



**Board of Adjustment**

**Staff Report  
BOA-23906**

**Hearing Date:** July 22, 2025 (continued from July 8, 2025)

**Prepared by:** Erin Roark  
eroark@cityoftulsa.org  
918-596-7618

**Owner and Applicant Information**

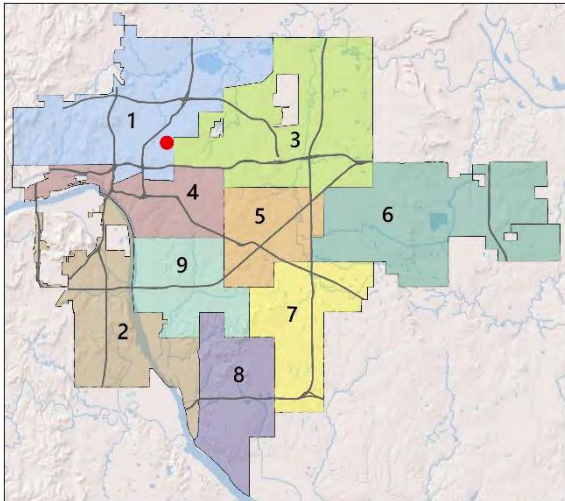
Applicant: Chasitye Normon  
Property Owner: Tony Mills & Jake McHenry

**Property Location**

1322 North Lewis Avenue  
Tract Size: ±0.3 acres

**Location within the City of Tulsa**

*(shown with City Council districts)*



**Elected Representatives**

City Council: District 1, Vanessa Hall-Harper  
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  
Posted Sign – min. 10 days in advance

**Request Summary**

~~Special Exception to permit a Personal Vehicle Sales & Rentals use in the CS district (Section 15.020, Table 15-2);~~  
Variance to allow outdoor storage and outdoor merchandise display within 300 feet of an abutting residential district (Section 15.040-A).

**Zoning**

Zoning District: CS  
Zoning Overlays: N/A

**Comprehensive Plan Considerations**

**Land Use**

Land Use Plan: Multiple Use  
Small Area Plans: Springdale  
Development Era: Streetcar Era

**Transportation**

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

**Environment**

Flood Area: N/A  
Tree Canopy Coverage: 10-19%  
Parks & Open Space: N/A

**Staff Analysis**

The applicant is requesting a variance to allow outdoor storage and outdoor merchandise display within 300 feet of an abutting residential district (Section 15.040-A). The applicant currently operates an auto repair shop on the site and intends to sell vehicles. The property to the west of the subject property is zoned RM-2. In the CS district, outdoor storage and outdoor merchandise display is prohibited within 300 feet of an abutting residential district.

On July 8, 2025, the board approved the applicant’s request for a special exception to permit a Personal Vehicle Sales & Rentals use in the CS district (Section 15.020, Table 15-2). The board continued the variance request to allow the applicant time to produce a more clear site plan.

**Section 15.020 Use Regulations**

Principal uses are allowed in office, commercial and industrial districts in accordance with [Table 15-2](#).

\*\*\*

*Table 15-2: O, C and I District Use Regulations*

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
<b>Vehicle Sales and Service</b>												<a href="#">Section 40.400</a>
Commercial vehicle repair/maintenance	-	-	-	-	S	P	P	P	P	P	P	
Truck stop	-	-	-	-	-	S	S	-	P	P	P	
Commercial vehicle sales and rentals	-	-	-	-	S	P	P	P	P	P	P	
Fueling station	-	-	-	-	P	P	P	P	P	P	P	
Personal vehicle repair and maintenance	-	-	-	-	P	P	P	P	P	P	P	
Personal vehicle sales and rentals	-	-	-	-	S	P	P	P	P	P	P	
Vehicle part and supply sales	-	-	-	-	P	P	P	P	P	P	P	
Vehicle body and paint finishing shop	-	-	-	-	S	P	P	P	P	P	P	

\*\*\*

**Section 15.040 Other Relevant Regulations**

Uses and development in office, commercial and industrial zoning districts may be subject to other regulations and standards, including the following.

**15.040-A Outdoor Storage and Display**

In the CS district, outdoor storage, including storage of recyclable materials, and outdoor merchandise display is prohibited within 300 feet of an abutting R or AG-R district.

\*\*\*

**Section 40.400 Vehicle Sales and Service**

**40.400-A** Whenever a vehicle sales and service use is located on a lot abutting an R- or AG-R-zoned lot, a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of [§65.070-C](#).

**40.400-B** Whenever commercial or personal vehicle sales or rentals are within 300 feet of an R- or AG-R- zoned lot, off-street parking and vehicle display areas must comply with the parking area design standards of [Section 55.090](#).

Relevant Case History

- BOA-08460, March 6, 1975; The board of adjustment reversed the decision of the Building Inspector for refusing to permit a paint and auto repair shop, determining the operation was a lawful nonconforming use and approved a special exception to permit a paint and auto repair shop in the CS district.

### **Statement of Hardship**

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

### **Comprehensive Plan Considerations**

#### **Land Use Plan**

Multiple Use 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	Residential
East	CS	Multiple Use	Religious Assembly
South	CS, OL	Multiple Use, Neighborhood	Vacant lot
West	RM-2	Neighborhood	Residential

#### **Small Area Plans**

The subject property is located within the Springdale 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: North Lewis Avenue runs parallel to the east 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: North Lewis Avenue is designated as a Main Street. Main Streets are the streets whose land uses have maintained their historic or urban characteristics. Buildings have minimal setbacks, pedestrian infrastructure is safe and comfortable, and many buildings have a mix of uses, whether multiple storefronts, or a combination of retail and residential on different floors of the building. On-street parking, bicycle lanes, pedestrian islands, and curb extensions are used to slow traffic to a speed that is safe for pedestrians and cyclists. These streets are prime candidates for economic development and community development investment efforts.

New construction and renovations of existing properties should be consistent with the existing character of the Main Street, and maintain a high degree of pedestrian accessibility. Setbacks should be minimal, and parking should be located on the street, on the side of a building, or behind the building. Uses should be predominantly mixed-use, commercial, or higher density residential. Connectivity should be maintained to surrounding neighborhoods, but transitions between Main Street and Neighborhood areas should be considerate of potential compatibility issues, such as noise, light, and parking. Interactions between Main Streets and neighborhoods should be identified and mitigated, but should not cause a decrease in quality of either environment.

Transit: Regular Route 410 runs along North Lewis Avenue.

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: Sidewalks are recommended along street frontages. The 2015 GO Plan recommends a Bike Lane along North Lewis Avenue

Arterial Traffic per Lane: North Lewis Avenue has an average annual daily traffic (AADT) of 2,951 vehicles per lane.

**Environmental Considerations**

Flood Area: N/A

Tree Canopy Coverage: Tree canopy in the area is 17%. 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**

**Variance**

I move to approve or deny a variance to allow outdoor storage and outdoor merchandise display within 300 feet of an abutting residential district (Section 15.040-A),

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

The board finds the hardship to be \_\_\_\_\_.

In granting the Variance, the Board finds that the following facts, favorable to the property owner, have been established:

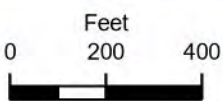
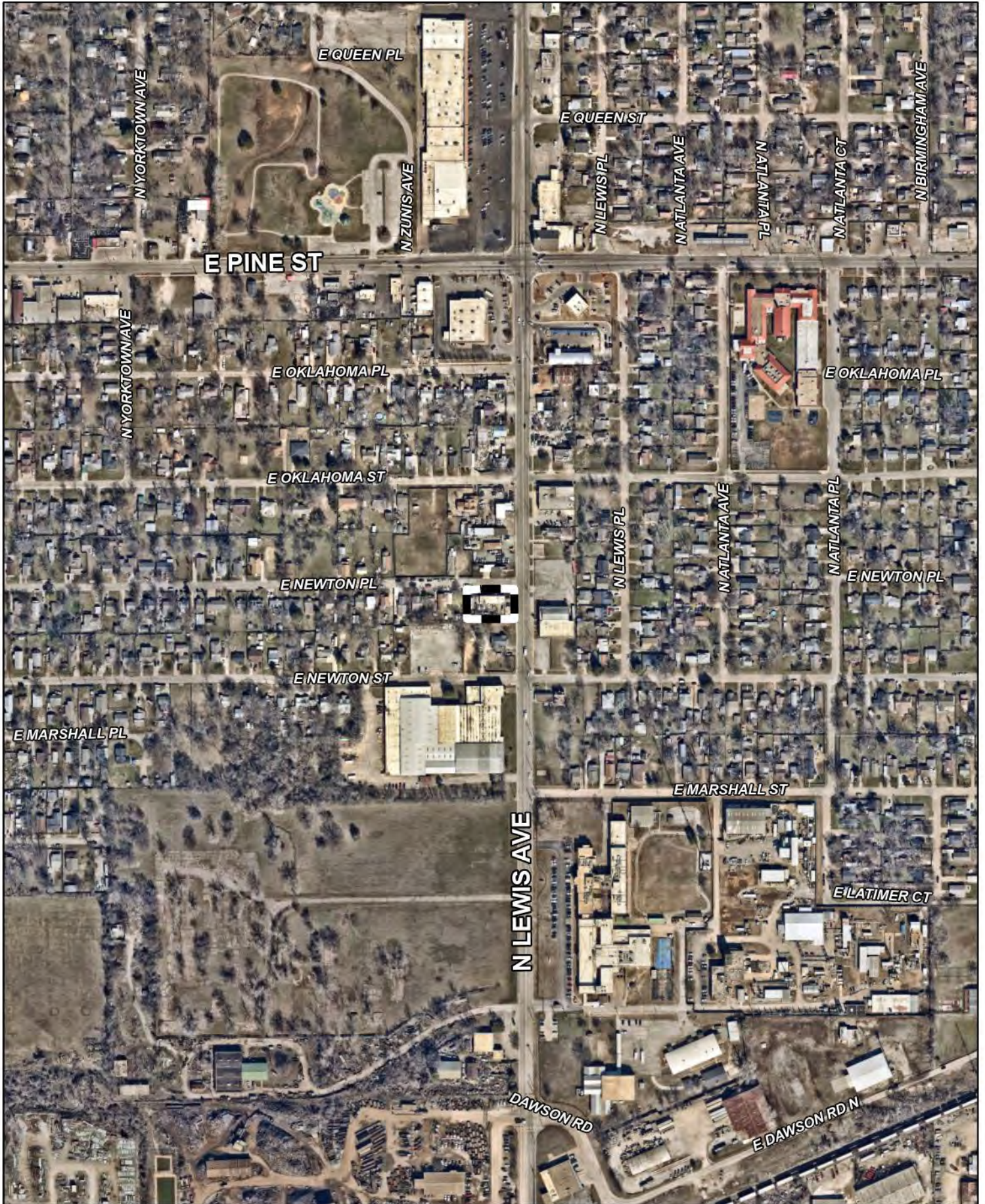
- That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
- That literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose;
- 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;
- That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;
- That the variance to be granted is the minimum variance that will afford relief;
- 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
- 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**

PRT LT 49 BEG 15S NEC TH S100 W130 N100 E130 POB, SPRINGDALE ACRE LOT 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-23906**

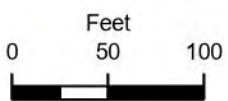
20-13 31

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

Aerial Photo Date: 2025



5.6



 Subject Tract

**BOA-23906**

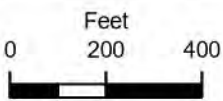
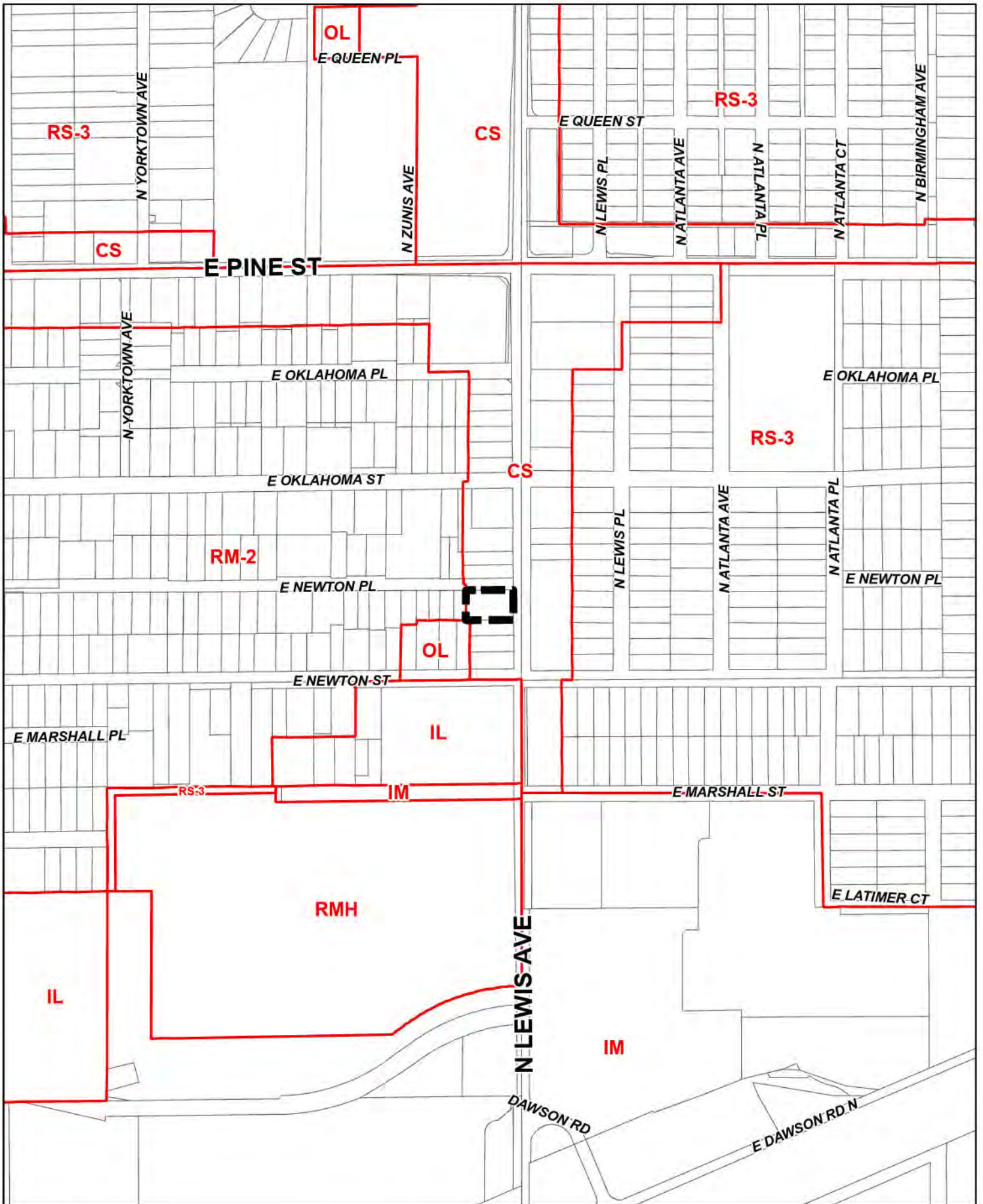
20-13 31

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

Aerial Photo Date: 2025



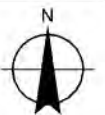
5.7



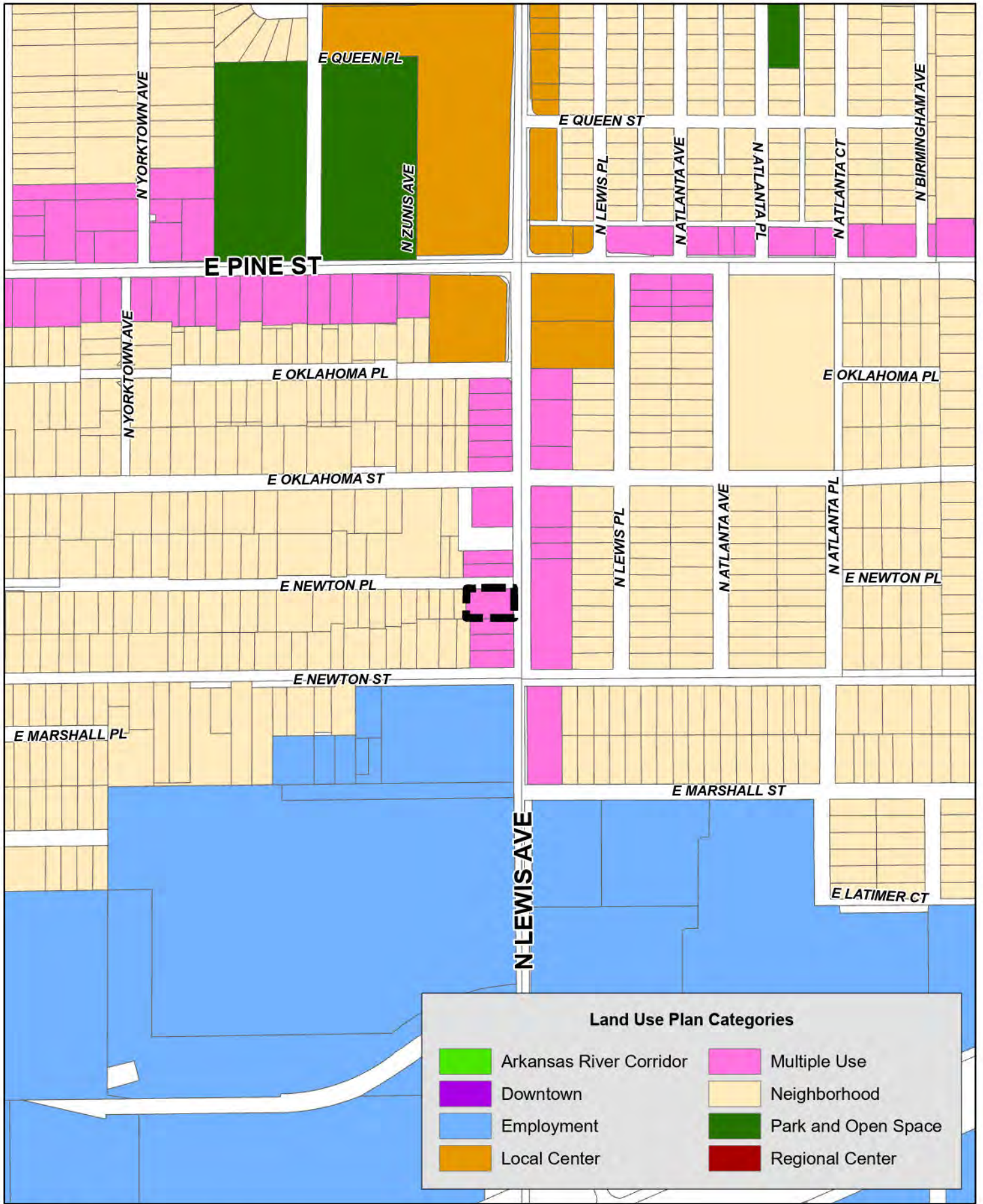
 Subject Tract

**BOA-23906**









20-13 31

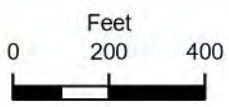


5.8



**Land Use Plan Categories**

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



 Subject Tract

**BOA-23906**

20-13 31



## Variations

### Proof of Hardship

The Board of Adjustment is allowed to approve variations 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;

Impact my Daily living and Income

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

a safe place want cause any harm to anyone or anything

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;

We already repair cars so I would like to sell cars as well to help out in the neighborhood

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

to sell car only repair

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

yes that would be it!

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

I don't think it would impact any one or anything around us.

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.

want cause any impact will keep our location clean & clear of anything that will cause a sore eye

## 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

Selling Auto's and repairing them which will  
help others at a fare rate

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

No it will not harm or cause with the neighborhood  
and problems

### Conditions

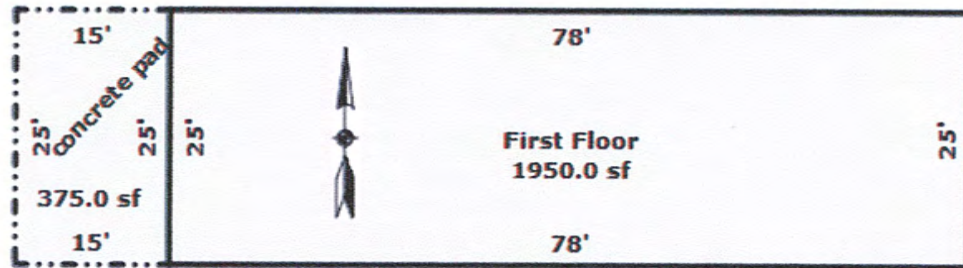
In granting any special exception, the Board may make appropriate conditions or safeguards, may limit the approval to a specified period of time and may require a bond or other guarantee necessary to enforce compliance with the conditions.

**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.

40250-03-31-15370

1322 N Lewis Av E



Sketch by Apex Medina™

Milwaukee Ave

Side walk

South side

Parking Spaces

Garage

Swimming

Front Door

Light

OFFICE

Swing

Front window

Bathroom

Garage Door

Hook

Lights

Garage door

Light

North side

North West side

