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.

1. Approval of Minutes of August 9, 2022 (Meeting No. 1300).
2. Approval of Minutes of August 23, 2022 (Meeting No. 1301).

UNFINISHED BUSINESS

Review and possible approval, approval with modifications, denial, or deferral of the following: None.

3. 23398 - Diane Wells
Action Requested:
Variance to reduce the required 15-foot side setback in the RE District (Sec. 5.030-A, Table 5-3) Location: 3442 S. Atlanta Place (CD-9)
4. **23407 - Raul Cisneros**  
**Action Requested:** Special Exception to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); Special Exception to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec.40.210-A) **Location:** 2019 N. Evanston Pl. (CD 1)

5. **23408 - Luke Hanson**  
**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:** 7450 E. 46th Pl. (CD 5)

6. **23411 - Encino’s 3D Custom products & Signs**  
**Action Requested:** Variance to allow signs within 50-feet of Residential Districts (Sec. 60.040-B.3); Variance to increase the number of allowed drive-through signs and to allow the drive-through signs to be within 50-feet of residential zoning districts (Sec. 60.030-B) **Location:** 1244 S. Harvard Ave. (CD 4)

7. **23413 - Richard Holland**  
**Action Requested:** Special Exception to permit the storage of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface outside of the required building setbacks to permit a gravel driveway (Sec. 55.090-F-2) **Location:** 17009 E. 14th St. S (CD 6)

8. **23416 - Nathan Cross**  
**Action Requested:** Variance to allow the floor area of a detached accessory building to exceed 750 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.1) **Location:** 7373 E. 25th Pl. (CD 5)
9. **23419 - Superior Signs**  
   **Action Requested:**  
   Special Exception to permit signs inside the right-of-way or planned right-of-way of S. Yale Avenue (Sec. 60.020-E);  
   Variance to increase the number of allowed driveway and drive-through signs and to increase the permitted 4 square feet of display area for driveway signs (Sec. 60.030-A.1, B.2)  
   **Location:** 4249 S. Yale (CD 5)

**NEW APPLICATIONS**

10. **23420 - Cameron C. Wallace**  
   **Action Requested:**  
   Special Exception to amend a previously approved site plan for a Country Club in the RS-1 District (Table 5.020, Table 5-2; Sec.70.120  
   **Location:** 2363 E. 61st St. S. (CD 9)

11. **23421 - Joseph Welbourne**  
   **Action Requested:**  
   Special Exception to permit a carport in the street yard and street setback with modifications to increase the allowable length and reduce the required setback (Sec. 90.090-C.1).  
   **Location:** 2344 S. Gary Pl. E. (CD 4)

12. **23422 - Grand Lake Mental Health Center, Inc.**  
   **Action Requested:**  
   Special Exception to permit a Residential Treatment Center and Transitional Living Center in the CS District (Sec. 15.020, Table 15-2); Special Exception to reduce the 2,640-foot required dispersal standard for Residential Treatment Centers and Transitional Living Centers (Sec. 40.130)  
   **Location:** 6128 E. 38th St. (CD 5)

13. **23425 - January Leavell**  
   **Action Requested:**  
   Variance to reduce the required 25-foot street setback in the RS-3 District (Sec. 5.030-A, Table 5-3)  
   **Location:** 1339 S. 75th E. Ave. (CD 5)

14. **23426 - Raul Cisneros**  
   **Action Requested:**  
   Special Exception to allow the alteration, enlargement, or expansion of a structure with a non-conforming street setback in the RS-3 District (Section 80.030-D)  
   **Location:** 2011 W. Easton St. (CD 4)
15. **23427 - Hemphill, LLC, c/o Faulk & Faulk**
   Action Requested: Special Exception to permit a guyed communications tower in the IL zoning District (Sec. 40.420-E.2.b) Special Exception to waive the landscaping requirements for a communications tower within 300-feet of residential zoning districts or lots occupied by a residential uses (Sec. 40.420-F)
   Location: 6130 S. Oswego Ave. (CD 3)

16. **23428 - Stephen Eubanks**
   Action Requested: Special Exception to increase the permitted driveway width in a Residential Zoning District (Section 55.090-F.3) 6130 S. Oswego Ave. (CD 8)

17. **23429 - Ray Toraby**
   Action Requested: Variance to allow a dynamic display sign to be within 50-feet of the driving surface of a signalized intersection (Section 60.100-D).
   Location: 9014 S Yale Ave E (CD 8)

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

**Website:** tulsaplanning.org  
**E-mail:** esubmit@incoq.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.
HEARING DATE: 09/13/22 (Continued from 08/09/202). Continuance requested by applicant to provide time to consult with neighbor.

APPLICANT: Diane Wells

APPLICATION REQUESTED: Variance to reduce the required 15-foot side setback in the RE District (Sec. 5.030-A, Table 5-3)

LOCATION: 3442 S ATLANTA PL. E. ZONED: RE

PRESENT USE: Residential TRACT SIZE: 55182.03 SQ FT

LEGAL DESCRIPTION: See attached.

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 Growth".

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 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.

STATEMENT OF HARDSHIP:

This is a non-conforming lot. It is a series of multiple lots. When the original house was constructed, it had a RS-1 zoning. The zoning has changed to an RE zoning moving the setbacks even further from the property line. The main part of the new garage does meet RE zoning requirements. Basically, the zoning change impacted our new addition to the existing garage. The only area needing a variance is a walk path between the existing garage and new garage. We want to have another way to exist the garages to get into the rear yard. This walk path will not be visible to neighbors as the property in that area has privacy fencing.

STAFF ANALYSIS: The applicant is requesting a Variance to reduce the required 15-foot side setback in the RE District (Sec. 5.030-A, Table 5-3)

<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>
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<th>RM-2</th>
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<td>Minimum Lot Area (sq. ft)</td>
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Per the plans provided it appears the only new construction encroaching into the side setback would be the walking path connecting the new garage addition to the existing garage.

**Facts staff finds favorable for variance request:**
- The property is currently non-conforming with respect to the side setback.
- The shape of the lot of the creates an additional side lot line where the encroachment is proposed.
- The current property owner did not create the flag lot shape of the property, nor did they create the existing non-conforming side setback.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Variance to reduce the required 15-foot side setback in the RE 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."
DEVELOPMENT SERVICES
175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103-3227

ZONING CLEARANCE
PLAN REVIEW

LOD Number: 01

June 1, 2022

Diane Wells
Design Properties, Inc.
7310 S Yale Ave E
Tulsa, OK 74136

Phone: (918) 693-6151

APPLICATION NO: BLDR-117822-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 7310 S Yale Ave E
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. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALY 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" 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. 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 garage addition requires a 15-foot setback from the side property line in an RE zoning district. The proposed hallway connection will be built over the setback line. You may increase the garage setback to 15 feet from the P/L or pursue a variance from INCOG to reduce the side setback in an RE zoning district to less than 15 feet.

2. 35.010-A Detached House
A detached house is a principal residential building, other than a manufactured housing unit or mobile home, that contains only one dwelling unit and that is located on a single lot that is not occupied by other principal residential buildings. Detached houses are not attached to and do not abut other dwelling units.

Review Comments: The property and proposed garage addition will be constructed over 3 separate lots. Please apply for a lot line adjustment to combine these three lots to provide code compliance.

1. Apply for a lot line adjustment at INCOG located at Two West Second Street, Suite 800. Please direct all questions concerning lot line adjustments and all questions regarding TMAPC application forms and fees to an INCOG representative at 584-7526.

2. After you receive a copy of the lot line adjustment agreement from INCOG you will need to go to the Tulsa county clerk’s office at 500 S. Denver and have the lot line adjustment agreement recorded.

3. Submit a copy of the lot line adjustment agreement with the Tulsa County clerks recording sticker on it to this office as a revision.

Please notify the reviewer via email when your revisions have been submitted.
BOA-23398

Subject Tract

19-13 20

Aerial Photo Date: 2020/2021

3.9

Note: Graphic overlays may not precisely align with physical features on the ground.
August 5, 2022

Via Hand-Delivery

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

Re:  City of Tulsa Board of Adjustment
     Case No. BOA23398
     Request for Continuance

Dear Commissioners:

We correspond regarding Case No. BOA23398. We represent Frank X. Henke, III and Bonnie Henke who are long-time residents of the immediate area. Their home is located at 3449 South Atlanta Place. The Henkes have maintained their home there since acquiring it in 1977. Mrs. Henke has been actively involved in the neighborhood over the years, and was principally involved in efforts, with her neighbors, which successfully led to the designation of RE Zoning for the area. The Henkes have been vigilant to maintain the neighborhood in accordance with the RE Zoning, since its enactment.

By a Notice posted in the mail on July 29, 2022, and received on August 1, 2022, Mr. and Mrs. Henke were advised of the hearing scheduled for August 9, 2022, at 1:00 p.m. before the Board of Adjustment. My clients have reviewed the materials filed in the Application and on file with the Board of Adjustment. It is difficult, if not impossible, to ascertain precisely the location of the requested variance on the Applicant’s property. Apparently the request relates to a waiver from the RE Side Lot Setback Restrictions of 15 feet. There are no pictures, elevations or other data which depict the area of variance. The request appears to related to an existing encroachment of the Side Lot Setback.

This is not an objection per se, because Mr. and Mrs. Henke do not have adequate information, or an adequate opportunity to review its impact on neighboring properties, and on the maintenance of the RE Zoning Restrictions. We respectfully request, on behalf of the Henkes, that the Board of Adjustment continue this matter to its next scheduled meeting to afford adequate time to gain sufficient information, from the Applicant or others, as may be necessary to evaluate the same. In any event, the Henkes would expect to request at the time of consideration of the
Application that any variances granted would be strictly limited to the pending Application without precedence to further variances or erosions of restrictions related to the RE Zoning.

Because of the shortage of time, if necessary, I can appear at the meeting to make this request in person.

Very truly yours,

Gary M. McDonald

GMM/hd
cc:  Austin Chapman (via email)  
achapman@incog.org  
Austin Bond, Chairman (via hand-delivery)  
15 W. 6th Street, Suite 2601  
Tulsa, OK 74119
Residence: 3456 So. Atlantic Pl.

Dear Ms. Wells,

I have received the BOA request for a variance on 3442 So. Atlantic Place.

I have no objection to granting the variance.

I won't be attending the Public Hearing and trust that this note will advise my lack of objection.

Aug 22  Sincerely, Dale Gillman
HEARING DATE: 09/13/2022 (Continued from 08/23/2022). Item was continued to provide elevation drawings as requested by the Board.

APPLICANT: Raul Cisneros
ACTION REQUESTED: Special Exception to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); Special Exception to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec. 40.210-A)

LOCATION: 2019 N EVANSTON PL E
ZONED: RS-3
PRESENT USE: Vacant
TRACT SIZE: 11521.67 SQ FT

LEGAL DESCRIPTION: N.80 LT 2 BLK 24, MARTIN SECOND ADDN

RELATIVELY 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.

STAFF ANALYSIS: Applicant is requesting a Special Exception to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); Special Exception to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec. 40.210-A)
The applicant has provided a site plan of the proposed manufactured home including a new concrete driveway. The age of the manufactured housing unit has not been provided.

SAMPLE MOTION:

Move to ________ (approve/deny) a Special Exception to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); Special Exception to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec. 40.210-A).

- 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

Facing South on Evanston Pl.
**DEVELOPMENT SERVICES**  
175 EAST 2nd STREET, SUITE 450  
TULSA, OKLAHOMA  74103-3227

**ZONING CLEARANCE PLAN REVIEW**

**LOD Number:** 01  
**July 6, 2022**

**Raul Cisneros**  
RCJ Designs, LLC  
3902 E 51st St S  
Tulsa, OK 74135

**Phone:** (918) 859-9343

**APPLICATION NO:** BLDR-120790-2022  
(Please reference when contacting our office)

<table>
<thead>
<tr>
<th>Location:</th>
<th>2019 N Evanston Pl E</th>
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<tbody>
<tr>
<td>Description:</td>
<td>Manufactured Housing Unit</td>
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**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.

**Submitalls faxed/mailed 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.incoh.org](http://www.incoh.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. **Site Plan:** Provide the width of the proposed driveway.

2. **Sec.5.020 Table 5-2**
   The submitted application indicates construction of a “Manufactured Housing Unit” per documents submitted to our office. The proposed Manufactured Housing Unit is located in an RS-3 Zoning District.

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

3. **Section 40.210 Manufactured Housing Units**
   **40.210-A** The application for a special exception must be accompanied by a written signed agreement by the applicant and the property owner to remove the manufactured housing unit within one year of the date of special exception approval.

   **40.210-B** The manufactured housing unit must be removed from the lot within one year of the date of special exception approval. The board of adjustment is authorized to extend the one-year limit through approval of a subsequent special exception if the (special exception) extension request is filed before expiration of the one-year time limit.

   **Review Comments:** Provide a written signed agreement to the BOA that the manufactured house will be removed within one year or seek a special exception from the BOA to extend the subsequent one-year time limit.

4. **35.010-H Manufactured Housing Unit**
   A manufactured housing unit is a principal residential building that complies with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §5401, et seq.). Manufactured housing units are subject to the same regulations that apply to detached houses, except as modified by supplemental regulations of Section 40.210.

   **Review Comments:** Provide documentation indicating the date this manufactured housing unit was manufactured.
5. **90.090-A 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.**

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 set-back, the greater setback applies:

   b. For streets not shown on the major street and highway plan, if the width of the right-of-way is 50 feet or less, the measurement must be taken from a point that is 25 feet from the centerline of the actual right-of-way.

**Review Comments:** Per the section above, the proposed MHU must be set back 25’ from the centerline of the street. Currently, 20’ is shown. Revise and resubmit the site plan showing the fence will be setback 25’ from the center of the street.

**Note:** Staff review comments may 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. Requests for variances from the Board of Adjustment require proof of a hardship per Section 70.130.

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.

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**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.
BAILON RESIDENCE
2019 N EVANSTON MOBILE HOME
2019 N. EVANSTON PL. E.
TULSA, OK 74110

PROJECT TEAM

DESIGN:
RCJ DESIGNS, LLC
9300 E. 5TH ST.
TULSA, OK 74112
WWW.RCJDESIGNS.COM

SCOPE OF WORK

SUMMARY:

NEW MOBILE HOME AND DETACHED STORAGE BUILDING ON CAI BLOCKS 1017 IS CLEAR OF ANY BUILDINGS AT THE MARGINS.

SITE INDEX

SP 3/4" = 1'-0"

1 1/8" = 1'-0"

1 1/16" = 1'-0"

1 1/2" = 1'-0"

1" = 1'-0"

0 1/8" = 1'-0"

0 1/4" = 1'-0"

0 1/2" = 1'-0"

0" = 1'-0"

SITE PLAN

METAL ROOF OVERHANG

MOBILE HOME

1 1/8" = 1'-0"

SP

4.7
Subject Tract

BOA-23407

20-13 29

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

Aerial Photo Date: 2020/2021

4.9
HEARING DATE: 09/13/22 (Continued from 08/23/2022). Item was continued in order to consult with Code enforcement regarding the subject property.

APPLICANT: Luke Hanson

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: 7450 E 46 PL S

ZONED: IL

PRESENT USE: Medical Marijuana Cultivation

TRACT SIZE: 58958.7 SQ FT

LEGAL DESCRIPTION: E1/2-LT-4-BLK-2, INDUSTRIAL EQUIPMENT CTR 3RD ADDN RESUB PRT FIRST RES & DEV, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELATONSHIP 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”.

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.

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.

STAFF ANALYSIS: 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:
Medical Marijuana Uses are subject to the following supplemental regulations:

<table>
<thead>
<tr>
<th>Section 49.225 Medical Marijuana Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>40.225-A A medical marijuana grower operation must be located inside an enclosed building.</td>
</tr>
<tr>
<td>40.225-B A medical marijuana processing facility, whether moderate-impact or high-impact, must be located inside an enclosed building.</td>
</tr>
<tr>
<td>40.225-C A medical marijuana dispensary must be located inside an enclosed building.</td>
</tr>
<tr>
<td>40.225-D A medical marijuana dispensary may not be located within 1,000 feet of another medical marijuana dispensary.</td>
</tr>
<tr>
<td>40.225-E Drive-through windows and drive-through lanes are prohibited for medical marijuana grower operations, processing facilities, and research facilities.</td>
</tr>
<tr>
<td>40.225-F Medical marijuana grower operations, processing facilities and dispensaries must provide the following:</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td>2. An electronic security system and surveillance camera.</td>
</tr>
</tbody>
</table>

Per the applicant the use will be located in a 15-foot 9-inch by 18-foot 3-inch area located near the Northeast portion of the existing building.

Below has been updated since the August 23rd, 2022 Hearing:

Per the request of the Board staff has contacted Aaron McPherson, Working In Neighborhoods, to provide information regarding his inspection of the property. Mr. McPherson did not issue any notices of violation because he was not able to discern where the odor of marijuana was coming from when standing in the street. The operators of the facility on the subject property were very cooperative with his inspections and have improved their security, locked trash receptacles within the facility and employee entrance and separate rooms built inside the facility for the grow itself.

**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.
APPLICATION NO: COO-121940-2022
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 7450 E. 46th Pl. S.
Description: Adding moderate-impact processing to grow facility

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. 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.).
Note: 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. Requests for variances from the Board of Adjustment require proof of a hardship per Section 70.130.

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.

1. **Sec.15.020 Table 15-1**: You are proposing a Moderate-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 use of non-flammable substances such as carbon dioxide, and to food based and water-based extraction. It is in an IL zoning district.

**Review comment**: A Moderate-impact Medical Marijuana Processing Facility use requires an approved BOA Special Exception to operate 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](http://tulsaplanning.org/plans/TulsaZoningCode.pdf)

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

END – ZONING CODE REVIEW

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

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.
BOA-23408
19-13 26
5.7
BOA-23408
19-13 26

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2020/2021

5.9
To whom it may concern:

I’m writing in response to a notice of hearing that was mailed to my place of business at 7457 E 46th Pl, directly across the street from the proposed modification action. I am asking the BOA to NOT APPROVE this action.

I have been operating in this location since 2015 and since 2018 have seen my place of business literally surrounded on all sides by these grow operations. These grow operations have violated City of Tulsa ordinance Section 40.225 part F which states:

"F. Medical marijuana grower operations, processing facilities and dispensaries must provide the following:

1. A ventilation/air filtration system that prevents odor from being detectible 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 detectible outside the tenant space housing the use.

"

The day I received this letter I walked out of my place of business and into the street directly in front of said property and could smell marijuana odor emanating.

I have worked with Michael Ryder of the City Inspections department since 2020 in an elaborate cat and mouse game to cite and fine these businesses for their various violations. He can provide you with the various complaints I’ve filed. However, because of the way protocols are established the city inspector’s hands are tied in how they can cite if they don’t smell the odor the day they come out. We are literally at the mercy of which way the wind blows. And then there is the matter of every one of these businesses pointing a finger at the other if and when one is caught.

We do not need a MORE INTENSE use granted for this property. You the BOA have already granted one such variance behind my property and the problem got WORSE not better. I have written my councilor, I’ve written the OMMA, and no one will do anything. I’ve -tried- to work through the system and it has failed me at every turn.

As a business which is public facing, it is incredibly embarrassing for me to have to explain to customers that we are not the source of the odor nor are we partaking in such activity inside their property (automobiles). Customers likewise feel uncomfortable with leaving their property amongst such odors or smelling it inside their car when they leave. It is reasonable to assume we have lost business as customers have sought services elsewhere that don’t have to put up with such odors. These growing operations are not good neighbors and should not be approved for MORE noxious activity.
As the state has already declared a moratorium on new grower licenses, they are sending a message that we do not need more product. Therefore, the BOA does not need to grant a variance to produce more of something that has been determined we do not need.

Please consider those of us incumbent business and property owners who have had to put up with these nuisances and have tried to work within a system that has failed us.

DO NOT approve this variance.

Joseph Wallis
Wallis Holdings LLC
Open Records Request
8 messages

Luke Hanson <luke@jubelexotics.com> Wed, Aug 17, 2022 at 9:35 AM
To: tstout@cityoftulsa.org

Good Morning Tracy,

My name is Luke Hanson, and I own/operate a medical cannabis cultivation facility here in Tulsa, OK. A few months ago Aaron McPherson came out and inspected the odor coming from our facility due to a potential neighbor complaint. I just called him to see if there was any way we could get record/summary of his visit for our records. He said that you would be the one to talk to.

Is there any way you could help me out with that?
My contact info is below. Feel free to call/text/email anytime.

Thank you.
LH

Jubel, LLC

Luke Hanson - Owner/Operator
Email: luke@jubelexotics.com
Website: jubelexotics.com
Instagram: @jubelexotics

Stout, Traci <TSTOUT@cityoftulsa.org> Wed, Aug 17, 2022 at 9:41 AM
To: Luke Hanson <luke@jubelexotics.com>
Cc: WIN ORA <WINORA@cityoftulsa.org>

Good Morning.

I have forwarded your email to our Administrative department that handles the open records requests. You should receive an email with an Open Records Request included. Please fill out the form and email it back to the WINORA email.

Once received, the information you have requested will be compiled and emailed to you.

Please let me know if you have any questions or need additional information.

Thank you.

Traci (Stout) Jenkins | Lead Neighborhood Inspector
City of Tulsa Working In Neighborhoods
175 E. 21st St. Suite 590. Tulsa, OK 74103
T: 918-596-2858
F: 918-576-5449

Luke Hanson <luke@jubelexotics.com> Thu, Aug 18, 2022 at 9:51 AM
To: Stout, Traci <TSTOUT@cityoftulsa.org>
Cc: WIN ORA <WINORA@cityoftulsa.org>

Great, thank you so much! Thank you.
LH

Jubel, LLC

Luke Hanson - Owner/Operator
Cell: 479-799-5252
Email: luke@jubelexotics.com
Website: jubelexotics.com
Instagram: @jubelexotics

Stout, Traci <TSTOUT@cityoftulsa.org> Thu, Aug 18, 2022 at 3:27 PM
To: Stout, Traci <TSTOUT@cityoftulsa.org>
Cc: WIN ORA <WINORA@cityoftulsa.org>

Afternoon Traci - Wanted to reach out and let you know I have not received an Open Records Request yet.

Thank you.
OPEN RECORDS REQUEST

Enclosed is an Open Record Form. In order to get copies of our records, this form must be filled out first. When filling out this form, please be specific on what records you want copies of (i.e. pictures, case notes, notices). Please make sure you include both the case number and the address you want the information on. Once this form is filled out, please return it by one of the following methods:

- **Mail:** City of Tulsa – WIN department
  175 E 2nd St, Suite 480
  Tulsa, OK 74103

- **Email:** WINORA@cityoftulsa.org

- **Fax:** (918) 699-2897

- **Hand deliver** at City Hall

After I received the form back, I will retrieve the records and make copies for you. There is a fee for the records which is $.25 per page. **However, if you have an email address, I can email you the records free of charge.**

Thank you,

Administration | Open Records Request Team
City of Tulsa Working in Neighborhoods Department
175 E. 2nd St., Suite 480, Tulsa, OK 74103
T: 918-596-1079
F: 918-576-5449
E: winora@cityoftulsa.org
www.cityoftulsa.org

NOTICE: This Email (including any attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§2510-2521, is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication (including any attachments) is strictly prohibited. Please reply to the sender to let them know the message was received as intended and then delete it.

From: Luke Hanson <luke@jubelexotics.com>
Sent: Thursday, August 18, 2022 3:27 PM
To: Stout, Traci <TSTOUT@cityoftulsa.org>
Cc: WIN ORA <WINORA@cityoftulsa.org>
Subject: Re: Open Records Request

I apologize. I was just informed the employee that monitors the WINORA email was out of the office yesterday and today. I have asked another employee to send you the information. Again, I apologize. You should receive the Open Records request shortly.

Thank you,

Traci (Stout) Jenkins | Lead Neighborhood Inspector
City of Tulsa Working in Neighborhoods
175 E. 2nd St, Suite 590, Tulsa, OK 74103
T: 918-596-2868
F: 918-576-5449
E: Tstout@cityoftulsa.org
http://www.cityoftulsa.org

Visit/Like/Follow/Watch/Subscribe:
Luke Hanson <luke@jubelexotics.com> Thu, Aug 18, 2022 at 6:20 PM

To: WIN ORA <WINORA@cityoftulsa.org>

Afternoon - Please see attached.
I do not know the case number or the exact date, but gave as much detail as possible.
Aaron McPherson came out to our property at 7450 E 46th Place, Tulsa, OK 74145 to follow up on an Aroma Complaint from a neighbor.
Just looking to retrieve the case notes and any relevant documentation for our records.

Thank you.
LH

Jubel, LLC
Luke Hanson - Owner/Operator
Cell: 479-799-5252
Email: luke@jubelexotics.com
Website: jubelexotics.com
Instagram: @jubelexotics

7450 E 46th Pl - Record Request.pdf
3383K

Luke Hanson <luke@jubelexotics.com> Thu, Aug 18, 2022 at 6:20 PM

To: "Stout, Traci" <TSTOUT@cityoftulsa.org>

Traci - No worries! Got that request sent back over to them.
Thank you.
LH

Jubel, LLC
Luke Hanson - Owner/Operator
Cell: 479-799-5252
Email: luke@jubelexotics.com
Website: jubelexotics.com
Instagram: @jubelexotics
Can-Fan Max-Fan
8” 667 CFM

Jaw-dropping performance at high static pressure.

At a Glance
The Max-Fan® is the first fan that has been developed with a Computational Fluid Dynamics (CFD) program. CFDs are used for engineering aircraft propulsion engines. The perfectly designed 3D blades of the impeller and stator make this fan extremely powerful and energy efficient. Compared with other inline fans, the efficiency is 50%-100% higher. 6” – 14” come pre-wired with an 8 ft 120 V power cord. Can-Fan® bring its innovation to market and sets a new standard for performance. The Max-Fan® is a more powerful and efficient fan that takes less energy to run.

- Optimized mixed flow is quieter than comparable fans
- Very high aerodynamic efficiency
- Lower operational cost than traditional centrifugal fans
- Easy installation
- 5-year warranty
- Available in sizes from 6” – 28”
- Built-in 3-speed controller (*not available on all models

<table>
<thead>
<tr>
<th>TECHNICAL DATA</th>
<th>RECOMMENDED FILTERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>CFM: 667 at 0wg</td>
<td>Can 75 Can 100 Can 125</td>
</tr>
<tr>
<td>RPM: 3250</td>
<td>Can-Lite 8×25 Can 66 Can 50</td>
</tr>
<tr>
<td>Max Watts: 179</td>
<td>This website uses cookies to provide users with a better experience, gauge our website performance, and measure usage analytics — we store no personal details. Please confirm your acceptance by clicking the button to the right. Learn more →</td>
</tr>
<tr>
<td>Amps: 1.5 @ 120v AC 60 Hz</td>
<td></td>
</tr>
<tr>
<td>Diameter: 8”</td>
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</tr>
<tr>
<td>Length: 8.875”</td>
<td></td>
</tr>
<tr>
<td>Blade Design: Mixed Flow</td>
<td></td>
</tr>
<tr>
<td>Housing: Plastic</td>
<td></td>
</tr>
<tr>
<td>Inlet/Outlet: 8”</td>
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</tr>
</tbody>
</table>

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Can-Lite 8×40

Call us:
(888) 478-6544

Fax:
(888) 478-6555

contact@canfilters.com

Can-Lite 8” 1000 CFM
SKU: 700391

At a Glance
Can-Filter® designed and built the Can-Lite™ for small to mid-size spaces. The Can-Lite filter includes 100% Australian granulated-carbon, an aluminum top and bottom, an integrated flange, and a 51% open perforation. It is available in 12 sizes with a CFM range of 89 – 3000. Can-Lite™ is assembled in a dedicated carbon filter plant in Vancouver, Washington, USA. Each filter is shrink-wrapped, boxed, and labeled for ease of use.

Details
- Made in North America
- 12 sizes from 89 – 3000 CFM, largest in industry
- Low pressure drop even on smaller sizes
- Lightweight Australian Granular carbon
- 2” Carbon bed
- 51% open perforation for maximum airflow
**TECHNICAL DATA**  
**RECOMMENDED FANS**

| Item                  | Specification       | 1000 CFM
---|----------------------|---------------------
| **Prefilter:**       | Yes                 |
| **Flange:**          | Built-in 8"         |
| **Outside Diameter:**| 30.5 cm / 12"       |
| **Height:**          | 101.6 cm / 40"      |
| **Total Weight:**    | 19.05 kg / 42 lbs.  |
| **Carbon Weight:**   | 14.33 kg / 31.59 lbs.|
| **Carbon Bed Depth:**| 2"                  |
| **Max Operating Temp:**| 80°C               |

<table>
<thead>
<tr>
<th>Exhaust:</th>
<th>Recirculating:</th>
</tr>
</thead>
<tbody>
<tr>
<td>S800</td>
<td>Max-Fan 8&quot;</td>
</tr>
<tr>
<td>Q-Max 8&quot; (speed 1)</td>
<td>Can-Fan 8&quot; HO</td>
</tr>
<tr>
<td>Pro-Series 8&quot; (speed 1)</td>
<td>Q-Max 8&quot; (speed 2, 3)</td>
</tr>
<tr>
<td></td>
<td>Pro-Series 8&quot; (speed 2, 3)</td>
</tr>
<tr>
<td></td>
<td>Max-Fan 8&quot; HO (speed 1, 2, 3)</td>
</tr>
</tbody>
</table>

**Call us:**  
(888) 478-6544

**Fax:**  
(888) 478-6555
5.20
Chapman, Austin

From: Joseph Wallis <heath@svenskraft.com>
Sent: Friday, August 12, 2022 4:36 PM
Cc: Chapman, Austin; mryder@cityoftulsa.org
Subject: BOA-23408

To whom it may concern:

I’m writing in response to a notice of hearing that was mailed to my place of business at 7457 E 46th Pl, directly across the street from the proposed modification action. I am asking the BOA to NOT APPROVE this action.

I have been operating in this location since 2015 and since 2018 have seen my place of business literally surrounded on all sides by these grow operations. These grow operations have violated City of Tulsa ordinance Section 40.225 part F which states:

F. Medical marijuana grower operations, processing facilities and dispensaries must provide the following:

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The day I received this letter I walked out of my place of business and into the street directly in front of said property and could smell marijuana odor emanating.

I have worked with Michael Ryder of the City Inspections department since 2020 in an elaborate cat and mouse game to cite and fine these businesses for their various violations. He can provide you with the various complaints I’ve filed. However, because of the way protocols are established the city inspector’s hands are tied in how they can cite if they don’t smell the odor the day they come out. We are literally at the mercy of which way the wind blows. And then there is the matter of every one of these businesses pointing a finger at the other if and when one is caught.

We do not need a MORE INTENSE use granted for this property. You the BOA have already granted one such variance behind my property and the problem got WORSE not better. I have written my councilor, I’ve written the OMMA, and no one will do anything. I’ve tried to work through the system and it has failed me at every turn.

As a business which is public facing, it is incredibly embarrassing for me to have to explain to customers that we are not the source of the odor nor are we partaking in such activity inside their property (automobiles). Customers likewise feel uncomfortable with leaving their property amongst such odors or smelling it inside their car when they leave. It is reasonable to assume we have lost business as customers have sought services elsewhere that don’t have to put up with such odors. These growing operations are not good neighbors and should not be approved for MORE noxious activity.

As the state has already declared a moratorium on new grower licenses, they are sending a message that we do not need more product. Therefore, the BOA does not need to grant a variance to produce more of something that has been determined we do not need.

Please consider those of us incumbent business and property owners who have had to put up with these nuisances and have tried to work within a system that has failed us.

DO NOT approve this variance.

Joseph Wallis
Wallis Holdings LLC
Good Morning Heath,

My name is Luke Hanson, and my partner Billy Parker is copied. Together we own and operate the medical cannabis cultivation facility at 7450 E 46th Place (across the street). Wanted to reach out this morning regarding the email you sent to the BOA last Friday, 8/12/22. We had no idea how frustrated you were with our operation until seeing that email, so we were hoping for a chance to speak with you this week.

We completely understand your frustration with the other grows surrounding your facility. We, as professionals, are frustrated by it too. We see the plumes of smoke coming from the grow behind y’alls facility every day. We have had our fair share of terrible experiences with Adam (the operator of the grow next to your facility). However, those grow operations are NOT a representation of how we do business at Jubel, LLC. We are a Better Business Bureau accredited business, 8 out of 12 of our team members are college educated, we employ a US Marine Veteran, and we donate irrigation equipment every year to the Oklahoma State University Horticulture Program.

All that said, I recognize that your main concern is that we are not mitigating our odor as we should be. Therefore, we would love to take the time to show you around our facility if you will be around today. We would like to show you our air filtration system, the quality of filters that we use in our grow rooms, fill you in on our SOPs related to filter replacement, waste management, etc. Would also like to fill you in on exactly how we are planning to use the processing license we are applying for. In summary, we would just like an opportunity to address some of your concerns (both related to the BOA hearing and otherwise).

We called the Svenskraft office on Monday morning requesting to speak to you, and the gentleman we talked to said he would let you know I called and pass along my number. We hadn’t heard from you by Wednesday, 8/17 so we walked across the street to see if we could speak to you in person. We talked to your business partner and he said you might be there this Friday (today). Therefore, I wanted to send you an email this morning before the day got started to see if you would have any availability today to speak with us in person. If so please feel free to reply to this email or call/text Billy @ 972-742-9199.

Thank you.
LH

Jubel, LLC

Luke Hanson - Owner/Operator
Cell: 479-798-2522
Email: luke@jubelexotics.com
Website: jubelexotics.com
Instagram: @jubelexotics
HEARING DATE: 09/13/22 (Continued from 08/23/22). Continuance requested by staff to correct errors in exhibits provided by applicant.

APPLICANT: Encino Custom 3D Products, LLC c/o Christian Ortiz

ACTION REQUESTED: Variance to allow signs within 50-feet of Residential Districts (Sec. 60.040-B.3); Variance to increase the number of allowed drive-through signs and to allow the drive-through signs to be within 50-feet of residential zoning districts (Sec. 60.030-B)

LOCATION: 1232 S. Harvard Ave. E. ZONED: CH

PRESENT USE: Commercial TRACT SIZE: 30850.15 SQ FT

LEGAL DESCRIPTION: LTS 8, 9, 10, 11 & 12 LESS E15 THEREOF & LESS S20 W20 LT 12 BLK 4, EAST LAWN ADDN City of Tulsa, Tulsa County, State of Oklahoma

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

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

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

STATEMENT OF HARDSHIP: Topographic conditions.

STAFF ANALYSIS: The applicant is requesting a Variance to allow signs within 50-feet of Residential Districts (Sec. 60.040-B.3); and Variance to increase the number of allowed drive-through signs and to allow the drive-through signs to be within 50-feet of residential zoning districts (Sec. 60.030-B)
Facts staff finds favorable for variance request:
- None.

Facts Staff find unfavorable for the variance request:
- The applicant did not explain what topographic conditions have created hardship for the property owner.
- The residential district to the West is on a lower grade than the subject property and per the photos in your packet it would be more visible and screening may not obscure the signage.
- The location of the signage is proposed because of the site layout and not unique conditions related to the property.

SAMPLE MOTION:
Move to ________ (approve/deny) a **Variance** to allow signs within 50-feet of Residential Districts (Sec. 60.040-B.3); and **Variance** to increase the number of allowed drive-through signs and to allow the drive-through signs to be within 50-feet of residential zoning districts (Sec. 60.030-B)

- Finding the hardship(s) to be__________________________________________.

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

- Subject to the following conditions ____________________________.

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
SIGN PLAN REVIEW

May 23, 2022

Phone: 918-286-8535

Christian Ortiz
9810 E. 58th St.
Tulsa, OK 74146

APPLICATION NO: SIGN-118022-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 1244 S. Harvard Ave.
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 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-118022-2022

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. **60.040-B.3 Required Setbacks, Spacing and Separations**

   Signs that are visible from an R or AG-R district (other than street, highway or freeway right-of-way) or from a designated residential development area must be separated from the R or AG-R district or residential development area by a minimum distance of 50 feet.

   **Review Comments:**
   The wall signs on the south elevation appear to be located closer than 50’ to the west property line, which abuts a residential zoning district. You may revise the site plan to show that no signs will be located within 50’ of a residential zoning district, or you may request a variance from the Board of Adjustment to permit a wall sign to be located closer than 50’ to a residentially zoned district.

---

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.
SIGN PLAN REVIEW

May 23, 2022

Phone: 918-286-8535

Christian Ortiz
9810 E. 58th St.
Tulsa, OK 74146

APPLICATION NO: SIGN-118028-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 1244 S. Harvard Ave.
Description: Wall sign

INFORMATION ABOUT SUBMITTING REVISIONS

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(Continued)
REVIEW COMMENTS

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Application No. SIGN-118028-2022

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SIGN PLAN REVIEW

May 23, 2022

Phone: 918-286-8535

Christian Ortiz
9810 E. 58th St.
Tulsa, OK 74146

APPLICATION NO:  SIGN-118033-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location:  1244 S. Harvard Ave.
Description:  Wall sign

INFORMATION ABOUT SUBMITTING REVISIONS

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(Continued)
### REVIEW COMMENTS

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Application No. SIGN-118033-2022

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12226 Coast Drive
Whittier, CA 90601
Tel: (562) 946-7545
Fax: (562) 949-5707
St. Lic.: 455415
Los Angeles, CA

ALL IDEAS, PLANS, AND ELECTRONIC ART INDICATED ON THIS DRAWING ARE COPYRIGHTED AND OWNED BY LOREN ELECTRIC SIGN CORPORATION AND SHALL NOT BE REPRODUCED, USED BY OR DISCLOSED TO ANY PERSONS, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT PERMISSION OF LOREN ELECTRIC SIGN CORPORATION.

**SCHEDULE**

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
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<tbody>
<tr>
<td>N1</td>
<td>(1) SIGN TYPE DBCL10-REMOTE-RW: CHANNEL LETTERS WITH REMOTE RACEWAY</td>
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<tr>
<td>N2</td>
<td>(1) SIGN TYPE DBCL10-REMOTE-RW: CHANNEL LETTERS WITH REMOTE RACEWAY</td>
</tr>
<tr>
<td>N4</td>
<td>(1) SIGN TYPE DBW13: SELF CONTAINED LOGO</td>
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<tr>
<td>N5</td>
<td>(1) SIGN TYPE DBW13: SELF CONTAINED LOGO</td>
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<tr>
<td>N7</td>
<td>(1) ADDRESS NUMBERS</td>
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<tr>
<td>N8</td>
<td>(4) SIGN TYPE DBCMENU-WM-SF: WALL MOUNTED MENU BOARD</td>
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<tr>
<td>N9</td>
<td>(2) SIGN TYPE DBCMENU-PM-DF: FREE STANDING MENU BOARD</td>
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<tr>
<td>N10</td>
<td>(4) SIGN TYPE DBCMENU-PM-SF: FREE STANDING MENU BOARD</td>
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<tr>
<td>N11</td>
<td>(2) SNAP FRAMES 3½”X4½”</td>
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<tr>
<td>N12</td>
<td>(4) SNAP FRAMES 17”X11”</td>
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<td>N13</td>
<td>(1) SIGN TYPE DB-DIR-DT-DF: NON-IILLUMINATED D/F DIRECTIONAL</td>
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<td>N14</td>
<td>(1) SIGN TYPE DB-DIR-EO-DF: NON-IILLUMINATED D/F DIRECTIONAL</td>
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<tr>
<td>N15</td>
<td>(1) SIGN TYPE DA-CLEARANCE BAR</td>
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<tr>
<td>N16</td>
<td>(1) SIGN TYPE : NEW ILLUMINATED PYLON CUP SIGN</td>
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**APPROVAL**

<table>
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<tr>
<th>X</th>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
</table>

**SIGN CODE**

**ALLOWABLE SQ. FT.**

**PROPOSED SQ. FT.**

**LEGEND**

- NEW PROPOSED
- EXISTING SIGN TO BE REPLACED
- EXISTING SIGN TO BE REMOVED
- EXISTING SIGN TO REMAIN

**Dutch Bros Coffee**

1244 Harvard Ave
Tulsa, OK 74112

**SCHEDULE**

1. Serenity Aveda Day Spa & Salon
2. Sky High Tulsa Dispensary
3. C & C Tile & Carpet
4. McDonald’s Fast Food - S
5. Allied Plumbing Supply
6. Guitar House of Musical instrument
8. S. Harvard Ave & E 13th St, Tulsa, OK 74112

**NOT TO SCALE**

**VICINITY MAP**

**AERIAL PHOTO / SITE PLAN**

**NOT TO SCALE**

**DUTCH BROS**

1244 Harvard Ave
Tulsa, OK 74112

Approval Signature

**DATE:** 12/15/2021

**PROJECT MANAGER:** Joanne P.

**DESIGNER:** Trong T.

**REVISION DATE:** 08/26/2022

**REVISION:** Raul D.
ALL IDEAS, PLANS, AND ELECTRONIC ART INDICATED ON THIS DRAWING ARE COPYRIGHTED AND OWNED BY LOREN ELECTRIC SIGN CORPORATION AND SHALL NOT BE REPRODUCED, USED BY OR DISCLOSED TO ANY PERSONS, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT PERMISSION OF LOREN ELECTRIC SIGN CORPORATION.

DUTCH BROS
1244 Harvard Ave
Tulsa, OK 74112

CLIENT:
DUTCH BROS

ADDRESS:
1244 Harvard Ave
Tulsa, OK 74112

CONSTRUCTION MGR.

SITE PLAN

SCALE: 1/32"=1'-0"

Joanne P.
PROJECT MANAGER
12/15/2021
08/26/2022
RAUL D.
REVISION BY:

Trong T.
DESIGNER:
08/26/2022

Approval Signature:

12226 Coast Drive
Whittier, CA 90601
Tel: (562) 946-7545
Fax: (562) 949-5707
St. Lic.: 455415
Los Angeles, CA

SIGNS AND MENUS

12-21-0011R2
PAGE NO.:
OF
2
21

12/21-0011R2

SIGN AND MENUS
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DUTCH BROS

12-21-0011R2

SIGN AND MENUS

1244 Harvard Ave
Tulsa, OK 74112

CLIENT:
DUTCH BROS

ADDRESS:
1244 Harvard Ave
Tulsa, OK 74112

DRAWING/REVISION NO.:
12-21-0011R2

PAGE NO.:
3 OF 21

DATE:
12/15/2021

PROJECT MANAGER:
Joanne P.

DESIGNER:
Trong T.

REVISION DATE:
08/26/2022

REVISION BY:
Raul D.

TOTAL SQ. FT.: 46.36

Scale: 1/4"=1'-0"

SOUTH ELEVATION

DBW13@18.03SF

DBCL10@28.33SF

ADDRESS NUMBERS

CONSTRUCTION MGR.
DBW13@18.03SF
TOTAL SQ. FT.: 46.36

Scale: 3/16"=1'-0"
SCOPE OF WORK: MANUFACTURE & INSTALL (2) ILLUMINATED CHANNEL LETTERS WITH REMOTE RACEWAYS

SIGN TYPE DBCL10-REMOTE-RW: CHANNEL LETTERS WITH REMOTE RACEWAY

TOTAL SQ. FT.: 28.33

QTY. 2

Scale: 3/4" = 1'-0"

COLOR SPECIFICATIONS:

230-015 YELLOW PSV
PMS 116C

230-33 RED PSV
PMS 1797C

230-127 INTENSE BLUE PSV
PMS 300C

PMS 7591C

WHITE LED W/REMOTE POWER SUPPLY

SPECIFICATIONS:

LETTERS: RACEWAY BEHIND WALL

FACES: 1/8" WHITE ACRYLIC W/1ST SURFACE VINYL OUTLINE 230-127 INTENSE BLUE

RETURNS: .040" ALUM. PAINTED TO MATCH PMS 7691C

TRIMCAP: 1" PAINTED TO MATCH PMS 7691C

ILLUMINATION: WHITE LED W/REMOTE POWER SUPPLY

COFFEE UNDERSCORE:

FACES: 1/8" WHITE ACRYLIC W/1ST SURFACE VINYL 230-127 INTENSE BLUE, 230-33 RED AND 230-15 YELLOW

RETURNS: .040" ALUM. PAINTED TO MATCH PMS 7691C

TRIMCAP: 1" PAINTED TO MATCH PMS 7691C

ILLUMINATION: WHITE LED W/REMOTE POWER SUPPLY

CONSTRUCTION MGR.

D. BATTY

PROJECT MANAGER

Joanne P.

DESIGNER

Trong T.

REVISION DATE:

08/26/2022

REVISION BY:

Raul D.

12/15/2021

PROJECT MANAGER

Joanne P.

DESIGNER

Trong T.

REVISION DATE:

08/26/2022

REVISION BY:

Raul D.
ELECTRICAL COMPONENTS TO BE UL LISTED AND INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRIC CODE (NEC). ALL WIRING SHALL BE 12 GA.

1.) INSTALLATION OF THIS SIGN SHALL CONFORM TO THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

2.) BRANCH CIRCUIT:
   A.) ALL BRANCH CIRCUITS FOR SIGNS MUST BE TOTALLY DEDICATED TO SIGNS (INCLUDING DEDICATED GROUND AND DEDICATED NEUTRAL PER CIRCUIT).
   B.) SIGN CIRCUITS MUST NOT BE SHARED WITH OTHER LOADS SUCH AS LIGHTING, AIR CONDITIONING AND OTHER EQUIPMENT.
   C.) PROPERTY SIZED GROUND WIRE THAT CAN BE TRACKED TO THE BREAKER PANEL MUST BE PROVIDED.

3.) U.L. AND DATA LABELS REQUIRED

4.) SIGN SATISFIES ALL REQUIREMENTS OF TITLE 24.

5.) OUTDOOR SIGNAGE TO EMPLOY EITHER PHOTOCELL OR OUTDOOR ASTRONOMICAL TIMER

NOTES:
- ELECTRICAL COMPONENTS TO BE UL LISTED AND INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRIC CODE (NEC).
- ALL WIRING SHALL BE 12 GA.

LED LAYOUT

NOTES:
- ELECTRICAL SPECIFICATIONS
- LETTERS & COFFEE UNDERSCORE:
  - (73) WHITE LED MODULES @ 0.72W EA = 52.56W TOTAL
  - (1) 12V 60W POWER SUPPLIES @ 1.2 AMPS EA.
  - (1) CUSTOMER PROVIDED 120V/20A/60HZ DEDICATED CIRCUIT REQUIRED
  - TOTAL CIRCUIT LOAD: 1.2 AMPS @ 120 VAC

GENERAL NOTES:
1.) INSTALLATION OF THIS SIGN SHALL CONFORM TO THE REQUIREMENTS OF ARTICLE 600 OF NEC, UL48 AND/OR OTHER APPLICABLE LOCAL CODES.
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   D.) U.L. AND DATA LABELS REQUIRED
   E.) SIGN SATISFIES ALL REQUIREMENTS OF TITLE 24.
   F.) OUTDOOR SIGNAGE TO EMPLOY EITHER PHOTOCELL OR OUTDOOR ASTRONOMICAL TIMER
SCOPE OF WORK: MANUFACTURE & INSTALL (2) ILLUMINATED WINDMILL LOGOS

GENERAL NOTES:
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3.) U.L. AND DATA LABELS REQUIRED
4.) SIGN SATISFIES ALL REQUIREMENTS OF TITLE 24.
5.) OUTDOOR SIGNAGE TO EMPLOY EITHER PHOTOCELL OR OUTDOOR ASTRONOMICAL TIMER.

COLOR SPECIFICATIONS:
- 230-015 YELLOW PSV
- 230-116 RED PSV
- 230-127 INTENSE BLUE PSV
- 230-300C
- 7691C
- WHITE

SPECIFICATIONS:
LOGO: SELF CONTAINED
FACES: 3/16" WHITE ACRYLIC W/1ST SURFACE VINYL OUTLINE 230-127 INTENSE BLUE
RETURNS:.040" ALUM. PAINTED TO MATCH PMS 7691C
TRIMCAP: 1" PAINTED TO MATCH PMS 7691C
ILLUMINATION: WHITE LED W/SELF CONTAINED POWER SUPPLY
**DUTCH BROS**

1244 Harvard Ave
Tulsa, OK 74112

**ADDRESS**

**DRAWING/REVISION NO.:** N75

**PAGE NO.:** 10

**OF:** 21

**CLIENT:**

**PROJECT MANAGER:** Joanne P.

**DESIGNER:** Trong T.

**REVISION DATE:** 08/26/2022

**REVISION BY:** Raul D.

**NOTES:**

1. INSTALLATION OF THIS SIGN SHALL CONFORM TO THE REQUIREMENTS OF ARTICLE 600 OF NEC, UL48 AND/OR OTHER APPLICABLE LOCAL CODES.
2. BRANCH CIRCUIT:
   A. ALL BRANCH CIRCUITS FOR SIGNS MUST BE TOTALLY DEDICATED TO SIGNS (INCLUDING DEDICATED GROUND AND DEDICATED NEUTRAL PER CIRCUIT).
   B. SIGN CIRCUITS MUST NOT BE SHARED WITH OTHER LOADS SUCH AS LIGHTING, AIR CONDITIONING AND OTHER EQUIPMENT.
   C. PROPERTY Sized GROUND WIRE THAT CAN BE TRACED TO THE BREAKER PANEL MUST BE PROVIDED.
3. UL AND DATA LABELS REQUIRED
4. SIGN SATISFIES ALL REQUIREMENTS OF TITLE 24.
5. OUTDOOR SIGNAGE TO EMPLOY EITHER PHOTOCELL OR OUTDOOR ASTRONOMICAL TIMER

**ELECTRICAL SPECIFICATIONS**

LOGO:
- (27) WHITE LED MODULES @ 0.72W EA = 19.44W TOTAL
- (1) 12V 35W POWER SUPPLIES @ 1.1 AMPS EA.

TOTAL CIRCUIT LOAD: 1.1 AMPS @ 120 VAC

**INSTALLATION SPECIFICATIONS:**

- All hardware should be corrosion resistant.
- Recommended mounting hardware:
  - Option 1: Stucco or dryvit over plywood substrate: #10” X 3” long hex head lag bolts & washers.
  - Option 2: Stucco or dryvit over hollow substrate: 1/4” X 4” toggle bolts & washers.
  - Option 3: Concrete or masonry: screws size #10 Tapcon anchors
  - Option 4: Sheet metal: 1/4” X 4” threaded rods & washers w/ 2x4 wood blocking or 1 1/2” aluminum angle or 1/4” thick X 2” flat bars.

**GENERAL NOTES:**

- INSTALLATION OF THIS SIGN SHALL CONFORM TO THE REQUIREMENTS OF ARTICLE 600 OF NEC, UL48 AND/OR OTHER APPLICABLE LOCAL CODES.
- BRANCH CIRCUIT:
  - A. ALL BRANCH CIRCUITS FOR SIGNS MUST BE TOTALLY DEDICATED TO SIGNS (INCLUDING DEDICATED GROUND AND DEDICATED NEUTRAL PER CIRCUIT).
  - B. SIGN CIRCUITS MUST NOT BE SHARED WITH OTHER LOADS SUCH AS LIGHTING, AIR CONDITIONING AND OTHER EQUIPMENT.
  - C. PROPERTY Sized GROUND WIRE THAT CAN BE TRACED TO THE BREAKER PANEL MUST BE PROVIDED.
- UL AND DATA LABELS REQUIRED
- SIGN SATISFIES ALL REQUIREMENTS OF TITLE 24.
- OUTDOOR SIGNAGE TO EMPLOY EITHER PHOTOCELL OR OUTDOOR ASTRONOMICAL TIMER
SCOPE OF WORK: MANUFACTURE & INSTALL (1) NON-ILLUMINATED BUILDING ADDRESS

BUILDING ADDRESS
SCALE: 1 1/2" = 1'-0"

ADDRESS NUMBERS:
FONT: ARIAL BOLD
MATERIAL: 3/8" THICK ALUMINUM
COLOR: PAINTED SATIN WHITE
INSTALLATION: STUD MOUNTED FLUSH TO BUILDING

QTY. 1
Scale: 1 1/2" = 1'-0"

SIDE DETAIL
FULL SCALE

ADDRESS NUMBERS

CONSTRUCTION MGR.

Joanne P.
PROJECT MANAGER

Trong T.
DESIGNER

Raul D.
REVISION BY

12/15/2021
DATE

DUTCH BROS
1244 Harvard Ave
Tulsa, OK 74112

12-21-0011R2
DRAWING/REVISION NO.

SIGN & MENUS

PAGE NO.

Dutch Bros
Approval Signature

Los Angeles, CA
12226 Coast Drive
Whittier, CA 90601
Tel: (562) 946-7545
Fax: (562) 949-5707
St. Lic.: 455415

1/4" ALUMINUM FOIL ADDRESS NUMBER

THREADED STUD

COLOR CODE

SATIN WHITE PAINT
SCOPE OF WORK: MANUFACTURE & INSTALL (4) S/F WALL MOUNTED MENU SIGNS

COLOR CODE
- DIGITAL PRINT
- DB CUSTOM DARK BLUE

A WALL-MOUNTED, BACKLIT MENU SIGN
- PRINTED MENU PANEL NOT INCLUDED
- LED OUTDOOR LIGHT BOX
- LOCKABLE HINGED DOOR
- ALUMINUM CONSTRUCTION

B PRINTED LIGHT GUIDE PANEL
- AS SEPARATE ORDER

SIGN TYPE DBMENU-WM-SF: WALL MOUNTED MENU BOARDS
QTY. 4
TOTAL SQ. FT.: 10.70

SCALE: 1" = 1'-0"
SCOPE OF WORK: MANUFACTURE & INSTALL (2) D/F POST MOUNTED MENU SIGNS

CONSTRUCTION MGR.

SIGN TYPE DBMENU-PM-DF: FREE STANDING MENU BOARD
TOTAL SQ. FT.: 10.70

N9

DBMENU-PM-DF 3' X 3' X 10" CONCRETE SLAB FOOTING

CONCRETE SIDEWALK

INSTALLATION ORIENTATION DETAIL
NOT TO SCALE

4'-0" TYPE

DRIVE-THRU LANE

DRIVE-THRU LANE

CONCRETE FOOTING INSTALLED BY GC WITH ELECTRICAL CONDUIT IN THE CENTER OF THE PIER.

SIDE VIEW

DBMENU-PM-DF: FREE STANDING MENU BOARD

COLOR CODE
- DIGITAL PRINT
- POWDER COATED DB CUSTOM DARK BLUE
- POWDER COATED SILVER

SCALE: 1" = 1'-0"

POWER THRU POST
ALUMINUM BASE PLATE COVER

USB OUTLET (LEFT SIDE)

SWITCH (LEFT SIDE)

120 VAC GFI OUTLET W/LOCKABLE WEATHER PROOF COVER

1/8" X 7" LONG WET SET ANCHORS

CONDUIT

(2) TwiX-Locks

(2) TwiX-Locks

3/8" 9/16"

21 7/16"

10"

SCALE: 1" = 1'-0"

FREESTANDING BACKLIT MENU SIGN
+ ASSEMBLE POST & MENU
+ FOOTING INSTALLED BY GC.

POWDER COAT POST & CABINET TO MATCH DB CUSTOM DARK BLUE

POWER OUTLET (LEFT SIDE)
SCOPE OF WORK: MANUFACTURE & INSTALL (4) S/F POST MOUNTED MENU SIGNS

COLOR CODE
- DIGITAL PRINT
- DB CUSTOM DARK BLUE

FREESTANDING BACKLIT MENU SIGN
- ASSEMBLE POST & MENU
- FOOTING INSTALLED BY GC.
- 120 V @ 1.0 AMP

POWDER COAT POST & CABINET TO MATCH DB CUSTOM DARK BLUE

SCALE: 1" = 1'-0"

SIGN TYPE: DBMENU-PM-SF: FREE STANDING MENU BOARD
QTY: 4

TOTAL SQ. FT.: 10.7

PREFERRED INSTALL METHOD: EXPANSION BOLTS INTO EXISTING CONCRETE PAD.
ALTERNATE INSTALL METHOD: CONCRETE FOOTING INSTALLED BY GC WITH ELECTRICAL CONDUIT IN THE CENTER OF THE PIER WHERE APPROPRIATE.
SCOPE OF WORK: MANUFACTURE & INSTALL (2) SNAP FRAMES

COLOR CODE:
- CLEAR ANODIZED ALUMINUM

SNAP FRAMES

N11

0.63" PRE-COAT WHITE ALUMINUM BACK
CLEAR ANODIZED ALUMINUM SNAP FRAME

SCREW TO EXTERIOR WALL OF BUILDING

#10 SCREWS INTO WOOD
(2X) TOP
(2X) BOTTOM

.63" PRE-COAT WHITE ALUMINUM BACK

CLEAN ANODIZED ALUMINUM SNAP FRAME

SCALE: 1" = 1'-0"
QTY. 2

CONSTRUCTION MGR.

PROJECT MANAGER
Joanne P.

DESIGNER
Trong T.

REVISION DATE
08/26/2022

REVISION BY
Raul D.
SCOPE OF WORK: MANUFACTURE & INSTALL (4) SNAP FRAMES

COLOR CODE:

- CLEAR ANODIZED ALUMINUM

SNAP FRAMES

QTY. 4

Scale: 1 1/2" = 1'-0"

CONSTRUCTION MGR.
SCOPE OF WORK: MANUFACTURE & INSTALL (2) D/F NON-ILLUMINATED DIRECTIONAL SIGN

DIAMOND GRADE REFLECTIVE WHITE VINYL WITH DIGITALLY PRINTED PMS 541 C BLUE BACKGROUND
2" X 2" SQUARE TUBE ALUMINUM FRAME & POST WITH ALUMINUM FACES & 3/8" X 6" X 6" PLATE
FABRICATED .090 ALUMINUM BOLT COVER
PAINT PMS 541 C
INSTALL PLATE-MOUNT SIGN WITH HILTI Kwik Bolts
PAD FOOTING INSTALLED BY GC

COLOR CODE

- PMS 541 C
- WHITE REFLECTIVE VINYL

STRUCTURE DETAIL

SCALE: 1 ½" = 1'-0"

PLATE DETAIL

SCALE: 3" = 1'-0"

SIGN TYPE DBDIR-DT-DF: NON-ILLUMINATED D/F DIRECTIONAL

TOTAL SQ. FT.: 3.13

N13

SIGNING MGR.
SCOPE OF WORK: MANUFACTURE & INSTALL (1) S/F POST MOUNTED DOUBLE ARM CLEARANCE BAR WITH PIVOTING ARMS

SIGN TYPE DA-CLEARANCE BAR: S/F POST MOUNTED DOUBLE ARM CLEARANCE BAR W/PIVOTING ARMS

QTY. 1

TOTAL SQ. FT.: 33.19

Scale: 1/2" = 1'-0"

PLATE DETAIL
SCALE: 1 1/2" = 1'-0"

1 1/2" THICK X 10" DIA. ROUND STEEL BASE PLATE

11/16" DIA. HOLES

CUT OUT FOR 4 1/2" SCH 40 STEEL PIPE

1/2" THICK X 10" DIA. ROUND STEEL BASE PLATE

DRAWING/REVISION NO.: 12-21-0011R2
PAGE NO.: 19 OF 21

CLIENT: DUTCH BROS
ADDRESS: 1244 Harvard Ave
Tulsa, OK 74112

DATE: 12/15/2021
PROJECT MANAGER: Joanne P.
DESIGNER: Trong T.
REVISION DATE: 08/26/2022
REVISION BY: Raul D.

CONSTRUCTION MGR.

ALL IDEAS, PLANS, AND ELECTRONIC ART INDICATED ON THIS DRAWING ARE COPYRIGHTED AND OWNED BY LOREN ELECTRIC SIGN CORPORATION AND SHALL NOT BE REPRODUCED, USED BY OR DISCLOSED TO ANY PERSONS, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT PERMISSION OF LOREN ELECTRIC SIGN CORPORATION.

SCALE: 1/2" = 1'-0"
SCOPE OF WORK: MANUFACTURE & INSTALL (1) D/F INTERNALLY ILLUMINATED PYLON CUP SIGN

Fabricated .080" aluminum returns for "Te" painted DB Custom dark blue with .177" white acrylic faces & blue trim cap. Translucent vinyl applied to faces. 7.10k white GE NB1000 LED Illumination.

Fabricated "cup" with .125" aluminum faces & returns, 2" x 2" x .125" aluminum square tube internal structural frame. Paint white.

LED illuminated channel wrap windmill. .040" x 5" white returns & 1" white trim cap. .177" white acrylic faces with perforated 30% vinyl digitally printed 1/M PMS 7691 C blue & opaque white outline.

Digitally printed "Dutch Bros" logo applied to sides.

Alisan blue Skyline LED, 1" wide

New 10" steel pipe support structure painted DB Custom Dark Blue. Pipe size 150 by engineer.

FOOTING TO BE EXCAVATED & CONCRETE POURED BY SIGN INSTALLER. POWER MUST BE SUPPLIED WITHIN 5' OF THE SIGN POLE LOCATION. FINAL CONNECTION BY SIGN INSTALLER.

SIGN TYPE: NEW ILLUMINATED PYLON CUP SIGN
TOTAL SQ. FT.: 102.5

COLOR CODE:
- PANTONE 107 C YELLOW
- PANTONE 1795 C RED
- PANTONE 7691 C BLUE
- DB CUSTOM DK BLUE (POLE)
- WHITE
- 236-36 DARK BLUE (LID)
- 236-127 INTENSE BLUE (LID)
- 236-147 DEEP SKY BLUE (LID)

ELEVATION
Scale: 1/4" = 1'-0"
PREPARED BY: Austin Chapman

HEARING DATE: 09/13/22 (Continued from 08/23/2022). Re-notice required to correct error.

APPLICANT: Richard Holland

ACTION REQUESTED: Special Exception to permit the storage of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface outside of the required building setbacks to permit a gravel driveway (Sec. 55.090-F-2)

LOCATION: 17009 E. 14th St. S. ZONED: AG

PRESENT USE: Residential TRACT SIZE: 194278.79 SQ FT

LEGAL DESCRIPTION: LTS 2 & 7 BLK 6, LYNN LANE ESTATES

RELEVANT PREVIOUS ACTIONS: None.

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

The New Neighborhood designation is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an existing or new Neighborhood or Town Center.

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.

STAFF ANALYSIS: The applicant is requesting a Special Exception to permit the storage of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface outside of the required building setbacks to permit a gravel driveway (Sec. 55.090-F-2):
The applicant is seeking to utilize gravel for a driveway stretching roughly 400-feet to a concrete parking area in front of the house. The portion inside the 35-foot street setback will be concrete including the portion inside the City of Tulsa Right-of-Way.

SAMPLE MOTION:

Move to _________ (approve/deny) a **Special Exception** to permit the storage of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface outside of the required building setbacks to permit a gravel driveway (Sec. 55.090-F-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
Lot 2 and 7, Block 6 Lynn Lane Estates
Parcel ID: 24375-94-11-00950
DEVELOPMENT SERVICES  
175 EAST 2nd STREET, SUITE 450  
TULSA, OKLAHOMA  74103-3227  

ZONING CLEARANCE  
PLAN REVIEW  

LOD Number:  03  

CJ Flynn  
Flynn Homes, LLC  
7105 E 86th Pl. N.  
Owasso, OK 74055  

Phone: (918) 978-2517  

APPLICATION NO:  BLDR-108557-2022  
(PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)  

Location:  17009 E 14th St S  
Description:  New Single Family  

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. 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][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. RESOLVED

2. 55.090-F Surfacing

All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of Section 55.090-F.4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

A hard surface, dustless material capable, during ordinary use, of withstanding without substantial deterioration, normal weather conditions. Gravel, rock or screenings alone, without use of a road surface binder, does not meet the definition of an all-weather surface.

01 – Review Comment: Revise the site plan to show the paving material of the driveway.

02 – Review Comment: Provide information that the Asphalt millings will have a binding agent that allows them to meet the requirements listed above or apply to the Board of Adjustments to be granted a special exception to use milled asphalt as a driveway surface.

03 – Review Comment: The asphalt binder proposed is a surface sealer. In order to ensure it meets code requirement, you will need to go the Board of Adjustments for a special exception for this application. Revise plans to traditional asphalt or another dustless all-weather material or apply to the BoA for a Special Exception.

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code: http://www.tmapc.org/Documents/TulsaZoningCodeAdopted110515.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.
E 14TH ST S

BOA-23413

Subject Tract

0 50 100

Feet

Aerial Photo Date: 2020/2021

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

19-14 11

7.7
PREPARED BY: Austin Chapman

HEARING DATE: 09/13/2022 (Continued from 08/23/2022). Item was continued because applicant was not present.

APPLICANT: Nathan Cross

ACTION REQUESTED: Variance to allow the floor area of a detached accessory building to exceed 750 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.1)

LOCATION: 7373 E 25 PL S

ZONED: RS-1

PRESENT USE: Single-family

TRACT SIZE: 45394.06 SQ FT

LEGAL DESCRIPTION: LT 14 BLK 10, JOHANSEN ACRES EXT

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.

STATEMENT OF HARDSHIP:

The Subject Property is uniquely large footprint combined with a residence located near the front of the property and no pool unlike many other lots in the neighborhood. This allows for a large amount of space for storage in the rear yard. My neighbors in the area use parts of lots to store items outdoors and the property owners would like to avoid such unsightly storage and build a storage building in the rear yard as others in the neighborhood have done.

STAFF ANALYSIS: The applicant is requesting Variance to allow the floor area of a detached accessory building to exceed 750 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.1)
That applicant is proposing a 40-feet x 50-feet (2,000 square feet) detached accessory building. Per the county assessor the existing home is listed at 2,283 square feet, which would permit them 913 square feet of accessory building.

Facts staff finds favorable for variance request:
- The minimum lot size in an RS-1 District is 13,500 square and this property sits 45,394.06 square feet.
- Proposed accessory building is not shown to be located in in any setbacks.

Facts Staff find unfavorable for the variance request:
- The proposed building will be in near equal proportions of the existing house. It is unclear how a building that large is accessory to a residential use.
- Existing residential house does currently have an attached garage space fronting 25th street.

SAMPLE MOTION:
Move to _________ (approve/deny) a Variance to allow the floor area of a detached accessory building to exceed 750 square feet and 40% of the floor area of the principal residential structure (Sec. 45.030-A.1):

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

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
EXHIBIT “A”

Lot Fourteen (14), Block Ten (10), JOHANSEN ACRES EXTENDED, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.
**EXHIBIT “B”**

**BACKGROUND**

The property at issue in the request (the “Subject Property”) is a large 45,425 square foot lot located at 7373 E. 25th Place in Tulsa. As can be seen from the Plot Plan exhibit attached to this application, the single-family home on the property sits roughly 50 feet from the front property (along East 25th Place) line and the remainder of the property is completely vacant back to the back property line.

The property owners purchased the Subject Property in 2009 with the goal of not only living in the single-family home located on the Subject Property but also taking advantage of the generous size of the property for storage and additional uses as others have in the area.

**REQUEST FOR RELIEF**

The applicant is seeking a variance from Section 45.030-A to allow a 40’ by 50’ storage (2,000 square feet) building and shop at the rear of the Subject Property on which the single-family home is approximately 2,283 square feet. The dimensions of the proposed structure are included in the attached graphics. It should be noted from the attached Plot Plan exhibit that the generous size of the Subject Property allows for this structure to be constructed in accordance without the need for any additional relief from the setback requirements of the City of Tulsa Zoning Code.

**HARDSHIP**

The Subject Property is uniquely large footprint combined with a residence located near the front of the property and no pool unlike many other lots in the neighborhood. This allows for a large amount of space for storage in the rear yard. My neighbors in the area use parts of lots to store items outdoors and the property owners would like to avoid such unsightly storage and build a storage building in the rear yard as others in the neighborhood have done.
DESCRIPTION

Lot Fourteen (14), Block Ten (10), JOHANSEN ACRES EXTENDED to Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, also known as 7373 E 25th Place.
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9327
CD: 5

PREPARED BY: Austin Chapman

HEARING DATE: 09/13/22 (Continued from 08/23/2022). Sign exhibits were requested of the applicant to demonstrate what the signage would look like on the property if it met code.

APPLICANT: Superior Signs

ACTION REQUESTED: Special Exception to permit signs inside the right-of-way or planned right-of-way of S. Yale Avenue (Sec. 60.020-E); Variance to increase the number of allowed driveway and drive-through signs and to increase the permitted 4 square feet of display area for driveway signs (Sec. 60.030-A.1, B.2)

LOCATION: 4249 S YALE AV E
ZONED: CH

PRESENT USE: Drive Thru
TRACT SIZE: 22498.83 SQ FT

LEGAL DESCRIPTION: TR A BEG 1190 S 90 E OF NW COR NW NW TH E 150 N 150 W 150 S 150 TO PT BEG SEC 27-19-13, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-19908: On 09.28.04 the Board approved a Variance to allow parking in between the building and Yale Avenue inside the right of way and a Special Exception to modify the screening requirement along E. 43rd St.

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

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

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

STATEMENT OF HARDSHIP:

6-Directionals: Yale directional are essential for the traffic, they have 1 entrance and 1 exit to keep the flow of traffic moving. 43rd Street directionals have the same reason traffic flow.

1-Menu Presale Board- McDonalds is most busy during lunch. 2 Drive-thru lanes helps with traffic.

STAFF ANALYSIS: The applicant is requesting a Special Exception to permit signs inside the right-of-way or planned right-of-way of S. Yale Avenue (Sec. 60.020-E); and a Variance to increase the number of allowed
driveway and drive-through signs and to increase the permitted 4 square feet of display area for driveway signs (Sec. 60.030-A.1, B.2)

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).

60.030-A Driveway Signs

1. One driveway sign may be installed at each vehicle entrance and exit to any lot occupied by an allowed nonresidential use or apartment/condo building. Such signs must be located within 10 feet of the intersection of the driveway and the street right-of-way. Driveway signs may be illuminated but may not exceed 4 square feet in area or 5 feet in height.

2. Off-street parking areas with a capacity of more than 4 vehicles, multi-tenant developments and uses on lots exceeding 80,000 square feet in area may display internal site driveway signs. Such signs must be located within 10 feet of an internal site driveway or drive aisle and may not exceed 12 square feet in area or 10 feet in height.

60.030-B Drive-through Signs

Drive-through signs are permitted in conjunction with drive-through uses, in accordance with the following regulations.

1. Location
   Drive-through signs must be located within 10 feet of a drive-through lane.

2. Number and Dimensions
   One primary drive-through sign not to exceed 36 square feet in area or 8 feet in height is allowed per order station up to a maximum of 2 primary drive-through signs per lot. One secondary drive-through sign not to exceed 15 square feet in area or 6 feet in height is allowed per lot.

The applicant is seeking an additional driveway sign at each of the three entrances/exits of the property that are proposed at 5.75 square feet each. Four of these signs are proposed to be in the right-of-way of S. Yale Ave. The applicant is also seeking an an additional secondary drive through sign to service the second drive through lane.

Facts staff finds favorable for variance request:
- The additional signage may benefit traffic circulation to serve the three existing curb-cuts into the property.

Facts Staff find unfavorable for the variance request:
- The need for the additional signage seem to be required because of the design laid out by the user and not related to the property itself.
- It is not clear why the additional size on the signs is needed.

Included in your packet is a copy of the original license agreement permitting certain improvement inside the right-of-way along S. Yale Ave. The applicant will need to revise that agreement with the City of Tulsa to include signage.
SAMPLE MOTION:

Special Exception:
Move to __________ (approve/deny) a Special Exception to permit signs inside the right-of-way or planned right-of-way of S. Yale Avenue (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 increase the number of allowed driveway and drive-through signs and to increase the permitted 4 square feet of display area for driveway signs (Sec. 60.030-A.1, B.2)

- 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.”**

9.3
Facing East on 43rd St.

Subject Property
Rear portion of Subject property
Correction Type

Zoning
Category

General Correction
Corrective Action

Review Comments: The right of way at this location extends 90' from the centerline of Yale Ave. No distance from the center of the street is shown on the plans. Revise the site plan to show the distance from the leading edge of the sign to the centerline of Yale Ave. to show that the sign will not be located in the right of way.

Comment

Section 60.020-E Prohibited Signs and Sign Characteristics: 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).

Correction Type

Zoning
Category

General Correction
Corrective Action

Review Comments: There are two driveway signs shown for each entry, and the driveway sign square footage of 5.75 exceeds the allowable area for a driveway sign which is 4 square feet. Revise the plans to reduce the number of driveway signs to one per entry and to reduce the display square footage to 4 square feet or less. Alternatively you may seek a variance from the Board of Adjustment for two driveway signs per vehicle entrance and for each driveway sign to have a display area of 5.75 square feet.

Comment

Section 60.030-A.1 Driveway Signs: One driveway sign may be installed at each vehicle entrance and exit to any lot occupied by an allowed nonresidential use or apartment/condo building. Such signs must be located within 10 feet of the intersection of the driveway and the street right-of-way. Driveway signs may be illuminated but may not exceed 4 square feet in area or 5 feet in height.

Direction ↓
Correction Type

Zoning
Category

General Correction

Corrective Action

Review Comments: The right of way at this location extends 90' from the centerline of Yale Ave. No distance from the center of the street is shown on the plans. Revise the site plan to show the distance from the leading edge of the sign to the centerline of Yale Ave. to show that the sign will not be located in the right of way.

Comment

Section 60.020-E Prohibited Signs and Sign Characteristics: 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").

Correction Type

Zoning
Category

General Correction

Corrective Action

Review Comments: There are two driveway signs shown for each entry, and the driveway sign square footage of 5.75 exceeds the allowable area for a driveway sign which is 4 square feet. Revise the plans to reduce the number of driveway signs to one per entry and to reduce the display square footage to 4 square feet or less. Alternatively you may seek a variance from the Board of Adjustment for two driveway signs per vehicle entrance and for each driveway sign to have a display area of 5.75 square feet.

Comment

Section 60.030-A.1 Driveway Signs: One driveway sign may be installed at each vehicle entrance and exit to any lot occupied by an allowed nonresidential use or apartment/condo building. Such signs must be located within 10 feet of the intersection of the driveway and the street right-of-way. Driveway signs may be illuminated but may not exceed 4 square feet in area or 5 feet in height.
Correction Type

Zoning

Category

General Correction

Corrective Action

Review Comments: The right of way at this location extends 90' from the centerline of Yale Ave. No distance from the center of the street is shown on the plans. Revise the site plan to show the distance from the leading edge of the sign to the centerline of Yale Ave. to show that the sign will not be located in the right of way.

Comment

Section 60.020-E Prohibited Signs and Sign Characteristics: 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).
Correction Type

General Correction

Corrective Action

Review Comments: The right of way at this location extends 30’ from the centerline of E. 43rd St. No distance for the center of the street is shown on the plans. Revise the site plan to show the distance from the leading edge of the sign to the centerline of 43rd St. to show that the sign will not be located in the right of way.

Comment

Section 60.020-E Prohibited Signs and Sign Characteristics: 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).
Correction Type

Zoning

Category

General Correction

Corrective Action

Review Comments: The right of way at this location extends 90' from the centerline of Yale Ave. No distance from the center of the street is shown on the plans. Revise the site plan to show the distance from the leading edge of the sign to the centerline of Yale Ave. to show that the sign will not be located in the right of way.

Comment

Section 60.020-E Prohibited Signs and Sign Characteristics: 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”.

Correction Type

Zoning

Category

General Correction

Corrective Action

Review Comments: There are two driveway signs shown for each entry, and the driveway sign square footage of 5.75 exceeds the allowable area for a driveway sign which is 4 square feet. Revise the plans to reduce the number of driveway signs to one per entry and to reduce the display square footage to 4 square feet or less. Alternatively you may seek a variance from the Board of Adjustment for two driveway signs per vehicle entrance and for each driveway sign to have a display area of 5.75 square feet.

Comment

Section 60.030-A.1 Driveway Signs: One driveway sign may be installed at each vehicle entrance and exit to any lot occupied by an allowed nonresidential use or apartment/condo building. Such signs must be located within 10 feet of the intersection of the driveway and the street right-of-way. Driveway signs may be illuminated but may not exceed 4 square feet in area or 5 feet in height.

Directional
Correction Type

Zoning

Category

General Correction

Corrective Action

Review comments: only one secondary drive through sign is allowed per lot. Reduce the number of secondary drive through signs to one, or as an alternative you may request a variance from the Board of Adjustment for two secondary drive through signs on one lot.

Comment

60.030-B.2 Drive-through Signs, Number and Dimensions:
One primary drive-through sign not to exceed 36 square feet in area or 8 feet in height is allowed per order station up to a maximum of 2 primary drive through signs per lot. One secondary drive-through sign not to exceed 15 square feet in area or 6 feet in height is allowed per lot.

The Sell Menu "Digital"
McDonald's

#1767 - 4249 S YALE STREET - TULSA, OK 74135

SIGN PROGRAM BOOK

VICINITY MAP

NTS

Customer: MCDONALD'S
Date: 4/14/22
Prepared By: JS/JR

Location: TULSA, OK
File Name: 241008 - R1 - 4249 S YALE ST - TULSA, OK

DISTRIBUTED BY SIGN UP COMPANY
700 23rd Street Southwest
PO Box 230
Watertown, SD 57201-0230
1.800.643.9886 • www.personasigns.com

9.12
**Frame**
- Hot dip galvanized + anti-graffiti powder coated steel

**Brackets**
- Hot dip galvanized

**Panels**
- Aluminium + anti-graffiti powdercoat

**Access fasteners**
- Security Torx

**Media player access**
- Dual camlock

**Eyebolt**
- Stainless crane on

**Baseplate**
- McDonalds spec triple mounting pattern option

---

**ODMB 02 SINGLE**

**Displays**
- Samsung OH55F

**Hardware**
- Stratacache Spectra NG

**Heating/Cooling**
- Watlow 100W Heater
- Sunon 120mm AC Fan

**Power Supply Units**
- 60W DC Media Player
- Power Supply

**Power Cables**
- 1 x IEC Power Cable

**Electrical Components**
- Isolated Ground
- 2 x 1G Receptacles
- 20A Circuit Breaker

**Communication Cables**
- 2 x HDMI
- 1 x RS232

**Certification**
- UL Certified

---

**Scale:** 1/2" = 1'-0"
LICENSE AGREEMENT

THIS AGREEMENT, made and entered into by and between the CITY OF TULSA, OKLAHOMA, a municipal corporation, 175 East Second Street, Tulsa, OK 74103 (hereinafter referred to as “City”) and RHC ASSOCIATES, a New York General Partnership (hereinafter referred to as “Licensee”),

WITNESSETH:

WHEREAS, City owns certain real property, adjacent to:

Part of the Northwest Quarter of the Northwest Quarter of Section 27, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa, County, State of Oklahoma, more particularly described as follows:
Commencing at a point 1190 feet south and 90 feet east of the Northwest Corner of said Section 27 (same being the point of intersection of the north line of 43rd Street and the east line of Yale Avenue as currently dedicated);
THENCE east along the north line of 43rd Street a distance of 150 feet;
THENCE north parallel to the east line of Yale Avenue a distance of 150 feet;
THENCE west parallel to the north line of 43rd Street a distance of 150 feet to the east line of Yale Avenue;
THENCE south along the east line of Yale Avenue 150 feet to the Point of Beginning, according to the U.S. Survey thereof.

WHEREAS, Licensee has applied for a license to install, use and maintain certain improvements, to-wit: eleven parking stalls in and upon City’s real property in the right-of-way of Yale Avenue, and

WHEREAS, City is agreeable to the issuance of said license, subject to the covenants and conditions set forth below;

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN CITY AND LICENSEE AS FOLLOWS:

1. City does hereby grant this license to Licensee to construct, install and maintain the said improvements, in substantial conformity with attached Exhibit “A”, in and upon City’s real property, provided that such use does not unreasonably interfere with public use of the said property.

2. This license is unconditionally revocable at any time at the will of City, and is subject to and subordinate to City’s right to maintain, use, alter or excavate any portion of City’s said real
property. This license is subject to and subordinate to any rights heretofore or hereafter granted by City to any public utility or franchise holder, to construct, install, operate, maintain, repair or replace any utility or appurtenance thereto, or to use any portion of City’s said real property. Should removal, construction and/or excavation become necessary in City’s opinion, Licensee agrees to hold City harmless for any loss or damage to Licensee’s improvement(s); City shall not be responsible to replace any of Licensee’s improvement(s).

3. The said improvements shall at all times be and remain the property of Licensee. It is specifically agreed that Licensee shall install and maintain said improvements at Licensee’s own expense, and at Licensee’s own risk. During the term of this agreement, Licensee shall maintain the said improvements in a functional, safe and attractive condition.

4. Licensee shall indemnify and hold City, and its employees, officers, elected officials and agents, harmless of and from any and all claims, suits, actions or judgments, including all expenses, attorney fees, witness fees and costs of defending any such claim, or appeals therefrom, which arise in any way out of Licensee’s installation, use or maintenance of said improvements, including but not limited to, any interference or damage to any third person or property.

5. Upon termination of this license as herein provided, Licensee shall, if City so desires, and after receiving prior written demand from City, remove said improvements and restore the said real property, as nearly as is practical, to the state and condition of its existence prior to the installation of said improvements, ordinary wear and tear excepted, to the reasonable satisfaction of City.

6. Nothing herein shall release Licensee or its contractors from their duty to obtain necessary permits and comply with all applicable ordinances, laws and regulations, including but not limited to mechanical, electrical and building codes, fire and safety regulations, ADA standards, street-closing and zoning ordinances.

7. This license, when duly recorded in the office of the County Clerk, shall bind Licensee’s successors in title, and shall run with the land.

8. The effective date of this agreement shall be the date on which it is executed by the City of Tulsa.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the dates set forth below.

5-4-21-05  Page 2 of 5
RHC ASSOCIATES,
a New York General Partnership

By: Cushman Associates, LP,
a Delaware Limited Partnership,
its Managing General Partner

By: Cushman Associates, L.L.C,
a Delaware Limited Liability Company,
its General Partner

By: [Signature]
Stefan H. Cushman
Vice President

STATE OF Florida
COUNTY OF Pinellas

This instrument was acknowledged before me on 15 DEC, 2021 by Stefan H. Cushman as Vice President of Cushman Associates, LLC, a Delaware Limited Liability Company, General Partner of Cushman Associates, LP, a Delaware Limited Partnership, Managing General Partner of RHC ASSOCIATES, a New York General Partnership.

Given under my hand and seal the day and year last above written.

[Signature]
Notary Public

My Commission Expires:

11-11-2023

5-4-21-05 Page 3 of 5
APPROVED:

[Signature]
Assistant City Attorney

APPROVED BY CITY COUNCIL:

Date: FEB 09 2022

[Signature]
Lori Decter Wright, Chair

STATE OF OKLAHOMA )
COUNTY OF TULSA ) ss.

Before me, a Notary Public in and for said County and State, on the 9th day of February, 2022, personally appeared Lori Decter Wright, to me known to be the identical person who approved the within and foregoing instrument as Chair of the City Council of the City of Tulsa, Oklahoma, and acknowledged to me that she approved the within and foregoing instrument as her free and voluntary act and deed and as the free and voluntary act and deed of the City Council of the City of Tulsa, Oklahoma, for the uses and purposes therein set forth.

[Signature]
Notary Public

My commission expires:
May 4, 2022
CITY OF TULSA, OKLAHOMA,
a municipal corporation

G. T. Bynum, Mayor

STATE OF OKLAHOMA  )
 ) ss.
COUNTY OF TULSA    )

Before me, a Notary Public in and for said County and State, on the 16th day of February, 2022, personally appeared G. T. Bynum, to me known to be the identical person who approved the within and foregoing instrument as Mayor of the City of Tulsa, Oklahoma, and acknowledged to me that he approved the within and foregoing instrument as his free and voluntary act and deed and as the free and voluntary act and deed of the City of Tulsa, Oklahoma, for the uses and purposes therein set forth.

My commission expires: 2/15/25

Notary Public
APPLICATION FOR LICENSE AGREEMENT TO CONSTRUCT AND MAINTAIN PRIVATE IMPROVEMENTS UPON PUBLIC WAY

APPLICANT NAME AND ADDRESS
(RHGC ASSOCIATES GENERAL PARTNERSHIP C/O MACDONALDS 1767
1811 S UTICA AVE STE 341 TULSA, OK 74104-4809

DATE OF APPLICATION
12/17/20

ADDRESS OF THE PUBLIC WAY
4240 S YALE AVE
TULSA, OK 74135

CO Talal Mdlej
TELEPHONE NUMBER
817-371-0977

NAME OF CONTACT PERSON (IF OTHER THAN PROPERTY OWNER)
Greg Massey
Red Plains Professional

TELEPHONE NUMBER
405-341-4031

EMAIL
greg.massey@red-plains.com

ADDRESS AND LEGAL DESCRIPTION OF THE PUBLIC WAY TO BE OCCUPIED.

Subdivision: UNPLATTED

Legal: TR A BEG 1190 S 90 E OF NW COR NW NW THE 150 N 150 W 150 S 150 TO PT BEG SEC 27-19-13

Section: 27 Township: 19 Range: 13

Explanation of purpose or need to occupy Public Way (relate to Criteria for Consideration).

McDonald’s at this location is going to be rebuilt. The site currently has 11 parking spots on the R/W and has submitted plans to the city showing this parking being rebuilt with 11 new parking spots. The 11 parking spots represents 1/3 of the parking for the McDonald’s.

Type of Improvement requested for License Agreement

Concrete parking lot

Plat of Survey or representative sketch or drawing has been attached delineating the described request showing all data pertinent to the property e.g. distance, bearings, and encroachments.

Submitted by:

CHRISTOPH CUSHMAN

EXHIBIT “A”
<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austin Chapman</td>
<td>Applicant: Cameron Wallace</td>
</tr>
<tr>
<td></td>
<td>Property Owner: Southern Hills Country Club</td>
</tr>
</tbody>
</table>

**Action Requested:** Special Exception to amend a previously approved site plan for a Country Club in the RS-1 District (Table 5.020, Table 5-2; Sec.70.120)

**Location Map:**

![Location Map](image)

**Additional Information:**

- **Present Use:** Southern Hills Country Club
- **Tract Size:** 291.16 acres
- **Location:** 2636 E 61 ST S
- **Present Zoning:** RS-1
BOARD OF ADJUSTMENT
CASE REPORT

STR: 8305
CD: 9
HEARING DATE: 09/13/2022 1:00 PM
APPLICANT: Cameron Wallace
ACTION REQUESTED: Special Exception to amend a previously approved site plan for a Country Club in the RS-1 District (Table 5.020, Table 5-2; Sec.70.120)
LOCATION: 2636 E 61 ST S;
ZONED: RS-1
PRESENT USE: Southern Hills Country Club
TRACT SIZE: 12683120.94 SQ FT
LEGAL DESCRIPTION: A tract of land in Section 32, Township 19 North, Range 13 East, and Section 5, Township 18 North, Range 13 East, City of Tulsa, Tulsa County, State of Oklahoma, more particularly described as follows: beginning at the southwest corner of Lot 3, Block 2; Southern Villas Addition, thence East 165.09'; thence south 330.18'; thence east 165.11'; thence south 815.5'; thence southeast 368.48'; thence east 295.42'; thence south 656'; thence west 955'; thence south 825'; thence west 827.98'; thence north 815.67'; thence west 1,444.5'; thence north 208.71'; thence west 168.71'; thence north 2,389.4'; to a point which is 25' south and 40' east of the northwest corner of Section 5, Township 18 North, Range 13 East; thence along the south boundary line of East 61st Street South to a point, said point being 329.4' north of the POINT OF BEGINNING; thence south 329.4' to the POINT OF BEGINNING.

RELEVANT PREVIOUS ACTIONS:
BOA-22487; On 07.24.18 the Board approved a modification to a previously site plan. A copy of that site plan is included in your packet.
BOA-21884; On 5.12.15, the Board approved the request for a modification to a previously approved site plan (BOA-19909) to permit an equipment storage building, subject to conceptual plan 6.15, on the subject property.
BOA-20358; On 10.24.06, the Board approved a special exception to permit architectural features (cupolas) to exceed 150% of the maximum height permitted (35 feet) in the RS district, on the subject property.
BOA-20030; On 4.26.05 the Board approved a Special Exception to permit a cellular telephone antenna in an RS-1 district; a Special Exception for a waiver of the screening requirements to enclose the antenna and equipment as security is provided for the entire property; and a Special Exception for a waiver of the landscaping buffer of planted materials around the antenna and equipment as the entire country club has significant landscaping, with conditions: for a monopole, no guy wires, per amended plan submitted, located on the subject property.
BOA-19909; on 9.14.04 the Board approved an amended detail site plan to permit expansion of Country Club buildings and facilities, with one change, with increase of three enclosed courts to four located on the subject property.
BOA-18993; on 2.27.01 the Board approved a Special Exception to extend special event parking (U.S. Open) beyond 20 days per calendar year and 10 days in a 30 day period to March 1 to July 1, on Section A of the site plan and from June 5 to June 18 on Section B located on the subject property.
BOA-17148; On 9.12.89, the Board approved a variance to permit a ground sign for a period of 14 months through October 1996 to announce The Tour Championship Golf Tournament; and a variance to permit the sign to exceed the maximum display surface area, on the subject property.
BOA-15869; on 10.22.91 the Board approved a Special Exception to amend a site plan to permit relocation of a drive located on the subject tract.
on 8.27.91 the Board approved a Special Exception to permit extension of country club use by including indoor tennis facility; per plot plan submitted; finding that approval of the special exception request will permit the enclosure of existing tennis courts and reduce unnecessary lighting in the abutting residential neighborhood; located on the subject tract.

on 7.23.91 the Board approved a Special Exception to permit extension of country club use including addition of a nine-hole golf course located on the subject property.

On 1.6.77, the Board approved a special exception to extend a non-conforming Country Club in a U-1A district by erecting accessory buildings for the club use per plat plan, located on the subject property.

On 6.17.76, the Board approved a special exception to use property for a private club purpose and permit the installation of two lighted tennis courts and a pro shop per plat plan, located on the subject property.

3/17/70 – The Board approved a special exception to permit extending a nonconforming country club in a U-1A district located on the subject tract.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a “Park and Open Space” Land Use Designation and an “Area of Stability”.

Tulsa’s park and open space are assets. These are areas to be protected and promoted through the targeted investments, public-private partnerships, and policy changes identified in the Parks, Trails, and Open Space chapter. Zoning and other enforcement mechanisms will assure that recommendations are implemented. No park and/or open space exists alone: they should be understood as forming a network, connected by green infrastructure, a transportation system, and a trail system. Parks and open space should be connected with nearby institutions, such as schools or hospitals, if possible.

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.

STAFF ANALYSIS: The applicant is revising a site plan for Southern Hills Country Club property related to the placement of Tennis Courts. As a part of this request the applicant would wish the Board to make the approval to include future modifications and improvements commensurate with Country Club amenities. The language to do so is included in the sample motion.

SAMPLE MOTION: Move to _________ (approve/deny) a Special Exception to amend a previously approved site plan for a Country Club in the RS-1 District (Table 5.020, Table 5-2; Sec.70.120)

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.
- And to include future modifications and improvements commensurate with Country Club amenities, with no further Board of Adjustment approval required.
- 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.
Approved Site Plan in BOA-22487
APPLICATION NO: BLDC-114858-2022

(Please reference this number when contacting our office)

Location: 2636 E 61ST ST S
Description: Addition

Information about submitting revisions

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

Revisions need to include the following:

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

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

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

Important information

1. 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.incoh.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)
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, plating, 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.

BOA-19909-A: 9/14/2004 approved a modification to a previously approved site plan to approve an expansion of Country club buildings. The proposed expansion of the club house is a modification to the site plan approved on 9/14/2004.

Review comment: Submit an approved BOA modified site plan reviewed and approved per Sec.70.120 to allow a modification to a previously approved site plan for the tennis enclosure expansion. The approved modified site plan shall be submitted 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

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.
Recorded Objection:

Staff received a call from Ms. Patricia Huckabee, property located at 2737 E. 61st St. S. Ms. Huckabee objects to this request because there is already too many buildings on the site and too much noise and traffic coming from the site.
**Case Number:** BOA-23421  
**Hearing Date:** 09/13/2022 1:00 PM

### Owner and Applicant Information:

**Applicant:** Joseph Welbourne  
**Property Owner:** Mccord Family Trust

### Action Requested:

Action Requested: Special Exception to permit a carport in the street yard and street setback with modifications to increase the allowable length and reduce the required setback (Sec. 90.090-C.1).

### Location Map:

![Location Map](image)

### Additional Information:

- **Present Use:** Residential  
- **Tract Size:** 13464.45 SQ FT  
- **Location:** 2344 S GARY PL E  
- **Present Zoning:** RS-3
HEARING DATE: 09/13/2022 1:00 PM

APPLICANT: Joseph Welborne

ACTION REQUESTED: Special Exception to permit a carport in the street yard and street setback with modifications to increase the allowable length and reduce the required setback (Sec. 90.090-C.1).

LOCATION: 2344 S GARY PL E

PRESENT USE: Residential

LEGAL DESCRIPTION: LT 1 BLK 2, WIL-REY TERRACE

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-13163; On 05.31.84 the Board denied a Variance of the setback requirements for a carport in the RS-3 District.

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.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit a carport in the street yard and street setback with modifications to increase the allowable length and reduce the required setback (Sec. 90.090-C.1).
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.

The applicant is seeking a carport in the side street setback that would be 22-feet long and located 3-feet from the side lot line per the letter of deficiency. The provided site plan is not scaled, and it is not clear how the applicant has measured the distance from the carport to the right-of-way. If the Board is inclined to support this request a suggested condition from staff is not to allow the carport any closer than 3-feet to the Eastern property line.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Special Exception to permit a carport in the street yard and street setback with modifications to increase the allowable length and reduce the required setback (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):
  
  ____________________________________________

- Suggested condition: Carport is not to be any closer than 3-feet from the Eastern property line.

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 showing the driveway to be cover by the carport.

Facing West on Gary Ave.
Proposed Carport For
2344 S. Gary Pl.
Tulsa, OK 74114

- 30 yr Laminated Roof Shingles
- 6" x 12" Cedar Beam
- 6" x 6" Cedar Brace
- 4" x 6" Cedar Beam
- 4x6 Cedar Spokes
- 1x6 Cedar Facia
- 5" Gutters
- 5" Gutters
- 8" x 8" Cedar Post
- Post anchor
- Concrete Pad
- 12" x 12"
- 24" deep
- 82' Long
- 10' 11" to pitch
- 9' roof
- 7' 6" to Bottom of beam
- 20' wide
- to drain to Gary pl.
ZONING CLEARANCE PLAN REVIEW

6/17/2022

LOD No. 3

Joseph Welbourne
1705 W. Broadway St.
Broken Arrow, OK 74012

APPLICATION NO: BLDR-114915-2022
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 2344 S. Gary Pl.
Description: Carport

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” LI 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 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:

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

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.

**Review comment:** The proposed carport is in the street setback, is 22' long, and is located 3' from the side property line, and therefore requires a special exception granted by the Board of Adjustment. You may revise the plans to show the size to be no more than 20' x 20' and to be located at least 5' from the property line. You will still need to be granted a special exception by the Board of Adjustment to construct a carport in a street setback.

The zoning review will resume after Board of Adjustment approval paperwork is submitted to our office.

**Note:** Please direct all questions concerning special exceptions 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.
Note: Graphic overlays may not precisely align with physical features on the ground.
**Case Number:** BOA-23422  
**Hearing Date:** 09/13/2022 1:00 PM

### Case Report Prepared by:

Austin Chapman

### Owner and Applicant Information:

**Applicant:** Grand Lake Mental Health Center, Inc. c/o Carter Fox  
**Property Owner:** Same as applicant.

### Action Requested:
Special Exception to permit a Residential Treatment Center and Transitional Living Center in the CS District (Sec. 15.020, Table 15-2); Special Exception to reduce the 2,640-foot required dispersal standard for Residential Treatment Centers and Transitional Living Centers (Sec. 40.130)

### Location Map:

![Location Map](image)

### Additional Information:

**Present Use:** Vacant Office  
**Tract Size:** 2.56 acres  
**Location:** 6128 E. 38 St. S.  
**Present Zoning:** CS,OM
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9322
CD: 5

HEARING DATE: 09/13/2022 1:00 PM

APPLICANT: Grand Lake Mental Health Center, Inc. c/o Carter Fox

ACTION REQUESTED: Special Exception to permit a Residential Treatment Center and Transitional Living Center in the CS District (Sec. 15.020, Table 15-2); Special Exception to reduce the 2,640-foot required dispersal standard for Residential Treatment Centers and Transitional Living Centers (Sec. 40.130)

LOCATION: 6128 E. 38 St. S.
ZONED: CS,OM

PRESENT USE: Vacant Office
TRACT SIZE: 111352.88 SQ FT

LEGAL DESCRIPTION: See attached.

RELEVANT PREVIOUS ACTIONS: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a “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.

STAFF ANALYSIS: The applicant is seeking a Special Exception to permit a Residential Treatment Center and Transitional Living Center in the CS District (Sec. 15.020, Table 15-2); Special Exception to reduce the 2,640-foot required dispersal standard for Residential Treatment Centers and Transitional Living Centers (Sec. 40.130)

7. Residential Treatment Center
A community-based residential facility that provides diagnostic or therapeutic services, counseling, or treatment and long-term room and board in a highly structured environment for persons receiving active treatment for alcoholism, drug abuse or behavioral disorders.
The applicant is seeking to convert an existing office building into a Residential Treatment center and Transitional Living Center. There is an existing Residential Treatment Center and Transitional Living Center operating immediately South of the Subject property, located at 6333 E. Skelly Drive. Should the Board be inclined to grant the exception it should limit the relief between the proposed location and the existing location at 6333 E. Skelly Drive.
SAMPLE MOTION: Move to ______ (approve/deny) a Special Exception to permit a Residential Treatment Center and Transitional Living Center in the CS District (Sec. 15.020, Table 15-2); Special Exception to reduce the 2,640-foot required dispersal standard for Residential Treatment Centers and Transitional Living Centers (Sec. 40.130).

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):____________.
- Suggested Condition: Relief limited to allow the use on the subject property to be within 2,640 feet of the use located at 6333 E. Skelly Drive.

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

Existing Transitional Living/ Residential Treatment Center immediately South of subject property
**DIRECTIONS:**
From East 41st Street and S. Lakewood Avenue, go north to East 38th Street, building is located on the south side of East 38th Street between S. Lakewood Avenue to the west and S. Sheridan to the east with the building signage name, Skyline East II. Directly across from the building location is the overflow parking lot on East 38th Street north side of the street, enclosed with chain link fence.

**PROPERTY CONDITION:**
The building site (irregularly shaped) and overflow parking lot (rectangular shaped) appears to contain 171,435 + square feet or about 3.94 net acres total MOL. The building site and overflow parking are bisected into two tracts. The building site has 359 square feet of frontage along East 38th Street to the north and approximately 389 square feet of frontage to the west on S. Lakewood Avenue. The building site is improved with asphalt parking (104 + striped parking spaces); First floor and part of second floor dedicated to underground parking garage (142 spaces-63,359+ square feet) and the additional 3 1/2 floors are general office for a total of 122,269+ total gross square feet, sitting on 2.5+ acres MOL or 111,278+ square feet. The overflow parking lot (157+ striped parking spaces) has 349 square feet of frontage on East 38th Street and 172 feet of frontage along both S. Lakewood Avenue and S. Maplewood Avenue, total acreage is 1.38 acres+ MOL or 60,157+ square feet. The improvements are considered to be in generally fair to average overall condition. (Per Appraiser) PROPERTY SELLS AS IS, WHERE IS.

For questions, contact REALS at 405-521-3819 or infoREALS@omes.ok.gov. This notice is also published electronically at omes.ok.gov/services/real-estate-leasing-services.

Issue date: March 14, 2022

This publication is issued by the Office of Management and Enterprise Services as authorized by Title 62, Section 34. Copies have not been printed but are available through the agency website. This work is licensed under a Creative Attribution-NonCommercial-NoDerivs 3.0 Unported License.
APPLICATION LEGAL DESCRIPTION

All of Lot Three (3), Block One (1), TULSA SCOTTISH RITE SUBDIVISION AMENDED, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, LESS AND EXCEPT that part being more particularly described as follows, to-wit:
Commencing at the Northeast Corner of Lot Three (3); thence South 0°02'15" East along the East line thereof for a distance of 156.94 feet to the POINT OF BEGINNING; thence South 0°02'15" East for a distance of 43.75 feet; thence South 41°08'05" East for a distance of 32.03 feet; thence South 48°51'55" West along the Southeasterly line of said Lot Three (3) for a distance of 400.00 feet; thence North 41°08'05" West for a distance of 65.00 feet; thence North 48°51'55" East on a line that is parallel to the Southeasterly line of said Lot Three (3) for a distance of 428.76 feet to the POINT OF BEGINNING.
### Case Report Prepared by:

Austin Chapman

### Owner and Applicant Information:

**Applicant:** January Leavell  
**Property Owner:** January Leavell

### Action Requested:

Variance to reduce the required 25-foot street setback in the RS-3 District (Sec. 5.030-A, Table 5-3)

### Location Map:

![Location Map](image)

### Additional Information:

**Present Use:** Residential  
**Tract Size:** 0.31 acres  
**Location:** 1339 S. 75 E. Ave.  
**Present Zoning:** RS-3
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9311
CD: 5

HEARING DATE: 09/13/2022 1:00 PM

APPLICANT: January Leavell

ACTION REQUESTED: Variance to reduce the required 25-foot street setback in the RS-3 District (Sec. 5.030-A, Table 5-3)

LOCATION: 1339 S. 75 E. Ave.

PRESENT USE: Residential

TRACT SIZE: 13298.92 SQ FT

ZONED: RS-3

LEGAL DESCRIPTION: LTS 15 & 16 BLK 10, EASTMOOR PARK 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.

STATEMENT OF HARDSHIP: Needing a place to park two vehicles to protect from theft, rummaging, vandalism and weather.

STAFF ANALYSIS: The applicant is requesting a Variance to reduce the required 25-foot street setback in the RS-3 District (Sec. 5.030-A, Table 5-3)

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The applicant is seeking to reduce their setback from 25-feet to 15-feet 2 9/16-inches.

**Facts staff finds favorable for variance request:**
- The right-of-way of S. 75th E. Ave. is planned at 50-feet, but the original subdivision dedicated at 70-feet. Were the right-of-way platted at 50-feet the proposed addition would meet code.

**Facts Staff find unfavorable for the variance request:**
- The building line may be pushed further West than some neighboring properties to the North.

**SAMPLE MOTION:**
Move to ________ (approve/deny) a **Variance** to reduce the required 25 ft. rear setback in an RS-1/RS-2 District (Sec. 5.030, 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

Facing North on 75th E. Ave.
The garage addition cannot extend past this line per zoning code.
**DEVELOPMENT SERVICES**  
175 EAST 2nd STREET, SUITE 450  
TULSA, OKLAHOMA  74103-3227  

**ZONING CLEARANCE**  
PLAN REVIEW  

**LOD Number:**  02  
July 26, 2022  

**January Leavell**  
1339 S 75th Ave E  
Tulsa, OK 74112  

**Phone:** (918) 845-2606  

**APPLICATION NO:**  BLDR-121165-2022  
(PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)  

**Location:**  1339 S 75th Ave E  
**Description:**  Residential – Addition

<table>
<thead>
<tr>
<th>INFORMATION ABOUT SUBMITTING REVISIONS</th>
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<tr>
<td>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.</td>
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**REVISIONS NEED TO INCLUDE THE FOLLOWING:**  
1. A COPY OF THIS DEFICIENCY LETTER  
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED  
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)

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/EMAILLED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.**

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<tr>
<td>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.</td>
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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. RESOLVED

2. 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 garage addition requires a 25-foot setback from the property line in an RS-3 zoning district. The platted Right-of-Way (ROW) at this location is 70’. Typically, the property line begins at the end of the ROW. This would be 35’ from the centerline of the street. The required setback is 25’ from this property line. In total, the required distance from the centerline of the street is 60’. The submitted plan shows that the garage will be constructed with a 50’ 2 9/16” setback from the centerline of the street. Revise plans to show the garage will not be built in the front setback.

**Note:** Staff review comments may 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. Requests for variances from the Board of Adjustment require proof of a hardship per Section 70.130.

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.
Case Number: BOA-23426
Hearing Date: 09/13/2022 1:00 PM

<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austin Chapman</td>
<td>Applicant: Raul Cisneros</td>
</tr>
<tr>
<td></td>
<td>Property Owner: Alberto Perez</td>
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</table>

**Action Requested:** Special Exception to allow the alteration, enlargement or expansion of a structure with a non-conforming street setback in the RS-3 District (Section 80.030-D)

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<th>Additional Information:</th>
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<tr>
<td>Present Use: Residential</td>
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<td>Tract Size: 0.15 acres</td>
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<td>Location: 2011 W. Easton St. N.</td>
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<tr>
<td>Present Zoning: RS-3</td>
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</table>
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9203
CD: 4

HEARING DATE: 09/13/2022 1:00 PM

APPLICANT: Raul Cisneros

ACTION REQUESTED: Special Exception to allow the alteration, enlargement or expansion of a structure with a non-conforming street setback in the RS-3 District (Section 80.030-D)

LOCATION: 2011 W. Easton St. N. ZONED: RS-3

PRESENT USE: Residential TRACT SIZE: 6499.18 SQ FT

LEGAL DESCRIPTION: LT 16 LESS S10 THEREOF BLK 12, IRVING PLACE 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.

STAFF ANALYSIS: The applicant is requesting a Special Exception to allow the alteration, enlargement or expansion of a structure with a non-conforming street setback in the RS-3 District (Section 80.030-D)

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, provided the extensions are not located closer to the lot line than the existing structure.
The zoning code requires a 25-foot street setback and currently the structure is setback 17-feet 3 ¾-inches. The applicant is adding a second story to the structure.

**SAMPLE MOTION:** Move to ________ (approve/deny) a Special Exception to allow a carport in the required street setback on an RS-3 zoned lot, with a modification to allow the area of the carport to exceed 20'-0” x 20'-0” (Section 90.090-C).

- 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.
ZONING CLEARANCE PLAN REVIEW

7/21/2022

LOD No. 1

Raul Cisneros
3902 E. 51st St.
Tulsa, OK 74135

APPLICATION NO: BLDR-122265-2022  (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 2011 W. Easton St.
Description: Addition

INFORMATION ABOUT SUBMITTING REVISIONS

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

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

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

IMPORTANT INFORMATION

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

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

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(continued)
1. **Site plan or plot plan - Amendatory:** The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site; distances between structures and lot lines; property boundaries; established grades and proposed finished grades; easements; rights-of-way; utilities; and as applicable, flood hazard areas and limits, floodways, design flood elevations and finished floor elevations; in accordance with an accurate boundary line survey. 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, repair, or demolition or where otherwise warranted.

**Review Comment:** There are two items on the site plan that need to be corrected. First, the street on the site plan says E. King St., please correct to W. Easton St. Second, the distance from the center of the street to the 10’ easement (which is city ROW) is shown to be 25’, but it is actually 30’. The front property line should be located 40’ from the center of W. Easton St.; please revise the site plan to reflect this.

2. **Section 80.030-D Non-conforming structures:** 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, provided the extensions are not located closer to the lot line than the existing structure. For a site plan where the application for permit is for alteration or repair or where otherwise warranted.

**Review Comment:** Since the existing porch currently extends into the required 25’ front setback for RS-3 lots, it is considered a non-conforming structure. Since you are proposing to extend the porch, and the extension will be no closer to the lot line than the existing porch, you may seek a special exception from the Board of Adjustment to extend the non-conforming porch horizontally.

The zoning review will resume after these modified plans and/or BOA approval documents are submitted. Additional deficiencies may be discovered which will need to be addressed prior to issuing a building permit.

**Note:** 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. Requests for variances from the Board of Adjustment require proof of a hardship per Section 70.130.

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.
Case Report Prepared by:
Austin Chapman

Owner and Applicant Information:
Applicant: Hemphill, LLC c/o Ralph Wyngarden, Faulk & Foster
Property Owner: Hemphill Legacy LLC

Action Requested: Special Exception to permit a guyed communications tower in the IL zoning District (Sec. 40.420-E.2.b) Special Exception to waive the landscaping requirements for a communications tower within 300-feet of residential zoning districts or lots occupied by a residential uses (Sec. 40.420-F)

Location Map:

Additional Information:
Present Use: Outdoor industrial storage
Tract Size: 0.67 acres
Location: 1388 N. New Haven Ave. E.
Present Zoning: IL
BOARD OF ADJUSTMENT
CASE REPORT

STR: 219                                      Case Number: B0A-23427  
CD: 3

HEARING DATE: 09/13/2022 1:00 PM

APPLICANT: Hemphill, LLC c/o Ralph Wyngarden, Faulk & Foster

ACTION REQUESTED: Special Exception to permit a guyed communications tower in the IL zoning District (Sec. 40.420-E.2.b) Special Exception to waive the landscaping requirements for a communications tower within 300-feet of residential zoning districts or lots occupied by a residential uses (Sec. 40.420-F.4)

LOCATION: 1388 N. New Haven Ave. E.
ZONED: IL

PRESENT USE: Outdoor industrial storage
TRACT SIZE: 29098.2 SQ FT

LEGAL DESCRIPTION: LT 13 BLK 1, ACME ACRE ADD 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 “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.

STAFF ANALYSIS: The applicant is requesting Special Exception to permit a guyed communications tower in the IL zoning District (Sec. 40.420-E.2.b) Special Exception to waive the landscaping requirements for a communications tower within 300-feet of residential zoning districts or lots occupied by a residential uses (Sec. 40.420-F.4)

Sec. 40.420-E.2.b of the Zoning Code:

b. Except in IM and IH zoning districts, communication towers must be of a monopole design unless the board of adjustment approves, by special exception, an alternative design that they determine would better blend into the surrounding environment or that the required antennas cannot be supported by a monopole.
Per section 40.420-D.5 of the code, a Monopole is defined as follows:

5. “Monopole” means a single, freestanding pole structure without guy wires or external supporting braces.

The following landscaping per Sec. 40.420-F.4 of the code is required if the Board does not approve the Special Exception to waive that requirement:

4. **Landscaping**
   The following requirements govern landscaping surrounding towers that require special exception approval; provided that the board of adjustment may modify or waive such requirements by special exception.
   a. Tower facilities must be landscaped with a continuously maintained buffer of plant materials that effectively screens the view of the tower compound from property within 300 feet used or zoned for residential purposes. The standard buffer requirement consists of a landscaped strip with a minimum width of 4 feet outside the perimeter of the compound.
   b. Existing mature tree growth and natural land forms on the site must be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may provide sufficient buffer.

The subject property is within 300-feet of the residential properties visible on the aerial picture on the North side of Pine St. Additionally, there is an Industrial zone to the South and East of the subject property that contains a residential home.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Special Exception to permit a guyed communications tower in the IL zoning District (Sec. 40.420-E.2.b); and a **Special Exception** to waive the landscaping requirements for a communications tower within 300-feet of residential zoning districts or lots occupied by a residential uses (Sec. 40.420-F.4)

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.
- Subject to the following conditions (including time limitation, if any): ______________________
- Suggested Condition: Relief is not granted for any non-conforming improvements that currently exist on the property.

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

Facing north on New Haven
Facing South on New Haven
DESCRIPTION OF SPECIAL EXCEPTIONS REQUESTED

Applicant: Hemphill, LLC
Owner: Hemphill Legacy, LLC
Project: 195’ guyed wireless communications tower with 4’ lightning rod. The tower will accommodate US Cellular at a 190’ centerline and other future carriers at lower levels. The guyed tower design was selected to accommodate tower crew training for climb and rescue certification.

Hemphill Site Name: 1588 Pine Street
Parcel #: R00700033300170
Parcel Address: 1388 N New Haven Ave, Tulsa, OK 74115
Zoning District: IL Light Industrial
Letter of Deficiency: BLDC-123397-2022 (Issued July 22, 2022)

Special Exception from Monopole Design Requirement in Section 40.420-E.2.b to Allow a Guyed Tower Design - (LOD Item #1)

Per Tulsa Zoning Code Section 15.020, Table 15-2, a freestanding wireless communication facility is permitted as-of-right in the IL zoning district subject to the Supplemental Regulations in Section 40.420. Per Section 15.030, Table 15-3, there is no maximum building height in the IL Industrial-Light district. So this project would only require a building permit if it were a monopole.

However, Hemphill, LLC is proposing a guyed tower design to accommodate tower crew training for climb and rescue certification. As a hometown tower manufacturer and a leader in the industry, Hemphill, LLC is proud to offer its facilities for regional safety and rescue training. A monopole design does not support the variety of training scenarios necessary for training and certification. A letter of support from Hemphill training partner RAKM Tower Rescue is attached as Exhibit A.

Section 40.420-E.2.b restricts use of the guyed tower design to the IM and IH zoning districts but would allow use of the guyed tower design in the IL zoning district with Special Exception approval from the Board of Adjustment.

The Special Exception request is in harmony with the spirit and intent of the zoning code and would not be injurious to the neighborhood or otherwise detrimental to public welfare. The subject parcel and all surrounding parcels are zoned IL Industrial-Light. The parcel is bounded on the north by a railroad ROW. To the east across New Haven Ave is a bakery operation. The property to the south and west is owned by Hemphill. There is no negative impact on any of these uses. In addition to the industrial character of the vicinity and the impact of the railroad ROW, the visual context includes overhead distribution lines and poles running along New Haven Avenue and taller transmission lines and poles running along Pine Street. Given these existing vertical elements, the proposed design will blend with the environment from many viewpoints. If a monopole design were used, the height would still be the same so, in this case, there is no significant difference in visibility between what is allowed as-of-right and what it proposed for Special Exception approval.

Given the built environment and adjacent uses, approving a guyed design in the IL district is consistent with the code’s allowance of a guyed design in other industrial districts (IM and IH) without a Special Exception. It is also in the public interest to have crews trained and certified in tower safety and rescue.
Special Exception to Waive Landscape Buffer Required by Section 40.420-F.4.a (LOD Item #2)

Tulsa Zoning Code Section 40.420-F.4.a requires a minimum 4' wide landscaped buffer strip around the perimeter of the wireless telecommunications facility compound if there is property within 300' that is used or zoned for residential purposes.

There are no residences within 300’ but there are two instances of residentially used or zoned property within 300’.

Within 300’ to the north is the corner of a residential zoning district, but the entire area within 300’ lies within the Dawson Road and railroad rights-of-way and are consequently undevelopable. The distance to the nearest actual residential parcel is well over 300’. Please see the email correspondence with Dana Box attached as Exhibit B. Since the landscaping requirement is intended to protect residential use within 300’ and residential use within 300’ is not possible because the area is right-of-way, the waiver request is in harmony with the spirit and intent of the zoning code.

Within 300’ to the southeast is a parcel zoned IL but occupied by a residence. However, the residence is on the east side of the parcel facing Pittsburg Avenue rather than New Haven Avenue and with an intervening wooded area obscuring the view to the west. Please see the email correspondence with Dana Box attached as Exhibit B. Because the home is over 400’ away and the intervening area is wooded there is no residential impact from the proposed landscape waiver.

Waiver of a landscape buffer is consistent with the industrial zoning and character of the area and does not negatively impact any adjacent uses. No screening is required for existing unscreened outdoor industrial storage. There are no residences within 300’. Because there is no residential impact the waiver is in harmony with the spirit and intent of the zoning code and will not be detrimental to public welfare.

Applicant Hemphill, LLC respectfully seeks approval of these Special Exception requests.

\[Signature\]  Date: 8/9/2022

Faulk & Foster, by Ralph Wyngarden, for applicant Hemphill, LLC
**PINE STREET**
**SITE: 1588**
**195' GUYED TOWER FOR MULTIPLE WIRELESS CARRIERS**

---

**VICINITY MAP**

- **SITE NUMBER**: 1588
- **SITE NAME**: PINE STREET
- **SITE ADDRESS**: TULSA, OK 74115
- **COUNTY**: MCKINLEY
- **ZONING CLASS**: POWER COMPANY PSO
- **POWER COMPANY**: PSO
- **CONTACT NAME**: STS (SPECIALTY TELECOMMUNICATIONS CONSULTANTS, LLC)
  - 13431 BROADWAY EXT., SUITE 120, OKLAHOMA CITY, OK 73114
  - 405-753-7167
- **PROPERTY OWNER**: JOHN HEMPHILL
  - TELEPHONE: 918-834-2200
- **HEMPHILL CONTACT**: JOHN HEMPHILL
  - TELEPHONE: 918-605-5639
- **SURVEY CONTACT**: POINT TO POINT LAND SURVEYORS
  - TELEPHONE: 405-753-7167

---

**CONSULTING ENGINEER**

- **ENGINEER OF RECORD**: SAMUAL T. CURTIS, P.E.
  - OKLAHOMA LIC. NO. 22174

---

**DIRECTIONS**

- TOWER SITE COMPOUND LOCATED ON NORTHEAST CORNER OF HEMPHILL LLC HEADQUARTERS STOCKYARD.
- SITE AREA IS AT INTERSECTION OF NORTH NEW HAVEN AVENUE AND EAST PINE STREET, AND CAN BE ACCESSED VIA N. NEW HAVE AVE. THROUGH GATE CLOSEST TO SAID INTERSECTION.

---

**PROJECT NOTES**

- HEMPHILL TOWER SITE DEVELOPMENT SPECIFICATIONS SUPPLEMENT THE CONSTRUCTION DRAWINGS. FACILITY IS NOT STAFFED AND NORMALLY NOT OCCUPIED.
- CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE CONSTRUCTION MANAGER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR THE SAME.

---

**ENGINEER OF RECORD**

- **PROJECT NAME**: PINE STREET
- **PROJECT NO**: 1588
- **0 FOR APPROVAL**: 06/20/22
- **CHECKED BY**: SAMUAL CURTIS, P.E.
- **DRAWN BY**: REECE
- **9 E 4TH ST. SUITE C-4**: TULSA, OK 74103
  - TELEPHONE: (918) 834-2200

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**Drawing Index**

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<td>E1-1 ELECTRIC, LIGHTING, AND TELCO PLAN</td>
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<td>E2-1 ELECTRICAL DETAILS</td>
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<td>E3-1 GROUNDING PLAN</td>
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<td>E4-1 GROUNDING DETAILS</td>
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<td>G1-1 GENERAL NOTES</td>
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<td>G1-2 GENERAL NOTES</td>
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**Before You Dig, Call Oklahoma Line Location for Location of Underground Utilities. Call 811**

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**Scale**: N.T.S.

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**Title Sheet**

<table>
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<tr>
<th>SHEET NUMBER</th>
<th>REVISION</th>
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**15.8**
LEGAL DESCRIPTION SHEET

LEASE AREA

All that tract or parcel of land lying and being in the northwest 1/4 of Section 11, Township 20 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma, and being a part of the Lands of Hemphill Legacy, LLC, as recorded in Instrument 20220405000044, as Lot 14, Block 1, on a plat of the acreage addition to Tulsa Oklahoma, Tulsa County Records, and being more particularly designated as follows:

To find the point of beginning, commence at a 3/8-inch rebar found on the southeasterly front of 4400 E. Pine Street, right-of-way as the north-westerly corner of said lot 13. Said rebar having an Oklahoma City, north, north zone value of 182470390, and thence drawing along a true line, south 31' 45" east, 134.60 feet to a point and the true point of beginning. Drawing north 9' 00" west, 133.00 feet to a point; thence south 21' 30" east, 123.00 feet to a point; thence north 12' 00" east, 115.00 feet to a point and the point of beginning.

Bearings based on Oklahoma City, north and north zone.

Said tract containing 0.2893 acres (12,600 square feet), more or less.

30' INGRESS—EGRESS & UTILITY EASEMENT

Together with a 30-foot ingress—egress and utility easement, measuring 30 feet each side of centerline, lying and being in the northwest 1/4 of Section 11, Township 20 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma, and being a part of the Lands of Hemphill Legacy, LLC, as recorded in Instrument 20220405000044, as Lot 14, Block 1, on a plat of the acreage addition to Tulsa Oklahoma, Tulsa County Records, and being more particularly designated as follows:

To find the point of beginning, commence at a 3/8-inch rebar found on the southeasterly front of 4400 E. Pine Street, right-of-way as the north-westerly corner of said lot 13. Said rebar having an Oklahoma City, north, north zone value of 182470390, and thence drawing along a true line, south 31' 45" east, 134.60 feet to a point and the true point of beginning. Drawing north 9' 00" west, 133.00 feet to a point; thence south 21' 30" east, 123.00 feet to a point; thence north 12' 00" east, 115.00 feet to a point and the point of beginning.

Bearings based on Oklahoma City, north and north zone.
NOTES:
1. ALL COMPONENTS SHOWN ARE NEW CONSTRUCTION
2. PLACEMENT OF USCC BUILDING AND H-FRAME WITHIN THE COMPOUND IS APPROXIMATE AND MAY VARY DEPENDING ON SITE CONDITIONS AT TIME OF CONSTRUCTION.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF APPROPRIATE EROSION CONTROL MEASURES, INCLUDING SILT FENCES, ON THE DOWN SLOPE SIDES OF ALL SOIL DISTURBING ACTIVITIES. SEE SHEET C4-1 DETAIL 3
THESE DRAWINGS ARE NOT INTENDED TO REFLECT THE STRUCTURAL INTEGRITY OF THE TOWER. THE PROPOSED ANTENNAS AND TRANSMISSION LINES SHOWN ARE REPRESENTATIVE IN NATURE AND DO NOT REFLECT THE ACTUAL CONFIGURATIONS REQUIRED. THE CONTRACTOR SHALL REFER TO THE STRUCTURAL ANALYSIS OF THIS TOWER SITE FOR THE APPROVED LOCATION AND CONFIGURATION OF ALL ANTENNAS AND TRANSMISSION LINES. ALL ANTENNAS MUST BE MOUNTED AND THE TRANSMISSION LINES CONFIGURED IN STRICT ACCORDANCE WITH THE STRUCTURAL ANALYSIS.

195'-0" TOP OF TOWER

199'-0" TOTAL HEIGHT WITH APPURTENANCES

4'-0" LIGHTNING ROD

USCC ANTENNAS AT 190'-0" RAD CENTER ELEVATION

FUTURE CARRIER ANTENNAS AT 170'-0" RAD CENTER ELEVATION

FUTURE CARRIER ANTENNAS AT 150'-0" RAD CENTER ELEVATION

FUTURE CARRIER ANTENNAS AT 130'-0" RAD CENTER ELEVATION

MICROWAVE DISH(ES) AT 98'-0" RAD CENTER ELEVATION

195' GUYED TOWER

COMPOUND FENCE SEE SHEET C6-1
POSTS TO BE SPACED MINIMUM 4'-0" O.C. AND MAXIMUM 10'-0" O.C.

2'-0" MINIMUM

24" UNIVERSAL CANTILEVER WELDMENT

24" WIDE GRIP STRUT

SINGLE STACK, 24" ANGLE-BRACKET TRAPEZE KIT

CABLE ROUTE

3-1/2" Ø O.D. GALV. PIPE

2'-0"

6'-0"

6'-0"

0'-12" DIA.

4'-0"

WAVEGUILDE BRIDGE DETAIL

SCALE: N.T.S.

SAMUAL T. CURTIS, P.E.
OKLAHOMA LIC. NO. 22174

PINE STREET
13431 BROADWAY EXT., SUITE 120, OKLAHOMA CITY, OK 73114
(918) 834-2200

N.T.S.

15.13
RESTORE SURFACE MATERIAL TO ORIGINAL CONDITION AFTER INSTALLATION OF UTILITIES; GRADE SURFACE TO LEVEL.

UNDISTURBED SOIL

BACKFILL EARTH TO 90% RELATIVE COMPACTION PER ASTM D1557.

UTILITY WARNING TAPE ENTIRE LENGTH OF CONDUIT RUN.

BACKFILL (SAND OR NATIVE SOIL W/ SAND EQUIVALENT GREATER THAN 30) COMPACT TO 90% RELATIVE COMPACTION PER ASTM D1557.

3" PVC SCH 40 ELECTRICAL CONDUIT WHERE APPLICABLE (OR PVC SIZING AS REQUIRED PER CABLE SIZE)
**RIGHT OF WAY**

**ENTRANCE DETAIL**

- Wooden post with spacing @ 4' max. placed parallel to contours
- Mirafi 100x filter fabric or equal
- Wooden post shall be min. 30" above ground and min. 18" below ground

**SILT FENCE DETAIL**

- 6" x 12" trench - backfill with native earth and compact
- Fabric length 28" above ground 8" below ground

**WOODEN POST WITH SPACING @ 4' MAX. PLACE PLACE PARALLEL TO CONTOURS**

**WOODEN POST SHALL BE MIN. 30" ABOVE GROUND AND MIN. 18" BELOW GROUND**

**CONSTRUCTION SEQUENCE**

1. Installation of silt fence - prior to any earth moving operations, as required.
2. Installation of stabilized construction entrance.
3. Stripping and stock piling of topsoil and rough grading. Temporary stabilization within 15 days.

**ROADWAY EASEMENT**

- 2:1 slope
- 12' radius
- 6" compacted (to 95%) subgrade (where required)
- Ditch centerline

**ROADWAY DETAIL**

- 6" base material compacted to 95% of max dry density per AASHTO T-99
- Subgrade shall be compacted to 95% of max dry density per AASHTO T-99
- Mirafi 500 or equal

**ROADWAY AND COMPOUND DETAILS**

- 6" base material compacted to 95% of max dry density per AASHTO T-99
- Subgrade shall be compacted to 95% of max dry density per AASHTO T-99
- Mirafi 500 or equal
MUSHROOM STOP DETAIL

NOTES:
1. REFER TO SHEETS G1-1 AND G1-2 FOR ADDITIONAL INFORMATION
2. ALL PIPE DIMENSIONS ARE INTERIOR DIAMETER

ELEVATION VIEW

SCALE: N.T.S.
NOTES:
1. FOR ADDITIONAL INFORMATION
REFERENCE C2-1
2. COMPLETION OF ELECTRICAL SERVICE
SHALL BE PERFORMED BY LICENSED
ELECTRICAL CONTRACTOR

PROPOSED
195' GUYED TOWER
SEE SHEET C3 FOR
ELEVATION DETAILS

PROPOSED
6'-0" CHAIN LINK FENCE
WITH 1'-0" BARBED WIRE
105'x120'

PROPOSED
H-FRAME

1/16" = 1'-0"
NOTES

1. CONTRACTOR SHALL PROVIDE AND INSTALL MODULAR METERING MAIN, 120/240V, 400A, NEMA 3R WITH FOUR METER SOCKETS. METER CENTER SHALL BE FURNISHED WITH 200A METER AND 200A CIRCUIT BREAKER. CIRCUIT BREAKERS SHALL BE COVERED WITH LEXAN METER COVER.

2. SHOULD CLIENT REQUEST A TELCO DEMARCATION BOX, CONTRACTOR SHALL PROVIDE AND INSTALL TELCO DEMARCATION BOX TO INCLUDE 48" X 48" X 12" NEMA 3R ENCLOSURE WITH BACKPLATE AND GFI RECEPTACLE (120V, 5A).

3. TOWER LIGHTING SHALL BE REQUIRED ON ALL TOWERS EXCEEDING 200' IN HEIGHT OR AS OTHERWISE REQUIRED BY FAA.

4. DIMENSIONS SHOWN ARE APPROXIMATE AND MAY BE ALTERED IN THE FIELD TO BETTER SUIT ACTUAL CONDITIONS OR EQUIPMENT RECEIVED.

5. ALL CONDUIT SHALL BE SCH. 40 PVC UNDERGROUND.

6. ALL MATERIALS AND EQUIPMENT SHALL BE NEW AND IN GOOD WORKING CONDITION WHEN INSTALLED AND SHALL BE OF THE BEST GRADE AND BY THE SAME MANUFACTURER THROUGHOUT FOR EACH CLASS OR GROUP OF EQUIPMENT. MATERIALS SHALL MEET WITH APPROVAL OF ALL GOVERNING ENTITIES HAVING JURISDICTION. MATERIALS SHALL BE MANUFACTURED IN ACCORDANCE WITH APPLICABLE STANDARDS AS ESTABLISHED BY ANSI, NEMA, NSFU, AND "UL" LISTED.

7. ALL CONDUIT SHALL HAVE A PULL STRING.

8. THE ENTIRE ELECTRICAL INSTALLATION SHALL BE GROUNDED AS REQUIRED BY IBC, NEC, AND APPLICABLE CODES.

9. UNDERGROUND AND/OR OVERHEAD LINES SHALL BE OF THE SIZE AND MATERIAL NECESSARY TO MEET THE LOCAL CODE REQUIREMENTS.

10. ALL FRAME MEMBERS TO BE 1-5/8" X 1-5/8" P1000 UNISTRUT (EXCEPT FOR LEGS). CONNECT TO LEGS WITH U BOLTS.
#2 TINNED AWG GROUND RING
WITH 3/4" X 10'-0" COPPER CLAD
GROUNDING RODS
SEE SHEET E4-1 DETAILS 1 & 4

TOWER GROUNDING DETAIL
SCALE: 1/16"=1'-0"

NOTES:
1. INFORMATION SHOWN IS FOR INFORMATION PURPOSES
ONLY. DESIGN OF GROUNDING SYSTEM IS TO BE
CONFIRMED BY LYNCOLE PRIOR TO INSTALLATION
2. REFERENCE LYNCOLE DESIGN FOR INSTALLATION OF
GROUNDING
3. REFERENCE SHEET C2-1 FOR ADDITIONAL INFORMATION
1. The #2 AWG, BCW, from the ring ground shall be cadwelded to the post, above grade.

2. Vertical post shall be bonded to the ring at each corner and at each gate post. As a minimum, one vertical post shall be bonded to the ground ring in every 100 feet.

3. Installation of flexible gate jumpers is required for all compound access gates.

**Legend**

1. Copper ground bar, 2\" x 4\" x 20\". Hole centers to match Nema double lug configuration.
2. Insulators.
3. Lockwashers.
4. Wall mounting bracket.
5. 5/16 x 1\" H.H.C.S. bolts.
CONSTRUCTION

GENERAL

General construction, electrical, tower and foundation drawings are interrelated. In performance of the work each contractor must refer to all drawings. Coordination is the responsibility of the general contractor.

SITE WORK

PART 1 - GENERAL

1. Work included: See Site Plan
2. Access road, turnaround areas and sites are constructed to provide a well-drained, easily maintained, even surface for material and equipment deliveries and maintenance personnel access.

3. SEQUENCING

A. Confirm survey stakes and set elevation stakes prior to any construction.
B. Grab the complete road (if applicable) and site area prior to foundation construction or placement of backfill or subbase materials.
C. Construct temporary construction zone along access drive.
D. Bring the site area to subbase course elevation and bring the access road to base course elevation prior to forming foundation.
E. Soil stabilizer shall be Mirafi - 500X or equal.
F. Grade, seed, fertilize and mulch disturbed areas immediately after bringing site and access road to base course elevation.
G. Remove gravel from temporary construction zone to an authorized area or as directed by the owner's representative.

4. SUBMITTALS

A. Before construction:
   i. If landscaping is applicable to contract, submit two copies of the landscape plan under nursery letterhead. If a landscape allowance was included in the contract, provide an itemized listing of proposed costs on nursery letterhead (refer to plans for landscaping requirements).

5. WARRANTY

A. In addition to the warranty on all construction covered in the contract documents, the contractor shall repair all damage and restore area as close to original condition as possible at site and surroundings.
B. Disturbed area will reflect growth of new grass cover prior to final inspection.

PART 2 - PRODUCTS

1. MATERIALS

A. Road and site materials shall conform to DOT specifications fill material - acceptable select fill shall be in accordance with State Department of Highway and Transportation standard specifications and approved by the owner's representative.
B. Soil stabilizer shall be Mirafi - 500X or equal.

2. INSTALLATION

A. The site and turnaround areas shall be at the subbase course elevation prior to forming foundation. Grade or fill the site and access road as required in order that upon distribution of spoils resulting from foundation excavations, the grading result will correspond with said subbase course, elevations are to be calculated from finished grades or slopes indicated.
B. Clear excess spoils, if any, from job site and do not spread beyond the limits of project area unless authorized by the owner's representative and agreed to by landowner.
C. Bring the access road to base course elevations prior to use for permit construction and observation during construction of the site.
D. Avoid creating depressions where water may pond.
E. The contract shall include grading, banking and ditching, unless otherwise indicated.
F. When improving an existing access road, grade the existing road to remove any organic matter and smooth the surface before placing fill or stone.
G. Place fill or stone in six inch maximum lifts and compact before placing next lift.
H. The top surface course shall extend a minimum of six inches beyond the site fence and shall cover the area as indicated.
I. Apply riprap gravel to the slopes of all fenced areas and parking areas and all other slopes greater than 2:1.
J. Apply seed, fertilizer and straw cover to all other disturbed areas, ditches, drainage and swales and routes otherwise riprappled.
K. Apply seed and fertilizer to surface conditions which will encourage rooting. Rake areas to be seeded to even the surface and loosen the soil.
L. Sow seed in two directions to twice the quantity recommended by the seed producer.

4. PROTECTION

A. Protect seeded areas from erosion by spreading straw to a uniform loose depth of 1 - 2 inches, stake and tie down as required. Use approved erosion control mesh or mulch net will be an acceptable alternate.
B. Protect all exposed areas against washouts and soil erosion, place straw bales at the inlet approaches to all new or existing culverts. Where the site or road areas have been elevated immediately adjacent to the rail line, stake erosion control fabric full length in the swale to prevent contamination of the rail ballast.
C. The final grade of structural fill for all footings shall be capable of supporting the design soil bearing pressure load of 3,000 lbs. per square foot minimum.

FENCING AND GATE(S)

PART 1 - GENERAL

1. Work included: See plan for location of fence and gate(s).

2. QUALITY ASSURANCE

All steel materials utilized in conjunction with this specification will be galvanized or stainless steel. Weight of zinc coating of the fabric shall not be less than 12 ounces per square foot of material covered. Posts shall be hot-dipped galvanized.

3. SEQUENCING

If the site has been brought up to surface course elevation prior to the fence construction, fence post excavation spoils must be controlled to preclude contamination of said surface course.

4. SUBMITTALS

A. Manufacturer's descriptive literature.
B. Certificate or statement of compliance with the specifications.

PART 2 - PRODUCTS

1. FENCE MATERIAL

A. All fabric wire, rails, hardware and other steel materials shall be hot-dipped galvanized.
B. Fabrics shall be six-foot height two-inch chain link mesh of No. 9 gauge wire. The fabric shall have a knuckled finish for the top

C. Barbed wire shall be double-strand, 12-1/2 gauge twisted wire strand with 14-gauge, 4-point round barbs spaced on five-inch centers, conforming to ASTM A121 Design # 12-4-5-14R Type 2.
D. All posts shall be mechanical service pipe and shall be Type 1 ASTM F1083, High Strength (50 Ksi) Schedule 40 pipe, ASTM F1043 Group 1A, and of the following diameter (I.D. per fence industry standards).

   Line          2 inches
   Corner        3 inches
   Gate          4 inches

E. Gate posts shall be extended 12 inches, including dome cap, to provide for attachment of barbed wire.
F. All top and brace rails shall be 1-1/2" diameter mechanical service pipe. Frames shall have welded corners.
G. All posts except gatposts shall have a combination cap and barbed wire supporting arm. Gatposts shall have a dome cap.
H. All hardware includes but may not be limited to the clips, band clips and tension band clips.
I. Saddle bar gate guards shall be fitted with dome caps.
J. Barbed wire end caps shall be cast iron with set bolt and lock wire in the arm.
K. All stop shall have keepers capable of holding the gate leaf in the open position.
L. All stops shall have keepers capable of holding the gate leaf in the open position.
M. A No. 7 gauge zinc coated tension wire shall be used at the bottom of the fabric terminated with bank clips at corner and gatposts, conforming to ASTM A34 Type II.
N. A six-inch by 1/2-inch diameter eyebolt to hold tension wire shall be placed at the line posts.
O. Tightener bars shall be 3/16-inch by 3/4-inch or have equivalent cross-sectional area, and conform to ASTM F286, having a minimum zinc coating of 1.2oz/sq. ft.

P. All corner gate and panels shall have a 3/8-inch truss rod with tumbuckles.
Q. All posts except gatposts shall have a combination cap and barbed wire supporting arm. Gatposts shall have a dome cap.
R. Other hardware includes but may not be limited to the clips, band clips and tension band clips.
S. Saddle bar gate guards shall be fitted with dome caps.
T. Barbed wire end caps shall be cast iron with set bolt and lock wire in the arm.
U. All caps shall be cast steel.

III. Fabric shall be knuckled chain link mesh for the top

4. SUBMITTALS

A. Before construction:
   i. If landscaping is applicable to contract, submit two copies of the landscape plan under nursery letterhead. If a landscape allowance was included in the contract, provide an itemized listing of proposed costs on nursery letterhead (refer to plans for landscaping requirements).

5. WARRANTY

A. In addition to the warranty on all construction covered in the contract documents, the contractor shall repair all damage and restore area as close to original condition as possible at site and surroundings.
B. Disturbed area will reflect growth of new grass cover prior to final inspection.

6. SUBMITTALS

A. Manufacturer's descriptive literature.
B. Certificate or statement of compliance with the specifications.
PART 3 - EXECUTION

1. INSPECTION

To confirm proper depth and diameter of post hole excavations, all post holes will be excavated as per construction documents.

2. INSTALLATION

A. Foundations shall have a minimum six-inch concrete cover under post.
B. All fence posts shall be vertically plumb plus/minus one-quarter inch.
C. At corner posts, gateposts and sides of gate frame, fabric shall be attached with stretcher and tension hand-clips at fifteen inch intervals.
D. At line posts, fabric shall be attached with hand-clips at fifteen inch intervals.
E. Fabric shall be attached to brace rails, tension wire and cross rods with tie-clips at two foot intervals.
F. A maximum gap of two inches will be permitted between the chain link fabric and the final grade.
G. Gate shall be installed so locks are accessible from both sides.
H. Gate hinge bolts shall have their threads peened or welded to prevent unauthorized removal.
I. Concrete to be a minimum of 3,000 psi.

3. PROTECTION

Upon completion of erection, inspect fence material and paint field cuts or galvanizing breaks with zinc-based paint, color to match the galvanized finish.

Applicable Standards:
ASTM-A120 Specification for pipe, steel black and hot-dipped, zinc coated (galvanized) welded and seamless.
ASTM-A123 Zinc (hot-dipped galvanized) coated steel chain link fence fabric.
ASTM-A155 Specification for zinc coating (hot-dip) on iron and steel hardware.
ASTM-A525 Standard specification for steel sheet zinc coated (galvanized) by the hot-dipped process.
Federal Specification RR-F-191: Fencing Wire and Post Metal (and Gates, Chain Link Fence Fabric and Accessories)

4. ELECTRICAL

A. Contractor shall review the contract documents prior to the ordering of the electrical equipment and starting the actual construction. Contractor shall issue a written notice of all findings to the architect listing any discrepancies or conflicting information.
B. Verify exact locations and mounting heights of electrical equipment with owner prior to installation.
C. All materials and equipment shall be new and in good working condition when installed and shall be of the best grade and of the same manufacture throughout for each class or group of equipment. Materials shall be listed “J” where applicable. Materials shall meet with approval of all governing bodies having jurisdiction. Materials shall be manufactured in accordance with applicable standards established by ANSI, NEMA, NSFU and “UL” listed.
D. All conduit shall have a pull string.
E. Provide Project Manager with one set of complete electrical “As Installed” drawings at the completion of the job showing actual dimensions, routing and circuits.
F. All electrical installation shall be grounded as required by IBC, NEC and all applicable codes.
G. Patch, repair and paint any area that has been damaged in the course of the electrical work.
H. Wire and cable conductors shall be copper 600 amp, type THHN or THWN with a minimum size of 6 AWG color-coded. All rectifier drops shall be stranded to accept crimp connectors.
I. All chemical ground rods shall be “UL” approved.
J. Meter socket amperes, voltage, number of phases shall be as noted on the drawings, manufactured by Milbank or approved equal and shall be utility company approved.
K. All underground conduit shall be PVC Schedule 40 with UV protection (unless noted otherwise) at a minimum depth of 24” below grade.

5. CONDUIT

A. Electrical metallic tubing shall have UL label; fitting shall be gland ring compression type.
B. Flexible metallic conduit shall have UL listed label and may be used where permitted by code. Fittings shall be “Jake” or “Squeeze” type. All flexible conduit shall have full length ground wire.
C. All underground conduit shall be PVC Schedule 40 with UV protection (unless noted otherwise) at a minimum depth of 24” below grade.
D. Contractor to coordinate with utility company for connection of temporary and permanent power to the site. The temporary power and all hookup costs are to be paid by the contractor.

13. All electrical equipment shall be labeled with permanent engraved plastic labels with white on blue background lettering (minimum letter height shall be 1/4”). Nameplates shall be fastened with stainless steel screws, not adhesive.

14. GROUNDING ELECTRODE SYSTEM

A. PREPARATION

1. Surface Preparation:
   a. All connections shall be made to bare metal. All painted surfaces shall be field inspected and modified to ensure proper contact. No washers are allowed between the items being grounded. All connections are to have a non-oxidizing agent applied prior to installation.
   b. Ground Bar Preparation:
      i. Ground bar bars shall be cleaned, polished and a non-oxidizing agent applied. No fingerprints or discolored materials shall be permitted.
      ii. All ground connections shall be made by the exothermic weld process. Connections shall include all cable, splices, tee's, x's, etc. All cable to ground rods, ground rod splices and lightning protection systems are to be as indicated. All materials used (molds, welding metal, tools, etc.) shall be cadweld and installed per manufacturer’s recommended procedures.

B. GROUND BARS

1. All ground bars shall be 1/4” thick copper and of size indicated on drawings.

C. EXTERNAL CONNECTIONS

1. All grounding connections shall be made by the exothermic weld process. Connections shall include all cable, splices, tee's, x's, etc. All cable to ground rods, ground rod splices and lightning protection systems are to be as indicated. All materials used (molds, welding metal, tools, etc.) shall be cadweld and installed per manufacturer’s recommended procedures.

D. GROUND RODS

1. All ground rods shall be 5/8" diameter by 10'-0" long "copperweld" or approved equal of the number and locations indicated.

E. GROUND CONDUCTORS

1. All ground conductors shall be standard tinned, solid bare copper, annealed and size indicated on drawings.

F. GROUND RING

1. The external ground ring encircling the tower (if applicable) and future carrier shall be minimum size of No. 2 AWG solid tinned, bare copper conductor in direct contact with the earth at a depth specified on plan sheets and details. Conductor bends shall have a minimum bending radius of eight inches.

G. FENCE / GATE

1. Ground each gatepost, corner post and gate as indicated on drawing. Ground connections to fence posts and all other connections for the ground grid system shall be made by exothermic weld process and installed per manufacturer’s recommendations and procedures and sprayed and cold-galvanized paint.
August 2, 2022

Scot Tinker
Hemphill Towers

Re: Training Tower

Scot, Good Morning!

As discussed over the phone if Hemphill has the ability to install a guyed tower on their property, RAKM Tower Rescue would like to partner and utilize that tower as an additional training tower for the telecom industry.

As you are aware, we are a national training company and currently own or partner with companies to have training towers in several key states around the country. A guyed tower in Tulsa Oklahoma would be a huge benefit for the industry and our company.

Please keep me posted as to when this tower could be used, as we would like to schedule training ASAP.

Sincerely,

Rick Flynt
President/Owner
RAKM Tower Rescue
Fort Worth, Texas
214-497-2121
rick.flynt@rakmllc.com
APPLICATION NO: BLDC-123397-2022

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 1388 N. New Haven
Description: Wireless Communication Facility

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

(continued)
1. Sec. 40.420 E 2. Towers and antennas are subject to all of the following requirements:
   a. Towers and antennas must be designed to blend into the surrounding environment through the use of color, galvanizing, or camouflaging architectural treatment, except in instances where the color is dictated by federal or state authorities, such as the Federal Aviation Administration.
   b. Except in IM and IH zoning districts, communication towers must be of a monopole design unless the board of adjustment approves, by special exception, an alternative design that they determine would better blend into the surrounding environment or that the required antennas cannot be supported by a monopole.
   c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a color that closely matches or complements the color of the supporting structure, so as to make the antenna and related equipment as visually unobtrusive as possible.

Review comment: The proposed tower is located in IL zoned district and is not a monopole design, which requires a Special Exception, reviewed and approved by the Board of Adjustment (BOA). Contact Austin Chapman, Board of Adjustment Administrator, at achapman@incog.org or 918-584-7526.

2. Sec 40.420-F 1. Applicability The regulations of this subsection (40.420-F) apply to all antennas and towers that require special exception approval. 2. Factors to be Considered a. In addition to any other applicable requirements, the following factors must be considered in a decision to approve or deny special exception approval for a tower: (1) Height of the proposed tower; (2) Proximity of the tower to residential structures, residential district boundaries and existing towers; (3) Nature of uses on adjacent and nearby properties; (4) Surrounding topography; (5) Surrounding tree coverage and foliage; (6) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness; (7) The total number and size of antennas proposed and the ability of the proposed tower to accommodate co-location; (8) Architectural design of utility buildings and accessory structures to blend with the surrounding environment; (9) Proposed ingress and egress; (10)The need for a tower within the immediate geographic area to provide an acceptable level of communications service to the area; (11)The size of the tract and the most likely future development as indicated by the comprehensive plan, planned infrastructure, topography and other physical considerations.

4. Landscaping The following requirements govern landscaping surrounding towers that require special exception approval; provided that the board of adjustment may modify or waive such requirements by special exception. a. Tower facilities must be landscaped with a continuously maintained buffer of plant materials that effectively screens the view of the tower compound from...
property within 300 feet used or zoned for residential purposes. The standard buffer requirement consists of a landscaped strip with a minimum width of 4 feet outside the perimeter of the compound.

Review comment: The proposed tower is located within 300 feet of a residential zoned district. Provide landscaping as required in this section.

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

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.
<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austin Chapman</td>
<td>Applicant: Stephen Eubanks</td>
</tr>
<tr>
<td></td>
<td>Property Owner: CIZEK, EDWARD J JR &amp; JANET K</td>
</tr>
</tbody>
</table>

**Action Requested:** Special Exception to increase the permitted driveway width in a Residential Zoning District (Section 55.090-F.3)

**Location Map:**

**Additional Information:**
- **Present Use:** Residential
- **Tract Size:** 0.34 acres
- **Location:** 6130 S. Oswego Ave. E.
- **Present Zoning:** RS-1
BOARD OF ADJUSTMENT
CASE REPORT

STR: 8304
CD: 8

HEARING DATE: 09/13/2022 1:00 PM

APPLICANT: Stephen Eubanks

ACTION REQUESTED: Special Exception to increase the permitted driveway width in a Residential Zoning District (Section 55.090-F.3)

LOCATION: 6130 S Oswego E. Ave.

PRESENT USE: Residential

TRACT SIZE: 14766.9 SQ FT

ZONED: RS-1

LEGAL DESCRIPTION: LT 2 BLK 3, BRAESWOOD CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELATIVELY 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.

STAFF ANALYSIS: The applicant is requesting a Special Exception to increase the permitted driveway width in a Residential Zoning District (Section 55.090-F.3)

3. 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 §39.010-.12. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways, #701-704).
Applicant is seeking two curb-cuts on the property to serve two garages for a total width of 40-feet inside the right-of-way. The drive includes a through lane connecting the two curb-cuts so that the majority of the front setback is paved with concrete.

The requested improvements were made without right-of-way permits, staff suggests that a condition of approval be made so that the applicant is to get a right-of-way permit for the work already done.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Special Exception to increase the permitted driveway width in a Residential Zoning 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):

- Suggested Condition: Applicant is to obtain right-of-way permit for the driveway.

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 at Northern curb-cut

Subject property at Southern curb-cut
E 61ST ST S

E 62ND ST S

S NEW HAVEN AVE

S OSWEGO AVE

Subject Tract

BOA-23428
18-13 04

0 50 100 Feet

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

Aerial Photo Date: 2020/2021

16.8
**Case Report Prepared by:**

Austin Chapman

**Owner and Applicant Information:**

**Applicant:** Ray Toraby

**Property Owner:** TARHEEL PROPERTIES LLC

**Action Requested:** Variance to allow a dynamic display sign to be within 50-feet of the driving surface of a signalized intersection (Section 60.100-D)

**Location Map:**

![Location Map](image)

**Additional Information:**

**Present Use:** Commercial Shopping

**Tract Size:** 0.66 acres

**Location:** 9014 S. Yale Ave. E.

**Present Zoning:** CS
BOARD OF ADJUSTMENT
CASE REPORT

STR: 8316
CD: 8

HEARING DATE: 09/13/2022 1:00 PM

APPLICANT: Ray Toraby

ACTION REQUESTED: Variance to allow a dynamic display sign to be within 50-feet of the driving surface of a signalized intersection (Section 60.100-D)

LOCATION: 9014 S. Yale Ave. E.

PRESENT USE: Commercial Shopping

ZONED: CS

TRACT SIZE: 28815.06 Sq Ft

LEGAL DESCRIPTION: LT 1 LESS BEG NEC THEREOF TH W10 S155.02 NE14.15 N145.02 POB BLK 1, SOUTHERN WOODS PARK, STAR CENTER II CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-21344: On 11.22.11 the Board denied a variance to reduce the required setback from 50-feet to 18-feet from a signalized intersection and from 20-feet to 17-feet for an Electronic Message Center.

BOA-17251: On 12.12.95 the Board approved a variance to increase the permitted height from 25-feet to 40-feet for a freestanding sign.

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

Neighborhood Centers are small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive 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.

STATEMENT OF HARDSHIP: The shopping center is currently at the right setback, but it is about 10-feet to close to the center of the visual triangle. If they move the sign by 10-feet the sign inward to the the 50-feet intersection requirement, it will be blocking the parking lot traffic and Starbucks drive through traffic, The tenants need remotely changeable messaging to promote their services to cope with demanding economic times.

STAFF ANALYSIS: The applicant is requesting a Variance to allow a dynamic display sign to be within 50-feet of the driving surface of a signalized intersection (Section 60.100-D)
Facts staff finds favorable for variance request:
- None.

Facts Staff find unfavorable for the variance request:
- The location of the existing sign and the building layout if a self-imposed hardship by the property owner.
- Having signage built near the intersection is common throughout the City of Tulsa and this is not a unique circumstance.

SAMPLE MOTION: Move to _________ (approve/deny) a Variance to allow a dynamic display sign to be within 50-feet of the driving surface of a signalized intersection (Section 60.100-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.”
Distance between existing sign and intersection

Facing North on Yale Avenue
Taken from the NW/c of S. Yale Ave. and E. 91st St. S.
SIGN PLAN REVIEW

August 10, 2022

Phone: (918) 808-6765

APPLICATION NO: SIGN-123765-2022 (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)
Location: 9014 S. Yale Ave.
Description: Freestanding digital display 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 RESUBMITAL 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-123765-2022

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-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.

Review Comments: The proposed dynamic display sign will be located within 50 feet of the driving surface of a signalized intersection. You may change the sign type to non-dynamic display, relocate the sign to be no closer than 50 feet to the to the driving surface of the intersection of 91st St. and Yale Ave., or you may seek a variance from the Board of Adjustment to permit a sign with a dynamic display to be within 50 feet of the driving surface of a signalized intersection.

Note: 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. Requests for variances from the Board of Adjustment require proof of a hardship per Section 70.130.

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 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.
Existing Center sign, shared by tenants

5,000 cd/m² High resolution, double faced led on existing tenant sign structure total display area is 4.5 square feet there will be no flashing and no animation. there will be at least 8 seconds between message changes and the change will happen within 2 milliseconds
Subject Tract
BOA-23429
18-13 16

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2020/2021

17.11