



City of Tulsa Board of Adjustment

Minutes of Meeting No. 1329

Tuesday, January 9, 2024, 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 January 4, 2024 at 11:42 a.m.

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

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 1:05 p.m.

Approval of Minutes

Minutes from Meeting 1322, August 22, 2023

Motion: Approval of Minutes

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

Minutes from Meeting 1323, September 26, 2023

Motion: Approval of Minutes

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

Unfinished Business

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 8th, 2023; the Board moved to reconsider item on September 12th, 2023; Board further continued item until 01/09/2024)

Presentation by Applicant

None

Speakers

None

Board Comments

None

Board Action

Motion: Continue to the January 23rd meeting.

Motion By: Radney

Ayes: Wallace, Stauffer, Barrientos, Radney, Bond

Nays: None

Abstentions: None

Absent: None

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 to the January 23rd meeting.

Motion By: Stauffer

Ayes: Wallace, Stauffer, Barrientos, Radney, Bond

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

Brett Bagley, 5075 S 193rd E. Ave., stated that he is the owner of Sandlot Baseball Tulsa. He explained that they have outgrown the location that they are in and are now needing to build a bigger and better facility to facilitate the athletes in the program. He elaborated that the program will not just benefit the athletes and their families, but it will also allow for the surrounding schools and underprivileged to use their facilities. He concluded by stating that the facility would have immeasurable long-term benefits and would be a great asset to northeast Tulsa.

Lou Reynolds, 2727 E. 21st St., stated that he represents Sandlot Baseball Tulsa, and they are asking to receive the special exception for parks and recreation. He informed the board that the facility will be on a 20-acre lot and the indoor facility will be 42,000 square feet. He indicated that the neighbors directly to the east and west of the property have sent letters in support of the project. He clarified that the baseball field outside will not have lights, play will stop at dark, and the indoor facility will close at 10 p.m. He mentioned that they held a neighborhood meeting and the greatest concern expressed by neighbors was the traffic on 11th St. He noted that according to the INCOG transportation map, the traffic is not significant. He concluded by stating that the closest edge of the field is 500 feet from their property line and 600 feet from the nearest house.

Speakers

- Christy Boggs, 14673 E. 11th St., was concerned that the facility would permanently alter the character of the neighborhood and would impair the purpose of the property. She is also concerned that there is already work happening without any permits.
- + Mary Erb, 15520 E. 11th St., was in support of the facility.
- William Farmer, 14557 E. 13th St., was concerned about the parking area and driveway being gravel instead of asphalt. He was also concerned about the noise and traffic in the early mornings and when people get off work.
- Richard Harris, 774 S. 145th E. Ave., was concerned about the number of people who would be at the property and tournaments that may be there.
- Ronald Durbin, 116 N. Greenwood Ave., was concerned that the project was started before any permits were issued, and that the neighborhood does not want this in their area.
- = August Wakat, 23780 E. Admiral Pl., stated that the BOA does what they want to.
- Christian Bengel, 13173 E. 29th St., was concerned that the developer did not do their due diligence to see what the community had to say until after the work had started.
- Christy Kellerhals, 14650 E. 11th Pl., was concerned that this project started without permits and it will set a precedent for future businesses. She said that she is also concerned about the noise and traffic that this facility will bring.
- + Chris Whiteman, 7037 Greenbriar Dr., Owasso, was in support of the facility.
- + Joshua Walker, 12925 E. 28th Pl., was in support of the facility.
- Susan Frederick, 14301 E. 11th St., was concerned about the traffic, and environmental destruction.
- + Jason Van Valkenburg, 20734 E. Clear Brook Rd., Owasso, was in support of the facility.
- Eric Ruddick, 14673 E. 11th Pl., was concerned that the project was started without a permit and the noise and traffic this would bring to the neighborhood.
- + Joe Lord, 9202 N. 93rd E. Ave., Owasso, was in support of the facility.

- Kathleen Logan, 14926 E. 13th St., was concerned about the traffic that the facility would bring. She also was concerned about tournaments that potentially could take place at the location.
- Ann Wheeler, 14643 E. 11th Pl., is concerned that emergency vehicles will not be able to navigate in a timely manner through the two-lane street in front of this facility because of the traffic.
- Tara Taylor, 14678 E. 11th Pl., was concerned that Tulsa would not benefit from guests coming out of town because they would more than likely be staying and eating in Catoosa.
- + Randy Glad, 19885 S. 4180 Rd., Claremore, was in support of the facility.

Curtis Belvins, Development Services Inspections Supervisor, stated that the Working In Neighborhoods put a stop work order in May 2023 because of the lack of getting the necessary permits. He stated that the developer began to do more work in September 2023 without any permits and so they stopped them again. He indicated that they have not inspected anything up to this point because there are several permits still in review.

Applicant Rebuttal

Lou Reynolds stated that though the facility is large, it will not be an intense use. He confirmed that there will be no large spotlights for the outdoor field.

Board Comments

The board acknowledged that the neighborhood raised concerns about traffic, and they agreed that the city needs to take a further look at bringing the speed limit down and other necessary things, but it is not what they are voting on. They agreed that though they support the special exception, they will be putting an expiration date, not allow any outside large lights, limit the person capacity, and the hours of operation.

Board Action

Motion: Approve, per plans on page 5.7 of the agenda packet, subject to the following conditions: that the hours of operation will not extend past 10 p.m., with after-dark activities restricted to the interior of the proposed built structure, 200 maximum occupancy, no exterior field lights, and that the approval will expire at the end of 15 years of this date.

Motion By: Radney

Ayes: Stauffer, Barrientos, Wallace, Radney, Bond

Nays: none

Abstentions: none

Absent: none

Property Description

E/2 SW SW SEC 3 19 14 20.00ACS, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

New Applications

BOA-23615

Location: 2626 S. Evanston Ave.

City Council District: 4

Applicant: Charles Okyere

Action(s) Requested

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

Presentation by Applicant

None

Speakers

None

Board Comments

None

Board Action

Motion: Continue to the January 23rd meeting.

Motion By: Stauffer

Ayes: Wallace, Stauffer, Barrientos, Radney, Bond

Nays: none

Abstentions: none

Absent: none

BOA-23610

Location: 4723 E. 4th Pl.

City Council District: 4

Applicant: Jeremy Wilkinson

Action(s) Requested

Special Exception to permit a duplex in the RS-3 district (Table 5.020, Table 5-2, Table 5-2.5); Variance to reduce the required 2,500 square feet of open space per unit and 60-foot lot width for a duplex use in the RS-3 District (Sec. 5.030, Table 5-3)

Presentation by Applicant

Jeremy Wilkinson, 4234 S. Oswego Ave., stated that he wants to build a duplex that is 50 feet wide. He stated that he is requesting a smaller open space by making the driveway larger for safety reasons because of the collector street next to the home.

Speakers

- Mary Beth Schlupe, 4618 E. 2nd St., was concerned about having added traffic with duplexes in her neighborhood.
- Kathryn Dyson, 4624 E. 2nd St., was concerned about the number of cars that would be at the duplex.

Applicant Rebuttal

Jeremy Wilkinson stated that it will be one bedroom, one bath, over-and-under duplex, so it should minimize the number of cars that are there. He stated that the City of Tulsa needs affordable housing, and it is very difficult to build a single-family residence and make it affordable.

Board Comments

The board stated that the duplex will not be injurious to the neighborhood but would be a great asset to it. They concurred that the City of Tulsa is lacking affordable housing and with a floor plan that was presented, it checks all the boxes.

Board Action

Motion: Approve, per plans on page 7.9 of the agenda packet, finding the hardship to be that the lot and its proportions predates the existing zoning code.

Motion By: Radney

Ayes: Stauffer, Barrientos, Wallace, Bond

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

LT 389 BK 2, RODGERS HGTS SUB CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

BOA-23618

Location: NW/c of 91st St. S. and S. Harvard Ave.

City Council District: 2

Applicant: Jeff Ogilvie

Action(s) Requested

Modification to extend for an additional 10 years the approval of case BOA-21686 for a Special Exception to permit tent sales and the use of gravel parking materials, and a Variance to permit sales up to 200 days per year.

Presentation by Applicant

Jeff Ogilvie, 7607 S. Kingston Pl., stated that he would like to extend the years of the approval of case BOA-21687. He stated that he has not heard anything negative from the neighbors, but that it is one of their favorite places to go in South Tulsa.

Speakers

None

Board Comments

The board stated that if someone was building a new development and asking that the parking lot be left as gravel, then they would not allow it. They mentioned that this area has a proven track record and there have not been complaints from the neighbors.

Board Action

Motion: Approve, per plans on pages 8.7 of the agenda packet, finding the hardship to be the additional days allow them to be set up continuously between spring and fall seasons without having to break down the tents for the month of September.

Motin By: Stauffer

Ayes: Wallace, Stauffer, Barrientos, Radney, Bond

Nays: none

Abstentions: none

Absent: none

Property Description

NE NE NE LESS N24.75 & E24.75 THEREOF & LESS BEG 24.75W & 24.75S NEC NE TH S638.67 W5.25 N572.16 NW46.92 W380.15 NWLY50.64 W167.53 N25.25 E636.22 TO POB SEC 20 18 13 8.728ACS, WOODSIDE VILLAGE IV REPLAT PRT WOODSIDE VILLAGE I CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

BOA-23619

Location: 2622 S. Harvard Ave. E. Spc. A.

City Council District: 4

Applicant: Jeff Ogilvie

Action(s) Requested

Modification to extend for an additional 10 years the approval of case BOA-21687 for a Special Exception to permit tent sales and a Variance to permit sales up to 200 days per year.

Presentation by Applicant

Jeff Ogilvie, 7607 S. Kingston Pl., stated he would like an additional 10 years at this location. He stated that there is no gravel at this location, they just need the time extension.

Speakers

None

Board Comments

The board stated that they have no issues with extending the number of years.

Board Action

Motion: Approve, per plans on pages 9.7 of the agenda packet, finding the hardship to be the additional days allow them to be set up continuously between spring and fall seasons without having to break down the tents for the month of September.

Motion By: Stauffer

Ayes: Barrientos, Wallace, Stauffer, Radney, Bond

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

BLK 5 & N30 VAC ST ADJ ON S THEREOF, SHEILA TERRACE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

BOA-23622

Location: 349 E. Zion Pl.

City Council District: 1

Applicant: Victor Birmingham

Action(s) Requested

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)

Presentation by Applicant

Victor Birmingham, 349 E. Zion Pl., stated that there is no garage at his home and so he wants to build an accessory structure so he can store his cars in it.

Speakers

None

Board Comments

The board stated that they have no problems with the accessory building being attached or detached from the principal structure.

Board Action

Motion: Approve, finding the hardship to be that the existing structure predates the existing zoning code and the proposed structure provides storage for modern vehicles, on the condition that the building does not exceed 30 feet by 30 feet in area.

Motion By: Stauffer

Ayes: Barrientos, Wallace, Stauffer, Radney, Bond

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

E65 1/2 LT 20 BLK 1, ACRE GARDENS CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

BOA-23623

Location: 1144 S. Atlanta Pl.

City Council District: 4

Applicant: RCJ Designs

Action(s) Requested

Variance to reduce the required 15-foot side street setback in the RS-4 District (Sec. 5.030, Table Note [3]); Variance to reduce the required lot area and lot area per unit (Sec. 5.030, Table 5-3); Variance to reduce the 50-foot lot width requirement in the RS-4 District (Sec. 5.030, Table 5-3)

Presentation by Applicant

David Avelar, 3902 E. 51st St., stated that there are two homes on the lot, and he wants to divide the lot. He mentioned that the homes were built in 1930 and several homes in the neighborhood share driveways and lot lines.

Speakers

+ Arthur Lasky, 2526 S. Owasso Ave., stated that he was in favor of the lot split.

Board Comments

The board mentioned that the homes are unique and predate the current comprehensive plan.

Board Action

Motion: Approve, per plans on pages 11.8-11.9 of the agenda packet, finding the hardship to be the preexisting non-conforming lot.

Motion By: Barrientos

Ayes: Barrientos, Stauffer, Wallace, Radney, Bond

Nays: none

Abstentions: none

Absent: none

Property Description

S.95°E.115 LT 4 BK 3, TULSA SQUARE ADDN AMD CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

BOA-23624

Location: 6710 S. Atlanta Ave

City Council District: 9

Applicant: Travis Ohnemus

Action(s) Requested

Special Exception to allow an Accessory Dwelling Unit in an RS-1 District (45.031-D)

Presentation by Applicant

Travis Ohnemus, 6710 S. Atlanta Ave., stated that he wants to add a kitchen to the garage. He stated that none of his neighbors have a problem with it.

Speakers

None

Board Comments

The board stated that they have no issues with the special exception.

Board Action

Motion: Approve, per plans on pages 12.9-12.12 of the agenda packet.

Motion By: Wallace

Ayes: Barrientos, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: Bond, Radney

Property Description

LT 9 BLK 3, WILLIAMSBURG ADDN, WILLIAMSBURG VILLAGE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

BOA-23625

Location: South of the SE/c of E. 31st St. S. and Riverside Parkway (Gathering Place South of Crow Creek)

City Council District: 4

Applicant: Josh Miller

Action(s) Requested

Variance to allow the continued use of a non-all weather parking surface previously approved in BOA-22557, BOA-22336, and BOA-23046 (Section 55.090-F)

Presentation by Applicant

Jeff Stava, 7030 S. Yale Ave., stated that they need a 3-year extension to allow non-all weather parking surface for The Gathering Place. He informed the board that they have not been able to gauge how much parking they need because of the floods that happened in 2019 and COVID that occurred in 2020. He stated they do not want to put a hard surface down and then tear it out at the end.

Speakers

None

Board Comments

The board agreed that the 3-year extension to allow them to have non-all weather parking surface is in the spirit of the neighborhood.

Board Action

Motion: Approve per plans on page 13.6 of the agenda packet, finding the hardship to be the continued operation of the contemporary lot which is providing additional parking for the park being less burdensome for the adjoining neighborhoods while the park is still under development.

Motion By: Stauffer

Ayes: Barrientos, Stauffer, Wallace, Radney, Bond

Nays: none

Abstentions: none

Absent: none

Property Description

PRT NW BEG 247.50W & 40S & 478.15W & 288.29SE & CRV RT236.89 & 45SE NEC NW NW NE TH CRV RT166.59 SE138.45 W293.02 NW59.89 POB & LT 1 BLK 1; LTS 2 & 3 BLK 1 & BLK 2, PEBBLES SECOND ADDN, 3200 RIVERSIDE DRIVE ADDN SUB L9-10 PEBBLES SECOND ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

BOA-23626

Location: 2448 E. 20th St.

City Council District: 4

Applicant: Lou Reynolds

Action(s) Requested

Variance to permit a fence to be located within the street right-of-way (Sec.90.090-A).

Presentation by Applicant

None

Speakers

None

Board Comments

None

Board Action

Motion: Continue to the January 23rd meeting.

Motion By: Stauffer

Ayes: Barrientos, Stauffer, Wallace, Bond, Radney

Nays: none

Abstentions: None

Absent: None

Other Business

None

New Business

None

Board Member Comments

Ms. Radney commented that she appreciated the citizens who came and spoke on the matters, and those who waited a while to speak.

Mr. Bond thanked all the board members and staff members for their hard work.

Adjournment

There being no further business, the meeting adjourned at 4:58 p.m.

Date approved: 3-26-24

Chair: 