

AGENDA
CITY OF TULSA BOARD OF ADJUSTMENT
Regularly Scheduled Meeting
Tulsa City Council Chambers
175 East 2nd Street, 2nd Level, One Technology Center
Tuesday, February 9, 2021, 1:00 P.M.

Meeting No. 1266

The City Board of Adjustment will be held in the Tulsa City Council Chambers and by videoconferencing and teleconferencing.

Members of the public may attend the meeting in the Tulsa City Council Chamber but are encouraged to attend and participate in the Board of Adjustment meeting via videoconferencing and teleconferencing by joining from a computer, tablet, or smartphone.

Join **Videoconference**: <https://www.gotomeet.me/CityOfTulsa2/boa-gotomeeting-in-council-chambers-february-9th>

Join **Teleconference** by dialing: +1 (646) 749-3122

Participants must then enter the following **Access Code**: 195-943-189

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<https://global.gotomeeting.com/install/195943189>

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Approval of **Minutes** of January 12, 2020 (Meeting No. 1264).
2. Approval of **Minutes** of January 26, 2021 (Meeting No. 1265).

UNFINISHED BUSINESS

3. **23071—Eller & Detrich – Lou Reynolds**
Variance of Section 80.020-B of the Tulsa Zoning Code to permit a portion of an existing covered patio to be located within the five-foot side street setback of a lawfully nonconforming lot in an RS-3 District. **LOCATION**: 3541 South Rockford Avenue East **(CD 9)**
4. **23076—Elizabeth Koelle**
Special Exception to permit Low-Impact Medical Marijuana processing (Low-impact Manufacturing & Industry Use) in the CH District (Section 15.020, Table 15-2). **LOCATION**: 1213 & 1215 South Houston Avenue West **(CD 4)**

NEW APPLICATIONS

5. **23077—Raul Cisneros**
Special Exception to allow a duplex use in an RS-5 District (Section 5.020, Table 5-2 and Table 5-2.5); Variance of the 25-foot setback for a Special Exception use from R-zoned lots occupied by residential uses (Section 5.030-B, Table Note 4).
LOCATION: 1243 North Main Street **(CD 1)**
6. **23078—Robison Consulting, LLC**
Special Exception to increase the permitted driveway width (Section 55.090-F).
LOCATION: 13642 East 28th Place South **(CD 6)**
7. **23079—Coby Nirider**
Variance of the parking surface requirements to allow the continued use of an existing gravel driveway (Section 55.090-F). **LOCATION:** 15323 East 13th Street South **(CD 6)**
8. **23080—Gary Holmes**
Variance to allow a detached accessory building to exceed 10 feet in height to the top of the top plate (Section 90.090-C). **LOCATION:** 10204 South Richmond Place East **(CD 8)**
9. **23081—Blue Beacon – Dana Morse**
Special Exception to permit a Commercial/ Vehicle Sales & Service/Commercial Vehicle Repair & Maintenance Use (Truck Wash Facility) in the CS District (Section 15.020, Table 15-2); Variance to allow drive-through facilities to be located on the street facing side of the property (Section 55.100-C2). **LOCATION:** 16505 East Admiral Place North **(CD 6)**

OTHER BUSINESS **NEW BUSINESS** **BOARD MEMBER COMMENTS** **ADJOURNMENT**

Website: tulsaplanning.org

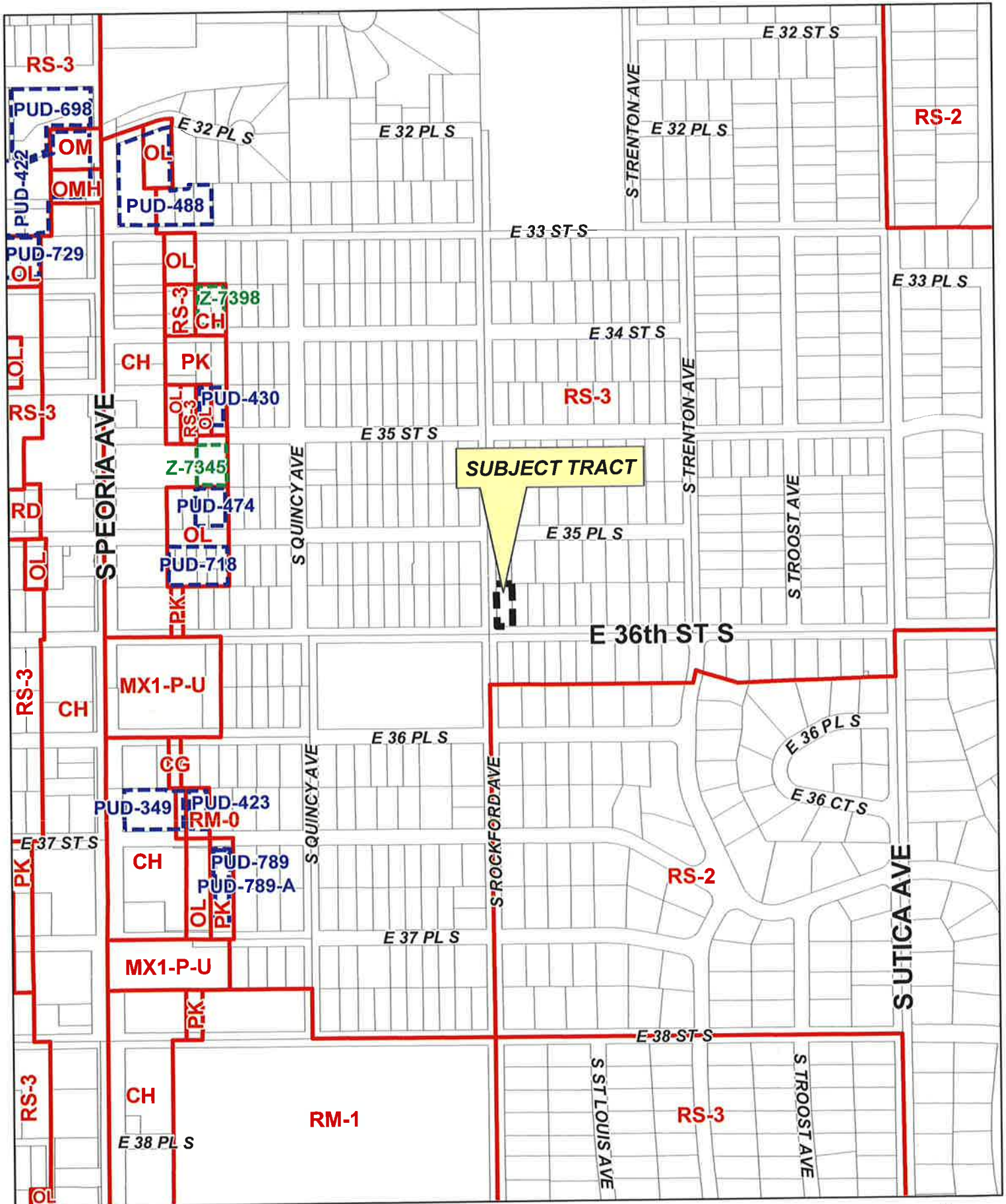
E-mail: esubmit@incog.org

CD = Council District

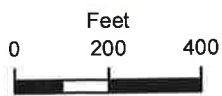
NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify Tulsa Planning Office at 918-584-7526. Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained at Tulsa Planning Office, INCOG. All electronic devices must be silenced during the Board of Adjustment meeting.

NOTE: This agenda is for informational purposes only and is not an official posting. Please contact the Tulsa Planning Office at 918-584-7526 if you require an official posted agenda.

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SUBJECT TRACT



BOA-23071

3.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9319

Case Number: **BOA-23071**

CZM: 47

CD: 9

HEARING DATE: 02/109/2021 (*Continued from 01/12/2021*) 1:00 PM

APPLICANT: Lou Reynolds

ACTION REQUESTED: Variance of Section 80.020-B of the Tulsa Zoning Code to permit a portion of an existing covered patio to be located within the five foot (5') side street setback of a lawfully nonconforming lot in an RS-3 District for property located at 3541 S. Rockford Avenue

LOCATION: 3541 S ROCKFORD AV

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 7000.12 SQ FT

LEGAL DESCRIPTION: W. 50 OF LT-16-BLK-4, PARRAMORE ADDN

RELEVANT PREVIOUS ACTIONS: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

An **Existing Neighborhood** is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code.

The **Areas of Stability** include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NE/c of S. Rockford Ave. and E. 36th St. The lot is non-conforming with respect to minimum lot width. RS-3 zoning districts require 6' wide lots and this lot is only 50'.

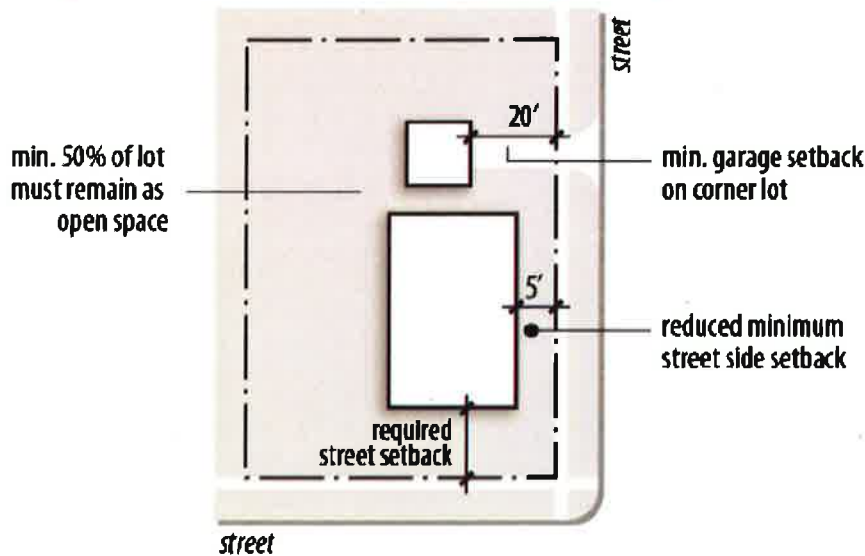
STAFF COMMENTS: The applicant is requesting a **Variance** of Section 80.020-B of the Tulsa Zoning Code to permit a portion of an existing covered patio to be located within the five foot (5') side street setback of a lawfully nonconforming lot in an RS-3 District for property located at 3541 S. Rockford Avenue

3.2

80.020-B Nonconforming Lots in Residential Zoning Districts

In residential zoning districts, a single detached house may be erected on a nonconforming lot without complying with the minimum lot area, minimum lot area per unit, minimum lot width, minimum street frontage or minimum open space per unit requirements of the subject zoning district, provided that at least 50% of the lot area remains as open space. All other lot and building regulations apply, except that detached houses may be erected on corner lots that are nonconforming with regard to lot width, subject to a reduced minimum street side building setback of 5 feet. Garages that are accessed through a side yard abutting a street must be set back at least 20 feet.

Figure 80-1: Detached House on Nonconforming Lot in R District



Non-conforming lots are able to reduce their side street setbacks to 5' under certain conditions, this means the applicant is seeking to reduce their side setback from 5' instead of the typical 15' as required in a conforming RS-3 zoned lot. This application originally involved a request to allow a swimming pool in the side street setback but has since removed the request for the swimming pool and is only seeking relief for the patio structure which was built over the setback line. According to the applicant the fence will be moved out of the City right-of-way to comply with the zoning code.

STATEMENT OF HARDSHIP: See attached comments from the applicant.

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** of Section 80.020-B of the Tulsa Zoning Code to permit a portion of an existing covered patio to be located within the five foot (5') side street setback of a lawfully nonconforming lot in an RS-3 District for property located at 3541 S. Rockford Avenue

Finding the hardship(s) to be _____.

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions _____.

In granting the **Variance** the Board finds that the following facts, favorable to the property owner, have been established:

- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;*
- b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;*
- c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;*
- d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;*
- e. That the variance to be granted is the minimum variance that will afford relief;*
- f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and*
- g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan."*



Subject property

Exhibit "A"

The Applicant requests a Variance of Section 80.020-B of the Tulsa Zoning Code (the "Code") to permit a portion of an existing covered patio to be located within the five foot (5') side street setback of a lawfully nonconforming lot in an RS-3 District for property located at 3541 S. Rockford Avenue (the "Property").

The Property is located at the northeast corner of S. Rockford Ave. and E. 36th Street. The lot was platted in 1926 as part of the Parramore Addition and split into two, 50-foot-wide lots shortly thereafter in 1929. The Property is lawfully nonconforming as a lot of record established before July 1, 1970, prior to the adoption of the Code.

In 2019, a new residence was constructed on the Property as a spec house. After obtaining a new survey of the Property, the owner learned that a portion of the patio roof and wall support were built into the five foot (5') side street setback. The patio roof encroaches 2'4" and the support wall encroaches 3'6" in the setback. A site plan showing the encroachments is attached hereto as **Exhibit "B"**.

The patio roof is attached to west side of the house, with a wall support located on its south side. The wall support also serves as a privacy/sound barrier from activity along 36th Street. The patio opens into the yard facing north and west. The Code allows decks and patios less than 30 inches above grade, and fences and walls to be located within setbacks. However, at approximately 10' tall, the patio roof and wall support integrated into the roof are not permitted obstructions by right.

The error at the time of construction of the residence and the narrowness of the nonconforming corner lot are unique to the Property and result in unnecessary hardship to the owner. The requested Variance is *de minimus* in nature and will not cause substantial detriment to the public good or impair the spirit and intent of the Code.

Sparger, Janet

From: Pam Deatherage <Pam.Deatherage@kktarchitects.com>
Sent: Saturday, January 9, 2021 2:28 PM
To: esubmit; Chapman, Austin
Subject: RE: Tulsa Board of Adjustment - Case Number: BOA-23071

I am a neighbor, across the street from this house:
Pamela Deatherage, 1516 East 36th Street, Tulsa, Ok 74105

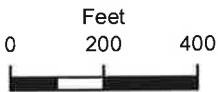
This house was constructed with the design to use City of Tulsa street right-of-way for their own private property (fenced in), which caused problems this summer when sidewalks were constructed in the neighborhood, causing a pedestrian crossing on Rockford Avenue, mid-block between 34th and 35th Streets.

The original house construction appears to violate required green space, permeable ground to absorb stormwater, much needed in this area of smaller storm sewer lines. Building a pool of hard surfaces would aggravate the existing condition.

In the matter of the pool, only ***IF the pool is out of the street right-of-way***, and ***IF the zoning code requirements for permeable landscaping are fulfilled as published***, then I can support this change. I don't care where he puts the pool, just not to interfere with stormwater issues.

Shame on the City of Tulsa and INCOG for allowing all the houses built in the last 10 years that do not have sidewalks and do not support stormwater runoff.

PAMELA DEATHERAGE



Subject Tract

BOA-23071

19-13 19

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

Aerial Photo Date: February 2018



3.9

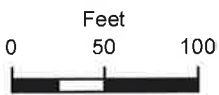


E 36th ST S

E 35 PL S

S ROCKFORD AVE

E 36 PL S



Subject Tract

BOA-23071

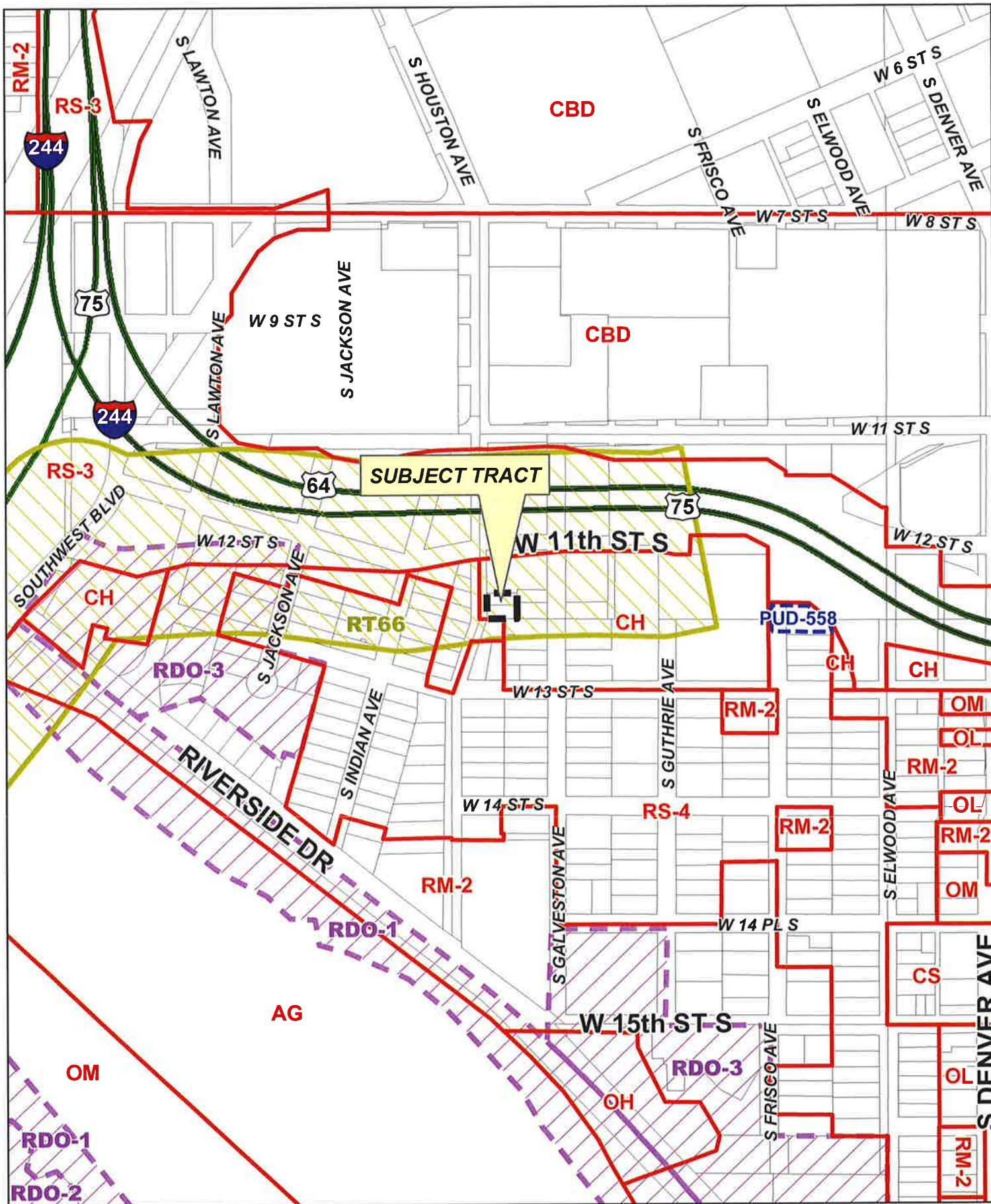
19-13 19

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

Aerial Photo Date: February 2018

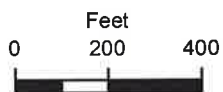


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BOA-23076

4.1



19-12 11



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9211
CZM: 36
CD: 4

Case Number: **BOA-23076**

HEARING DATE: 02/09/2021 (Continued from 01/26/2021) 1:00 PM

APPLICANT: Elizabeth Koelle

ACTION REQUESTED: Special Exception to permit Low-Impact Medical Marijuana processing (Low-impact Manufacturing & Industry Use) in the CH district. (Sec. 15.020, Table 15-2)

LOCATION: 1213 S HOUSTON AV W; 1215 S HOUSTON AV W **ZONED:** CH

PRESENT USE: Medical Marijuana Dispensary

TRACT SIZE: 8032.5 SQ FT

LEGAL DESCRIPTION: S 10 OF W 97 .5 LT 3 & N 29 OF W 97.5 LT 4 BLK 15; S 43 OF W 97.5 LT 4 BLK 15, LINDSEY THIRD ADDN

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-22649; On 06.11.19 the Board accepted a verification of spacing for a Medical Marijuana Dispensary.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "Downtown Neighborhood" and an "Area of Stability".

Downtown Neighborhoods are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium- to high-rise mixed-use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

The **Areas of Stability** include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

4.2

ANALYSIS OF SURROUNDING AREA: The subject tract is located South of the SE/c of W. 12th St. S. and S. Houston Ave. The property is roughly 250' South of the Broken Arrow Expressway and is immediately across the street from Residential Zoning.

STAFF COMMENTS: The applicant is requesting **Special Exception** to permit Low-Impact Medical Marijuana processing (Low-impact Manufacturing & Industry Use) in the CH district. (Sec. 15.020, Table 15-2)

Sec. 35.070-A of the code describes Low-Impact Manufacturing as follows:

35.070-A Low-impact Manufacturing and Industry

Manufacturing and industrial uses that do not, as part of their normal operations, generate noticeable off-site impacts in terms of noise, smoke, particulate matter, odors, or vibration. Typical examples of low-impact manufacturing and industrial uses include: commercial laundries and linen supply services, apparel manufacturing, bakery products manufacturing, production of medical marijuana edibles using medical marijuana components processed elsewhere, bottling plants, ice manufacturing, mattress manufacturing and assembly, microbreweries, micro distilleries, coffee roasting with a maximum roasting capacity of 45 kilograms per batch, musical instrument and parts manufacturing, newspaper printing and binderies.

Medical marijuana uses are subejct to the following supplemental regulations:

Section 40.225 Medical Marijuana Uses

The supplemental use regulation of this section apply to medical marijuana uses.

40.225-A A medical marijuana grower operation must be located inside an enclosed building.

40.225-B A medical marijuana processing facility, whether moderate impact or high impact, must be located inside an enclosed building.

40.225-C A medical marijuana dispensary must be located inside an enclosed building.

40.225-D A medical marijuana dispensary may not be located within 1,000 feet of another medical marijuana dispensary.

40.225-E Drive-through windows and drive-through lanes are prohibited for medical marijuana grower operations, processing facilities, dispensaries and research facilities.

40.225-F Medical marijuana grower operations, processing facilities and dispensaries must provide the following:

1. A ventilation/air filtration system that prevents odor from being detectible at the boundaries of the lot within which the building housing the medical marijuana grower operation, processing facility or dispensary is located, except that if such use is located in multiple tenant building, the ventilation/air filtration system must prevent odor from being detectible outside the tenant space housing the use.
2. An electronic security system and surveillance camera.

40.225-G Medical marijuana grower operations, processing facilities, dispensaries and research facilities must be conducted and maintained in compliance with the license issues by the Oklahoma State Department of Health and in compliance with Oklahoma law, including but not limited to all applicable statutes, rules and regulations.

40.225-H No medical marijuana grower operation, processing facility, dispensary or research facility shall be permitted or maintained unless there exists a valid license, issued by the Oklahoma State Department of Health for the particular use at the particular location.

40.225-I The separation distance required under Section 40.225-D must be measured in a straight line between the nearest perimeter walls of the buildings (or portion of the building, in the case of a multiple tenant building) occupied by the dispensaries. The separation required under Section 40.225-D shall not be applied to limit the location of a medical marijuana dispensary for which a license was issued by the Oklahoma State Department of Health prior to December 1, 2018 for the particular location.

SAMPLE MOTION: Move to _____ (approve/deny) a **Special Exception** to permit Low-Impact Medical Marijuana processing (Low-impact Manufacturing & Industry Use) in the CH district. (Sec. 15.020, Table 15-2)

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):

_____:

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Subject property. Single-family Residential is visible South of the subject property.



Facing North on Houston

(Table 10-4). **LOCATION:** **TENANT SPACE:** 1121 South Lewis Avenue East
(CD 4)

Presentation:

The applicant has withdrawn the application.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

No Board action required; on the following property:

LTS 15 - 21 BLK 4, BOSWELL'S ADDN, City of Tulsa, Tulsa County, State of Oklahoma

NEW APPLICATIONS

22649—Elizabeth Koelle

FILE COPY

Action Requested:

Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary (Section 40.225-D).

LOCATION: 1215 South Houston Avenue West (CD 4)

Presentation:

Elizabeth Koelle, 1215 South Harvard Avenue, Tulsa, OK; stated she has received her OMMA license and a license from OBDM to legally distribute medical marijuana. In order to open the doors, she needs permission from the Board.

Ms. Ross asked Ms. Koelle if the landlord was aware of the proposed use. Ms. Koelle answered affirmatively.

Interested Parties:

Ken Vonada, 1217 South Houston Avenue, Tulsa, OK; stated his landlord and the landowner has requested he appear on his behalf because he is out of town. Mr. Vonada stated that he owns the barbershop next door to the subject site. Mr. Vonada stated that he and the landlord's request is that there be adequate parking for the potential customers; he has three or four spaces for his barbershop. Mr. Vonada stated there were issues with the previous tenant because they were always parking in his spaces.

BOA-22649

FILE COPY

Ms. Ross stated that is a landlord issue and the landlord has control over those type of issues not the Board of Adjustment. Mr. Vonada stated that his barbershop is right next door to where the dispensary will be located, and they are two separate buildings so the landlords are different.

Bill Andrew, 1701 South Quaker Avenue, Tulsa, OK; stated he attends Holy Trinity Greek Orthodox Church, which is around the corner from the subject site, serves on the parish counsel and is the Treasurer for the church. Mr. Andrew stated that he is against this request. Everything is so new with the dispensaries that the City probably still does not know the ramifications of how these businesses might affect the surrounding neighborhoods and/or other businesses. He believes that the dispensary has the so-called right to be there but in the uncertainty of its ramifications the close proximity to an established neighborhood rather than a strong mixture of businesses, given the newness and the concerns of that he would ask the Board to deny this application. Mr. Andrew wishes the City would have made the law more restrictive for these businesses to properly protect adjoining houses and other property owners. He thinks with activities of the children in the church and other activities he thinks that should be given consideration to have in the denial of this application.

Ms. Ross stated that all the Board is being asked to do today is to verify that there is not another marijuana dispensary within a 1,000 feet of this proposed location. The concerns the interested parties have, although valid, the Board has no control in the decision of those things. If there is not another marijuana dispensary within a 1,000 feet, the Board typically will approve the request of spacing verification.

Ms. Radney stated that she too is sensitive to the dispensaries that are located within the CH buildings that are adjacent to a community. She lives in such a neighborhood that has a dispensary at the end of her street. She would encourage the applicants is to remember that all of this is very new to everyone, to the extent that people can be the best neighbor that they can, whether that is to adjacent businesses who have concerns about parking or whether it is residences or churches around the area. The Board is hopeful that the dispensaries will be good citizens and good neighbors.

Comments and Questions:

None.

Board Action:

On **MOTION of ROSS**, the Board voted 4-0-0 (Bond, Radney, Ross, Shelton "aye"; no "nays"; no "abstentions"; Van De Wiele absent) I move that based upon the facts in this matter as they exist presently, we **ACCEPT** the applicant's verification of spacing to permit a medical marijuana dispensary subject to the action of the Board being void should another medical marijuana dispensary be established prior to the establishment of this medical marijuana dispensary; for the following property:

BDA-22649

FILE COPY

S 43 OF W 97.5 LT 4 BLK 15; S 10 OF W 97 .5 LT 3 & N 29 OF W 97.5 LT 4 BLK 15,
LINDSEY THIRD ADDN, City of Tulsa, Tulsa County, State of Oklahoma

22650—Julio Miranda

Action Requested:

Special Exception to permit a carport in the street setback and street yard, and to exceed the allowable height requirements and to exceed 20 feet in length (Section 90.090-C1). **LOCATION:** 4233 North Evanston Place East (CD 1)

Presentation:

Julio Miranda, 4233 North Evanston Place, Tulsa, OK; stated he has purchased a new car and he would like to have a cover to park it under to keep it out of the weather. The carport will be 16'-0" long x 14'-0" wide x 9'-0" tall. The carport will be constructed with metal poles concreted into the ground and the remaining part of the structure will be wood and will be open on all four sides.

Ms. Ross asked Mr. Miranda if he was aware of any other carports in the neighborhood. Mr. Miranda stated there are other carports north of his house.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **ROSS**, the Board voted 4-0-0 (Bond, Radney, Ross, Shelton "aye"; no "nays"; no "abstentions"; Van De Wiele absent) to **APPROVE** the request for a Special Exception to permit a carport in the street setback and street yard, and to exceed the allowable height requirements and to exceed 20 feet in length (Section 90.090-C1), subject to conceptual plans 6.13, 6.14, 6.15, 6.16 and 6.17 of the agenda packet. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

LT 24 BLK 10, LAKE-VIEW HGTS AMD RESUB PRT B1-2 & B3-6, City of Tulsa, Tulsa County, State of Oklahoma

DANA L. BOX
ZONING PLANS EXAMINER

TEL (918)596-6957
danabox@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1 REVISED
Dank Dames Cannabis Company

December 1, 2020

Phone: 570-713-8816

APPLICATION NO: **BLDC-073701-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 1213 S. Houston

Description: Medical Marijuana Processing Facility

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS. ****SEE #2 ABOVE****

SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. ****PURSUANT TO FEDERAL, STATE, AND LOCAL DECLARATIONS OF EMERGENCY ARISING FROM THE COVID-19 THREAT AND AS DIRECTED BY THE ADMINISTRATION, OUR OFFICE IS CLOSED TO THE PUBLIC UNTIL FURTHER NOTICE. PAPER SUBMITTALS (INCLUDING REVISIONS AND ADDENDUM) FOR ANY PROJECT IS NOT ACCEPTED AT THIS TIME. IF SUBMITTING REVISIONS FOR APPLICATIONS THAT PREVIOUSLY UTILIZED PAPER PLANS, EMAIL THE REVISED PLANS TO COTDEVSVCS@CITYOFTULSA.ORG OR SUBMIT ELECTRONIC PLAN REVISIONS ON THE PORTAL AT [HTTPS://TULSAOK.TYLERTECH.COM/ENERGOV4934/SELFERVICE](https://tulsaok.tylertechnology.com/energov4934/selfservice). YOU WILL NEED TO REGISTER ON THE PORTAL IF YOU HAVE NOT PREVIOUSLY DONE SO. ****
3. INFORMATION ABOUT THE ZONING CODE, BOARD OF ADJUSTMENT (BOA), PLANNING COMMISSION (TMAPC), AND THE TULSA PLANNING OFFICE AT INCOG CAN BE FOUND ONLINE AT WWW.TULSAPLANNING.ORG; IN PERSON AT 2 W. 2ND ST., 8TH FLOOR, IN TULSA; OR BY CALLING 918-584-7526 AND ASKING TO SPEAK TO SOMEONE ABOUT THIS LETTER OF DEFICIENCY.
4. A COPY OF A "RECORD SEARCH" [X] IS [] IS NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.)

(continued)

REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT <http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

BLDC-073701-2020 REV

1213 S. Houston Ave.

December 1, 2020

Note: As provided for in Section 70.130 you may request the Board of Adjustment (BOA) to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning separation distance acceptance and all questions regarding BOA application forms and fees to the BOA Planner at the Tulsa Planning Office at 918-584-7526 or at esubmit@incog.org. It is your responsibility to submit to our office documentation of any decisions by the BOA affecting the status of your application, so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

1. **Sec.15.020 Table 15-1:** You are proposing a Moderate-impact Medical Marijuana Processing Facility in which the preparation, manufacture, processing or packaging of medical marijuana products by the holder of a medical marijuana processor license issued by the Oklahoma State Department of Health is conducted, in accordance with the terms of such license, and in which extraction processes are limited to use of non-flammable substances such as carbon dioxide, and to food based and water-based extraction. It is in an IL zoning district.

Review comment: It is unclear as to what type of processing you plan to do in this facility. Please clarify. **Neither a Moderate-impact or High-impact Medical Marijuana Processing Facility use is allowed in a CH district.** A Low-impact use, which includes bakery products manufacturing and production of medical marijuana edible using medical marijuana components processed elsewhere, is permitted by Special Exception. Apply to the Board of Adjustment for a Special Exception for a Low-Impact Medical Marijuana Processing Facility in a CH district. Submit a copy of the approved BOA Special Exception as a revision to this application.

2. **Sec. 40.225-D** A medical marijuana dispensary may not be located within 1,000 feet of another medical marijuana dispensary.

Review comment: There is a medical marijuana dispensary located at 1215 N. Houston, which appears to be within the same facility. Clarify the use of the facility you will occupy and indicate on plans which business occupies which portion of the building. Another medical marijuana dispensary cannot be located within 1,000 feet of another dispensary.

3. **Sec. 40.225-F** Medical marijuana grower operations, processing facilities and dispensaries must provide the following:
 1. A ventilation/air filtration system that prevents odor from being detectible at the boundaries of the lot within which the building housing the medical marijuana grower operation, processing facility or dispensary is located, except that if such use is located in multiple-tenant building, the ventilation/air filtration system must prevent odor from being detectible outside the tenant space housing the use.
 2. An electronic security system and surveillance camera.

Review comment: No ventilation/air filtration system nor security system is shown on your plans. Revise plans to comply with this portion of the code.

Note: All references are to the City of Tulsa Zoning Code.

Link to Zoning Code:

www.tulsaplanning.org/plans/TulsaZoningCode.pdf

Please notify the reviewer via email when your revisions have been submitted

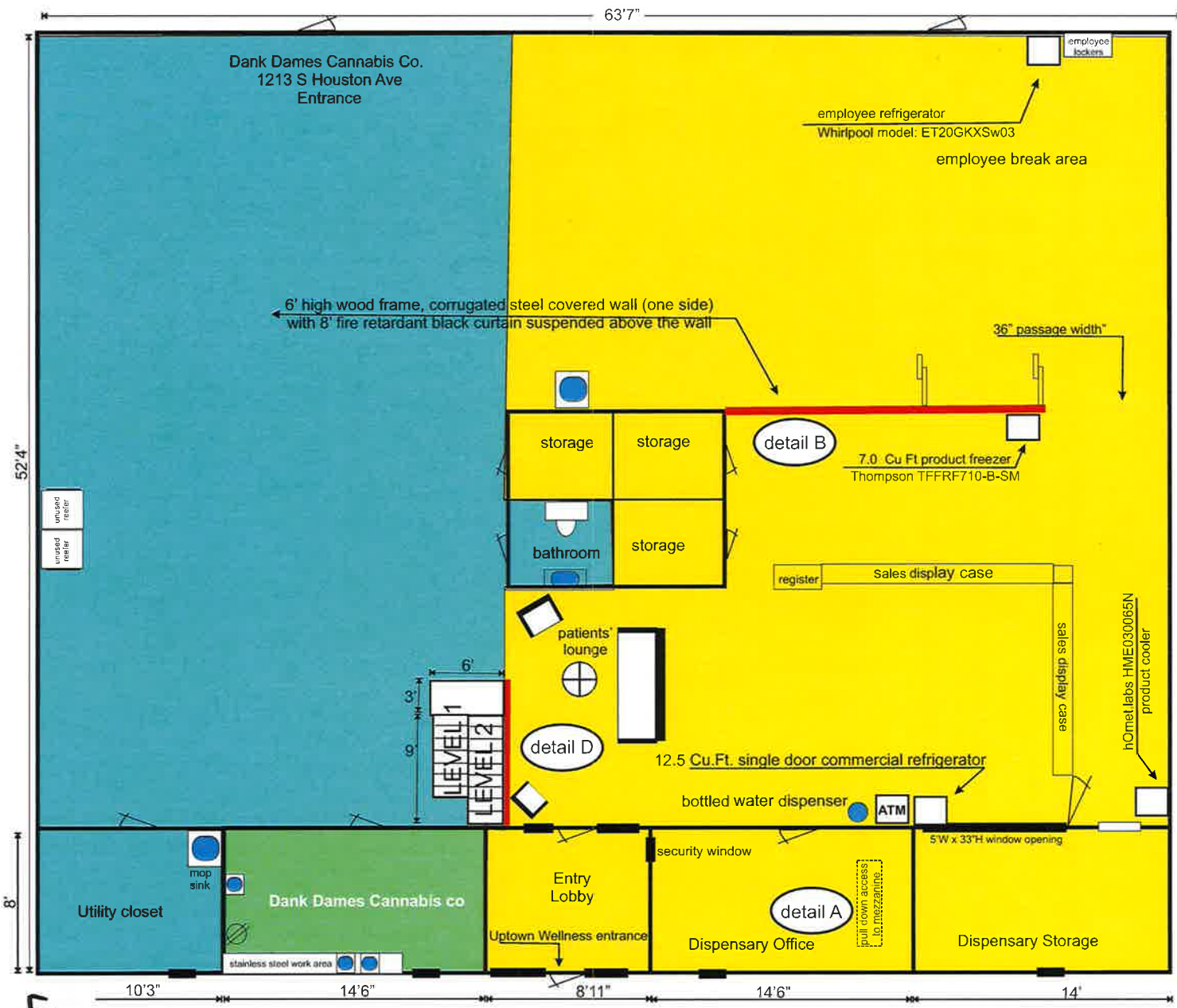
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

A hard copy of this letter is available upon request by the applicant.

END – ZONING CODE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.



Access Areas

- Uptown Wellness
- Dank Dames Cannabis
- Common Area – Shared both by Uptown Wellness and Dank Dames Cannabis

LEVEL 1
LEVEL 2



Dank Dames Cannabis Company	
1213 S Houston St • Tulsa, OK 74014	
Owner: Erica Daggelt (570) 713-8816	
Building Owner: Elizabeth Koelle (918) 892-1961	
drawn by: Jim Koelle (918) 852-6872	scale 3/16"=1'
View: Floor Plan Changes	
File: Dank_Dames_floor_plan_11-9-2020.cdr	

4.12



Subject Tract

BOA-23076

19-12 11

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

Aerial Photo Date: February 2018



4.14

From: [Hartley Blessing](#)
To: [esubmit](#)
Subject: Objection to case BOA-23076
Date: Tuesday, January 26, 2021 11:31:12 AM

Good morning,

My name is Hartley Blessing and my husband and I live at 1224 S Galveston Ave APT 2 Tulsa OK , 74127. My home is located directly behind the location in question in Case BOA023076 (1213 S Houston Ave). As a member of the neighborhood who will be directly influenced by the permit in question for Uptown Wellness, I have to object to the permit being issued. My first concern is the smell of marijuana that has already affected me as a neighbor. I have come home to my house smelling like marijuana due to the employees at Uptown Wellness partaking of it close to my backyard. I am concerned that the smell will get worse if they are allowed to actually process Marijuana at the location. This smell has kept me repeatedly from feeling comfortable in my own backyard. My second concern is that their increase in business may attract crime to our area. A few weeks ago my husband called the police on a man who was in our backyard trying to rob Uptown Wellness. It was a scary moment and with the increase of actual processing happening at the business I feel sure that similar instances may be likely. As this is primarily a residential neighborhood I think our safety should be the main priority.

Please take these concerns under consideration in your decision regarding case BOA-23076.

Thank You,
Hartley Blessing

Sparger, Janet

From: Kelly and Mitch Blessing <2newblessings@gmail.com>
Sent: Monday, January 25, 2021 10:33 PM
To: esubmit
Subject: case # BOA - 23076

TO WHOM IT MAY CONCERN:

We are very concerned about the 420 Uptown Wellness putting in an app for "low impact" manufacturing and distribution at 1213 S Houston.

We own 3 properties just behind that location and already are dealing with the owners smoking product in the back of their building with small children or a child present AND the horrible smell filtrating over onto our properties being a nuisance to our renters and dealing with many complaints from our Airbnb guests that try to enjoy the outdoor space of our listings.

We know that it is NOT legal for them to be smoking it on the property unless they have an official "smoking room" inside the property. WE also checked with the OMMA regarding a "smoking room". This must be licensed as well. If the "low impact" manufacturing is allowed, the smell will worsen in the neighborhood and the fact that it is opened 24 hours a day, it could or will increase the crime beginning to rise in the area. The smell WILL become more offensive to others in the neighborhood beyond just their smoking outside. We realize that 1213 is located in a commercially zoned area but neighbors and families live behind and around this address and the outcome of such a license being issued will create a more negative effect than it already is! We have 6 income opportunities that are around that address, each complaining to us regarding the smell coming from 1213. Right now, with the owners already smoking outside of the business creating complaints for the rest of us, adding the so called "low impact" manufacturing will only worsen an already "not seen about" by the authorities place of business.

If we thought that the city would take a better stance on checking on these businesses, especially located IN neighborhoods we may not be as concerned about this request.

These owners being allowed to smoke their product outside of their business would be the same as going into a liquor store and being able to pop the top of a bottle of Makers while paying AND standing outside sharing it with others and children. Makes no sense!

Right now it's a big NO from us!

Mitchell and Kelly Blessing

4.16

Sparger, Janet

From: Bobby Bomer <bobby.bomer70@gmail.com>
Sent: Sunday, January 24, 2021 12:37 PM
To: esubmit
Subject: Case #BOA-23076

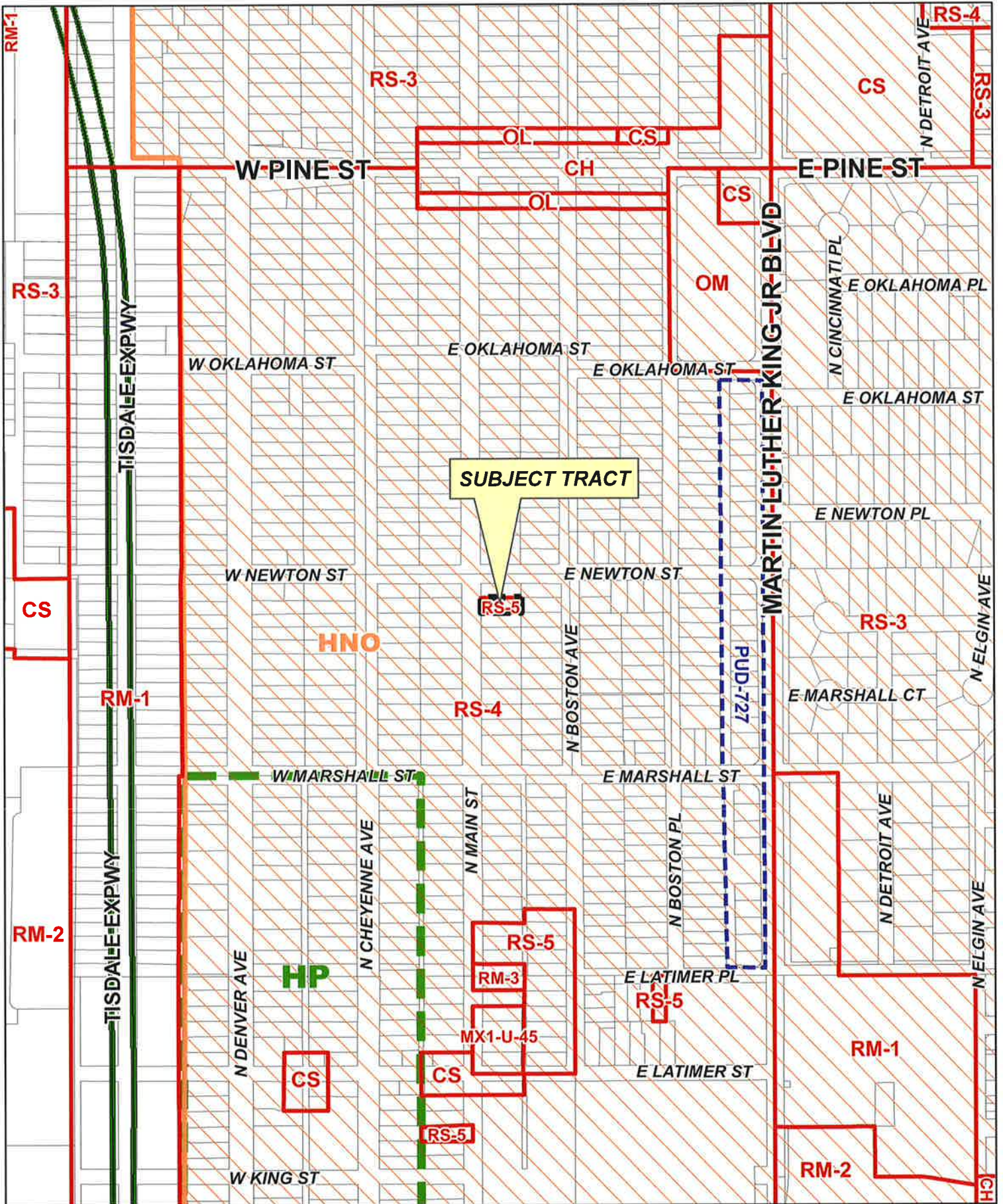
We are very much against the granting of a special exception (permit #BOA-23076) for 1213 S. Houston Ave. W. and 1215 S. Houston Ave. W. The purpose of this exception is the industrial growing of marijuana.

This is a neighborhood with children that live close to 1213 S. Houston. We built a new home 15 years ago because of the diversity of this area between downtown and the river. We are designated as a historic neighborhood (Riverview). This exception would create a blight on our area, attract transients and be in operation 24 hours per day, 7 days a week.

Bobby and Judy Bomer, 1319 S. Galveston Av. W., 918-814-6024.

4.17

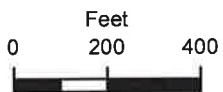
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SUBJECT TRACT

BOA-23077

S.1



20-12 35



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 0235
CZM: 28
CD: 1

Case Number: **BOA-23077**

HEARING DATE: 02/09/2021 1:00 PM

APPLICANT: Raul Cisneros

ACTION REQUESTED: Special Exception to allow a duplex use in an RS-5 District (Sec. 5.020, Tables 5-2 and 5-2.5); Variance of the 25-foot setback for a Special Exception Use from R-zoned lots occupied by residential uses (Sec. 5.030-B Table Note 4);

LOCATION: 1243 N MAIN ST E

ZONED: RS-5

PRESENT USE: Vacant

TRACT SIZE: 6551.45 SQ FT

LEGAL DESCRIPTION: LT 14 BLK 1, HUDSON ADDN

RELEVANT PREVIOUS ACTIONS:

Subject property:

Z-7509; On 11.06.2019 the TMAPC **recommended approval** to re-zone the subject property from RS-4 to RS-5. City Council subsequently re-zoned the property to RS-5.

Surrounding properties:

BOA-22745; On 10.08.2019 the Board **approved** a Special Exception to allow a Duplex Use in and RS-5 district and Variance of the parking requirements and the 25-foot setback for Special Exception uses from R-zoned lots.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

An **Existing Neighborhood** is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code.

The **Areas of Stability** include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is Located South the SE/c of W. Newton St. and N. Main Street.

STAFF COMMENTS: The applicant is requesting Special Exception to allow a duplex use in an RS-5 District (Sec. 5.020, Tables 5-2 and 5-2.5); Variance of the 25-foot setback for a **Special Exception** Use from R-zoned lots occupied by residential uses (Sec. 5.030-B Table Note 4)

Table 5-2: R District Use Regulations

USE CATEGORY	RE	RS-					RD	RT	RM-				RMH	Supplemental Regulations
Subcategory Specific use		1	2	3	4	5			0	1	2	3		
RESIDENTIAL														
Household Living (if in allowed building type identified in Table 5-2.5)														
Single household	P [1]	P [1]	P [1]	P [1]	P [1]	P [1]	P [2]	P [2]	P [2]	P [2]	P [2]	P [2]	P [2]	P [2]
Two households on single lot	-	-	-	S	S	S	P	P	P	P	P	P	P	-
Three or more households on single lot	-	-	-	-	-	S	S	P	P	P	P	P	P	-

Table 5-2.5: R District Building Type Regulations for Household Living

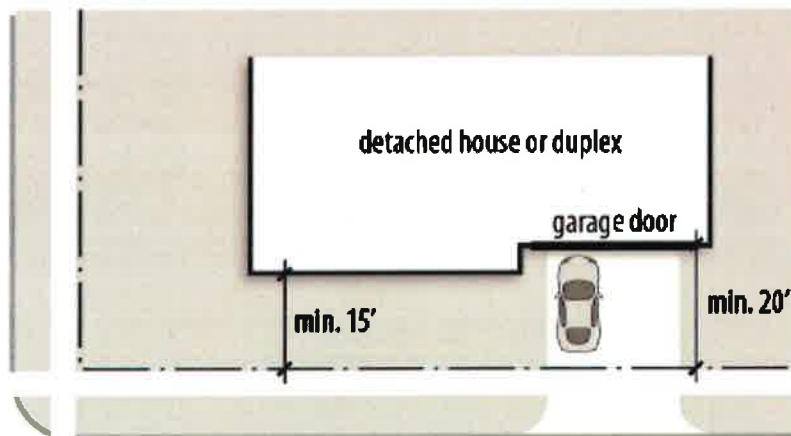
USE CATEGORY	RE	RS-					RD	RT	RM-				RMH	Supplemental Regulations
Subcategory Specific Uses Building Type		1	2	3	4	5			0	1	2	3		
RESIDENTIAL														
Household Living														
Single household														
Detached house	P	P	P	P	P	P	P	P	P	P	P	P	P	S
Patio House	-	-	-	P	P	P	P	P	P	P	P	P	P	-
Townhouse														
2-unit townhouse	-	-	-	S	S	P	P	P	P	P	P	P	P	-
3+-unit townhouse	-	-	-	-	-	-	-	P	P	P	P	P	P	-
Manufactured housing unit	S	S	S	S	S	S	S	S	S	S	S	S	S	P
Manufactured housing subdivision	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Mobile home	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Mixed-use building	-	-	-	-	-	-	-	-	-	S	S	S	-	
Vertical mixed-use building	-	-	-	-	-	-	-	-	-	S	S	S	-	
Two households on single lot														
Duplex	-	-	-	S	S	S	P	P	P	P	P	P	P	-

5.030-B Table Notes

The following notes refer to the bracketed numbers (e.g., "[1]") in Table 5-3:

- [1] See Section 40.240 for detailed regulations governing mobile home parks.
- [2] Minimum street frontage requirements apply to townhouse developments, not to individual townhouse units. Cottage house developments require minimum street frontage of 75 feet. Minimum street frontage requirements do not apply to nonresidential uses.
- [3] For detached houses and duplexes on corner lots, the minimum side street setback along a non-arterial street may be reduced to 15 feet, provided that the minimum setback for street-facing garage doors is 20 feet or 20 feet from the back of the sidewalk, whichever is greater. The street setback specified in Table 5-3 applies along the other street.

Figure 5-1: Street Side Setback on Corner Lots



- [4] Uses requiring special exception approval in R zoning districts require minimum 25-foot building setback from R-zoned lots occupied by residential uses.

STATEMENT OF HARDSHIP: None provided by the applicant.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to allow a duplex use in an RS-5 District (Sec. 5.020, Tables 5-2 and 5-2.5)

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):
_____.

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Move to _____ (approve/deny) a **Variance** of the 25-foot setback for a Special Exception Use from R-zoned lots occupied by residential uses (Sec. 5.030-B Table Note 4)

- Finding the hardship(s) to be _____.
- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions _____.

In granting the **Variance** the Board finds that the following facts, favorable to the property owner, have been established:

- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;*
- b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;*
- c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;*
- d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;*
- e. That the variance to be granted is the minimum variance that will afford relief;*
- f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and*
- g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan."*

8. **Z-7509 Alberto Perez** (CD 1) Location: South of the southeast corner of East Newton Street and North Main Street requesting rezoning from **RS-4 to RS-5**

STAFF RECOMMENDATION:

SECTION I: Z-7509

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the subject lot from RS-4 to RS-5, with the intention of constructing a duplex. A duplex use is a special exception in RS-5 and will need to be approved by the City of Tulsa Board of Adjustment before a duplex can be built on the lot.

DETAILED STAFF RECOMMENDATION:

The proposed duplex use will require a Special Exception from the City of Tulsa Board of Adjustment;

RS-5 zoning is consistent with the anticipated future development pattern of the surrounding property;

RS-5 zoning is consistent with the City of Tulsa Zoning Code, therefore;

Staff recommends Approval of Z-7509 to rezone property from RS-4 to RS-5.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

***Staff Summary:** The site is located in an Existing Neighborhood land use designation as well as an area of Stability. The site is also located within the Unity Heritage Sector Plan. One vision is to provide a variety of housing types to "allow families, professionals and seniors to be important members of the community." The plan also calls for the future land use of medium density residential on the subject lot.*

Land Use Vision:

Land Use Plan map designation Comprehensive Plan: Existing Neighborhood

The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement

of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

Future Land Use Plan per Unity Heritage Sector Plan: Medium Density Residential

These areas generally include detached single-family houses representative of the traditional neighborhood pattern. Lot sizes tend to be consistent, though the scale of housing varies, with the southwest portion having two-story houses and most of the remaining area having one-story houses. Throughout the area, medium density residential areas could include small townhouses or apartment buildings, though such development should be well integrated into the character of the neighborhood in terms of scale and form. These areas also include neighborhood public uses, such as Emerson Elementary School, Carver Middle School, Burroughs Elementary School, Booker T. Washington High School and religious places.

Areas of Stability and Growth designation: Area of Stability

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

Major Street and Highway Plan: N Main Street is designated as a Residential Collector

Trail System Master Plan Considerations: None

Small Area Plan: Unity Heritage Neighborhoods Sector Plan (Adopted November 2016)

Special District Considerations: The site is located within the Healthy Neighborhoods Overlay. This overlay applies to small box stores and does not apply to residential development.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently vacant*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
N Main Street	Residential Collector	60 Feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-4	Existing Neighborhood	Stability	Vacant
South	RS-4	Existing Neighborhood	Stability	Single-Family
East	RS-4	Existing Neighborhood	Stability	Vacant
West	RS-4	Existing Neighborhood	Stability	Single-Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11918 dated September 1, 1970 established zoning for the subject property.

Subject Property:

SA-3 April 2018 : All concurred in **approval** at city council (TMPAC recommended **denial**) to apply supplemental zoning, HNO (Healthy Neighborhoods Overlay), to multiple properties within the plan area boundaries of Greenwood Heritage Neighborhoods Sector Plan (also known as the Unity Heritage Neighborhoods Plan), 36th Street North Corridor Small Area Plan, and The Crutchfield Neighborhood Revitalization Master Plan (related to ZCA-7).

Surrounding Property:

No Relevant History.

TMAPC Comments:

Ms. Kimbrel asked staff if the RS-5 is consistent with the Unity Heritage Neighborhood Plan.

Staff stated "Yes" it encourages a variety of housing types throughout that area, So a variety of different types of people with different levels to all inhabit that same area. He stated it encourages housing for small families, professionals and seniors and all specifically called out as being a desired family housing type. Staff stated they found the duplex would accommodate that sort of development.

Mr. Ritchey asked if a duplex not allowed by Special Exception in an RS-4.

Staff stated it is, but the lot width is the limiting factor.

Mr. Covey stated when he looks at the zoning map there is one little track of RS-5 right in the middle of a huge swath of RS-4.

Staff stated "yes" the lot width is what is determining that.

Mr. Covey stated so the lot width is what is driving all this.

Staff stated the lot is too narrow to be an RS-4 with a Special Exception.

Mr. Reeds asked if this could have been done with RS-4 with an optional development plan and reduce the lot width requirement.

Staff stated "no", you can only get more restrictive not less.

The applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **McARTOR**, TMAPC voted **10-0-0** (Covey, Fothergill, Kimbrel, McArtor, Ray, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Doctor "absent") to recommend **APPROVAL** of the RS-5 zoning for Z-7509 per staff recommendation.

Legal Description Z-7509:

LT 14 BLK 1, HUDSON ADDN, City of Tulsa, Tulsa County, State of Oklahoma

9. **Z-7510 Boomtown Development Co.** (CD 3) Location: South of the southwest corner of East Admiral Place and South 89th East Avenue requesting rezoning from **RS-2 to RS-4**

STAFF RECOMMENDATION:

SECTION I: Z-7510

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from RS-2 to RS-4 to permit a single-family housing development. The proposed development will be a single-family development that will be constructed by Habitat for Humanity. RS-4 is being requested due to the desired lot sizes of the proposal. For a detached, single-family home, RS-4 required a minimum lot size of 5,500 SF and a minimum lot width of 50 Feet.

DETAILED STAFF RECOMMENDATION:

Z-7510 allows uses that are non-injurious to surrounding proximate properties;

Z-7510 is consistent with the anticipated future development pattern of the surrounding property;

Z-7510 is consistent with the New Neighborhood land use designation of the Comprehensive Plan, therefore

Staff recommends Approval of Z-7510 to rezone property from RS-2 to RS-4.

SECTION II: Supporting Documentation

11:06:19:2805(29)

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **ROSS**, the Board voted 4-0-0 (Bond, Radney, Ross, Van De Wiele "aye"; no "nays"; no "abstentions"; Shelton absent) I move that based upon the facts in this matter as they exist presently, we **ACCEPT** the applicant's verification of spacing to permit a medical marijuana dispensary subject to the action of the Board being void should another medical marijuana dispensary be established prior to the establishment of this medical marijuana dispensary; for the following property:

LTS 1 & 2 BLK 5, SHERIDAN HGTS ADDN, City of Tulsa, Tulsa County, State of Oklahoma

22745—Charles Higgins

FILE COPY

Action Requested:

Special Exception to allow a duplex in an RS-5 District (Section 5.020, Table 5-2); Variance of the 25 foot setback for a Special Exception Use from R-zoned lots occupied by residential uses (Section 50303-B, Table Note 4); Variance of the required number of parking spaces (Section 55.020, Table 55-1). **LOCATION:** 1012 North Main Street (CD 1)

Presentation:

Charles Higgins, 1164 North Cheyenne Avenue, Tulsa, OK; stated he would like to have a duplex in an RS-5 zone; the zoning was changed to allow a duplex. The duplex will be a two-story with 600 square feet on each floor. The property is just outside of Brady Heights and there are other duplexes in the area. There is an alleyway behind the proposed duplex. There will be a driveway that will be 16 feet wide.

Mr. Van De Wiele asked Mr. Higgins how many parking spaces he is required to have and how many does he have. Mr. Higgins stated that he does not know the number of spaces required. Mr. Wilkerson stated the Code requires four parking spaces, and in this circumstance the spaces can be stacked.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

BDA-22745

FILE COPY

Board Action:

On **MOTION** of **RADNEY**, the Board voted 4-0-0 (Bond, Radney, Ross, Van De Wiele "aye"; "nay"; no "abstentions"; Shelton absent) to **APPROVE** the request for a **Special Exception** to allow a duplex in an RS-5 District (Section 5.020, Table 5-2); **Variance** of the 25 foot setback for a Special Exception Use from R-zoned lots occupied by residential uses (Section 50303-B, Table Note 4); **Variance** of the required number of parking spaces (Section 55.020, Table 55-1), subject to conceptual plan 3.6; not intended to require the drive to the rear. The Board finds the hardship to be the small size and narrowness of the lot, and the undue burden of providing extra parking for such a small domicile. The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In granting the Variance the Board finds that the following facts, favorable to the property owner, have been established:

- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
- b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;
- c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;
- d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;
- e. That the variance to be granted is the minimum variance that will afford relief;
- f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and
- g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan; for the following property:

LT 4 BLK 16, BURGESS HILL ADDN, City of Tulsa, Tulsa County, State of Oklahoma

22746—Shane Hood

Actin Requested:

Special Exception to allow a small (less than 250-person capacity) Indoor Commercial Assembly/Entertainment Use to sell and serve alcohol within 150 feet of a residential district; **Special Exception** to allow an Outdoor Commercial Assembly/Entertainment Use in a CH District (Section 15.020, Table 15-2).

LOCATION: 3924 West Charles Page Boulevard South (CD 1)

10/08/2019-1238 (5)



Facing South on Main Street



Subject property



Facing North on Main

Jeff S. Taylor
Zoning Official
Plans Examiner III
TEL(918) 596-7637
jstaylor@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

Alberto Perez
app@teletul.com

12/7/2020

APPLICATION NO: ZN LOD 55571-2020

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 1243 N Main

Description: Duplex

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. PURSUANT TO FEDERAL, STATE, AND LOCAL DECLARATIONS OF EMERGENCY ARISING FROM THE COVID-19 THREAT AND AS DIRECTED BY THE ADMINISTRATION, OUR OFFICE IS CLOSED TO THE PUBLIC UNTIL FURTHER NOTICE. PAPER SUBMITTALS (INCLUDING REVISIONS AND ADDENDUM) FOR ANY PROJECT IS NOT ACCEPTED AT THIS TIME. IF SUBMITTING REVISIONS FOR APPLICATIONS THAT PREVIOUSLY UTILIZED PAPER PLANS, EMAIL THE REVISED PLANS TO COTDEVSVCs@CITYOFTULSA.ORG OR SUBMIT ELECTRONIC PLAN REVISIONS ON THE PORTAL AT [HTTPS://TULSAOK.TYLERTECH.COM/ENERGOV4934/SELFERVICE](https://tulsaok.tylertech.com/energov4934/selfservice) . YOU WILL NEED TO REGISTER ON THE PORTAL IF YOU HAVE NOT PREVIOUSLY DONE SO.
3. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
4. A COPY OF A "RECORD SEARCH" IS IS NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT <http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

Application No. **ZN LOD 55571-2020**

Note: As provided for in Section 70.130 you may request the Board of Adjustment to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

1. **A separate permit is required for each unit of a duplex. Apply for permit for the second unit.**

2. **5.020 Use Regulations** - Principal uses allowed in R districts in accordance with Table 5-2.

Review Comments: Duplexes are only allowed on an RS-5 zoned lot by special exception. Apply to BOA for a special exception to allow a duplex in a RS-5 zoned lot.

3. **90.090-A Measurement**

Required setbacks are measured from the applicable lot line, right-of-way, planned right-of-way or location referred to below. Building setbacks are measured to the nearest exterior building wall. Minimum setbacks that apply to other features (parking areas, fences, storage areas) are measured from the nearest point of the area or feature for which a setback is required. See §90.090-C for information on structures and building features that are allowed to occupy setback and yard areas in R zoning districts. Unless otherwise expressly stated, no part of any structure may be located within the street right-of-way, nor within the planned right-of-way of streets shown on the major street and highway plan, nor within 25 feet of the centerline of the right-of-way on streets not shown on the major street and highway plan.

1. Street setbacks are measured from the actual right-of-way line of the street (other than an alley), provided that if the following measurement results in a greater set-back, the greater setback applies:

a. For streets shown on the major street and highway plan, if the width of the planned right-of-way exceeds the width of the actual right-of-way, the measurement must be taken from the planned right-of-way; and

b. For streets not shown on the major street and highway plan, if the width of the right-of-way is 50 feet or less, the measurement must be taken from a point that is 25 feet from the centerline of the actual right-of-way.

Review Comments: On RS-5 zoned lots the required street setback is 20' plus half the required right-of-way width which is 30' for a total of 50' from center of street. You are proposing a setback of less than 50' from the center of the street to the proposed building. Provide a 50' front setback from the center of the street or apply to INCOG for a variance to allow less than a 50' setback from the center of the street.

4. **55.090-F3 Surfacing.** In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120. Maximum Driveway Width in the Right Of Way (ROW) is 22'.

Review Comments: This lot has a width of 50'. The submitted site plan proposes a driveway width that exceeds the maximum allowable driveway width within the ROW. Revise plans to indicate the driveway shall not exceed 22' width in the ROW or apply to the BOA for a special exception to allow a driveway within the ROW to exceed 22' in width.

5. **55.090-F3 Surfacing.** In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120. Maximum Driveway Width allowed is 25' on your lot.

Review Comments: Revise plans to indicate the driveway shall not exceed the maximum allowable width or apply to the BOA for a special exception for the proposed driveway width on this lot.

6. **Table 5-3 Minimum Side (interior) Setback**

Footnote [4] Uses requiring special exception approval in R zoning districts require minimum 25-foot building setback from R-zoned lots occupied by residential uses.

Review Comments: Minimum required side setback for this lot is 25'. If you cannot comply with this requirement apply to BOA for a variance of the side setback requirements.

This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter. A hard copy of this letter is available upon request by the applicant.

Please Notify Plans Examiner By Email When You Have Submitted A Revision. If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online

END –ZONING CODE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

PROJECT INFORMATION

LEGAL DESCRIPTION

SUBDIVISION: HUDSON ADDN
 LEGAL: LT 14 BLK 1
 SECTION: 25 TOWNSHIP: 20 RANGE: 12

LIABILITY RANGE

ZONING: R-33
 LOT SIZE: 0.15 ACRES / 6,560 SQ FT
 BUILDING HEIGHT: 11'-33"1"

UNIT A	
FIRST FLOOR AREA	1,406 SQ FT
SECOND FLOOR AREA	1,555 SQ FT
TOTAL FLOOR AREA	2,961 SQ FT
GARAGE	288 SQ FT
FRONT COVERED PORCH	25 SQ FT
REAR COVERED PORCH	52 SQ FT
UNIT B	
FIRST FLOOR AREA	1,406 SQ FT
SECOND FLOOR AREA	1,629 SQ FT
TOTAL FLOOR AREA	3,035 SQ FT
GARAGE	288 SQ FT
FRONT COVERED PORCH	25 SQ FT
REAR COVERED PORCH	52 SQ FT
SHARED DRIVEWAY/WALKWAY	400 SQ FT

REGULATIONS

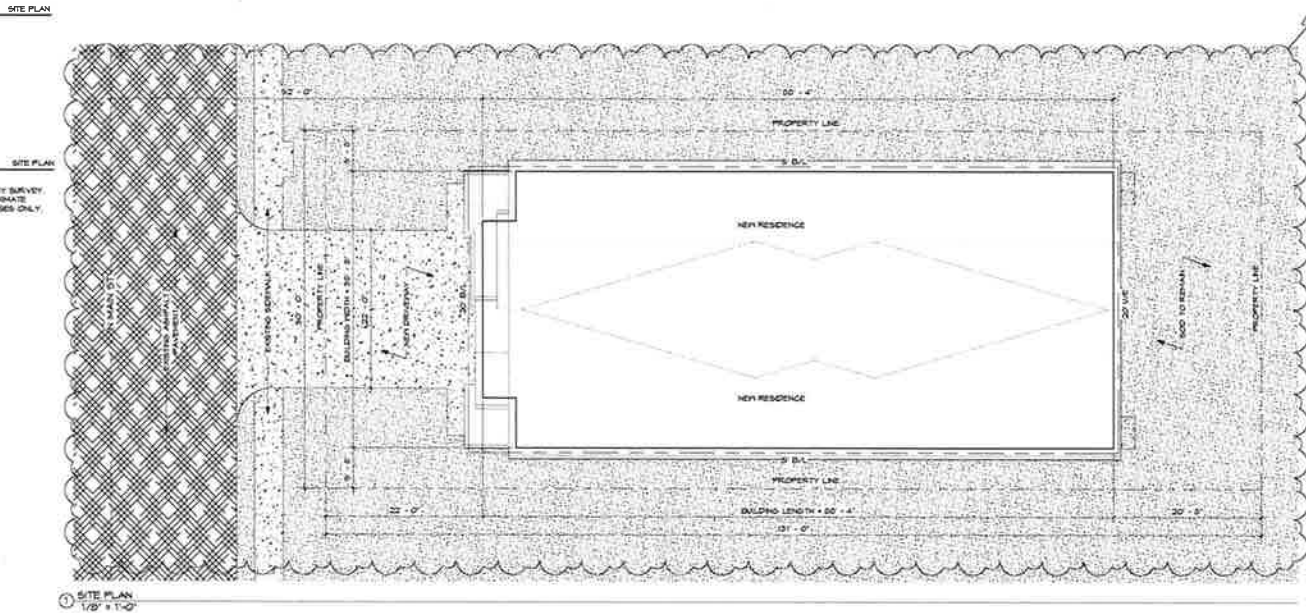
MN LOT AREA PER UNIT	1,650 SQ FT
LOT AREA PER UNIT PROVIDED	3,275 SQ FT
MAX BUILDING HEIGHT	33'-0"
BUILDING HEIGHT PROVIDED	33'-11"
MN LOT WIDTH	30'-0"
LOT WIDTH PROVIDED	11'-50'-0"
MN OPEN SPACE RATIO PER UNIT	400 SQ FT
BUILDING AREA PER UNIT	1,406 SQ FT
SINGLE-CAR GARAGE	288 SQ FT
FRONT PORCH	25 SQ FT
SHARED DRIVEWAY/WALKWAY	240 SQ FT
TOTAL VEGD SPACE PER UNIT	1,401 SQ FT
OPEN SP. PER UNIT PROVIDED	1,336 SQ FT

LEGEND

- PROPERTY LINE
- BUILDING OUTLINE

SURVEY DISCLAIMERS

THIS SITE PLAN IS DRAWN WITHOUT THE BENEFIT OF A BOUNDARY SURVEY. BOUNDARY AND EXISTING STRUCTURE LOCATIONS ARE APPROXIMATE BASED ON FIELD INFORMATION AND FOR ILLUSTRATIVE PURPOSES ONLY.



1 SITE PLAN
 1/8" = 1'-0"



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 WWW.RCJDESIGNS.COM

CONSULTANT

PROJECT

PEREZ DUPLEX

PROJECT # 20101

1243 N MAIN ST
 TULSA, OK 74106

REVISION

No.	Description	Date
1	LOG 12	10.02.20

PROJECT STATUS

PERMIT SET

ISSUE DATE

02.28.2020

SHEET NAME

SITE PLAN

SHEET NUMBER

SP

Perez Duplex

1243 N. Main St. Tulsa, OK 74106 Project# 20101



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PROJECT

PEREZ DUPLEX

PROJECT # 20101

1243 N MAIN ST
TULSA, OK 74106

REVISIONS

No.	Description	Date
1	LOD #1	07.16.20

PROJECT STATUS

PERMIT SET

ISSUE DATE

02.28.2020

SHEET NAME

COVER SHEET

SHEET NUMBER

CS

PROJECT TEAM

DESIGN:
 RCJ DESIGNS, LLC
 3902 EAST 91ST STREET
 TULSA, OK 74135
 RAUL CISNEROS JR
 918 859 9343
 WWW.RCJDESIGNS.COM

SCOPE OF WORK

SUMMARY:
 NEW CONSTRUCTION OF A DUPLEX ON A VACANT LOT

SHEET INDEX

- CS COVER SHEET
- SP SITE PLAN
- A1 FLOOR PLAN-FIRST FLOOR
- A2 FLOOR PLAN-SECOND FLOOR
- A3 ELEVATIONS
- A4 ELEVATIONS
- AS SECTIONS
- AS.1 SECTIONS/DETAILS
- A6 ROOF PLAN
- PTI FOUNDATION SYSTEM

P:\RCJ Design\Proposals\20101-Perez Duplex\20101-Perez Duplex.dwg Drawing of CadVera Perez 2/2/20

5.19

GENERAL NOTES

- ALL INTERIOR WALLS TO BE 4" WOOD STUDS U.N.O
- ALL EXTERIOR WALLS TO BE 6" WOOD STUDS U.N.O
- ALL DIMENSIONS ARE TO FACE OF NEW WALLS OR CENTERLINE OF WALL/DOOR OPENING U.N.O
- ALL INTERIOR FINISHES INCLUDING BUT NOT LIMITED TO FLOORING, PAINT, WALLCOVERING, LIGHT FIXTURES, TRIM, LAMINATE, SOLID SURFACES AND MILLWORK TO BE SELECTED BY OWNER AND INSTALLED BY CONTRACTOR PER HANP GUIDELINES AND IN ACCORDANCE WITH ALL LOCAL CODES AND ORDINANCES
- GENERAL CONTRACTOR SHALL VISIT SITE AND BECOME FAMILIAR WITH SITE CONDITIONS
- ALL MECHANICAL, ELECTRICAL AND PLUMBING ITEMS TO BE PROVIDED ON A DRAWING BUILD BASIS, IN ACCORDANCE WITH ALL LOCAL CODES AND ORDINANCES. ASIDE FROM ALL ELECTRICAL AND PLUMBING ITEMS REPRESENTED ON PLANS, PROVIDE ADDITIONAL DEVICES AS REQUIRED BY LOCAL CODES
- ALL DIMENSIONS ARE TO CENTERLINE OF OBJECT, EXCEPT FOR THE PERIMETER STUDS WHICH ARE DIMENSIONS TO TOP OF SLAB, MASONRY OPENINGS WHICH ARE FROM FACE OF BRICK, AND AREAS WHERE SHOWN CLEAR DIMENSION IS REQUIRED, U.N.O

REFERENCING

- A RE A3-A4 FOR BUILDING ELEVATIONS
- B RE A5 FOR BUILDING SECTIONS AND WALL SECTION
- C RE A6 FOR ROOF PLAN

FLOOR PLAN

REVNOTES

- CUSTOM WATERFALL COUNTER TOP
- 26" CUSTOM COUNTERTOP ON 24" CUSTOM BASE CABINETS, 12" CUSTOM UPPER CABINETS, 18" ABOVE COUNTERTOP
- BACKSPLASH BY OTHERS, FINISH SELECTION BY OWNER

NOT ALL FINISHES MAY BE SHOWN IN THIS SHEET

FLOOR PLAN

WALL ASSEMBLIES

ITEM	DESCRIPTION
1	NEW EXTERIOR WALL IV LAP SIDING
2	NEW INTERIOR WALL

LETTER INDICATES WALL TYPE NUMBER INDICATES STUDS TO FOLLOW

1: 2x4 @ 16" O.C.
2: 2x4 @ 16" O.C. & 2x6 @ 16" O.C.
3: 2x4 @ 16" O.C. & 2x6 @ 16" O.C. & 1/2" LB ROOFING

FLOOR PLAN LEGEND

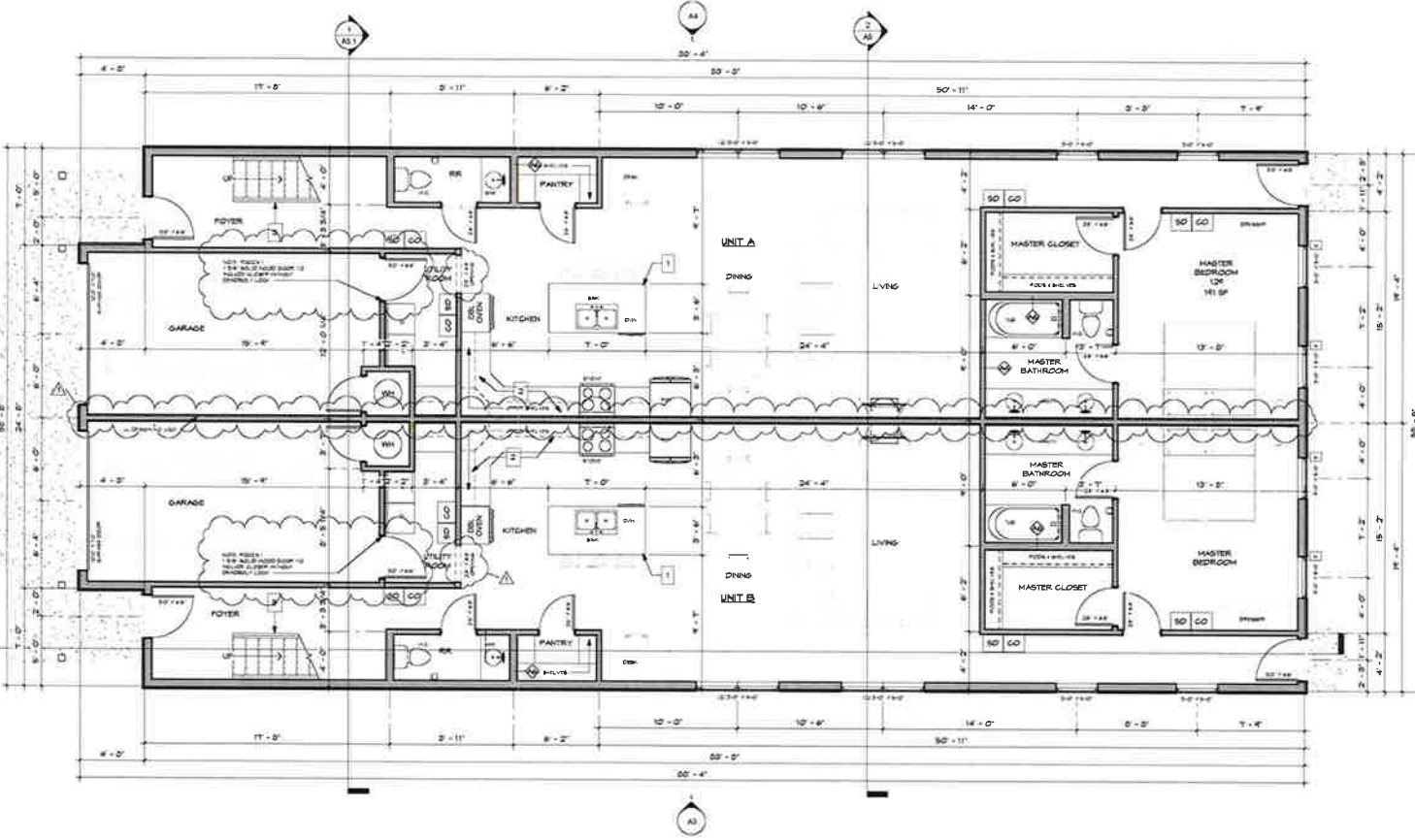
ITEM	DESCRIPTION
W	WINDOW
E	EGRESS COMPLIANT WINDOW
D	DOOR OPENING
DO	DOOR
SD	SMOKE DETECTOR
CO	CARBON MONOXIDE DETECTOR

LEGEND NOTES
1. NOT ALL ITEMS MAY BE USED



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1 FLOOR PLAN - FIRST FLOOR
1/4" = 1'-0"

PROJECT

PEREZ DUPLEX

PROJECT # 20101
1243 N MAIN ST
TULSA, OK 74106

REVISIONS

NO	Description	Date
1	LOD 11	01.16.20

PROJECT STATUS

PERMIT SET

ISSUE DATE

02.28.2020

SHEET NAME

FLOOR PLAN
FIRST FLOOR

SHEET NUMBER

A1

GENERAL NOTES

- ALL INTERIOR WALLS TO BE 4" FROD STUDS U.N.G
- ALL EXTERIOR WALLS TO BE 6" FROD STUDS U.N.G
- ALL DIMENSIONS ARE TO FACE OF NEW WALLS OR CENTERLINE OF WALL/DOOR OPENING U.N.G
- ALL INTERIOR FINISHES INCLUDING BUT NOT LIMITED TO FLOORING, PAINT, WALLCOVERING, LIGHT FIXTURES, TRIM, LAMINATE, SOLID SURFACES AND MILLWORK TO BE SELECTED BY OWNER AND INSTALLED BY CONTRACTOR PER MANUF. GUIDELINES AND IN ACCORDANCE WITH ALL LOCAL CODES AND ORDINANCES
- GENERAL CONTRACTOR SHALL VISIT SITE AND BECOME FAMILIAR WITH SITE CONDITIONS
- ALL MECHANICAL, ELECTRICAL AND PLUMBING ITEMS TO BE PROVIDED ON A DESIGN BUILD BASIS, IN ACCORDANCE WITH ALL LOCAL CODES AND ORDINANCES, AUSE FROM ALL ELECTRICAL AND PLUMBING ITEMS REPRESENTED ON PLANS, PROVIDE ADDITIONAL DEVICES AS REQUIRED BY LOCAL CODE
- ALL DIMENSIONS ARE TO CENTERLINE OF OBJECT, EXCEPT FOR THE PERIMETER STUDS WHICH ARE DIMENSIONS TO EDGE OF SLAB. MASONRY OPENINGS WHICH ARE FROM FACE OF BRICK, AND AREAS WHERE SHOWN CLEAR DIMENSION IS REQUIRED, U.N.G

REFERENCING

- A RE: A3-A4 FOR BUILDING ELEVATIONS
- B RE: A5 FOR BUILDING SECTIONS AND WALL SECTION
- C RE: A6 FOR ROOF PLAN

FLOOR PLAN

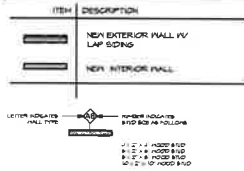
KEYNOTES

- CUSTOM WATERFALL COUNTER TOP
- 26" CUSTOM COUNTERTOP ON 24" CUSTOM BASE CABINETS 12" CUSTOM UPPER CABINETS 10" ABOVE COUNTERTOP BACKSPASH BY OTHERS
- BACKLASH BY OTHERS RAILING, SELECTION BY OWNER

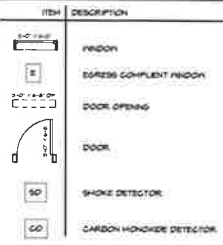
NOT ALL KEYNOTES MAY BE SHOWN IN THIS SHEET

FLOOR PLAN

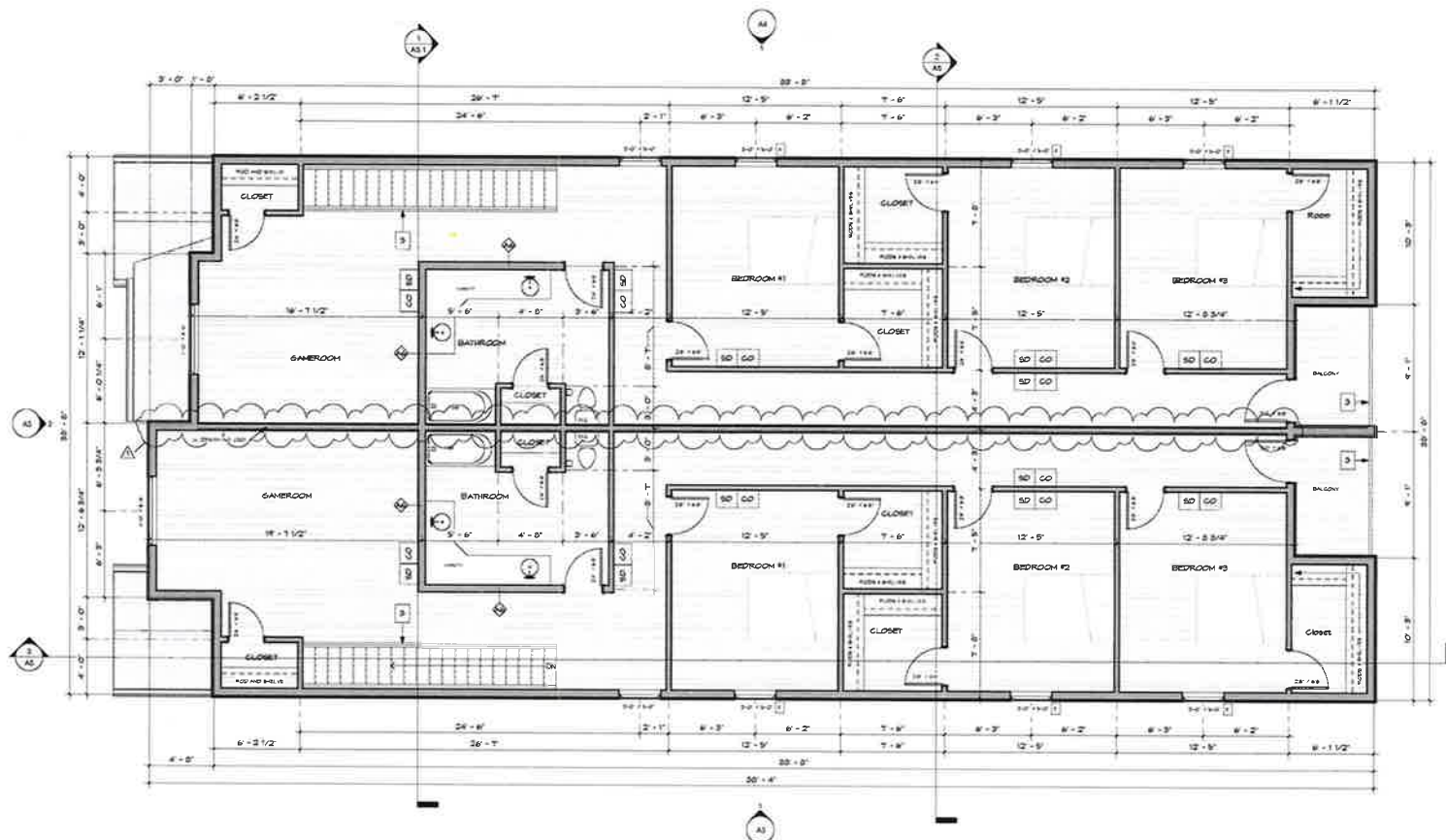
WALL ASSEMBLIES



FLOOR PLAN LEGEND



LEGEND NOTES: NOT ALL ITEMS MAY BE USED



1 FLOOR PLAN - SECOND FLOOR
1/4" = 1'-0"



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CONSULTANT

PROJECT
PEREZ DUPLEX

PROJECT # 20101
1243 N MAIN ST
TULSA, OK 74106

REVISIONS		
No.	Description	Date
1	LOD #1	07.18.20

PROJECT STATUS
PERMIT SET

ISSUE DATE
02.28.2020

SHEET NAME
**FLOOR PLAN
SECOND FLOOR**

SHEET NUMBER
A2

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5.21



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PROJECT # 20101

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REVISIONS

No.	Description	Date

PROJECT STATUS

PERMIT SET

ISSUE DATE

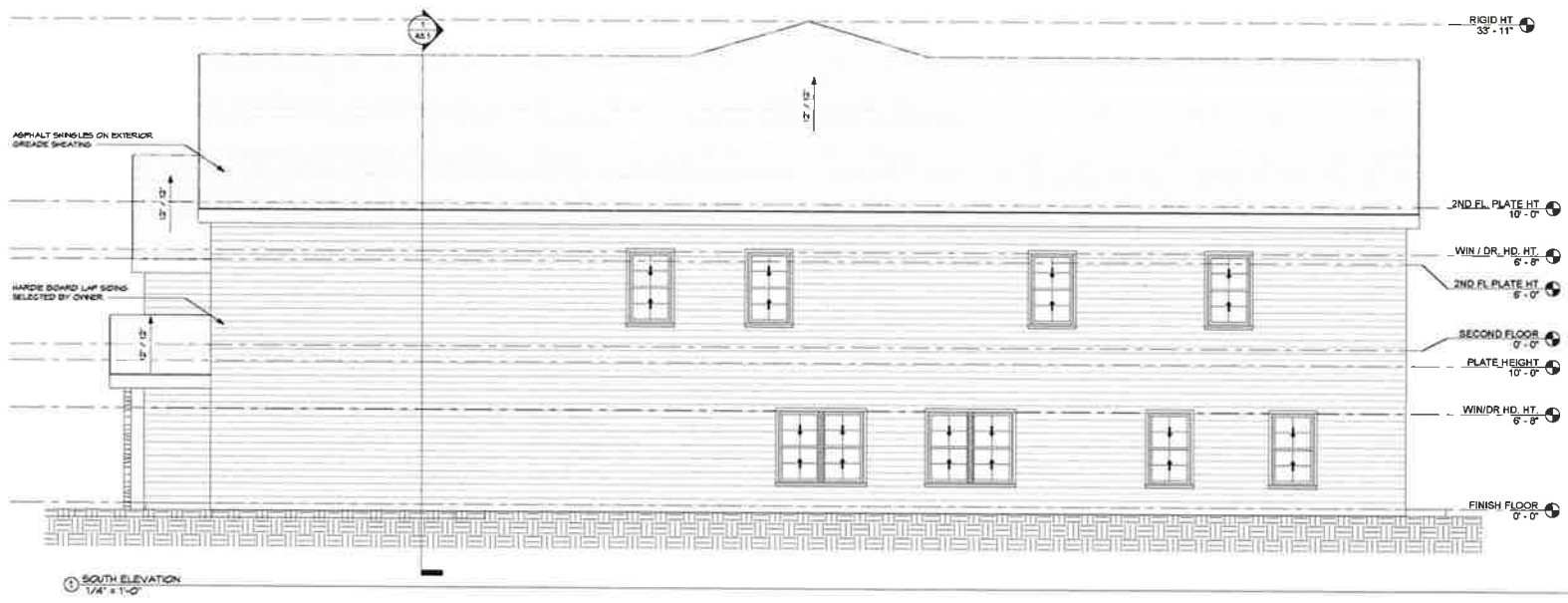
02.28.2020

SHEET NAME

ELEVATIONS

SHEET NUMBER

A3



5.22



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PROJECT # 20101

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TULSA, OK 74106

REVISIONS

No.	Description	Date

PROJECT STATUS

PERMIT SET

DATE

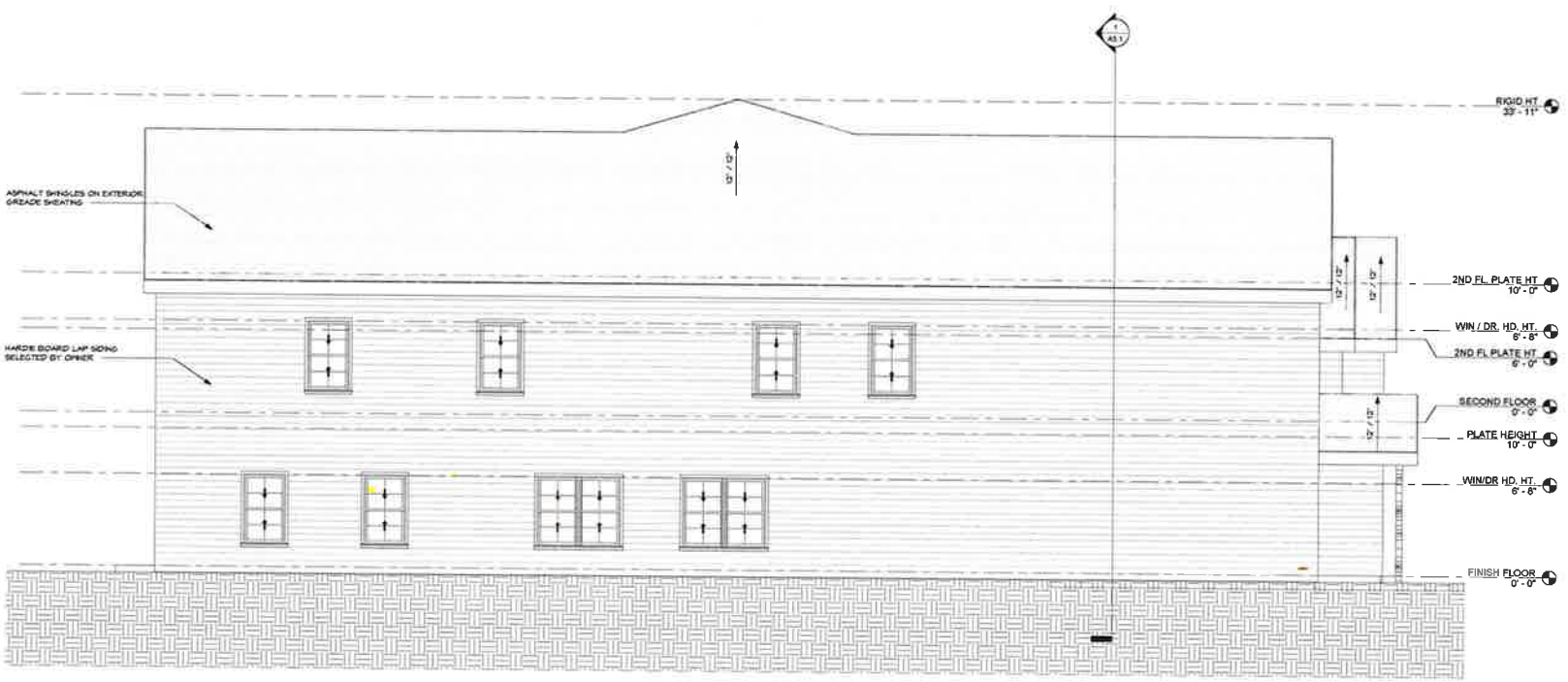
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SHEET NAME

ELEVATIONS

SHEET NUMBER

A4

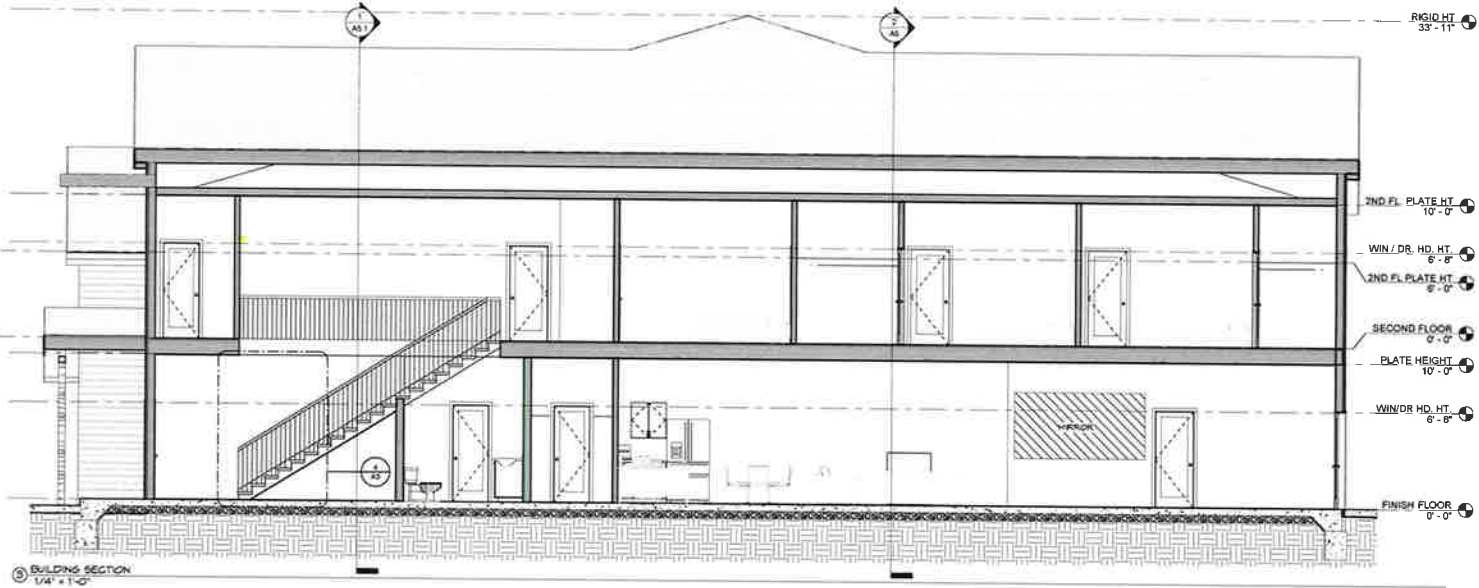


1 NORTH ELEVATION
1/4" = 1'-0"

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5.23

2/1/24



3 BUILDING SECTION
1/4" = 1'-0"



T U L S A , O K
 | P | 9 1 8 . 8 5 9 . 9 3 4 3
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PROJECT

PEREZ DUPLEX

PROJECT # 20101

1243 N MAIN ST
 TULSA, OK 74106

REVISIONS

No.	Description	Date
1	LOD #1	01.16.20

PROJECT STATUS

PERMIT SET

ISSUE DATE

02.28.2020

SHEET NAME

SECTIONS

SHEET NUMBER

A5

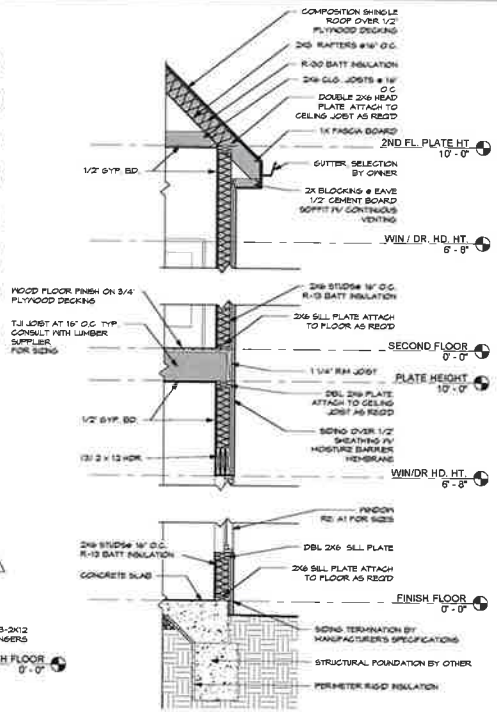
1500-0000-204117-01

RS02.7 UNDER-STAIR PROTECTION ENCLOSED ACCESSIBLE SPACE UNDER STAIRS SHALL HAVE WALLS UNDER STAIR AND ANY SOFFITS PROTECTED ON THE ENCLOSED SIDE WITH 1/2" GYPSUM BOARD

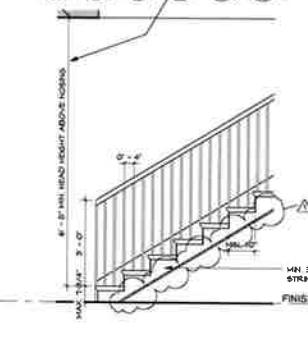
RS11.1.4.1 RISER HEIGHT THE MAXIMUM RISE HEIGHT SHALL BE 7 3/8 INCHES (188 MM). THE RISER SHALL BE MEASURED VERTICALLY BETWEEN LEADING EDGES OF THE ADJACENT TREADS. THE GREATEST RISER HEIGHT WITHIN ANY FLIGHT OF STAIRS SHALL NOT EXCEED THE SMALLEST BY MORE THAN 3/8 INCH (9.5 MM)

RS11.1.4.2 TREAD DEPTH THE MINIMUM TREAD DEPTH SHALL BE 10 INCHES (254 MM) THE TREAD DEPTH SHALL BE MEASURED HORIZONTALLY BETWEEN THE VERTICAL PLANES OF THE FORWARD PROJECTION OF ADJACENT TREADS AND AT A RIGHT ANGLE TO THE TREAD'S LEADING EDGE. THE GREATEST TREAD DEPTH WITHIN ANY FLIGHT OF STAIRS SHALL NOT EXCEED THE SMALLEST BY MORE THAN 3/8 INCH (9.5 MM)

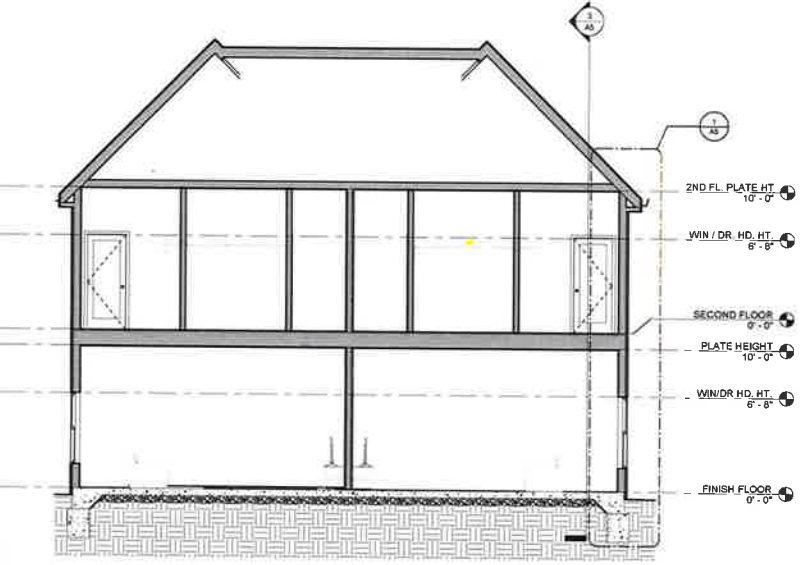
RISER TREADS SHALL HAVE A MINIMUM TREAD DEPTH OF 10 INCHES (254 MM) MEASURED AS ABOVE AT A POINT 12 INCHES (305 MM) FROM THE SIDE WHERE THE TREADS ARE ANNOUNCED. RISER TREADS SHALL HAVE MINIMUM TREAD DEPTH OF 6 INCHES (152 MM) AT ANY POINT WITHIN ANY FLIGHT OF STAIRS. THE GREATEST RISER TREAD DEPTH AT 12 INCHES (305 MM) MARK LINE SHALL NOT EXCEED THE SMALLEST BY MORE THAN 3/8 INCH (9.5 MM)



1 WALL SECTION-TYP
1/2" = 1'-0"



4 STAIR DETAIL
1/2" = 1'-0"



3 BUILDING SECTION
1/4" = 1'-0"

5.24

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GENERAL NOTES

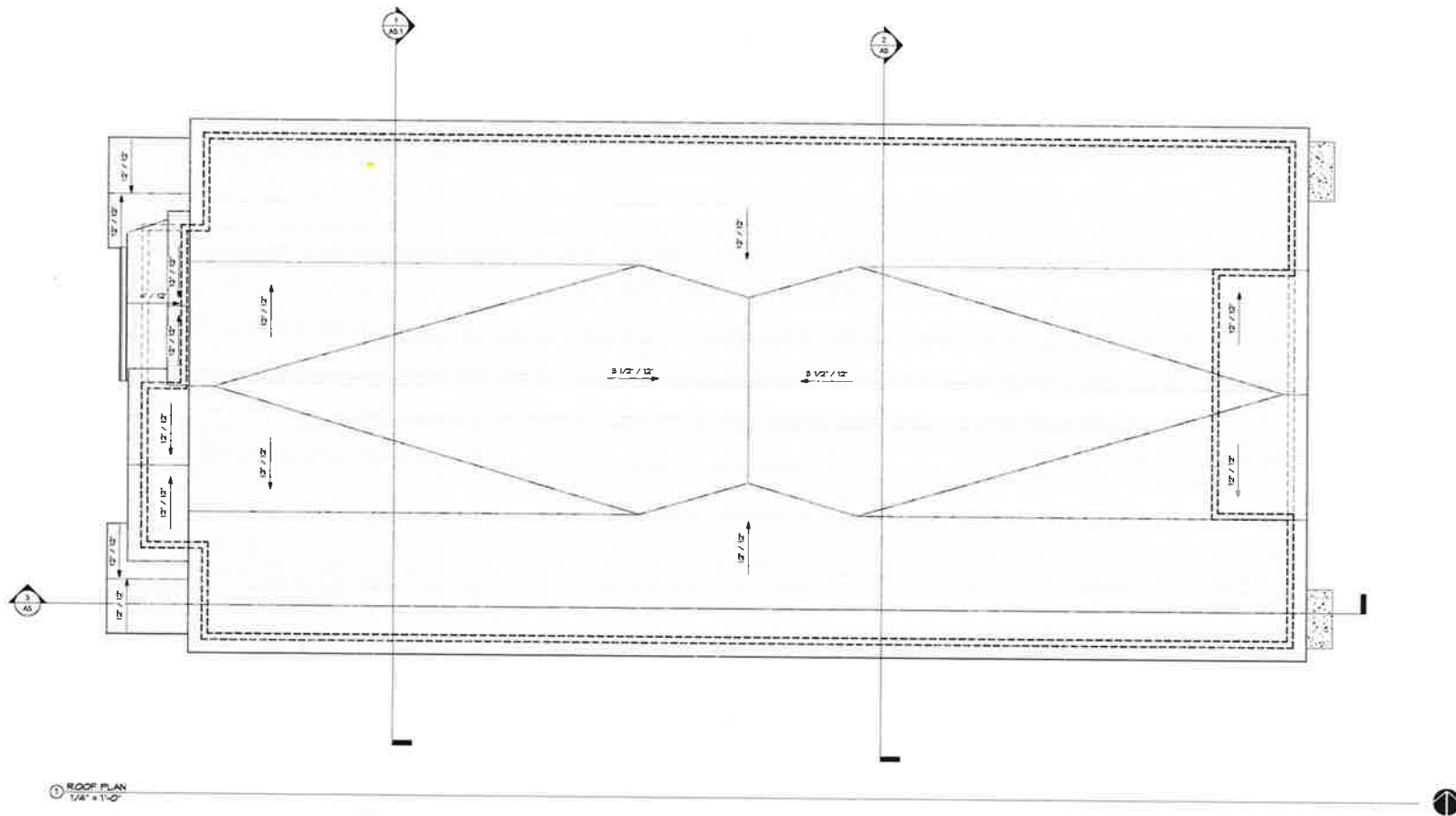
ROOF PLAN

- 1. CONTRACTOR TO PROVIDE ADEQUATE VENTILATION PER ROOM, IRC 2015.

LEGEND

ROOF PLAN

- FIRST FLOOR EXTERIOR WALL STUD
- SECOND FLOOR EXTERIOR WALL STUD



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PROJECT

PEREZ DUPLEX

PROJECT # 20101

1243 N MAIN ST
 TULSA, OK 74106

REVISIONS

No.	Description	Date

PROJECT STATUS

PERMIT SET

ISSUE DATE

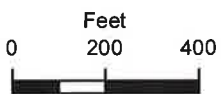
02.28.2020

SHEET NAME

ROOF PLAN

SHEET NUMBER

A6



 Subject Tract

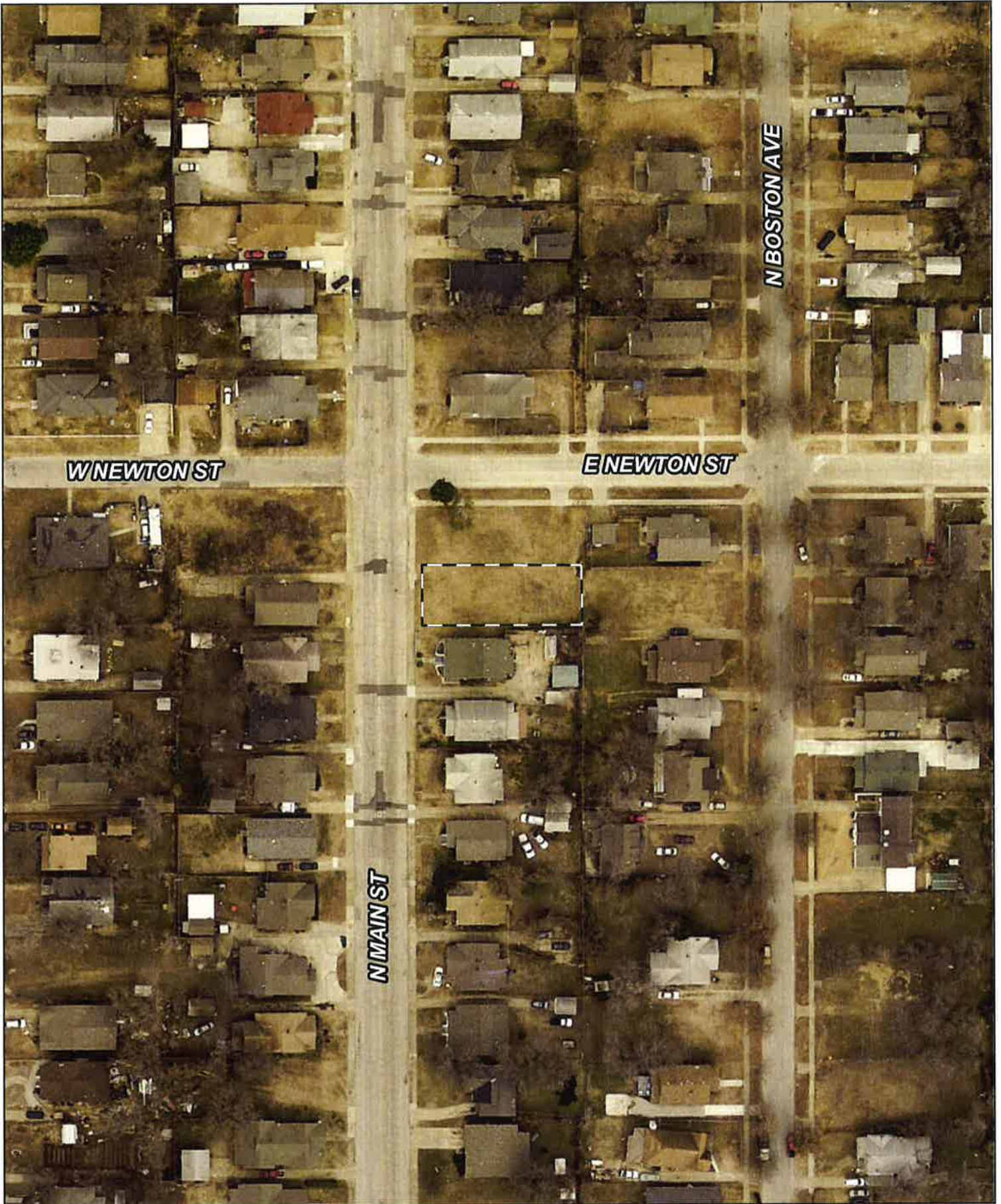
BOA-23077

20-12 35

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

Aerial Photo Date: February 2018





W NEWTON ST

E NEWTON ST

N MAIN ST

N BOSTON AVE

BOA-23077

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

Aerial Photo Date: February 2018

20-12 35



5.27



Subject Tract

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**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9416

Case Number: **BOA-23078**

CZM: 39

CD: 6

HEARING DATE: 02/09/2021 1:00 PM

APPLICANT: Robison Consulting, LLC

ACTION REQUESTED: Special Exception to increase the permitted driveway width (Sec. 55.090-F)

LOCATION: 13642 E 28 PL S

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 11756.89 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 2, EASTLAND ACRES EXT

RELEVANT PREVIOUS ACTIONS: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

An **Existing Neighborhood** is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code.

The **Areas of Stability** include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SW/c of S. 138th E. Ave. and E. 28th St. S.

STAFF COMMENTS: The applicant is requesting a **Special Exception** to increase the permitted driveway width (Sec. 55.090-F)

6.2

3. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of [Section 70.120](#), or, if in a PUD, in accordance with the amendment procedures of [Section 30.010-1.2](#). (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

Lot Frontage	Maximum Driveway Width				
	75'+	60' - 74'	46' - 59'	30' - 45'	Less than 30' [2]
Driveway Within Right-of-Way (feet) [1]	27'	26'	22'	20'	12'
Driveway Within Street Setback (feet)	30'	30'	--	--	--

TULSA ZONING CODE | July 1, 2020
page 55-20

Chapter 55 | Parking
Section 55.090 | Parking Area Design

[1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.

The applicant is requesting a driveway that has two curb cuts, that in the aggregate equals 38' 1.5".

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to increase the permitted driveway width (Sec. 55.090-F)

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Eastern lot line of property



Subject Property from 28th Pl.

Jeff S. Taylor
Zoning Official
Plans Examiner III
TEL(918) 596-7637
jstaylor@cityoftulsa.org



DEVELOPMENT SERVICES
175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

Ana Santamaria
anasantamaria703@gmail.com

11/30/2020

APPLICATION NO: ZCO 73083-2020 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 13642 E 28th PI S

Description: Driveway Expansion

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. **DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.**

SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
3. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

A COPY OF A "RECORD SEARCH" IS IS NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT
WWW.CITYOFTULSA-BOA.ORG

Note: As provided for in Section 70.130 you may request the Board of Adjustment to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

Maximum Driveway Width

Lot Frontage	75'+	60' - 74'	46' - 59'	30' - 45'	Less than 30' [2]
Driveway Within Right-of-Way (feet) [1]	27'	26'	22'	20'	12'
Driveway Within Street Setback (feet)	30'	30'	--	--	--

[1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.

55.090-F3 Surfacing. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120. Based on your lot width the Maximum Driveway Width allowed in the Right Of Way (ROW) is 26' and 30' outside of ROW on this lot.

Review Comments: The submitted site plan proposes a combined driveway width of more than 30' in width on the lot in the street setback and more than 26' wide in ROW which exceeds the maximum allowable driveway widths both within and outside of the ROW. Revise plans to indicate the combined driveway widths shall not exceed the maximum allowable widths or apply to the BOA for a special exception, one for the proposed combined driveway widths within the ROW and also for the proposed combined driveway widths outside of the ROW.

If assistance is needed to find review comments or upload revisions contact Ashley Chaney 918-694-4196 or email at AChaney@cityoftulsa.org

This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter. A hard copy of this letter is available upon request by the applicant.

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:
<http://www.tmapc.org/Documents/TulsaZoningCode.pdf>

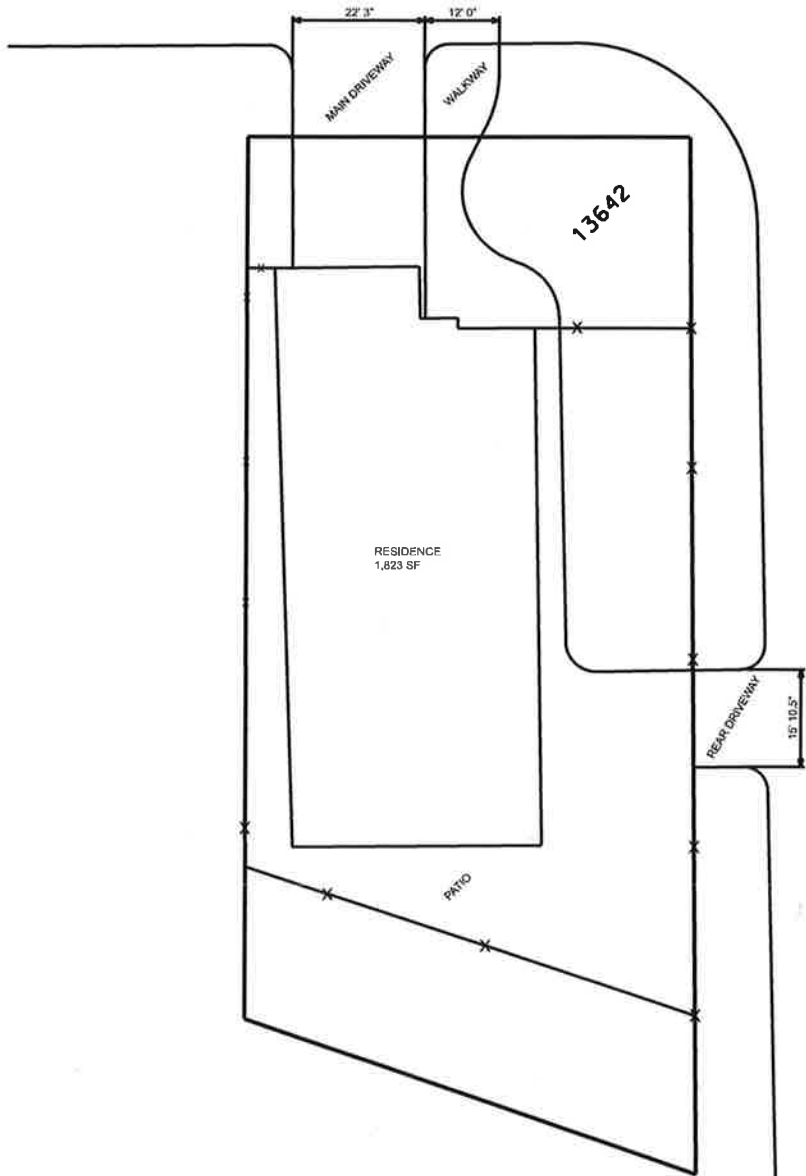
Please Notify Plans Examiner By Email When You Have Submitted A Revision. If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online

END -ZONING CODE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

E. 28TH PL.



S. 137TH E. AVE.



SCALE: 1" = 30'

PROJECT: DRAWN BY: CHECKED BY: DATE:	SABINO GUTIERREZ 13642 E. 28TH PLACE	PO BOX 667, SKIATOOK, OK 74070 (918) 838-4206 BY: _____ DATE: _____ _____ _____	
	CITY OF TULSA, OKLAHOMA		
SHEET: 1 OF 1	SITE PLAN		

6.8



Subject Tract

BOA-23078

19-14 16

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

Aerial Photo Date: February 2018



6.9



Subject Tract

BOA-23078

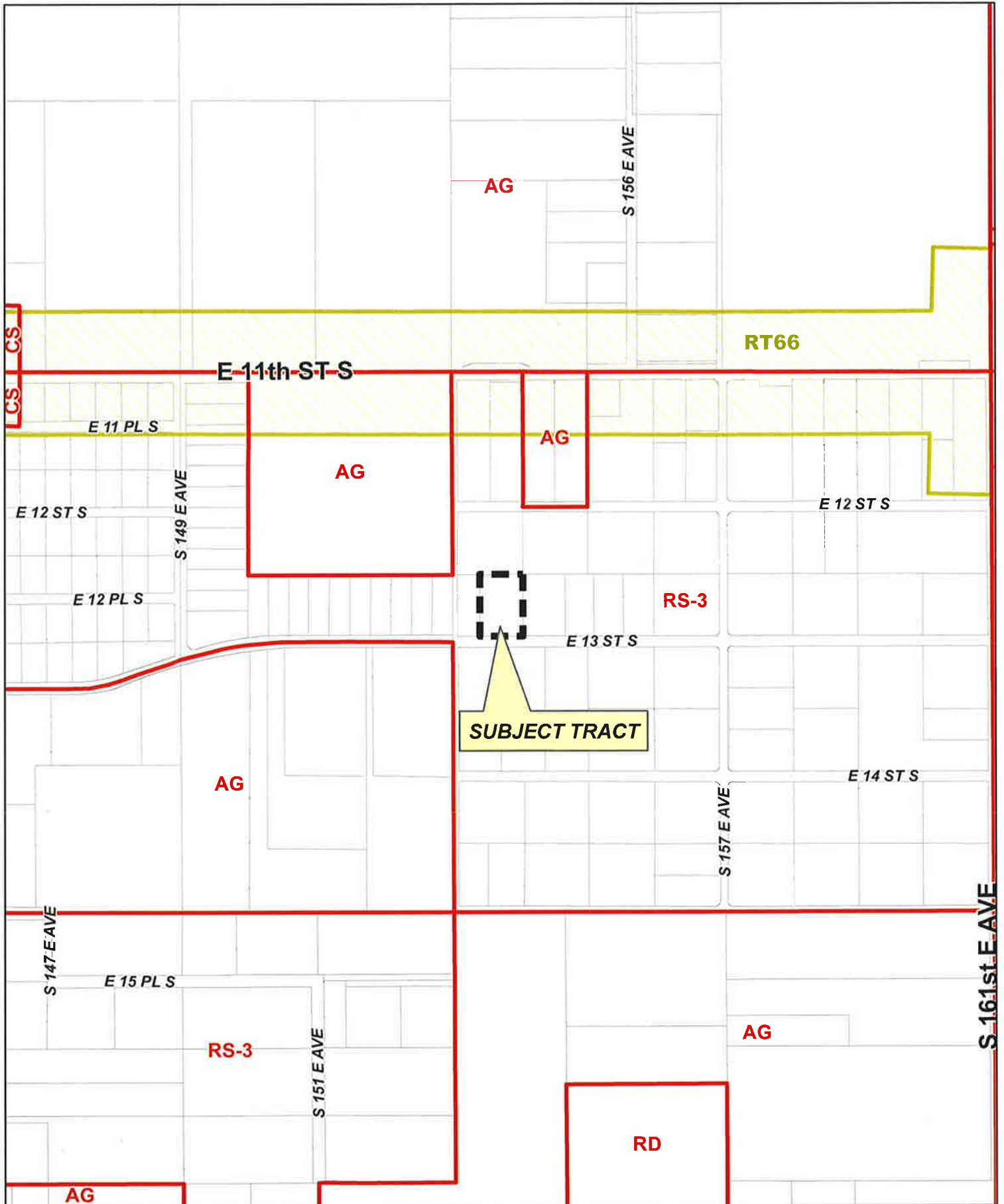
19-14 16

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

Aerial Photo Date: February 2018



6-10



SUBJECT TRACT

BOA-23079

7.1



19-14 10



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9410
CZM: 40
CD: 6

Case Number: **BOA-23079**

HEARING DATE: 02/09/2021 1:00 PM

APPLICANT: Coby Nirider

ACTION REQUESTED: Variance of the parking surface requirements to allow the continued use of an existing gravel driveway (Section 55.090-F)

LOCATION: 15323 E 13 ST S

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 64660.73 SQ FT

LEGAL DESCRIPTION: E 212 LT 8 BLK 3, RADIO HGTS

RELEVANT PREVIOUS ACTIONS: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "New Neighborhood" and an "Area of Growth".

The New Neighborhood designation 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 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.

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.

ANALYSIS OF SURROUNDING AREA: The subject tract is the subject property is located West of the NW/c of E. 13th St. S. and S. 157 E. Ave.

STAFF COMMENTS: The applicant is requesting a **Variance** of the parking surface requirements to allow the continued use of an existing gravel driveway (Section 55.090-F)

7.2

55.090-F Surfacing

1. All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of Section 55.090-F.4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.
2. All motorized vehicles designed for travel upon public streets and that are being parked, stored or displayed for sale must be parked, stored or displayed on dustless, all-weather surface. This surfacing requirement does not apply to junk or salvage yards. The board of adjustment is authorized to grant a special exception permitting the storage or display of motorized vehicles on a surface other than one consisting of a dustless, all-weather surface if the location complies with all applicable minimum building setbacks.

Below are comments provided by the applicant regarding their application:

ACTION(S) REQUESTED: We are seeking BOA variance for this property to continue to serve as a Group Home; Community Neuro Rehab (CNR). CNR has an occupancy of less than 8 and, thereby, does not require Special Exemption to operate. The home was licensed with OKSDH from approximately 1992 to 2000. The license lapsed but our use of the property has remained unchanged to date. We have initiated a re-licensing process with DHS for Group Home licensure and require BOA variance approval and zoning approval as part of that process.

STATEMENT OF HARDSHIP:

Hardship Conditions Addressed:

1. The slope of the drive is such that water is naturally funneled away from the home and towards the street. This is evidenced by there being no history of flooding or water damage to the residence.
2. As per 55.010A, the majority of these regulations are not applicable to residential neighborhoods and we feel that the enforcement of this code provision is not necessary to its purpose.

55.010A Purpose

1. The regulations of this chapter establish off-street motor vehicle and bicycle parking requirements that attempt to balance the city's goal of encouraging transit and non-motorized modes of transportation with the goal of providing off-street parking facilities to meet the typical day-to-day needs of shoppers, employees, visitors and residents. The regulations are also intended to help avoid the negative impacts that can result from requiring excessive supplies of off-street parking (e.g., impervious surfaces, stormwater runoff, heat island affect, visual environment, parking encroachment into stable neighborhoods).
 2. The provisions of this chapter are also intended to help protect the public health, safety and general welfare by:
 - a. Promoting economically viable and beneficial use of land; and
 - b. Providing flexible methods of responding to the transportation and access demands of various land uses in different areas of the city.
3. We are being asked to request a variance for the driveway due to our desire to relicense this group home with the state. CNR has been in continuous operation since 1992 and was licensed with the state from 1992 until 2000. The state no longer required us to have the group home license and, in effect, disallowed relicensing. We recently learned that the group home license was still an option (through State Department of Human Services rather than the State Department of Health). Part our application process for OKDHS is to demonstrate zoning clearance for the property, which brings us to this hearing. Clearly, this condition leading to the need for the requested variance is unique to our property in the sense that no other properties are licensed as group homes.
 4. We maintain that the condition of our driveway is in line with not only the intent of the requirement but also the general state of driveways throughout the neighborhood.

REVISED 5/9/2018

-
5. The variance requested in, indeed, the minimum variance that will allow us to move forward with our ongoing use of this property as a group home, licensed by the state for that use.
 6. The variance being requested has no impact on the character of the neighborhood as the condition of our driveway has existed, unchanged since its purchase in approximately 1992. The variance will have no impact on use or development of adjacent property.
 7. The variance being requested will have no negative impact to the public or impair the intent (see #1 above) of the code. To the contract, granting this variance will allow us to continue to service individuals with acquired brain injuries and restore their abilities to function independently in the community as is the mission of CNR.

7.3

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** of the parking surface requirements to allow the continued use of an existing gravel driveway (Section 55.090-F)

- Finding the hardship(s) to be _____.
- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions _____.

In granting the **Variance** the Board finds that the following facts, favorable to the property owner, have been established:

- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;*
- b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;*
- c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;*
- d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;*
- e. That the variance to be granted is the minimum variance that will afford relief;*
- f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and*
- g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan."*



Facing East on 13th St.



Subject property



Facing West on 13th St.

DANA L. BOX
ZONING OFFICIAL
PLANS EXAMINER II

TEL (918) 596-9657
danabox@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

January 5, 2021

LOD Number: 1, REVISED

Cody Nirider
Brookhaven Hospital
201 S. Garnett Rd.
Tulsa, OK 74128

Phone: 918-438-4257, ext 2062

APPLICATION NO: **ZCO-039753-2019**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 15323 E. 13th St.

Description: Zoning Clearance

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:

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2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

****REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS. ** (SEE #2, BELOW)**

SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. ****PURSUANT TO FEDERAL, STATE, AND LOCAL DECLARATIONS OF EMERGENCY ARISING FROM THE COVID-19 THREAT AND AS DIRECTED BY THE ADMINISTRATION, OUR OFFICE IS CLOSED TO THE PUBLIC UNTIL FURTHER NOTICE. PAPER SUBMITTALS (INCLUDING REVISIONS AND ADDENDUM) FOR ANY PROJECT IS NOT ACCEPTED AT THIS TIME. IF SUBMITTING REVISIONS FOR APPLICATIONS THAT PREVIOUSLY UTILIZED PAPER PLANS, EMAIL THE REVISED PLANS TO COTDEVSVCS@CITYOFTULSA.ORG OR SUBMIT ELECTRONIC PLAN REVISIONS ON THE PORTAL AT [HTTPS://TULSAOK.TYLERTECH.COM/ENERGOV4934/SELFERVICE](https://tulsaok.tylertech.com/energov4934/selfservice). YOU WILL NEED TO REGISTER ON THE PORTAL IF YOU HAVE NOT PREVIOUSLY DONE SO. **INFORMATION ABOUT THE ZONING CODE, BOARD OF ADJUSTMENT (BOA), PLANNING COMMISSION (TMAPC), AND THE TULSA PLANNING OFFICE AT INCOG CAN BE FOUND ONLINE AT WWW.TULSAPLANNING.ORG; IN PERSON AT 2 W. 2ND ST., 8TH FLOOR, IN TULSA; OR BY CALLING 918-584-7526 AND ASKING TO SPEAK TO SOMEONE ABOUT THIS LETTER OF DEFICIENCY.**

7.7

REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT <http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

ZCO-039753-2019

15323 E. 13th St.

January 5, 2021

Note: As provided for in Section 70.130 you may request the Board of Adjustment (BOA) to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to a representative at the Tulsa Planning Office 918-584-7526 or esubmit@incog.org. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

1. Sec 55.090 Parking Area Design F1. All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of Section 55.090-F.4. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.

Review Comments: The subject property driveway has a gravel surface. Gravel, turf, or other materials that are not part of a structured system designed to manage stormwater are not considered pervious pavement or a pervious pavement system. You may seek relief in the form of a variance from the Board of Adjustment. Contact Austin Chapman, BOA Administrator, at achapman@incog.org or 918-579-9471 for further instruction. If the variance is granted, upload a copy of the approval from the BOA to the online portal and notify the reviewer for finalization of the zoning clearance permit.

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code: <http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

Please notify the reviewer via email when your revisions have been submitted

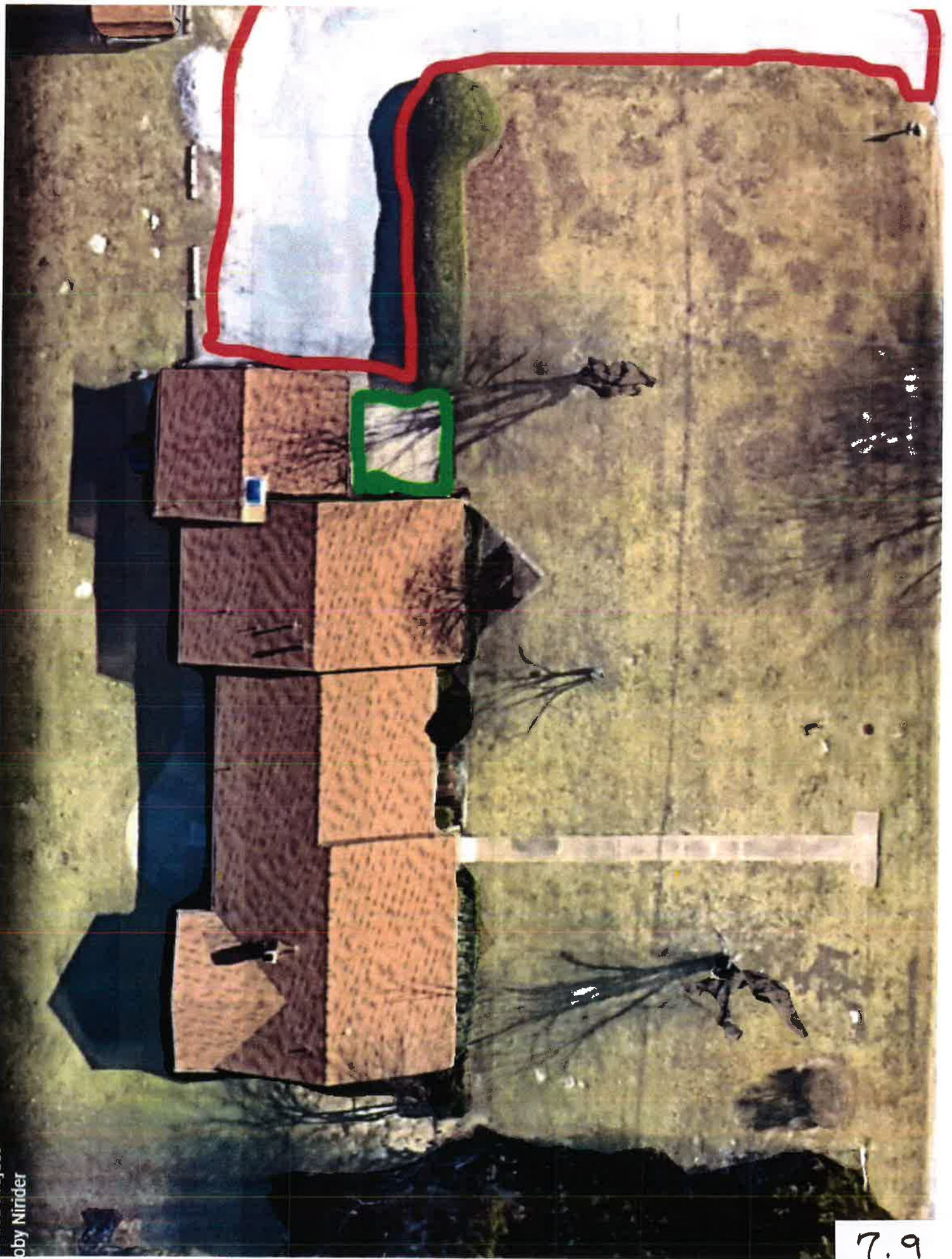
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

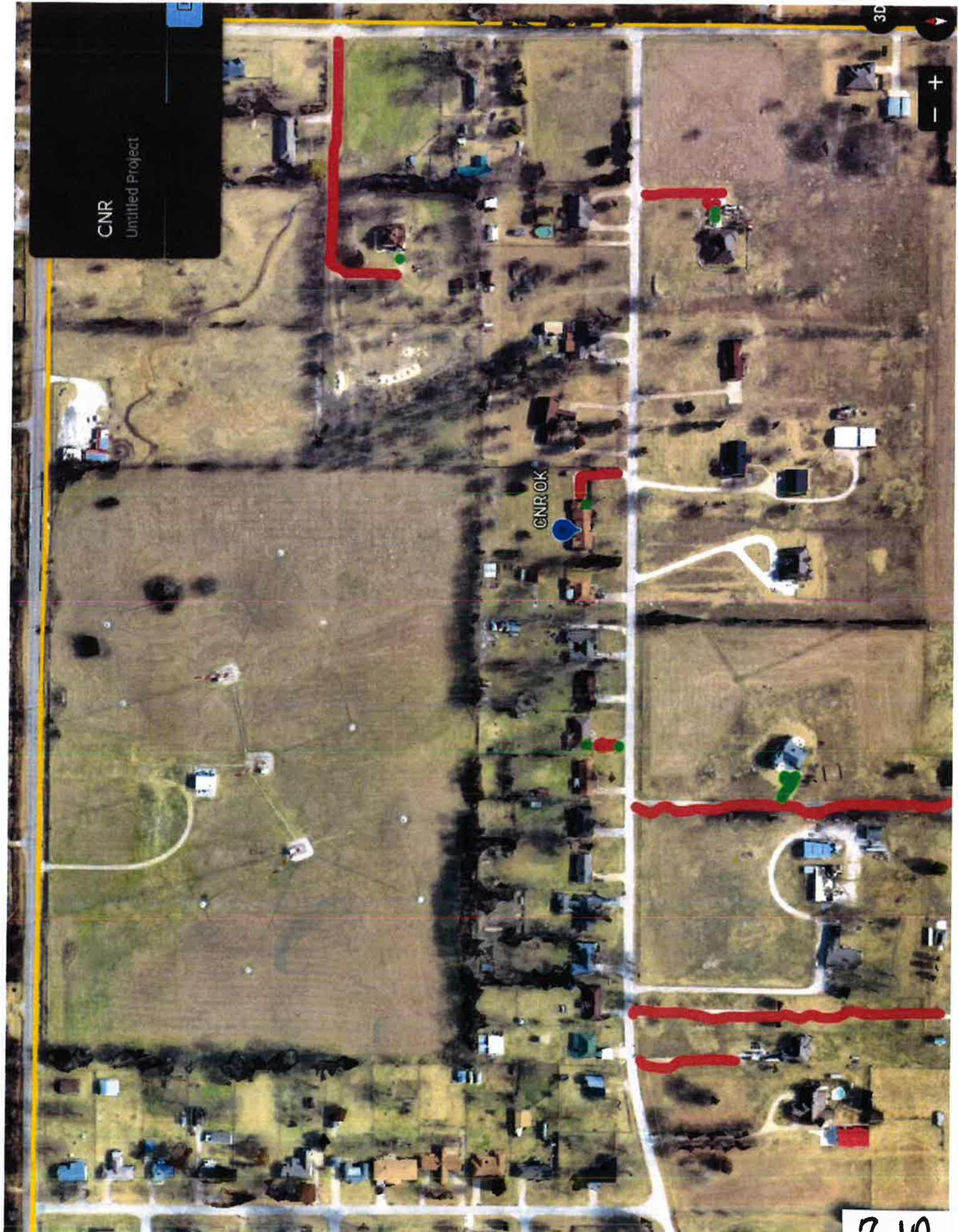
A hard copy of this letter is available upon request by the applicant.

END – ZONING CODE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.





CNR
Untitled Project

CNR OK

7.10



7.11

CUSTOMER: GUARANTY ABSTRACT COMPANY/
BANK OF OKLAHOMA
BORROWER: GLASSER, HARVEY WILLIAM

REGISTERED LAND SURVEYOR'S INSPECTION PLAT AND CERTIFICATE FOR MORTGAGE LOAN PURPOSES

GA 92-405

WHITE

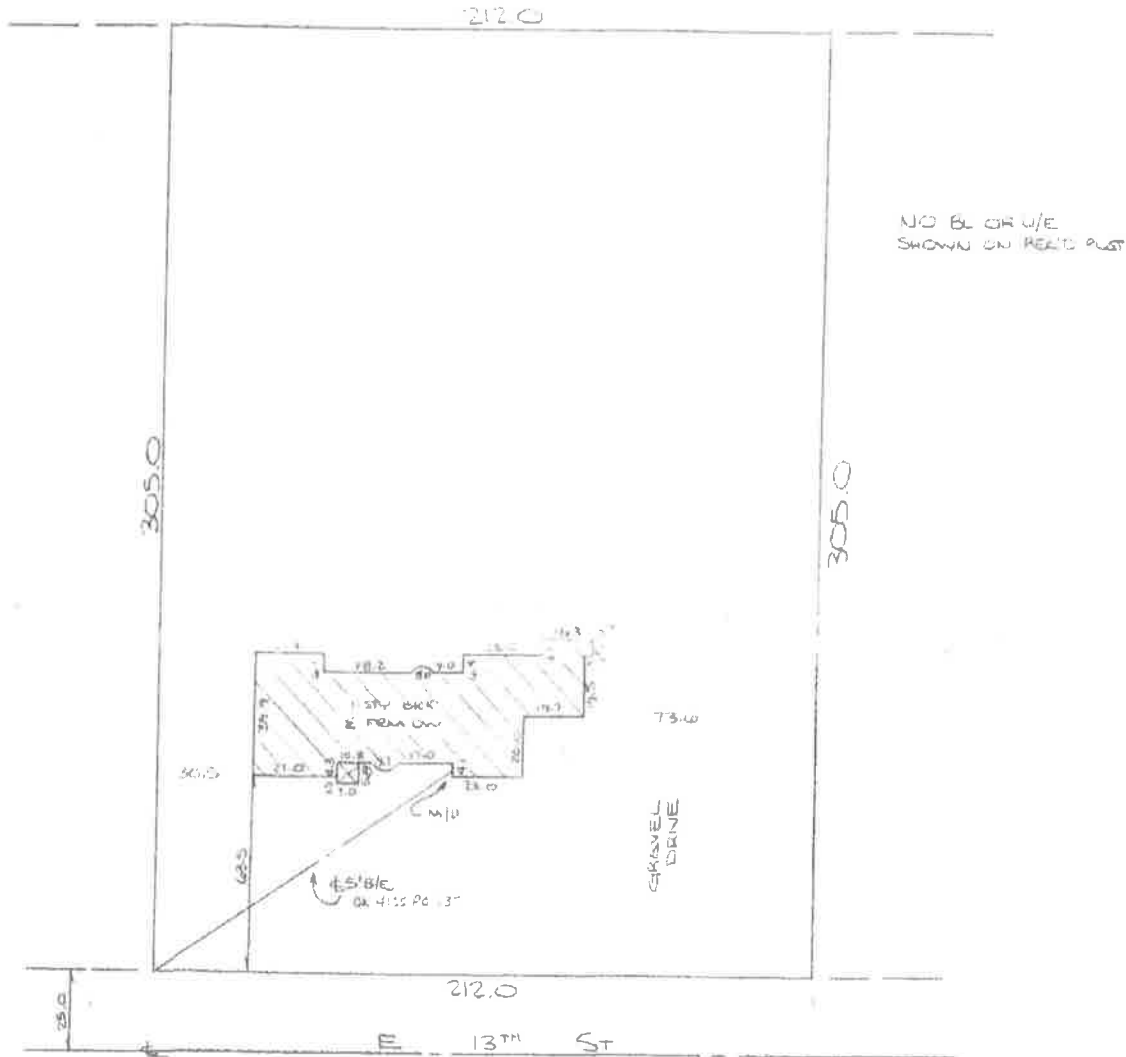


SURVEYING COMPANY

8137 EAST 49TH STREET TULSA, OKLAHOMA 74143
(918) 665-8924

NOTE: THIS PROPERTY LIES IN FLOOD ZONE "0", PER F.I.R.M.
COMMUNITY PANEL NO. 405381 0050E, REVISED 16-15-82.

- LEGEND
- U/E = UTILITY EASEMENT
 - D/E = DRAINAGE EASEMENT
 - B/E = BURIED TELEPHONE
 - E/E = ELECTRIC SERVICE EASEMENT (APPROXIMATE LOCATION)
 - M/P = METERING POINT
 - - - = FENCE



CERTIFICATE

THIS PLAT IS MADE FOR AND AT THE REQUEST OF GUARANTY ABSTRACT COMPANY/
BANK OF OKLAHOMA FOR MORTGAGE LOAN PURPOSES ONLY COVERING PROPERTY DESCRIBED AS FOLLOWS.

The East Two hundred twelve (212) feet of lot Eight (8), Block Three (3),
RADIO HEIGHTS, an Addition to Tulsa, Tulsa County, State of Oklahoma,
according to the Recorded Plat No. 938, and known as 25723 East 13th Street.

I HEREBY CERTIFY THAT THE ABOVE INSPECTION PLAT SHOWS THE IMPROVEMENTS AS LOCATED ON THE PROMISES DESCRIBED, THAT THEY ARE ENTIRELY WITHIN THE DESCRIBED TRACT BOUNDARIES, AND THAT THERE ARE NO ENCROACHMENTS THEREON EXCEPT AS INDICATED; THAT THE ABOVE PLAT SHOWS ALL RECORDED PLAT EASEMENTS AND OTHER SUCH EASEMENTS AS HAVE BEEN DISCLOSED AND FURNISHED ME BY LENDER, THAT THIS PLAT WAS PREPARED FOR IDENTIFICATION PURPOSES ONLY FOR THE MORTGAGEE AND IS NOT A LAND OR PROPERTY LINE SURVEY, THAT NO PROPERTY CORNERS WERE SET, AND IT IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING OR OTHER IMPROVEMENT LINES. NO RESPONSIBILITY IS ASSUMED HEREON OR HERETO BY THE PRESENT OR FUTURE LAND OWNER OR OCCUPANT.

WITNESS MY HAND AND SEAL THIS 21st DAY OF March, 1992.

[Signature]
OKLAHOMA REGISTERED LAND SURVEYOR NO. 1052

7.12



Subject Tract

BOA-23079

19-14 10

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

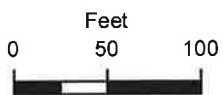
Aerial Photo Date: February 2018



7.13



E 13 STS



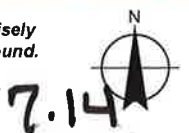
*Subject
Tract*

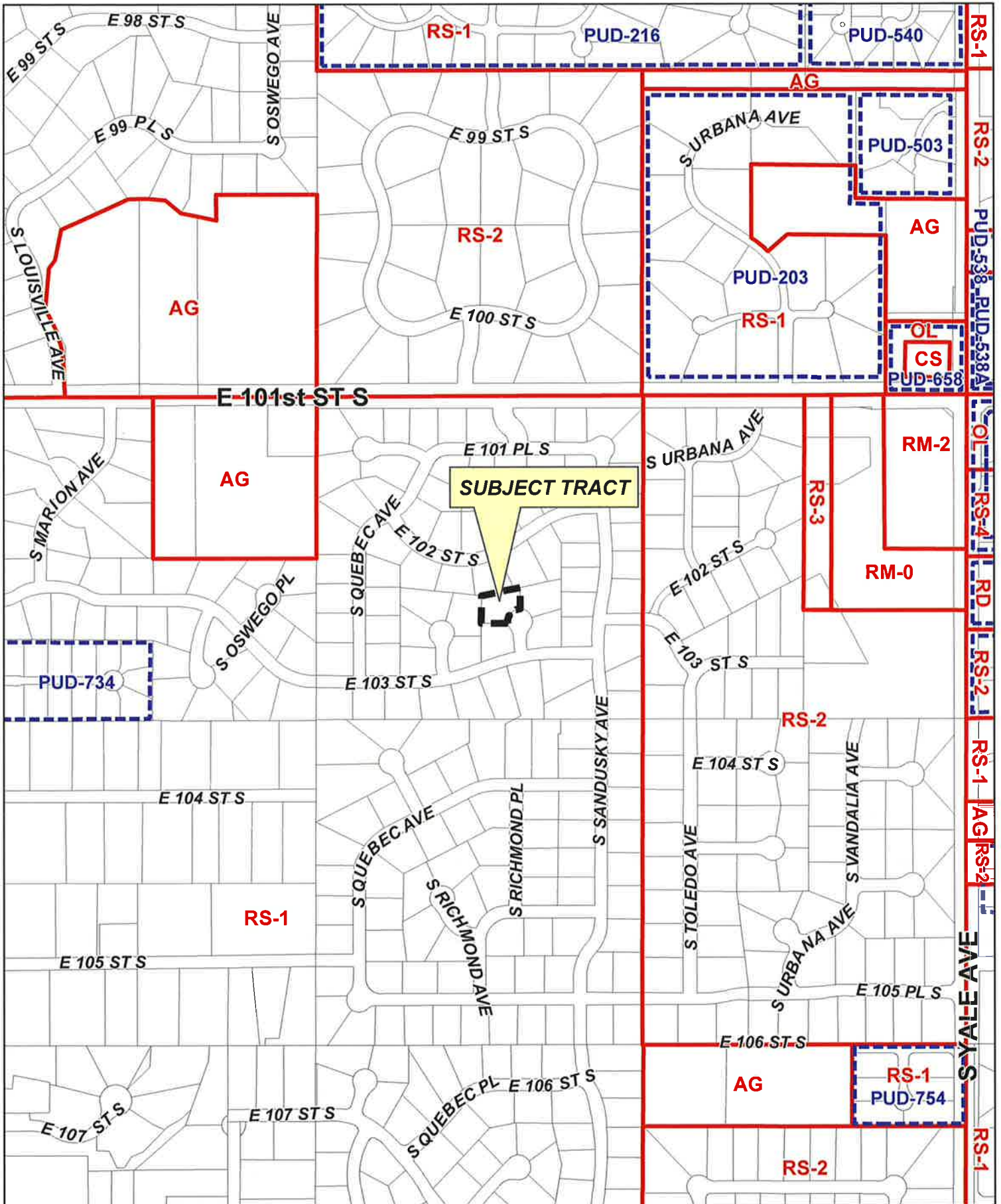
BOA-23079

19-14 10

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

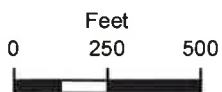
Aerial Photo Date: February 2018





BOA-23080

8.1



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 8328

Case Number: **BOA-23080**

CZM: 56

CD: 8

HEARING DATE: 02/09/2021 1:00 PM

APPLICANT: Gary Holmes

ACTION REQUESTED: Variance to allow a Detached Accessory Building to exceed 10 feet in height to the top of the top plate. (Section 90.090-C)

LOCATION: 10204 S RICHMOND PL E

ZONED: RS-1

PRESENT USE: Residential

TRACT SIZE: 18038.27 SQ FT

LEGAL DESCRIPTION: LT 17 BLK 4, FOREST OAKS

RELEVANT PREVIOUS ACTIONS: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

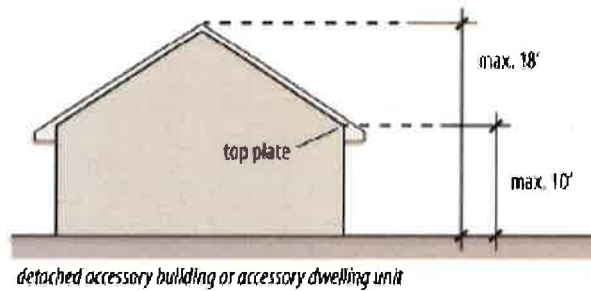
An **Existing Neighborhood** is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code.

The **Areas of Stability** include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is located North of the North of the NW/ c of E. 103rd St. S. and the cul de sac of S. Richmond Pl.

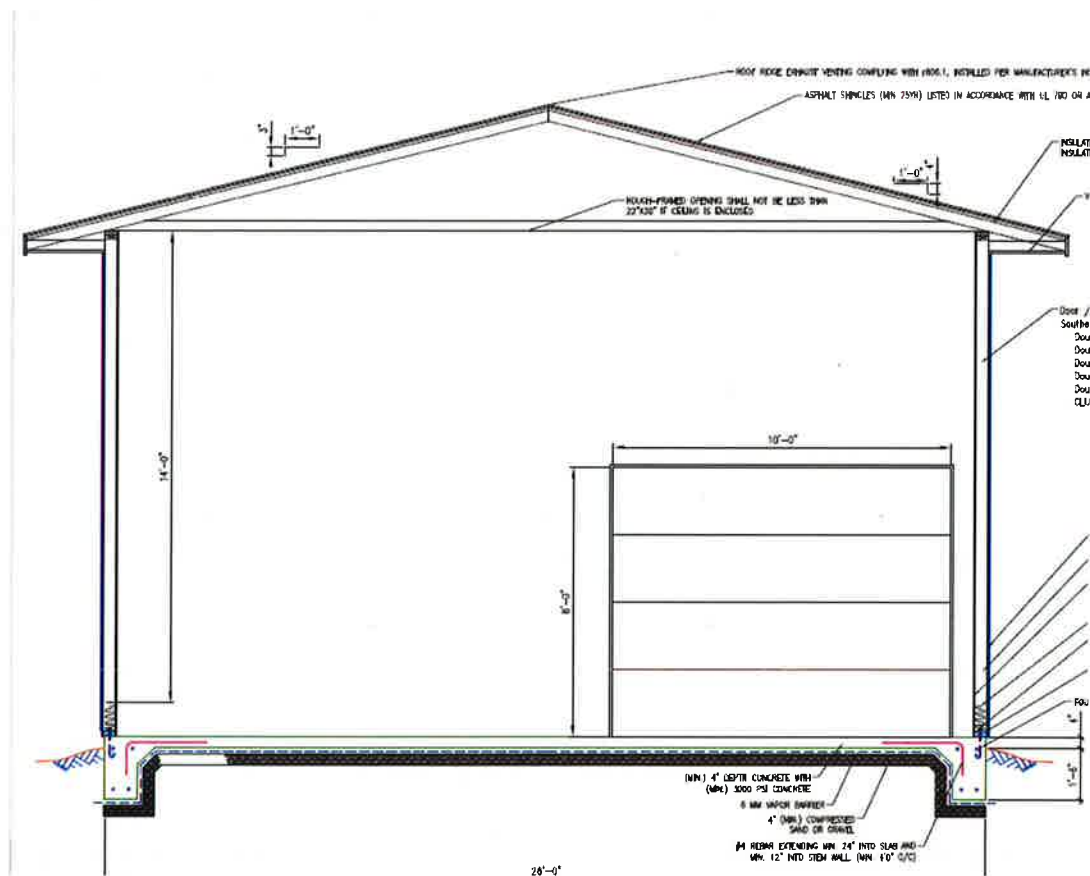
STAFF COMMENTS: The applicant is requesting a **Variance** to allow a Detached Accessory Building to exceed 10 feet in height to the top of the top plate. (Section 90.090-C)

Figure 90-9: Maximum Height of Accessory Buildings, Including Accessory Dwelling Units In Rear Setbacks (RE, RS and RD Districts or RM Zoned Lots Used for Detached Houses or Duplexes)



(2) Building coverage in the rear setback does not exceed the maximum limits established in Table 90-2:

The applicant is requesting a 14' high top plate.



STATEMENT OF HARDSHIP: The fore mentioned property has two rear setbacks which greatly limits the areas in which an Accessory Building (AB) can be built. To be outside of the rear setback, the (AB) must be at least 25' from the rear setback. This makes it impossible to build the designed AB outside of the 25' rear setback while also staying outside of the 35' front setback. All residents in Cal-de-Sac including myself prefer to have AB built as far as possible from front setback. Constructing the AB as far back as possible from the front setback will better keep with the current look and layout of the area and allows for the residents in Cal-de-Sac to maintain the best view of the entire area. There is no other area on the property that can allow for similar sized AB. Additionally, I believe the designed AB meets the intent of the code, because the overall height is within the allowable height.

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** to allow a Detached Accessory Building to exceed 10 feet in height to the top of the top plate. (Section 90.090-C)

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Facing South on Richmond Place



Subject Property

LETTER OF DEFICIENCY COMMENTS:

Permit Number: **BLDR-070666-2020**

Comments

90.90.C: Detached Accessory Buildings. Detached accessory buildings may be located in rear setbacks in RE, RS and RD districts, provided that the building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate.

Corrective Action

Review Comments: Revise plans to indicate that the detached accessory building will not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate or apply to the BOA for a variance to allow an accessory structure to exceed 10 feet in height to the top of the top plate and 18 feet in overall height.

8.8

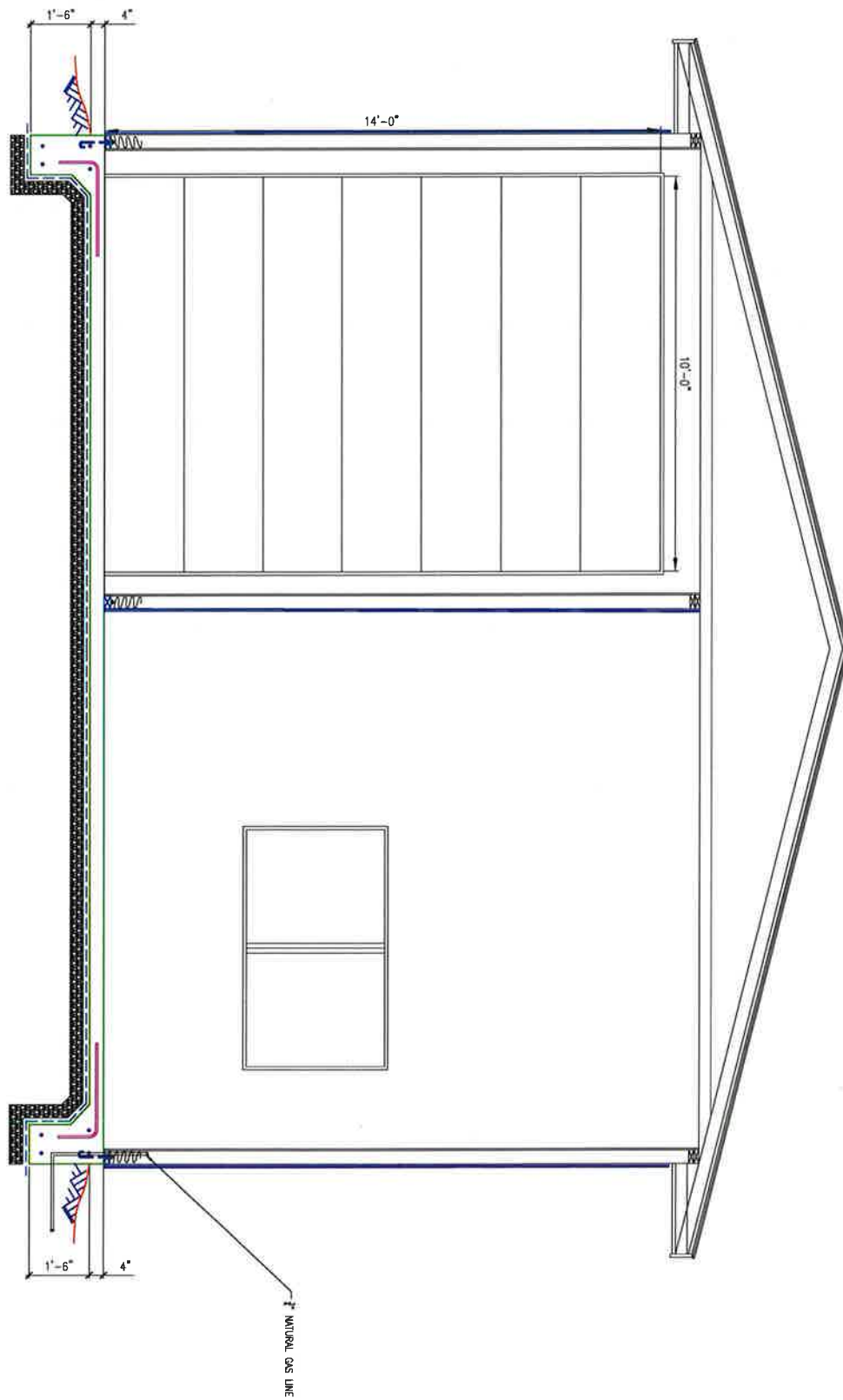


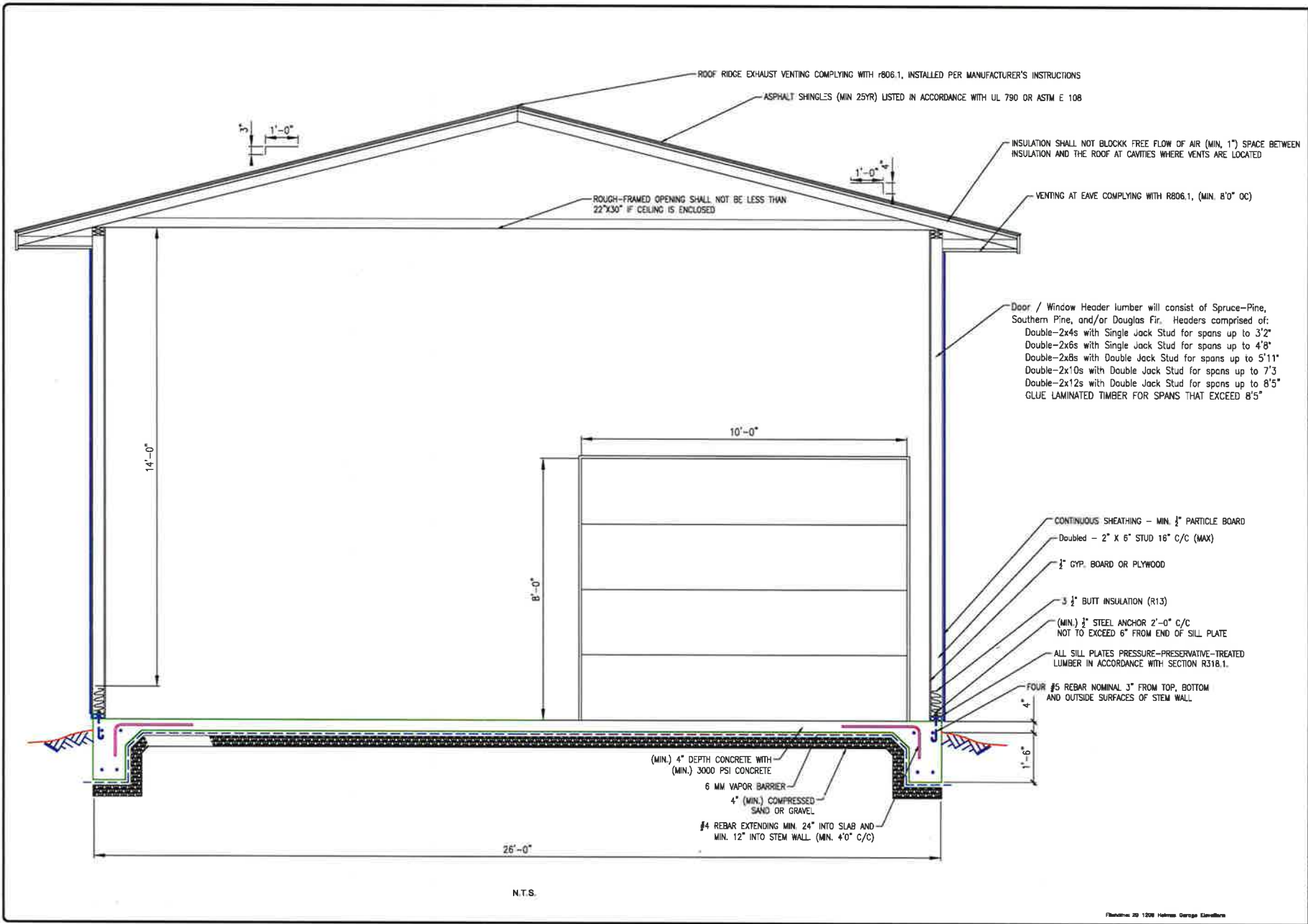
FIGURE 20 1208 Holmes Garage Drawings

2 of 5

PROJECT INFORMATION
HOLMES RESIDENCE DETACHED GARAGE
 LOT SEVENTEEN (17), BLOCK FOUR (4), FOREST OAKS
 A SUBDIVISION THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA
 10204 SOUTH RICHMOND PLACE, TULSA, OK 74137
 SOUTH WALL DETAIL

NO.	DATE	REVISION	CHKD.	BY
1	10/15/20	REVISED TRUSSES LOWERING OVERALL HEIGHT 15"		

8.9



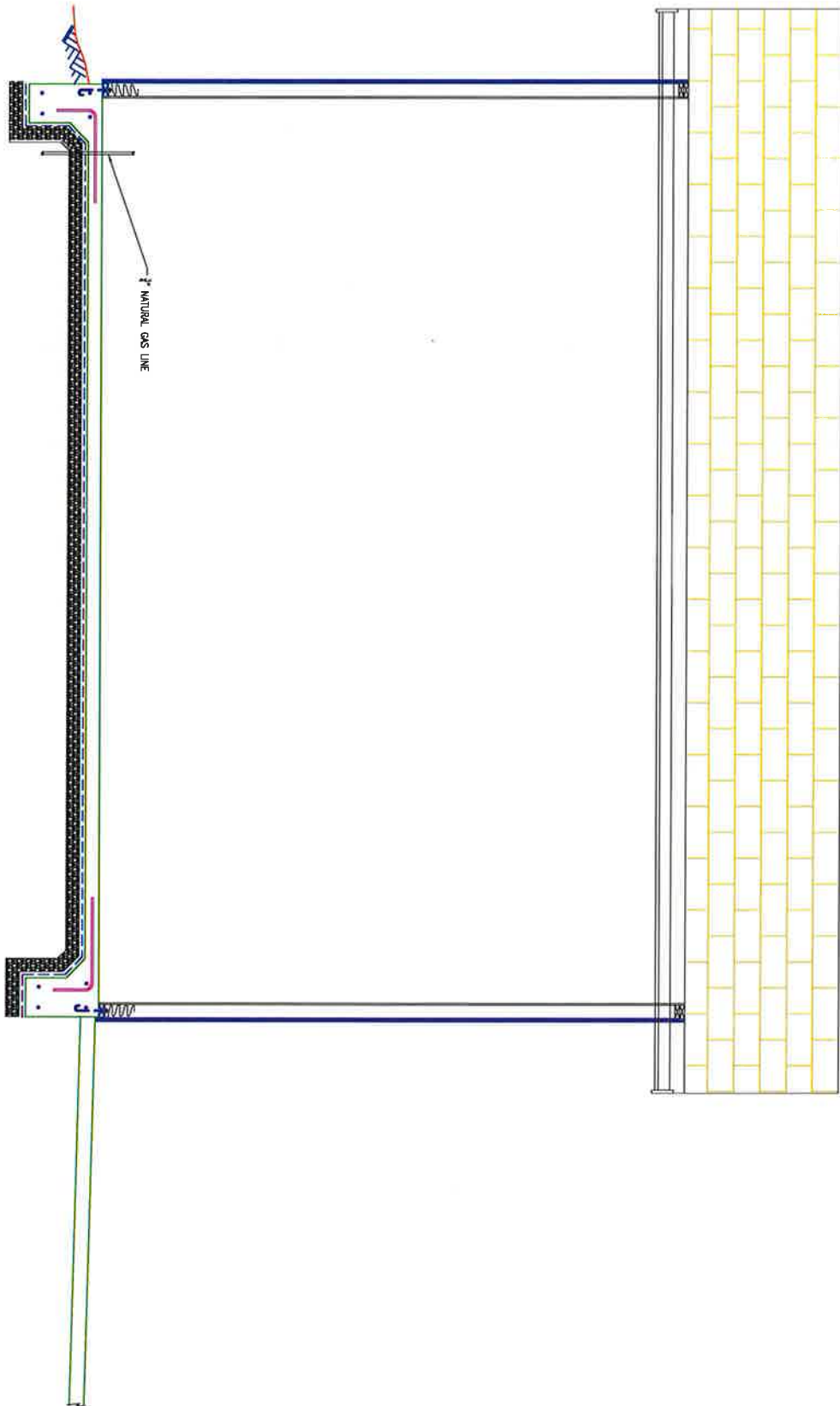
NO.	DATE	REVISION
1	10/13/20	REVISED TRUSSES LOWERING OVERALL HEIGHT 12"

PROJECT INFORMATION

HOLMES RESIDENCE DETACHED GARAGE
 LOT SEVENTEEN (17), BLOCK FOUR (4), FOREST OAKS
 A SUBDIVISION THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA
 10204 SOUTH RICHMOND PLACE, TULSA, OK 74137

NORTH WALL DETAIL

DRAWN BY	C. HARDESTY
DATE	08-20-20
DESIGNED BY	C. HOLMES
SCALE	N.T.S.
SHEET NUMBER	3 of 5



EAST WALL ELEVATION (FACING WEST)
SCALE: 3/8"=1'-0"



Revised 02/13/2018, Revised Design Schedule

PROJECT INFORMATION		HOLMES RESIDENCE DETACHED GARAGE LOT SEVENTEEN (17), BLOCK FOUR (4), FOREST OAKS A SUBDIVISION THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA 10204 SOUTH RICHMOND PLACE, TULSA, OK 74137 EAST WALL DETAIL	
DATE	BY	NO.	REVISION
10/15/20		1	REVISED TRUSSES LOWERING OVERALL HEIGHT 12"



MiTek USA, Inc.
16023 Swingley Ridge Rd
Chesterfield, MO 63017
314-434-1200

Re: B200386

The truss drawing(s) referenced below have been prepared by MiTek USA, Inc.. under my direct supervision based on the parameters provided by Pryor Truss Company.

Pages or sheets covered by this seal: I43547899 thru I43547900

My license renewal date for the state of Oklahoma is January 31, 2022.

Oklahoma COA: 1758



November 9, 2020

Fox, Steve

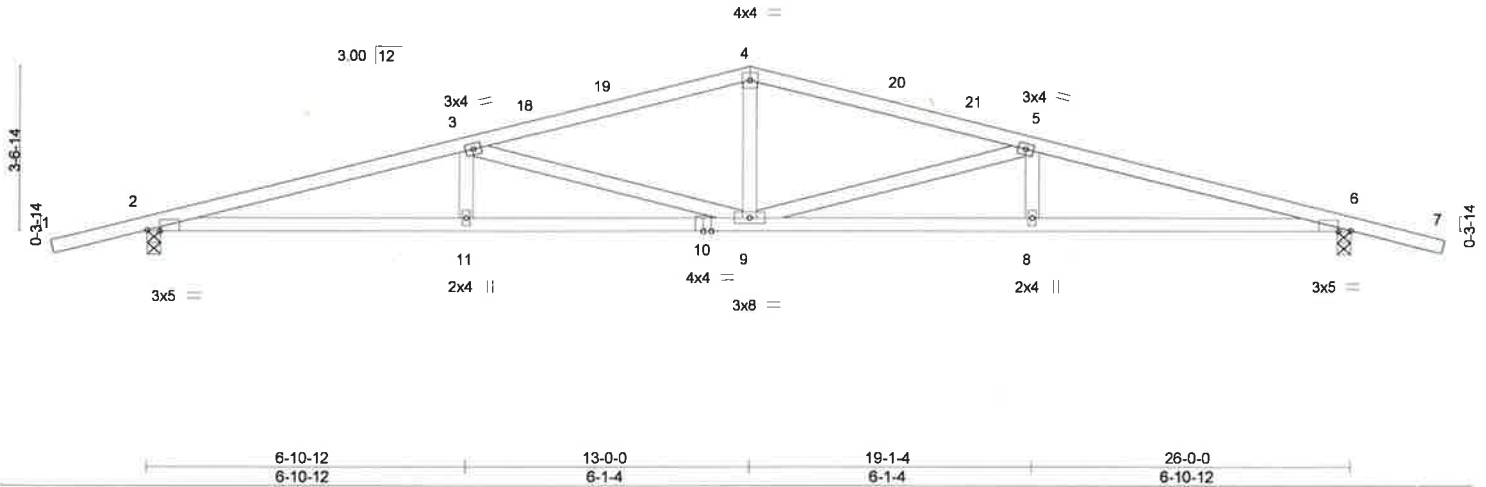
IMPORTANT NOTE: The seal on these truss component designs is a certification that the engineer named is licensed in the jurisdiction(s) identified and that the designs comply with ANSI/TPI 1. These designs are based upon parameters shown (e.g., loads, supports, dimensions, shapes and design codes), which were given to MiTek or TRENCO. Any project specific information included is for MiTek's or TRENCO's customers file reference purpose only, and was not taken into account in the preparation of these designs. MiTek or TRENCO has not independently verified the applicability of the design parameters or the designs for any particular building. Before use, the building designer should verify applicability of design parameters and properly incorporate these designs into the overall building design per ANSI/TPI 1, Chapter 2.

Job	Truss	Truss Type	Qty	Ply	26' Common 3/12, 2'OC Job Reference (optional)	143547899
B200386	A	HOWE	12	1		

Pryor Truss Company, Pryor, OK 74361

8.240 s Mar 9 2020 MiTek Industries, Inc. Mon Nov 9 11:42:39 2020 Page 1

ID: SrzoOTvrKtWcGtELc_5qyzHGga-wNRNBFed?17ZPI25Qz4YP58PUNnPuyhQbGTQt5yKwbk



LOADING (psf)		SPACING-		CSI.	DEFL.				PLATES	GRIP
TCLL (roof)	20.0	2-0-0	2-0-0	TC	in	(loc)	l/defl	L/d	MT20	244/190
Snow (Pf/Pg)	11.6/15.0	Plate Grip DOL	1.15	BC	Vert(LL)	-0.20	8-9	>999		
TCDL	10.0	Lumber DOL	1.15	WB	Vert(CT)	-0.42	8-9	>741		
BCLL	0.0	Rep Stress Incr	YES	Matrix-MS	Horz(CT)	0.10	6	n/a		
BCDL	10.0	Code	IRC2015/TPI2014							
									Weight: 112 lb	FT = 7%

LUMBER-
 TOP CHORD 2x4 SP No.1
 BOT CHORD 2x4 SP No.1
 WEBS 2x4 SP No.3

BRACING-
 TOP CHORD Structural wood sheathing directly applied or 3-0-8 oc purlins.
 BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS. (size) 2=0-3-8, 6=0-3-8
 Max Horz 2=-55(LC 13)
 Max Uplift 2=-179(LC 16), 6=-179(LC 16)
 Max Grav 2=1162(LC 2), 6=1162(LC 2)

FORCES. (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
 TOP CHORD 2-3=-3185/396, 3-4=-2191/306, 4-5=-2191/306, 5-6=-3185/395
 BOT CHORD 2-11=-315/3064, 9-11=-315/3064, 8-9=-332/3064, 6-8=-332/3064
 WEBS 3-11=0/256, 4-9=0/698, 5-8=0/256, 3-9=-1056/157, 5-9=-1056/158

- NOTES-**
- Unbalanced roof live loads have been considered for this design.
 - Wind: ASCE 7-10; Vult=115mph (3-second gust) Vasd=91mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; B=45ft; L=26ft; eave=4ft; Cat. II; Exp C; Enclosed; MWFRS (directional) and C-C Exterior(2) -2-0-7 to 1-1-0, Interior(1) 1-1-0 to 13-0-0, Exterior(2) 13-0-0 to 16-0-0, Interior(1) 16-0-0 to 28-0-7 zone; cantilever left and right exposed; end vertical left and right exposed; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
 - TCLL: ASCE 7-10; Pr=20.0 psf (roof live load); Lumber DOL=1.15 Plate DOL=1.15; Pg=15.0 psf (ground snow); Pf=11.6 psf (flat roof snow); Lumber DOL=1.15 Plate DOL=1.15; Category II; Exp C; Partially Exp.; Ct=1.10; Min. flat roof snow load governs.
 - Unbalanced snow loads have been considered for this design.
 - This truss has been designed for greater of min roof live load of 12.0 psf or 1.00 times flat roof load of 11.6 psf on overhangs non-concurrent with other live loads.
 - Plates checked for a plus or minus 3 degree rotation about its center.
 - This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
 - * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 2-0-0 wide will fit between the bottom chord and any other members.
 - Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) except (jt=lb) 2=179, 6=179.



November 9, 2020

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 5/19/2020 BEFORE USE.
 Design valid for use only with MiTek® connectors. This design is based only upon parameters shown, and is for an individual building component, not a truss system. Before use, the building designer must verify the applicability of design parameters and properly incorporate this design into the overall building design. Bracing indicated is to prevent buckling of individual truss web and/or chord members only. Additional temporary and permanent bracing is always required for stability and to prevent collapse with possible personal injury and property damage. For general guidance regarding the fabrication, storage, delivery, erection and bracing of trusses and truss systems, see ANSI/TPI1 Quality Criteria, DSB-88 and BCSI Building Component Safety Information available from Truss Plate Institute, 2670 Crain Highway, Suite 203 Weldorf, MD 20601

MiTek
 16023 Swingley Ridge Rd
 Chesterfield, MO 63017

8.13

Job	Truss	Truss Type	Qty	Ply		143547900
B200386	A-GE	GABLE	2	1	26' Gable 3/12 Job Reference (optional)	

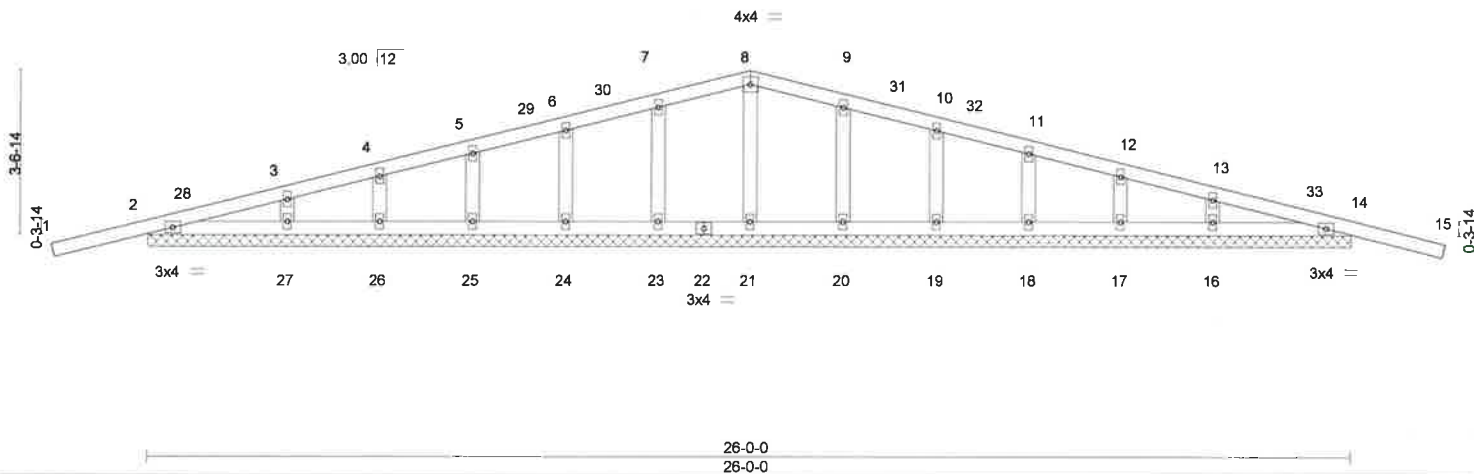
Pryor Truss Company, Pryor, OK 74361

8.240 s Mar 9 2020 MiTek Industries, Inc. Mon Nov 9 11:42:40 2020 Page 1

ID: SrzoOTvrKIWoGtlELc_5qyzHGga-Oa?IObFGmLFQ11dHzgbnxJhe6nHZdbGZqwDzPXYkwbj



Scale: 1/4"=1'



LOADING (psf)		SPACING-	2-0-0	CSI.		DEFL.	in (loc)	l/defl	L/d	PLATES	GRIP	
TCLL (roof)	20.0	Plate Grip DOL	1.15	TC	0.21	Vert(LL)	-0.02	15	n/r	120	MT20	244/190
Snow (Pf/Pg)	11.6/15.0	Lumber DOL	1.15	BC	0.05	Vert(CT)	-0.03	15	n/r	120		
TCDL	10.0	Rep Stress Incr	YES	WB	0.03	Horz(CT)	0.00	14	n/a	n/a		
BCLL	0.0	Code	IRC2015/TPI2014	Matrix-S							Weight: 112 lb	FT = 7%
BCDL	10.0											

LUMBER-
TOP CHORD 2x4 SP No.1
BOT CHORD 2x4 SP No.1
OTHERS 2x4 SP No.3

BRACING-
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS. All bearings 26-0-0.
(lb) - Max Horz 2=-55(LC 13)
Max Uplift All uplift 100 lb or less at joint(s) 23, 24, 25, 26, 20, 19, 18, 17 except 2=-120(LC 12), 14=-127(LC 13)
Max Grav All reactions 250 lb or less at joint(s) 21, 23, 24, 25, 26, 27, 20, 19, 18, 17, 16 except 2=275(LC 2), 14=275(LC 2)

FORCES. (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

- NOTES-**
- Unbalanced roof live loads have been considered for this design.
 - Wind: ASCE 7-10; Vult=115mph (3-second gust) Vasd=91mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; B=45ft; L=26ft; eave=4ft; Cat. II; Exp C; Enclosed; MWFRS (directional) and C-C Exterior(2) -2-0-7 to 0-11-9, Interior(1) 0-11-9 to 13-0-0, Exterior(2) 13-0-0 to 16-0-0, Interior(1) 16-0-0 to 28-0-7 zone; cantilever left and right exposed; end vertical left and right exposed; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
 - Truss designed for wind loads in the plane of the truss only. For studs exposed to wind (normal to the face), see Standard Industry Gable End Details as applicable, or consult qualified building designer as per ANSI/TPI 1.
 - TCLL: ASCE 7-10; Pr=20.0 psf (roof live load: Lumber DOL=1.15 Plate DOL=1.15); Pg=15.0 psf (ground snow); Pf=11.6 psf (flat roof snow: Lumber DOL=1.15 Plate DOL=1.15); Category II; Exp C; Partially Exp.; Ct=1.10; Min. flat roof snow load governs.
 - Unbalanced snow loads have been considered for this design.
 - This truss has been designed for greater of min roof live load of 12.0 psf or 1.00 times flat roof load of 11.6 psf on overhangs non-concurrent with other live loads.
 - All plates are 2x4 MT20 unless otherwise indicated.
 - Plates checked for a plus or minus 3 degree rotation about its center.
 - Gable requires continuous bottom chord bearing.
 - Gable studs spaced at 2-0-0 oc.
 - This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
 - * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 2-0-0 wide will fit between the bottom chord and any other members.
 - Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) 23, 24, 25, 26, 20, 19, 18, 17 except (jt=lb) 2=120, 14=127.



November 9, 2020

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 5/19/2020 BEFORE USE.
Design valid for use only with MiTek® connectors. This design is based only upon parameters shown, and is for an individual building component, not a truss system. Before use, the building designer must verify the applicability of design parameters and properly incorporate this design into the overall building design. Bracing indicated is to prevent buckling of individual truss web and/or chord members only. Additional temporary and permanent bracing is always required for stability and to prevent collapse with possible personal injury and property damage. For general guidance regarding the fabrication, storage, delivery, erection and bracing of trusses and truss systems, see ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information available from Truss Plate Institute, 2670 Crain Highway, Suite 203 Waldorf, MD 20601

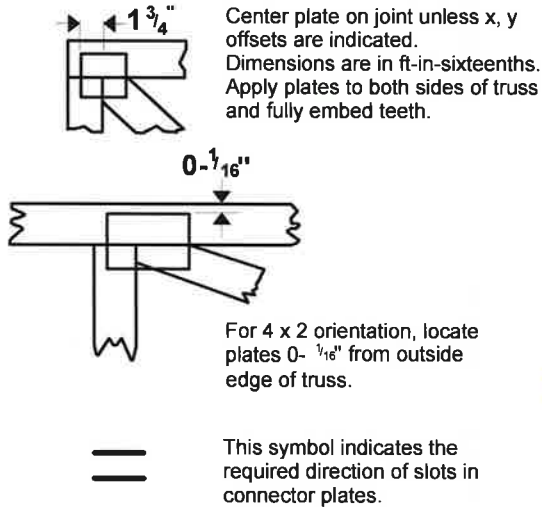


16023 Swingley Ridge Rd
Chesterfield, MO 63017

8.14

Symbols

PLATE LOCATION AND ORIENTATION



* Plate location details available in MiTek 20/20 software or upon request.

PLATE SIZE

4 x 4

The first dimension is the plate width measured perpendicular to slots. Second dimension is the length parallel to slots.

LATERAL BRACING LOCATION



Indicated by symbol shown and/or by text in the bracing section of the output. Use T or I bracing if indicated.

BEARING

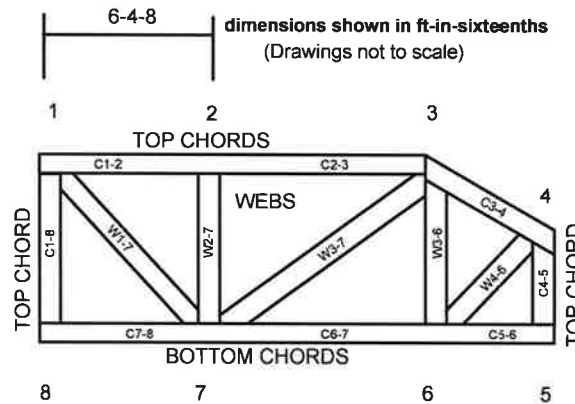


Indicates location where bearings (supports) occur. Icons vary but reaction section indicates joint number where bearings occur. Min size shown is for crushing only.

Industry Standards:

- ANSI/TPI1: National Design Specification for Metal Plate Connected Wood Truss Construction.
- DSB-89: Design Standard for Bracing.
- BCSI: Building Component Safety Information, Guide to Good Practice for Handling, Installing & Bracing of Metal Plate Connected Wood Trusses.

Numbering System



JOINTS ARE GENERALLY NUMBERED/LETTERED CLOCKWISE AROUND THE TRUSS STARTING AT THE JOINT FARTHEST TO THE LEFT.

CHORDS AND WEBS ARE IDENTIFIED BY END JOINT NUMBERS/LETTERS.

PRODUCT CODE APPROVALS

ICC-ES Reports:

ESR-1311, ESR-1352, ESR1988
ER-3907, ESR-2362, ESR-1397, ESR-3282

Trusses are designed for wind loads in the plane of the truss unless otherwise shown.

Lumber design values are in accordance with ANSI/TPI 1 section 6.3 These truss designs rely on lumber values established by others.

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MiTek Engineering Reference Sheet: MII-7473 rev. 5/19/2020



General Safety Notes

Failure to Follow Could Cause Property Damage or Personal Injury

1. Additional stability bracing for truss system, e.g. diagonal or X-bracing, is always required. See BCSI.
2. Truss bracing must be designed by an engineer. For wide truss spacing, individual lateral braces themselves may require bracing, or alternative Tor I bracing should be considered.
3. Never exceed the design loading shown and never stack materials on inadequately braced trusses.
4. Provide copies of this truss design to the building designer, erection supervisor, property owner and all other interested parties.
5. Cut members to bear tightly against each other.
6. Place plates on each face of truss at each joint and embed fully. Knots and wane at joint locations are regulated by ANSI/TPI 1.
7. Design assumes trusses will be suitably protected from the environment in accord with ANSI/TPI 1.
8. Unless otherwise noted, moisture content of lumber shall not exceed 19% at time of fabrication.
9. Unless expressly noted, this design is not applicable for use with fire retardant, preservative treated, or green lumber.
10. Camber is a non-structural consideration and is the responsibility of truss fabricator. General practice is to camber for dead load deflection.
11. Plate type, size, orientation and location dimensions indicated are minimum plating requirements.
12. Lumber used shall be of the species and size, and in all respects, equal to or better than that specified.
13. Top chords must be sheathed or purtins provided at spacing indicated on design.
14. Bottom chords require lateral bracing at 10 ft. spacing, or less, if no ceiling is installed, unless otherwise noted.
15. Connections not shown are the responsibility of others.
16. Do not cut or alter truss member or plate without prior approval of an engineer.
17. Install and load vertically unless indicated otherwise.
18. Use of green or treated lumber may pose unacceptable environmental, health or performance risks. Consult with project engineer before use.
19. Review all portions of this design (front, back, words and pictures) before use. Reviewing pictures alone is not sufficient.
20. Design assumes manufacture in accordance with ANSI/TPI 1 Quality Criteria.
21. The design does not take into account any dynamic or other loads other than those expressly stated.

8.15



Subject Tract

BOA-23080

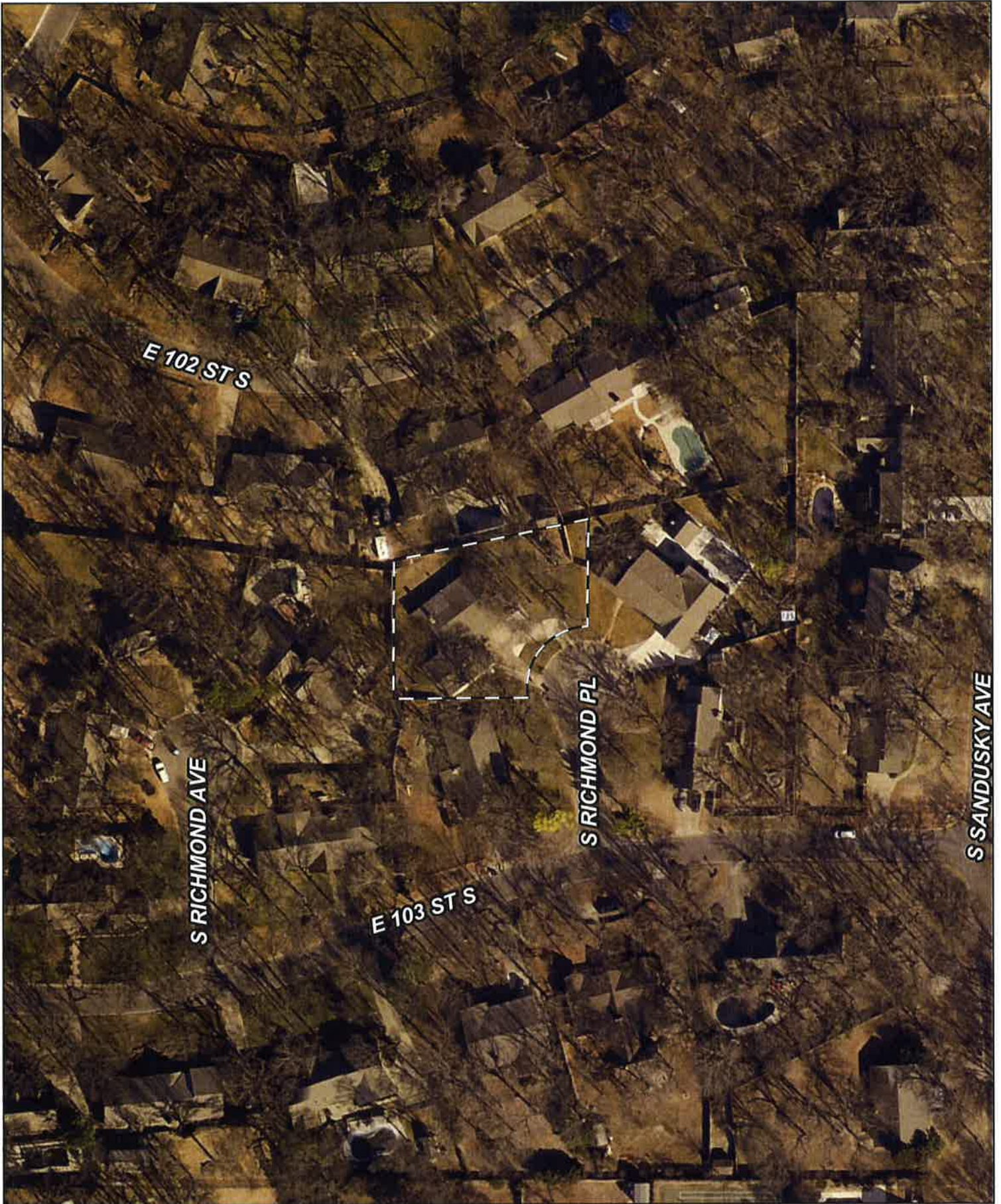
18-13 28

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

Aerial Photo Date: February 2018



8.16



E 102 ST S

S RICHMOND AVE

E 103 ST S

S RICHMOND PL

S SANDUSKY AVE



 Subject Tract

BOA-23080

18-13 28

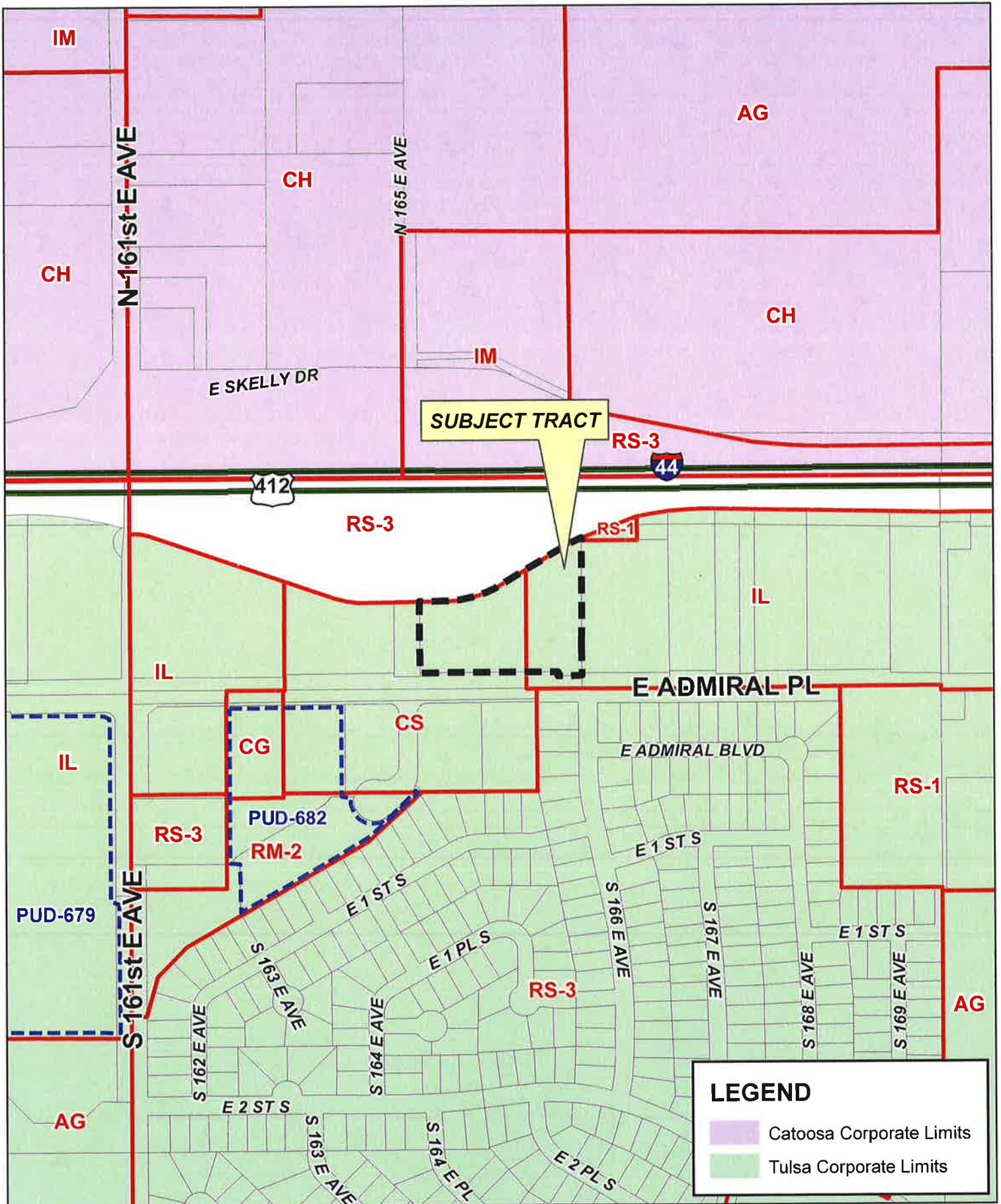
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018



8.17

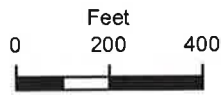
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SUBJECT TRACT

LEGEND

- Catoosa Corporate Limits
- Tulsa Corporate Limits



BOA-23081

9.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9402

Case Number: **BOA-23081**

CZM: 40

CD: 6

HEARING DATE: 02/09/2021 1:00 PM

APPLICANT: Dana Morse

ACTION REQUESTED: Special Exception to permit a Commercial/ Vehicles Sales & Service/ Commercial Vehicle Repair & Maintenance Use (Truck Wash Facility) in the CS District (15.020, Table 15-2) and a Variance to allow drive-through facilities to be located on the street facing side of the property (Sec. 55.100-C2)

LOCATION: 16505 E ADMIRAL PL N

ZONED: CS, IL

PRESENT USE: Vacant Convenience Store

TRACT SIZE: 166299.69 SQ FT

LEGAL DESCRIPTION: LTS 1 & 2 & W79 E591 S138 W/2 GOV LT 3 LESS S40 FOR ST SEC 2 19 14 .177AC, DIXIE HILL CENTER ADDN

RELEVANT PREVIOUS ACTIONS:

Subject property:

BOA-19506; On 01.28.03 the Board **approved** an Amended site plan previously approved in BOA-18902 to permit the addition of small building adjacent to trash enclosure.

BOA-18902; On 11.14.00 the Board **approved** variances of the building setbacks and parking and loading design standards and setback requirements.

BOA-16668; On 05.24.94 the Board **approved** a variance to permit a 75' ground sign for a QuikTrip convenience store.

Surrounding properties: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Employment Designation" and an "Area of Growth".

Employment areas contain office, warehousing, light manufacturing, and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity. Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

9.2

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.

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NE/c N. 165th E. Ave. and E. Admiral Pl.

STAFF COMMENTS: The applicant is requesting **Special Exception** to permit a Commercial/ Vehicles Sales & Service/ Commercial Vehicle Repair & Maintenance Use (Truck Wash Facility) in the CS District (15.020, Table 15-2) and a **Variance** to allow drive-through facilities to be located on the street facing side of the property (Sec. 55.100-C2)

Chapter 15 | Office, Commercial and Industrial Districts
Section 15.020 | Use Regulations

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
Building service	-	-	-	-	S	P	P	P	P	P	P	
Business support service	-	-	-	-	P	P	P	P	P	P	P	Section 40.300
Consumer maintenance/repair service	-	-	-	-	P	P	P	P	P	P	P	
Personal improvement service	S	S	S	S	P	P	P	P	P	P	P	
Research service	-	-	-	-	-	S	P	P	P	P	P	Section 40.225
Financial Services (except as below)	P	P	P	P	P	P	P	P	P	P	P	
Personal credit establishment	-	-	-	-	P	P	P	P	P	P	P	Section 40.300
Funeral or Mortuary Service	P	P	P	P	P	P	P	P	P	P	P	
Lodging												
Bed & breakfast	S	S	S	S	P	P	P	P	S	S	S	Section 40.060
Short-term rental	P	P	P	P	P	P	P	P	P	P	P	Section 40.375
Campgrounds and RV parks	-	-	-	-	S	P	P	P	P	P	P	
Hotel/motel	-	-	S	S	P	P	P	P	S	S	S	Section 40.170
Marina	S	S	S	S	S	S	S	S	S	S	S	
Office												Section 40.260
Business or professional office	P	P	P	P	P	P	P	P	P	P	P	
Medical, dental or health practitioner office	P	P	P	P	P	P	P	P	P	P	P	
Plasma center	-	-	-	-	P	P	P	P	P	P	P	Section 40.300
Parking, Non-accessory	P	P	P	P	P	P	P	P	P	P	P	
Restaurants and Bars												
Restaurant	P[1]	P[1]	P[1]	P	P	P	P	P	P	P	P	Section 40.330
Bar (except as below)	-	-	-	-	P[2]	P[2]	P[2]	P[2]	S	S	S	Section 40.050
Brewpub	-	-	-	-	S	S	S	P[2]	S	S	S	Section 40.050
Retail Sales												Section 40.340
Building supplies and equipment	-	-	-	-	P	P	P	P	P	P	P	
Consumer shopping goods	-	S[3]	S[3]	P[3]	P	P	P	P	P	P	P	
Convenience goods	-	S[3]	S[3]	P[3]	P	P	P	P	P	P	P	Section 40.300
Grocery Store	-	S[3,6]	S[3,6]	S[3,6]	P	P	P	P	P	P	P	
Small Box Discount Store	-	S[3,6]	S[3,6]	S[3,6]	P[6]	P[6]	P[6]	P[6]	P[6]	P[6]	P[6]	
Medical Marijuana Dispensary	-	-	-	-	P	P	P	P	P	P	P	Section 40.225
Self-service Storage Facility	S	S	S	S	S	P	P	P	P	P	P	Section 40.360
Sexually Oriented Business Establishment	-	-	-	-	P	P	P	P	S	S	S	Section 40.370
Studio, Artist or Instructional Service	P	P	P	P	P	P	P	P	P	P	P	Section 40.380
Trade School	-	S	S	S	S	P	P	P	P	P	P	
Vehicle Sales and Service												Section 40.400
Commercial vehicle repair/maintenance	-	-	-	-	S	P	P	P	P	P	P	

55.100-C Location and Design

1. Stacking lanes must be located on the subject property. They may not be located within required driveways or drive aisles, parking spaces or loading areas and may not interfere with access to parking and ingress and egress from the street.
2. All areas associated with drive-through facilities, including drive-through signs, stacking lanes, trash receptacles, loudspeakers and service windows must be located to the rear or on the non-street-facing side of the property. Drive-through lanes must be set back at least 10 feet from abutting R- or AG-R- zoned lots, and a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of §65.070-C.

STATEMENT OF HARDSHIP: *Variance from the requirement for “all areas associated with drive-through facilities including drive-through signs, stacking lanes, trash receptacles, loudspeakers and service windows must be located to the rear or on the non-street facing side of the property.” This truck wash does not have loudspeakers and service windows, so no Variance is required from that part of the ordinance. However, the remainder of the ordinance cannot be met because the very large nature of the vehicles being served makes it impossible to provide on-site vehicle stacking and at the same time somehow “hide” the vehicles behind the building. In this particular case, the entire building is the drive-through, because the vehicles drive through the middle of the building to get washed.*

The applicant also provided the following justification in support of their Special Exception request:

Blue Beacon is requesting approval of a Special Exception for Sec. 35.050-D. The proposed use for this building is a truck washing facility, and the site is partially located in a CS zoned district (the other half of the site is zoned IL and doesn't require a Special Exception or a Variance). Per the LOD, Truck Washing is only permitted in a CS district by a BOA Special Exception. Because the site is next to a freeway, and the surrounding neighborhood is industrial and commercial, we feel the proposed use and configuration are in harmony with the Zoning Code and will not be injurious to the neighborhood.

SAMPLE MOTION: Move to _____ (approve/deny) a **Special Exception** to permit a Commercial/ Vehicles Sales & Service/ Commercial Vehicle Repair & Maintenance Use (Truck Wash Facility) in the CS District (15.020, Table 15-2)

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):
_____.
- Condition recommended by staff: property is to meet all other requirements of the code including applicable landscape standards.

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Move to _____ (approve/deny) a **Variance** to allow drive-through facilities to be located on the street facing side of the property (Sec. 55.100-C2)

- Finding the hardship(s) to be _____.
- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions _____.
- Condition recommended by staff: property is to meet all other requirements of the code including applicable landscape standards.

In granting the **Variance** the Board finds that the following facts, favorable to the property owner, have been established:

- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;*
- b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;*
- c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;*
- d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;*
- e. That the variance to be granted is the minimum variance that will afford relief;*
- f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and*
- g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan."*



Subject Property from Admiral Pl.



Intersection of Admiral Pl. and N. 165th E. Ave.



Facing North on 165th



Subject Property is the former site of a QuikTrip Convenience Store

Case No. 18901 (continued)

required setback from an R district to 5', finding it would not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

Lots 11 and 12, Block 2, Melrose Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

Case No. 18902

Action Requested:

Variance from required minimum building setback from centerline of abutting freeway service road, to permit expansion of store building. SECTION 703. BULK AND AREA REQUIREMENTS IN THE COMMERCIAL DISTRICTS – Use Unit 14; a Variance from requirement that off-street parking spaces and required off-street loading berths be located on lot containing use for which such required spaces and berths are to be provided, to permit such spaces and berths to be located on adjoining lot. SECTION 1301. GENERAL REQUIREMENTS; and a Variance from requirement that off-street parking areas be set back from centerlines of abutting streets by certain specified distances, to permit parking spaces along property boundaries and within specified distances of freeway service road and arterial street right-of-way. SECTION 1302. SETBACKS, located 16505 E. Admiral Pl.

Presentation:

Stephen A. Schuller, 100 W. 5th, Ste. 500, stated he came as attorney on behalf of Quik Trip Corporation. He added this is regarding the Quik Trip store at 165th E. Ave. and I-44.

Comments and Questions:

Mr. Dunham asked if the site plan submitted is the one Quik Trip plans to use on this site. Mr. Schuller responded that it is.

Interested Parties/Protestants:

There were no parties who wished to speak.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** from required minimum building setback from centerline of abutting freeway service road, to permit expansion of store building; a **Variance** from requirement that off-street parking spaces and required off-street loading berths be located on lot containing use for which such required spaces and berths are to be provided, to permit such spaces and berths to be located on adjoining lot; and a **Variance** from requirement that off-street parking areas be set back from centerlines of abutting streets by certain specified distances, to permit parking

11:14:00:807(12)

Case No. 18902 (continued)

spaces along property boundaries and within specified distances of freeway service road and arterial street right-of-way, per plan submitted, finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

Lots 1 and 2, Block 1, Dixie Hill Center Addition, a Subdivision of City of Tulsa, Tulsa County, State of Oklahoma

Case No. 18904

Action Requested:

Special Exception to permit an auto painting shop within 150' of an R district. SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS – Use Unit 17, located 2615 S. Harvard.

Presentation:

Ron Hendryx, 8903 N. 104th E. Ave., stated they want to move the Crown Auto Body shop to a new vacant site. The property is zoned CH and the property abuts a residential area containing four houses on the south. His partner has contacted these residents regarding the type of business they want to build. Mr. Hendryx stated that this is a high quality collision repair and painting facility.

Comments and Questions:

Ms. Turnbo asked if all of the painting would be fully contained within the building, without fumes, and no outdoor painting. Mr. Hendryx responded in the affirmative. He further stated that the site plan he submitted shows the exhaust stack, which filters out the paint. The closest point of contact with a residence would be 300'. The self-contained paint booths filter through the floor, ceiling and through the suction grates, so the micron levels are brought down to minuscule amounts.

Protestants:

Nelson Rice, 3342 E. 25th, stated he lives north of the Broken Arrow Expressway. He stated his concern that the zoning is CH, and yet heavy retail stores surround it, and a paint shop is not consistent.

Applicant's Rebuttal:

Chris Harris, 9824 S. 92nd E. Ave., stated that he appreciated Mr. Rice' concerns. However, the caliber of collision repair business is a high quality business. He described the repair center as well contained with an attractive appearance. He went into some detail of the booths' design and function to protect the atmosphere and the image of their business.

enforcement of the Code would be injurious and a hardship to the property owner, on the following described property:

The W 330.16' of the E/2 E/2 SE/4 SW/4 and the W/2 E/2 SE/4 SW/4, Section 4, T-19-N, R-14-E of the IBM, City of Tulsa, Tulsa County, State of Oklahoma, and being located in an RS-2/IL/IM/PUD 668.

*.*****.

Case No. 19506

Action Requested:

Amendment to site plan previously approved by Board of Adjustment in Case No. 18902, to permit addition of small storage building adjacent to trash enclosure, located 16505 E. Admiral Pl.

Presentation:

Stephen A. Schuller, stated he is an attorney for Quik Trip Corporation, and stated the request for approval of a small storage building adjacent to the trash enclosure. A site plan was provided (Exhibit D-1).

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **MOTION** of **Dunham**, the Board voted 5-0-0 (White, Dunham, Turnbo, Perkins, Cooper "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** an Amendment to site plan previously approved by Board of Adjustment in Case No. 18902, to permit addition of small storage building adjacent to trash enclosure, per plan, on the following described property:

Lot 1, Block 1, Dixie Hill Center Addition, City of Tulsa, Tulsa County, State of Oklahoma.

*.*****.

Case No. 19507

Action Requested:

Special Exception to allow a day care center in an OL district. SECTION 602.B. ACCESSORY USES PERMITTED IN OFFICE DISTRICTS, Accessory Use Conditions – Use Unit 5, located 2240 E. Apache.

Presentation:

Terry McGee, 585 Country Club Dr., was present for his case. A site plan was provided (Exhibit E-1).

FILE COPY

Case No. 16668

Action Requested:

Variance to permit a 75' ground sign - **SECTION 2112.E.1. Use Conditions for Business Signs** - Use Unit 13, located South 163rd East Avenue and East Admiral Boulevard

Presentation:

The applicant, **Joe Westervelt**, 1250 East 26th Street, informed that the QuikTrip Corporation is proposing to install a new sign (Exhibit F-1) at the above stated location. He informed that the roadway is elevated at this location and the store is located in a depression, which restricts visibility. He noted that the sign across the street is located in the Rogers County, and is taller than the Tulsa Code permits. Mr. Westervelt submitted photographs (Exhibit F-2) and stated that a 70' sign has been approved to the west.

Comments and Questions:

In response to Mr. Bolzle, Mr. Gardner stated that the Texaco station located outside the Tulsa city limits on the north side of the expressway exceeds the 60' height limitation for signs inside the City limits. He noted that the zoning restrictions are different at this location, but are the same when you get to 145th East Avenue.

Protestants:

None.

Board Action:

On **MOTION** of **S. WHITE**, the Board voted 4-1-0 (Chappelle, Doverspike, S. White, T. White, "aye"; Bolzle, "nay"; no "abstentions"; none "absent") to **APPROVE** a **Variance** to permit a 75' ground sign - **SECTION 2112.E.1. Use Conditions for Business Signs** - Use Unit 13; per plan submitted; finding a hardship demonstrated by the topography and the relationship to the Rogers County line, which permits higher signage; finding that the height of the proposed sign will be comparable to that of the sign across the street; and finding that approval of the request will not be detrimental to the area; on the following described property:

Lots 1 and 2, Dixie Hill Center Addition and the west 79' of the east 591' of the south 138' of the W/2 of Lot 3, Section 2, T-19-N, R-14-E of the IBM, City of Tulsa, Tulsa County, Oklahoma.

05.24.94:657(8)

9.11

CHUCK LANGE
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-9688
clange@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

December 31, 2020

LOD Number: 1
Dawn Sherwood
500 Graves RD
Salina, KS 67401

Phone: 918.327.1390

APPLICATION NO: **ZCO-077289-2020**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: **16505 E Admiral**

Description: **Truck Wash**

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT

175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601.

THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
3. INFORMATION ABOUT THE ZONING CODE, BOARD OF ADJUSTMENT (BOA), PLANNING COMMISSION (TMAPC), AND THE TULSA PLANNING OFFICE AT INCOG CAN BE FOUND ONLINE AT TULSAPLANNING.ORG; IN PERSON AT 2 W. 2ND ST., 8TH FLOOR, IN TULSA; OR BY CALLING 918-584-7526 AND ASKING TO SPEAK TO SOMEONE ABOUT THIS LETTER OF DEFICIENCY.
4. A COPY OF A "RECORD SEARCH" IS IS NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

9.12

(continued)

REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT
WWW.CITYOFTULSA-BOA.ORG

ZCO-077289-2020

16505 E Admiral PL

December 31, 2020

Note: As provided for in Section 70.130 you may request the Board of Adjustment (BOA) to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to a representative at the Tulsa Planning Office at 918-584-7526 or esubmit@incog.org. It is your responsibility to submit to our office documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

- 1. Sec.35.050-D:** The proposed use for this building is designated Commercial/Vehicle Sales & Service/Commercial Vehicle Repair & Maintenance use. It is partially in a CS zoned district.
Review comment: This use is only permitted in a CS district by a BOA Special Exception reviewed and approved in accordance with Sec.70.120. Submit a copy of the approved Special Exception to allow a Commercial/Vehicle Sales & Service/Commercial Vehicle Repair & Maintenance use in a CS zoned district.
- 2. Sec.55.100-C2:** All areas associated with drive-through facilities, including drive-through signs, stacking lanes, trash receptacles, loudspeakers and service windows must be located to the rear or on the non-street-facing side of the property.
Review comment: Your proposed drive-through facilities are located on the street facing side of the property. Submit a site plan with drive-through facilities on the non-street facing side of the property. You may wish to consider a variance to allow the drive-through facilities on the street-facing side of the property. **Note:** The drive-through lanes are required to have a minimum width of 8'.

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:
<http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

Please notify the reviewer via email when your revisions have been submitted

This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

A hard copy of this letter is available upon request by the applicant.

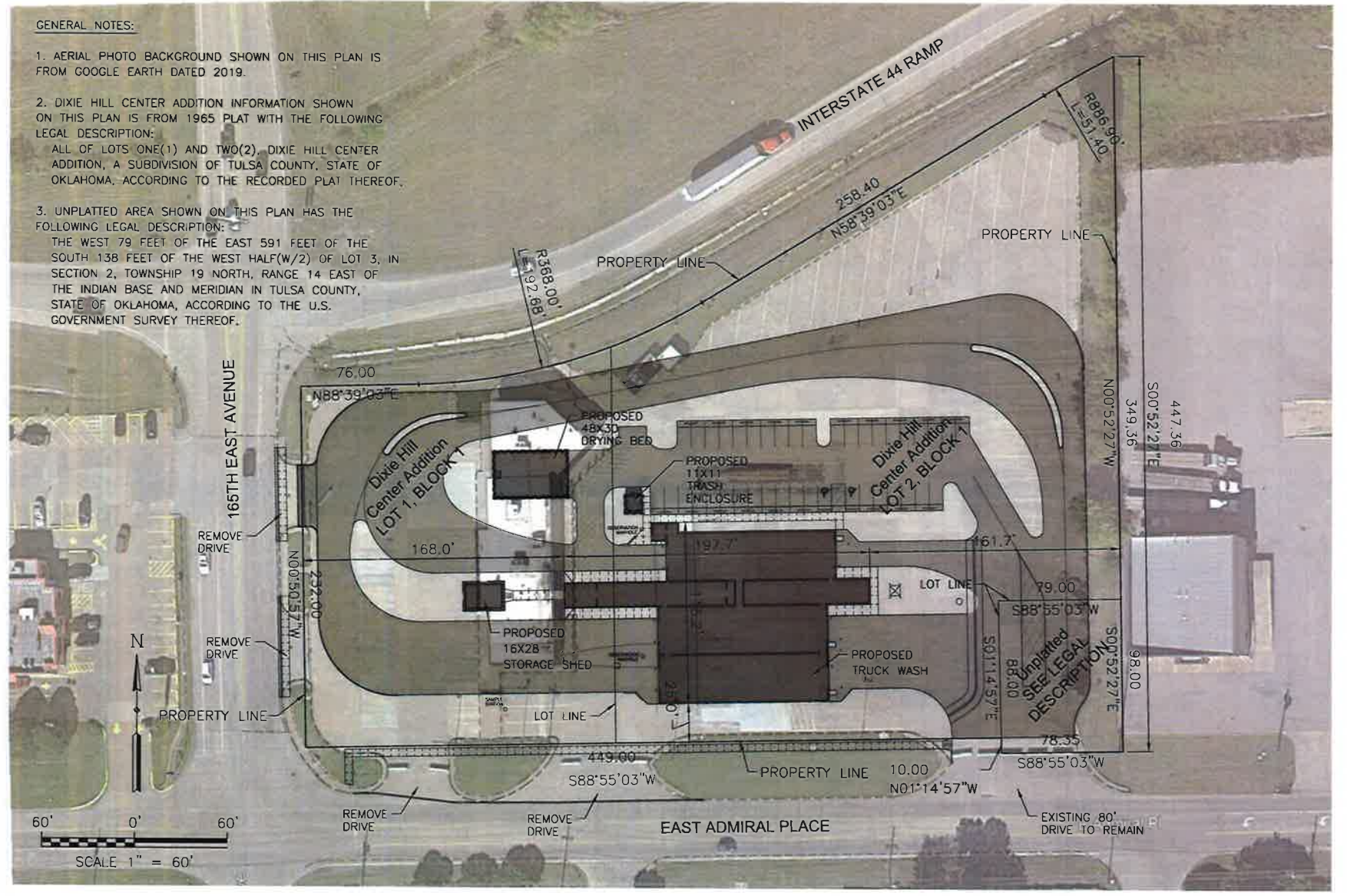
END – ZONING CODE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

GENERAL NOTES:

1. AERIAL PHOTO BACKGROUND SHOWN ON THIS PLAN IS FROM GOOGLE EARTH DATED 2019.
2. DIXIE HILL CENTER ADDITION INFORMATION SHOWN ON THIS PLAN IS FROM 1965 PLAT WITH THE FOLLOWING LEGAL DESCRIPTION:
ALL OF LOTS ONE(1) AND TWO(2), DIXIE HILL CENTER ADDITION, A SUBDIVISION OF TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.
3. UNPLATTED AREA SHOWN ON THIS PLAN HAS THE FOLLOWING LEGAL DESCRIPTION:
THE WEST 79 FEET OF THE EAST 591 FEET OF THE SOUTH 138 FEET OF THE WEST HALF(W/2) OF LOT 3, IN SECTION 2, TOWNSHIP 19 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.



THE DRAWING IS THE PROPERTY OF BLUE BEACON INTERNATIONAL INC. FOR THE PROJECT AND SHALL BE USED ONLY FOR THE PROJECT AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BLUE BEACON INTERNATIONAL INC.

BLUE BEACON INTERNATIONAL INC.



SPECIAL EXCEPTION PLAN
BLUE BEACON OF TULSA, OK
12/3/2020
PRELIMINARY REVIEW
ps-Tulsa-SpExcPIn.dwg

SHEET TITLE
PROJECT:
FILE DATE:
JOB NO.:
FILE NAME:



Subject
Tract

BOA-23081

19-14 02

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

Aerial Photo Date: February 2018



9.15



412

44

N 165 E AVE

E ADMIRAL PL

S 166 E AVE

E ADMIRAL BLVD



Subject Tract

BOA-23081

19-14 02

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

Aerial Photo Date: February 2018

9.16

