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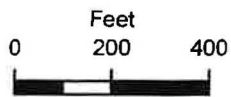
SUBJECT TRACT

RS

AG

LEGEND

Tulsa Corporate Limits



BOA-23117

20-12 31

2.1



**BOARD OF ADJUSTMENT  
CASE REPORT**

**STR:** 0231  
**CD:** 1

Case Number: **BOA-23117**

**HEARING DATE:** 06/08/2021 1:00 PM *(Continued from 05/25/2021 and 05/11/2021)*

**APPLICANT:** Brett Davis

**ACTION REQUESTED:** Variance of the dustless, all-weather parking surface requirements to allow a gravel driveway (Section 55.090-F)

**LOCATION:** 6505 W. Edison St.

**ZONED:** AG

**PRESENT USE:** Residential

**TRACT SIZE:** 4.2413 acres

**LEGAL DESCRIPTION:** 31-20-12 BEG SE/C LOT 5-N 377.5' TO NE/C LOT 5-W 457.73'-S 390.10' TO S LN LOT 5-E 460' TO BEG City of Tulsa, Osage County County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:** None.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:** The Tulsa Comprehensive Plan identifies the subject property as part of a "New Neighborhood" and an "Area of Growth".

**The New Neighborhood** designation is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an existing or new Neighborhood or Town Center.

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.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located North of the intersection of W. Edison St. and N. 65<sup>th</sup> W. Ave.

**STAFF COMMENTS:** The applicant is requesting a Variance of the dustless, all-weather parking surface requirements to allow a gravel driveway (Section 55.090-F)

2.2

1. All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of Section 55.090-F.4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

The applicant states in their hardship that the road sits back 800' feet from the road, but their site plan indicates their home is roughly 200'-250' from the right-of-way. The Board may wish to require the applicant to pave the approach within the right-of-way and require a construction permit inside the right-of-way as a condition of their approval.

**STATEMENT OF HARDSHIP:** The home is 4 plus acres and sits back 800 feet from the road. Also, the neighborhood all have gravel.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Variance** of the dustless, all-weather parking surface requirements to allow a gravel driveway (Section 55.090-F)

- Finding the hardship(s) to be \_\_\_\_\_.
- Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.
- Subject to the following conditions \_\_\_\_\_.
- **Suggested Condition:** Applicant must acquire a right-of-way permit from the City of Tulsa and driveway to be built in compliance with all other city specifications.

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

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

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

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

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

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

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

*g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan."*



***Subject Property***



***Neighbor across Edison does have a paved driveway.***

2.4

**Jeff S. Taylor**  
Zoning Official  
Plans Examiner III  
TEL(918) 596-7637  
jstaylor@cityoftulsa.org



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### ZONING CLEARANCE PLAN REVIEW

5/21/2020

**Brett Davis**  
brett@thebirchco.com

**APPLICATION NO: ZON LOD- 061288-2020** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

**Project Location: 6505 W Edison St N**

**Description: Detached House**

#### INFORMATION ABOUT SUBMITTING REVISIONS

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

#### REVISIONS NEED TO INCLUDE THE FOLLOWING:

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

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

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

#### IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. PURSUANT TO FEDERAL, STATE, AND LOCAL DECLARATIONS OF EMERGENCY ARISING FROM THE COVID-19 THREAT AND AS DIRECTED BY THE ADMINISTRATION, OUR OFFICE IS CLOSED TO THE PUBLIC UNTIL FURTHER NOTICE. PAPER SUBMITTALS (INCLUDING REVISIONS AND ADDENDUM) FOR ANY PROJECT IS NOT ACCEPTED AT THIS TIME. IF SUBMITTING REVISIONS FOR APPLICATIONS THAT PREVIOUSLY UTILIZED PAPER PLANS, EMAIL THE REVISED PLANS TO [COTDEVSVCS@CITYOFTULSA.ORG](mailto:COTDEVSVCS@CITYOFTULSA.ORG) OR SUBMIT ELECTRONIC PLAN REVISIONS ON THE PORTAL AT [HTTPS://TULSAOK.TYLERTECH.COM/ENERGOV4934/SELFSERVICE](https://tulsaok.tylertech.com/energov4934/selfservice) . YOU WILL NEED TO REGISTER ON THE PORTAL IF YOU HAVE NOT PREVIOUSLY DONE SO.
3. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
4. A COPY OF A "RECORD SEARCH"  IS  IS NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.)

(continued)

## REVIEW COMMENTS

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

Application No. ZN LOD- 0000-2020

**Note:** As provided for in Section 70.130 you may request the Board of Adjustment to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

**55.090-F Surfacing.** All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of §55.090-F4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

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

**This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter. A hard copy of this letter is available upon request by the applicant.**

**Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:**  
[www.tulsaplanning.org/plans/TulsaZoningCode.pdf](http://www.tulsaplanning.org/plans/TulsaZoningCode.pdf)

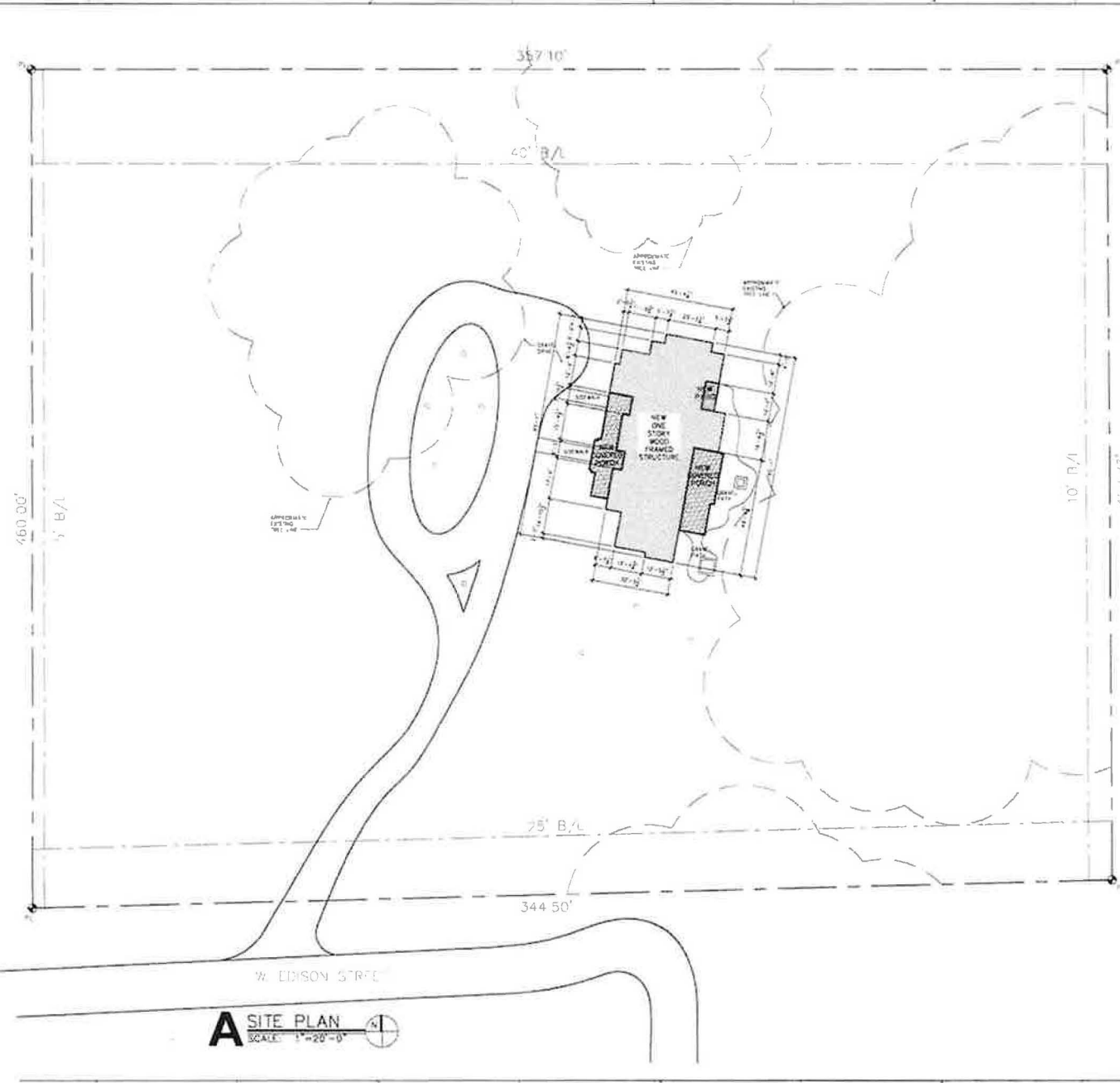
**Please Notify Plans Examiner By Email When You Have Submitted A Revision. If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online**

## END –ZONING CODE REVIEW

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

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

2.7



**LEGAL DESCRIPTION**  
 OSAGE COUNTY PARCEL NO. 21630  
 LAND AREA: 1.4261 ACRES  
 LOCAL DESCRIPTION:  
 21.25' S 28.00' E 171.00' S 12.00' E  
 W 1/4 SEC 10, T17N, R10E, S10000000  
 S 1/4 S 10, 4E, 12 R10

**ADDRESS**  
 6505 WEST EDISON STREET  
 TULSA, OKLAHOMA 74127

**SITE PLAN LEGEND W/ SF TOTALS**

[Hatched Box]	NEW ONE STORY WOOD FRAMED STRUCTURE	1,000 SF
[Hatched Box]	NEW CONCRETE PORCH	1,145 SF
[Hatched Box]	NEW GARAGE PORCH	1,000 SF
<b>TOTAL GROSS SF</b>		<b>3,145 SF</b>

**STORM WATER**  
 TO EXISTING SITE DRAINAGE TO NEARBY  
 S.E. THROUGH THE NO. 2 DRAIN  
 EXISTING SITE DRAINAGE PATTERNS TO REMAIN

**NOTE**  
 PERMITS: LOCATION OF PERMITS TO BE OBTAINED BY  
 CLIENT. THIS SITE PLAN SHOWS THE GENERAL LOCATION  
 OF THE PROPOSED STRUCTURE AND PORCHES. THE  
 EXACT LOCATION AND AREA WILL BE DETERMINED  
 BY ENGINEER TO THE PERMITTING AGENCY.

- INFORMATIONAL NOTES**
1. NOTIFY ROGERS DESIGN BUILD OF ANY DISCREPANCIES ASSOCIATED WITH THE DRAWINGS OR ITEMS LISTED BELOW.
  2. PERFORM WORK IN COMPLIANCE WITH ALL APPLICABLE ACCESSIBILITY, FEDERAL, STATE AND LOCAL CODES AND ORDINANCES. VERIFY ALL EXISTING UNDERGROUND UTILITY LOCATIONS PRIOR TO CONSTRUCTION.
  3. REFER TO DRAWINGS FOR MATERIALS AND STANDARDS OF CONSTRUCTION.
  4. COORDINATE ALL TRADES PRIOR TO CONSTRUCTION TO ENSURE PROPER SEQUENCE OF THE WORK.
  5. VERIFY ALL EXISTING CONDITIONS PRIOR TO BIDDING, FABRICATING AND CONSTRUCTION.
  6. DO NOT SCALE DRAWINGS.
  7. VERIFY SIZE, CHARACTERISTICS AND REQUIRED CLEARANCES OF ALL EQUIPMENT TO BE INSTALLED WITH MANUFACTURERS OR SUPPLIERS PRIOR TO CONSTRUCTION.
  8. PROVIDE BLOCKING AS SPECIFIED FOR SLOTTED AND SURFACE MOUNTED ITEMS PRIOR TO APPLYING WALL-SURFACE MATERIALS.
  9. CONCEAL ALL PLUMBING DUCTWORK, CONDUIT AND WIRE UNLESS NOTED OTHERWISE.
  10. IF CONSTRUCTION OR CONSTRUCTION MANAGEMENT IS PERFORMED BY PARTIES OTHER THAN ROGERS DESIGN BUILD, ROGERS DESIGN BUILD IS NOT RESPONSIBLE FOR MATERIALS AND WORKMANSHIP, QUALITY OF CONSTRUCTION, DRAWING INTERPRETATIONS OR EXTRAPOLATIONS, FINAL CONSTRUCTION COST OR FINISHED PRODUCT.
  11. ROGERS DESIGN BUILD WILL BE HELD HARMLESS FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING FROM ANY DISPUTES RELATED TO THE PROJECT.

**6505 GOETSCH RESIDENCE**

8505 WEST EDISON STREET  
 TULSA, OK 74127

**ROGERS**  
 design • build  
 ROGERS DESIGN BUILD CO.  
 1000 S. GLENVIEW AVENUE, TULSA, OK 74106  
 TEL: 918.488.2222 FAX: 918.512.1674

**SITE PLAN**

[Symbol]	OWNER	[Symbol]	DATE
[Symbol]	DATE	[Symbol]	DATE
[Symbol]	DATE	[Symbol]	DATE

**A001**



W EDISON ST

W EDISON ST

W CAMERON ST

N 65th W AVE

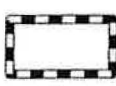
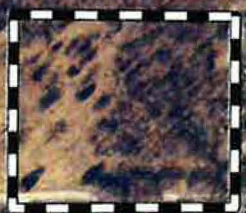
W BRADY PL

N 70 W AVE

W BRADY ST

N 69 W AVE

W ARCHER ST



Subject Tract

**BOA-23117**

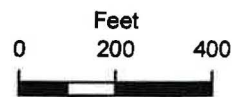
20-12 31

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

Aerial Photo Date: February 2018



2.8

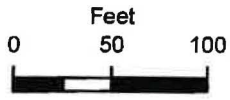






WEDISON ST

N 65th W AVE



 Subject Tract

**BOA-23117**

20-12 31

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

Aerial Photo Date: February 2018



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