



**Board of Adjustment**

**Staff Report  
BOA-23802**

**Hearing Date:** November 12, 2024

**Prepared by:** Erin Roark

eroark@cityoftulsa.org

918-596-7618

**Owner and Applicant Information**

Applicant: Brandon Bissram

Property Owner: Morton Comprehensive Health Services

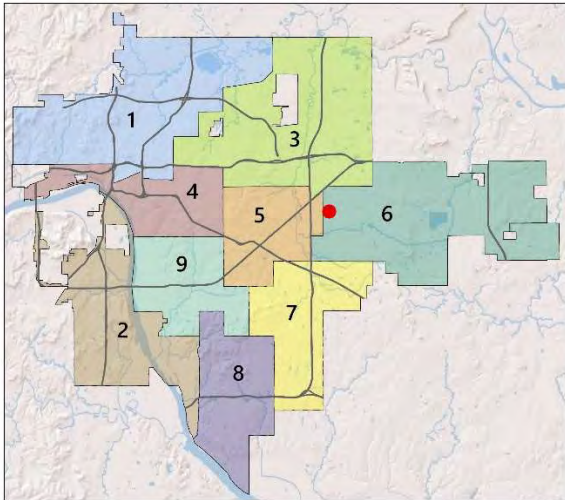
**Property Location**

11511 East 21st Street South

Tract Size: ±0.52 acres

**Location within the City of Tulsa**

*(shown with City Council districts)*



**Elected Representatives**

City Council: District 6, Christian Bengel

County Commission: District 1, Stan Sallee

**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 increase the permitted fence height of 4 feet within the street setback (Section 45.080-A).

**Zoning**

Zoning District: CS

Zoning Overlays: N/A

**Comprehensive Plan Considerations**

**Land Use**

Land Use Plan: Local Center

Small Area Plans: East Tulsa

Development Era: Late Automobile

**Transportation**

Major Street & Highway Plan: Primary Arterial

planitulsa Street Type: N/A

Transit: Regular Route, Sidewalk

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

**Environment**

Flood Area: N/A

Tree Canopy Coverage: 0-10%

Parks & Open Space: McCullough Park

**Staff Analysis**

The applicant is requesting a Special Exception to increase the permitted fence height of 4 feet within the street setback (Section 45.080-A). The property is adjacent to East 21<sup>st</sup> Street on the south and South 116<sup>th</sup> East Avenue on the east. The proposal is to construct a 6-foot fence around the perimeter of the property including the areas within the street setback on the east and south side of the property. The Tulsa Zoning Code requires review and approval of a special exception for any fence higher than 4 feet within a street setback.

**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. 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.

Relevant Case History

- BOA-18947, January 9, 2001; The board of adjustment voted to approve a variance of setback requirements from 50-feet to 49-feet to permit an existing encroachment, to correct an existing condition.

**Comprehensive Plan Considerations**

**Land Use Plan**

The subject property is designated as Local Center. Local Centers serve the daily needs of those in the surrounding neighborhoods. This designation implies that the center generally does not serve an area beyond the nearby neighborhoods. Typical uses include commercial or retail uses that serve the daily needs of nearby residents. In order to introduce a regional trip generator, the entire local center designation should be amended to be Regional Center with significant input from all affected properties and nearby neighborhoods.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	CS	Local Center	Commercial
East	CS	Local Center	Commercial
South	CS	Local Center	Commercial
West	CS	Local Center	Commercial

**Small Area Plans**

The subject property is located within the East Tulsa Phase I Planning Area.

**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: East 21st Street South runs parallel to the south of the subject property and is classified as a Primary Arterial. Primary Arterial streets have a minimum right-of-way width requirement of 120-feet.

Comprehensive Plan Street Designation: N/A

Transit: Regular Route 150 runs along East 21st Street South, parallel to the south of the subject property. Bus stop 8427 is located directly adjacent to the south of the subject property. The subject property is located within a Transit Oriented Development Area.

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

**Environmental Considerations**

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

Tree Canopy Coverage: Tree canopy in the area is 0%. 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. The area would benefit from additional trees, which also capture and treat runoff before it enters the river.

Parks & Open Space: McCullough Park is located nearby to the south of the subject property.

**Sample Motion**

I move to approve or deny a Special Exception to increase the permitted fence height of 4 feet within the street setback (Section 45.080-A),

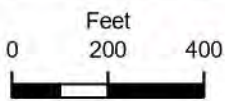
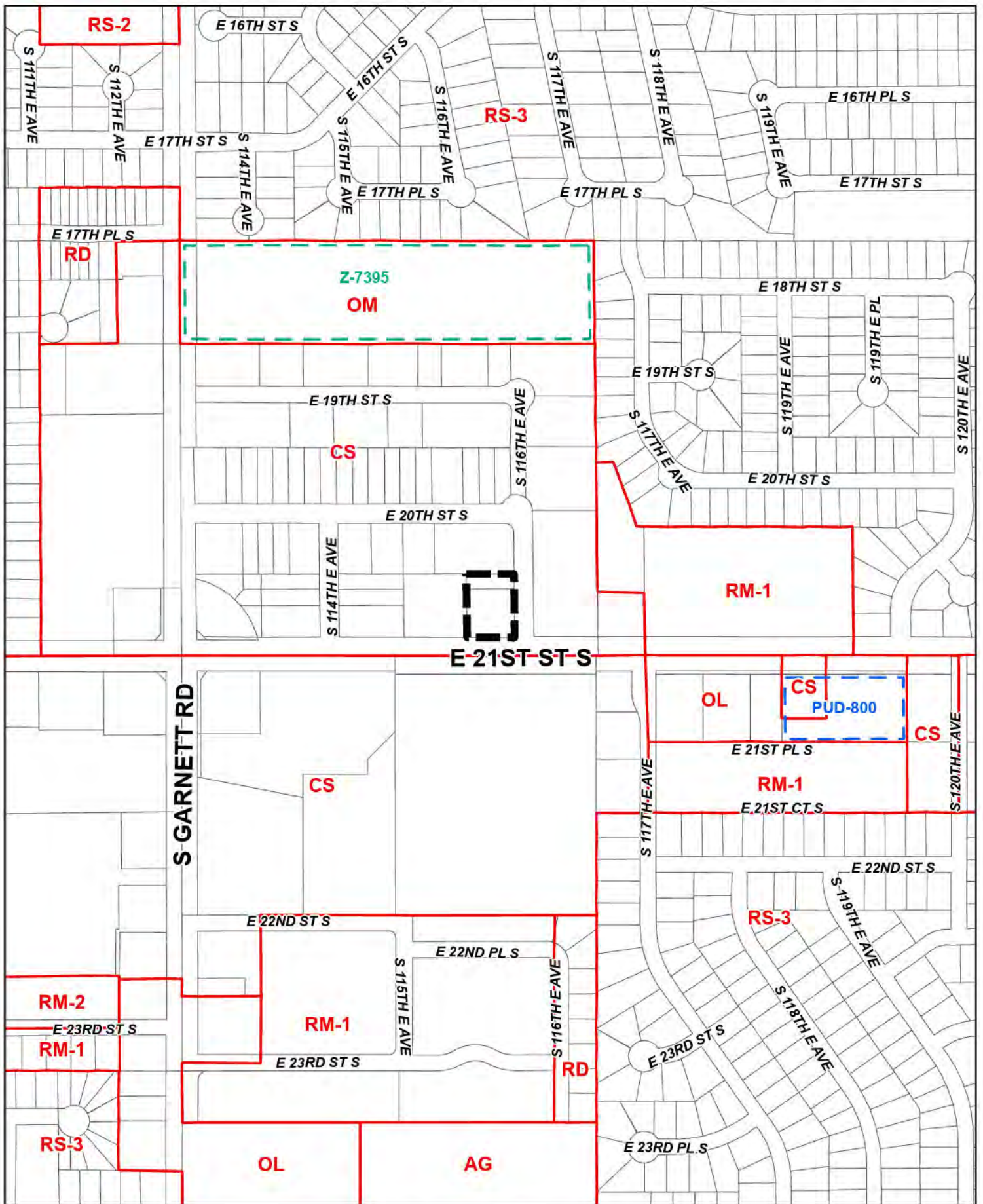
- per the conceptual plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.
- subject to the following conditions (including time limitation, if any): \_\_\_\_\_.

**Property Description**

LOTS 14 & 15 BLOCK 2, 21 Garnett Place Resub PRT L1 & L2-3 Garnet Plaza, City of Tulsa, Tulsa County, State of Oklahoma

**Exhibits**

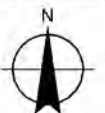
- Case map
- Aerial (small scale)
- Aerial (large scale)
- Photos
- Tulsa Comprehensive Plan Land Use Map

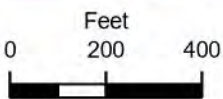
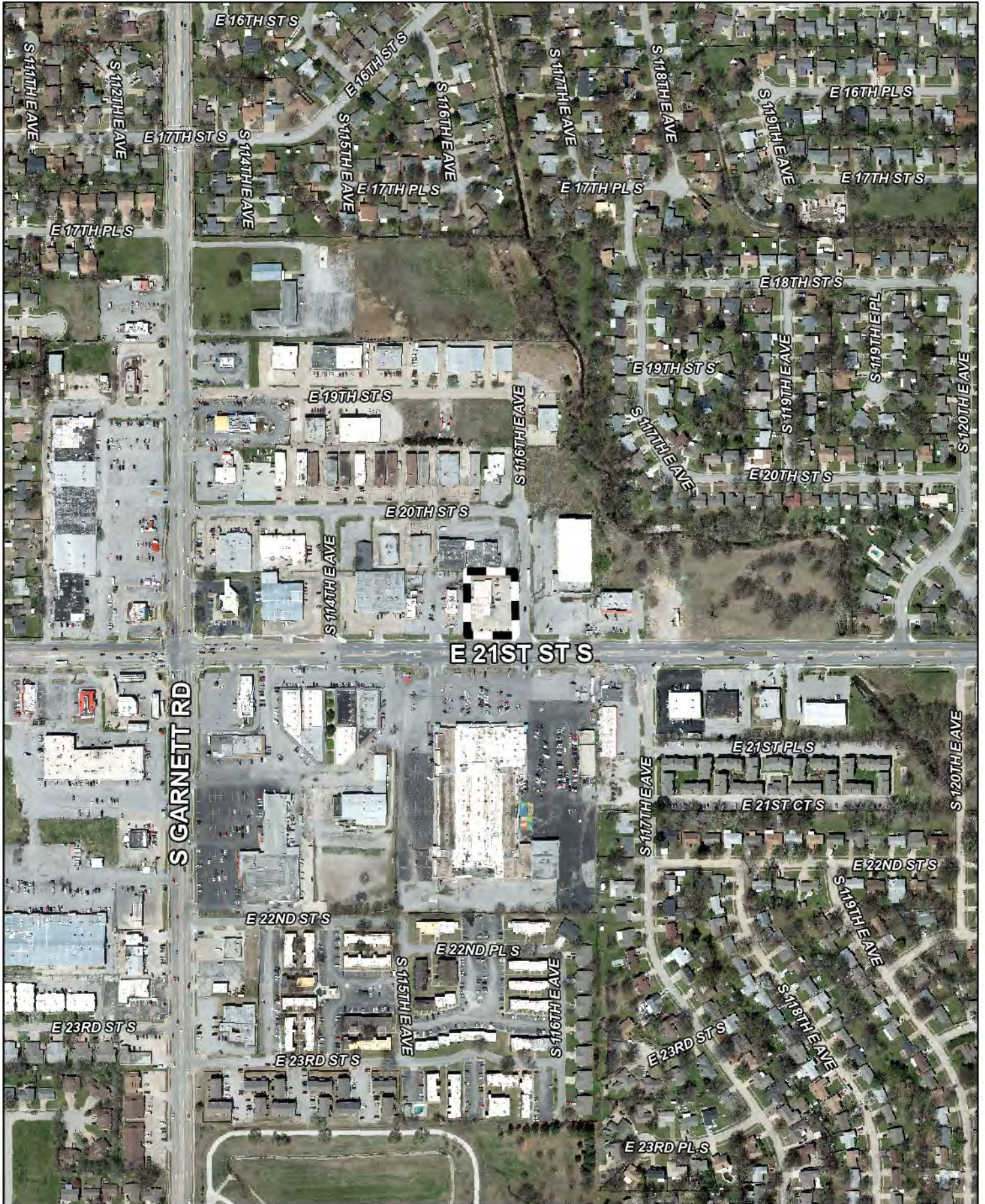


 Subject Tract

**BOA-23802**

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Subject Tract

**BOA-23802**

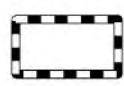
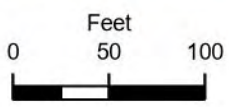
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2022



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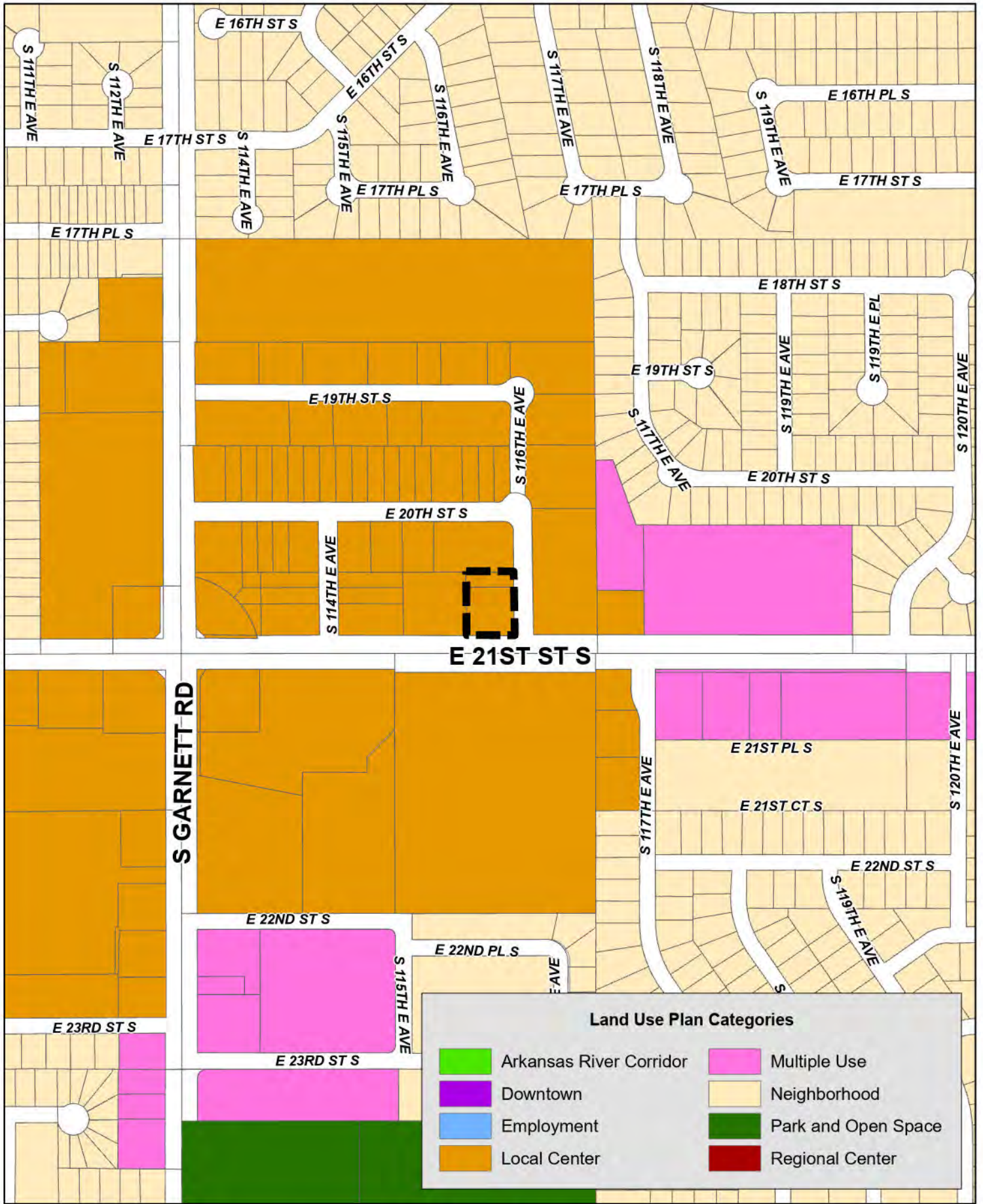
Subject  
Tract









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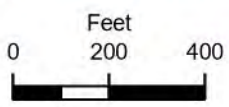
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Aerial Photo Date: 2022



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Land Use Plan Categories			
	Arkansas River Corridor		Multiple Use
	Downtown		Neighborhood
	Employment		Park and Open Space
	Local Center		Regional Center



 Subject Tract

**BOA-23802**

19-14 08





City of Tulsa Planning Office  
175 East 2<sup>nd</sup> St. Suite 480  
Tulsa Ok 74103  
City of Tulsa Board of Adjustments

To whom it may concern,

On behalf of the owner, Morton Comprehensive Health Services, we are requesting a special exception to allow a 6'-0" tall fence to be installed around the property specifically within the setback on the East and South sides. This request is being made in an attempt to provide a safe and secure environment for the patrons of the clinic located on the property (Morton Health East Tulsa Family Clinic), which has served the surrounding community over the past years. The ornamental nature of the proposed fence, we believe, will help to add to the overall aesthetics of the site. We thank you for your deepest consideration of this matter.

Sincerely,

Matt King, AIA  
King Architectural Solutions, PLLC

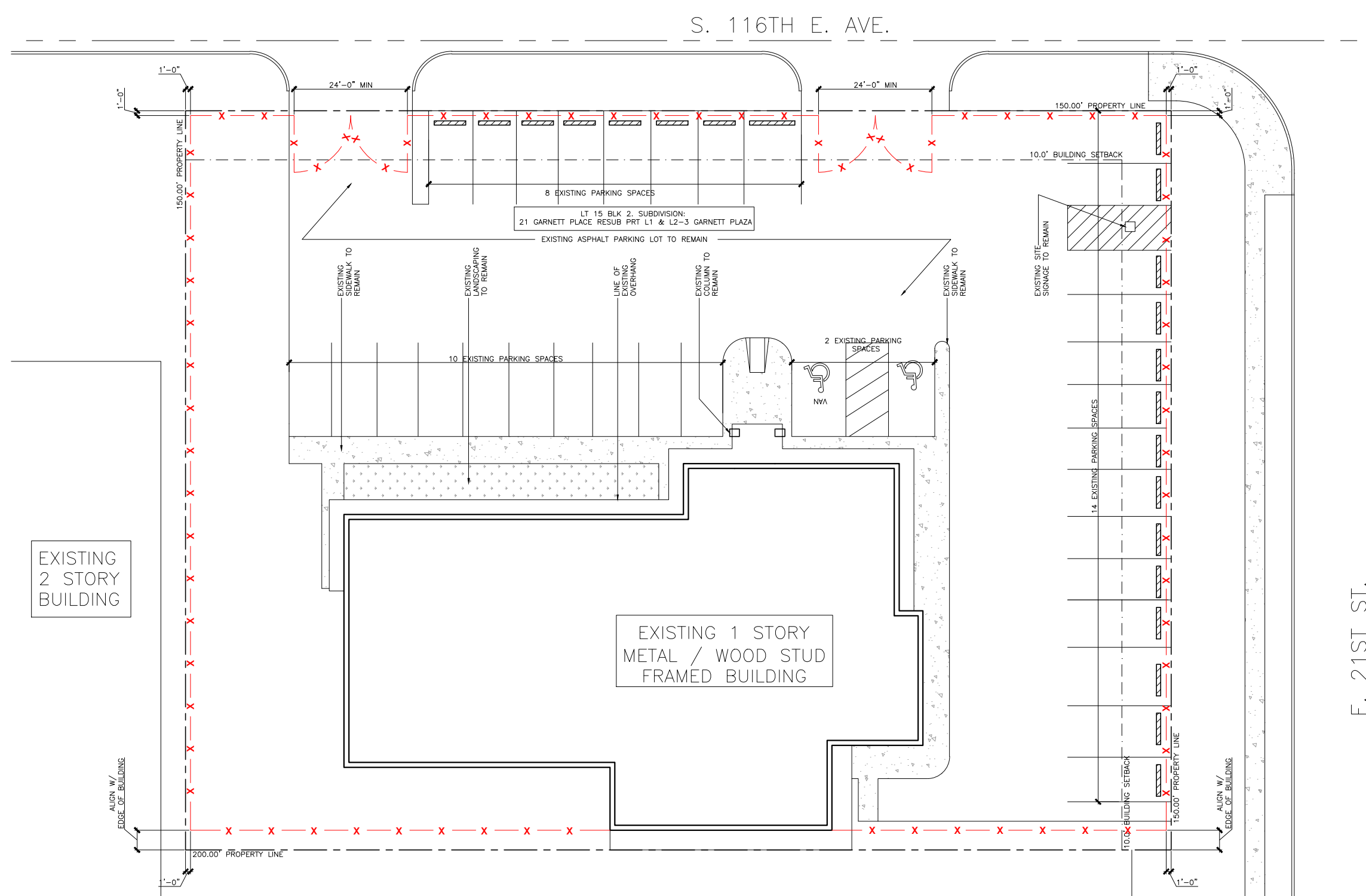
Client Centered



# MORTON COMPREHENSIVE HEALTH SERVICES - EAST TULSA - FENCE

11511 EAST 21ST STREET  
TULSA, OKLAHOMA 74129

S. 116TH E. AVE.



**FLOOR PLAN LEGEND:**

- x - x - NEW 6'-0" TALL WELDED STEEL FENCE W/ 2" POST AND 4" PICKETS W/ HINGED GATES AT SITE ENTRY AND EGRESS POINTS. FENCE EQUAL TO AMERISTAR MONTAGE CLASSIC 3/4 RAIL. CONTRACTOR TO COORDINATE FINAL GATE LOCATION W/ OWNER.
- [Hatched Box] CONTRACTOR TO PROVIDE CONCRETE CURB STOPS



16 E. 16TH STREET  
SUITE 500  
TULSA, OKLAHOMA 74119  
918-794-0758  
www.kingarchitecturalsolutions.com

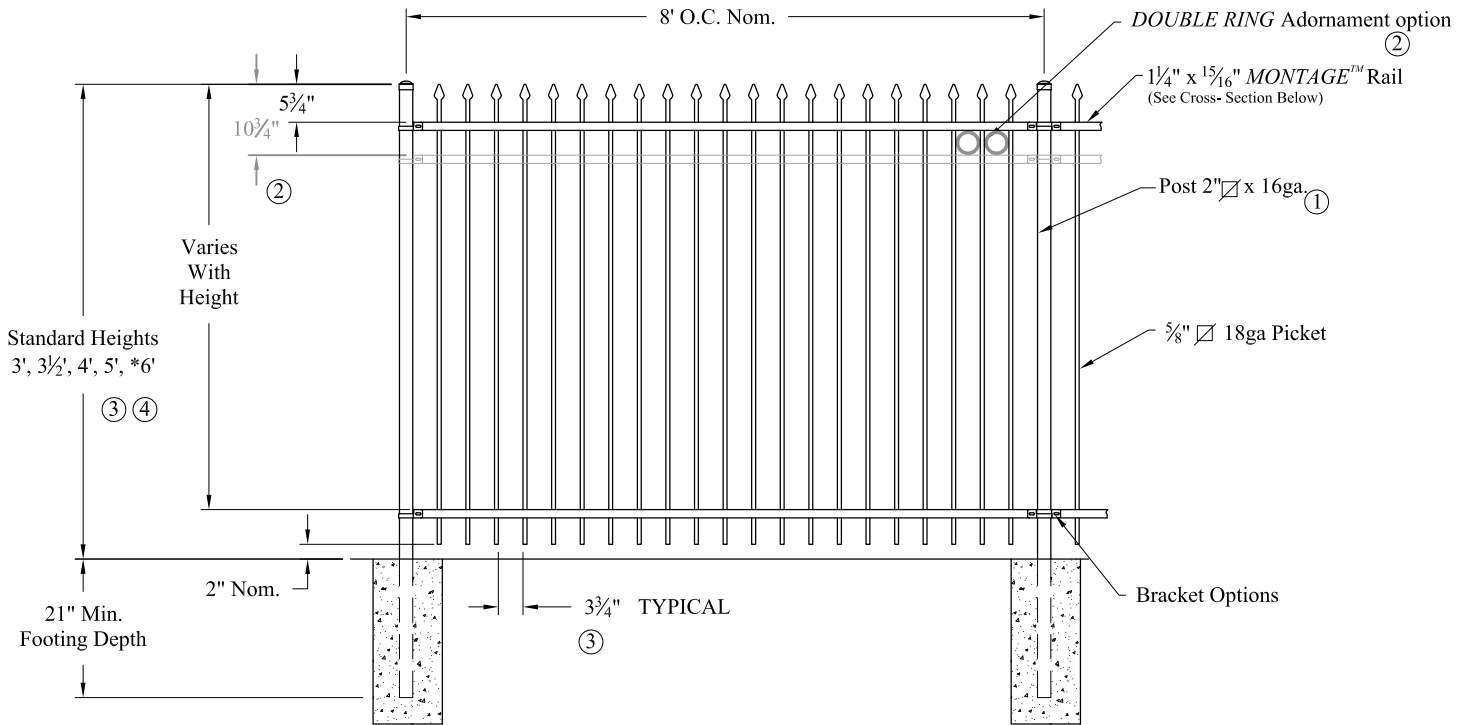
**King Architectural Solutions, PLLC**

**MORTON COMPREHENSIVE  
HEALTH SERVICES  
EAST TULSA - FENCE**  
11511 E 21ST STREET  
TULSA, OK 74129



ARCHITECTURAL SEAL

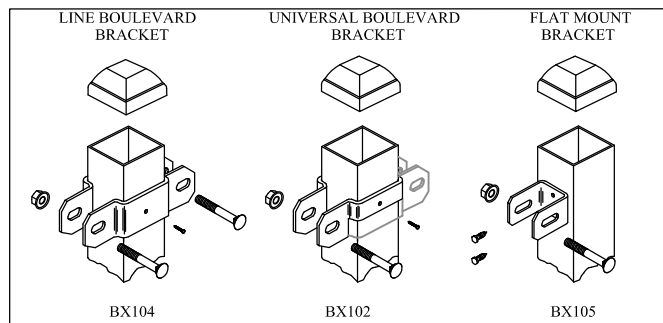
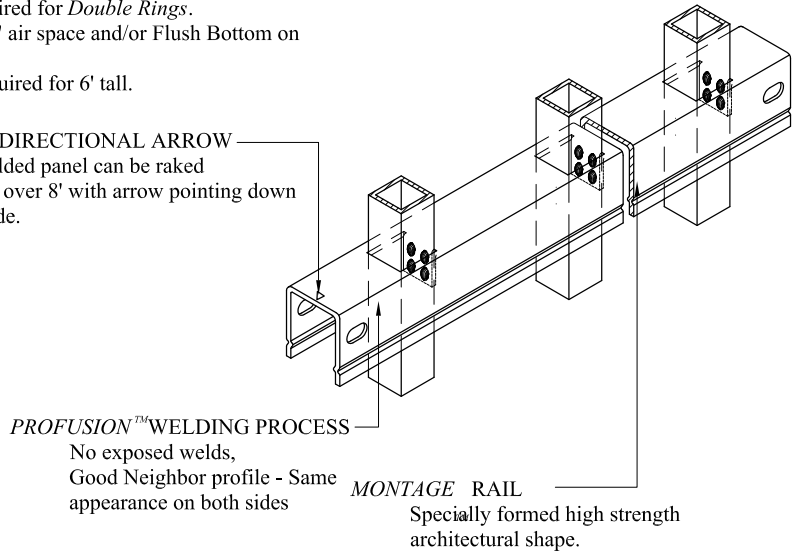
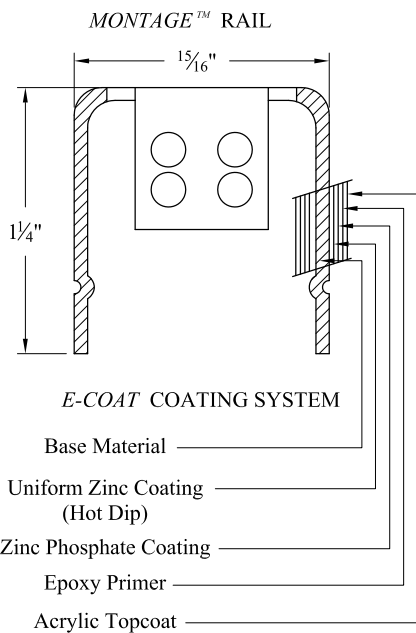
SCALE . . . AS NOTED  
FILE NAME . . . MK  
DRAWN BY . . . BB  
DATE . . . 09/26/2024



**NOTES:**

- 1.) Post size depends on fence height and wind loads. See *MONTAGE™* specifications for post sizing chart.
- 2.) Third rail required for *Double Rings*.
- 3.) Available in 3" air space and/or Flush Bottom on most heights.
- 4.) Three rails required for 6' tall.

**RAKING DIRECTIONAL ARROW**  
 Welded panel can be raked 45" over 8' with arrow pointing down grade.



**RESIDENTIAL WELDED STEEL PANEL**  
**PRE-ASSEMBLED**

Values shown are nominal and not to be used for installation purposes. See product specification for installation requirements.

RCISO

Title: **MONTAGE CLASSIC 2/3-RAIL**

DR: CI	SH . 1 of 1	SCALE: DO NOT SCALE
CK: ME	Date 7-19-11	REV: c



**AMERISTAR®**

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 Tulsa, OK 74116  
 1-888-333-3422  
 www.ameristarfence.com

**15.10**



DEVELOPMENT SERVICES

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

# CITY OF TULSA

## PLAN CORRECTIONS SUMMARY

### BLDC-193854-2024 (11511 E 21ST ST S Tulsa, OK 74129) Markup Summary #1

#### Building Review (1)



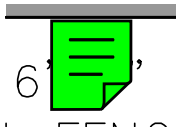
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**Page Label:** [1] A1.2  
**Author:** isupit  
**Date:** 10/10/2024 12:30:24 PM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

2018 IBC - Permits - Required.

Building permit is not required for fence less than 7 ft. high.

Apply for Zoning clearance only.

#### Zoning BLDC-193854-2024 (1)



**Subject:** Zoning BLDC-193854-2024  
**Page Label:** [1] A1.2  
**Author:** Jeffrey Bush  
**Date:** 10/7/2024 2:41:05 PM  
**Status:**  
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Review Comment: The East and South portions of the proposed fence appear to be within street setback. The street setback for a CS zoned lot is 10'. Please provide plans indicating all portions of the fence within the street setback do not exceed 4' in height. You may also wish to seek a special exception through the Board of Adjustments to allow a fence height greater than 4' within the street setback. If so contact the Tulsa Planning Office at 918-596-7526 or [Planning@cityoftulsa.org](mailto:Planning@cityoftulsa.org)