BOARD OF ADJUSTMENT
CASE REPORT

STR: 9317
CZM: 37
CD: 4
HEARING DATE: 03/10/2020 1:00 PM

APPLICANT: Charles Okyere

ACTION REQUESTED: Special Exception to increase the maximum driveway width, within the right-of-way and on the lot. (Section 55.090-F.3)

LOCATION: 2518 E 26 ST S
ZONED: RS-2
PRESENT USE: Residential
TRACT SIZE: 12601.96 SQ FT
LEGAL DESCRIPTION: PRT LT 6 BEG 90.2E NWC TH SLY115.8 E105 NLY113.6 W105 POB BLK 1, WOODY-CREST SUB

RELATONSHIP 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 East of the SE/c of E. 26th Street S. and South Lewis.

STAFF COMMENTS: The applicant is requesting Special Exception to increase the maximum driveway width, within the right-of-way and on the lot. (Section 55.090-F.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).

<table>
<thead>
<tr>
<th>Lot Frontage</th>
<th>75+</th>
<th>60' - 74'</th>
<th>46' - 59'</th>
<th>30' - 45'</th>
<th>Less than 30' [2]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Driveway Within Right-of-Way (feet) [1]</td>
<td>27'</td>
<td>26'</td>
<td>22'</td>
<td>20'</td>
<td>12'</td>
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<tr>
<td>Driveway Within Street Setback (feet)</td>
<td>30'</td>
<td>30'</td>
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</tbody>
</table>

[1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.
[2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.

The driveway is limited to 27' within the right-of-way and 30' on the lot. The driveway has been installed without proper building permits or right-of-way permits.

**SAMPLE MOTION:**

Move to ________ (approve/deny) a **Special Exception** to increase the maximum driveway width, within the right-of-way and on the lot. (Section 55.090-F.3)

- 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.
Charles, I received the revised driveway plan but unfortunately it still doesn’t work. Here are the issues:

- The city zoning code says the total widths of all driveways inside the right of way cannot be more than 27'. The right of way (ROW) is measured 25' from the center of the street. Wherever that is in the yard, between that point and the street, the width of all driveways cannot be more than 27' total. Outside of the ROW, the total of all driveways cannot be wider than 30'. If the existing driveway is 26.7' at the curb, it can only be 0.3' (3 5/8") wider. You really don't have room for any more driveway inside the ROW. The only way to have a circle drive would be to reduce the existing driveway to 13.5' wide, have the other end of the driveway 13.5' wide, so your total width in the ROW would be 27'.
- If you want driveways that are more than 27' inside the ROW or 30' outside the ROW, you have to call INCOG at 584-7526 and get on their schedule to ask for the Board of Adjustment for a special exception to have wider driveways.
- Keep in mind you will still have to get a Right of Way permit to do any construction in the ROW. That is separate from this permit. If you get this zoning clearance permit resolved, you still have to get the other ROW permit.
- For any new plans you submit, show the ROW line on the property, which is 25' in from the center of the street.
Facing West on 26th street

Facing East on 26th Street
Subject property, curb cut added without permits

Subject property driveway widened without permits
Site Plan

1" = 20-0"

2518 E. 26th Street
Part of Lot 6 Block 1
Woody -Crest Addition to:
Tulsa, Oklahoma

LEGEND

PROPERTY LINE
DRAINAGE ARROWS
Subject Tract

BOA-22864

19-13 17

Aerial Photo Date: February 2018

Note: Graphic overlays may not precisely align with physical features on the ground.
BOA-22864
19-13 17

Subject Tract

0 50 100

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

Aerial Photo Date: February 2018
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