-3, RS-4, RS-5 or RM, zoned lots used for detached houses or duplexes, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, and accessory buildings not erected as an integral part of the principal residential building may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater. [1]

[1] For detached accessory buildings, including accessory dwelling units, located within rear setbacks see §90.090.C2.

---

**Table 5-3: R District Lot and Building Regulations**

<table>
<thead>
<tr>
<th>Regulations</th>
<th>RE</th>
<th>RS-1</th>
<th>RS-2</th>
<th>RS-3</th>
<th>RS-4</th>
<th>RS-5</th>
<th>RD</th>
<th>RT</th>
<th>RM-0</th>
<th>RM-1</th>
<th>RM-2</th>
<th>RM-3</th>
<th>RMH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Building Setbacks (ft.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Arterial or fwy service rd.</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td><strong>35</strong></td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>35</td>
</tr>
<tr>
<td>Other streets</td>
<td>35</td>
<td>35</td>
<td>30</td>
<td>25</td>
<td>20</td>
<td>20</td>
<td>25</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>25</td>
</tr>
</tbody>
</table>

**Figure 90-9: Maximum Height of Accessory Buildings, Including Accessory Dwelling Units In Rear Setbacks (RE, RS and RD Districts or RM Zoned Lots Used for Detached Houses or Duplexes)**

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

---

**SAMPLE MOTION:** Move to ________ (approve/deny) a Variance to allow the floor area of a detached accessory building to exceed 500 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.2) Variance of the 35-foot setback from an arterial street. (Sec. 5.020, Table 5-2) Variance to
permit a Detached Accessory Building exceeding 10-feet in height to the top of the top plate in the rear setback (Sec. 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 ________________________________.

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

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

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

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

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

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

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

g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.”
Subject property
The information below is an estimate only. Final pricing - including pricing adjustments, discounts, delivery, and taxes - will be provided with final quote prior to purchase.

#1646066613886371

2.6
ed per
per 16,
t to
its, 
etback
wing
, 65'
set back
from C.
No ground will be disturbed. If silt fence is needed, it will be supplied
at that time, U/E.

LEGEND
U/E - Utility Easement
B/L - Building Line
C - Center Line

SCALE
0'  10'  20'  40'

SIDING DWELLING

51.1'

139.3'

5ESMT

Silt fence South

Drainage

Enclosed Corport (proposed)

Existing DRIVE 22' wide

PORCH

30' B/L

E. 15TH ST.

50.71'

25'
ZONING CLEARANCE PLAN REVIEW

1/14/2022

LOD No. 1

Jason Evans
4217 E. 15th St.
Tulsa, OK 74112

APPLICATION NO: BLDR-104073-2021 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 4217 E. 15th St.
Description: New detached accessory building

INFORMATION ABOUT SUBMITTING REVISIONS

Our review has identified the following code omissions or deficiencies in the project application forms, drawings, and/or specifications. The documents shall be revised to comply with the referenced code sections.

Revisions need to include the following:
1. A copy of this deficiency letter
2. A written response as to how each review comment has been resolved
3. The completed revised/additional plans form (see attached)
4. Board of Adjustment approval documents, if relevant

Revisions shall be submitted directly to the City of Tulsa permit center located at 175 East 2nd Street, Suite 450, Tulsa, Oklahoma 74103, Phone (918) 596-9601. The City of Tulsa will assess a resubmittal fee. Do not submit revisions to the Plans examiners.

Submittals faxed/ emailed to Plans examiners will not be accepted.

IMPORTANT INFORMATION

1. Submit two (2) sets [4 sets if Health Department review is required] of revised or additional plans. Revisions shall be identified with clouds and revision marks.

2. Information about zoning code, Indian Nation Council of Government (INCOG), Board of Adjustment (BOA), and Tulsa Metropolitan Area Planning Commission (TMAPC) is available online at www.incog.org or at INCOG offices at 2 W. 2nd St., 8th Floor, Tulsa, OK, 74103, Phone (918) 584-7526.

3. A copy of a "Record Search" is not included with this letter. Please present the "Record Search" along with this letter to INCOG staff at time of applying for Board of Adjustment action at INCOG. Upon approval by the Board of Adjustment, INCOG staff will provide the approval documents to you for immediate submittal to our office. (See revisions submittal procedure above.)

(continued)
1. **R106.2**: Site plan or plot plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site and distances from lot lines. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

**Review comments**: Your application did not include a complete site plan. Submit a site plan that provides the following information:

   a. Drawing to scale with location, dimensions and identification of existing and proposed buildings, structures and driveway. Dimensions for both existing and proposed driveways must be shown;
   b. Drawing to scale with distances from the side and rear property lines to the proposed building, and the distance from the existing house and proposed building to the centerline of 16th street;
   c. Identify any easements and public rights of way.


   In RS-2, RS-3, RS-4, RS-5 and RM zoned lots used for detached houses or duplexes, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, and accessory buildings not erected as an integral part of the principal residential building may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater.

   **Review comments**: The proposed detached building has 600 square feet of floor area. According to the county assessor’s website, the floor area of the principal residential structure (the house and attached garage) is 1,239 square feet. Based on the floor area of the house you are allowed 500 sq. ft. of total detached accessory building floor area on your lot. You may revise the plans to show that the total square footage of the proposed accessory building will not exceed 500 square feet, or you may seek a variance from the Board of Adjustment (BOA) to allow the floor area of a detached accessory building on this RS-3 zoned lot to exceed 500 sq. ft. and 40% of the floor area of the principal residential structure.

3. **55.090-B: Ingress and Egress**: All parking areas must be designed to allow vehicles to enter and exit a street and cross public sidewalks in a forward motion, except that this requirement does not apply to lots with access on a minor street.

   **Review comments**: Since the required driveway would be accessed from 16th St., which is not a minor street; the driveway needs to be designed so that cars can enter and exit in a forward motion. Show this on the revised site plan.

4. **55.090-F.3 Surfacing**. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of Section 70.120, or, if in a PUD, in accordance with the amendment procedures of Section 30.010-I.2. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

   **Maximum Driveway Width**

<table>
<thead>
<tr>
<th>Lot Frontage</th>
<th>75'+'</th>
<th>60' - 74'</th>
<th>46' - 59'</th>
<th>30' - 45'</th>
<th>Less than 30' [2]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Driveway Within Right-of-Way (feet) [1]</td>
<td>27'</td>
<td>26'</td>
<td>22'</td>
<td>20'</td>
<td>12'</td>
</tr>
<tr>
<td>Driveway Within Street Setback (feet)</td>
<td>30'</td>
<td>30'</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

   [1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.
   [2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.
Review comments: Revise the site plan to show a driveway for the building and show the dimensions of the new driveway, as well as the dimensions for the existing driveway. For any new driveway areas in the street setback, the combined widths of all driveways (including existing driveways) on the lot may not exceed 22' in the right of way, or 25.35' within the street side building setback, since this lot has 50.71' of frontage. Revise the plans to show the width and dimensions of both the existing and proposed driveways. If you are proposing greater than 22' in the right of way, or 25.35' within the street side building setback, you may seek a special exception from the Board of Adjustment for driveways exceeding the allowed width in an RS-3 zoned lot with 50.71' of street frontage. In addition, the street setback from 26th W. Ave is 55' from the center of the street and from 48th St. it is 40' from the center of the street. Please show these setback lines on the revised site plan.

5. 90.090-A Setbacks Measurement Required setbacks are measured from the applicable lot line, right-of-way, planned right-of-way or location referred to below. Building setbacks are measured to the nearest exterior building wall. Minimum setbacks that apply to other features (parking areas, fences, storage areas) are measured from the nearest point of the area or feature for which a setback is required. See §90.090- C for information on structures and building features that are allowed to occupy setback and yard areas in R zoning districts. Unless otherwise expressly stated, no part of any structure may be located within the street right-of-way, nor within the planned right-of-way of streets shown on the major street and highway plan, nor within 25 feet of the centerline of the right-of-way on streets not shown on the major street and highway plan. If a variance of the prohibition against location of a structure within the right of way or planned right of way is granted by the Board of Adjustment, no part of any structure may be located within the street right-of-way, nor within the planned right-of-way of streets shown on the major street and highway plan, nor within 25 feet of the centerline of the right-of-way on streets not shown on the major street and highway plan, unless a license has been granted by the city, in the case of the right-of-way, or a removal agreement has been entered into, in the case of the planned right-of-way.

1.) Street setbacks are measured from the actual right-of-way line of the street (other than an alley), provided that if the following measurement results in a greater setback, the greater setback applies:

a.) For streets shown on the major street and highway plan, if the width of the planned right-of-way exceeds the width of the actual right-of-way, the measurement must be taken from the planned right-of-way.

Review comments: According to the major street and highway plan, 15th St. is shown to be a secondary arterial with a 100' wide planned right of way (ROW). According to the rules of measurements for 90.090-A, the planned ROW line is 50' from the centerline of 15th St. The setback from an arterial street in an RS-3 district is 35'. Therefore, the building setback line for this property is 85' from the centerline of 15th St. (50' from the center of the street plus the 35' setback). Show that this building is not going to be located any closer than 85' to the center of 15th St.

6. 90.090-C. Detached Accessory Buildings, including Accessory Dwelling Units, in RE, RS, RD Districts and RM Zoned Lots Used for Detached Houses or Duplexes.

a. Detached accessory buildings, including Accessory Dwelling Units, may be located in rear setbacks provided that: (2) Building coverage in the rear setback does not exceed the maximum limits established in Table 90-2:

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Maximum Coverage of Rear Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>RS-1 and RE Districts</td>
<td>20%</td>
</tr>
<tr>
<td>RS-2 District</td>
<td>25%</td>
</tr>
<tr>
<td>RS-3, RS-4, RS-5 and RD Districts</td>
<td>30%</td>
</tr>
<tr>
<td>RM zoned Lots Used for Detached Houses or Duplexes</td>
<td>30%</td>
</tr>
</tbody>
</table>

Review comments: This lot is zoned RS-3; and the proposed building cannot take up more than 30% of the rear setback (RS-3 lots require a 20' rear setback). Once the revised site plan is resubmitted, we can determine how much of the building is located in the rear setback, and we can verify whether or not the west or north side of the property is considered to be the rear of the lot. If the proposed building will take up more than 30% of the rear setback, you may apply for a variance from the Board of Adjustment for a detached accessory building which covers more than 30% of a rear setback for an RS-3 zoned lot.
NOTE: The zoning clearance review for your permit application will resume after a complete site plan is submitted. Please note that additional deficiencies may be found and will need to be resolved prior to approval of your application.

Note: Please direct all questions concerning variances, special exceptions, alternative landscape plans, alternative compliance parking ratios 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.

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. Please Notify Plans Examiner By Email When You Have Submitted A Revision. If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online.

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.
24' W x 25' L x 10' H

Approximate center clearance: 13'
BOARDS OF ADJUSTMENT
CASE REPORT

STR: 9319
CZM: 47
CD: 9
HEARING DATE: 07/12/2022 1:00 PM (Continued from 6/28/2022)

APPLICANT: Guy and Kim Thiessen

ACTION REQUESTED: Variance to permit a detached accessory building in the rear setback to exceed 10-feet in height to the top of the top plate (Sec. 90.090-C2); Variance to allow more than 25% coverage by a detached accessory building in the rear setback in an RS-2 District (Section 90.090-C2) Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A)

LOCATION: 2241 E 32 PL S
ZONED: RS-2
PRESENT USE: Residential
TRACT SIZE: 13499.3 SQ FT

LEGAL DESCRIPTION: LT 6 BLK 3, OAKNOLL

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located East of the NE/c of S. Zunis Pl. and E. 32nd Pl. S.

STATEMENT OF HARDSHIP: Like many midtown homes, the property has a detached garage, which unfairly limits the ability to improve the property with outdoor living space the given square foot limitations.

STAFF COMMENTS: The applicant is requesting a Variance to permit a detached accessory building in the rear setback to exceed 10-feet in height to the top of the top plate (Sec. 90.090-C2); Variance to allow more than 25% coverage by a detached accessory building in the rear setback in an RS-2 District (Section 90.090-C2) Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A)
Maximum rear yard coverage: **25% or 625 square feet**  
Proposed Coverage: **37% or 927 square feet**

Maximum top plate height: **10-feet**  
Proposed top plate height: +/- **13-feet**

Maximum size for accessory buildings: **1,124 square feet**  
Proposed size for accessory buildings: **1,239 square feet**

The applicant is seeking to enclose an existing pergola, the existing conditions are in violation of the zoning code per the plans provided. Staff is unaware how the existing pergola and garage was permitted when it was originally built.

**SAMPLE MOTION:** Move to ________ (approve/deny) a Variance to permit a detached accessory building in the rear setback to exceed 10-feet in height to the top of the top plate (Sec. 90.090-C2); Variance to allow more than 25% coverage by a detached accessory building in the rear setback in an RS-2 District (Section 90.090-C2) Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (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 ____________________________.

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

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

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

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

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

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

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

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

Subject property
**APPLICATION NO: BLDR-111821-2022**  
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

**Project Location:** 2241 E. 32nd Pl.
**Description:** Addition to an accessory structure

### 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](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

3. A COPY OF A “RECORD SEARCH” **[X] IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE “RECORD SEARCH” ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)
1. **Section 45.030-A.2: Accessory Building Size, RS-2, RS-3, RS-4, RS-5 and RM Districts**

In RS-2, RS-3, RS-4, RS-5 and RM zoned lots used for detached houses or duplexes, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, and accessory buildings not erected as an integral part of the principal residential building may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater.

**Review comments:** The proposed and existing accessory structures will have a combined square footage of 1,239 square feet. The square footage of the principal residential building is 2,809 square feet. The maximum allowable floor area of accessory buildings is 1,124 square feet (2,809 square feet x 40%) for this lot. You may seek a variance from the Board of Adjustment (BOA) to allow the floor area of all detached accessory buildings on this RS-2 zoned lot to exceed 40% of the floor area of the principal residential structure.

2. **Section 90.090-C.2.a.1**

Detached accessory buildings, including Accessory Dwelling Units, may be located in rear setbacks 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.

**Review Comment:** The proposed detached structure will have a height over 10’ to the top of the top plate. You may revise the plans to show 10’ or less to the top of the top plate, or you may apply for a variance from the Board of Adjustment to have a detached accessory building in the rear setback over 10’ in height to the top of the top plate.

3. **Section 90.090-C.2.a.2**

Detached accessory buildings, including Accessory Dwelling Units, may be located in rear setbacks provided that: (2) Building coverage in the rear setback does not exceed the maximum limits established in Table 90-2:

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Maximum Coverage of Rear Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>RS-1 and RE Districts</td>
<td>20%</td>
</tr>
<tr>
<td>RS-2 District</td>
<td>25%</td>
</tr>
<tr>
<td>RS-3, RS-4, RS-5 and RD Districts</td>
<td>30%</td>
</tr>
<tr>
<td>RM zoned Lots Used for Detached Houses or Duplexes</td>
<td>30%</td>
</tr>
</tbody>
</table>

**Review Comment:** The proposed pool house and existing detached garage will exceed 25% of coverage for accessory buildings in a rear setback for this RS-2 lot. This lot has a 2,500 square foot rear setback area (100’ lot width x 25’ rear setback); the setback may have a building coverage of 625 square feet. The proposed and existing detached structures will cover 927 square feet of the rear setback. You may revise the site and building plans so that the aggregate coverage of accessory buildings in the rear setback does not exceed 25%, or you may pursue a variance from the BOA to exceed the allowed coverage of detached accessory buildings in the rear setback.
The zoning clearance review for your permit application will resume after revised plans and/or BOA approval documents are submitted. Please note that additional deficiencies may be found and will need to be resolved prior to approval of your application.

Note: Please direct all questions concerning variances, special exceptions, alternative landscape plans, alternative compliance parking ratios 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.

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.

Please Notify Plans Examiner By Email When You Have Submitted A Revision. If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online.

**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.
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9320  
CZM: 47  
CD: 9  
HEARING DATE: 07/12/2022 1:00 PM (Continued from 6/28/2022)  

APPLICANT: Kory Myers  
ACTION REQUESTED: Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)  
LOCATION: 3144 E 33 ST S  
ZONED: RS-1  
PRESEN USE: Single Family Residential  
TRACT SIZE: 20020.26 SQ FT  
LEGAL DESCRIPTION: LT 6 BLK 6, RANCH ACRES RESUB L5-12 B5 & L4-6 B6,  
RELEVANT PREVIOUS ACTIONS: None.  
RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an “Existing Neighborhood” and an “Area of Stability”.  
An Existing Neighborhood is intended to preserve and enhance Tulsa’s existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code.  
The Areas of Stability include approximately 75% of the city’s total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.  
ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SW/c of E. 33rd St. S. and S. Florence Pl.  
STAFF COMMENTS: The applicant is requesting Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)
Applicant is proposing to increase the permitted driveway width from 30-feet inside the street setback to 35-feet and 2-inches.

**SAMPLE MOTION:** Move to _________ (approve/deny) a **Special Exception** to increase the permitted driveway width in a Residential District (Section 55.090-F.3)

- 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.
I live at 3408 S. Gary Ave. and regularly walk and drive the streets of Ranch Acres, a nationally registered historical neighborhood. With respect to the proposed special exception increasing the driveway width at 3144 E 33rd St., I am not opposed to that specific change per se. However, I do find the proposed addition that necessitates the increased driveway width to be objectionable. This is because it departs significantly from the 1 to 1-1/2 story normative facade in Ranch Acres. The National Register of Historic Places describes Ranch Acres homes “with their long, horizontal and ground hugging nature”. The current home, built in 1955, is typical of Ranch Acres structures of the historical “period of significance”. In contrast, the proposed 2 story addition is boldly atypical. It appears to loom over the site in the architectural renderings and is, arguably, an overreach as it will vertically add at least one third more space to the existing 3850 sq.ft. sprawl. While the planning code does not codify design esthetics, requirements therein are essential to prevent overbuilding of a residential lot. This is a case where that logic should apply. The relief requested by the applicant is innocuous, in and of itself. What it ultimately permits is not.

Thomas Carson
3408 S. Gary Ave.
Tulsa, 74105
ANALYSIS OF SURROUNDING AREA: The subject tract is located on a partial cul-de-sac along E. Pine Pl. The subject lot is an irregular pie-shaped lot containing non-uniform side lot line lengths.

STATEMENT OF HARDSHIP: None given at the time of this report.

STAFF COMMENTS: The applicant is requesting a Variance to reduce the required 20-foot rear setback in the RS-3 District (Sec. 5.030-A, Table 5-3)
The applicant is seeking to reduce the rear setback from 20-feet to 15-feet and 4-inches.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Variance to reduce the required 20-foot rear setback in the RS-3 District (Sec. 5.030-A, Table 5-3)

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

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

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

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

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

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

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

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

g. *That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.”*
Subject Property
5.5
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.  BLDR-116944-2022  523 E Pine Pl N  May 17, 2022

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 office 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. 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: The proposed sunroom addition requires a 20 foot setback from the rear property line in an RS-3 zoning district. You may increase the sunroom addition setback to 20 feet from the rear P/L or pursue a variance from the BOA (INCOG) to reduce to reduce the rear setback in an RS-3 zoning district from 20 feet to 15 feet.

Please notify the reviewer via email when your revisions have been submitted

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.
NOTE: Builder/Contractor shall flush all existing utility lines and install fresh lines in accordance required for positive drainage of new adjacent to new and existing slab and foundation.

NOTE: Builder/Contractor shall mock existing house with new house and locate any and all utility lines on the lot before digging to a requirement to maintain utility from house for all workers on site.

NOTE: Builder/Contractor shall flush all existing utility lines and install fresh lines in accordance required for positive drainage of new adjacent to new and existing slab and foundation.

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NOTE: Builder/Contractor shall mock existing house with new house and locate any and all utility lines on the lot before digging to a requirement to maintain utility from house for all workers on site.
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021

Subject Tract

BOA-23383

20-12 25

5.8
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9305
CZM: 37
CD: 3
HEARING DATE: 07/12/2022 1:00 PM

APPLICANT: Laura Hasbun

ACTION REQUESTED: Special Exception to permit Low-impact Medical Marijuana Processing (Low-impact Manufacturing & Industry Use) in the CH District (Sec. 15.020, Table 15-2)

LOCATION: 3216 E ADMIRAL PL N
ZONED: CH

PRESENT USE: Medical Marijuana Cultivation
TRACT SIZE: 15372.39 SQ FT

LEGAL DESCRIPTION: ALL LTS 3 4 & W25 LT 5 BLK 1, UNIVERSITY PARK

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-23095: On 03.31.21 the Board approved a Special Exception to permit a medical marijuana cultivation (Horticulture Nursery Use) in the CH district.

Surrounding properties:

BOA-23090: On 03.09.21 the Board approved a Special Exception to permit medical marijuana cultivation (Agricultural/Horticulture Nursery Use) in the CH district. Property located 2880 E. Admiral Pl. N.

Z-7516: On 12.09.19 the TMAPC recommended approval of a re-zoning from CH to IL with an Optional Development plan to permit medical marijuana cultivation and low-impact processing of medical marijuana. City Council approved the re-zoning on 02.16.20. Property located West of the SW/c of E. Admiral Pl. and N. Harvard Ave.

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”.

Mixed-Use Corridors are Tulsa’s modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors 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. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.
ANALYSIS OF SURROUNDING AREA: The subject tract is located on the southside of Admiral Pl. between N. Gary and Harvard Avenues; it contains HVAC, auto repair, and medical marijuana cultivation businesses.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit Low-impact Medical Marijuana Processing (Low-impact Manufacturing & Industry Use) in the CH District (Sec. 15.020, Table 15-2)

Medical marijuana uses are subject to the following supplemental regulations:

Section 40.225 Medical Marijuana Uses
The supplemental use regulation of this section apply to medical marijuana uses.

40.225-A A medical marijuana grower operation must be located inside an enclosed building.
40.225-B A medical marijuana processing facility, whether moderate impact or high-impact, must be located inside an enclosed building.
40.225-C A medical marijuana dispensary must be located inside an enclosed building.
40.225-D A medical marijuana dispensary may not be located within 1,000 feet of another medical marijuana dispensary.
40.225-E Drive-through windows and drive-through lanes are prohibited for medical marijuana grower operations, processing facilities, and research facilities.
40.225-F Medical marijuana grower operations, processing facilities and dispensaries must provide the following:
   1. A ventilation/air filtration system that prevents odor from being detectable at the boundaries of the lot within which the building housing the medical marijuana grower operation, processing facility or dispensary is located, except that if such use is located in multiple-tenant building, the ventilation/air filtration system must prevent odor from being detectable outside the tenant space housing the use.
   2. An electronic security system and surveillance camera.

40.225-G Medical marijuana grower operations, processing facilities, dispensaries and research facilities must be conducted and maintained in compliance with the license issues by the Oklahoma State Department of Health and in compliance with Oklahoma law, including but not limited to all applicable statutes, rules and regulations.
SAMPLE MOTION: Move to ________ (approve/deny) a Special Exception to permit Low-impact Medical Marijuana Processing (Low-impact Manufacturing & Industry Use) in the CH District (Sec. 15.020, Table 15-2)

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.

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

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Subject Property
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; for the following property:

LT 467 BK 2; LT 468 BK 2; LT 469 BK 2, RODGERS HGTS SUB, City of Tulsa, Tulsa County, State of Oklahoma

23095—Alfredo Perez

Action Requested:
Special Exception to permit medical marijuana cultivation (Agricultural/Horticulture Nursery Use) in the CH District (Section 15.020, Table 15-2). LOCATION: 3216 East Admiral Place North (CD 3)

Presentation:
Anthony Rodriguez, 1314 East 35th Place, Tulsa, OK; stated there will be carbon filters, security cameras and motion sensors. There will be no street signage to indicate that this is a cultivation operation. There will be no foot traffic. After the cultivation is harvested and dried the product will be taken to the dispensaries to be sold.

Mr. Bond asked Mr. Rodriguez if he had spoken with the neighbors. Mr. Rodrigues stated that he did speak with one of the neighbors and she in attendance today.

Mr. Van De Wiele asked Mr. Rodriguez if his entire operation is intended to be on the second floor, using page 4.16 as a guide. Mr. Rodriguez answered affirmatively. Mr. Van De Wiele if the operation on the first floor will continue as it currently is. Mr. Rodriguez answered affirmatively.
Mr. Brown asked Mr. Rodriguez where he would be accepting deliveries. Mr. Rodriguez stated that once the plant is harvested there will be a transportation vehicle that will transport the product to a dispensary.

Ms. Shelton asked Mr. Rodriguez if the parking designated on the plan 4.15 and 4.16 serves the entire building. Mr. Rodriguez answered affirmatively stating there is an auto mechanic in the same strip and they also utilize the parking spaces.

Ms. Shelton asked Mr. Rodriguez how many people will on his staff and if they too will be utilizing the same parking area. Mr. Rodriguez stated he has two employees, maybe a maximum of three for the parking area.

Interested Parties:
Crystal Hale, 3211 East Admiral Boulevard, Tulsa, OK; stated she lives south of the subject property. Ms. Hale stated that after speaking with the applicant she is fine with the proposal, especially since there is not going to be any signage or foot traffic.

Comments and Questions:
None.

Board Action:
On MOTION of SHELTON, the Board voted 5-0-0 (Bond, Brown, Radney, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; none absent) to APPROVE the request for a Special Exception to permit medical marijuana cultivation (Agricultural/Horticulture Nursery Use) in the CH District (Section 15.020, Table 15-2), subject to conceptual plans 4.15 and 4.16 in the agenda packet. The proposed tenant is to use the appropriate air filtration systems to prevent, as much as possible, aromas outside of the building. There is to be no exterior signage tied to the Special Exception use. 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; for the following property:

ALL LTS 3 4 & W25 LT 5 BLK 1, UNIVERSITY PARK, City of Tulsa, Tulsa County, State of Oklahoma

23096—Eller & Detrich – Lou Reynolds

Action Requested:
Special Exception to increase the permitted driveway width (Section 55.090-F.3).
LOCATION: 4647 South Columbia Place East (CD 9)

Presentation:
Nathalie Cornett, Eller & Detrich, 2727 East 21st Street, Tulsa, OK; stated the subject property is a corner lot, the corner of Columbia Place and 47th Street. This is a newly constructed residence, and the front of the house is oriented toward Columbia Place and
8. **Z-7516 Justin Moura** (CD 3) Location: West of the southwest corner of East Admiral Place and North Harvard Avenue requesting rezoning from CH to IL **with optional development plan** to permit a medical marijuana growing facility and low-impact processing

**STAFF RECOMMENDATION:**

**SECTION I: Z-7516**

**DEVELOPMENT CONCEPT:** The applicant is proposing to rezone from CH to IL with an Optional Development Plan to permit a Medical Marijuana Growing and processing facility. The site currently houses a commercial kitchen for a catering company, which would remain, if rezoning is approved. The intent is to use the three existing buildings on the site for the various functions of growing and processing medical marijuana, including office, grow and processing while also maintaining the existing commercial kitchen for both catering and medical marijuana related uses. The applicant may encounter issues with setbacks if the site is ever redeveloped as IL zoning requires a 75 ft building setback from R zoned districts. This would require the applicant to conform to those setbacks or seek a variance of those requirements from the Board of Adjustment if they could not be met.

**DETAILED STAFF RECOMMENDATION:**

Z-7516 is requesting IL zoning with an optional development plan as outlined in Section II below. That zoning classification is intended to provide areas suitable for manufacturing, wholesaling, warehousing and other industrial activities that have few if any adverse land use or environmental impacts. IL zoning without the optional development plan would have negative impacts on the surrounding properties and would not be supported and,

Z-7516 is consistent with the anticipated future development pattern of the surrounding property;

Many uses allowed in an IL zoning district are not consistent with the Mixed-Use Corridor land use designation of the Comprehensive Plan however the development plan outlined below only allows light industrial uses related to medical marijuana processing and horticultural nursery. All commercial uses normally associated with a Mixed-Use Corridor included in the allowed uses in the development plan, therefore;
Staff recommends Approval of Z-7516 to rezone property from CH to IL with the provisions of the optional development plan outlined in Section II.

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS:

General Provisions:
All district use regulations, supplemental regulations, building types, lot and building regulations, along with other relevant regulations shall conform to the provisions of the City of Tulsa Zoning Code for development in an IL zoning district except as further limited below.

Permitted Use Category:

A) Residential
   Household Living
      Single Household
      Two Households on a single lot
      Three or more households on a single lot

B) Public, Civic and Institutional
   Safety Service
   Utilities and Public Service Facility (minor)
   Wireless Communication Facility (includes all permitted specific uses)

C) Commercial
   Animal Service (includes all permitted specific uses)
   Broadcast or Recording Studio
   Commercial Service (includes all permitted specific uses)
   Financial Services (includes all permitted specific uses)
   Funeral or Mortuary Service
   Office (includes all permitted specific uses)
   Parking, Non-Accessory
   Restaurants and Bars
      Restaurants (Bars allowed as an accessory use)
   Retail Sales (includes all permitted specific uses)
   Self-Service Storage Facility
   Studio, Artist or Institutional Service
   Trade School
   Vehicle Sales and Service
      Commercial Vehicle repair and maintenance
      Commercial sales and rentals
      Fueling Station
      Personal Vehicle sales and rental
      Vehicle part and supply sales
      Vehicle body and paint finishing shop
D) Industrial
   Low-Impact Manufacturing & Industry – Only allowing production of medical marijuana edibles using medical marijuana components processed elsewhere.

E) Recycling
   Consumer Material Drop-off Station

F) Agricultural
   Community Garden
   Farm, Market or Community-supported
   Horticulture Nursery

G) Other
   Drive-in or drive-through facility

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

**Staff Summary:** The subject lot is located within a Mixed-Use Corridor and an Area of Growth. It is also located within the Kendall-Whittier Sector Plan area which calls for the subject lot and surrounding area along Admiral PI between College Ave and Harvard Ave to be a Mixed-Use Corridor.

**Land Use Vision:**

**Land Use Plan map designation:** Mixed-Use Corridor

Mixed-Use Corridors are Tulsa’s modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors 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. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

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

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit and automobile.

**Transportation Vision:**

**Major Street and Highway Plan:** E Admiral PI is classified as a Residential Collector in the area near the subject lot. E Admiral PI becomes a Secondary Arterial approximately 900 feet to the east of the lot.

**Trail System Master Plan Considerations:** None

**Small Area Plan:** Kendall-Whittier Sector Plan (adopted November 2016)

The sector plan calls for the subject lot and the surrounding area along Admiral PI to be a Mixed-Use Corridor and states that these areas include a variety of non-residential uses, such as retail, restaurants and offices. However, some industrial uses may be appropriate as well, assuming they minimize the impacts on surrounding development and the overall character of the corridor.

**Special District Considerations:** The lot is located within the Route 66 Overlay, which permits special signage allowances and does not affect the uses of the lots themselves.

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The site currently contains a catering company and multiple existing commercial buildings.
Environmental Considerations: None

Streets:

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<th>MSHP R/W</th>
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Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

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<th>Location</th>
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<th>Existing Land Use Designation</th>
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</table>

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11815 dated June 26, 1970 established zoning for the subject property.

Subject Property:

No Relevant History.

Surrounding Property:

PUD-594 September 1998: All concurred in approval of a proposed Planned Unit Development on a 1.68+ acre tract of land for on property located northwest corner of South Harvard Avenue and East Admiral Place.

BOA-06354 May 1969: The Board of Adjustment approved a Variance to permit the operation of a light industrial machine shop, on property located at 16 N. College.
TMAPC Comments:
Mr. Reeds stated a couple meetings ago Planning Commission had a similar case further north where the applicant tried to do IL zoning in an existing residential zone. He stated this application is in commercial with the optional develop plan so he is okay with designating this an IL in a commercial zone as opposed to trying to do an optional development for IL in a residential zone.

Mr. Covey stated his takeaway from the last case was that staff didn't have an optional development plan and staff said that even with an optional development plan it wouldn't help. He stated this current application before Planning Commission as Mr. Reeds pointed out is in a CH District which is different than residential and it has an optional development plan attached.

Staff stated the previous application had a different existing business character than what this particular location is even if all you do is just look at the map then there are some similarities but one big difference is the land use designation on this particular side is not an existing neighborhood and it abuts Martin Luther King Expressway.

Ms. Kimbrel stated the land use designation for this application is Mixed-Use corridor and the Stability and Growth Designation is Area of Growth and it seems like last time it was in RS-3 and it was an existing neighborhood. She stated she thinks those types of distinctions are important when thinking about the future land use and how to be consistent with this option development plan.

Mr. Ritchey stated he appreciates the efforts to have these optional development plans he thinks it almost creates a new zoning category because it is so low impact to have these grow operations because they really can't go in a lot of different places. He stated it is important what the land use designations are and neighbors coming to be actively involved. Mr. Ritchey stated he thinks the application before Planning Commission today is clearly different than the one, they had a few weeks ago and he is in full support of approving this plan. He asked staff procedurally what happens when a parcel of land gets rezoned to IL with optional development and 10 years from now that parcel of land is sold and the next person doesn't want to do any of these agricultural uses what happens to the land.

Staff stated there are options to change that development plan but if you're changing the use of the site it would be considered a new rezoning. He stated every application staff has tried to make sure that if that grow operation whether it's marijuana or tomatoes in that development plan are consistent with that original CH zoning. Staff stated they are hopeful that not many of those will come back and ask to rezone.
The applicant indicated his agreement with staff’s recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:
On MOTION of FOTHERGILL, TMAPC voted 9-0-0 (Covey, Fothergill, Kimbrel, McArtor, Ray, Ritchey, Shivel, Van Cleave, Walker, “aye”; no “nays”; none “abstaining”; Doctor, Reeds, “absent”) to recommend APPROVAL of IL rezoning with an optional development plan for Z-7516 per staff recommendation.

Legal Description for Z-7516:
LTS 7-8-9-10 BLK 2, UNIVERSITY PARK, City of Tulsa, Tulsa County, State of Oklahoma

*************************

9. Z-7517 Tulsa Habitat for Humanity, INC (CD 5) Location: West of the southwest corner of East 31st Street South and South Sheridan Avenue requesting rezoning from RS-3 to RS-4 to permit single family housing

STAFF RECOMMENDATION:
SECTION I: Z-7517

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from RS-3 to RS-4 in order to permit single-family homes on lots that are smaller than the currently existing RS-3 zone. RS-3 zones require 6,900 sf per single-family detached house and a minimum lot width of 75 Feet. RS-4 would require 5,500 sf per single-family detached house and a minimum lot width of 50 Feet. This would be a minor increase in density over the current zoning of the subject lot and would be compatible with existing homes in the vicinity of the subject lot.

DETAILED STAFF RECOMMENDATION:

Z-7517 requesting RS-4 zoning allows single family residential uses that are compatible with the surrounding properties;

Lot and building regulations in a RS-4 district allow a greater density than the abutting RS-3 zoned properties however RS-4 zoning is consistent with the anticipated future development pattern of the surrounding property;

RS-4 zoning is consistent with the Existing Neighborhood land use designation of the Comprehensive Plan, therefore;
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; for the following property:

LT 26 BLK 1; S/2 LT 1 & 2 BLK 1; LT 25 BLK 1, LINDELL PARK, City of Tulsa, Tulsa County, State of Oklahoma

Ms. Shelton re-entered the meeting at 3:20 P.M.

23090—Dustin Justice

**Action Requested:** Special Exception to permit a medical marijuana grower operation (Agricultural/Horticulture Nursery Use) in the CH District (Section 15.020, Table 15-2). **LOCATION:** 2880 East Admiral Place North (CD 3)

**Presentation:**
Dustin Justice, 11701 East 83rd Place North, Owasso, OK; stated this building has every piece of red tape on it that the City could place on it, the building is a detriment to the community. He would like to remodel the building and change the curb appeal. The building is a 1930s style.

Mr. Brown asked Mr. Justice if he would be using the entire building. Mr. Justice stated that he is not sure. The building is 8,000 square feet and the plan is to start using 3,200 square feet and build out from there. The building itself is separated into five separate spaces and he is hoping to have other business lease sections.

Mr. Bond asked Mr. Justice what is located on the north side of the building across Admiral. Mr. Justice stated there is an empty lot and a frame straightening shop. Mr. Justice stated that he has approached every business owner with the exception of the accountant because he has not been able to catch him in the office.

Ms. Radney asked Mr. Justice if he was inside the Route 66 overlay. Mr. Justice stated that he did not know.
Ms. Shelton asked Mr. Justice what improvements he had planned for the building. Mr. Justice stated the bones of the building are good, but he will be remodeling the entire inside of the building. He currently is cleaning out the building with a power washer because there are heroin needles and human feces in the building. He has no plans to install windows due to the security factor. He wants to be proud of the building.

Ms. Shelton asked Mr. Justice about parking for the property. Mr. Justice stated that it is street parking and the parking that is shown west of the building is actually a drive that goes toward a garage and a storage building.

Mr. Bond asked if there was a residence immediately to the west of the subject property. Mr. Justice it is an accounting office that is in a former house.

Mr. Brown asked Mr. Justice where the building entrance will be located. Mr. Justice stated that it will be off North College. Mr. Brown asked where the delivery entrance will be located. Mr. Justice stated the delivery entrance can be accessed through the garage doors in the rear.

Interested Parties:
There were no interested parties present.

Comments and Questions:
Ms. Radney encouraged Mr. Justice to contact the Route 66 Commission so he will have a good understanding of what their expectations are as they are working to restore Route 66.

Board Action:
On MOTION of SHELTON, the Board voted 3-0-2 (Brown, Bond, Van De Wiele "aye"; no "nays"; Radney, Shelton "abstentions"; none absent) to APPROVE the Special Exception to permit a medical marijuana grower operation (Agricultural/Horticulture Nursery Use) in the CH District (Section 15.020, Table 15-2), subject to conceptual plan 7.8 of the agenda packet. The existing building is to be retained with improvements to the building. 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; for the following property:

LT 20 & LT 21 LESS 20 X 20 IN SWC & LESS S7 E45 BLK 3, UNIVERSITY PARK, City of Tulsa, Tulsa County, State of Oklahoma

*************

OTHER BUSINESS
None.

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

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2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
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3. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

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(continued)
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, 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 a representative at the Tulsa Planning Office 918-584-7526 or esubmit@incog.org. It is your responsibility to submit to our office documentation of any appeal decisions by an authorized decision-making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

Sec.15.020 Table 15-1: You are proposing a Low-impact Medical Marijuana Processing Facility in which the preparation, manufacture, processing or packaging of medical marijuana products by the holder of a medical marijuana processor license issued by the Oklahoma State Department of Health is conducted, in accordance with the terms of such license, and in which extraction processes are limited to pre-rolls and edibles. It is in a CH zoning district.

Review comment: A Low-impact Medical Marijuana Processing Facility use requires an approved BOA Special Exception to be in an CH district. Submit a copy of the approved BOA Special Exception as a revision to this application. Contact INCOG/Tulsa Planning Office at 918-584-7526 for further instruction and next steps.

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code: http://tulsaplanning.org/plans/TulsaZoningCode.pdf

Please notify the reviewer via email when your revisions have been submitted.

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.
THERE ARE NO GROW HOUSES OR DISPENSARIES WITHIN 1000'
THERE ARE NO CHURCHES OR SCHOOLS WITHIN 500'
This design was evaluated using a load design method other than the Limit States Design Method (e.g., Working Stress Design Method). For jurisdictions employing the Limit States Design Method, such as Canada, a load resistance factor shall be used as 1.0 for the design load, and the resistance factors from the Limit States Design Method shall be used to determine the resistance of the structural members. In jurisdictions employing the Limit States Design Method, the following limits shall be used:

- For ultimate limit state:
  - Material properties: 1.0
  - Load effects: 1.0
- For serviceability limit state:
  - Material properties: 1.0
  - Load effects: 1.0

When designing for seismic loads, the seismic forces and effects shall be determined in accordance with the provisions of the applicable codes and standards. The designer shall verify that the design seismic forces and effects are consistent with the requirements of the codes and standards.

For wind loads, the wind forces and effects shall be determined in accordance with the provisions of the applicable codes and standards. The designer shall verify that the design wind forces and effects are consistent with the requirements of the codes and standards.

For snow loads, the snow forces and effects shall be determined in accordance with the provisions of the applicable codes and standards. The designer shall verify that the design snow forces and effects are consistent with the requirements of the codes and standards.

For thermal loads, the thermal forces and effects shall be determined in accordance with the provisions of the applicable codes and standards. The designer shall verify that the design thermal forces and effects are consistent with the requirements of the codes and standards.

For seismic, wind, snow, and thermal loads, the designer shall verify that the design loads are consistent with the requirements of the codes and standards for the specific project location.
BOA-23384

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

Aerial Photo Date: 2020/2021

19-13 05

6.20
BOARD OF ADJUSTMENT
CASE REPORT

STR: 0432  Case Number: BOA-23385
CZM: 31
CD: 3

HEARING DATE: 07/12/2022 1:00 PM

APPLICANT: Bija Investments, LLC

ACTION REQUESTED: Special Exception to permit Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL district (Sec. 15.020, Table 15-2)

LOCATION: 1247 N GARNETT RD E  ZONED: IL, OL
PRESENT USE: Industrial  TRACT SIZE: 253064.03 SQ FT

LEGAL DESCRIPTION: LT 1 LESS W17 THEREOF & 20 VAC 117 AVE ADJ ON E, COOLEY’S SUB,

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-17029; On 05.09.95 the Board approved a variance to reduce the setback for industrial zoned properties from Residential properties from 75-feet to 49.5-feet.

Surrounding Properties: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an “Employment” Land Use designation and an “Area of Growth”.

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity. Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located on the East side of N. Garnett immediately East of the intersection of N. Garnett and E. Newton St. The property is split zoned between OL and IL. The proposed use would be limited to the IL zoned portion of the property. The property abuts a RS-3 zoned subdivision to the North.
STAFF COMMENTS: The applicant is requesting a Special Exception to permit Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL district (Sec. 15.020, Table 15-2)

Moderate-impact Processing is defined as follows:

2. Moderate-impact Medical Marijuana Processing Facility
An establishment in which the preparation, manufacture, processing or packaging of medical marijuana products by the holder of a medical marijuana processor license issued by the Oklahoma State Department of Health is conducted, in accordance with the terms of such license, and in which extraction processes are limited to use of non-flammable substances such as carbon dioxide, and to food-based and water-based extraction.

Medical Marijuana Uses are subject to the following supplemental regulations:

Section 40.225 Medical Marijuana Uses
The supplemental use regulation of this section apply to medical marijuana uses.

40.225-A A medical marijuana grower operation must be located inside an enclosed building.
40.225-B A medical marijuana processing facility, whether moderate-impact or high-impact, must be located inside an enclosed building.
40.225-C A medical marijuana dispensary must be located inside an enclosed building.
40.225-D A medical marijuana dispensary may not be located within 1,000 feet of another medical marijuana dispensary.
40.225-E Drive-through windows and drive-through lanes are prohibited for medical marijuana grower operations, processing facilities, and research facilities.
40.225-F Medical marijuana grower operations, processing facilities and dispensaries must provide the following:
1. A ventilation/air filtration system that prevents odor from being detectable at the boundaries of the lot within which the building housing the medical marijuana grower operation, processing facility or dispensary is located, except that if such use is located in multiple-tenant building, the ventilation/air filtration system must prevent odor from being detectable outside the tenant space housing the use.
2. An electronic security system and surveillance camera.

40.225-G Medical marijuana grower operations, processing facilities, dispensaries and research facilities must be conducted and maintained in compliance with the license issues by the Oklahoma State Department of Health and in compliance with Oklahoma law, including but not limited to all applicable statutes, rules and regulations.

Per the plans submitted the processing would take place in the NE/c of the building located closest the East lot line.
SAMPLE MOTION: Move to _________ (approve/deny) a Special Exception to permit a Moderate-impact Medical Marijuana Processing (Moderate-impact Manufacturing and Industry) Use in the IL District (Sec. 15.020, Table 15-2)

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.

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

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Subject property
Case No. 17027 (continued)

Comments and Questions:
Mr. Bolzle asked if the porch will be enclosed and Ms. Brown replied that it will remain open.

Protestants:
None.

Board Action:
On MOTION of BOLZLE, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to APPROVE a Variance of the required setback from Lakewood Avenue from 50’ to 44.5’ to permit an existing porch - SECTION 403.A. - BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS - Use Unit 6; per plan submitted; subject to the porch remaining unenclosed; finding that the structure in question aligns with other dwellings on the street; and finding that approval of the request will not cause substantial detriment to the public good, or violate the spirit, purpose or intent of the Code; on the following described property:

Lot 5, Block 2, Gleason Village Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 17029

Action Requested:
Variance of required setback from an abutting R District from 75’ to 49.5’ from the south property line - SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS - Use Unit 25, located 1300 North Garnett Road.

Presentation:
The applicant, Carolyn Browning, PO Box 691966, was represented by Jake Floyd, 2909 East 29th Street, who submitted a plot plan (Exhibit J-2) and requested permission to construct the proposed building 25’ farther south and add a detention pond to improve drainage in the area. He pointed out that the location of the structure to the south would move the building farther from the residential area.

Comments and Questions:
Mr. Gardner advised that Mr. Floyd has stated that his reason for requesting permission to move the building 25’ farther south is to allow sufficient space to create a detention pond in the parking lot and alleviate the drainage problem.

In reply to Mr. Jackere, Mr. Floyd stated that one small corner of the property is zoned OL.
Case No. 17029 (continued)
Ms. Abbott asked if Stormwater Management has made a recommendation concerning the proposed construction, and Mr. Floyd replied that a drainage plan is being considered at this time, but it has not been submitted to Stormwater Management.

Protestants:
Mr. Doverspike informed that the Board has received letters of protest (Exhibit J-3) from nearby residents.

Charles Allen, 11350 East Newton Place, stated that he lives to the north of the subject property and is concerned with water problems in the area. He informed that fill-dirt has been hauled in to elevate the property and this has caused additional water run-off in the neighborhood.

Rebecca Kirby, 11316 East Newton Place, resident to the north of the property in question, stated that water drainage has become a major problem around her home. She pointed out that additional construction on the subject tract would result in more flooding in the area. Ms. Kirby noted that the property is not properly maintained and tall weeds are growing up to the residential boundary line.

Applicant's Rebuttal:
Mr. Floyd informed that a smaller building can be constructed on the property by right; however, the proposed plan, with a detention facility, will contain run-off water and improve drainage problems in the area.

Additional Comments:
In reply to Mr. Doverspike, Mr. Jackere advised that the Board does not have the jurisdiction to decide that there be no waiver of platting requirements.

Mr. Floyd pointed out that the property owner must comply with Stormwater Management requirements before a building permit will be issued.

Mr. Bolzle remarked that the building, as proposed, will be moved farther from the residential properties than would be required by the Code.

In reply to Ms. Abbott’s concern about drainage problems, Mr. Jackere advised that the applicant could spend a tremendous amount of money on engineering and hydrology studies, and would not have any indication as to whether or not the Board would then approve the variance request.

Ms. Turnbo asked if the subject property is located in a flood zone, and Mr. Gardner advised that the tract is not in a flood zone.
Case No. 17029 (continued)

Mr. Gardner advised that, if inclined to approve the application, the Board could require the installation of a detention facility instead of a fee in lieu of detention, finding that the hardship for the variance is based on the applicant's proposal to build a water detention facility to the north (use parking lot to detain water).

**Board Action:**

On MOTION of BOLZLE, the Board voted 4-1-0 (Bolzle, Doverspike, Turnbo, White, "aye"; Abbott, "nay"; no "abstentions"; none "absent") to APPROVE a Variance of required setback from an abutting R District from 75' to 49.5' from the south property line - SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS - Use Unit 25; per plan submitted; finding that the building will be moved to the south to allow sufficient space to construct a detention pond in accordance with Stormwater Management requirements; finding that the hardship for the request is based on moving the building farther from the residential neighborhood to permit run-off water to be contained on the site; and finding that approval of the request, as presented, will not be detrimental to the neighborhood or violate the spirit, purpose or intent of the Code; on the following described property:

Lot 1 and the north 99' of Lot 2, Cooley's Subdivision, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 17030**

**Action Requested:**

Variance of the required front yard from 65' to 58' to permit the expansion of an existing building - SECTION 903. BULK AND AREA REQUIREMENTS IN THE INDUSTRIAL DISTRICTS - Use Unit 25, located 5953 East 15th Street.

**Presentation:**

The applicant, B. R. Hutson, Inc., 10842 East Newton Place, was represented by Dana Hutson, who submitted a plot plan (Exhibit K-1) and informed that Yale Cleaners is proposing an expansion of the existing building. He stated that a creek to the rear of the property limits construction in that area.

**Comments and Questions:**

Mr. Doverspike asked if the cleaners is proposing two additions, and Mr. Hutson answered in the affirmative.

In response to Mr. Doverspike, Mr. Hutson stated that industrial development is to the east and west of the subject property.

**Protestants:**

None.
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Review comment: A Moderate-impact Medical Marijuana Processing Facility use requires an approved BOA Special Exception to be in an IL district. Submit a copy of the approved BOA Special Exception as a revision to this application.

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code: http://tulsaplanning.org/plans/TulsaZoningCode.pdf

Please notify the reviewer via email when your revisions have been submitted

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A hard copy of this letter is available upon request by the applicant.
The City of Tulsa Building Code requires that this set of approved plans shall be kept at the building site, open to inspection of the Building Official or His authorized representative at all reasonable times. Plans are generally approved for issuance of a Building Permit. This approval does not constitute a waiver of any provision of the Building Code, nor should it be construed that this approval constitutes a certification that all details shown are in compliance with the Code.

Notice to the Owner or Responsible Party
These plans have not been reviewed for compliance with the Federal requirements of the Fair Housing Amendments Act of 1988 and the Americans with Disabilities Act of 1990. Please be advised that the owners of this property may be liable for compliance with the above noted Federal Legislation.

Documents have not been reviewed for compliance with all aspects of electrical, mechanical, plumbing or elevator codes.

City of Tulsa
Office of the Building Inspector

Plans are generally approved for issuance of a Building Permit. This Approval does not constitute a waiver of any provision of the Building Code, nor should it be construed that this approval constitutes a certification that all Details shown are in compliance with the Code.
THE CITY OF TULSA BUILDING CODE REQUIRES THAT THIS SET OF APPROVED PLANS SHALL BE KEPT AT THE BUILDING SITE, OPEN TO INSPECTIONS OF THE BUILDING OFFICIAL OR HIS AUTHORIZED REPRESENTATIVE AT ALL REASONABLE TIMES.
---

**BOARD OF ADJUSTMENT**  
**CASE REPORT**

**STR:** 9327  
**CZM:** 48  
**CD:** 5

**HEARING DATE:** 07/12/2022 1:00 PM

**APPLICANT:** Precision Sign & Design

**ACTION REQUESTED:** Variance to allow more than one sign per street frontage in the OM District (Sec. 60.060-B.1); Variance to increase the maximum allowable sign area in the OM district (Sec. 60.060-C)

**LOCATION:** 5151 E 51 ST S  
**ZONED:** OM

**PRESENT USE:** Meels on Wheels Distribution  
**TRACT SIZE:** 130678.53 SQ FT

**LEGAL DESCRIPTION:** PRT LT 1 BEG SWC LT 1 TH N429.10 E304.52 S429.10 W304.57 POB BLK 1, LINCOLN CTR RESUB L1 B1 SE YMCA & L16 CANFIELD SUB

**RELEVANT PREVIOUS ACTIONS:**

Subject property:

**BOA-22915:** On 06.09.20 the Board approved a Special Exception to allow a Public, Civic & Institutional/Governmental Service Use (Headquarters for Meals on Wheels) in an OM District (Sec. 15.020, Table 15-2). The sign regulations and the OM zoning were in place at the time the Special Exception for a Governmental Service Use was approved. Tulsa Planning Office Staff and the City of Tulsa Permit Center Staff did not review any sign plans at time this approval was granted. The Board did not grant any relief related to signage in their approval.

Surrounding properties:

**BOA-5393:** On 4.04.67 the Board approved a Special Exception to permit the YMCA located 5002 S. Fulton Ave. This YMCA is inside a residential zoning district containing similarly restrictive sign allowances as the subject property.

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

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

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.
ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c of E. 51st Street S. and S. Darlington Ave.

STATEMENT OF HARDSHIP: Please see attached statement provided by the applicant.

STAFF COMMENTS: The applicant is requesting a Variance to allow more than one sign per street frontage in the OM District (Sec. 60.060-B.1); and a Variance to increase the maximum allowable sign area in the OM district (Sec. 60.060-C)

60.060-B Signs Allowed
1. In addition to any sign exceptions allowed pursuant to Section 60.030, and any development identification sign allowed pursuant to Section 60.060-B.2, lots in office zoning districts are allowed a maximum of one on-premise sign per street frontage. The allowed on-premise sign may be a wall sign, a projecting sign or a freestanding sign. Roof signs and off-premise outdoor advertising signs are prohibited in office districts.

60.060-C Maximum Area
Signs allowed in the OH district may not exceed 48 square feet in area or 0.50 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may a sign in an OH district exceed 225 square feet in area. Signs allowed in all other O districts may not exceed 32 square feet in area or 0.30 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

The applicant is seeking two signs per street frontage. The maximum allowed display area for the proposed wall sign fronting Darlington is 128.73 square feet and it is proposed at 226 square feet.

The stated hardship explains that the facility size will not be "functionally branded" if the variances are not approved. The applicant should further explain how the building is not "functionally branded" with the "Hardesty Service Center" wall sign on 51st and monument sign on Darlington which the applicant stated they anticipate approval from the City.

SAMPLE MOTION: Move to ________ (approve/deny) a Variance to allow more than one sign per street frontage in the OM District (Sec. 60.060-B.1); and a Variance to increase the maximum allowable sign area in the OM district (Sec. 60.060-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 ________________________________.

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

a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;

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

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

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

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

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

LT 1 BLK 4, OAKNOLL, City of Tulsa, Tulsa County, State of Oklahoma

**22915—John Cannon**

**Action Requested:**
Special Exception to allow a Public, Civic & Institutional/Governmental Service Use (Headquarters for Meals on Wheels) in an OM District (Section 15.020, Table 15-2). **LOCATION:** 5151 East 51st Street South (CD 5)

**Presentation:**
James Weger, Jones Gotcher, 15 East 5th Street, Suite 3800, Tulsa, OK; stated he represents Meals on Wheels. Meals on Wheels is building a new corporate headquarters located at 51st and Darlington. In the building there will be offices and a large commercial kitchen. Meals will be prepared at this site and then delivered to various pick-up sites around the city. There will be some truck traffic bringing food in and out; these are mostly panel trucks. Mr. Weger stated that he has reached out to the neighbors and the neighbors are in favor of this request.

**Interested Parties:**
There were no interested parties present.

**Comments and Questions:**
Mr. Van De Wiele stated that one of his law partners is on the capital campaign for Meals on Wheels, and for that reason he will abstain from the vote. Mr. Van De Wiele stated that it would not have impacted his decision but in an abundance of caution he will abstain from voting.

**Board Action:**
On MOTION of BOND, the Board voted 4-0-1 (Bond, Radney, Ross, Shelton "aye"; no "nays"; Van De Wiele "abstaining"; none absent) to APPROVE the request for a Special Exception to allow a Public, Civic & Institutional/Governmental Service Use (Headquarters for Meals on Wheels) in an OM District (Section 15.020, Table 15-2), subject to the conceptual plans 30.10 through 30.24 of the agenda packet. 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; for the following property:

LT 1 BLK 1, LINCOLN CTR RESUB L1 B1 SE YMCA & L16 CANFIELD SUB, CANFIELD SUB, L7-10 & E/2 L11-12 CANFIELD SUB, City of Tulsa, Tulsa County, State of Oklahoma

06/09/2020-1252 (46)
Action Requested: Exception under the provisions of Section 8 (e) to permit erection of duplex and a variance under the provisions of Section 23 to allow construction on lot area of 8,280 square feet at the NW corner of 56th Street & Quincy, zoned U-1C.

Presentation: D.C. Dickson, applicant, was present.

Protests: None.

Remarks: Mr. Edwards pointed out that there are presently five duplexes existing on the remainder of the tract, although only three have been approved by the Board.

At the suggestion of the Chair, the applicant agreed to amend his application to request approval of six duplexes on Block 5.

Board Action: On MOTION of SUBLETT, the Board of Adjustment (4-0) granted an exception under Section 8 (e) and a variance of Section 8 (e) to permit construction of one duplex on each of the following six tracts:

1. The North 91.26 feet of the West 110 feet of the East 300 feet of Block 5;
June 6, 2022

City of Tulsa Board of Adjustment
2 West 2nd St
Suite 800
Tulsa, OK 74103

Re: Variance Application for Signage at Meals on Wheels Hardesty Service Center

To Whom it May Concern;

As you may be aware, Meals on Wheels Metro Tulsa is building a new ground up 22,500 square foot at 5151 E 51st St (corner of E 51st St and South Darlington). Sign permit applications were made for 2 signs facing Darlington and 2 signs facing E 51st St (See attached for details on sign sizes and placement). However, due to the OM zoning, LODs were issued based on the number of signs per frontage and the size of the "Together We Can Deliver" sign facing Darlington.

In order to expedite signage that is allowable under current OM guidelines, we are currently pursuing and anticipate City of Tulsa approval for the "Hardesty Service Center" building sign on the 51st St elevation and the "Hardesty Service Center" sign on the container facing Darlington Ave.

We respectfully request a variance be issued allowing for 1 additional sign on each frontage. Those signs would be a "Hardesty Service Center" sign on the container facing 51st St and the 226 square foot, non illuminated “Together We Can Deliver” sign on the building facing Darlington.

We would like to state the following hardships created by the signage restrictions in the OM zoning code.
1. Including the recently purchased lot to the north, the property is 4.25 acres. The building, at 22,500 square feet is of substantial size. The Darlington frontage is over 580 linear feet and the 51st St frontage is over 300 linear feet. 1 sign, under 150 SF, per frontage does not allow for a bldg and property of this size to be appropriately branded. Being able to easily locate and navigate to the facility is imperative for volunteers, suppliers and visitors to the site.

2. The previously reviewed and approved use of the property more closely resembles a commercial distribution center. Most distribution centers are commercially zoned and the requested sign package would easily be approved. Additionally, the Board of Adjustment made a prior accommodation for the property use by approving it for "Governmental Service Use" and not strictly office use.

We feel that the size of the property and the approved use of the property justify the requested variance. We hope you see the need as well. The intent is simply to have a functionally branded facility that will represent Meals on Wheels Metro Tulsa as the community asset they are.

Regards,

[Signature]

Steve Ballard
GM/Owner
SIGN PLAN REVIEW

May 21, 2022

LOD Number: 1

Daniel Stephens
Precision Sign and Design
195 S. 122nd Ave E.
Tulsa, OK 74128

APPLICATION NO: SIGN-117858-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 5151 E. 51st St.
Description: Wall Sign

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE
PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL
BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:
1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED
AT 175 EAST 2ND STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601.
THE CITY OF TULSA WILL ASSESS A $55 RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE
PLANS EXAMINERS.

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED
   WITH CLOUDS AND REVISION MARKS.

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

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

(Continued)
REVIEW COMMENTS

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

Application No. SIGN-117858-2022

This letter of deficiencies covers Sign Plan Review items only.

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

1. 60.060-B.1 Signs Allowed
In addition to any sign exceptions allowed pursuant to Section 60.030, and any development identification sign allowed pursuant to Section 60.060-B2, lots in office zoning districts are allowed a maximum of one on-premise sign per street frontage. The allowed on-premise sign may be a wall sign, a projecting sign or a freestanding sign. Roof signs and off-premise outdoor advertising signs are prohibited in office districts.
Review Comments: You are proposing more than one sign per street frontage on this lot which is Office (OM) zoned. You may reduce the number of proposed signs to one for the 51st St. frontage and one for the S. Darlington Ave. frontage; or you may request a variance from the Board of Adjustment to allow an office zoned district to have more than one sign per street frontage.

2. 60.060-C Maximum Area
Signs allowed in the OH district may not exceed 48 square feet in area or 0.50 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may a sign in an OH district exceed 225 square feet in area. Signs allowed in all other O districts may not exceed 32 square feet in area or 0.30 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.
Review Comments: The proposed wall sign has an area of 226 square feet. Based on the Darlington Ave. frontage that it is oriented to, which is 429.1 feet, the maximum sign area allowed is 128.73 square feet. You may reduce the sign display area to no more than 128.73 square feet, or you may request a variance from the Board of Adjustment to allow a sign in an office zoned district with a frontage of 429.1 feet to have a display area of 226 square feet.

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.
LOD Number: 1

Daniel Stephens  
Precision Sign and Design  
195 S. 122nd Ave E.  
Tulsa, OK 74128

APPLICATION NO: SIGN-117928-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)  
Location: 5151 E. 51st St.  
Description: Wall sign

INFORMATION ABOUT SUBMITTING REVISIONS

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3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)

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

(Continued)
REVIEW COMMENTS

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Application No. SIGN-117928-2022

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1. 60.060-B.1 Signs Allowed

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Review Comments: You are proposing more than one sign per street frontage on this lot which is Office (OM) zoned. You may reduce the number of proposed signs to one for the 51st St. frontage and one for the S. Darlington Ave. frontage; or you may request a variance from the Board of Adjustment to allow an office zoned district to have more than one sign per street frontage.

NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to send the decision of any actions by the BOA or TMAPC affecting the status of your application for a Sign Permit to our office so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

END – ZONING CLEARANCE AND SIGN CODE REVIEW

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

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A CITY OF TULSA SIGN PERMIT.
HARDESTY SERVICE CENTER
MEALS ON WHEELS
METRO TULSA

PRIMARY IDENTIFICATION SIGNAGE
18' 2" X 5' 3", ARIAL FONT
N.T.S.

Illuminated

APPROVED AS SHOWN: Y OR N
CLIENT: Myers Cherry Construction
CONTACT INFO:
JOB DESCRIPTION: Meals on Wheels Metro Tulsa New Headquarters
SALESPERSON: John Stamper

CUSTOMER SIGNATURE: 134.6 ft²
DATE: 09/27/2021
SCALE: 1/10th
MEDIA: Mixed
LAMINATE: Mixed

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DRAWING DESCRIPTION: Meals on Wheels Metro Tulsa New Headquarters: Primary Identification Signage

8.13
Non Illuminated
Variance needed for 51st 5+

3 + 4

MONUMENT SIGNAGE - SHIPPING CONTAINER (EAST)
15' 9" X 3' 0"
N.T.S.

MONUMENT SIGNAGE - SHIPPING CONTAINER (WEST)
15' 9" X 3' 0"
N.T.S.
**TOGETHER, WE CAN DELIVER.**

SECONDARY IDENTIFICATION SIGNAGE
39' 0" X 7' 6", ARIAL FONT
N.T.S.

226.125 ft²
Non Illuminated
Variance Needed

<table>
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<tr>
<th>APPROVED AS SHOWN: Y OR N</th>
<th>CUSTOMER SIGNATURE:</th>
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</thead>
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<tr>
<td><strong>CLIENT:</strong> Myers Cherry Construction</td>
<td><strong>DATE:</strong> 09/27/2021</td>
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<tr>
<td><strong>CONTACT INFO:</strong></td>
<td><strong>SCALE:</strong> 1/10th</td>
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<tr>
<td><strong>JOB DESCRIPTION:</strong> Meals on Wheels Metro Tulsa New Headquarters</td>
<td><strong>MEDIA:</strong> Mixed</td>
</tr>
<tr>
<td><strong>SALESPERSON:</strong> John Stamper</td>
<td><strong>LAMINATE:</strong> Mixed</td>
</tr>
</tbody>
</table>

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**DRAWING DESCRIPTION:** Meals on Wheels Metro Tulsa New Headquarters: Secondary Identification Signage

8.16
BOARD OF ADJUSTMENT
CASE REPORT

STR: 0333
CZM: 29
CD: 3
HEARING DATE: 07/12/2022 1:00 PM

APPLICANT: Kyle Gibson

ACTION REQUESTED: Variance of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Sec. 40.225-D)

LOCATION: 4818 E PINE ST N; ZONED: CS
PRESENT USE: Commercial TRACT SIZE: 13939.26 SQ FT

LEGAL DESCRIPTION: LT 1 LESS 101E NWC LT 1 TH E35 S35 NW49.51 TO POB BLK 1; LT 10 BLK 1,HIGHLAND TERRACE, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS: None.

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".

Mixed-Use Corridors are Tulsa’s modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors 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. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SW/c of E. Pine St. and N. Yale Ave. The conflicting dispensary is approximately 130-feet away from the subject building as measured in Sec. 40.225-I of the Zoning Code.

STATEMENT OF HARDSHIP: City of Tulsa Development Services approved application BLDC-106557 on February 8th 2022. Project was submitted with spacing verification showing no dispensary located within 1000-feet. LOD was not issued stating spacing requirement from Tulsa zoning Code Sec. 40.225-D had not been met. Dispensary with in 1000-feet opened in April 2022.
STAFF COMMENTS: The applicant is requesting Variance of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Sec. 40.225-D)

40.225-D A medical marijuana dispensary may not be located within 1,000 feet of another medical marijuana dispensary.

40.225-I The separation distance required under Section 40.225-D must be measured in a straight line between the nearest perimeter walls of the buildings (or portion of the building, in the case of a multiple-tenant building) occupied by the dispensaries. The separation required under Section 40.225-D shall not be applied to limit the location of a medical marijuana dispensary for which a license was issued by the Oklahoma State Department of Health prior to December 1, 2018 for the particular location.

The statement provided by the applicant does not present any hardship related to the physical surroundings, shape, or topographical conditions of the subject property. The permit application for the conflicting dispensary was in process at the time the permit application was sought on the subject property. The process for Spacing and Separation Distance Verification is available in Sec. 70.110 of the Zoning Code.

Section 70.110 Spacing and Separation Distance Verification

70.110-A Applicability
The spacing and separation distance verification procedure of this section applies whenever this zoning code requires that a use, structure or other development feature be separated or spaced a minimum distance from another use, structure or development feature. The procedure does not apply to a determination of compliance with building setback requirements that apply on individual lots.

70.110-B Action
The development administrator may rely upon the evidence provided by the applicant with an application for a zoning clearance permit to verify that the proposed use, structure or other development feature complies with the applicable spacing and separation distance requirements of this zoning code. Only other uses, structures, or development features that have been legally established by the issuance of a certificate of occupancy, an active building permit, active sign permit or active zoning clearance permit will be considered in determining compliance with the applicable spacing and separation distance requirements. It is the responsibility of the applicant to provide all information requested by the development administrator to aid in the determination. For purposes of determining whether spacing and separation distance requirements are met, a zoning-clearance-only permit for the use, structure or development feature from which the subject use, structure or development feature must be separated is valid for 180 days after it is issued.

70.110-C Appeal of Decision
Appeals of spacing and distance verification decisions of the development administrator may be appealed to the board of adjustment in accordance with §70.140.

The application for a building permit application for the conflicting dispensary would have been available either through a public records records request made to the City of Tulsa or through the Self Service Portal available on the City of Tulsa Permit website (www.cityoftulsa.org/permitcenter).
SAMPLE MOTION: Move to _________ (approve/deny) a Variance of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Sec. 40.225-D)

- Finding the hardship(s) to be______________________________.

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.

- Subject to the following conditions ____________________________.

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

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

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

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

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

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

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

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

Conflicting Dispensary photographed from the subject property
The City of Tulsa Building Code requires that this set of approved plans shall be kept at the building site, open to inspections of the building official or his authorized representative at all reasonable times, unless indicated otherwise, floor plan dimensions are to the center line of new metal stud wall construction and to the finished face of existing construction.

**Notice to the Owner or Responsible Party**

**OCCUPANCY CLASSIFICATION**

**EXISTING OCCUPANCY CLASSIFICATION**

**CONSTRUCTION CLASSIFICATION (IBC CHAPTER 3)**

Prior to initiating demolition activities indicated, ensure building area:

- Present within the construction area. If a hazardous construction area with roof overhangs:
  - Add water-resistant sealant to all joints of exterior CMU block infill where the new concrete stops, unless indicated otherwise.
  - Add a ventilation / air filtration system with the existing 7" drain to remain.
  - Add security cameras that meets the standards of Section 102.2 of the amended code.

**Group M - Type VB - Non Sprinklered**

- Storm drain
- Drain
- Drive
- Space configuration and components indicated on the drawings. Shall discrepancies exist, notify the architect for dispostion of the damaged component.

**Building Element**

- Horizontal Rating
- HOURLY RATING
- N/A

**Exterior Wall**

- Ordinary low
- HORIZONTAL RATING
- 0
- N/A

**Interior Alterations**

- Repairs existing
- Exits
- Exit
- Exits
- Extisting fence height @ 7'-0"
- New chainlink fence and automatic fire extinguishers. Project owner's direction concerning disposal of the substance.

**Exterior Wall**

- 2'-6" x 4'-0" clear
- New masonry block, unless indicated otherwise.

**Parking Plan**

- Door# W H T Material Frame Type Hardware Set Rating
- 103' - 6"
- 7' - 0"
- 1 3/4" HM HM A 1 NA

**Demolition Plan**

- 4. Space configuration and components indicated on the drawings. Shall discrepancies exist, notify the architect for disposition of the damaged component.

**Building Area**

- Allowable: 40' - 0"
- Actual: 14' - 6"

**Construction Plans**

- Owner's direction concerning disposal of the substance.

**Exterior Wall**

- Ordinary low
- HOURLY RATING
- 0
- N/A

**General, Construction Notes**

- Add water-resistant sealant to all joints of exterior CMU block infill where the new concrete stops, unless indicated otherwise.

**Genera, Demolition Notes**

- Add security cameras that meets the standards of Section 102.2 of the amended code.

**General, Construction Notes**

- Add water-resistant sealant to all joints of exterior CMU block infill where the new concrete stops, unless indicated otherwise.
BLDC-088397 = DISPENSARY WITHIN 1,000 FEET AND IS CURRENTLY OPEN AND OPERATING

BLDC-106577 = SUBJECT DISPENSARY APPLYING FOR VARIANCE

PERMIT ISSUED
BLDC-088397
10.13.2021

FINAL INSPECTION/
CERT. OF OCCUPANCY
PASSED
BLDC-088397
12.29.2021

SECOND SUBMITTAL OF
BLDC-106577
01.26.2022

SIGNAGE DISPLAYED/
OPEN FOR BUSINESS
BLDC-088397
04/2022

BOA VARIANCE
APPLICATION
SUBMITTED

FIRST SUBMITTAL OF
BLDC-106577
12.17.2021

FIRST LOD RECEIVED
BLDC-106577
01.13.2022

PLANS APPROVED
BLDC-106577
02.08.2022

FIRE CERTIFICATE OF
OCCUPANCY FAILED
BLDC-106577
05.20.2022

9.8
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9333  Case Number: BOA-23388
CZM: 47
CD: 9

HEARING DATE: 07/12/2022 1:00 PM

APPLICANT: Nathalie Cornett

ACTIONS REQUESTED: Special Exception to permit a monument sign to be partially located in the right-of-way (Sec 60.020-E) Variance to permit a dynamic display to be located within 200 feet of a residential district. (Sec 60.100-F)

LOCATION: 4132 E 51 ST S

ZONED: OM/ PUD-630-A

PRESENT USE: Compounding Pharmacy

TRACT SIZE: 44566.42 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 1, YOUNG PLAZA, OIL CAPITAL FEDERAL CREDIT UNION

RELEVANT PREVIOUS ACTIONS:

Subject Property:

PUD-630-A; On 12.08.21 the Tulsa City Council approved a Major Amendment to PUD-630 to allow for a compounding pharmacy.

BOA-20199; On 12.14.06 the Board denied a variance to increase the allowed number of signs from 1 to 2 and approved a variance to increase the permitted square footage from 32 square-feet to 43 square-feet.

Surrounding properties: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located West of the SW/c of E. 51st St. S. and S. Richmond Ave. property is located in PUD-630-A. The proposed sign would be within 200-feet of residential properties both to the North and South.
STATEMENT OF HARDSHIP: Please see statement titled Exhibit A provided by the applicant in your agenda packet.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit a monument sign to be partially located in the right-of-way (Sec 60.020-E); and a Variance to permit a dynamic display to be located within 200 feet of a residential district. (Sec 60.100-F)

60.020-E Signs located in or that project into the right-of-way or planned right-of-way of a public street, unless a special exception has been approved by the board of adjustment in accordance with the procedures of Section 70.120, and a license has been granted by the city in the case of the right-of-way or a removal agreement has been entered into in the case of the planned right-of-way. (Title 11 § 1400 and following of the Tulsa Revised Ordinances grants a license for certain signs located in the “Central Business District” as therein defined).

60.100-F Dynamic displays may not be located within 200 feet of any of the following: (1) an R or AG-R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R, AG, and AG-R districts if approved through the special exception process. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign structure to the nearest point of an R or AG-R district or residential development area boundary.

Tulsa Planning Office Staff previously approved a PUD sign plan for this sign. At that time, the sign was shown to be 51-feet from the centerline of E. 51st St. S. The sign as proposed in this application is 41-feet from the centerline of E. 51st St. S. placing the sign inside the right-of-way and outside the boundaries of the PUD.

Should the Board approve this application the applicant would be required to obtain a license agreement for the sign to be located in the right-of-way.

The applicant provided a rendering showing compliance to the code placing the sign outside of the right-of-way and inside the PUD boundaries. In reviewing that rendering the sign location appears to be a mere inconvenience for the property owner as the sign still appear visible to the traffic on E. 51st S. when constructed outside the right-of-way.

SAMPLE MOTION:

Special Exception:

Move to __________ (approve/deny) a Special Exception to permit a monument sign to be partially located in the right-of-way (Sec 60.020-E).

- 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.

Variance:

Move to __________ (approve/deny) a Variance to permit a dynamic display to be located within 200 feet of a residential district. (Sec 60.100-F)
• Finding the hardship(s) to be________________________________.

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

• Subject to the following conditions ___________________________.

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

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

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

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

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

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

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

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

10.4
Residential property immediately North of Subject Property

Subject Property
Grass strip where the proposed sign is to be placed
SIGN PLAN REVIEW

June 1, 2022

Phone: (918) 872-8425

LOD Number: 1

Justin Moydell
10101 E. 46th Pl.,
Tulsa, OK 74146

APPLICATION NO: SIGN-118822-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 4132 E. 51st St.
Description: Dynamic Display Freestanding sign

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:
1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2ND STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.

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

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

(Continued)
REVIEW COMMENTS

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

Application No. SIGN-118822-2022

This letter of deficiencies covers Sign Plan Review items only.

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

1. Section 60.100-F Dynamic Displays
Dynamic displays may not be located within 200 feet of any of the following: (1) an R or AG-R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R, AG, and AG-R districts if approved through the special exception process. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign structure to the nearest point of an R or AG-R district or residential development area boundary.

**Review Comments:** The proposed sign is within 200 feet of residential (RS-2 and RM-2) zoned lots to the east and north. You may change the sign type to non-dynamic display, or you may seek a variance from the Board of Adjustment to permit a sign with a dynamic display to located be within 200 feet of residential zoned lots.

NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, plating, 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.
Exhibit “A”

The Applicant requests (1) a Special Exception pursuant to Section 60.020-E of the Tulsa Zoning Code (the “Code”) to permit a monument sign to be partially located in the right-of-way, and (2) a Variance of Section 60.100-F of the Code to permit a dynamic display to be located within 200 feet of a residential district for property located at 4132 East 51st Street (the “Property”).

The Property is located on the south side of E. 51st Street between Harvard and Yale. The existing building is a former credit union which has recently been converted into a compounding pharmacy. The Property is abutted to the west and east by offices zoned OM and OL, respectively. Further east and to the south is the Tanglewood neighborhood, zoned RS-2. Across 51st Street to the north are the Avery Park Apartments, zoned RM-2 and the Case & Associates office park.

The Property owner desires to place a new monument sign (the “Sign”) in the landscaped median on the Property, located 20 feet from curb and 41 feet from the centerline of 51st Street, which will result in a portion of the Sign being located in the right-of-way. Additionally, the Sign will contain a dynamic display. The proposed location and display of the Sign will provide additional visibility to vehicular traffic on 51st, which is needed due to the depth of the landscaped median and significant setback of the building. The dynamic display will be approximately 100 feet from the property line of the Avery Park Apartments and approximately 135 feet from the nearest building in the apartment complex.

The requested Special Exception will result in the Sign being located ten (10) feet closer to the street than what is permitted by right. Given the traffic patterns of 51st Street, a secondary arterial/multi-modal corridor on the MSHP, coupled with depth of the large landscaped median (45 feet) which is unique to the Property, the literal enforcement of the Code results in unnecessary hardship. The Sign will otherwise comply with all sign regulations of the Code and the Applicant will apply for the requisite license agreement from the City of Tulsa. Additionally, based on historical photos, the previous credit union had a monument sign similarly placed, but entirely in the right-of-way (the Applicant has not been able to locate any evidence of a previous special exception or license agreement for the credit union sign). Based on the foregoing, the location and dynamic display of the Sign is 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.
B / MONUMENT SIGN
SCALE 1" = 19"
PUD APPROVED AT 30' FROM CURB 51' TO CENTER OF 51ST, AS SHOWN BELOW:

WE WOULD LIKE IT TO BE 20' FROM CURB TO BE SEEN (41' TO CENTER OF 51ST):
SIGN A

- 20' From Curb To Leading Edge
- 41' From Leading Edge To Middle of 51st Street
- 165' Lot Frontage
- 81'-1" From West Side of Sign to Property Line
- 80'-11" From East Side of Sign to Property Line
BOA-23388

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

Aerial Photo Date: 2020/2021

Subject Tract

19-13 33

10.13
HEARING DATE: 07/12/2022 1:00 PM

APPLICANT: Chau Tyner

ACTION REQUESTED: Special Exception to expand a non-conforming structure in the RM-2 district (Section 80.030-D)

LOCATION: 1319 S ROCKFORD AV E

ZONED: RM-2

PRESENT USE: Residential

TRACT SIZE: 6751.83 SQ FT

LEGAL DESCRIPTION: LT 5 BLK 4, BELLVIEW ADDN

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NE/c of S. Rockford Ave. and E. 13th Pl. S.

STAFF COMMENTS: The applicant is requesting a Special Exception to expand a non-conforming structure in the RM-2 district (Section 80.030-D) to permit a second-story addition on the property. The property has a non-conforming side street setback of 4-feet and 8-inches.
The abutting right-of-way of E. 13th Street is formerly a platted lot prior to being acquired by the State of Oklahoma as a service road for the Broken Arrow Expressway. Second-story addition appears to have already been built.

**SAMPLE MOTION:** Move to ________ (approve/deny) a **Special Exception** to expand a non-conforming structure in the RM-2 district (Section 80.030-D)

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

ZONING CLEARANCE
PLAN REVIEW

June 6, 2022

Chau Tyner
Prime Time Investments
7617 N. 142nd Ave.
Owasso, OK 74055

Phone: (918) 527-1384

APPLICATION NO:  BLDR-106277-2021 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location:  1319 S. Rockford Ave.
Description:  Residential - 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)

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/EMAIL TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS,
   ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.

2. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC
   REVISIONS IN “SUPPORTING DOCUMENTS”, IF ORIGINALLY SUBMITTED ON-LINE, FOR
   REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND
   REVISION MARKS.

3. 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.

4. A COPY OF A “RECORD SEARCH” IS NOT INCLUDED WITH THIS LETTER. PLEASE
   PRESENT THE “RECORD SEARCH” ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF
   APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD
   OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR
   IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.)

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

1. **Site plan**: Your application did not include a complete site plan. The zoning clearance review for your permit application will resume after a complete site plan is submitted. Please note that additional deficiencies may be found and will need to be resolved prior to approval of your application. The site plan must show:

   - Legal description of the property;
   - Boundaries and dimensions of property and names of bordering streets. All property lines must be shown;
   - Location, dimensions and identification of existing and proposed buildings, structures and driveway.
   - Distances from all property lines to the proposed building or structures, and the distance from the proposed work to the centerline of the street;
   - Identify any easements and public rights of way;
   - Include all architectural projections; i.e. stairs, porches, balconies, fireplaces, etc.;
   - Location of all utility service lines and meters;
   - North arrow.

**Review Comments**: It is unclear if the front porch is existing or if it is new. Revise and resubmit your site plan containing the information listed included the boundaries of the front porch and resubmit the changes as a revision.

**LOD 02 – Review Comment**: The site plan is insufficient to determine code compliance of the application. Please reference the list above and ensure all the information needed is included.

**LOD 04 – Review Comment**: Per scaling the survey, the house is set back < 5' from the south property line. The house became a corner lot when E. 13th St. was constructed. Because of this any new construction must be 15' from the property line for a side street setback.

   In order to apply to the Board of Adjustments, you will need to provide the dimension from the south property line to the 1st floor structure, and also the dimension that the second floor is off set from the first floor.

2. **Pending Site Plan Information**

   **80.030-D Alterations, Enlargements and Expansions**

   Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building regulations and does not increase the extent of the nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback regulations and all other applicable lot and building regulations. Horizontal and vertical extensions of an exterior wall that is nonconforming with regard to applicable setbacks may be approved in accordance with the **special exception** procedures of Section 70.120.
Review Comments: You are proposing to add a second story to a structure that is non-conforming due to its side street setback being less than 10’ from the property line. Apply to BOA for a special exception to allow an addition to a non-conforming structure.

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:

Please notify the reviewer via email when your revisions have been submitted.

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 SUBLITTAL 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.
LEGAL DESCRIPTION
LOT FIVE (5) IN BLOCK FOUR (4) OF BELLVIEW ADDITION, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

SURVEYOR'S STATEMENT
I, JAMES COLT LARMORE, A REGISTERED PROFESSIONAL SURVEYOR IN THE STATE OF OKLAHOMA HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS A BOUNDARY SURVEY. THE ABOVE PLAT REFLECTS ALL INSTRUMENTS THAT HAVE BEEN DISCLOSED AND FURNISHED AT THE TIME OF SURVEY. NO OPINION IS VERSED AS TO THE OWNERSHIP OF FENCES OR ANY OTHER APPURTENANCES ON SAID PROPERTY. THIS PLAT OF SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

NOTES
1. THIS LEGAL DESCRIPTION WAS PREPARED BY JAMES COLT LARMORE, OKLAHOMA LICENSED PROFESSIONAL SURVEYOR #1989
2. THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD. NO ATTEMPT TO RESEARCH THE COUNTY RECORDS OR OTHER RECORD OFFICES WAS PERFORMED BY THIS FIRM. THEREFORE EASEMENTS MAY AFFECT THE SUBJECT TRACT THAT ARE NOT REFLECTED BY THIS PLAT.
3. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN.
4. THE BEARING BASE FOR THIS SURVEY IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NORTH ZONE.

PRECISION SURVEYING SERVICES, LLC
SCALE: 1" = 20'
DRAWN BY: JCL
SURVEY BY: JCL
REVISION: 6-14-2022
SURVEY DATE: 2-16-2022
JOB NO.: 00742

JAMES COLT LARMORE
RPL #1989
JUNE 14, 2022
DATE OF CERTIFICATION
HEARING DATE: 07/12/2022 1:00 PM

APPLICANT: Travis Harris

ACTION REQUESTED: Special Exception to permit a carport in the street yard and modifications of the allowable height requirements in the RS-2 district (Sec. 90.090-C.1)

LOCATION: 2645 S BOSTON AV E  ZONED: RS-2

PRESENT USE: Residential  TRACT SIZE: 13695.32 SQ FT

LEGAL DESCRIPTION: LT 5 LESS E50.3 THEREOF BLK 15, RIVERSIDE DRIVE ADDN THIRD AMD, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

ANALYSIS OF SURROUNDING AREA: The subject tract is located South of the SE/c of E. 26th Pl. S. and S. Boston Ave.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit a carport in the street yard and modifications of the allowable height requirements in the RS-2 district (Sec. 90.090-C.1)
The applicant is seeking a to approve a carport in the street yard that is 8-feet at the beam and includes a guard rail exceeding the allowed height. The roof of the carport would be accessible and serve as a balcony based on the plans submitted.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Special Exception to permit a carport in the street yard and modifications of the allowable height requirements in the RS-2 district (Sec. 90.090-C.1)

- 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.
Subject Property
INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:
1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)

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/EMAIL TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.

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

3. A COPY OF A "RECORD SEARCH" [X] IS NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(Continued)
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 office 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. UNRESOLVED - Sec.90.090-C.1 Carports: 
Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception procedures of Section 70.120. Any carport that occupies all or a portion of the street setback or street yard area must comply with the following regulations, unless otherwise expressly approved by the board of adjustment as part of the special exception process:

a. A carport may be a detached accessory building or an integral part of the principal building.

b. The area of a carport may not exceed 20 feet in length by 20 feet in width.

c. A detached carport may not exceed 8 feet in height at its perimeter or 18 feet in height at its highest point. A carport erected as an integral part of the principal building may not exceed 8 feet in height within 10 feet of a side lot line or 18 feet at its highest point.

d. The carport structure must be setback from side lot lines by a minimum distance of 5 feet or the depth of the principal building setback, whichever is a greater distance from the side lot line.

e. The carport structure may project into the required street setback by a maximum distance of 20 feet. This distance must be measured from the required street setback line or the exterior building wall of the principal building, whichever results in the least obstruction of the street setback.

f. All sides of a carport that are within the required street setback must be open and unobstructed, except for support columns, which may not obstruct more than 15% of the area of any side.

g. The entire area under a carport may be used only for storage of operable, licensed motor vehicles (i.e., cars, boats, pickup trucks, vans, sport utility vehicles), which are customarily accessory to the dwelling. No other use of the carport area is allowed.

01 - Review comment: The proposed carport is located in the street yard and requires special exception granted by the BOA. Please contact an INCOG representative at 918-584-7526 for further assistance. Please note: If the regulations above cannot be met, you will need to address these items as part of the special exception process as the proposed structure is not in compliance.
with said regulations as submitted. If approved, submit a copy of the approved special exception as a revision to your application.

**02 - Review Comments:** A special exception is still required for any carport in the street yard. Please apply for a special exception with the BOA. If approved, submit a copy of the approved special exception as a revision to your application.

Please notify the reviewer via email when your revisions have been submitted

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**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.
SUMMARY AND APPLICABLE CODES

1. EXISTING TREES TO REMAIN, UNLESS NOTED OTHERWISE. PROTECT DURING CONSTRUCTION WITH TEMPORARY FENCING AT DRIPLINE. REFER TO CIVIL UTILITY LOCATIONS.

2. CONTRACTOR IS RESPONSIBLE FOR LOCATING AND VERIFYING ALL EXISTING CONTROL

3. REFER TO STRUCTURAL DRAWINGS FOR BUILDING FOUNDATION AND STRUCTURAL DETAILS.

4. EXISTING GRADE IS TO DRAIN TO STORM.

5. CONTRACTOR IS TO PROVIDE ALL REQUIRED AND NECESSARY EROSION

6. CONTRACTOR IS TO PROVIDE ALL MEASURED AND NECESSARY SEDIMENT CONTROL

AS REQUIRED FOR NEW.

7. REMOVE EXISTING TREE

8. DRIVEWAY TO MATCH

9. REMOVE SIDEWALK AS REQUIRED FOR NEW

10. REMOVE EXISTING DRIVEWAY

11. REPLACE CONCRETE TO ALIGN WITH EXISTING

12. REMOVE EXISTING TREE

13. DRIVEWAY

14. NEW CONCRETE construction.

15. new 4" concrete provided OPEN SPACE: 7,380 SF

MIN. OPEN SPACE: 5,000 SF

LAND AREA: 13,694 SF

ZONING TYPE: RS2

BUILDING HEIGHT: 25'-10"

DRIVEWAY/sidewalk: 2,421 SF

TOTAL SQUARE FOOTAGE: 3,129 SF

RATION SQUARE FOOTAGE: 715 SF

CARPORT SQUARE FOOTAGE: 1,015 SF

EXISTING ITEMS TO REMAIN SHALL BE PROTECTED FROM DAMAGE OR REMOVAL AND REPLACED TO MATCH THE EXISTING CONDITIONS.

EXISTING ITEMS TO REMAIN SHALL BE PROTECTED FROM DAMAGE OR REMOVAL AND REPLACED TO MATCH THE EXISTING CONDITIONS.
1. REFER TO A300 SERIES FOR EXTERIOR WALL SECTIONS.

2. ALL EXTERIOR DIMENSIONS ARE FROM FACE OF EXTERIOR FINISH, UNLESS NOTED OTHERWISE.

3. DETAILS ON EXTERIOR ELEVATIONS ARE GENERAL IN NATURE AND FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO WALL DETAILS AND SECTIONS FOR EXACT REQUIREMENTS.

4. PROVIDE CONTROL JOINS PER MANUFACTURER'S SPECIFICATIONS.

Batten and board siding VENEER - Hardie vertical or equivalent.

Stone veneer - MATCH EXISTING

Metal roof system with corner trim

Prefinished metal chimney

Prefinished standing seam metal roofing - DARK GRAY berridge or equivalent.

Low sloping roof - EQUAL TO ROOF ROLL CALL OUT.

New asphalt shingle roofing - tamko heritage premium or equivalent.

Prefinished metal gutters and downspouts

High or standard guard rail system. Openings shall not allow passage of a 4" D.

Exterior, insulated steel door

Exterior, 15 light panel door

Interior, wood, hollow core door

Interior, wood, solid, pocket door

Owner to approve

New 6' privacy fence with gate

2' - 0" x 18" x 18" gate

New 10" frieze board

New 6" fascia board

New 6" fiber cement siding veneer

Prefinished metal chimney with corner trim

Prefinished metal cath

New over framing roof.

Prefinished standing seam metal roofing - EQUAL TO ROOF ROLL CALL OUT.

Metal roof system with corner trim.

Prefinished metal gutters and downspouts.

New asphalt shingle roofing.

New over framing roof. New prefinished metal roofing.

New over framing roof.

New over framing roof.

New over framing roof.

New over framing roof.