



**Board of Adjustment**

**Staff Report  
BOA-23814**

**Hearing Date:** December 10, 2024

**Prepared by:** Erin Roark

eroark@cityoftulsa.org

918-596-7618

**Owner and Applicant Information**

Applicant: Tom’s Outdoor Living

Property Owner: Milann Siegfried Williams Revocable Trust C/O J Terrell & Meredith Siegfried

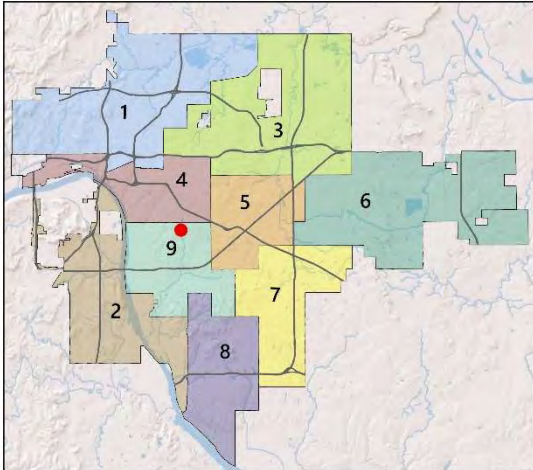
**Property Location**

3405 South Florence Avenue East

Tract Size: ±0.83 acres

**Location within the City of Tulsa**

*(shown with City Council districts)*



**Elected Representatives**

City Council: District 9, Carol Bush

County Commission: District 3, Kelly Dunkerly

**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: RS-1

Zoning Overlays: N/A

**Comprehensive Plan Considerations**

**Land Use**

Land Use Plan: Neighborhood

Small Area Plans: None

Development Era: Early Automobile

**Transportation**

Major Street & Highway Plan: Residential Collector

planitulsa Street Type: N/A

Transit: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

**Environment**

Flood Area: Regulatory Floodplain, 100-Year Floodplain, 500-Year Floodplain

Tree Canopy Coverage: 30-50%

Parks & Open Space: N/A

**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). This property is zoned RS-1 and therefore has a 35-foot street setback requirement wherein no fence over 4 feet is permitted. The applicant is proposing a 6-foot-tall metal fence within the 35-foot 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

- None Found

**Comprehensive Plan Considerations**

**Land Use Plan**

The subject property is designated as Neighborhood. Neighborhoods are mostly residential uses, which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	RS-1	Neighborhood	Residential
East	RS-1	Neighborhood	Residential
South	RS-1	Neighborhood	Residential
West	RS-1	Neighborhood	Residential

**Small Area Plans**

The subject property is not located within a small area plan.

**Development Era**

The subject property is in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of the connectivity from neighborhood streets to the arterial network, with mostly commercial, office, industrial, and other active uses along major streets and a mix of housing options and neighborhood-based uses like schools, churches, and libraries in the interior sections. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, commercial revitalization, compatibility of scale for neighborhood development, and transitions between commercial corridors and residential areas.

**Transportation**

Major Street & Highway Plan: South Florence Avenue East runs parallel to the west side of the subject property and is classified as Residential Collector, which has a planned minimum right-of-way width of 60 feet.

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: N/A

**Environmental Considerations**

Flood Area: The subject property is partially included in both the FEMA 100-year and 500-year flood zone and the Tulsa Regulatory Floodplain.

Tree Canopy Coverage: Tree canopy in the area is 44%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

**Sample Motion**

I move to approve or deny a Special Exception to increase the permitted fence height within the street setback (Section 45.080-A) from 4 feet to 6 feet,

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

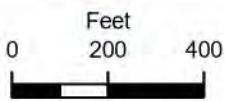
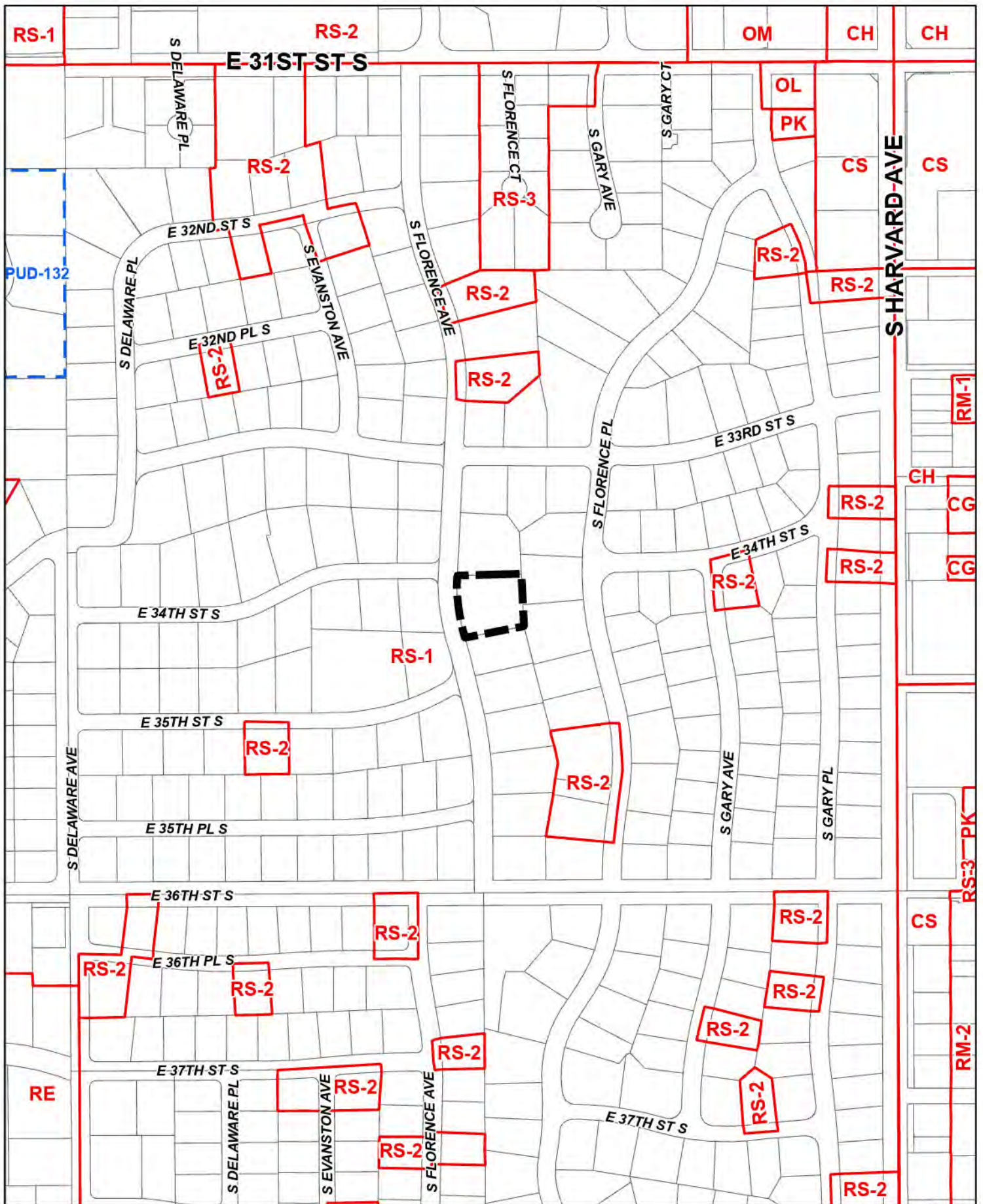
The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

**Property Description**

S.1/2 LT 5 & ALL LT 6 BK 10 RANCH ACRES, City of Tulsa, Tulsa County, State of Oklahoma

**Exhibits**

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



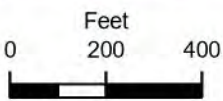
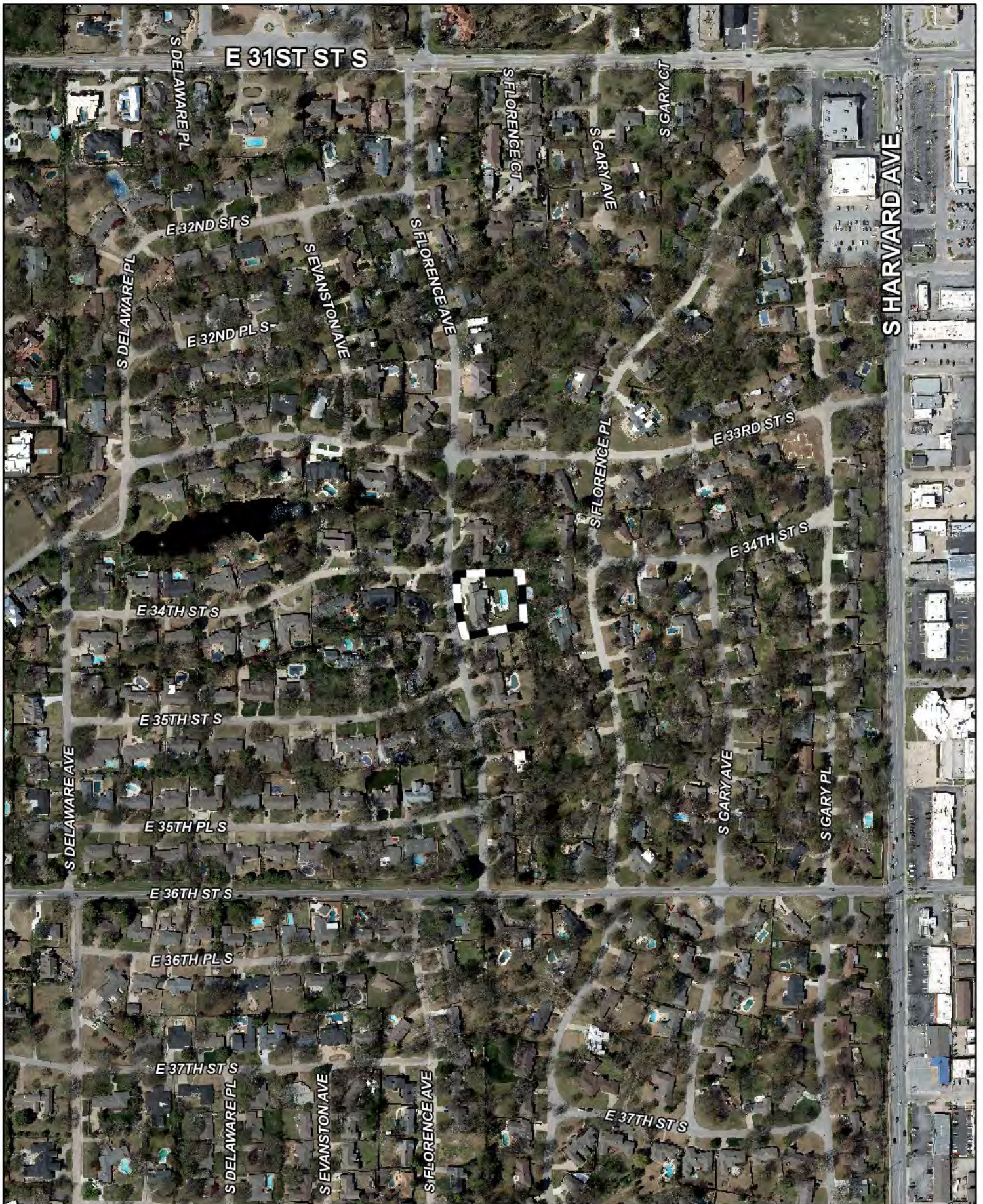
 Subject Tract

**BOA-23814**

19-13 20



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 Subject Tract

**BOA-23814**

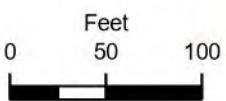
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2022



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Subject Tract

**BOA-23814**

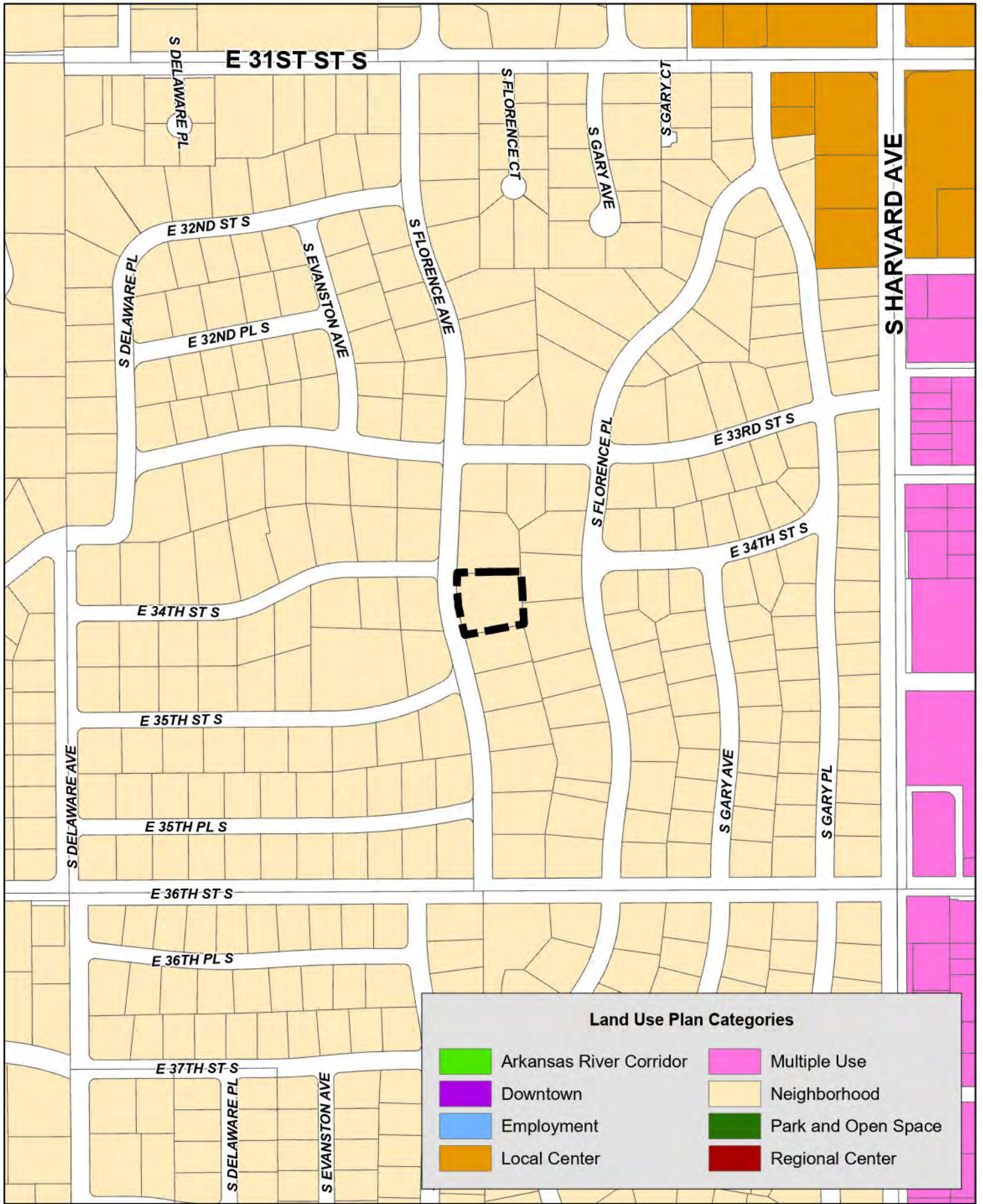
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





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

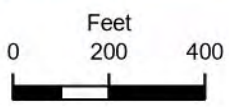
Aerial Photo Date: 2022



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



 Subject Tract

**BOA-23814**  
19-13 20



**PRELIMINARY  
REGISTERED LAND SURVEYOR'S  
MORTGAGE INSPECTION REPORT**

THIS PROPERTY IS LOCATED IN ZONE X (UNSHADED), X (SHADED AND AE PER FLOOD INSURANCE RATE MAP # 405381 0352 M, EFFECTIVE MAY 2, 2019.  
 ZONE X (UNSHADED): AREA OF MINIMAL FLOODING.  
 ZONE X (SHADED): 0.2% ANNUAL CHANCE FLOOD HAZARD.  
 ZONE AE: SPECIAL FLOOD HAZARD AREAS.



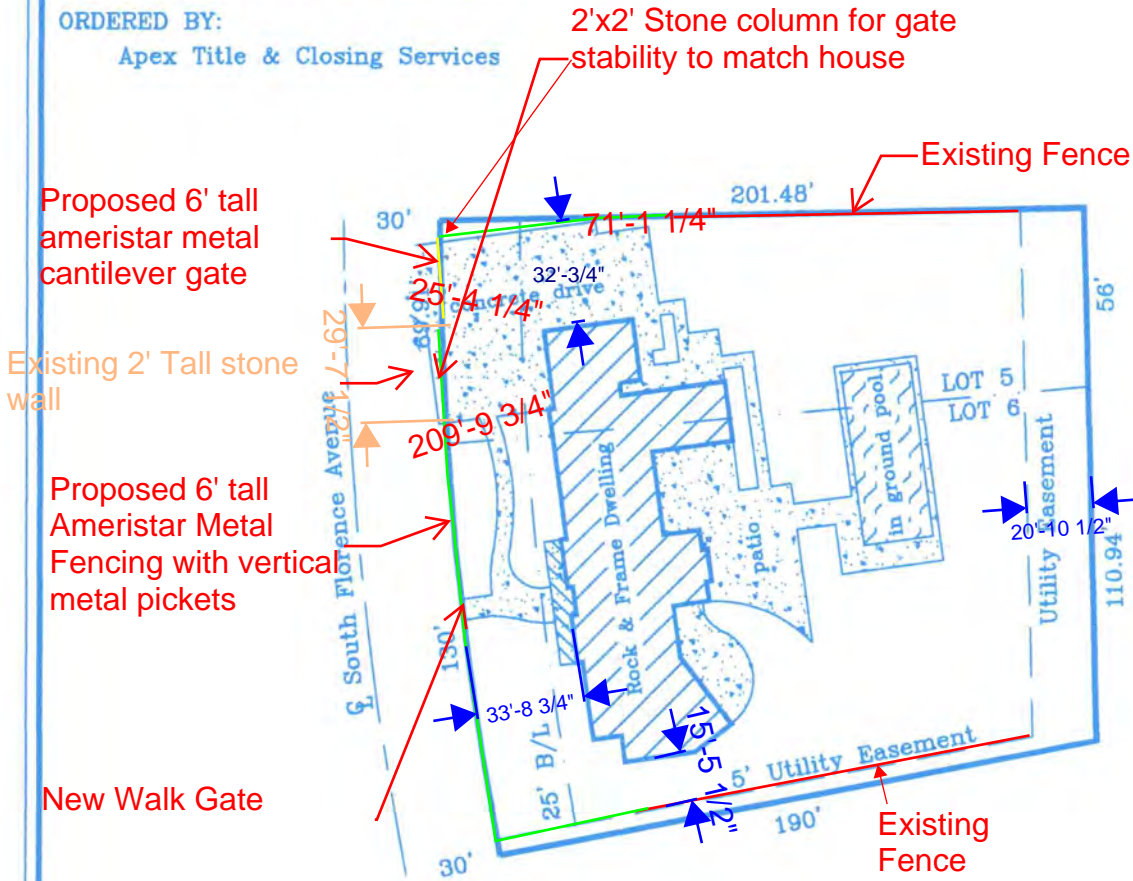
LENDER:

BORROWER:

Milann Siegfried Williams Revocable Trust

ORDERED BY:

Apex Title & Closing Services



LEGAL DESCRIPTION

The South Half (S/2) of Lot Five (5) and All of Lot Six (6), Block Ten (10), RANCH ACRES, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

3405 South Florence Avenue, Tulsa, OK 74105

EASEMENTS

Easements shown per recorded plat.  
 No additional easements provided to surveyor.

CERTIFICATION

This Mortgage Inspection Report was prepared for Apex Title & Closing Services. It is not a land or boundary survey plat, and it is not to be relied upon for the establishment of fence, building or other future improvement lines. The accompanying sketch is a true representation of the conditions that were found at the time of the inspection, September 21, 2020, and the linear and angular values shown on the sketch, if any, are based on record

Signed this 22nd day of September, 2020.

TIMOTHY L. KING, RPLS  
 35925 S. CASE ROAD  
 INOLA, OKLAHOMA 74036  
 TEL: 918-543-1699

*Timothy L. King*  
 TIMOTHY L. KING RPLS# 1534



2020-1148

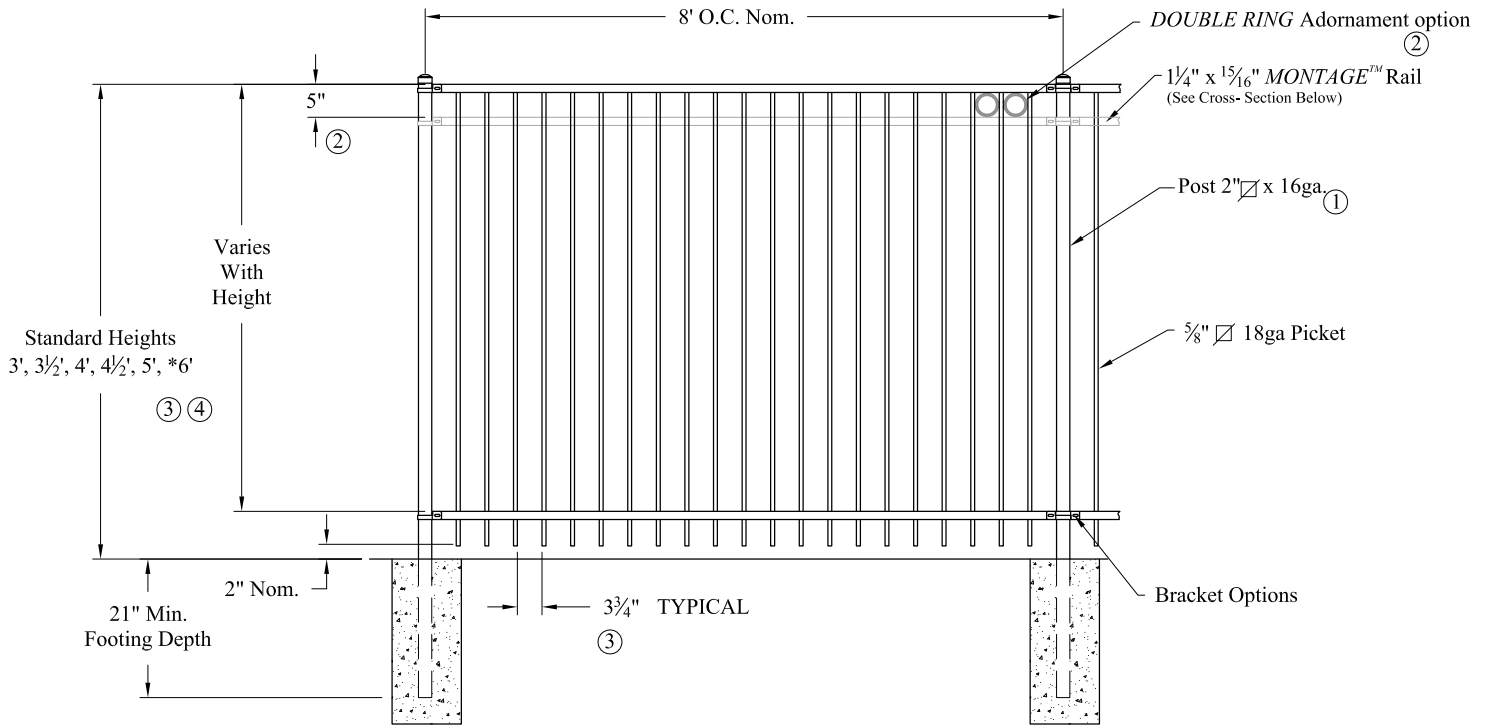
### Special Exception Request

Toms Outdoor Living is asking for a special exception to install 6' tall Ameristar black metal fencing along the front of the Williams property at 3405 S. Florence Ave. The homeowner is wanting to install this fence for the safety of young children while enjoying the front yard.

When placing this fence 30' away from the center of Florence Ave. it does not impede vision of drivers or pedestrians in the street or exiting the driveway.

Thank you for considering this Special Exemption,

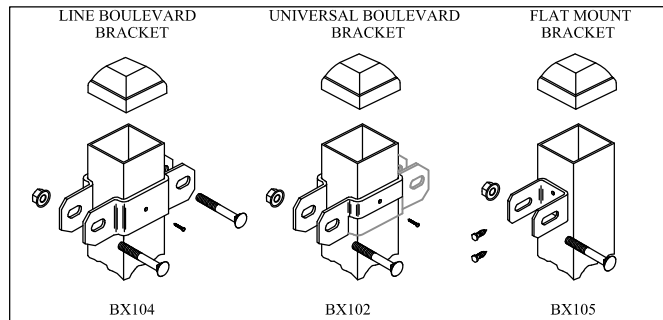
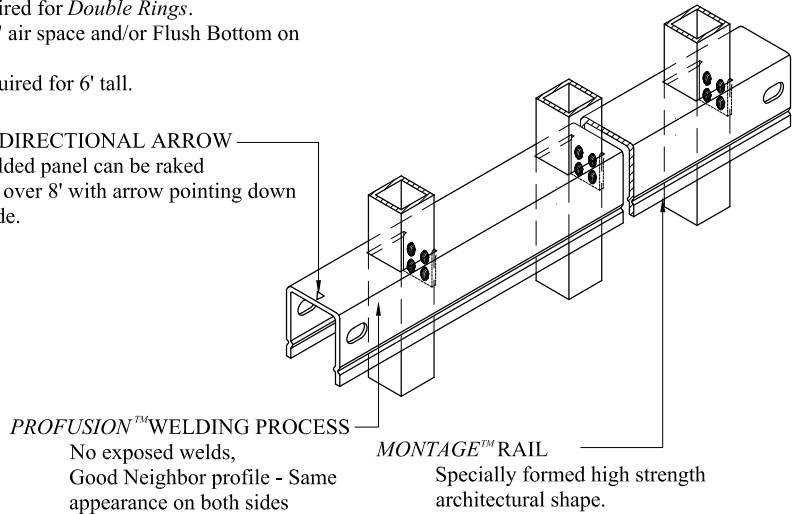
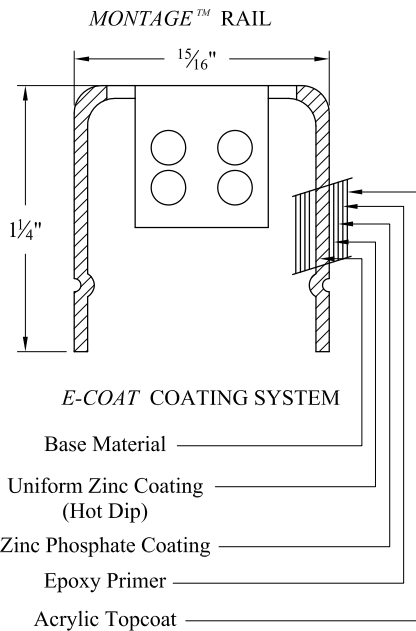
Toms Outdoor Living



**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.



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

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

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

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



**AMERISTAR®**

1555 N. Mingo  
 Tulsa, OK 74116  
 1-888-333-3422  
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**17.11**

RMISO



DEVELOPMENT SERVICES

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

# CITY OF TULSA

## PLAN CORRECTIONS SUMMARY

### BLDR-195368-2024 (3405 S FLORENCE AVE E Tulsa, OK 74105) Markup Summary #1

#### Zoning Review (2)



**Subject:** Zoning Review  
**Page Label:** 1  
**Author:** DWhiteman  
**Date:** 10/30/2024 1:07:21 PM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

Section 45.080-A Fences and walls within required building setbacks may not exceed 8 feet in height, except that in required street setbacks (front setback) 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 and 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.  
REVIEW COMMENT: Fences in the front setback area are not permitted to exceed 4' in height unless a special exception has been granted by the Board of Adjustment. Please either revise the plans to show the fence will not exceed 4' in height in the front setback, or contact the Planning Office at 918-596-7526 to request a special exception for a fence in the front setback to exceed 4' in height.



DEVELOPMENT SERVICES

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

# CITY OF TULSA

## PLAN CORRECTIONS SUMMARY



**Subject:** Zoning Review  
**Page Label:** 1  
**Author:** DWhiteman  
**Date:** 10/30/2024 1:08:54 PM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

Please make the following changes to the site plan:

1. Show the distance from the center of Florence Ave. to the fence. No part of the fence, including footings, may be closer than 30' to the center of the Florence Ave. right of way.
2. This lot zoned RS-1 and it requires a 35' front setback, meaning no part of the fence within 35' of the property line and 65' from the center of the street may exceed 4' in height. Please show the 35' setback line, which is 65' from the center of Florence Ave.
3. Indicate on the site plan that all parts of the fence, including footings, will be entirely on your property and will not cross the property line into the neighbors property or city right of way.

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