

## BOARD OF ADJUSTMENT CASE REPORT

Case Number: BOA-23113

**STR**: 9329

CZM: 47

**CD**: 9

HEARING DATE: 04/27/2021 1:00 PM

**APPLICANT**: Kyle Gibson

ACTION REQUESTED: Variance to reduce the required 25' rear setback in an RS-1 District (Sec.

5.030, Table 5-3)

**LOCATION**: 4618 S FLORENCE PL E **ZONED**: RS-1

PRESENT USE: Residential TRACT SIZE: 19702.27 SQ FT

**LEGAL DESCRIPTION: LT 4, LEIGH HAVEN ADDN SUB PRT TR 7 CLAYPOOL ADDN** 

**RELEVANT PREVIOUS ACTIONS:** 

Subject Property: None.

**Surrounding Properties:** 

**BOA-21002**; On 11.24.09 the Board approved a variance to reduce the rear yard requirement from 25' to 19' 3" in and RS-1 District. Property located 3141 E. 47<sup>th</sup> St. S.

**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 at the cul-de-sac of S. Florence Pl. North of E. 47<sup>th</sup> St. S.

**STAFF COMMENTS:** The applicant is requesting Variance to reduce the required 25' rear setback in an RS-1 District (Sec. 5.030, Table 5-3)

		Table 5	3: R Dis	trict Lot	and Bo	uilding	Regula	tions					
Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Minimum Lot Area (sq. ft.)				8									
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Patio house	-	-		6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	
Townhouse		-	~~	4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	
Cottage house dev/t		~	-			15,000	15,000	15,000	15,000	15,000	15,000	15,000	_
Duplex		-		9,000	9,000	3,300	6,900	6,900	6,900	6,900	6,900	6,900	
Multi-unit house			***		~~	3,300	6,900	5,500	5,500	5,500	5,500	5,500	_
Apartment/condo				-			-	-	10,000	10,000	6,000	24,000	
Mobile home park		144					195			-			[1]
Other allowed buildings/us	es	R		L	Luxun	Lacronia de la constanta de la			b	A	b	A	
Permitted by right		13,500	9,000	6,900	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Min. Lot Area per Unit (sq. f	t.)			L	I		3		L	A		A	A
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	
Patio house				6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Townhouse				4.500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	
Cottage house dev/t	-	-			>=	2,750	2,750	2,750	2,750	2,750	2,750	2,750	-
Duplex		-		4.500	4,500	1,650	3,450	3,450	3,450	3,450	3,450	3,450	
Multi-unit house	-		- Arte	-	-	1,100	1,800	1,800	1,800	1,375	1,100	900	
Apartment/condo							-		2,900	1,750	1,100	400	
Other allowed buildings/us	ses		Lucianianianiani			Level to the second	decement of the second	Вишеничного		A	Annana	d-1000000000000000000000000000000000000	dansananananan
Permitted by right			-	-					5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Minimum Lot Width (ft.)		A		A	L		A	A	A	***************************************		A	
Detached house	150	100	75	60	50	30	5/0	50	50	50	50	50	
Patio house			-	60	5/0	3/0	5/0	50	50	50	50	50	-
Townhouse	-			30	3/0	20	25	20	20	20	20	20	-
Cottage house devit				-	-	75	75	75	75	75	75	75	
Duplex	<del> </del>			75	75	30	6/0	60	60	60	60	60	
Multi-unit house			-			3/0	5/0	50	50	50	50	- 50	-
Apartment/condo	-						-	_	100	100	50	100	
Other allowed buildings/us	ies	A		Accessed the second	descurrence or a second	Anneas and the second	decement of the second	Accessor	Louise	alanaera e e e e e e e e e e e e e e e e e e	Anguatematematematematematematematematematem	danusconsensessessesses	Augustus and a second
Permitted by right	150	100	75	60	5/0	5/0	5/0	50	50	50	50	50	5/0
Special exceptions	150	100	100	100	100	100	100	100	100	100	100	100	100
Minimum Street Frontage	1	L	L	J	I	L	A	A	L	A	L	A	A
Residential bdgs/uses [2]	30	30	30	30	3/0	30	3/0	30	30	30	30	30	3/0
Min. Building Setbacks (ft.)				1			A		I	A		A	
Street [3]				***************************************				<del></del>		***************************************			***************************************
Arterial or fwy service rd.	35	35	35	35	35	35	35	35	35	35	35	35	35
		35	30	25	20	20	25	10	25	25	10	25	25
	35	1 35											A CONTRACTOR OF THE PARTY OF TH
Other streets	35 15	5	5	5	5	5	5	5 51	5[6]	5[6]	5[6]	5[7]	10
	-	ALL REAL PROPERTY AND ADDRESS OF THE PARTY AND		COLUMN DESIGNATION OF THE PARTY		5 20	5 20	5[5] 20	5[6] 20	5[6] 20	5[6] 10	5[7] 20	10 15

The applicant is requesting to reduce the 25' setback down to 10'. The Board may wish to note in their minutes that relieving any requirements or prohibitions of the City of Tulsa Floodplain ordinances is not the purview of this Board and the applicant should comply with those requirements.

**STATEMENT OF HARDSHIP:** The neighboring property to the North is a side yard. Existing utility easement will ensure a 10' setback is maintained. The existing floodplain conditions dictate buildable area on lot.



Taken from the City of Tulsa Floodplain map available at <a href="https://maps.cityoftulsa.org/floodplains/">https://maps.cityoftulsa.org/floodplains/</a>

**SMAPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a Variance to reduce the required 25' rear setback in an RS-1 District (Sec. 5.030, Table 5-3)

- Finding the hardship(s) to be
- Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.
- Subject to the following conditions \_\_\_\_\_.

In granting the **Variance** the Board finds that the following facts, favorable to the property owner, have been established:

- 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."





DATE: 2/24/2021

PLACE FILL SLOPES WITH A GRADIENT STEEPER THAT 3:1 IN LIFTS NOT TO EXCEED 8 INCHES, AND MAKE SURE EACH LIFT IS PROPERLY COMPACTED. MAMAZIES.
WINDACTRO TO VERRY LOCATION OF ALL DISETING UTILITIES.
MODE PECUTIFE PORINNES AWAY FROM BULDING.
AL GOADS TO COMPEY SUFFECE FORMANGE TOWARD PROCY CHANGES.
DESPERSION PROCYIES.
SES TO BE FLLED SHALL BE CLEARED, GRUBBED TO REMOVE TREES,
SES TOWN AND THE OTHER DISETTOWARE MATERIAL AND
WEED OF TRESOIL.

SCHEMATIC NOT FOR CONSTRUCTION SITE PLAN

ZALOUDEK RESIDENCE 4618 SOUTH FLORENCE PLACE TULSA, OK 74105





# ABBREVIATIONS

.. Ceiling
.. Concrete Masonry Unit
.. Clear Opening
.. Concrete
.. Continuous
... Carpet
.... Carpet .. Above Finish Floor ... Adjustable ... Blocking

East
East
Electrical
Elevation
Equipment Douglas Fir Dimension
Downspout
Dishwasher
Drawing

........... General Contractor
............. Garbage Disposal
2........... Gypsum Wall Board
8.......... Gypsum Wall Board

FLR...... Floor
FF..... Finish Floor
FT..... Foot or Feet

... International Building Code
Inside Diameter
International Mechanical Code
International Mechanical Code
Insulation
Insulation
International Residential Code
International Residential Code
International Residential Code

. New .. Natural Gas ... Not To Scale ... Mechanical ... Metal

Lavatory

..... Right Of Way
..... Square Footage
.....Slab On Grade
..... Standard
..... Standard
..... Steel
..... Structural

. Unless Noted Otherwise

... Pair ....Per Square Feet ... Per Square Inch

. On Center . Outside Diameter . Overhead

Roof penetrations (ie. plumbing vents, flues, etc.) shall extend no further than the minimum allowable code distance, UNO.

24. Sealant, caulking, weather barrier and flashing, atc. locations shown on drawings are not intended to be all-24. Sealant, caulking, weather barrier and flashing atc. locations shown on drawings are not intended to be all-statistics. Follow manulacturer's installation recommendations and standard industry and building practices for all materials and equipment supplied and assembled on the job.

Contrador shall provide solid blocking as required for the installation of all sking, equipment, cabness, wood trim, accessories, hardradis, lighting, etc. and provide blocking and/or plywood backing in all walls that are to receive artivork - verify locations with owner.

29. Algo Design Goup, LLC shall not have control over or barge of and shall not be responsible for construction means, methods, bechniques, sequences or procedures, for failure of the contractor(s) to comply with the drawings and specifications, or for satisfy presultants or programs in connection with the construction work.

The General Contractor shall perform final cleaning of all ductwork once work is complete.

# GENERAL NOTES

All construction shall conform to the International Residential Code (IRC) latest adopted edition. City of Tulsa zoning and building requirements and any other local governing codes.

2. All work shall be done in accordance with Align Design Group Professional Services Agreement.

3. The plans American the general extent of construction necessary for the work, but are not intended to be all-inclusive. All work necessary to allow for a finished poin accordance with the intention of the drawings is included regardless of whether it is shown on the drawings or written in the notes.

Any errors, omissions or conflicts found in the various parts of the construction documents shall be brought to the attention of the architect for clarification before proceeding with the work.

The General Contractor shall maintain a current up-to-date and complete set of construction documents on the job during all phases of construction for use by all trades and shall provide all subcontractors with current construction documents as equired.

The General Contractor shall verify and assume responsibility for all dimensions and sits conditions. The General Contractor shall respect the resisting size and other loads of the conditions prior to submitting the Modern that the stating size and these need to disting conditions prior to submitting the Modern that the stating size and the size of the distinct size of the stating size and the size of the stating size and the size of the size of

. The General Contractor shall establish building lines, centerlines, elevations and a permanent benchmark on site and then field verify building layout with the Architect on the site prior to starting work.

Written dimensions take precedence. DO NOT SCALE DRAWINGS.

All dimensions when shown in plan are to face of stud or face of concrete unless otherwise noted.

 All new exterior walls are to be 2x6 at 15° o.c. and all interior walls are to be 2x4 at 15° o.c. unless otherwise noted. 10. All dimensions are to top of plate, top of subfloor or top of sill in section and elevation unless otherwise noted

Coordinate all work with existing conditions, including but not limited to: electrical conduit, water lines, drainage & sanitary sewer lines, gas lines, phone and cable lines, etc.

Details shown are typical. Similar details apply in similar conditions.

Verify all architectural details with the structural drawings and bring any discrepancies to the attention of the Architect before ordering or installing of any item of work.

15. Provide double floor joists below all walls parallel to the direction of surro

Where locations of windows and doors are not dimensioned, they shall be centered in the wall or placed two stud widths from adjacent wall as indicated on the drawings.

UTILITIES INFORMATION: CITY OF TULSA SEWER, WATER PSO ELECTRICITY

17. All changes in floor materials occur at centerline of door, at cased openings, material change shall occur at finish face of one side. Install all equipment and materials per manufacturer's requirements and recommendations.

Verify clearances for flues, vents, chases, sofits, fixtures, etc., before starting construction, ordering or installing of any item of work.

On health and world and instrumental photoleadric ample detector with battor; based, as a better on the detectors. All professions are considered by the control of the profession secondary. (In PRA in analysed for required installation becaled as each control of the profession association). (In PRA in analysed for required installation becaled as entire of the control of the profession secondary). (In PRA in analysed for required installation becaled as and verify in acceptability of all parts and floations of the same and exceptability of all parts and floations of the same and the control of the control of the same and the control of the con

21. Salely Glazing required in hazardous locations. Hazardous locations include areas adjacent to stanways, landing and tamely writen 36 mutomally of a walking surface when the encopaed unified of the glazing is surface, when the proposed unified of the glazing is set interests. It is surfaced to the glazing is set in a glazing is expended to the plazing is set interests. It is surfaced to the continuous for variant sets of glazing is tast than 67 measurant vertically shown any shorting or walking surface. Clazing in not individual fixed or operable parell adjacent to a door shall be considered to be a hazardous location, Clazing in an individual fixed or operable parell adjacent to a door shall be considered to be a hazardous location, Clazing in an individual fixed or operable parell adjacent to a door shall be considered to be a hazardous location, where the bottom exposed operable parell adjacent to 1654 mm).
Jacone tre floor or valeing surface and it meass either of the plazing shall be considered to the plazing of the glazing to either side of the coor in the plazing of the door in a dead position. 21 Where the glazing the plazing shall be plazing to the plazing shall be plazing to the glazing shall be plazing shall be plazing shall be done in the plazing shall be plazing shall be plazing shall be done in the plazing shall be plazing shall be plazing shall be done in a deeped position and within 24 motes (6 timm) of the

Exterior wall and roof penetrations and utility box locations, not included on the drawings, must be approved by the designer prior to installation.

Provide termite protection by chemical treatment per residential code.

26. All bathrooms, and laundry rooms shall have a min, 80 CFM exhaust fan.

27. The General Contractor shall remove all rubbish and waste materials on a regular basis of all subcontractors and trades, and shall exercise strict control over job cleaning to prevent any drit, debris or dust from affecting in any way, finished areas or outside job site.

30. This document set is copyrighted and the property of Align Design Group, LLC and is available to the Owner for a one-time use only. Use by others is prohibited.

# PROJECT INFORMATION

PROJECT ADDRESS: 4618 SOUTH FLORENCE PLACE TULSA, OK 74105

OWNER

ARCHITECT

4618 SOUTH FLORENCE PLACE TULSA, OK 74105 JOSEPH AND HEATHER ZALOUDEK

TEL.918.499.0454 ALIGN DESIGN GROUP 551 S. QUAKER AVENUE TULSA, OKLAHOMA 74120 JASON GIBSON, RA, NCARB

PROJECT DESCRIPTION: GARAGE ADDITION TO EXISTING SINGLE FAMILY RESIDENCE LEGAL DESCRIPTION: LOT 4 OF LEIGH HAVEN ADDITION

APPLICABLE CODES AND REGILATIONS:
CITY OF TULSA ZOUNG CODE
2015 NETEXNITIONAL FUR CODE (IPC)
2015 NETEXNITIONAL FURBING CODE (IPC)
2015 NETEXNITIONAL FURBING CODE (IPC)
2015 NETEXNITIONAL MECHANICAL CODE

BUILDING CODE INFORMATION: ZONING:

AREA CALCULATIONS:
EXISTING HABITABLE AREA:
NEW HABITABLE AREA:
TOTAL HABITABLE AREA:

OCCUPANICY.

NUMBER OF STORIES:

NAXIMUM HEIGHT ABOVE AVERAGE EXISTING GRADE:

VAXIMUM HEIGHT ALLOWED:

RS1 R3 IONE 16'-0"EXISTING 35'-0"

EXISTING GARAGE AREA: NEW GARAGE AREA: TOTAL GARAGE AREA: 625 SF 400 SE 1,025 SF

HEATING SYSTEM: FORCED AIR GAS FURNACES

EXPLIATION SYSTEM: FORCED AIR HAGO LINITS BATHROOM EXHAUST FANS AT 80 CFM EA. (1) UNIT REQUIRED AT EACH BATHROOM

DRAWING INDEX

A000 SITE PLAN

**ALIGN** 

CONTRACTOR TBD

DATE: 2/24/2021 SCALE: DRAWING: COVER SHEET ZALOUDEK RESIDENCE CONSTRUCTION SCHEMATIC NOT FOR 4618 SOUTH FLORENCE PLACE

TULSA, OK 74105

#### **Board Action:**

On Motion of Van De Wiele, the Board voted 4-0-0 (White, Stead, Tidwell, Van De Wiele "aye"; no "nays"; no "abstentions"; Henke "absent") to APPROVE a Variance of the parking requirement for an office use from a previously reduced 201 spaces to 187 spaces existing (Section 1211); and an Amendment to a previously approved site plan (BOA-18484), finding the uniqueness and use of the property the number of spaces at 187 are adequate for the property; with the condition if the use changed to medical use the owner would need more relief for parking, per plan 5.5 as shown in the agenda packet with the exception of the gross building square footage, which is 66,300 sq. ft., rather than a net of 68,560 sq. ft.; finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

LT 2 LESS E50 THEREOF BLK 9, KENSINGTON, City of Tulsa, Tulsa County, State of Oklahoma

\*\*\*\*\*\*

#### Case No. 21002

#### **Action Requested:**

Variance of the rear yard requirement from 25 ft. to 19 ft. - 3 in. to allow for an addition in an RS-1 district (Section 403), located: 3141 East 47<sup>th</sup> Street South.

#### Presentation:

**Jeremy Perkins**, 1244 East 25<sup>th</sup> Street, Tulsa, Oklahoma, 74114, stated his client proposed to build an addition to his home (Exhibit E-1), including two bedrooms and a bath.

#### **Interested Parties:**

There were no interested parties.

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#### **Board Action:**

On **Motion** of **White**, the Board voted 4-0-0 (White, Stead, Tidwell, Van De Wiele "aye"; no "nays"; no "abstentions"; Henke "absent") to **APPROVE** a Variance of the rear yard requirement from 25 ft. to 19 ft. - 3 in. to allow for an addition in an RS-1 district (Section 403), finding this to be a corner lot, and is compatible with the surrounding neighborhood, and the existing house on the west portion also extends closer than the required rear yard setback; per plan as shown on page 6.6 of the agenda packet, finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship;

### FILE COPY

that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan on the following described property:

S110 OF E155 OF LT 7, CLAYPOOL, City of Tulsa, Tulsa County, State of Oklahoma

\* \* \* \* \* \* \* \* \* \* \*

#### Case No. 21003

#### **Action Requested:**

Verification of the spacing requirement for a liquor store of 300 ft. from blood banks, plasma centers, day labor hiring centers, bail bond offices, pawn shops, and other liquor stores (Section 1214.C.3), located: 8005 South Sheridan Road.

#### Presentation:

**Todd Hensley**, 4622 South Columbia, Tulsa, Oklahoma, 74105, provided verification of spacing at Square One Shopping Center.

#### **Interested Parties:**

There were no interested parties.

#### **Board Action:**

On **Motion** of **White**, the Board voted 4-0-0 (White, Stead, Tidwell, Van De Wiele "aye"; no "nays"; no "abstentions"; Henke "absent") to **ACCEPT** a Verification of the spacing requirement for a liquor store of 300 ft. from blood banks, plasma centers, day labor hiring centers, bail bond offices, pawn shops, and other liquor stores (Section 1214.C.3), based upon the facts in this matter as they presently exist, subject to the action of the Board being void should another above referenced conflicting use be established prior to this liquor store, on the following described property:

PRT LT 1 BEG NWC TH E390.32 S536.68 W215.59 N175 W175 N361.68 POB LESS S8 W162.98 THEREOF FOR ST BLK 1, SQUARE ONE, City of Tulsa, Tulsa County, State of Oklahoma

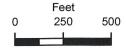
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#### Case No. 21004

#### **Action Requested:**

Special Exception to permit a single family dwelling (Use Unit 6) in an OM district (Section 601), located: 1617 South Denver Avenue.







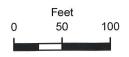
BOA-23113

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

Aerial Photo Date: February 2018









BOA-23113

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

