TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 9110
CZM: 76

CASE NUMBER: CB0A-2802
CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 02/18/2020 1:30 PM

APPLICANT: Deanna Wooten

ACTION REQUESTED: Special Exception to allow a carport in a required side yard in an RS district (Section 240.2-H); Variance to reduce the side setback for a carport in an RS district (Section 430 Table 3/Section 420.2.A.2); Variance of the allowable square footage for an accessory building in an RS district (Section 240.2.E)

LOCATION: 512 N VALLEY DR W

FENCERLINE: Sand Springs

ZONED: RS

PRESENT USE: Residential

TRACT SIZE: 0.34 acres

LEGAL DESCRIPTION: S90 LT 1 & S90 E53 LT 2 BLK 19, CHARLES PAGE HOME ACRES NO 2 & RESUB PRT B10-12

RELEVANT PREVIOUS ACTIONS: None relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS zoning with residential uses.

STAFF COMMENTS:

The applicant is before the Board requesting a Special Exception to allow a carport in a required side yard in an RS district (Section 240.2-H); Variance to reduce the side setback for a carport in an RS district (Section 430 Table 3/Section 420.2.A.2); Variance of the allowable square footage for an accessory building in an RS district (Section 240.2.E).

Section 240.2.H of the code requires a Special Exception for a carport that is proposed for placement in a required yard. The code states that required yards shall be open and unobstructed from the ground to the sky unless the use is a permitted obstruction as detailed in section 240.2 of the code. The applicant has requested a Special Exception to allow a carport in a required side yard in an RS district (Section 240.2-H).

Section 420.2.A.2. states: A detached accessory building shall not be located in the front or side yard or encroach upon a minimum building setback line, but the limitation shall not apply to carports, provided the minimum required front yard or side yard or setback line is observed. In this case, the minimum building setback line is not being met so the applicant is requesting a Variance to reduce the side setback for a carport in an RS district (Section 430 Table 3/Section 420.2.A.2) from the required 5' to 1'8".

The applicant is also requesting a Variance of the allowed square footage for accessory building(s) from 750 SF to 1,100 SF (Section 240.2.E). Section 240.2.E permits accessory buildings in the RS district; the total square footage of all accessory buildings on the lot cannot exceed 750 SF of floor.
area. The provision of the Code attempts to establish and maintain development intensity of the district, preserve the openness of living areas and avoid overcrowding by limiting the bulk of structures. According to the site plan, the applicant intends to construct a 24’x40’ less a 10’ x 10’ space in the rear (960 sq. ft. - 100 sq. ft. = 860 sq. ft total) carport in the side yard of an existing house on the property. There is an additional accessory building in the rear yard that is 240 sq. ft.

The applicant provided the following statement: “1.) I have lateral lines in backyard. 2.) Close to neighbor’s property line (with permission of owner) 3.) Size of property.”

If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed accessory building is compatible with and non-injurious to the surrounding area.

**SAMPLE MOTION:**

“Move to _______ (approve/deny) a Special Exception to allow a carport in a required side yard in an RS district (Section 240.2-H); Variance to reduce the side setback for a carport in an RS district (Section 430 Table 3/Section 420.2.A.2); Variance of the allowable square footage for an accessory building in an RS district (Section 240.2.E)

Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.

Subject to the following conditions, if any: ____________________________.

Finding the hardship to be ________.

Finding the 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.

Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan.”
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018
November 22, 2019

Office of County Inspector  
Carol Crowson Annex Building  
633 W 3rd Street  
Tulsa, Oklahoma 74127

To Whom It May Concern:

This is to advise that Delilah's LLC of 510 N. Valley Drive, Sand Springs, Oklahoma 74063, does not object to Deanna Wooten of 512 N. Valley Drive, Sand Springs, Oklahoma 74063, building an RV port at the fence line but within her property boundaries.

Sincerely,

Delilah's LLC

Vicki McClaflin, Owner

Arthur McClaflin, Owner
Here you go!

From: Lucky Airehrou <lairehrou@tulsacounty.org>
Sent: Thursday, December 12, 2019 1:21 PM
To: DEANNA@WOWCOATINGS.COM
Cc: Daniel Walden <daniel.walden@tulsacounty.org>
Subject: Tulsa County Application for Building Permit @ 512 North Valley Drive West

Good afternoon Ms. Deanna,

I hope all is well. With regards to the application you submitted on 12/2/2019, I had a chance to speak with my Zoning Officer (Daniel Walden). He identified a few zoning related issues that need to be addressed before the building permit can be issued.

These issues can be summarized below:

- Section 240 of the Tulsa County Zoning Code states that “In the RS District, detached accessory buildings may be located in a rear yard provided the accessory buildings in the aggregate do not cover more than 20% of the area of the rear yard or exceed 750 square feet of floor area, whichever is less.”
- Section 430, Table (3) of the Tulsa County Zoning Code identifies a minimum side yard requirement of 5 feet. Although the site plan indicates the 5 feet is met, our inspector indicated there is only about 20” from the property line to the proposed structure.

In summary, you will need to go through the Tulsa County Board of Adjustment to resolve these issues. This will require you to file for a Board meeting with INCOG (www.incog.org). Their contact information (phone number) is on their website. Tell the first person that you need to file for a variance for the Tulsa County Board of Adjustment. Tell the person that they direct you to speak with what you intend on doing and that you need a variance of the above section(s). They will get you set up with an appointment with the Board.

Please feel free to contact myself or Daniel with any further questions.
TULSA COUNTY
Where history and progress meet

20' x 50' property
27'-28' wide
40' length

10' x 10' fenced by Matt

Equal Opportunity Employer