



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7512

Hearing Date: November 20, 2019

Case Report Prepared by:

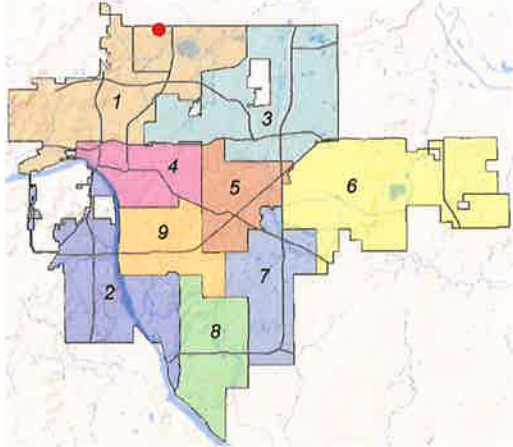
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Timothy Johnson

Property Owner: JOHNSON, JESSICA ERIN &
TIMOTHY ROBERT

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Single-family residence

Proposed Use: AG

Concept summary: Rezone for agricultural uses that are not considered a Farm, Market or Community Supported Garden or a Community Garden

Tract Size: 5 ± acres

Location: East of the Southeast corner of East 56th Street North & North Lewis Avenue

Zoning:

Existing Zoning: RS-3

Proposed Zoning: AG

Comprehensive Plan:

Land Use Map: New Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 0308
CZM: 22

City Council District: 1

Councilor Name: Vanessa Hall-Harper

County Commission District: 1

Commissioner Name: Stan Sallee

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SECTION I: Z-7512

DEVELOPMENT CONCEPT: Rezone the property to allow agricultural uses that may be permitted by ordinance in an AG district.

EXHIBITS:

- INCOG Case map
- INCOG Aerial
- INCOG Aerial
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
 - Plot Plan
 - Agricultural Land Use Affidavit

DETAILED STAFF RECOMMENDATION:

AG zoning is not consistent with the new neighborhood land use vision in the Tulsa Comprehensive Plan however the subject property and proximate properties are consistent with the AG lot and building regulations and has not seen development since the property was originally zoned in 1970 and,

The property is surrounded by large lot residential properties on the east; south and west however the zoning has been established as RS-3 for decades. The AG uses that might be permitted by city ordinances are not normally considered objectionable in an area that been developed on low density on the edge of the City limits and,

The general purpose of AG districts is primarily intended to accommodate agricultural uses in rural areas. The district allows very low density residential and other uses that serves as a holding zone pending an orderly transition to more urban development that can be efficiently served by public facilities and services therefore,

Staff recommends Approval of Z-7512 to rezone property from RS-3 to AG.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: AG zoning is not normally consistent with the New Neighborhood land use designation however large lot residential uses may be consistent with that land use designation. Some uses that could be permitted by special exception at the Tulsa Board of Adjustment include mining and mineral processing among are not consistent with the new neighborhood land use designation and would not be supported by staff.

Land Use Vision:

Land Use Plan map designation:

New Neighborhood

The New Neighborhood residential building block is comprised of a plan category by the same name. It is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums. These areas

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should be designed to meet high standards of internal and external connectivity, and shall be paired with an existing or New Neighborhood or Town Center.

Areas of Stability and Growth designation:

Area of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

Transportation Vision:

Major Street and Highway Plan: 56th street north is a secondary arterial and is the northern edge of Tulsa City limits.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *Single family home with barn.*

Street view from northwest corner looking south:



Environmental Considerations: None that affect agricultural uses.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 56 th Street North	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water but municipal sewer service is not available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	Tulsa County / no designation	NA	Radio towers
East	RS-3	New Neighborhood	Growth	Large lot residential
South	RS-3	New Neighborhood	Growth	Large lot residential
West	RS-3	New Neighborhood	Growth	Large lot residential

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SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11802 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-21821 January 2015: The Board of Adjustment **approved** the request for *Variance* of the all-weather material requirement for parking, subject to conceptual plan 13.7, finding that the applicant is using the existing gravel driveway that has been in existence since the 1960s, and is not constructing a new driveway, on property located at 2452 East 56th Street North.

BOA-12437 February 1983: The Board of Adjustment **approved** a *Variance* to allow more than 750 square feet of detached accessory building on a lot, subject to the execution of a restrictive covenant being filed with the County Clerk to appear in the abstract that there is no business permitted in the garage, on property located at 2452 East 56th Street North.

Surrounding Property:

BOA-12153 September 1982: The Board of Adjustment **approved** a *Variance* to raise and/or keep horses in an RS-3 District and a *Variance* to erect a utility building on a lot of its own, limiting the size of the pole barn to 650 square feet, subject to approval by the City Commission, on property located at 5504 North Birmingham Avenue.

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E 59 ST N

N GILLETTE AVE

E 56 PL N

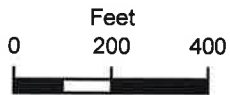
E 56th ST N

N BIRMINGHAM AVE

N LEWIS AVE

E 54 ST N

N ZUNIS AVE



Subject Tract

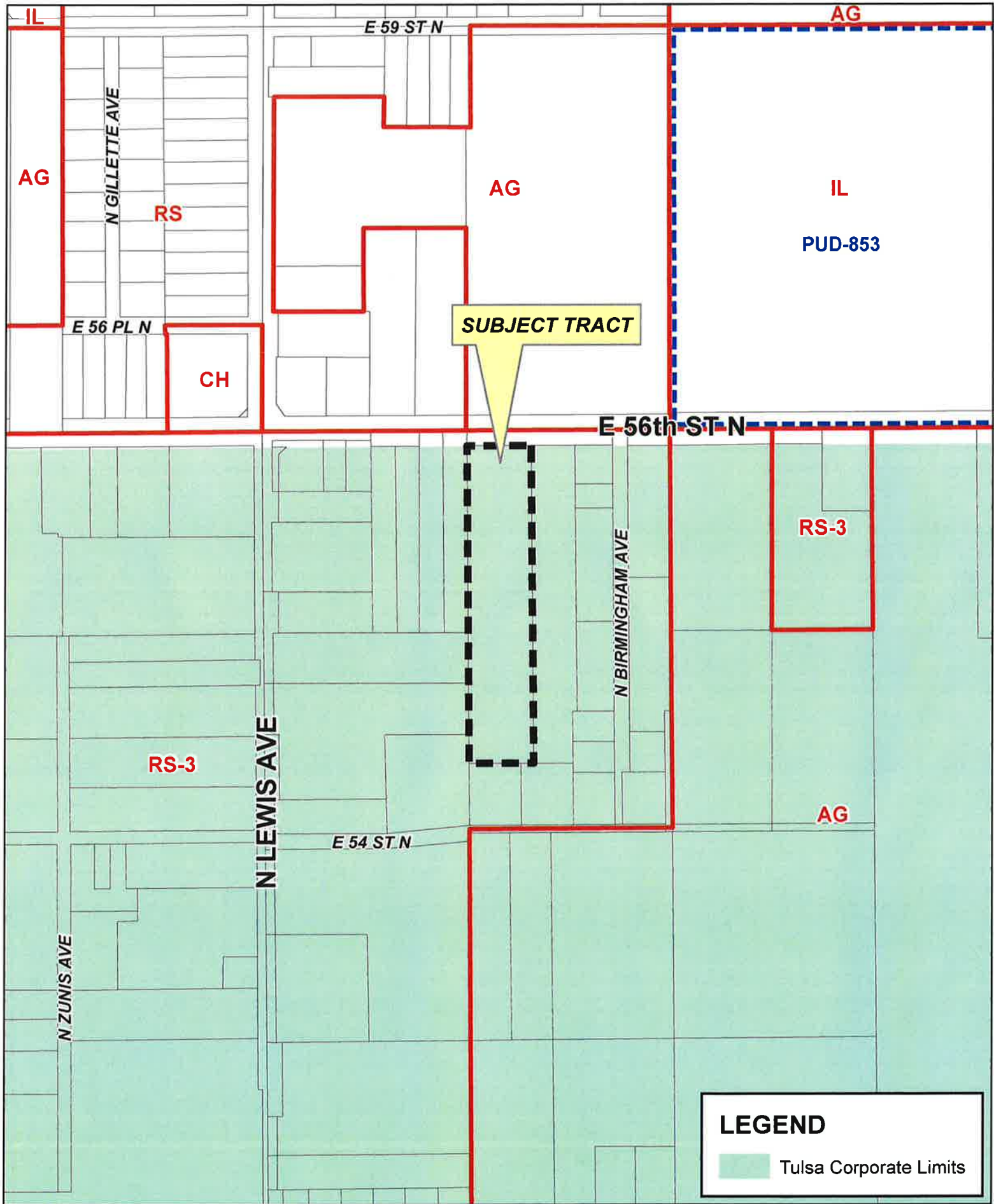
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

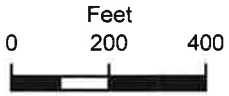




SUBJECT TRACT

LEGEND

Tulsa Corporate Limits

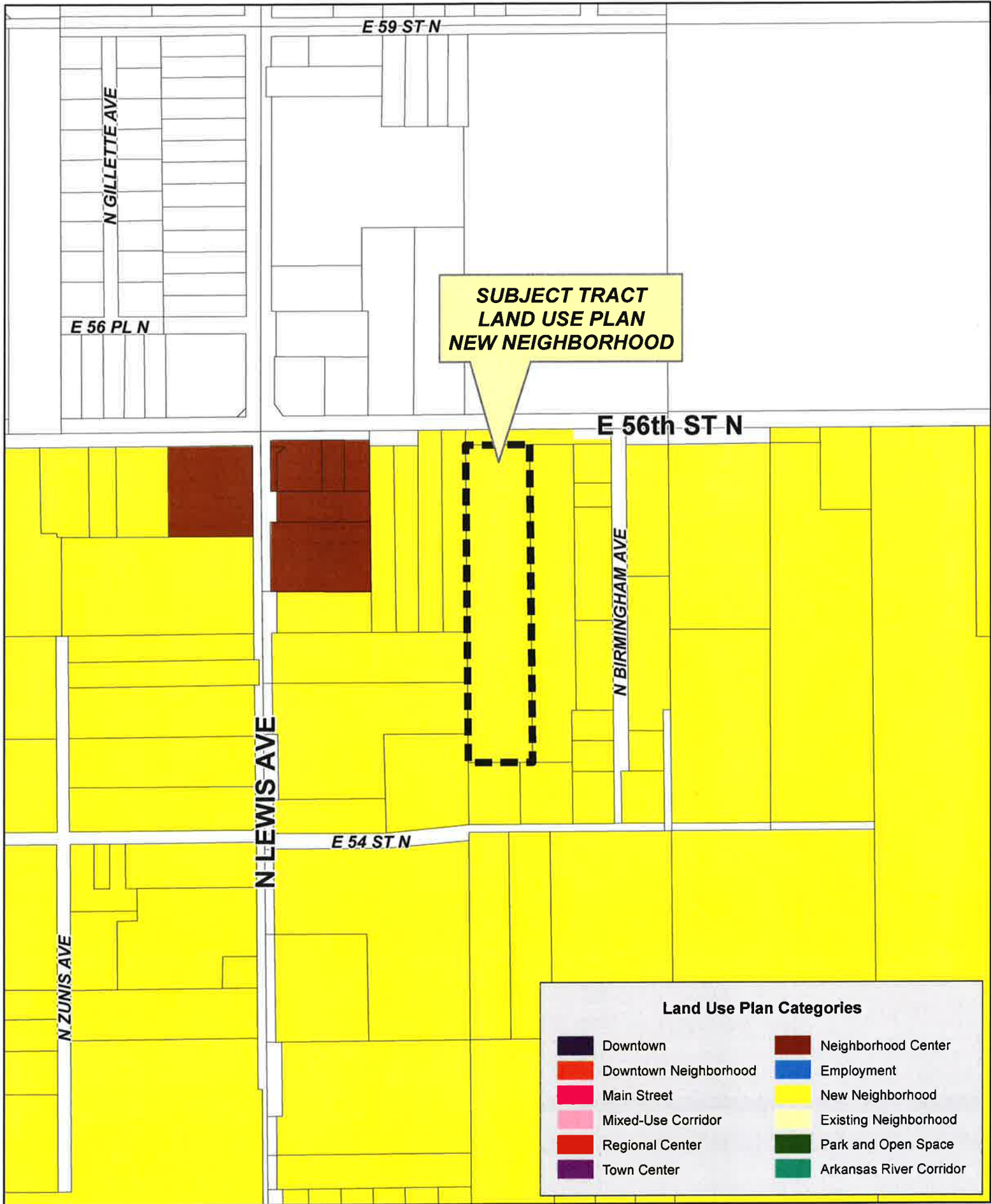


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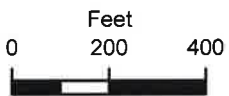
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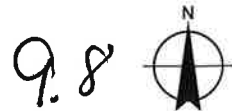


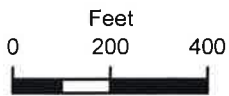
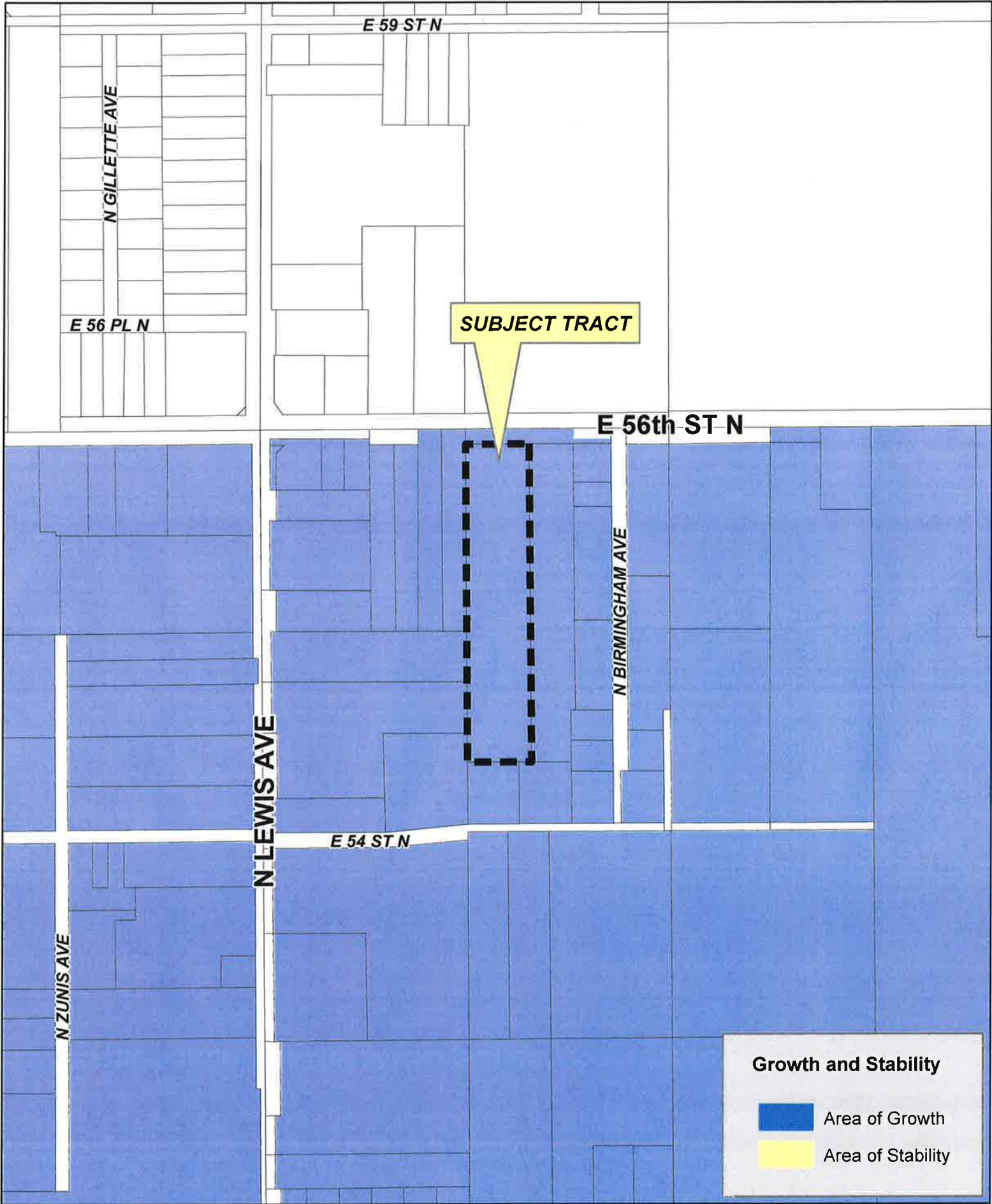
**SUBJECT TRACT
LAND USE PLAN
NEW NEIGHBORHOOD**



Z-7512

20-13 08





Z-7512

20-13 08



LEGEND
 -X- FENCE
 U/E UTILITY EASEMENT
 D/E DRAINAGE EASEMENT
 M/P METERING POINT
 B/E BURIED ELECTRIC & TELEPHONE CABLE EASEMENT (APPROXIMATE LOCATION)
 B.L. BUILDING LINE
 O.B.L. OUTBUILDING LINE

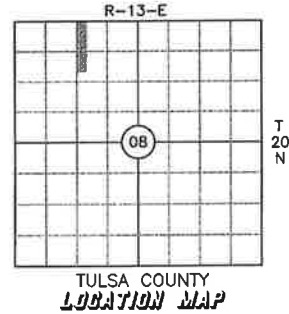
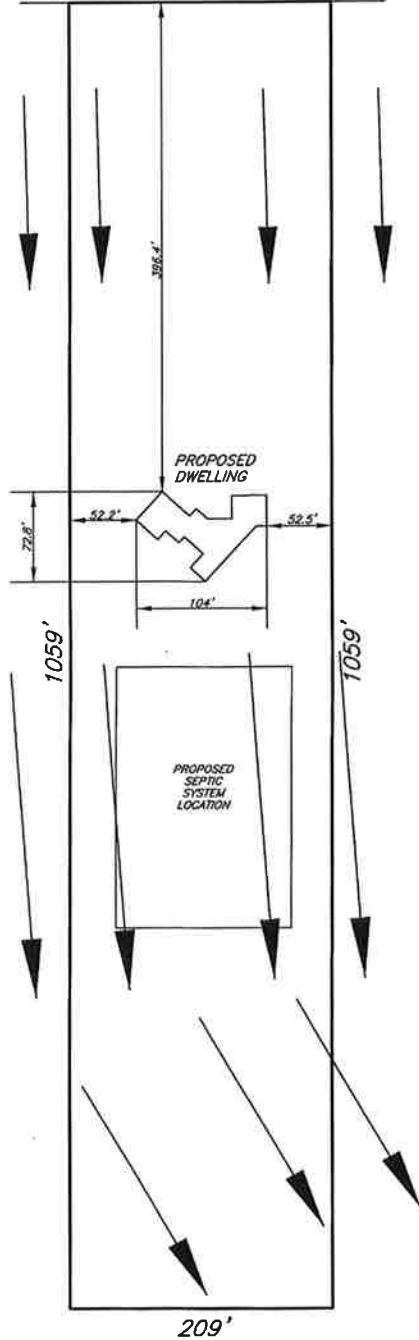
 BEFORE YOU DIG, CALL OKIE
 1-800-522-6543



1"=100'
 INVOICE NO.: BURRESJ 14-72072
 MORTGAGOR:
 CLIENT: JESSICA BURRESS

PLOT PLAN

EAST 56TH STREET NORTH
 209' 30"



LEGAL DESCRIPTION AS PROVIDED:

BEGINNING 660E AND 30S NORTH WEST CORNER SECTION THENCE S1059 E209 N1059 W209 POB SECTION 8, TOWNSHIP 20 RANGE 13 AND KNOWN AS 2452 EAST 56TH STREET NORTH.

WITNESS MY HAND AND SEAL THIS DATE: 6/3/14

WARNING! If the seal on this document is not RED, it is an unauthorized copy which may have been altered or modified, and cannot be used for any purpose without the written permission of White Surveying Company.

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AGRICULTURAL LAND USE AFFIDAVIT

John A. Wright, Tulsa County Assessor

500 S. Denver Ave., Suite 215 • Tulsa, OK 74103

918.596.5100 • www.assessor.tulsacounty.org

I, Jessica E. Johnson, being the title owner of the property with the Acct. / Parcel # R90308030811390, with Total # Acres 4.996

do formally state that the use of the above property as of January 1st, 2019 is used as follows, Plantation of row crops during the season, Majority use for free-range small livestock and feathered flock grazing areas. 2019 expansion plans to include fruit trees and blackberry harvesting for family use and consumption.

The Acreage Use Is As Follows:			For Office Use Only Account Information	
	<u>.50</u>	Acres are Cropland	LEA	_____
_____	Acres are Improved Pasture	USE	_____	
<u>3.50</u>	Acres are Native Pasture	ZONE	_____	
_____	Acres are Timber			
<u>4.00</u>	Total Number of Acres			

Federal Employer's Identification (FEIN) Number	Type	Acct. Number	Year	Expires MMDDYY
Agricultural Sales Tax Exemption Permit Number				

Under penalty of perjury, I, the undersigned affiant, do affirm that the statements I have made herein are true and correct.

[Signature]
Signature of Affiant

03/07/2019
Date

2452 E 56TH ST N
Mailing Address

(918) 704-0772
Daytime Phone

TULSA, OK 74130
City, State, Zip Code

Subscribed and sworn before me this 7 day of MARCH



My commission expires: 6-10-2019

Susan R Meek
Notary Public

To be completed by the Assessor's Office

Field Inspection by Appr. # _____ Date: _____ Notes: _____

Approved beginning _____ tax year. Denied - Basis for denial: _____

Approved by: _____
Printed Name Signature Date