



CITY OF
Tulsa
Board of Adjustment

Case Number: BOA-23556

Hearing Date: 08/22/23 (Continued from 8/08/23)

Case Report Prepared by:

Austin Chapman

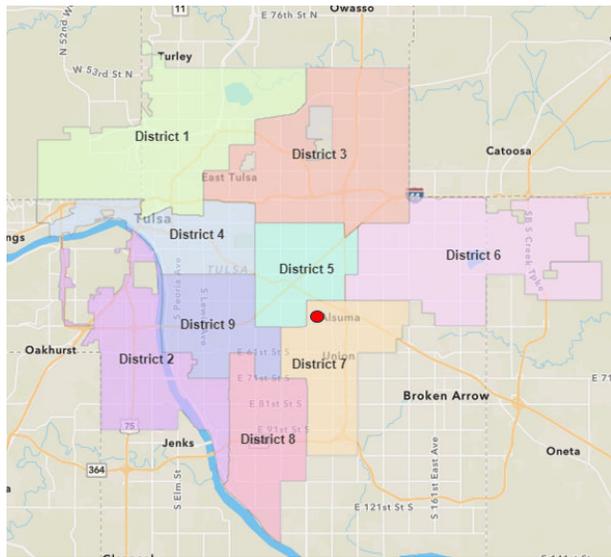
Owner and Applicant Information:

Applicant: Farron Hollabaugh

Property Owner: Pipeline Industry Benefit Fund

Action Requested: Special Exception to increase the allowed fence height of 8-feet inside a building setback (Sec. 45.080-A)

Location Map:



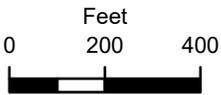
Additional Information:

Present Use: Light Industry Training School

Tract Size: 2.3 acres

Location: 4845 S. 83rd AV E

Present Zoning: IL

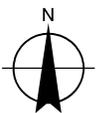


 Subject Tract

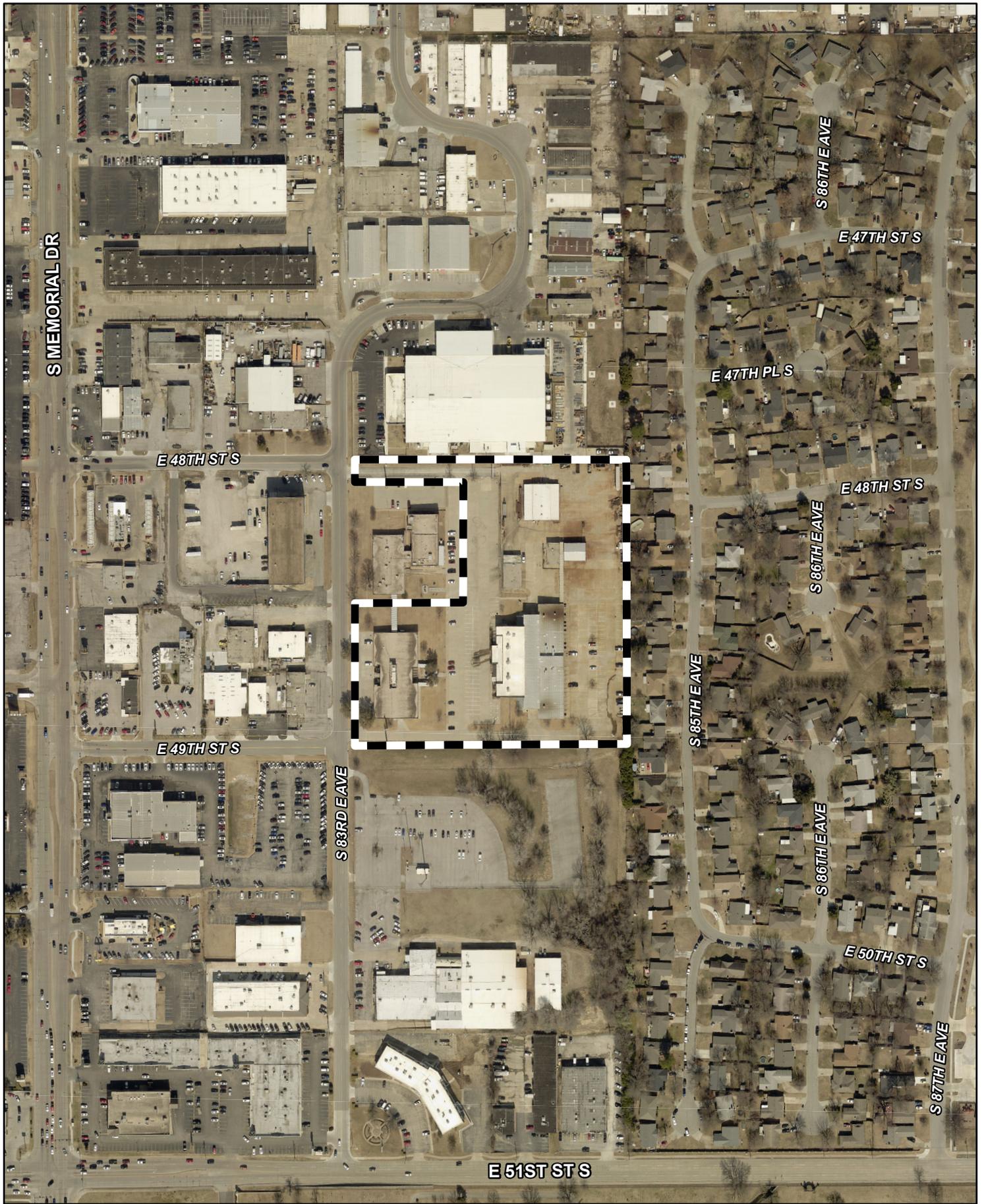
BOA-23556

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

Aerial Photo Date: 2021



5.2



S MEMORIAL DR

E 48TH ST S

E 49TH ST S

S 83RD AVE

E 51ST ST S

S 86TH AVE

E 47TH ST S

E 47TH PL S

E 48TH ST S

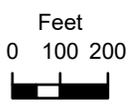
S 86TH AVE

S 85TH AVE

S 86TH AVE

E 50TH ST S

S 87TH AVE



Subject Tract

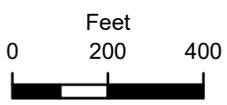
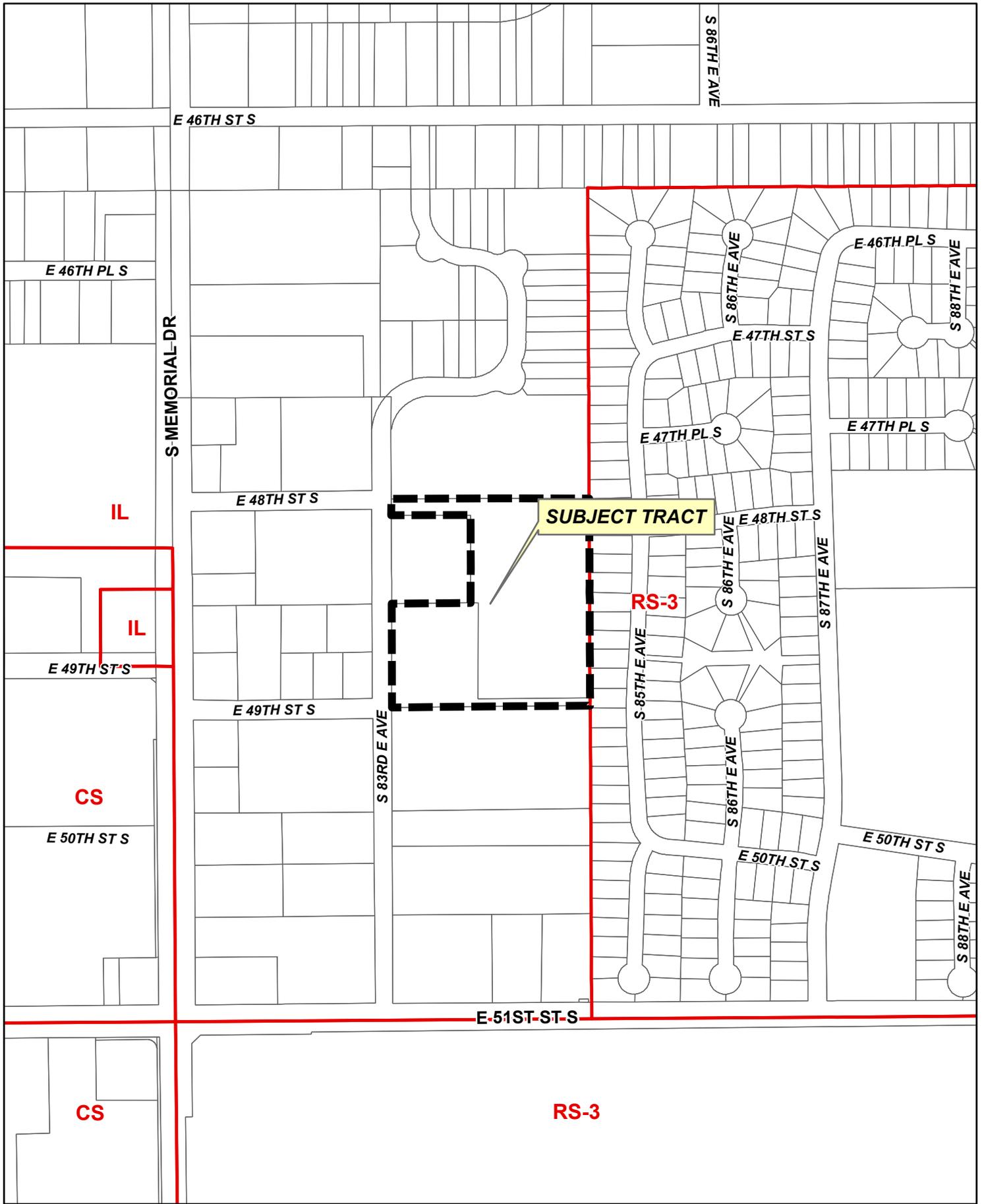
BOA-23556

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

Aerial Photo Date: 2021



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BOA-23556



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9325

Case Number: **BOA-23556**

CD: 7

HEARING DATE: 08/22/2023

APPLICANT: Farron Hollabaugh

ACTION REQUESTED: Special Exception to increase the allowed fence height of 8-feet inside a building setback (Sec. 45.080-A)

LOCATION: 4845 S 83 AV E

ZONED: IL

PRESENT USE: Light Industry Training School

TRACT SIZE: 100362.39 SQ FT

LEGAL DESCRIPTION: PRT PRT LT 4 BEG NWC LT 4 TH E277.29 S305 E354.25 S25 W634.55 N330 POB LT 3 BEG SECR THEREOF TH WLY381.47 NLY280 WLY250 NLY50 ELY631.99 SLY330 POB & PRT LT 4 BEG 277.29E NWC LT 4 TH E354.18 S305 W354.25 N305 POB BLK 1 , SECOND RESEARCH & DEVELOPMENT CTR RESUB, City of Tulsa, Tulsa County, State of Oklahoma

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan identifies the subject property as part of an Employment Land Use designation.

The employment designation is intended to accommodate offices, warehousing and storage, manufacturing and assembly, and industrial processes. The "Industrial Site Suitability" map corresponds to the Employment land use designation and indicates where uses that are potentially incompatible with sensitive land uses are best suited to locate. This directs industrial uses to particular areas of the city while discouraging industrial in close proximity to Neighborhood areas.

STAFF ANALYSIS:

Applicant seeks to build an 8-foot fence on top of a 1-foot and 6-inch concrete retaining-wall which makes the total height of the fence 9-feet and 6-inches along the east border of the property.

45.080-A Fences and walls within required building setbacks may not exceed 8 feet in height, except that in required street setbacks fences and walls may not exceed 4 feet in height. However, in R zoned districts, fences up to 8 feet in height are permitted in side street setbacks of detached houses or duplexes located on corner lots and in street setbacks abutting the rear lot line of houses or duplexes located on double frontage lots. The board of adjustment is authorized to modify these fence and wall regulations in accordance with the special exception procedures of [Section 70.120](#).

SAMPLE MOTION:

Special Exception:

Move to _____ (approve/deny) a special exception to increase the allowed fence height of 8-feet inside a building setback (Sec. 45.080-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 (Image used from Google.com Street View, image capture date: January 2023)



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

CITY OF TULSA

CORRECTIONS SUMMARY

Zoning BLDC-150282-2023 (1)

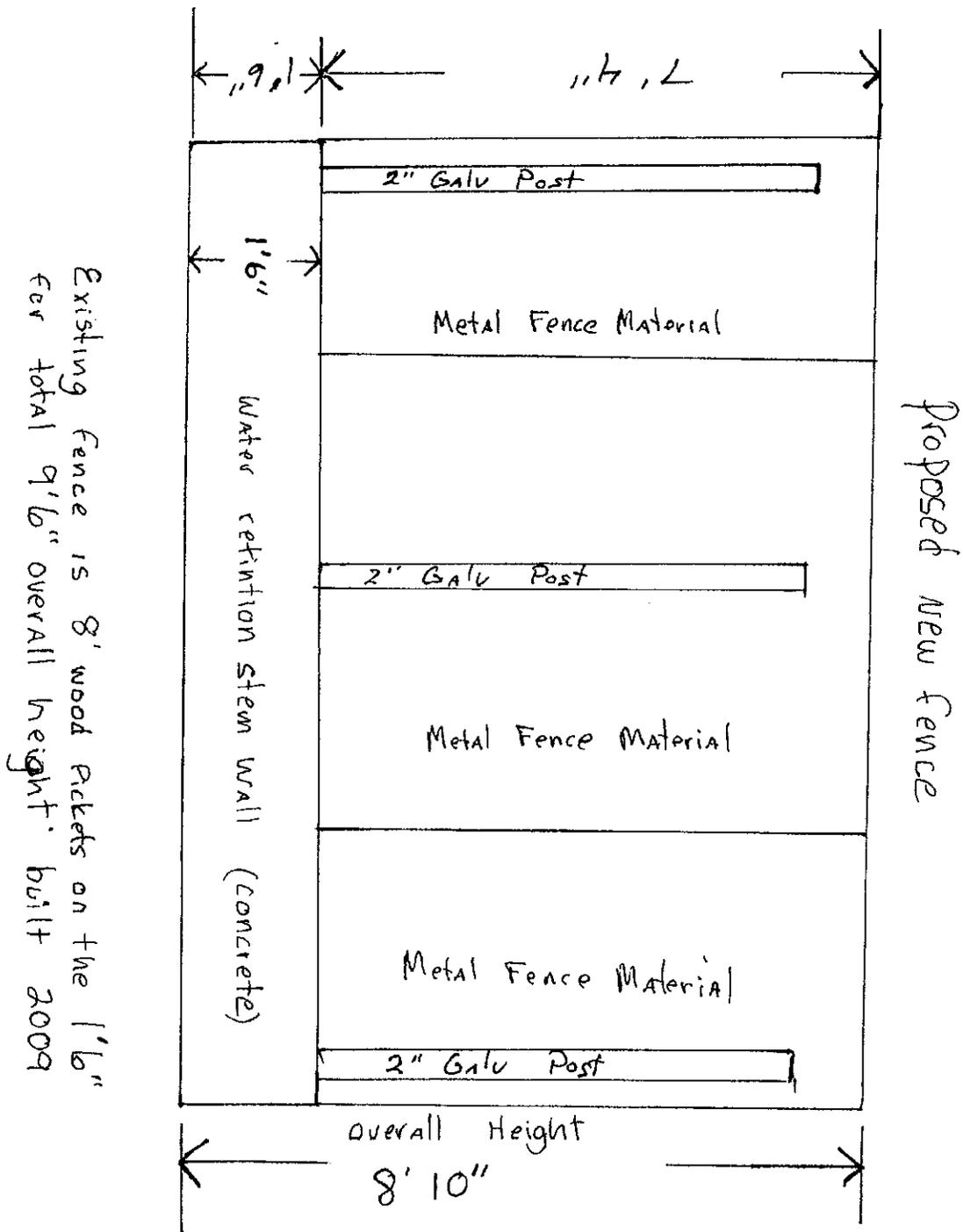


Subject: Zoning BLDC-150282-2023
Page Label: 1
Status:
Author: Jeffrey Bush
Date: 6/1/2023 2:54:24 PM
Color: [Color selection icon]

Section 45.080 Fences and Walls
 45.080-A Fences and walls within required building setbacks may not exceed 8 feet in height, except that in required street setbacks fences and walls may not exceed 4 feet in height

Review Comment: Please provide total height on plans. Total height cannot exceed 8'.

This constitutes a Plan Review to date in response to the information submitted with and after the above referenced application. Additional issues may develop when the review continues upon receipt of additional information requested in this letter or upon additional submittal from the client. Any code items not reviewed are still in force, and it shall be the responsibility of the owner and design professional(s) to ensure that all code requirements are satisfied.

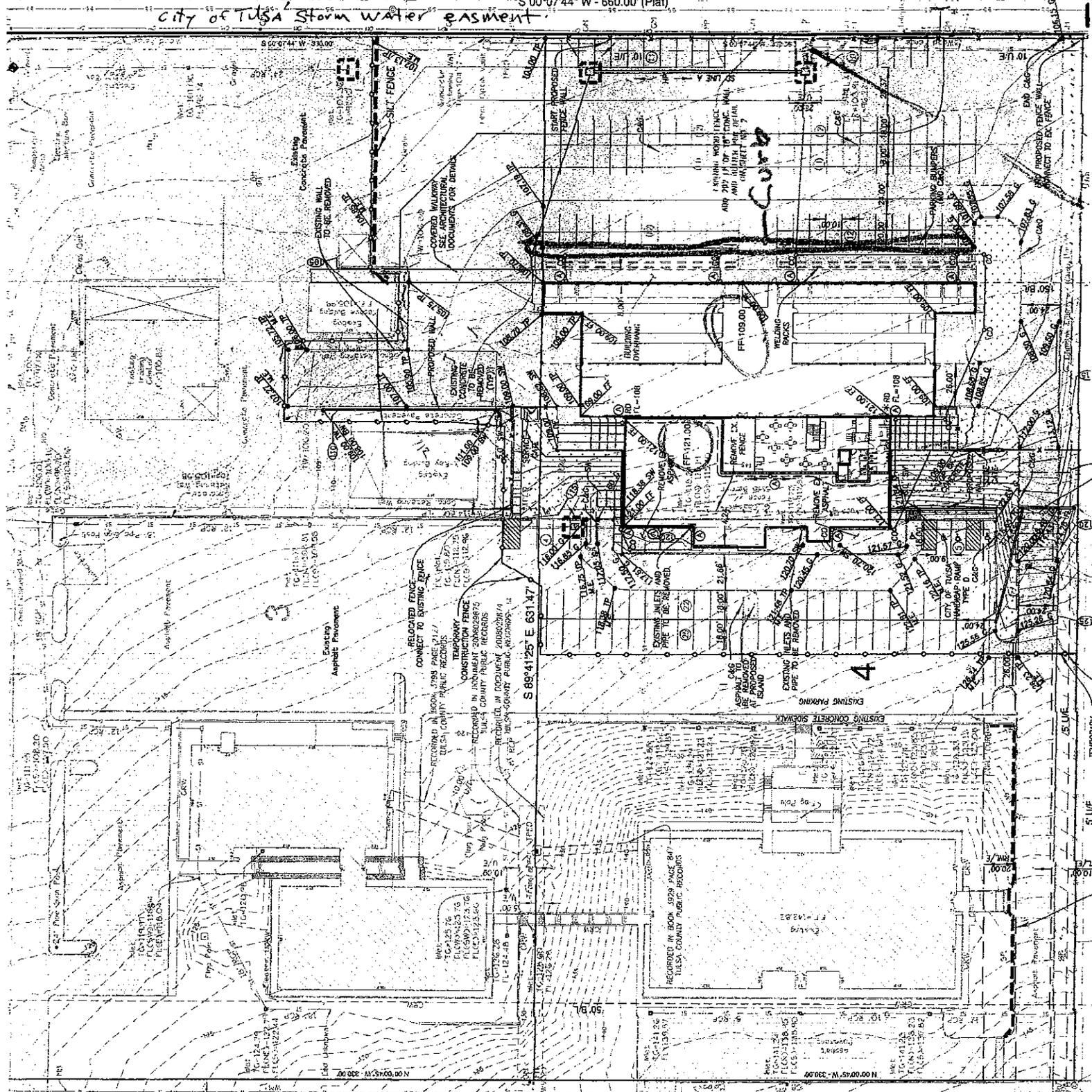


S. 83rd E. Ave.

N 00°00'45" W - 660.00'

Approx. location of 50' Waterline per City of Tulsa Water Affairs

60.00' W



S 00°00'45" W - 660.00' (Field)
S 00°07'44" W - 660.00' (Plat)

City of Tulsa Storm Water easement

Regency Park West

Approx 660' Remove + replace in existing easement. Note: highlight

W.O. N.E.

CORNER TO BE SET WITH A PERMANENT MARKER. THE MARKER SHALL BE SINK-GROUND NAIL PER SURVEYOR'S PLAN.

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From: [Daniel Nicholls](#)
To: [Tulsa Planning Office](#)
Subject: Objection to special exception case # BOA-23556
Date: Tuesday, August 15, 2023 12:42:57 PM
Attachments: [BOA-23556 \(1\).pdf](#)

Hello,

I'm a homeowner in the Regency Park neighborhood at 4810 s 85th e ave, and I share a property line with the Pipeline Industry Benefit Fund located at 4845 s 83rd e ave.

I have been informed by the owner Farren Hollabaugh that he plans to replace the existing fence that borders both our properties. I received a notice in the mail of a special exception request to increase the allowed fence height above the normal 8 foot maximum.

When Mr Hollabaugh contacted me to let me know about his plan for fence replacement he stated he intends to remove the existing wooden picket fence and replace it with a solid sheet metal material of the type typically used for exterior cladding on a metal barn building.

I understand that zoning code 65.060-C requires an F1 opaque screening wall or fence when a vehicular use area abuts a residential lot and that metal is one of the allowed materials for fencing according to 65.080-F, however I'm concerned that a sheet metal fencing material will absorb a lot of heat in the direct afternoon sun causing damage to nearby plants on my side of the fence and creating an excess of radiant heat that makes my yard area less hospitable for outdoor activities in the afternoon and evening hours.

Zoning code 65.070-C states in section 2b that trees should be planted along the fence line every 25 feet to satisfy the requirements for F1 fencing. 65.050-D also states that a parking area should contain one large tree for every ten parking spaces and that no parking space should be more than 100 feet from a tree.

With rising summer temperatures recently i think its important to adhere to these rules to preserve green spaces in our city and keep large paved areas cool in the shade created by these tree plantings. This will create a more pleasant working environment for employees at the Pipeline Industry Benefit Fund and preserve property values in our residential neighborhood by making the area more beautiful and pleasant to live in.

I have reviewed the building plan attached and do not see any mention of new tree plantings along the fence line that would shade the metal fence or the parking area from the heat of the sun and prevent the material from getting too hot in the afternoon times. Zoning code 65.070-C says when no trees are planted to satisfy the F1 screening requirements that a masonry material should be used instead.

If Mr Hollabaugh does not update his building plans to include the required tree plantings then I must object to the installation of a sheet metal fence that exceeds the maximum 8 foot height limit. I would not object to the height exception if Mr Hollabaugh either complied with the shade tree planting requirements in the zoning code or at least chose to use an alternative fencing material such as new wooden pickets in the same style as the existing fence.

Thankyou for taking the time to read my comments and for taking them into consideration

during the upcoming board of adjustments approval hearing.

Daniel Nicholls
918-951-3303
oktwols@gmail.com

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