BOARD OF ADJUSTMENT  
CASE REPORT  

STR: 9212  
CZM: 36  
CD: 4  

HEARING DATE: 01/11/2022 1:00 PM  

APPLICANT: Chelsey Shafer  

ACTION REQUESTED: Special Exception to permit a Detached House and accessory buildings in the CS District to permit an addition to a non-conforming building (Sec. 15.020-H, Table 15-2.5)  

LOCATION: 1443 S ELWOOD AV W  
ZONED: CS  

PRESENT USE: Single-family Detached home w/ detached garage  
TRACT SIZE: 6351.07 SQ FT  

LEGAL DESCRIPTION: LT 7 BLK 3, CAMPBELL ADDN  

RELEVANT PREVIOUS ACTIONS: None.  

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.  

ANALYSIS OF SURROUNDING AREA: The subject tract is located North of the NE/c of S. Elwood Ave. and W. 15th St. S.  

STAFF COMMENTS: The applicant is requesting Special Exception to permit a Detached House and accessory buildings in the CS District to permit an addition to a non-conforming building (Sec. 15.020-H, Table 15-2.5)  

The applicant is seeking to make an addition to structures that are accessory to the Detached house on the property. The property was never granted a Special Exception to allow a detached House and the Commercial Zoning was applied to the property after the house had been built.
SAMPLE MOTION: Move to ______ (approve/deny) a Special Exception to permit a Detached House and accessory buildings in the CS District to permit an addition to a non-conforming building (Sec. 15.020-H, Table 15-2.5)

- 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.

Subject property
1. We believe the special exception requested keeps with the spirit and intent of the zoning code, because the property in question, though zoned as CS was built as and has been used as a single-family home with detached garage since 1925, long before most of the zoning codes were created or enforced. The property in question, though surrounded by CS zoned properties; those properties on the residential street are single-family homes with detached garages, much like the property under review.

2. We believe the special exception will not be injurious to the neighborhood or otherwise detrimental to the public welfare, because the property in question is in a residential neighborhood, abutting residentially zoned properties. The single-family home with detached garage fits the character and intent of the neighborhood it is located in, as well as with all surrounding properties.
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. 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.

3. A COPY OF A “RECORD SEARCH” [ ] 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)
1. Sec. 80.030-C Expansion of Use: A nonconforming use of a portion of a building may be expanded or extended into the remaining portions of the building if the development administrator determines that the areas of the building in which the expansion is proposed were manifestly arranged and designed for the use. Nonconforming use may not be expanded or extended in any other way unless the expansion reduces or eliminates the nonconformity.

**Review Comments:** You are proposing to add on to and expand an existing structure with a non-conforming use. This lot is zoned CS which is a zoning district that only allows detached Houses (and their accessory buildings) by special exception per table 15-2. Since you are proposing to add on to a structure that is accessory to a nonconforming use, you will need to apply to Board of Adjustment for a special exception to allow expansion of a structure with an existing non-conforming use in a CS zoned district.

The zoning review will resume once revised plans are submitted.

Note: Please direct all questions concerning variances, special exceptions, alternative landscape plans, alternative compliance parking ratios 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.

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.
PHYSICAL ADDRESS: 1443 SOUTH ELWOOD AVENUE, TULSA, OK 74119

REFER TO CURRENT ZONING FOR NEW CONSTRUCTION GUIDELINES, SURVEYED PROPERTY IS ZONED CS WITH A 10' FRONT SETBACK PER CITY OF TULSA ZONING CODE, AMENDED: JUNE 2020.

GROSS LAND AREA: 6,355.3 SQ. FEET OR 0.15 ACRES.

LOT 8

EXISTING 2-CAR WOOD / FRAME GARAGE

PORTION OF NEW BUILDING (HATCHED)

LOT 6

LOT SEVEN (7), BLOCK THREE (3), CAMPBELL ADDITION (SOMETIMES KNOWN AS DREW ADDITION) TO TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

LEGEND

CL = CENTERLINE
CLF = CHAIN LINK FENCE
EM = ELECTRIC METER
GM = GAS METER
GUY = GUY ANCHOR
HDWL = HEADWALL
P = PER PLAT
PP = POWER POLE
S/B = SETBACK
YL = YARD LIGHT
WM = WATER METER
WDF = WOOD FENCE
Z = ZONING
--- = CENTERLINE
--- = FENCeline
--- = OVERHEAD ELECTRIC

LOCATION MAP
SCALE: 1"=3000'

REVISIONS:

ISSUE DATE:
09/08/2021

SHEET NAME:
ARCHITECTURAL SITE PLAN

SHEET #: 1

ARCHITECTURAL SITE PLAN