Introduction and Notice to the Public

The City of Tulsa Board of Adjustment (BOA) is empowered by state law to grant variances due to hardships, and special exceptions to the zoning code. At this meeting, BOA, in accordance with and pursuant to applicable policies and procedures, will review, consider, discuss, and may take action on, approve, approve with conditions, amend or modify, deny, reject, or defer action on any item listed on the agenda.

How to Participate

You may attend the hearing to express your opinions or have someone appear on your behalf. If you wish to present documents or exhibits during the hearing, please submit them by 9:00 a.m. the day of the hearing. Please reference the case number and include your name and address. Any exhibits presented will become part of the public record of the case.

To comment on cases, email planning@cityoftulsa.org.
Mail: Tulsa Planning Office, 175 E. 2nd St., Suite 480, Tulsa, OK 74103

All electronic devices must be silenced during the hearing. Note: If you require special accommodations pursuant to the Americans with Disabilities Act, please notify the Tulsa Planning Office at 918-596-7526.

Call to Order

Approval of Minutes

1. Minutes from Meeting 1340, April 23, 2024

Unfinished Business

2. BOA-23711
   Location: 2111 S. Darlington Ave.
   City Council District: 5
   Applicant: William Aguilar
   Action(s) Requested: Special Exception to increase the permitted fence height inside the street setback (Sec. 45.080-A)

New Applications

3. BOA-23706
   Location: 3112 S. Birmingham Ave.
   City Council District: 9
   Applicant: Mark Nelson
   Action(s) Requested: Special Exception to increase the permitted driveway width in an RS zoning district (Sec. 55.090-F.3)
4. **BOA-23719**  
   **Location:** 439 S. 127th E. Ave.  
   **City Council District:** 3  
   **Applicant:** Richard Wise  
   **Action(s) Requested:** Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A)

5. **BOA-23720**  
   **Location:** 2623 W. 38th St.  
   **City Council District:** 2  
   **Applicant:** Belinda Elms Latham  
   **Action(s) Requested:** Special Exception to permit a Manufactured Housing Unit in the RS-3 zoning district (Sec. 5.020, Table 5-2.5); Special Exception to extend the 1-year limit for a Manufactured Housing Unit (Sec. 40.210-A)

6. **BOA-23721**  
   **Location:** 2413 E. 17th Pl.  
   **City Council District:** 4  
   **Applicant:** Sean Cooper  
   **Action(s) Requested:** Special Exception to increase the permitted driveway width in an RS zoning district (Sec. 55.090-F.3)

7. **BOA-23722**  
   **Location:** 12884 E. 7th St.  
   **City Council District:** 3  
   **Applicant:** Raul Cisneros  
   **Action(s) Requested:** Special Exception to permit an ADU in the RS-2 zoning district (Sec. 45.031-D); Special Exception to increase the permitted driveway width in an RS district (Sec. 55.090-F.3); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A, 45.031-D.6)

8. **BOA-23723**  
   **Location:** 1851 E. 16th Pl.  
   **City Council District:** 4  
   **Applicant:** Tom Neal  
   **Action(s) Requested:** Special Exception to permit an ADU in the RS-3 zoning district (Sec. 45.031-D); Special Exception to expand a structure with a non-conforming setback (Sec. 80.030-D)

9. **BOA-23724**  
   **Location:** 5025 and 5013 S. 29th W. Ave.  
   **City Council District:** 2  
   **Applicant:** Tom Neal  
   **Action(s) Requested:** Variance to reduce the required 60-foot lot width in the RS-3 zoning district to permit a lot split (Sec. 5.030, Table 5-3)

**Other Business**

**Board Members’ Comments**

**Adjournment**
Staff Report
Special Exception Case BOA-23711

Hearing Date: June 25, 2024
Prepared by: Sean Wallace
swallace@cityoftulsa.org
918-596-7585

Owner and Applicant Information
Applicant: William Aguilar
Property Owner: Church of God Jesucristo es la Solucion Assn

Property Location
2111 S. Darlington Ave.
Tract Size: ±3.9 acres

Location within the City of Tulsa
(shown with City Council districts)

Request Summary
Special Exception to increase the permitted fence height inside the street setback (Sec. 45.080-A).

Zoning
Zoning District: RS-2
Zoning Overlays: N/A

Comprehensive Plan Considerations
Land Use
Land Use Plan: Neighborhood
Small Area Plans: None
Development Era: Early Automobile

Transportation
Major Street & Highway Plan: Secondary Arterial & Residential Collector
planitulsa Street Type: N/A
Transit: Regular Route
Existing Bike/Ped Facilities: Sidewalks
Planned Bike/Ped Facilities: None

Environment
Flood Area: N/A
Tree Canopy Coverage: 10-20%
Parks & Open Space: The church sits on a large lot with significant open space.

Elected Representatives
City Council: District 5, Grant Miller
County Commission: District 2, Karen Keith

Public Notice Required
Newspaper Notice – min. 10 days in advance
Mailed Notice to 300’ radius – min. 10 days in advance
Staff Analysis
The applicant is proposing to build a 7-foot fence around the perimeter of the property. The proposed fence along the north and west sides of the property is within the street setback, where the height of the fence is limited by the zoning code to 4 feet tall.

Relevant Case History
- **BOA-23111** - In April 2021, the Board approved a special exception to permit a Public, Civic & Institutional/Daycare use in a RS-2 zoning district.

Comprehensive Plan Considerations

Land Use Plan
The subject property is designated as Neighborhood. **Neighborhoods** are mostly residential uses, which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

Surrounding Properties:

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<td>Residential</td>
</tr>
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<td>RS-2</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>West</td>
<td>OL/RS-2</td>
<td>Regional Center/Neighborhood</td>
<td>Residential</td>
</tr>
</tbody>
</table>

Small Area Plans
The subject properties are not within a small area plan.

Development Era
The subject property is in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of the connectivity from neighborhood streets to the arterial network, with mostly commercial, office, industrial, and other active uses along major streets and a mix of housing options and neighborhood-based uses like schools, churches, and libraries in the interior sections. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, commercial revitalization, compatibility of scale for neighborhood development, and transitions between commercial corridors and residential areas.
Transportation

Major Street & Highway Plan: 21st Street is classified as a Secondary Arterial, and Darlington Avenue is classified as a Residential Collector.

Comprehensive Plan Street Designation: N/A

Transit: Regular Route 150 runs along 21st Street.

Existing Bike/Ped Facilities: Sidewalks run along Darlington Avenue and a portion of 21st Street.

Planned Bike/Ped Facilities: None

Arterial Traffic per Lane: 3,647 vehicles per lane per day on E 21st St.

Environmental Considerations

Flood Area: The subject property is not in a flood area.

Tree Canopy Coverage: Tree canopy in the area is 11%. The area would benefit from additional trees, which also capture and treat runoff before it enters the river.

Parks & Open Space: The church sits on a large lot with significant open space.

Sample Motion

I move to approve or deny a Special Exception to increase the permitted fence height inside the street setback (Sec. 45.080-A),

- 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.

Property Description

PRT NE NW BEG 45S & 15E NWC NE NW TH S285 E430 N280 W165 N5 W265 POB SEC 15 19 13 2.79ACS, and Lots 6, 7, 8, 9, 10 of Block 2, Darlington Hills Addition, City of Tulsa, Tulsa County, State of Oklahoma.

Exhibits

Case map
Aerial (small scale)
Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
(Subject property looking northeast towards 21st St)
Land Use Plan Categories

- Arkansas River Corridor
- Downtown
- Employment
- Local Center
- Multiple Use
- Neighborhood
- Park and Open Space
- Regional Center

SUBJECT TRACT

S YALE AVE
E 21ST ST S
19-14 04
0 200 400
BOA-23711

BOA-23711
19-14 04
2.8
Fencing material to be 7-foot height
Fence post type
ZCO-179295-2024 (2111 S DARLINGTON AVE E Tulsa Tulsa, OK 74114) Markup Summary #1

Subject: Zoning ZCO-179295-2024
Page Label: 1
Author: Jeffrey Bush
Date: 4/24/2024 1:40:13 PM
Status: 
Color: 
Layer: 
Space: 

Sec.45.080-A: Fences and walls within required building setbacks may not exceed 8 feet in height, except that in required street setbacks fences and walls may not exceed 4 feet in height. However, in R zoned districts, fences up to 8 feet in height are permitted in side street setbacks of detached houses or duplexes located on corner lots and in street setbacks abutting the rear lot line of houses or duplexes located on double frontage lots. The board of adjustment is authorized to modify these fence and wall regulations in accordance with the special exception procedures of Sec.70.120.

Review comment: Your proposed fence is labeled 7' in height. The entire lengths of fence on the North, West, and South frontages are within the street setback. This setback is measured from the property line. Submit a revised site plan providing the fences are 4' in height. You may consider submitting a special exception, reviewed and approved per Sec.70.120, to increase the height to 7'. If so contact the Tulsa Planning Office for further instructions at 918-596-7526 or Planning@cityoftulsa.org.

Subject: Zoning ZCO-179295-2024
Page Label: 1
Author: Jeffrey Bush
Date: 4/24/2024 1:44:54 PM
Status: 
Color: 
Layer: 
Space: 

Review Comment: On 4/27/2021 This property was granted a special exception to operate a day care use in an R zoned district. This BOA case 23111. The approval of this special exception was granted with the conditions that approval expires in 3 years(4/27/2024). If this space is still being utilized as a daycare you'll need to gain a new special exception to allow the day care use in an R zoned district. Contact the Tulsa Planning Office to get onto the agenda for the next BOA meeting at 918-756-7526 or Planning@cityoftulsa.org.
Board of Adjustment Members,

I wanted to comment on the planned fence being discussed at the Board of Adjustment Hearing, June 11, 2024. Case BOA-23711.

The church is wanting to build a fence around the entire property located at 2111 S. Darlington Ave. My home/back fence backs up to the open field that belongs to the church. While not opposed to most of the fencing planned, I am VERY opposed to them constructing a fence that is along my back fence line. The reason, as I have explained to the pastor of the church (Angel), is that they wanted to fence along the four (4) houses on the east side but leave a gap between our current fence line and their new chain-link fence. This will create a “dead space”, for lack of a better term of approximately 18”-24” between their new fence and the existing fencing of all the homeowners on the east side. There will be no way to mow, weed eat or control the growth of the grass between the 2 fences. That will make all the property owners look bad and the church look bad, because it will look horrible with grass growing all the way down the fence row in that dead space area. Angel indicated they would use weed killer to control it, but there is no way that would work year-round.

I suggested to the pastor to just use the existing homeowner fencing as their fence on the east side. That would save him money and also not create a landscaping/upkeep nightmare.

They had also dug holes originally that were near my driveway and on my property. I am opposed to that as well.

They have asked for me to leave my gate unlocked so if the kids throw their ball over into my backyard, they can retrieve it. I will not do that, as I have an inground pool in my yard. I cannot take on that liability.

Again, I am not opposed to the entire fence, just not the fencing on the east side or on my property near my driveway.

Please call if you have any questions. 918-521-1751.
Thank you,
Stephanie Spring

**Stephanie Spring | Executive Business Director**

cell: 918-521-1751 | email: stephanie@ctjenergy.com

**CTJ Energy Solutions, Inc. | ECS (Permian Field Service Solutions)**
7908 Cotton Trail, Godley, TX 76044 | 2500 North County Road 1282 Midland, TX 79707
www.ctjenergy.com | www.ecspermian.com

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- ASME Code Custom Fabrication Shop
- Vapor Recovery Units – VRU’s
- Dual & Single Stream Flares
- Enclosed Combustors – VCU
- Utility Flares – portable and stationary
- Field Services & Equipment Maintenance
- Production Equipment
- Detonation and Deflagration Arrestors
- 3rd Party Service
- Parts Supplier

CAUTION: This email originated from outside of the organization. Do not reply, forward, click links, or open attachments unless you recognize the sender and know the content is safe. Please report using the Phish Alert button in the Outlook Desktop Client if this message contains potentially unsafe content.
Dear Board of Adjustment:

Several neighbors conferred, then asked me to convey our interests to your board. Regrettably, we would like to oppose the proposed zoning exception for case #BOA-23711. I say regrettably because the church and its members have been good neighbors and are kind to everyone. So we are happy to have the church, we only oppose a fence and the height exception.

We believe fencing the church property is bad for our neighborhood and specifically our property values. For the dozen houses facing the church on Darlington Ave and on 21st Place, it will block the nice open view from all our front windows. My realtor says an open front view like ours adds approximately $10,000 to the value of each of our homes. Several of us, like myself, are retirees, and our homes are our most valuable asset, so that's a big deal for us.

Secondly, it presents safety issues for the intersections of 21st Place and 21st Street and Darlington Ave. Any fence at the minimum distance from the center line will obscure drivers' view of traffic at the intersections. More so if it is a privacy fence or a hurricane fence that gets overgrown (like so many do around here). At the minimum distance from the center line, if a fence became obscured with vines and mulberry and such, cars would not have adequate visibility to see oncoming traffic and safely pull out onto Darlington Ave or especially 21st Street, a major thoroughfare at Yale Ave.

If they are allowed to build it, we recommend that the setback be greater and that they be required to keep it clear of vegetation.

See pictures attached - at 25' feet off the center line is only a few feet from the curb. The nose of most cars is longer than that, so to see around the fence turning onto Darlington from 21st Place, one would have to poke the nose of their car out into the intersection. That's bad on a side street, like at 21st Place, but it's just not safe to poke the front of your car from Darlington onto 21st street to check on traffic.

Nor does the minimum setback leave room for folks to walk on the north side of the street on 21st Place. Hoover Elementary School is 2 blocks south on Darlington. We have kids on both sides of every street around here twice a day. If there's not room on one side, they'll be in the street.

Aesthetically, a 7' foot hurricane fence will make the church look like a prison compound. At the very least, it is unwelcoming, which my minister says makes it a questionable choice for any church. I note that while driving around in the last week or two, none of us have seen a neighborhood church with a fence around it. It begs the question as to why a church would want to keep people out? Or make them feel trapped?

Further, there have been 4 churches in that location in the 23 years I have lived across the street, making it a very likely that this church will be gone long before the fence, leaving us
permanent residents with an eyesore. Will they agree to take it down when they leave?

Finally, we oppose the requested exception for a 7' foot fence height. We oppose the 7' foot height exception because it will look even more like a prison yard than a 6' foot fence, again negatively affecting property values and appearance.

Why have a 7' foot fence anyway? To what advantage? 6' feet is enough. Please.

Sincerely,
George S Beltz
1. We are opposed to granting a special exception to increase the permitted fence height at 2111 S. Darlington Ave.

2. Care and consideration should be exercised to ensure that site lines are not obstructed when entering E. 21st St. from S. Darlington Avenue and S. Darlington Avenue from E. 21st Place. (See attached photos.)

3. Care and consideration should be taken to ensure that any fence is placed outside any public utilities (water) and any required setbacks. (See attached City of Tulsa Atlas page with waterlines shown, and photos of waterline locations flagged and painted.)

4. Required offsets from street centerlines should be met. Per the survey attached to the notice, the offset from the centerline of 21st St. is proposed to be 50 feet, and from the street centerline of Darlington Ave. and E. 21st Place is 25 feet.

5. Numerous neighbors have expressed concerns that the proposed fence could negatively impact the value of properties in the neighborhood. We agree.

6. Had the owners of the property at 2111 S. Darlington Avenue approached their neighbors with a request PRIOR to installing the posts for the fence (inside rights of way and easements), there may not be so much resistance. Although the posts on E. 21st Place have been removed, the posts on E. 21st Street are still in the Right of Way, and the posts on S. Darlington may encroach on the 6" waterline easement.

We request that the fence NOT be allowed to be built under the current proposal.

Sincerely,

James R. Boyd
Terri L. Boyd
2143 S. Darlington Ave.
Tulsa, OK 74114
(918)749-6354
Write a description for your map.
### Owner and Applicant Information
**Applicant:** Mark Nelson  
**Property Owner:** Jason K. Grunin & Mary K. H. Grunin Rev Trusts

### Property Location
3112 S. Birmingham Ave. E  
**Tract Size:** ± .4 acres

### Location within the City of Tulsa
**(shown with City Council districts)**

![City Council districts map](image)

### Request Summary
**Special Exception to increase the permitted driveway width in a RS zoning district (Sec. 55.090-F.3)**

### Zoning
**Zoning District:** RS-1  
**Zoning Overlays:** N/A

### Comprehensive Plan Considerations
**Land Use**  
**Land Use Plan:** Neighborhood  
**Small Area Plans:** None  
**Development Era:** Early Automobile

**Transportation**  
**Major Street & Highway Plan:** Urban Arterial (31st St.) and Residential Collector (Birmingham Ave.)  
**planitulsa Street Type:** Multi-modal Corridor  
**Transit:** Regular Route  
**Existing Bike/Ped Facilities:** Sidewalks on 31st St  
**Planned Bike/Ped Facilities:** On-street bike lane for 31st St

### Environment
**Flood Area:** N/A  
**Tree Canopy Coverage:** 30-50%  
**Parks & Open Space:** Zink Park is nearby

### Elected Representatives
**City Council:** District 9, Jayme Fowler  
**County Commission:** District 3, Kelly Dunkerley

### Public Notice Required
**Newspaper Notice** – min. 10 days in advance  
**Mailed Notice to 300’ radius** – min. 10 days in advance
**Staff Analysis**

The applicant is requesting a special exception to increase the permitted driveway width. The applicant is adding a circle drive to the site, and the circle drive plus the driveway to the garage exceeds the maximum width per code allowed by 2'.

Relevant Case History
- None

**Comprehensive Plan Considerations**

**Land Use Plan**

The subject property is designated as Neighborhood. **Neighborhoods** are mostly residential uses, which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low intensity uses that support residents' daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

**Surrounding Properties:**

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<td>Residential</td>
</tr>
<tr>
<td>East</td>
<td>RS-1/PUD-132</td>
<td>Neighborhood</td>
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<tr>
<td>South</td>
<td>RS-1</td>
<td>Neighborhood</td>
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</tr>
<tr>
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</tbody>
</table>

**Small Area Plans**

The subject property is not within a small area plan.

**Development Era**

The subject property is in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of the connectivity from neighborhood streets to the arterial network, with mostly commercial, office, industrial, and other active uses along major streets and a mix of housing options and neighborhood-based uses like schools, churches, and libraries in the interior sections. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, commercial revitalization,
compatibility of scale for neighborhood development, and transitions between commercial corridors and residential areas.

**Transportation**

**Major Street & Highway Plan:** 31st St. is an Urban Arterial, and Birmingham Ave. is a Residential Collector

**Comprehensive Plan Street Designation:** 31st St. is a Multi-modal Corridor

**Transit:** Regular Bus Route 112 runs along Lewis Ave.

**Existing Bike/Ped Facilities:** Sidewalks are present on 31st St.

**Planned Bike/Ped Facilities:** The Tulsa Go Plan recommends an on-street bike lane on 31st St.

**Arterial Traffic per Lane:** 2,471 vehicles per lane per day on 31st St.

**Environmental Considerations**

**Flood Area:** The subject property is not in a flood area.

**Tree Canopy Coverage:** Tree canopy in the area is 32%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

**Parks & Open Space:** Zink Park is the nearest park about 1 mile to the west.

**Sample Motion**

I move to approve or deny a Special Exception to increase the permitted driveway width in a RS zoning district,

- 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.

**Property Description**

LT 1 LESS N94 & LESS N35 VAC 31ST PL S ADJ ON S & LESS PRT LT 1 BEG SECR TH N66 SWLY184.67 S64 E184.5 POB, Rothhammer Heights Addition, City of Tulsa, Tulsa County, State of Oklahoma.

**Exhibits**

Case map
Aerial (small scale)
Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
(Subject property looking northwest from Birmingham Ave)
PORTION OF LOT ONE (1) BEING DEPICTED IN THE NORTH 94.00 FEET OF LOT ONE, ADDING ADJACENT TO LOT ONE (1), A SUBDIVISION OF THE EAST 10 ACRES OF NORTH 30 ACRES OF THE NORTHWEST QUARTER (NW/4) OF THE NORTHWEST QUARTER SECTION TWENTY (20), TOWNSHIP NORTHEAST OF THE NORTHEAST, RANGE THIRTEEN (13) EAST, COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDS OF PLAT NO. 816 AND A PART OF LOT ONE (1), BEING MORE PARTICULARLY AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTH-EAST CORNER OF LOT ONE (1), THENCE NORTH ALONG A LINE OF SAID LOT ONE (1), A DISTANCE OF 184.67 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT ONE (1), SAID POINT BEING NORTH OF THE SOUTHWEST CORNER OF SAID LOT ONE (1), THENCE EAST ALONG THE SOUTH LINE OF SAID LOT ONE (1), A DISTANCE OF 184.67 FEET TO THE POINT OF BEGINNING.

(LOT SIZE OF REMAINDER TRACT = 18,586 S.F.)

ZONING REQUIREMENTS
ZONING: RS-1
LOT AREA = 18,586 S.F.
FRONT YARD = 35' NON-ARTHRINAL
REAR YARD = 25'
SIDE YARD = 5'
MAXIMUM HEIGHT = 35'

SITE NOTES:
1. ALL GUTTERS AND SURFACE AREA CONVEY BY TIGHTLINE DRAIN TO CURB SYSTEM (CURB).
2. ALL GRADES SHALL SLOPE AWAY FROM BUILDING AT A RATE OF 6" FT.
To the Board of Adjustment:

We are applying for a special exception on the property located at 3112 S. Birmingham Ave. Tulsa, OK 74105. The house is a 1930's home on a larger lot that has been split. The current owner plans to keep both lots intact for their own use. The existing home is placed on an angle on its lot. As the architect I felt that keeping the driveway entrance apron near the current location, where the entry/façade of the house is kept the primary focus, was very important. Due to the home’s location just off 31st street on Birmingham Ave, which acts as a feeder street into the neighborhood to the south, we also wanted to provide additional off street parking for guests. We have provided a circle driveway to meet that goal. However, during permit review, it was noted that the driveway, due to the layout, is technically wider than the maximum allowed 30’ width. While this may be technically correct, we feel that the spirit of the zoning code is kept intact here as we are also trying to prevent a wide driveway from the 3 car garage that runs straight to the street. The entire goal is to keep the front door/porch of the house highly visible to guests as they pull in off the street, provide a gracious estate-like feeling with the circle drive, and diminish the visual impact of the new 3 car garage. We feel that this design meets the intent of the code, if not technically following the rules to the letter.

Thank you,

Mark E. Nelson, RA
Section 55.090-F Surfacing. 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-I.2. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

Review Comments: Per the table in this section, the maximum driveway width allowed on this lot is 30’ within the front setback area. Please revise the plans to show driveway dimensions, and that in the front setback area the driveway width will not exceed 30’ in width. Otherwise you may request a special exception from the Board of Adjustment for a driveway width exceeding 30’.
### Owner and Applicant Information
Applicant: Richard Wise  
Property Owner: Richard D. & Mary Wise

### Property Location
439 S. 127th E. Ave  
Tract Size: ±1.2 acres

### Location within the City of Tulsa
(Shown with City Council districts)

![City Council districts map]

### Request Summary
Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A)

### Zoning
**Zoning District:** RS-2  
**Zoning Overlays:** N/A

### Comprehensive Plan Considerations

#### Land Use
- **Land Use Plan:** Neighborhood  
- **Small Area Plans:** None  
- **Development Era:** Late Automobile

#### Transportation
- **Major Street & Highway Plan:** I-44/Freeway  
- **planitulsa Street Type:** N/A  
- **Transit:** Regular Route  
- **Existing Bike/Ped Facilities:** None  
- **Planned Bike/Ped Facilities:** None

#### Environment
- **Flood Area:** N/A  
- **Tree Canopy Coverage:** 10-20%  
- **Parks & Open Space:** N/A

### Elected Representatives
- **City Council:** District 3, Crista Patrick  
- **County Commission:** District 1, Stan Sallee

### Public Notice Required
Newspaper Notice – min. 10 days in advance  
Mailed Notice to 300’ radius – min. 10 days in advance
**Staff Analysis**
The applicant is proposing to add an accessory building to his property. The square footage of the accessory buildings (there are 4 presently – totaling 621 sq ft) combined with the new structure (540 sq ft) add up to more than what is allowed by code, which is 40% (922 sq ft) of the primary residential structure (2,304 sq ft).

**Relevant Case History**
- None

**Comprehensive Plan Considerations**

**Land Use Plan**
The subject property is designated as Neighborhood. Neighborhoods are mostly residential uses, which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

**Surrounding Properties:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-2</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>East</td>
<td>CO</td>
<td>Employment</td>
<td>Auto parts supplier</td>
</tr>
<tr>
<td>South</td>
<td>RS-2</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>West</td>
<td>RS-2</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
</tbody>
</table>

**Small Area Plans**
The subject property is not within a small area plan.

**Development Era**
The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the
intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

**Transportation**

**Major Street & Highway Plan:** I-44 is nearby

**Comprehensive Plan Street Designation:** N/A

**Transit:** Regular Bus Route 470 is on S 129th E Ave

**Existing Bike/Ped Facilities:** None

**Planned Bike/Ped Facilities:** None

**Arterial Traffic per Lane:** 3,547 vehicles per lane per day on S 129th E Ave

**Environmental Considerations**

**Flood Area:** The subject property is not in a flood area

**Tree Canopy Coverage:** Tree canopy in the area is 14%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

**Parks & Open Space:** None
**Sample Motion**

I move to *approve or deny* a Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A) 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 the hardship to be ________________________________________________________________.

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.

**Property Description**

N1/2 OF LT 7, Plainview Heights Addition, City of Tulsa, Tulsa County, State of Oklahoma

**Exhibits**

*Case map*

*Aerial (small scale)*

*Aerial (large scale)*

*Photos*

*Tulsa Comprehensive Plan Land Use Map*
(Subject property looking southeast - image taken from Google street-view)
STRUCTURAL DESIGN

ENCLOSED BUILDING

MAXIMUM 30'- 0" WIDE X 20'- 0" HEIGHT-BOX EAVE FRAME AND BOW FRAME

11 November 2019
Revision 0
M&A Project No. 19262S

Prepared for:

Winslows Inc. Custom Buildings
1501 Goodnight Blvd
Wills Point, TX 75169

Prepared by:

Moore and Associates Engineering and Consulting, Inc.

1009 East Avenue
North Augusta, SC 29841

401 S. Main Street, Suite 200
Mount Airy, NC 27030
4.14

Road 18' wide /27th E. Ave

Center line of road 9'

Kculvert 12' long

Property line

74'

Driveway 60'

Going to use proposed building to park vehicles

18'

Garage 30'

70'
Staff Report
Special Exception Case BOA-23720

Hearing Date: June 25, 2024
Prepared by: Sean Wallace
swallace@cityoftulsa.org
918-596-7585

<table>
<thead>
<tr>
<th>Owner and Applicant Information</th>
<th>Request Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant: Belinda Elms Latham</td>
<td>Special Exception to permit a Manufactured Housing Unit in the RS-3 zoning district (Sec. 5.020, Table 5-2.5); Special Exception to extend the 1-year limit for a Manufactured Housing Unit (Sec. 40.210-A)</td>
</tr>
<tr>
<td>Property Owner: Belinda Elms Latham</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>2623 W. 38th St.</td>
</tr>
<tr>
<td>Tract Size: ±.3 acres</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location within the City of Tulsa</th>
</tr>
</thead>
<tbody>
<tr>
<td>(shown with City Council districts)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Elected Representatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Council: District 2, Jeannie Cue</td>
</tr>
<tr>
<td>County Commission: District 2, Karen Keith</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Request Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Exception to permit a Manufactured Housing Unit in the RS-3 zoning district (Sec. 5.020, Table 5-2.5); Special Exception to extend the 1-year limit for a Manufactured Housing Unit (Sec. 40.210-A)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning District: RS-3</td>
</tr>
<tr>
<td>Zoning Overlays: None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Comprehensive Plan Considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use</td>
</tr>
<tr>
<td>Land Use Plan: Neighborhood</td>
</tr>
<tr>
<td>Small Area Plans: None</td>
</tr>
<tr>
<td>Development Era: Streetcar</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Transportation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major Street &amp; Highway Plan: I-244 (Freeway)</td>
</tr>
<tr>
<td>planitulsa Street Type: N/A</td>
</tr>
<tr>
<td>Transit: N/A</td>
</tr>
<tr>
<td>Existing Bike/Ped Facilities: None</td>
</tr>
<tr>
<td>Planned Bike/Ped Facilities: A sharrow on 41st St. is recommended by the Tulsa GO Plan</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Environment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flood Area: N/A</td>
</tr>
<tr>
<td>Tree Canopy Coverage: 20-30%</td>
</tr>
<tr>
<td>Parks &amp; Open Space: N/A</td>
</tr>
</tbody>
</table>

Public Notice Required
Newspaper Notice – min. 10 days in advance
Mailed Notice to 300’ radius – min. 10 days in advance
Posted Sign – min. 10 days in advance
**Staff Analysis**

The applicant is requesting a special exception to permit a Manufactured Housing Unit and to extend the 1-year time limit.

---

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

<table>
<thead>
<tr>
<th>USE CATEGORY</th>
<th>RE</th>
<th>RS-1</th>
<th>RS-2</th>
<th>RS-3</th>
<th>RS-4</th>
<th>RD</th>
<th>RT</th>
<th>RM-0</th>
<th>RM-1</th>
<th>RM-2</th>
<th>RM-3</th>
<th>RMH</th>
<th>Supplemental Regulations</th>
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<tbody>
<tr>
<td><strong>RESIDENTIAL</strong></td>
<td></td>
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<tr>
<td>Household Living</td>
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<tr>
<td>Single household</td>
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</tr>
<tr>
<td>Detached house</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>S</td>
</tr>
<tr>
<td>Patio House</td>
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<tr>
<td>Townhouse</td>
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</tr>
<tr>
<td>2-unit townhouse</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>P</td>
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<td>3+ unit townhouse</td>
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<td>P</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>S</td>
</tr>
<tr>
<td><strong>Manufactured housing unit</strong></td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>P</td>
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<tr>
<td>Manufactured housing subdivision</td>
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<td>S</td>
<td>S</td>
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<td>S</td>
<td>P</td>
</tr>
<tr>
<td>Mobile home</td>
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<tr>
<td>Mixed use building</td>
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<td>S</td>
</tr>
<tr>
<td>Vertical mixed-use building</td>
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<td>-</td>
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<tr>
<td>Two households on single lot</td>
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<td>S</td>
<td>S</td>
<td>S</td>
<td>F</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<td>P</td>
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<td>Duplex</td>
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<td>P</td>
<td>P</td>
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<td>P</td>
<td>P</td>
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</tr>
<tr>
<td>Mixed-use building</td>
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<td>P</td>
</tr>
<tr>
<td>Vertical mixed-use building</td>
<td>-</td>
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<td>P</td>
</tr>
<tr>
<td>Three or more households on single lot</td>
<td>-</td>
<td>-</td>
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<td>P</td>
</tr>
<tr>
<td>Cottage house development</td>
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<td>-</td>
<td>-</td>
<td>P</td>
</tr>
<tr>
<td>Multi-unit house</td>
<td>-</td>
<td>-</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>-</td>
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<tr>
<td>Apartment/Condo</td>
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<td>P</td>
</tr>
<tr>
<td>Mobile home park</td>
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<td>-</td>
<td>-</td>
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<td>P</td>
</tr>
<tr>
<td>Mixed-use building</td>
<td>-</td>
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<td>P</td>
</tr>
</tbody>
</table>

---

### Section 40.210 Manufactured Housing Units

The supplemental regulations of this section apply only to manufactured housing units approved as special exception uses in R or AG-R zoning districts.

- **40.210-A** The manufactured housing unit must be removed from the lot within one year of the date of special exception approval. The board of adjustment is authorized to extend the one-year limit through approval of a subsequent special exception if the (special exception) extension request is filed before expiration of the one-year time limit.

- **40.210-B** No more than one manufactured housing unit may be located on a lot.

- **40.210-C** Manufactured housing units are required to comply with the same lot and building regulations that apply to detached houses in the subject zoning district.

---

**Relevant Case History**

- None

---

5.2
Comprehensive Plan Considerations

Land Use Plan
The subject property is designated as Neighborhood. **Neighborhoods** are mostly residential uses, which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

### Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>East</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>South</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>West</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
</tbody>
</table>

**Small Area Plans**
The subject property is not within a small area plan.

**Development Era**
The subject property is in an area developed during the Streetcar Era (1910s-30s), prior to the proliferation of automobiles, when streetcars facilitated growth beyond downtown. Land uses range from fully integrated to somewhat separated, on a half-mile grid, with a mix of housing options. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, transit-oriented development, commercial districts, and well-designed streetscapes.

**Transportation**

- **Major Street & Highway Plan:** I-244/freeway is nearby.
- **Comprehensive Plan Street Designation:** N/A
- **Transit:** None
- **Existing Bike/Ped Facilities:** None
- **Planned Bike/Ped Facilities:** The Tulsa Go Plan recommends a sharrow on 41st St.
- **Arterial Traffic per Lane:** 3,539 vehicles per lane per day on E. 41st St S.

**Environmental Considerations**

- **Flood Area:** The subject property is not in a flood area
- **Tree Canopy Coverage:** Tree canopy in the area is 21%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

- **Parks & Open Space:** None
Sample Motion
I move to approve or deny a Special Exception to permit a Manufactured Housing Unit in the RS-3 zoning district and a Special Exception to extend the 1-year limit for a Manufactured Housing Unit,

- 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.

Property Description
W 1/2 LTS 5 & 6 BLK 27, Red Fork Addition, City of Tulsa, Tulsa County, State of Oklahoma

Exhibits
Case map
Aerial (small scale)
Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map

(Subject property looking northeast on S 27th W. Ave. – image taken from Google street-view)
BOA-23720

Subject Tract

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

Aerial Photo Date: 2021
Staff Report
Special Exception Case BOA-23721

Hearing Date: June 25, 2024
Prepared by: Sean Wallace
swallace@cityoftulsa.org
918-596-7585

Owner and Applicant Information
Applicant: Sean Cooper
Property Owner: Nevel Properties LLC

Property Location
2413 E. 17th Pl.
Tract Size: ±.2 acres

Location within the City of Tulsa
(shown with City Council districts)

Request Summary
Special exception to increase the permitted driveway width in a RS district (Sec. 55.090-F.3)

Zoning
Zoning District: RS-3
Zoning Overlays: None

Comprehensive Plan Considerations
Land Use
Land Use Plan: Neighborhood
Small Area Plans: None
Development Era: Streetcar

Transportation
Major Street & Highway Plan: Residential Collector (17th Pl.), Urban Arterial (Lewis Ave.)
planitulsa Street Type: N/A
Transit: Regular Route
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: None

Environment
Flood Area: Regulatory Floodplain
Tree Canopy Coverage: 10-20%
Parks & Open Space: N/A

Elected Representatives
City Council: District 4, Laura Bellis
County Commission: District 2, Karen Keith

Public Notice Required
Newspaper Notice – min. 10 days in advance
Mailed Notice to 300’ radius – min. 10 days in advance
**Staff Analysis**
The applicant is requesting a special exception to increase the allowed width for an already constructed driveway. The driveway is 32' wide, while the code maximum for a lot with a frontage of 55' is 22'.

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 §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>
</tr>
<tr>
<td>Driveway Within Street Setback (feet)</td>
<td>30'</td>
<td>30'</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Relevant Case History**
- None

**Comprehensive Plan Considerations**

**Land Use Plan**
The subject property is designated as Neighborhood. **Neighborhoods** are mostly residential uses, which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

**Surrounding Properties:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>East</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>South</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>West</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
</tbody>
</table>

**Small Area Plans**
The subject property is not within a small area plan.

**Development Era**
The subject property is in an area developed during the Streetcar Era (1910s-30s), prior to the proliferation of automobiles, when streetcars facilitated growth beyond downtown. Land uses range from fully integrated to somewhat separated, on a half-mile grid, with a mix of housing options. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, transit-oriented development, commercial districts, and well-designed streetscapes.
Transportation
Major Street & Highway Plan: 17th Pl. is a Residential Collector, and Lewis Ave. is an Urban Arterial.

Comprehensive Plan Street Designation: N/A

Transit: Regular Route 112 runs along Lewis Ave.

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Arterial Traffic per Lane: 2,331 vehicles per lane per day on Lewis Ave.

Environmental Considerations
Flood Area: The subject property is located within the City of Tulsa Regulatory Floodplain.

Tree Canopy Coverage: Tree canopy in the area is 20%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

Sample Motion
I move to approve or deny a Special Exception to increase the permitted driveway width in a RS district,

- 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.

Property Description
W 55 LT 3 BLK 2, LEWISTON GARDENS AMD SUB L12&15 GLEN ACRES Addition, City of Tulsa, Tulsa County, State of Oklahoma.

Exhibits
Case map
Aerial (small scale)
Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
(Subject property)
BOA-23721

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

Aerial Photo Date: 2021
Section 55.090-F.3, Surfacing. 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-I.2. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

REVIEW COMMENT: This lot has 55’ of frontage. Per the table in this section, this means that the widest your driveway can be in the front setback area is 22’. Please request a special exception from the Board of Adjustment for a driveway on an RS-3 zoned lot with 55’ of frontage to exceed the maximum width allowed.

Number: 2   Author: DWhiteman   Subject: Zoning Review   Date: 5/6/2024 4:07:33 PM
**Owner and Applicant Information**

Applicant: Raul Cisneros  
Property Owner: FBK Investments LLC

**Property Location**

702 S. 129th E. Ave  
Tract Size: ±0.93 acres

**Location within the City of Tulsa**  
*(shown with City Council districts)*

![City Council districts map](image)

**Elected Representatives**

City Council: District 3, Crista Patrick  
County Commission: District 1, Stan Sallee

**Public Notice Required**

Newspaper Notice – min. 10 days in advance  
Mailed Notice to 300’ radius – min. 10 days in advance  
Posted Sign – min. 10 days in advance

**Request Summary**

Special Exception to permit an Accessory Dwelling Unit (ADU) in the RS-2 Zoning District (Sec. 45.031-D); Special Exception to increase the permitted driveway width in a RS district (Sec. 55.090-F.3); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Sections 45.030-A, 45.031-D.6)

**Zoning**

Zoning District: RS-2  
Zoning Overlays: N/A

**Comprehensive Plan Considerations**

**Land Use**

Land Use Plan: Employment  
Small Area Plans: East Tulsa  
Development Era: Late Automobile

**Transportation**

Major Street & Highway Plan: E. 7th St. (Residential Collector) & S. 129th E. Ave. (Secondary Arterial)  
planitulsa Street Type: N/A  
Transit: Regular Route  
Existing Bike/Ped Facilities: Sidewalk on 129th E. Ave.  
Planned Bike/Ped Facilities: None

**Environment**

Flood Area: N/A  
Tree Canopy Coverage: 10-20%  
Parks & Open Space: N/A
**Staff Analysis**

The applicant is proposing a Special Exception to permit an ADU in the RS-2 Zoning District (Sec. 45.031-D); Special Exception to increase the permitted driveway width in a RS district (Sec. 55.090-F.3); and a Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A, 45.031-D.6).

The lot currently has an allowed combined driveway width of 27’ in the right of way and 30’ within the street setback. In the current state, the combined driveway width is already over the allowed width by having a combined 60’ of driveway. The applicant is proposing a new 12’-6” driveway along the East side of the property, which would increase the total driveway width to 72’-6”.

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**Chapter 45 | Accessory Dwelling Units**

Section 45.030.01 - Regulations

1. Where Allowed
   - Accessory dwelling units are allowed by special exception in RE, RS, AG, and AR districts on lots occupied by a detached house. Accessory dwelling units are allowed by right in RD, RT, RM and RMI districts on lots occupied by a detached house.

2. Number
   - No more than one accessory dwelling unit is allowed per lot.

3. Method of Creation
   - An accessory dwelling unit may be created only through the following methods:
     a. Constructing an accessory dwelling unit on a lot with a new or existing detached house;
     b. Converting or increasing existing floor area within an accessory building on a lot with an existing detached house.

4. Density - Minimum Lot Area and Lot Area per Unit
   - No additional lot area or lot area per unit is required for the accessory dwelling unit.

5. Open Space (Minimum open space per unit)
   - No additional open space is required for the accessory dwelling unit.

6. Accessory Dwelling Unit Site
   a. RE and RS-1 Districts
      - In RE and RS-1 districts, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, may not exceed 750 square feet or 40% of the floor area of the principal residential structure, whichever is greater. [1]
   b. RS-2, RS-3, RS-4, RS-5, and RM Districts

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**Tulsa Zoning Code | February 07, 2024**

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**Chapter 45 | Accessory Uses and Structures**

Section 45.040 - Comportment Natural Gas (CNG) Inflating Apparatus

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**Table: Maximum Driveway Width**

<table>
<thead>
<tr>
<th>Lot Frontage</th>
<th>75' or more</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>
</tr>
<tr>
<td>Driveway Within Street Setback (feet)</td>
<td>30'</td>
<td>30'</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
</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.

For approvals granted under the terms of the zoning code in effect prior to January 1, 2016, including (1) variances of maximum driveway coverage measured by width, square footage or percentage of yard and (2) establishment of PUD development standards that increase the maximum permitted driveway coverage measured by any such means, the foregoing maximums do not apply.
Relevant Case History
• None

Statement of Hardship
"Variance to accommodate the addition of two supplementary storage units on the premises. Our preference is for these units to be standalone structures, separate from the existing building, primarily for aesthetic reasons. They will not obstruct any existing pathways or impede access. Given our ample space available, segregating the storage facilities from the main structure is both feasible and desirable."

Comprehensive Plan Considerations
Land Use Plan
The subject property is designated as employment.

Employment is intended to accommodate offices, warehousing and storage, manufacturing and assembly, and industrial processes. The Industrial Site Suitability map corresponds to the Employment land use designation and indicates where uses that are potentially incompatible with sensitive land uses are best suited to locate. This directs industrial uses to particular areas of the city while discouraging industrial in close proximity to Neighborhood areas.

Surrounding Properties:

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>North</td>
<td>CO</td>
<td>Employment</td>
<td>Residence</td>
</tr>
<tr>
<td>East</td>
<td>CG/ODP</td>
<td>Multiple Use</td>
<td>Vacant</td>
</tr>
<tr>
<td>South</td>
<td>CO</td>
<td>Employment</td>
<td>Residence</td>
</tr>
<tr>
<td>West</td>
<td>RS-2</td>
<td>Neighborhood</td>
<td>Residence</td>
</tr>
</tbody>
</table>

Small Area Plans
The subject properties are a part of the East Tulsa Small Area Plan.

Development Era
The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

Transportation
Major Street & Highway Plan: E. 7th St. is a Residential Collector, and S. 129th E. Ave. is a Secondary Arterial.

Comprehensive Plan Street Designation: N/A
Transit: Regular Route 470 runs along 129th E. Ave.

Existing Bike/Ped Facilities: A sidewalk runs along 129th E. Ave.

Planned Bike/Ped Facilities: None

Arterial Traffic per Lane: S. 129th E. Ave. (2500 – 5000 per lane)

Environmental Considerations

Flood Area: The subject property is not in a flood area.

Tree Canopy Coverage: Tree canopy in the area is 12%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: N/A
Sample Motion
I move to approve or deny a Special Exception to permit a Special Exception to permit an ADU in the RS-2 Zoning District (Sec. 45.031-D); Special Exception to increase the permitted driveway width in a RS district (Sec. 55.090-F.3); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A, 45.031-D.6)
- 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.

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.

Property Description
N/2 NE NE SE SE LESS E50 & LESS N20 W280 FOR ST SEC 5 19 14 .932AC, CITY OF TULSA, TULSA COUNTY STATE OF OKLAHOMA
Exhibits
Case map
Aerial (small scale)
Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
BOA-23722

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

BOA-23722

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

Aerial Photo Date: 2021

7.9
ACTIONS REQUESTED:

Special exception to permit an ADU in the RS-2 zoning district. (Sec.45.031-D)

Special exception to increase the permitted driveway width in a RS district. (Sec.55.090-F.3)

Variance to allow the floor area of detached accessory buildings to exceed 500 sf and 40% of the floor area of principal residential structure. (Sec. 45.03D-A 45.031-D.6)
Subject: Zoning Review  
Page Label: 1  
Author: DWhiteman  
Date: 4/3/2024 1:51:54 PM  
Status:  
Color:  
Layer:  
Space:  

Section 45.031-D.1 Regulations Where Allowed. Accessory dwelling units are allowed by special exception in RE, RS, AG, and AG-R districts on lots occupied by a detached house. Accessory dwelling units are allowed by right in RD, RT, RM and RMH districts on lots occupied by a detached house. Section 45.031-D.8.b Setbacks. An accessory dwelling unit must be located at least 10 feet behind the detached house. This required 10-foot separation distance must be open from the ground to the sky except that it may include walkways, patios, decks and similar structures that do not exceed 30 inches in height above finished grade.  

REVIEW COMMENT: Apply to the Board of Adjustment for a special exception to allow an Accessory Dwelling Unit (ADU) in an RS-2 zoned area. Contact the Tulsa Planning Office at 918-596-7526 for Board of Adjustment scheduling and procedures. There are no records that this ADU has received a special exception from the Board. In addition, if the ADU is less than 10' from the house, you will need to include a request for the ADU to be less than 10' from it.
ZCO-175584-2024 (702 S 129TH AVE E Tulsa Tulsa, OK 74128)
Markup Summary #1

Zoning Review (4)

Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 4/3/2024 12:41:29 PM
Status: ■
Color: ■
Layer: ■
Space: ■

Section 45.030-A.2, RS-2, RS-3, RS-4, RS-5 and RM Districts. In RS-2, RS-3, RS-4, RS-5 or RM zoned lots used for detached houses or duplexes, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, and accessory buildings not erected as an integral part of the principal residential building may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater.
REVIEW COMMENT: The total combined floor area of accessory buildings on this lot may not exceed 500 square feet. The building labeled House 1 is assumed to be the primary residence, so all other structures on this lot are considered accessory structures. You may request a variance from the Board of Adjustment for the combined floor area of accessory structures on an RS-2 zoned lot to exceed 500 square feet.

Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 4/3/2024 12:45:52 PM
Status: ■
Color: ■
Layer: ■
Space: ■

Section 55.090-F.3, Surfacing. 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-I.2. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704.)
REVIEW COMMENT: This lot is allowed a combined driveway width of 27' in the right of way (ROW) and 30' on the lot. This is measured by adding together the driveway widths of all driveways on the lot. In order to expand or add on to the driveway you would need to request a Special Exception from the Board of Adjustment for a combined driveway width that exceeds 27' in the ROW and 30' on the lot in an RS-2 zoned district. If you do not expand or add on to the driveway, you would be allowed to keep the existing driveway as is even if it does not comply with zoning current code for driveway width.

This constitutes a Plan Review to date in response to the information submitted with and after 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 client. Any issues not reviewed are still in force, and it shall be the responsibility of the owner and design professional(s) to ensure that all code requirements are satisfied.
The permit application was not filled out completely. Please provide the height of each shed, both to the top of the peak of the roof and to the top of the top plate.

Section 5.030-A Table of Regulations. The lot and building regulations of Table 5-3 apply to all principal uses and structures in R districts, except as otherwise expressly stated in this zoning code. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90. Regulations governing accessory uses and structures can be found in Chapter 45.

REVIEW COMMENT: Along with the other required changes, please revise the site plan to show that the sheds will be at least 5’ from the south side property line. Per the table in this section, RS-2 zoned lots require a 5’ side setback.
**Owner and Applicant Information**
Applicant: Tom Neal
Property Owner: Ross Heyman

**Property Location**
1851 E. 16th Pl. S.
Tract Size: ±6,579 sq. ft.

**Location within the City of Tulsa**
(shown with City Council districts)

**Elected Representatives**
City Council: District 4, Laura Bellis
County Commission: District 2, Karen Keith

**Public Notice Required**
Newspaper Notice – min. 10 days in advance
Mailed Notice to 300’ radius – min. 10 days in advance
Posted Sign – min. 10 days in advance

**Request Summary**
Special Exception to permit an Accessory Dwelling Unit (ADU) in the RS-3 Zoning District (Sec. 45.031-D); Special Exception to expand a structure with a non-conforming setback (Sec. 80.030-D).

**Zoning**
Zoning District: RS-3
Zoning Overlays: HP

**Comprehensive Plan Considerations**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Neighborhood</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Area Plans</td>
<td>Utica Midtown</td>
</tr>
<tr>
<td>Development Era</td>
<td>Streetcar</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Transportation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major Street &amp; Highway Plan: N/A</td>
</tr>
<tr>
<td>planitulsa Street Type: N/A</td>
</tr>
<tr>
<td>Transit: N/A</td>
</tr>
<tr>
<td>Existing Bike/Ped Facilities: Sidewalk</td>
</tr>
<tr>
<td>Planned Bike/Ped Facilities: None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Environment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flood Area: N/A</td>
</tr>
<tr>
<td>Tree Canopy Coverage: 10-20%</td>
</tr>
<tr>
<td>Parks &amp; Open Space: N/A</td>
</tr>
</tbody>
</table>
Staff Analysis
The applicant is proposing a Special Exception to permit an ADU in the RS-3 Zoning District (Sec. 45.031-D) and a Special Exception to expand a structure with a non-conforming setback (Sec. 80.030-D).

The nonconforming setback is along the West property line. The applicant is expanding this structure to the North, and turning it into a dwelling unit.

Section 45.031-D Regulations

1. Where Allowed
   Accessory dwelling units are allowed by special exception in RE, RS, AG, and AG-R districts on lots occupied by a detached house. Accessory dwelling units are allowed by right in RD, RT, RM and RRM districts on lots occupied by a detached house.

2. Number
   No more than one accessory dwelling unit is allowed per lot.

3. Methods of Creation
   An accessory dwelling unit may be created only through the following methods:
   a. Constructing an accessory dwelling unit on a lot with a new or existing detached house; or
   b. Converting or increasing existing floor area within an accessory building on a lot with an existing detached house.

4. Density (Minimum Lot Area and Lot Area per Unit)
   No additional lot area or lot area per unit is required for the accessory dwelling unit.

5. Open space (Minimum open space per unit)
   No additional open space is required for the accessory dwelling unit.

6. Accessory Dwelling Unit Size
   a. RE and RS-1 Districts
      In RE and RS-1 districts, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, may not exceed 750 square feet or 40% of the floor area of the principal residential structure, whichever is greater. [1]
   b. RS-2, RS-3, RS-4, RS-5, and RM Districts

---

Relevant Case History
None

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as neighborhood.

Neighborhoods are mostly residential uses, which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

Surrounding Properties:

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<th>Existing Land Use Designation</th>
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<td>Residence</td>
</tr>
<tr>
<td>East</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residence</td>
</tr>
<tr>
<td>South</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residence</td>
</tr>
<tr>
<td>West</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residence</td>
</tr>
</tbody>
</table>

Small Area Plans

The subject properties are a part of the Utica Midtown Small Area Plan.

Development Era

The subject property is in an area developed during the Streetcar Era (1910s-30s), prior to the proliferation of automobiles, when streetcars facilitated growth beyond downtown. Land uses range from fully integrated to somewhat separated, on a half-mile grid, with a mix of housing options. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, transit-oriented development, commercial districts, and well-designed streetscapes.

Transportation

Major Street & Highway Plan: N/A

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: Sidewalks run along both sides of 16th Place.

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: N/A

Environmental Considerations

Flood Area: The subject property is not within a flood area.

Tree Canopy Coverage: Tree canopy in the area is 10-20%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.
Sample Motion
I move to approve or deny a Special Exception to permit an ADU in the RS-3 Zoning District (Sec. 45.031-D); Special Exception to expand a structure with a non-conforming setback (Sec. 80.030-D).

- 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.

Property Description
L1 13 BLK 1, BUGALOW COURT, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Exhibits
Case map
Aerial (small scale)
Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map

(Image from Google Street View at 1851 E. 16th Pl.)
Land Use Plan Categories

- Arkansas River Corridor
- Downtown
- Employment
- Neighborhood
- Park and Open Space
- Multiple Use
- Regional Center
- Local Center
NOTE: AS NEW CONSTRUCTION IS LESS THAN 30', WEST SIDE TO BE FIRE RESIST. ND + ENTRANCE WALL TO BE CEI. FIBER SIDING.

NEW HOUSE BULLETIN

NOVELTY OR TANDEM SIDING TO MATCH EXIST.

DECK EXIST. GABLE ROOF.

SOUTH 1/4" = 1'-0"

NEW | EXIST.

NEW | EXIST.

EAST

HETHAN
1851 EAST 16TH PLACE
TULSA, OKLA 74124

TOM NEAL DESIGN
Associate, American Institute of Architects
8/3/13/772
2x8's @ 16 O.C. WHERE VAULTED W/ AIR BALE.
INSUL. 2x6's @ 16 O.C. COLLAR TIES
1/2" MIN. SHEATH'S
COMFY SHINGLES ON
15# OR 30# FELT

2x6's @ 16 O.C.

2x4's @ 16 O.C.
1/2" X 1" ANCH BOLTS O.C.
8" MIN.
16" MIN.

1/2" R.BAK @ 4 O.C.
3/8" R.BAK CONT

TYPICAL WALL SECTION 1"=1'-0"
Owner and Applicant Information
Applicant: Tom Neal
Property Owner: JKJ Land Company LLC

Property Location
5025 & 5013 S. 29th W. Ave.
Tract Size: ±0.46 acres

Location within the City of Tulsa
(Shown with City Council districts)

Elected Representatives
City Council: District 2, Jeannie Cue
County Commission: District 2, Karen Keith

Request Summary
Variance to reduce the required 60-foot lot width in the RS-3 Zoning District to permit a lot split (Sec. 5.030, Table 5-3);

Zoning
Zoning District: RS-3
Zoning Overlays: None

Comprehensive Plan Considerations
Land Use
Land Use Plan: Neighborhood
Small Area Plans: None
Development Era: Streetcar

Transportation
Major Street & Highway Plan: Residential Collector (51st St.)
planitulsa Street Type: None
Transit: N/A
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: None

Environment
Flood Area: N/A
Tree Canopy Coverage: 20-30%
Parks & Open Space: N/A

Public Notice Required
Newspaper Notice – min. 10 days in advance
Mailed Notice to 300’ radius – min. 10 days in advance
**Staff Analysis**
The applicant is proposing a Variance to reduce the required 60-foot lot width in the RS-3 Zoning District to permit a lot split (Sec. 5.030, Table 5-3). The lot split would result in three tracts, each with an approximate lot width of 49.9 feet.

**Relevant Case History**
- None

**Statement of Hardship**
"Applicants have been building affordable new homes to help meet the need for the City of Tulsa to add approximately 13,000 new units to meet current demand. These homes have been in traditionally underserved portions of the city: near north Tulsa and west Tulsa. Applicants could divide this lot into two slightly oversize lots by right, but are seeking the variance in order to provide three new homes instead of just two. Note that at 49+ feet each, they are almost the size of the minimum lot allowed in RS4 zoning the next zoning category from RS3."

**Comprehensive Plan Considerations**

**Land Use Plan**
The subject property is designated as neighborhood.

**Neighborhoods** are mostly residential uses, which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

**Surrounding Properties:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>East</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>South</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>West</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
</tbody>
</table>

**Small Area Plans**
The subject properties are not in a small area plan.

**Development Era**
The subject property is in an area developed during the Streetcar Era (1910s-30s), prior to the proliferation of automobiles, when streetcars facilitated growth beyond downtown. Land uses range from fully integrated to somewhat separated, on a half-mile grid, with a mix of housing options. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, transit-oriented development, commercial districts, and well-designed streetscapes.

**Transportation**
**Major Street & Highway Plan:** 51st Street to the south of the subject property is a Residential Collector.

**Comprehensive Plan Street Designation:** N/A

**Transit:** N/A

City of Tulsa Board of Adjustment
Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Arterial Traffic per Lane: N/A

Environmental Considerations
Flood Area: The subject property is not in a flood area.

Tree Canopy Coverage: Tree canopy in the area is 20-30%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

Sample Motion
I move to approve or deny a Variance to reduce the required 60-foot lot width in the RS-3 Zoning District to permit a lot split (Sec. 5.030, Table 5-3)

• 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 the hardship to be _________________________________.

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.

Property Description
LOT TEN (10), BLOCK THREE (3), OAK GROVE ADDITION TO THE TOWN OF CARBONDALE, NOW AN ADDITION TO THE CITY OF TULSA, COUNTY OF TULSA, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; PLAT No. 836; AND
THE SOUTH HALF (S/2) (AKA SOUTH FIFTY (50) FEET) OF LOT ELEVEN (11), BLOCK THREE (3) OAK GROVE ADDITION TO THE TOWN OF CARBONDALE, NOW AN ADDITION TO THE CITY OF TULSA, COUNTY OF TULSA, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; PLAT No. 836.

Exhibits
Case map
Aerial (small scale)
Aerial (large scale)
Photos
Tulsa Comprehensive Plan Land Use Map
Subject Tract

Boa-23724

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

Aerial Photo Date: 2021
Applicants have been building affordable new homes to help meet the need for the City of Tulsa to add approximately 13,000 new units to meet current demand. These homes have been in traditionally underserved portions of the city: near north Tulsa and west Tulsa. Applicants could divide this lot into two slightly oversize lots by right, but are seeking the variance in order to provide three new homes instead of just two. Note that at 49+ feet each, they are almost the size of the minimum lot allowed in RS4 zoning the next zoning category from RS3.