Board of Adjustment

Staff Report
BOA-24116

Hearing Date: October 27, 2026
Prepared by: Christopher Willis
ctwillis@cityoftulsa.org
918-596-7620

Owner and Applicant Information

Applicant: Jesse Bucelluni

Property Owner: FIRST PLACE LLC C/O KANBAR PROPERTIES

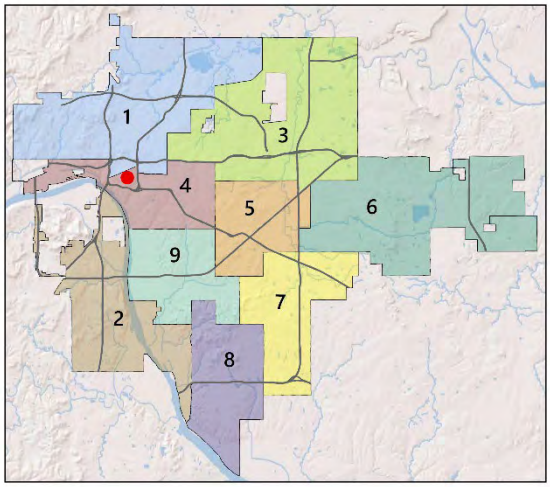
Property Location

15 East 5th Street

Tract Size: ±0.32 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

Variance to increase the permitted aggregate sign display area for a wall sign in CBD zoned property (Section 60.080-B.1)

Zoning

Zoning District: CBD

Zoning Overlays: N/A

Comprehensive Plan Considerations

Land Use

Land Use Plan: Downtown

Small Area Plans: Downtown

Development Era: Downtown

Transportation

Major Street & Highway Plan: Commercial/CBD/Industrial Collector

planitulsa Street Type: N/A

Transit: Regular Route

Existing Bike/Ped Facilities: Sidewalks

Planned Bike/Ped Facilities: Bike Lane

Environment

Flood Area: N/A

Tree Canopy Coverage: 0-9%

Parks & Open Space: Chapman Green

Staff Analysis

The applicant is requesting a variance to increase the permitted aggregate sign display area for a wall sign in CBD zoned property (Section 60.080-B.1). The applicant is proposing an approximately 52 square foot sign on the north wall of the building.

Given the north wall is 142 feet in length, the sign budget is 426 square feet. There is an existing 427 square foot sign on the north wall. The total proposed sign budget is approximately 479 square feet. The applicant is requesting approximately 53 feet of relief.

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

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60.080-B Signs Allowed

In addition to any sign exceptions allowed pursuant to Section 60.030, the following signs are the only signs allowed in all mixed-use, commercial and industrial zoning districts:

On-premise Wall Signs

On-premise wall signs are allowed in all mixed-use, commercial and industrial zoning districts. Wall signs may not exceed an aggregate area of more than 3 square feet per linear foot of building wall to which they are attached. Wall signs are not counted against a lot's allowed sign budget, pursuant to 60.080-C.

Relevant Case History

- BOA-23227, December 14th, 2021, The BOA approved a variance to increase the aggregate sign display area for the property in the CBD district by 38 square feet, per plan.

Statement of Hardship

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

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as Downtown. Downtown is generally understood to be the area within the Inner Dispersal Loop (IDL) highway. This area has fewer development limitations than most areas of the city, and a high density of employment, residential, mixed-use, commercial, retail, and institutional uses. Land uses and transportation infrastructure in this area should be primarily pedestrian-oriented, with parking either on the street, behind buildings, or in structured parking garages.

Surrounding Properties:

Location	*Existing Zoning/Overlay*	*Existing Land Use Designation*	*Existing Use*
North	CBD	Downtown	Business or professional office
East	CBD	Downtown	Business or professional office, Restaurant
South	CBD	Downtown	Business or professional office, Restaurant
West	CBD	Downtown	Business or professional office, Medical, dental or health practitioner office

Small Area Plans

The subject property is included in the Downtown Area Master Plan. This plan was developed to build on existing momentum by preparing a plan that connects the Vision 2025 initiatives to existing and planned development and to recommend infill projects that leverage new public-private and private investment. The three major targets of the plan are as follows:

1. Revitalize downtown
2. Connect it to the Tulsa River Park's system
3. Initiate rail transit extending outward from the downtown to the beginnings of future corridors serving the city and the region

Development Era

The subject property is in the Downtown Development Era (late 1800s-1910s), which was developed prior to streetcars and automobiles. Land uses are fully integrated and include a vertical mix of uses among high-density residential development, with major employers and destinations drawing large numbers of visitors. Priorities in these areas include walkability, urban design, revitalization of historic properties, housing type variety, mixed-use and high-rise development, major employment and headquarters uses, parking lot infill, and parking strategies.

Transportation

Major Street & Highway Plan: South Boston Avenue runs to the east of the subject property and is classified as a Commercial/CBD/Industrial Collector, which has a planned minimum right-of-way width of 80 feet.

Comprehensive Plan Street Designation: N/A

Transit: Regular Routes 900 and 140 run along South Boston Avenue.

Existing Bike/Ped Facilities: Sidewalks are present along East 5th Street and South Boston Avenue.

Planned Bike/Ped Facilities: The 2015 GoPlan recommends a bike lane along South Boston Avenue.

Arterial Traffic per Lane: N/A

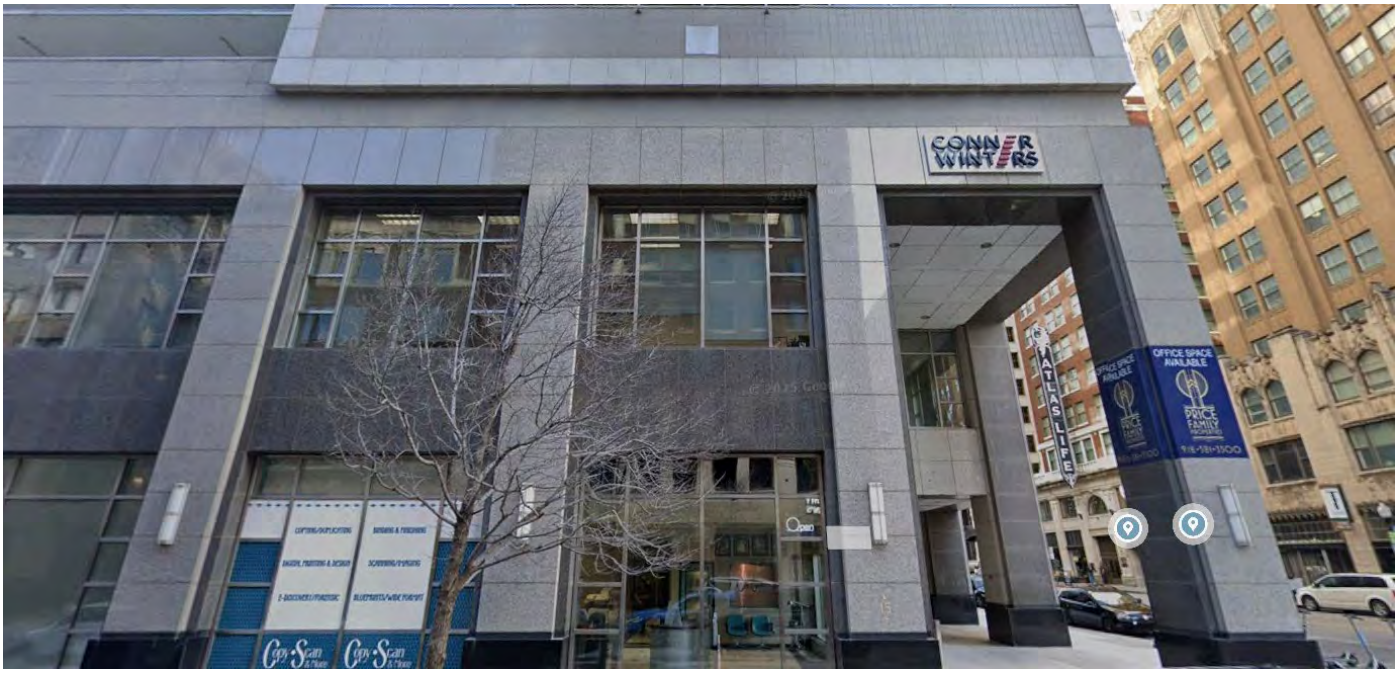
Environmental Considerations

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

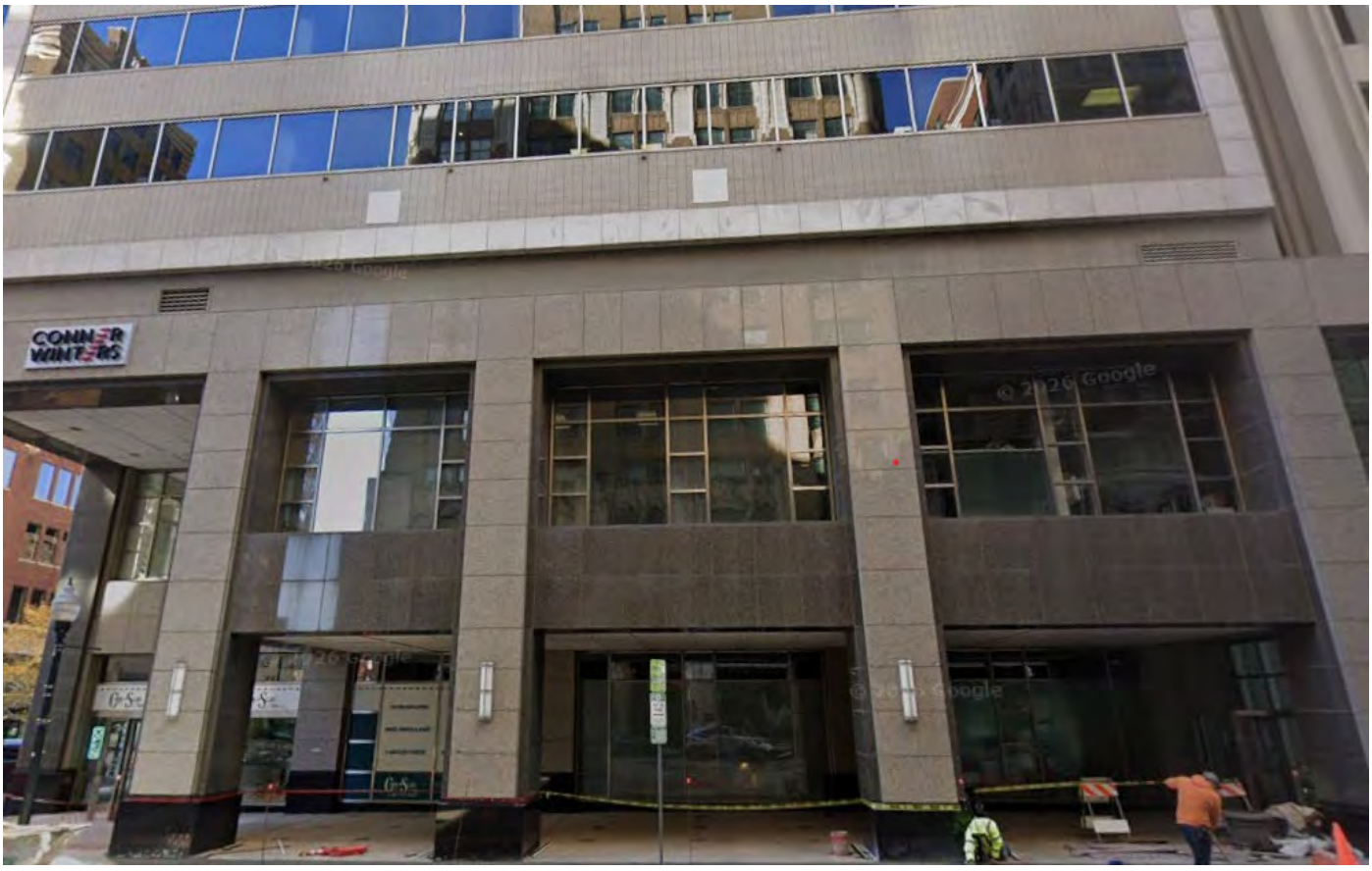
Tree Canopy Coverage: Tree canopy in the area is 0%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: Chapman Green is located nearby to the south of the subject property.

Site Photos



View north from East 5th Street, March 2025 (Image from Google Street View)



View west from South Boston Avenue, March 2025 (Image from Google Street View)

Sample Motion

Variance

I move to *approve or deny* a variance to increase the permitted aggregate sign area for wall signs in the Central Business District (CBD) *from426 square feet to approximately 479 square feet* (Section 60.080-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:

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 1 BK 1, FIRST PLACE ADDN RESUB PRT L1-3 & 6-7 B136 O T TULSA, City of Tulsa, Tulsa County, State of Oklahoma

Exhibits

Case map
Aerial (small scale)
Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Statement of Hardship

Feet
0 250 500

Subject Tract

BOA-24116

19-12 01

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

Aerial Photo Date: 2025

N

Feet
0 50 100

Subject Tract

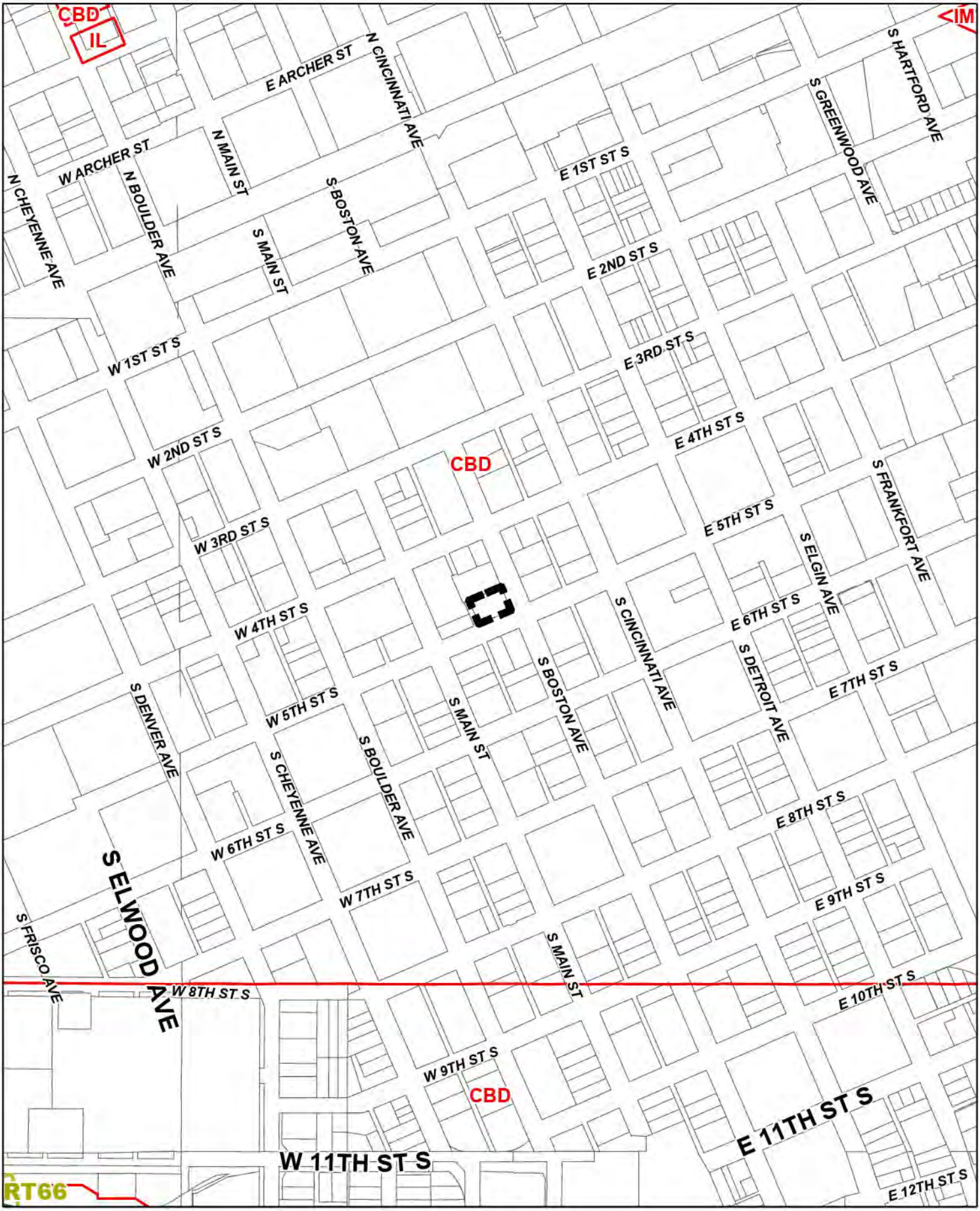
BOA-24116

19-12 01

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

Aerial Photo Date: 2025

N



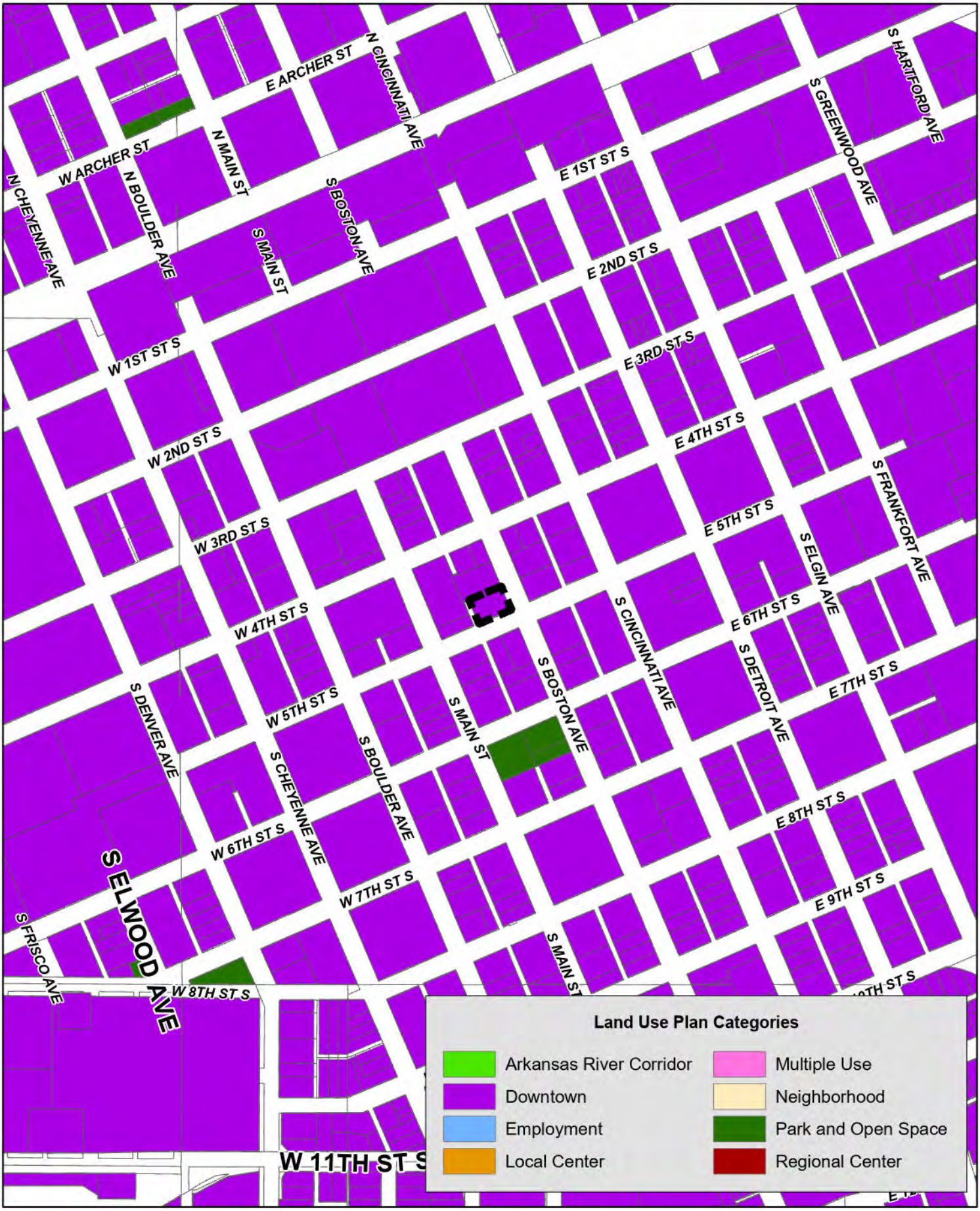
Feet
0 250 500

Subject Tract

BOA-24116

19-12 01

N



Feet
0 250 500

Subject Tract

BOA-24116

19-12 01

N

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;

Yes not allowing the new updated signage will reduce the major tenant SpencerFane from customers being able to locate exactly which building they are located in.

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

Given that the provision is designed to limit the square footage per building wall based on it's length it's intended to disallow excessive gaudy signage on fascias. However in this case the building is 41 stories tall therefore small low profile wall signs on the first floor identifying one of the main tenants of the building do not look like an overbearing amount of signage.

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;

Yes due to the buildings height a major sign on the 41st floor is utilizing all of the allowable square footage therefore taking away other major tenants ability to identify themselves on ground floor exterior.

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

This is correct. The hardship was created by the tenant ONEGas.

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

Yes that is correct this will be the exact dimensions of the previous sign and utilize the same mounting structure therefor no excessive variance is required.

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

We are assuming the exact same hardship as done previously for Conner Winters and will remove the existing sign and put a new sign up with the exact same dimensions as Conner Winters. SpencerFane has merged with Conner Winters and assumed the SpencerFane name.

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.

Conner Winters had the previous sign in this location and had to file a variance because ONEGAS used all the allowable square footage for signage on the north fascia of the building. The sign is low profile, a clean look and molds well into the structure of the building without causing damage to the public good or intruding on the spirit of the code.

Plan Corrections Summary Requirement

An official Plan Corrections Summary issued to the Applicant from the City of Tulsa Permit Center must accompany every application. I understand, and take responsibility for, the following:

1. All requirements set forth in the Plan Corrections Summary must be met, or the relief detailed in said document must be sought in an application to the Board of Adjustment (BOA) for any of the requirements which cannot be met. If the applicant does not request the relief detailed in the Plan Corrections Summary, additional BOA action may be required, which may result in significant delays during the building permit process.

2. If the plans reviewed by the City for the issuance of the Plan Corrections Summary are changed, the plans must be re-submitted to the City, and an additional Plan Corrections Summary may be issued based upon the new plans which may result in additional requirements or an additional application to the Board being necessary.

I hereby certify that I have read and understand the above Plan Corrections Summary requirements for the subject property.

Jesse Bucelluni — 9-15-26

Applicant Signature — Date

Platting/Subdivision Compliance Review Requirement

A platting requirement or subdivision conformance review is in place for the purposes of providing a proper arrangement of streets and assuring the adequacy of open spaces for traffic, utilities, and access of emergency vehicles, commensurate with the intensification of land use customarily incident to a change of zoning, as follows:

> For any land which has been rezoned to a zoning classification upon application of a private party or for any land which has been granted a special exception by the Board of Adjustment to permit those uses expressly stated in Section 70.080-B.2.b of the City of Tulsa Zoning Code, no building permit or zoning clearance permit shall be issued until that portion of the tract on which the permit is sought has been included within a subdivision plat or replat, or a subdivision conformance review as the case may be, submitted to and approved by the Planning Commission, and filed of record in the office of the County Clerk where the property is situated.

I hereby certify that I have read and understand the above requirements and that I will plat, replat or comply with standards set by the subdivision conformance review for the subject property.

Jesse Bucelluni — 9-15-26

Applicant Signature — Date

Mailing Authorization and Release

I authorize City of Tulsa staff to obtain property owners' names and addresses as required for this application. I understand that City of Tulsa staff will use County Assessor data to ascertain the names and addresses of the property owners. That database may not reflect recent ownership changes.

I hereby release and forever discharge the City of Tulsa, its agents and successors, from any actual or potential cause of action, suit or proceeding brought by me, my agents or assigns, based on the names and addresses obtained by the City of Tulsa as required in this application.

Jesse Bucelluni — 9-15-26

Applicant Signature — Date

Neighbor Communications

Advance communication with surrounding neighbors is encouraged by the Board of Adjustment, Planning Commission, and City Council to help educate applicants and neighbors about one another's interests; resolve issues in a manner that respects those interests; and identify unresolved issues before initiation of formal public hearings.

Applicants are encouraged to submit a summary of their communication and engagement with neighbors at or before the first required public hearing. The recommended content of such summaries is as follows:

a. Efforts to notify neighbors about the proposal (how and when notification occurred, and who was notified);

b. How information about the proposal was shared with neighbors (mailings, workshops, meetings, open houses, fliers, door-to-door handouts, etc.);

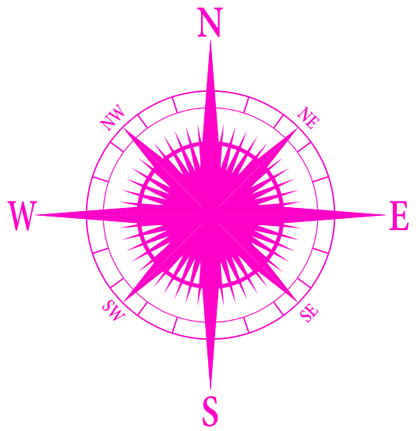
c. Who was involved in the discussions;

d. Suggestions and concerns raised by neighbors; and

e. What specific changes (if any) were considered and/or made as a result of the neighbor communications.

Jesse Bucelluni — 9-15-26

Applicant Signature — Date



SIGN LOCATION

CLAUDE NEON FEDERAL SIGNS
1225 NORTH LANSING AVENUE
TULSA, OKLAHOMA 74106
PH: 918.587.7171
FAX: 918.587.7176
WEB: CNFSIGNS.COM

I HEREBY GIVE MY APPROVAL TO PROCEED WITH FABRICATION OF THE SIGNAGE DEPICTED IN THESE DRAWINGS IN ORDER TO MEET THE PROJECT DEADLINE IN A TIMELY FASHION. I UNDERSTAND THAT ANY CHANGES (ADDITIONS, DELETIONS, OR MODIFICATIONS) TO THE FUNDAMENTAL STRUCTURE, UNDERLYING DESIGN, OR THE SPECIFIC FEATURES OF THIS SIGNAGE MAY RESULT IN SLIPPAGE OF THE COMPLETION DATE. ADDITIONAL RESOURCE REQUIREMENTS OR ADDITIONAL COST.

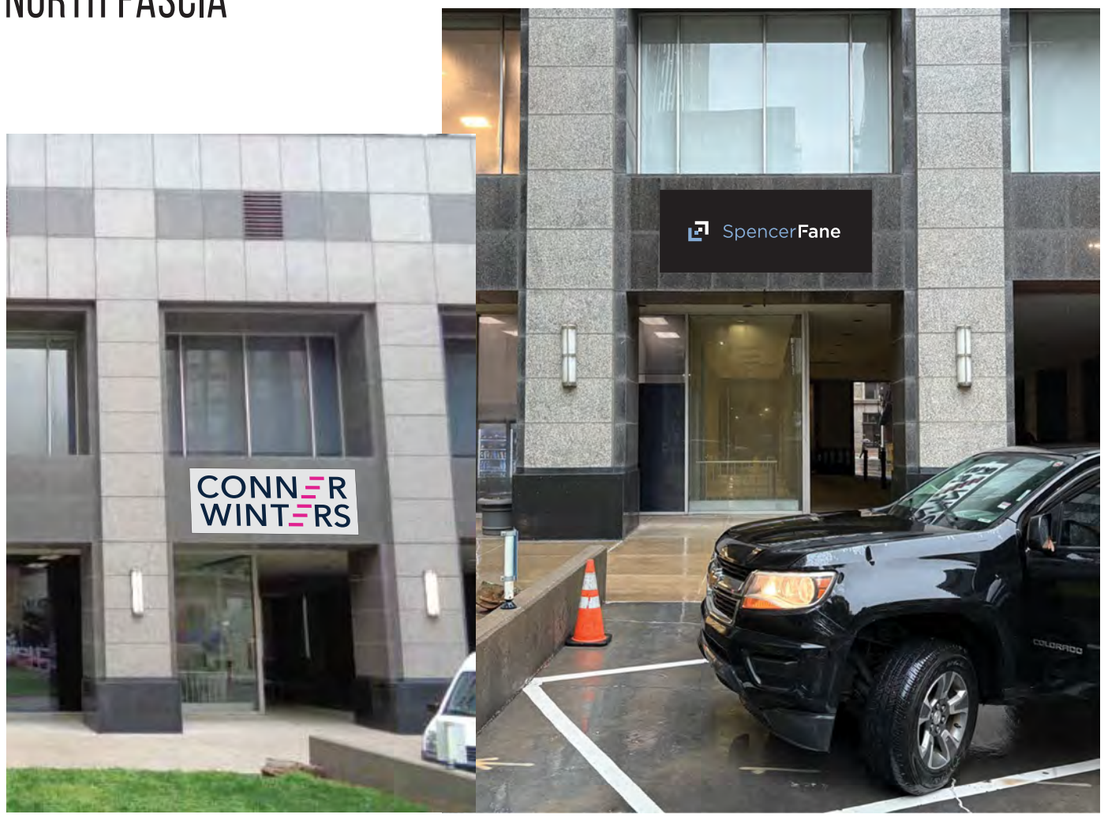
☐ APPROVED AS SHOWN ☐ APPROVED AS NOTED

X
CLIENT NAME DATE

PROJECT/CLIENT NAME:	LOCATION:	ACCOUNT EXEC:	DESIGNER:	DATE OF ORIGINAL DWG:	REVISION HISTORY:	SIGN TYPE/DESCRIPTION:	SHEET NAME:
SPENCERFANE	15 E 5TH ST STE 4100 TULSA, OK 74103	JDB	JDB	81026	1	REMOVAL INSTALL	SITE

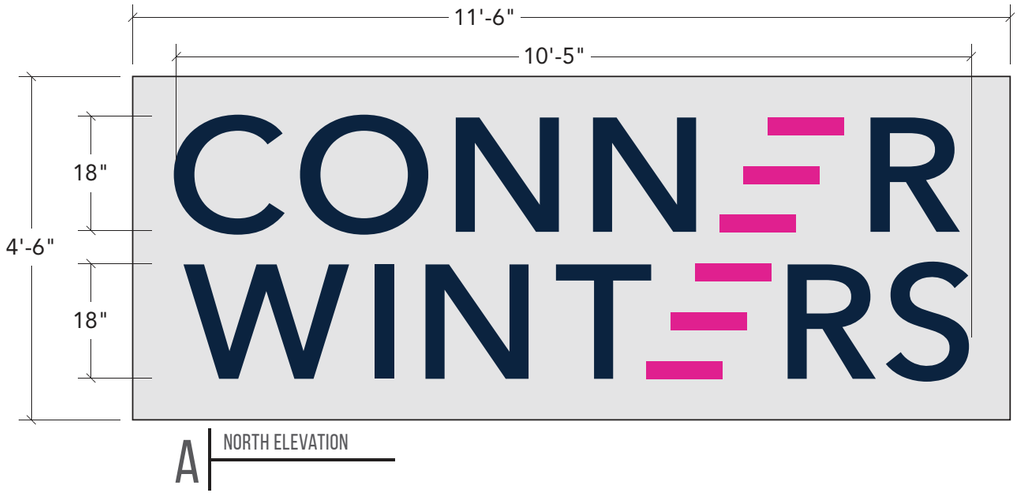
THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF CLAUDE NEON FEDERAL SIGNS, INC. AND ARE THE RESULT OF ORIGINAL WORK BY IT'S EMPLOYEES. THEY ARE SUBMITTED FOR THE SOLE PURPOSE OF YOUR CONSIDERATION OF WHETHER TO PURCHASE THESE PLANS, OR TO PURCHASE FROM CNF, SIGNAGE MANUFACTURED IN ACCORDANCE TO THESE PLANS. DISTRIBUTION OR EXHIBITION OF THESE PLANS TO OTHERS IS EXPRESSLY PROHIBITED. © 2021 CNF SIGNS

NORTH FASCIA

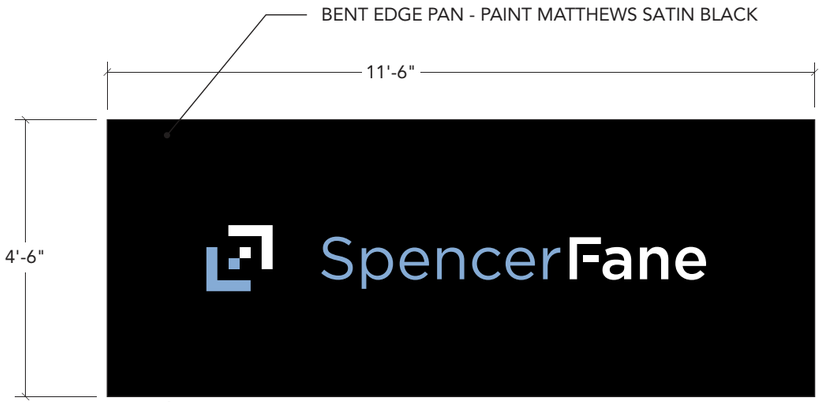


EXISTING

MATCHES EXISTING SIGN SIZE



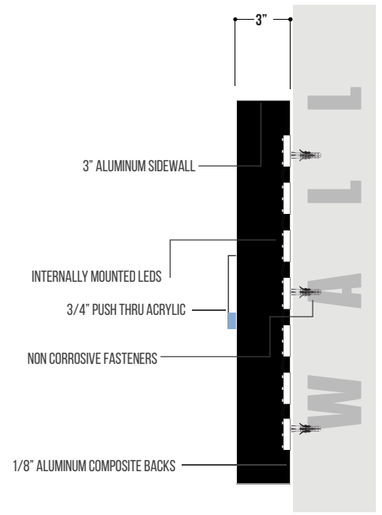
NORTH FASCIA



3/4" PUSH THRU ACRYLIC
.090 ALUMINUM 3" RETURNS WELDED
.125 ALUMINUM FACE

CMYK: 0,0,0,0

CMYK: 44,20,0,4



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☐ APPROVED AS SHOWN ☐ APPROVED AS NOTED

X
CLIENT NAME DATE

PROJECT/CLIENT NAME: SPENCERFANE

LOCATION: 4100 FIRST PLACE TOWER 15 E. FIFTH ST. TULSA, OK 74103

ACCOUNT EXEC: JDB

DESIGNER: JDB

DATE OF ORIGINAL DWG: 6626

REVISION HISTORY:

SIGN TYPE/DESCRIPTION: EXTERIOR

SHEET NAME: ST-3.0

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

CITY OF TULSA
PLAN CORRECTIONS SUMMARY

SIGN-256060-2026 (15 E 5TH ST S Tulsa, OK 74103) Markup Summary #1

Sign Review (1)

Subject: Sign Review
Page Label: 2
Author: DWhiteman
Date: 8/25/2026 10:44:42 AM
Status:
Color:
Layer:
Space:

Section 60.080-B.1 On-premise Wall Signs. On-premise wall signs are allowed in all mixed-use, commercial and industrial zoning districts. Wall signs may not exceed an aggregate area of more than 3 square feet per linear foot of building wall to which they are attached. Wall signs are not counted against a lot's allowed sign budget, pursuant to §60.080-C.
REVIEW COMMENT: The proposed sign location is on the north wall, which is 142 feet in length. The allowed sign display area for this wall is therefore 426 square feet. There is an existing sign on this wall which is 427 square feet. There was previously a Board of Adjustment case which allowed the Conner Winters sign, as a variance for this building to exceed 3 square feet of sign area per linear foot of wall. The new sign is larger than the existing sign. One option is to reduce the proposed new sign to match the existing sign size (3' x 10.5' according to sign permit SIGN-094322-2021). Otherwise, another variance would be needed to allow display area for wall signs on a CBD zoned lot, with wall frontage of 142 feet, to be greater than the allowed 426 square feet of display surface area.

This constitutes a Plan Review to date in response to the information submitted with and after the above referenced application. Additional issues may develop when the review continues upon receipt of additional information requested in this letter or upon additional submittal from the client. Any code items not reviewed are still in force, and it shall be the responsibility of the owner and design professional(s) to ensure that all code requirements are satisfied.