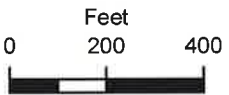


SUBJECT TRACT



BOA-23070

18.1



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9225

Case Number: **BOA-23070**

CZM: 46

CD: 9

HEARING DATE: 01/12/2021 1:00 PM

APPLICANT: Lou Reynolds

ACTION REQUESTED: Variance to reduce the minimum lot width in an RS-3 District from 60 feet to 50 feet to permit a lot split (Sec. 5.030, Table 5-3)

LOCATION: 4236 S MADISON PL E

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 21000.36 SQ FT

LEGAL DESCRIPTION: LT 5 BLK 8, ALTA DENA PLACE

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 NW/c of E. Madison Pl. and East 43rd Street.

STAFF COMMENTS: The applicant is requesting a Variance to reduce the minimum lot width in an RS-3 District from 60 feet to 50 feet to permit a lot split (Sec. 5.030, Table 5-3)

18.2

Table 5-3: R District Lot and Building Regulations

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Minimum Lot Area (sq. ft.)													
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Patio house	-	-	-	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Townhouse	-	-	-	4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	-
Cottage house dev't	-	-	-	-	-	15,000	15,000	15,000	15,000	15,000	15,000	15,000	-
Duplex	-	-	-	9,000	9,000	3,300	6,900	6,900	6,900	6,900	6,900	6,900	-
Multi-unit house	-	-	-	-	-	3,300	6,900	5,500	5,500	5,500	5,500	5,500	-
Apartment/condo	-	-	-	-	-	-	-	-	10,000	10,000	6,000	24,000	-
Mobile home park	-	-	-	-	-	-	-	-	-	-	-	-	[1]
Other allowed buildings/uses													
Permitted by right	22,500	13,500	9,000	6,900	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Min. Lot Area per Unit (sq. ft.)													
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Patio house	-	-	-	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Townhouse	-	-	-	4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	-
Cottage house dev't	-	-	-	-	-	2,750	2,750	2,750	2,750	2,750	2,750	2,750	-
Duplex	-	-	-	4,500	4,500	1,650	3,450	3,450	3,450	3,450	3,450	3,450	-
Multi-unit house	-	-	-	-	-	1,100	1,800	1,800	1,800	1,375	1,100	900	-
Apartment/condo	-	-	-	-	-	-	-	-	2,900	1,750	1,100	400	-
Other allowed buildings/uses													
Permitted by right	-	-	-	-	-	-	-	-	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Minimum Lot Width (ft.)													
Detached house	150	100	75	60	50	30	50	50	50	50	50	50	-
Patio house	-	-	-	60	50	30	50	50	50	50	50	50	-
Townhouse	-	-	-	30	30	20	25	20	20	20	20	20	-
Cottage house dev't	-	-	-	-	-	75	75	75	75	75	75	75	-
Duplex	-	-	-	75	75	30	60	60	60	60	60	60	-
Multi-unit house	-	-	-	-	-	30	50	50	50	50	50	50	-
Apartment/condo	-	-	-	-	-	-	-	-	100	100	50	100	-

STATEMENT OF HARDSHIP: See attached comments from the applicant.

SAMPLE MOTION: Move to _____ (approve/deny) a Variance to reduce the minimum lot width in an RS-3 District from 60 feet to 50 feet to permit a lot split (Sec. 5.030, Table 5-3)

- 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:

- 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;
- 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



Facing South on Madison

Exhibit "A"

The Applicant requests a Variance of Section 5.020-G and Table 5-2.5 of the Tulsa Zoning Code (the "Code") to allow a lot split resulting in two lots, each with fifty feet (50') of street frontage. The subject property is located at 4236 S. Madison Place (the "Property").

The Property is located in Alta Dena Place which was originally platted in 1924. The owner desires to split the Property and develop it as two residential lots. An exhibit of the proposed lot split is attached hereto as **Exhibit "B"**.

Currently, the Property is considerably larger than a typical RS-3 lot and the lots in the area. When split, the two tracts will still meet all other bulk and area requirements of the RS-3 district, each with a lot area of 10,500 sf – 3,600 sf more than the minimum RS-3 lot area of 6,900 sf. Additionally, both lots will maintain a depth of 210 feet. The surrounding lots in the area are similar in depth but only 60' wide on the east side of Madison and 50' wide to the west facing Detroit.

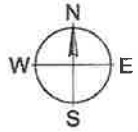
The size and depth of the Property will allow for the development of two residences with front and rear yards and ample room to comply with all building setbacks and the lot width requirement results in unnecessary hardship to the owner. The lot split will result in lots that are more typical of an RS-3 district and more similar to the size of the surrounding lots. Therefore, the variance will not cause substantial detriment to the public welfare and is in harmony with the spirit and intent of the Code.

18.7

PRINTED AT THE OFFICE OF THE SURVEYOR, 12-13 Bldg. - ALTA DENA PLACE SURVEY INFORMATION
DATE: Dec 10, 2020 - 11:00AM



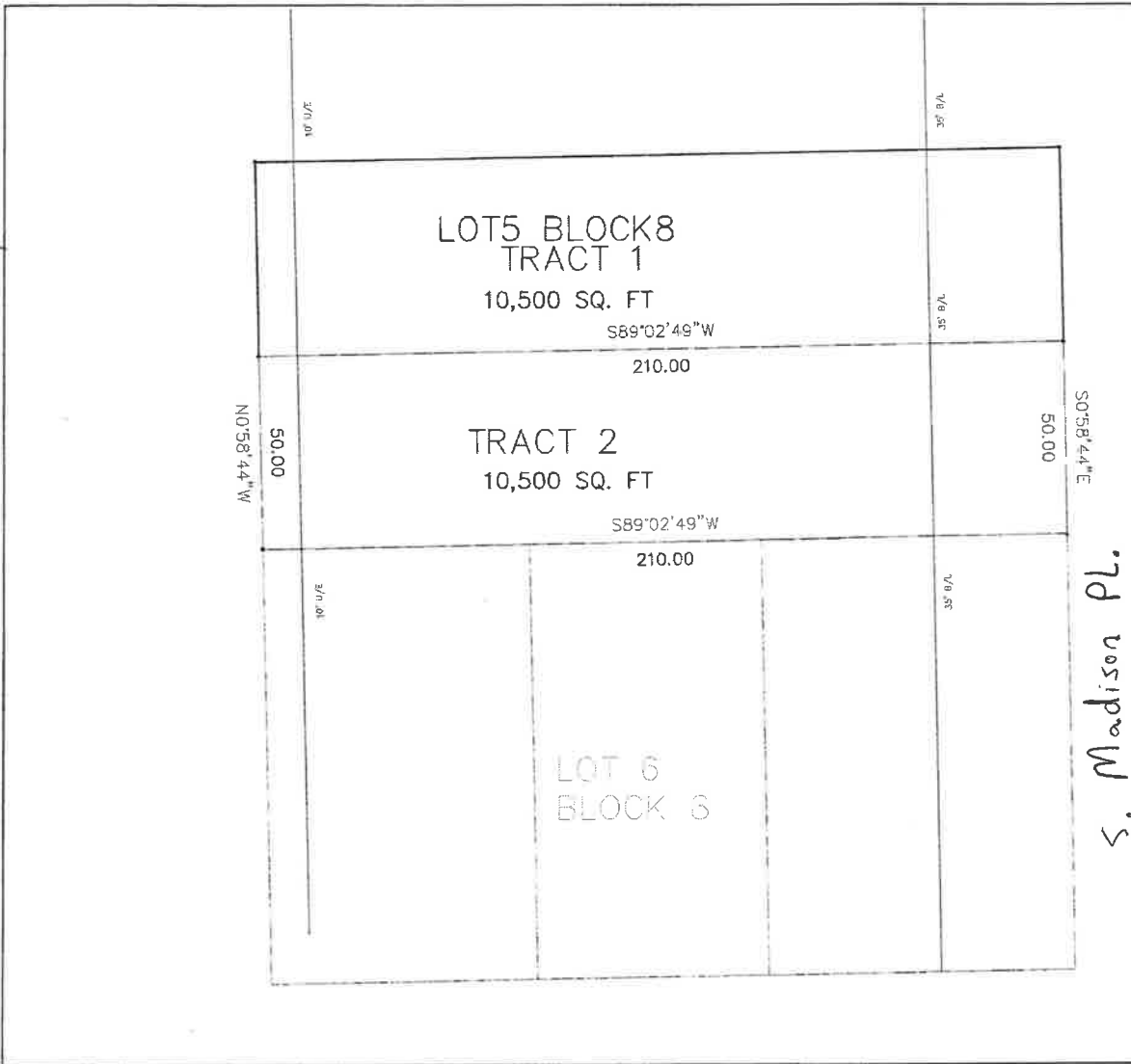
BEFORE YOU DIG
CONTACT OKLAHOMA
ONE-CALL:
1-800-522-6543
EXISTING UNDERGROUND LINES HAVE
BEEN SHOWN TO THE EXTENT KNOWN



PREPARED FOR: BILL BUTTS			
CHECKED BY:	ST	SCALE:	1"=30'
SURVEY BY:	GT	DRAFTED BY:	GT
SURVEY DATE:	11/20/2020	JOB NUMBER:	201201.12
REVISION	NA	FILE NUMBER:	1912.25

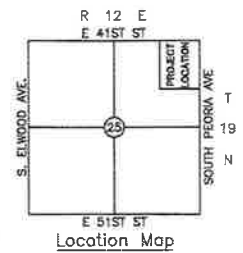


1913 WEST TADOMA - SUITE A
BROCKOV ARROW, OKLAHOMA 74012
405-7565 EXPIRATION DATE: 05-30-2021
VOICE: (918) 286-8737
FAX: (918) 286-8884



Legend

- B/L BUILDING SETBACK LINE
- IPS 3/8" IRON PIN SET
- IPF IRON PIN FOUND
- U/E UTILITY EASEMENT
- BDGS BUILDINGS



NOTES:

TRACT MEETS BULK AREA REQUIREMENTS OF RS3
BEARINGS ARE ASSUMED THE NORTH LINE IS N88°02'49"E

Legal Description TRACT 1

THE NORTH HALF TO LOT 5 BLOCK 8 ALTA DENA PLACE A SUBDIVISION
IN THE CITY OF TULSA, TULSA COUNTY OKLAHOMA

Plat of Survey

Surveyor's Statement

HRAOK AND I, SALVADOR TITONE, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY STATE THAT THE ABOVE MAP REPRESENTS A SURVEY PERFORMED IN THE FIELD UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THIS DATE. THIS SURVEY MEETS OR EXCEEDS THE MINIMUM STANDARDS FOR SURVEYING IN THE STATE OF OKLAHOMA AS SET FORTH BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYOR'S AS OF THIS DATE.

WITNESS MY HAND AND SEAL THIS 10TH DAY OF DECEMBER, 2020.

HRAOK

Salvador Titone
SALVADOR TITONE
PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1480





Subject Tract

BOA-23070

19-12 25

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

Aerial Photo Date: February 2018

18.8



E 42 STS

S MADISON PL

S DETROIT AVE

E 43 STS



Subject Tract

BOA-23070

19-12 25

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

Aerial Photo Date: February 2018

18.9



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