



CITY OF
Tulsa
Board of Adjustment

Case Number: BOA-23515

Hearing Date: 04/11/2023 1:00 PM

Case Report Prepared by:

Austin Chapman

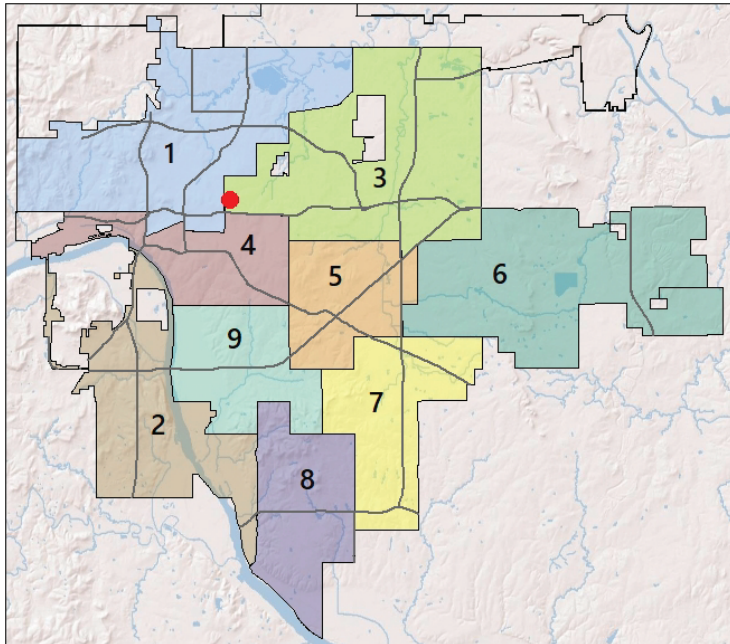
Owner and Applicant Information:

Applicant: Kyle Gibson

Property Owner: BAILEY, LYNDEE & ARTHUR WILSON

Action Requested: Special Exception to permit a Junk or Salvage Yard Use in the IM Zoning District (Sec. 15.020, Table 15-2)

Location Map:



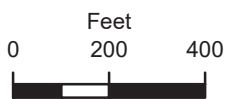
Additional Information:

Present Use: Empty Industrial Storage

Tract Size: 1.64 acres

Location: 2471 E. Independence St. N.

Present Zoning: IM



Subject Tract

BOA-23515

20-13 32

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

Aerial Photo Date: 2020/2021

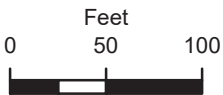


8.2



E INDEPENDENCE ST

N ATLANTA AVE



Subject Tract

BOA-23515

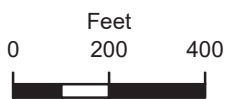
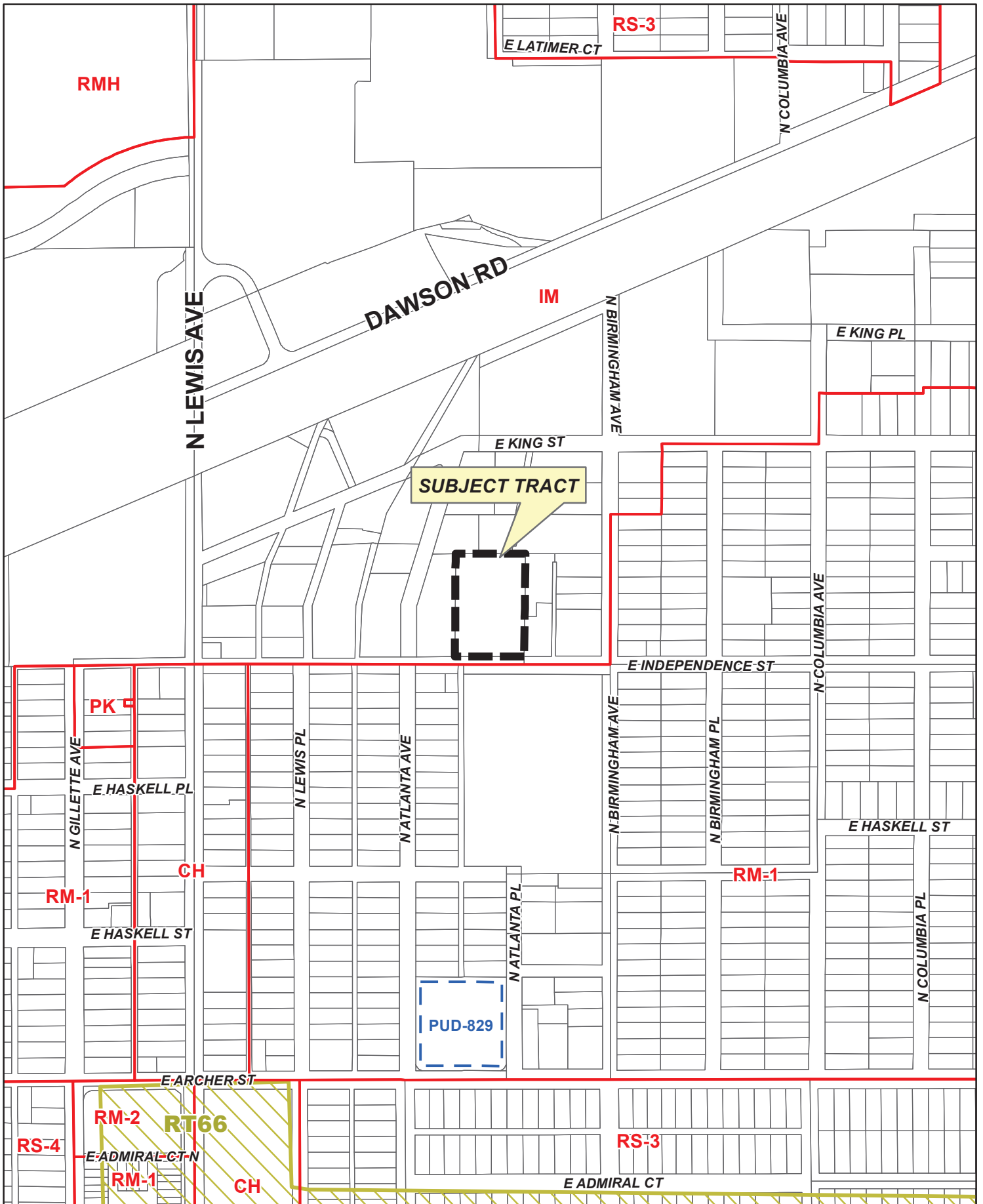
20-13 32

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

Aerial Photo Date: 2020/2021



8.3



BOA-23515

20-13 32



8.4

BOARD OF ADJUSTMENT CASE REPORT

STR: 0332

Case Number: BOA-23515

CD: 3

HEARING DATE: 04/11/2023 1:00 PM

APPLICANT: Kyle Gibson

ACTION REQUESTED: Special Exception to permit a Junk or Salvage Yard Use in the IM Zoning District (Sec. 15.020, Table 15-2)

LOCATION: 2471 E INDEPENDENCE ST N

ZONED: IM

PRESENT USE: Empty Industrial Storage

TRACT SIZE: 71499.68 SQ FT

LEGAL DESCRIPTION: BEG 831.25E SWC NW SW TH E220 N325 W220 S325 POB SEC 32 20 13, FLEETWOOD INDUSTRIAL ADDN NO 2 INCL B15 MCLANE ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS: None.

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

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.

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.

STAFF ANALYSIS: The applicant is requesting a Special Exception to permit a Junk or Salvage Yard Use in the IM Zoning District (Sec. 15.020, Table 15-2);

Junk or salvage yards are defined as follows in the code:

35.070-D Junk or Salvage Yard

A building or open area where waste, scrap, used or second-hand materials are bought, sold, exchanged, stored, baled, packed, disassembled, crushed, processed, or handled for reclamation, disposal or other similar purposes, including but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles.

Included in your packet is a copy of Sec. 40.190 which contains the supplemental regulations for Junk or Salvage yards.

Staff would encourage the Board to consider the proximity of the subject property to Sequoyah Elementary School.



Per the applicant's site plan the applicant is proposing to "construct a new building for private consumer drop off of materials from construction sites (closed to the public). Material is to be processed into large trucks to be hauled to landfills."

The applicant would include an 8-foot Masonry and Wood screening fence and a 10-foot landscaping buffer.

SAMPLE MOTION:

Move to _____ (approve/deny) a _____

- 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



Sequoyah Elementary School (Immediately South of Independence from Subject property)

Section 40.170 Hotel or Motel

Whenever a hotel or motel use is located on a lot abutting an R- or AG-R-zoned lot, a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of [§65.070-C](#).

Section 40.180 Industrial Uses

40.180-A Whenever any industrial use, other than a junk or salvage yard, is located on a lot abutting an R- or AG-R- zoned lot, a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of [§65.070-C](#). Junk and salvage yards are subject to the regulations of [Section 40.190](#).

40.180-B Industrial uses located within 300 feet of an abutting R- or AG-R- zoned lot must be conducted within a completely enclosed building, except for storage, loading and off-loading areas.

Section 40.190 Junk or Salvage Yards

The supplemental use regulations of this section apply to all junk or salvage yards.

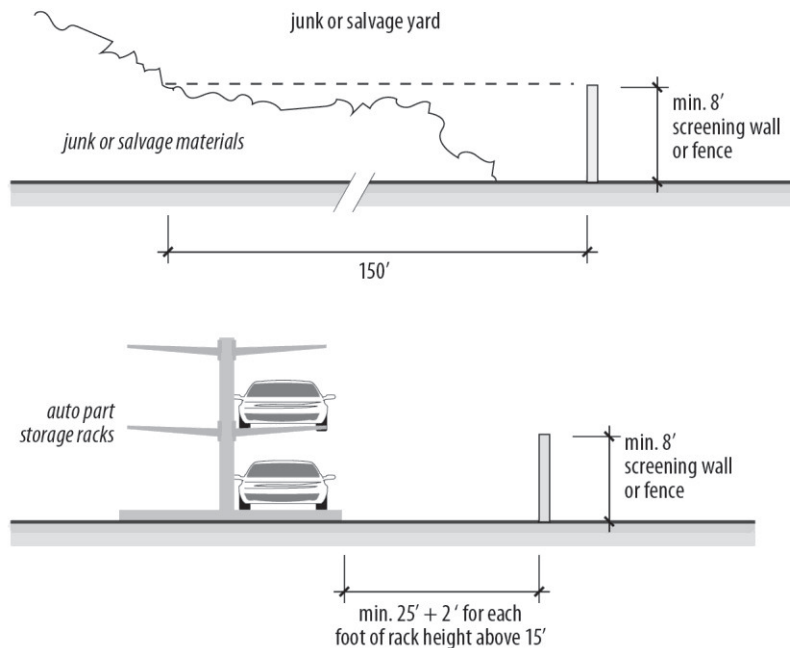
40.190-A Junk or salvage yards must be screened from view of abutting streets and all AG, AG-R, R, PK, O, C, CBD, SR, IL and CO zoning districts by the erection and maintenance of a screening wall or fence that is:

1. At least 8 feet in height;
2. Made of wood, metal, or masonry construction;
3. Designed and arranged to provide opaque visual screening;
4. Uniform in height, except in response to significant changes in topography;
5. Constructed with all braces and supports on the interior of the fence or wall; and
6. Erected before occupancy of the building or initiation of the junk or salvage yard use.

40.190-B Required screening walls and fences must be maintained by the owner of the lot containing the use requiring the screening.

40.190-C The piling of junk or salvage materials may not exceed the height of the required screening wall or fence within 150 feet of the boundary required to be screened, except that storage racks designed for the stacking of automotive front-ends, hoods, doors, quarter panels, and similar parts that exceed the height of the screening wall or fence, must be set back at least 25 feet from abutting R- or AG-R- zoned lot and street rights-of-way, plus 2 additional feet of setback for every foot of rack height above 15 feet.

Figure 40-7: Screening and Setback Requirements for Junk and Salvage Material



40.190-D The board of adjustment is authorized as a special exception to:

1. Modify or eliminate the screening wall or fence requirements where existing physical features, such as trees and other plant materials, buildings, earthen berms or hills, provide equivalent visual screening;
2. Modify the screening wall or fence requirements when alternative screening will provide equivalent visual screening, such as:
 - a. Dense landscaping, or
 - b. A 6-foot privacy wall or fence;
3. Grant an extension of time to erect a screening wall or fence when properties, other than streets, are undeveloped and no immediate plans for development are known or anticipated; or
4. Eliminate the screening wall or fence requirements when the purpose of the screening requirement cannot be achieved, such as when a street is elevated, or when the required screening wall or fence is prohibited by other regulations, such as in floodplains.

Section 40.200 Library or Cultural Exhibit

Museums, planetariums, aquariums and other cultural exhibit uses require a minimum lot area of one acre in AG, AG-R, RE and RS zoning districts.

Section 40.210 Manufactured Housing Units

The supplemental regulations of this section apply only to manufactured housing units approved as special exception uses in R or AG-R zoning districts.

- 40.210-A** The manufactured housing unit must be removed from the lot within one year of the date of special exception approval. The board of adjustment is authorized to

PROJECT INFORMATION

PROJECT ADDRESS: 2471 EAST INDEPENDENCE STREET NORTH

LEGAL DESCRIPTION: BEGINNING 831.25 FEET EAST OF THE SOUTHWEST CORNER OF THE NW QUARTER OF THE SW QUARTER OF SECTION 32, TOWNSHIP 20NORTH, RANGE 13 EAST TO THE POINT OF BEGINNING, THENCE EAST 220 FEET, THENCE NORTH 325 FEET, THENCE WEST 220 FEET, THENCE SOUTH 325 FEET TO THE POINT OF BEGINNING .

PROJECT DESCRIPTION: CONSTRUCT A NEW BUILDING FOR PRIVATE CONSUMER DROP OFF OF MATERIALS FROM CONSTRUCTION SITES (CLOSED TO THE PUBLIC). MATERIAL IS TO BE PROCESSED INTO LARGE TRUCKS TO BE HAULED TO LANDFILLS. BUILDING WILL COMPOSE OF INDOOR DROP OFF OF MATERIAL AS WELL AS OFFICE SPACE FOR EMPLOYEES WITH ADA ACCESSIBLE BATHROOMS.

SEEKING SPECIAL EXCEPTION BY RIGHT FOR INDUSTRIAL USE OF A JUNK OR SALVAGE YARD ON AN IM ZONED LOT. ALL WORK TO BE IN ACCORDANCE WITH BOA CASE # _____ AND CITY OF TULSA ZONING CODE.

APPLICABLE CODES AND REGULATIONS:
TULSA ZONING CODE

BUILDING CODE INFORMATION:
ZONING: IM
OCCUPANCY: S2
TULSA REGULATORY FLOODPLAIN: N/A

AREA CALCULATIONS:
EXISTING HABITABLE AREA: TO BE DEMOLISHED
PROPOSED HABITABLE AREA: 6,400SF
MAXIMUM BUILDING HEIGHT: 16'-0"
SCREENING: 8' MASONRY/WOOD FENCE
NUMBER OF DUMPSTERS: 50
NUMBER OF TRUCKS: 15
DAILY TONNAGE LIMIT: 200 (ONE 53' TRANSFER TRUCK)

PARKING REQUIREMENTS:
INDUSTRIAL (JUNK OR SALVAGE YARD): 0.85/1,000SF
REQUIRED PARKING: 8 PARKING SPOTS

UTILITIES INFORMATION:
CITY OF TULSA WATER AND SEWER
PSO ELECTRICITY

APPLICANT	CONTACT
LOV INVESTMENTS LLC	KYLE GIBSON
40726 NORTH 3990 ROAD COLLINSVILLE, OK 74021	551 SOUTH QUAKER AVENUE TULSA, OK 74120

DRAWING INDEX	
A000	COVER SHEET/ SITE PLAN
A101	DETAILS



1 SITE PLAN

A-B HAULING TRANSFER STATION
2471 EAST INDEPENDENCE STREET NORTH
TULSA, OK 74110

DRAWING:
SITE PLAN

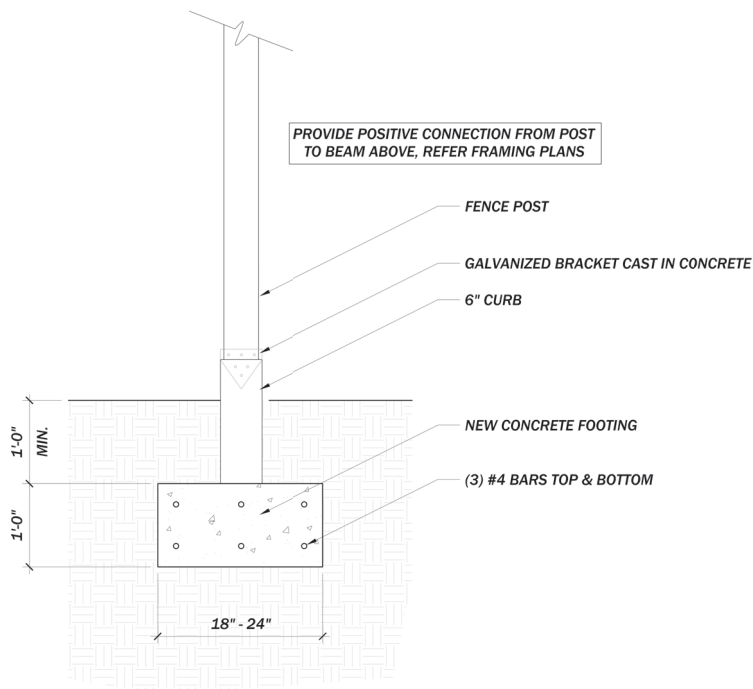
ZONING CLEARANCE
NOT FOR
CONSTRUCTION
NOT A LEGAL DOCUMENT

DATE:
3/9/2023

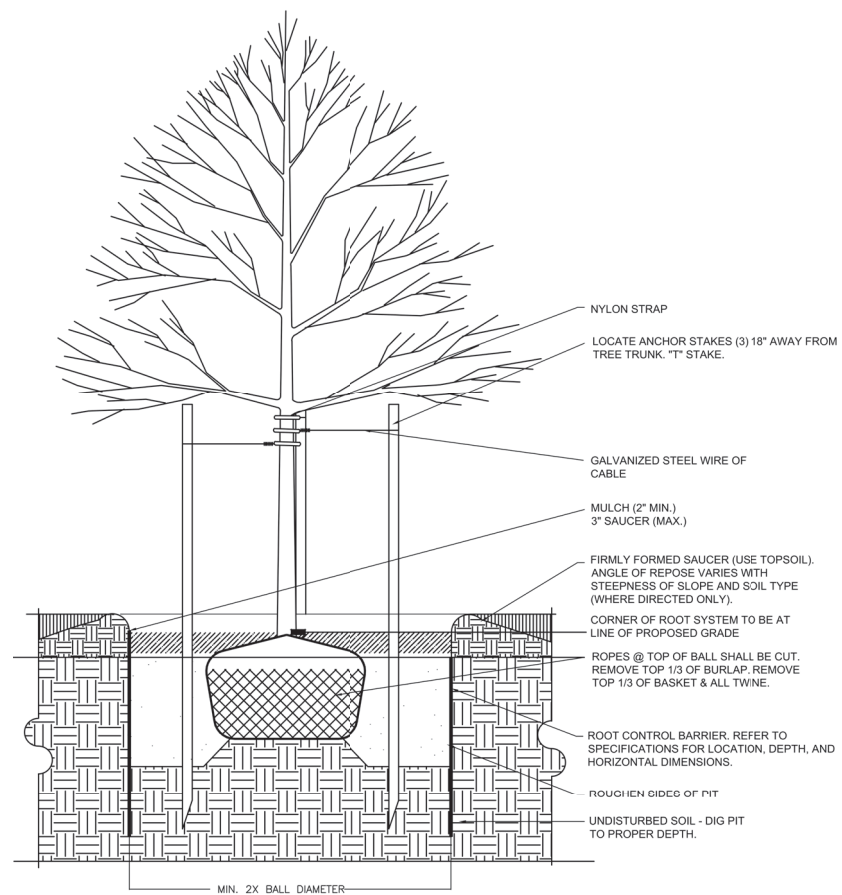
SCALE:
1" = 20' - 0"

SHEET:

A001



1 FENCE DETAIL



2 TREE DETAIL

A-B HAULING TRANSFER STATION
 247 1/2 EAST INDEPENDENCE STREET NORTH
 TULSA, OK 74110

DRAWING:
DETAILS

ZONING CLEARANCE
 NOT FOR
 CONSTRUCTION
 NOT A LEGAL DOCUMENT

DATE:
 3/9/2023

SCALE:
 NTS

SHEET:

A101



DEVELOPMENT SERVICES
175 E 2ND ST., STE 405
TULSA, OK 74103
918-596-9456

CITY OF TULSA

CORRECTIONS SUMMARY

ZCO-141712-2023 (2471 E INDEPENDENCE ST N Tulsa, OK 74110)
A-B HAULING FEASIBILITY_v1.pdf Markup Summary#1

Note (1)



Subject: Note
Page Label: 1
Status:
Author: danabox
Date: 2/27/2023 12:06:31 PM
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Sec.15.020 Table 15-2: The proposed building is designated Industrial/Junk or Salvage Yard Use. It is located in a IM zoned district.
Review Comment: The Industrial/Junk or Salvage Yard use will require a Special Exception approved by the Board of Adjustment (BOA). Contact INCOG for further instructions and next steps. 918-584-7526.

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