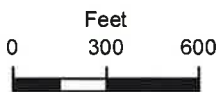


**SUBJECT TRACT**



**BOA-23012**

10.1



**BOARD OF ADJUSTMENT  
CASE REPORT**

**STR:** 9420

Case Number: **BOA-23012**

**CZM:** 49

**CD:** 6

**HEARING DATE:** 10/13/2020 1:00 PM

**APPLICANT:** Gregorio Torres

**ACTION REQUESTED:** Special Exception to increase the permitted driveway width in the right-of-way (Sec. 55.090-F)

**LOCATION:** 12158 E 35 ST S

**ZONED:** RS-3

**PRESENT USE:** Residential

**TRACT SIZE:** 9966.57 SQ FT

**LEGAL DESCRIPTION:** LT 11 BLK 5, BRIARGLEN EXT PRT RES A BRIARGLEN

**RELEVANT PREVIOUS ACTIONS:** None.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:** The Tulsa Comprehensive Plan identifies the subject property as part of an "Existing Neighborhood" and an "Area of Stability".

An **Existing Neighborhood** is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code.

The **Areas of Stability** include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located West of the SE/c of S. 124<sup>th</sup> E. Ave. and E. 35<sup>th</sup> Pl.

**STAFF COMMENTS:** The applicant is requesting a Special Exception to increase the permitted driveway width in the right-of-way (Sec. 55.090-F)

3. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of Section 70.120, or, if in a PUD, in accordance with the amendment procedures of Section 30.010-1.2. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

| Lot Frontage                            | Maximum Driveway Width |           |           |           |                   |
|---|------------------------|-----------|-----------|-----------|-------------------|
|   | 75'+                   | 60' - 74' | 46' - 59' | 30' - 45' | Less than 30' [2] |
| Driveway Within Right-of-Way (feet) [1] | 27'                    | 26'       | 22'       | 20'       | 12'               |
| Driveway Within Street Setback (feet)   | 30'                    | 30'       | --        | --        | --                |

TULSA ZONING CODE | July 1, 2020  
page 55-20

Chapter 55 | Parking  
Section 55.090 | Parking Area Design

[1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.

The applicant has installed a driveway that is 27'7", per the zoning code they are limited to 26' of driveway width inside the driveway.

**SAMPLE MOTION:**

Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to increase the permitted driveway width in the right-of-way (Sec. 55.090-F)

- 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*



*Facing West on 35<sup>th</sup>*



*Facing East on 35<sup>th</sup>*

**DANA L. BOX**  
ZONING OFFICIAL  
PLANS EXAMINER II

TEL (918) 596-9657  
danabox@cityoftulsa.org



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### ZONING CLEARANCE PLAN REVIEW

**LOD Number: 1**  
**Gregorio Torres**  
**12158 E. 35<sup>th</sup> St.**  
**Tulsa, OK 74146**

**August 26, 2020**

**Phone: 918-644-2657**

**APPLICATION NO: ZCO-067359-2020**

*(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)*

**Location: 12158 E. 35<sup>th</sup> St.**

**Description: Driveway widening**

#### 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
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

\*\*REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2<sup>nd</sup> 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.\*\* (SEE #2, BELOW)

**SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.**

#### IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. IF SUBMITTING REVISIONS FOR APPLICATIONS THAT PREVIOUSLY UTILIZED PAPER PLANS, EMAIL THE REVISED PLANS TO [COTDEVSVCS@CITYOFTULSA.ORG](mailto:COTDEVSVCS@CITYOFTULSA.ORG) OR SUBMIT ELECTRONIC PLAN REVISIONS ON THE PORTAL AT [HTTPS://TULSAOK.TYLERTECH.COM/ENERGOV4934/SELFSERVICE](https://tulsaok.tylertechnology.com/energov4934/selfservice). YOU WILL NEED TO REGISTER ON THE PORTAL IF YOU HAVE NOT PREVIOUSLY DONE SO. \*\*
3. INFORMATION ABOUT THE ZONING CODE, BOARD OF ADJUSTMENT (BOA), PLANNING COMMISSION (TMAPC), AND THE TULSA PLANNING OFFICE AT INCOG CAN BE FOUND ONLINE AT [WWW.TULSAPLANNING.ORG](http://WWW.TULSAPLANNING.ORG); IN PERSON AT 2 W. 2ND ST., 8TH FLOOR, IN TULSA; OR BY CALLING 918-584-7526 AND ASKING TO SPEAK TO SOMEONE ABOUT THIS LETTER OF DEFICIENCY.

## REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT  
<http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

ZCO-067359-2020

12158 E. 35<sup>th</sup> St.

August 26, 2020

**Note:** As provided for in Section 70.130 you may request the Board of Adjustment (BOA) to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to a representative at the Tulsa Planning Office 918-584-7526 or [esubmit@incog.org](mailto:esubmit@incog.org). 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.

**Sec. 55.090-F3 Surfacing.** In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120. Maximum Driveway Width in the Right-of-Way (ROW) is 26' and 30' outside of ROW.

**Review Comments:** This lot has a width of 65'. The submitted site plan proposes a driveway width that exceeds the maximum allowable driveway width within the ROW. Revise plans to indicate the driveway shall not exceed 26' width in the ROW or apply to the BOA for a special exception to allow a driveway within the ROW to exceed 26' in width.

**Note:** All references are to the City of Tulsa Zoning Code. Link to Zoning Code:  
<http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

**Please notify the reviewer via email when your revisions have been submitted**

**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.**

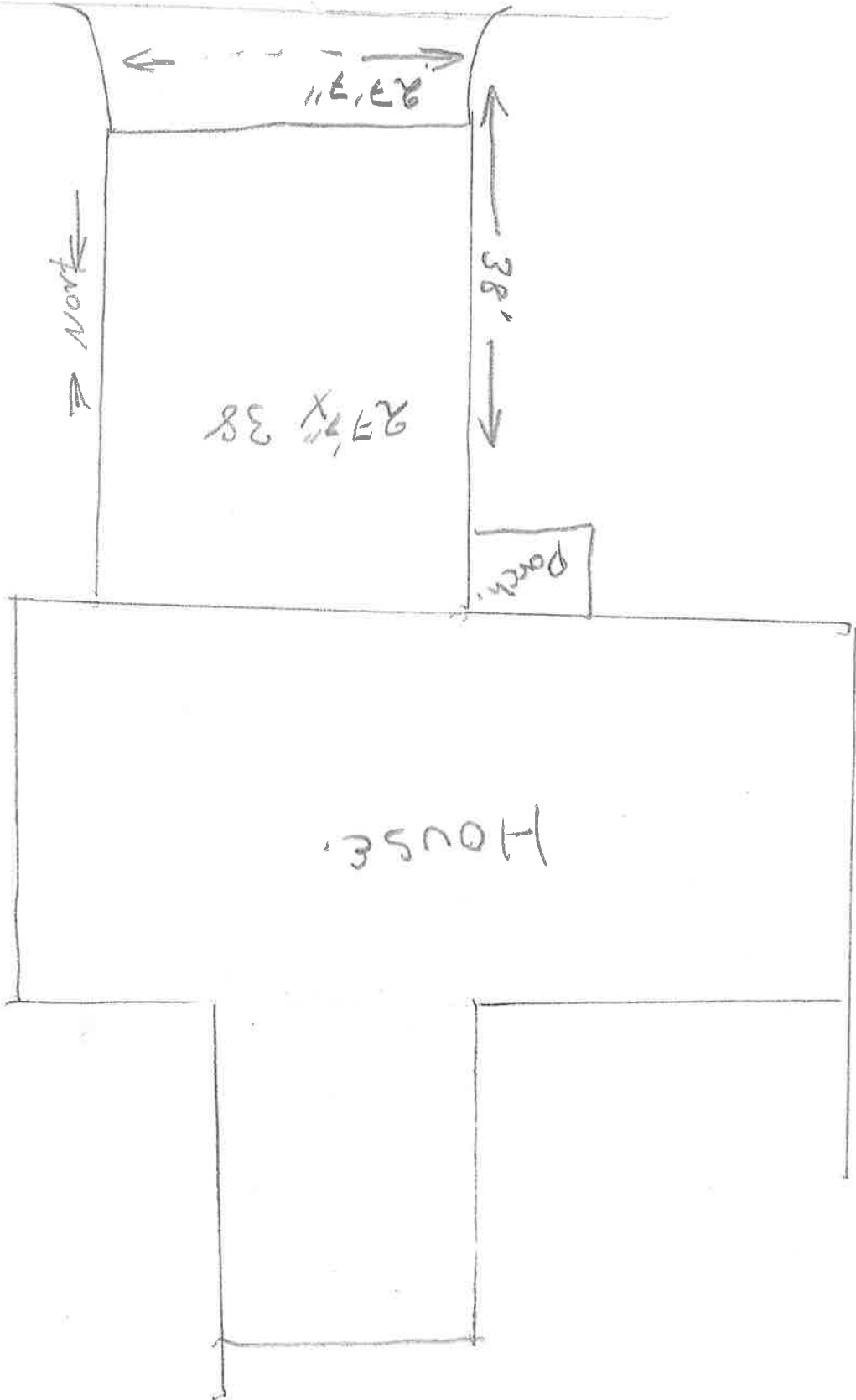
**A hard copy of this letter is available upon request by the applicant.**

## END – ZONING CODE REVIEW

**NOTE:** THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH 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 APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

35 ST EAST



12158. E 35th St





Subject Tract

**BOA-23012**

19-14 20

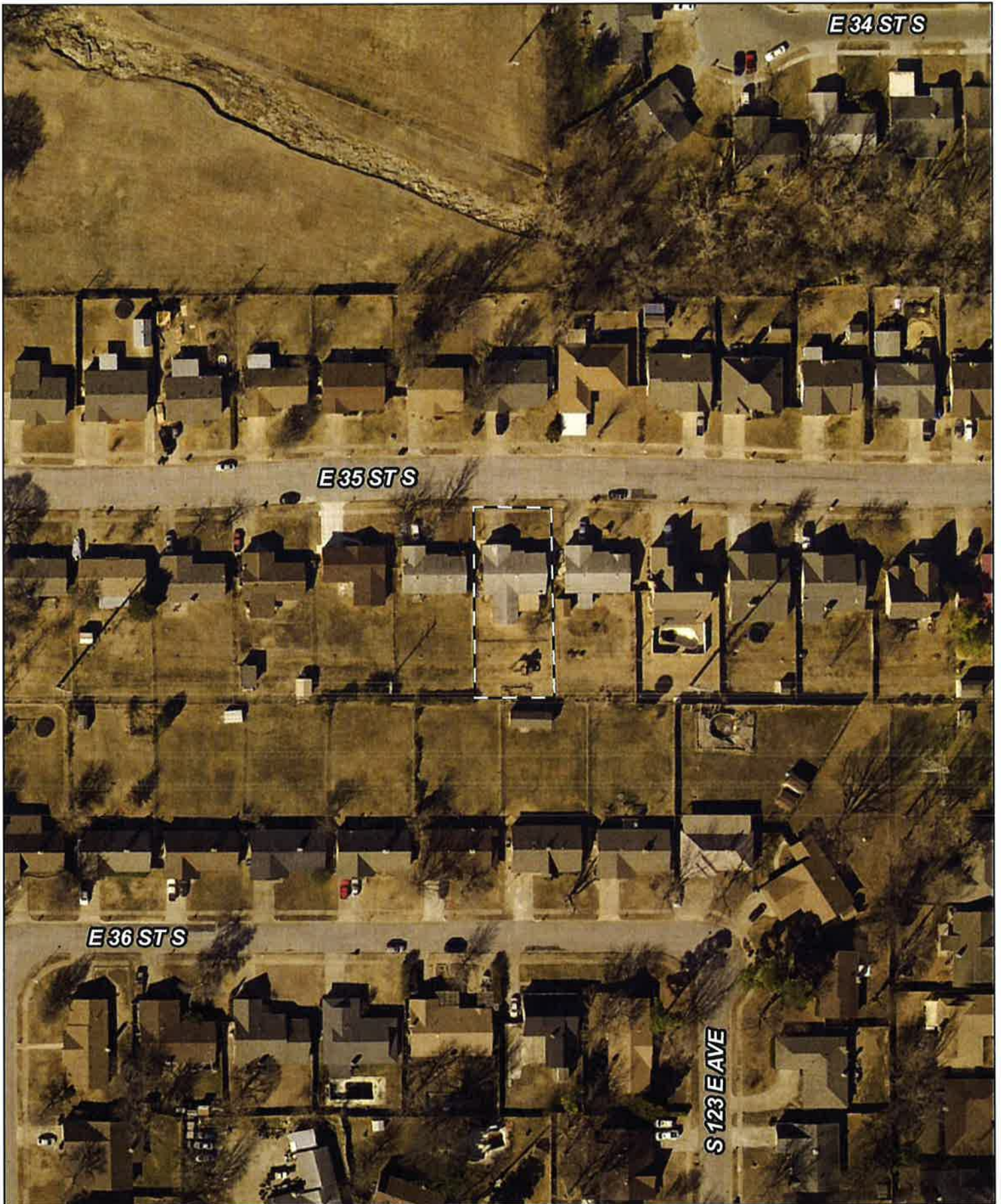
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018



10.9



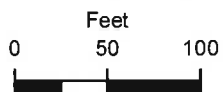


E 34 ST S

E 35 ST S

E 36 ST S

S 123 E AVE



Subject Tract

**BOA-23012**

19-14 20

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

Aerial Photo Date: February 2018



10.10