

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 1294
Tuesday, May 10, 2022, 1:00 p.m.
Tulsa City Council Chambers
One Technology Center
175 East 2nd Street

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Bond, Chair Radney, Vice Chair	Barrientos		
Wallace Brown, Secretary		D. Wilkerson K. Sawyer K. Davis A. Chapman	A. Blank, Legal

The notice and agenda of said meeting were posted in the City Clerk's office, City Hall, on May 4th, 2022, at 12:23 p.m., as well as at the Office of INCOG, 2 West Second Street, Suite 800. After declaring a quorum present, Chairman Bond called the meeting to order at 1:05 p.m.

Mr. Chapman read the rules and procedures for the Board of Adjustment Public Hearing.

MINUTES

None.

Mr. Bond announced that a Board member is not present and there will only be a Board of 4 and directed applicants to speak with Mr. Chapman if they would like to request a continuance.

UNFINISHED BUSINESS

23325- Ryan Neurohr, Image Builders

Action Requested:

Special Exception to permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c) **Special Exception** to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F)
LOCATION: 1127 S COLUMBIA AV E (Mayo Demonstration Academy) **(CD 4)**

Presentation:

Walter Moore- 11410 N. 145th E. Ave. Owasso, OK 74055

Mr. Moore requested a continuance until August 9th, 2022.

Interested Parties:

No interested parties.

Comments and Questions:

Board Action:

On **MOTION** of **Radney**, the Board voted 4-0-0 (Bond, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **CONTINUE** a request for a **SPECIAL EXCEPTION** to permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c) **SPECIAL EXCEPTION** to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F) to the August 9th, 2022 meeting; for the following property:

NE NE NW SEC 8 19 13

23335- Jack Taber

Action Requested

Special Exception to permit a Self-service Storage Facility in a CS District (Sec. 15.020, Table 15-2)

LOCATION: 7626 E 51 ST S **(CD 7)**

Presentation:

Nathan Cross- 2 West 2nd St., Suite 700 Tulsa, OK 74104

Mr. Cross requested announced he is representing the applicant and is requesting a continuance until the June 14th, 2022 Board of Adjustment hearing.

Interested parties:

None.

Question and Comments:

None.

Board Action:

On **MOTION** of **Radney**, the Board voted 4-0-0 (Bond, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **CONTINUE a SPECIAL EXCEPTION** to permit a Self-service Storage Facility in a CS District (Sec. 15.020, Table 15-2) to the June 14th, 2022 meeting; for the following property:

**PRT LT 1 BEG NWC LT 1 TH E331 S250 W6 S339.13 W146.19 NW292.90
NE425.34 N130 POB BLK 13,SOUTHERN PLAZA B8-15**

23349- Charles Maddox

Action Requested:

Special Exception to allow Accessory Dwelling Unit in an RS-2 Zoned District (45.031-A); **Variance** to reduce the 30-foot street setback in the RS-2 District (Sec. 5.030-A, Table 5-3) **Variance** to allow a detached accessory building/dwelling unit to exceed 40% of the floor area of the principal residential building (Sec. 45.030-A, Sec. 45.031-D)

LOCATION: 221 E HAZEL BV S (CD 4)

Presentation:

No presentation given the applicant had requested a continuance to Mr. Chapman.

Interested parties:

None.

Question and Comments:

None.

Board Action: On **MOTION** of **Radney**, the Board voted 4-0-0 (Bond, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **CONTINUE** the requests for a **SPECIAL EXCEPTION** to allow Accessory Dwelling Unit in an RS-2 Zoned District (45.031-A); **VARIANCE** to reduce the 30-foot street setback in the RS-2 District (Sec. 5.030-A, Table 5-3) **VARIANCE** to allow a detached accessory

building/dwelling unit to exceed 40% of the floor area of the principal residential building (Sec. 45.030-A, Sec. 45.031-D) to the May 24th, 2022 meeting; for the following property:

PRT LT 14 BEG SEC TH W40 N TO PT 42W OF NEC E42 S POB & ALL LT 15 BLK 12,SUNSET TERRACE

23341- Jason Coutant

Action Requested:

Special Exception to allow a wall or fence to exceed 8-feet in height (Sec. 45.080-A)

LOCATION: 1257 E HAZEL BV S (CD 4)

Presentation:

No presentation given the applicant had requested a continuance to Mr. Chapman.

Interested parties:

Thomas Askew- 21131 Renaissance Drive Sand Springs, OK 74063

Mr. Askew spoke on behalf of an interested party and requested the continuance until the June 14th Hearing.

The applicant signaled he agreed.

Question and Comments:

None.

Board Action:

On **MOTION** of **Radney**, the Board voted 4-0-0 (Bond, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **CONTINUE** the request for a **SPECIAL EXCEPTION** to allow a wall or fence to exceed 8-feet in height (Sec. 45.080-A) to the June 14th, 2022 meeting; for the following property:

LT 21 BLK 11,SUNSET TERRACE

23348- Hana Momic

Action Requested:

Special Exception to permit an Accessory Dwelling Unit in the RS-1 District (Sec. 45.031-D); **Variance** to permit a Detached Accessory Dwelling exceeding 1-story or 18-feet in height and 10-feet to the top of the top plate in the rear setback (Sec. 90.090-C)

LOCATION: 3822 S ATLANTA PL E (CD 9)

Presentation:

No presentation given the applicant had requested a continuance to Mr. Chapman.

Interested parties:

None.

Question and Comments:

None.

Board Action:

On **MOTION** of **Radney**, the Board voted 4-0-0 (Bond, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **CONTINUE** the requests for a **SPECIAL EXCEPTION** to permit an Accessory Dwelling Unit in the RS-1 District (Sec. 45.031-D); **VARIANCE** to permit a Detached Accessory Dwelling exceeding 1-story or 18-feet in height and 10-feet to the top of the top plate in the rear setback (Sec. 90.090-C) to the May 24th, 2022 meeting; for the following property:

S100 N294 E135 NW SW SW SEC 20 19 13 .31AC

NEW APPLICATIONS

23332- Cheryl Harlin Jones

Action Requested:

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

LOCATION: 2730 S HARVARD AV E (CD 4)

Presentation:

Cheryl Harlan Jones- 1426 N. Waco Ave., Tulsa, OK 74127

Ms. Jones stated the following: A medical marijuana dispensary is modeled after a regular pharmacy, just like Walgreens and CVS. We have scheduled C drugs. We also have to have a narcotics license that allows us to distribute medical marijuana. If this concept got across to all Oklahomans before the medical marijuana bill passed, I believe it wouldn't be... We probably wouldn't be where we are right now. Let's see. So if we were CVS or Walgreens, I don't believe we would be here either as for the distance discrepancies there's a policy that tells you

exactly how to measure and who the policy in the city. The policy that y'all have that shows how to measure it doesn't actually give you a measuring tool.

I believe that that policy needs to be more specific because if you ask, I mean, I have five different measurements and if you use Google maps, if you use an aerial map, it doesn't matter what you use. You're going to get five different measurements. So the first measurement we got was before we signed a lease, it was 1056 feet. We measured it ourself. We rolled it with a roller, the second measurement we got, we got it from a survey that we used a map survey, and we got 1030 feet. So we initiated the lease with Mr. Hogan. And after we initiated the lease, we started the building permit. The building permit started back in October of '21. And after we initiated that, we... It came to us going for the COO or the building permit. I had to turn in a satellite view. Well, I didn't turn in a satellite view, which I, that was my fault. I didn't read it. And that's what caused this. So the satellite view went from. This is what I turned in. I turned in this, it wasn't a satellite view, so that generated the city to do their own map. And I asked them, I asked Ms. Box twice. "What map did she use?" And I never got a response to that. What map tool did she use? But I never got a response to that. So I did two more by myself. OH, okay. I had two done And this one says 970 feet. This one says 1032 feet. So there's a difference in how you measure, if you... Think everybody doesn't use the same map tool, you're not going to get the same exact distance. So we're talking first after the 1056 feet, after the 1032 feet. Well then the city did one at 990 feet, and that's what got us here. Cause we were 10 feet shy. Then after the 990 feet, I don't know what other map tool they used. It came to 957 feet. So now we're 43 shy... 43 feet shy of a dispensary. So my problem is, is that I believe that the ruling that you use it needs to have, it needs to have exactly how you measure. It tells you how building the building, but it doesn't give you that tool. Cause if everybody used the same tool, well then we would all come out with the same distance. And that's, that's, that's how I feel. And, and then I have this exhibit. So if you're measuring to this dispensary, there's a wall, here's their wall. Well, there's a lift and then there's a breezeway with a double stitch. I think it's a triple stairs. Isn't it? Cause one goes down and then two goes and then it go up. And, that could cause the discrepancy too, if you're not using the right type of tool, but then you have to ask yourself, What tool?

And so, anyway, here's our building and, on our building we have, we also have a lift and, but here's our walk. And so that, I believe that's the 10 feet discrepancy. I don't know, because I don't know what map tool y'all used to come up with the nine or nine feet. Now I did get a professional survey and I asked him if he measured door to door to the concrete exactly what the law says. If he measured that well, I never got a response and, his measurement came to 957 feet. So we as a, so there's five of us that are, were going into this dispensary. And, I don't believe that we would've, gone into this. If we had a known that we were that close and, we're because we're all business owners and we're, we're all pretty knowledgeable people about the law. But, there was just a lot of, to me it's just a lot of discrepancies. I believe that this ruling that y'all have, it needs to have a map

guide, where you can click on the map and take the measurement that way everybody has the same measurements.

Greg Weiss- 8039 S. 260 E. Ave., Broken Arrow, OK 74104

In October of 2021 when we originally applied for the application, the original law was door to door. At that point, we fell into the thousand feet guideline because it's actually about 1018 feet. It wasn't until November, December time, when you all changed the law, when it was building to building, that puts us adamant with the 990 feet that y'all are claiming with door to door or with building to building. So if you go by the original law, when we filled out the app original application on October, we were in the law and in the guidelines at that point, and we've done a lot to try to clean up the area. There's some homeless people in the area.

We have done a lot in the area. Also trying to clean up the area. There was some homeless people there, us along with the land, the building owner, dealt with the city and actually dealt with the people, getting them apartments and getting them out of the area. We cleaned up the area. We've had trash people come in and actually cleaned up the whole public area for viewing from everybody. So it's not just on our property. We're trying to clean it up for the establishment in the area. I grew up over there and I'm trying to keep it a clean, nice environment.

Interested Parties:

None.

Question and Comments:

Mr. Bond acknowledged several emails received in this matter.

Mr. Chapman clarified that the city ordinance had not changed since the spacing requirement had been adopted and guidance given from the Planning Office has not changed.

Mr. Chapman explained the exhibits an applicant must present to the Permit Office when applying for dispensary permits.

Mr. Weis and Ms. Jones came back to the podium and further discussed the amount of relief requested.

Mr. Chapman reminded the Board that the denial of the permit is not being appealed, but the applicant have requested a variance.

All parties agreed to a continuance to verify the amount of relief requested.

Board Action:

On **MOTION** of **Radney**, the Board voted 4-0-0 (Bond, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **CONTINUE** the request for a **VARIANCE** of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Sec. 40.225-D)_to the May 24th, 2022 meeting; for the following property:

N 10 LT 11 ALL LT 12 BLK 1,BANDERA

23336- Ryan Neurohr, Image Builders

Special Exception to permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c) **Special Exception** to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F) **LOCATION:** 5402 N MARTIN LUTHER KING JR BV E (John Hope Franklin Elem) (CD 1)

Presentation:

Walter Moore- 11410 N. 145th E. Ave. Owasso, OK 74055

Mr. Moore stated the following: I'm representing Ryan in this matter, This location is John Hope Franklin Elementary School. We will be using the existing location of the sign right now, and all these signs will be installed, with the ability for the Tulsa public school systems to control them from one central location or each individual schools will be able to control it and put their own, graphics, their own design, their own information on the signs. We will... Tulsa public schools will adhere to the city ordinance to, close the sign down, shut it completely off at 9 o'clock at night, and it will reopen at 7 o'clock in the morning. It will be dimmed, at dusk from 6500 knits to 500 knits. And, and then, when it becomes sunlight again, the next day, it will revert back to 6500 knits.

Interested Parties:

No interested parties.

Comments and Questions:

None.

Board Action:

On **MOTION** of **Radney**, the Board voted 4-0-0 (Bond, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **APPROVE** a **SPECIAL EXCEPTION** to permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c) and a **SPECIAL EXCEPTION** to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F) per the conceptual plan on page 4.12 and not to include white plexiglass background on the main face. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

BEG NEC NE TH W750 S1733 E750 N1733 TO POB SEC 11 20 12,

23337- Ryan Neurohr, Image Builders

Action requested:

Special Exception to permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c)

LOCATION: 12150 E 11 ST S (East Central High School) **(CD 6)**

Presentation:

Walter Moore- 11410 N. 145th E. Ave. Owasso, OK 74055

Mr. Moore stated the following: This also is the same... Size and type of display, to the exception we're asking for is to allow a dynamic display, to be in a residential district, containing a school. This is my, alma mater. And they are the Cardinals.

Interested Parties:

No interested parties.

Comments and Questions:

None.

Board Action:

On **MOTION** of **Radney**, the Board voted 4-0-0 (Bond, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **APPROVE** a **SPECIAL EXCEPTION** to permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c) **SPECIAL EXCEPTION** to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F) per the conceptual plan on page 5.12 and not to include white plexiglass background on the main face. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the

neighborhood or otherwise detrimental to the public welfare; for the following property:

LT 1 GEMO ADDN & E130 N660 NE NE NW & N300 NE NE NE NW LESS E130 & PRT W200 E/2 NE NE NW BEG 300S NWC THEREOF TH S65 E200 N65 W200 POB LESS W25 & BEG 365S & 25E NWC W200 E/2 NE NE NW TH S55 E175 N55 W175 POB & NW NE LESS ALL E/2 E/2 NW NW BEG NEC E/2,

23338- Ryan Neurohr, Image Builders

Action Requested:

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

LOCATION: 1921 E 29th St N (Anderson Elementary) **(CD 1)**

Presentation:

Walter Moore- 11410 N. 145th E. Ave. Owasso, OK 74055

Mr. Moore stated the following: Mr. Moore stated the following: This sign will be going exactly where the old sign went. I had a discussion just a while ago with a couple that was in the room here. Their only concern was what was going to be put on the sign. I discussed with them that the Tulsa public schools were doing their own artwork on it, and they needed to get in contact. Her concern wasn't about the sign. It was only about our generic sign drawing, just so it was Anderson elementary, and she was concerned. She wanted to make sure it said Marian Anderson. And I believe I've seen the artwork for this, in its beginning stages. And Marian Anderson will be the full name of the sign. So that was the only complaint that I had was that they were concerned about the actual graphics on the sign.

Interested Parties:

No interested parties.

Comments and Questions:

None.

Board Action:

On **MOTION** of **Radney**, the Board voted 4-0-0 (Bond, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **APPROVE** a **SPECIAL EXCEPTION** to permit a Dynamic Display sign in an Residential District containing

a School Use (Sec. 60.050-B.2.c) **SPECIAL EXCEPTION** to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F) per the conceptual plan on page 6.12 and not to include white plexiglass background on the main face and the hours of the sign are limited 7:00 AM – 8:00 PM. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

SE NW SE SEC 19 20 13

23339- Ryan Neurohr, Image Builders

Action Requested:

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

LOCATION: 4309 E 56 ST S (Carnegie Elementary) **(CD 9)**

Presentation:

Walter Moore- 11410 N. 145th E. Ave. Owasso, OK 74055

Mr. Moore stated the following: This sign right now, it's too close to the street. We plan on pulling it out. In the drawing that's up now, we plan on removing the front pole, which is the closest to the Street, retaining the second pole location and making it a single pole sign, which puts us back the 20-feet from the driving surface, which is required by the city of Tulsa.

Interested Parties:

No interested parties.

Comments and Questions:

None.

Board Action:

On **MOTION** of **Radney**, the Board voted 4-0-0 (Bond, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **APPROVE** a **SPECIAL EXCEPTION** to permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c) **SPECIAL EXCEPTION** to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F) per the conceptual plan on page 8.12, not to include white plexiglass background on the main face the hours of the sign are limited 7:00 AM – 8:00 PM. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of

the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

BG 264 W SE COR SW NE TH N 495.09 W 396.96 S.179.8 W 415 S.315.33 E 811.99 TO BG SEC 33 19 13,

23340- Ryan Neurohr, Image Builders

Action Requested:

Special Exception to permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c) **Special Exception** to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F) **LOCATION:** 3213 E 56 ST S (Building Address: 3111 E. 56th St. S.) (Eisenhower Elementary) **(CD 9)**

Presentation:

Walter Moore- 11410 N. 145th E. Ave. Owasso, OK 74055

Mr. Moore stated the following: This sign has changed locations, on the overhead drawing, the original sign was on Harvard, which was actually on the same corner as Grimes elementary school. And between the principal and the director of the bonds department, they decided that that was not a very good place to place the sign. The traffic flow actually goes down 56th Street and circles through the parking lot, or it goes down 56th Street and circles through the bus drive in front of the school. So they requested that we move the sign to, off of 56th Street, South, right next to the bus turnaround and the children drop off area.

Interested Parties:

No interested parties.

Comments and Questions:

None.

Board Action:

On **MOTION** of **Radney**, the Board voted 4-0-0 (Bond, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **APPROVE** a **SPECIAL EXCEPTION** to permit a Dynamic Display sign in an Residential District containing a School Use (Sec. 60.050-B.2.c) **SPECIAL EXCEPTION** to permit a dynamic display sign within 200-feet of Residentially Zoned Lots (Sec. 60.100-F) per the conceptual plan on page 8.12 and not to include white plexiglass background on the main face. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the

neighborhood or otherwise detrimental to the public welfare.; for the following property:

SE NE LESS E466.69 N766.69 & LESS E199.5 S200.5 & LESS BEG SWC TH N30 E619.98 N30 E242.4 S30 E258.12 S30 W POB & LESS BEG 766.69S NEC SE NE TH W100 S353.56 E100 N353.56 POB FOR STS SEC 32 19 13 29.117ACS,

23342- Kensy Maxwell

Action Requested:

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

LOCATION: 14115 E APACHE ST N (CD 3)

Presentation:

Kenzie Maxwell- 14675 S. 4050 R. Oologah, OK 74053

Ms. Maxwell stated the following: I'm requesting a special exception to store and display motorized vehicles on a surface, other than one consisting of dustless all weather surface. I just got recently approved for my used car dealer license, so I'm going to start out small, have one to two vehicles, so that was what I was requesting.

Ms. Maxwell confirmed she is wishing to use gravel and it is an existing condition on site.

Interested Parties:

None.

Questions and Comments:

Board members indicated support with a 10-year time limit.

Board Action:

On **MOTION** of **Brown**, the Board voted 4-0-0 (Bond, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **APPROVE** a **SPECIAL EXCEPTION** to permit the storage or display of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface outside of the required building setbacks (Sec. 55.090-F-2) per the conceptual plan on page 10.5 and subject to a 10-year time limit. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be

injurious to the neighborhood or otherwise detrimental to the public welfare.; for the following property:

LT 1 BLK 1,UC-1,

23343- Shirley Thomas

Action Requested:

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

LOCATION: 2138 N DELAWARE AV E (CD 3)

Presentation:

Shirley Thomas- 2124 N. Delaware Ave. Tulsa, OK 74110

Ms. Thomas stated the following: I'm here to get a special acceptance to place a manufactured home on my lot. Because me and my kids are in two-bedroom house right now. We need more space.

Ms. Thomas explained that she believes the manufactured home was built in 2019 and would have vinyl siding.

Questions and Comments:

Ms. Radney stated the following: I would be inclined to support it. But what I will acknowledge is that when we agree to these exceptions, we usually have a little bit more to see in front of us so that we can kind of get an idea of what it will look like on the outside. Even, if we just had like a picture of some other house, that's not this one, but that we can put into the record, that the neighbor is asking, is opposed. But I am aware that it's quite possible to set these more these manufactured homes down in a way where it does sort of blend in with the neighborhood. But it's hard for us to know if that's going to be, unless we can't see it. Would you have any objection to, providing the board with that kind of, information or maybe even if you wanted to look on your phone and see if you could find a picture of one that we could reference?

Ms. Thomas indicated that she could provide a picture, but it just looks like a normal house.

Ms. Chapman requested that she could email him the picture and he could bring it up on the projector but requested the Board table this item while she does that to keep the meeting moving.

Mr. Bond in his capacity as the chair move this item until Ms. Thomas could send in the picture.

23344-OSAGE- Concept Builders, Inc

Action requested:

Special Exception to permit Detached Houses in the CS District (Sec.15.020-H, Table 15-2.5)

LOCATION: West side of N. Country Club Dr. in between West Jasper St. and W. Haskell Pl. (Multiple Lots) **(CD 1)**

Presentation:

Robert Cleven- 1236 S. Lewis Ave., Tulsa, OK 74104

Mr. Cleven stated the following: It's my first time doing this. So, we bought these lots from Tulsa housing authority, with the intend to build a single-family residence. Honestly, we never looked that close at the zoning. It kind of got by us, it got by title company. It got by our lender. The Northern two, most lots don't have a zoning issue. The two lots that are across from the park don't have a zoning issue, but there's this little old overlay and I'm not sure exactly historically how this ended up being there that goes over these middle five lots. One of part of that goes over an existing single-family house that's already there. It's been there for a while, right? We're just basically wanting to get it fixed so that we can, finish up our permits. We're actually building, we got the permits on the Northern most two lots. Now we're building, but we have a couple contracts and customers for two more houses and we're just kind of waiting to get the zoning to where we can get our permit and build.

Mr. Chapman explained that he was contacted by the city Permit Center to review the zoning and he confirmed that it was CS. It was originally done by the Housing Authority in the 70's or 80's. He was unaware of their original intent.

Questions and Comments:

All Board member indicated support for the application.

Board Action:

On **MOTION** of **Wallace**, the Board voted 4-0-0 (Bond, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **APPROVE** a **SPECIAL EXCEPTION** to permit Detached Houses in the CS District (Sec.15.020-H, Table 15-2.5) per the conceptual plan on pages 12.5-12.9. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.; for the following property:

**LOTS 3, 4, 5, 7, 8 BLOCK 2 COUNTRY CLUB ADDITION, CITY OF TULSA,
OSAGE COUNTY, STATE OF OKLAHOMA**

23345- Randy Brandstetter

Action Requested:

Variance to reduce the required 25-foot rear building setback in the RS-2 District (Sec. 5.030-A; Table 5-3)

LOCATION: 2539 S OWASSO AV E (CD 4)

Presentation:

Interested Parties:

Questions and Comments:

Board Action:

Board Action:

On **MOTION** of Randey, the Board voted 4-0-0 (Bond, Wallace, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **APPROVE a VARIANCE** to reduce the required 25-foot rear building setback in the RS-2 District (Sec. 5.030-A; Table 5-3), per the conceptual plan on pages 13.5-13.8 of the agenda packet. Finding hardship to be that the shape of the lot and the home that was constructed, and the original plat all predated the modern zoning code. 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, for the following property:

LT 5 BLK 9,SUNSET TERRACE

23347- Tom Beverage

Action Requested:

Special Exception to permit an Accessory Dwelling Unit in the AG-R District (Sec. 45.031-D)

LOCATION: 3045 W 77 ST S (CD 2)

Presentation:

Tom Beverage- 8605 E. 116th St. N., Owasso, OK 74055

We're trying to build a accessory dwelling structure. It's a shop building and he's wanting to put an office in there. As for the drawings to office, he designed his, two things is two stand as an office for the next five to seven years, while he's working from home with his private company. But in the future to double as their mother-in-law, placed to keep her as her health starts scaling here. She's been in and out of the hospital, so that's what they're setting it up for the future.

Interested parties:

Ruth Seefeldt- 3055 W. 77th St. Tulsa, OK 74132

Ms. Seefeldt stated the following: We share our easternmost boundary of our property shares the westernmost boundary. So this shop will be just a few feet off of our property line and we are completely in agreement with what they're doing. We have absolutely no problems with it. We've talked with Kate and Justin through the whole construction process. They've had to raise the level of the ground quite a bit, so we're actually looking at, a lot of dirt work to make it level and we're still fine with it.

Questions and Comments:

None.

Board Action:

On **MOTION** of **Wallace**, the Board voted 4-0-0 (Bond, Brown, Radney "aye"; no "nays"; no "abstentions"; Barrientos absent) to **APPROVE** a **SPECIAL EXCEPTION** to permit an Accessory Dwelling Unit in the AG-R District (Sec. 45.031-D) per the conceptual plans on page 14.9-14.13 of the agenda packet. The Board finds that the requested Special Exception will be in harmony with the spirit

and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.; for the following property:

NE NW NW SW LESS S25 FOR RDS SEC 10 18 12

Mr. Chapman announced that Ms. Thomas was ready to present in BOA-23343.

Ms. Bond requested announced that the Board would bring back BOA-23343.

23343- Shirley Thomas

Action Requested:

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

LOCATION: 2138 N DELAWARE AV E (CD 3)

Presentation:

Shirley Thomas- 2124 N. Delaware Ave. Tulsa, OK 74110

Ms. Thomas presented a conceptual picture of the manufactured housing unit.

Interested parties:

None.

Questions and Comments:

Mr. Wallace acknowledged that this does not look like a trailer house but looks like a nice modular home.

Mr. Brown brought the letter of objection from Mr. Moreno to the attention of the Board for the record.

Ms. Radney the following: I would be inclined to support with the condition that the final exterior work be of like, of a manner in style that matched what we saw today. And that it also be set on off of its wheels and on some kind of a permanent footing that'd be skirted. And that parking will be on the lot. And that that driveway will be installed at the time that it's cited. Did that get it all?

Mr. Bond indicated he was in support.

Board Action:

On **MOTION of Radney**, the Board voted 4-0-0 (Bond, Brown, Radney, Wallace "aye"; no "nays"; no "abstentions"; Barrientos absent) to **APPROVE** a to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); **SPECIAL EXCEPTION** to extend the one-year time limit to allow the Manufactured Housing Unit for 25 years (Sec.40.210-A) per conceptual plans 11.6 -11.8 of the agenda packet and the exhibit presented at today's hearing. Subject to the unit being set on a permanent foundation, to be skirted, driveway installed to meet the zoning code an exterior siding as presented in exhibit present to the Board. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

LOT 3 BLK 1,WAFUL HGTS RESUB B9 CITY VIEW & PRT B8&19 TULSA HGTS

23350- Gregory Helms

Action Requested:

Special Exception to amend a previously approved site plan for a school use in the RS-3 District (Table 5.020, Table 5-2; Sec.70.120)

LOCATION: 1919 W 40 ST S (CD 2)

Presentation:

Greg Helms- 424 E. Main St. Jenks, OK 74103

Mr. Helms stated the following: I'm the architect, working with Tulsa public schools on this project, as part of the 2021 TPS bond program, these projects were voted on by the public. What we're doing, most of the work will be in the Southeast corner of the property. There's an existing cafeteria, original gym building. We're adding on a band addition to that building that that band addition will have two classrooms, that will also be... Being a tornado shelter. And then the other major pieces that we're looking at adding, teaching greenhouse to the existing, ag building or horticulture building, which is along the East property line. So yeah, in that site plan kind of in that lower right hand corner are where the two additions are gonna be. One to building C and then the other is building D is the ag building. And then we're doing, some reconfiguring of the parking lots as part of our projects. We're required to provide 14 new spaces, part reconfiguring. We'll actually provide 41 new spaces. So we'll be providing 27 more spaces than what's necessary. I know parking's always an issue at the schools, especially at Webster. And then we are, also Webster's on that historic register, so the main entry that faces to the Northeast, we're going to redo the planters, the entry steps, bring some of the historic light fixtures, get those back operating. And along with that, the addition,

the band addition, that's at building C will match the existing architectural design. The latest edition was done around 2006. It blends pretty well with the original building and we will carry across the same architectural wines and not building heights.

Mr. Helms indicated he had not heard objections from neighbors.

Mr. Brown stated the following in the interest of transparency: I was architect years and years ago for a major expansion. And parking is always a problem in this area, especially during athletic events. It's a wicked problem that there's not a good solution to, other than security roaming the neighborhood. Also my grandfather Raymond Kerr, was one of the original architect, two original architects for Webster high school.

Mr. Chapman brought to the Board's attention that there is information regarding Webster High School application for inclusion on the National Registry in the packet if they are interested.

Interested parties:

None.

Questions and Comments:

All Board member indicated their support for the request.

Board Action:

On **MOTION** of Brown, the Board voted 4-0-0 (Bond, Brown, Radney, Wallace "aye"; no "nays"; no "abstentions"; Barrientos absent) to **APPROVE** a to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); and a **SPECIAL EXCEPTION** to amend a previously approved site plan for a school use in the RS-3 District (Table 5.020, Table 5-2; Sec.70.120) per conceptual plans 17.20-17.21 of the agenda packet. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

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,

OTHER BUSINESS

None.

NEW BUSINESS

None.

BOARD MEMBER COMMENTS

None.

There being no further business, the meeting adjourned at 2:49 pm.

Date approved: _____

DRAFT

Chair