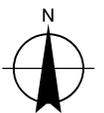
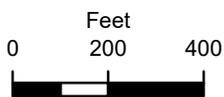


BOA-23342

20-14 21



10.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 0421
CZM: 31
CD: 3

Case Number: **BOA-23342**

HEARING DATE: 05/10/2022 1:00 PM

APPLICANT: 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

ZONED: IM

PRESENT USE: Light-Industrial

TRACT SIZE: 422085.06 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 1, UC-1

RELEVANT PREVIOUS ACTIONS: None.

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

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.

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity. Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c of E. Apache St. and N. 141st E. Ave. The property is surrounded by Industrial property including multiple gravel drives serving those industrial uses.

STAFF COMMENTS: The applicant is requesting 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)

55.090-F

Surfacing

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.
2. All motorized vehicles designed for travel upon public streets and that are being parked, stored or displayed for sale must be parked, stored or displayed on dustless, all-weather surface. This surfacing requirement does not apply to junk or salvage yards. **The board of adjustment is authorized to grant a special exception permitting the storage or display of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface if the location complies with all applicable minimum building setbacks.**

The applicant is adding a vehicle sales use to the property and as a part of the update to their building permit they are required to bring the existing gravel parking lot into compliance.

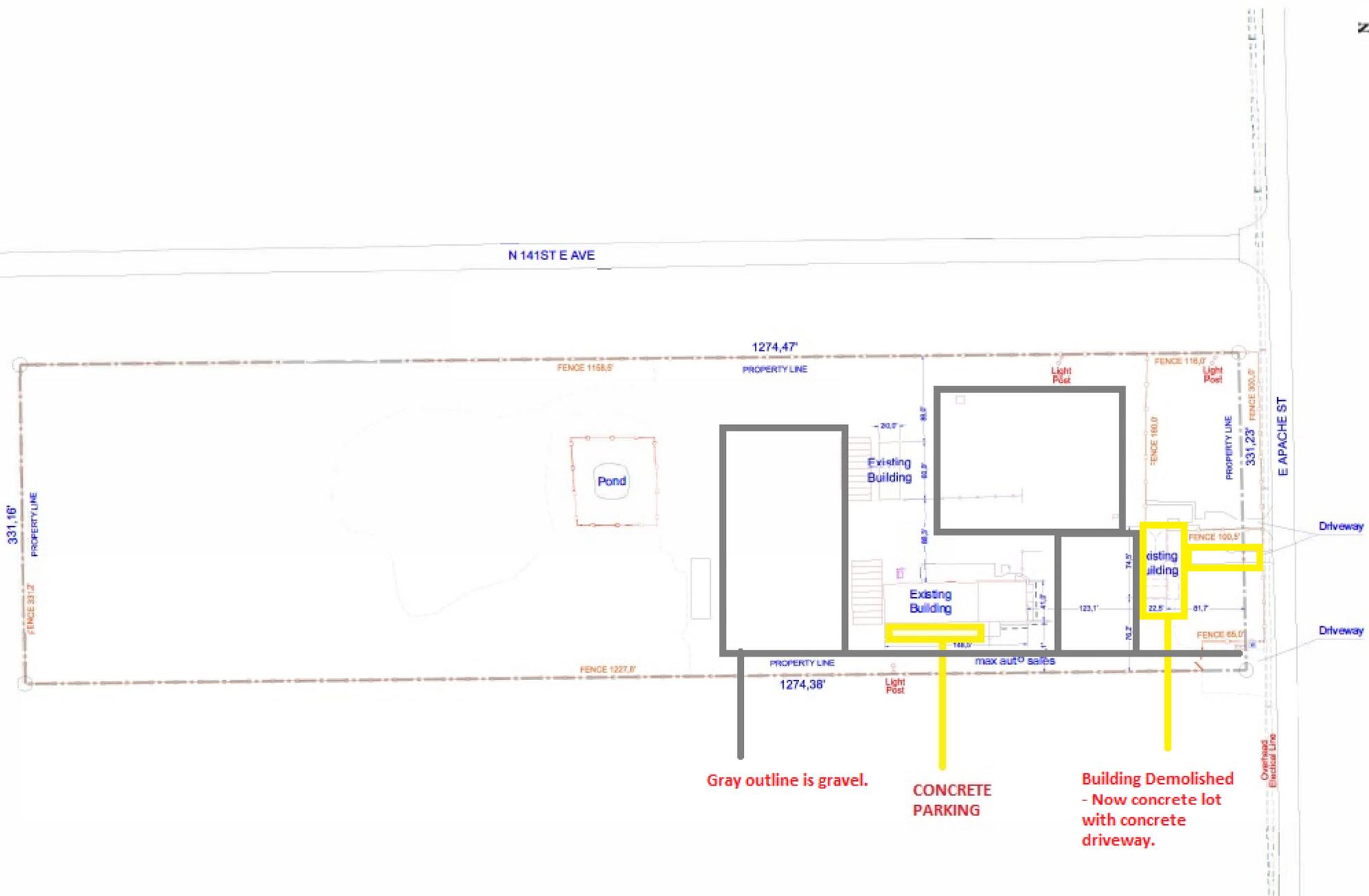
SAMPLE MOTION: Move to _____ (approve/deny) a **Special Exception** to permit the storage or display of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface outside of the required building setbacks (Sec. 55.090-F-2)

- Per the Conceptual Plan(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



Gray outline is gravel.

CONCRETE PARKING

Building Demolished - Now concrete lot with concrete driveway.

Parcel No. (APN) 14115000000
 Zoning Code IM INDUSTRIAL
 Parcel Use COMMERCIAL
 Building Area 418,122 SQ. FT. (ACROSS)
 Subdivided Area 120

14115 E APACHE ST
 TULSA, OK 74118
 Scale: 1"=100'

10.5

DANA L. BOX
ZONING
PLANS EXAMINER

TEL (918)596-9657
danabox@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1

March 2, 2022

Kensy Maxwell
14115 E. Apache St. N.
Tulsa, OK 74116

Phone: 816-591-8763

APPLICATION NO: **ZCO-110846-2022**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: **14115 E. Apache St.**

Description: **Auto Sales**

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 2nd 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. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
3. INFORMATION ABOUT THE ZONING CODE, BOARD OF ADJUSTMENT (BOA), PLANNING COMMISSION (TMAPC), AND THE TULSA PLANNING OFFICE AT INCOG CAN BE FOUND ONLINE AT WWW.TULSAPLANNING.ORG; IN PERSON AT 2 W. 2ND ST., 8TH FLOOR, IN TULSA; OR BY CALLING 918-584-7526 AND ASKING TO SPEAK TO SOMEONE ABOUT THIS LETTER OF DEFICIENCY.

A COPY OF A "RECORD SEARCH" **[X] 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 <http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

ZCO-110846-2022

14115 E. Apache St. N.

March 2, 2022

Note: As provided for in Section 70.130 you may request the Board of Adjustment (BOA) 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 a representative at the Tulsa Planning Office 918-584-7526 or esubmit@incog.org. It is your responsibility to submit to our office 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.

1. **Sec.70.080-C:** Zoning clearance permit applications must be accompanied by a legal description of the lot and plans, drawn to scale, showing at least the following information:
 - The location and size of any existing buildings or structures to be erected or altered;
 - The existing and intended use of each building or structure and portion of the lot; and
 - The location and dimensions of customer and employee parking and outdoor display of vehicles for sale. This includes the parking spaces and the maneuvering areas necessary to enter and exit the parking and display area.

Review Comment: Submit a site plan indicating the location of the prospective auto lot and the designated parking on the lot.

2. **Sec.55.090-F2:** All motorized vehicles designed for travel upon public streets and that are being parked, stored or displayed for sale must be parked, stored or displayed on dustless, all-weather surface. This surfacing requirement does not apply to junk or salvage yards. The board of adjustment is authorized to grant a special exception permitting the storage or display of motorized vehicles on a surface other than one consisting of a dustless; all-weather surface if the location complies with all applicable minimum building setbacks.

Review comment: The proposed vehicle storage area is not located on a dustless, all-weather surface. Resubmit a site plan providing a dustless, all-weather surface. You may consider submitting a Special Exception, reviewed and approved per Sec.70.120, to permit the storage of motorized vehicles on a surface other than one consisting of a dustless; all-weather surface if the location complies with all applicable minimum building setbacks. Contact INCOG/Tulsa Planning Office for further instruction and next steps. 918-584-7526.

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:
<http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

Please notify the reviewer via email when your revisions have been submitted

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.

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.

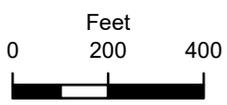
KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

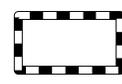


E APACHE ST

N 141st E Ave

N 145th E Ave



 Subject Tract

BOA-23342

20-14 21

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

Aerial Photo Date: 2020/2021



10.9