

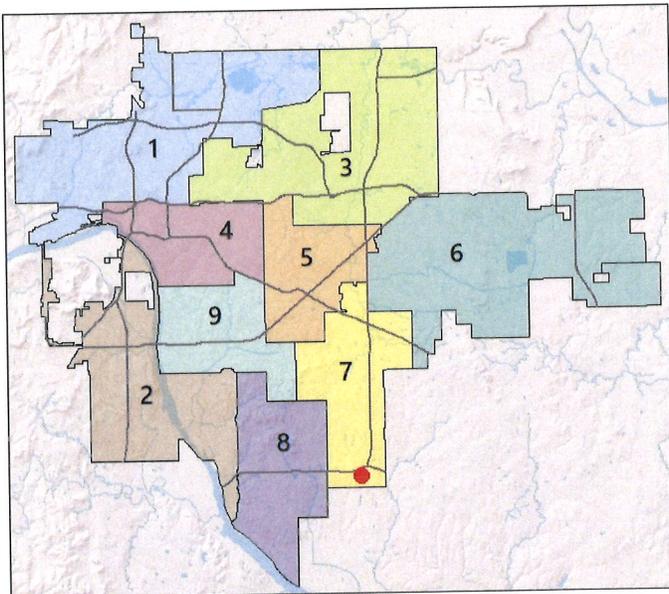


Case Number: PUD-364-8
Minor Amendment
 (Formally case PUD-364-D, revised from Major to Minor Amendment)
 (Revised 2/28/22)
Hearing Date: March 2, 2022

Case Report Prepared by:
 Jay Hoyt

Owner and Applicant Information:
 Applicant: Lyndsay Hightower
 Property Owner: Same

Location Map:
 (shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment to allow a Type 2 home occupation.
 Gross Land Area: 0.2 Acres
 Location: East of the SEC of S 99th E Ave and E 97th St S
 Lot 3, Block 4 Woodbine

Zoning:
 Existing Zoning: RS-3/PUD-364
 Proposed Zoning: No Change

Comprehensive Plan:
 Land Use Map: Existing Neighborhood
 Growth and Stability Map: Stability

Staff Recommendation:
 Staff recommends approval.

Staff Data:
 TRS: 8419

City Council District: 7
Councilor Name: Lori Decter Wright
County Commission District: 3
Commissioner Name: Vicki Adams

March 2, 2022

SECTION I: PUD-364-8 Minor Amendment

Amendment Request: Modify the PUD Development Standards to allow a Type 2 home occupation.

The applicant is proposing to allow a Type 2 home occupation at their residence. Per the City of Tulsa Zoning Code home occupations fall into two categories. Type 1 home occupations allow the resident to use their home as a place of work, but no employees or customers are allowed to come to the home. Type 2 home occupations allow employees and customers to come to the residence. The applicant is proposing to operate a salon from her home, with a small number of customers at any given time. This would fall under the Type 2 home occupation designation.

Type 2 Home Occupations are defined by the Zoning Code as *“those in which household residents use their home as a place of work and either employees or customers come to the site. Typical examples include tutors, teachers, photographers, counselors, hair cutting/styling and real estate agents.”*

Uses that comply with the regulations of Section 45.100 – Home Occupations of the Zoning code are allowed as of right unless otherwise stated. The prohibited uses are:

Any type of assembly, cleaning, maintenance, painting or repair of vehicles or equipment with internal combustion engines or of large appliances (such as washing machines, clothes dryers or refrigerators); 2. Dispatch centers or other businesses where employees come to the site and are dispatched to other locations; Equipment or supply rental businesses; Taxi, limo, van or bus services; Tow truck services; Taxidermists; Restaurants; Funeral or interment services Animal care, grooming or boarding businesses; Any use involving the use or storage of vehicles, products, parts, machinery or similar materials or equipment outside of a completely enclosed building; and Any use that does not comply with regulations section 45.100.

No more than 3 clients or customers may be present at any one time on the site of a Type 2 home occupation. Family members of the client or customer do not count toward the 3 person limit. All related activities must be located within the principal building or allowed accessory building.

Staff Comment: *This request is considered a Minor Amendment as outlined by Section 30.010.1.2.c(11) of the City of Tulsa Zoning Code.*

“Home occupations that comply with the regulations of Section 45.100.”

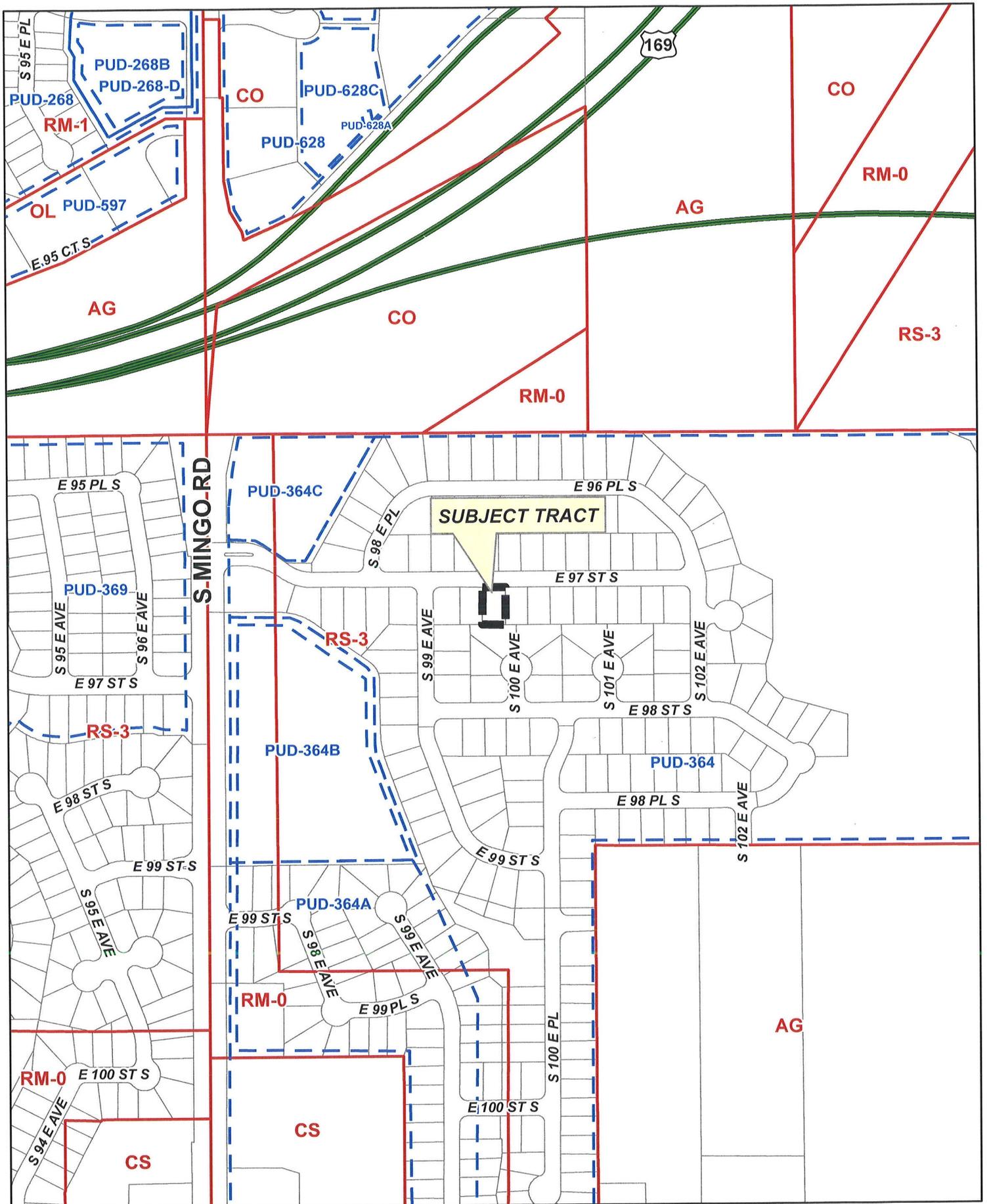
Staff has reviewed the request and determined:

- 1) PUD-364-8 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-364.
- 2) Type 2 home occupation would be limited to a salon.
- 3) All remaining development standards defined in PUD-364 and subsequent amendments shall remain in effect.

Exhibits included with staff report:

- INCOG zoning case map
- INCOG aerial photo
- INCOG aerial photo (enlarged)

With considerations listed above, staff recommends **approval** of the minor amendment to allow a Type 2 home occupation for the subject lot limited to a salon use.

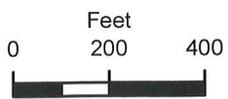
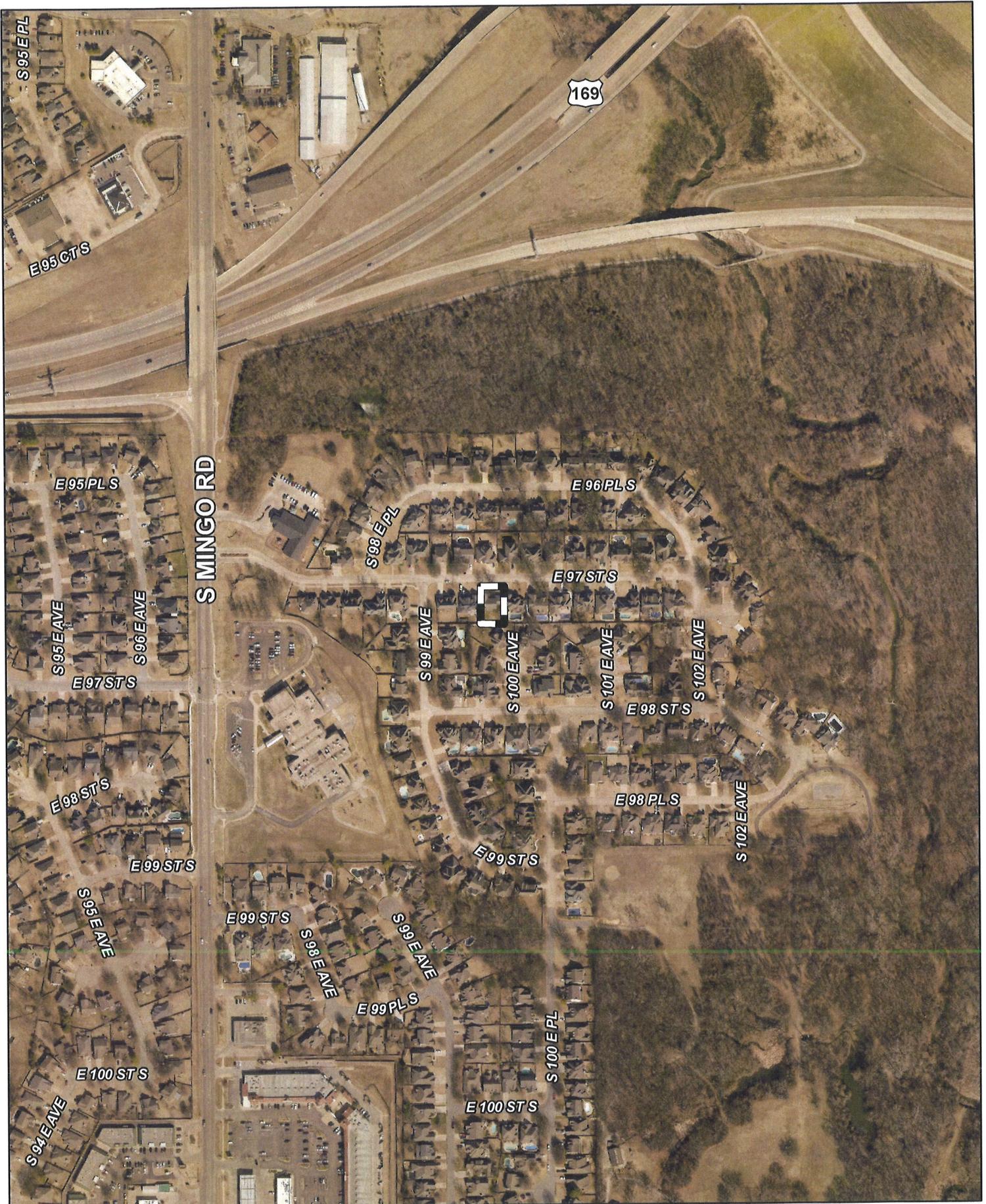


PUD-364-8



18-14 19





 Subject Tract

PUD-364-8

18-14 19

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

Aerial Photo Date: 2020/2021

3.4





E 96 PLS

S 98 EPL

E 97 STS

S 99 E AVE

S 100 E AVE

S 101 E AVE

E 98 STS

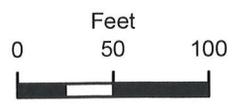
PUD-364-8

18-14 19

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

Aerial Photo Date: 2020/2021

3.5



Subject Tract



Sawyer, Kim

From: Hoyt, Jay
Sent: Wednesday, February 23, 2022 11:04 AM
To: Gore Gaines; esubmit
Cc: lyndsay.hightower@gmail.com; Sue Penni
Subject: RE: Lyndsay Hightower application, PUD-364-D

FILE COPY

Benjamin,

Your email will be forwarded to the Planning Commission for their consideration.

Thank you,

Jay Hoyt

From: Gore Gaines <gaines@lytlesoule.com>
Sent: Wednesday, February 23, 2022 11:02 AM
To: esubmit <esubmit@incog.org>
Cc: lyndsay.hightower@gmail.com; Sue Penni <sp74133@gmail.com>
Subject: Lyndsay Hightower application, PUD-364-D

Dear Tulsa Board of Adjustment,

Attached is my letter in support of the above-referenced application.

Sincerely,

Benjamin Gaines

Sawyer, Kim

From: Hoyt, Jay
Sent: Wednesday, February 23, 2022 11:02 AM
To: Laura Davis; esubmit
Subject: RE: PUD-364-D

Laura,

Your email will be forwarded to the Planning Commission for their consideration.

Thank you,

Jay Hoyt

-----Original Message-----

From: Laura Davis <lauradavis2@cox.net>
Sent: Wednesday, February 23, 2022 11:01 AM
To: esubmit <esubmit@incog.org>
Subject: PUD-364-D

To whom it may Concern,

Regarding Case#:PUD-364-D Lyndsay Hightower

My name is Laura Davis. I have lived next door (directly east) to Lyndsay and her children for 2 1/2 years. I believe Lyndsay having a Salon next door will NOT be a problem. Lyndsay is a very quiet and private person. Her house is very well maintained and there is minimal traffic or cars at her house. As a matter of fact she has one car which she keeps in her garage. If she has a salon she has told us all that there will be 2-5 cars max daily and only one at a time. That means one car in her driveway. Many homes on our street (including mine) have multiple drivers and have 4 cars at their residence. I do not believe the parking will be an issue for her.

In regards to property value, we have witnessed this week how quickly a home sold on our street. It had multiple offers at above market value and sold within 48 hours. This is WITH the large yellow zoning notice sign in Lyndsays yard. Lindsay's salon will not be visible from the street.

I greatly admire Lyndsays motivation and willingness to try and figure out a way to make a living as a single mom for her family while we go thru these trying times as a nation. She has been fully transparent through the whole process and has accommodated/answered those with concerns. She has also agreed to abandon the zoning if she sells the house. I feel she has gone above and beyond to ease those with concerns and I feel it is our duty and obligation as citizens and neighbors to adjust to these different times in our world.

Again, as her direct neighbor , I fully support the re-zoning and her salon.

Thank you!

Laura Davis
9922 E 97th street
918-284-1727

FILE COPY

Sawyer, Kim

From: Hoyt, Jay
Sent: Monday, February 14, 2022 8:17 AM
To: Erica Done; esubmit
Subject: RE: PUD-364-D

FILE COPY

Erica,

Your email will be forwarded to the Planning Commission for their consideration.

Thank you,

Jay Hoyt

-----Original Message-----

From: Erica Done <ericadone@ymail.com>
Sent: Friday, February 11, 2022 9:22 PM
To: esubmit <esubmit@incog.org>
Subject: PUD-364-D

I am writing to state my support for Lyndsay Hightower's amendment for a home salon (PUD-364-D).

Thank you,

Erica Done
10227 E 98th St.
Tulsa, OK 74133

Sawyer, Kim

From: Hoyt, Jay
Sent: Monday, February 14, 2022 8:18 AM
To: Asimah; esubmit
Subject: RE: PUD-364-D Lyndsay Hightower

FILE COPY

Your email will be forwarded to the Planning Commission for their consideration.

Thank you,

Jay Hoyt

From: Asimah <asimah76@yahoo.com>
Sent: Friday, February 11, 2022 11:49 PM
To: esubmit <esubmit@incog.org>
Subject: PUD-364-D Lyndsay Hightower

CASE NUMBER: PUD-364-D

February 11, 2022

Lyndsay Hightower

Hello,

We are the Skelton's. We are the Hightower's neighbors and support the amendment of their home salon on their property. The Hightower's are great neighbors. Lyndsay has recently served as the head of the Woodbine neighborhood social committee. She has always been committed to supporting and taking action in the best interest of the Woodbine neighborhood. We live two houses away on 97th St. We see no issue with their home business, and we are in favor and support it. They are amazing neighbors who elevate the neighborhood. If you have any questions, please let us know.

Respectfully,

Mr. and Mrs. Dan and Asimah Skelton

9928 E 97TH ST

Tulsa, OK

74133

918-724-0031 (cell: Asimah Skelton)

Asimah76@yahoo.com

Sawyer, Kim

From: Sarah McBryde <slmcbryde50@gmail.com>
Sent: Tuesday, February 15, 2022 8:41 AM
To: esubmit
Subject: PUD-364-D

FILE COPY

I reside at 9714 S 100th East Avenue in the Woodbine Addition in Tulsa, Oklahoma. While I sympathize with Ms. Hightower's situation, I do not support any change in the zoning of her property. I truly feel she was given bad advice early on in this process and did not realize the ramifications.

Sarah McBryde

Sent from my iPhone

Sawyer, Kim

From: rayhucek@gmail.com
Sent: Tuesday, February 15, 2022 9:51 AM
To: esubmit
Subject: PUD-364-D

FILE COPY

I am **AGAINST** this petition being granted.

I live in the neighborhood and sympathize with her, but still don't think it should be approved.

Thanks,
Ray Hucek
918-619-2980

Sawyer, Kim

From: Laura Holway <lauraholway@gmail.com>
Sent: Wednesday, February 16, 2022 4:30 PM
To: esubmit
Subject: PUD-364-D support

FILE COPY

We are sending this email in support of Lyndsay Hightower's amendment allowing her home salon, case number PUD-364-D.

Laura and Josh Apgar
9734 E 97th St
Tulsa, OK 74133

Sawyer, Kim

From: Karen Henze <henzehome@gmail.com>
Sent: Thursday, February 17, 2022 11:46 AM
To: esubmit
Subject: Case number PUD-364-D

FILE COPY

In regards to Case number PUD-364-D

I am here on behalf of Lindsay Hightower. Her efforts to make a living in her home are admirable in my opinion. Lindsay has done all the right things to accomplish this action and has been very transparent to make sure everyone knows what her intentions are.

I firmly support Lindsay.

Thank you

Karen henze

Karen Henze
10101 E 98th street
Tulsa, OK 74133

--
God is so Good to us, *All* the Time!

Sawyer, Kim

From: Ryan & Carol Williams <logos17@msn.com>
Sent: Thursday, February 17, 2022 7:25 PM
To: esubmit
Subject: PUD-364-D

FILE COPY

Good Afternoon,

Please accept this email as my support for Lyndsay Hightower running her hairstyling business from her home. I reside at 10033 E 98th Pl, Tulsa, OK 74133 in the Woodbine neighborhood.

Every day there are many non-residents that go in and out of our neighborhood. There are contractors and companies doing work to homes in the neighborhood and people visiting residents. I am confident that the minimal extra traffic in our neighborhood will go unnoticed and not cause any disruption to parking and traffic flow.

Lyndsay has also indicated she will be signing an agreement to abandon the amendment prior to selling her house. I do not foresee how property values will be effected as a result of Lyndsay running her business out of her home.

Again, I fully support the approval of allowing Lyndsay to run he hair styling business from her home.

Sincerely,
Carol Williams

Sawyer, Kim

From: Ashley Madewell <ashley.madewell@cnet.com>
Sent: Friday, February 18, 2022 12:35 AM
To: esubmit
Subject: PUD-364-D

FILE COPY

I support the zoning amendment for Lyndsay Hightower's property to run her business from home. I believe Lyndsay/ the woodbine board of directors did their due diligence to provide transparency and collect all information to ensure the best decision is made. I am a single mother who has lived in Woodbine since 2013, and I would do anything to support my family. Additionally, I support my neighbors who do everything they can to provide for their families. Work is going remote, so I am sure there will be more situations like this that will come up, and I am confident it will be handled appropriately. Thanks so much!

Ashley Madewell
Director of Loyalty CNE
479-220-0640

Sawyer, Kim

From: Josef Shohat <outlook_40259A33A6D1BC93@outlook.com>
Sent: Saturday, February 19, 2022 2:32 PM
To: esubmit
Subject: Case #PUD-364-D

FILE COPY

To whom it may concern!

My wife and I live in the woodbine addition 3 houses east of Lyndsay Hightower and we wanted to express our support to her and to say that we do not object to her new construction and her starting a new business as she described and as we all understood from the mails, letters, and talks with members of the board here at Woodbine addition. I wrote an email to Lyndsay in support and wished her luck and success with her new business.

Sincerely,
Josef T. Shohat

Sent from [Mail](#) for Windows

Sawyer, Kim

From: Kayla Williams <mrs.kaylawilliams@yahoo.com>
Sent: Sunday, February 20, 2022 8:20 PM
To: esubmit
Subject: Reference case PUD-364-D

FILE COPY

Kayla Williams
9632 S 98th E PI
Tulsa, OK 74133

To whom it may concern,

The purpose of this letter is to inform you that Kayla & Roy Williams address 9632 S 98th E PI Tulsa, OK 74134 from Woodbine Neighborhood is in support of the reference case PUD-364-D.

Thank you,
Kayla & Roy Williams
918-330-2229

Sawyer, Kim

From: Dick Johnson <richardjohnsonok@live.com>
Sent: Thursday, February 17, 2022 5:10 PM
To: esubmit
Subject: Lindsay Hightower add on.

I am not opposed in any manner concerning the add on at the Hightower home. She has and will adhere to all regulations and rules.

There are a number of families in the area that conduct business from home so the Hightower situation should be of little concern.

Dick and Nina Johnson

Sent from my U.S.Cellular© Smartphone

Sawyer, Kim

From: Hoyt, Jay
Sent: Tuesday, February 22, 2022 9:24 AM
To: Sawyer, Kim
Subject: FW: Subject: PUD-364-D

FILE COPY

From: Miller, Susan <SMiller@incog.org>
Sent: Tuesday, February 22, 2022 9:02 AM
To: Hoyt, Jay <JHoyt@incog.org>
Subject: FW: Subject: PUD-364-D

From: jdandridge <jdandridge@cox.net>
Sent: Monday, February 21, 2022 11:01 PM
To: Wilborn, Troy <TWilborn@incog.org>
Subject: Subject: PUD-364-D

Reference Lindsay Hightower PUB
petition for home based cosmetology business:

Ms. Hightower, to our knowledge, has followed the legal process to the letter.
The source of the local opposition seems to come from one John Doakes whose accusations and unrealistic concerns are unfounded and clearly in the minority.

Than you.

John Dandridge
jdandridge@cox.net
918-646-7217

Sent from my U.S.Cellular© Smartphone

Sawyer, Kim

From: Gerald Hatfield <ghatfield719@cox.net>
Sent: Tuesday, February 22, 2022 10:41 AM
To: esubmit
Subject: Hearing on case No. PUD-364-D

FILE COPY

Being unable to attend in person at this meeting, as residents of the addition (Woodbine) that this change pertains to, We wish to voice our objection to this change. We are a covenanted neighborhood with covenants that forbid this type of commercial endeavor that applicant is asking for. This will not only open up our neighborhood to various other exceptions to our covenants which will have the potential to lower the value of our properties.

Here again, we are on the record of being opposed to this change to PUD-364-D

Gerald and Nancy Hatfield
9812 S. 99th E. Ave
Tulsa, OK 74133

Sent from [Mail](#) for Windows

Sawyer, Kim

From: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>
Sent: Wednesday, February 23, 2022 2:15 PM
To: Sarah McBryde
Cc: esubmit
Subject: Re: Re-zoning Proposal PUD-364D
Attachments: DOC021622-02162022103922.pdf

FILE COPY

Dear Ms. McBryde,

Thank you for sending your concerns about the rezoning case PUD-364-D. It is on the Tulsa Metro Area Planning Commission's (TMAPC) meeting agenda under public hearing for next Wednesday, March 2, 2022 at 1 p.m.

I have made a note on my calendar to be at the meeting for that item. Furthermore, once the TMAPC makes their recommendation to the Council on this request there are two more public Council meetings where constituents can make public comments. I will be sure your email is entered into the record.

I agree that Woodbine is not suited to the type of mixed use rezoning requested and will share that position with the Planning Commissioners and the City Councilors.

Best,
Lori

Councilor Lori Decter Wright
City of Tulsa | District 7
Chair of the Tulsa City Council | 2022
Office: [918-596-1927](tel:918-596-1927)
Email: dist7@tulsacouncil.org
www.tulsacouncil.org
Pronouns: she, her, hers

From: Sarah McBryde <slmcbryde50@gmail.com>
Sent: Wednesday, February 23, 2022 1:25 PM
To: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>
Subject: Re-zoning Proposal PUD-364D

As a long-time resident of the Woodbine Addition in Tulsa, I respectfully ask that you consider opposing this application to re-zone the property being considered. We do not need the potential of decreasing property values because of random business plans being introduced. There is some confusion regarding verbiage in our HOA covenants. The reference in our covenants is to "Associated" purposes and the term "Accessory" use is used in the Tulsa zoning code. I'm not sure those terms should be used interchangeably. I thank you for your representation of our District and do appreciate your consideration of this matter.

Sarah McBryde

Sawyer, Kim

From: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>
Sent: Wednesday, February 23, 2022 2:33 PM
To: Wilkerson, Dwayne; Becky Tearney
Cc: esubmit
Subject: Re: MAJOR Zoning Change TMAPC Case # PUD-364-D

Hi Dwayne,

Thanks for clarifying that for me, I was unaware and will definitely be at the meeting on Wednesday to speak on this item.

Best,
Lori

Councilor Lori Decter Wright
City of Tulsa | District 7
Chair of the Tulsa City Council | 2022
Office: [918-596-1927](tel:918-596-1927)
Email: dist7@tulsacouncil.org
www.tulsacouncil.org
Pronouns: she, her, hers

From: Wilkerson, Dwayne <DWilkerson@incog.org>
Sent: Wednesday, February 23, 2022 2:31:49 PM
To: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>; Becky Tearney <becky.tearney@cox.net>
Cc: esubmit <esubmit@incog.org>
Subject: RE: MAJOR Zoning Change TMAPC Case # PUD-364-D

Good afternoon Councilor and Ms. Tearney,

The Zoning Code allows this amendment through the Planning Commission as a minor amendment. If they approve the request it does not normally come to City Council for an ordinance.

Please let me know if you would like to discuss further.

Thanks

 **Dwayne Wilkerson, ASLA, PLA**
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwickerson@incog.org

From: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>
Sent: Wednesday, February 23, 2022 2:22 PM

To: Becky Tearney <becky.tearney@cox.net>
Cc: esubmit <esubmit@incog.org>
Subject: Re: MAJOR Zoning Change TMAPC Case # PUD-364-D

Dear Ms. Tearney,

Thank you for sending your concerns about the rezoning case PUD-364-D. It is on the Tulsa Metro Area Planning Commission's (TMAPC) meeting agenda under public hearing for next Wednesday, March 2, 2022 at 1 p.m.

I have made a note on my calendar to be at the meeting for that item. Furthermore, once the TMAPC makes their recommendation to the Council on this request there are two more public Council meetings where constituents can make public comments. I will be sure your email is entered into the record.

I agree that Woodbine is not suited to the type of mixed use rezoning requested and will share that position with the Planning Commissioners and the City Councilors.

Best,
Lori

Councilor Lori Decter Wright

City of Tulsa | District 7

Chair of the Tulsa City Council | 2022

Office: [918-596-1927](tel:918-596-1927)

Email: dist7@tulsacouncil.org

www.tulsacouncil.org

Pronouns: she, her, hers

From: Becky Tearney <becky.tearney@cox.net>
Sent: Wednesday, February 23, 2022 2:13 PM
To: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>
Subject: Re: MAJOR Zoning Change TMAPC Case # PUD-364-D

Hi Lori,

I hope this helps somewhat, for the Zoning Board to REJECT the proposed zoning change in Woodbine.

Lori Decter Wright
Council Woman, District 7

Re: TMAPC Case Number PUD-364-D

OBJECTION to proposed Major Amendment. Zoning Change for Hair Salon

“Does it matter how safe the school is if the path to school isn’t safe?” Safe Passages Twitter Town Hall

- 9916 E 97th St., Tulsa, Ok 74133, is less than a 3 minute walk from the entrance to Cedar Ridge Elementary school. During the school year, E. 97th Street is a main thoroughfare for children walking to and from school.
- “Public Access” to 9916 E. 97th St. Tulsa, OK 74133 subjects each elementary child to potential opportunists. In addition most parents would not have chosen their home in Woodbine knowing a business exists that cross a child’s path to school.
- Families will no longer purchase homes in Woodbine Neighborhood which would have a business with “Public Access.”
- Property values will decrease. No doubt! Especially the properties on E. 97th Street which in turn affects the values as a whole in Woodbine.
- Residential neighborhoods are meant for families, children and grandparents. Most of us would not choose a neighborhood that includes a business with public access due to the inherent risk for high crime.

I am cognizant that everyone has the right to be an independent contractor, make a living and hopefully with great success. However, Zoning Commission Boards have continually denied zoning a residential property for Hair salons, etc. Businesses belong in commercial real estate developments. Not in residential neighborhoods.

Attached are three links, where the Zoning Boards rejected requests for hair salons in residential neighborhoods. I hope you have the opportunity to read each one and OBJECT to the proposed Zoning change.

https://greensboro.com/hair-salon-entangled-in-zoning-law-doesnt-make-the-cut/article_bad1dfcd-ad10-58a8-b3ce-2d20bc69f04f.html

<https://sanantonioreport.org/zoning-commission-unanimously-rejects-hair-salon-in-mahncke-park/>

<https://www.everythinglubbock.com/news/zoning-board-denies-request-for-home-hair-salon/>

Becky Tearney

Becky.tearney@cox.net

918-605-3828

Woodbine Homeowner since 1993

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Sawyer, Kim

From: Ruby <tulsaok56@gmail.com>
Sent: Friday, February 25, 2022 6:08 PM
To: esubmit
Subject: PUD-364-D

FILE COPY

I'm extremely opposed..

Thank you,
Ruby Daniels
918-691-9354

Sawyer, Kim

From: RaLeah Priddy <spriddyrn@yahoo.com>
Sent: Saturday, February 26, 2022 10:30 AM
To: esubmit
Subject: PUD-364-D

FILE COPY

To Whom It May Concern,

We are writing in reference to case PUD-364-D.

Our names are John and Shaun Williams. We live in the Woodbine Community at 9925 E 97th St. We live across the street from Mrs. Hightower, whom is planning to open a one man salon in the back of her home.

There has been much discussion within the neighborhood and its Facebook page that has attempted to direct the neighborhood to be against Mrs. Hightower being able to follow through with this. A small group of individuals that have notably bullied not only Mrs. Hightower, but anyone in the neighborhood that has expressed support for Mrs. Hightower. I am positive that this is the group of people that will be present at the hearing.

With that said, I wanted to express my ongoing support of Mrs. Hightower and am praying that she will be allowed to move forward with her plan to be able to work from her home and care of her children.

We have lived in the neighborhood for several years now. There are several observations that I am able to share that I feel like should make a difference when others are expressing concern about increased traffic and parking as it relates to Mrs. Hightower running her very small business from her home.

1) Lindsay is a single mom. She owns one car, that she keeps in the garage. Her ex-husband is parked in the driveway on occasions for short periods of time. Otherwise, her driveway is always empty. Which indicates to the majority of us, that increased traffic and parking will NOT be an issue.

2) The neighbors that are expressing concern about these issues, on the other hand, have a great deal of traffic that come and go from their homes and there are always vehicles filling their driveways and parking in the street. In our opinion, their non-business homes are currently responsible for far more traffic in the neighborhood than what Mrs. Hightower will ever create with her clientele.

3) The concern about property values being affected by a very small business within Mrs. Hightower's home is ridiculous! This has been recently shown through the sale of another home across the street from Mrs. Hightower. Mrs. Hightower has been displaying a large yellow sign next to the street showing that there is zoning going on and describing the intent. It did not deter people from looking at the home, nor making offers that were far above asking price. The home sold in 3 days, they had 6 offers that were all over asking price. It was also sold for \$115,000 more than what it was bought for 3 years ago. This, in itself, should indicate that the property values within our neighborhood clearly are not going to be affected by this.

4) Mrs. Hightower and her children have always participated in the activities that are planned within the neighborhood. Mrs. Hightower herself, has been directly involved in neighborhood improvement and encouraging the neighbors to participate and make the community a family friendly area that our new neighbors will notice and want to be a part of, as well. While those that have made themselves opposed, never participate in anything within the neighborhood, but yet feel like they speak for the neighborhood as a whole. They even went as far as putting pre-printed opposition letters in each neighbors mailbox with the ability to return the letter of opposition to them, so they can submit it at the hearing.

The entire neighborhood had been made aware of these plans via the communication from the HOA. The HOA offered a detailed explanation of what was going to happen and provided the information to be able to contact the city with any concerns or support in the matter. At that point, the neighbors should have been able to make their own rationalized decision or simply to decide that they just don't care; which means they don't offer any type of reaction at all. The attempt by this group to intimidate the rest of the neighborhood has made many of us be less focused on what Mrs. Hightower is trying to accomplish and more concerned about the type of people that we are living around. And that's very sad!! We all just want to be able to earn a living and live in peace, just like Mrs. Hightower is attempting to do.

We 100% support Mrs. Hightower and hope that the city will allow her to move forward with her plans to be able to support her children and care for them in this day and age, from her home.

Sincerely,

John and Shaun Williams
Woodbine Community residents

Sent from my iPad

Sawyer, Kim

From: Richard Green <ragdancin1@att.net>
Sent: Sunday, February 27, 2022 4:27 PM
To: esubmit
Subject: Case No PUD-364-D

FILE COPY

I am Richard Green, I live at 9815 E 97th St. This is within 300 feet of the home that is wanting approval to allow the owner to run a cosmetology business out of her home. I am opposed to this change that will allow for any use of property in Woodbine other than for single-family residential use.

Sent from my iPhone

Sawyer, Kim

From: Edward Bateman <edwardbateman66@gmail.com>
Sent: Sunday, February 27, 2022 4:50 PM
To: dist7@tulsacouncil.org; Wilkerson, Dwayne; esubmit
Subject: TMAPC case# PUD-364-D

FILE COPY

To whom it may concern,

I have been a resident of the Woodbine addition for almost 17 years and am letting you know that I am against the proposal in allowing a residence to be used also for commercial purposes.

Please consider this carefully as if passed, it may affect our property values in the future.

Sincerely,

Ed Bateman
9728 E 97th Street
Tulsa, OK 74133

Sawyer, Kim

From: Sellers John <sellersjohn56@yahoo.com>
Sent: Sunday, February 27, 2022 7:27 PM
To: esubmit
Cc: Dist7@tulsacouncil.org
Subject: PUD-364-D

FILE COPY

I would like to file my official opposition to the request of the subject requested in the above listed PUD above. I have resided in the Woodbine Housing addition for more than 3 decades. It should remain a residential community without the requested change that would allow a commercial business operations out of a home.

I respectfully request you recognize my opposition and deny this request. Commercial businesses should operate in a properly zoned area for business operations that can support the requirements needed for a business. A residential areas is not designed nor should it be required to accommodate such an operation.

Respectfully,
John Sellers

sellersjohn56@yahoo.com

Sawyer, Kim

From: Teresa mendez <belle729@live.com>
Sent: Sunday, February 27, 2022 9:38 PM
To: esubmit
Subject: Lindsay Hightower

FILE COPY

In regards to Case number PUD-364-D

In reference to Lindsay Hightower's request for zoning, I applaud her efforts to both be a mom and make a living in this pandemic. I am 100% behind her and her request. Lindsay has taken all the right steps to accomplish this action. Lindsay has also been very transparent to make sure everyone knows what her intentions are.

I firmly support Lindsay.

Thank you
Teresa Mendez
10102 E 98th St
Tulsa Ok 74133

Sent from my iPhone

Sawyer, Kim

From: Shirley Sellers <ssellers2@cox.net>
Sent: Sunday, February 27, 2022 9:39 PM
To: esubmit
Cc: Dist7@tulsacouncil.org
Subject: PUD-364-D

FILE COPY

TMAC,

I am a resident of the Woodbine subdivision. My husband and I built our home over 30 years ago. I'm writing to say that I oppose the application for zoning change at 9916 E. 97 Street.

Sincerely,

Shirley Sellers

(918-810-7353)

Sawyer, Kim

From: Claudette Dandridge <cdandridge@cox.net>
Sent: Wednesday, February 23, 2022 12:13 PM
To: esubmit
Subject: PUD-364-D

FILE COPY

Re zoning change hearing scheduled for 3/2/2022 at 1pm for zoning change to allow Lyndsay Hightower to do cosmetology work from her home.

I live in Woodbine neighborhood for 28 years and have no objection to this change. I do business with other people that work from their home and have not seen any negative consequences of that process. I support Ms. Hightower in her efforts to work from home.

Claudette Dandridge

9901 S 100th East Pl

Tulsa, OK 74133

918-695-4745

2/21/2022

Tulsa Metropolitan Area Planning Commission
c/o INCOG
2 W. 2nd St
Tulsa, OK. 74103

RE: Case Number PUD-364-D

Staff of the Tulsa Planning Office,

FILE COPY

Pursuit to the Notice of Hearing before the Tulsa Metropolitan Area Planning Commission "TMAPC" regarding PUD-364-D, this letter is to notify the TMAPC of my objection of the proposed Major Amendment to the PUD to allow for the residential home to include a salon.

Regards,

Signature Jeremy Brittenham / Travis Mesbri de

Printed Name Jeremy Brittenham / Travis Mesbri de

Address 9949 E 97th St. Tulsa, OK 74133

2/16/2022

Tulsa Metropolitan Area Planning Commission
c/o INCOG
2 W. 2nd St
Tulsa, OK. 74103

FILE COPY

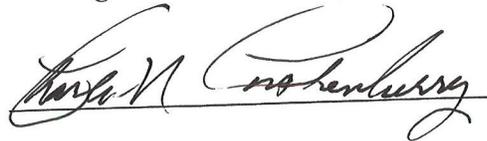
RE: Case Number PUD-364-D

Staff of the Tulsa Planning Office,

Pursuit to the Notice of Hearing before the Tulsa Metropolitan Area Planning Commission "TMAPC" regarding PUD-364-D, this letter is to notify the TMAPC of my objection of the proposed Major Amendment to the PUD to allow for the residential home to include a salon.

Regards,

Signature



Printed Name

Charles M. Cashenberry

Address

9904 E. 98 St. South

2/16/2022

Tulsa Metropolitan Area Planning Commission
c/o INCOG
2 W. 2nd St
Tulsa, OK. 74103

FILE COPY

RE: Case Number PUD-364-D

Staff of the Tulsa Planning Office,

Pursuit to the Notice of Hearing before the Tulsa Metropolitan Area Planning Commission "TMAPC" regarding PUD-364-D, this letter is to notify the TMAPC of my objection of the proposed Major Amendment to the PUD to allow for the residential home to include a salon.

Regards,

Signature 
John Davis

Printed Name John Davis
John Davis

Address 9719 S. 99th E Ave
Tulsa, 74133

Sawyer, Kim

FILE COPY

From: Don Akin <dakin1944@gmail.com>
Sent: Friday, February 25, 2022 11:13 AM
To: esubmit
Subject: RE: Case Number PUD-364-8 Minor Amendment (Formerly, Case Number PUD-364-D Major Amendment)
Attachments: Tulsa Woodbine Zoning Document.docx

To Whom It may concern:

Our letter of opposition to this change is attached.

Kindest regards,

Don and Patsy Akin
9914 E 98th St, Tulsa, OK 74133

RE: Case Number: PUD-364-8 Minor Amendment
(Formerly case PUD-364-D, revised from Major to Minor Amendment)

FROM: Don and Patsy Akin
9914 E. 98th Street
Woodbine II Lot 3 Block 2

TO: Members of the Tulsa Zoning Board of Adjustment

We are writing to **OPPOSE** the granting of a Type 2 Home Occupation to the applicant residing at 9916 E. 97th Street at Lot 3 Block 4 Woodbine. This opposition is not personal against the Woodbine neighbor making this request as we would oppose this request regardless of who the person was making the request. Our opposition is focused on maintaining the integrity of the neighborhood for single family residential occupancies only! Particularly when this particular request involves a home right smack dab in the middle of the Woodbine neighborhood (please refer to the Woodbine Map) and solely for the convenience of the applicant. This opposition is about common sense—Not personalities.

We have lived in Woodbine at our current address for 30 years. We chose the Woodbine neighborhood because it was clearly a Single Family Residential neighborhood as set out in PUD-364. Further, Woodbine is a “Covenant Controlled” neighborhood. We had to sign an additional document at closing stating that we would enjoy both the privileges and restrictions contained in the Articles of the Covenant.

The Woodbine HOA Covenants define “Use of the Property” and specifically “Use of Lots” in Article 5. Section 5.01.A. states in its entirety: “No Lot shall be occupied, used or improved for other than detached single family residential and associated purposes by Owners, their tenants and social guests.”

We do not find the term “associated purposes” defined in an extensive list of definitions in the Covenants. We believe “associated purposes” to be normal activities and uses related to Single Family Residential occupancy. It would be a stretch that a normal person would portend that the term “associated purposes” would in any way indicate a “business use” of any kind no matter how limited...such as an “in home salon” with outside customers coming to the property. To believe that “associated purposes” is the same as an “accessory use” referred to in the exceptions section described in 45.100-C Types of Home Occupations 2. Type 2 Home Occupations wouldn’t be logical.

Because of PUD-364 and the Woodbine HOA Covenants language, we felt very comfortable that we were buying a Home in a clearly defined Single Family Residential Neighborhood as opposed to a neighborhood that allowed mixed uses for homes. So, we purchased our home in Woodbine in good faith that the neighborhood was purely a single family residential neighborhood and would remain so with no business uses. We are praying that we did not rely on the language of PUD-364 and the HOA Covenants to our detriment.

We believe that the granting of one exception by the Tulsa Zoning Board of Adjustment to allow a Type 2 Home Occupation could act as a magnet to draw other applicants to make similar requests. Once the first exception is approved...it is hard to deny other applicants the same exception. Where does it end?

We are also concerned, as are many of our neighbors, that if the exception is granted:

- a. Our property values are subject to diminution.
 1. Would you rather be buying a house next door to a house that had customers coming to frequent a hair salon---or one that has no such occupation? BE HONEST!
 2. And would you rather be buying a house in a neighborhood that already has one such hair salon exception with customers coming and could see another homeowner apply for such exception—or would you prefer to buy a house where the neighborhood has no such business use occupation? BE HONEST!

- b. There are unknowns as to who will actually police and enforce and guarantee compliance with the provisions listed below in **45.100-H General Regulations** as relates to traffic, parking and other regulations required of the applicant as set out in:

45.100-H General Regulations 2. Home occupations that change the character of the residential building they occupy or that adversely affect the character of the surrounding neighborhood are prohibited. Home occupations may not, for example, produce light, noise, vibration, odor, parking demand, or traffic impacts that are not typical of a residential neighborhood in Tulsa.

Home occupations must be operated so as not to create or cause a nuisance.

Question: Who will police and enforce and guarantee these traffic and parking regulations in Type 2 Home occupations? BE HONEST! Nobody.

Question: Who will police and enforce the provision that Type 2 Home Occupations must be operated so as not to create or cause a nuisance? BE HONEST! Nobody.

- c. There are unknowns as to who will actually police and enforce and guarantee compliance with **45.100-J Supplemental Regulations for Type 2 Home Occupations**. These regulations include the number of clients who can be on the property at any one time among other things.

Question: Who will actually police and enforce and guarantee that these regulations are enforced? BE HONEST! Nobody.

- d. The exception granted stays with the property forever. That is way past the lifetime of the applicant/current occupant of that home. That is really scary! Who will police and enforce the General Regulations and the Supplemental Regulations into the future? BE HONEST! Nobody.

Conclusion: It is our understanding that exceptions to the normal Occupation Use for a Single Family Dwelling exists to grant relief that clearly make sense due to circumstances not contemplated by regular zoning definitions. Otherwise, the Zoning Code would simply be re-written to include Business Use as a Hair Salon in its normal definition of Single Family Residence Occupations—without an exception or variance having to be requested.

If the property requesting the exception was at the very edge of the neighborhood fronting Mingo Road or adjacent to a commercial area then it might be reasonable to grant this exception. That is not the case here. This property is smack dab in the middle of a single family residential neighborhood and is being requested solely for personal convenience. Our neighborhood has been around for about 35 years as a wonderful, enjoyable Single Family Residential Neighborhood. Please do not turn it into a Business District.

For all the reasons stated above we plead for the Zoning Board of Adjustment to please deny this exception and to maintain the integrity of our Single Family Residential neighborhood.

Respectfully Submitted,

Don and Patsy Akin

Sawyer, Kim

From: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>
Sent: Friday, February 25, 2022 9:05 AM
To: Susan Driesel
Cc: esubmit
Subject: Re: PUD-364-D

FILE COPY

Dear Mr. and Mrs. Driesel,

Thank you for sending your concerns about the rezoning case PUD-346-8, formerly PUD-364-D. It is on the Tulsa Metro Area Planning Commission's (TMAPC) meeting agenda under public hearing for next Wednesday, March 2, 2022 at 1 p.m.

I have made a note on my calendar to be at the meeting for that agenda item. I agree that Woodbine is not suited to the type of property use requested by the applicant and will share that position with the Planning Commissioners.

Dwayne Wilkerson in the Tulsa Planning Office has informed me the Zoning Code allows this rezoning application to be decided through the Planning Commission as a minor amendment. If they approve the request it does not normally come to City Council for an ordinance.

Therefore, it is critically important to let the Planning Commissioners know of your opposition to this zoning request.

When it was first submitted to the Tulsa Planning Office they thought it would be a major amendment and advertised it as such; however, the zoning code has language that allows home occupations to be processed as a minor amendment. Since notification requirements are greater for major amendments, requirements for a minor amendment were met as well. Final decisions on minor amendments are made at TMAPC – they do not go to City Council. TMAPC or the City are not bound by private covenants, but it can probably help neighbors make a case against this at the hearing if you all want to argue that it is not appropriate in their neighborhood.

Additionally, any home occupation including a hair salon has limitations outlined in Chapter 45.100-H of the zoning code: <http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

This use is considered a Type 2 home occupation. The code is specific about what can be done to the home, how many clients, etc.

Below is a summary of that section of the code:

- Generally a home occupation is limited so it is not changing the character of the house and operated so it does not create a nuisance.
- The business activity can not do anything that produces light, noise, vibration, odor or parking demand not typical of a residential neighborhood.
- No more than 3 clients at a time.
- No illuminaed signage allowed,
- No display of material or merchandise.
- No Commercial style entrance visible from the street.

I am sharing emails and letters on this item that come into my office with the Planning Office and will be present during the Commission meeting next Wednesday, March 2, 2022 at 1 p.m.

Sincerely,
Lori

Councilor Lori Decter Wright
City of Tulsa | District 7
Chair of the Tulsa City Council | 2022
Office: [918-596-1927](tel:918-596-1927)
Email: dist7@tulsacouncil.org
www.tulsacouncil.org
Pronouns: she, her, hers

From: Hoyt, Jay <JHoyt@incog.org>
Sent: Friday, February 25, 2022 8:14 AM
To: Susan Driesel; esubmit
Cc: (DIST7) Wright, Lori Decter
Subject: RE: PUD-364-D

Susan,

Your email will be forwarded to the Planning Commission for their consideration.

Thank you,

Jay Hoyt

-----Original Message-----

From: Susan Driesel <sfdriesel@gmail.com>
Sent: Thursday, February 24, 2022 10:55 AM
To: esubmit <esubmit@incog.org>
Cc: Dist7@Tulsacouncil.org
Subject: PUD-364-D

As homeowners in Woodbine, we oppose the rezoning application.

Thank you for your consideration of those of us who live in this neighborhood.

Bill and Susan Driesel
10220 E 98th St
Tulsa, Ok 74133
918 455-9034

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Sawyer, Kim

From: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>
Sent: Wednesday, February 23, 2022 2:33 PM
To: Wilkerson, Dwayne; Becky Tearney
Cc: esubmit
Subject: Re: MAJOR Zoning Change TMAPC Case # PUD-364-D

FILE COPY

Hi Dwayne,

Thanks for clarifying that for me, I was unaware and will definitely be at the meeting on Wednesday to speak on this item.

Best,
Lori

Councilor Lori Decter Wright
City of Tulsa | District 7
Chair of the Tulsa City Council | 2022
Office: [918-596-1927](tel:918-596-1927)
Email: dist7@tulsacouncil.org
www.tulsacouncil.org
Pronouns: she, her, hers

From: Wilkerson, Dwayne <DWilkerson@incog.org>
Sent: Wednesday, February 23, 2022 2:31:49 PM
To: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>; Becky Tearney <becky.tearney@cox.net>
Cc: esubmit <esubmit@incog.org>
Subject: RE: MAJOR Zoning Change TMAPC Case # PUD-364-D

Good afternoon Councilor and Ms. Tearney,

The Zoning Code allows this amendment through the Planning Commission as a minor amendment. If they approve the request it does not normally come to City Council for an ordinance.

Please let me know if you would like to discuss further.

Thanks

 **Dwayne Wilkerson, ASLA, PLA**
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwilkerson@incog.org

From: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>
Sent: Wednesday, February 23, 2022 2:22 PM

To: Becky Tearney <becky.tearney@cox.net>
Cc: esubmit <esubmit@incog.org>
Subject: Re: MAJOR Zoning Change TMAPC Case # PUD-364-D

Dear Ms. Tearney,

Thank you for sending your concerns about the rezoning case PUD-364-D. It is on the Tulsa Metro Area Planning Commission's (TMAPC) meeting agenda under public hearing for next Wednesday, March 2, 2022 at 1 p.m.

I have made a note on my calendar to be at the meeting for that item. Furthermore, once the TMAPC makes their recommendation to the Council on this request there are two more public Council meetings where constituents can make public comments. I will be sure your email is entered into the record.

I agree that Woodbine is not suited to the type of mixed use rezoning requested and will share that position with the Planning Commissioners and the City Councilors.

Best,
Lori

Councilor Lori Decter Wright

City of Tulsa | District 7

Chair of the Tulsa City Council | 2022

Office: [918-596-1927](tel:918-596-1927)

Email: dist7@tulsacouncil.org

www.tulsacouncil.org

Pronouns: she, her, hers

From: Becky Tearney <becky.tearney@cox.net>
Sent: Wednesday, February 23, 2022 2:13 PM
To: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>
Subject: Re: MAJOR Zoning Change TMAPC Case # PUD-364-D

Hi Lori,

I hope this helps somewhat, for the Zoning Board to REJECT the proposed zoning change in Woodbine.

Lori Decter Wright
Council Woman, District 7

Re: TMAPC Case Number PUD-364-D

OBJECTION to proposed Major Amendment. Zoning Change for Hair Salon

“Does it matter how safe the school is if the path to school isn’t safe?” Safe Passages Twitter Town Hall

- 9916 E 97th St., Tulsa, Ok 74133, is less than a 3 minute walk from the entrance to Cedar Ridge Elementary school. During the school year, E. 97th Street is a main thoroughfare for children walking to and from school.
- “Public Access” to 9916 E. 97th St. Tulsa, OK 74133 subjects each elementary child to potential opportunists. In addition most parents would not have chosen their home in Woodbine knowing a business exists that cross a child’s path to school.
- Families will no longer purchase homes in Woodbine Neighborhood which would have a business with “Public Access.”
- Property values will decrease. No doubt! Especially the properties on E. 97th Street which in turn affects the values as a whole in Woodbine.
- Residential neighborhoods are meant for families, children and grandparents. Most of us would not choose a neighborhood that includes a business with public access due to the inherent risk for high crime.

I am cognizant that everyone has the right to be an independent contractor, make a living and hopefully with great success. However, Zoning Commission Boards have continually denied zoning a residential property for Hair salons, etc. Businesses belong in commercial real estate developments. Not in residential neighborhoods.

Attached are three links, where the Zoning Boards rejected requests for hair salons in residential neighborhoods. I hope you have the opportunity to read each one and OBJECT to the proposed Zoning change.

https://greensboro.com/hair-salon-entangled-in-zoning-law-doesnt-make-the-cut/article_bad1dfcd-ad10-58a8-b3ce-2d20bc69f04f.html

<https://sanantonioreport.org/zoning-commission-unanimously-rejects-hair-salon-in-mahncke-park/>

<https://www.everythinglubbock.com/news/zoning-board-denies-request-for-home-hair-salon/>

Becky Tearney

Becky.tearney@cox.net

918-605-3828

Woodbine Homeowner since 1993

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CAUTION: This email originated from outside of the organization. Do not reply, forward, click links, or open attachments unless you recognize the sender and know the content is safe. Please report using the Phish Alert button in the Outlook Desktop Client if this message contains potentially unsafe content.

Sawyer, Kim

From: Karla <kawakewtie@yahoo.com>
Sent: Wednesday, February 23, 2022 4:40 PM
To: Dist7@tulsacouncil.org; esubmit
Subject: TMAPC Case Number: PUD-364-D

FILE COPY

Re: Lot 3 Block 4 Woodbine

TMAPC Case Number: PUD-364-D

Thank you for acknowledging this email and taking it into consideration.

Our neighborhood was recently made aware of the zoning application and upcoming hearing on March 2 with the Tulsa Planning Commission. It is my understanding that the applicant is requesting a zoning change to allow a hair salon with a customer based business allowing up to three patrons at a time to visit the property for services.

My husband, Dean and I have been residents of Woodbine for 3 years and never dreamed that our covenants would allow mixed-use zoning within our small community.

My husband and I strongly OPPOSE the zoning change. The change would allow for additional traffic on an already busy main street of our neighborhood. We now have both morning and evening traffic and parking for access to Cedar Ridge Elementary as well as cut-through traffic accessing the daycare center at the front of the neighborhood on 97th St and Mingo.

We OPPOSE because this will set a precedence going forward for future residents that want a zoning change to create in-home customer based businesses.

As a home owner I have concerns of this change negatively affecting our property value.

We have been told that you are aware of the situation and are researching yourself to determine the best interest of our neighborhood as well as other District 7 covenant controlled communities. We hope that your diligence results in understanding our opposition and that you will be in agreement with our position.

Karla Shafer

918.845.2225

Kawakewtie@yahoo.com
9725 S. 99th East Ave.
Tulsa, OK. 74133

Sawyer, Kim

From: Henry, Jeremy <Jeremy.Henry@magellanlp.com>
Sent: Wednesday, February 23, 2022 8:00 PM
To: esubmit
Subject: Re-zoning Application PUD-364-D Hightower Property

FILE COPY

Staff of the Tulsa Planning Office,

Pursuit to the Notice of Hearing I received in the mail regarding PUD-364-D, this letter is to notify the TMAPC of my objection of the proposed Major Amendment to the PUD to allow for the residential home to include a salon. I live directly across the street from the subject property and believe the business will be disruptive to the family neighborhood. Parking and safe traffic flow will likely be impacted as well. I am also concerned about the possible negative effect's this home business may have on my property value in the future. In addition, if this re-zoning is approved to allow the affiliated business to be conducted from our neighbor's home, it will set a precedence moving forward allowing the opportunity for other businesses to open up in the neighborhood as well. I don't believe a family neighborhood is the right place for a public access business.

Regards,
Jeremy Henry
9915 E. 97th St.
Tulsa, OK. 74133

Sawyer, Kim

From: mrtyler@cox.net
Sent: Wednesday, February 23, 2022 8:20 PM
To: esubmit
Subject: FW: PENDING WOODBINE ADDITION ISSUE

ADDENDA.
PUD-364-D

FILE COPY

From: mrtyler@cox.net <mrtyler@cox.net>
Sent: Wednesday, February 23, 2022 6:39 PM
To: 'dwilkerson@incog.org' <dwilkerson@incog.org>
Subject: PENDING WOODBINE ADDITION ISSUE

Dwayne Wilkerson, ASLA, PLA
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8thh Floor | Tulsa, OK 74103
918.579.9475

From.
MICHAEL R TYLER
HELEN R TYLER
9831 SO 99TH E AVE.
TULSA,OK.
74133
WOODBINE ADDITION
RESIDENTS SINCE 2000

February 23,2022

TO THE MEMBERS OF THIS COUNCIL AND TO WHOM IT CONCERN

Please note for the record that we are opposed to any Zoning change that would allow Any sort of nonresidential occupancy(Business/Commercial) Mixed use development in our addition.

Signed,
Michael R Tyler

Helen R Tyler

MICHAEL

Sawyer, Kim

From: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>
Sent: Thursday, February 24, 2022 7:47 AM
To: John Doak; cmcsoud@gablawyers.com
Cc: esubmit
Subject: Re: TMAPC case number PUD-364-D

FILE COPY

Dear Mr. Doak,

Thank you for sending your concerns about the rezoning case PUD-364-D. It is on the Tulsa Metro Area Planning Commission's (TMAPC) meeting agenda under public hearing for next Wednesday, March 2, 2022 at 1 p.m.

I have made a note on my calendar to be at the meeting for that agenda item. I agree that Woodbine is not suited to the type of property use requested by the applicant and will share that position with the Planning Commissioners.

Dwayne Wilkerson in the Tulsa Planning Office has informed me the Zoning Code allows this rezoning application to be decided through the Planning Commission as a minor amendment. If they approve the request it does not normally come to City Council for an ordinance.

Therefore, it is critically important to let the Planning Commissioners know of your opposition to this zoning request.

I am sharing emails and letters on this item that come into my office with the Planning Office and will be present during the Commission meeting next Wednesday, March 2, 2022 at 1 p.m.

Sincerely,
Lori

Councilor Lori Decter Wright
City of Tulsa | District 7
Chair of the Tulsa City Council | 2022
Office: [918-596-1927](tel:918-596-1927)
Email: dist7@tulsacouncil.org
www.tulsacouncil.org
Pronouns: she, her, hers

From: John Doak <jdboomersooner@aol.com>
Sent: Wednesday, February 23, 2022 5:41:07 PM

To: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>; cmcsoud@gablawyers.com <cmcsoud@gablawyers.com>
Subject: TMAPC case number PUD-364-D

**Lori Decter Wright
Council Woman, District 7**

Re: TMAPC Case Number PUD-364-D

OBJECTION to proposed Major Amendment. Zoning Change for Hair Salon, This business will be located next to my home at 9910 east 97th , Tulsa, Ok. Home of John & Debby Doak.

Applicant never attempted to discuss commercial business with myself or my wife. I purchased my home in Woodbine over 20 years ago and never wanted to live next to a commercial business. This will diminish the value of my home , unwanted constant flow of general public next to my home. Further commercial business space is available within walking distance of neighborhood. Woodbine already has issues ongoing with cedar ridge elementary parent traffic illegally parking to pick up children.

If this is approved who provides checks and balances ?
Who will respond to daily complaints from voting public?

Tulsa has designated areas for this commercial business open to the general public . Our HOA covenants specifically state that homes are for single family residential purposes.

Timely notice was not given to HOA members as this was a surprise to find out from a Facebook post and sign in front yard. Less than 30 days notice after living in my home for 20 plus years to find out my neighbor wants to operate a commercial business open to the general public less than 60 feet from my front door.

I have incurred unwanted legal cost to protect the value of my home & family safety. This zoning committee has the opportunity to do the right thing by protecting my home value and not allowing a commercial business next door to my private residential home.

“Does it matter how safe the school is if the path to school isn’t safe?” Safe Passages Twitter Town Hall

- 9916 E 97th St., Tulsa, Ok 74133, is less than a 3 minute walk from the entrance to Cedar Ridge Elementary school. During the school year, E. 97th Street is a main thoroughfare for children walking to and from school.
- “Public Access” to 9916 E. 97th St. Tulsa, OK 74133 subjects each elementary child to potential opportunists. In addition most parents would not have chosen their home in Woodbine knowing a business exists that cross a child’s path to school.
- Families will no longer purchase homes in Woodbine Neighborhood which would have a business with “Public Access.”

- Property values will decrease. No doubt! Especially the properties on E. 97th Street which in turn affects the values as a whole in Woodbine.
- Residential neighborhoods are meant for families, children and grandparents. Most of us would not choose a neighborhood that includes a business with public access due to the inherent risk for high crime.

I am cognizant that everyone has the right to be an independent contractor, make a living and hopefully with great success. However, Zoning Commission Boards have continually denied zoning a residential property for Hair salons, etc. Businesses belong in commercial real estate developments. Not in residential neighborhoods.

Attached are three links, where the Zoning Boards rejected requests for hair salons in residential neighborhoods. I hope you have the opportunity to read each one and OBJECT to the proposed Zoning change.

https://greensboro.com/hair-salon-entangled-in-zoning-law-doesnt-make-the-cut/article_bad1dfcd-ad10-58a8-b3ce-2d20bc69f04f.html

<https://sanantonioreport.org/zoning-commission-unanimously-rejects-hair-salon-in-mahncke-park/>

<https://www.everythinglubbock.com/news/zoning-board-denies-request-for-home-hair-salon/>

[Sent from the all new AOL app for iOS](#)

CAUTION: This email originated from outside of the organization. Do not reply, forward, click links, or open attachments unless you recognize the sender and know the content is safe. Please report using the Phish Alert button in the Outlook Desktop Client if this message contains potentially unsafe content.

Sawyer, Kim

From: john swain <j_a_swain@yahoo.com>
Sent: Thursday, February 24, 2022 8:33 AM
To: esubmit
Subject: PUD-364-D

FILE COPY

Please deny the request to rezone a part of our neighborhood. We have lived in Woodbine addition for over thirty years and do not want any zoning changes. We reside at 9701 South 101st East Avenue. Thank you.

John and Tracey Swain

Sent from my iPad

Sawyer, Kim

From: Hoyt, Jay
Sent: Thursday, February 24, 2022 8:40 AM
To: Henry, Jeremy; esubmit
Subject: Re: Re-zoning Application PUD-364-D Hightower Property

Jeremy,

You're email will be forwarded to the Planning Commission for their consideration.

Thank you,

Jay Hoyt

FILE COPY

From: Henry, Jeremy <Jeremy.Henry@magellanlp.com>
Sent: Wednesday, February 23, 2022 7:59:36 PM
To: esubmit <esubmit@incog.org>
Subject: Re-zoning Application PUD-364-D Hightower Property

Staff of the Tulsa Planning Office,

Pursuit to the Notice of Hearing I received in the mail regarding PUD-364-D, this letter is to notify the TMAPC of my objection of the proposed Major Amendment to the PUD to allow for the residential home to include a salon. I live directly across the street from the subject property and believe the business will be disruptive to the family neighborhood. Parking and safe traffic flow will likely be impacted as well. I am also concerned about the possible negative effect's this home business may have on my property value in the future. In addition, if this re-zoning is approved to allow the affiliated business to be conducted from our neighbor's home, it will set a precedence moving forward allowing the opportunity for other businesses to open up in the neighborhood as well. I don't believe a family neighborhood is the right place for a public access business.

Regards,
Jeremy Henry
9915 E. 97th St.
Tulsa, OK. 74133

Sawyer, Kim

From: Susan Driesel <sfdriesel@gmail.com>
Sent: Thursday, February 24, 2022 10:55 AM
To: esubmit
Cc: Dist7@Tulsacouncil.org
Subject: PUD-364-D

FILE COPY

As homeowners in Woodbine, we oppose the rezoning application.

Thank you for your consideration of those of us who live in this neighborhood.

Bill and Susan Driesel
10220 E 98th St
Tulsa, Ok 74133
918 455-9034

Sawyer, Kim

From: Hoyt, Jay
Sent: Thursday, February 24, 2022 11:51 AM
To: Henry, Jeremy; esubmit
Subject: Re: Re-zoning Application PUD-364-D Hightower Property

Jeremy,

They will be forwarded to the Planning Commission.

Thank you,

Jay Hoyt

FILE COPY

From: Henry, Jeremy <Jeremy.Henry@magellanlp.com>
Sent: Thursday, February 24, 2022 11:19:15 AM
To: Hoyt, Jay <JHoyt@incog.org>; esubmit <esubmit@incog.org>
Subject: RE: Re-zoning Application PUD-364-D Hightower Property

Jay,

Attached are two exhibits I have created regarding traffic issues we currently encounter in the Woodbine neighborhood. I request the exhibits be submitted to the planning commission for consideration. In my opinion, adding a home business to the neighborhood only adds to the traffic issues we already face.

Regards,
Jeremy Henry
9915 E. 97th St.
Tulsa, OK. 74133

From: Hoyt, Jay <JHoyt@incog.org>
Sent: Thursday, February 24, 2022 8:40 AM
To: Henry, Jeremy <Jeremy.Henry@magellanlp.com>; esubmit <esubmit@incog.org>
Subject: Re: Re-zoning Application PUD-364-D Hightower Property

Sent by an external sender. Use caution opening attachments, clicking web links, or replying unless you have verified this email is legitimate.

Jeremy,

Your email will be forwarded to the Planning Commission for their consideration.

Thank you,

Jay Hoyt

From: Henry, Jeremy <Jeremy.Henry@magellanlp.com>
Sent: Wednesday, February 23, 2022 7:59:36 PM

To: esubmit <esubmit@incog.org>

Subject: Re-zoning Application PUD-364-D Hightower Property

Staff of the Tulsa Planning Office,

Pursuit to the Notice of Hearing I received in the mail regarding PUD-364-D, this letter is to notify the TMAPC of my objection of the proposed Major Amendment to the PUD to allow for the residential home to include a salon. I live directly across the street from the subject property and believe the business will be disruptive to the family neighborhood. Parking and safe traffic flow will likely be impacted as well. I am also concerned about the possible negative effect's this home business may have on my property value in the future. In addition, if this re-zoning is approved to allow the affiliated business to be conducted from our neighbor's home, it will set a precedence moving forward allowing the opportunity for other businesses to open up in the neighborhood as well. I don't believe a family neighborhood is the right place for a public access business.

Regards,

Jeremy Henry

9915 E. 97th St.

Tulsa, OK. 74133

Current Traffic Issues
Afternoons and Evening -
Woodbine Entrance.
Adding affiliated business
to the neighborhood will
increase already existing
traffic issues.

Residents and non-residents park
along entrance during school
dismissal to avoid stop light and
school parking lot. Creates blind
spots and narrows lane.

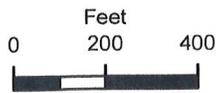
Traffic from adjacent
neighborhood cuts
through Woodbine
neighborhood to
avoid stop light and
school zone.

Stop Light

S MINCO RD

S 95 E PL
E 95 CT S
E 95 PL S
S 95 E AVE
S 96 E AVE
E 97 ST S
E 98 ST S
E 99 ST S
S 95 E AVE
S 96 E AVE
E 100 ST S
S 94 E AVE

S 98 E PL
S 99 E AVE
S 100 E AVE
S 101 E AVE
S 102 E AVE
E 96 PL S
E 97 ST S
E 98 ST S
E 98 PL S
E 99 ST S
S 98 E AVE
S 99 E AVE
E 99 PL S
E 100 ST S
S 100 E PL



PUD-364-8

18-14 19

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

Aerial Photo Date: 2020/2021

3.4



Current Traffic Issues Mornings - Woodbine Entrance. Adding affiliated business to the neighborhood will increase already existing traffic issues.

Residents and non-residents park along entrance during school starting to avoid stop light and school parking lot. Creates blind spots and narrows lane.

Traffic from adjacent neighborhood cuts through Woodbine neighborhood to avoid stop light and school zone.

Stop Light

PUD-364-8

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

Aerial Photo Date: 2020/2021



18-14 19

3.4

Sawyer, Kim

From: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>
Sent: Thursday, February 24, 2022 11:58 AM
To: reba williams
Cc: esubmit
Subject: Re: PUD-364-D

FILE COPY

Dear Mr. and Mrs. Williams,

Thank you for sending your concerns about the rezoning case PUD-364-D. It is on the Tulsa Metro Area Planning Commission's (TMAPC) meeting agenda under public hearing for next Wednesday, March 2, 2022 at 1 p.m.

I have made a note on my calendar to be at the meeting for that agenda item. I agree that Woodbine is not suited to the type of property use requested by the applicant and will share that position with the Planning Commissioners.

Dwayne Wilkerson in the Tulsa Planning Office has informed me the Zoning Code allows this rezoning application to be decided through the Planning Commission as a minor amendment. If they approve the request it does not normally come to City Council for an ordinance.

Therefore, it is critically important to let the Planning Commissioners know of your opposition to this zoning request. I am sharing emails and letters on this item that come into my office with the Planning Office and will be present during the Commission meeting next Wednesday, March 2, 2022 at 1 p.m.

Sincerely,
Lori

Councilor Lori Decter Wright
City of Tulsa | District 7
Chair of the Tulsa City Council | 2022
Office: [918-596-1927](tel:918-596-1927)
Email: dist7@tulsacouncil.org
www.tulsacouncil.org
Pronouns: she, her, hers

From: reba williams <reba2cats@yahoo.com>
Sent: Thursday, February 24, 2022 11:54 AM

To: Esubmit@incog.org <Esubmit@incog.org>
Cc: (DIST7) Wright, Lori Decter <dist7@tulsacouncil.org>
Subject: PUD-364-D

My husband and I appose the re-zoning of our Woodbine neighborhood. We are totally against this idea.

Thank you for your help in preventing it from happening.

Concerned residents,
Reba and Steve Williams

Sent from my iPhone

CAUTION: This email originated from outside of the organization. Do not reply, forward, click links, or open attachments unless you recognize the sender and know the content is safe. Please report using the Phish Alert button in the Outlook Desktop Client if this message contains potentially unsafe content.

Sawyer, Kim

From: Hoyt, Jay
Sent: Friday, February 25, 2022 8:10 AM
To: Claudette Dandridge; esubmit
Subject: RE: [SPAM] PUD-364-D

FILE COPY

Claudette,

Your email will be forwarded to the Planning Commission for their consideration.

Thank you,

Jay Hoyt

From: Claudette Dandridge <cdandridge@cox.net>
Sent: Wednesday, February 23, 2022 12:13 PM
To: esubmit <esubmit@incog.org>
Subject: [SPAM] PUD-364-D

Re zoning change hearing scheduled for 3/2/2022 at 1pm for zoning change to allow Lyndsay Hightower to do cosmetology work from her home.

I live in Woodbine neighborhood for 28 years and have no objection to this change. I do business with other people that work from their home and have not seen any negative consequences of that process. I support Ms. Hightower in her efforts to work from home.

Claudette Dandridge

9901 S 100th East Pl

Tulsa, OK 74133

918-695-4745

Sawyer, Kim

From: Hoyt, Jay
Sent: Friday, February 25, 2022 8:12 AM
To: Vince Adamek; esubmit
Subject: RE: PUD-364-D modified to PUD-364-8

FILE COPY

Vince,

Your email will be forwarded to the Planning Commission for their consideration.

Thank you,

Jay Hoyt

From: Vince Adamek <vadamek@hotmail.com>
Sent: Friday, February 25, 2022 6:43 AM
To: esubmit <esubmit@incog.org>
Cc: jayhoyt@incog.org
Subject: PUD-364-D modified to PUD-364-8

Thank you in advance for acknowledging this email and taking it into consideration.

My wife and I are STRONGLY OPPOSED to the referenced proposed exception, we have been residents of Woodbine for over 30 years and never dreamed that our covenants would suddenly be susceptible to such a radical interpretation that would allow for what equates to mixed-use zoning within our small neighborhood community. We believe that there has been mis-interpretation between the Woodbine covenants and the zoning code, and that this recommendation should be re-considered.

The Woodbine covenants clearly state in Section 5.01-A that "No Lot shall be occupied, used, or improved for other than detached single-family residential and associated purposes by Owners, their tenants and social guests." Associated Purposes is not the same, and does not align with the zoning code reference to "Accessory Use", therefore the language in the Woodbine covenants should govern in this situation with no exception being granted.

There have been numerous complimentary comments submitted regarding the applicant, and I do not necessarily disagree with them, but this issue is not about dispositions or personalities, it is about making an unnecessary exception to the established PUD and covenants, that if approved sets a precarious precedence for future similar situations for not only Woodbine but for other covenant-controlled Tulsa neighborhoods. For the above reasons, and plenty more, we again are STRONGLY OPPOSED to this change.

Vince Adamek
10002 East 98th Street
Tulsa, OK 74133

Sawyer, Kim

From: Hoyt, Jay
Sent: Friday, February 25, 2022 8:15 AM
To: Susan Driesel; esubmit
Cc: Dist7@Tulsacouncil.org
Subject: RE: PUD-364-D

FILE COPY

Susan,

Your email will be forwarded to the Planning Commission for their consideration.

Thank you,

Jay Hoyt

-----Original Message-----

From: Susan Driesel <sfdriesel@gmail.com>
Sent: Thursday, February 24, 2022 10:55 AM
To: esubmit <esubmit@incog.org>
Cc: Dist7@Tulsacouncil.org
Subject: PUD-364-D

As homeowners in Woodbine, we oppose the rezoning application.

Thank you for your consideration of those of us who live in this neighborhood.

Bill and Susan Driesel
10220 E 98th St
Tulsa, Ok 74133
918 455-9034

Sawyer, Kim

From: Hoyt, Jay
Sent: Wednesday, February 23, 2022 11:35 AM
To: Sawyer, Kim
Subject: FW: Lyndsay Hightower application, PUD-364-D
Attachments: Gaines letter in support of Hightower app PUD364D.pdf

FILE COPY

From: Gore Gaines <gaines@lytlesoule.com>
Sent: Wednesday, February 23, 2022 11:34 AM
To: Hoyt, Jay <JHoyt@incog.org>
Cc: lyndsay.hightower@gmail.com; Sue Penni <sp74133@gmail.com>
Subject: Re: Lyndsay Hightower application, PUD-364-D

Mr. Hoyt,

I have revised my letter to reflect the Planning COmmission as the proper addressee. Please use the attached.

Thank you,

Benjamin Gaines

From: Gore Gaines
Sent: Wednesday, February 23, 2022 11:18 AM
To: Hoyt, Jay <JHoyt@incog.org>
Subject: RE: Lyndsay Hightower application, PUD-364-D

I will do that. Thank you.

From: Hoyt, Jay <JHoyt@incog.org>
Sent: Wednesday, February 23, 2022 11:18 AM
To: Gore Gaines <gaines@lytlesoule.com>
Subject: RE: Lyndsay Hightower application, PUD-364-D

Benjamin,

You are correct. The case will be heard by the Planning Commission and not the Board of Adjustment. You can send me your revised letter and I'll forward it to the Planning Commission.

Thank you,

Jay Hoyt

From: Gore Gaines <gaines@lytlesoule.com>
Sent: Wednesday, February 23, 2022 11:15 AM
To: Hoyt, Jay <JHoyt@incog.org>
Subject: RE: Lyndsay Hightower application, PUD-364-D

Mr. Hoyt,

Did I address my letter to the wrong board? If so I would be glad to readdress it to the Planning Commission.

Thank you,

Benjamin Gaines

From: Hoyt, Jay <JHoyt@incog.org>

Sent: Wednesday, February 23, 2022 11:04 AM

To: Gore Gaines <gaines@lytlesoule.com>; esubmit <esubmit@incog.org>

Cc: lyndsay.hightower@gmail.com; Sue Penni <sp74133@gmail.com>

Subject: RE: Lyndsay Hightower application, PUD-364-D

Benjamin,

Your email will be forwarded to the Planning Commission for their consideration.

Thank you,

Jay Hoyt

From: Gore Gaines <gaines@lytlesoule.com>

Sent: Wednesday, February 23, 2022 11:02 AM

To: esubmit <esubmit@incog.org>

Cc: lyndsay.hightower@gmail.com; Sue Penni <sp74133@gmail.com>

Subject: Lyndsay Hightower application, PUD-364-D

Dear Tulsa Board of Adjustment,

Attached is my letter in support of the above-referenced application.

Sincerely,

Benjamin Gaines

Benjamin Gaines
9704 S. 100TH East Ave.
Tulsa, OK 74133

February 23, 2022

Via email only: esubmit@incog.org
City of Tulsa Planning Commission
2 W 2nd St., Ste. 800
Tulsa OK 74103

RE: LYND SAY HIGHTOWER, PUD-364-D; March 2, 2022 hearing

Dear City of Tulsa Planning Commission:

While I have the utmost respect for those neighbors who may disagree with me, I am writing in support of Lyndsay Hightower's application which would allow her to conduct very limited business as a Type 2 home occupation under the City Code. Briefly, I support her application for the following reasons:

1. I believe it is Ms. Hightower's right under the Code and under our neighborhood's covenants, subject to approval by this board. The Code speaks for itself. Additionally, for decades courts and quasi-judicial bodies such as this one have refused to enforce real estate restrictions that would violate the public policy of the state or nation. Oklahoma public policy supports the ability to work. Prohibiting one's ability to work at home under the limited circumstances of a Type 2 home occupation would violate public policy and harm the public and the economy.
2. There is no reason to believe that Ms. Hightower will abuse the privilege. She has told me that she will make her driveway available to any customers for parking and that the work she expects to perform at home is limited as to hours of operation and number of customers. While I do not know Ms. Hightower personally, her home is immediately behind mine. I have seen that she has invested a lot of money into the outside appearance of her home. She maintains the exterior of her property immaculately. She and her family are quiet, respectful neighbors. Her conduct in this neighborhood leads me to believe that she can be trusted in this matter, as well.
3. I believe that the ability to work at home during present times is both expected and necessary. Accordingly, the ability to work at home (to the extent permitted as a Type 2 home occupation) enhances neighborhood property values and does not detract from values. My opinion is based upon floor plans for present new construction in which builders include home offices as a matter of course, and ask and receive prices of approaching \$500,000 for homes smaller than 2,000 square feet. Home workplaces are the standard for 2022 and beyond. We need to meet that standard to maximize our home values.

Sincerely,


Benjamin Gaines

Sawyer, Kim

From: Jennifer Kohn <jenniferkohn@yahoo.com>
Sent: Tuesday, March 1, 2022 8:59 AM
To: esubmit
Cc: Dist7@tulsacouncil.org
Subject: PUD-364-D

FILE COPY

I am opposed to the request for rezoning in my neighborhood to allow a salon built onto a neighbors home. This is a quiet community with lots of kids and we don't need strangers in our subdivision creating more traffic.

Additionally, i believe rezoning will have implications on my property value.

I am against this

Please consider opposition requests.

Thank you

~Jennifer Kohn~

FILE COPY

Sawyer, Kim

From: Jeanne Been <sjbeen@cox.net>
Sent: Monday, February 28, 2022 4:16 PM
To: esubmit
Subject: PUD-364-D

FILE COPY

RE: Case Number PUD-364-D

Pursuit to the Notice of Hearing before the Tulsa Metropolitan Area Planning Commission "TMAPC" regarding PUD-364-D, this letter is to notify the TMAPC of my objection of the proposed Major Amendment to the PUD to allow for the residential home to include a salon.

Regards,

Sarah Been
9710 S. 101st E. Ave
Tulsa OK 74133

February 28, 2022

FILE COPY

Public Hearing on Case Number PUD-364-D, scheduled for 3/2/2022,
Case Number: PUD-264-D

James R. Sterk & Sandra K. Sterk

9940 E. 97th St S

Tulsa, OK 74133

My wife and I oppose the requested Major Amendment to PUD-364-D.

I am familiar with the traffic and street conditions in the Woodbine neighborhood, especially on 97th St. S. We have lived in Woodbine since 1991, in a home just a few houses south of the petitioner.

I was President of the Woodbine Homeowners Assoc. when the Koala Kare Childcare Center was constructed. At that time on behalf of the Woodbine residents, I presented to the Tulsa City Council our request that access to the childcare center be from Mingo instead of the stated request for access from 97th St. S.

We oppose the petition for several reasons, but primarily for traffic safety reasons.

The intersection of 97th St. S and Mingo, and east on 97th from that intersection east to South 89th E. Ave is an ill configured and dangerous area. Evidence to that effect was presented to the City Council. Subsequently access to the childcare center (then Koala Kare) was changed to Mingo which allowed better sightlines north and south.

The only thing that has changed is that the situation is worse due to increased traffic on Mingo, especially during peak traffic periods. The widening of Mingo to the North and the addition of a turn lane onto 97th St. has done little to mitigate the traffic issues.

Vehicles exiting Mingo onto 97th st continue to face oncoming, frequently speeding traffic with poor sight lines to the south. Vehicles exiting 97th St. S onto Mingo, especially to the South frequently, during school start and end periods, and during evening peak traffic periods face bumper to bumper traffic moving South on Mingo. Additional residential traffic is not needed here.

Once a vehicle has entered 97th street moving east from Mingo, the driver must quickly navigate an uphill "S" turn. West bound vehicles have the same configuration in reverse. This places oncoming vehicles to the right of each other with a short sight line and minimal correction time. Normally this is not an issue unless speeding is involved. But it is a problem during school opening and closing hours when vehicles are parked, often illegally on the south side of the street, in the "S" turn area. For all practical purposes this produces a single lane for facing traffic. This in a restricted area where children are loaded and off loaded. More traffic is not needed in this area.

On 97th St east of South 89th E. Ave, single lanes are often encountered because vehicles are parked on both sides of the street. Most often the single lane issue occurs almost exactly in the immediate vicinity of the petitioner's residence. This area is frequented by children. The street itself is historically frequented by speeding vehicles. More traffic and parking are not needed in this area.

When the intersection of 101st St. and Mingo was widened the Tulsa City Council recognized the potential for hazardous traffic due to vehicles transiting the Woodbine and adjacent neighborhood. For

safety reasons, the city placed a roadblock on S. 101E. Pl. to prevent traffic from cutting through the neighborhoods to avoid the construction at 101 and Mingo. The rationale remains that while residential traffic is expected. Business or throughfare traffic is a problem.

One important reason for our home purchase in Woodbine was the layout of the area. We believed the design dictated that the neighborhood would remain a neighborhood, not become a commercial area. Allowing a business that draws customers to the “store,” or in this case residence, establishes a precedent to add business growth to the area. That would bring an unfortunate change to the neighborhood and its character with a probable decrease in property values.

We oppose the petition and respectfully ask that it be denied.

Sawyer, Kim

From: John Bullock <jobullock@bellsouth.net>
Sent: Monday, February 28, 2022 1:37 PM
To: esubmit
Cc: Dist7@tulsacouncil.org
Subject: PUD-364-D

FILE COPY

To Whom It May Concern:

As residents of the Woodbine subdivision for the past 7 1/2 years, my wife and I wish to express our opposition to the proposed zoning change of one of the properties in our neighborhood from PUD-364 to PUD-364-D. Unfortunately, due to prior commitments, we will be unable to attend the public hearing on the proposed change.

We do not know the applicant personally and wish her every success in her efforts to establish her business. However, our opposition to the proposed zoning change is out of concern for the potential future effects it may have on the original intended residential "character" of the neighborhood when it was established over 30 years ago.

Thanks in advance for your consideration of our input into your decision.

John and Gail Bullock
9812 S. 100th East Pl.
Tulsa, OK 74133

2/21/2022

Tulsa Metropolitan Area Planning Commission
c/o INCOG
2 W. 2nd St
Tulsa, OK. 74103

RE: Case Number PUD-364-D

Staff of the Tulsa Planning Office,

Pursuit to the Notice of Hearing before the Tulsa Metropolitan Area Planning Commission "TMAPC" regarding PUD-364-D, this letter is to notify the TMAPC of my objection of the proposed Major Amendment to the PUD to allow for the residential home to include a salon.

Regards,

Signature William T. Baddley

Printed Name WILLIAM T. BADDLEY

Address 9944 EAST 97TH ST.
TULSA OK 74133

Sawyer, Kim

From: Jill Burke <jburke109@cox.net>
Sent: Tuesday, March 1, 2022 3:46 PM
To: esubmit
Subject: Fwd: Case #PUD-364-8 (formerly PUD-364-D)

FILE COPY

I noticed that my opposition email below was not made a part of the agenda that is now available on the website. There were others sent on March 1 that were on the agenda.

Please be sure this is included at the review for tomorrow's hearing.

Thank you

Jill Burke

From: Jill Burke <JBurke109@Cox.net>
Date: Sunday, February 27, 2022 at 9:56 PM
To: <Esubmit@incog.org>, <Dist7@tulsacouncil.org>
Subject: Case #PUD-364-8 (formerly PUD-364-D)

To: Tulsa Metropolitan Area Planning Commission

RE: Case Number: PUD-364-8 (Formerly PUD-364-D)
Lot 3, Block 4, Woodbine Addition

Hearing Date: March 2, 2022

Ladies and Gentlemen:

This is written to voice our **STRONG OPPOSITION** to the application for a Type 2 Home Occupation under the referenced application.

We chose this neighborhood in which to build our home almost 30 years ago, because of its location, the single-residency family homes (many homes which have children due to the proximity of the elementary school adjoining the west side of the neighborhood), and the protection provided by being controlled by a set of Covenants that we all agreed upon when choosing to purchase a home in this neighborhood. We never envisioned the Covenants to be stretched in interpretation to allow for running a business with daily clients in and out of the neighborhood.

This has nothing personal to do with the applicant, or not believing in change as times dictate, but everything to do with maintaining the integrity of this intimate neighborhood and those values with which it was established. We sit tucked away with our main entrance flanked by a daycare on one side and an elementary school on the other side. We respectfully ask that you kindly take that into consideration and the impact of what approving this application could have in the future.

Thank you for your consideration of our opinion.

Sincerely,

Leon & Jill Burke

Sawyer, Kim

From: Kevin Wylie <KWylie@ellerdetrich.com>
Sent: Tuesday, March 1, 2022 3:30 PM
To: esubmit
Cc: dist7@tulsacouncil.org
Subject: Case # PUD-364-8 (Formerly PUD-364-D)

FILE COPY

This email is in regards to the above Case.

My wife and I are residents in Woodbine and have been since 1994.

Although we do not personally know the Owner/Applicant and can certainly sympathize with her situation, we would oppose the Applicant's Proposal based primarily upon the following:

- 1) Obviously the neighborhood is made up of single-family detached homes. The Applicant's home is located pretty much in the middle of the addition, and on the main street into the neighborhood. A re-zoning of Applicant's property to include a permitted business/commercial use in the middle of the neighborhood is totally out of character and ill-suited with respect to the remainder of the surrounding neighborhood (as opposed to being on the "fringe" of the neighborhood that might about a commercial use).
- 2) Despite whether the re-zoning is permitted, the proposed use violates *a private restrictive covenant* governing the subject property and the Addition. The Declaration of Covenants, Conditions and Restrictions for Woodbine, recorded June 17, 1987 at Page 5031 in Book 2180 (the "CCR's") provides, in Section 5.01 A. regarding Use of Lots:

" No Lot shall be occupied, used or improved for other than detached single-family residential and associated purposes by Owners, their tenants and social guests."

By definition, the use of a single-family residence for commercial or business purpose (i.e. a salon for customers) as requested by the Applicant is NOT an associated purpose. While the Applicant, as Owner (or her tenant) may be able to cut their own hair in their residence, or change their own oil in their garage or have their own craft studio or greenhouse in their residence as a use associated with the residence, having a business/commercial use for outside customers regarding any of the foregoing (i.e. cutting hair, changing oil, selling crafts or plants to customers as a business) is not in line with a residential or "associated purpose". Thus, even if the re-zoning was to be approved as requested or otherwise, a violation of the cited private restrictive covenant from the CCR's would nevertheless be subject to enforcement by a Woodbine homeowner or the Woodbine Homeowner's Association (Sec. 13.02 of the CCR's).

Without in any way lessening the above objections, if the Planning Commission is inclined to approve the re-zoning sought by the Applicant, it would be appropriate to, at a minimum, put limitations/restrictions on the same, such as:

- 1) Limit to a *hair* salon only (i.e. no nail salon, massage salon, etc.)
- 2) Limit to no employees other than the Applicant.
- 3) Limit of operation hours/days (e.g. M-Sat., 1pm-5pm)
- 4) No signage permitted
- 5) Special exception terminates on transfer of property by Applicant or if earlier, close of the hair salon business
- 6) Consider limiting customer parking to driveway only...no on street parking.

Respectfully,

Kevin and Donna Wylie
9821 E. 96th Place
Tulsa, OK 74133