



City of Tulsa Board of Adjustment

Minutes of Meeting No. 1363

Tuesday, June 24, 2025, 1:00 p.m.

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

The notice and the agenda of said meeting were posted in the City Clerk's office on June 18, 2025, at 11:57 a.m.

Members Present: Barrientos, Radney, Stauffer, Wallace, Williams

Members Absent: None

Staff Present: Audrey Blank, Austin Chapman, Erin Roark, 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, Radney called the meeting to order at 1:04 p.m.

Approval of Minutes

Minutes from Meeting 1362, June 10, 2025

Motion: Approval of Minutes.

Motion By: Williams

Ayes: Radney, Stauffer, Wallace, Williams

Nays: None

Abstentions: Barrientos

Absent: None

Unfinished Business

BOA-23896

Location: 231 East 35th Street South

City Council District: 9

Applicant: Landon Brown

Action(s) Requested

Variance to reduce the required 5-foot side setback to permit a carport in the RS-3 district (Section 5.030,

Table 5-3); Special Exception to permit an accessory dwelling unit in the RS-3 district (Section 45.031-D);

Variance of the required 10-foot separation distance between an accessory dwelling unit and a principal building (Section 45.031-D).

Withdrawn by the applicant.

Presentation by Applicant

None

Speakers

None

Board Comments

None

Board Action

Motion: None

Motion By: None

Ayes: None

Nays: None

Abstentions: None

Absent: None

New Applications

BOA-23902

Location: 147 South 122nd East Avenue

City Council District: 3

Applicant: Anna Sanchez

Action(s) Requested

Appeal of the administrative decision issued in notice of zoning violation case ZONV-103552-2025 that the subject property is in violation of Section 40.225-F.1 of the zoning code (Section 70.140).

Withdrawn by the applicant.

Presentation by Applicant

None

Speakers

None

Board Comments

None

Board Action

Motion: None

Motion By: None

Ayes: None

Nays: None

Abstentions: None

Absent: None

BOA-23903

Location: 8724 East 15th Street South

City Council District: 5

Applicant: Robert Schatz

Action(s) Requested

Variance to increase the allowable floor area of detached accessory buildings in the RS-1 district (Section 45.030-A).

Presentation by Applicant

Robert Schatz, 1207 S. Sheridan Rd., expressed his intention to build a detached structure measuring 30 feet by 40 feet on his large property. He mentioned that he had spoken with several neighbors in the neighborhood, none of whom opposed his proposal. He explained that the hardship is the current configuration of the home on the property, which prevents him from constructing an attached building.

Speakers

None

Board Comments

Ms. Radney remarked that the lot is considerably larger than a typical RS-1 lot. Members of the board stated that they were inclined to support the application as presented.

Board Action

Motion: Approve, per plans on pages 5.10-5.30 of the agenda packet, finding the hardship to be the unique size of the lot and the siting of the original structure.

Motion By: Wallace

Ayes: Barrientos, Radney, Stauffer, Wallace, Williams

Nays: None

Abstentions: None

Absent: None

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

E1/2 N1/2 LOT 2 BLK 2, O'CONNOR PARK, City of Tulsa, Tulsa County, State of Oklahoma

BOA-23904

Location: 237 East 35th Place South

City Council District: 9

Applicant: Rhema Smithwick

Action(s) Requested

Variance of the minimum open space per unit requirement for a nonconforming lot in the RS-3 district (Section 80.020-B).

Presentation by Applicant

Matt Cozort, 7607 E. 126th St., Bixby, stated that they are in the process of constructing a new residence on a non-conforming lot. He said that to make the driveway functional, it is necessary to widen it, which consequently reduces the available open space.

Speakers

None

Staff Comments

Mr. Chapman remarked that the site plan associated with this case, as well as BOA-23905, does not accurately represent Mr. Cozart's intentions, and recommended that both cases be continued.

Board Comments

Members of the board advised that the applicant should submit a site plan that illustrates the driveway widening for both properties. The applicant agreed to the continuation of the cases until the next meeting.

Board Action

Motion: Continue to the July 8, 2025 meeting.

Motion By: Stauffer

Ayes: Barrientos, Radney, Stauffer, Wallace, Williams

Nays: None

Abstentions: None

Absent: None

BOA-23905

Location: 231 East 35th Place South

City Council District: 9

Applicant: Rhema Smithwick

Action(s) Requested

Variance of the minimum open space per unit requirement for a nonconforming lot in the RS-3 district (Section 80.020-B).

Presentation by Applicant

None

Speakers

None

Board Comments

None

Board Action

Motion: Continue to the July 8, 2025 meeting

Motion By: Wallace

Ayes: Barrientos, Radney, Stauffer, Wallace, Williams

Nays: None

Abstentions: None

Absent: None

BOA-23901

Location: 5950 East Admiral Place South

City Council District: 3

Applicant: Paul Schmidt

Action(s) Requested

Special Exception to permit a Governmental Service or Similar Functions use in the CH district (Section 15.020, Table 15-2).

Presentation by Applicant

Paul Schmidt, 605 S. Peoria Ave., Executive Director at the Merchant Tulsa, stated that the Merchant is a non-profit organization, a church, and a low-barrier navigation center dedicated to assisting Tulsa's unhoused population. He indicated that their strategy involves getting to know their guests, functioning as a comprehensive support hub, and collaborating with other non-profits in the Tulsa region. He explained that they offer a range of services, including case management and housing navigation, meals, hygiene products, job assistance, and much more. He highlighted that their team would comprise our full-time security personnel, ten daily volunteers, and five full-time case managers, along with numerous other partner agencies. He also mentioned that at their other facility, they serve between 200 to 250 individuals daily, and they anticipate a similar turnout at this new location.

Zachary Paschall, 605 S. Peoria Ave., Case Management Director at the Merchant Tulsa, indicated that their services cater to individuals aged 18 to over 70, with a particular focus on those between 25 and 45 years old. He explained that their mission is to assist individuals who may lack identification, transportation, or income, among other needs. He emphasized that the majority of those they assist are residents of Tulsa who wish to remain engaged with their community. He described a typical day at the Merchant, noting that staff members arrive at 6:45 a.m., security personnel arrive at 8:00 a.m., and guests can begin checking in at 9:00 a.m. He mentioned that shuttles would start transporting individuals to their shelters at 3:00 p.m., with doors closing at 4:00 p.m. He expressed their desire to relocate to the proposed site, citing its appropriate size, suitable zoning, and configuration that would meet the guests' needs. He pointed out that the location is centrally situated, providing easy access to major transit routes, and would effectively address the current demands in the area. He noted that they engaged with the neighborhood by knocking on doors, exchanging contact information, and conducting a meeting with Tulsa Public Schools administration. He reported receiving numerous concerns from residents regarding the site's proximity to a nearby school, the negative perception of individuals waiting for services, potential effects on property values, and the influx of other unhoused individuals to the area. He provided explanations addressing each of the primary concerns raised by the neighbors.

Speakers

- (+) Sarah Grounds, 1018 W. 23rd St., Executive director of The City Lights Foundation of Oklahoma, expressed that the establishment of a facility like this in the community would serve as a significant benefit to both the neighborhood and the unhoused.
- (+) Mark Smith, 907 S. Detroit Ave., CEO of Housing Solutions, remarked that homelessness is on the rise and that the Merchant will significantly address a pressing need within the Admiral corridor.
- (+) Mark Hodge, 3816 S. Willow Ave, Broken Arrow, indicated that the presence of a facility providing services for the unhoused and those in need will enhance safety and security in the area.
- (-) Robin Mickle, 5747 E. 2nd St., was concerned about criminal activity and the proximity to two schools.
- (-) Melissa Remington, 4909 E. 2nd St., was concerned about insufficient community involvement.
- (-) Carol Barrett, 5920 E. Admiral Pl., was concerned about individuals loitering before and after hours.
- (-) Dino Hux, 5920 E. Admiral Pl., was concerned about the potential effects on his business, which is located directly adjacent to the property in question.

- (=) Elsie Urueta, 1254 E. 30th Pl., CEO of Tulsa Honor Academy, mentioned that the applicant had not reached out to her, but she is willing to collaborate to ensure safety for her students. She expressed a concern that the opening and closing times of the Merchant are very close to the arrival and dismissal times of the school.
- (-) Kem Mullenax, 5515 E. 5th Pl., was concerned about safety and loitering.
- (-) Yolanda Sevier, 28 S. Lakewood Ave., was concerned about security, property values, litter, and the potential for chaos that could affect the neighborhood.
- (-) Aaron Failes, 12602 S. 289th E. Ave., Coweta, was concerned about the lack of transparency from the applicant and the safety of children.
- (-) Pam Stout, 907 S. Canton Ave., was concerned about safety in public spaces.

Ms. Williams exited at 3:15 p.m.

- (-) Shaun Black, 5328 E. 4th Pl., was concerned about the overall quality and safety of the neighborhood.
- (-) Krista Waldron, 5335 S. Erie Ave., was concerned about the safety of children and the neighborhood, as well as the lack of transparency.
- (-) Robbert Wilson, 224 S. Allegheny Ave., was concerned about safety and the proximity to the school and neighborhood.
- (-) Jane Mullenax, 5515 E. 5th Pl., was concerned about the applicant's lack of transparency and the safety of the children.
- (-) Charles Taylor, 6103 E. Admiral Blvd., was concerned about the vetting process that the applicant claimed would be implemented.
- (-) Frank Sanders, 5730 E. Admiral Pl., was concerned about property values, as well as the safety of the neighborhood and local businesses.
- (-) Loree Vinyard, 4523 E. Admiral Blvd., was concerned about the possibility of increased crime in the area.
- (-) Rick Phillips, 5915 E. Admiral Pl., was concerned about the influx of more individuals into the neighborhood.
- (-) Dennis Henry, 901 S. Braden Ave., was concerned about the safety of the neighborhood.
- (+) Jerry Armiger, 1562 E. 49th St., noted that currently there is a concern regarding the unhoused population in the vicinity, and the addition of a facility offering assistance will increase safety and security for the community.
- (-) John Malloy, 928 S. Erie Ave., was concerned about the negative effect that the Merchant could have on the neighborhood.
- (+) Tara Gomes, 1901 S. 68th E. Ave., stated that if a facility providing support for the needy is not established, there will be a rise in criminal activity.
- (-) Jay Murphy, 5004 E. Archer St., was concerned about the safety of children.

Rebuttal

Mr. Paschall expressed a desire to engage in a dialogue with the CEO of the Tulsa Honor Academy for an open-ended discussion. He mentioned that it would take an individual an hour and a half to walk from their current location to the new site. He explained that there are already numerous individuals in the vicinity who are unhoused, and they would be addressing the existing needs in that area. He emphasized that their mission extends beyond merely assisting the unhoused, but they also aim to collaborate with the community. He remarked that at their present location, they are deeply involved in community activities, and their presence has only contributed to growth since their establishment. He indicated that if the application receives approval, it would lead to the revitalization of the area, enhancing its safety and overall quality. He acknowledged the ongoing discussions regarding the future of individuals after the closure and mentioned that they are developing a plan to

address those concerns. He stated that they are open to community suggestions, and their intention is to foster a partnership with residents.

Board Comments

Mr. Wallace remarked that the community is quite accustomed to the introduction of such facilities and has provided an informed viewpoint. He mentioned that other areas of the city require these facilities, not solely downtown. He emphasized that this presents an opportunity for all parties to address the needs of the area. He expressed his reluctance to vote on the issue today, indicating that it could significantly benefit the community if the appropriate measures are implemented.

Ms. Stauffer expressed her discontent with postponing a case when numerous individuals have come forward to voice their opinions. She noted that while there is a consensus on the necessity of these services, there is a reluctance to have them in one's neighborhood. She highlighted the need within the community for adequate services. She acknowledged the apprehensions regarding the proximity of such a facility to two schools; however, she pointed out that the school her child attends has a day center within walking distance, which has not compromised the school's safety. She commented that revitalizing blighted properties benefits the neighborhood. She concluded by stating that the Merchant has successfully operated in its current location for many years without proving to be detrimental to the community.

Mr. Barrientos expressed his support for the application but stated he would prefer a continuance with a short timeframe. He conveyed his belief that there remains more to comprehend. He mentioned that the business operates only three days a week and caters to approximately 250 individuals. He indicated that an increase in operational days would also result in a higher number of people being served. He emphasized that there is a greater opportunity for dialogue among neighbors, stakeholders, schools and the applicant.

Ms. Radney articulated that there is a demand in the community for the services that the applicant intends to offer. She mentioned that she lacks sufficient information to cast a vote on the issue and suggested postponing it for a month. She pointed out that there is community work that still requires attention.

Ms. Radney inquired whether the applicant would be opposed to delaying the matter until July 22.

Mr. Schmidt remarked that they have a contract with their financial institution, which stipulates a specific timeframe for completion, and if they fail to meet it, the contract will be rendered void.

Mr. Wallace clarified that matters cannot be delayed due to financial concerns but focused on what is best for the community. He stated that if the community collaborates with the applicant, something significant could emerge from it.

Ms. Stauffer expressed her belief that additional time would not make much difference. She noted that the discussion will likely remain very one-sided, as those who will be served cannot attend to represent themselves.

Board Action

Motion: Continue to the July 22, 2025 meeting.

Motion By: Wallace

Ayes: Barrientos, Radney, Wallace

Nays: Stauffer

Abstentions: None

Absent: Williams

Other Business

None

New Business

None

Board Member Comments

None

Staff Comments

None

Adjournment

There being no further business, the meeting was adjourned at 4:58 p.m.

Date approved: _____

Chair: _____