



## City of Tulsa Board of Adjustment

### Minutes of Meeting No. 1328

**Tuesday, December 12, 2023, 1:00 p.m.**

Tulsa City Council Chambers, 175 E. 2nd St., Tulsa, OK 74103

The notice and agenda of said meeting were posted in the City Clerk's office on December 7, 2023 at 4:04 p.m.

**Members Present:** Barrientos, Bond, Radney, Stauffer, Wallace

**Members Absent:** None

**Staff Present:** Austin Chapman, Caleb Rocha, Audrey Blank

#### **Speaker Key:**

- (+) indicates a speaker generally supportive of an item;
- (-) indicates a speaker generally opposed to an item; and
- (=) indicates a speaker generally neutral or who has questions about an item.

Motions and actions require an affirmative vote of three members. When there is less than a full Board, the Board may consider a request to continue agenda items to a later meeting date.

After declaring a quorum present, Barrientos called the meeting to order at 1:04 p.m.

### **Approval of Minutes**

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#### **Minutes from Meeting 1322, August 22, 2023**

Motion: Continue until January 9, 2024

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

#### **Minutes from Meeting 1323, September 12, 2023**

Motion: Approval of Minutes

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

**Minutes from Meeting 1324, September 26, 2023**

Motion: Continue until January 9, 2024

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

**Minutes from Meeting 1325, October 10, 2023**

Motion: Approval of Minutes

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

**Minutes from Meeting 1326, October 24, 2023**

Motion: Approval of Minutes

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

**Minutes from Meeting 1327, November 14, 2023**

Motion: Approval of Minutes

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

## **Unfinished Business**

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### **BOA-23557**

Location: 11110 E. 45th Pl. S.

City Council District: 9

Applicant: Lou Reynolds

### **Action(s) Requested**

Special Exception to permit a Library in the RS-3 District (Table 5.020, Table 5-2, Table 5-2.5); Variance to reduce the required 25-foot street setback in the RS-3 District (Sec. 5.030-A, Table 5-3)

(Item was approved on August 8, 2023; the Board moved to reconsider item on September 12, 2023; Board further continued item until January 9, 2024)

### **Presentation by Applicant**

None

### **Speakers**

None

### **Board Comments**

None

### **Board Action**

Motion: Continue to the January 9, 2024 meeting.

Motion By: Radney

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: None

## **New Applications**

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### **BOA-23600**

Location: 1624 S. Troost Ave.

City Council District: 4

Applicant: Bell Land Use LLC, Robert Bell

### **Action(s) Requested**

Special Exception to allow an Accessory Dwelling Unit in an RS-3 District (45.031-D); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-B); Variance to allow a detached Accessory Dwelling Unit to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate (Section 90.090-C)

### **Presentation by Applicant**

Robert Bell, 101 E. Aquarium Pl., stated that the owner had committed to turning this property into a livable home but unintentionally did things out of order with the Tulsa Preservation Commission. He stated that they are now at a place where everything is corrected and up to code according to the preservation commission. He stated that now the owner wants to remodel and expand the existing accessory structure. He informed the board that there are six accessory buildings on the same block of the proposed location. He said that the hardship is that they are not able to expand to any other direction because of the setbacks and that the tree on the west would have to be cut down.

### **Speakers**

- Chip Atkins, 1638 E. 17th Pl., is concerned that the accessory building will not fit in into the neighborhood because most of the units are not two stories. He stated that he does not believe that applicants should be rewarded for building without the correct steps and then come and ask for forgiveness.

### **Applicant Rebuttal**

Robert Bell stated that the owner of the property has got everything corrected up to this point and would now like to build this proposed ADU. He stated that there is another two-story ADU on Trenton Ave., which is a block from this home.

### **Board Comments**

The board stated that they do not have a problem with the ADU since it has now gone through the Preservation Commission. They stated that they are in support of this project.

### **Board Action**

Motion: Approve, per plans on pages 8.13-8.20 of the agenda packet, finding the hardship to be the location on the property.

Motion By: Stauffer

Ayes: Barrientos, Bond, Stauffer, Wallace

Nays: Radney

Abstentions: none

Absent: none

*The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

*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 the zoning code or the comprehensive plan.*

**Property Description**

LT 6 BLK 14, ORCUTT ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**BOA-23602**

Location: 641 S. 129th E. Ave.

City Council District: 3

Applicant: Robby A. Coday

**Action(s) Requested**

Special Exception to permit a Public, Civic, and Institutional/Religious Assembly Use in the RS-2 District (Table 5.020, Table 5-2, Table 5-2.5)

**Presentation by Applicant**

Robby Coday, 641 S. 129th E. Ave., stated that the previous owner of this location was using this facility as a church, and the new owner he represents would like to use it for the same purpose. He said that they learned there was never a special exception approved to use it as a church, and they want to do things the right way.

**Speakers**

- + Christian Quiroz, 13001 E. 7th St., stated that he is in support of the facility.

**Board Comments**

The board stated that they do not have any issues with this special exception since it has been used as a church and it will continue to be used as one.

**Board Action**

Motion: Approve

Motion By: Wallace

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

*The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

**Property Description**

LTS 4 THRU 10 BLK 4 & W25 VAC ALLEY ADJ ON E & LT 4 BLK 6 & E25 VAC ALLEY ADJ ON W, MEADOWBROOK HGTS ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**BOA-23603**

Location: 2703 E. 41st St.

City Council District: 1

Applicant: Janet Espino

**Action(s) Requested**

Special Exception to permit a Manufactured Housing Unit in the AG zoning district. (Section 25.020-C; Table 25-1.5); Special Exception to allow the Manufactured Housing Unit permanently (Sec.40.210); Special Exception to reduce the required parking ratio for a Manufactured Housing Unit in the AG District (Sec. 55.050-K)

**Presentation by Applicant**

None

**Speakers**

None

**Board Comments**

None

**Board Action**

Motion: Continue until the January 9, 2024 meeting.

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

**BOA-23604**

Location: 14717 E. 11th St.

City Council District: 6

Applicant: Randy Glad

**Action(s) Requested**

Special Exception to permit a parks and recreation use in an AG District (Table 25-1)

**Presentation by Applicant**

The applicant requested a continuance to speak to the neighborhood on their concerns about building a recreation center in the neighborhood.

**Speakers**

None

**Board Comments**

The board stated that the best thing for the neighborhood to do is have a meeting with the applicant to see what is being built, and then come back with why they would or would not want this in their neighborhood.

**Board Action**

Motion: Continue until the January 9, 2024 meeting.

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none



**BOA-23605**

Location: N. of the NW/c of E. 21st St. S. and S. 193rd E. Ave.

City Council District: 6

Applicant: Ashton Prickett

**Action(s) Requested**

Special Exception to permit an Assembly and Entertainment Use in an AG zoned district (Sec. 25.020; Table 25-1)

**Presentation by Applicant**

Ashton Prickett, 7050 S. Yale Ave., stated that they want to modify the current building on the property into an event center. He said that they will add a driveway and a paved parking lot for the proposed use. He informed the board that the maximum amount of people that would be able to fit into the building is 100, or what fire code states that they can have.

**Speakers**

None

**Board Comments**

The board stated that they do not have a problem with permitting the proposed building to be an event center, but they would limit the use to only the built structure and that it be indoor only.

**Board Action**

Motion: Approve, per plans on page 12.8 of the agenda packet, subject to the condition that the approval is limited to indoor use only.

Motion By: Radney

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

*The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

**Property Description**

BEG SECR NE TH W1134.19 N344.98 NE695.92 NE68.74 NE174.14 NE52.65 NE69.50 NE136.45 S533.27 POB SEC 12 19 14 10.201ACS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**BOA-23606**

Location: 8108 S. Florence Ave.

City Council District: 2

Applicant: Chris Ossenbeck

**Action(s) Requested**

Special Exception to increase the permitted driveway width in a RS-3 district (Sec. 55.090-F.3)

**Presentation by Applicant**

Chris Ossenbeck, 8108 S. Florence Ave., stated that he purchased and combined the lot next to him in 2015 so he could add a storage building in the back corner of the lot. He said that he would like to park an RV on the lot, but he needs to add a driveway.

**Speakers**

None

**Board Comments**

The board stated that they did not have an issue with adding a new driveway on the lot, because if there was a home on the lot it would be required to have a driveway.

**Board Action**

Motion: Approve, per plans on page 13.10 of the agenda packet.

Motion By: Barrientos

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

*The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

**Property Description**

*PRT BLK 1 BEG 35S NEC TH S163.36 W110 N163.36 E110 POB, ORAL ROBERTS UNIVERSITY HGTS 3RD ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA*

**BOA-23608**

Location: 7318 S. Yale Ave.

City Council District: 8

Applicant: SBWG LLC

**Action(s) Requested**

Variance to permit a dynamic display sign in the OL District (Sec. 60.060-E); Variance to allow a dynamic display sign within 20 feet of the driving surface (Sec. 60.100-D); Variance to permit a dynamic display sign within 200 feet of an R district (Sec. 60.100-F)

**Presentation by Applicant**

Sarah Land, 7302 S. Yale Ave., stated that they conduct clinical trials for common and uncommon diseases. She stated that they are trying to add a dynamic sign in front of the building to recruit people for the clinical trials. She stated that there are several dynamic signs in the area, with the one in front of their property measuring 14 feet by 8 feet. She explained that hardship is that the north side of the property is a dense section of trees, and there is already another clinical facility there. She stated that they would be just adding the dynamic sign where the current one is.

**Speakers**

None

**Board Comments**

The board stated that the sign will not be intrusive on the residential districts that are nearby. They said that they do not have a problem with adding a dynamic sign in the place of a sign that has been there since 2018.

**Board Action**

Motion: Approve, per plans on pages 14.12-14.13 of the agenda packet, finding the hardship to be the local topography, the width of the adjoining commercial corridor, the need to put the signage in the location that is least disturbing to the adjacent neighbors and the existing landscape.

Motion By: Radney

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

*In granting the Variances, 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 variances 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 variances to be granted is the minimum variance that will afford relief; That the variances 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 variances 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.*

**Property Description**

S159.70 E147 & S5 W122.68 LT 1 BLK 1, STACY PARK, SILVER RIDGE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**BOA-23609**

Location: 10310 S. Sheridan Rd.

City Council District: 8

Applicant: Tim Boeckman, CJC Architects

**Action(s) Requested**

Minor Special Exception to modify a previously approved site plan for a religious assembly use in the RS-3 District (Table 5.020, Table 5-2; Sec.70.120)

**Presentation by Applicant**

Tim Boeckman, 1401 S. Denver Ave., stated that the church wants to build an addition for an indoor children’s playground and a children’s classroom.

**Speakers**

None

**Board Comments**

The board stated that they are in support of the addition.

**Board Action**

Motion: Approve, per plans on page 15.7 of the agenda packet.

Motion By: Barrientos

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

*The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

**Property Description**

RES A, B, C SOUTH TULSA BAPTIST CHURCH EXT & RES A & LT 1 BLK 1, SOUTH TULSA BAPTIST CHURCH, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**BOA-23611**

Location: 2807 E. 3rd St.

City Council District: 4

Applicant: David Brunson

**Action(s) Requested**

Special Exception to allow an Accessory Dwelling Unit in an RS-3 District (45.031-D); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A, 45.031-D.6)

**Presentation by Applicant**

Dave Brunson, 3074 N. Aspen Ave., stated that what he is constructing conforms with the neighborhood, and he has support from the surrounding neighbors. He said that the home is more than 100 years old, with an alley access to the north of the property. He indicated that the ADU will be 925 square feet.

**Speakers**

None

**Board Comments**

The board stated that the lot is nonconforming, and that the applicant's proposal is consistent with the local neighborhood and character. The board said they would be inclined to support it limiting the square footage to 925 square feet.

**Board Action**

Motion: Approve, per plans on page 16.15 of the agenda packet, finding the hardship to be that the site is as an existing nonconformity to the current comprehensive plan, subject to the condition that the ADU shall not exceed 925 square feet.

Motion By: Radney

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

*The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

*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 the zoning code or the comprehensive plan.*

**Property Description**

*E 1/2 LT 6 BLK 5, Pleasant View ADDN, City of Tulsa, Tulsa County, State of Oklahoma*

**BOA-23612**

Location: E. of Highway 169 between 46th St. N. and 56th St. N.

City Council District: 3

Applicant: Nathan Cross

**Action(s) Requested**

Special Exception to permit a Mining and Mineral Processing Use in the IM District (Sec. 15.020; Table 15-2)

**Presentation by Applicant**

Nathan Cross, 2 W. 2nd St., stated that he has been working on getting the zoning to do mining at the proposed location for more than a year. He said that this project is like no other in the way that if the board approves the special exception, there are no permits or anything that must be pulled. He explained that the overseer will not be the City, but this is just the first step to be granted a mining facility in the state of Oklahoma.

David Charney, 12150 E. 96th St. N., stated that the area around this location already contains two mining fields. He said that the only place they can mine is where the rock is, so they cannot just choose where to do it but only where the limestone exists. He reiterated that mining in the proposed location is nothing new to the area. He stated that the businesses around the already existing mining facilities have not been affected in a negative way but businesses such as Costco, QuikTrip, and Amazon have built large facilities around them.

Randy Wheeler, Industrial Seismologist & Blast Vibration Specialist, 1206 S. Schifferdecker Ave., Joplin, MO., gave an extensive report of how the operation works.

**Speakers**

- Susan Frederick, 1430 E. 11th St., is concerned about the environmental issues that limestone could cause.

**Applicant Rebuttal**

Nathan Cross stated that the State of Oklahoma will be regulating this project, and if the State sees fit that it will not be harmful to the surrounding neighbors, they will then grant them the ability to start work.

**Board Comments**

The board stated that the applicant gave extensive information on the mining production, and it does not seem that it will be injurious or detrimental to the neighbors. They stated that the mining facility will have to follow state and federal regulations, which far exceeds what they are looking at.

**Board Action**

Motion: Approve, per plans on page 17.10 of the agenda packet.

Motion By: Barrientos

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

**Property Description**

A TRACT OF LAND LYING IN THE NORTH HALF (N/2) OF SECTION EIGHT (8), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION EIGHT (8); THENCE N88°44'19"E AND ALONG THE NORTH LINE OF SAID SECTION EIGHT (8) FOR A DISTANCE OF 2442.21 FEET; THENCE S01°15'41"E FOR A DISTANCE OF 59.85 FEET TO THE POINT OF BEGINNING; THENCE N88°45'00"E FOR A DISTANCE OF 198.03 FEET; THENCE N01°24'14"W FOR A DISTANCE OF 10.00 FEET; THENCE N88°44'17"E FOR A DISTANCE OF 1359.86 FEET; THENCE S88°23'58"E FOR A DISTANCE OF 91.33 FEET; THENCE S19°56'00"E FOR A DISTANCE OF 613.62 FEET; THENCE S24°04'04"E FOR A DISTANCE OF 396.59 FEET; THENCE S07°04'38"E FOR A DISTANCE OF 220.73 FEET; THENCE S00°00'00"E FOR A DISTANCE OF 401.74 FEET; THENCE S81°41'11"W FOR A DISTANCE OF 1972.65 FEET; THENCE S88°39'25"W FOR A DISTANCE OF 753.23 FEET; THENCE N01°24'14"W FOR A DISTANCE OF 1105.00 FEET; THENCE N48°09'00"E FOR A DISTANCE OF 923.73 FEET; THENCE N01°35'18"W FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 96.63 ACRES MORE OR LESS, City of Tulsa, Tulsa County, State of Oklahoma.



**BOA-23613**

Location: 4948 E. Admiral Pl.

City Council District: 2

Applicant: AAB Engineering, LLC

**Action(s) Requested**

Variance to permit a dynamic display sign to exceed 48 square feet (Sec. 60.080-E)

**Presentation by Applicant**

Alan Betchan, 200 N. McKinley Ave., stated that they want to put a 192 square-foot dynamic display next to the highway to display the prices of gas for QuikTrip. He said that they need to have a large sign for visibility for people driving on the highway. He noted that the hardship is that the sign will be static in its display, and they need a large sign for visibility.

**Speakers**

None

**Board Comments**

The board stated that they did not have any issues with the request for a larger sign, being that the location of the sign will be relative to the highway.

**Board Action**

Motion: Approve, per plans on pages 18.8-18.13 of the agenda packet, finding the hardship to be the location relative to the highway and the nature of the sign.

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

*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 the zoning code or the comprehensive plan.*

**Property Description**

Lot 2 Block 1, QUIKTRIP NO 0007, City of Tulsa, Tulsa County, State of Oklahoma

**BOA-23614**

Location: 909 W. 23rd St.

City Council District: 2

Applicant: Mark Capron, Wallace Design Collective

**Action(s) Requested**

Special Exception to permit a Large Assembly and Entertainment Use (greater than 250-person capacity) in the CH District (Sec. 15.020, Table 15-2)

**Presentation by Applicant**

Mark Capron, 123 N. Martin Luther King, Jr. Blvd., stated that they want to build a YMCA in the proposed location. He said that this location will be a great place to have the YMCA, with a school nearby and the Tulsa Housing Authority project. He informed the board that the neighbors surrounding the project are in support of it.

**Speakers**

None

**Board Comments**

The board stated that this will be a great asset to the neighborhood.

**Board Action**

Motion: Approve, per plans on pages 19.7-19.16 of the agenda packet.

Motion By: Barrientos

Ayes: Barrientos, Bond, Radney, Stauffer

Nays: none

Abstentions: Wallace

Absent: none

*The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

**Property Description**

*Tract 1*

*Lots One (1) Through Eighteen (18), inclusive, LESS AND EXCEPT, the West 10 feet of Lots Nine (9) and Ten (10), Block Forty (40), AMENDED PLAT OF WEST TULSA, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.*

*AND*

*Tract 2*

*Lots One (1) through Six (6), inclusive, Block Four (4), FIRST REFINERY ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, LESS AND EXCEPT the North 17.9 feet of Lots 1 and 2, and the North 17.9 feet of the East 48 feet of Lot Three (3), Block Four (4), of said FIRST REFINERY ADDITION.*

*AND*

*Tract 3*

*BEGINNING at the Southwest Corner of Lot Nine (9), Block Forty (40), AMENDED WEST TULSA ADDITION, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof; Thence East along the South line of Lots 9, 8, 7, 6, 5, 4, 3, 2 and 1 a distance of 225 feet to a point; Thence South a distance of 20 feet to the Northeast corner of Lot 18, of said Block 40; Thence West along the North line of Lots 18, 17, 16, 15, 14, 13, 12, 11, and*

10 a distance of 225 feet to a point; Thence North a distance of 20 feet to the Place of Beginning; LESS AND EXCEPT the West 10 feet thereof.

AND

Tract 4

BEGINNING at the Southwest corner of Lot Three (3), Block Four (4), FIRST REFINERY ADDITION, to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof; Thence East along the South line of Lots 3, 2, and 1 a distance of 150 feet to a point; Thence South a distance of 20 feet to the Northeast corner of Lot 6, of said Block 4; Thence West along the North line of Lots 6, 5 and 4 a distance of 150 feet to a point; Thence North 20 feet to the Place of Beginning, City of Tulsa, Tulsa County, State of Oklahoma

**BOA-23616**

Location: 2817 N. Peoria Ave.

City Council District: 1

Applicant: Nathan Cross

**Action(s) Requested**

Special Exception to expand a previously approved self-storage facility in the CS district (Sec. 15.020, Sec.15.020)

**Presentation by Applicant**

Nathan Cross, 2 W. 2nd St., stated that there is currently a self-storage facility next to the proposed location. He noted that it will not be an expansion because it is a different owner that will be purchasing the land. He mentioned that there was a time when there were talks about building restaurants and maybe a hotel, but he said that it would not be a good location because of the limited access to the back of the lot and the neighborhood adjacent to the property. He noted that this commercial business is the least intensive for the area.

**Speakers**

- + Nelson Allen, 2817 N. Peoria Ave., was concerned that neighborhood engagement never took place. He said that he owns the other self-storage facility, and he went out of his way to make sure everyone was on board with the proposal.

**Applicant Rebuttal**

The applicant stated that he has not heard any negative concerns from the neighbors. He said that there is no one to object to the business.

**Board Comments**

The board stated that they do not have any concerns with another minimum intensive business going into this area. They mentioned that a business such as this will not be intrusive or detrimental to the neighborhood. Ms. Radney said that she sees a self-storage facility as a low-value use for this property.

**Board Action**

Motion: Approve, per plans on page 20.8 of the agenda packet.

Motion By: Barrientos

Ayes: Barrientos, Bond, Stauffer, Wallace

Nays: Radney

Abstentions: none

Absent: none

*The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

**Property Description**

SW/4, in Section Nineteen (19), Township Twenty (20) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, being more particularly described as follows: Commencing at the Northwest corner of U.S. Government Lot Three (3), also being the West Quarter corner of Section Nineteen (19), Township Twenty (20) North Range Thirteen (13) East of the Indian Meridian, a chiseled "X"; thence South 00°00'00" West along the West line of the SW/4 of Section Nineteen (19) a distance of 1319.73 feet to the Southwest corner of U.S. Government Lot Three (3); thence North 89°19'03" East along the South line of U.S. Government

Lot Three (3) a distance of 100.01 feet to a point that is 100.00 feet measured perpendicular from the West line of the SW/4 of Section Nineteen (19), being the East Right of Way for Peoria Avenue, the Point of Beginning; thence North 00°00'00" East along the East Right of Way for Peoria Avenue a distance of 527.32 feet; thence North 89°41'03" East along the East Right of Way for Peoria Avenue, a distance of 10.00 feet; thence North 89°18'59" East along the South Right of Way for "Gilcrease Expressway", a distance of 1057.18 feet to the East line of U.S. Government Lot Three thence South 00°03'35" East along the East line of U.S. Government Lot Three (3) a distance of 527.27 feet to the Southeast corner of U.S. Government Lot Three (3); thence South 89°19'03" West along the South line of U.S. Government Lot Three (3) a distance of 1067.73 feet to the POINT OF BEGINNING.

**LESS AND EXCEPT:**

Commencing at the Northwest corner of U.S. Government Lot Three (3), also being the West Quarter corner of Section Nineteen (19), Township Twenty (20) North, Range Thirteen (13) East of the Indian Meridian, a chiseled "Y"; thence South 00°00'00" West along the West line of the SW/4 of Section Nineteen (19), a distance of 1228.54 feet; thence North 90°00'00" East a distance of 100.00 feet to the East Right-of-Way for Peoria Avenue, the Point of Beginning; thence North 00°00'00" East along the East Right-of-Way for Peoria Avenue a distance of 186.00 feet; thence North 90°00'00" East a distance of 235.00 feet; thence South 00°00'00" West a distance of 186.00 feet; thence South 90°00'00" W a distance of 235.00 feet to the POINT OF BEGINNING, City of Tulsa, Tulsa County, State of Oklahoma.

**BOA-23617**

Location: 1520 S. St. Louis Ave.

City Council District: 4

Applicant: Harry Bjornberg

**Action(s) Requested**

Special Exception to allow an Accessory Dwelling Unit in an RS-3 District (45.031-D); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-B); Variance to allow more than 30% coverage by an Accessory Dwelling Unit in the rear setback in the RS-3 District (Section 90.090-C); Variance to allow a detached Accessory Dwelling Unit to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C)

**Presentation by Applicant**

Paul Nosak, 7841 N. 75th E. Ave., stated that there was an existing two-car garage on the exact footprint, but it was dilapidated and so then removed. He said that his hardship is that there is a great need for small units in Tulsa, and that the old footprint is where they are putting the ADU. He noted that there are several ADUs close to this property that are quite a bit larger than what he is proposing.

**Speakers**

- + Chip Atkins, 1638 E. 17th Pl., was in support of the facility.

**Board Comments**

The board stated that they had no problem with the ADU.

**Board Action**

Motion: Approve, per plans on pages 21.8-21.12 of the agenda packet, finding the hardship to be the nonconforming lot, that the existing structure was built before the modern zoning code, and the need to house modern vehicles.

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

*The Board finds that the special exception will be in harmony with the spirit and intent of the zoning code and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

*In granting the Variances, 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 Variances 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 Variances to be granted is the minimum Variances that will afford relief; That the Variances 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 Variances 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.*

**Property Description**

LT 5 BLK 5 & 10 FT VAC ALLEY, ORCUTT ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**Other Business**

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None

**New Business**

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None

**Board Member Comments**

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Ms. Radney voiced that there should be a guide or a template to help citizens present correctly before them, so they can arrive with the appropriate information.

**Adjournment**

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There being no further business, the meeting was adjourned at 4:59 p.m.

Date approved: 4/23/24

Chair: Anton Bond