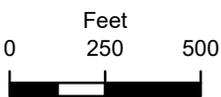


BOA-23369

18-13 08



BOARD OF ADJUSTMENT CASE REPORT

STR: 8308
CZM: 52
CD: 2

Case Number: **BOA-23369**

HEARING DATE: 06/14/2022 1:00 PM

APPLICANT: Jim Beach

ACTION REQUESTED: Special Exception to modify a previously approved site plan for a university in a residential district (Sec.5.020, Table 5-2, Sec. 70.120) Variance to increase the maximum permitted height of 35-feet in an RS-3 District (Sec. 5.030, Table 5-3)

LOCATION: 7777 S LEWIS AV E

ZONED: RS-3,RS-1

PRESENT USE: University

TRACT SIZE: 6527954.47 SQ FT

LEGAL DESCRIPTION: BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY HGTS

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-23193; On 10.12.21 the board **approved** a Special Exception to modify a previously approved site plan for a university in a residential district (Sec.5.020, Table 5-2, Sec. 70.120) Variance to increase the maximum permitted height of 35-feet in an RS-3 District (Sec. 5.030, Table 5-3)

BOA-23170; On 08.10.21 the board **approved** a Special Exception to modify a previously approved site plan for a university in a residential district (Sec.5.020, Table 5-2, Sec. 70.120) Variance to increase the maximum permitted height of 35-feet in an RS-3 District (Sec. 5.030, Table 5-3)

BOA-17831-A; On 12.08.2015 the board **approved** a modification to a previously approved plan for a digital sign.

BOA-21495; On 11.13.12 the Board **approved** a variance to allow 2 wall signs in an R district.

BOA-21488; On 10.23.2012 the Board **approved** a variance to allow a wall sign in an R district.

BOA-17831; On 09.23.97 the Board **approved** an amendment to a previously approved exception for a sponsor sign and a variance of the maximum square feet for a sponsor sign.

BOA-9273; On 11.04.76 the Board voted to **uphold the appeal** to the building inspector from decision of the building inspector for refusing to issue a zoning clearance permit to construct quarters on the University Campus to be operated in conjunction with the University Medical Campus.

BOA-9197; On 11.04.76 the Board **approved** an exception to permit the use of the property for university uses per the development standards submitted and the plot plan "F-2".

BOA-7769; On 02.01.73 the Board **approved** an exception to operate a community service, cultural and recreation facility (Mabee Center) in an R district.

BOA-7721; On 11.30.72 the Board **approved** a Minor variance to modify the allowed height and size of a sign in an RS-3 District.

BOA-3760; On 02.14.192 the Board **approved** the subject property for school purposes.

Surrounding properties:

BOA-7964; on 07.050.73 the Board **approved** an Exception for Athletic facilities for Oral Roberts University. property Located Immediately East of the subject Tract.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a “Regional Center “ and an “Area of Growth“.

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

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 at the NE/c or E. 81st Street South and S. Lewis Ave.

STAFF COMMENTS:

The applicant is requesting a **Special Exception** to modify a previously approved site plan for a university in a residential district (Sec.5.020, Table 5-2, Sec. 70.120) **Variance** to increase the maximum permitted height of 35-feet in an RS-3 District (Sec. 5.030, Table 5-3) to allow an addition for a training center.

BOA-23193 was the most recent Board case involving the University site plan. Included in your packet is a copy of that approved plan.

The Board may also wish to refer the applicant to re-zone the property to a zoning classification that would allow the Use by right. Currently the Land Use Designation as Regional Center would support a higher intensity zoning district. The lowest intensity Zoning Category that would allow this use by right would be OM (Office-Medium).

SAMPLE MOTION:

Special Exception:

Move to _____ (approve/deny) a **Special Exception** to modify a previously approved site plan for a university in a residential district (Sec.5.020, Table 5-2, Sec. 70.120)

- 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.

Variance:

Move to _____ (approve/deny) a **Variance** to increase the maximum permitted height of 35-feet in an RS-3 District (Sec. 5.030, Table 5-3)

- 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."*



Subject property



Subject property

Mike Hart came forward and stated the current building has an alcove which is a place to hide, and the proposed building has a straight front so there would be no place for anyone to hide; the alcove will go away.

Mr. Bond asked Mr. Hart if there had been any discussion about adding a fence to the parking. Mr. Hart stated that is not sure how that could be done because the parking spaces need to be pulled in to off the alley.

Board Action:

On **MOTION** of **RADNEY**, the Board voted 3-1-0 (Bond, Radney, Wallace "aye"; Barrientos "nay"; no "abstentions"; Brown absent) to **APPROVE** the request for a Special Exception to allow a Public, Civic & Institutional/Governmental Service or Similar Functions Use (Community Center/Caring Center Downtown) in the CBD District (Section 15.020, Table 15-2), subject to the conceptual plan submitted today. There is to be no prepared meal distribution on the site. There is a five-year time limit on the request, October 26, 2026. 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 8 BLK 116, TULSA-ORIGINAL TOWN, City of Tulsa, Tulsa County, State of Oklahoma

23193—Wallace Design Collective – Jim Beach

FILE COPY

Action Requested:

Special Exception to modify a previously approved site plan for a university in a residential district (Section 5.020, Table 5-2 & Section 70.120); Variance to increase the maximum permitted height of 35 feet in an RS-3 District (Section 5.030, Table 5-3). **LOCATION:** 7777 South Lewis Avenue East (**CD 2**)

Presentation:

Jim Beach, Wallace Collective Design, 123 North Martin Luther King, Jr. Boulevard, Tulsa, OK; stated this request is the next in a series of projects at Oral Roberts University (ORU) that needs approval of a Special Exception to amend the previously site plan and a Variance of the RS-3 District building height of 35 feet. Today's request is the next project in line and is similar to the application brought to the Board in August.

Mr. Bond asked Mr. Beach to state the hardship for the Variance request. Mr. Beach stated the hardship for the Variance request is RS-3 zoning and posed height limit which is uncharacteristic for this use. This use has been allowed in the RS-3 District by Special Exception the height limit does not apply.

Mr. Beach stated to the top of the roof top unit screen it is about 53 feet, and the top of the parapet on the building is approximately 46 feet.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **BARRIENTOS**, the Board voted 4-0-0 (Barrientos, Bond, Radney, Wallace "aye"; "nays"; no "abstentions"; Brown absent) to **APPROVE** the request for a Special Exception to modify a previously approved site plan for a university in a residential district (Section 5.020, Table 5-2 & Section 70.120); Variance to increase the maximum permitted height of 35 feet in an RS-3 District (Section 5.030, Table 5-3), subject to conceptual plans 4.26, 4.27, 4.28 and 4.29 of the agenda packet. The Board finds the hardship to be the current zoning classification limits the heights of the building. 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. 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:

BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY HGTS, City of Tulsa, Tulsa County, State of Oklahoma

NEW APPLICATIONS

BEG 501.50E & 40N SWC LT 4 TH N313.89 SE162.85 CRV LF 122 E85.56 TO W R/W 164TH E AVE TH S242.50 TO N R/W E ADMIRAL PL TH W358.01 POB LESS S10 FOR ST SEC 2 19 14 2.097ACS, City of Tulsa, Tulsa County, State of Oklahoma

FILE COPY

23193—Jim Beach

Action Requested:

Special Exception to modify a previously approved site plan for a university in a residential district (Section 5.020, Table 5-2 & Section 70.120); Variance to increase the maximum permitted height of 35 feet in an RS-3 District (Section 5.030, Table 5-3). **LOCATION:** 7777 South Lewis Avenue East (CD 2)

Presentation:

The applicant was not present.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **BROWN**, the Board voted 4-0-0 (Barrientos, Bond, Brown, Radney "aye"; "nays"; no "abstentions"; Wallace absent) to **CONTINUE** the request for a Special Exception to modify a previously approved site plan for a university in a residential district (Section 5.020, Table 5-2 & Section 70.120); Variance to increase the maximum permitted height of 35 feet in an RS-3 District (Section 5.030, Table 5-3) to the October 26, 2021 Board of Adjustment meeting; for the following property:

BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY HGTS, City of Tulsa, Tulsa County, State of Oklahoma

OTHER BUSINESS

None.

NEW BUSINESS

None.

**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 8308

Case Number: **BOA-23193**

CZM: 52

CD: 2

HEARING DATE: 10/26/2021 1:00 PM *(Continued from 10/12/21, applicant not present)*

APPLICANT: Jim Beach

ACTION REQUESTED: Special Exception to modify a previously approved site plan for a university in a residential district (Sec.5.020, Table 5-2, Sec. 70.120) Variance to increase the maximum permitted height of 35-feet in an RS-3 District (Sec. 5.030, Table 5-3)

LOCATION: 7777 S LEWIS AV E

ZONED: RS-3

PRESENT USE: University

TRACT SIZE: 6527954.47 SQ FT

LEGAL DESCRIPTION: BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY HGTS

RELEVANT PREVIOUS ACTIONS:

BOA-23170; On 08.10.21 the board **approved** a Special Exception to modify a previously approved site plan for a university in a residential district (Sec.5.020, Table 5-2, Sec. 70.120) Variance to increase the maximum permitted height of 35-feet in an RS-3 District (Sec. 5.030, Table 5-3)

BOA-17831-A; On 12.08.2015 the board **approved** a modification to a previously approved plan for a digital sign.

BOA-21495; On 11.13.12 the Board **approved** a variance to allow 2 wall signs in an R district.

BOA-21488; On 10.23.2012 the Board **approved** a variance to allow a wall sign in an R district.

BOA-17831; On 09.23.97 the Board **approved** an amendment to a previously approved exception for a sponsor sign and a variance of the maximum square feet for a sponsor sign.

BOA-9273; On 11.04.76 the Board voted to **uphold the appeal** to the building inspector from decision of the building inspector for refusing to issue a zoning clearance permit to construct quarters on the University Campus to be operated in conjunction with the University Medical Campus.

BOA-9197; On 11.04.76 the Board **approved** an exception to permit the use of the property for university uses per the development standards submitted and the plot plan "F-2".

BOA-7769; On 02.01.73 the Board **approved** an exception to operate a community service, cultural and recreation facility (Mabee Center) in an R district.

BOA-7721; On 11.30.72 the Board **approved** a Minor variance to modify the allowed height and size of a sign in an RS-3 District.

BOA-3760; On 02.14.192 the Board **approved** the subject property for school purposes.

Surrounding properties:

BOA-7964; on 07.050.73 the Board **approved** an Exception for Athletic facilities for Oral Roberts University. property Located Immediately East of the subject Tract.

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

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

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 at the NE/c or E. 81st Street South and S. Lewis Ave.

STAFF COMMENTS:

The applicant is requesting a **Special Exception** to modify a previously approved site plan for a university in a residential district (Sec.5.020, Table 5-2, Sec. 70.120) **Variance** to increase the maximum permitted height of 35-feet in an RS-3 District (Sec. 5.030, Table 5-3) to allow an addition for a training center.

BOA-23170 was the most recent Board case involving the University site plan. Included in your packet is a copy of that approved plan.

The Board may also wish to refer the applicant to re-zone the property to a zoning classification that would allow the Use by right. Currently the Land Use Designation as Regional Center would support a higher intensity zoning district. The lowest intensity Zoning Category that would allow this use by right would be OM (Office-Medium).

SAMPLE MOTION:

Special Exception:

Move to _____ (approve/deny) a **Special Exception** to modify a previously approved site plan for a university in a residential district (Sec.5.020, Table 5-2, Sec. 70.120)

- 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.

Variance:

Move to _____ (approve/deny) a **Variance** to increase the maximum permitted height of 35-feet in an RS-3 District (Sec. 5.030, Table 5-3)

- 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."

Ms. Rodriguez asked what she is to do after this, will she receive a letter? Mr. Henke stated that if the Board denies the Special Exception requests the manufactured home will have to be removed. Ms. Rodriguez stated that she has lived in Tulsa all her life and could not find a house in her neighborhood, and she is a single parent with two children and she has done everything that the permit center has told her. This is not the first time a mobile home is going to be on a lot in the State of Oklahoma. Mr. Henke said he was sorry that the Board could not be more helpful but Ms. Rodriguez needs to find another location. Ms. Rodriguez stated that is her lot and it is her home. Ms. Rodriguez informed Ms. Rodriguez that she could build a house on the lot but in terms of having permission to have a manufactured home on the lot he does not think the permission will be given by the City of Tulsa. Ms. Rodriguez stated that this is outrageous and she is confused.

Comments and Questions:

None.

Board Action:

On **MOTION** of **FLANAGAN**, the Board voted 3-0-1 (Henke, Flanagan, Snyder "aye"; no "nays"; White "abstaining"; Van De Wiele absent) to **DENY** the request for a **Special Exception** to permit a mobile home in the RS-3 District (Section 401, Table 1); **Special Exception** to extend the one-year time limit on a mobile home (Section 404.E.1) based on this out of character with the neighborhood and it would be injurious and detrimental to the public welfare and the existing homes in the neighborhood; for the following property:

**LT 1 BLK 4, OAK RIDGE ADDN - TULSA, NEW HAVEN ADDN, CITY OF TULSA,
TULSA COUNTY, STATE OF OKLAHOMA**

Mr. White re-entered the meeting at 3:49 P.M.

FILE COPY

17831-A—A-MAX Sign Company

Action Requested:

Modification of a previously approved plan (BOA-17831). **LOCATION:** 7777 South Lewis Avenue (CD 2)

Presentation:

Brian Ward, 9520 East 55th Place, Tulsa, OK; stated that in the early 1970s when ORU Mabee Center was built there was an accompanying sign structure. When it was built it had light bulb technology. As technology progresses there is a need to replace the boards every 10 to 12 years. The first sign lasted until approximately 1980 and it was replaced, and about every ten years the sign is being replaced. In 1997 the sign came before the Board and that was the last case on this particular sign, and what was approved was a 317 square foot message board and that is basically what is there now.

12/08/2015-1152 (23)

4.5
17.12

BOA-17831-A

Mr. Ward stated sometime, and he is not sure when, the configuration of the sign is different in physical shape although it is about the same square footage. When he applied for a permit application it was denied based on the physical size being different from what was approved in 1997. Although the sign is five square feet less in the application than what was approved in 1997 the permit center denied the application based on the Board's approval of the plans submitted. What he is asking for is approval of a new message board to be installed and for the Board to approve 317 square feet of message board so when this technology become obsolete the sign can be replaced without needing to come back before the Board.

Mr. Henke left the meeting at 3:50 P.M.

Mr. Flanagan asked Mr. Ward to confirm that he wants approval for the square footage that exists but was not corrected from the 1997 plan. Mr. Ward stated the plan was approved in 1997 for 317 square feet and the sign is now approximately 315 square feet. So he is asking for approval for the square footage rather than approval per plan so in ten years when the equipment becomes obsolete it is not necessary to appear before the Board.

Mr. Henke re-entered the meeting at 3:53 P.M.

Mr. Ward stated that if the Board is to approve this request he would like to motion to stipulate that the digital portion of the sign is not exceed 317 square feet.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **SNYDER**, the Board voted 4-0-0 (Henke, Flanagan, Snyder, White "aye"; no "nays"; no "abstentions"; Van De Wiele absent) to **APPROVE** the request for a **Modification** of a previously approved plan (BOA-17831) to approve the sign that says Mabee Center on Exhibit 8.14, that would be a 12 x 26 foot digital sign. The digital part of the sign will never exceed 317 square feet. This insures that the modification is compatible with and not injurious to the surrounding area and meets the previously granted Board relief other than what was just stipulated and it meets the zoning requirements per Code; for the following property:

**BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY
HGTS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

12/08/2015-1152 (24)

4.6
17.13

LT 1 BLK 13, SUNSET TERRACE, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

FILE COPY

21495—Mark Bragg

Action Requested:

Variance to allow two (2) wall signs in an RS District (Section 402.B.4). **LOCATION:**
7777 South Lewis Avenue (CD 2)

Presentation:

The applicant was not present.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance to allow two (2) wall signs in an RS District (Section 402.B.4), subject to conceptual site plan on page 9.13, page 9.14, and page 9.15. Finding that the signage in question is necessary to guide student and visitor traffic on the campus. By reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; 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 Code, or the Comprehensive Plan; for the following property:

BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY HGTS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OTHER BUSINESS

Request for Tulsa Zoning Code Interpretation:

- A. Where, and when, is serving and sale of intoxicating beverages and/or low point beer allowed as accessory or customary to an identified use?

1940s era home was built before the code went into effect, and the unique orientation of the home on the corner lot poses a hardship justifying the approval of the variance. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; 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 Code, or the Comprehensive Plan; for the following property:

LT-1-BL2, LOUISE ADDN OF L1 J P HARTERS SUB, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21488—Mark Bragg

Action Requested:

Variance to allow a wall sign in a Residential District (Section 402.B.4). **LOCATION:**
2601 East 81st Street (CD 2)

Presentation:

Mark Bragg, KSQ Architects, 1624 South Detroit, Tulsa, OK; stated Oral Roberts University had remodeled the subject building and would like to have a building sign honoring the donor. The sign will be on the southwest face of the subject building and will not be illuminated.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke absent) to **APPROVE** the request for a Variance to allow a wall sign in a Residential District (Section 402.B.4), subject to site plan on pages 12.10, 12.11 and 12.12. Finding that for identification and location purposes the university sign is necessary. By reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; 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 Code, or the Comprehensive Plan; for the following property:

**BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY
HGTS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA**

21489—Mark Bragg

Action Requested:

Variance to increase the permitted floor area from 1,006 square feet (40%) to 1,188 square feet (47%) (Section 402.B.1.d); Variance of the accessory building height and coverage area in required rear yard from 1 story to 2 story and increase maximum covered area in the rear yard from 300 square feet (30%) to 540 square feet (54%) (Section 210.B.5.a) in the RS-3 District. LOCATION: 1621 South Detroit Avenue East (CD 4)

Presentation:

Mark Bragg, KSQ Architects, 1624 South Detroit, Tulsa, OK; stated he lives across the street from the subject property and has lived there for four years. When he first moved into the neighborhood it was entirely rental property and over the years the neighborhood has vastly improved. In the interim the neighborhood has achieved historic zoning. He purchased the subject property across the street because he wanted to downsize without moving out of the neighborhood. Currently the house does not have a garage, but it did have at one time. Mr. Bragg would like to replace the previous garage with another larger garage, larger than what the zoning code allows. The foundation of the previous garage still exists. Mr. Bragg has a letter from the previous owner stating that when she moved into the house the garage had burned down, and that the previous garage had been a two-story garage. Mr. Bragg has support of his application from 17 of his neighbors.

Mr. Van De Wiele asked Mr. Bragg if the footprint of what he was proposing to build is the same as the previous garage. Mr. Bragg stated it is basically the same but not exactly. The new garage will be a little wider to accommodate today's cars.

Mr. White asked Mr. Bragg if he had received his Certificate of Appropriateness. Mr. Bragg stated that he had been approved and does have a Certificate of Appropriateness. Mr. Bragg stated that he also has a Certificate of Appropriateness for the house.

Mr. Van De Wiele asked Mr. Bragg if he intended for the second story of the garage to be a future garage apartment. Mr. Bragg stated that he had no intentions of using the second story as a garage apartment at this time, but he will file an application and come back before the Board to ask permission if he wants to have a rental unit.

Interested Parties:

There were no interested parties present.

10/23/2012-1081 (17)

4.10

17.16

1940s era home was built before the code went into effect, and the unique orientation of the home on the corner lot poses a hardship justifying the approval of the variance. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; 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 Code, or the Comprehensive Plan; for the following property:

LT-1-BL2, LOUISE ADDN OF L1 J P HARTERS SUB, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21488—Mark Bragg

FILE COPY

Action Requested:

Variance to allow a wall sign in a Residential District (Section 402.B.4). **LOCATION:**
2601 East 81st Street (CD 2)

Presentation:

Mark Bragg, KSQ Architects, 1624 South Detroit, Tulsa, OK; stated Oral Roberts University had remodeled the subject building and would like to have a building sign honoring the donor. The sign will be on the southwest face of the subject building and will not be illuminated.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke absent) to **APPROVE** the request for a Variance to allow a wall sign in a Residential District (Section 402.B.4), subject to site plan on pages 12.10, 12.11 and 12.12. Finding that for identification and location purposes the university sign is necessary. By reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; 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 Code, or the Comprehensive Plan; for the following property:

10/23/2012-1081 (16)

4.11

17.17

BOA - 21488

FILE COPY

BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY
HGTS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21489—Mark Bragg

Action Requested:

Variance to increase the permitted floor area from 1,006 square feet (40%) to 1,188 square feet (47%) (Section 402.B.1.d); Variance of the accessory building height and coverage area in required rear yard from 1 story to 2 story and increase maximum covered area in the rear yard from 300 square feet (30%) to 540 square feet (54%) (Section 210.B.5.a) in the RS-3 District. LOCATION: 1621 South Detroit Avenue East (CD 4)

Presentation:

Mark Bragg, KSQ Architects, 1624 South Detroit, Tulsa, OK; stated he lives across the street from the subject property and has lived there for four years. When he first moved into the neighborhood it was entirely rental property and over the years the neighborhood has vastly improved. In the interim the neighborhood has achieved historic zoning. He purchased the subject property across the street because he wanted to downsize without moving out of the neighborhood. Currently the house does not have a garage, but it did have at one time. Mr. Bragg would like to replace the previous garage with another larger garage, larger than what the zoning code allows. The foundation of the previous garage still exists. Mr. Bragg has a letter from the previous owner stating that when she moved into the house the garage had burned down, and that the previous garage had been a two-story garage. Mr. Bragg has support of his application from 17 of his neighbors.

Mr. Van De Wiele asked Mr. Bragg if the footprint of what he was proposing to build is the same as the previous garage. Mr. Bragg stated it is basically the same but not exactly. The new garage will be a little wider to accommodate today's cars.

Mr. White asked Mr. Bragg if he had received his Certificate of Appropriateness. Mr. Bragg stated that he had been approved and does have a Certificate of Appropriateness. Mr. Bragg stated that he also has a Certificate of Appropriateness for the house.

Mr. Van De Wiele asked Mr. Bragg if he intended for the second story of the garage to be a future garage apartment. Mr. Bragg stated that he had no intentions of using the second story as a garage apartment at this time, but he will file an application and come back before the Board to ask permission if he wants to have a rental unit.

Interested Parties:

There were no interested parties present.

10/23/2012-1081 (17)

4.12
17.18

FILE COPY

Case No. 17830

Action Requested:

Special Exception to permit church use on property zoned RS-3. **SECTION 1217.C.1. USE UNIT 17. AUTOMOTIVE AND ALLIED ACTIVITIES;** Use Conditions, located 10023 East 39th Place South.

Presentation:

The applicant, **Rick L. Frie**, withdrew his case prior to the hearing.

Case No. 17831

Action Requested:

Approval of an amendment to a previously approved special exception. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** – Use Unit 2 and a Variance of the maximum 15 SF of sponsor sign. **SECTION 1202.c.12 USE UNIT 2 AREA-WIDE SPECIAL EXCEPTION USES;** Use Conditions, located East side of South Lewis Avenue, North of East 81st Street.

Presentation:

The applicant, **Charles E. Norman**, 2900 Mid-Continent Tower, representing Oral Roberts University ("ORU"), submitted a site plan (Exhibit L-1), a computer generated photograph (Exhibit L-2) and photographs (Exhibit L-3). Mr. Norman stated the existing message sign was approved as an accessory use to the University 25 years ago. He indicated that the message sign has become obsolete and worn out. He proposes to replace the electronic component center and leaving the stone columns in place. Mr. Norman requested the Board's approval of the new electronic component as an amendment to the previously approved special exception. The message sign is adjacent to the Mabee Center, which is located on 40 acres of the 200 acres of ORU campus. Mr. Norman described the local businesses located across the street from the ORU campus, which had been constructed since the Mabee Center was constructed. He commented that when the ordinance was written dealing with signs associated with educational institutions, which limit the sign of the sponsor name and logo to only 15 SF, was actually suppose to be 15% of the size of the sign. He stated that he suspects that every stadium scoreboard and sponsor logo in the City are considerably larger than the 15 SF. Mr. Norman indicated that the proposal replacement will have four (4) sponsor locations. He explained that the replacement cost of the message board is in excess \$400,000 and obviously it is necessary for ORU to secure more than one (1) sponsor to obtain the contribution for the facility. The sponsor logos are 5' x 9' or 45 SF for the total of 180 SF, which when compared to the size of the sign (approximately 1150 SF) is 15% of the face of the sign. Mr. Norman indicated that the height of the sign will be reduced approximately 2' and the total size of the sign is approximately 50' less than its present configuration.

09:23:97:735(17)

4.13
17.19

Case No. 17831 (continued)

Comments and Questions:

Mr. White asked the applicant to address the concerns of the staff that the video display might be a distraction to the traffic? Mr. Norman stated that experience has proven that the changeable signs are not distracting in a dangerous way. The Board recently approved a similar sign for the Performing Arts Center, much smaller in size, but has rapidly changing messages and has potential for displays to reflect the event that is going on. This proposed sign will be operated in accordance with considerations of liability, which has been discussed by ORU. The sign will not be operated in a way that will be distractive to drivers along south Lewis. There will not be any live videos of the activities going on, except maybe a one (1) or two (2) second replay of a basketball going into a hoop. He assured the Board that there will not be a message component that will have a continual message, which would attract driver's attention as they drive by the sign.

In response to the Board's concerns with the video image components creating a traffic problem or distraction, Mr. Norman stated that the typical driving speed is approximately 30 mph and the message board will not be visible for more than two (2) or three (3) seconds by any particular vehicle driving by. He commented that you rarely see the end of the message from the typical traffic speed. He concluded that the message board will be primarily used to advertise the next event taking place at the Mabee Center. If there are any problems with the operation, he is sure that there will be discussion with the traffic engineer and ORU's insurance underwriters about the operation of the sign.

Board Action:

On **MOTION** of **DUNHAM**, the Board voted 5-0-0 (Bolze, Cooper, Dunham, Turnbo, White. "aye"; no "nays" no "abstentions"; none "absent") to **APPROVE** an amendment to a previously approved special exception. **SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS** – Use Unit 2 and a **Variance** of the maximum 15 SF of sponsor sign. **SECTION 1202.c.12 USE UNIT 2 AREA-WIDE SPECIAL EXCEPTION USES**; Use Conditions; per plan submitted; finding that the requirements for a variance in Sec. 1607.C. have been met, on the following described property:

N 200', S 1000', Block 1, Oral Roberts University Heights Addition, City of Tulsa, Tulsa County, Oklahoma.

09:23:07.7350181

4.14
17.20

9269 (continued)

Beginning at a point in the South line of said Section 36, said point being 2,820.00' West of the Southeast corner of said Section 36; thence South $89^{\circ}-59'-40''$ West along the South line of said Section 36, a distance of 483.00' to a point thence North $00^{\circ}-06'-40''$ West a distance of 1,071.42' to a point; thence due East a distance of 135.00' to a point; thence due South a distance of 15.88' to a point; thence due East a distance of 400.98' to a point; thence due South a distance of 475.00' to a point; thence due West a distance of 39.18' to a point; thence due South a distance of 90.00' to a point; thence South $03^{\circ}-24'-43''$ West a distance of 254.02' to a point; thence South $11^{\circ}-18'-53''$ West a distance of 50.00' to a point; thence Easterly along a curve to the right having a radius of 405.00' a distance of 30.02' to a point; thence South $07^{\circ}-04'-03''$ West a distance of 134.11' to a point; thence South $00^{\circ}-05'-54''$ East a distance of 50.00' to the point of beginning, said described tract containing 12.39 acres, more or less.

9272

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (2) - Home Occupations) for permission to operate a home beauty shop in an RS-2 District located at 5510 South Sheridan Road.

Presentation:

Upon request by the protestant's attorney who could not attend this meeting, a delay of two weeks to November 18, 1976, was requested.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board of Adjustment voted unanimously (4-0) to continue application 9272 until November 18, 1976, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

9273

Action Requested:

Appeal (Section 1650 - Appeals from the Building Inspector) from a decision of the Building Inspector for refusing to issue a zoning clearance permit to construct animal quarters on the University Campus to be operated in conjunction with the University Medical School. The location of the animal quarters is within the campus of the University, previously approved by the Board and the facility is a customary facility in connection with the scientific and educational purposes of the University; and an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) for permission to construct animal quarters on the University Campus to be operated in conjunction with the University Medical School located NW of 81st Street and Delaware Avenue.

11.4.76:223(15)

4.15

17.21

9273 (continued)

Presentation:

Charles Norman, attorney, presented the detailed floor plans (Exhibit "I-1") and described the proposed use. He noted this land was within the City's floodplain moratorium area, but they had sought and received an exception by the City Commission.

Mr. Gardner stated that the Board was made aware by the Staff that portions of Oral Roberts University were in the flood area and have been furnished a map of the flood boundaries.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board voted unanimously (4-0) to uphold the Appeal to the Building Inspector (Section 1650 - Appeals from the Building Inspector) from a decision of the Building Inspector for refusing to issue a zoning clearance permit to construct animal quarters on the University Campus to be operated in conjunction with the University Medical School. The location of the animal quarters is within the campus of the University, previously approved by the Board and the facility is a customary facility in connection with the scientific and educational purposes of the University; and to grant an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) for permission to construct animal quarters on the University Campus to be operated in conjunction with the University Medical School on the following described tract:

The SE/4, SW/4 of Section 8, Township 18 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma.

9274

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) for permission to locate a mobile home in an AG District; and a Variance (Section 330 - Bulk and Area Requirements in the Agriculture Districts - Under the Provisions of Section 1670 - Variances) for a variance of the frontage requirements in an AG District from 300' to 199'; and Variance (Section 340 - Special Exception Requirements in the Agriculture Districts - Under the Provisions of Section 1670 - Variances) for a variance of the five-acre minimum for a mobile home in an AG District located at 13326 North 85th East Avenue.

Presentation:

Neil York, the applicant, stated there were approximately 30 mobile homes in the area and the area was a "wildcat" subdivision.

Protests: None.

Board Action:

On MOTION of SMITH, the Board voted unanimously (4-0) to approve an Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) for permission to locate a

11.4.76:223(16)

4.16

17.22

9120 (continued)

Presentation:

The applicant, Earl Reynolds, was not present. Following questioning by the Chair, the Staff stated the applicant and protestant, George Owens, both were notified of this meeting.

Protests:

George Owens' representative stated it was the understanding of the protestant that this case was to be continued.

Board Action:

On MOTION of JOLLY, the Board (3-0) continued application 9120 to January 6, 1977, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center. The Staff was requested by the Board to write the applicant notifying him of the continuance date; and to also notify in writing the protestants and applicants of the following case numbers that their applications will be continued from November 18, 1976 to January 6, 1977, to allow the Supreme Court to make a decision involving them: 8461, 8770, 8799, 9068, 9120, and 9142.

9197

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts; Section 1205 - Community Services, Cultural and Recreational Facilities) for permission to use property for university purposes, located south and east of 75th Street and Lewis Avenue.

Presentation:

Attorney Charles Norman represented the applicant, Oral Roberts University. He stated this application was continued from a previous meeting to permit readvertising to include additional property and for further consideration of proposed perimeter development standards that were submitted at the earlier meeting. An additional copy of the proposed perimeter development standards which was presented (Exhibit "A-1") and was given to the Board by Mr. Norman, followed by his review of the application which was presented at the last Board meeting. He noted the applicant is asking for approval of the north 165' as well as the right-of-way of two streets being closed by the City Commission which includes property south of 75th Street on Birmingham Avenue and along 76th Street be approved for university purposes. The applicant also requests the east 165' of the 40 acres which has been previously approved for athletic purposes also be approved for general university use. It was noted by Mr. Norman that since 1962, all the buildings constructed under the original approval of the Board were submitted to the Building Inspector without being submitted to the Board on an individual basis. The applicant is requesting the same procedure be applied to the remainder of the campus which is being brought before the Board this date for approval, subject to the proposed perimeter development standards (Exhibit "A-1").

Board Member Tom Jolly pointed out Mr. Norman met with him since the last Board meeting, complying with his request, and resolved his questions regarding the development standards.

11.4.76:223(3)

4.17

17.23

9197 (continued)

David Pauling of the Legal Department felt the addition of "above the top plate" following "exceeding 15 feet" at the end of the first sentence of the proposed perimeter development standards was needed for clarity.

Protests: None.

Board Action:

On MOTION of JOLLY the Board (3-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) for permission to use the property for university purposes, per plot plan (Exhibit "F-2"), submitted at meeting #220, September 16, 1976 and subject to the Perimeter Development Standards submitted, in RS-1 and RS-3 Districts on the following described tract:

The North 165' and the East 165' of the SW/4 of Section 8, Township 18 North, Range 13 East, Tulsa County, Oklahoma; and the W/2 of the W/2 of the SE/4 of Section 8, Township 18 North, Range 13 East, Tulsa County, Oklahoma; and the vacated right-of-way of South Birmingham Avenue from the South Boundary of East 75th Street South to the North Boundary of 76th Street South, created in part, by dedication in Plat of Southern Hills Estates, a subdivision of the S/2 of the NW/4 of Section 8, T-18-N, R-13-E, Tulsa County, Oklahoma, filed on August 3, 1950 and being numbered 1626. Also created, in part, by dedication in Plat of LaVelle Heights, a subdivision of the S/2 of the NW/4 of Section 8, T-18-N, R-13-E, Tulsa County, Oklahoma, filed on April 28, 1924 (subject to closing by the Board of Commissioners of the City of Tulsa and vacation by the District Court of Tulsa County, Oklahoma); and the vacated right-of-way of East 76th Street South from the Eastern Boundary of South Lewis Avenue, created by dedication on Plat of LaFelle Heights, a subdivision of the S/2 of the NW/4 of Section 8, T-18-N, R-13-E, filed on April 28, 1924. Enlarged by dedication on Plat No. 1626, Southern Hills Estates, filed on August 3, 1950, and Plat No. 2390 Oral Roberts University Heights, filed February 9, 1962 (subject to closing by the Board of Commissioners of the City of Tulsa and vacation by the District Court of Tulsa County, Oklahoma); and the South 430' of Lots 1, 2, 3, and 4 and the South 379' of Lots 5, 6, 7, and 8 in Block 3 of Southern Hills Estates Addition to the City of Tulsa, Tulsa County, Okla.; and Lots 3, 4, 5, 6, 7, and 8, Block 4, LaVelle Heights, a subdivision of a part of the S/2 of the NW/4 of Section 8, T-18-N, R-13-E, Tulsa County, Oklahoma; and the South 379' of the vacated right-of-way of South Delaware Avenue from the South Boundary of East 75th Street South to the North Line of the S/2 of Section 8, T-18-N, R-13-E, Tulsa County, Oklahoma, according to the recorded Plat thereof (subject to closing by the Board of Commissioners of the City of Tulsa; and Lots 13, 14, 15 and 16, Block 4, LaVelle Heights, a subdivision of a part of the S/2 of the NW/4 of Section 8, T-18-N, R-13-E, Tulsa County, Oklahoma.

11.4.76:223(4)

4.18

17.24

7760 (continued)

Interested Party:

Robert Scott, 2930 West 51st Street, advised the Board that there is a hill one lot from the proposed location of the clinic, which will create a traffic hazard when the clinic is constructed. He suggested that the Traffic Engineer check the traffic situation again before the application is approved.

Mrs. Owen Halford, 2823 West 51st Street, advised that the traffic situation in this area is bad and that the hill causes a sight problem when driving. She stated that the clinic will generate more traffic in the area and add to the safety hazard that now exists.

Mr. Reece advised the interested parties and the Board that the Traffic Engineer has checked the traffic situation and approved the location of the clinic, stating that if a driveway is established at the west end of the property, there would be no sight problem.

Board Action:

On MOTION of REEDS, the Board (4-0) determined that the City-County Health Clinic, a community facility, is included in Use Unit 5 and approved an Exception - (410 - Principal Uses Permitted in Residential Districts) to permit a City-County Health Clinic as a Community Service, Use Unit 5, on the following described tract:

Beginning at a point 35 feet South of the Northwest corner of the NE/4, NW/4, of Section 34, Township 19 North, Range 12 East, Tulsa County, Oklahoma; thence East 100 feet; South 230 feet; West 100 feet; North 230 feet to the point of beginning.

7721 Communication:

This communication for interpretation of the Ordinance was continued from the January 18, 1973 meeting.

7769

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts) for permission to operate a community service, cultural and recreation facility in a residential district, and

Variance (Section 420.2 (d) (1) - Accessory Uses in Residential Districts - Accessory Use Conditions - Signs) to vary the requirements of the constant light requirements to permit a sign for the John Mabee Center in accord with plans and specifications submitted, in an RS-3 District located at 81st St., and Lewis Avenue.

2.1.73:130(3)

4.19

17.25

7769 (continued)

Presentation:

Clarke Ford, representing Oral Roberts University, advised that the subject application is an attempt to resolve all problems involving the Mabee Center and particularly the constant light sign. Rather than leaving the 40 acre tract of the Mabee Center under the pre-existing approval of the 160 acre tract for educational and university purposes, it is hoped that this application would be approved and allow the 40 acre Mabee Center tract to be included in Use Unit 5, Community Services, Cultural and Recreational Facilities. A variance of the requirements of access uses is also requested, since the facility is rather unique and seats 12,000. Mr. Ford felt that both the request for variance of the height and size of the sign and the request for variance of the requirement of constant light were in order. He advised that the Traffic Engineering Department recommends that the capability of the sign be restricted so as not to allow a message change in less than 10 seconds, which the University will agree upon. In handling the exception and variance in this manner, an additional interpretation of the meaning of constant light will be unnecessary, unless the Protective Inspections Office feels it is important to them for other applications.

Mr. Ford presented the plot plan (Exhibit "A-1") to the Board explaining that when basketball scores are changed, in not less than 10 seconds, the scores would cover approximately 10% of the sign. The remainder of the sign would not change more than once in every 24 hours. Mr. Ford advised that the University does not feel the sign has the capability of being a travelling sign, and they do not intend to use the sign as such. The usage of the sign would be a change of message and not a continuous moving sign.

Remarks:

Charles Banks, Protective Inspections Office, advised the Board that the Building Inspector's Office has withdrawn its previous request for interpretation, stating that even though the sign may have the capability of a travelling sign, it will not be used as such.

Protests:

None.

Board Action:

On MOTION of COHEN, the Board (4-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts) for permission to operate the 40 acre tract of Mabee Center as a community service, cultural and recreation facility under Use Unit 5 in an RS-3 District, and

2.1.73:130(4)

4.20

17.26

Minor Variances: (continued)

7721

Action Requested: Minor Variance (Section 420.2 (d) (1.) - Accessory Use Conditions - Signs - Under the Provisions of Section 1470) for a modification of height and size of a sign (48' high and size 28' 6" x 48') in an RS-3 District located at 7777 South Lewis Ave.

Presentation: A representative of the architect for Oral Roberts University was present and submitted the plot plan (Exhibit "P-1") to the Board.

Remarks: The Chair stated that the sign as proposed was not a continuous moving message sign such as was shut down at 21st Street and Columbia Avenue.

Protests: None.

Board Action: On MOTION of COHEN, the Board (4-0) approved a Minor Variance (Section 420.2 (d) (1.) - Accessory Use Conditions - Signs - Under the Provisions of Section 1470) for a modification of height and size of a sign (48' high and size 28' 6" x 48') according to the plot plan submitted and stating for the record that the sign is not within the setback area and does not require a waiver of the Major Street Plan, in an RS-3 District on the following described tract:

Block 1, Oral Roberts University Heights
Addition to the City of Tulsa, Oklahoma.

7736

Action Requested: Minor Variance (Section 430 - Bulk and Area Requirements in Residential Areas - Under the Provisions of Section 1430) for permission to erect a residence 52.8' from the centerline of 124th East Avenue in an RS-3 District located at the SE corner of 14th St., and 124th East Avenue.

Presentation: E. E. Boyd, the applicant, presented the plot plan (Exhibit "Q-1") to the Board.

Protests: None.

Board Action: On MOTION of REEDS, the Board (4-0) approved a Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1430) for permission to erect a residence 52.8' from the centerline of 124th East Avenue, according to the plot plan submitted, in an RS-3 District on the following described tract: 11.30.72:125(15)

4.21

17.27

8. The present use increases the valuation of the property as noting else is compatible to this strip of land.

Mr. Seth Hughes stated he leased the property for 10 years for a par 3 golf course and that the Board of Adjustment had granted a permit for a golf course on this property. That the property had been used as a driving range at night.

Mr. Luther Lane stated he was in favor of the golf course that it was an asset to the City of Tulsa.

Mrs. Snyder who lives across the street from the golf course objected to the noise and the miniature golf course but stated she had no objection to a putting course.

Mr. Cassidy objected strenuously to the miniature golf course and stated it was almost impossible to live next to the course in the summer time because of the noise.

After considerable discussion it was,

MOVED by Sublett (Avery) that this application be approved subject to a letter or agreement from the owners of the golf course that they will close at 11:00 p. M. and that they be given permission to operate until their lease expires on December 31, 1966.

All members voting yea.

Carried.

Case No. 3760-A
Oral Roberts Evangelistic Association, Inc.
Pt. SW, of Section
8-18-13

This being the date set down for public hearing on the application of the Oral Roberts Evangelistic Association, Inc. for permission to use the following described property for school purposes:

The Southwest Quarter of Section 8, Township 18 North, Range 13 East, Tulsa County, Oklahoma, less the North 165 feet and the East 165 feet.

There appeared Mr. Saul A. Yager on behalf of the applicant. No protest was offered.

MOVED by Galbreath (Shaul) that this matter be approved. All members voting yea.

Carried.

Case No. 3761-A
Prattville Methodist Church - Part of the
NW, NW, NW, of
Section 26-19-11

This being the date set down for public hearing on the application of the Prattville Methodist Church for permission to erect a church on the following described property:

7766 ✓

Action Requested:

Exception (Section 510 - Principal Uses Permitted in Residential Districts - Section 505 - Community Services, Cultural and Recreational Facilities) to use property for athletic activities for Oral Roberts University in an RS-1 District located at 41st Street and Delaware Avenue.

Presentation:

Charles Ford, representing Oral Roberts University, presented to the Board an architect's rendering of the proposed athletic building to be constructed on the subject tract. He submitted a floor plan Exhibit "A-1" of the proposed building, advising that future changes might be made, since the architect's work is not yet completed. Mr. Ford advised the Board that he had met with the surrounding neighbors, who discussed the proposed building. He stated that the following agreements had been made: that the proposal would be for a 120,000 sq. ft. building with no separate entrance; that the building would be designed for use as a spectator seating area and that the building would be accessible to disabled.

Protest:

None.

Board Action:

On Motion of COMB, the Board (3-0) approved an Exception (Section 510 - Principal Uses Permitted in Residential Districts - Section 505 - Community Services, Cultural and Recreational Facilities) to use property for athletic activities for Oral Roberts University in an RS-1 District on the following described parcel:

The East 1st, East of the M74, and the R72, M72, M73 of Section 5, Township 18 North, Range 13 East, 1st 4th County, Oklahoma.

2952

Action Requested:

Exception (Section 510 - Principal Uses Permitted in Residential Districts - Section 505 (b) - Home Occupations) to operate a home beauty shop in servants quarters in an RS-2 District located at 602 West Wilson.

Presentation:

Vera Taylor, the applicant, advised the Board that she was aware of the rules and regulations in regard to home occupations. She stated that the beauty shop would be located in the servants' quarters behind her home and that sufficient off-street parking is available on the 3.472 acre tract.

Protest:

None.

1.5, 71162(2)

23170—Jim Beach

Action Requested:

Special Exception to modify a previously approved site plan for a university in a residential district (Section 5.020, Table 5-2 & Section 70.120); Variance to increase the maximum permitted height of 35-feet in an RS-3 District (Section 5.030, Table 5-3). **LOCATION:** 7777 South Lewis Avenue East **(CD 2)**

Presentation:

Jim Beach, Wallace Design Collective, 123 North Martin Luther King, Jr. Boulevard, Tulsa, OK; stated this application is for the ORU Welcome Center and Library which will be built near the praying hands which is the main entry from Lewis Avenue; the library will be to the east of the welcome center. The two subject buildings are being planned and the Special Exception to modify the previous site plan will allow the two buildings.

Mr. Brown asked Mr. Beach to state the hardship for the Variance request.

Mr. Chapman explained his staff report, there are several approvals on the subject site. Some are convoluted on what was approved. Mr. Chapman stated that he included a previous aerial that he felt reflected what was approved previously. All the previous approvals the height seemed to be taken by the Board as approval of the site plan. On a new application staff felt the applicant needed a Variance on the height for the proposed buildings.

Mr. Beach stated the overall height is approximately 42 feet and it might be 50 feet if the screening of the roof top units is added. The height limit in the RS-3 District is 35 feet and this is not a typical RS-3 use. There are many buildings on campus that are far taller than 50 feet. The scale of the site, the scale of the buildings on the site, the appropriate character of the buildings and proportions call for it to be the proposed height. This will be a possible three-story library building with a research facility within. The welcome center is below the 35-foot height.

Ms. Radney asked Mr. Beach to state the hardship for the Variance request. Mr. Beach stated the hardship lies in the fact that the zoning is RS-3, and it poses a height limit which is uncharacteristic of a use of this sort.

Mr. Wilkerson asked Mr. Beach if there had been any discussions with ORU about rezoning the site. In 1969 this may have been the best option but at some point it seems that it would be beneficial to ORU to consider IMX zoning that would this by right. Mr. Beach stated that he understands Mr. Wilkerson's point, it has been discussed but the project was so far along that it was necessary to follow the same pattern of requesting a Special Exception for the scheduling. Mr. Beach stated that he has advised the architect working on the project that it would be worth a discussion in considering future projects. Mr. Wilkerson stated that same conversation has been going on for 50 years and the idea of changes in the Code would be beneficial to ORU. This site has incrementally changed so much over time that he thinks it would be a more honest representation of what is expected for the future growth of the campus to consider rezoning.

Mr. Brown asked Mr. Beach about the parking for the two buildings. Mr. Beach stated that a parking study has been performed and the parking that has been provided, it has been analyzed and it has been concluded that the parking spaces that are in a practical distance there are more than adequate parking spaces available.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **BROWN**, the Board voted 3-0-0 (Brown, Radney, Wallace "aye"; no "nays"; no "abstentions"; Barrientos, Bond absent) to **APPROVE** the request for a **Special Exception** to modify a previously approved site plan for a university in a residential district (Section 5.020, Table 5-2 & Section 70.120); **Variance** to increase the maximum permitted height of 35-feet in an RS-3 District (Section 5.030, Table 5-3), subject to conceptual plans 7.25, 7.26, 7.27, 7.28, 7.29, 7.30, 7.31, 7.32, 7.33 and 7.34 of the agenda packet. The Board has found the hardship to be the existing zoning of the site is restrictive to development in keeping with the current use. 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. The Board finds the hardship to be In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

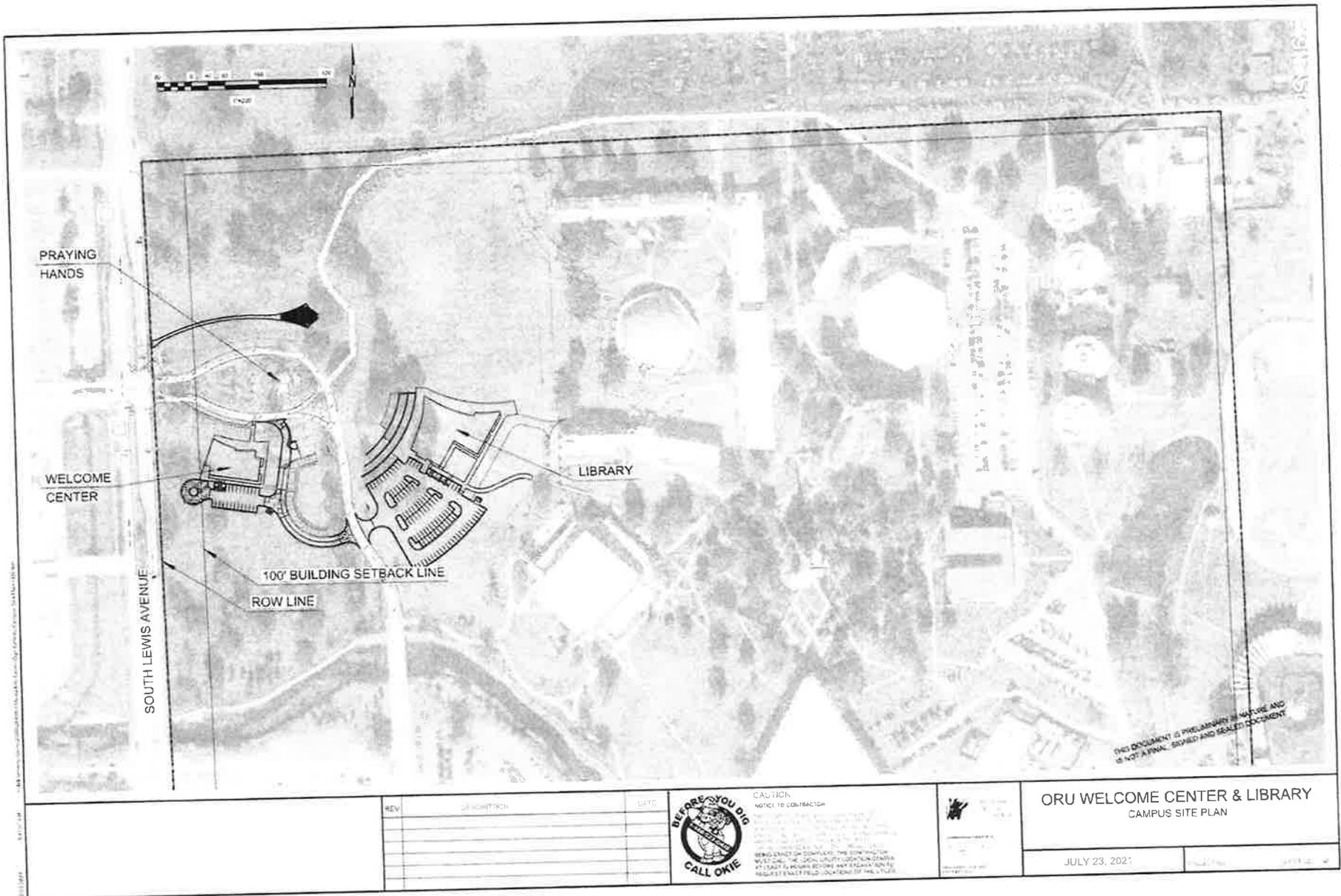
- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
- b. That literal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

BLK 1 LESS BEG SWC TH N22 SE31.19 W22 POB, ORAL ROBERTS UNIVERSITY HGTS, City of Tulsa, Tulsa County, State of Oklahoma

08/10/2021-1278 (15)

17.31^{4.25}

Approved Site Plan in BOA-23170



| REV | DESCRIPTION | DATE |
|-----|-------------|------|
| | | |
| | | |
| | | |
| | | |
| | | |



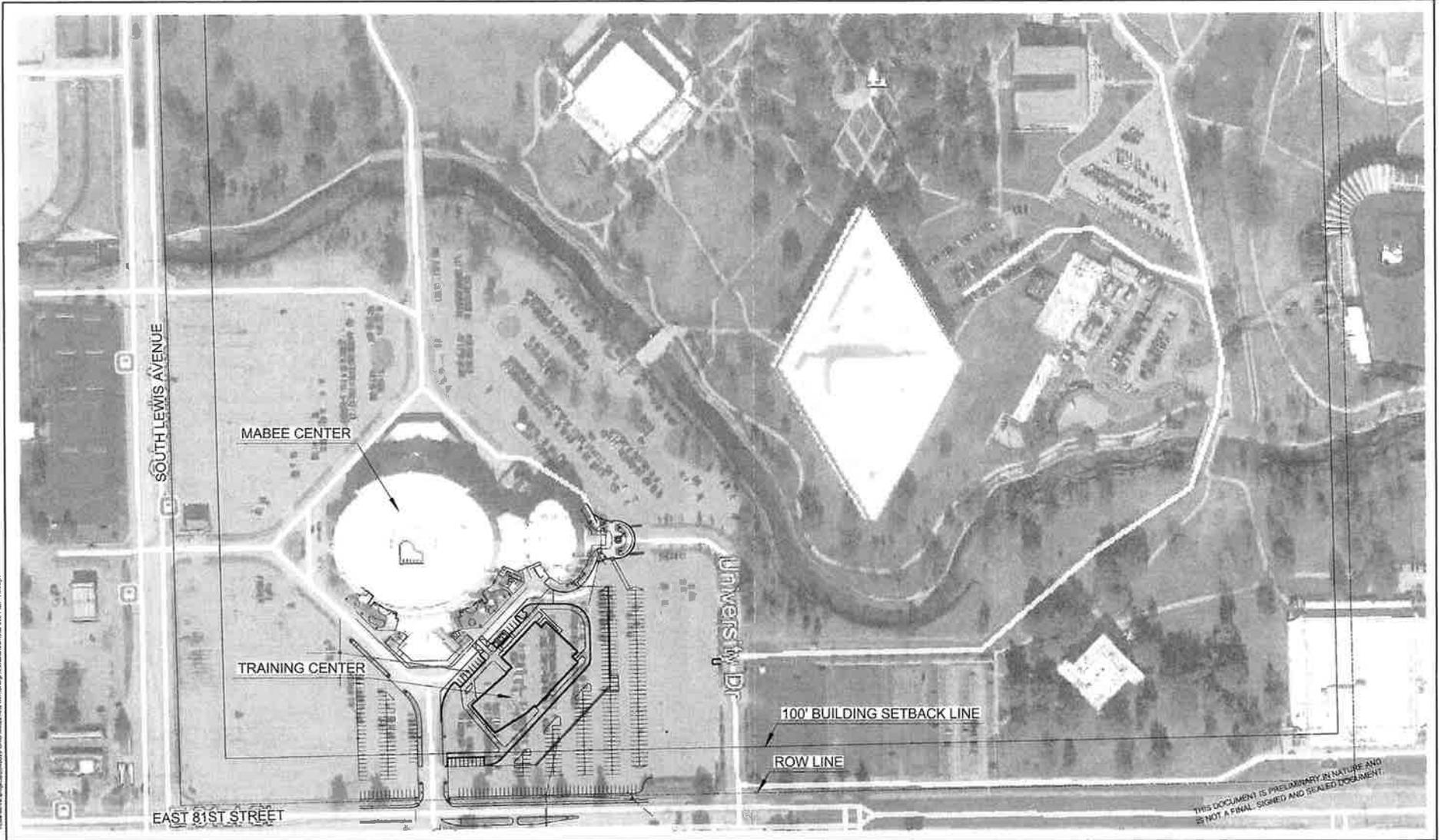
CAUTION
 NOTICE TO CONTRACTOR
 BEFORE YOU DIG, CALL OKIE. THE LOCAL UTILITY LOCATING SERVICE AT 813-875-5877 IS YOUR BEST SOURCE FOR THE LATEST AND MOST ACCURATE INFORMATION ON THE LOCATION OF UTILITIES. CALLING 813-875-5877 IS FREE OF CHARGE. IF YOU DO NOT CALL OKIE, YOU MAY BE RESPONSIBLE FOR DAMAGE TO UTILITIES AND YOUR OWN SAFETY.

ORU WELCOME CENTER & LIBRARY
 CAMPUS SITE PLAN

JULY 23, 2021

4.26

Proposed in BOA-23193



1.63

4.27

2:28:28 PM 9/9/2021

| REV | DESCRIPTION | DATE |
|-----|-------------|------|
| | | |
| | | |
| | | |
| | | |

BEFORE YOU DIG CALL OKIE

CAUTION
 NOTICE TO CONTRACTOR
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THE LOCATION AND ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES



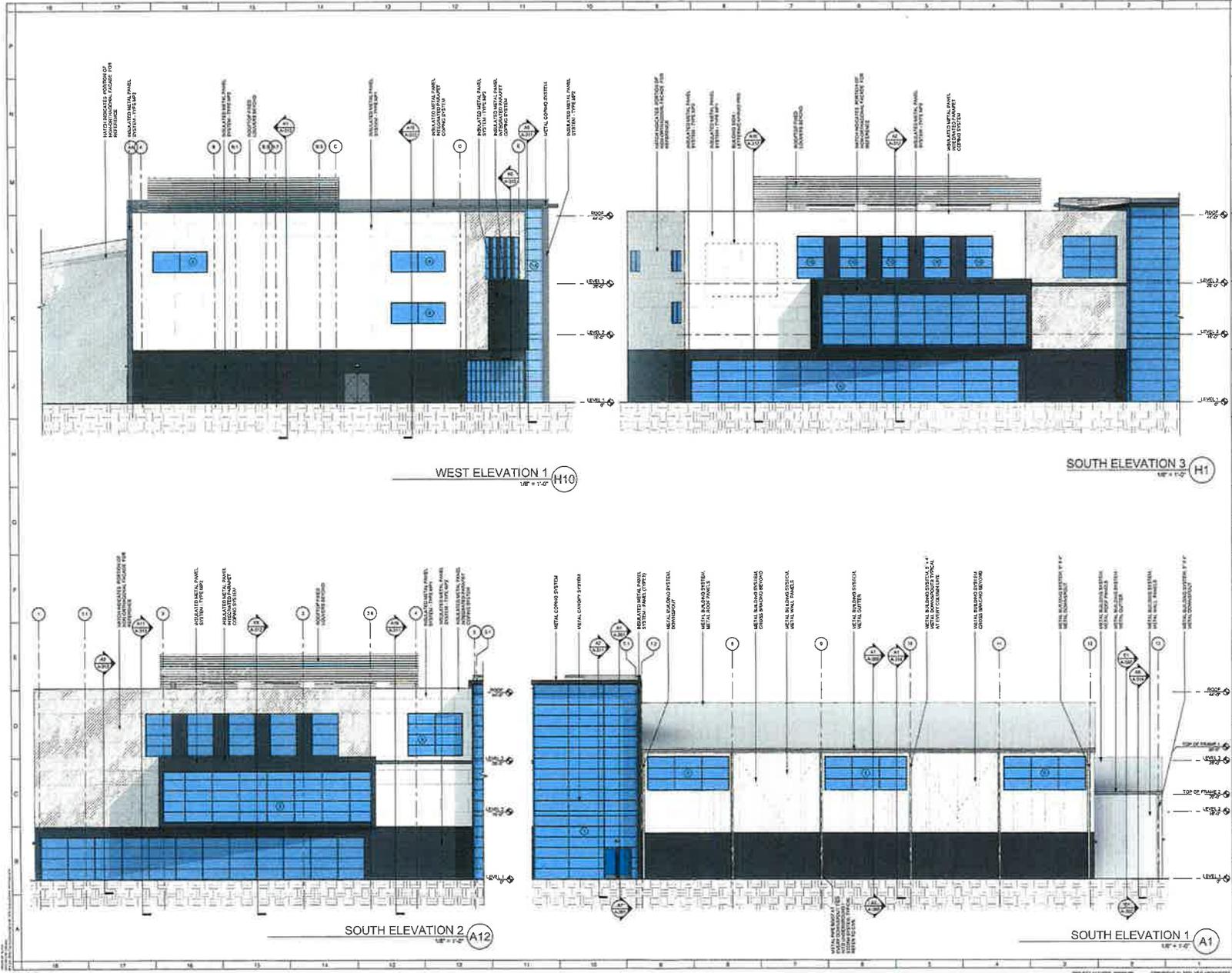
ORU TRAINING CENTER
 CAMPUS SITE PLAN

SEPTEMBER 9, 2021

PROJECT NO. _____ SHEET NO. 17

4.28

2 of 3



ARCHITECT
ksqdesign

430 Arkansas PC and HQ Design
 801 S Lindley Ave
 Suite 202-1100
 77777 South Levels Ave
 Tulsa, Oklahoma 74117
 918.562.0222 office
 918.562.0222 cell

Client
ORU ROBERTS UNIVERSITY
 7777 South Levels Ave
 Tulsa, Oklahoma 74117
 918.562.0222 office
 918.562.0222 cell

Chief Engineer
WALLACE DESIGN COLLECTIVE
 2120 South Lincoln Hwy. 2nd Fl.
 Tulsa, Oklahoma 74103
 918.562.0222 office
 918.562.0222 cell

Structural Engineer
WALLACE DESIGN COLLECTIVE
 2120 South Lincoln Hwy. 2nd Fl.
 Tulsa, Oklahoma 74103
 918.562.0222 office
 918.562.0222 cell

MEP Engineer
PACIFIC + OGDEN
 2120 South Lincoln Hwy. 2nd Fl.
 Tulsa, Oklahoma 74103
 918.562.0222 office
 918.562.0222 cell

Landscape
WALLACE DESIGN COLLECTIVE
 2120 South Lincoln Hwy. 2nd Fl.
 Tulsa, Oklahoma 74103
 918.562.0222 office
 918.562.0222 cell



ORU - TRAINING CENTER

7777 South Levels Ave
 Tulsa, Oklahoma 74117

| Revisions | Number | Date |
|-----------|--------|------|
| | | |
| | | |
| | | |
| | | |

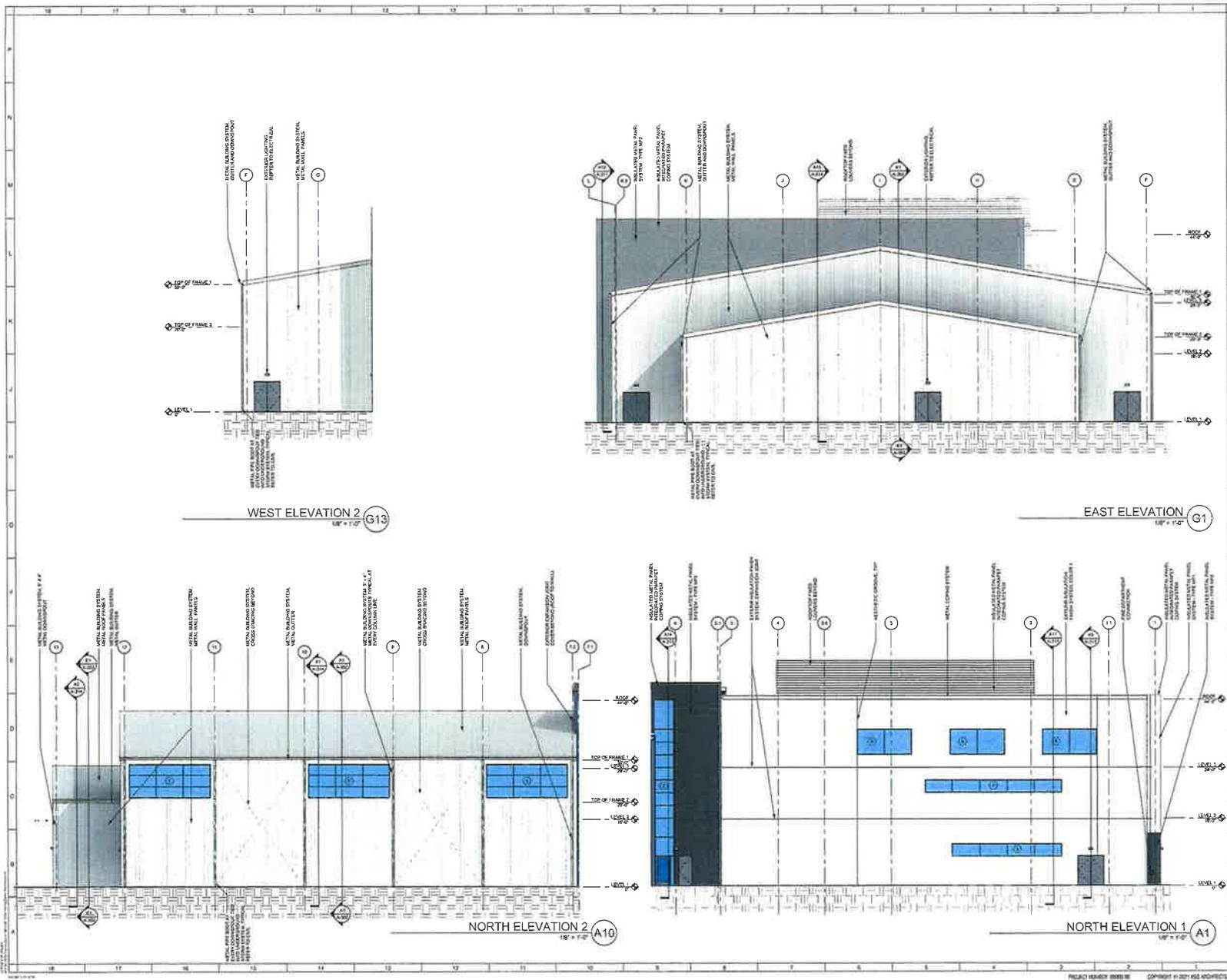
ISSUED: 00 SET
 DATE: 06/23/2021
 SCALE: 1/8" = 1'-0"
 SHEET NAME:
 BUILDING ELEVATIONS

SHEET NUMBER
A-201

PROGRESS SET - FOR REVIEW ONLY

4.29

3 of 3



ARCHITECT
ksqdesign
 8000 Redbank PT, Ste 400 Dodge
 201 S Lewis Ave
 Tulsa, Oklahoma 74111
 918.262.5873 office
 918.262.5873 cell

OWNER
ORU ROBERTS UNIVERSITY
 777 South Lewis Ave
 Tulsa, Oklahoma 74111

CIVIL ENGINEER
WALLACE DESIGN COLLECTIVE
 122 North Main, Lumbering, Jr. Blvd
 Tulsa, Oklahoma 74103
 918.593.5800 office
 918.593.5800 cell

MEP ENGINEER
POLYPLUS + CORNER
 12101 E. 21st St. Suite 100
 Tulsa, Oklahoma 74116
 918.433.1100 office
 918.433.1100 cell

LANDSCAPE ARCHITECT
WALLACE DESIGN COLLECTIVE
 122 North Main, Lumbering, Jr. Blvd
 Tulsa, Oklahoma 74103
 918.593.5800 office
 918.593.5800 cell

STATE OF OKLAHOMA
 REGISTERED ARCHITECT
 No. 1288
 KENNETH S. QUINN
 10/15/2011

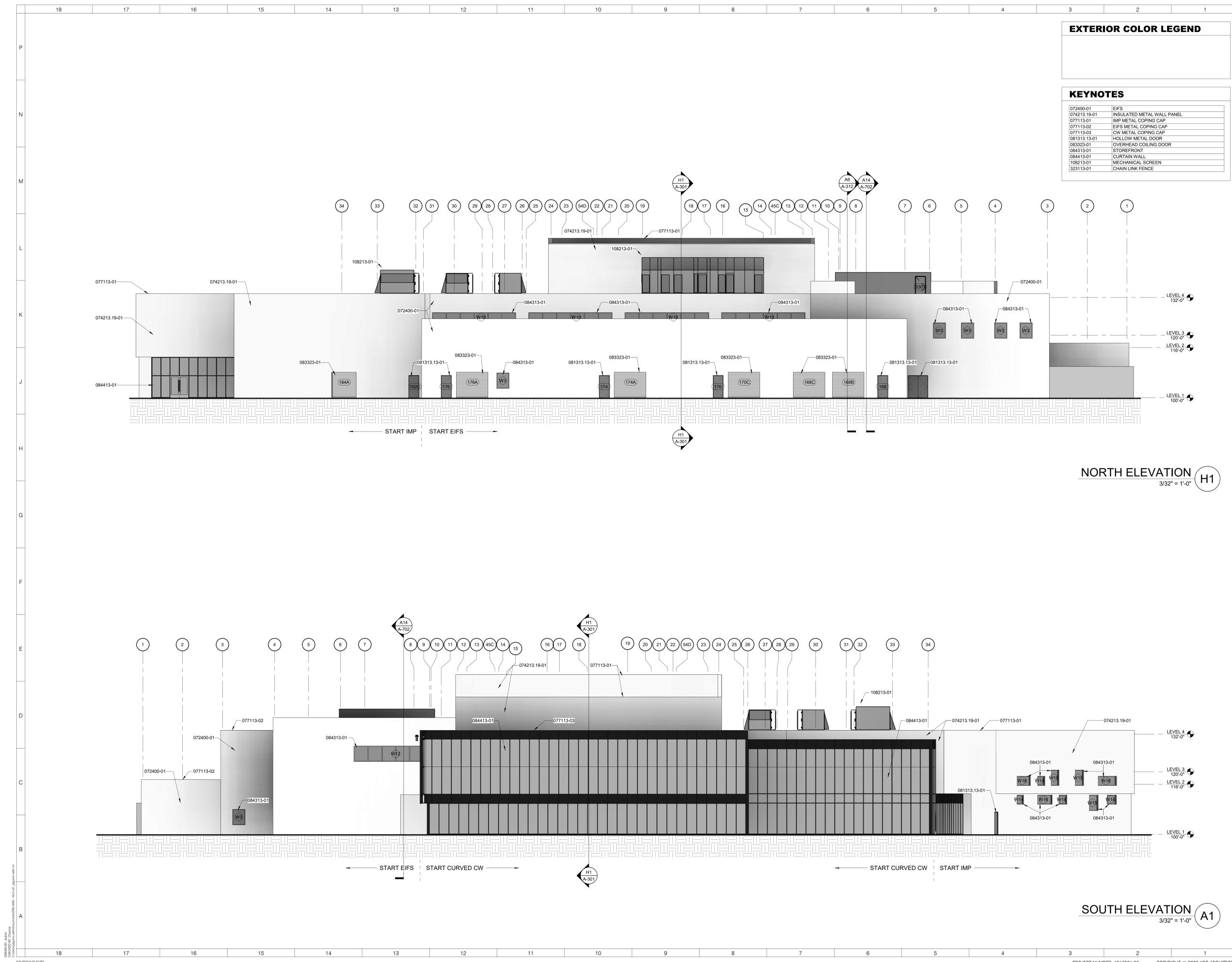
STATE OF OKLAHOMA
 REGISTERED ARCHITECT
 No. 1288
 KENNETH S. QUINN
 10/15/2011

ORU - TRAINING CENTER
 7777 South Lewis Ave
 Tulsa, Oklahoma 74171

ISSUED: 00 SET
 DATE: 06/23/2021
 SCALE: 1/8" = 1'-0"
 SHEET NAME:
 BUILDING ELEVATIONS

SHEET NUMBER:
A-202

PROGRESS SET - FOR REVIEW ONLY



EXTERIOR COLOR LEGEND

KEYNOTES

| | |
|--------------|----------------------------|
| 072400-01 | EIFS |
| 074213.19-01 | INSULATED METAL WALL PANEL |
| 077113-01 | IMP METAL COPING CAP |
| 077113-02 | EIFS METAL COPING CAP |
| 077113-03 | CW METAL COPING CAP |
| 081313.13-01 | HOLLOW METAL DOOR |
| 083323-01 | OVERHEAD COILING DOOR |
| 084313-01 | STOREFRONT |
| 084413-01 | CURTAIN WALL |
| 108213-01 | MECHANICAL SCREEN |
| 323113-01 | CHAIN LINK FENCE |

NORTH ELEVATION H1
3/32" = 1'-0"

SOUTH ELEVATION A1
3/32" = 1'-0"

ARCHITECT



KSQ Architects PC dba KSQ Design
601 S Lewis Ave
Tulsa, OK 74104
918.562.0622 office
ksq.design

Owner
ORAL ROBERTS UNIVERSITY
7777 South Lewis Ave
Tulsa, Oklahoma 74171
918.495.6161 office
oru.edu

Civil Engineer
WALLACE DESIGN COLLECTIVE
123 North Martin Luther King Jr. Blvd
Tulsa, Oklahoma 74103
918.584.5858 office
wallace.design

Structural Engineer
WALLACE DESIGN COLLECTIVE
123 North Martin Luther King Jr. Blvd
Tulsa, Oklahoma 74103
918.584.5858 office
wallace.design

MEP Engineer
PHILLIPS + GOMEZ
15 W 6TH St Ste 2510
Tulsa, OK 74119-5419
918.584.0102 office
phillipsgomez.com

Landscape
WALLACE DESIGN COLLECTIVE
123 North Martin Luther King Jr. Blvd
Tulsa, Oklahoma 74103
918.584.5858 office
wallace.design

AV Consultant
MERCK & HILL CONSULTANTS
1985 North Park Pl Ste 450
Atlanta, Georgia 30339
770.937.0185 office
merckhill.com



ORAL ROBERTS UNIVERSITY MEDIA ARTS CENTER

7777 South Lewis Ave
Tulsa, Oklahoma 74171

KEY PLAN



REVISIONS

| No. | Description | Date |
|-----|-------------|------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

ISSUED: PERMIT SET
DATE: 03/31/2022

SCALE: As indicated

SHEET NAME: BUILDING ELEVATIONS

SHEET NUMBER:

A-201

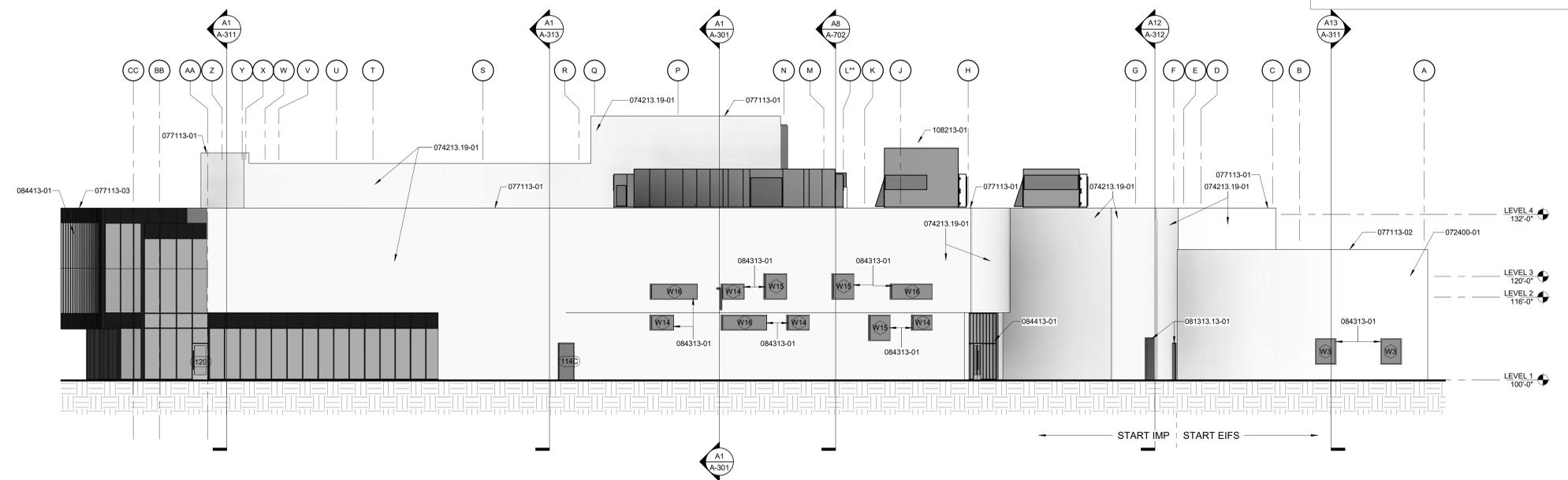
3/31/2022 5:07:32 PM
 C:\temp\p\1917001\1917001.dwg
 ORU-2022-03-31-1917001.dwg
 David W. Sigurdson

18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

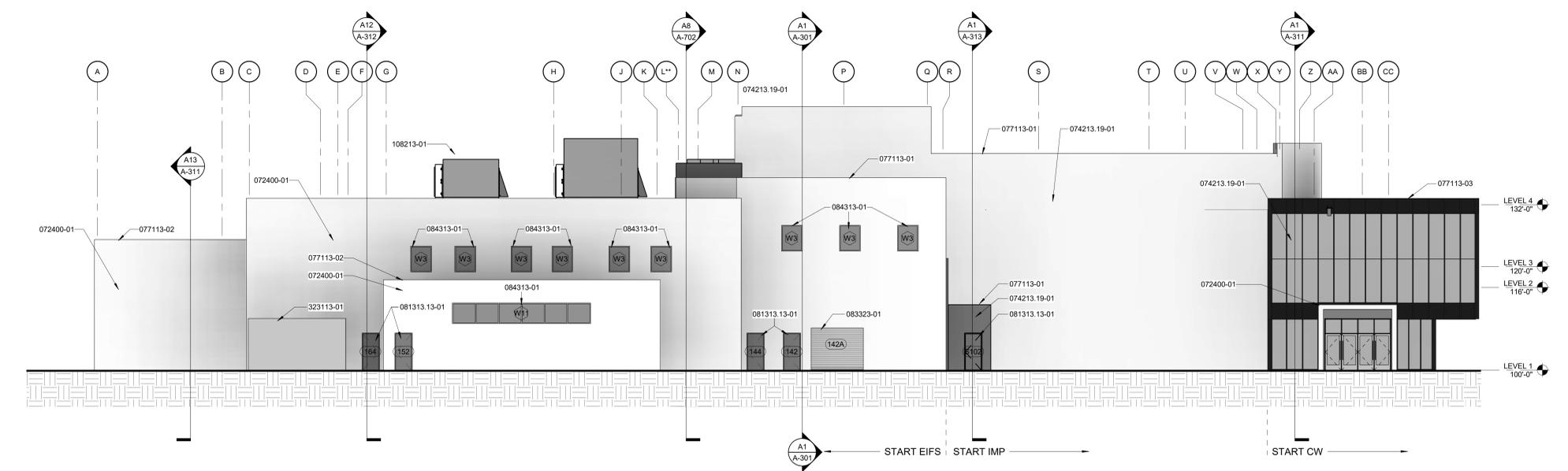
EXTERIOR COLOR LEGEND

KEYNOTES

| | |
|--------------|----------------------------|
| 072400-01 | EIFS |
| 074213.19-01 | INSULATED METAL WALL PANEL |
| 077113-01 | IMP METAL COPING CAP |
| 077113-02 | EIFS METAL COPING CAP |
| 077113-03 | CW METAL COPING CAP |
| 061313.13-01 | HOLLOW METAL DOOR |
| 063323-01 | OVERHEAD COILING DOOR |
| 084313-01 | STOREFRONT |
| 084413-01 | CURTAIN WALL |
| 108213-01 | MECHANICAL SCREEN |
| 323113-01 | CHAIN LINK FENCE |



EAST ELEVATION H1
3/32" = 1'-0"



WEST ELEVATION A1
3/32" = 1'-0"

ARCHITECT



KSQ Architects PC dba KSQ Design
601 S Lewis Ave
Tulsa, OK 74104
918.582.0622 office
ksq.design

Owner

ORAL ROBERTS UNIVERSITY
7777 South Lewis Ave
Tulsa, Oklahoma 74171
918.495.6161 office
oru.edu

Civil Engineer

WALLACE DESIGN COLLECTIVE
123 North Martin Luther King Jr. Blvd
Tulsa, Oklahoma 74103
918.584.5858 office
wallace.design

Structural Engineer

WALLACE DESIGN COLLECTIVE
123 North Martin Luther King Jr. Blvd
Tulsa, Oklahoma 74103
918.584.5858 office
wallace.design

MEP Engineer

PHILLIPS + GOMEZ
15 W 6TH St Ste 2510
Tulsa, OK 74119-5419
918.584.0102 office
phillipsgomez.com

Landscaper

WALLACE DESIGN COLLECTIVE
123 North Martin Luther King Jr. Blvd
Tulsa, Oklahoma 74103
918.584.5858 office
wallace.design

AV Consultant

MERCK & HILL CONSULTANTS
1995 North Park Pl Ste 450
Atlanta, Georgia 30339
770.937.0185 office
merckhill.com



ORAL ROBERTS UNIVERSITY MEDIA ARTS CENTER

7777 South Lewis Ave
Tulsa, Oklahoma 74171

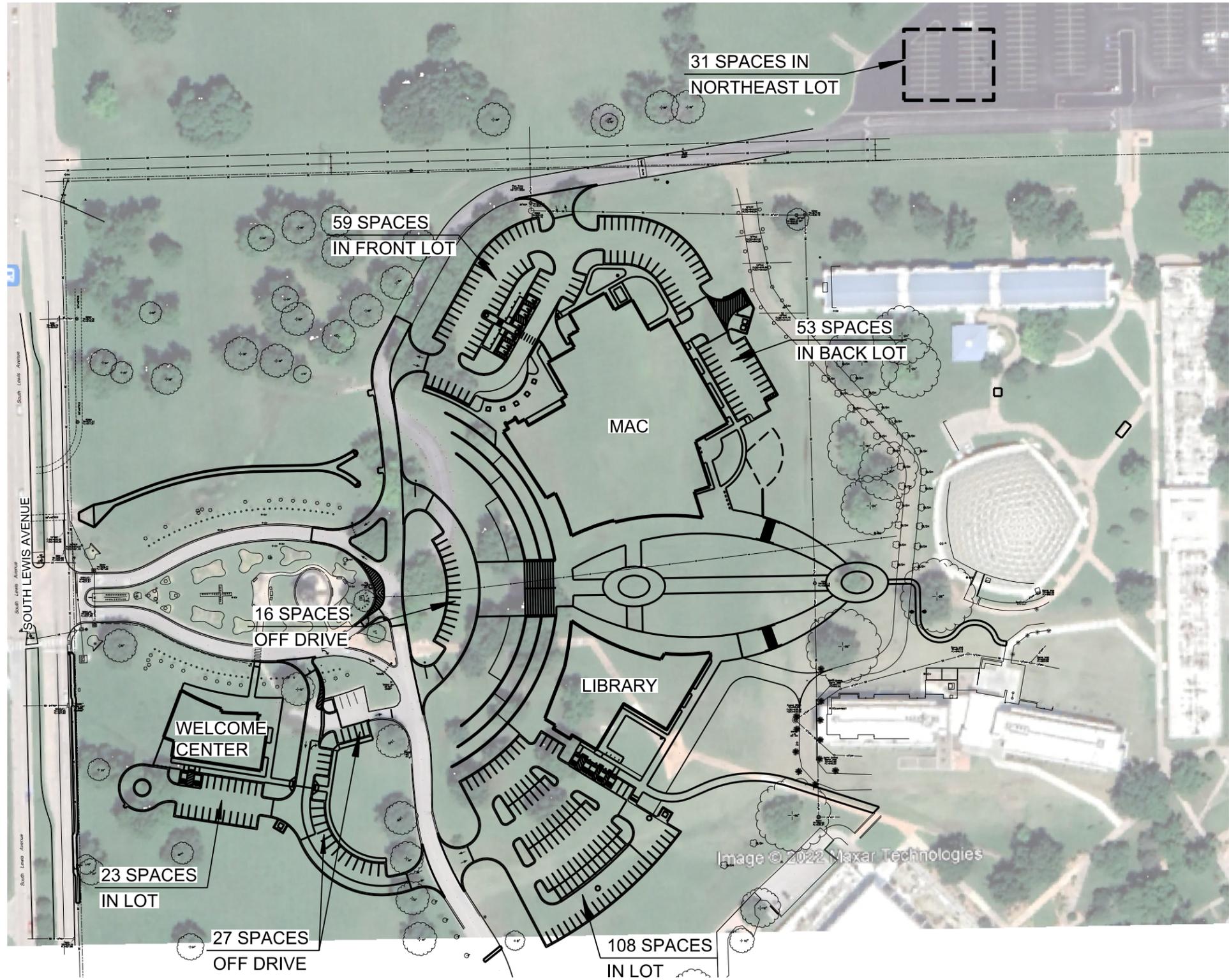


| REVISIONS | | |
|-----------|-------------|------|
| No. | Description | Date |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

ISSUED: PERMIT SET
DATE: 03/31/2022
SCALE: As indicated
SHEET NAME: BUILDING ELEVATIONS
SHEET NUMBER:

A-202

3/31/2022 5:07:53 PM



| PARKING COUNT | |
|-----------------------|------------|
| MAC | 128 |
| LIBRARY | 108 |
| WELCOME CENTER | 50 |
| NORTHEAST LOT | 31 |
| TOTAL PROVIDED | 317 |
| TOTAL REQUIRED | 317 |

5/6/2022 1:41:28 PM \\dlv\server\projects\2040020 ORU Media Arts Center\Dgn\Exhibits\WC_Lib_MAC Parking - Concept_L.dgn

| REV | DESCRIPTION | DATE |
|-----|-------------|------|
| | | |
| | | |
| | | |
| | | |

BEFORE YOU DIG
CALL OKIE

CAUTION
NOTICE TO CONTRACTOR

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THE LOCATION AND ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES

wallace design collective

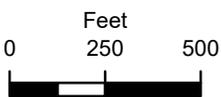
www.wallacedesigncollective.com
1224 Northline, Suite 1000, Oklahoma City, OK 73102
918.241.8888

OKLAHOMA CA #1480
EXP DATE 6/30/23

ORU MAC, LIBRARY, WELCOME CENTER
PARKING COUNT

MAY 6, 2022

PROJECT NO. _____ SHEET NO. _____ of _____



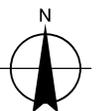
Subject
Tract

BOA-23369

18-13 08

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

Aerial Photo Date: 2020/2021



17.39