



## City of Tulsa Board of Adjustment

### Minutes of Meeting No. 1335

**Tuesday, April 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 February 3, 2024, at 12:26 p.m.

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

**Members Absent:** None

**Staff Present:** Austin Chapman, Caleb Rocha, Audrey Blank, Sean Wallace, Rebecca Suber-Cantu

#### **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 1:01 p.m.

### **Approval of Minutes**

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#### **Minutes from Meeting 1328, December 12, 2023**

Motion: Continue the minutes to the April 23rd meeting.

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: none

Abstentions: none

Absent: none

#### **Minutes from Meeting 1333, March 12, 2024**

Motion: Approve the minutes.

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: None

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## Unfinished Business

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### **BOA-23642**

Location: 126 E. Latimer Pl.

City Council District: 1

Applicant: Dewite Dugger

### **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: Approve, per plans on page 3.10 of the agenda packet.

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.*

### **Property Description**

*LT 6 & E29 LT 7 LESS N25 THEREOF FOR RD BLK 1, KIRKPATRICK HGTS, City of Tulsa, Tulsa County, State of Oklahoma*

**BOA-23643**

Location: 5119 E. 81st St.

City Council District: 8

Applicant: Lyndsey Bigheart

**Action(s) Requested**

Variance to permit more than one on premise sign per street frontage in the OL District (Sec. 60.060-B.1)

**Presentation by Applicant**

Stephanie Lewis, 7408 S. Yale Ave., stated that the building has several businesses within it and currently has a sign for those businesses. She expressed that they need a sign not only for customers knowing where the business is, but also for visibility for their low-vision patients.

**Speakers**

None

**Board Comments**

The board voiced that they have no issues with allowing another sign on the building because the one building has several businesses attached to it.

**Board Action**

Motion: Approve, per plans on pages 4.13-4.14 of the agenda packet, finding the hardship to be that this would be the minimum relief that would allow the applicant to accommodate disability on the part of the intended clients.

Motion By: Radney

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 4 BLOCK 1, THE OFFICES AT HOLLAND LAKE, City of Tulsa, Tulsa County, State of Oklahoma

**BOA-23644**

Location: 1100 E. 4th St.

City Council District: 1

Applicant: Trent Harris

**Action(s) Requested**

Variance to eliminate the Street Tree and the Interior Parking Lot Landscaping required for a building addition (Sections 65.040 and 65.050)

**Presentation by Applicant**

None

**Speakers**

None

**Board Comments**

None

**Board Action**

Motion: Approve, per plans on pages 5.16-5.19 of the agenda packet, finding the hardship to be that there are existing utility poles on the perimeter of the lot, the size of the lot, the orientation of the lot and the thickness of the concrete.

Motion By: Barrientos

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**

*S30 LT 1 LESS E45 THEREOF & ALL LT 3 LESS E45 THEREOF & LESS S16 LT 3 BLK 16, HODGE ADDN, City of Tulsa, Tulsa County, State of Oklahoma*

**BOA-23645**

Location: 765 N. Mingo Rd.

City Council District: 3

Applicant: Lou Reynolds

**Action(s) Requested**

Special Exception to permit a College or University Use in the IL District (Sec. 15.020, Table 15-2)

**Presentation by Applicant**

Lou Reynolds, 2727 E. 21st St., stated that the building will be used as a college/university while also having a place for students to stay overnight for seminars. He stated that there have not been any issues with surrounding stakeholders to allow this special exception.

**Speakers**

None

**Board Comments**

The board stated that they do not have any issues with the special exception.

**Board Action**

Motion: Approve, per plans on pages 6.11-6.12 of the agenda packet.

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**

*LTS 1 thru 5 BLK 2, Expressway Village Center, City of Tulsa, Tulsa County, State of Oklahoma*

**BOA-23646**

Location: 4143 S. Peoria Ave.

City Council District: 9

Applicant: Lou Reynolds

**Action(s) Requested**

Special exception to permit a drive-through facility in the MX3-U-U District (Sec. 10.020, Table 10-2).

**Presentation by Applicant**

None

**Speakers**

None

**Board Comments**

None

**Board Action**

Motion: Withdrawn by the applicant

Motion By: None

Ayes: None

Nays: None

Abstentions: None

Absent: None

**BOA-23662**

Location: 3606 S. Peoria Ave.

City Council District: 9

Applicant: Apex Imaging Services

**Action(s) Requested**

Variance to permit a dynamic display sign within 20 feet of the driving surface (Sec. 60.100-E); Variance to permit a dynamic display sign within 200 feet of a Residential Zoning District (Sec. 60.100-F); Variance to permit a dynamic display sign within 50 feet of a signalized intersection (Sec. 60.100-D)

**Presentation by Applicant**

Nathalie Cornett, 2727 E. 21st St., stated that the application is for the QuikTrip on 36th and Peoria. She stated that QuikTrip is in the process of updating all its pricing numbers from the white plastic tiles that are changed manually to LED e-tiles that will be changed automatically. She stated that the sign cabinet will not be moving but will only be updated. She noted that the hardship is the conflicting definitions of dynamic and static messages in the zoning code.

**Speakers**

None

**Board Comments**

The board stated that that they did not have any issues with the application.

**Board Action**

Motion: Approve, per plans on attached revised site plan of the agenda packet, finding the hardship to be that the literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose.

Motion By: Wallace

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**

LTS 5 & 6 LESS E/10 THEREOF BLK 5; LT 7 LESS E10 THEREOF BLK 5, PEORIA GARDENS ADDN AMD, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**BOA-23664**

Location: 4545 N. Lewis Ave.

City Council District: 1

Applicant: Apex Imaging Services

**Action(s) Requested**

Variance to permit a dynamic display sign within 200 feet of a Residential Zoning District (Sec. 60.100-F)

**Presentation by Applicant**

Nathalie Cornett, 2727 E. 21st St., stated that the application is for the QuikTrip on 45th and Lewis. She stated that QuikTrip is in the process of updating all its pricing numbers from the white plastic tiles that are changed manually to LED e-tiles that will be changed automatically. She stated that the sign cabinet will not be moving but will only be updated. She noted that the hardship is that the literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose, due to the conflicting definitions of dynamic and static messages in the zoning code.

**Speakers**

None

**Board Comments**

The board stated that that they did not have any issues with the application.

**Board Action**

Motion: Approve, per plans on attached revised site plan of the agenda packet, finding the hardship to be that the literal enforcement of the zoning code provision is not necessary to achieve the provision’s intended purpose.

Motion By: Radney

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: None

**Property Description**

LT 1 BLK 1, QUIKTRIP #11RR COMMERCIAL CENTER, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA



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## New Applications

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### **BOA-23666**

Location: 6243 E. 28th St.

City Council District: 5

Applicant: Steve Bengé

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

Variance to reduce the minimum 10-foot side/street setback for apartment/condo use in the RM-0 District (Sec. 5.030-B, Table 5-3, Table Note 6).

### **Presentation by Applicant**

None

### **Speakers**

None

### **Board Comments**

None

### **Board Action**

Motion: Continue to the April 23rd meeting.

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: None

**BOA-23667**

Location: Southwest Corner of East 5th Place & South Quaker Avenue

City Council District: 5

Applicant: Justin DeBruin, Wallace Design Collective

**Action(s) Requested**

Variance to allow parking serving a residential use to located in the City of Tulsa right-of-way and on another lot (Sec. 55.080.D, Sec.90.090-A); Special Exception to reduce the required parking ratio for Apartment/Condo uses in the CH District (Sec. 55.050-K)

**Presentation by Applicant**

Justin DeBruin, 123 N. Martin Luther King Jr. Blvd., stated that they want to use the property to build a multi-family residential property, but they are limited by parking requirements. He pointed out that a variance would allow them to use the eastern property as a parking lot. He stated that they are projecting to have 290 units, with 90% of them being 1-bedroom with the remaining 10% as 2-bedroom. He indicated that they are proposing to reduce the parking to 164 parking spaces.

**Speakers**

- (-) Shelby Navarro, 935 Barker Creek Dr., Sand Springs, stated that he would like a continuance, and was concerned about the new plans. He stated that he spoke to the owner of the property, and they had told him that they were going to be building a parking garage with a deck, but the new plans do not show that. He stated that this is a great project, but he is concerned that this is not the best solution.

**Applicant Rebuttal**

None

**Board Comments**

The board recommended that the application be continued due to the plans not providing the accurate number of parking spaces and the plans do not show the accurate compliance landscape plans.

**Board Action**

Motion: Continue to the April 23rd meeting.

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: None

**BOA-23668**

Location: 3805 S. 79th E. Ave.

City Council District: 5

Applicant: Sierra Vetaw

**Action(s) Requested**

Variance to reduce the required street frontage in an IL district (Table 15-3); Special Exception for Day Care use in an IL District (Sec. 15.020, Table 15-2)

**Presentation by Applicant**

Sierra Vetaw, 3805 S. 79th E. Ave., stated that they do not have any street frontage due to mutual access from another property. She stated that she has not heard anything negative from the neighbors surrounding the property.

**Speakers**

(+) Paul Nosak, 7841 N. 75th E. Ave., Owasso, stated that he is in support of the application.

**Board Comments**

The board stated that they do not have any issues with the application due to the many types of uses in the area.

**Board Action**

Motion: Approve, per plans on pages 12.11-12.13 of the agenda packet, finding the hardship to be that the current lot is a non-conforming lot with no actual street frontage.

Motion By: Barrientos

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.*

*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 E/2 SE BEG 430S & 380W & 326.58N NEC SE SE TH NW160.14 NE CRV LF 18.02 NE142 SE227.12 W57.39 SW124.06 POB SEC 23 19 13 .662AC, City of Tulsa, Tulsa County, State of Oklahoma

**BOA-23669**

Location: 3226 N. Hartford Ave.

City Council District: 1

Applicant: Crossover Development Co.

**Action(s) Requested**

Special Exception to permit a duplex in the RS-3 district (Table 5.020, Table 5-2, Table 5-2.5)

**Presentation by Applicant**

Zachary Austin, 3332 N. Garrison Ave., stated that they have done a lot of work for the north side of Tulsa, and they have even built a two-story duplex in the same neighborhood. He stated that he has not heard any concerns from the neighborhood.

**Speakers**

- (-) Paul Jordan, 3219 N. Garrison Ave., stated that he is concerned that the two-story duplex will block sunlight from his fruit trees and garden. He said that another concern is that the electrical grid and plumbing in the neighborhood is poor and adding a duplex will not help.

**Applicant Rebuttal**

The applicant stated that the lot is 136 feet deep and so there is quite a distance between the driveway and the neighbor's home. He stated that with the height of the duplex they would not be shading up the neighbor's fruit trees or garden. He suggested that he could show the concerned neighbor the other duplex they built in the neighborhood to ease his mind.

**Board Comments**

Ms. Radney stated that it would be worthwhile to continue the application to then have a discussion with the neighbors because of how deeply involved they are in the community.

**Board Action**

Motion: Continue to the April 23rd meeting.

Motion By: Radney

Ayes: Barrientos, Radney, Stauffer, Wallace

Nays: Bond

Abstentions: None

Absent: None

**BOA-23670**

Location: 4326 S. 193rd E. Ave.

City Council District: 6

Applicant: Enrique Ruiz

**Action(s) Requested**

Variance of the dustless, all-weather surfacing requirement to permit a gravel driveway in the AG district (Section 55.090-F)

**Presentation by Applicant**

None

**Speakers**

None

**Board Comments**

None

**Board Action**

Motion: Continue to the April 23rd meeting.

Motion By: Radney

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: None

**BOA-23671**

Location: 2901 S. Yale Ave.

City Council District: 5

Applicant: Lori Worthington - AMAX Sign Company

**Action(s) Requested**

Special Exception to permit a Dynamic Display sign in a Residential District containing a Religious Assembly Use (Sec. 60.050-B.2); Special Exception to permit a dynamic display sign within 200 feet of residentially zoned lots (Sec. 60.100-F)

**Presentation by Applicant**

Seth Curry, 9520 E. 55th Pl., stated that the current sign is not a dynamic display sign, but they are wanting to remove it and then place one 20 feet back to the south of the property. He stated that they have not heard any concerns from the surrounding neighbors.

**Speakers**

None

**Board Comments**

The board stated that they do not have any issues with the special exception and are thankful for the due diligence to place the sign where they do not have to ask for any additional relief.

**Board Action**

Motion: Approve, per plans on pages 15.10-15.11 of the agenda packet.

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.*

**Property Description**

BEG 50E & 310S NWC SW SW TH E209.99 ELY31.46 SLY435.85 W211.1 N104 W114 N319.5 TO POB SEC 15 19 13, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**BOA-23672**

Location: 10310 S. Sheridan Rd.

City Council District: 8

Applicant: Lori Worthington - AMAX Sign Company

**Action(s) Requested**

Special Exception to permit a Dynamic Display sign in a Residential District containing a Religious Assembly Use (Sec. 60.050-B.2); Special Exception to permit a dynamic display sign within 200 feet of residentially zoned lots (Sec. 60.100-F)

**Presentation by Applicant**

Chris Krohn, 9520 E. 55th Pl., stated that there is currently a sign on the property, but they want to move the new sign closer to the main entrance of the church.

**Speakers**

None

**Board Comments**

The board stated that they do not have any issues with the special exception.

**Board Action**

Motion: Approve, per plans on pages 16.9-16.10 of the agenda packet.

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**

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-23673**

Location: 4030 S. Garnett Rd.

City Council District: 6

Applicant: Apex Imaging Services

**Action(s) Requested**

Variance to permit dynamic display signs within 20 feet of the driving surface (Sec. 60.100-E); Variance to permit more than 1 dynamic display sign per lot in a Commercial Zoning District (Sec. 60.080-E)

**Presentation by Applicant**

None

**Speakers**

None

**Board Comments**

None

**Board Action**

Motion: Continue to the April 23rd meeting.

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: None



**BOA-23674**

Location: 12910 E. 21st St.

City Council District: 6

Applicant: Apex Imaging Services

**Action(s) Requested**

Variance to permit more than 1 dynamic display sign per lot in a Commercial Zoning District (Sec. 60.080-E)

**Presentation by Applicant**

Nathalie Cornett, 2727 E. 21st St., stated that the application is for QuikTrip on 21st St. and 129th E. Ave. She stated that QuikTrip is in the process of updating all its pricing numbers from the white plastic tiles that are changed manually to LED e-tiles that will be changed automatically. She stated that the sign cabinets will not be moving but will only be updated. She stated that the hardship is that the literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose.

**Speakers**

None

**Board Comments**

The board stated that that they did not have any issues with the application because of the shape and size of the lot.

**Board Action**

Motion: Approve, per plans on page 18.12 of the agenda packet, finding the hardship to be that the that literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose due to the shape and size of the existing lot.

Motion By: Wallace

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**

PRT LT 2 BEG 174.98E & 104S NWC BLK 1 TH E17.62 S238 W186.21 NE2.11 N113 E167.48 N123.37 POB BLK 1; PRT LTS 1 & 2 BEG 8E SWC LT 1 TH N126.07 NE31.21 E139.07 S227.37 W167.48 N87 POB BLK 1, MIZEL CENTER SUB TR 1 SMITTLE ADDN, City of Tulsa, Tulsa County, State of Oklahoma

**BOA-23675**

Location: 1946 S. Harvard Ave.

City Council District: 4

Applicant: Apex Imaging Services

**Action(s) Requested**

Variance to permit dynamic display signs within 200 feet of a Residential Zoning District (Sec. 60.100-F); Variance to permit dynamic display signs within 20 feet of the driving surface (Sec. 60.100-E); Variance to permit more than 1 dynamic display sign per lot in a Commercial Zoning District (Sec. 60.080-E)

**Presentation by Applicant**

None

**Speakers**

None

**Board Comments**

None

**Board Action**

Motion: Continue to the April 23rd meeting.

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: None

**BOA-23676**

Location: 3050 S. Sheridan Rd.

City Council District: 5

Applicant: Apex Imaging Services

**Action(s) Requested**

Variance to permit more than 1 dynamic display sign per lot in a Commercial Zoning District (Sec. 60.080-E)

**Presentation by Applicant**

Nathalie Cornett, 2727 E. 21st St., stated that the application is for the QuikTrip on 31st St. and Sheridan Rd. She stated that QuikTrip is in the process of updating all its pricing numbers from the white plastic tiles that are changed manually to LED e-tiles that will be changed automatically. She stated that the sign cabinets will not be moving but will only be updated. She noted that the hardship is that the literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose.

**Speakers**

None

**Board Comments**

The board stated that that they did not have any issues with the application because of the shape and size of the lot.

**Board Action**

Motion: Approve, per plans on that attached revised site plan of the agenda packet, finding the hardship to be that the that literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose due to the shape and size of the existing lot.

Motion By: Wallace

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**

*SE SE SE SE LESS S50 & LESS E50 & LESS BEG 50N & 50W SECR THEREOF TH W100 CRV LF TO PT 150N & 50W SECR SE SE SE SE TH S100 POB SEC 15 19 13 1.74AC, City of Tulsa, Tulsa County, State of Oklahoma*

**BOA-23677**

Location: 1022 S. Utica Ave.

City Council District: 4

Applicant: Apex Imaging Services

**Action(s) Requested**

Variance to permit a Dynamic Display sign in a Residential District (Sec. 60.050-B. 2); Variance to permit a dynamic display sign within 200 feet of a Residential Zoning District (Sec. 60.100-F) Variance to permit a dynamic display sign within 20 feet of the driving surface (Sec. 60.100-E); Variance to permit more than 1 dynamic display sign per lot in a Commercial Zoning District (Sec. 60.080-E)

**Presentation by Applicant**

None

**Speakers**

None

**Board Comments**

None

**Board Action**

Motion: Continue to the April 23rd meeting.

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: None

**BOA-23678**

Location: 6001 S. Sheridan Rd.

City Council District: 7

Applicant: Deborah K. Palinskee

**Action(s) Requested**

Variance to allow drive-through facilities to be located on the street-facing side of the property (Sec. 55.100-C.2)

**Presentation by Applicant**

Nick Delmedico, 1111 Del Ln., Fort Gibson, OK, stated the building was damaged by the Father's Day storm in 2023. He stated that the building will be demoed and then rebuilt to be at almost the same exact floorplan.

**Speakers**

None

**Board Comments**

The board stated that they do not have any issues with the application, and if it were rotated any other way it would be more problematic.

**Board Action**

Motion: Approve, per plans on pages 22.11-22.14 of the agenda packet, finding the hardship to be that this is a continuing use of an existing site and that this is the minimum relief that would be required to bring it to the current standards and codes in terms of parking and pedestrian handling.

Motion By: Radney

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 1 BLK 1, SOUTHERN HILLS CENTER RESUB, City of Tulsa, Tulsa County, State of Oklahoma

**BOA-23679**

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-E); Variance to permit a dynamic display sign within 200 feet of an R district (Sec. 60.100-F)

**Presentation by Applicant**

None

**Speakers**

None

**Board Comments**

None

**Board Action**

Motion: Continue to the April 23rd meeting.

Motion By: Stauffer

Ayes: Barrientos, Bond, Radney, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: None

**Other Business**

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None

**New Business**

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None

**Board Member Comments**

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None

**Adjournment**

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There being no further business, the meeting adjourned at 2:57 p.m.

Date approved: 5-28-24

Chair: Andre B. O.