



Board of Adjustment

**Staff Report
BOA-23857**

Hearing Date: March 11, 2025
Prepared by: Erin Roark
eroark@cityoftulsa.org
918-596-7618

Owner and Applicant Information

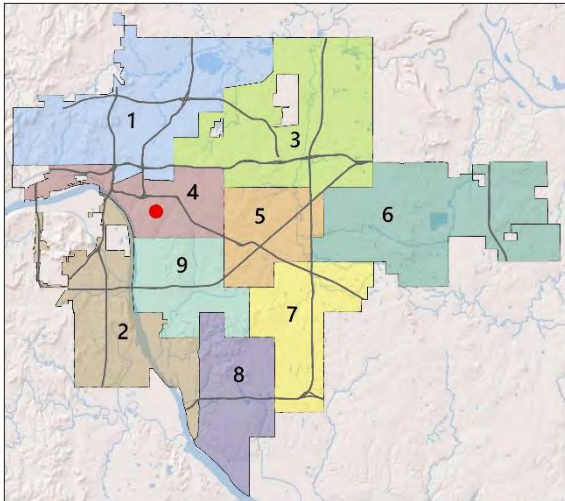
Applicant: James H. Ferris
Property Owner: Brent Wilks

Property Location

1519 East 21st Street South
Tract Size: ±0.15 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 4, Laura Bellis
County Commission: District 2, Lonnie Sims

Public Notice Required

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

Request Summary

Appeal of a decision by the Tulsa Preservation Commission to deny Historic Preservation Permit Application (HP-0644-2025) (Section 70.070-L); Special Exception to increase the permitted driveway width in the RS-3 district (Section 55.090-F, Table 5-6); Variance to increase the permitted driveway width in the RS-3 district (Section 55.090-F, Table 5-6).

Zoning

Zoning District: RS-3
Zoning Overlays: HP

Comprehensive Plan Considerations

Land Use

Land Use Plan: Neighborhood
Small Area Plans: N/A
Development Era: Streetcar Era

Transportation

Major Street & Highway Plan: Urban Arterial
planitulsa Street Type: N/A
Transit: Regular Route
Existing Bike/Ped Facilities: Sidewalks
Planned Bike/Ped Facilities: N/A

Environment

Flood Area: N/A
Tree Canopy Coverage: 20-29%
Parks & Open Space: Woodward Park, Swan Lake Park

Staff Analysis

The applicant is appealing a decision by the Tulsa Preservation Commission to deny an Historic Preservation Permit application (HP-0644-2025) (Section 70.070-L). Based on aerial imagery of the property, the parking pad was installed by a previous owner sometime between January 2023 and June 2024. The applicant bought the home on October 15, 2024. A report of violation was made to city staff in December 2024. On January 16, 2025, the Tulsa Preservation Commission denied the applicant’s proposal to install a parking pad.

As described in Section 70.140-G and Section 70.140-H, the board of adjustment has all the powers of the administrative official from whom the appeal is taken. The board of adjustment may affirm or may, upon the concurring vote of at least 3 members, reverse, wholly or in part, or modify the decision being appealed. In acting on the appeal, the board of adjustment must grant to the official’s decision a presumption of correctness, placing the burden of persuasion of error on the appellant. The decision being appealed may be reversed or wholly or partly modified only if the board of adjustment finds that the administrative official erred.

The width of the driveway exceeds the maximum driveway width of 25 feet within the street setback. The applicant, therefore, also requests a special exception and a variance to increase the permitted driveway width in the RS-3 district (Section 55.090-F, Table 55-6).

Section 70.070 HP Permits

70.070-L Appeals

Any final decision of the preservation commission may be appealed to the board of adjustment in accordance with [Section 70.140](#).

Section 55.090 Parking Area Design

55.090-F Surfacing

- 4. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of [Section 70.120](#), or, if in a PUD, in accordance with the amendment procedures of [§30.010-1.2](#). (Refer to the [City of Tulsa Standard Specifications and Details for Residential Driveways #701-704](#)).

Table 55-6: Maximum Driveway Widths in RE and RS Zoning Districts

Maximum Driveway Width					
Lot Frontage	75'+	60' – 74'	46' – 59'	30' – 45'	Less than 30' [2]
Driveway Within Right-of-Way (feet) [1]	27'	26'	22'	20'	12'
Driveway Within Street Setback (feet)	30'	30'	-	-	-

[1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.

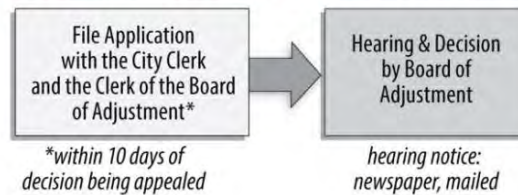
[2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.

Section 70.140 Appeals of Administrative Decisions

70.140-A Authority

Appeals of administrative (staff-level) decisions on site plans go to the planning commission (See [70.050-C](#)). The board of adjustment is authorized to hear and decide all other appeals where it is alleged there has been an error in any order, requirement, decision or determination made by the land use administrator, the development administrator or any other administrative official in the administration, interpretation or enforcement of this zoning code. For the purpose of applying the procedures of [Section 70.140](#) to appeal of any final decision of the preservation commission (See [§70.070-L](#)), the final decision of the preservation commission is deemed an administrative decision and the preservation commission is deemed an administrative official.

Figure 70-7: Appeals of Administrative Decisions (Generally)



70.140-B Right to Appeal

Appeals of administrative decisions may be filed by any person aggrieved by the land use administrator's, the development administrator's or other administrative official's decision or action. The board of adjustment is authorized to make determinations about whether individuals filing appeals are "aggrieved" by the decision or action.

70.140-C Application Filing

1. Complete applications for appeals of administrative decisions must be filed with the clerk of the board of adjustment and the city clerk, who will accept the appeal on behalf of the administrative official who made the decision being appealed and forward it to said official.
2. Appeals of administrative decisions must be filed within 10 business days of the date of the decision being appealed.

70.140-D Effect of Filing

The filing of a complete notice of appeal stays all proceedings in furtherance of the action appealed, unless the land use administrator or the administrative official who made the decision being appealed certifies to the board of adjustment, after the appeal is filed, that, because of facts stated in the certification, a stay would cause immediate peril to life or property, in which case the proceedings will not be stayed unless by a restraining order, which may be granted by the board of adjustment or by a court of record based on due cause shown.

70.140-E Record of Decision

Upon receipt of a complete application of appeal, the land use administrator or other administrative official whose decision is being appealed must transmit to the board of adjustment all papers constituting the record related to decision being appealed

70.140-F Notice of Hearing

Notice of the board of adjustment's required public hearing must be provided as follows (see [70.010-F](#) for additional information on required newspaper and mail notices).

1. Newspaper Notice

Notice must be published in the newspaper at least 10 days before the scheduled public hearing.

2. Mailed Notice

When an appeal affects a specific property, notice must be mailed to the owner of the subject property and all owners of property within 300 feet of the subject property at least 10 days before the scheduled public hearing.

70.140-G Hearing and Final Decision

1. The board of adjustment must hold a public hearing on the appeal.
2. Following the close of the public hearing, the board of adjustment must make its findings and take action on the appeal.
3. In exercising the appeal power, the board of adjustment has all the powers of the administrative official from whom the appeal is taken. The board of adjustment may affirm or may, upon the concurring vote of at least 3 members, reverse, wholly or in part, or modify the decision being appealed.
4. In acting on the appeal, the board of adjustment must grant to the official's decision a presumption of correctness, placing the burden of persuasion of error on the appellant.

70.140-H Review Criteria

The decision being appealed may be reversed or wholly or partly modified only if the board of adjustment finds that the land use administrator, the development administrator or other administrative official erred.

70.140-I Appeals

Board of adjustment decisions may be appealed to District Court in accordance with [75.010-K](#).

Relevant Case History

- BOA-20293, June 27, 2006; The board of adjustment voted to approve a special exception to permit a bed and breakfast in an RS district, on the conditions that no more than three guest rooms may be offered, signage must be limited to two square feet of display surface area without illumination, no special events such as weddings or receptions may be held on site, and vehicles such as RVs and trailers are not allowed on site. This approval was subject to a period of five years. The board also approved a variance of parking requirements and a variance of parking area dimensions, per the parking plan provided.
 - BOA-20293-A, May 24, 2011; The board of adjustment approved an amendment to eliminate the time limit imposed by BOA-20293 for the operation of a bed and breakfast in an RS district. All other previous conditions remain in effect and the board imposed the following new conditions: a register of all guests and events must be maintained which shall be made available to City Code Enforcement upon request, the maximum length of stay for any guest is limited to 30 days per calendar year, no public restaurant shall be permitted, and meals may only be served to overnight guests.

Statement of Hardship

The applicant's statement of hardship is attached as a separate exhibit.

Comprehensive Plan Considerations

Land Use Plan

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-3, HP	Neighborhood	Residential
East	RS-3, HP	Neighborhood	Residential
South	RS-2	Neighborhood	Residential
West	RS-3, HP	Neighborhood	Residential

Small Area Plans

The subject property is not within a small area plan.

Development Era

The subject property is in an area developed during the Streetcar Era (1910s-30s), prior to the proliferation of automobiles, when streetcars facilitated growth beyond downtown. Land uses range from fully integrated to somewhat separated, on a half-mile grid, with a mix of housing options. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, transit-oriented development, commercial districts, and well-designed streetscapes.

Transportation

Major Street & Highway Plan: East 21st Street South runs parallel to the south side of the subject property and is classified as a Urban Arterial, which has a planned minimum right-of-way width of 70 feet.

Comprehensive Plan Street Designation: N/A

Transit: Regular Route 150 runs along East 21st Street South.

Existing Bike/Ped Facilities: Sidewalks are present along the street frontage.

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: East 21st Street South has an average annual daily traffic (AADT) of 2,876 vehicles per lane.

Environmental Considerations

Flood Area: N/A

Tree Canopy Coverage: Tree canopy in the area is 22%. 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: Woodward Park is located nearby to the southwest of the subject property. Swan Lake Park is located nearby to the northeast of the subject property.

**Sample Motion
Appeal**

I move to affirm/reverse the administrative decision by the Tulsa Preservation Commission in Historic Preservation Permit application number HP-0644-2025 to deny the installation of a parking pad, finding:

- that the Tulsa Preservation Commission acted appropriately/erred in its denial of HP-0644-2025.

Special Exception

I move to approve or deny a special exception to increase the permitted driveway width in the RS-3 district (Section 55.090-F, Table 55-6).

- 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

I move to approve or deny a variance to increase the permitted driveway width in the RS-3 district (Section 55.090-F, Table 55-6).

- 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

LT 8 BLK 2 DENT ADDN SUB L1-3 & PRT L4&20 B28 PARK PLACE ADDN, City of Tulsa, Tulsa County, State of Oklahoma

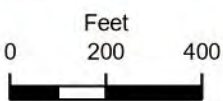
Exhibits

Case map

Aerial (small scale)

Aerial (large scale)

Tulsa Comprehensive Plan Land Use Map



 Subject Tract

BOA-23857

19-13 07

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

Aerial Photo Date: 2024



5.8



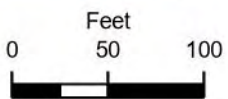
E 20TH ST S

E 21ST ST S

S ROCKFORD AVE

S ST LOUIS AVE

S TERWILLIGER BLVD



Subject Tract

BOA-23857

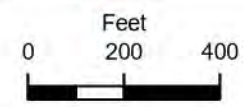
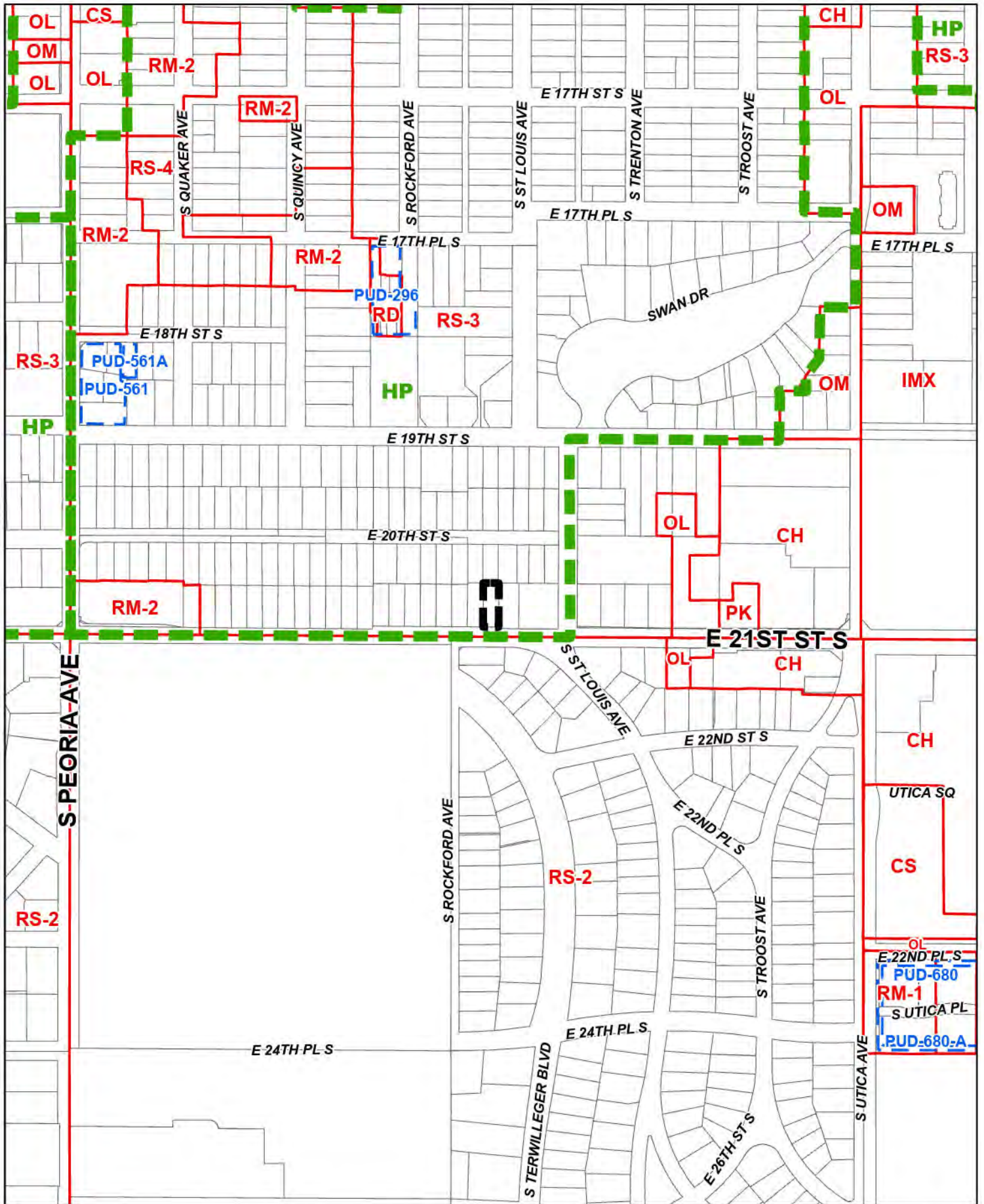
19-13 07

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

Aerial Photo Date: 2024



5.9



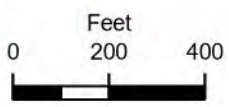
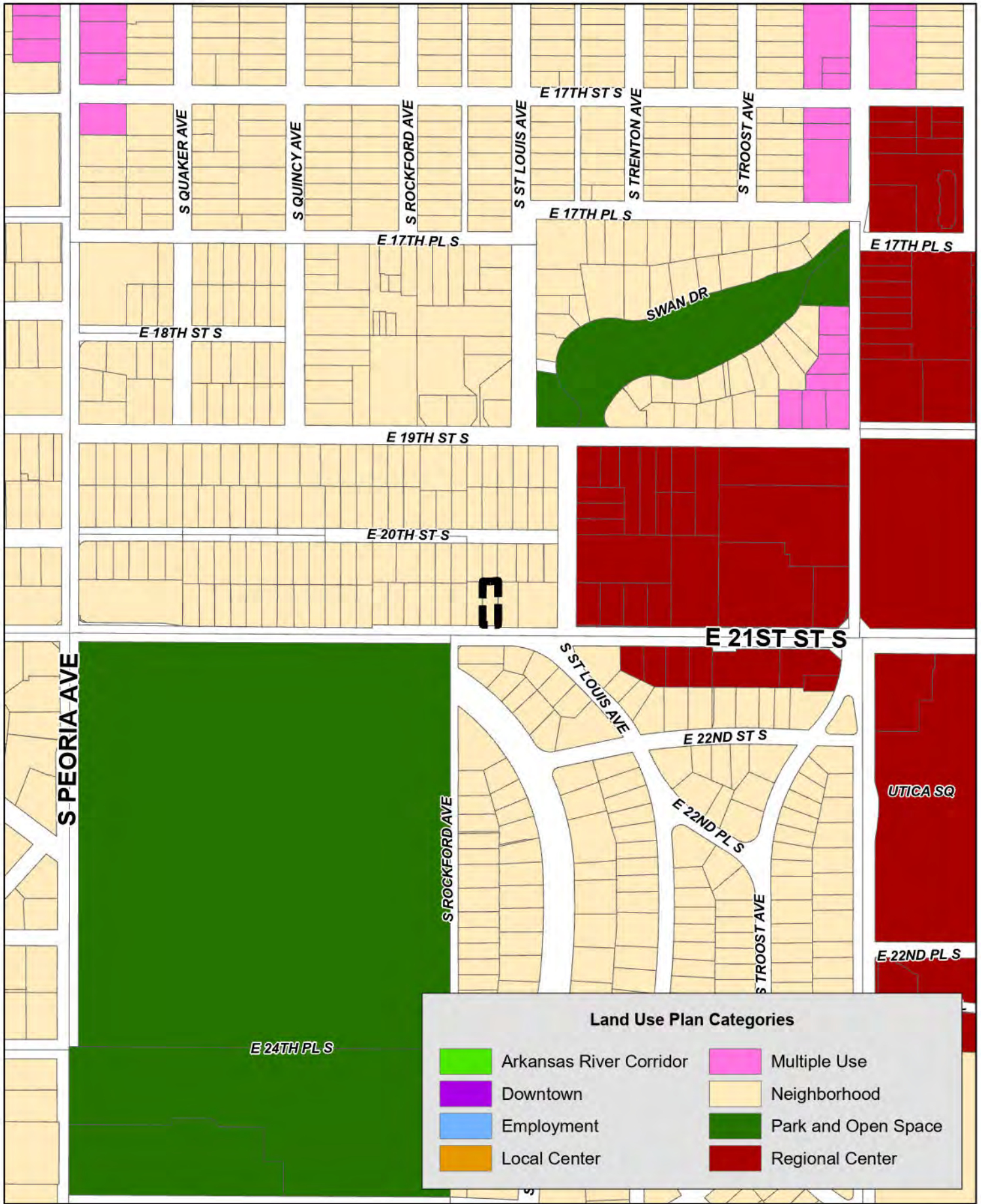
 Subject Tract

BOA-23857

19-13 07



5.10



Subject Tract

BOA-23857
19-13 07



Variances

Proof of Hardship

The Board of Adjustment is allowed to approve variances only after determining that the following conditions exist. Below, describe how your request satisfies **each** of these conditions.

1. That the physical surroundings, shape, or topographic 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;

Without the requested variance, vehicles would have to back out of the property driveway onto 21st Street traffic without being able to see the traffic because of the wall on the East side of the driveway.

2. That the literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;

Numerous properties on 21st Street near the subject property have driveways/parking areas which do not conform to the subject zoning code provision.

3. 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;

The conditions are unique to the area of 21st Street, a heavily traveled arterial street.

4. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;

Current property owner bought the property with the current driveway in place which, again, was necessary so that vehicles would not have to back into 21st Street with no ability to see oncoming traffic.

5. That the variance to be granted is the *minimum* variance that will afford relief;

The driveway area for which the exception is requested is the minimum turnaround space for a vehicle to be able to enter 21st Street with the driver facing the street.

6. 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

See number 2 response above. Numerous adjacent properties have driveway - parking areas exceeding the current maximums.

7. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the zoning code or the comprehensive plan.

The requested variance would be consistent with the public good to avoid traffic accidents on 21st Street and would not be violative of the purposes, spirit and intent of the zoning code and comprehensive plan, but would, in fact, further the same.

Special Exceptions

The Board of Adjustment is allowed to approve special exceptions only after determining that the following conditions exist. Below, explain how your requests satisfy these conditions:

1. The special exception will be in harmony with the spirit and intent of the Zoning Code; and

The special exception requested would promote the public health, safety and general welfare of the public by avoiding traffic collisions and injuries.

2. The special exception will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The special exception requested would be consistent with the residential structures adjacent to the subject property on 21st Street and would not be at all detrimental to the public welfare, but would further the same.

Conditions

In granting any special exception, the Board may make appropriate conditions or safeguards, may limit the approval to a specified period of time and may require a bond or other guarantee necessary to enforce compliance with the conditions.

If your application is approved, you will likely need additional permits.

Call 918.596.9456 to speak with the Permit Center or Development Services Plans Review.

REGISTERED LAND SURVEYOR'S
MORTGAGE INSPECTION REPORT

THIS PROPERTY IS LOCATED IN ZONE X (UNSHADED) PER FLOOD INSURANCE
RATE MAP # 405381 0240 L, EFFECTIVE OCTOBER 16, 2012

LENDER:

BORROWER:

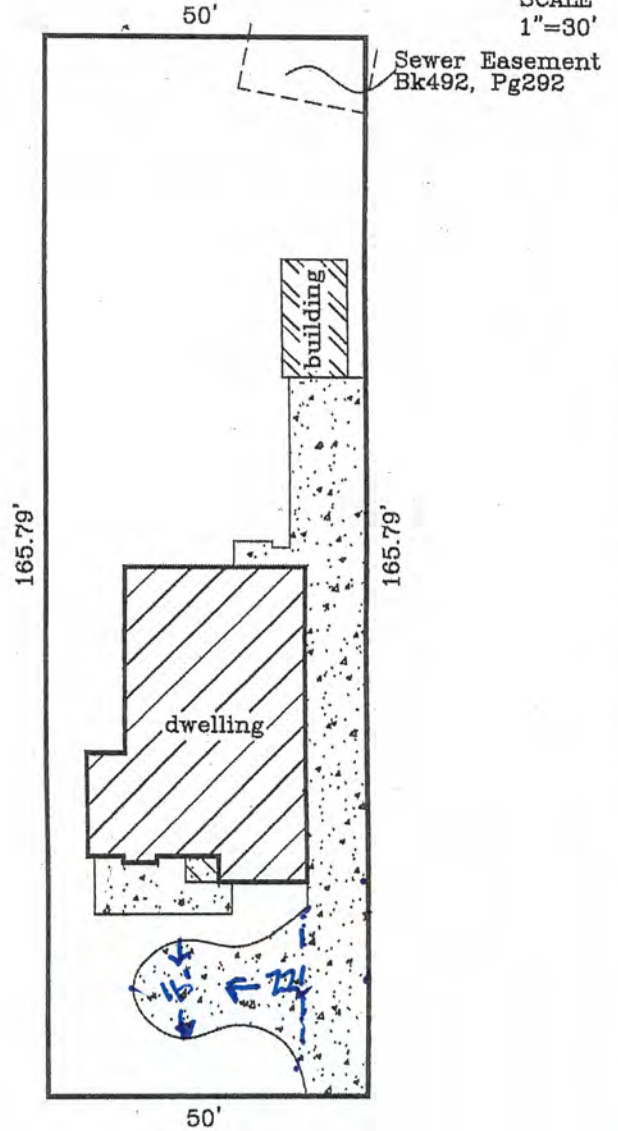
Brent Wilks

ORDERED BY:

Frisco Title Company



SCALE
1"=30'



BW

LEGAL DESCRIPTION

Lot Eight (8), Block Two (2), DENT
ADDITION to Tulsa, Tulsa County, State
of Oklahoma, according to the
recorded plat thereof.

1519 E. 21st Street, Tulsa, OK 74114

TwentyFirst Street

EASEMENTS

Easements shown per recorded Plat.

Sewer Easement in favor of City of Tulsa, Oklahoma, recorded July 19, 1924, in Book 492, Page 292.
(shown)

Caveat recorded May 2, 2012 as Document No. 2012041991. (does not affect)

No additional easements per Title Commitment No. 2406-0123-80, Commitment Date: July 3, 2024 as
provided to surveyor.

CERTIFICATION

This Mortgage Inspection Report was prepared for Frisco Title Company. 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, July 10, 2024, and the linear and angular values shown on the sketch, if
any, are based on record.

Signed this 4th day of October, 2024.

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

Timothy L. King
TIMOTHY L. KING RPLS# 1534



2024-06075



HISTORIC PRESERVATION DENIAL

An Historic Preservation Permit for work described below has been denied under the Zoning Ordinance of the City of Tulsa (Section 70.070) to **Brent Wilks** for the address of **1519 East 21st Street**, Tulsa, Oklahoma, located in the **Yorktown Historic Preservation Overlay District**.

DENIED PROPOSAL

1. Installation of parking pad

Performance of any work described under the Denied Proposal is a violation of the Zoning Ordinance and may result in the revocation of Building Permits and/or code enforcement.

Skylar Marlow-Fuson

Skylar Marlow-Fuson
Historic Preservation Officer (interim), City of Tulsa

Date of decision: January 16, 2025

Number: HP-0644-2025



**Historic Preservation
Permit
APPLICATION FORM**

STAFF USE ONLY	
Date App Received:	_____
Date App Completed:	_____
Date Approved:	_____
Staff Approval:	<input type="checkbox"/> Yes <input type="checkbox"/> No

Any exterior alterations, repairs, new construction, or demolitions within the historic district MUST BE APPROVED by the Tulsa Preservation Commission or staff prior to work. A Historic Preservation (HP) Permit is required even if a building permit is not needed.

All documentation must be submitted to the Preservation Staff a minimum of one week prior to the next Preservation Commission meeting (or HP Permit Subcommittee meeting, if applicable). Once an application has been received, staff has 10 business days to review the application for completeness. Complete documentation is required to properly review a project. If an application is not complete, staff will notify the applicant of missing or required documentation. An application will not be deemed complete until all requested information has been received, then it will be placed on the next appropriate meeting date. If the missing or required documentation is not submitted in 60 days from its request, the application will be deemed withdrawn (§70.010-C(5)).

See next page for submittal requirements.

I. APPLICANT INFORMATION

Project Address: 1519 E 21st St
 Historic District: Swan Lake
 Name of Applicant: Brent Wilks Phone: (469) 469 7084
 Mailing Address: 1519 E 21st St
 E-mail: brentwilks02@yahoo.com
 Name of Owner (if different): _____
 Mailing Address: _____
 E-mail: _____ Phone: _____

II. ACKNOWLEDGEMENT OF RESPONSIBILITY

I (we) understand and have included in this application all required documents I need to proceed. I (we) certify that the statements and showings made in any paper or plans submitted herewith are true to the best of my (our) knowledge. I (we) have reviewed the applicable Unified Design Guidelines and Zoning Code, and I understand if I have not turned in all basic requirements and other information as deemed necessary by the Historic Preservation Staff, I (we) will be notified and no further action on the application will be taken until the information is submitted.

APPLICANT SIGNATURE: [Signature]

PRINTED NAME Brent Wilks DATE: 11/9/25

III. OWNER'S CONSENT (IF NOT APPLICANT)

Owner hereby certifies that it is the owner of the property located at 1519 E 21st St ("Subject Property") and expressly consents to the use of the Subject Property as described in this application and to all conditions that may be agreed to as a part of the approval of this application, which may be imposed by the Tulsa Preservation Commission. Owner hereby authorizes, the Applicant as agent, to file this application and represent Owner at any and all meetings and hearings required to process this application.

OWNER SIGNATURE: [Signature]

PRINTED NAME Brent Wilks DATE: 11/9/25



Historic Preservation Permit APPLICATION FORM

ATTACHMENT A: SUBMITTAL MATERIALS

PROJECT DESCRIPTION

Give a detailed description and justification for each repair, alteration, new construction, or demolition planned. Include description and condition of affected existing materials. Attach additional pages as needed.

Driveway Hatched parking space extension
Size approximately 11'x23' Curved

PROJECT CHECKLIST

- Digital color photographs of each elevation of the site, building(s), and project area(s) provided by email or memory device only. **No external storage account invitations.**
- Product brochures, color photographs, and/or material samples when new or replacement materials are proposed.
- Site plan, no larger than 11x17, to scale with dimensions and north arrow showing location of structures and project area or landscape features in respect to building line, property line, and adjacent structures on all sides
- Elevation sketches or renderings to scale with dimensions showing location of work required for changes on exterior walls, additions, and new construction
- Window Survey Form for proposed window repair or replacement (see **Attachment B**)

FOR ADDITIONS AND NEW CONSTRUCTION, THE FOLLOWING ARE REQUIRED IN ADDITION TO THE ABOVE:

- Site Plan, Floor Plans, and Elevations should be at a scale of 1 inch = 20 feet, or greater
- Architectural rendering (optional)
- Legal description of the property as recorded on the deed
- Location of all existing and proposed structure(s), with front and side setback distances indicated
- Percentage of slope on lot
- Location of existing and proposed retaining walls, sidewalks, and driveways with front and side setbacks indicated
- An additional site plan showing approximate height, width and front setback of proposed project and all adjacent structures to show relationship to neighborhood
- Floor plan to scale with dimensions required for additions and new construction

ATTACHMENT B: [WINDOW SURVEY FORM](#) (if applicable-see [Window Repair and Replacement Guide](#))



TULSA PRESERVATION COMMISSION

STAFF REPORT

January 16, 2025
HP-0644-2025

HP PERMIT NUMBER: HP-0644-2025

PROPERTY ADDRESS: 1519 E 21st Street

DISTRICT: SWAN LAKE

APPLICANT: Brent Wilks

REPRESENTATIVE: N/A

A. CASE ITEMS FOR CONSIDERATION

1. Installation of parking pad

B. BACKGROUND

DATE OF CONSTRUCTION: 1926

ZONED HISTORIC PRESERVATION: 1994

NATIONAL REGISTER LISTING: SWAN LAKE 1998; ADDITIONAL DOCUMENTATION 2009

CONTRIBUTING STRUCTURE: Yes

STYLE/CONSTRUCTION: NR Description: A one-story brick Tudor Revival residence, 1519 has a hipped and gabled roof with composition shingles and a shed-roofed dormer with four fixed windows. On the right is a large front-facing gable with a small arched vent in the gable end. Below the gable are paired 8/8 double hung windows. On the left the eave is flared to form the roof of a small porch with a brick arch and column. To the left of the entrance is a double chimney flanked by small gables over paired 8/8 double hung windows. Other decorative details include corniced boards, concrete keystones and inserts, and brick sills. At the rear is a detached garage.

PREVIOUS ACTIONS: None found

B. ISSUES AND CONSIDERATIONS

This proposal is for the installation of a roughly 11' x 23' parking pad in the street-yard. This parking pad was **not** installed by the current homeowner. There was a report of violation about this driveway to city staff in December of 2024. Upon research, it was discovered that the new parking pad was installed sometime between 2023 and June of 2024 when the property was listed for sale. The latest google street view is from 2023 and shows the parking pad not there. However, the Zillow posting from the June of 2024 shows the parking pad as a feature of the home. The buyer bought the home on October 15th assumingly unaware of the driveway being a violation.

1. Reference: *Tulsa Zoning Code*

SECTION 70.070-F Standards and Review Criteria

In its review of HP permit applications, the preservation commission must use the adopted design guidelines to evaluate the proposed work and must, to the greatest extent possible, strive to affect a fair balance between the purposes and intent of HP district regulations and the desires and need of the property owner. In addition, the preservation commission must consider the following specific factors:

1. The degree to which the proposed work is consistent with the applicable design guidelines;

2. The degree to which the proposed work would destroy or alter all or part of the historic resource;
3. The degree to which the proposed work would serve to isolate the historic resource from its surroundings, or introduce visual elements that are out of character with the historic resource and its setting, or that would adversely affect the physical integrity of the resource;
4. The degree to which the proposed work is compatible with the significant characteristics of the historic resource; and
5. The purposes and intent of the HP district regulations and this zoning code.

2. Reference: *Unified Design Guidelines – Residential Structures*

SECTION A – GUIDELINES FOR REHABILITATION OF EXISTING STRUCTURES

A.1 General Requirements

- A.1.1 Retain and preserve the existing historic architectural elements of your home.
- A.1.2 If replacement of historic architectural elements is necessary, match the size, shape, pattern, texture, and directional orientation of the original historic elements.
- A.1.3 Ensure that work is consistent with the architectural style and period details of your home.
- A.1.4 Return the structure to its original historic appearance using physical or pictorial evidence, rather than conjectural designs.

G.2 Paving

- G.2.1 Retain and preserve original historic paving, steps, and bulkheads through repair.
- G.2.2 Ensure that the design of new paving is consistent with historic elements found along the same street and within the same neighborhood.
- G.2.3 Use paving materials that are consistent with the historic paving found along the same street and within the same neighborhood. Asphalt and stained concrete are not allowed.
- G.2.4 Surface parking lots do not support the historic character of the district. Construction of parking lots is strongly discouraged, but will be considered on a case-by-case basis provided that the following guidelines are met:
 - .1 Match the front setback pattern of the historic structures on the same side of the street. On corner lots, match the setback pattern of the historic structures on all adjoining streets. When the setback pattern of the historic structures on the same side of the street varies, locate the parking lot between the minimum and maximum of the prevailing setbacks.
 - .2 The screening that is required by the Zoning Code shall meet the conditions of G.1.4 and G.1.5. Ensure that screening is of sufficient height and density to obscure the view of the parking lot from the street and adjacent historic structures.
 - .3 When possible, provide vehicular access to the parking lot from an alley or arterial street to minimize the traffic impact on residential streets.



Survey Photo 1995



Google Street View 2023



Zillow Listing from June 2024



Zillow Listing from June 2024



Zillow Listing from 2024



December 2024



TULSA PRESERVATION COMMISSION

REGULAR MEETING MINUTES

Thursday, January 16, 2025, 4:00 P.M.

City Hall at One Technology Center, 175 East 2nd Street
10th Floor, North Conference Room

A. Opening Matters

1. Call to Order and Verification of Quorum
Commissioner Hood called the regular meeting to order at 4:00 p.m.

Members Present

Shane Hood, Chair
 Royce Ellington, Vice-Chair
 Peter Grant, Secretary
 Katelyn Parker, RA
 Geoffery Evans, PLA, ASLA
 Jackie Price Johannsen
 Susan McKee, MFA
 James E. Turner, AIA
 Mark Sanders

Members Absent

Mary Lee Townsend, Ph.D.

Staff Present

Audrey Blank, Rebecca Cantu, Skylar Marlow-Fuson, Caleb Rocha

Others Present

Tom Neal, Brent Wilks

2. Review and Approval of Minutes – Regular Meeting, December 12, 2024. Motion made by Commissioner McKee to approve the minutes of the regular meeting on December 12, 2024. The motion was seconded by Commissioner Evans. The motion passed.

Vote: Minutes – Regular Meeting, October 24, 2024

	In Favor	Opposed	Abstaining	Not Present
1.	Sanders		Ellington	Townsend
2.	Hood			
3.	Grant			
4.	McKee			
5.	Johannsen			
6.	Parker			
7.	Evans			
8.	Turner			

B. Actionable Items

1. HP-0643-2024 /1340 E. 20th St. (Swan Lake)

Applicant: Tom Neal

Proposals:

1. Installation of railing on stairs and porch

Staff gave their presentation, and the applicant Tom Neal was present. Commissioner Ellington reported that the subcommittee had no objection to the rail; however, they expressed concerns regarding the proposed addition of concrete. He mentioned that the subcommittee recommended outlining the concrete pad with brick. Mr. Neal conveyed that his client wishes to expand the concrete pad and, in accordance with the subcommittee’s suggestion, he believes it would be prudent to outline the pad with brick. He acknowledged, however, that achieving an exact match for the brick may not be feasible, but they would make every effort to do so. Commissioner Sanders sought clarification from Mr. Neal on whether they intended to construct the pad with brick or merely outline the concrete pad. Mr. Neal confirmed that they would be outlining the pad with brick. Commissioner Grant asked if they were indeed enlarging the pad, to which Mr. Neal affirmed. Commissioner Turner pointed out that in the plans include a large planter and asked if it would be a permanent fixture. Mr. Neal clarified that it is intended as porch furniture and will not be permanent; its purpose is to prevent individuals from walking off the edge.

1340 E. 20th St. (Swan Lake)

Commissioner Grant made a motion to approve the application with the condition that a matching brick border/edge be added instead of concrete. The motion was seconded by Commissioner Turner. The motion passed unanimously.

Cited Guideline (s):

	In Favor	Opposed	Abstaining	Not Present
1.	Hood			Townsend
2.	Ellington			
3.	Grant			
4.	Sanders			
5.	Evans			
6.	Parker			
7.	Johannsen			
8.	McKee			
9.	Turner			

2. HP-0644-2025 /1519 E. 21st St. (Swan Lake)

Applicant: Brent Wilks

Proposals:

2. Installation of parking pad

Staff gave their presentation, and the applicant Brent Wilks was present. Commissioner Hood stated that during the last subcommittee meeting under new business, the committee deliberated on whether it could take action regarding a situation that arose prior to the applicant’s acquisition of the property. He sought the commission’s perspective on the potential liability of the applicant for the existing violation. Commissioner Grant noted that the enforcement committee had previously

addressed similar scenarios and concluded that a violation does not cease to exist simply because the original owner is no longer involved; rather, it remains associated with the property until it is rectified. Commissioner Sanders added that regardless of the timing of the violation or the party at fault, it remains a violation tied to the property. City Legal clarified that the ordinance stipulates that an approved permit is linked to the land and is unaffected by changes in tenancy, ownership, or management, which also applies to actions taken without permits. Commissioner Grant expressed his belief that the driveway does not comply with the city's green space requirement, citing an excess of concrete in the front area. Commissioner Hood concurred with Commissioner Grant's assessment but noted that the matter falls outside the commission's jurisdiction. He raised the question of whether a new owner is accountable for violations stemming from previous owner's lack of proper permits, and aligning with historical standards, or if the commission should pursue action against the former owners, emphasizing that the commission does not intend to penalize individuals for actions taken by prior owners. Commissioner Sanders indicated that should the commission determine the property to be in violation, it would result in a cloud on the title; however, theoretically, the applicant could seek recourse against the seller who sold the property with the violation. Mr. Wilks expressed that he was unaware of any issues regarding the concrete pad and noted that within the first ten days of purchasing the property, he appeared before the commission, he requested six items, of which one was approved. He mentioned that he purchased the property in cash twelve weeks ago and was unaware that he purchased the house with a violation. He emphasized that he does not intend to pursue any parties involved, regardless of the circumstances, but is focused on rectifying the situation. Commissioner Ellington explained that during the subcommittee meeting, it was concluded that the concrete pad does not comply with the guidelines and would not have been approved in its current installation. Mr. Wilks remarked that he would not have paid \$275,000 for the property had he been aware of this issue. Commissioner Grant noted their efforts to collaborate with him to identify a solution. Commissioner Ellington added that the challenge lies in the fact that the home is a contributing structure within a historic neighborhood. Mr. Wilks stated that he is prepared to demolish the driveway that evening if it is deemed problematic. Commissioner Hood conveyed to the applicant that he finds himself in an unfortunate predicament created by another party, and they are endeavoring to assist him. Mr. Wilks mentioned his intention to remove the rocks from the retaining wall and replace them with the appropriate bricks, but he does not want to tear up the driveway. Commissioner Hood highlighted that various jurisdictions would have an issue regarding the driveway. Mr. Wilks mentioned that he has already applied for a driveway permit and is currently awaiting its review. Commissioner Hood expressed his belief that the review will likely conclude that the driveway does not comply with the city code. Mr. Wilks inquired whether compliance with the city code would lead to the approval of the pad by the commission. Commissioner Hood stated that the city will inform him that the driveway cannot be situated in front of his residence due to its excessive width. He further explained that, although it does not adhere to the guidelines of HP, it also fails to meet with the city's standards. Mr. Wilks reiterated his question about whether the commission would approve the driveway if the city granted its approval. Commissioner Hood reiterated that their guidelines are black and white, and the parking pad does not conform to them. Mr. Wilks sought alternatives to removing the driveway. Commissioner Sanders responded that there are no other options to rectify the violation, emphasizing that their guidelines prohibit concrete structures like the one proposed in the front yard. Mr. Wilks urged the board to take whatever action is necessary. Commissioner Hood remarked that even if they approved of the proposal, the city, as the final authority, would still not approve of it. Mr. Wilks argued that the commission's denial of the application would prevent the city

from considering it. Commissioner Turner proposed that the applicant could appeal the commission's decision to the Board of Adjustment. Mr. Wilks indicated that he would not pursue that option and would comply with whatever the commission decided. Commissioner McKee noted that the commission should focus on voting regarding the current matter rather than potential future scenarios.

1519 E. 21st St. (Swan Lake)

Commissioner Sanders made a motion to deny the application as presented. The motion was seconded by Commissioner Ellington. The motion passed.

Cited Guideline (s): G.2.1, G.2.2 and G.2.3

	In Favor	Opposed	Abstaining	Not Present
1.	Ellington		Hood	Townsend
2.	Grant		Evans	
3.	Sanders		Johannsen	
4.	Parker		Turner	
5.	McKee			

C. Reports

1. Staff Report

Staff reminded the commission that all TPC meetings will take place on the 2nd floor in the City Council Chambers, while the subcommittee meetings will continue to be held in Rm 10-203 at City Hall on 10th floor. They also noted that the next subcommittee meeting is scheduled for January 23rd, and the TPC annual retreat will occur on January 17, at 9 a.m. at Cyntergy.

2. Chair Report

Commissioner Hood extended his condolences to Commissioner Townsend, expressing that she is in their thoughts.

D. New Business

None

E. Announcements and Future Agenda Items

None

F. Public Comment

None

G. Adjournment

Commissioner Hood adjourned the regular meeting at 4:34 p.m.