BOARD OF ADJUSTMENT
CASE REPORT

STR: 9308 Case Number: **BOA-23412**
CD: 4

PREPARED BY: Austin Chapman

HEARING DATE: 08/23/2022 1:00 PM

APPLICANT: Lloyd and Karen Farmwald

ACTION REQUESTED: Variance to reduce the required 20-foot rear setback and 15-foot side street setback in the RS-3 District (Sec. 5.030-A, Table 5-3; Sec. 5.030-B Table Note [3])

LOCATION: 1703 S ATLANTA PL E **ZONED:** RS-3

PRESENT USE: Residential **TRACT SIZE:** 8102.19 SQ FT

LEGAL DESCRIPTION: LOT-5-BLK-2, RENA PARK ADDN RESUB L9 GLEN ACRES ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

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.

STATEMENT OF HARDSHIP: The house at 1703 S. Atlanta Pl. is the only ugly house left in the neighborhood and therefore deters and withholds property values of surrounding houses. Also the square footage of the house and the layout are undesirable and cramped for a family of more than one child. By extending the house as I have shown on the drawings it will more than double the value of the home.

STAFF ANALYSIS: The applicant is requesting **Variance** to reduce the required 20-foot rear setback and 15-foot side street setback in the RS-3 District (Sec. 5.030-A, Table 5-3; Sec. 5.030-B Table Note [3])

Table 5-3: R District 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
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
Min. Open Sp./Unit (sq. ft.)	12,000	7,000	5,000	4,000[8]	2,500	600	2,000	1,200	1,200	600	200	–	2,500
Max. Building Height (feet)	35	35	35	35	35	35	35	35	35	35	35	–	35

[3] For detached houses and duplexes on corner lots, the minimum side street setback along a non-arterial street may be reduced to 15 feet, provided that the minimum setback for street-facing garage doors is 20 feet or 20 feet from the back of the sidewalk, whichever is greater. The street setback specified in

Facts staff finds favorable for variance request:

- There is a large sanitary sewer easement on the northside of the property that would restrict the buildable area on that side of the property.

Facts Staff find unfavorable for the variance request:

- None.

SAMPLE MOTION: Move to _____ (approve/deny) a Variance to reduce the required 20-foot rear setback and 15-foot side street setback in the RS-3 District (Sec. 5.030-A, Table 5-3; Sec. 5.030-B Table Note [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. Red arrow indicates the location of proposed addition.

Northside of subject property

Danny Whiteman
Zoning Official
Plans Examiner II

TEL (918) 596-9664
dwhiteman@cityoftulsa.org

DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

5/21/2022

LOD No. 1

Lloyd Farmwald
1703 S. Atlanta Pl.
Tulsa, OK 74104

APPLICATION NO: BLDR-117047-2022 (*PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE*)
Project Location: 1703 S. Atlanta Pl.
Description: Addition and interior remodel

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)
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

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 [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF 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** **[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 http://tulsaplanning.org/plans/TulsaZoningCode.pdf

Application No. BLDR-117047-2022

1. Section 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. RS-3 zoned lots require a 20' rear setback per this table.
Review Comment: The south side of this lot is the rear of the lot, and the proposed addition only has a 5' rear setback. Revise the plans to comply with the 20' rear setback requirement, or you may seek a variance from the Board of Adjustment for an addition with a 5' rear setback on an RS-3 zoned lot.

2. Section 5.030-A Table of Regulations, footnote [3]: For detached houses and duplexes on corner lots, the minimum side street setback along a non-arterial street may be reduced to 15 feet, provided that the minimum setback for street-facing garage doors is 20 feet or 20 feet from the back of the sidewalk, whichever is greater. The street setback specified in Table 5-3 applies along the other street.
Review Comments: The front porch extension appears to encroach into the required 15' side street setback. Revise the plans to comply with the 15' side street setback requirement, or you may seek a variance from the Board of Adjustment for an addition with less than a 15' side street setback on an RS-3 zoned lot.

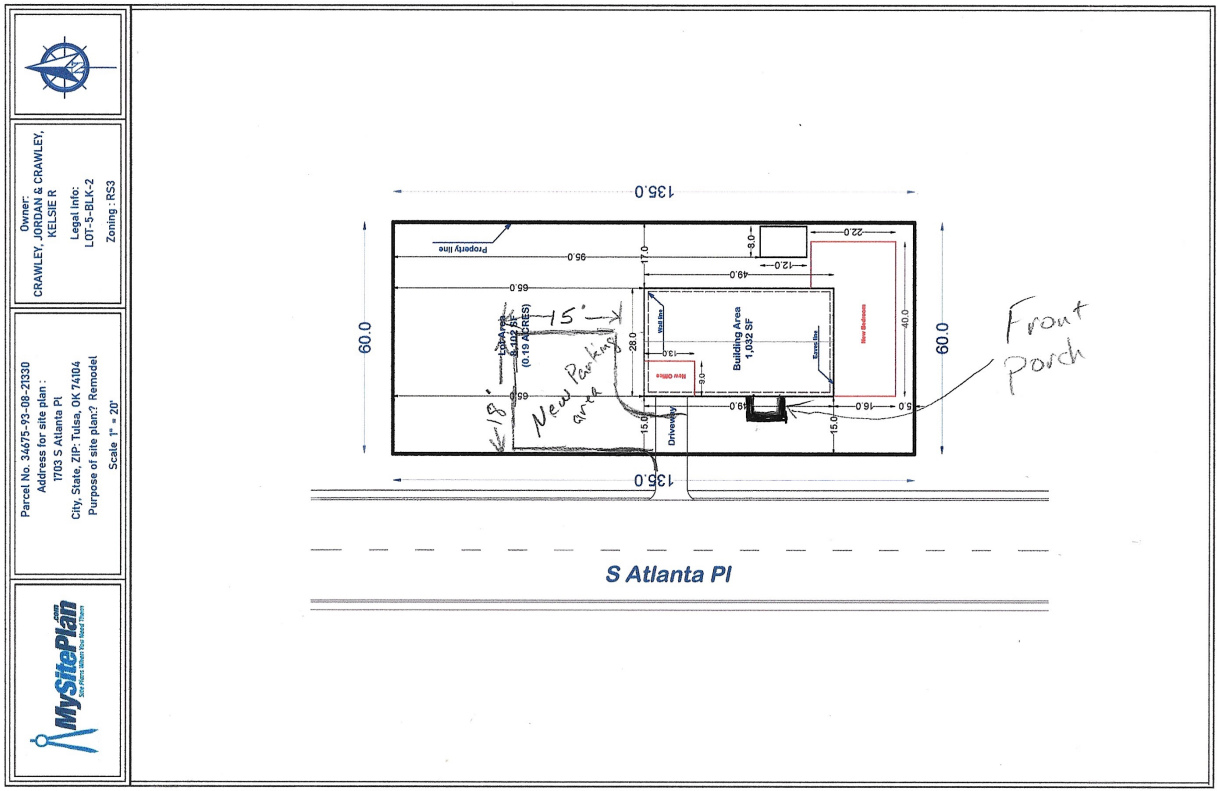
3. Section 55.090-C Stall size: Parking spaces must be at least 8.5 feet in width and 18 feet in length, exclusive of access drives and aisles. In parking areas where permanent wheel stops have been installed, 2.5 feet of the parking space length (depth) beyond the wheel stop may be counted as part of the required stall length if that area is unobstructed and not part of another parking stall, drive aisle or sidewalk.
Review Comment: Single family residences require two parking spaces. Now that you are taking away the attached garage, the driveway must be large enough to contain two required parking spaces of adequate size. These spaces must be entirely on the lot and may not take up space in the right of way. Submit a revised site plan that shows how you will meet this requirement, for example: a parking area that is at least 17 feet wide and at least 18 feet long, or a driveway that is at least 36 feet long and 8.5 feet wide. The driveway area used to satisfy the required parking space size should be entirely on the lot and not in the right of way. It must also be constructed of an all weather dustless material such as concrete.

The zoning review for your permit application will resume after these revised documents are submitted. Additional deficiencies may be found and are required to be resolved prior to approval of your application.

Note: Please direct all questions concerning variances, special exceptions, alternative landscape plans, alternative compliance parking ratios 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 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.

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. Please Notify Plans Examiner By Email When You Have Submitted A Revision. If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online

Hanson@mysiteplan.com
42635 - ~~URGENT~~ ATTENTION

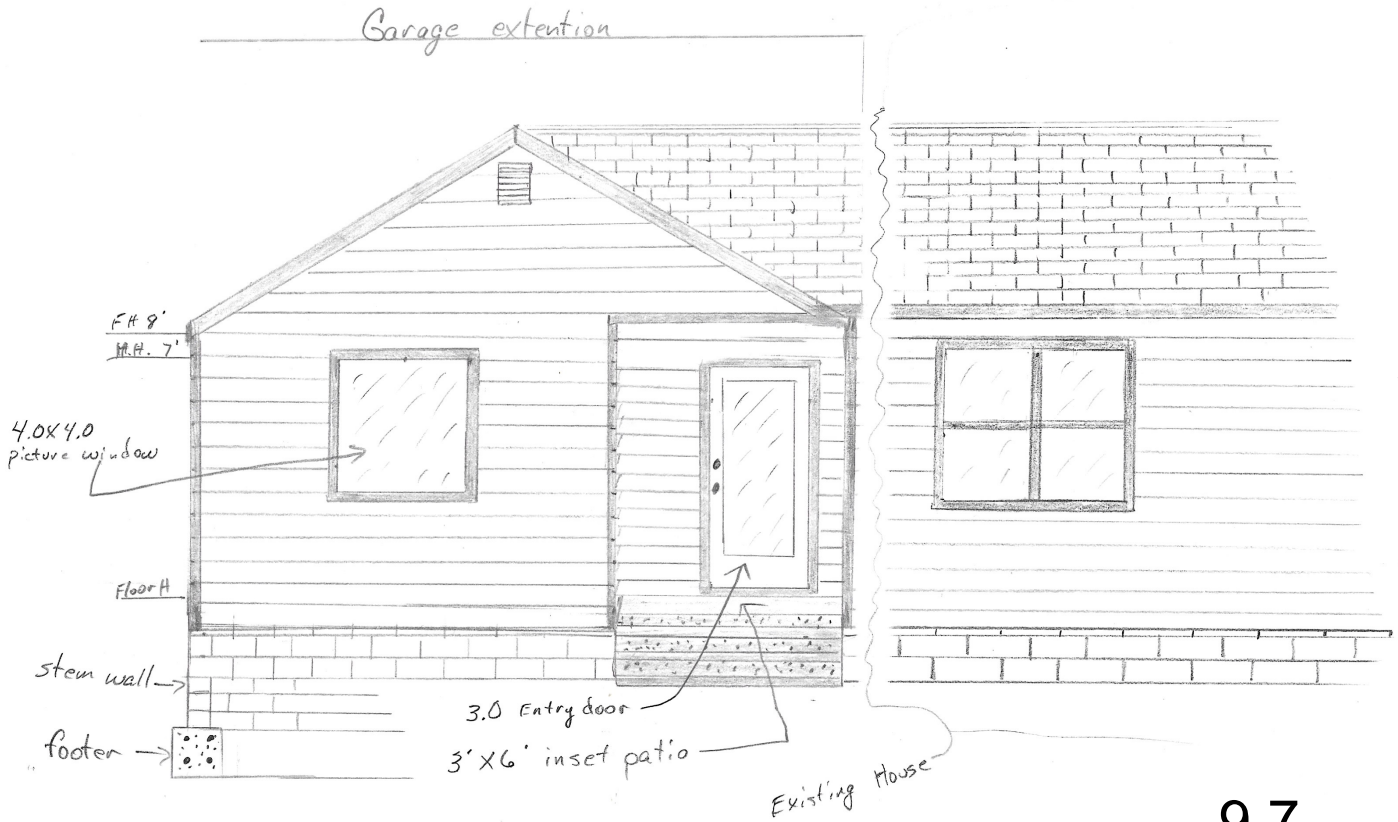


9.6

Left front Elevation
garage repurpose/addon

1/4" = 1'0"

See Floor plan A. garage ext.

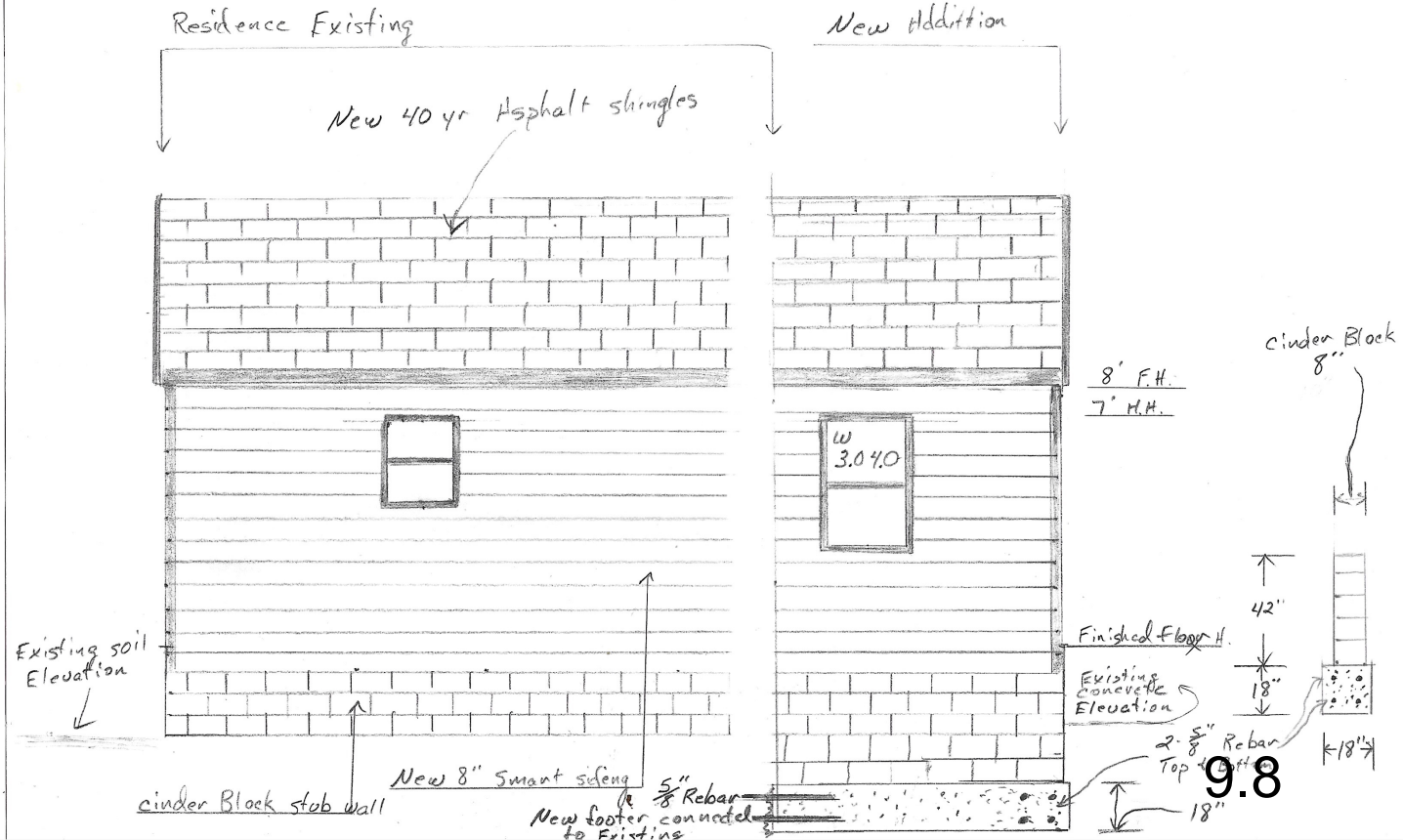


Left Hand Elevation

North End View

See Floorplan H garage ext.

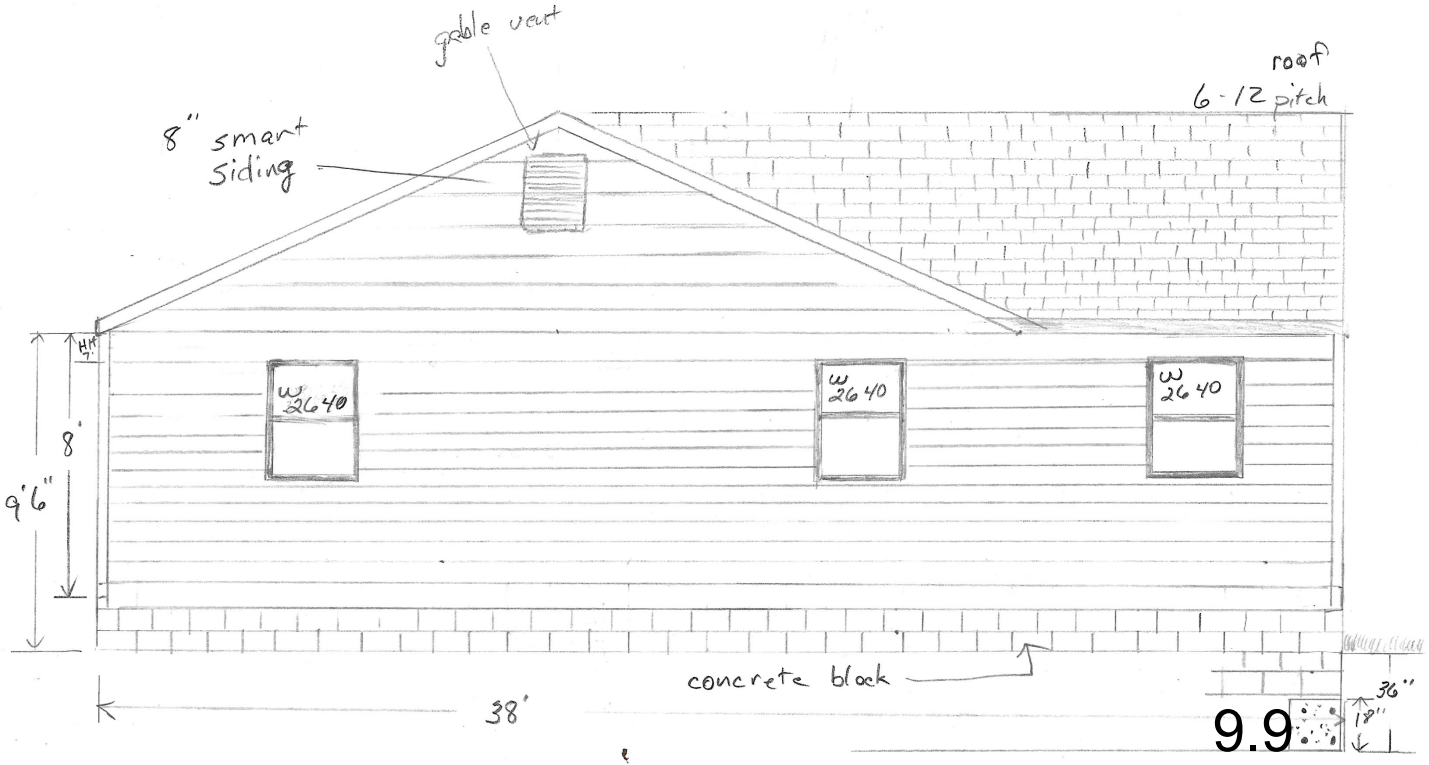
1/4" = 1'-0"

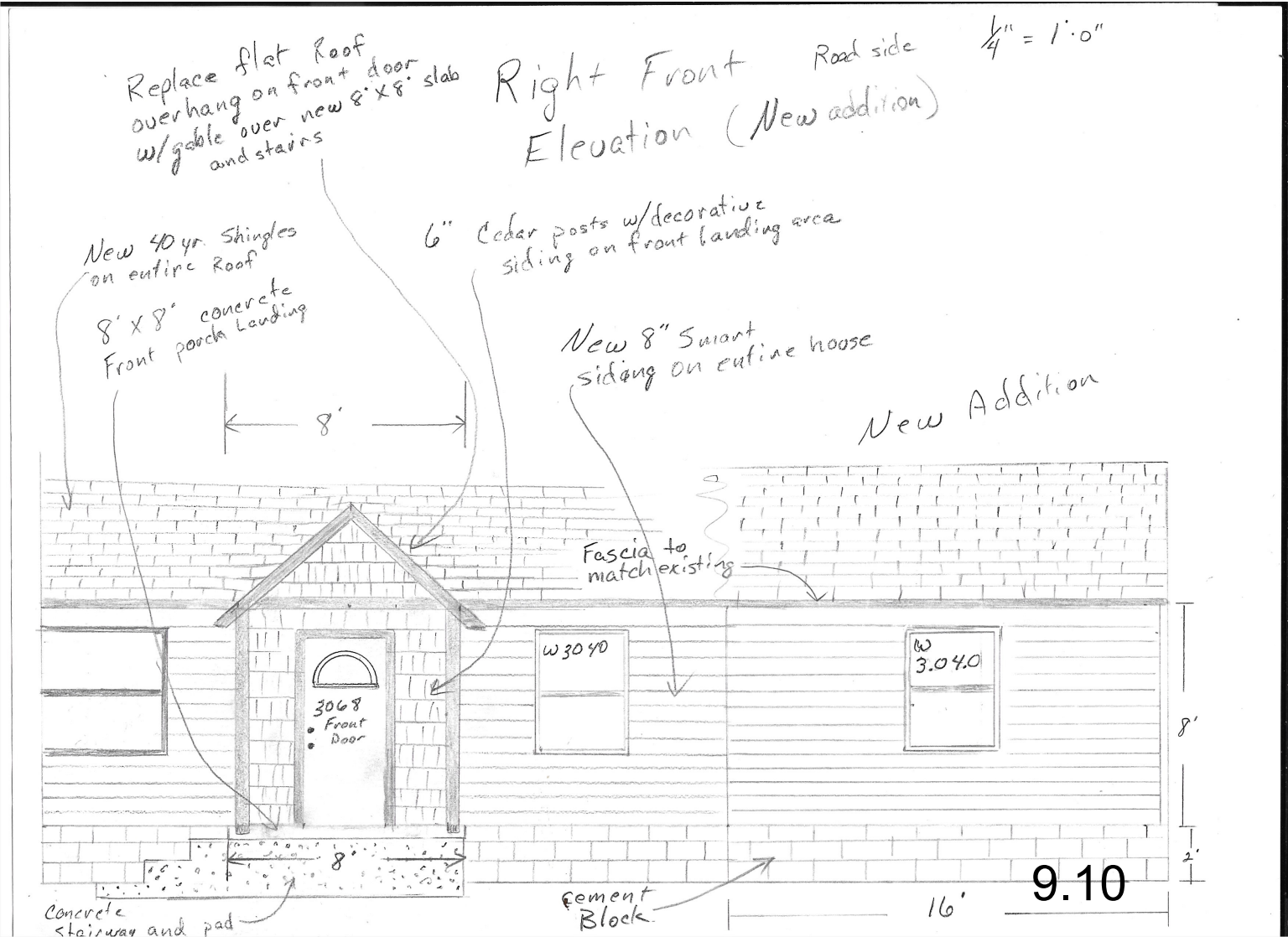


Right Hand Elevation

South side

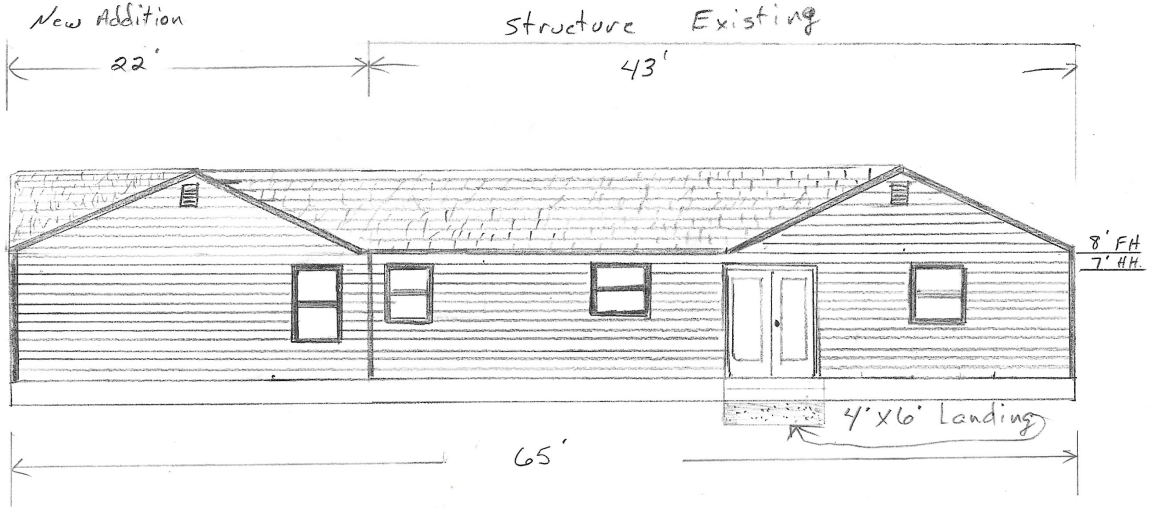
1/4" = 1'-0"




Replace flat Roof overhang on front door w/gable over new 8'x8' slab and stairs
Right Front Elevation (New addition)
Road side
1/4" = 1'-0"
New 40 yr. Shingles on entire Roof
8' x 8' concrete Front porch Landing
6" Cedar posts w/decorative siding on front landing area
New 8" Smart siding on entire house
New Addition
8'
Fascia to match existing
W 3040
3068 Front Door
W 3.0 4.0
8'
8'
2'
Concrete stairway and pad
Cement Block
16'
9.10

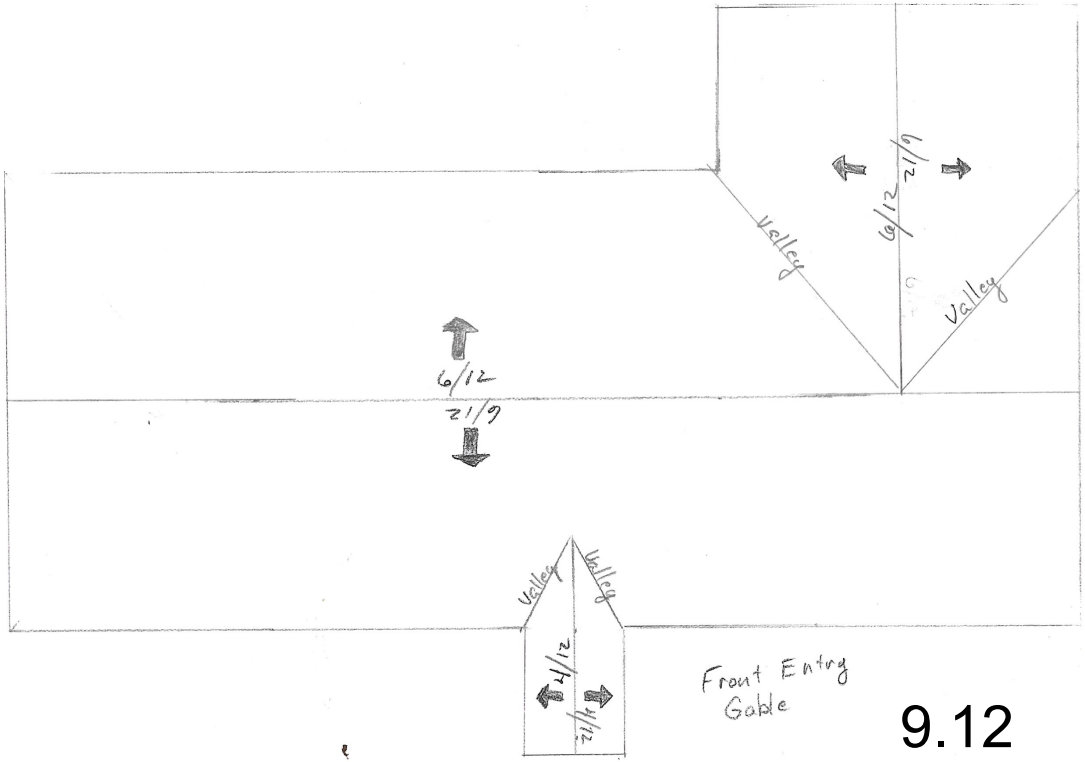
Rear Elevation
East side

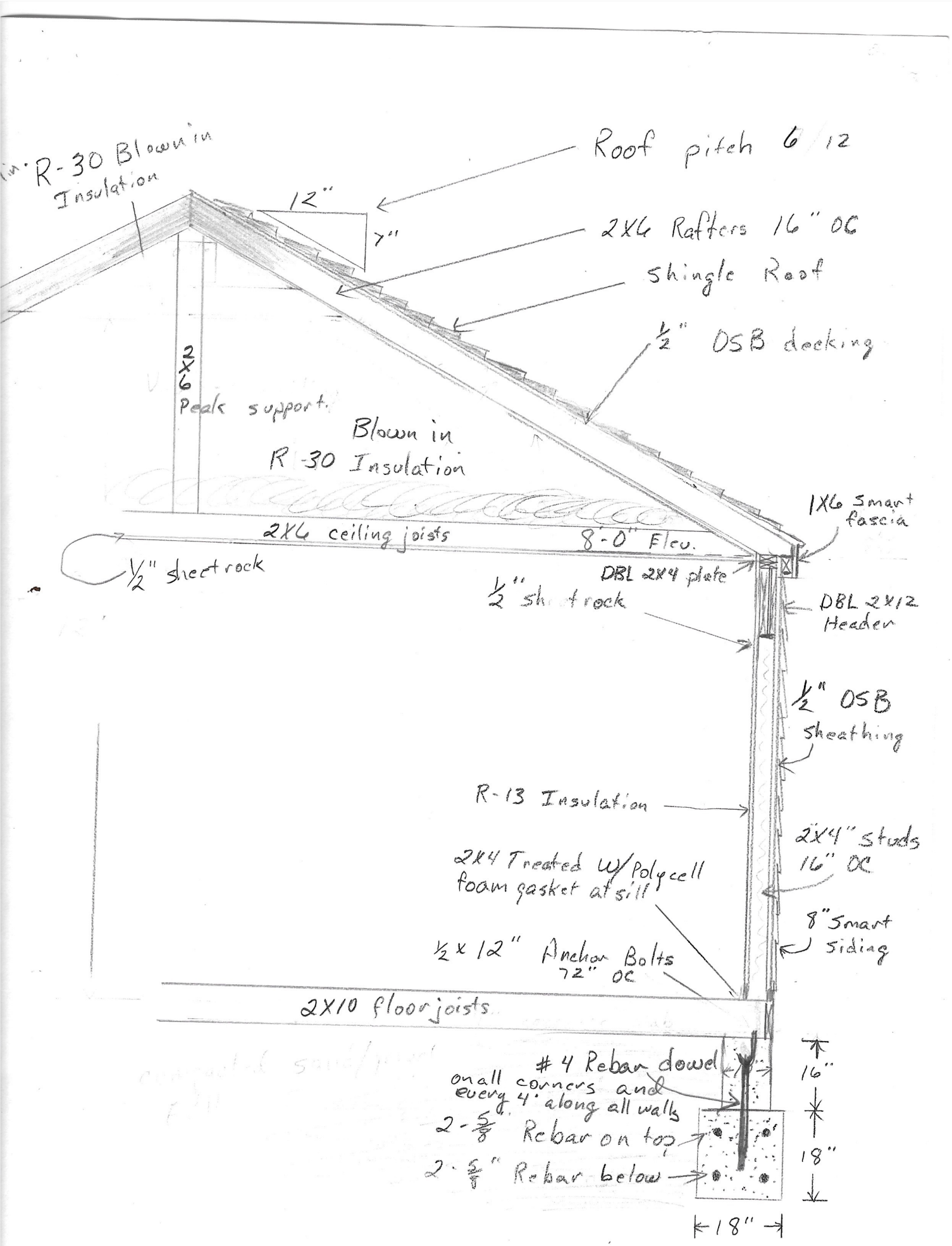
1/8" = 1'-0"

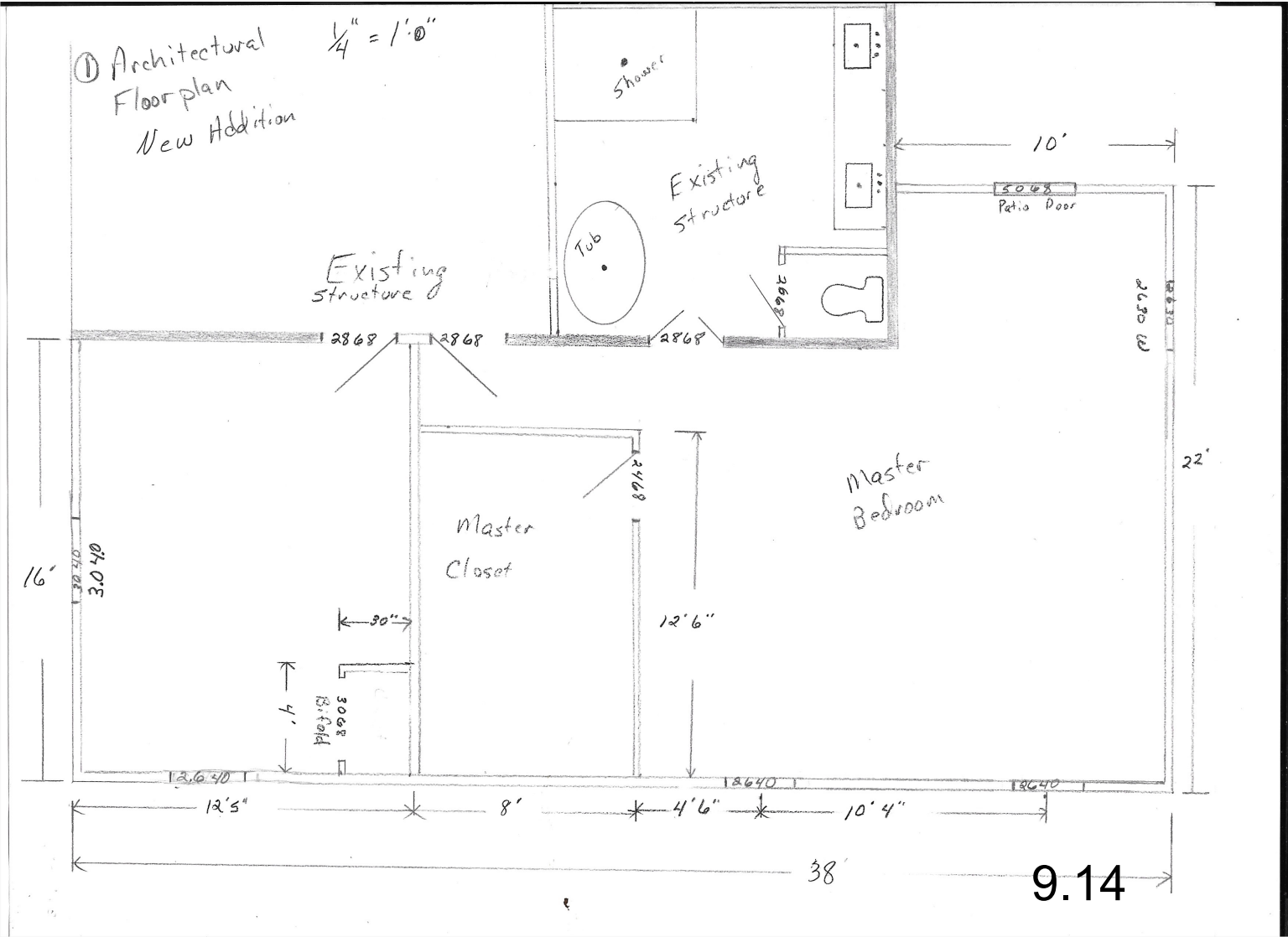


Architectural Roof Plan

1/8" = 1'-0"

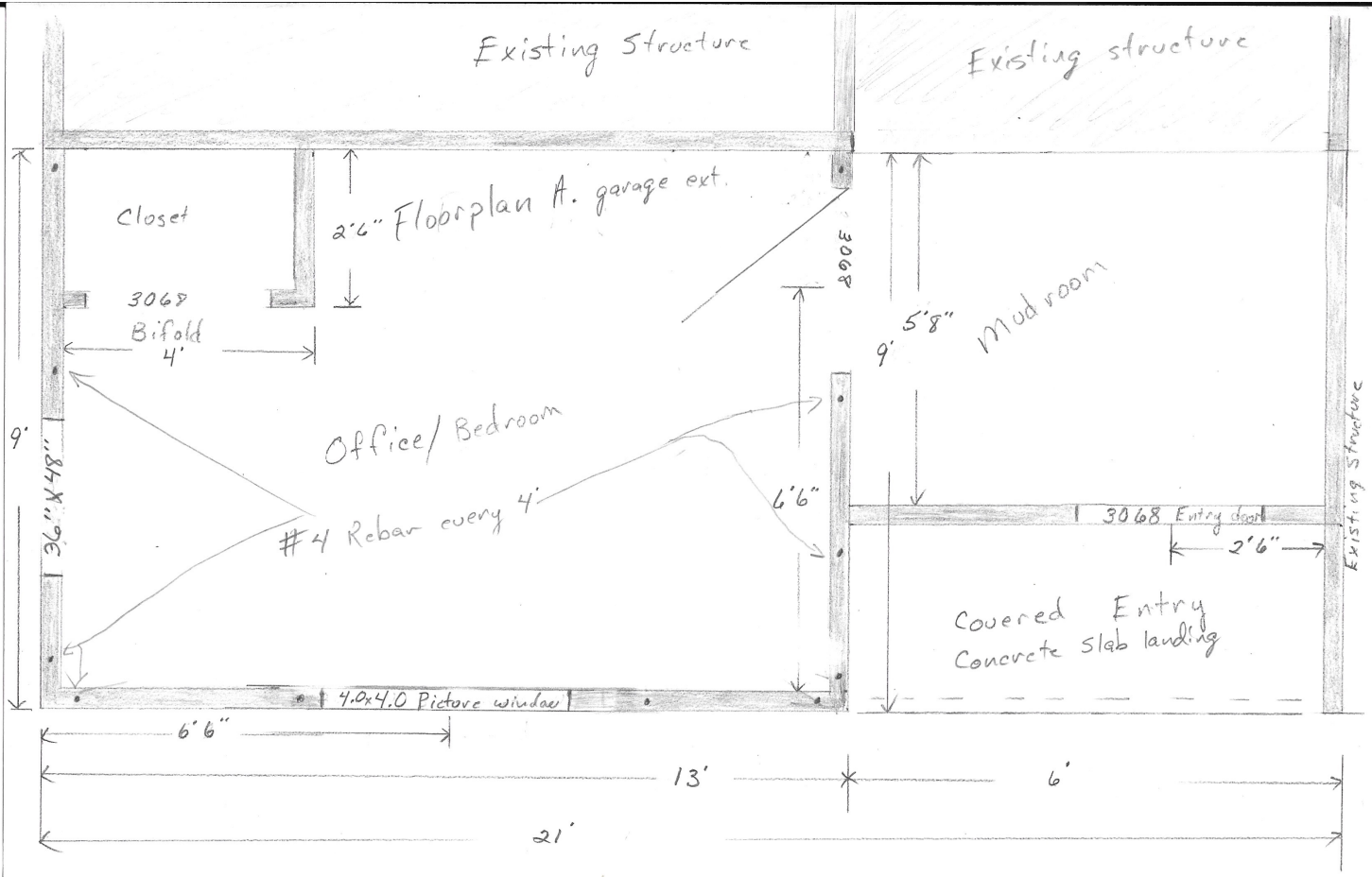



R-30 Blown in Insulation
Roof pitch 6/12
12"
7"
2X6 Rafters 16" OC
shingle Roof
½" OSB decking
2X6 Peak support.
Blown in R-30 Insulation
1X6 Smart fascia
2X6 ceiling joists
8'-0" Flev.
½" sheet rock
DBL 2X4 plate
½" sheet rock
DBL 2X12 Header
½" OSB Sheathing
R-13 Insulation
2X4" Studs 16" OC
2X4 Treated W/ Polycell foam gasket at sill
8" Smart siding
½ x 12" Anchor Bolts 72" OC
2X10 floor joists
#4 Rebar dowel on all corners and every 4' along all walls
2-⅝ Rebar on top
2-⅝" Rebar below
16"
18"
18"



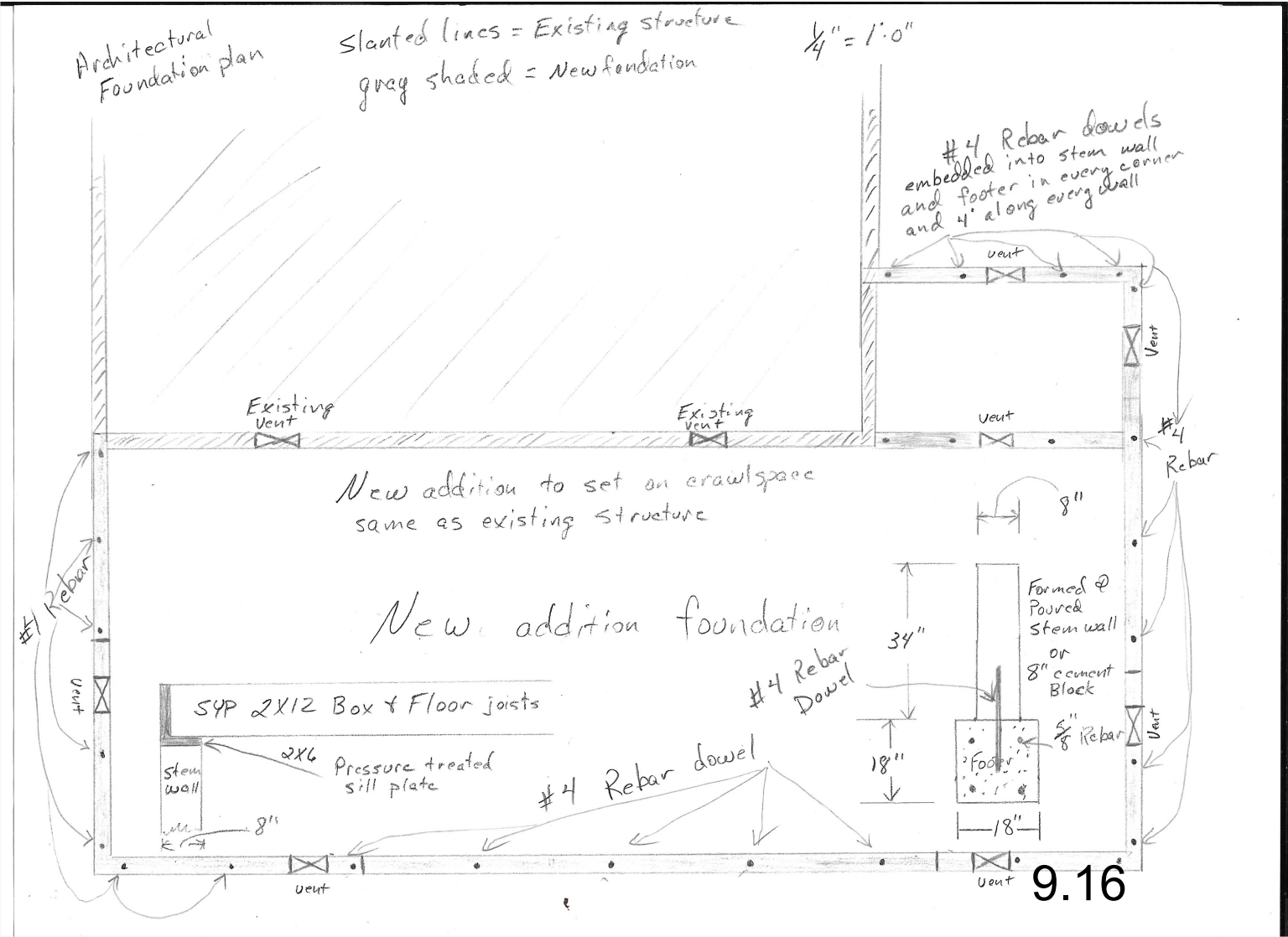
① Architectural Floorplan New Addition
1/4" = 1'0"
Shower
Existing Structure
Tub
Existing Structure
10'
5068
Patio Door
2868
2868
2868
2868
2630 W
22'
Master Bedroom
2468
Master Closet
16'
3040
3040
30"
12'6"
4'
3068 Bifold
2640
2640
2640
12'5"
8'
4'6"
10'4"
38'

9.14



② Architectural floor plan
New Addition

$\frac{1}{2}$" = 1'0"


Architectural Foundation plan
Slanted lines = Existing structure
gray shaded = New fondation
1/4" = 1'-0"
#4 Rebar dowels embedded into stem wall and footer in every corner and 4' along every wall
vent
Vent
Existing Vent
Existing Vent
vent
#4 Rebar
#4 Rebar
New addition to set on crawlspace same as existing structure
New addition foundation
8"
Formed & Poured stem wall or 8" cement Block
34"
#4 Rebar Dowel
5/8" Rebar
Vent
18"
Footer
18"
5YP 2X12 Box & Floor joists
2X6 Pressure treated sill plate
stem wall
8"
#4 Rebar dowel
vent
vent
9.16

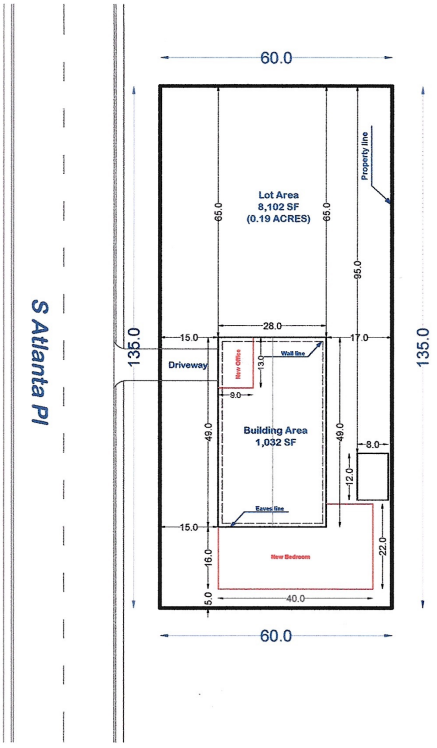
MySitePlan.com
Site Plans When You Need Them

Parcel No. 34675-93-08-21330
Address for site plan :
1703 S Atlanta Pl
City, State, ZIP: Tulsa, OK 74104
Purpose of site plan:? Remodel
Scale 1" = 20'

Owner:
CRAWLEY, JORDAN & CRAWLEY, KELSIE R

Legal Info:
LOT-5-BLK-2

Zoning : RS3



Austin Chapman
Achapman@incbg.org

8:57

Done 20220207160545761.pdf

LTE

22' minus 5' set back gives me room to do a 16' addon

Distance from south end of house to property line is 22'

℄ SOUTH ATLANTA PLACE

60.0'

3' U/E

New Addition

1 STORY FRAME DWELLING

1 CAR GARAGE

DRIVE

135.0'

135.0'

℄ 10' SANITARY SEWER EASEMENT

℄ 20' SANITARY SEWER EASEMENT BOOK 968 PAGE 330

25' BUILDING LINE

60.0'

FRAME STORAGE NOT ON CONCRETE

this storage building is on skids and will be moved to the North end of the garage

THE FOLLOWING RECORDED DOCUMENTS INCLUDE THIS PROPERTY:
9. TERMS, CONDITIONS, PROVISIONS, COVENANTS, RESTRICTIONS, EASEMENTS AND BUILDING LINES RECORDED AS INSTRUMENT NO. 587811, WITH RESTRICTIONS RECORDED IN BOOK 1818 PAGE 228.
12. SEWER EASEMENT RECORDED IN BOOK 968 PAGE 330.

THE FOLLOWING RECORDED DOCUMENTS NO LONGER AFFECT THIS PROPERTY:
9. RESTRICTIONS RECORDED IN BOOK 1375 PAGE 303.
10. COVENANTS CONTAINED IN GENERAL WARRANTY DEED RECORDED IN BOOK 771 PAGE 245.

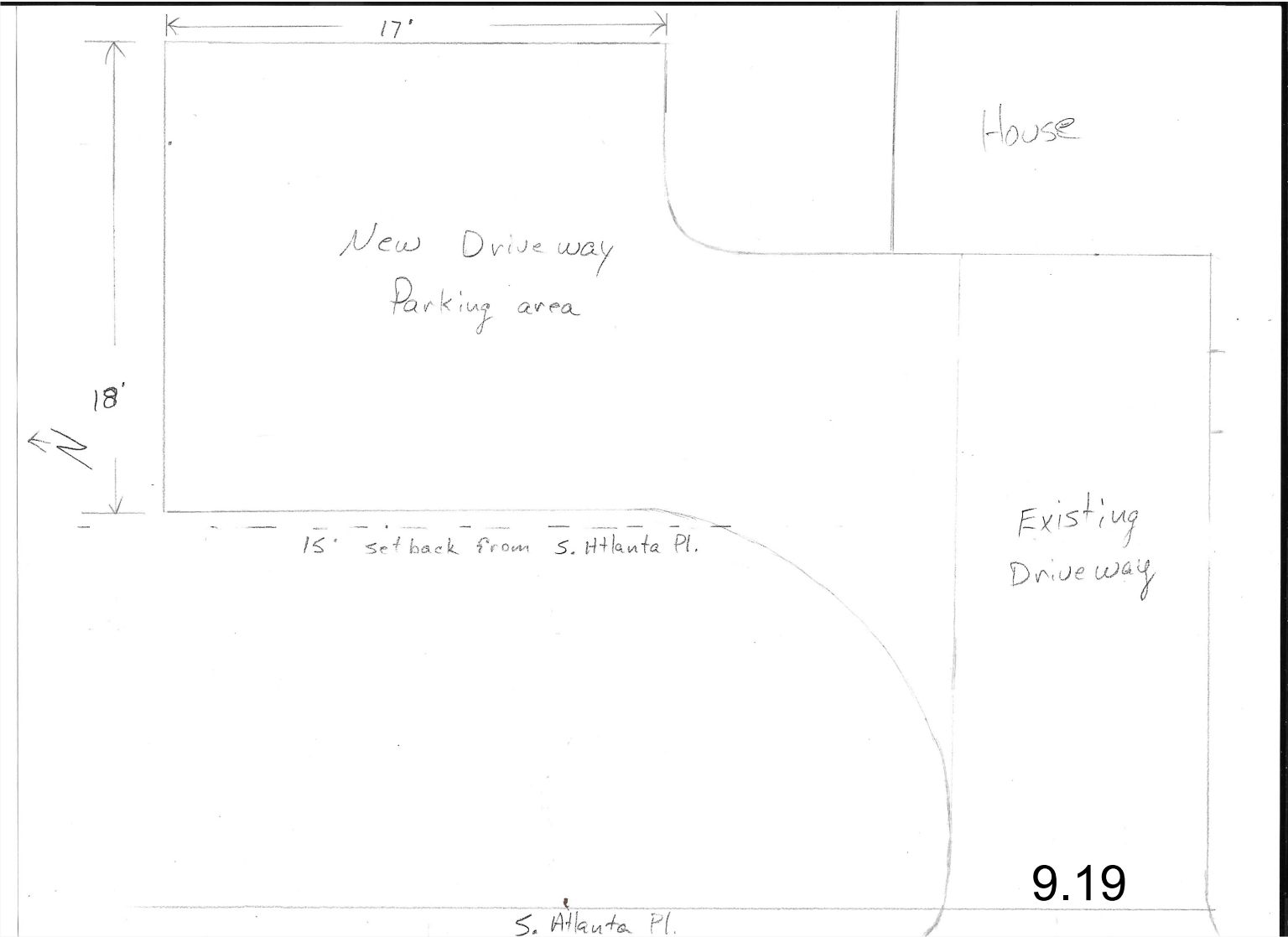
THE FOLLOWING RECORDED DOCUMENT DOES NOT AFFECT THIS PROPERTY:
11. RIGHT OF WAY DEED RECORDED IN BOOK 1156 PAGE 409.

25'

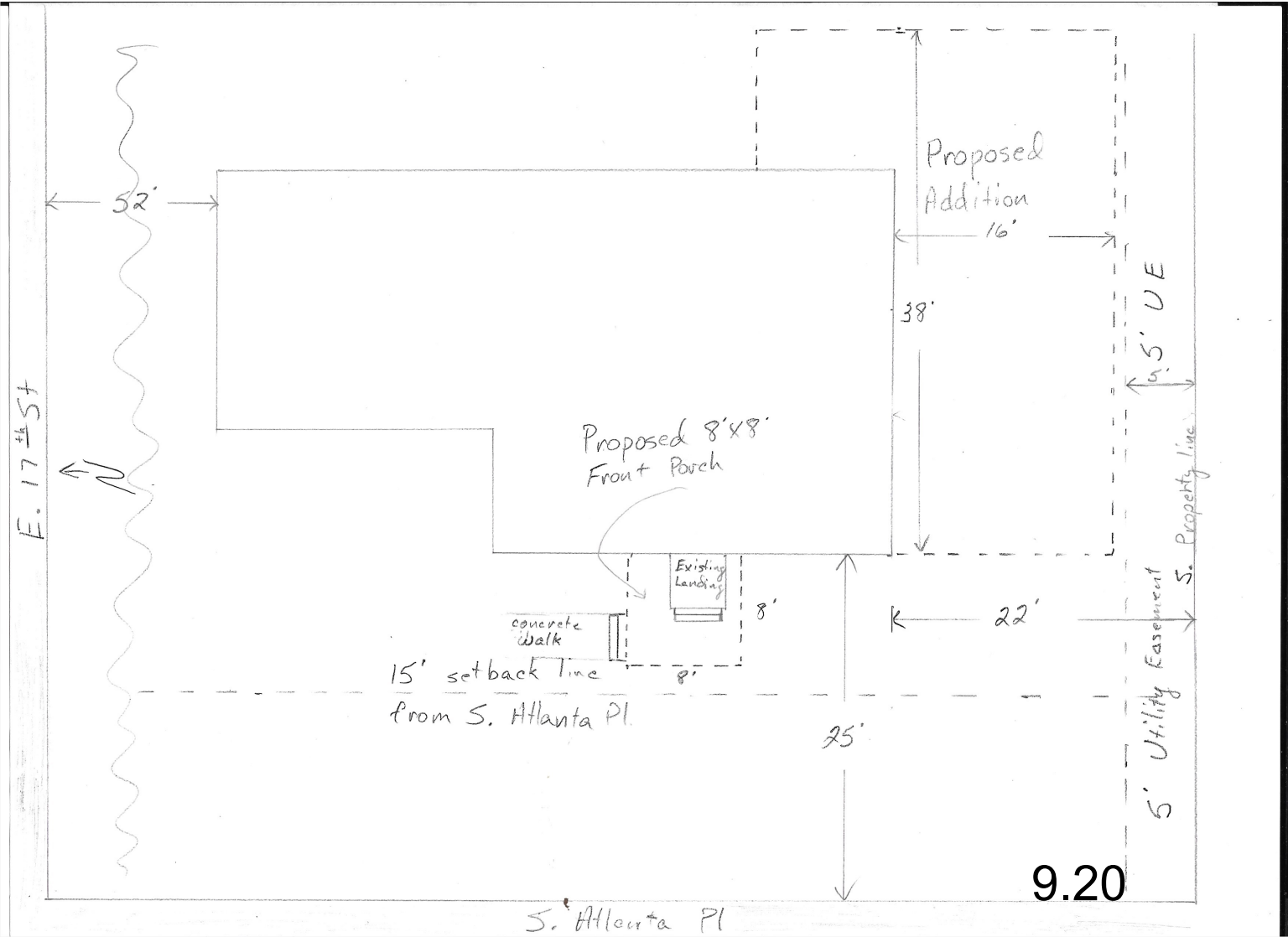
TULSA, O

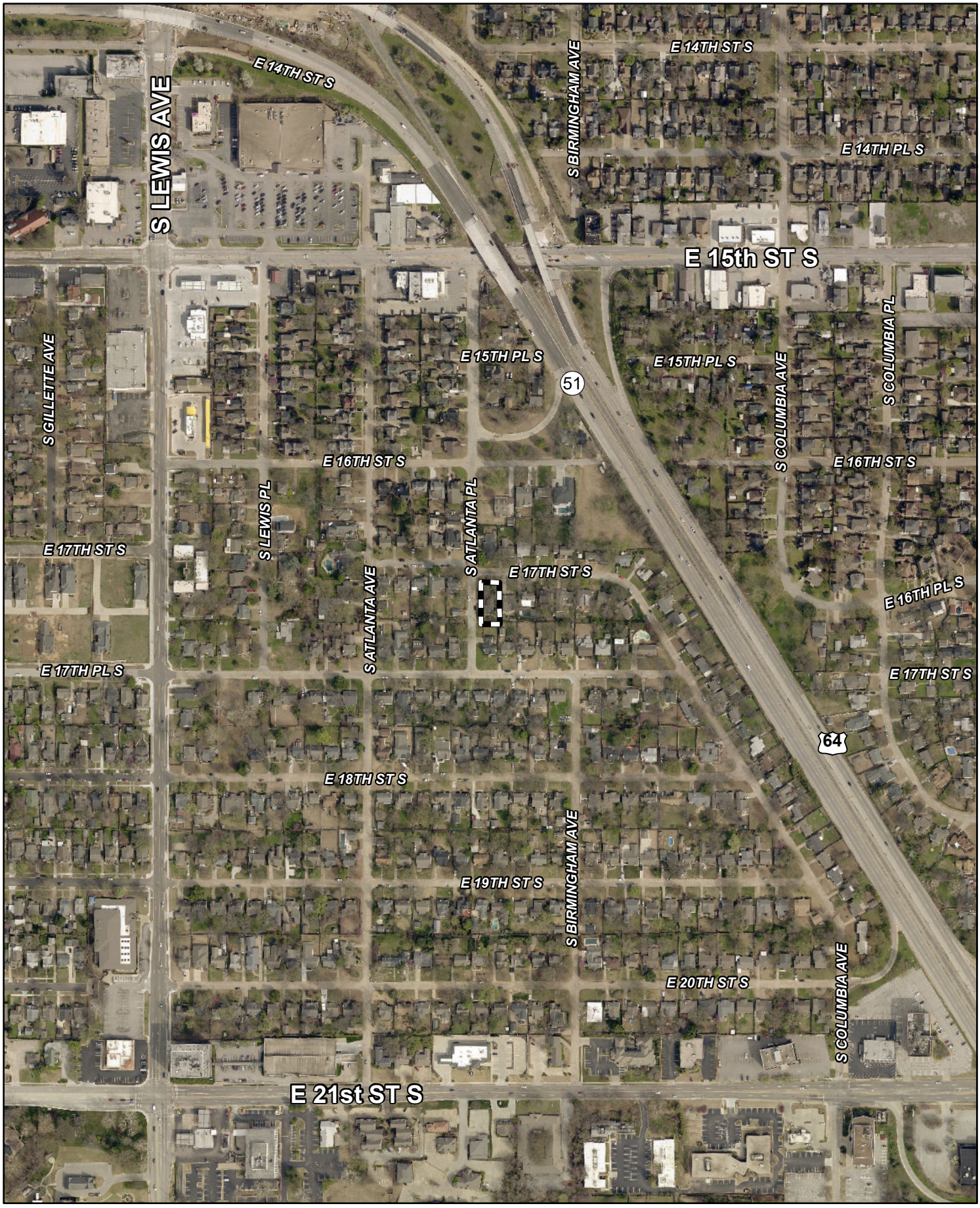
BUYER:
LENDER:
INV REF N
INVOICE S
DATE NEE
LOT FIVE (
ADDITION
RECORDE
COMMITT
COMMITT/
MORTGAG

9.18


17'
House
New Drive way
Parking area
18'
15' setback from S. Htlanta Pl.
Existing
Drive way
S. Htlanta Pl.

9.19


52'
E. 17th St
N
Proposed
Addition
16'
38'
5' UE
5' Property Line
Proposed 8'x8'
Front Porch
Existing
Landing
8'
concrete
Walk
15' setback Line
from S. Atlanta Pl
8'
22'
25'
5' Utility Easement
S. Atlanta Pl



Feet
0 200 400

Subject Tract

BOA-23412

19-13 08

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

Aerial Photo Date: 2020/2021

N

Feet
0 50 100

Subject Tract

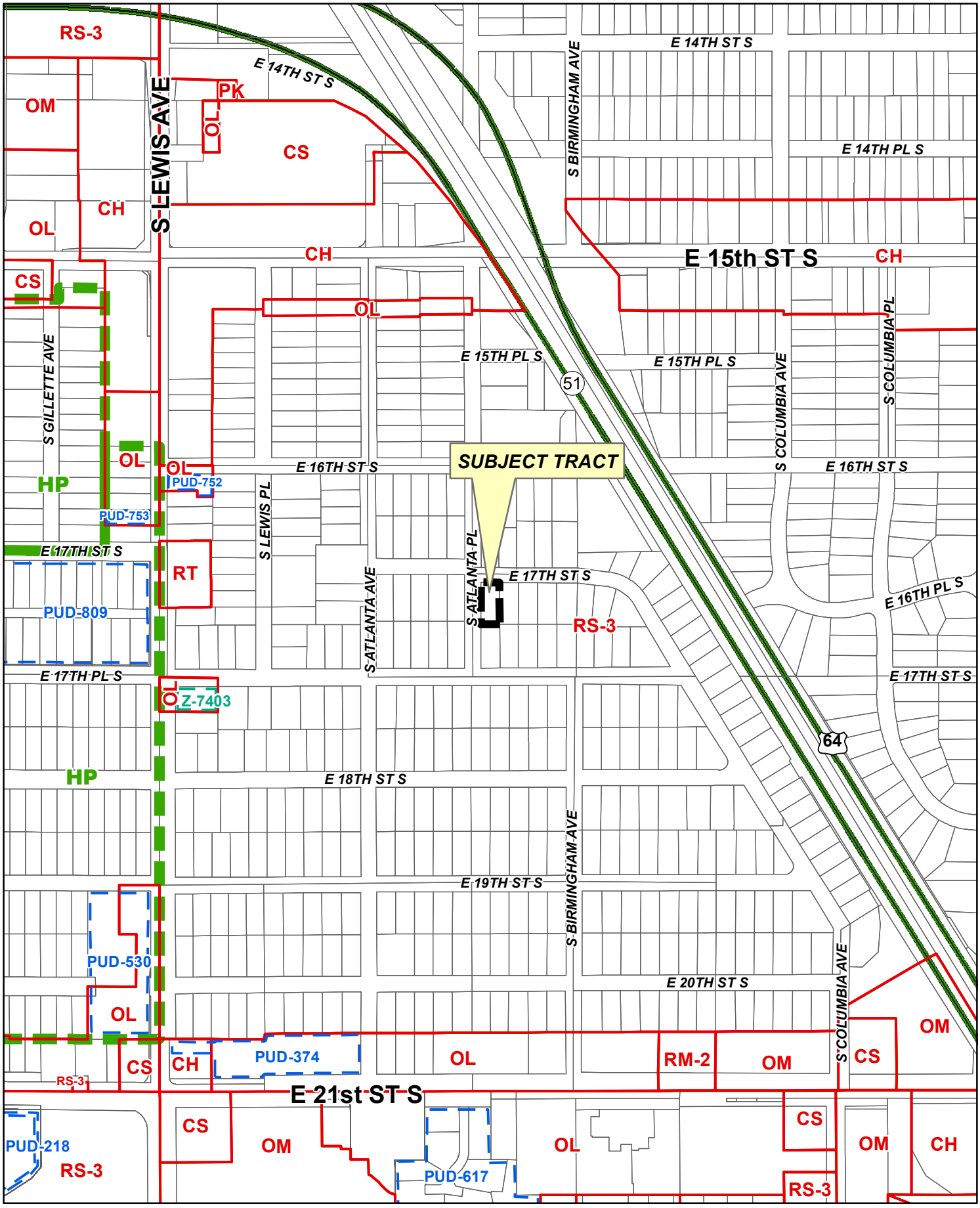
BOA-23412

19-13 08

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

Aerial Photo Date: 2020/2021

N



BOA-23412

19-13 08