



Board of Adjustment

**Staff Report
Variance BOA-23685**

Hearing Date: April 23, 2024
Prepared by: Sean Wallace
swallace@cityoftulsa.org
918-596-7585

Owner and Applicant Information

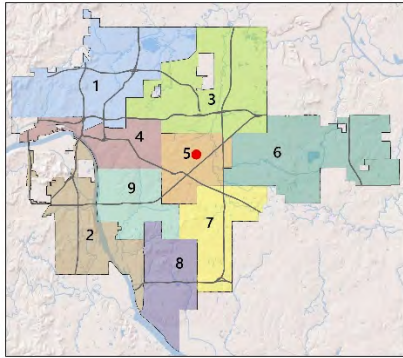
Applicant: Lou Reynolds
Property Owner: Heatheridge Realty LLC c/o MGM Healthcare

Property Location

2130 S. 85th E. Ave.
Tract Size: ±1.7 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 5, Grant Miller.
County Commission: District 2, Karen Keith.

Public Notice Required

Newspaper Notice – min. 10 days in advance
Mailed Notice to 300’ radius – min. 10 days in advance

Request Summary

Special Exception to permit a Residential Treatment Center in the CS, RM-2, RS-3 and RS-1 District (Sec. 5.020 Table 5-2, Sec. 15.020 Table 15-2); Variance to reduce the required parking spaces from 48 to 34 (Table 55-1); Variance to reduce the minimum parking space setback to permit the existing off-street parking area to be less than 25-feet from an abutting street (Table 55-4); Variance to reduce the minimum building setbacks: from 10-feet to 2-feet in the RM-2 district, from 5-feet to 0-feet in the RS-3 District, and from 35-feet to 33-feet in the RS-1 district for an existing building (Sec. 5.030, Table 5-3).

Zoning

Zoning District: CS, RM-2, RS-3, RS-1
Zoning Overlays: N/A

Comprehensive Plan Considerations

Land Use

Land Use Plan: Multiple Use
Small Area Plans: None
Development Era: Late Automobile

Transportation

Major Street & Highway Plan: Residential collector
planitulsa Street Type: None.
Transit: N/A
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: None

Environment

Flood Area: N/A
Tree Canopy Coverage: 20-30%
Parks & Open Space: N/A

Staff Analysis

Special Exception to permit a Residential Treatment Center in the CS, RM-2,RS-3 and RS-1 District (Sec. 5.020 Table 5-2, Sec. 15.020 Table 15-2); Variance to reduce the required parking spaces from 48 to 34 (Table 55-1); Variance to reduce the minimum parking space setback to permit the existing off-street parking area to be less than 25-feet from an abutting street (Table 55-4); Variance to reduce the minimum building setbacks: from 10-feet to 2-feet in the RM-2 district, from 5-feet to 0-feet in the RS-3 District, and from 35-feet to 33-feet in the RS-1 district for an existing building (Sec. 5.030, Table 5-3).

7. Residential Treatment Center

A community-based residential facility that provides diagnostic or therapeutic services, counseling, or treatment and long-term room and board in a highly structured environment for persons receiving active treatment for alcoholism, drug abuse or behavioral disorders.

Table 55-1: Minimum Motor Vehicle Parking Ratios

USE CATEGORY	Measurement (spaces per)	CBD District	CH District and MX District	All Other Districts and PI Overlay [1]	Additional requirements/notes
Subcategory					
Specific use					
[1] See Section 20.040 for information on PI Overlay					
RESIDENTIAL					
Household Living					
Detached house	dwelling unit	0.00	1.00	2.00	
Townhouse	dwelling unit	0.00	1.00	2.00	
Duplex	dwelling unit	0.00	1.00	2.00	
Manufactured housing unit	dwelling unit	0.00	1.00	2.00	
Mobile home	dwelling unit	0.00	1.00	2.00	
Multi-unit house	0-1 bedroom dwelling unit	0.00	1.10	1.25	
Multi-unit house	2+ bedroom dwelling unit	0.00	1.50	2.00	
Apartment/Condo	0-1 bedroom dwelling unit	0.00	1.10	1.25	
Apartment/Condo	2+ bedroom dwelling unit	0.00	1.75	2.00	
Group Living					
Assisted living facility	dwelling unit	0.00	0.33	0.45	
Community group home	1,000 sq. ft.	0.00	0.65	0.85	
Convent/monastery/novitiate	1,000 sq. ft.	0.00	0.65	0.85	
Elderly/retirement center	dwelling unit	0.00	0.50	0.65	
Fraternity/Sorority	bed	0.00	0.33	0.45	
Homeless Center	established as part of special exception				
Life care retirement center	dwelling unit	0.00	0.50*	0.65*	*plus 0.20 per nursing center bed
Re-entry facility	1,000 sq. ft.	0.00	0.65	0.85	
Residential treatment center	1,000 sq. ft.	0.00	0.65	0.85	
Rooming/boarding house	bed	0.00	0.33	0.45	
Shelter, emergency and protective	1,000 sq. ft.	0.00	0.65	0.85	
Transitional living center	1,000 sq. ft.	0.00	0.65	0.85	

Table 55-4: Parking Space Setback Requirements

	Minimum Street Setback (feet)	
	1 to 5 Parking Spaces	6 or More Parking Spaces
Residential Zoning Districts		
Accessory to a household living use	3	15
Accessory to another use	15	25
Other Zoning Districts		
Within 50 feet of a residential district	15	25

2. All unenclosed, non-accessory off street parking areas must be screened from abutting R- or AG-R zoned lots by an F1 screening fence or wall, in accordance with §65.070-C.
3. All unenclosed, accessory off street parking areas containing 6 or more spaces must be screened from abutting RE-, RS-, or AG-R zoned lots by an F1 screening fence or wall, in accordance with §65.070-C, provided that accessory parking areas located more than 50 feet from abutting RE-, RS-, or AG-R zoned lots are not required to provide such screening.

Chapter 5 | Residential Districts
Section 5.030 | Lot and Building Regulations

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Residential bldgs/uses [2]	30	30	30	30	30	30	30	30	30	30	30	30	30
Min. Building Setbacks (ft.)													
Street [3]													
Arterial or fwy service rd.	35	35	35	35	35	35	35	35	10	10	10	10	35
Other streets	35	35	30	25	20	20	25	10	10	10	10	10	25
Side (interior) [4]	15	5	5	5	5	5	5	5[5]	5[6]	5[6]	5[6]	5[7]	10
Rear [4]	25	25	25	20	20	20	20	20	20	20	10	20	15
Min. Open Sp./Unit (sq. ft.)	12,000	7,000	5,000	4,000[8]	2,500	600	2,000	1,200	1,200	600	200	-	2,500
Max. Building Height (feet)	35	35	35	35	35	35	35	35	35	35	35	-	35

Statement Of Hardship: Please see attached statement included in the Board packet.

Relevant Case History:

- BOA-5012, March 28, 1966, the Board approved a request to permit a convalescent hospital on a portion of the subject tract.
- BOA-14982, Nov. 17, 1982, the Board approved a special exception to allow for the expansion of an existing nursing home in a RS-1 and RS-3 zoned district.
- BOA-15295, Nov. 2, 1989, the Board approved a variance of the 50% FAR for an assisted care facility.
- BOA-15572, Oct. 18, 1990, the Board approved a special exception to remove the screening requirement on a portion of the subject tract.
- BOA-16447, Sept. 28, 1993, the Board approved a special exception to permit a nursing home and related parking in a CS, RS-1 and RS-3 zoned district, a variance of the FAR from 50% to 72%, a variance of the required 100' of street frontage, a variance of the required 25' setback from abutting R districts, a variance to permit required parking on a lot other than the lot containing the principal use and a variance of the screening requirements.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as **Multiple Use**. These areas are mostly commercial or retail uses, which include restaurants, shops, services, and smaller format employment uses. This land use designation is most common in areas of the city from earlier development patterns, with Local Centers being more commonplace in newer parts of the city. For single properties that are commercial but surrounded by Neighborhood, Multiple Use is the preferred designation.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	CS	Multiple Use	Commercial
East	OL	Multiple Use	Residential
South	PK	Neighborhood	Parking and natural area with trail
West	RM-2	Multiple Use	Residential

Small Area Plans

The subject properties are not in a Small Area Plan.

Development Era

The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

Transportation

Major Street & Highway Plan: Residential collector

Comprehensive Plan Street Designation: None.

Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Arterial Traffic per Lane: 4,378 vehicles per lane per day on E 21st St.

Environmental Considerations

Flood Area: The subject property is not in a flood area.

Tree Canopy Coverage: Tree canopy in the area is 22%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: N/A

Sample Motion

Special Exception:

I move to approve or deny a Special Exception to permit a Residential Treatment Center in the CS, RM-2,RS-3 and RS-1 District (Sec. 5.020 Table 5-2, Sec. 15.020 Table 15-2);

- per the conceptual plan(s) shown on page(s) _____ of the agenda packet.
- subject to the following conditions (including time limitation, if any): _____.

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Variance:

And I move to approve or deny a Variance to reduce the required parking spaces from 48 to 34 (Table 55-1); Variance to reduce the minimum parking space setback to permit the existing off-street parking area to be less than 25-feet from an abutting street (Table 55-4); Variance to reduce the minimum building setbacks: from 10-feet to 2-feet in the RM-2 district, from 5-feet to 0-feet in the RS-3 District, and from 35-feet to 33-feet in the RS-1 district for an existing building (Sec. 5.030, Table 5-3).

- 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 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.

Property Description

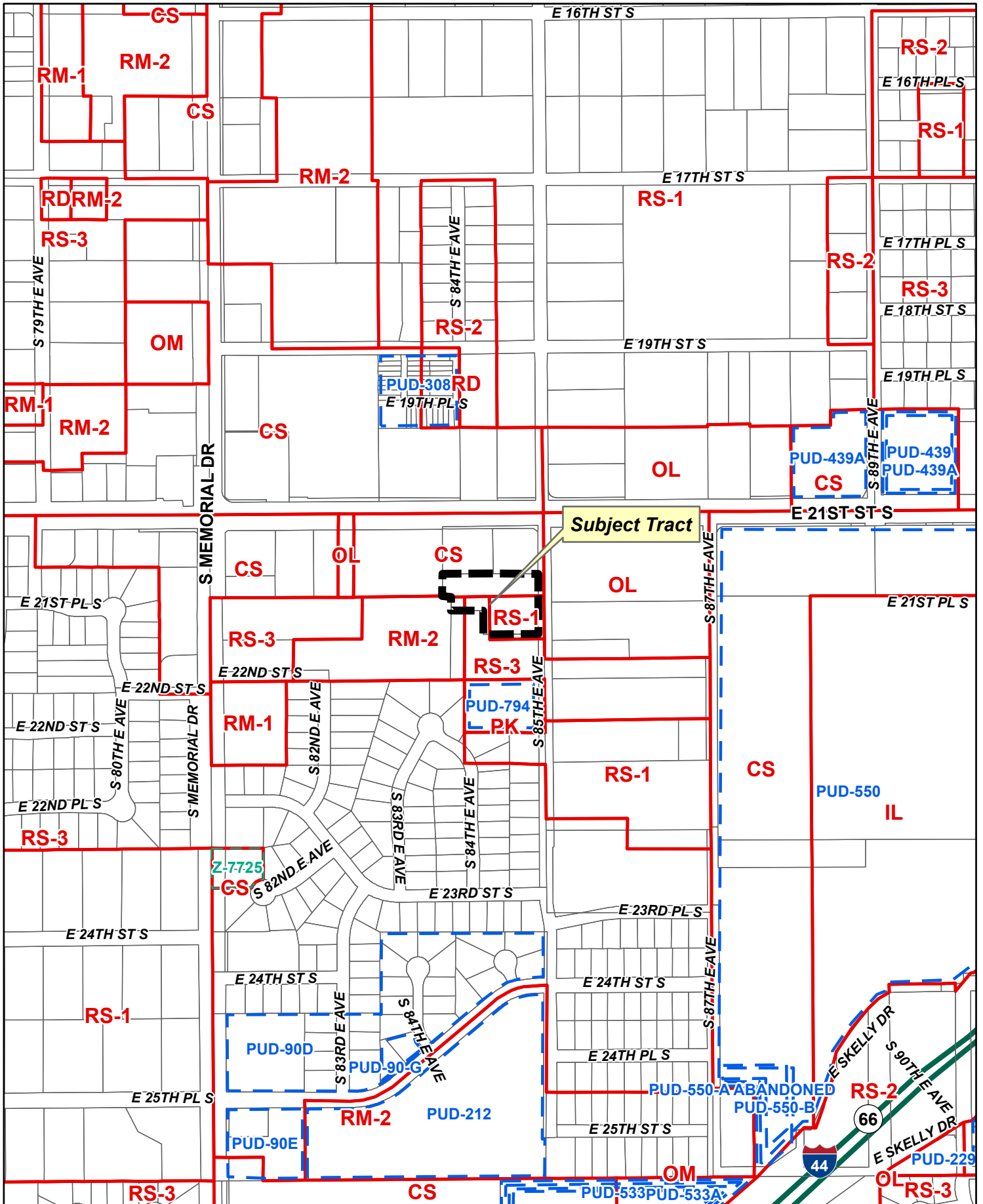
SE SE SE SE LESS S50 & LESS E50 & LESS BEG 50N & 50W SECR THEREOF TH W100 CRV LF TO PT 150N & 50W SECR SE SE SE SE TH S100 POB SEC 15 19 13 1.74AC, City of Tulsa, Tulsa County, State of Oklahoma

Exhibits

- Photos
- Case map
- Aerial (small scale)
- Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map



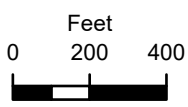
Subject property looking south on S. 85th E. Ave (Image used from Google Street view)



Subject Tract

BOA-23685

15.7

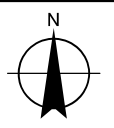


 Subject Tract

BOA-23685

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

Aerial Photo Date: 2021



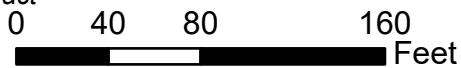
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E 21ST ST S

S 85TH AVE



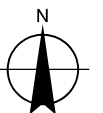
Subject
Tract



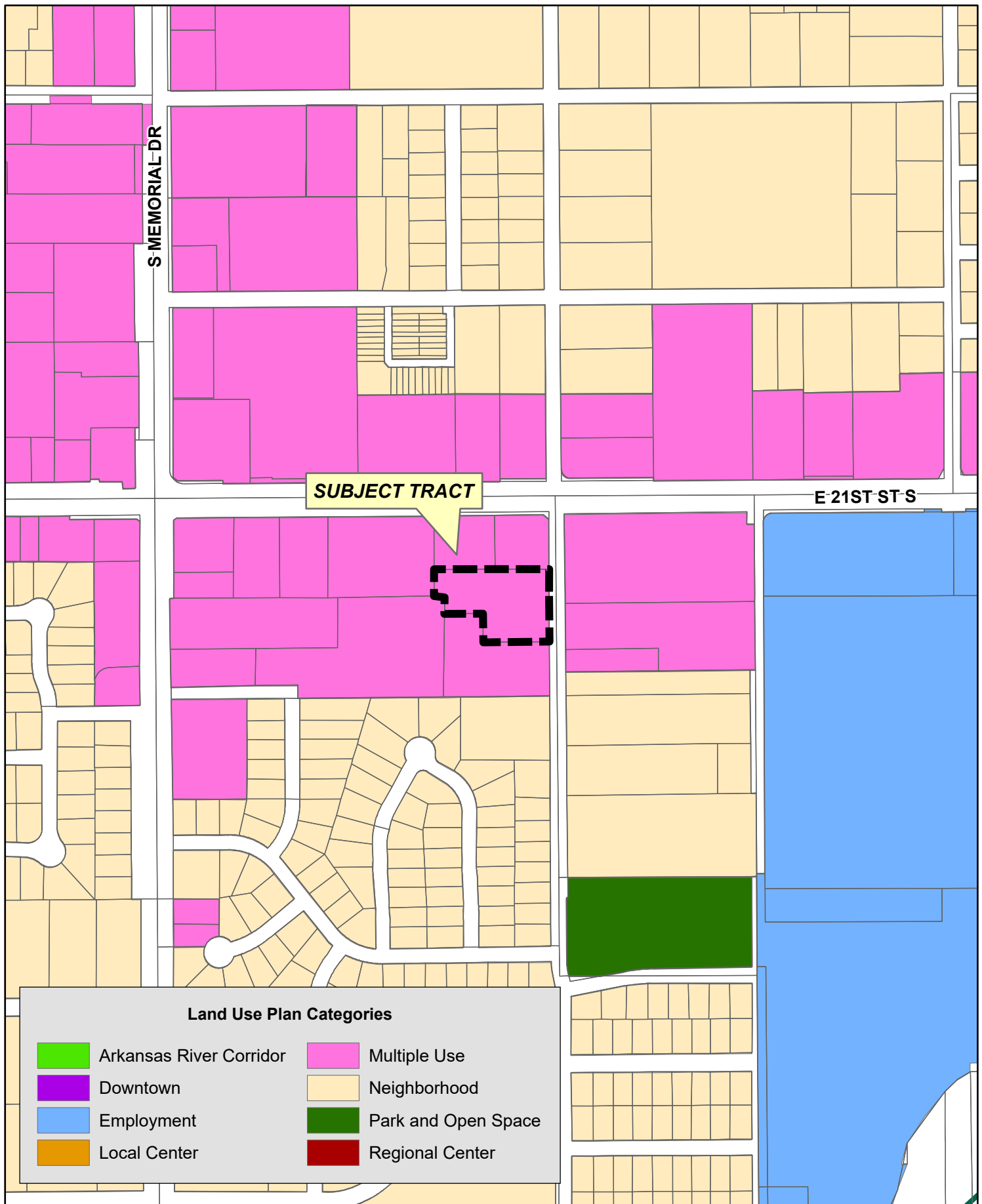
BOA-23685

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









Aerial Photo Date: 2021

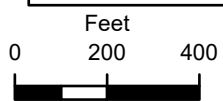


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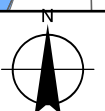
Land Use Plan Categories

- | | |
|---|---|
|  Arkansas River Corridor |  Multiple Use |
|  Downtown |  Neighborhood |
|  Employment |  Park and Open Space |
|  Local Center |  Regional Center |



BOA-23685

19-14 04



15.10

Exhibit "A"

Legal Description

The South Ninety (90) feet of the West One hundred ninety-eight (198) feet of the East Three hundred seventy-six (376) feet of Tract One (1), O'CONNOR PARK 2ND, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

AND

The North One hundred fifty (150) feet of the East Two hundred twenty (220) feet of Tract Two (2), O'CONNOR PARK 2ND, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

AND

The North Fifty-five (55) feet of the West One hundred thirty-two (132) feet of the East Three hundred fifty-two (352) feet of Tract Two (2), O'CONNOR PARK 2ND, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

AND

A tract of land BEGINNING at the Southeast Corner of the East One hundred seventy-eight (178) feet of Tract One (1), O'CONNOR PARK 2ND, Tulsa County, State of Oklahoma, a subdivision of the NW/4 NW/4 of Section 13, Township 19 North, Range 13 East, of the Indian Base and Meridian, in Tulsa County, State of Oklahoma, according to the recorded Plat thereof, THENCE West One hundred seventy-eight (178) feet; THENCE North Ninety (90) feet; THENCE East One hundred seventy-eight (178) feet; THENCE South Ninety (90) feet to the POINT OF BEGINNING.

Exhibit "B"

The Applicant requests (1) a **Special Exception** to permit a Residential Treatment Center in the CS, RM-2, RS-3, and RS-1 Districts pursuant to Tables 5-2 and 15-2 of the Tulsa Zoning Code (the "Code"); (2) a **Variance** to reduce the required parking spaces from 48 to 34 under Table 55-1 of the Code; (3) a **Variance** to reduce the minimum parking space setback to permit the existing off-street parking area to be less than 25' from an abutting street under Table 55-4 of the Code; and (4) a **Variance** to reduce the minimum building setbacks: from 10 feet to 2 feet in the RM-2 district; from 5 feet to 0 feet in the RS-3 district, and from 35 feet to 33 feet in the RS-1 district, under Table 5-3 of the Code, all for an existing building located at 2130 S. 85th E. Ave. (the "Property").

The Property is occupied by the Heatheridge Assisted Living facility and has been operated as a nursing/convalescent home since the late 1960s. The site was originally developed in conjunction with the adjacent nursing home facility to the south. The Property is currently zoned CS, RM-2, RS-3, and RS-1 and has been granted various relief through the years from the Board of Adjustment to permit the existing layout of the site.

The Applicant desires to use the two existing buildings on the Property as a Residential Treatment Center, which is a permitted use by Special Exception in the CS, RM-2, RS-3, and RS-1 Districts.

Additionally, due to the convoluted nature of the relief granted by previous Boards (in 1966, 1988, 1989, 1990, and 1993), and the inexact effect of a 1994 "tie" agreement on the relief previously granted, the Applicant requests three (3) Variances to continue to allow the existing building and parking area in its current configuration.

First, to reduce the required parking from 48 spaces to the existing 34 spaces. As part of the proposed use of the Property, the Applicant will have a shared parking agreement, in recordable form, with the nursing facility to the south. Second, to reduce the minimum parking space setback to allow the existing parking areas to remain at the front of the building abutting S. 85th E. Ave. Third, to reduce the minimum building setbacks to permit the existing building in its current location. A Site Plan showing the location of the buildings and the parking areas, with the areas needing relief outlined in red, is attached.

The location of the existing buildings in multiple zoning districts results in unnecessary hardship. Additionally, the indiscernible case history and associated site plans are unique to this Property. As the Property has existed in its current configuration for decades, coupled with the shared parking agreement, the Variances requested to maintain the *status quo* will not be detrimental to the public welfare or impair the spirit and intent of the Code.

SITE INFORMATION

MP: HEATHERIDGE REALTY LLC
2130 SOUTH 85TH EAST AVENUE, TULSA, OKLAHOMA 74129
APN: 3047591311230
74,212 ± SQUARE FEET, OR 1.704 ± ACRES

TITLE COMMITMENT INFORMATION

THE PROPERTY HEREON DESCRIBED IS THE SAME AS THE PERTINENT PROPERTY AS DESCRIBED IN CHICAGO TITLE INSURANCE COMPANY, TITLE COMMITMENT #1707230083, DATED SEPTEMBER 15, 2023 AT 09:30 AM.

SCHEDULE A DESCRIPTION

THE SOUTH NINETY (90) FEET OF THE WEST ONE HUNDRED NINETY-EIGHT (198) FEET OF THE EAST THREE HUNDRED SEVENTY-SIX (376) FEET OF TRACT ONE (1), O'CONNOR PARK 2ND, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

AND
THE NORTH ONE HUNDRED FIFTY (150) FEET OF THE EAST TWO HUNDRED TWENTY (220) FEET OF TRACT TWO (2), O'CONNOR PARK 2ND, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

AND
THE NORTH FIFTY-FIVE (55) FEET OF THE WEST ONE HUNDRED THIRTY-TWO (132) FEET OF THE EAST THREE HUNDRED FIFTY-TWO (352) FEET OF TRACT TWO (2), O'CONNOR PARK 2ND, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

AND
A TRACT OF LAND BEGINNING AT THE SOUTHEAST CORNER OF THE EAST ONE HUNDRED SEVENTY-EIGHT (178) FEET OF TRACT ONE (1), O'CONNOR PARK 2ND, TULSA COUNTY, STATE OF OKLAHOMA, A SUBDIVISION OF THE NW¼ OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN, IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, THENCE WEST ONE HUNDRED SEVENTY-EIGHT (178) FEET THENCE NORTH NINETY (90) FEET THENCE EAST ONE HUNDRED SEVENTY-EIGHT (178) FEET THENCE SOUTH NINETY (90) FEET TO THE POINT OF BEGINNING.

NOTES CORRESPONDING TO SCHEDULE B

- SEWER EASEMENT IN FAVOR OF THE CITY OF TULSA, RECORDED IN BOOK 5294, PAGE 891. (AFFECTS, PLOTTED AS SHOWN)
- CABLE TELEVISION EASEMENT AND MAINTENANCE AGREEMENT BY AND BETWEEN UNITED ARTISTS CABLE, RECORDED IN BOOK 5341, PAGE 162. (AFFECTS A PORTION OF THE SUBJECT PROPERTY, CONTAINS NO PLOTTABLE EASEMENTS)
- UNDERGROUND RIGHT OF WAY EASEMENT IN FAVOR OF THE PUBLIC SERVICE COMPANY OF OKLAHOMA, RECORDED IN BOOK 3824, PAGE 237. (AFFECTS A PORTION OF THE SUBJECT PROPERTY, EASEMENT MENTIONED IN SAID DOCUMENT IS NOT SHOWN HEREON. UNDERGROUND UTILITIES WERE NOT OBSERVED AT THE TIME OF THE SURVEY)
- AGREEMENT BY AND BETWEEN JOE H. HAMRA, AS TRUSTEE, AND THE CITY OF TULSA, RECORDED IN BOOK 5586, PAGE 1813. (AFFECTS, BLANKET IN NATURE)
- RESTRICTIVE COVENANTS AS SET FORTH IN THE CORRECTION GENERAL WARRANTY DEED, RECORDED IN BOOK 5616, PAGE 2194. (AFFECTS, BLANKET IN NATURE)
- LEASE AGREEMENT DATED JUNE 7, 2019 BY AND BETWEEN HEATHERIDGE REALTY, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY (LANDLORD), AND HEATHERIDGE HEALTH CARE, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY (TENANT), AS EVIDENCED BY SUBORDINATION AND ATTORNEYMENT AGREEMENT RECORDED JUNE 11, 2019 AS DOC. NO. 201906256. (AFFECTS, BLANKET IN NATURE)

LEGEND & SYMBOLS

- FOUND MONUMENT AS NOTED
- COMPUTED POINT
- HANDICAP PARKING
- LIGHT
- SANITARY MANHOLE
- POWER POLE
- ELECTRIC BOX
- ELECTRIC CABINET
- WATER METER
- DRAIN GRATE
- TELEPHONE PEDESTAL
- CLEANOUT
- AIR CONDITIONING
- FIBER OPTIC HAULT
- GAS METER
- MAILBOX
- MEASURED/CALCULATED DIMENSION
- RECORD DIMENSION
- NR - NOW OR FORMERLY
- BHL - BUILDING HEIGHT LOCATION
- PS - PARKING SPACE(S)
- POB - POINT OF BEGINNING
- BOUNDARY LINE
- EASEMENT LINE
- RW - RIGHT-OF-WAY LINE
- CL - CENTERLINE
- F - FENCE LINE
- OP - OVERHEAD POWER LINE
- W - WALL LINE
- H - HANDRAIL LINE
- Z - ZONING DISTRICT LINE
- ZS - ZONING SETBACK LINE

ZONING INFORMATION

PROPERTY IS CURRENTLY ZONED: "RS-1" - RESIDENTIAL SINGLE-FAMILY 1, "RS-2" - RESIDENTIAL SINGLE-FAMILY 2, "RM-2" - RESIDENTIAL MULTI-FAMILY 2, & "CS" - COMMERCIAL SHOPPING DISTRICTS.

ITEM	REQUIRED "RS-1"	REQUIRED "RS-2"	REQUIRED "RM-2"	REQUIRED "CS"	OBSERVED
PERMITTED USE	NURSING HOME	NURSING HOME	NURSING HOME	NURSING HOME	NURSING HOME
MIN. SETBACKS FRONT	SEE NOTE **	SEE NOTE **	SEE NOTE **	SEE NOTE **	50.7'
MIN. SETBACKS SIDE	SEE NOTE **	SEE NOTE **	SEE NOTE **	SEE NOTE **	10.0'
MIN. SETBACKS REAR	NONE STATED	NONE STATED	NONE STATED	NONE STATED	10.0'
MIN. SETBACKS DEEP	SEE NOTE **	SEE NOTE **	SEE NOTE **	SEE NOTE **	10.3'
MAX. BUILDING HEIGHT	35'	35'	35'	NONE STATED	23.9'
MIN. LOT AREA	13,500 SQFT	12,000 SQFT	8,500 SQFT	NONE STATED	74,212 SQFT
MIN. LOT WIDTH	100'	100'	50'	NONE STATED	329.83'
MIN. LOT FRONTAGE	30'	30'	30'	50'	329.83'
MAX. BLDG COVERAGE	NONE STATED	NONE STATED	NONE STATED	NONE STATED	36.1%
PARKING REGULAR	41	41	41	41	34
PARKING HANDICAP	N/A	N/A	N/A	N/A	1
PARKING TOTAL	41	41	41	41	35

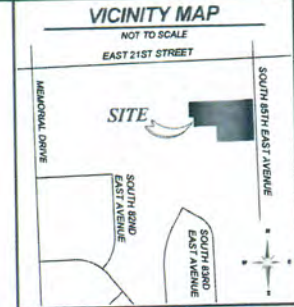
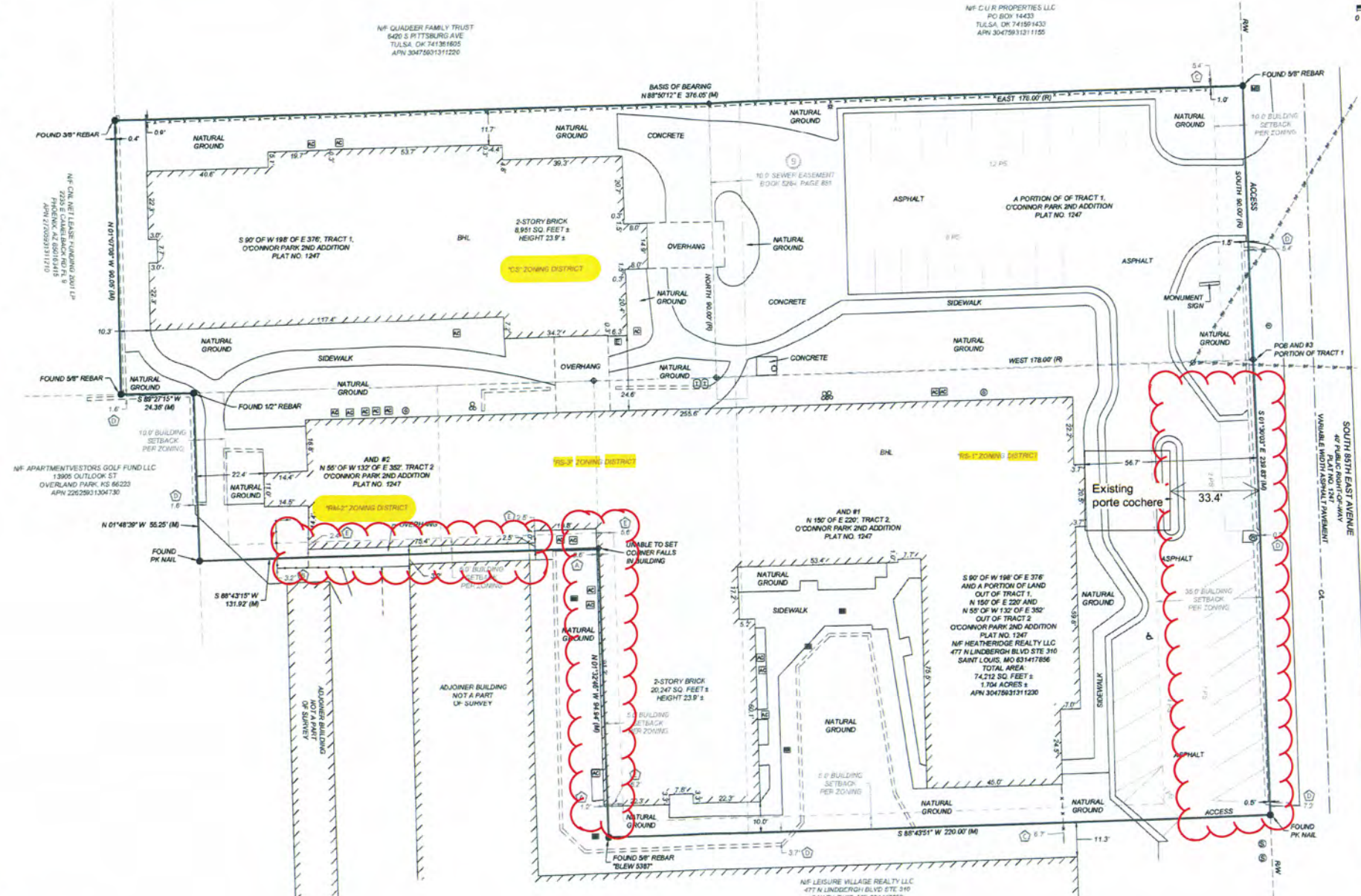
PARKING INFORMATION:
PARKING SPACE FORMULA: ASSISTED LIVING FACILITY: 0.45 SPACES PER DWELLING UNIT
PARKING SPACE CALCULATION: 90 BEESD X 0.45 = 41

SIGNIFICANT OBSERVATIONS

- THE BUILDING APPEARS TO CROSS OVER THE BOUNDARY LINE BY AS MUCH AS 1.2'
- THE GUARDRAIL APPEARS TO CROSS OVER THE BOUNDARY BY AS MUCH AS 3.2'
- MULTIPLE FENCES APPEAR TO CROSS OVER AREAS OF THE BOUNDARY LINE BY AS MUCH AS 6.7'
- MULTIPLE WALL LINES APPEAR TO CROSS OVER AREAS OF THE BOUNDARY LINE BY AS MUCH AS 7.2'
- THE BUILDING APPEARS TO CROSS OVER MULTIPLE BUILDING SETBACK LINES BY AS MUCH AS 6.2'

ALTA/NSPS LAND TITLE SURVEY

2130 SOUTH 85TH EAST AVENUE
TULSA COUNTY
TULSA, OKLAHOMA 74129



GENERAL NOTES

- SOME FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY.
- DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. MONUMENTS WERE FOUND AT POINTS WHERE INDICATED.
- IN REGARD TO ALTA/NSPS TABLE ITEM 18, THERE WAS NO OBSERVABLE EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR ADDITIONS EXCEPT AS SHOWN HEREON.
- IN REGARD TO ALTA/NSPS TABLE ITEM 17, THERE WERE NO KNOWN PROPOSED CHANGES IN RIGHT OF WAY LINES, RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS EXCEPT AS SHOWN HEREON.
- AT THE TIME OF THE ALTA/NSPS SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.
- AT THE TIME OF THE ALTA/NSPS SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A CEMETERY, ISOLATED GRAVE SITE OR BURIAL GROUNDS.
- COMPLETED FIELD WORK WAS OCTOBER 16, 2023.
- THE DISTANCES SHOWN HEREON ARE UNITS OF GROUND MEASUREMENT.
- THE NEAREST INTERSECTING STREET IS THE INTERSECTION OF SOUTH 85TH EAST AVENUE AND E 21ST STREET, WHICH IS APPROXIMATELY 190' FROM THE NORTHEAST CORNER OF THE SUBJECT PROPERTY.
- THE SUBJECT PROPERTY HAS DIRECT PHYSICAL ACCESS TO SOUTH 85TH EAST AVENUE, BEING A PUBLICLY DEDICATED RIGHT-OF-WAY.
- EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT PROPERTY: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE OR EXTENT THAT THE SURVEY INDICATES THAT THE LEGAL INSTRUMENT "AFFECTS" THE SUBJECT PROPERTY, SUCH STATEMENT IS ONLY INTENDED TO INDICATE THAT PROPERTY BOUNDARIES INCLUDED IN SUCH INSTRUMENT INCLUDE SOME OF ALL OF THE SUBJECT PROPERTY. THE SURVEYOR DOES NOT PURPORT TO DESCRIBE HOW SUCH INSTRUMENT AFFECTS THE SUBJECT PROPERTY OR THE ENFORCEABILITY OR LEGAL CONSEQUENCES OF SUCH INSTRUMENT.
- NAMES AND ADDRESSES OF ADJOINING PROPERTY OWNERS WERE TAKEN FROM TULSA COUNTY PROPERTY APPRAISER.
- THE SUBJECT PROPERTY SHOWN HEREON FORMS A MATHEMATICALLY CLOSED FIGURE AND IS CONTIGUOUS WITH THE ADJOINING PUBLIC RIGHT-OF-WAY AND/OR ADJOINING PARCELS WITH NO GAPS OR OVERLAPS.
- IN REGARD TO ALTA/NSPS TABLE ITEM 10, NO VISIBLE DIVISION OR PARTY WALLS WITH RESPECT TO ADJOINING PROPERTIES WERE OBSERVED AT THE TIME THE FIELD SURVEY WAS PERFORMED, NOR WERE ANY DESIGNATED BY THE CLIENT.
- THIS SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS, ENGINEERS AND LAND SURVEYORS.
- THE TRACTS SHOWN HEREON FORM A MATHEMATICALLY CLOSED FIGURE AND ARE CONTIGUOUS WITH NO GAPS, GORES, OR OVERLAPS.

SURVEYOR'S CERTIFICATE

TO: CHICAGO TITLE INSURANCE COMPANY, RIVERSIDE ABSTRACT, LLC
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 6A, 6B, 7B1, 7C, 8, 9, 10, 13, 14, 16, 17, AND 19 OF TABLE A THEREOF.
THE FIELD WORK WAS COMPLETED ON 10/16/2023
DATE OF PLAT OR MAP: 10/17/2023

DENVER WINCHESTER
PROFESSIONAL LAND SURVEYOR NO. 1982
STATE OF OKLAHOMA
OKLAHOMA CA 5387

BLEW & ASSOCIATES, P.A.
Surveying
Engineering
Mapping
3825 N. SHILOH DRIVE - FAYETTEVILLE, AR 72703
EMAIL: SURVEY@BLEWNC.COM
OFFICE: 479.443.4506 FAX: 479.582.1883
WWW.BLEWNC.COM

UTILITY INFORMATION

THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES.

FLOOD ZONE INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 40140C0244, WHICH BEARS AN EFFECTIVE DATE OF 10/16/2012 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

ZONE "X" - AREA OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE "X" IS THE AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD AND PROTECTED BY LEVEE FROM 100-YEAR FLOOD.

PARKING INFORMATION

REGULAM-34
HANDICAP: 1
TOTAL: 35

BASIS OF BEARING

THE BASIS OF BEARING OF THIS SURVEY IS GRID NORTH BASED ON THE NORTH LINE OF THE SUBJECT PROPERTY. THE BEARING IS DENOTED AS N 89°01'2" E PER GPS COORDINATE OBSERVATIONS OKLAHOMA STATE PLANE, NORTH ZONE NAD83-2011
LATITUDE = 36°07'58.1241"
LONGITUDE = 96°52'36.1945"
CONVERGENCE ANGLE = 01°14'26.1664"

DATE	REVISION HISTORY	BY
10/23/23	ZONING REPORT	WA
10/30/23	CLIENT COMMENTS	WA

SURVEYOR JOB NUMBER: 23-6744
SURVEY DRAWN BY: WA - 10/17/2023
SURVEY REVIEWED BY: JCH
SHEET: 1 OF 1

HAVEN HEALTH MANAGEMENT
2130 SOUTH 85TH EAST AVENUE, TULSA, OKLAHOMA
***** NEIGHBORHOOD MEETING *****
Tuesday, April 9, 2024, 6:00 p.m.

	NAME	ADDRESS	EMAIL and PHONE NUMBER
	Lou Reynolds	2727 East 21 st Street, Tulsa, Oklahoma 74114	rlreynolds@ellerdetrich.com (918) 747-8900
1.			
2.			
3.			
4.			
5.			

Eller & Detrich
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rlreynolds@ellerdetrich.com

April 3, 2024

Apartmentvestors Golf Fund LLC
13905 Outlook Street
Overland Park, KS 66223-2969

Re: BOA-23685

Dear Sir or Madam:

We represent Haven Health Management in connection with the property at 2130 South 85th East Avenue, which is currently the Heatheridge Assisted Living facility. If you have not already, you will be receiving a letter from the Tulsa Planning Office regarding our application for a Special Exception to permit Haven Health to operate a Residential Treatment Center and for three Variances to permit the existing buildings and parking areas to remain in their current configuration. The application will be heard by the City of Tulsa Board of Adjustment on April 23, 2024 at 1:00 p.m.

I am writing to you to invite you to a meeting with the Haven Health Management team on **Tuesday, April 9, 2024, at 6:00 p.m.**, which will be held at the Memorial Drive United Methodist Church, located at 7903 East 15th Street, Tulsa, Oklahoma 74112.



April 3, 2024
Page 2

For more information about Haven Health Management and their award winning behavioral health facilities, please visit www.havenhealthmgmt.org.

On behalf of Haven Health Management, we hope to see you at the meeting and will make every effort to answer any questions you may have about the project. Again, we look forward to seeing you at the April 9th meeting.

Sincerely,

ELLER & DETRICH
A Professional Corporation



R. Louis Reynolds