

Withdrawn  
PUD-828-3

Sawyer, Kim

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**From:** Hoyt, Jay  
**Sent:** Thursday, July 8, 2021 4:13 PM  
**To:** Sawyer, Kim  
**Subject:** FW: Amendment to PUD 828

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Kim,

The applicant for PUD-828-2 (originally on the 7/7 agenda and continued to 8/4) and PUD-828-3 (scheduled for the 7/21 agenda) has requested that the cases be withdrawn.

Thank you,

Jay Hoyt

**From:** Darrell Hicks <darrell.hicks@simmonshomes.com>  
**Sent:** Thursday, July 08, 2021 4:09 PM  
**To:** Hoyt, Jay <JHoyt@incog.org>  
**Subject:** Re: Amendment to PUD 828

Jay - Thank you for all your help and input in this matter. We have decided to move forward in a different direction with these properties. Please remove our applications from all future meeting agendas for both properties.

Thank you,  
Darrell

On Wed, Jul 7, 2021 at 2:40 PM Hoyt, Jay <JHoyt@incog.org> wrote:

Darrell,

The Planning Commission voted to continue your minor amendment application PUD-828-2 until the August 4<sup>th</sup> meeting. They wanted to give you time to work out some alternative, if possible. They suggested that you could possibly get an agreement from another property owner to allocate some of their open space to your site. If you could get an agreement to transfer the 172 sf of open space from another lot that has adequate leftover open space to allocate to your site, you could still go forward with the amendment, as long as the agreement could be in place.

You would need to do something similar for your other upcoming minor amendment PUD-828-3 since it has the same issue.

Thank you,

Jay Hoyt

**From:** Darrell Hicks <[darrell.hicks@simmonshomes.com](mailto:darrell.hicks@simmonshomes.com)>  
**Sent:** Wednesday, July 07, 2021 10:31 AM  
**To:** Hoyt, Jay <[JHoyt@incog.org](mailto:JHoyt@incog.org)>  
**Subject:** Re: Amendment to PUD 828

Thank you for the information.

On Wed, Jul 7, 2021 at 10:30 AM Hoyt, Jay <[JHoyt@incog.org](mailto:JHoyt@incog.org)> wrote:

Darrell,

The minor amendments PUD-828-2, scheduled for today's Planning Commission meeting and amendment PUD-828-3 scheduled for the 7/21 Planning Commission meeting will not be able to be approved. The zoning code requires that the open space within a PUD cannot be less than that required in the underlying zoning. It can be redistributed from common open space within a PUD, but opens space on the lot and the allocation from common open space must equal the zoning requirement. PUD-828-1 allocated the common open space to all lots in the PUD, which reduced the on lot open space requirement to 3,572 sf, but overall the open space per lot still totals 4,000 sf, which is what the underlying zoning requires.

I will have to recommend denial of the amendment request due to the zoning code not allowing there to be less than 4,000 sf of open space per lot (on lot plus allocations). Since the case cannot be approved, will you be withdrawing your requested amendments? Please let me know so that I can inform the TMAPC secretary of the withdrawal of the cases.

To have the requirement reduced, you would need to seek a variance from the City of Tulsa Board of Adjustment, which would be a separate hearing and voting body than the Planning Commission.

Thank you,



**Jay Hoyt**

Planner

Tulsa Planning Office

2 W. 2nd St., 8th Floor | Tulsa, OK 74103

918.579.9476

[jhoyt@incog.org](mailto:jhoyt@incog.org)

**From:** Darrell Hicks <[darrell.hicks@simmonshomes.com](mailto:darrell.hicks@simmonshomes.com)>

**Sent:** Tuesday, June 15, 2021 3:04 PM

**To:** Hoyt, Jay <[JHoyt@incog.org](mailto:JHoyt@incog.org)>

**Subject:** Re: Amendment to PUD 828

Ok, thank you. I have attached the application to this response.

On Tue, Jun 15, 2021 at 3:00 PM Hoyt, Jay <[JHoyt@incog.org](mailto:JHoyt@incog.org)> wrote:

Darrell,

You can send the application to me. I will be the one to process it here. For the payment, you'll need to give me the contact info for the person paying and I'll give it to our admin, who will then contact that person directly for payment.

Thank you,

Jay Hoyt

**From:** Darrell Hicks <[darrell.hicks@simmonshomes.com](mailto:darrell.hicks@simmonshomes.com)>

**Sent:** Tuesday, June 15, 2021 2:57 PM

**To:** Hoyt, Jay <[JHoyt@incog.org](mailto:JHoyt@incog.org)>

**Subject:** Re: Amendment to PUD 828

Thank you for the clarification. We will pay by card over the phone. Who is the contact for that please? And so I send the corrected application to you or someone else?

Darrell

On Tue, Jun 15, 2021 at 2:49 PM Hoyt, Jay <[JHoyt@incog.org](mailto:JHoyt@incog.org)> wrote:

Darrell,

That is correct. The \$45 notification fee will only increase if there are more than 15 property owners within 300 ft of the property lines. I did a quick check in our system and the number does not exceed 15, so that fee will be \$45.

You can submit either in person or via email. If submitting by email, be sure to state how the fee will be paid, either via check in person or by mail or by card, either in person or over the phone.

The application looks fine, but instead of referring to "green space" you may want to refer to it as "open space" which is how the zoning code refers to that requirement.

Thank you,

Jay Hoyt

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**From:** Darrell Hicks <darrell.hicks@simmonshomes.com>

**Sent:** Tuesday, June 15, 2021 2:32 PM

**To:** Hoyt, Jay <JHoyt@incog.org>

**Subject:** Re: Amendment to PUD 828

Jay,

Thank you again for the information and the quick response. We are moving forward with this and as such, I have a few questions in regards to filling out the application. I will try to get them all in this email so I do not take up too much of your time.

1. The \$45 is a base fee and will only increase if the number of home owners exceeds 15 correct?

2. Do we need to submit this in person or can it be submitted via email? I am attaching a copy if you could please review it to make sure it is correctly filled out with all the pertinent information.

Thank you for your help,

Darrell Hicks, Drafter

Simmons Homes

On Tue, Jun 15, 2021 at 11:16 AM Hoyt, Jay <JHoyt@incog.org> wrote:

Darrell,

A minor amendment to the PUD would be needed requesting the change. I've attached a copy of the application form. Residential amendments are \$250, plus notification fees of \$45 or slightly higher if the number of property owners within 300 ft of the subject lot exceeds 15. The application will need to be submitted at least 21 days before the Planning Commission meeting date you wish the amendment to be heard on. The commission meets the first and third Wednesday of every month.

Please let me know if you have any questions.

Thank you,



Jay Hoyt

Planner

Tulsa Planning Office

2 W. 2nd St., 8th Floor | Tulsa, OK 74103

918.579.9476

[jhoyt@incog.org](mailto:jhoyt@incog.org)

**From:** Darrell Hicks <[darrell.hicks@simmonshomes.com](mailto:darrell.hicks@simmonshomes.com)>

**Sent:** Tuesday, June 15, 2021 9:33 AM

**To:** Miller, Susan <[SMiller@incog.org](mailto:SMiller@incog.org)>

**Subject:** Amendment to PUD 828

Mrs. Miller,

I am contacting you for guidance and information in regards to obtaining an amendment for a lot in the subdivision The Enclave at Addison Creek. We have a customer who has signed a contract for a home on a lot and it has been brought to our attention by Jeff Taylor with Planning/Zoning that the house exceeds the allowable green space by 122 sq. ft.

My initial question for you is who do I need to contact to get the process and a possible timeline in regards to applying for an amendment to allow an exemption for this house to move forward in the permitting process?

Thank you for your time,

Darrell Hicks, Drafter

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