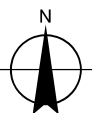
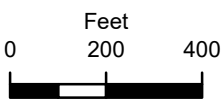


BOA-23383

20-12 25



BOARD OF ADJUSTMENT CASE REPORT

STR: 0225
CZM: 28
CD: 1

Case Number: **BOA-23383**

HEARING DATE: 07/12/2022 1:00 PM

APPLICANT: Tom Hanlon

ACTION REQUESTED: Variance to reduce the required 20-foot rear setback in the RS-3 District (Sec. 5.030-A, Table 5-3)

LOCATION: 523 E PINE PL N

ZONED: RS-3

PRESENT USE: RS-3

TRACT SIZE: 9709.56 SQ FT

LEGAL DESCRIPTION: LT 2 BLK 1, HERITAGE HILLS III AND RSB PT INVESTORS

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 on a partial cul-de-sac along E. Pine. Pl. The subject lot is an irregular pie-shaped lot containing non-uniform side lot line lengths.

STATEMENT OF HARDSHIP: None given at the time of this report.

STAFF COMMENTS: The applicant is requesting a Variance to reduce the required 20-foot rear setback in the RS-3 District (Sec. 5.030-A, Table 5-3)

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Min. Building Setbacks (ft.)													
Street [3]													
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 applicant is seeking to reduce the rear setback from 20-feet to 15-feet and 4-inches.

SAMPLE MOTION: Move to _____ (approve/deny) a **Variance** to reduce the required 20-foot rear setback in the RS-3 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:

- 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;*
- That literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose;*
- 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;*
- That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;*
- That the variance to be granted is the minimum variance that will afford relief;*
- 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*
- 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

Lauren Parker
PLANS EXAMINER

TEL (918) 596-9499
lauren.parker@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103-3227

ZONING CLEARANCE PLAN REVIEW

LOD Number: 01

May 17, 2022

Tom Hanlon
Hanlon Construction
6805 S Ash PI W
Broken Arrow, OK 74011

Phone: (918) 810-1105

APPLICATION NO: **BLDR-116994-2022** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: **Project Address**

Description: **Energov Work Class**

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 (SEE ATTACHED)

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd 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.

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

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
3. A COPY OF A "RECORD SEARCH" **IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.)

(Continued)

REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT WWW.CITYOFTULSA-BOA.ORG

Application No. BLDR-116944-2022

523 E Pine PI N

May 17, 2022

Note: As provided for in Section 70.130 you may request the Board of Adjustment 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 an INCOG representative at 584-7526. It is your responsibility to submit to our office 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.

1. 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 Comments: The proposed sunroom addition requires a 20 foot setback from the rear property line in an RS-3 zoning district. You may increase the sunroom addition setback to 20 feet from the rear P/L or pursue a variance from the BOA (INCOG) to reduce to reduce the rear setback in an RS-3 zoning district from 20 feet to 15 feet.

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.

Revised: 5-4-2022
Drafting / t.w.

*EG: Existing Grades

FG: Finish Grades

SBS: Silt Barrier Screen

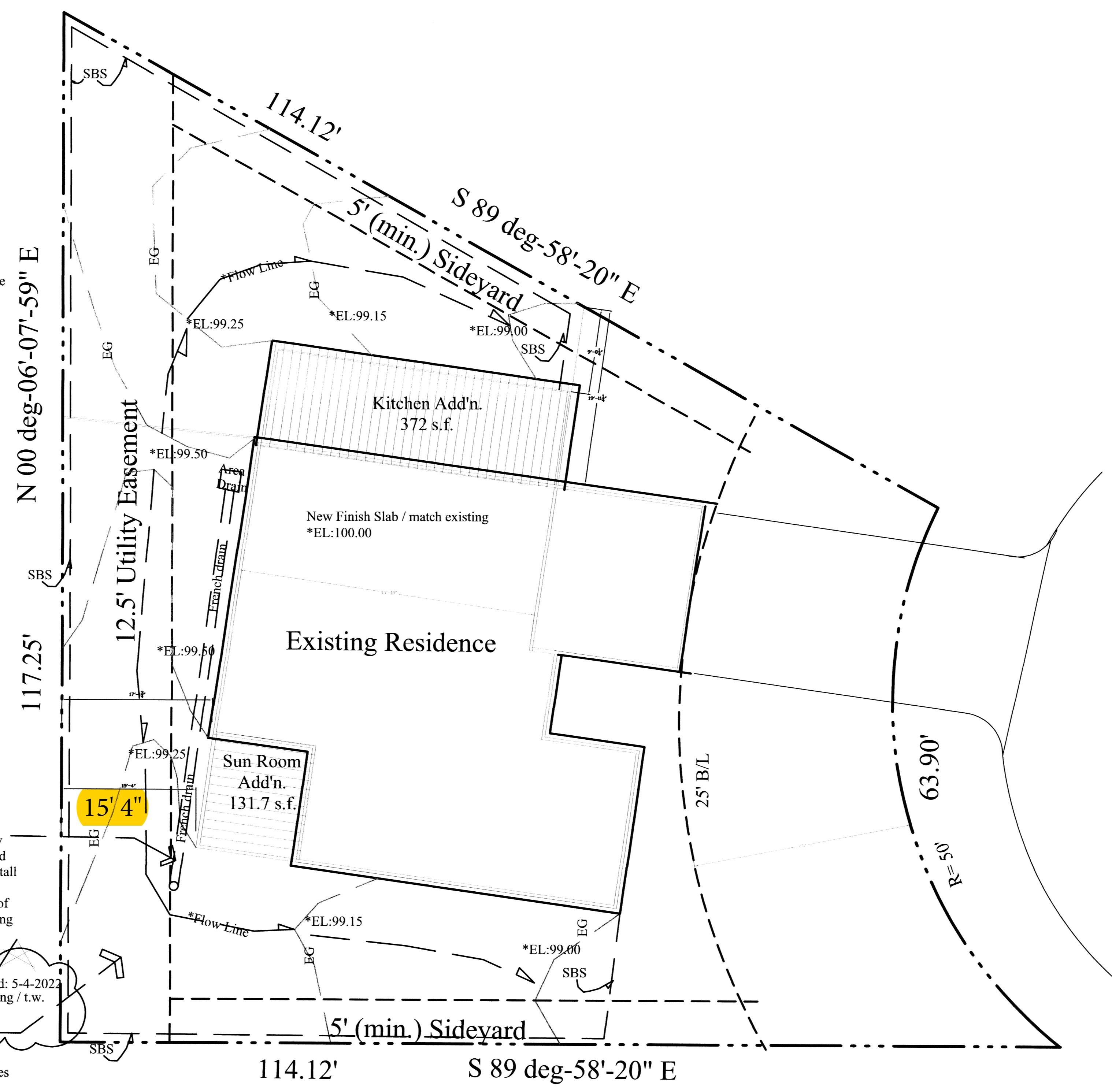
*NOTE: Builder/Contractors shall field verify all existing grades and conditions, preserve as possible and modify as required to maintain positive surface drainage away from the existing and new building floor slabs.

Revised: 5-4-2022
Drafting / t.w.

*NOTE: Builder/Contractors shall excavate outside of utility easement or location of any and all existing utility lines and install french drain at elevations required for positive drainage of area adjacent to new and existing slab and foundation.

Revised: 5-4-2022
Drafting / t.w.

*NOTE: Builder/Contractors shall avoid digging in utility easement, but will call Okie 811 and locate any and all utility lines on the lot before digging as a requirement to maintain safety from harm for all workers on site.



*NOTE: Builder/Contractors shall field verify all existing dimensions, construction and conditions before beginning new construction work.

NOTE: BE IT KNOWN... Existing Lot 2, Block 1, (the project site), shall be surveyed to locate all corner pins, and existing dwelling shall be measured, located & verified by Licenses Surveyor.

BE IT KNOWN:

All copyrights, design concepts or design refinement rights to any and all content and intellectual rights belong to the DesignTeam/etal. Any and all graphic drawings or reproduction of drawings are the property of DesignTeam/EtAl, and may not be reproduced, displayed or sold to any third party, without the express written consent of the DesignTeam/ Etal, who may copy, reproduce and display the drawings for their professional use pertaining only to the job and address listed on these drawings.

Design/Team assumes no responsibility for interpretation, adaptation, decisions, recommendations and/or execution of the intent of these drawings by any third party.

Any alteration, revision, change or adaptation of the contents of these documents without the express written consent and approval of DesignTeam, EtAl is strictly prohibited under Federal Copyright law.

Design/Team, EtAl, is comprised of the Owner, General Contractor and drafting technicians using AutoCad LT 2013 and related software tools.

These drawings shall be in accordance with the IBC Residential Code, Latest Edition or other code as adopted by local municipal authority.

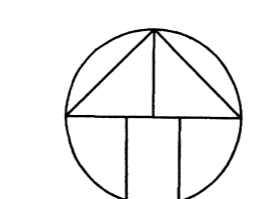
DO NOT SCALE DRAWINGS USE WRITTEN DIMENSION ONLY

HANLON CONSTRUCTION
Tom Hanlon / Owner
918 / 851-1105

Kathleen Jones/Owner
523 E. Pine Place,
Tulsa, Oklahoma

Revised: 5-4-2022
DATE:10-20-21

Sht: 1
SITE PLAN



NORTH

SITE PLAN

SCALE: 1/8" = 1'-0"
523 E. Pine Place
Lot 2, Block 1
Heritage Hills III Addn
Tulsa, Oklahoma

INDEX OF SHEETS:

- A-1 SITE PLAN
- A-2 FLOOR PLAN/FINISH PLAN
- A-3 ELEVATIONS/ROOF PLAN/WALL SECTIONS
- A-4 ROOF FRAME PLAN / FOUNDATION PLAN



MARTIN LUTHER KING JR BLVD

E UTE ST

E UTE ST

E TECUMSEH ST

N ELGIN AVE

N HARTFORD AVE

E SEMINOLE PL

N FRANKFORT AVE

N CINCINNATI PL

E SEMINOLE ST

E READING ST

N FRANKFORT AVE

N FRANKFORT PL

N GREENWOOD AVE

N GREENWOOD PL

E QUEEN ST

N DETROIT AVE

N ELGIN AVE

E QUEEN ST

E PINE PL

E PINE PL

E QUEEN ST

E PINE PL

E PINE ST

N CINCINNATI PL

N CINCINNATI CT

N ELGIN AVE

N ELGIN PL

E OKLAHOMA PL

N FRANKFORT PL

N HARTFORD AVE

E OKLAHOMA ST

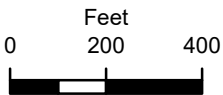
E OKLAHOMA ST

E NEWTON PL

E NEWTON PL

E MARSHALL PL

E MARSHALL PL



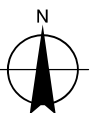
Subject Tract

BOA-23383

20-12 25

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

Aerial Photo Date: 2020/2021





E PINE PL

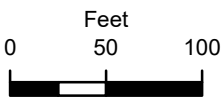
E QUEEN ST

N FRANKFORT PL

N FRANKFORT AVE

E PINE PL

E PINE ST



**Subject
Tract**

BOA-23383

20-12 25

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

Aerial Photo Date: 2020/2021

