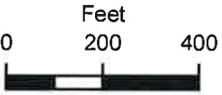


**SUBJECT TRACT**

**BOA-22944**

21.1



**BOARD OF ADJUSTMENT  
CASE REPORT**

**STR:** 9311

Case Number: **BOA-22944**

**CZM:** 38

**CD:** 5

**HEARING DATE:** 06/23/2020 1:00 PM

**APPLICANT:** Lori Worthington

**ACTION REQUESTED:** Variance to permit a freestanding sign to exceed 20' in height in an RS-3 District (Sec. 60.050-B-2.b) and a Special Exception to permit a Dynamic Display Sign in an RS-3 District (Sec. 60.050 B-2.c)

**LOCATION:** 7903 E 15 ST S

**ZONED:** RS-3

**PRESENT USE:** Church

**TRACT SIZE:** 173129.93 SQ FT

**LEGAL DESCRIPTION:** S/2 SE SE NE LESS E33 & LESS S40 W597 E630 & LESS W30 FOR STS SEC 11 19 13 3.975ACS,

**RELEVANT PREVIOUS ACTIONS:**

**Subject property:**

**BOA-20344;** On 10.24.2006 the board **approved** a Variance to allow an LED Message Board in an RS-3 District.

**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.

21.2

REVISED 6/12/2020

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located at the NW/c of E. 15<sup>th</sup> Street S. and S. Memorial Drive.

**STAFF COMMENTS:** The applicant is requesting a **Variance** to permit a freestanding sign to exceed 20' in height in an RS-3 District (Sec. 60.050-B-2.b) and a **Special Exception** to permit a Dynamic Display Sign in an RS-3 District (Sec. 60.050 B-2.c)

**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.

**c. Dynamic Displays**

Dynamic displays are prohibited in R, AG, and AG-R districts except that on a lot occupied by an allowed public, civic or institutional use, the board of adjustment is authorized to approve a special exception for the allowed wall sign or the allowed freestanding sign to include a dynamic display.

- (1) The allowed dynamic display component may not exceed 32 square feet in area, and no more than one (wall or freestanding) dynamic display is allowed per street frontage.
- (2) The sign area allowed for a dynamic display is not in addition to the maximum sign area allowed for a wall or freestanding sign, but rather is counted as part of the maximum area of a wall or freestanding sign.
- (3) Dynamic displays in R, AG, and AG-R districts may operate only between the hours of 7:00 a.m. and 9:00 p.m. unless otherwise expressly approved through the special exception process.
- (4) Dynamic displays are subject to the dynamic display regulations of [Section 60.100](#).

The applicant is seeking a sign height of 23'.

**STATEMENT OF HARDSHIP:** The sign has already been approved through INCOG. The Permit was applied for but somehow never got issued.

**SAMPLE MOTION:**

**VARIANCE:**

Move to \_\_\_\_\_ (approve/deny) a **Variance** to permit a freestanding sign to exceed 20' in height in an RS-3 District (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."*

**SPECIAL EXCEPTION:**

Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to permit a Dynamic Display Sign in an RS-3 District (Sec. 60.050 B-2.c)

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

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



*Subject Property facing West*



*Facing South on Memorial Dr.*



*Facing North on Memorial Drive*

**Presentation:**

Mr. Cuthbertson informed the Board the applicant requested a continuation to better prepare for presentation.

**Board Action:**

On **Motion** of **Tidwell**, the Board voted 5-0-0 (Dunham, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **CONTINUE** Case No. 20351 to the meeting on November 14, 2006, on the following described property:

E 345' W 1005' of Lt 4 SW/4 SW/4 Section 31, T-20, R-12, City of Tulsa, Osage County, State of Oklahoma

\* \* \* \* \*

**Case No. 20359**

**Action Requested:**

Variance of the setback for an accessory building in the required rear yard from 3ft to 1ft and 2ft - 10in to permit a cabana (Section 210.B.5.b), located: 1638 East 31<sup>st</sup> Place South.

**Presentation:**

Mr. Cuthbertson informed the Board that the applicant requested a continuance to the meeting on November 14, 2006.

**Board Action:**

On **Motion** of **Stead**, the Board voted 5-0-0 (Dunham, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **CONTINUE** Case No. 20359 to the meeting on November 14, 2006, on the following described property:

BG 341.7W & 316S NEC NE NW TH S183.25 W158.3 N133.25 ELY ON CRV 48.26 REV CV 136.90 E39.47 POB SEC 19 19 13, City of Tulsa, Tulsa County, State of Oklahoma

\* \* \* \* \*

**UNFINISHED BUSINESS**

**Case No. 20344**

**Action Requested:**

Variance of the requirement that illumination of a sign shall be by constant light to permit an LED message board in an RS-3 district (Section 402.B.4.b), located: 7903 East 15<sup>th</sup> Street South.

**Presentation:**

**Martha Oglesby**, represented the Memorial Drive United Methodist Church. They proposed to put up this changeable copy sign on Memorial Drive. They would not have running, flashing lights, or time and temperature.

**Comments and Questions:**

Ms. Stead asked if this sign was just slightly larger than the existing sign, to which Ms. Oglesby replied that it is.

**Interested Parties:**

There were no interested parties who wished to speak. The Board received a letter of opposition (Exhibit A-1).

**Board Action:**

On **Motion of Dunham**, the Board voted 5-0-0 (Dunham, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Variance of the requirement that illumination of a sign shall be by constant light to permit an LED message board in an RS-3 district (Section 402.B.4.b), finding the variance will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan on the following described property:

S/2 SE SE NE LESS E33 & LESS S40 W597 E630 & LESSW30 FOR STS SEC  
11 19 13 3.975ACS, City of Tulsa, Tulsa County, State of Oklahoma

\*\*\*\*\*

**NEW APPLICATIONS**

**Case No. 20352**

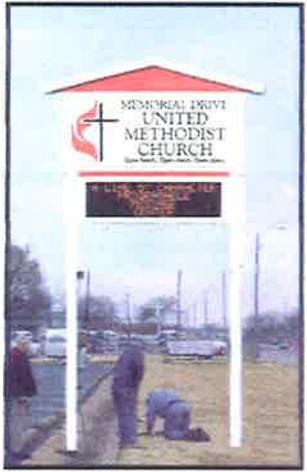
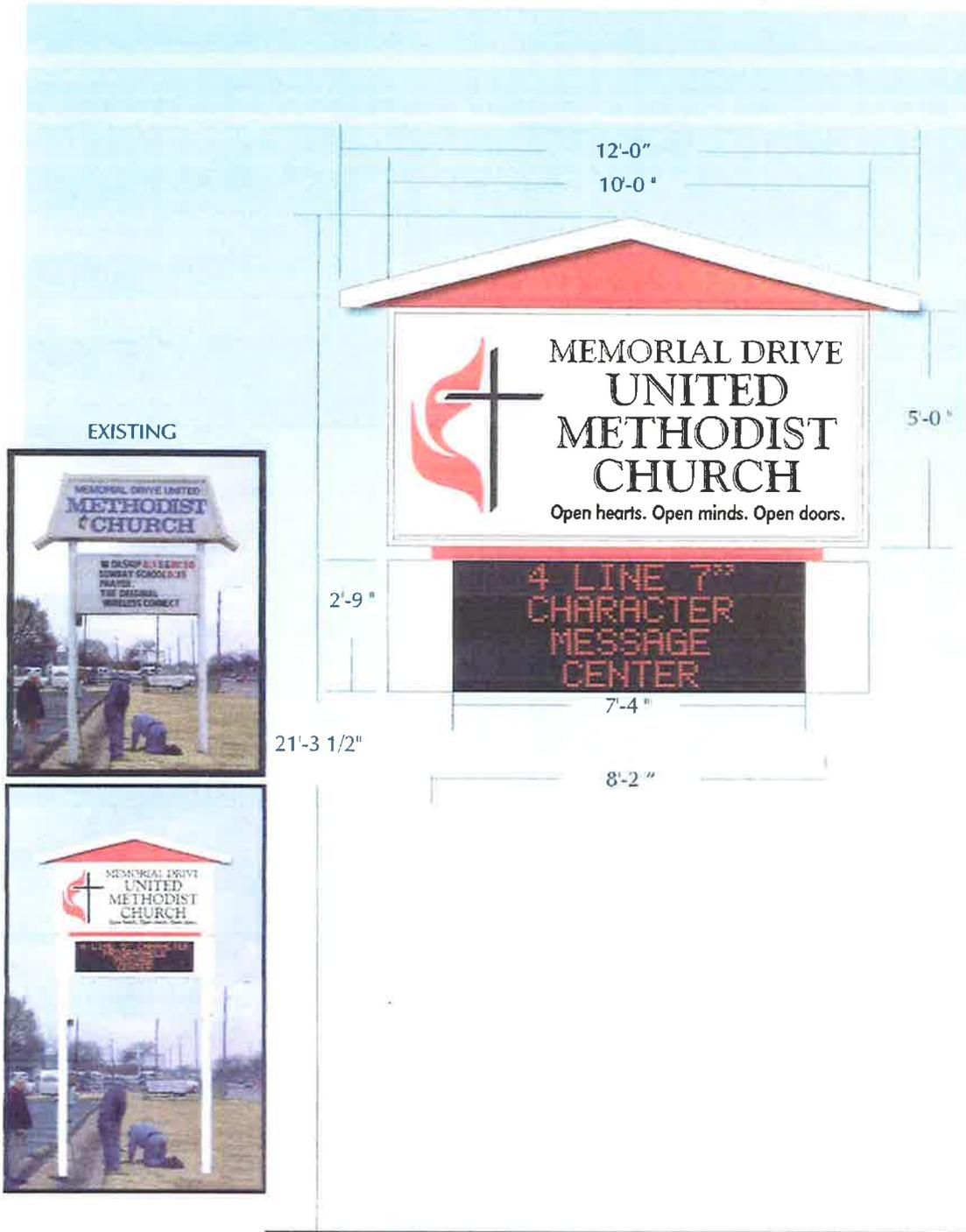
**Action Requested:**

Variance of the rear yard requirement in an RS-2 district from 25' to 19.1' to permit a covered porch addition (Section 403), located: 2106 South St. Louis Avenue.

**Presentation:**

**Charles Norman**, 2900 Mid-Continent Tower, represented Mr. and Mrs. Don Miller, the owners of the subject property. They are in the process of remodeling the home. He pointed out the dimensions on all four sides of the property are different. He provided a site plan and photographs (Exhibits B-1 and B-2). He added there is a curve on the frontage. The plans include a covered porch, which would occupy approximately 72 ft. of the required rear yard. He stated the proposed porch would still leave the lot non-conforming under the current zoning code. This plan would still allow more than 50% of livability space and would not change the side yards. This encroachment will not be visible from any neighbor. The applicants have discussed the application with his neighbors also.

MFG. & INSTALL D/F ILLUMINATED POLE SIGN W/ E.D.S.



SPECS:

ROOF SECTION- .040" ALUMINUM

MAIN CABINET- FORMED & EMBOSSED PAN FACES, INTERNALLY ILLUMINATED, .040" PRE-FINISHED WHITE ALUMINUM CABINET & RETAINERS

MARQUEE SECTION- ADAPTIVE STREETSMART E.D.S. W/ RED LED'S, .040" PRE-FINISHED WHITE ALUMINUM FILLER & CABINET

UTILIZE EXISTING 6" POLES PAINTED WHITE *BOA 20344*

**a-max signs**  
BY WESTWOOD  
9520 E. 55th PLACE, TULSA OK. 74145  
(918) 622-0651 • FAX (918) 622-0659

CUSTOMER: MEMORIAL DRIVE UNITED METHODIST CHURCH  
LOCATION: 7903 E 15TH STREET  
DESCRIPTION: MFG & INSTALL  
SALES REP: BRUCE ANDERSON

APPROVED AS DRAWN  
 APPROVED AS NOTED  
 MAKE CHANGES & RESUBMIT

SCALE: 3/8" = 1'-0"  
DATE: 03 27 06  
FILE: POLE\_3  
W.O. #:  
DRAWN BY: HOFFMANN

NOTE: COLORS AS PRINTED HERE ARE APPROXIMATE REPRESENTATIONS OF SPECIFIED COLORS THAT MAY NOT MATCH EXACTLY TO THAT OF FINISHED PRODUCT. WHERE COLOR SELECTION IS CRITICAL, PLEASE ASK SALES REP FOR ACTUAL COLOR SAMPLES.

21.9

DANNY WHITEMAN  
SIGN PLANS EXAMINER  
TEL (918)596-9664  
EMAIL dwhiteman@cityoftulsa.org



DEVELOPMENT SERVICES  
175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103-3227

## SIGN PLAN REVIEW

LOD Number: 1

March 24, 2020

Lori Worthington  
9520 E. 55<sup>th</sup> Pl.  
Tulsa, OK 74145

Phone: 918-622-0651

*Memorial Dr. Methodist Church*

APPLICATION NO: **SIGN-056636-2020** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)  
Location: 7903 E. 15<sup>th</sup> St.  
Description: Freestanding Sign with digital display

### INFORMATION ABOUT SUBMITTING REVISIONS

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

#### REVISIONS NEED TO INCLUDE THE FOLLOWING:

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2<sup>nd</sup> STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A \$55 RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

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

### IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, THE INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 WEST 2<sup>ND</sup> STREET, 8<sup>TH</sup> FLOOR, TULSA, OK, 74103 OR TELEPHONE (918) 584-7526.
3. PRESENT THIS LETTER TO INCOG WHEN APPLYING FOR BOARD OF ADJUSTMENT OR PLANNING COMMISSION ACTION.

(Continued)

## REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG)

Application No. SIGN-056636-2020

7903 E. 15<sup>th</sup> St.

March 24, 2020

This letter of deficiencies covers Sign Plan Review items only.

For ground, monument, pole & outdoor advertising structure sign applications only, you may receive additional letters from other disciplines such as Water/Sewer/Drainage for additional deficiencies regarding Utility Easement placement which are not addressed in this letter.

### 1. Section 60.050 B-2.b Signs in R and AG Zoning Districts, 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 Comments:** The proposed freestanding sign with a dynamic display exceeds the maximum height allowed in an RS-3 zoning district. You may reduce the height of the sign to 20 feet or less, or you may pursue a variance from the Board of Adjustment (BOA) to exceed the allowed freestanding sign height in an RS-3 zoning district.

### 2. Section 60.050 B-2.c Signs in R and AG Zoning Districts, Dynamic Displays

Dynamic displays are prohibited in R districts and AG districts except that on a lot occupied by an allowed public, civic or institutional use, the board of adjustment is authorized to approve a special exception for the allowed wall sign or the allowed freestanding sign to include a dynamic display.

**Review Comments:** The proposed freestanding sign with a dynamic display is located in an RS-3 zoning district, and requires a special exception from the Board of Adjustment (BOA) to be located in an RS-3 zoning district.

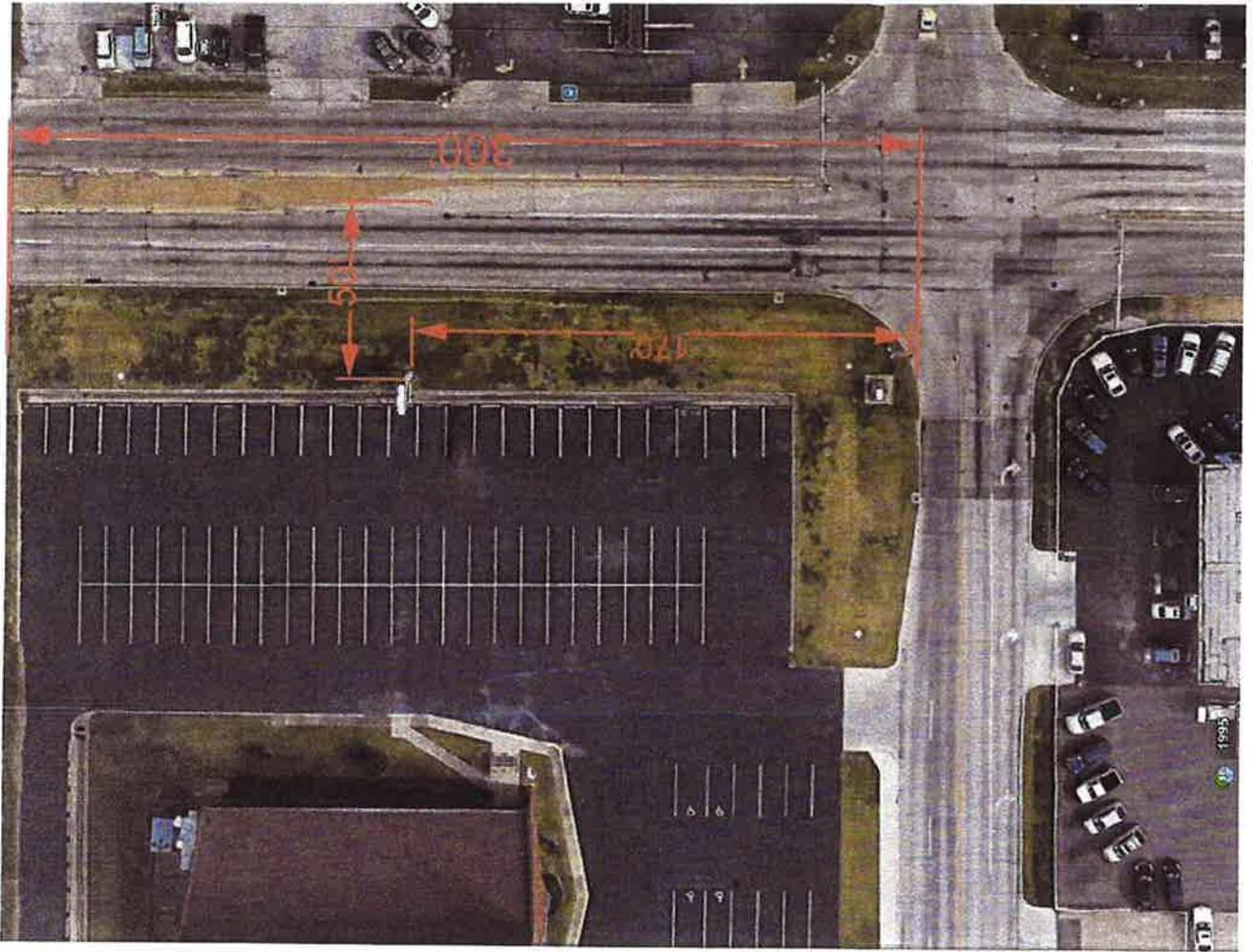
NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to send the decision of any actions by the BOA or TMAPC affecting the status of your application for a Sign Permit to our office so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

## END – ZONING CLEARANCE AND SIGN CODE REVIEW

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

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A CITY OF TULSA SIGN PERMIT.

MEMORIAL DRIVE UNITED  
METHODIST CHURCH  
7903 E 15TH STREET



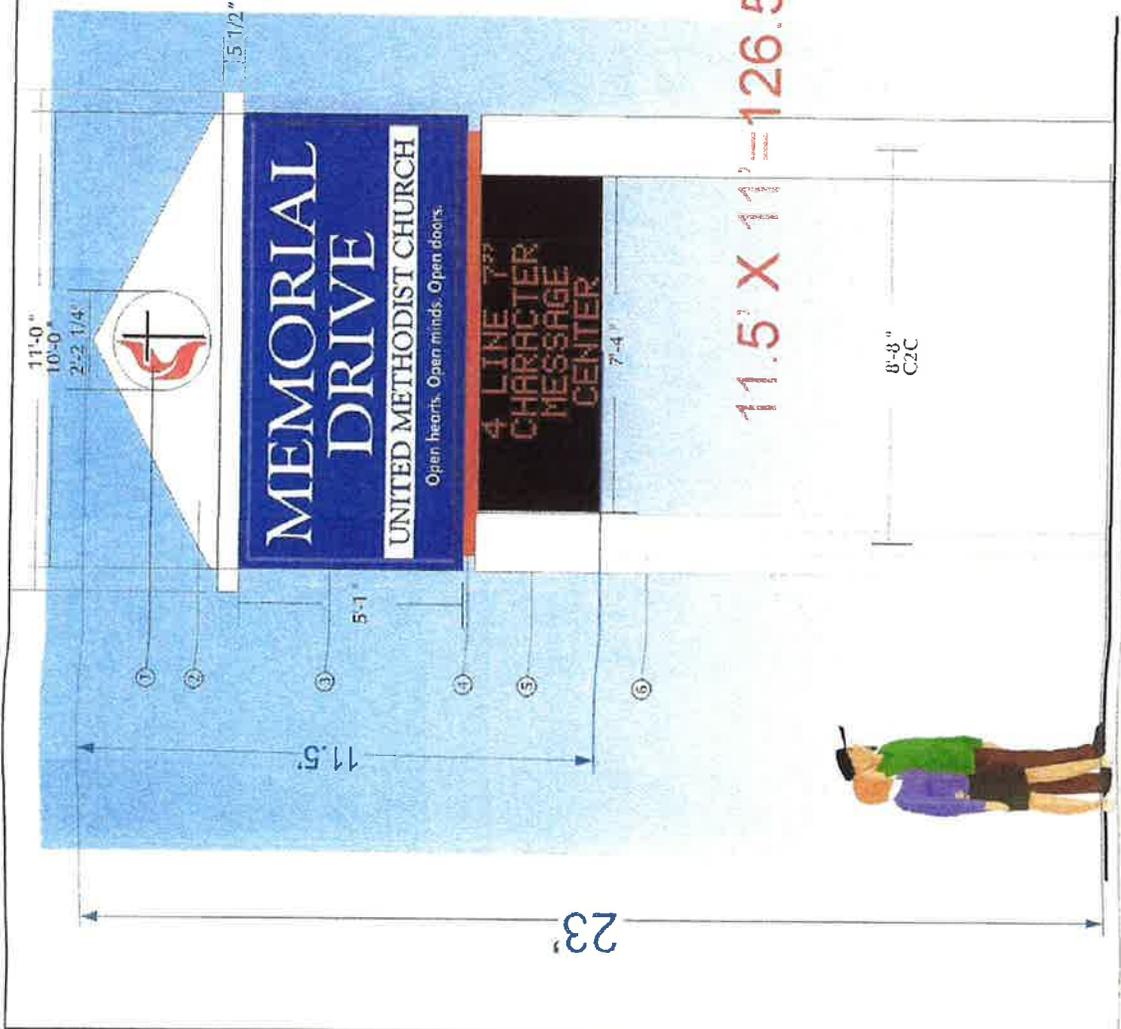
21.12

0 56636

MFG. & INSTALL D/F ILLUMINATED POLE SIGN W/ E.D.S. UTILIZE EXISTING POLES.

- ① 3/16" WHITE ACRYLIC FACE W/ 3630-33 RED & 3630 BLACK VINYL GRAPHICS
- ② .040" P/F WHITE ALUMINUM, 1.5" STEEL ANGLE IRON FRAMEWORK, INTERNALLY ILLUMINATED
- ③ .040" CHAMPION BLUE ALUMINUM CABINET, STEEL ANGLE IRON FRAMEWORK, 3/16" FORMED & EMBOSSED PAN FACES, INTERNALLY ILLUMINATED
- ④ 3" P/F .040" RED ALUMINUM REVEAL
- ⑤ 2X ADAPTIVE STREETSMART 4 LINE 7" E.D.S. W/ RED LED'S
- ⑥ .040" P/F WHITE ALUMINUM POLE COVERS OVEREXISTING 7.125" O.D. PIPE

NOTES:  
ELECTRICAL SERVICE TO BE COMPLETED BY OTHER CONTRACTOR



11.5' X 11' = 126.50 SQFT

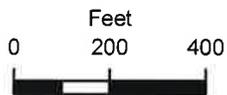
<p>CUSTOMER: MEMORIAL DRIVE U.M.C.          LOCATION: 7903 E. 15TH ST.          DESCRIPTION: MFG. &amp; INSTALL NEW D/F &amp; MSG. CNTR,          REMOVE EXISTING SIGNS, UTILIZE EXISTING POLES          SALES REP: BRUCE ANDERSON</p>	<p>APPROVED AS DRAWN  <input type="checkbox"/> APPROVED AS NOTED  <input type="checkbox"/> MAKE CHANGES &amp; RESUBMIT</p>	<p>SCALE: 3/8" = 1'-0"          DATE: 11/20/06          FILE: POLT BLUE          W.O. #: 32752B</p>
<p>IMPORTANT: DO NOT WORK WITHOUT SIGNED APPROVAL          INFORMATION: COLOR SELECTION IS CRITICAL. PLEASE ASK SALES REP FOR ACTUAL COLOR SAMPLES</p>		
<p>DRAWN BY: DAVID A. HOFFMANN, I.D.</p>		

THIS ORDER IS SUBJECT TO CONFIDENTIALITY AND REMAINS OUR PROPERTY UNTIL PAID IN FULL

**a-max signs**  
 BY WEBSTER BOOK

9520 E. 55th PLACE, TULSA OK. 74145  
 (918) 622-0651 • FAX (918) 622-0659

21.13



Subject  
Tract

**BOA-22944**

19-13 11

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

Aerial Photo Date: February 2018



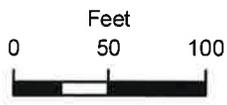


S79 EAVE

S MEMORIAL DR

E 15th ST S

E 15 CT S



Subject Tract

**BOA-22944**

19-13 11

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

Aerial Photo Date: February 2018



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