



## City of Tulsa Board of Adjustment

### Minutes of Meeting No. 1346

**Tuesday, September 24, 2024, 1:00 p.m.**

Tulsa City Council Chambers, 175 E. 2nd St., Tulsa, OK 74103

The notice and agenda of said meeting were posted in the City Clerk's office on September 18, 2024, at 11:05 a.m.

**Members Present:** Bond, Stauffer, Wallace

**Members Absent:** Barrientos, Radney

**Staff Present:** Audrey Blank, Nathan Foster, Caleb Rocha

#### **Speaker Key:**

(+) indicates a speaker generally supportive of an item;

(-) indicates a speaker generally opposed to an item; and

(=) indicates a speaker generally neutral or who has questions about an item.

Motions and actions require an affirmative vote of three members. When there is less than a full Board, the Board may consider a request to continue agenda items to a later meeting date.

After declaring a quorum present, Bond called the meeting to order at 1:07 p.m.

### **Approval of Minutes**

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#### **Minutes from Meeting 1344, August 27, 2024**

Motion: Continue to the October 8th meeting.

Motion By: Stauffer

Ayes: Bond, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: Barrientos, Radney

#### **Minutes from Meeting 1345, September 10, 2024**

Motion: Continue to the October 8th meeting.

Motion By: Stauffer

Ayes: Bond, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: Barrientos, Radney

### **New Applications**

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**BOA-23769**

Location: 3327 East 27th Street South

City Council District: 4

Applicant: Joe Kelley

**Action(s) Requested**

Variance of the required building setback in the CG district from abutting RS-zoned lots (Section 15.030-A, Table 15-3; Section 15.030-B, Table Note [5])

**Presentation by Applicant**

Joe Kelley, 10035 N. 177th E. Ave., Owasso, stated he intends to build a 27-foot tall, 70-foot-wide building on his 100-foot lot. He explained that adhering to the current zoning code requirements would only permit a structure of 15 feet in height and 33 feet in width. He argued that it would be unreasonable to limit the building's size given the large lot. He pointed out that the proposed structure would be in line with the surrounding properties.

Taylor King, 9944 S. 79th E. Ave., noted that their lot is surrounded by mostly commercial properties except some residential properties. He pointed out that the proposed structure would provide a visual buffer and noise barrier from the highway for the nearby residences.

**Staff Comments**

Mr. Foster pointed out that the reason the setback requirement only allows for a 15-foot tall building is that the property abuts residentially zoned properties on both sides of the lot.

**Speakers**

None

**Board Comments**

Board members indicated support for the application and noted that the lot is topographically unique and is in keeping with the character with the neighborhood.

**Board Action**

Motion: Approve, per plans on pages 3.13-3.15 of the agenda packet, finding the hardship to be the topographical uniqueness of the property as well as the adjacencies of commercial properties and how it abuts to the Broken Arrow Expressway to the north.

Motion By: Wallace

Ayes: Bond, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: Barrientos, Radney

*In granting the Variance, the Board finds that the following facts, favorable to the property owner, have been established: 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; that literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose; 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; that the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner; That the variance to be granted is the minimum variance that will afford relief; 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 that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the zoning code or the comprehensive plan.*

**Property Description**

*Lots 4 and 5, Block 6, Kirkmoore Addition, Plat #821, City of Tulsa, Tulsa County, State of Oklahoma*

**BOA-23770**

Location: 2462 North Boston Avenue

City Council District: 1

Applicant: Conner Hughes

**Action(s) Requested**

Special Exception to permit an accessory dwelling unit in the RS-3 district (Section 45.031-D)

**Presentation by Applicant**

Connor Hughes, 4610 S. Winston Ave., stated that he intends to remodel the run-down ADU and add a bathroom to the footprint.

**Speakers**

None

**Board Comments**

Board members stated that they were inclined to support the application.

**Board Action**

Motion: Approve, per plans on page 4.12 of the agenda packet.

Motion By: Stauffer

Ayes: Bond, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: Barrientos, Radney

*The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

**Property Description**

*Lot 1, Block 6, Reservoir Hill Addition, City of Tulsa, Tulsa County, State of Oklahoma*

**BOA-23772**

Location: 4527 East 31st Street South

City Council District: 4

Applicant: Precision Sign & Design, c/o Justin Haynes

**Action(s) Requested**

Variance to permit a dynamic display sign within 200 feet of residentially zoned lots (Section 60.100-F)

**Presentation by Applicant**

Justin Haynes, 6525 E. 40th St. S., stated he would like to place a dynamic display sign on the existing pole, which he claimed would not be visible from the nearby residential homes or apartments. He explained the unique zoning issue in the area and an easement that prevents him from moving the sign further from the residentially zoned lot.

**Staff Comments**

Mr. Foster clarified that while the sign would not be visible from the apartments, the issue is that the fire station across the street is zoned residential.

**Speakers**

None

**Board Comments**

Board members stated that they are inclined to support the application and acknowledged that the applicant cannot comply with the zoning code due to the easement and the uniquely zoned fire station.

**Board Action**

Motion: Approve, per plans on pages 5.12-5.14 of the agenda packet, finding the hardship to be the uniqueness of the property.

Motion By: Stauffer

Ayes: Bond, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: Barrientos, Radney

*In granting the Variance, the Board finds that the following facts, favorable to the property owner, have been established: 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; that literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose; 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; that the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner; That the variance to be granted is the minimum variance that will afford relief; 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 that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the zoning code or the comprehensive plan.*

**Property Description**

Lot 3, Block 1, Southern Elms Addition, City of Tulsa, Tulsa County, State of Oklahoma

**BOA-23773**

Location: 1919 West 40th Street South

City Council District: 2

Applicant: James Griffin

**Action(s) Requested**

Variance to permit more than one freestanding sign per street frontage in a residential district for a school use (Section 60.050-B.2.b); Special Exception to permit a dynamic display sign in a residential district containing a school use (Section 60.050-B.2.c); Special Exception to permit a dynamic display sign within 200 feet of residentially zoned lots (Section 60.100-F)

**Presentation by Applicant**

James Griffin, 11760 Skyline Dr., Collinsville, stated that the school intends to remove the existing signage surrounding and have a single dynamic sign on the property. He reported that there have been no concerns raised by neighbors or surrounding stake holders.

Ellen Duecker, 4444 S. Oak Rd., stated that the numerous directional signs currently cause confusion, which the dynamic sign would eliminate. She added that the sign is designed to match the school's architectural features.

**Speakers**

None

**Board Comments**

Board members stated that they were inclined to support the application.

**Board Action**

Motion: Approve, per plans on pages 6.13-6.20 of the agenda packet, finding the hardship to be the uniqueness and size of the large historic campus and the need for directional signage.

Motion By: Stauffer

Ayes: Bond, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: Barrientos, Radney

*In granting the Variance, the Board finds that the following facts, favorable to the property owner, have been established: 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; that literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose; 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; that the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner; That the variance to be granted is the minimum variance that will afford relief; 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 that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the zoning code or the comprehensive plan.*

*The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

**Property Description**

LTS 4 THRU 23 BLK 1 & LTS 7 THRU 26 BLK 2 & ALL BLKS 3 & 4 & LTS 8 THRU 27 BLK 5 & VAC STREETS ADJ THEREOF & W10 VAC ALLEY ADJ LT 4 BLK 1 ON E & W10 VAC ALLEY ADJ LTS 8 & 27 BLK 5 ON E, CLINTON HOMESITES, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, City of Tulsa, Tulsa County, State of Oklahoma

**BOA-23774**

Location: 1122 South Vandalia Avenue

City Council District: 4

Applicant: Kristie Nelson

**Action(s) Requested**

Special Exception to permit a carport in the street setback and yard, with modifications of the allowable dimensions and setback requirement (Section 90.090-C.1)

**Presentation by Applicant**

Kristie Nelson, 1122 S. Vandalia Ave., stated that she would like to build a carport to cover her expanded driveway. She pointed out that carports are common in the neighborhood.

**Speakers**

None

**Board Comments**

Board members expressed their support for the application and mentioned a letter of support from a neighbor.

**Board Action**

Motion: Approve, per plans on pages 7.13-7.20 of the agenda packet.

Motion By: Wallace

Ayes: Bond, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: Barrientos, Radney

*The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

**Property Description**

*South 1/2 of Lot 5 and All of Lot 6 Block 1, ROSE MARIE ADDN AMD L4-21 B1 & ALL B2, City of Tulsa, Tulsa County, State of Oklahoma*

**BOA-23775**

Location: 6201 East Virgin Street North

City Council District: 3

Applicant: James Griffin

**Action(s) Requested**

Special Exception to permit a dynamic display sign in a residential district containing a school use (Section 60.050-B.2.c); Special Exception to permit a dynamic display sign within 200 feet of residentially zoned lots (Section 60.100-F)

**Presentation by Applicant**

James Griffin, 11760 Skyline Dr., Collinsville, explained that he would be replacing the existing sign with a dynamic sign in its current location.

**Speakers**

None

**Board Comments**

Board members stated that they would be inclined to support the application.

**Board Action**

Motion: Approve, per plans on pages 8.8-8.11 of the agenda packet.

Motion By: Wallace

Ayes: Bond, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: Barrientos, Radney

*The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

**Property Description**

W825 SE NE LESS W195 S180 SE NE & LESS E25 THEREOF FOR RD SEC 27 T-20-N R-13-E 23.436ACS

**BOA-23776**

Location: 606 South Lynn Lane Road

City Council District: 6

Applicant: Kirk Wright

**Action(s) Requested**

Variance to reduce the minimum 200-foot lot width requirement in the AG district to permit a lot line adjustment (Section 25.020-D, Table 25-2)

*Staff requests a continuance to October 8, 2024.*

**Presentation by Applicant**

None

**Speakers**

None

**Board Comments**

None

**Board Action**

Motion: Continue to the October 8th meeting.

Motion By: Stauffer

Ayes: Bond, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: Barrientos, Radney



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**Other Business**

None

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**New Business**

None

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**Board Member Comments**

None

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**Staff Comments**

None

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**Adjournment**

There being no further business, the meeting was adjourned at 1:51 p.m.

Date approved: \_\_\_\_\_

Chair: \_\_\_\_\_