



City of Tulsa Board of Adjustment

Minutes of Meeting No. 1355

Tuesday, February 25, 2025, 1:00 p.m.

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

The notice and agenda of said meeting were posted in the City Clerk's office on February 18, 2025 at 2:01 p.m.

Members Present: Barrientos, Radney, Stauffer, Wallace

Members Absent: None

Staff Present: Audrey Blank, Nathan Foster, Erin Roark, Caleb Rocha

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, Radney called the meeting to order at 1:07 p.m.

Approval of Minutes

Minutes from Meeting 1354, February 11, 2025

Motion: Approval of Minutes.

Motion By: Barrientos

Ayes: Barrientos, Radney, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: None

Unfinished Business

BOA-23833

Location: Multiple tracts of land south and west of the southwest corner of West Apache Street and North Gilcrease Museum Road

City Council District: 1

Applicant: Tulsa Parks and Recreation

Action(s) Requested

Special Exception to permit a Parks and Recreation use in the AG and RS-3 districts (Section 5.020, Table 5-2; Section 25.020, Table 25-1); Variance of the all-weather surfacing requirement for a parking lot in the AG district (Section 55.090-F).

Presentation by Applicant

Dylan Siers, Tulsa Parks Department, 1028 E. 6th St., stated that the Parks Department intends to construct a 14-mile soft-surface trail, including 8.5 miles on the west side of N. 33rd W. Ave. and 5.5 miles on the east side. Mr. Siers mentioned the plan is to establish a gravel parking lot to complement the rural and natural setting of the area. He highlighted the five main concerns raised by the neighbors, which include issues related to crime, illegal dumping, privacy, a trailhead that has since been removed from the site plan, and the presence of oil rigs on the property. He indicated that the neighbors have expressed worries about trespassers and theft occurring on their property, but he contended that increased usage of the area would encourage positive activity and allow the Parks Department to maintain security on the premises by locking and unlocking the gates daily. Mr. Siers addressed the second concern, illegal dumping, noting that approximately 600 tires have already been discarded on the west side of the property, which they plan to remove. He expressed optimism that increased activity would discourage further dumping. He addressed privacy concerns, stating that the trail would have designated hours of operation, and gates that will be secured when trails are closed. He mentioned that a previously proposed trailhead with a kiosk has been eliminated from the site plan, addressing the fourth concern. He lastly discussed the oil rigs located on the site, stating that they are collaborating with the city's GIS division to accurately identify their locations, and they are in communication with leaseholders to ensure the rigs are properly secured.

Shane Hood, 4919 E. 26th Pl., a representative for Bike Club, explained that the proposed trails are designed to be low-impact and environmentally responsible, ensuring the preservation of the natural environment. He stated that the trails will be designed by Road Trails, a firm based in Arkansas that has successfully designed more than 250 miles of trails. He explained that Bike Club is a non-profit organization in Tulsa dedicated to empowering children through cycling, with a mission focused on imparting life skills and leadership while advocating for healthy lifestyles. He acknowledged concerns regarding privacy and noise, reiterating that 99% of the property will remain undisturbed. He addressed worries related to crime and safety, highlighting that there is a \$600,000 maintenance endowment to guarantee the upkeep and security of the area. He mentioned plans to clear debris and remove any fallen structures on the property. He emphasized that effective security and management will mitigate illicit activities. He stated that he recognized the issues associated with the homeless and transient population; however, he stated that research and evidence suggest no correlation between these issues and the development of trails.

Anna America, director of Tulsa Parks, 1028 E. 6th St., indicated that the trail will function similarly to existing trails in the Tulsa area, meaning there will not be daily programs. She mentioned that the Parks Department will be responsible for managing the gates, while city security will patrol the area. She emphasized that minimal mowing will be done to maintain a natural environment. She asserted that the establishment of these trails represents the least intensive use of the land, particularly the soft-surface trails, and expressed confidence that they will mitigate crime and illegal dumping in the area.

Speakers

- (-) Dennis Foegen, 2124 N. 33rd W. Ave., was concerned about the potential increase in traffic and crime associated with the trails.
- (-) Mary Byrne, 2710 W. Apache St., was concerned about the demolition of an old shack adjacent to the river. She inquired whether a bridge would be constructed over the creek that would preserve the shack for wildlife.
- (-) Clint Billingsley, 22049 E. 114th Pl. S., Broken Arrow, was concerned about individuals trespassing on his property and damaging fences. He stated that he was also concerned about the possibility of his cattle injuring pedestrians if they escaped the property, questioning who would be liable for such incidents. He suggested that the trails be enclosed with fencing.
- (-) Walt Kosty, 301 N. Rosedale Ave., was concerned about the safety risk to pedestrians posed by the oil rigs on the property, and concerned that the beaver colony located along the path of the trail might be displaced, similar to a previous incident during the construction of Stuart Park.
- (-) Janet Honeywell, 2208 N. 33rd W. Ave., was concerned about the potential increase in crime associated with the trails. She suggested that an eight-foot fence enclose the trails to prevent individuals from encroaching on her property.
- (-) Travis Eslick, 2830 W. Newton St., was concerned about the disruption to local wildlife habitats. He stated that he was also concerned about traffic, loss of privacy, and potential adverse effects on property values.
- (+) Ryan Howell, 1504 E. 45th Pl., spoke in support of the trails.

Rebuttal

Ms. America reiterated that evidence suggests that introducing positive activities in an area can diminish instances of illegal dumping and other undesirable behavior. She acknowledged the presence of oil rigs and stated that the Parks Department is collaborating with the appropriate authorities to facilitate the removal of some rigs while ensuring that others are adequately fenced. She mentioned that the trail designers will work in harmony with the land to minimize environmental effects. She noted that wildlife may be affected, but she suggested that, overall, they will continue to thrive. She highlighted that the land is owned by the taxpayers of Tulsa, much of which was acquired through taxpayer-approved funding. She argued that it would be inappropriate to restrict access to hundreds of acres of public land. She noted that nearby residents have become accustomed to treating public land as their own and allowing their pets to roam freely, and stated that it is the homeowners' responsibility to ensure their animals remain on their own property.

Board Comments

Ms. Radney acknowledged the feedback provided by the neighbors, and stated that the introduction of a trail in the designated area would not lead to an increase in crime or littering; instead, it would alleviate many of the issues raised by the community. She expressed her support for the trails to be designated as foot- and pedal-use only, while also advocating against the installation of permanent lighting, sports fields, sports courts or other recreational facilities. She proposed that the use of gravel on the property would be suitable for the environment.

Ms. Stauffer remarked that any new activity on a piece of land that has been unused for an extended period can be daunting, but that active land use is generally more beneficial. She stated that the addition of trails would help conserve both the land and its wildlife.

Mr. Barrientos echoed Ms. Stauffer's remarks, expressing a desire for the Parks Department to engage more effectively with the neighbors to address any concerns.

Mr. Wallace stated that the land is a stunning asset to Tulsa. He noted that the proposed plan is the least disruptive option and will help preserve the area. He mentioned that a gravel parking lot would be fitting for the location and would have minimal effects. Members of the board discussed restricting trail usage to non-motorized vehicles prohibiting permanent lighting, sports fields, sports courts, or recreational activities, and limiting the parking lot to the west side of N. 33rd W. Ave.

Board Action

Motion: Approve, per updated plans presented at the meeting, subject to the following conditions: the use of the property shall be limited to trails only for non-motorized vehicles; permanent lighting, sports fields, sports courts, or other infrastructure designed to support other sports shall be prohibited; and parking shall be located only on the west side of N. 33rd W. Ave. The Board finds the hardship to be the unique conditions of the subject property.

Motion By: Wallace

Ayes: Barrientos, 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

Tract 1: 28-20-12 BEG 834.91' N OF SW/C S/2 SE-N 88 29 04 E 463.91'-S 87 03 14 E 792.08'- S 74 33 24 E 193.74'-S 79 34 52 E 75.64'-S 72 10 41 E 103.21'-S 35 16 30 E 52.12'-S 30 07 56 E 65.20' TO PT 566.10' PER DISTANT FROM S LN SE & 916.84' W OF E LN SE-N 82 41 31 E 161.25'- N 741.69' TO PT 826.75' W OF NE/C S/2 SE ON N LN S/2 SE-W 1767.83' TO PT ON W LN S/2 SE-S 489.03' TO POB

Tract 2: 28-20-12 NW SE LESS 2A

Tract 3: 28-20-12 SW NE LESS 1.99A

Tract 4: 28-20-12 N/2 SW, SE SW, SW NW

Tract 5: 29-20-12 NE SE, SE NE

Tract 6: 29-20-12 NW SE

Tract 7: 28-20-12 SW SW SE, W 2AC OF SE SW SE

The South Half (S/2) of the Southeast Quarter (SE/4) of Section 28, T. 20 N., R. 12 E.,

Osage County, Oklahoma, LESS and EXCEPT the following tracts:

A tract of land beginning at the Northeast Corner of the Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section 28, Township 20 North, Range 12 East, then West a distance of 667.5 feet to a point, thence South 8°08' East a distance of 906.00 feet to a point, thence in a Southeasterly direction a distance of 550 feet to a point, said point being 985 feet South of the Northeast Corner of the Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of said Section 28, thence North along the East line of said Section 28, Township 20 North, Range 12 East, a distance of 985 feet to the point of beginning;

and

A tract of land beginning at a point 33 feet West and 32.38 feet North of the Southeast Corner of Section 28, Township 20 North, Range 12 East, Osage County, Oklahoma; thence South 88°55' West a distance of 550.32 feet to a point; thence North 20°35' West a distance of 195.33 feet, to a point; thence North 67°17' West a distance of 194.27 feet to a point; thence North 14°00' East a distance of 292.48 Feet to a point; thence North 5°21' West a distance of 741.90 feet to a point; thence North 88°35.7474' East a distance of 159.25 feet to a point; thence South 8°00.4724' East a distance of 890.97 feet to a point; thence S 80°58' East a distance of 516.59 feet to a point; thence South 310.66 feet to beginning; containing 9.410 acres, more or less;

and

A tract of land beginning at a point on the West line of the S/2 of the SE/4 of Section 28, Township 20 North, Range 12 East, Osage County, State of Oklahoma, said point being 834.91 feet North of the Southwest corner thereof; thence North 88°29'04" East a distance of 463.91 feet to a point; thence South 87°03'14" East a distance of 792.08 feet to a point; thence South 74°33'24" East a distance of 193.74 feet to a point; thence South 79°34'52" East a distance of 75.64 feet to a point; thence South 72°10'41" East a distance of 103.21 feet to a point; thence South 35°16'30" East a distance of 53.12 feet to a point; thence South 30°07'56" East a distance of 65.20 feet to a point, said point being 556.10 feet perpendicularly distant from the South line of the SE/4 of Section 28 and 916.84 feet West of the East line of the SE/4 of Section 28; thence North 82°41'31" East a distance of 161.25 feet to a point; thence Northerly a distance of 741.69 feet to a point on the North line of the S/2 of the SE/4, said point being 826.75 feet West of the Northeast corner of said S/2 of the SE/4 of Section 28, thence Westerly along the North line of said S/2 of the SE/4 a distance of 1,767.83 feet to a point on the West line of said S/2 of the SE/4 of Section 28; thence Southerly along the West line of the S/2 of the SE/4 of Section 28 a distance of 489.03 feet to the POINT OF BEGINNING, and containing 22.77 acres, more or less; and

Beginning at a point on the South Line of Section 28, Township 20 North, Range 12 East, Osage County, State of Oklahoma; thence N 03°30'50" W a distance of 54.26 feet to a point; thence N 35°15'25" E a distance of 95.94 feet to a point; thence N 10°46'55" E a distance of 80.68 feet to a point; thence N 85°21'45" W a distance of 157.97 feet to a point; thence S 02°21'30" W a distance of 227.36 feet to a point on the South Line of Section 28; thence along the South Line of the SE/4 of Section 28 a distance of 99.70 feet to the Point of Beginning, and containing 27,840.261 square feet, or .639 acres more or less;

And

A part of the S/2 of the SE/4 of the SE/4 of Section 28, Township 20 North, Range 12 East, of the Indian Base and Meridian, in Osage County, State of Oklahoma, being more particularly described as follows, to-wit: Commencing at the Southeast Corner of Section 28, Township 20 North, Range 12 East; thence S 88°29'04" W along the South Line of said Section 28, a distance of 566.56 feet to the point of beginning; thence continuing along the South Line of Section 28, S 88°29'04" W a distance of 317.54 feet; thence N 03°30'50" W a distance of 54.26 feet; thence N 35°15'25" E a distance of 95.95 feet; thence N 10°46'55" E a distance of 80.68 feet; thence N 88°29'04" E a distance of 172.26 feet; thence S 20°35'00" E a distance of 222.10 feet to the Point of Beginning and containing 51,977.81 square feet or 1.193 acres more or less;

And

The Southwest Quarter (SW/4) of the Southwest Quarter (SW/4) of the Southeast Quarter (SE/4) and the West two (2) acres of the Southeast Quarter (SE/4) of the Southwest Quarter (SW/4) of the Southeast Quarter (SE/4) all in Section 28, T. 20 N., R. 12 E. of the Indian Base and Meridian, Osage County, Oklahoma containing 12 acres more or less.

BOA-23837

Location: 1140 South Quincy Avenue

City Council District: 4

Applicant: Tim Walterbach

Action(s) Requested

Special Exception to increase the permitted fence height of four feet within the street setback in the RM-2 district (Section 45.080-A).

Presentation by Applicant

Tim Walterbach, 7010 S. Atlanta Ave., stated that he has constructed townhomes on his property and has encountered issues related to unlawful activities. He expressed a desire to increase the height of the wrought iron fence from four feet to six feet to enhance the security of his clients. He noted that several nearby businesses have six-foot wrought iron fences surrounding their property.

Speakers

None

Board Comments

Members of the board stated that they were inclined to support the application as presented.

Board Action

Motion: Approve, per plans on page 3.9 of the agenda packet.

Motion By: Stauffer

Ayes: Barrientos, Radney, Stauffer, Wallace

Nays: Barrientos

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 19 & 20 BLK 3, ORCHARD ADDN, City of Tulsa, Tulsa County, State of Oklahoma

BOA-23798

Location: 4244 South 27th West Avenue

City Council District: 2

Applicant: Raul Cisneros

Action(s) Requested

Special Exception to allow an accessory dwelling unit in the RS-3 district (Section 45.031-D).

Presentation by Applicant

Carl Retherford, 9900 S. Post Oak Rd., Sapulpa, stated that he intends to convert a detached garage into an affordable housing option. He noted that he plans to maintain the same footprint but may need to undertake a complete rebuild depending on the condition of the unit. He explained that the ADU will feature a separate driveway distinct from the main structure on the property.

Speakers

- (-) Theresa Hoag, 4235 S. 28th W. Ave., was concerned about traffic, particularly since the road is a single lane, and mentioned that the proposed ADU is situated in a flood zone.
- (-) Jack Combs, 4306 S. 25th W. Ave., was concerned about the existing building not being on a permanent foundation, as it is constructed on a cement slab. He pointed out that the building is in a flood zone and noted that the neighborhood experiences annual flooding due to the presence of only one drain on 43rd St.

Rebuttal

The applicant stated that if the building lacks a foundation, it will be removed, and new footers will be installed. He stated that he was unaware of the building being in the flood zone but assured that he would elevate it to the required level.

Board Comments

Ms. Radney expressed her appreciation for the updated plans and acknowledged that the applicant had addressed the neighbors' concerns. Ms. Stauffer remarked that many of the neighbors' issues would be resolved during the permitting process. Mr. Wallace stated that the proposed ADU would represent a significant enhancement compared to the current structure.

Board Action

Motion: Approve, per additional exhibits of the agenda packet.

Motion By: Stauffer

Ayes: Barrientos, 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

LOTS 11 & 12 BLOCK 3 PARK ADDN TO RED FORK, City of Tulsa, Tulsa County, State of Oklahoma

BOA-23830

Location: 2837 East 3rd Street South

City Council District: 4

Applicant: Kyle Gibson

Action(s) Requested

Special Exception to permit an accessory dwelling unit in the RS-3 district (Section 45.031-D).

Presentation by Applicant

None

Speakers

None

Board Comments

None

Board Action

Motion: Continue to the March 11th meeting.

Motion By: Stauffer

Ayes: Barrientos, Radney, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: None

New Applications

BOA-23847

Location: 927 South Urbana Avenue East

City Council District: 4

Applicant: Brenna Rider (Kyle Gibson)

Action(s) Requested

Special Exception to permit an accessory dwelling unit in the RS-3 district (Section 45.031-D).

Presentation by Applicant

None

Rebuttal

None

Board Comments

None

Board Action

Motion: Continue to the March 11th meeting.

Motin By: Stauffer

Ayes: Barrientos, Radney, Stauffer, Wallace

Nays: None

Abstentions: None

Absent: None

BOA-23848

Location: 207 East 34th Street South

City Council District: 9

Applicant: Mary Lynn Saurino

Action(s) Requested

Special Exception to permit a carport in the street yard and street setback (Section 90.090-C.1).

Presentation by Applicant

Mary Lynn Saurino, 7367 S. 26th W. Ave., stated that she had been misinformed regarding the necessity of obtaining a permit for the construction of a carport. She indicated that the carport has already been constructed and is requesting the board's approval as it is built. She pointed out the abundance of carports throughout the neighborhood.

Speakers

None

Board Comments

Ms. Stauffer called attention to the numerous carports in the neighborhood. Members of the board stated that they were inclined to support the carport as it is built.

Board Action

Motion: Approve, per plans on pages 7.6, 7.7, and 7.10 of the agenda packet.

Motion By: Stauffer

Ayes: Barrientos, 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 33A BLK 1, BURGESS ACRES ADDN, City of Tulsa, Tulsa County, State of Oklahoma

BOA-23849

Location: 2150 South 92nd East Avenue

City Council District: 5

Applicant: Richard Lee

Action(s) Requested

Special Exception to increase the permitted fence height of four feet within the street setback (Section 45.080-A).

Presentation by Applicant

Richard Lee, 3143 E. 84th St., stated that he intends to construct a six-foot wrought iron fence that would align with neighboring businesses.

Speakers

None

Board Comments

Members of the board stated that they were inclined to support the application as presented.

Board Action

Motion: Approve, per conceptual plans included in the agenda packet.

Motion By: Stauffer

Ayes: Barrientos, 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 2 BLK 2, MEMORIAL ACRES ADDN, City of Tulsa, Tulsa County, State of Oklahoma

BOA-23850

Location: 1407 South 73rd East Avenue

City Council District: 5

Applicant: Santiago Baltierrez

Action(s) Requested

Special Exception to increase the permitted fence height of four feet within the street setback (Section 45.080-A).

Presentation by Applicant

Santiago Baltierrez, 1407 S. 73rd E. Ave., stated his desire to construct a five-foot fence around the church property to enhance the safety of both the children and church members. He reported a history of intrusions on the property and expressed that the addition of a fence of this height would help alleviate the issue.

Speakers

None

Board Comments

Members of the board stated that they were inclined to support the application as presented.

Board Action

Motion: Approve, per plans on page 9.9 of the agenda packet.

Motion By: Wallace

Ayes: Barrientos, 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 8 & LTS 18 THRU 24 & N35 LT 9 & W30 VAC 74 AVE ADJ LTS 5 THRU 8 & N35 LT 9 ON E BLK 13, EASTMOOR PARK, City of Tulsa, Tulsa County, State of Oklahoma

BOA-23851

Location: South and west of the Southwest corner of East 41st Street South and South 193rd East Avenue

City Council District: 6

Applicant: Lou Reynolds, Eller & Detrich, P.C.

Action(s) Requested

Variance to reduce the minimum 200-foot lot width in the AG District to permit a lot split (Table 25-2).

Presentation by Applicant

Nathalie Cornett, 2727 E. 21st St., stated that the lot is a vacant 20-acre tract, and explained that the property owner intends to split it into four lots, each composed of five acres. She explained that the hardship is the depth of the property, which exceeds 1,300 feet, noting that even when divided, each lot would surpass the two-acre minimum required in the AG district. She pointed out that the request aligns with the neighborhood's character, referencing two adjacent lots to the south that have similar width reductions.

Speakers

None

Board Comments

Ms. Stauffer stated that the division into four five-acre lots would not be a detriment to the neighborhood. Ms. Radney noted that the variance to be granted is the minimum variance that would afford relief.

Board Action

Motion: Approve, per plans on pages 10.10-10.14 of the agenda packet, finding the hardship to be the size and depth of the lot.

Motion By: Stauffer

Ayes: Barrientos, 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

The S/2 of the NE/4 NE/4 of Section 25, Township 19 North, Range 14 East of the Indian Meridian, City of Tulsa, Tulsa County, State of Oklahoma

BOA-23852

Location: 2604 East 11th Street South

City Council District: 4

Applicant: Encinos 3D Custom Products

Action(s) Requested

Variance to permit a projecting sign within 50 feet of a residential zoning district (Section 60.040-B.3).

Presentation by Applicant

Rhys Martin, 5006 E. 38th Pl., stated that he would like to install a neon sign on his property. He explained that, in compliance with the zoning code, the sign would be positioned on the same building but on a different business space. He explained that the lighting would face north toward 11th St., while the southern side of the sign would merely be painted. He indicated that none of the lighting would intrude upon the neighborhood.

Chad Plaster, 14510 E. 580 Rd., Inola, stated that installing the neon sign in accordance with the zoning code would necessitate installing the sign outside the designated business.

Speakers

(+) Travis Eslick, 2830 W. Newton St., spoke in support of the neon sign.

Board Comments

Ms. Stauffer complimented the design of the sign, noting the thoughtful decision to only paint the rear side for the benefit of the neighbors. Members of the board acknowledged the uniqueness of the property.

Board Action

Motion: Approve, per plans on pages 11.10-11.12 of the agenda packet, finding the hardship to be the uniqueness of the property in its relationship to the nearest residence.

Motion By: Stauffer

Ayes: Barrientos, 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 1 THRU 5 BLK 1, FLANAGAN ADDN, City of Tulsa, Tulsa County, State of Oklahoma

BOA-23853

Location: 608 East 55th Street North

City Council District: 1

Applicant: MP Advocates

Action(s) Requested

Special Exception to permit a duplex in the RS-3 district (Section 5.020, Table 5-2, Table 5-2.5); Variance to reduce the required 2,500 square feet of open space per unit for a duplex in the RS-3 district (Section 5.030, Table 5-3).

Presentation by Applicant

Jessica Shelton, 8500 E. 41st St., represented the property owner, who owns several vacant properties in the subdivision and now wants to build on them. She explained that they designed the duplex to be cohesive with the existing homes in the neighborhood. She informed the board that the duplex would have three bedrooms, two bathrooms, and a single car garage. She indicated that without the variance, they would have to remove a bedroom or convert the garage of each unit into bedroom space, which would be unreasonable. She articulated that their hardship is that the subject lots are smaller than a standard RS-3 lot.

Speakers

None

Board Comments

Mr. Barrientos noted that the lot was established prior to the current zoning code, and the lot is small in comparison to other RS-3 lots. Members of the board agreed that the size of the lot is unique and that the duplex would be a great addition to the neighborhood.

Board Action

Motion: Approve, per plans on page 12.10 of the agenda packet, finding the hardship to be the unique size of the lot.

Motion By: Wallace

Ayes: Barrientos, 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

LT 6 BLK 54, VALLEY VIEW ACRES THIRD ADDN, City of Tulsa, Tulsa County, State of Oklahoma

BOA-23854

Location: 1008 East 54th Street North

City Council District: 1

Applicant: MP Advocates

Action(s) Requested

Special Exception to permit a duplex in the RS-3 district (Section 5.020, Table 5-2, Table 5-2.5); Variance to reduce the required 2,500 square feet of open space per unit for a duplex in the RS-3 district (Section 5.030, Table 5-3).

Presentation by Applicant

Jessica Shelton, 8500 E. 41st St., represented the property owner, who owns several vacant properties in the subdivision and now wants to build on them. She explained that they designed the duplex to be cohesive with the existing homes in the neighborhood. She articulated that their hardship is that the subject lots are smaller than a standard RS-3 lot.

Speakers

None

Board Comments

Members of the board agreed that the size of the lot is unique and that the duplex would be a great addition to the neighborhood.

Board Action

Motion: Approve, per plans on page 13.10 of the agenda packet, finding the hardship to be the unique size of the lot.

Motion By: Wallace

Ayes: Barrientos, 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

LT 3 BLK 3, SHARON HGTS ADDN, City of Tulsa, Tulsa County, State of Oklahoma

BOA-23855

Location: 5521 North Garrison Avenue East

City Council District: 1

Applicant: MP Advocates

Action(s) Requested

Special Exception to permit a duplex in the RS-3 district (Section 5.020, Table 5-2, Table 5-2.5); Variance to reduce the required 2,500 square feet of open space per unit for a duplex in the RS-3 district (Section 5.030, Table 5-3).

Presentation by Applicant

Jessica Shelton, 8500 E. 41st St., represented the property owner, who owns several vacant properties in the subdivision and now wants to build on them. She explained that they designed the duplex to be cohesive with the existing homes in the neighborhood. She articulated that their hardship is that the subject lots are smaller than a standard RS-3 lot.

Speakers

None

Board Comments

Members of the board agreed that the size of the lot is unique and that the duplex would be a great addition to the neighborhood.

Board Action

Motion: Approve, per plans on page 14.10 of the agenda packet, finding the hardship to be the unique size of the lot.

Motion By: Stauffer

Ayes: Barrientos, 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

LT 45 BLK 52, VALLEY VIEW ACRES THIRD ADDN, City of Tulsa, Tulsa County, State of Oklahoma

BOA-23856

Location: 1448 North Main Street

City Council District: 1

Applicant: Robert Bell

Action(s) Requested

Special Exception to increase the permitted fence height of four feet within the street setback (Section 45.080-A).

Presentation by Applicant

Robert Bell, 101 E. Aquarium Pl., Jenks, indicated that the property is situated with the side yard adjacent to Pine St. and the front yard facing Main St. He mentioned that the property owner had demolished a detached home and constructed a triplex, with its front elevation oriented toward Pine St. He requested an increase in the fence height to six feet for safety reasons. He noted that he had discussed this matter with the neighboring property owner, who expressed support for the proposed fence height increase.

Speakers

None

Board Comments

Ms. Radney expressed her reservations regarding the specific type of fence being proposed; however, she acknowledged that it aligns with the typical layout of homes in the vicinity. Members of the board stated that they were inclined to support the application as presented.

Board Action

Motion: Approve, per plans on page 15.9 of the agenda packet.

Motion By: Barrientos

Ayes: Barrientos, 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 1 LESS BEG NEC TH W137 S50 E10 N30 E127 N20 POB & LT 2 BLK 4, LLOYD ADDN, City of Tulsa, Tulsa County, State of Oklahoma

Other Business

None

New Business

None

Board Member Comments

None

Staff Comments

None

Adjournment

There being no further business, the meeting was adjourned at 4:48 p.m.

Date approved: 3/11/2025

Chair: 