



Board of Adjustment

**Staff Report
BOA-23917**

Hearing Date: August 12, 2025 (Continued from July 22, 2025)

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

Owner and Applicant Information

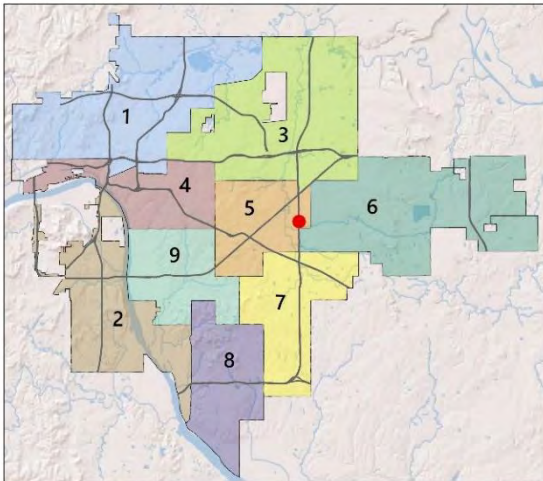
Applicant: Anna Sanger
Property Owner: Wolf Family Real Estate Holdings, LLC

Property Location

10641 East 31st Street South
Tract Size: ±0.55 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 5, Karen Gilbert
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

Variance to increase the maximum display area for outdoor advertising signs in the CS district (Section 60.080-C.3.b.1).

Zoning

Zoning District: CS
Zoning Overlays: N/A

Comprehensive Plan Considerations

Land Use

Land Use Plan: Multiple Use
Small Area Plans: East Tulsa
Development Era: Late Automobile Era

Transportation

Major Street & Highway Plan: Secondary Arterial, Freeway
planitulsa Street Type: Multi-Modal Street
Transit: Regular Route
Existing Bike/Ped Facilities: Sidewalks
Planned Bike/Ped Facilities: Bike Corridor

Environment

Flood Area: Tulsa Regulatory Floodplain, FEMA 100-Year Flood Zone, FEMA 500-Year Flood Zone
Tree Canopy Coverage: 10-19%
Parks & Open Space: N/A

Staff Analysis

The applicant is requesting a variance to increase the maximum display area for outdoor advertising signs in the CS district (Section 60.080-C.3.b.1). The subject property has more than one sign, a billboard and a freestanding ground sign, and is located within the freeway sign corridor. Therefore, an aggregate sign budget of 1 square foot per 1 linear foot of street frontage, or 465 square feet, is allowed. The two signs are already on the subject property and are considered non-conforming, but the applicant plans to convert the billboard into a dynamic display sign. Non-conforming signs must be brought into conformance before they can be converted into dynamic display signs. The billboard has a display area of 672 square feet, and the freestanding sign has a display area of 36 square feet. The aggregate display area is 708 square feet, or 243 square feet above the allowed sign budget.

This case was initially scheduled to be heard on July 22, 2025, but was continued to allow the applicant time to provide dimensions of both signs on the subject property.

Section 60.080 Signs in Mixed-use, Commercial and Industrial Zoning Districts

60.080-C Sign Budget

3. Maximum Area

Lots with Frontage on Only Minor Streets

Signs allowed on lots with frontage on only minor streets may not exceed 32 square feet in area or 0.20 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

Lots with Frontage on Major Streets

- (1) The maximum aggregate sign area of all on-premise projecting and freestanding signs and off-premise outdoor advertising signs allowed on lots with frontage on one or more major streets may not exceed the limits established in [Table 60-3](#):

Table 60-3: Maximum Aggregate Sign Area

Zoning District	On-premise Projecting and Freestanding Signs & Off-premise Outdoor Advertising Signs (sq. ft. per linear foot of major street frontage)			
	Not Within Freeway Sign Corridor[1]		Within Freeway Sign Corridor	
	If More than 1 Such Sign	If Only 1 Such Sign	If More than 1 Such Sign	If Only 1 Such Sign
MX, CO and CS	1	2	1	2
CG, CH, CBD, IL, IM and IH	1	2	2	3

[1] Off-premise outdoor advertising signs are prohibited outside of freeway sign corridors and prohibited in MX districts.

Section 80.060 Nonconforming Signs

80.060-C On-premise Signs

Nonconforming on-premise signs may continue subject to the following provisions:

- 1. Nonconforming on-premise signs must be maintained in good repair and safe condition, in accordance with [80.010-D](#). No permits may be issued for upgrades or modifications of nonconforming signs.

2. If an on-premise sign is nonconforming by reason of restrictions on its brightness or illumination or its use of strobe or beacon lights, the sign must be immediately removed or made to conform.
3. A window sign that is nonconforming by reason of restrictions on its sign area must be immediately removed or made to conform.
4. If a nonconforming on-premise sign is damaged or partially destroyed to the extent of more than 50% of its replacement cost at the time of damage, the sign must be removed or made to conform to all applicable regulations within 90 days of the date of the date of damage or destruction.
5. If the on-premise sign is not used for advertising purposes for a period of 180 consecutive days, the sign is deemed abandoned and must be removed.

Relevant Case History

- BOA-19712, November 25, 2003; The board of adjustment approved a special exception to allow Use Unit 17 Automotive Repair and Painting in a CS zoned district and a variance of the required 300' distance an R district for outside storage of cars, with conditions.
- BOA-20754, August 26, 2008; The board of adjustment verified the spacing requirement for a digital outdoor advertising sign of 1,200 feet from any other digital outdoor advertising sign facing the same traveled way.

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	Brookhollow Creek, then Residential
East	CS	Multiple Use	Medical Office
South	RS-3	Multiple Use	Highway 169, then Commercial
West	RS-3	Multiple Use	Highway 169, then Commercial

Small Area Plans

The subject property is located within Phase 1 of the East Tulsa Neighborhood Implementation 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: East 31st Street South runs parallel to the southeast side of the subject property and is classified as a Secondary Arterial, which has a planned minimum right-of-way width of 100 feet. Highway 169 runs parallel to the west side of the subject property and is classified as a Freeway, which has a planned minimum right-of-way width as per Oklahoma Department of Transportation Standards.

Comprehensive Plan Street Designation: East 31st Street South is designated as a Multi-Modal Street. Multi-modal streets support commercial and residential development along major arterial streets. These streets align with the recommendations for on-street bicycle infrastructure establish in the 2015 GO Plan, and they should be evaluated for feasibility with regard to the reallocation of street space for bicycle facilities.

Transit: Regular Route 300 runs along East 31st Street South.

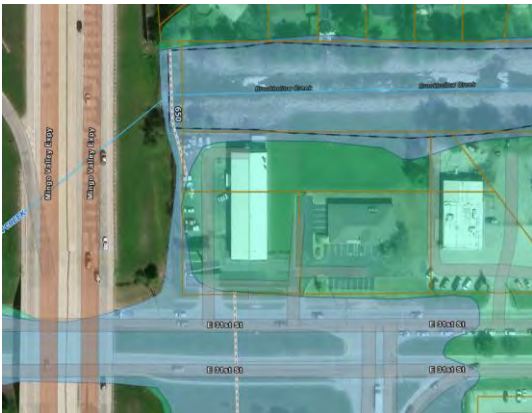
Existing Bike/Ped Facilities: Sidewalks are present along a portion of East 31st Street South.

Planned Bike/Ped Facilities: The 2015 GO Plan recommends a Bike Corridor along East 31st Street South.

Arterial Traffic per Lane: East 31st Street South has an average annual daily traffic (AADT) of 5,140 vehicles per lane.

Environmental Considerations

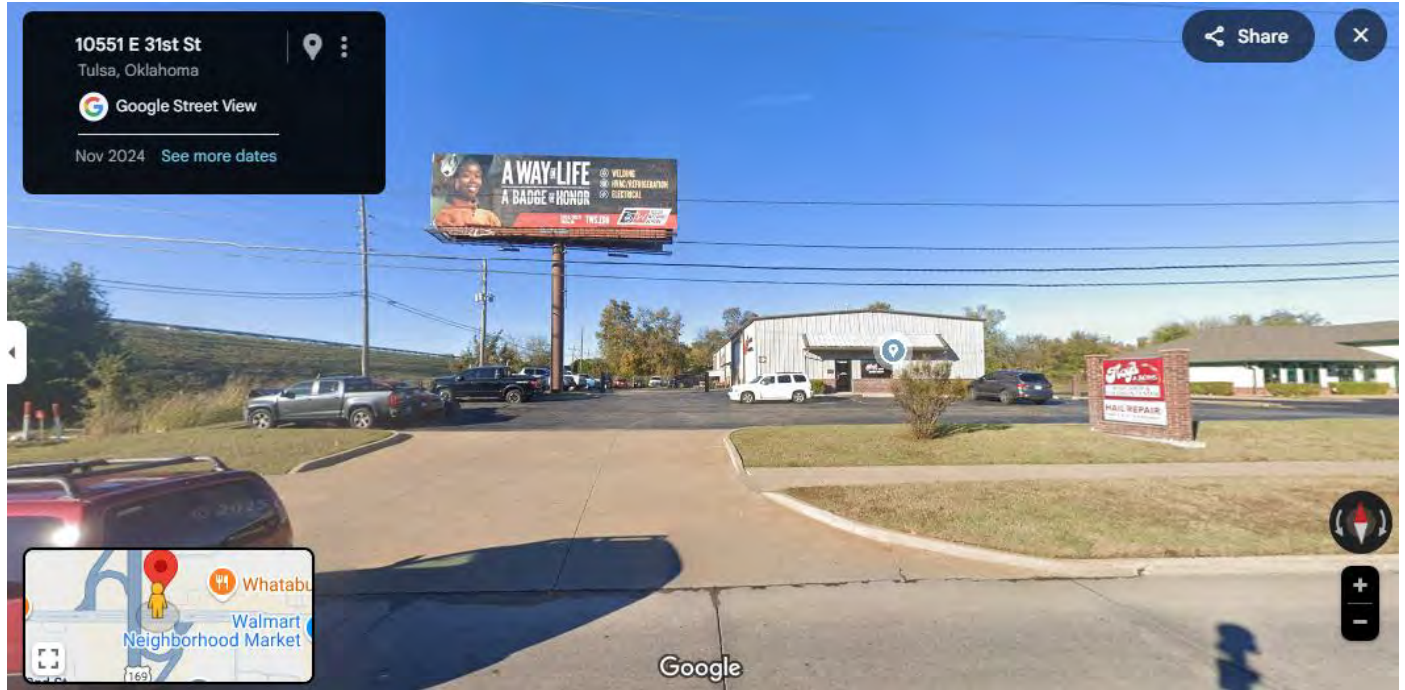
Flood Area: A portion of the subject property is located within the Tulsa Regulatory Floodplain and the FEMA 100-Year Flood Zone. The entire property is located within the FEMA 500-Year Flood Zone.



Tree Canopy Coverage: Tree canopy in the area is 10%. 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

Site Photos



View north from 31st Street, November 2024 (Image from Google Street View)

Sample Motion

I move to approve or deny a variance to increase the maximum display area for outdoor advertising signs in the CS district from 465 square feet to 708 square feet (Section 60.080-C.3.b.1),

- 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

All of Lots One (1) and Two (2), HELEN N. COMMERCIAL CENTER, a Subdivision in Tulsa County, State of Oklahoma, according to the recorded Plat No. 2939, LESS AND EXCEPT the following tracts, to-wit:

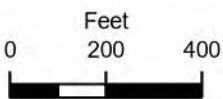
A part of Lot Two (2), BEGINNING at the Southeast Corner of Lot One (1); THENCE North One hundred sixty-five (165) feet to the Northeast Corner of Lot One (1); THENCE East to the Northwest Corner of Lot Three (3); THENCE South along the West line of Lot Three (3), One hundred sixty-five (165) feet to the Southwest Corner of Lot Three (3); THENCE West along the Southerly line of Lot Two (2), One hundred ninety (190) feet to the Southeast Corner of said Lot One (1) and the POINT OF BEGINNING.

AND

LESS AND EXCEPT a Part of Lot Two (2), BEGINNING at the Northeast Comer of Lot Three (3), West along the North line to the Northwest Corner of Lot Three (3); THENCE North to a point on the North line of Lot Two (2); THENCE East to the Northeast Corner of Lot Two (2); THENCE Southeasterly along the East line of Lot Two (2) to the POINT OF BEGINNING.

Exhibits

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



Subject Tract

BOA-23917

19-14 18

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

Aerial Photo Date: 2025



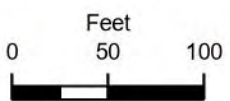
5.7



E 30TH ST S

169

E 31ST ST S



Subject Tract

BOA-23917

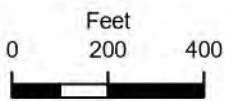
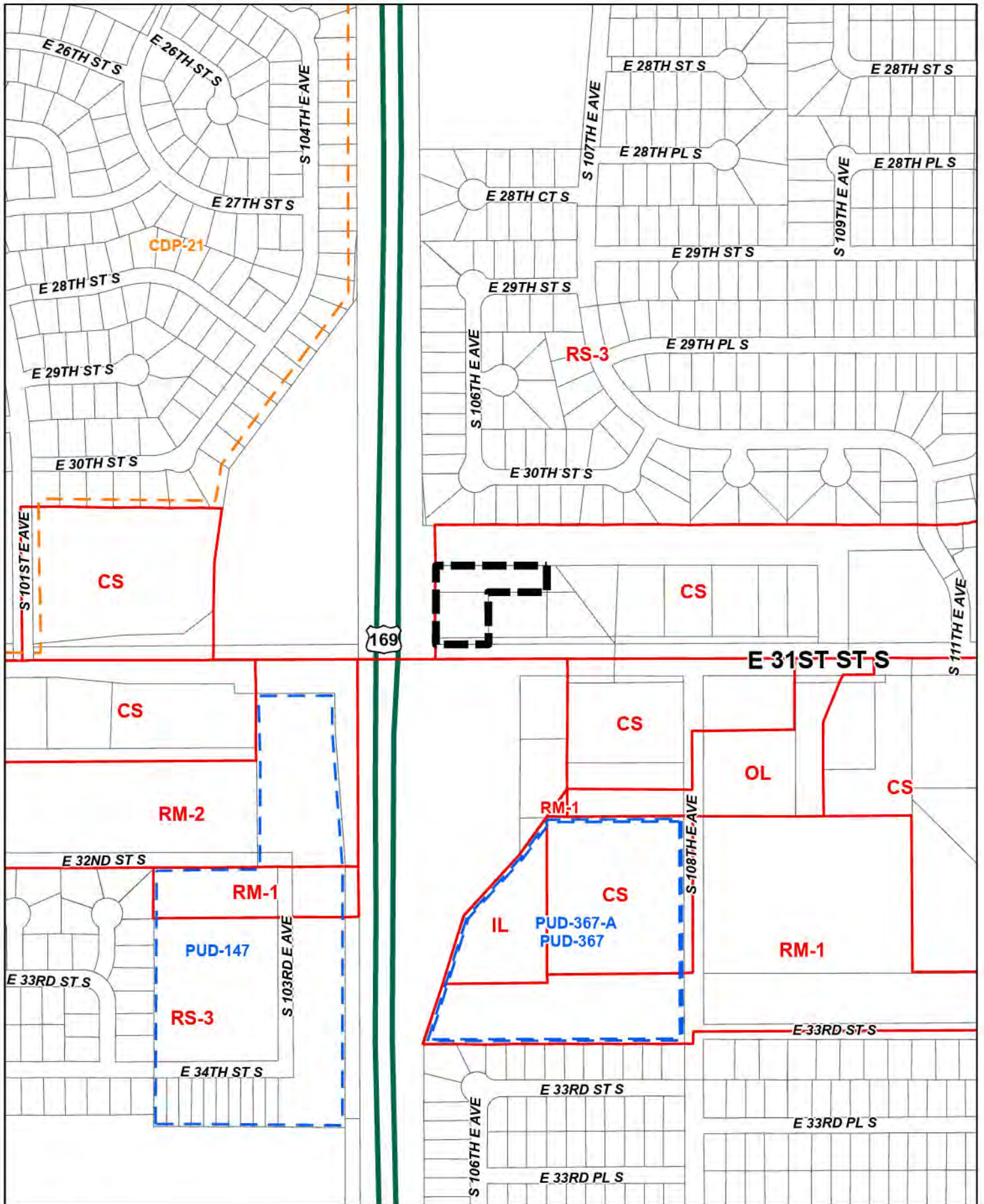
19-14 18

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

Aerial Photo Date: 2025



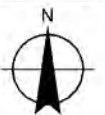
5.8



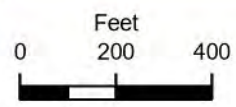
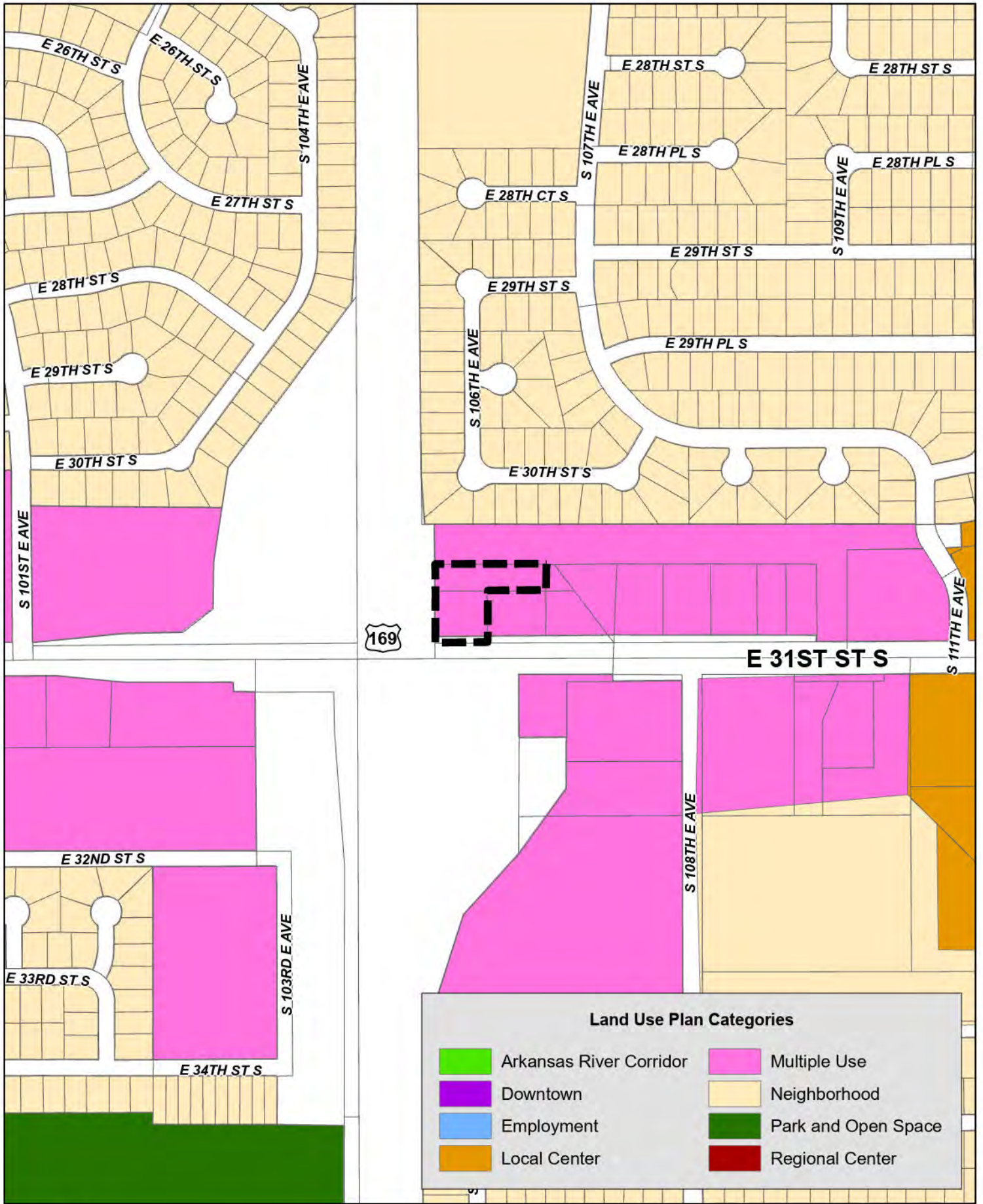
 Subject Tract

BOA-23917

19-14 18



5.9



Subject Tract

BOA-23917

19-14 18



5.10

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;

An outdoor advertising sign currently exists on the property with a sign area that exceeds the sign area permitted by Table 60-3, under Section 60.080-C of the Zoning Code. Given that a sign with the requested sign area already exists on the property, it would cause unnecessary hardship if the Property Owner were forced to remove or redesign the existing sign instead of using the current sign area. See more information at Exhibit "B".

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

The applicable Zoning Code provision limits the aggregate sign area when more than one sign exists on a lot, presumably to limit distractions caused by excessive sign area. Here, the second sign on the property is a small freestanding sign of a business located on the property located on the ground, and the outdoor advertising sign (billboard) already exists with its current sign area. The requested variance would not add additional sign area to the existing sign area on the lot.

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;

This property is unique because there are already two signs sitting on the lot with a fixed existing sign area. No other property has the same sign area, sign location on the property, or freeway corridor frontage.

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

The Property Owner maintains an existing outdoor advertising sign with its current sign area, permitted by the City of Tulsa. The Property Owner did not and does not wish to increase the existing sign area and it would create an unnecessary hardship if the Property Owner were not allowed to use the existing sign area to display advertisements.

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

The Property Owner does not wish to increase the existing sign area of any sign on the property, but to use only the existing sign area. The Property Owner is only using the sign space already physically available and nothing more.

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

Because the outdoor advertising sign already exists with its current sign area, this variance will not change the character or the neighborhood or impair use of any further development.

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.

Because the outdoor advertising sign already exists with its current sign area, this variance will not cause detriment to the public good or impair the purposes, spirit or intent of the Zoning Code or the Comprehensive Plan.

EXHIBIT "A"

Property Legal Description

All of Lots One (1) and Two (2), HELEN N. COMMERCIAL CENTER, a Subdivision in Tulsa County, State of Oklahoma, according to the recorded Plat No. 2939, LESS AND EXCEPT the following tracts, to-wit:

A part of Lot Two (2), BEGINNING at the Southeast Corner of Lot One (1); THENCE North One hundred sixty-five (165) feet to the Northeast Corner of Lot One (1); THENCE East to the Northwest Corner of Lot Three (3); THENCE South along the West line of Lot Three (3), One hundred sixty-five (165) feet to the Southwest Corner of Lot Three (3); THENCE West along the Southerly line of Lot Two (2), One hundred ninety (190) feet to the Southeast Corner of said Lot One (1) and the POINT OF BEGINNING.

AND

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Real Property Owner: Wolf Family Real Estate Holdings, LLC

EXHIBIT "B"

Support for Variance Application

The image below shows the two preexisting outdoor advertising signs on the Property. One sign is small in size, located on the ground, and only visible from one side of the Property. If the Property were determined to have only one outdoor advertising sign, the permitted sign area would be double the street frontage (here, 465 square feet of street frontage x 2 = 930 square feet of sign area) and the current sign area would be permitted by right.

Here, the second outdoor advertising sign is relatively small and low to the ground, but still qualifies as a second sign. If the small sign were not counted as a second sign, the existing billboard would not require a variance from the Zoning Code. This unique quality of the Property further justifies the need for a variance from the Zoning Code provision that was meant to limit roadside distractions by decreasing the permitted sign area on properties with more than one sign.



8768086.1

Good, Felicity

From: Anna Sanger <asanger@dsla.com>
Sent: Friday, August 1, 2025 4:19 PM
To: Good, Felicity
Cc: Roark, Erin; Nathan Cross; Kathryn Huddleston
Subject: RE: BOA-23916 & BOA-23917 [IWOV-ACTIVE.FID528298]

Felicity: Below find calculations of sign display area for the BOA cases 23916 and 23917.

10641 E. 31st St South – BOA 23917

Two signs on the property:

- Billboard: 14ft x 48ft = 672 sq ft
- Freestanding ground sign: 6 ft x 6ft = 36 sq ft

Total major street frontage of property: 465 ft

Total sign display area requested: 708 sq ft

Difference: 243 sq ft

~~11525 East Skelly Drive – BOA 23916~~

~~Two signs on property:~~

- ~~- Billboard: 14ft x 48ft = 672 sq ft~~
- ~~- Freestanding business sign: 12 ft x 24 ft = 288 sq ft~~

~~Total major street frontage of property: 435 ft~~

~~Total sign display area requested: 960 sq ft~~

~~Difference: 525 sq ft~~

Please let me know if you have questions or need more information. Have a great weekend -

DOERNER | SAUNDERS
DANIEL & ANDERSON
LLP LAWYERS

Anna M. Sanger | attorney

Two West Second Street, Suite 700 | Tulsa, OK 74103-3117 | p: 918.591.5337 | f: 918.925.5337
asanger@dsla.com | www.dsla.com

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TAX NOTICE: This communication may contain federal tax advice. IRS regulations require us to advise you that unless expressly stated otherwise, nothing in this communication was intended or written to be used and cannot be used or relied upon by any taxpayer to avoid any penalty under federal tax law or to promote, market or recommend any transaction or matter addressed herein. Only formal, written tax opinions meeting IRS requirements may be relied upon for the purpose of avoiding tax-related penalties. Please contact one of the firm's tax attorneys if you have any questions regarding federal tax advice.

OFF-PREMISE OUTDOOR ADVERTISING SIGN EXHIBIT

"Site Plan"

Other than shown hereon, there are no other outdoor advertising signs on the east side of U.S. Highway No. 169 within 1200' in either direction. There are no other dynamic display outdoor advertising signs within 1200' on either side of the highway, facing the same traveled way, as located on the ground and as measured in a straight line from center of respective sign structures.

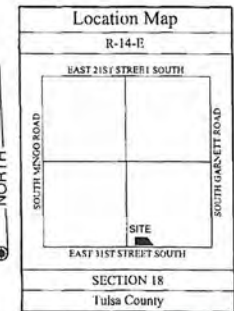
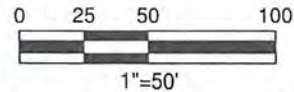
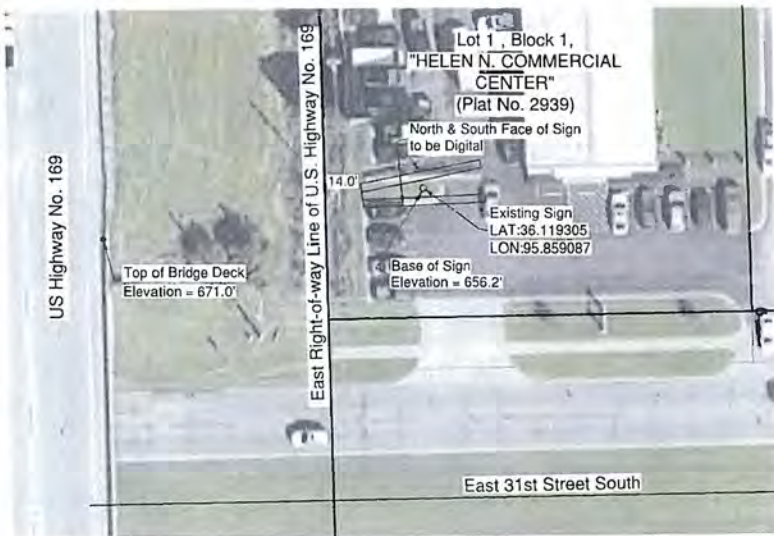
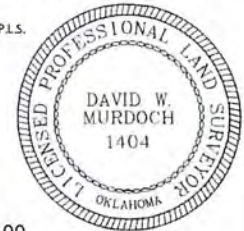
There are no Residential Zoning Districts within 200', as measured horizontally in a straight line, of the nearest point on the existing sign structure.

I, David W. Murdoch, of Tulsa Engineering & Planning Associates, Inc. and a Professional Land Surveyor registered in the State of Oklahoma, hereby certify that this exhibit portrays the locations of and distances between existing outdoor advertising signs on the east side of U.S. Highway No. 169 and zoning as determined by field survey data gathered on the 10th day of March, 2025.

David W. Murdoch

David W. Murdoch, P.L.S.
2025.03.25 14:20:31
-05'00"

David W. Murdoch
L.S. 1404
d.murdoch@tulsaengineering.com



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Tulsa Engineering & Planning Associates
9810 E. 42nd Street, Suite 100 Tulsa, Oklahoma 74146
Phone: 918-252-9621 Fax: 918-340-5999
Civil Engineering, Land Surveying, Land Planning
Certificate of Authorization No. CA 531 PE/LS Renewal Date June 30, 2025

2590 Digital Upgrade
U.S. Highway No. 169 &
East 31st Street South
Lot 1, Block 1, Helen N. Commercial Center,
Tulsa County, State of Oklahoma

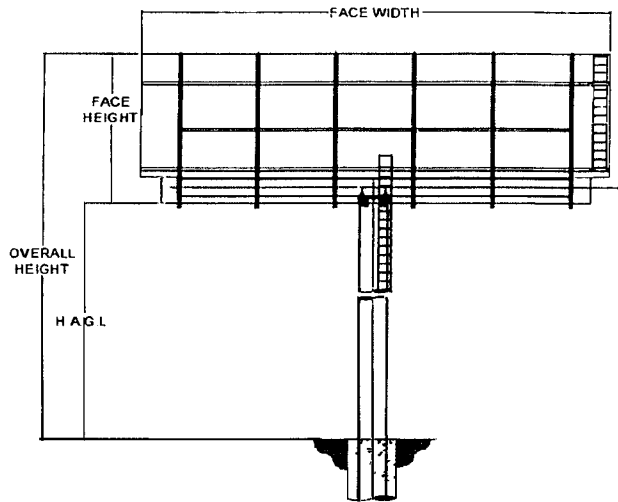


Job No: 25-018
Scale: 1"=50'
Date: 3/25/2025

	FJS ENGINEERING (FIRM CA #9139) PORTLAND, OR 520-490-3311 CONTACT@FJSENGINEERING.COM	CALCULATIONS CREATED FOR: RMG OUTDOOR 1430 E. MISSOURI AVE. #B160 PHOENIX, AZ	WIND DESIGN
	PROJ. NO.: RMGO-25-041 DATE: Apr-25		PAGE NO.: 3

SIGN INFORMATION

FACE WIDTH (B): 48 FT
 OVERALL HEIGHT OF SIGN (h): 60 FT
 HAGL: 43 FT
 FACE HEIGHT: 17 FT
 CLEARANCE RATIO (s/h): 0.2833
 ASPECT RATIO (B/s): 2.824



FORCE COEFFICIENT DETERMINATION

Case A and Case B		Case C	
C_f		Region	C_f
$C_f = 1.8$		0 to s	2.54
		s to 2s	1.66
		Balance	1.15

$K_{zt} = 1.00$ Topographic factor
 $K_d = 0.85$ Wind directionality factor
 $G = 0.85$ Gust effect factor
 $V = 109$ Basic wind speed
 $K_z = 1.13$ Velocity pressure coefficient at height h
 $K_e = 1.00$ Ground elevation factor

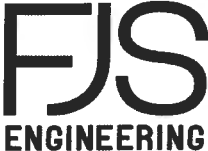
VELOCITY PRESSURE DETERMINATION

$q_z = 0.00256(K_z)(K_{zt})(K_d)(K_e)(V^2) = 29.214$ PSF Velocity pressure at height z

DESIGN WIND PRESSURE DETERMINATION

p_w (Case A and B) = $q_z G C_f = 44.70$ psf For Global Design

p_w (Case C) = $q_z G C_f = 63.03$ psf For Element Design
 (Case C is not applicable when aspect ratio is 2 or less)

	FJS ENGINEERING (FIRM CA #9139) PORTLAND, OR 520-490-3311 CONTACT@FJSENGINEERING.COM	CALCULATIONS CREATED FOR: RMG OUTDOOR 1430 E. MISSOURI AVE. #B160 PHOENIX, AZ	COVER SHEET
	PROJ. NO.: RMGO-25-041 DATE: Apr-25		PAGE NO.: 1

SIGN INFORMATION OWNER/APPLICANT: LAMAR ADVERTISING FACE SIZE (FT): 14 x 48 LOCATION: TULSA, OK OVERALL HEIGHT (FT): 60 H.A.G.L. (FT): 43 APRON HEIGHT (FT): 3 SIGN TYPE: <input checked="" type="checkbox"/> CENTER MOUNT <input type="checkbox"/> PARTIAL FLAG <input type="checkbox"/> FULL FLAG <input type="checkbox"/> COLUMN OFFSET <input checked="" type="checkbox"/> V-BUILD <input type="checkbox"/> BACK TO BACK <input type="checkbox"/> SINGLE FACE <input type="checkbox"/> MULTI-POST FOOTING TYPE: <input checked="" type="checkbox"/> ROUND <input type="checkbox"/> CUBE <input type="checkbox"/> SPREAD	RMG PROJ. NO. G-12795
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DESIGN CRITERIA CODE: 2018 IBC DESIGN LOADS: DEAD: STATIC FACE: N/A PSF LED PANEL: 9000 LBS PIGEON PAN: N/A PSF OTHER MEMBERS AS NOTED IN CALCULATIONS LIVE: ON WALKWAYS: 40 PSF 300 LBS CONCENTRATED WIND: DESIGN WIND SPEED 109 MPH RISK CATEGORY II EXPOSURE CATEGORY C SOIL: IBC SOIL CLASS: 4 LAT. BEARING PRESS.: 300 PSF/FT VERT. BEARING PRESS: 2000 PSF

MATERIAL SPECIFICATIONS

STEEL: W-SHAPES AND WT-SHAPES: ANGLES AND CHANNELS: RECT. AND SQUARE HSS: ROUND HSS: PLATES: PIPE: BOLTS: WELDING: CONCRETE: REINFORCING STEEL:	ASTM A992, $F_y = 50$ KSI ASTM A36, $F_y = 36$ KSI ASTM A500 GRADE B, $F_y = 46$ KSI ASTM A500 GRADE B, $F_y = 42$ KSI ASTM A36, $F_y = 36$ KSI ASTM A53B, A252 OR API 5LX, F_y AS NOTED ASTM A307, A325N AND/OR A490N AS NOTED SHALL CONFORM TO AWS D1.1, WELD FILLER METAL = E70XX $f'_c = 2500$ psi AT 28 DAYS ASTM A706, GRADE 60 ($F_y = 60$ ksi)
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REVISIONS



Signed: 04/08/2025



DEVELOPMENT SERVICES

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

CITY OF TULSA

PLAN CORRECTIONS SUMMARY

SIGN-210802-2025 (10641 E 31ST ST S Tulsa, OK 74129) Markup Summary #1

Zoning SIGN-210802-2025 (1)



Subject: Zoning SIGN-210802-2025
Page Label: 1
Author: Jeffrey Bush
Date: 4/29/2025 2:34:08 PM
Status:
Color: ■
Layer:
Space:

Table 60-3
Review Comment: Your proposed sign is within bounds of a CS district. Per table 60-3 indicates a property with more than one sign has an allowed sign area of 1sqft per linear foot of street frontage (465'). Your proposed sign exceeds this area. Please revise plans to indicate the sign area is at or less than the allowable amount. You may also wish to seek a variance to allow more sign area. If so contact the Tulsa Planning Office for further instructions at Planning@cityoftulsa.org or 918-596-7526