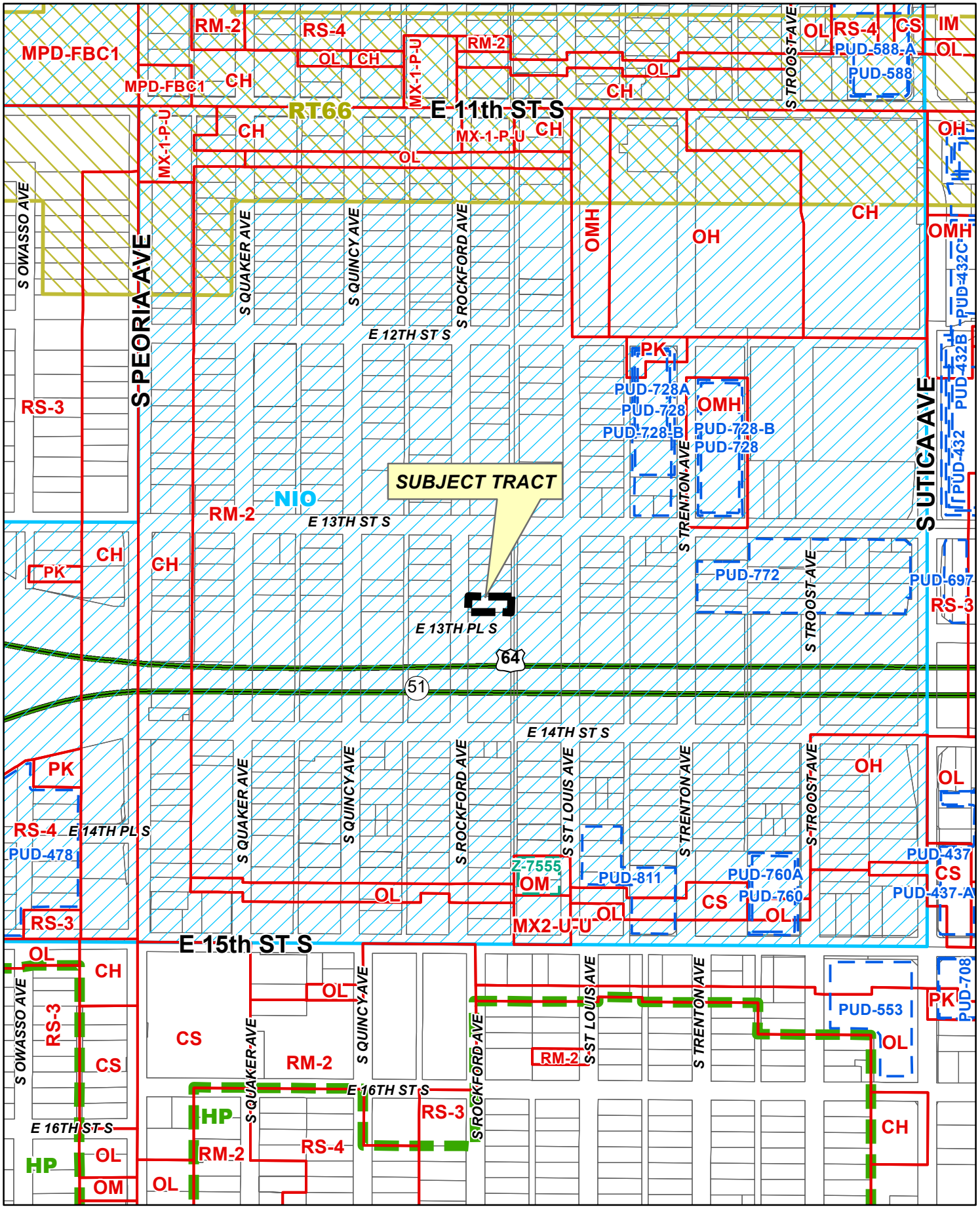



Feet
0 200 400

# BOA-23389

19-13 07

N

**BOARD OF ADJUSTMENT**
**CASE REPORT**

**STR:** 9307 Case Number: **BOA-23389**
**CZM:** 37
**CD:** 4

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

**APPLICANT:** Chau Tyner

**ACTION REQUESTED:** Special Exception to expand a non-conforming structure in the RM-2 district (Section 80.030-D)

**LOCATION:** 1319 S ROCKFORD AV E **ZONED:** RM-2

**PRESENT USE:** Residential **TRACT SIZE:** 6751.83 SQ FT

**LEGAL DESCRIPTION:** LT 5 BLK 4, BELLVIEW ADDN

**RELEVANT PREVIOUS ACTIONS:** None.

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

**Downtown Neighborhoods** are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium- to high-rise mixed-use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located at the NE/c of S. Rockford Ave. and E. 13th Pl. S.

**STAFF COMMENTS:** The applicant is requesting a Special Exception to expand a non-conforming structure in the RM-2 district (Section 80.030-D) to permit a second-story addition on the property. The property has a non-conforming side street setback of 4-feet and 8-inches.

**80.030-D Alterations, Enlargements and Expansions**

Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building regulations and does not increase the extent of the nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback regulations and all other applicable lot and building regulations. Horizontal and vertical extensions of an exterior wall that is nonconforming with regard to applicable setbacks may be approved in accordance with the special exception procedures of Section 70.120, provided the extensions are not located closer to the lot line than the existing structure.

The abutting right-of-way of E. 13th Street is formerly a platted lot prior to being acquired by the State of Oklahoma as a service road for the Broken Arrow Expressway. Second-story addition appears to have already been built.

**SAMPLE MOTION:** Move to _____ (approve/deny) a **Special Exception** to expand a non-conforming structure in the RM-2 district (Section 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.

***Subject Property***

**Lauren Parker**
PLANS EXAMINER

TEL (918) 596-9499
laurenparker@cityoftulsa.org

# DEVELOPMENT SERVICES

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

## ZONING CLEARANCE PLAN REVIEW

**LOD Number: 04**

**June 6, 2022**

**Chau Tyner**
**Prime Time Investments**
**7617 N. 142nd Ave.**
**Owasso, OK 74055**

**Phone: (918) 527-1384**

**APPLICATION NO:** **BLDR-106277-2021** *(PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)*
**Location:** **1319 S. Rockford Ave.**
**Description:** **Residential - Addition**

**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. 1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.

2. 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.

3. 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.

4. A COPY OF A "RECORD SEARCH" **[ ] IS [X] 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-106277-2021 | 1319 S. Rockford Ave. | June 6, 2022

This letter of deficiencies covers building plan review items only. You may receive additional letters from other disciplines such as Zoning or Water/Sewer/Drainage for items not addressed in this letter.

1. **Site plan:** Your application did not include a complete site plan. The zoning clearance review for your permit application will resume after a complete site plan is submitted. Please note that additional deficiencies may be found and will need to be resolved prior to approval of your application. The site plan must show:

   - Legal description of the property;
   - Boundaries and dimensions of property and names of bordering streets. All property lines must be shown;
   - **Location, dimensions and identification of existing and proposed buildings, structures and driveway.**
   - **Distances from all property lines to the proposed building or structures, and the distance from the proposed work to the centerline of the street;**
   - Identify any easements and public rights of way;
   - **Include all architectural projections; i.e. stairs, porches, balconies, fireplaces, etc.;**
   - Location of all utility service lines and meters;
   - North arrow.

   **Review Comments:** It is unclear if the front porch is existing or if it is new. Revise and resubmit your site plan containing the information listed included the boundaries of the front porch and resubmit the changes as a revision.

   **LOD 02 – Review Comment: The site plan is insufficient to determine code compliance of the application. Please reference the list above and ensure all the information needed is included.**

   **LOD 04 – Review Comment: Per scaling the survey, the house is set back < 5' from the south property line. The house became a corner lot when E. 13th St. was constructed. Because of this any new construction must be 15' from the property line for a side street setback.**

   **In order to apply to the Board of Adjustments, you will need to provide the dimension from the south property line to the 1st floor structure, and also the dimension that the second floor is off set from the first floor.**

2. **PENDING SITE PLAN INFORMATION**

   **80.030-D Alterations, Enlargements and Expansions**

   Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building regulations and does not increase the extent of the nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback regulations and all other applicable lot and building regulations. Horizontal and vertical extensions of an exterior wall that is nonconforming with regard to applicable setbacks may be approved in accordance with the special exception procedures of Section 70.120.

**Review Comments:** You are proposing to add a second story to a structure that is non-conforming due to its side street setback being less than 10' from the property line. Apply to BOA for a special exception to allow an addition to a non-conforming structure.

**Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:**
http://www.tmapc.org/Documents/TulsaZoningCodeAdopted110515.pdf

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

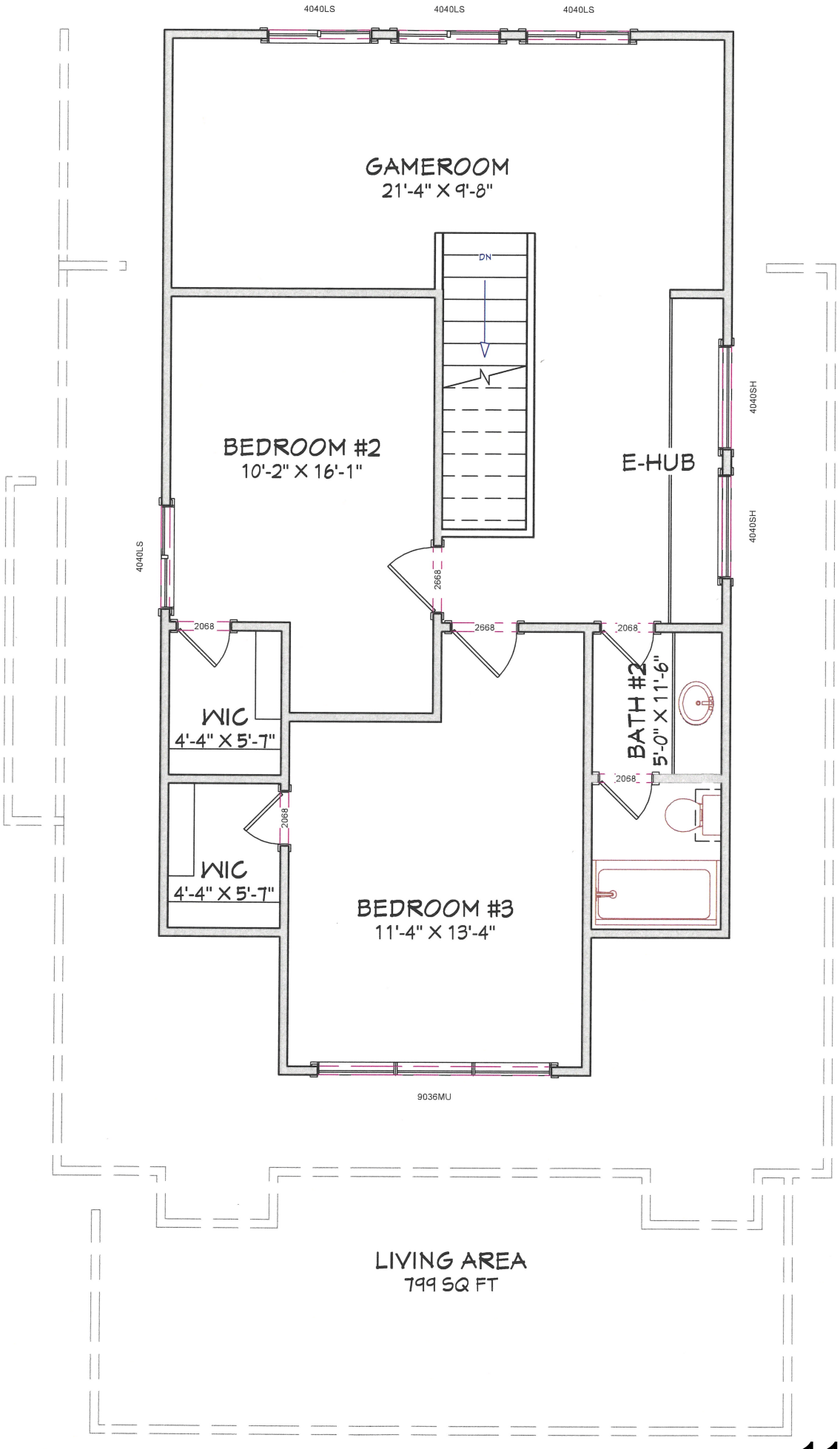
**This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.**

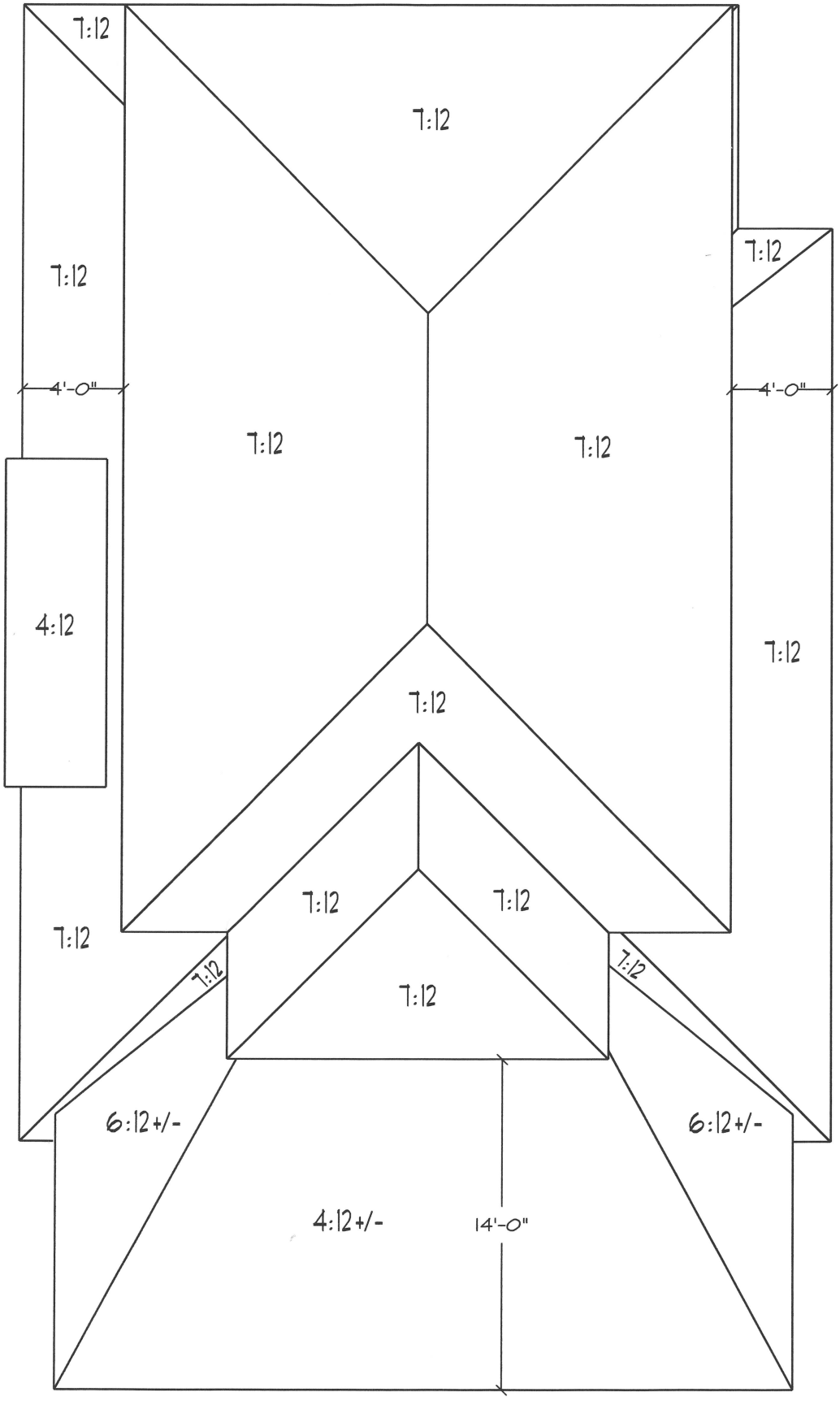
**A hard copy of this letter is available upon request by the applicant.**

## 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.


4040LS
4040LS
4040LS
GAMEROOM
21'-4" X 9'-8"
DN
BEDROOM #2
10'-2" X 16'-1"
E-HUB
4040SH
4040SH
4040LS
2668
2068
2668
2068
WIC
4'-4" X 5'-7"
BATH #2
5'-0" X 11'-6"
2068
2068
WIC
4'-4" X 5'-7"
BEDROOM #3
11'-4" X 13'-4"
9036MU
LIVING AREA
799 SQ FT




4 / A1.0 ROOF PLAN

1/4" = 1'-0"

1
A1.0

# FRONT ELEVATION

1/4" = 1'-0"

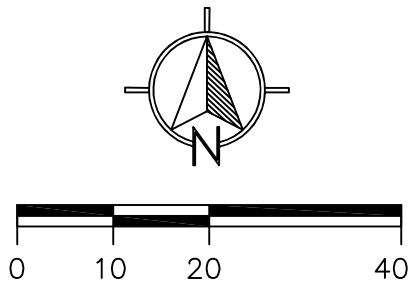
# PLAT OF SURVEY
OF
LOT 5 IN BLOCK 4
# BELLVIEW ADDITION
TULSA COUNTY, OKLAHOMA

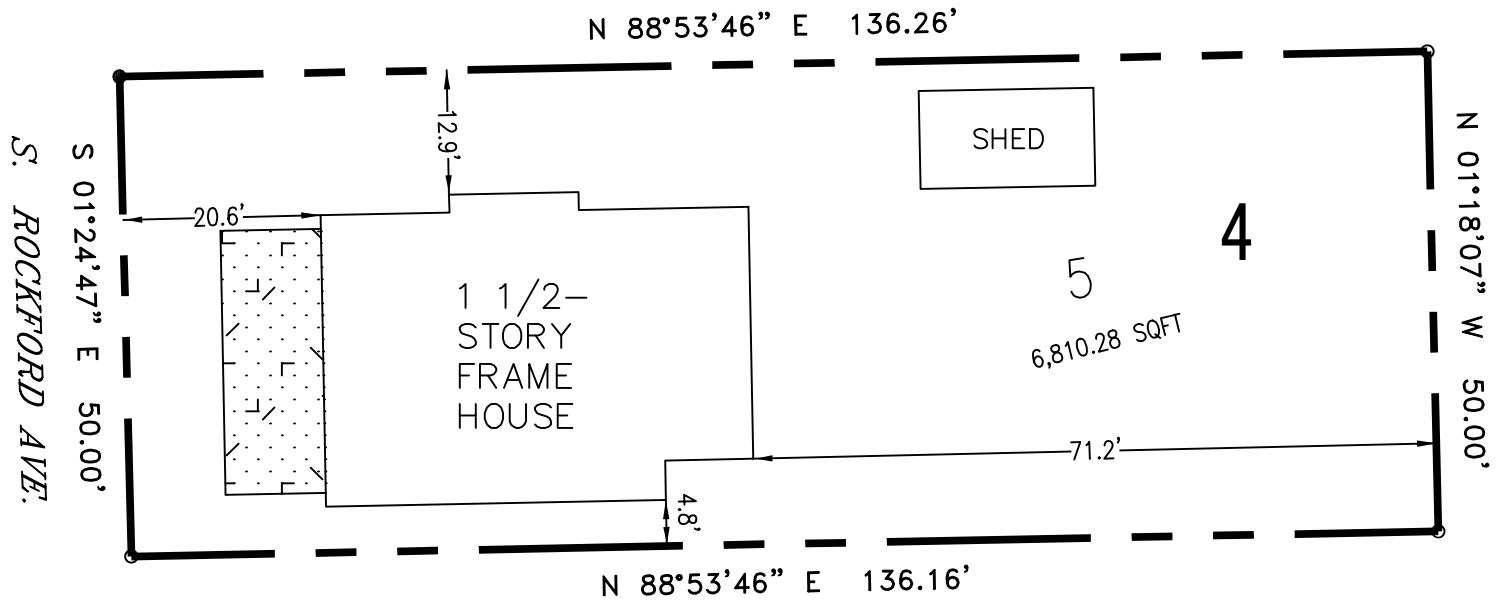
**LEGEND**

IP IRON PIN
R/W RIGHT OF WAY

● FOUND 1/2" IP

○ SET 3/8" IP
W/ CAP STAMPED 1989




## LEGAL DESCRIPTION

LOT FIVE (5) IN BLOCK FOUR (4) OF BELLVIEW ADDITION, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

## SURVEYOR'S STATEMENT

I, JAMES COLT LARIMORE, A REGISTERED PROFESSIONAL SURVEYOR IN THE STATE OF OKLAHOMA HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS A BOUNDARY SURVEY. THE ABOVE PLAT REFLECTS ALL INSTRUMENTS THAT HAVE BEEN DISCLOSED AND FURNISHED AT THE TIME OF SURVEY. NO OPINION IS VERSED AS TO THE OWNERSHIP OF FENCES OR ANY OTHER APPURTENANCES ON SAID PROPERTY. THIS PLAT OF SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

BY: _____
JAMES COLT LARIMORE, RLS #1989

JUNE 14, 2022
DATE OF CERTIFICATION

## NOTES

1. THIS LEGAL DESCRIPTION WAS PREPARED BY JAMES COLT LARIMORE, OKLAHOMA LICENSED PROFESSIONAL SURVEYOR #1989
2. THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD. NO ATTEMPT TO RESEARCH THE COUNTY RECORDS OR OTHER RECORD OFFICES WAS PERFORMED BY THIS FIRM. THEREFORE EASEMENTS MAY AFFECT THE SUBJECT TRACT THAT ARE NOT REFLECTED BY THIS PLAT.
3. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN.
4. THE BEARING BASE FOR THIS SURVEY IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NORTH ZONE.

PRECISION
SURVEYING SERVICES, LLC
9666 E. SYCAMORE ST.
CLAREMORE, OK 74017
C.A. NO. 8242
PHONE: (918) 269-7815
EXP. DATE 6/30/2023

| | |
|---|---|
| SCALE: | 1"=20' |
| DRAWN BY: | JCL |
| SURVEY BY: | JCL |
| REVISION: | 6-14-2022 |
| SURVEY DATE: | 2-16-2022 |
| JOB NO: | 00742 |

Feet
0 200 400

Subject Tract

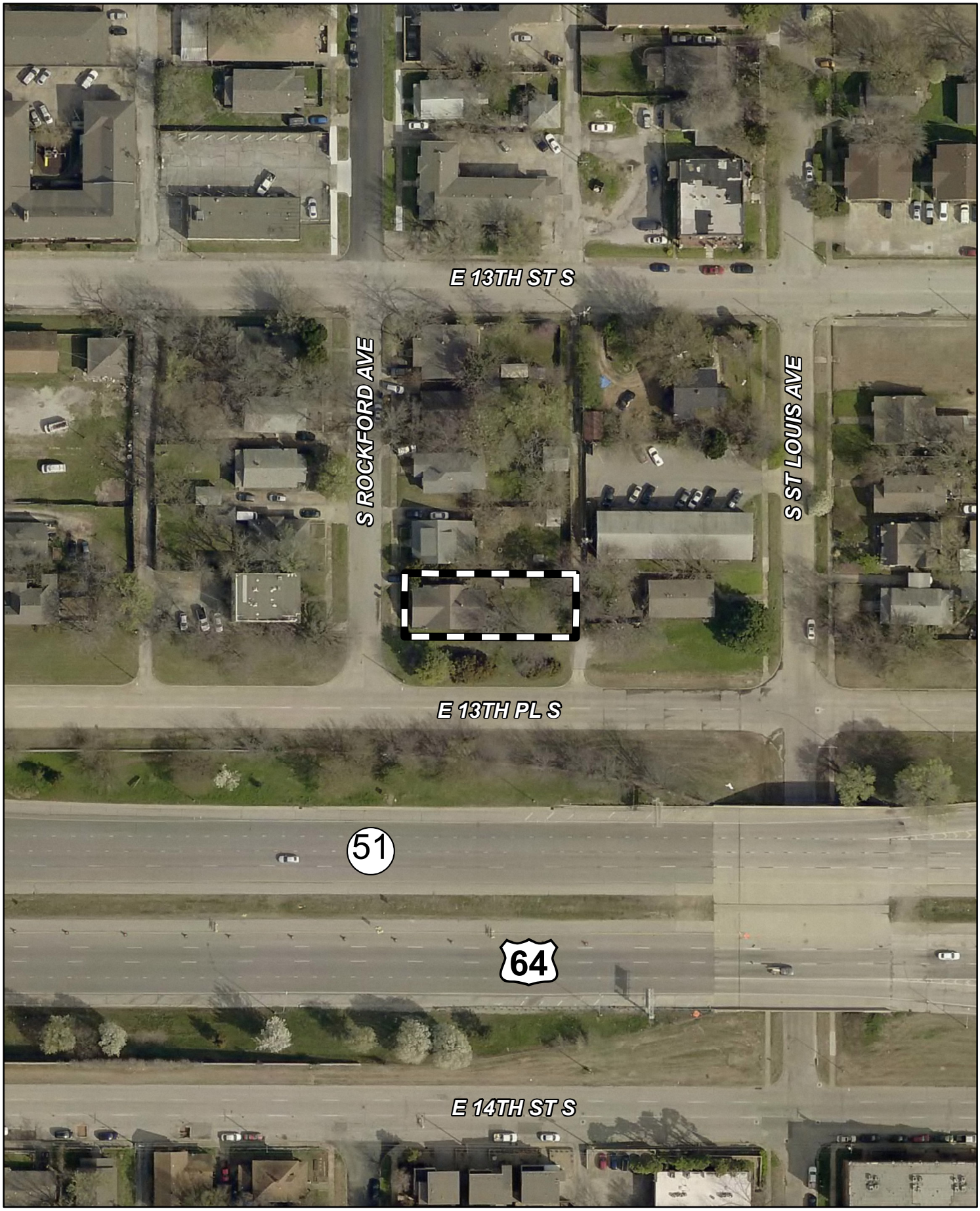
# BOA-23389

19-13 07

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

*Aerial Photo Date: 2020/2021*

N

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Subject Tract

# BOA-23389

19-13 07

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

*Aerial Photo Date: 2020/2021*

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