



# BOARD OF ADJUSTMENT CASE REPORT

**STR:** 9213

Case Number: **BOA-23345**

**CZM:** 36

**CD:** 4

**HEARING DATE:** 05/10/2022 1:00 PM

**APPLICANT:** Randy Brandstetter

**ACTION REQUESTED:** Variance to reduce the required 25-foot rear building setback in the RS-2 District (Sec. 5.030-A; Table 5-3)

**LOCATION:** 2539 S OWASSO AV E

**ZONED:** RS-2

**PRESENT USE:** Residential Single-family

**TRACT SIZE:** 8437.61 SQ FT

**LEGAL DESCRIPTION:** LT 5 BLK 9, SUNSET TERRACE

## **RELEVANT PREVIOUS ACTIONS:**

**Subject Property: None.**

## **Surrounding properties:**

**BOA-21856;** On 03.10.15 the Board approved a Variance of the rear yard setback from 20-feet to 11-feet to permit an addition to an existing home. Property located 1131 E. 26<sup>th</sup> St. S.

**BOA-5199;** On 09.14.1966 the Board approved relief to allow a dwelling unit 10-feet from the rear lot line. Property located 2541 S. Owasso Ave. E.

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

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.

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.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located on the Southside of S. Owasso Ave. in between S. Norfolk and Woodward Boulevard.

**STATEMENT OF HARDSHIP:** Owners need a ground level master suite due to physical limitations of the husband, a Veteran with some back problems making stairs almost impossible to access the upstairs. There are 2 houses adjacent ( with shared property lines ) that are closer to rear property line than this variance request.

**STAFF COMMENTS:** The applicant is seeking a **Variance** to reduce the required 25-foot rear building setback in the RS-2 District (Sec. 5.030-A; Table 5-3)

Chapter 5 | Residential Districts  
Section 5.030 | Lot and Building Regulations

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
<b>Min. Building Setbacks (ft.)</b>													
<b>Street [3]</b>													
Arterial or fwy service rd.	35	35	35	35	35	35	35	35	10	10	10	10	35
Other streets	35	35	30	25	20	20	25	10	10	10	10	10	25
Side (interior) [4]	15	5	5	5	5	5	5	5[5]	5[6]	5[6]	5[6]	5[7]	10
Rear [4]	25	25	25	20	20	20	20	20	20	20	10	20	15

The statement of hardship speak to the personal situation of property owner and does not describe any hardships related to the physical surroundings, shape, or topographical conditions of the subject property. The requested relief would decrease the rear setback from 25-feet to 13-feet and 3-inches at its closest point.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Variance** to reduce the required 25-foot rear building setback in the RS-2 District (Sec. 5.030-A; 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.”

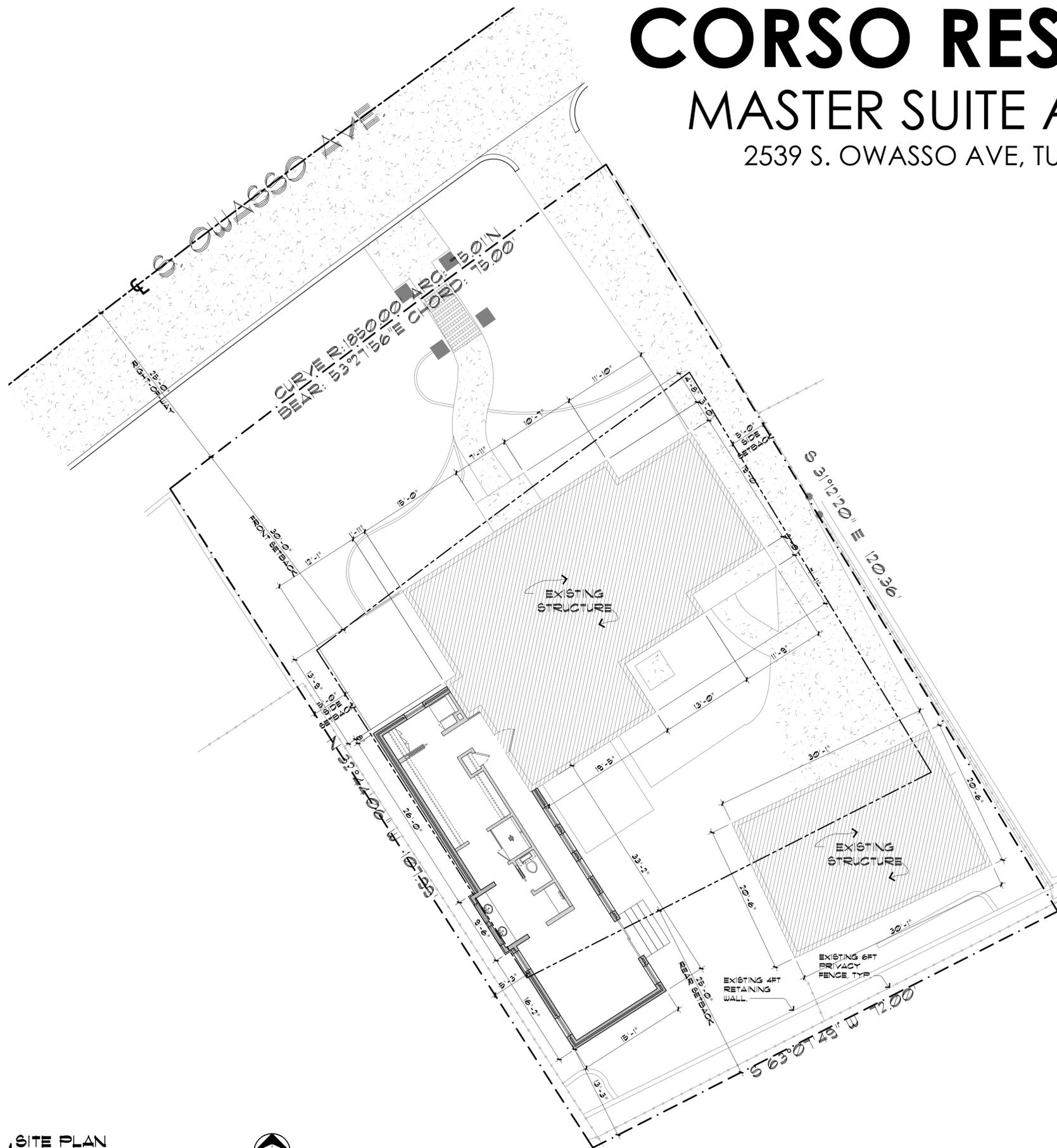


*Subject property*

# CORSO RESIDENCE

## MASTER SUITE ADDITION

2539 S. OWASSO AVE, TULSA, OK 74114



Front & Side Driveway  
<600 sf

New Building coverage  
and front driveway 3248  
total sf therefore open  
space 8436-3248= min of  
5188 open space

**LEGAL DESCRIPTION:**  
BK. 5648, PG. 2513  
LOT FIVE (5), BLOCK NINE (9), SUNSET  
TERRACE, AN ADDITION TO THE CITY OF  
TULSA, TULSA COUNTY, STATE OF  
OKLAHOMA, ACCORDING TO THE  
RECORDED PLAT THEREOF.

**MODEL CODES:**  
2015 INTERNATIONAL RESIDENTIAL CODE  
2014 NATIONAL ELECTRIC CODE  
2015 INTERNATIONAL PLUMBING CODE  
2015 INTERNATIONAL MECHANICAL CODE

**BUILDING INFO:**

**AREAS:**  
BUILDINGS  
EXISTING HOUSE FOOTPRINT AREA: 1271 SF  
EXISTING GARAGE FOOTPRINT AREA: 618 SF  
EXISTING FOOT PRINT AREA TOTAL: 1889

NEW ADDITION FOOTPRINT AREA: 159 SF  
FOOTPRINT AREA GRAND TOTAL: 2,048 SF

**LOT**  
TOTAL LOT AREA: 8,436 SF (0.19 ACRES)  
EXISTING LOT COVERAGE AREA: 1,889 SF  
EXISTING LOT COVERAGE RATIO: 0.22

NEW LOT COVERAGE AREA: 2,048 SF  
NEW LOT COVERAGE RATIO: 0.24

**HEIGHTS:**  
EXISTING HOUSE STORIES: 2 STORIES  
EXISTING HOUSE HEIGHT: 32'-2"

EXISTING GARAGE STORIES: 1 STORIES  
EXISTING GARAGE HEIGHT: 11'-5"

NEW ADDITION STORIES: 1 STORY  
NEW ADDITION HEIGHT: 11'-1"



**CORSO RESIDENCE**  
**MASTER SUITE ADDITION**  
2539 S.OWASSO AVE, TULSA, OK 74114  
[award]designs 5249 E 440 RD. ADAIR, OK 74330. PH:918.230.7133

ISSUE/REVISIONS	
03.09.2022	OUT FOR REVIEW
03.22.2022	OUT FOR PERMIT

PROJECT INFO	
PROJECT NO.	2201
DATE	03.09.2022
DRAWN BY	ARW
SCALE	AS NOTED

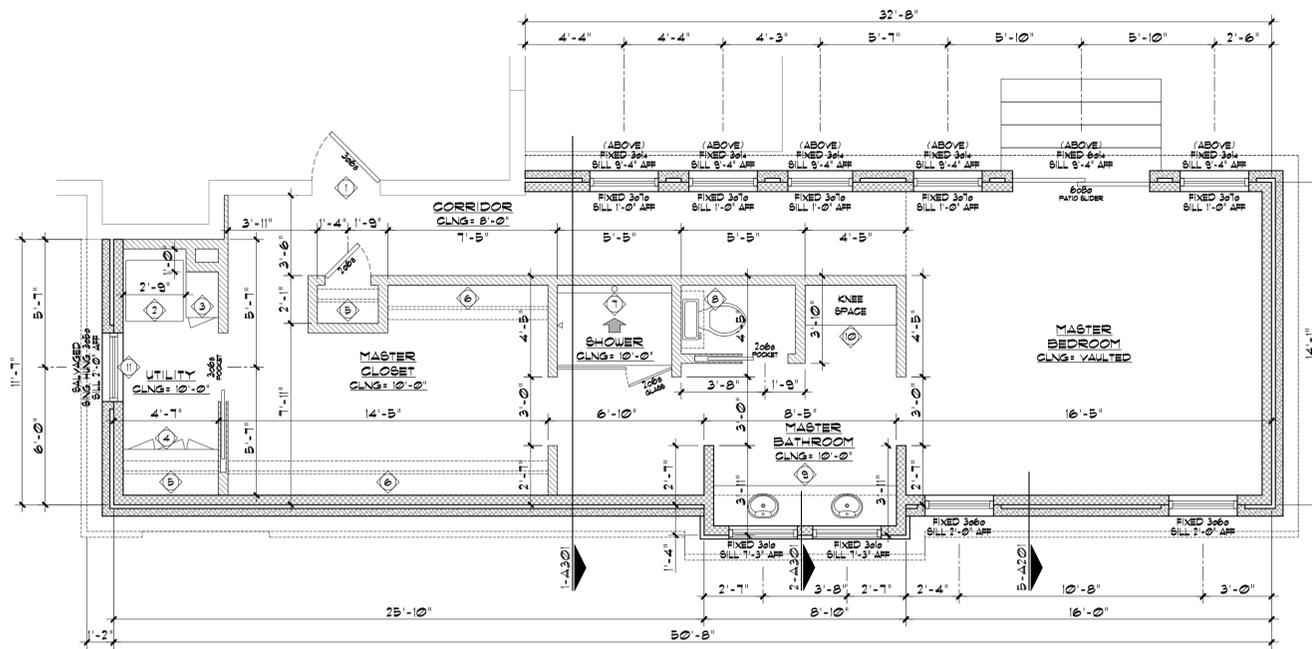
SHEET DESCRIPTION:  
SITE PLAN



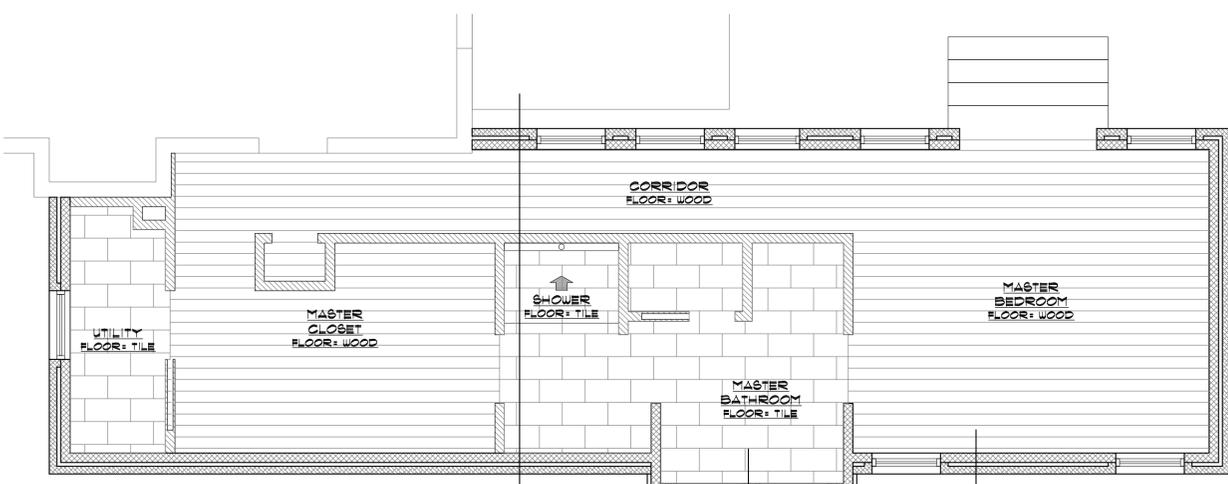
**AERIAL PHOTO**  
1" = 100'-0"

**SITE PLAN**  
1/8" = 1'-0"

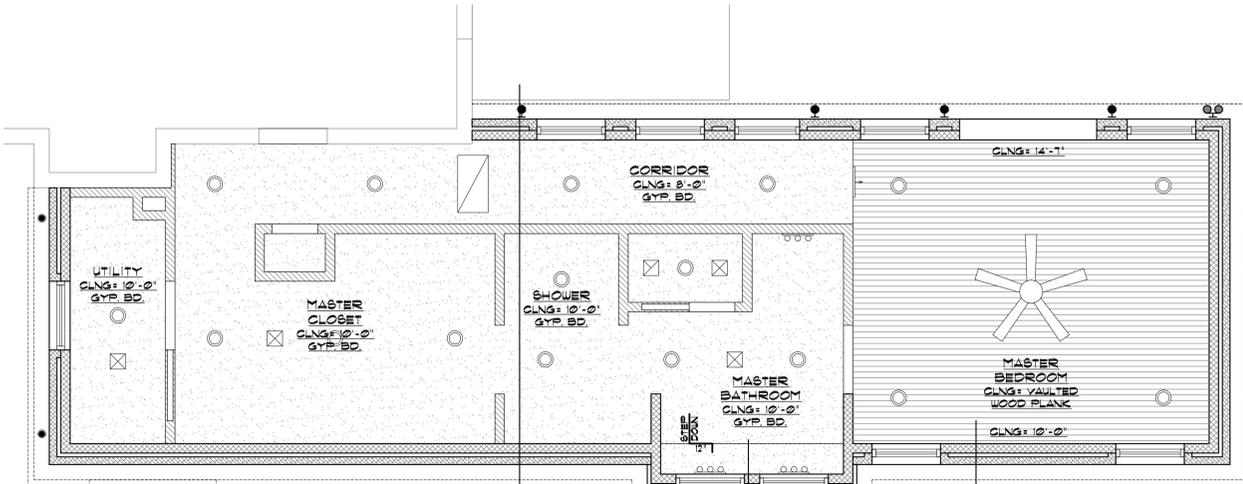
**A001**



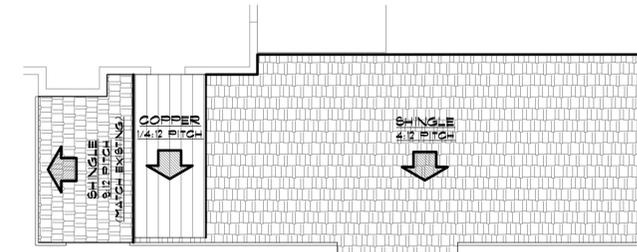
1 FLOOR PLAN  
1/4" = 1'-0"



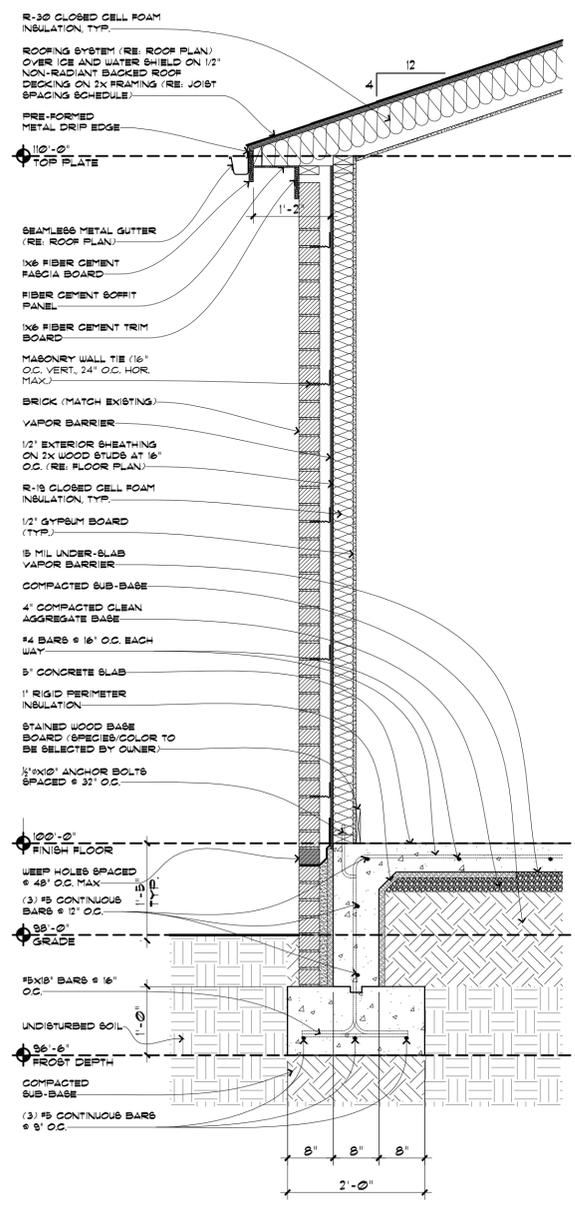
2 FLOOR FINISH PLAN  
1/4" = 1'-0"



3 REFLECTED CEILING PLAN  
1/4" = 1'-0"



4 ROOF PLAN  
1/8" = 1'-0"



5 TYP. WALL SECTION  
3/4" = 1'-0"

WALL HATCH LEGEND

[Hatched Pattern]	EXISTING WALL
[Hatched Pattern]	NEW 2x4 STUD WALL
[Hatched Pattern]	NEW MASONRY

JOIST SIZE SPACING:  
(NO.2 SOUTHERN YELLOW PINE)

SPAN	SIZE	SPACE
0'-12"	2x6	16
1'-0"	2x6	16
1'-6"	2x6	16
1'-9"	2x6	16
2'-0"	2x6	16

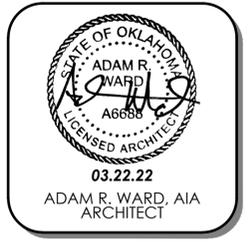
- SYMBOL LEGEND
- ⊠ EXHAUST VENT
  - SUPPLY DIFFUSER
  - ⊠ WALL SUPPLY DIFFUSER
  - ⊠ RETURN AIR GRILLE
  - ⊠ CEILING FAN
  - RECESSED CAN LIGHT
  - ⊠ DECORATIVE VANITY LIGHT (COORDINATE WITH OWNER)
  - ⊠ EXTERIOR WALL MOUNTED ADJUSTABLE MULTI-HEAD LED LIGHT (COORDINATE WITH OWNER). CONNECT TO PHOTOCELL
  - ⊠ EXTERIOR WALL MOUNTED DECORATIVE LED LIGHT (COORDINATE WITH OWNER). CONNECT TO PHOTOCELL
  - ⊠ SOFFIT LED LIGHT (COORDINATE WITH OWNER). CONNECT TO PHOTOCELL

- KEYNOTES
- 1 DEMO EXISTING 36" SINGLE HUNG WINDOW, CUT EXISTING OPENING OPENING TO FINISH FLOOR AND FRAME FOR NEW DOOR. VERIFY ROUGH OPENING PRIOR TO ORDERING NEW DOOR.
  - 2 STACKED WASHER AND DRYER (BY OWNER)
  - 3 MILLWORK, BROOM CLOSET/ADJUSTABLE SHELF STORAGE CABINET
  - 4 MILLWORK, BASE CABINET WITH NATURAL STONE COUNTER TOP.
  - 5 MILLWORK, WALL MOUNTED SHELF WITH HANGAR BAR.
  - 6 MILLWORK, (2) TIER WALL MOUNTED SHELF WITH HANGAR BAR
  - 7 TRENCH DRAIN RECESSED IN SLAB
  - 8 MILLWORK, UPPER CABINET ABOVE TOILET
  - 9 MILLWORK, WALL MOUNTED BASE CABINET WITH NATURAL STONE COUNTER TOP (RE. WALL SECTION).
  - 10 MILLWORK, BASE CABINET WITH KNEE SPACE AND NATURAL STONE COUNTER TOP.
  - 11 INSTALL SALVAGED 36" SINGLE HUNG WINDOW.

CONCRETE/REBAR NOTE:  
ALL CONCRETE TO BE A MINIMUM OF 3500 PSI, MAINTAIN A MINIMUM OF 2" CONCRETE COVERAGE AROUND ALL REBAR, TYP.

SOILS NOTE:  
SOILS SHALL HAVE A MINIMUM BEARING CAPACITY OF 1500 PSF AND BE COMPACTED TO 95% OF OPTIMUM MOISTURE CONTENT TO MEET STANDARD PROCTOR RECOMMENDATIONS IN 8-INCH LIFTS. TESTING REQUIRED BETWEEN LIFTS. TESTING IS TO BE FURNISHED BY CONTRACTOR AND RESULTS ARE TO BE PROVIDED TO DESIGN PROFESSIONAL PRIOR TO THE PLACEMENT OF CONCRETE WORK. THE CONTRACTOR HAS THE OPTION PRIOR TO FOUNDATION WORK TO FILL THE SITE AND COMPACT TO THE STANDARDS LISTED ABOVE IN ORDER TO MINIMIZE FOUNDATION DEPTHS.

FINAL GRADE NOTE:  
FILL TO FINISH GRADE A MINIMUM OF 18" ABOVE BOTTOM OF FOUNDATION. WEEP HOLES SHALL BE A MINIMUM OF 4" ABOVE GRADE. PREFERRED POSITIVE SLOPE AWAY FROM THE FOUNDATION IS 5% (MINIMUM OF 2% AND A MAXIMUM OF 25%).



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[award]designs 5243 E 440 RD., ADAIR, OK 74330, PH: 918-230-7133

ISSUE/REVISIONS

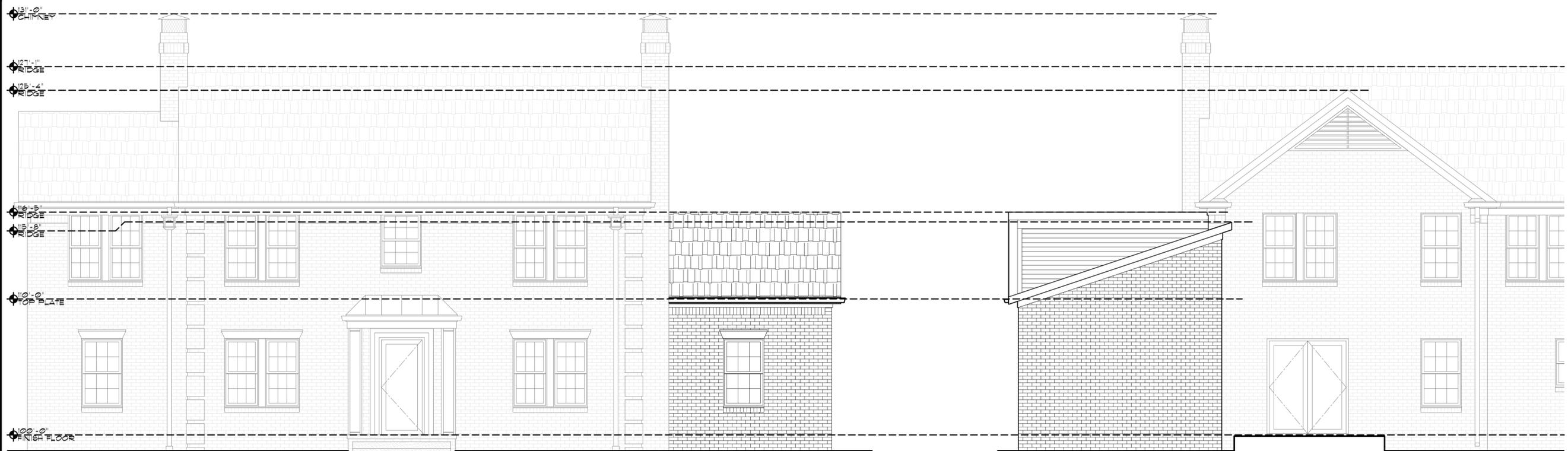
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SHEET DESCRIPTION:  
PLANS AND WALL SECTION

**A101**

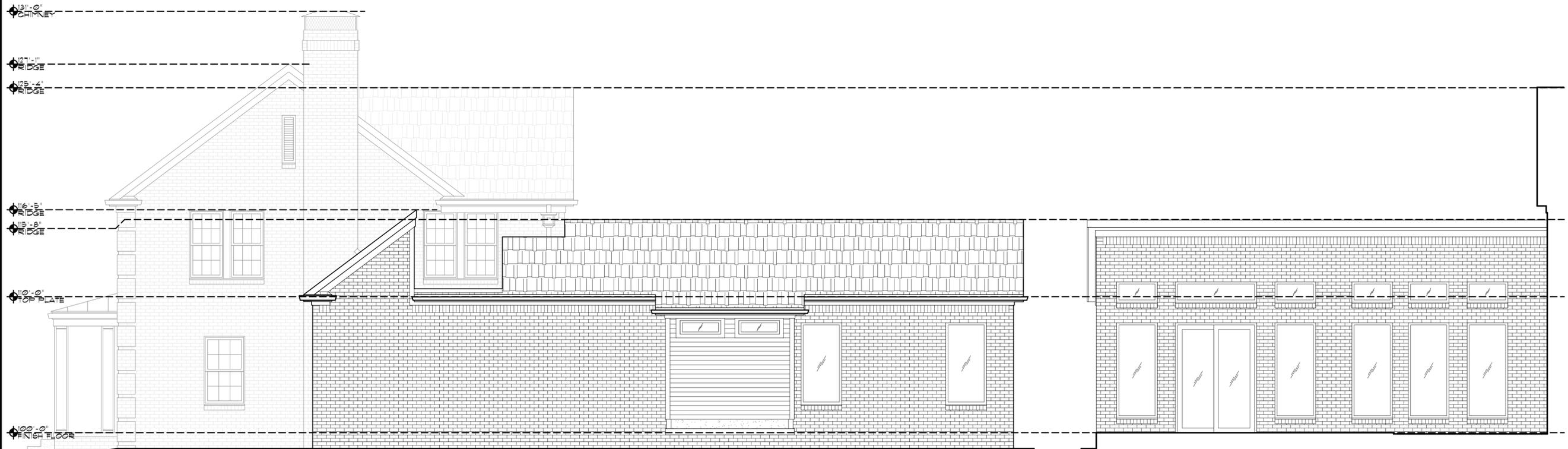


**1 NORTH ELEVATION**

1/4" = 1'-0"

**2 SOUTH ELEVATION**

1/4" = 1'-0"



**3 WEST ELEVATION**

1/4" = 1'-0"

**4 EAST ELEVATION**

1/4" = 1'-0"



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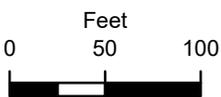
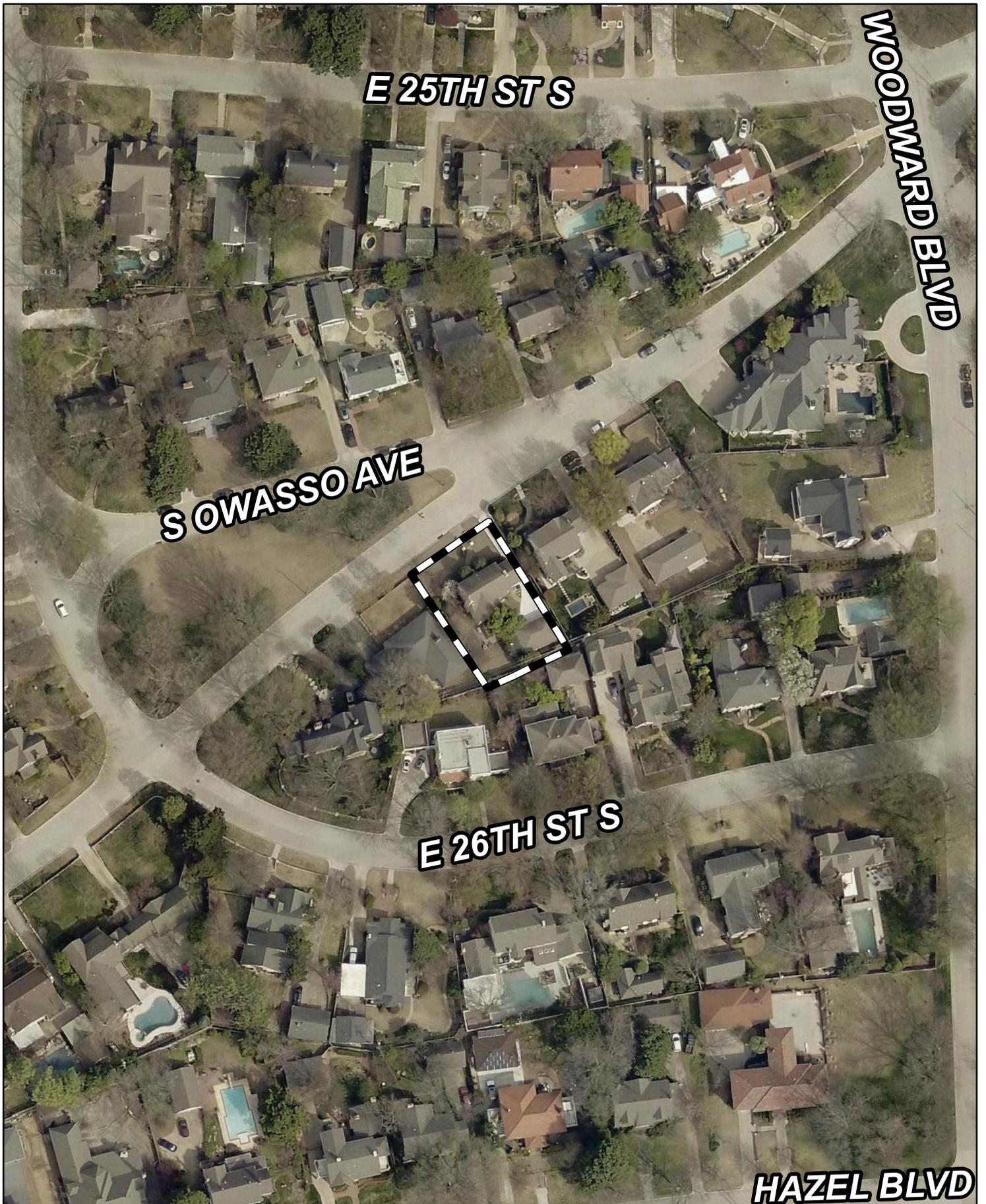
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SHEET DESCRIPTION:  
ELEVATIONS

**A201**







Subject Tract

**BOA-23345**

19-12 13

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

Aerial Photo Date: 2020/2021



13.10