AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center Tuesday,
January 10, 2023, 1:00 P.M.

Meeting No. 1308

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

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

INTRODUCTION AND NOTICE TO THE PUBLIC

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

1. Approval of Minutes of November 8th, 2022 (Meeting No. 1306)

UNFINISHED BUSINESS

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

2. 23442 - Acura Neon

   Action Requested:

   Variance to permit more than one freestanding sign per street frontage in an R District for a non-residential use (Sec. 60.050-B.2.b) Location: 7777 S. Lewis Ave. (CD – 2)

3. 23446 - Elite Agricultural Properties, LLC

   Action Requested:

   Special Exception to allow a Group Living/ Monastery Use in the AG District (Sec. 25.020-B, Table 25-1) Location: 8533 E. 58th St. S. (CD 7)
4. 23458 - Cheryl Cohenour

**Action Requested:**

Special Exception for parking and/or storage of a recreational vehicle in the street yard on a corner lot (Section 45.150) **Location:** 2809 E 28th St. (CD – 4)

5. 23459 - Crown Neon Signs

**Action Requested:**

Variance to permit a dynamic display sign within 200-feet of a Residential District (Sec.60.100-F) **Location:** 4609 E 31st St. S. (CD – 4)

6. 23467 - Phillip Doyle

**Action Requested:**

Variance to reduce the required 25-foot rear setback in the RS-1 District (Sec. 5.030-A, Table 5-3) **Location:** 3220 E. 67th St. S. (CD – 9)

7. 23468 - Phillip Doyle

**Action Requested:**

Special Exception to allow an Accessory Dwelling Unit in the RE District (45.031-D); Variance to permit more than 20% coverage of the rear setback by a Detached Accessory Building/Dwelling Unit (Sec.90.090-C, Table 90-2) **Location:** 4320 S. Victor Ave. E. (CD – 9)

8. 23469 - Nathalie Cornett

**Action Requested:**

Variance to reduce the required 4,000 square feet of open space and to reduce the required 60-foot lot width in the RS-3 District to permit a lot split (Sec. 5.030-A, Table 5-3) **Location:** 1512 E 33rd St. (CD – 9)
NEW APPLICATIONS

9. 23472 - Paula McGuire

Action Requested:

Variance to reduce the 200-feet minimum lot width in the AG district to permit a lot split (Sec 25.020-D, Table 25-2) Location: 3820 N. Columbia Ave. (CD – 1)

10.23476 - Marshett Goudea

Action Requested:

Special Exception to permit a Day Care use in the RS-3 zoning district (Sec.5.020, Table 5-2) Location: 525 E. 27th Ct. N. (CD – 1)

11.23477 - Rouven Irom

Action Requested:

Special Exception to allow a Public, Civic and Institutional/ Government Use in the CS zoned district. (Section 15.020 Table 15-2) Location: 6404 S. Peoria Ave. (CD – 2)

12.23478 - Extreme Properties

Action Requested:

Special Exception to permit an addition to existing structure with a non-conforming rear setback (Sec. 80.030-D Location: 5342 E. 33rd St S (CD -5)

13.23479 - Lucas Homes

Action Requested:

Special Exception to permit a duplex in the RS-4 District (Table 5.020, Table 5-2, Table 5-2.5); Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3) Location: 1107/1109 E. Young Pl. N. (CD – 1)
14. 23480 - Femi Fasesin

Action Requested:

Special Exception to allow an Accessory Dwelling Unit in an RS-1 District (45.031-D) Location: 3138 E. 66th PL S. (CD – 9)

15. 23482 - David McGhee

Action Requested:

Special Exception to allow an addition to an existing structure with a non-conforming side setback (Sec. 80.030-D) Location: 562 N. Tacoma Ave. (CD-4)

16. 23483 - Raul Cisneros

Action Requested:

Special Exception to allow a Large (greater than 250 person-capacity) Commercial Assembly & Entertainment Use in the CS District (CBD) (Sec.15.020, Table 15-2) Location: 2117 S. Garnett Rd. (CD – 6)

NEW BUSINESS

17. Review and approval of changes to the City of Tulsa Board of Adjustment Policies and Procedure.

BOARD MEMBER COMMENTS

ADJOURNMENT

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

NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify Tulsa Planning Office at 918-584-7526. Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained by the Tulsa Planning Office at INCOG. All electronic devices must be silenced.
Case Number: BOA-23442

Hearing Date: 1/10/2022 (Con. from 12/13/2022)

<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: Acura Neon</td>
</tr>
<tr>
<td></td>
<td>Property Owner: ORAL ROBERTS UNIVERSITY</td>
</tr>
</tbody>
</table>

**Action Requested:** Variance to permit more than one freestanding sign per street frontage in an R District for a non-residential use (Sec. 60.050-B.2.b)

<table>
<thead>
<tr>
<th>Location Map:</th>
<th>Additional Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Present Use: Oral Roberts University</td>
</tr>
<tr>
<td></td>
<td>Tract Size: 149.86 acres</td>
</tr>
<tr>
<td></td>
<td>Location: 7777 S. Lewis Ave. E.</td>
</tr>
<tr>
<td></td>
<td>Present Zoning: RS-1,RS-3</td>
</tr>
</tbody>
</table>
BOARD OF ADJUSTMENT
CASE REPORT

STR: 8308
CD: 2

HEARING DATE: 12/13/2022 (Con. from 10/11/2022). Case was continued to hear the results of a filed Master Planned Development on the Subject property which if approve would negate the need for the requested relief. The re-zoning case MPD-4 is on the 12/07/2022 TMAPC Hearing Agenda. Staff will provide update after that hearing to the Board.

APPLICANT: Acura Neon

ACTION REQUESTED: Variance to permit more than one freestanding sign per street frontage in an R District for a non-residential use (Sec. 60.050-B.2.b)

LOCATION: 7777 S LEWIS AV E

ZONED: RS-1, RS-3

PRESENT USE: Oral Roberts University

TRACT SIZE: 6,527,954.47 SQ FT

LEGAL DESCRIPTION: BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY HGTS CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:

Subject property:

MPD-4: To be heard on 11.02.22 by the TMAPC. The proposed Master Planned Development incorporates development standards are proposed to incorporate land use regulations that are consistent with a university use including signage.

BOA-17831-A; On 12.08.2015 the board approved a modification to a previously approved plan for a digital sign.

BOA-21495; On 11.13.12 the Board approved a variance to allow 2 wall signs in an R district.

BOA-21488; On 10.23.2012 the Board approved a variance to allow a wall sign in an R district.

BOA-17831; On 09.23.97 the Board approved an amendment to a previously approved exception for a sponsor sign and a variance of the maximum square feet for a sponsor sign.

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: ORU would like to have a monument sign for their new welcome center. This sign will provide identifications to visitor/students visiting their facility.

STAFF ANALYSIS: The applicant is requesting **Variance** to permit more than one freestanding sign per street frontage in an R District for a non-residential use (Sec. 60.050-B.2.b)

b. Freestanding Signs

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

Facts staff finds favorable for variance request:
- None.

Facts Staff find unfavorable for the variance request:
- The applicant did not provide any unique circumstances related to the physical surroundings, shape, or topographical conditions of the subject property.
- Applicant has not provided an inventory of the current signs along the street frontage.

SAMPLE MOTION: Move to _________ (approve/deny) a Variance to permit more than one freestanding sign per street frontage in an R District for a non-residential use (Sec. 60.050-B.2.b)

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

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

Review comment: Please provide a distance from the center of Lewis Ave. to this sign.

60.050-B.2.b Freestanding Signs: Nonresidential uses in R, AG, and AG-R districts are allowed a maximum of one freestanding sign per street frontage. Allowed freestanding signs are subject to a maximum height limit of 20 feet and may not exceed 32 square feet in area or 0.20 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

Review comment: Review comment: This lot is a residential zoned lot and there are already existing freestanding signs on the Lewis Ave. frontage. You may request a variance from the Board of Adjustment to exceed more than one freestanding per street frontage in the RS-3 district.

Site plan is missing measurement from the leading edge (nearest Lewis) of the proposed sign to the centerline of Lewis. Revise site plan to show measurement. Note: Minimum setback for the leading edge of the sign is 80' from the centerline of Lewis (50' ROW + 30' Easement).
Concrete wall and footing by others.

5/8" Thick Cast Aluminum letters painted Black (semi-gloss) and installed flush to concrete wall with aluminum studs.

1" Thick Cast Aluminum letters painted Black (semi-gloss) and rail mounted to 1 1/2 square aluminum tubing.

**Elevation View - Scale: 3/4" = 1'-0"

-Manufacture and install (1x) single sided monument sign.

NOTES:
-FONT TO BE MYRIAD PRO BOLD.

#5 @ 12" O.C. with ACI Std. hook into footing.

#5 @ 12" O.C.

#6 @ 12" O.C.

(4) #6 Cont.
Concrete wall and footing by others.

5/8" Thick Cast Aluminum letters painted Black (semi-gloss) and installed flush to concrete wall with aluminum studs.

1" Thick Cast Aluminum letters painted Black (semi-gloss) and rail mounted to 1 1/2 square aluminum tubing.

**Elevation View - Scale: 3/4" = 1'-0"**

- Manufacture and install (1x) single sided monument sign.

NOTES:
- FONT TO BE MYRIAD PRO BOLD.

-#5 @ 12" O.C. with ACI Std. hook into footing.

-#5 @ 12" O.C.

-#6 @ 12" O.C.

(4) #6 Cont.
<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: Elite Agricultural Properties LLC</td>
</tr>
<tr>
<td></td>
<td>Property Owner: ELITE AGRICULTURAL PROPERTIES LLC</td>
</tr>
</tbody>
</table>

**Action Requested:** Special Exception to allow a Group Living/ Monastery Use in the AG District (Sec. 25.020-B, Table 25-1)

**Location Map:**

**Additional Information:**

- **Present Use:** Agriculture
- **Tract Size:** 7.33 acres
- **Location:** 8533 E 58 ST S
- **Present Zoning:** AG, RS-3
STR: 9336
CD: 7

HEARING DATE: 10/25/2022 1:00 PM

APPLICANT: Elite Agricultural Properties LLC

ACTION REQUESTED: Special Exception to allow a Group Living/ Monastery Use in the AG District (Sec. 25.020-B, Table 25-1)

LOCATION: 8533 E 58 ST S

ZONED: AG, RS-3

PRESENT USE: Agriculture

TRACT SIZE: 319130.58 SQ FT

LEGAL DESCRIPTION: PRT NE BEG 393.86W & 330S NEC SW TH SW484.35 SE297.98 NW364.68 S123.11 WLY50.15 N120 W214.15 NE240 NE166.55 NE193.21 NE136.91 E310.72 POB SEC 36 19 13 7.26ACS, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-6667; On 05.19.70 the Board approved an Exception to permit a children’s day nursery.

BOA-6159; On 01.07.69 the Board approved an Exception to permit a church.

BOA-5389; On 04.04.67 The Board approved an Exception to allow a recreation center.

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

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

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

STAFF ANALYSIS: The applicant is requesting a Special Exception to allow a Group Living/ Monastery Use in the AG District (Sec. 25.020-B, Table 25-1)

Group Living usea are subject to the following supplemental regulations:
The approval of a Special Exception would trigger a requirement for the property to be platted prior to the approval of any zoning clearance permits on the property. A description of the use provided by the applicant is included in your packet.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Special Exception to allow a Group Living/ Monastery Use in the AG District (Sec. 25.020-B, Table 25-1);

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

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

  

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

Entrance to subject property from 58th St.
Elite Agricultural Properties LLC
3336 E 32 Street #100
Tulsa, OK 74135

Subject property: 8533 E 58 Street, Tulsa, OK 74145

The above referenced property is presently zoned Agricultural (AG). We are requesting special exception to allow use of subject property to build a monastery on it. Current regulations of Board of Adjustments do allow special exception for such purpose.

Historically, there was a church on this land until 1980s when the church was burnt down. For some time thereafter, the church community used it as their retreat. Subsequently, it was sold to previous owners and the land went into disarray. Due to its topography, commercial agriculture is difficult on this land. This land has hill that is rocky and sits 30-40 feet above rest of the land. Current ownership has struggled to use it for purely agricultural purposes. The subject property is surrounded by single-family residences on all sides and has attracted undesirable elements in the neighborhood.

The monastery on the property will be run by a not for profit organization (Transcendental Union with Love and Spiritual Advancement) and house a small group of retired clergy that will enjoy small time gardening and farming activities and quietly practice their religion in private without any public involvement. This use if permitted by the Board, will be in line with history of the property and its current intended use/ zoning. The monastery will not draw excessive traffic to the neighborhood or create loud noise. The monastery will bring mature men and women of faith to the neighborhood and that should bring more good energy. An aesthetically pleasing architecture of the monastery will increase the property values in the neighborhood.

The monastery is expected to be 29,000- 30,000 Sq feet in size and will be situated on top of the hill. In our concept drawing that is attached, we propose 58 guest rooms for the retired clergy. The guest clergy are expected to self sufficient and able bodies and will not require significant help from others for their daily activities. We expect staff of 5-10 to maintain grounds and facility and any helping hand to guests as needed. We do not intend to provide any specialized treatments/ medical care. The monastery will not be run as an assisted living or nursing center. We do not expect any licensing requirements however, if any such requirements do arise, compliance will be assured.

There is no such monastery in the vicinity. There are no schools, parks, child day care centers in close proximity. The monastery will be in single-family residential district however; we do not expect that it will add any burden to the neighborhood. We expect less than 10 people per acre on the subject property. Thus not causing any overcrowding. There are city's supply of water and sewer and Public electricity and gas supply available. The monastery will not add significant load on such infrastructure. We will work with city engineers to ensure compliance with building codes. There will be ample of parking on the property. We do not anticipate any need for on street parking. We do not expect any significant increase in traffic in the neighborhood, as most of our guests will likely not have private cars. We expect the monastery will provide a self-contained abode to our guests and they will not have to go in and out regularly.
**Case Number:** BOA-23458  
**Hearing Date:** 01/10/23 (Cont. from 12/13/2022)

<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: Cheryl Cohenour</td>
</tr>
<tr>
<td></td>
<td>Property Owner: COHENOUR, CHERYL R TRUST</td>
</tr>
</tbody>
</table>

**Action Requested:** Special exception to allow the parking and storage of a recreational vehicle in the street yard on a corner lot (Section 45.150)

**Location Map:**

<table>
<thead>
<tr>
<th>Additional Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Present Use: Residential</td>
</tr>
<tr>
<td>Tract Size: 0.37 acres</td>
</tr>
<tr>
<td>Location: 2809 E 28 ST S</td>
</tr>
<tr>
<td>Present Zoning: RS-2</td>
</tr>
</tbody>
</table>
19-13 17

BOA-23458

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

Aerial Photo Date: 2020/2021
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9317  Case Number: B0A-23458
CD: 4

HEARING DATE: 12/13/2022 1:00 PM

APPLICANT: Cheryl Cohenour

ACTION REQUESTED: Special Exception to allow the parking and storage of a recreational vehicle in the street yard on a corner lot (Section 45.150)

LOCATION: 2809 E 28 ST S  ZONED: RS-2
PRESENT USE: Residential  TRACT SIZE: 16099.84 SQ FT

LEGAL DESCRIPTION: LOT 4 BLK 2, THOMAS HGTS ADDN SUB PRT L4 B5 WOODY CREST ADDN, 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 parking and storage of a recreational vehicle in the street yard on a corner lot (Section 45.150)
Applicant is seeking permission to park a Recreational Vehicle in the street yard on the existing circle driveway located on E. 28th St. S.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Special Exception to allow the parking and storage of a recreational vehicle in the street yard on a corner lot (Section 45.150).

- 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.
Driveway is 28" to curb

No access to backyard due to neighbors trees

Airstream sits 21 feet from the street.
Dear BOA, City Planners,

Re BOA Case Number: BOA-23458. RV parking at 2809 E 28th Street

For background, I have discussed the circumstances of this application with the the applicant Cheryl Cohenour and the City planners re the code and possible options.

1) This is aesthetically a very beautiful, older, and established neighborhood and why I personally built a new home in this area. My lot is approximately 300’ from applicant’ property but on a separate street (29th).

2) There have been several new (very nice) homes built in close proximity to the applicant which is improving the area and improving property values in the area.

3) I have no wish to be an un-supporting neighbor or a code stickler so-to speak.

4) While I have no peculiar issue with the applicant’s RV given the location of my home - it is true to say that it detracts from the aesthetics of the neighborhood, it certainly does not enhance them. I also am not subject to the view 24x7 as some of her other neighbors.

5) My primary concern is that a permanent allowance would set precedence paving the way for others to think it’s OK or to seek similar allowances in the future, which I believe could pose issues in the future if others were to follow suit - we don’t want RV’s parked in front of everyone’s home in this area. Cheryl understood this concern when I discussed it with her. My understanding is a permanent allowance would carry with the property and this could be counter to the longterm interests of our neighborhood

Conclusion and Recommendation to the BOA

If there are any other parties that disapprove of the applicant’s RV being parked in their front yard then I would strongly support the opposing parties and ask that the board reject the applicant’s request. My thinking here is that I want to support the aesthetics of our neighborhood, and support my other neighbors interests and that this should take priority over the applicant’s request, and further, that if I were directly subject to the view of the RV I would not want it approved under any circumstance.

On the other hand, if there are no other complaints or parties that object to the applicant’s request I would support the applicant’s request provided ONLY that it have a stipulated time limit, I would not support or approve a permanent waiver. Having spoken to Cheryl (applicant) and understanding her circumstances I believe it is reasonable to find a middle ground by putting a 5 year limit to the allowance. My thinking here is to support Cheryl as a good neighbor while also preserving the interests of the neighborhood on a longterm basis.

Thanks in advance for your consideration, trying to be a good neighbor while also supporting our neighborhood community.
Sincerely,
Michael Friloux
2819 E 29th Street
918.760.6735
• Appears to be 22’ to 17’ of clearance on East side of home. (see aerial view)
• East Side Yard Clearance
• Not sure if code allows for driveway extension – question for BOA?
Austin and Board of Adjustment,

We are writing in reference to Case BOA-23458.

We have lived directly across the street from Cheryl Cohenour for over 26 years. She has been a wonderful neighbor. That is why we didn't complain when the RV became a permanent fixture in her front yard. At first we assumed it was temporary, but as time passed we realized this was her solution for storing it.

When we received your letter about her application for a special exception to park and store the RV in the front drive, we felt a need to voice concern.

Granting this special exception will allow the RV to be parked and stored in their front yard permanently. Not only does this remove any remaining hope that it will eventually be stored somewhere else, but it sets a precedent for other neighbors to park RVs in their front yard. We worked hard to afford our home and invested a significant amount to renovate it as well. We would hate to lose that investment if parking RVs in front yards becomes the norm.

Below is the view from our front window. We did recently plant a tree to improve the view.

Ginger & Mike Homan
2818 E. 28th Street
Tulsa, OK 74114
918-619-3756
November 19, 2022

City of Tulsa Board of Adjustments

To whom it may concern,

I have no objections or concerns regarding the Airstream travel trailer parked on the circular drive at 2809 East 28th Street Tulsa, OK.

Barry Lederman

2817 East 28th Street

Tulsa, OK

539-222-1439
December 9, 2022

City of Tulsa Board of Adjustment
175 E. 2nd Street
Tulsa, OK. 74103

To Whom It May Concern: Regarding RV at 2809 E. 28th Street

I have no objection to the Airstream parked in the circle drive located at 2809 E. 28th Street.

Gavin Terry
2749 S. Delaware Place
Tulsa, OK. 74114

469-463-4931

I Love It
**Case Number:** BOA-23459  
**Hearing Date:** 01/10/23 (Cont. from 12/13/2022)

**Case Report Prepared by:** Austin Chapman

**Owner and Applicant Information:**  
**Applicant:** Justin Moydell Crown Neon Signs  
**Property Owner:** Zag Holdings LLC

**Action Requested:** Variance to permit a dynamic display sign within 200-feet of a Residential District (Sec.60.100-F)

**Location Map:**

**Additional Information:**  
**Present Use:** Commercial  
**Tract Size:** 0.99 acres  
**Location:** 4609 E. 31 St. S.  
**Present Zoning:** CS
BOA-23459

Subject Tract

19-13 16

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

Aerial Photo Date: 2020/2021

5.3
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9316
CD: 4
HEARING DATE: 12/13/2022 1:00 PM
APPLICANT: Justin Moydell Crown Neon Signs
ACTION REQUESTED: Variance to permit a dynamic display sign within 200-feet of a Residential District (Sec.60.100-F)
LOCATION: 4609 E 31 ST S
ZONED: CS
PRESENT USE: Commercial
TRACT SIZE: 43333.67 SQ FT
LEGAL DESCRIPTION: BEG 685.06W SECR SE TH W115.77 N448.6 SELY188.4 S300 TO BEG SEC 16 19 13, SOUTHERN ELMS ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA
RELEVANT PREVIOUS ACTIONS: None.
RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "Mixed-use Corridor" and an "Area of Growth".

Mixed-Use Corridors are Tulsa’s modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

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

STATEMENT OF HARDSHIP:

1. That the physical surroundings, shape, or topographic conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out: **RS-4 extends all the way to the fire station which is surrounded by businesses, leaving no allowed space for a display, even though the display will not be in direct line of sight of residential housing.**

2. That the literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose: **Although residential housing is close by, view of the display is either obstructed, or is facing away from their line of sight.**

3. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification: **This property is unique in its location in relation to the residential properties surrounding it.**

4. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner: **Following the zoning strictly there is no place on the property which allows the display to be placed, even though the display will not directly affect residential property.**

5.5
5. That the variance to be granted is the minimum variance that will afford relief: The sign will be close to 200’ from the northwest RM property, and 110’ to the fire station / more than 200’ past it to the residential housing.

6. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property: Display will be seen from the road advertising car repair services.

7. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan: Display will not be in direct line of sight, residential properties will not be affected.

STAFF ANALYSIS:

Applicant is requesting to place a dynamic display sign approximately 110-feet from a Residential property.

Facts staff finds favorable for variance request:
- Dynamic Display sign has no place on the property where it can be placed.

Facts Staff find unfavorable for the variance request:
- Sign will be visible to the Residentially zoned fire station across the street. Firefighters do reside inside that building.

SAMPLE MOTION: Move to _________ (approve/deny) a Variance to permit a dynamic display sign within 200-feet of a Residential District (Sec.60.100-F)

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

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

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

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

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

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

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

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

g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.”
Subject property
Section 60.100-F. Dynamic displays may not be located within 200 feet of any of the following: (1) an R or AG-R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R, AG, and AG-R districts if approved through the special exception process. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign structure to the nearest point of an R or AG-R district or residential development area boundary.

Review Comments: See attached page for illustration. On the west property line, the corner of the property line for the Residential lot is located 230’ from the center of 31st St., or 180’ to the edge of the 31st St. right of way (ROW). The proposed dynamic display sign should be no closer than 200’ to this corner, since this is the closest point of the residential lot.

Then, the fire station lot to the south is a also residential zoned lot. At this location, 31st St. has a 100’ wide ROW. That means the sign needs to be at least 100’ away from the south property line, or 150’ from the center of the street, to be at least 200’ from this residential lot.

It does not appear that there is any location on this lot that is not within 200’ of one of these residential districts. Your options would be to resubmit plans indicating the sign will not have a dynamic display, or you may seek a variance from the Board of Adjustment to allow a dynamic display sign to be located within 200’ of a residentially zoned lot.
This is an original unpublished drawing created by Crown Neon. It is submitted for your own personal use in conjunction with the project being planned for you. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion without the express written consent of Crown Neon.
Within 200' of the corner of the R lot to the northwest, in the red circle, would be too close. And anything within 200' of the R lot across the street, south of the green line, would be too close. Or, another way to look at it; the sign can’t be any closer to the center of the street than 150’, and that puts you less than 200’ from the R lot to the NW. I just don’t see that there is any area that isn’t within 200’ of an R district. You could still go to the Board of Adjustment and ask for a variance for a sign within 200’ of an R district.
<table>
<thead>
<tr>
<th>Case Number: BOA-23467</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hearing Date: 01/10/23 (Cont. from 12/13/2022)</td>
</tr>
</tbody>
</table>

**Case Report Prepared by:**
Austin Chapman

**Owner and Applicant Information:**
Applicant: Phillip Doyle
Property Owner: NELLIS, ADELL T & KIRK TTEES KIRK &

**Action Requested:** Variance to reduce the required 25-foot rear setback in the RS-1 District (5.030-A, Table 5-3)

**Location Map:**

**Location:** 3220 E. 67 St. S.
Present Zoning: RS-1

**Additional Information:**
Present Use: Residential
Tract Size: 0.6 acres
Subject Tract

BOA-23467
18-13 05

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

Aerial Photo Date: 2020/2021

6.3
BOARD OF ADJUSTMENT  
CASE REPORT

STR: 8305  
CD: 9  

HEARING DATE: 12/13/2022 1:00 PM

APPLICANT: Phillip Doyle  

ACTION REQUESTED: Variance to reduce the required 25-foot rear setback in the RS-1 District (5.030-A, Table 5-3)

LOCATION: 3220 E. 67 St. S.  
ZONED: RS-1

PRESENT USE: Residential  
TRACT SIZE: 26249.36 SQ FT

LEGAL DESCRIPTION: PT LT 1 BLK 1 BEG NEC S128 NW TO PT ON W LINE 77S OF NWC N TO NWC E TO NEC POB, BRANIFF HILLS ANNEX 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:

1. That the physical surroundings, shape, or topographic conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out: Non-conforming lot shape and house placement.
2. That the literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose: The reduction of setback will not adversely affect adjacent properties.
3. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification: It is a unique condition.
4. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner: The lot shape and house placement predate the current owner.
5. That the variance to be granted is the minimum variance that will afford relief: It is the minimum relief.
6. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property: It is in harmony with the rest of the neighborhood.
7. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan. It will not.
STAFF ANALYSIS: The applicant is requesting a Variance to reduce the required 25-foot rear setback in the RS-1 District (5.030-A, Table 5-3):

Applicant is seeking to reduce the rear setback (South Boundary line) from 25-feet to 11-feet.

Facts staff finds favorable for variance request:
- Property has frontage on 3 street including Harvard Ave. which is classified as an arterial street.

SAMPLE MOTION: Move to ________ (approve/deny) a Variance to reduce the required 25-foot rear setback in the RS-1 District (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.”
1. All work shall conform to the "International Residential code (2015) and all other Governing laws, codes, ordinances and regulations. See structural drawings for additional design criteria.

2. These plans and specification documents are intended for one project only at one particular site only. Any additional use or reproduction without the approval of the firm is forbidden. Changes to plan and specification documents shall be made only by the approval of the office and/or owner. Changes should be submitted in writing.

3. All existing dimensions are to the face of the existing wall and/or concrete or stucco.

4. All interior plan dimensions are to face of framing, periphery or an extension of an interior partition.

5. Written dimensions take precedence over scaled dimensions.

6. All contractors shall verify all existing and new conditions, materials, elevations and dimensions. Any discrepancies or omissions shall be immediately reported to this office and/or owner before construction proceeds.

7. All contractors shall examine all drawings and existing conditions to determine locations and dimensions of any and all chases, inserts, openings, sleeves, depressions and other project requirements.

8. All exterior dimensions are to the face of concrete or stemwall.

9. All interior plan dimensions are to the face of framing, centerline or an extension of an exterior dimension.

10. Written dimensions take precedence over scaled dimensions.

11. All contractors shall field verify all existing and new conditions, materials, elevations and dimensions. Any discrepancies, or omissions shall be immediately reported to the office and/or owner before construction proceeds.

12. All contractors shall examine all drawings and existing conditions to determine locations and dimensions of any and all chases, inserts, openings, sleeves, depressions and other project requirements.

13. All work in contact with concrete shall be pressure treated (PT.)

14. Provide for passive control of radon entry as membrane beyond outside face of slab so as to seal openings or crack that connect the house interior to the sub-slab soil. Seal all penetrations, joints, tears and cuts with tape or mastic.

15. General contractor shall coordinate and provide for termite protections and inspection as outlined in R318 (2015 IRC)

16. Provide safety glazing at all Hazardous Locations as defined in section R308.4 (2015 IRC)

LEGAL DESCRIPTION:

T 18 N
R 13 E
Sec 05

Subdivision: BRANIFF HILLS ANNEX (04825)
Legal: PT LT 1 BLK 1 BEG NEC S128 NW TO PT ON W LINE 77S OF NWC N TO NWC E TO NEC POB

Section: 05 Township: 18 Range: 13

25' REAR YARD SETBACK (RS-1)
WEST ELEVATION
3220 E 67TH ST S
<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: Phillip Doyle</td>
</tr>
<tr>
<td></td>
<td>Property Owner: ROYTMAN, OLEG</td>
</tr>
</tbody>
</table>

**Action Requested:** Special Exception to allow an Accessory Dwelling Unit in the RE District (45.031-D); Variance to permit more than 20% coverage of the rear setback by a Detached Accessory Building/Dwelling Unit (Sec.90.090-C, Table 90-2)

**Location Map:**

**Additional Information:**

- **Present Use:** Residential
- **Tract Size:** 0.84 acres
- **Location:** 4320 S. Victor Ave.
- **Present Zoning:** RE
BOA-23468
19-13 30

Subject Tract

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

Aerial Photo Date: 2020/2021

7.3
BOA-23468
19-13 30
7.4
**BOARD OF ADJUSTMENT**
**CASE REPORT**

**STR:** 9330  
**CD:** 9  
**Case Number:** BOA-23468

**HEARING DATE:** 12/13/2022 1:00 PM

**APPLICANT:** Phillip Doyle

**ACTION REQUESTED:** Special Exception to allow an Accessory Dwelling Unit in the RE District (45.031-D); Variance to permit more than 20% coverage of the rear setback by a Detached Accessory Building/Dwelling Unit (Sec.90.090-C, Table 90-2)

**LOCATION:** 4320 S. Victor Ave.  
**ZONED:** RE

**PRESENT USE:** Residential  
**TRACT SIZE:** 36760.43 SQ FT

**LEGAL DESCRIPTION:** PRT LT 2 BEG SECR TH W160.28 N204.39 NL ELY198.34 NEC SLY CRV RT 154.67 SLY45.33 POB BLK 8, BOLEWOOD ACRES CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**RELEVANT PREVIOUS ACTIONS:**

Subject Property:

**BOA-22544:** On 12.11.2018 the Board approved a variance to reduce the rear setback from 25-feet to 20-feet. The stated hardship being the unique layout of the subject property.

**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:**

1. That the physical surroundings, shape, or topographic conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out: Existing location of house site is very set back from the front setback line.
2. That the literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose: One Story Structure- no visual detriment to neighbors.
3. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification: It is a unique condition with the house being setback.

4. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner: The house placement predates the current owner.

5. That the variance to be granted is the minimum variance that will afford relief: It is the minimum relief.

6. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property: It is in harmony with the rest of the neighborhood and will not affect the character.

7. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan: It will not cause any detriment to the neighborhood.

**STAFF ANALYSIS:** The applicant is requesting a Special Exception to allow an Accessory Dwelling Unit in the RE District (45.031-D); Variance to permit more than 20% coverage of the rear setback by a Detached Accessory Building/Dwelling Unit (Sec.90.090-C, Table 90-2)

A copy of Sec. 45.031 is included in your packet.

**Table 90-2: Accessory Building, Including Accessory Dwelling Units, Coverage Limits in Rear Setback**

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

**Facts staff finds favorable for variance request:**
- Existing Structure of the home is pushed back much further on the property that would be required by the zoning code.
- The proposed relief would amount to additional 91 square feet of additional coverage or 22% coverage versus the maximum of 20%.

**SAMPLE MOTION:**

**Special Exception:**
Move to _________ (approve/deny) a Special Exception to allow an Accessory Dwelling Unit in the RE District (45.031-D):
- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):
  ________________________________________________________________________

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

**Variance:**

Move to _________ (approve/deny) a Variance to permit more than 20% coverage of the rear setback by a Detached Accessory Building/Dwelling Unit (Sec.90.090-C, Table 90-2)
- 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.”
Section 45.031-D.1, Where Allowed: Accessory dwelling units are allowed by special exception in RE, RS, AG, and AG-R districts on lots occupied by a detached house. Accessory dwelling units are allowed by right in RD, RT, RM and RMH districts on lots occupied by a detached house.

Review Comment: The previous zoning clearance application was for an addition. Now that the building is detached, it becomes an accessory dwelling unit. Accessory dwelling units are allowed by special exception only in RE zoning districts. Apply to the Board of Adjustment for a special exception for an accessory dwelling unit on an RE zoned lot.
Section 90-080.C.2.a: Detached accessory buildings, including Accessory Dwelling Units, may be located in rear setbacks provided that: (2) Building coverage in the rear setback does not exceed the maximum limits established in Table 90-2.

Review Comment: On this RE zoned lot, accessory building coverage in the rear setback may not exceed 20% of the rear setback area. This measurement should be taken using the normal RE rear setback which is 25'. It appears the accessory building may exceed 20% building coverage in the rear setback. Please revise the plans to clarify that this detached building will not exceed 20% coverage of the rear setback area using the RE rear setback measurement of 25'.
EAST ELEVATION

AREA OF WALL RECESSED SO THAT DOOR IS IN SAME PLANE AS EXTERIOR WALL WHEN OPEN

Vertical "Resysta" siding

Front door to match style, construction and color of existing house front door

4" round steel post

WEST ELEVATION

Garage door to match existing house style and color and siding

4:12 Comp Roof

15'-0" APPROX ROOF HEIGHT

Vertical "Resysta" siding

7.11
EXISTING SITE PLAN

NEW SITE PLAN

NEW 1 STORY STONE AND FRAME DWELLING (2,042 FLOOR AREA)

EXISTING 2 STORY BRICK AND FRAME DWELLING (5200 FLOOR AREA)

35' B/L (RE DISTRICT)

COVERED PATIO

2 CAR GARAGE

BELOW pool equipment

25'-0" SURFACE DRAINAGE

SURFACE DRAIN TO TITLELINE-DRAIN TO STREET

6'-0" FENCE

14'-9.25"

12'-5"

A/C

GATE/FENCE

COVERED ENTRY

15'-0"

EXISTING POOL AREA IN REAR YARD SETBACK IS LESS THAN 20% (RE DISTRICT) 

ALLOWED: 1022 SF (204.39 X 25 X 20%) ACTUAL: 1113 SF

40% PRINCIPAL HOUSE FLOOR AREA = 5200 SF X .4 = 2080 SF ALLOWED

DETACHED STRUCTURE FLOOR AREA = 2042 SF

TABLE 90-2: COVERAGE OF REAR SETBACK
EXISTING PARKING
EXISTING DRIVE
EXISTING 2 STORY BRICK AND FRAME DWELLING (5200 FLOOR AREA)
NEW 1 STORY STONE AND FRAME DWELLING (2,042 FLOOR AREA)
 Covered Patio
2 CAR GARAGE
1 CAR GARAGE
CHIMNEY
6'-0" GATE/FENCE
25'-0" REAR SETBACK
15'-0" SETBACK
SURFACE DRAIN TO TITLE LINE-DRAIN TO STREET
45.030A ACCESSORY BUILDING SIZE
40% PRINCIPAL HOUSE FLOOR AREA = 5200 SF X .40 = 2080 SF ALLOWED
DETACHED STRUCTURE FLOOR AREA = 2042 SF
Detached structure does NOT extend into 15' setback

TABLE 90-2: COVERAGE OF REAR SETBACK
AREA IN REAR YARD SETBACK IS LESS THAN 20% (RE DISTRICT).
ALLOWED: 1022 SF (204.39 X 25 X 20%)
ACTUAL: 1113 SF

14'-9 2/3"
12'-5"
A/C
A/C
6'-0"
6'-0"

NEW SITE PLAN - ENLARGED

EXISTS S/VICTOR AVE

7.14
Hello – I plan to speak at the Hearing re BOA-23468 but also wanted to send you my written statement.

Thanks
Dennis Baker
4321 S. Utica Avenue
Tulsa, OK 74105

My name is Dennis Baker. My wife is Wanda. We own and reside at 4321 S. Utica Avenue.

We are objecting to Oleg Roytman’s request to build another detached residence on his property at 4320 S. Victor. We object to his request to build this residence to more than 20% coverage of the rear setback. The site plan for this new residence shows it will be constructed from 12 ½ feet to 6’9” inches of our backyard fence. The current setback is 25 feet.

Both the zoning code & the Bolewood Reservations, Restrictions & Covenants prohibit this. We ask that they be enforced.

Mr. Roytman has not shown a need to grant a Special Exception to build another residence on his property. He has not shown a need to grant a variance to allow reduction of the setback from 25 feet to 6’9”.

The house owned by Oleg Roytman at 4320 S. Victor is our neighbor. His house is east of our house. Our backyards face each other & are separated by a wood fence. (6 feet in height). Our house sits 25 feet from the fence that separates us from 4320 S. Victor. On the side of our house that faces the fence we have a workshop, breakfast area, kitchen, living room & bedroom. All of those rooms are lined with windows – all floor to ceiling except the workshop. Our primary view is our backyard. It is the focal point of our home.

We purchased our home on 10/17/19. Our primary concern was the small back yard and how close it was to 4320 S. Victor. We have a large patio area in our backyard and it was important that we could use it with privacy and without being disturbed by noise from neighbors or having to worry about our noise disturbing neighbors.

4320 S. Victor has a swimming pool in their back yard. Most of that swimming pool is within the 25 foot setback to our fence. The wood fence between the properties is not enough to block noise when people are using the swimming pool but we accepted that & worried about additional construction.
So we reviewed the Bolewood Acres Reservations, Restrictions & Covenants – the Bolewood RRC. They state that only one detached residence shall be erected on a lot or building site. We also relied on the Tulsa Zoning codes for this area that restrict the construction of more than one residence on a lot and protect established setbacks.

We relied on the Zoning codes being enforced when we purchased our home.

We’re originally from Tulsa but moved away from in 1988 due to my job in the FBI. When I retired from the FBI, we decided to move back to Tulsa. We chose the Bolewood area for its preservation as an exiting neighborhood. That preservation meant that homes there were more expensive than in other parts of Tulsa. We paid over half a million dollars for our home & don’t want to see our investment diminished because zoning codes are not being enforced. We also know that if this Special Exception & Variance is granted then the value of our home will be diminished. Should we decide to sell our home then we would be obligated to tell potential buyers of the Mr. Roytman’s construction. It would deter buyers who would already be concerned about the small size of our existing back yard.

Mr. Roytman stated he should be granted the Special Exception & Variance due to several hardships but we disagree.

1 The enforcement of the zoning code is necessary to achieve it’s intended purpose since Mr. Roytman’s proposed new residence will result in a visual detriment to me & undermine the value of my home & the use of my patio.

2 The conditions leading to the need for a variance are not unique. My house has the same setback conditions and our neighbor at Martha Onstatt at 4329 S. Utica has the same setback conditions.

3 I argue that the hardship here was self-imposed by Mr. Roytman when he purchased his residence with the current setback conditions and with knowledge of Zoning Codes & the Bolewood RRC that prohibited construction of an additional residence or construction within the 25 foot setback.

4 The variance requested is not the minimum relief since Mr Roytman could choose to build a smaller structure that would not violate the setback. He is choosing to build a large 1,200 sq foot residence that would impede on the setback.

5 The variance will alter the essential character of the neighborhood & substantially & permanently impair the use of my property. It will reduce my privacy, increase noise levels, and impair my view to the east – essentially blocking & preventing my enjoyment of the sun rising each morning. The total impact will be a reduction in my property value.

6 The variance will impair the spirit and intent of the zoning code which was put in place to preserve and enhance Tulsa’s single-family neighborhoods. The zone exists to limit development to the rehabilitation, improvement or replacement of existing homes. The zoning code is the reason Bolewood homes have retained their value.

In conclusion, Mr. Roytman has not met the requirements to grant him a Special Exception or Variance to build a residence within 6’9” of my back yard. He had full knowledge of the restrictions when he purchased his home. I ask that the zoning codes be enforced and his request denied.
<table>
<thead>
<tr>
<th><strong>Case Report Prepared by:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Austin Chapman</td>
<td>Applicant: Nathalie Cornett</td>
</tr>
<tr>
<td></td>
<td>Property Owner: HARVEY, NYLAJO PTTEE</td>
</tr>
</tbody>
</table>

**Action Requested:** Variance to reduce the required 4,000 square feet of open space and to reduce the required 60-foot lot width in the RS-3 District to permit a lot split (Sec. 5.030-A, Table 5-3)

**Location Map:**

**Additional Information:**

- Present Use: Residential
- Tract Size: 0.33 acres
- Location: 1512 E 33 ST S
- Present Zoning: RS-3
HEARING DATE: 12/13/2022 1:00 PM

APPLICANT: Nathalie Cornett

ACTION REQUESTED: Variance to reduce the required 4,000 square feet of open space and to reduce the required 60-foot lot width in the RS-3 District to permit a lot split (Sec. 5.030-A, Table 5-3)

LOCATION: 1512 E 33 ST S

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 14252.89 SQ FT

LEGAL DESCRIPTION: E.30'OF LOT-2-&-ALL LOT-3-&-W.20'LOT-4 BLK-1, PARRAMORE ADDN 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: Please see attached statement provided by the applicant.

STAFF ANALYSIS: The applicant is requesting a Variance to reduce the required 4,000 square feet of open space to 3,500 square feet and to reduce the required 60-foot lot width to 50-feet in the RS-3 District to permit a lot split (Sec. 5.030-A, Table 5-3)
Facts staff finds favorable for variance request:
- The original lots 2, 3 and 4 Block 1 of the Parramore Addition to the City of Tulsa were all 50-feet as described by the applicant. A copy of that plat is included in your staff report.
- The current lot size is most closely aligned with the minimum standards of an RS-1 lot size which requires 13,450 square feet and a lot width of 100-feet.
- Proposed site would maintain other standards of the RS-3 District.

Facts Staff find unfavorable for the variance request:
- The requested reduction in open space would seem to be a design choice by the proposed buyer and not necessarily a hardship on the current property owner.

SAMPLE MOTION: Move to _________ (approve/deny) a Variance to reduce the required 4,000 square feet of open space and to ________ (approve/deny) a Variance to reduce the required 60-foot lot width in the RS-3 District to permit a lot split (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.”
Facing East on 33rd St. S.

Facing West on 33rd St.
Exhibit “A”

The Applicant requests two Variances from Section 5.020-G and Table 5-2.5 of the Tulsa Zoning Code (the “Code”) to allow a lot split resulting in two lots, each fifty feet (50') wide with 3500 square feet of open space. The subject property is located at 1512 E. 33rd Street (the “Property”).

The Property is located on the south side of E. 33rd Street, across from Zink Park. The Property is currently comprised of a part of Lot 2, all of Lot 3, and a part of Lot 4 in the Parramore Addition, which was originally platted in 1930. The original platted lots along 33rd Street were each 50 feet wide – however over time, lot lines have shifted so that now, nearly none of the platted lots are fully intact but lot widths have remained between 50 and 60 feet. The owner desires to split the Property back into two, 50 foot wide residential lots. An exhibit of the proposed lot split is attached hereto as Exhibit “B”.

Currently, the Property is considerably larger than a typical RS-3 lot and the surrounding lots in the area. For example, nearly all of the lots on the west side of S. Rockford Avenue along 33rd and 34th Street were originally platted as 100 foot wide lots (Oliver’s Addition) and have since been split into 50 foot wide lots. And, as mentioned above, the lots of Parramore Addition were platted 50 feet wide and have remained 50 to 60 feet wide.

The size and depth of the Property will allow for the development of two residences with front and rear yards and ample room to comply with all building setbacks. The proposed lots will be the size originally contemplated by the Plat, with houses that accommodate modern amenities. But for the shifting of lot lines, the original 50 foot lots would be considered nonconforming and would be entitled to 3500 square feet of open space by right. The lot width and open space requirements results in unnecessary hardship to the owner. The lot split will result in lots that are more typical of an RS-3 district and more similar to the size of the surrounding lots, with houses that are consistent with the development pattern of the area. Therefore, the Variances will not cause substantial detriment to the public welfare and are in harmony with the spirit and intent of the Code.
Note: Graphic overlays may not precisely align with physical features on the ground.
Harvey P Nylajo, Trustee
1512 E 33rd St.
Tulsa, OK 74105

Tuesday 22nd, November 2022

To whom it may concern,

As current owner of the above listed property, I hereby grant permission to Russell Patterson, his Attorney and any other parties facilitating him in his submission of his Board of Adjustments request to INCOG to continue doing so.

Regards,

Harvey P Nylajo

11/22/2022
3. The lot is a lot of record for which a recorded instrument of conveyance bears the endorsement of the planning commission.

80.020-B Nonconforming Lots in Residential Zoning Districts
In residential zoning districts, a single detached house may be erected on a nonconforming lot without complying with the minimum lot area, minimum lot area per unit, minimum lot width, minimum street frontage or minimum open space per unit requirements of the subject zoning district, provided that at least 50% of the lot area remains as open space. All other lot and building regulations apply, except that detached houses may be erected on corner lots that are nonconforming with regard to lot width, subject to a reduced minimum street side building setback of 5 feet. Garages that are accessed through a side yard abutting a street must be set back at least 20 feet.

Figure 80-1: Detached House on Nonconforming Lot in R District

80.020-C Nonconforming Lots in Nonresidential Zoning Districts
In nonresidential districts, on any lot of record created on or before July 1, 1970, or on any lot within a subdivision having received approval of the planning commission, or any lot of record for which a recorded instrument of conveyance bears the endorsement of the planning commission a permitted use may be located on such lot irrespective of its street frontage. Such uses are subject to compliance with other lot and building regulations of the district and applicable use regulations.

Section 80.030 Nonconforming Structures
80.030-A Description
A nonconforming structure is a structure, other than a sign, that was lawfully established but that no longer complies with applicable zoning regulations because of the adoption or amendment of zoning regulations after the structure was established.
Hi, I would like to protest the lot split at 1512 E 33 st s. I’m concerned about runoff from the new divided lot.

Thanks,

Winston Broseke
Brad & DeAnn Heckenkemper  
1517 E. 34th Street  
Tulsa, OK 74105  

December 12, 2022  

Board of Adjustment  
City of Tulsa  

via: esubmit@incog.org  

Case #  
BOA-23-469  

12/13/2022 BOA Meeting, Objection to Agenda item #16.

I would like to be able to address the Board regarding Nathalie Cornett’s application, item #16, requesting reducing the RS-3 requirement of a 60 foot wide lot and reducing the 4,000 sq. foot open space, so she can split the lot and have two 50’ lots.

I have attached a print out showing the lot is NOT 100’ wide, but is in fact only 98’. By splitting the lot each will be only 49’ wide @ an 18% reduction in the required 60-foot-wide RS-3 lot line. Even if each lot was actually 50 feet, it would still be greater than 16% reduction from the RS-3 60 foot requirement.

Since the stated mission of the BOA is to grant variances due to hardships and special exemptions, this application should be denied. There is no hardship. The applicant is simply a builder wishing to take one lot and make it into two lots.

I believe the lot is located in an “Existing Neighborhood” and an “Area of Stability” as defined in the Tulsa Comprehensive Plan. As such it is intended to preserve this Tulsa existing single-family neighborhood. 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.

Since this lot was zoned RS-3, the City intended for it to be at least 60 feet wide. Accordingly, simply granting the requested variance will NOT preserve the qualities of the neighborhood, but will degrade it.

Further, the application should be denied because the variance will not be in accordance with Section 70.130-H of the Tulsa Zoning Code, to-wit:

1. That the physical surroundings, shape, or topographical conditions of the subject property would NOT result in unnecessary hardships or practical difficulties for the property owner, if the strict letter of the regulations were carried out;
2. There are no unique conditions related to this property requiring a variance and the owner can build one house, just like all of the other lots in the same zoning classification of the neighborhood.
3. The alleged difficulty or unnecessary hardship in reducing the lot width and the amount of needed open space is being self-imposed by the applicant trying to make 2 lots out of 1.
4. By granting a variance, not only will the character of the neighborhood be altered, it will impair the adjacent properties.
5. The reduction of the 4,000 sq. foot open space area is just another self-imposed problem caused by the applicant.
Board of Adjustment  
City of Tulsa  
December 12, 2022  
Page 2

6. Finally, why have zoning minimum requirements if a variance will simply be automatically granted. Instead of granting the variance, the applicant should be required to “re-zone” the lot to be in conformity with RS-4 building restrictions.

Yours truly.

Brad Heckendorn

[Signature]
# Property Information

**1512 E 33rd St, Tulsa, OK 74105-2606, Tulsa County**

**Pending Listing**

**APN:** 31825-93-19-11230  **CLIP:** 3186460243

<table>
<thead>
<tr>
<th>MLS Beds</th>
<th>MLS Full Baths</th>
<th>MLS Half Baths</th>
<th>MLS List Price</th>
<th>MLS List Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>1</td>
<td>1</td>
<td>$475,000</td>
<td>09/01/2022</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bldg Sq Ft</th>
<th>Lot Sq Ft</th>
<th>Yr Built</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,130</td>
<td>14,255</td>
<td>1905</td>
<td>SFR</td>
</tr>
</tbody>
</table>

## Owner Information

<table>
<thead>
<tr>
<th>Owner Name</th>
<th>Tax Billing Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harvey Nyiajo P (Te)</td>
<td>74063</td>
</tr>
<tr>
<td>Nyiajo P Harvey</td>
<td>4950</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Owner Name 2</th>
<th>Tax Billing Zip+4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sand Springs, OK</td>
<td></td>
</tr>
</tbody>
</table>

## Location Information

<table>
<thead>
<tr>
<th>School District Name</th>
<th>Carrier Route</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tulsa</td>
<td>C016</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Subdivision</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parramore Add</td>
<td>RS3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Township</th>
<th>Township Range Sect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tulsa</td>
<td>19N-13E-19</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Census Tract</th>
</tr>
</thead>
<tbody>
<tr>
<td>43.02</td>
</tr>
</tbody>
</table>

## Tax Information

<table>
<thead>
<tr>
<th>Tax Parcel</th>
<th>Tax Exemption(s)</th>
<th>Tax % Improved</th>
<th>Legal Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>31825-93-19-11230</td>
<td>Homestead, Senior</td>
<td>36%</td>
<td>E 30' OF LOT 2 &amp; ALL LOT 3 &amp; W 20' LOT 4 BLK 1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tax Area</th>
<th>Tax Area Appraisal Area</th>
<th>Lot Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>T-1A</td>
<td>T-1A</td>
<td>2</td>
</tr>
</tbody>
</table>

## Assessment & Tax

<table>
<thead>
<tr>
<th>Assessment Year</th>
<th>Taxable Assessment - Total</th>
<th>Taxable Assessment - Land</th>
<th>Taxable Assessment - Improved</th>
<th>YOY Assessed Change ($)</th>
<th>YOY Assessed Change (%)</th>
<th>Total Assessment</th>
<th>Land Assessment</th>
<th>Improved Assessment</th>
<th>Tax Year</th>
<th>Total Tax</th>
<th>Change ($)</th>
<th>Change (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$6,710</td>
<td>$4,326</td>
<td>$2,384</td>
<td>$0</td>
<td>0%</td>
<td>$195,424</td>
<td>$126,000</td>
<td>$69,424</td>
<td>2019</td>
<td>$645</td>
<td>$-31</td>
<td>-4.81%</td>
</tr>
<tr>
<td>2021</td>
<td>$6,710</td>
<td>$4,326</td>
<td>$2,384</td>
<td>$0</td>
<td>0%</td>
<td>$186,118</td>
<td>$120,000</td>
<td>$66,118</td>
<td>2020</td>
<td>$614</td>
<td>$-8</td>
<td>1.3%</td>
</tr>
</tbody>
</table>

## Sell Score

<table>
<thead>
<tr>
<th>Rating</th>
<th>Sell Score</th>
<th>Value As Of</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moderate</td>
<td>526</td>
<td>2022-12-11 04:41:16</td>
<td></td>
</tr>
</tbody>
</table>

## Estimated Value

<table>
<thead>
<tr>
<th>RealAVM™</th>
<th>Confidence Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>$450,200</td>
<td>78</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>RealAVM™ Range</th>
<th>Forecast Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>$320,700 - $579,700</td>
<td>29</td>
</tr>
</tbody>
</table>

---

(1) RealAVM™ is a CoreLogic® derived value and should not be used in lieu of an appraisal.

(2) The Confidence Score is a measure of the extent to which sales data, property information, and comparable sales support the property valuation analysis process. The confidence score range is 50 - 100. Clear and consistent quality and quantity of data drive higher confidence scores while lower confidence scores indicate diversity in data, lower quality and quantity of data, and/or limited similarity of the subject property to comparable sales.

(3) The FSD denotes confidence in an AVM estimate and uses a consistent scale and meaning to generate a standardized confidence metric. The FSD is a statistic that measures the likely range or dispersion of the estimate within a given confidence. The FSD estimate will fall within the confidence interval, based on the consistency of the information available to the AVM at the time of estimation. The FSD can be used to create confidence that the true value has a statistical degree of certainty.
<table>
<thead>
<tr>
<th>MLS Listing Number</th>
<th>2220887</th>
<th>MLS Orig. List Price</th>
<th>$503,750</th>
</tr>
</thead>
<tbody>
<tr>
<td>MLS Status</td>
<td>Pending</td>
<td>Pending Date</td>
<td>11/21/2022</td>
</tr>
<tr>
<td>MLS Status Change Date</td>
<td>11/21/2022</td>
<td>Listing Agent Name</td>
<td>Dmartin-Dan Martin</td>
</tr>
<tr>
<td>MLS Listing Date</td>
<td>09/01/2022</td>
<td>Listing Broker Name</td>
<td>WALTER &amp; ASSOCIATES, INC.</td>
</tr>
<tr>
<td>MLS Current List Price</td>
<td>$475,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**LAST MARKET SALE & SALES HISTORY**

<table>
<thead>
<tr>
<th>Closing Date</th>
<th>11/12/1985</th>
<th>Document Number</th>
<th>4965-1245</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner Name</td>
<td>Harvey Nylajo P (Te)</td>
<td>Deed Type</td>
<td>Quit Claim Deed</td>
</tr>
<tr>
<td>Owner Name 2</td>
<td>Nylajo P Harvey</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recording Date</td>
<td>11/10/2011</td>
<td>06/23/1999</td>
<td></td>
</tr>
<tr>
<td>Closing Date</td>
<td>10/26/2011</td>
<td>06/11/1999</td>
<td></td>
</tr>
<tr>
<td>Nominal</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Buyer Name</td>
<td>Harvey Nylajo P Trust</td>
<td>Campbell Nancy H</td>
<td></td>
</tr>
<tr>
<td>Seller Name</td>
<td>Harvey Nylajo P</td>
<td>Harvey Trust</td>
<td></td>
</tr>
<tr>
<td>Document Number</td>
<td>99282</td>
<td>6233-894</td>
<td></td>
</tr>
<tr>
<td>Document Type</td>
<td>Quit Claim Deed</td>
<td>Warranty Deed</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**PROPERTY MAP**

*Lot Dimensions are Estimated*
BOA-23469

City of Tulsa – Board of Adjustment

My name is Bradley Smith, and I live at 1513 E. 34th Street, directly south behind the subject property. I have lived in this home for 29 years. My lot, as well as my neighbors to the west, are the two lots that back up to the subject property. Both lots are 70 feet wide. Except for two lots, every lot on this block is at least 60 feet wide from what I can tell on the county assessors map. In addition to my home, I also own two small homes on 37th Street and both of those lots are 60 feet wide. It is still a tight fit even for small homes. Cramming two giant houses on one 100-foot-wide lot does not fit this neighborhood.

This neighborhood, streets, and infrastructure, were designed many years ago around small two/three-bedroom homes. With the influx of big homes came more people and more cars. This had led to many parking and traffic issues. Zink Park, which is directly north of the subject property, only has about four parking spaces which are located on the far North end of the park by the tennis courts and three Handicapped spaces on Trenton. On nice weekends, 33rd Street and Rockford Street surrounding the park are full of cars. The owners of 1524 E. 33rd Street have had to install a circle drive just so they can get in and out of their driveway safely when Zink Park is busy. We already have traffic issues, and this split will only make it worse. With all the new construction we have had power brown outs and the city is out on a regular basis to water jet the sewer lines. Two large homes on this lot will only contribute to these problems.

Building two large houses on this lot will significantly impact the traffic issue negatively by increasing the need for parking. Two houses would mean doubling the number of vehicles, large gatherings, multiple AC units, hot water tanks etc. (more service vehicles HVAC, plumbers, maids, babysitters) These factors all increase the parking needs. The streets in our neighborhood are narrow compared to newer neighborhoods and only allow for parking on one side of the street. When 33rd is full of parked cars it becomes a one-way street. Due to high level of traffic that already exists on 33rd street, we have also had to get speed humps installed.

Decreasing open/green space is a terrible idea. Not only does it look bad, but it also creates water drainage issues. I had a new house built next door to the east and it took over a year to fix drainage issues to my property. Now that property is experiencing water issues from a new build east of subject property. Now that water is ending up on my property. Less green space equals drainage issues. Everything drained fine for 25 years but not anymore.

Our neighborhood is zoned RS-3 which has certain requirements like 60-foot minimum lot width and 4000 square feet of open space. These rules were put in place for a reason. There is no hardship for the property owner. They do not plan on living in our neighborhood. I will have to live with it for the
next 30 years. This is purely a profit driven request. I ask that you please deny both a variance on lot width and deny a variance on open space. Some people work hard to follow the rules and others will do anything to make an easy dollar.

Thank you for taking time to consider my concerns about my neighborhood.

Bradley Smith
918-740-6660

"This message is for the designated recipient only and may contain privileged, proprietary, or otherwise private information. If you have received it in error, please notify the sender immediately and delete the original. Any other use of the email by you is prohibited."
Austin,

If I am understanding correct we can email our concerns here OR attend the meeting in person.

For some perspective I have lived in Brookside since 2006 and my mom has lived in Brookside since 2017.

The reason I am so sensitive to the issues is I was living (at the time) at 3235 S Troost Ave I had been there from 2005-2009 with no water or drainage issues. When 3242 S Utica Ave built in 2009 I started having massive water issues on my property and near flooding. After many failed attempts to have the builder or the city address the water I was forced to install thousands in drains on my property to take their water to my street front. The home behind on Utica previously had been a small house and with the large new home and reduction in green space my yard flooded. Thankfully my home was on a crawl, but it got very close to coming inside (totally filled the crawl) it was such a severe increase in water to what I have ever know all the prior years I had been in my home with zero water issues. I have known many other cases of neighbors having issues when new homes are built and the builders not being good stewards of the water/drainage and creating problems for homes that never had them.

I am in the real estate industry so not wanting to create problems or be negative I just do not want my elderly mom who has happily lived in her home with no issues to suddenly have them and incur expenses. Many of the long time neighbors in the smaller homes cannot afford to randomly install extensive drainage when new homes create problems for them. I am all about neighborhood improvement and building but drainage is not something that often makes it to the builders budget. Adding two homes and going against the guidelines the city has in place is guaranteed to create water issues for existing homes.

The concerns are as follows.

1524 E 33rd added a circle drive less than a month ago (due to lack of parking on their own property/drive)
1520 E 33rd Street is building a massive home and has regraded the yard and added a retaining wall. Lots of elevation change done with this build and the neighbor behind is already having water issues.
And then if two (not one) homes go on the lot in question it will create more issues for those living towards 33rd and Rockford to the west and in homes behind.
A domino effect and massive amounts of water and reduction in open area/grass surface area.

If the lot in question 1512 E 33rd Street is split it will be left with
Two 49 foot wide lots with 6918 sq footage of dirt

Per city guidelines RS3 minimum is 60 feet wide. Why would they allow 11 feet reduction on these lots to 49.
Also, they are asking for a reduction in green space. This rule is in place for the reason that too much reduction in green surface area can contribute to water not having adequate places to absorb. So why would you make an exception? Those guidelines were put in place for a reason. It is illegal to increase the volume of the velocity of water onto another’s property. Putting in two large structures which will result in a massive reduction in open green space will most certainly accomplish this on homes behind and towards the corner of 33rd and Rockford. There is not enough fall to get water to the street front on 33rd where the new homes are to be build.

The other issues is 33rd street and parking. 33rd street near and Zink park. If people park all the way along 33rd street it makes 33rd Street a one way. It is impossible to get two cars passing through on 33rd when cars are parked along 33rd (across the street from the subject property). There have been speed bumps installed recently because 33rd was having people who cut through from Utica to Peoria that were driving dangerously fast. The speed bumps have helped slow traffic near the park thankfully, but 33rd is not equip to be a one way street. Having two homes built there will encourage more parking as the visitors from those homes will need places to park. It will also take away parking from visitors who want to visit the park. Zink has very limited parking at present so two homes going in will further take away spots from park visitors. Parking all the way to the corner of 33rd and Rockford also increases the chance cars will miss the stop sign.

From a concerned neighbor.
I can accept written public comments for the board over email, or you may attend the Hearing on December 13th to object to the variance request in person. The hearing will be at 1:00 pm at Tulsa City Council Chambers at City Hall, 175 East 2nd Street, 2nd Level.

The agenda will be available at the link below the Thursday prior to the Hearing:


The neighbor behind the home next door (under construction tear down) is already having water issues related to the construction. I don’t see how they would be able to divide the lot since it is below the minimum standards, and create a nightmare for the neighbors that live down stream from the water perspective who have lived there happily, with no issues for many years. I have been at the receiving end of this before. What can be done I don’t see how this is even on the table?

There has been a Variance request submitted to reduce the lot width and the required open space. The item will be heard on the December 13th Board of Adjustment application and notices will go out next week for the hearing.

1512 E 33rd Street Tulsa, OK 74105-2606
This is pending can you let me know if they try to apply to split?

In order to grant a variance the Board must find that a hardship exists. That hardship must meet the standards of Sec. 70.130-H of the zoning code available at the link below on page 298 of the pdf:

Listing agent

“Yes, according to RS-3 zoning that’s correct; however, when I talked to INCOG, they said it is possible to do a lot split. You would have show hardship, but you present to the board of adjustment and go from there.”

What is he talking about hardship?

Get Outlook for iOS

From: Chapman, Austin <AChapman@incog.org>
Sent: Thursday, September 1, 2022 11:02:30 AM
To: Laura Bryant <lbryant@mcgrawok.com>
Subject: RE: lot split

There is nothing our office can do about how the realtor is marketing that property. If someone does apply for a variance we would send notices to property owners within 300-feet of the public hearing where the board can accept comments from the public prior to their vote. At this time, we don’t have any applications for that property, but we do send lot split applications to the City of Tulsa Development Services for stormwater for their review prior to approval.

If you are currently having drainage issues related to that property you may file a complaint through code enforcement to investigate at the link below:

https://www.cityoftulsa.org/connect/contact-the-city/

From: Laura Bryant <lbryant@mcgrawok.com>
Sent: Thursday, September 1, 2022 10:39 AM
To: Chapman, Austin <AChapman@incog.org>
Subject: Re: lot split

Austin,

What are my options as a concerned neighbor the home is now listed and in the realtor remarks has “Possible lot split” what are my options as a neighbor who is very worried of the drainage implications if that occurs? It says the lot is 100 x 140

Laura

They would have to have a variance approved by the Board of Adjustment in order to be able to split the lot. The zoning has not changed recently.

Best,

Austin Chapman, AICP
Planner, City of Tulsa Board of Adjustment
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9471
achapman@incog.org

Determining compliance to zoning or building code requirements is not a function of this office.
The Building Permits Division will address compliance upon application for a building permit or occupancy permit.
((918) 596-9456)

From: Laura Bryant <lbryant@mcgrawok.com>
The lot does not meet the frontage requirement but it would the sq foot 13,863  98 x 141 is what I show  
So can it be split (hope not)

From: "achapman@incog.org" <AChapman@incog.org>  
Date: Monday, August 29, 2022 at 11:44 AM  
To: Laura Bryant <lbryant@mcgrawok.com>  
Subject: RE: lot split

Good afternoon,

We do not have an application filed for that address, the property is zoned RS-3 and requires a minimum lot width of 60-feet and a minimum lot size of 6,900-square feet.

Best,

Austin Chapman, AICP  
Planner, City of Tulsa Board of Adjustment  
Tulsa Planning Office  
2 W. 2nd St., 8th Floor | Tulsa, OK 74103  
918.579.9471  
achapman@incog.org

Determining compliance to zoning or building code requirements is not a function of this office. The Building Permits Division will address compliance upon application for a building permit or occupancy permit.  
{(918) 596-9456}

From: Laura Bryant <lbryant@mcgrawok.com>  
Sent: Monday, August 29, 2022 11:02 AM  
To: Chapman, Austin <AChapman@incog.org>  
Subject: lot split

Hi I live in Brookside 1412 E 34th Street and am concerned about lot split ability related to drainage. My mom actually lives at 1501 E 34th Street

We were told that they were trying to lot split 1512 E 33rd Street

I show its 98 feet and I think minimum is 50 feet for auto lot split so show this is not possible. Do you know?
Attached is my mother Ann Cooper 1501 E 34th Street (she is older and does not email so I am doing this on her behalf) protest below.

For some perspective I have lived in Brookside since 2006 and my mom has lived in Brookside since 2017.

The reason I am so sensitive to the issues is I was living (at the time) at 3235 S Troost Ave I had been there from 2005-2009 with no water or drainage issues. When 3242 S Utica Ave built in 2009 I started having massive water issues on my property and near flooding. After many failed attempts to have the builder or the city address the water I was forced to install thousands in drains on my property to take their water to my street front. The home behind on Utica previously had been a small house and with the large new home and reduction in green space my yard flooded. Thankfully my home was on a crawl, but it got very close to coming inside (totally filled the crawl) it was such a severe increase in water to what I have ever know all the prior years I had been in my home with zero water issues. I have known many other cases of neighbors having issues when new homes are built and the builders not being good stewards of the water/drainage and creating problems for homes that never had them.

I am in the real estate industry so not wanting to create problems or be negative I just do not want my elderly mom who has happily lived in her home with no issues to suddenly have them and incur expenses. Many of the long time neighbors in the smaller homes cannot afford to randomly install extensive drainage when new homes create problems for them. I am all about neighborhood improvement and building but drainage is not something that often makes it to the builders budget. Adding two homes and going against the guidelines the city has in place is guaranteed to create water issues for existing homes.

The concerns are as follows.

1524 E 33rd added a circle drive less than a month ago (due to lack of parking on their own property/drive)
1520 E 33rd Street is building a massive home and has regraded the yard and added a retaining wall. Lots of elevation change done with this build and the neighbor behind is already having water issues.
And then if two (not one) homes go on the lot in question it will create more issues for those living towards 33rd and Rockford to the west and in homes behind.
A domino effect and massive amounts of water and reduction in open area/grass surface area.

If the lot in question 1512 E 33rd Street is split it will be left with
Two 49 foot wide lots with 6918 sq footage of dirt

Per city guidelines RS3 minimum is 60 feet wide. Why would they allow 11 feet reduction on these lots to 49.
Also, they are asking for a reduction in green space. This rule is in place for the reason that too much reduction in green surface area can contribute to water not having adequate places to absorb. So why would you make an exception? Those guidelines were put in place for a reason. It is illegal to increase the volume of the velocity of water onto another’s property. Putting in two large structures which will result in a massive reduction in open green space will most certainly accomplish this on homes behind and towards the corner of 33rd and Rockford. There is not enough fall to get water to the street front on 33rd where the new homes are to be build.

The other issues is 33rd street and parking. 33rd street near and Zink park. If people park all the way along 33rd street it makes 33rd Street a one way. It is impossible to get two cars passing through on 33rd when cars are parked along 33rd (across the street from the subject property). There have been speed bumps installed recently because 33rd was having people who cut through from Utica to Peoria that were driving dangerously fast. The speed bumps have helped slow traffic near the park thankfully, but 33rd is not equip to be a one way street. Having two homes built there will encourage more parking as the visitors from those homes will need places to park. It will also take away parking from visitors who want to visit the park. Zink has very limited parking at present so two homes going in will further take away spots from park visitors. Parking all the way to the corner of 33rd and Rockford also increases the chance cars will miss the stop sign.

From a concerned neighbor.

Ann Cooper (1501 E 34th Street)

From: Laura Bryant <lbryant@mcgrawok.com>
Date: Monday, December 12, 2022 at 4:19 PM
To: Brad Smith <smithb@cox.net>
Cc: DeAnn Heckenkemper <heckdeann@gmail.com>, Brad Heckenkemper <bradheck@cox.net>, "ann.cooper.49@gmail.com" <ann.cooper.49@gmail.com>
Subject: Re: BOA - 23469 (Link to sign up to participate in the meeting)

Select BOA, and is the case number 23469?

Laura Bryant
McGraw Realtors
918-693-2961
Lbryant@mcgrawok.com

Sent from my mobile device.
On Dec 12, 2022, at 4:10 PM, Brad Smith <smithb@cox.net> wrote:

Here is a link to sign up to speak or answer questions at tomorrow’s meeting:

https://tulsaplanning.org/participate/

From: DeAnn Heckenkemper <heckdeann@gmail.com>
Sent: Monday, December 12, 2022 3:57 PM
To: Laura Bryant <lbryant@mcgrawok.com>; Brad Heckenkemper <bradheck@cox.net>; esubmit@incog.org; smithb@cox.net;
ann.cooper.49@gmail.com
Subject: BOA - 23469

Attached is my objection to case # BOA 23469 on 12/13/22 agenda.

I would like to speak to the board regarding this matter

Brad Heckenkemper
1517 E. 34th St
918-695-2533
bradheck@cox.net
**Case Number:** BOA-23472  
**Hearing Date:** 01/10/2023 1:00 PM

**Case Report Prepared by:**  
Austin Chapman

**Owner and Applicant Information:**  
**Applicant:** Paula McGuire  
**Property Owner:** Solis, Juan Carlos Portillo

**Action Requested:** Variance to reduce the 200-feet minimum lot width in the AG district to permit a lot split (Sec 25.020-D, Table 25-2)

**Location Map:**

**Additional Information:**  
**Present Use:** Agricultural  
**Tract Size:** 4.81 acres  
**Location:** 3806 N. Columbia Ave.  
**Present Zoning:** AG
Subject Tract

BOA-23472

20-13 17

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

Aerial Photo Date: 2020/2021

9.2
BOA-23472

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

Aerial Photo Date: 2020/2021

9.3
Relate to the comprehensive plan: The Tulsa Comprehensive Plan identifies the subject property as part of a “Existing Neighborhood” 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.

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.

Statement of hardship: 1. That the physical surroundings, shape, or topographic conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out: This is a very large tract of land zoned Agriculture in the city limits. Also we have to deal with an 18-inch sewer main.
2. That the literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose: Currently there are two dwelling units on the tract of land.
3. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification: This is a very large tract of land zoned Agriculture in the city limits.
4. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner: it is not. The owner did not realize that there was an 18-inch sewer main on the property.
5. That the variance to be granted is the minimum variance that will afford relief: It is the minimum relief.
6. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property: There are several small residential lots nearby.
7. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan: The comprehensive plan shows it as existing neighborhood. The variance shouldn’t be a problem because houses are already there.
STAFF ANALYSIS: The applicant is requesting a Variance to reduce the 200-feet minimum lot width in the AG district to permit a lot split (Sec 25.020-D, Table 25-2):

<table>
<thead>
<tr>
<th>Regulations</th>
<th>AG</th>
<th>AG-R</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Lot Area</td>
<td>2 acres</td>
<td>1 acre</td>
</tr>
<tr>
<td>Min. Lot Area per Unit</td>
<td>2 acres</td>
<td>1 acre</td>
</tr>
<tr>
<td>Minimum Lot Width (feet)</td>
<td>200</td>
<td>150</td>
</tr>
<tr>
<td>Min. Lot Frontage (feet)</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Min. Building Setbacks (feet)</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Side (one side/other side)</td>
<td>10/5</td>
<td>15</td>
</tr>
<tr>
<td>Rear</td>
<td>40</td>
<td>25</td>
</tr>
<tr>
<td>Max. Building Height (feet)</td>
<td>–</td>
<td>35</td>
</tr>
</tbody>
</table>

Applicant is seeking to split a conforming AG lot into two separate lots containing a lot width of 192.21-feet for the first tract and 137.96-feet for the second tract.

Facts staff finds favorable for variance request:
- The proposed lots would meet all other lot and area requirements for the AG District.
- The two non-conforming dwelling units on a single lot is a unique condition to this property.

Facts Staff find unfavorable for the variance request:
- None.

SAMPLE MOTION:

Move to _________ (approve/deny) a Variance to reduce the 200-feet minimum lot width in the AG district to permit a lot split (Sec 25.020-D, Table 25-2)

- 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.”
Case Number: BOA-23476
Hearing Date: 01/10/2023 1:00 PM

Case Report Prepared by:
Austin Chapman

Owner and Applicant Information:
Applicant: Marshett Goudeau
Property Owner: GOUDEAU, MARSHETT

Action Requested: Special Exception to permit a Daycare use in the RS-3 zoning district (Sec.5.020, Table 5-2)

Location Map:

Additional Information:
Present Use: Vacant
Tract Size: 0.53 acres
Location: 525 E. 27 Ct. N.
Present Zoning: RS-3
BOARD OF ADJUSTMENT
CASE REPORT

STR: 0224
CD: 1
HEARING DATE: 01/10/2023 1:00 PM

APPLICANT: Marshett Goudeau

ACTION REQUESTED: Special Exception to permit a Daycare use in the RS-3 zoning district (Sec.5.020, Table 5-2)

LOCATION: 525 E. 27 Ct. N.
ZONED: RS-3

PRESENT USE: Vacant
TRACT SIZE: 22934.43 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 1, DEVONSHIRE PLACE NO 3 RESUB B1, 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 permit a Daycare use in the RS-3 zoning district (Sec.5.020, Table 5-2)

Staff has requested a more detailed site plan. Staff would support a continuance if a more detailed site plan showing building height, parking and any outdoor play areas shown for the Board’s consideration.

SAMPLE MOTION:
Move to _________ (approve/deny) a Special Exception to permit a Daycare use in the RS-3 zoning district (Sec.5.020, Table 5-2)

- 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.
APPICATION NO: ZCO-133861-2022

(please reference this number when contacting our office)

location: 525 E. 27th Ct. N.

Description: Proposed Day Care

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) 596-9801.
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)
REVIEW COMMENTS

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

ZCO-133861-2022 525 E. 27th Ct. N. November 18, 2022

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 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.

Sec.5.020 Table 5-2: Your proposed Day Care is designated a Public, Civic and Institutional/Day Care use and is located in an RS-3 zoning district.
Review Comments: Day Care uses are only allowed in an RS-3 zoned lot by Special Exception. Submit a Special Exception reviewed and approved per Sec.70.120 to allow Day Care in a RS-3 zoned district. Contact the Tulsa Planning Office at 918-584-7526 for next steps and further instruction.

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

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

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 Number: BOA-23477</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hearing Date: 01/10/2023 1:00 PM</td>
</tr>
</tbody>
</table>

**Case Report Prepared by:**
Austin Chapman

**Owner and Applicant Information:**

**Applicant:** Rouven Irom

**Property Owner:** OMEGA PROPERTIES HOLDINGS LLC

**Action Requested:** Special Exception to allow a Public, Civic and Institutional/Governmental Service Use in the CS zoned district. (Section 15.020, Table 15-2)

**Location Map:**

![Location Map](image)

**Additional Information:**

**Present Use:** Retail, Office, and Services

**Tract Size:** 0.51 acres

**Location:** 6404 S. Peoria Ave.

**Present Zoning:** CS
BOA-23477

Subject Tract

18-12 01

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

Aerial Photo Date: 2020/2021

10.2
BOARD OF ADJUSTMENT
CASE REPORT

STR: 8201
CD: 2

HEARING DATE: 01/10/2023 1:00 PM

APPLICANT: Rouven Irom

ACTION REQUESTED: Special Exception to allow a Public, Civic and Institutional/ Governmental Service Use in the CS zoned district. (Section 15.020, Table 15-2)

LOCATION: 6404 S PEORIA AV E

ZONED: CS

PRESENT USE: Retail, Office, and Services

TRACT SIZE: 22272.32 SQ FT

LEGAL DESCRIPTION: E.150 LT 1 BLK 5, TOWNE PARK ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS: None.

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

Mixed-Use Corridors are Tulsa’s modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

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

STAFF ANALYSIS: The applicant is requesting Special Exception to allow a Public, Civic and Institutional/ Governmental Service Use in the CS zoned district. (Section 15.020, Table 15-2) in order to permit a Health Department office.

Parking ratios for Governmental Services are to be determined as a part of the Special Exception the Board may wish to require the same parking ratios as Medical, dental, or health practioner office which would require 3.4 spaces per every 1,000 square feet of floor area for the use.
SAMPLE MOTION: Move to ________ (approve/deny) a Special Exception to allow a Public, Civic and Institutional/ Governmental Service Use in the CS zoned district. (Section 15.020, Table 15-2):

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

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

Subject Property
CITY OF TULSA
CORRECTIONS SUMMARY

Zoning BLDC-132316-2022 (1)

Subject: Zoning BLDC-132316-2022
Page Label: 1
Status:
Author: Jeffrey Bush
Date: 11/3/2022 3:28:41 PM
Color: 

Sec. 15.020 Table 15-2: The proposed Tulsa Health Department is designated Public, Civic, and Institutional/Governmental Service or Similar Function use. It is located in a CS zoned district. This will require a Special Exception approved by the BOA.

Review comment: Submit an approved BOA Special Exception Public, Civic, and Institutional/Governmental Service or Similar Function use to be allowed in a CS zoned district. Contact Austin Chapman at INCOG for further instruction. achapman@incog.org or 918-584-7526.

This constitutes a Plan Review to date in response to the information submitted with and after 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 client. Any code items not reviewed are still in force, and it shall be the responsibility of the owner and design professional(s) to ensure that all code requirements are satisfied.
# Tulsa Board of Adjustment

**Case Number:** BOA-23478  
**Hearing Date:** 01/10/2023 1:00 PM

### Case Report Prepared by:

<table>
<thead>
<tr>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austin Chapman</td>
</tr>
</tbody>
</table>

### Owner and Applicant Information:

<table>
<thead>
<tr>
<th>Role</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Extreme Properties</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Mommy N CO LLC</td>
</tr>
</tbody>
</table>

### Action Requested:

Special Exception to permit an addition to existing structure with a non-conforming rear setback (Sec. 80.030-D)

### Location Map:

![Location Map](image)

### Additional Information:

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Present Use</td>
<td>Residential</td>
</tr>
<tr>
<td>Tract Size</td>
<td>0.26 acres</td>
</tr>
<tr>
<td>Location</td>
<td>5342 E. 33 St. S.</td>
</tr>
<tr>
<td>Present Zoning</td>
<td>RS-2</td>
</tr>
</tbody>
</table>
BOA-23478

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

Aerial Photo Date: 2020/2021

12.3
STR: 9322  
CD: 5

HEARING DATE: 01/10/2023 1:00 PM

APPLICANT: Extreme Properties

ACTION REQUESTED: Special Exception to permit an addition to existing structure with a non-conforming rear setback (Sec. 80.030-D)

LOCATION: 5342 E 33 ST S  
ZONED: RS-2

PRESENT USE: Residential  
TRACT SIZE: 11390.99 SQ FT

LEGAL DESCRIPTION: LT 2 BLK 5, YORKSHIRE ESTATES RESUB L2-4 B3 & ALL B4-13 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 permit an addition to existing structure with a non-conforming rear setback (Sec. 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 applicant is seeking to expand the existing residence to the West and continue the existing non-conforming 18-foot setback instead of the required 25-foot setback.

SAMPLE MOTION:

Move to _________ (approve/deny) a Special Exception to permit an addition to existing structure with a non-conforming rear setback (Sec. 80.030-D)

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

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
Zoning Comments (1)

Subject: Zoning Comments
Page Label: 1
Status:
Author: LParker
Date: 10/27/2022 9:41:10 AM
Color: 

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

Review Comments: You are proposing to add on to an existing structure with a non-conforming rear setback. RS-2 zoned lots require a 25’ rear setback from the property line. Revise plans to indicate compliance with the required 25’ rear setback or apply to the Board of Adjustments for a special exception to allow an addition on an existing non-conforming structure. Please refer all BOA questions to INCOG at 918-584-7526.
**Case Number:** BOA-23479  
**Hearing Date:** 01/10/2023 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: Yolonda Lucas</td>
</tr>
<tr>
<td></td>
<td>Property Owner: ADETULA TRUST</td>
</tr>
</tbody>
</table>

**Action Requested:** Special Exception to permit a duplex in the RS-4 District (Table 5.020, Table 5-2, Table 5-2.5); Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)

**Location Map:**

![Location Map](image)

<table>
<thead>
<tr>
<th>Additional Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Present Use:</strong> vacant</td>
</tr>
<tr>
<td><strong>Tract Size:</strong> 0.22 acres</td>
</tr>
<tr>
<td><strong>Location:</strong> 1107/1109 E. Young Pl. N.</td>
</tr>
<tr>
<td><strong>Present Zoning:</strong> RS-4</td>
</tr>
</tbody>
</table>
Note: Graphic overlays may not precisely align with physical features on the ground.
BOARD OF ADJUSTMENT
CASE REPORT

STR: 0225
CD: 1

HEARING DATE: 01/10/2023 1:00 PM

APPLICANT: Yolonda Lucas

ACTION REQUESTED: Special Exception to permit a duplex in the RS-4 District (Table 5.020, Table 5-2, Table 5-2.5); Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)

LOCATION: 1107/1109 E. Young Pl. N. ZONED: RS-4

PRESENT USE: vacant TRACT SIZE: 9748.77 SQ FT

LEGAL DESCRIPTION: E 1/2 OF LT 16 BLK 2, SUNNY SLOPE ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:

Surrounding properties:

BOA-23351: On 06/28/22 the Board approved a Special Exception to permit a duplex in the RS-4 District and to increase the permitted driveway width in a Residential District. Property located 1015 W. Young St.

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.

STAFF ANALYSIS: The applicant is seeking a Special Exception to permit a duplex in the RS-4 District (Table 5.020, Table 5-2, Table 5-2.5); Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)
Applicant is seeking a driveway width of 34-feet both at the Right-of-way and inside the street setback.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Special Exception to permit a duplex in the RS-4 District (Table 5.020, Table 5-2, Table 5-2.5); Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):
  
  [1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.
  [2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.

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.
2 REAR ELEVATION
1/4" = 1'-0"

3 TYPICAL WALL SECTION - 9'-0" PLATE
3/4" = 1'-0"

1 FRONT ELEVATION
1/4" = 1'-0"
1. LEFT SIDE ELEVATION
   1/4" = 1'-0"
CITY OF TULSA
CORRECTIONS SUMMARY

BLDR-133833-2022 (1107 E YOUNG PL N Tulsa Tulsa, OK 74106)
Markup Summary #1

WSD Comment (1)
Measurement: 1 Count
Subject: WSD Comment
Page Label: 2
Page Index: 2
Lock: Unlocked
Checkbox: Unchecked
Author: Mike Henley
Date: 11/18/2022 1:41:22 PM
Creation Date: 11/18/2022 1:40:46 PM
Color: ■
X: 8.8889 in
Y: 2.1806 in
Unit: Count
Measurement: 1 Count
Capture: No
File Name: Draft Sheets 2_v1.pdf

Submitted plans appear to be for Young St. Permit is for Young PL. Plans are missing legal description of plot. I cannot determine which plot I need to be reaching without a legal description and correct plans.

Revise and submit plans for 1107 E Young PL with the plots' legal description so I know which plot to review.

Zoning Comments (4)
Measurement: 4 Count
Subject: Zoning Comments
Page Label: 2
Page Index: 2
Lock: Unlocked
Checkbox: Unchecked
Author: DWhiteman
Date: 11/21/2022 3:14:04 PM
Creation Date: 11/21/2022 3:14:04 PM
Color: ■
X: 5.3996 in
Y: 2.1875 in
Unit: Count
Measurement: 1 Count
Capture: No
File Name: Draft Sheets 2_v1.pdf

5.020 Use Regulations - Principal uses allowed in R districts in accordance with Table 5-2.

Review Comments: Duplexes are only allowed on an RS-4 zoned lot by special exception. Apply to BOA for a special exception to allow a duplex in a RS-4 zoned lot.
Subject: Zoning Comments
Page Label: 2
Page Index: 2
Lock: Unlocked
Checkmark: Unchecked
Author: DWhiteman
Date: 11/21/2022 3:14:10 PM
Creation Date: 11/21/2022 3:14:10 PM
Color: ■
X: 5.4145 in
Y: 3.3695 in
Unit: Count
Measurement: 1 Count
Capture: No
File Name: Draft Sheets 2_v1.pdf

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

Review Comments: Maximum driveway width allowed on this lot is 30' in the front street setback and 26' in the Right-Of-Way. Revise plans to show compliance or apply to BOA for a special exception to allow a driveway width to exceed the maximum widths in both the front street setback and the ROW.

Subject: Zoning Comments
Page Label: 2
Page Index: 2
Lock: Unlocked
Checkmark: Unchecked
Author: LParker
Date: 11/22/2022 9:32:27 AM
Creation Date: 11/17/2022 11:32:53 AM
Color: ■
X: 0 4210 in
Y: 0 4334 in
Unit: Count
Measurement: 1 Count
Capture: No
File Name: 133833 PLANS_v1.pdf

5.020 Use Regulations - Principal uses allowed in R districts in accordance with Table 5-2.

Review Comments: Duplexes are only allowed on an RS-4 zoned lot by special exception. Apply to BOA for a special exception to allow a duplex in a RS-4 zoned lot.
Subject: Zoning Comments
Page Label: 2
Page Index: 2
Lock: Unlocked
Checkmark: Unchecked
Author: LParker
Date: 11/22/2022 9:32:33 AM
Creation Date: 11/17/2022 11:34:14 AM
Color: 
X: 0.4121 in
Y: 1.6181 in
Unit: Count
Measurement: 1 Count
Capture: No
File Name: 133833 PLANS_v1.pdf

55.090-F Surfacing
In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of Section 70.120, or, if in a PUD, in accordance with the amendment procedures of Section 30.010-1.2. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

Review Comments: Maximum driveway width allowed on this lot is 30" in the front street setback and 26" in the Right-Of-Way. Revise plans to show compliance or apply to BOA for a special exception to allow a driveway width to exceed the maximum widths in both the front street setback and the ROW.

This constitutes a Plan Review to date in response to the information submitted with and after 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 client. Any code items not reviewed are still in force, and it shall be the responsibility of the owner and design professional(s) to ensure that all code requirements are satisfied.
Submitted plans appear to be for Young St. Permit is for Young Pl. Plans are missing legal description of plot. I cannot determine which plot I need to be reaching without a legal description and incorrect plans.

Revise and submit plans for 1107 E Young PL with the plots legal description so I know which plot to review.

5.020 Use Regulations - Principal uses allowed in R districts in accordance with Table 5-2.

Review Comments: Duplexes are only allowed on an RS-4 zoned lot by special exception. Apply to BOA for a special exception to allow a duplex in a RS-4 zoned lot.
55.090-F Surfacing
In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of Section 70.120, or, if in a PUD, in accordance with the amendment procedures of Section 30.010-12. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

Review Comments: Maximum driveway width allowed on this lot is 30' in the front street setback and 26' in the Right-Of-Way. Revise plans to show compliance or apply to BOA for a special exception to allow a driveway width to exceed the maximum widths in both the front street setback and the ROW.
Case Number: BOA-23480
Hearing Date: 01/10/2023 1:00 PM

### Case Report Prepared by:
Austin Chapman

### Owner and Applicant Information:
**Applicant:** Femi Fasesin  
**Property Owner:** Leslie Mcclain Dejesso

### Action Requested:
Special Exception to allow an Accessory Dwelling Unit in an RS-1 District (45.031-D)

### Location Map:
![Location Map](image)

### Additional Information:
**Present Use:** Residential  
**Tract Size:** 0.51 acres  
**Location:** 3138 E. 66 Pl. S.  
**Present Zoning:** RS-1
BOARD OF ADJUSTMENT  
CASE REPORT

STR: 8305  
CD: 9  

HEARING DATE: 01/10/2023 1:00 PM  

APPLICANT: Femi Fasesin

ACTION REQUESTED: Special Exception to allow an Accessory Dwelling Unit in an RS-1 District (45.031-D)

LOCATION: 3138 E 66 PL S  
ZONED: RS-1  

PRESENT USE: Residential  
TRACT SIZE: 22372.51 SQ FT  

LEGAL DESCRIPTION: LT 14, BROADMOOR HILLS 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 an Accessory Dwelling Unit in an RS-1 District (45.031-D)

A copy of Sec. 45.031 of the Zoning Code is included in the staff report with all supplemntal regualitons related to Accessory Dwelling Units.

Applicant is reducing the size of the ADU to be no more than 40% the floor area of the principal residential structure.

SAMPLE MOTION: Move to _________ (approve/deny) a Special Exception to allow an Accessory Dwelling Unit in an RS-1 District (45.031-D)

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):
  _________________________________.
The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Subject Property
ZCO-131963-2022 (3138 E 66TH PL S Tulsa, OK 74136) SITE_v1.pdf Markup Summary #1

Zoning Comments (4)

Subject: Zoning Comments
Page Label: 1
Status:
Author: LParker
Date: 11/3/2022 9:38:17 AM
Color: 

* Applicant stated height + pitch would comply and will not need relief.

Subject: Zoning Comments
Page Label: 1
Status:
Author: LParker
Date: 11/3/2022 9:38:24 AM
Color: 

* See note above

Subject: Zoning Comments
Page Label: 1
Status:
Author: LParker
Date: 11/3/2022 9:38:24 AM
Color: 

Section 45.031-D Additional Regulations for Accessory Dwelling Units

c. Exterior Finish Materials - The exterior finish material of any new accessory dwelling unit must be the same or visually match in type, size and placement, the exterior finish material of the detached house.

d. Roof Pitch - The roof pitch any new accessory dwelling unit must be the same as the predominant roof pitch of the principal building.

Review Comments: Provide information that the ADU complies with the above requirements.

90.90.C: Detached Accessory Buildings. Detached accessory buildings may be located in rear setbacks in RE, RS and RD districts, provided that the building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate.

Review Comments: Revise plans to indicate that the detached accessory building will not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate.

Section 45.031-D Regulations Where Allowed. Accessory dwelling units are allowed by special exception in RE, RS, AG, and AG-R districts on lots occupied by a detached house. Accessory dwelling units are allowed by right in RD, RT, RM and RMH districts on lots occupied by a detached house.

Review Comments: Apply to INCOG for a special exception to allow an Accessory Dwelling Unit in an RS-1 zoned area.

This constitutes a Plan Review to date in response to the information submitted with and after 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 client. Any code items not reviewed are still in force, and it shall be the responsibility of the owner and design professional(s) to ensure that all code requirements are satisfied.
Subject: Zoning Comments
Page Label: 1
Status: 
Author: LParker
Date: 11/3/2022 9:41:04 AM
Color: 

Building Size Reduced
TO 1,035 SF.

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

Review comments: You are proposing 1249 sq ft of detached accessory structure. The proposed detached structure exceeds 750 sq ft and 40% of the size of your house. Based on the size of your house (2592 sq ft) you are allowed 1,036.8 sq ft of detached accessory structures on your lot. Revise the plans to reduce the size of your proposed detached accessory structure to be no more than 1036.8 sq ft to provide a code compliant design.
**Case Number:** BOA-23482  
**Hearing Date:** 01/10/2023 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: David McGhee</td>
</tr>
<tr>
<td></td>
<td>Property Owner: 20185WY-11 LLC</td>
</tr>
</tbody>
</table>

**Action Requested:** Special Exception to allow an addition to an existing structure with a non-conforming side setback (Sec. 80.030-D)

<table>
<thead>
<tr>
<th>Location Map:</th>
<th>Additional Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Present Use: Residential</td>
</tr>
<tr>
<td></td>
<td>Tract Size: 0.1 acres</td>
</tr>
<tr>
<td></td>
<td>Location: 562 N. Tacoma Ave W.</td>
</tr>
<tr>
<td></td>
<td>Present Zoning: RS-3</td>
</tr>
</tbody>
</table>
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9202  
CD: 4  

Case Number: B0A-23482

HEARING DATE: 01/10/2023 1:00 PM

APPLICANT: David McGhee

ACTION REQUESTED: Special Exception to allow an addition to an existing structure with a non-conforming side setback (Sec. 80.030-D)

LOCATION: 562 N TACOMA AV W  
ZONED: RS-3

PRESENT USE: Residential  
TRACT SIZE: 4517.19 SQ FT

LEGAL DESCRIPTION: PRT LTS 2 & 3 BEG SECR LT 3 TH W105 N TO PT 41S NL BLK 4 E105 S42.55 POB BLK 4, PARK HILL ADDN AMD CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:

Subject property:

Administrative Adjustment: Applicant is requesting a to reduce the required rear setback in an RS-3 zoning district from 20 feet to 17 feet. This request can be approved at the staff level and will be approved concurrently with the Special Exception.

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 an addition to an existing structure with a non-conforming side setback (Sec. 80.030-D)
Applicant is seeking addition to the existing structure that would continue the non-conforming side setback of approximately 1-foot and 4-inches.

**SAMPLE MOTION:**

Move to _________ (approve/deny) a Special Exception to allow an addition to an existing structure with a non-conforming side setback (Sec. 80.030-D)

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

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
DEVELOPMENT SERVICES
175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103-3227

ZONING CLEARANCE
PLAN REVIEW

March 3, 2022

LOD Number: 02

David McGhee
MCL Construction
68th St. Unit 484
Tulsa, OK 74136

Phone: (918) 521-6550

APPLICATION NO: BLDR-108970-2022
(PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: 562 N Tacoma Ave
Description: Residential - Addition

INFORMATION ABOUT SUBMITTING REVISIONS

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

REVITIONS 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)

REVITIONS 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 REVITIONS 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 OR AT INCOG OFFICES AT
   2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

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

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

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. 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 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 proposed addition will extend over a lot line. Per the definition above, a dwelling unit must be located on a single lot.

- Please apply for a lot combination at INCOG located at Two West Second Street, Suite 800. Please direct all questions concerning lot combinations and all questions regarding TMAPC application forms and fees to an INCOG representative at 584-7526.

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

- Submit a copy of the lot combination agreement with the Tulsa county clerks recording sticker on it to this office as a revision.

3. 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 20-foot setback from the property line in an RS-3 zoning district. You may increase the garage setback to 20 feet from the P/L or pursue an administrative adjustment from the land use administrator (Incog) to reduce the street setback in an RS-3 zoning district from 20 feet to 17 feet.
4. **55.090-F Surfacing**
   All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of §55.090-F4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

   **Review Comments:** Revise site plan to indicate a dustless all-weather parking surface from the public street to the proposed garage or apply to the Board of Adjustment for a Variance (section 70.120) to allow a material other than an approved material meeting the requirements of 55.090-F.

5. **80.030-D Alterations, Enlargements and Expansions**
   Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building regulations and does not increase the extent of the nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback regulations and all other applicable lot and building regulations. Horizontal and vertical extensions of an exterior wall that is nonconforming with regard to applicable setbacks may be approved in accordance with the special exception procedures of Section 70.120.

   **Review Comments:** You are proposing to add on to an existing structure with a non-conforming side setback. RS-3 zoned lots require a 5’ side setback from the property line. Revise plans to indicate compliance with the required 5’ side setback or apply to BOA for a special exception to allow reconstruction of an existing non-conforming structure.

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

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

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

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

---

**END – ZONING CODE REVIEW**

**NOTE:** THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL 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.
MORTGAGE INSPECTION REPORT
PORTIONS OF SECTION 2, TOWNSHIP 19 NORTH, RANGE 12 EAST
TULSA COUNTY, OKLAHOMA
562 NORTH TACOMA AVENUE
TULSA, OK 74127
DAVID MCGHEE

TRACT DESCRIPTION
Part of Lots Two (2) and Three (3), Block Four (4), AMENDED PLAT OF PARK HILL ADDITION to Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, more particularly described as follows, to-wit:
BEGINNING at the Southeast corner of said Lot Three (3), Block Four (4); Thence West along the South line of said Lot Three (3) 105 feet; Thence North and parallel with the East line of Block Four (4) to a point which is 41 feet South of the North side of Block Four (4); Thence East 105 feet to a point in the East line of Block Four (4), which is 42.55 feet South of the Northeast corner of Block Four (4); thence South along the East line of Block Four (4) a distance of 42.55 feet to the Place of Beginning.

TITLE INFORMATION
Old Republic National Title Insurance Company, effective February 12, 2021, Commitment No. 21-1265; Easements noted on Schedule B, Sec. 1; per Plat No. 126 – no easements noted on Plat, Book 1913, Page 110 – shown. Book 233, Page 528 – affects as stated. No additional easements noted.

SURVEYOR CERTIFICATION
I certify that the above inspection report shows the improvements, other than fences, as located on the premises described, that they are entirely within the described tract boundaries as based upon physical features, there are no significant encroachments, except as indicated, that the above report shows all recorded plat and other such easements as have been disclosed and furnished to me by the client, that the report was prepared for identification purposes only for the mortgagee and is NOT A LAND OR PROPERTY LINE SURVEY, that NO CORNERS WERE SET and IT IS NOT TO BE RULLED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING OR OTHER IMPROVEMENT LINES. No liability is assumed herein for future landowners or lending institutions. This Certification is NOT TRANSFERABLE. If the Surveyor's seal and signature are not in color, this is an unauthorized copy. FEDERAL COPYRIGHT LAWS APPLY.

3/2/2021
DAVID L. MCKEE
DATE
Note: This revision documentation shows:
A Site Plan Showing:
- Address and Legal Description.
- Property lines with overall dimensions.
- Setbacks, Easement, Existing Structure,
- Proposed Addition Dimentioned,
- Grading to Support Drainage Plan.

Note: This revision documentation shows:
A Floor Plan Showing:
- Removal of window in Bathroom
- Building a 1 hr fire rated wall
- Call out the Garage door to the laundry
to be 20 min Fire rated self closing metal solid core

1-HOUR RATED WALL AND PROTECTED EAVE OVERHANG
<table>
<thead>
<tr>
<th><strong>Case Report Prepared by:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Austin Chapman</td>
<td><strong>Applicant:</strong> Raul Cisneros</td>
</tr>
<tr>
<td></td>
<td><strong>Property Owner:</strong> Interactive Billboards Inc</td>
</tr>
</tbody>
</table>

**Action Requested:** Special Exception to allow a Large (greater than 250 person-capacity) Commercial Assembly & Entertainment Use in the CS District (Sec.15.020, Table 15-2)

**Location Map:**

**Additional Information:**

<table>
<thead>
<tr>
<th><strong>Present Use:</strong> Vacant Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tract Size:</strong> 3.22 acres</td>
</tr>
<tr>
<td><strong>Location:</strong> 2117 S. Garnett Rd.</td>
</tr>
<tr>
<td><strong>Present Zoning:</strong> CS</td>
</tr>
</tbody>
</table>
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9417
CD: 6

HEARING DATE: 01/10/2023 1:00 PM

APPLICANT: Raul Cisneros

ACTION REQUESTED: Special Exception to allow a Large (greater than 250 person-capacity) Commercial Assembly & Entertainment Use in the CS District (Sec.15.020, Table 15-2)

LOCATION: 2117 S. Garnett Rd.

PRESENT USE: Vacant Commercial

LEGAL DESCRIPTION: PRT LT 2 BEG SECR LT 2 TH W294.17 N448.80 E206.07 N47.56 NE124.83 S584.72 POB BLK 1 3.22ACS, RICHARD HENRY ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

TRACTION SIZE: 140106.96 SQ FT

ZONED: CS

RELEVANT PREVIOUS ACTIONS: None.

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

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

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

STAFF ANALYSIS: The applicant is requesting a Special Exception to allow a Large (greater than 250 person-capacity) Commercial Assembly & Entertainment Use in the CS District (Sec.15.020, Table 15-2)

Assembly and Entertainment Use as subject to the following supplemental regulations:

Section 40.040 Assembly and Entertainment
Whenever an assembly and entertainment use is located on a lot abutting an R or AG-R-zoned lot, a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of 865.070.C.
SAMPLE MOTION: Move to _______ (approve/deny) a Special Exception to allow a Large (greater than 250 person-capacity) Commercial Assembly & Entertainment Use in the CS 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.
Shown are 149 parking spaces @ 89" x 16" typical. There are in addition 8 handicapped spaces with van accessible. In addition we have 2 cross parking agreements with adjacent properties which has already been approved through Zoning which brings our total parking spaces available to 367.

Legal Description

Part of Lot Two (2), Block One (1), Northeast Additions, Tulsa County, State of Oklahoma, according to the recorded plat of Northeast Additions, Tulsa County, State of Oklahoma. Beginning at the SE corner of Lot 2, thence S 00°01'54" W along the E line of Lot 2 a distance of 204.17 ft.; thence N 00°00'59" E and parallel to the N line of Lot 2 a distance of 448.46 ft.; thence E 00°00'59" N and parallel to the E line of Lot 2 a distance of 74.54 ft.; thence N 44°49'26" E a distance of 500.00 ft. to the point of beginning.
This wall extension is only 7' high, for the purpose of blocking visually the door activity leading to the education wing.

Hardware Note:
All existing exit doors have panic hardware. New exit doors will have panic hardware. All interior doors will have lever handle hardware.

The new platform extension will be constructed with fire blocking every 100 sq.ft. The total height of the new extension will be 23" or 3'/7" risers and 2' - 18" treads. Framing material will be fire rated.

Platform notes: Per requirements, existing platform to be fire rated on bottom side with type x sheetrock. This was discussed with the inspector during the Temp. CO process.

Stair details: Metal stairs with 7 risers of 6.5" each and minimum 11" treads. Handrails will be on both sides with required 1' extensions and or wall returns and min 4" spacing on auditorium side guard rail at 36" high.

There will be a lighting & prop storage dock built above the platform prep room for which sprinklers will be added per code. If built, metal framing material will be used.

Prep room for platform:

Existing ceiling height in this platform prep room & HC restroom is 8' nominal.

Prep room for platform:

Women's HC restroom w/grab bars

Platforms: Per requirements, existing platform to be fire rated on bottom side with type x sheetrock. This was discussed with the inspector during the temp. CO process.

The new platform extension will be constructed with fire blocking every 100 sq.ft. The total height of the new extension will be 23" or 3'/7" risers and 2' - 18" treads. Framing material will be fire rated.

Hardware Note:
All existing exit doors have panic hardware. New exit doors will have panic hardware. All interior doors will have lever handle hardware.

Platform notes: Per requirements, existing platform to be fire rated on bottom side with type x sheetrock. This was discussed with the inspector during the Temp. CO process.

Stair details: Metal stairs with 7 risers of 6.5" each and minimum 11" treads. Handrails will be on both sides with required 1' extensions and or wall returns and min 4" spacing on auditorium side guard rail at 36" high.

There will be a lighting & prop storage dock built above the platform prep room for which sprinklers will be added per code. If built, metal framing material will be used.

Prep room for platform:

Existing ceiling height in this platform prep room & HC restroom is 8' nominal.

Prep room for platform:

Women's HC restroom w/grab bars

Platforms: Per requirements, existing platform to be fire rated on bottom side with type x sheetrock. This was discussed with the inspector during the temp. CO process.

The new platform extension will be constructed with fire blocking every 100 sq.ft. The total height of the new extension will be 23" or 3'/7" risers and 2' - 18" treads. Framing material will be fire rated.

Hardware Note:
All existing exit doors have panic hardware. New exit doors will have panic hardware. All interior doors will have lever handle hardware.

Platform notes: Per requirements, existing platform to be fire rated on bottom side with type x sheetrock. This was discussed with the inspector during the Temp. CO process.

Stair details: Metal stairs with 7 risers of 6.5" each and minimum 11" treads. Handrails will be on both sides with required 1' extensions and or wall returns and min 4" spacing on auditorium side guard rail at 36" high.

There will be a lighting & prop storage dock built above the platform prep room for which sprinklers will be added per code. If built, metal framing material will be used.

Prep room for platform:

Existing ceiling height in this platform prep room & HC restroom is 8' nominal.

Prep room for platform:

Women's HC restroom w/grab bars

Platforms: Per requirements, existing platform to be fire rated on bottom side with type x sheetrock. This was discussed with the inspector during the Temp. CO process.

The new platform extension will be constructed with fire blocking every 100 sq.ft. The total height of the new extension will be 23" or 3'/7" risers and 2' - 18" treads. Framing material will be fire rated.

Hardware Note:
All existing exit doors have panic hardware. New exit doors will have panic hardware. All interior doors will have lever handle hardware.
Legal Description

Parts of Lot Two (2), Block One (1), Richard Henry Addition, Tulsa County, State of Oklahoma, according to the Revised Plan No. 2012, being more particularly described as follows:

Beginning at the SE corner of Lot 2, thence E 89°50'52" W along the S line of Lot 2 a distance of 204.17 ft, thence N 89° 50'52" W and parallel to the W line of Lot 2 a distance of 91.62 ft, thence N 49°51'19" E along the E line of Lot 2 a distance of 220 ft, thence S 89°50'52" E a distance of 91.62 ft, thence S 89°50'52" W along the SE line of Lot 2 a distance of 47.74 ft, thence N 89°50'52" E a distance of 124.51 ft to a point on the N line of Lot 1, thence S 89°50'52" W along the W line of Lot 1 a distance of 354.72 ft to the point of beginning.

Date: 1/1/2001
Drawn by: JMD
Demolition notes: As indicated by the hatched dashed walls, this is a complete interior wall demolition.
Notice to the Owner or Responsible Party

These plans have not been reviewed for compliance with the Building Code. It is the owner's responsibility to obtain building permits and to ensure that the plans and plans in progress are in compliance with the Building Code. The City of Topeka has not approved the plans for compliance with the Building Code. Please refer to the Building Code for requirements.

Documentation has not been submitted to ensure compliance with all aspects of the Building Code.

<table>
<thead>
<tr>
<th>ADDRESS</th>
<th>2117 S. GARNETT RD. E.</th>
</tr>
</thead>
<tbody>
<tr>
<td>DESCRIPTION</td>
<td>Remodel for Change of Use/Wing &quot;B&quot; of Existing Building</td>
</tr>
<tr>
<td>Contractor</td>
<td>G. Keys Construction</td>
</tr>
<tr>
<td>Permit No.</td>
<td>240946 - E58</td>
</tr>
<tr>
<td>Application</td>
<td>1/23/01</td>
</tr>
</tbody>
</table>

OFFICE Co.
TULSA FIRE DEPARTMENT
OFFICE OF THE FIRE MARSHAL

This approval does not constitute a waiver of any provision of the fire prevention or other applicable codes, nor should it be construed that this approval constitutes a certification that all details shown are in compliance with the code.

Exceptions:

_________________________

Date
Fire Marshal

2-19-81

ADDRESS
2117 S. Harneet Rd

DESCRIPTION
70' X

TEMPORARY
NUMBER
244199

BUILDER
Security Protection of Tulsa

2-19-81

859
TIE-IN TO EXIST. 2" CAPED MAIN AT EXIST. MEZZANINE, APPROX. 40'.

12" MAIN IS SCHEDULE 40 BLACK STEEL

2x1½ VC 14-0 14-0 14-0 14-0 14-0 14-0 14-0 14-0 14-0

WATER FLOW AS PER
CITY OF TULSA:
98 PSI STATIC
95 PSI RESIDUAL W/1300 GPM FLOW.

* THIS IS AN ADDITION TO AN EXIST. SPRINKLERED NIGHTCLUB.

2" MAIN IS LIGHTWALL BLACK STEEL.
1" LINES ARE SCHEDULE 40 BLACK STEEL.

CALC. POINT: ① IS AT POINT OF SUPPLY, ② IS AT BASE OF RISER,
③ IS AT TOP OF ALARM VALVE, ④ IS AT 4" CONNECTION TO 3";
⑤ IS AT 3" CONNECTION TO 2".

TULSA CITY LIMITS
2117 S. GARNETT
TULSA, OKLAHOMA

Superior Fire Protection, Inc.
P.O. BOX 27698 - JACKSON, TN 38306-27698 - (901) 424-0278
P.O. BOX 18920 - TULSA, OK 74112 - (918) 638-8118

DRAWN BY: BOB B.
DATE: 6-25-90
SCALE: 1/6" = 1'-0"