**Case Number:** BOA-23469  
**Hearing Date:** 12/13/2022 1:00 PM

**Case Report Prepared by:**  
Austin Chapman

**Owner and Applicant Information:**  
**Applicant:** Nathalie Cornett  
**Property Owner:** HARVEY, NYLAJO P TTEE

**Action Requested:** Variance to reduce the required 4,000 square feet of open space and to reduce the required 60-foot lot width in the RS-3 District to permit a lot split (Sec. 5.030-A, Table 5-3)

**Location Map:**

**Additional Information:**  
**Present Use:** Residential  
**Tract Size:** 0.33 acres  
**Location:** 1512 E 33 ST S  
**Present Zoning:** RS-3
BOARD OF ADJUSTMENT
CASE REPORT

STR: 9319
CD: 9

HEARING DATE: 12/13/2022 1:00 PM

APPLICANT: Nathalie Cornett

ACTION REQUESTED: Variance to reduce the required 4,000 square feet of open space and to reduce the required 60-foot lot width in the RS-3 District to permit a lot split (Sec. 5.030-A, Table 5-3)

LOCATION: 1512 E 33 ST S
ZONED: RS-3

PRESENT USE: Residential
TRACT SIZE: 14252.89 SQ FT

LEGAL DESCRIPTION: E.30'OF LOT-2-&-ALL LOT-3-&-W.20'LOT-4 BLK-1, PARRAMORE 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: Please see attached statement provided by the applicant.

STAFF ANALYSIS: The applicant is requesting a Variance to reduce the required 4,000 square feet of open space to 3,500 square feet and to reduce the required 60-foot lot width to 50-feet in the RS-3 District to permit a lot split (Sec. 5.030-A, Table 5-3)
Facts staff finds favorable for variance request:

- The original lots 2, 3 and 4 Block 1 of the Parramore Addition to the City of Tulsa were all 50-feet as described by the applicant. A copy of that plat is included in your staff report.
- The current lot size is most closely aligned with the minimum standards of an RS-1 lot size which requires 13,450 square feet and a lot width of 100-feet.
- Proposed site would maintain other standards of the RS-3 District.

Facts Staff find unfavorable for the variance request:

- The requested reduction in open space would seem to be a design choice by the proposed buyer and not necessarily a hardship on the current property owner.

**SAMPLE MOTION:** Move to _________ (approve/deny) a Variance to reduce the required 4,000 square feet of open space and to reduce the required 60-foot lot width in the RS-3 District to permit a lot split (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.”
-PARRAMORE ADDITION-

To
The City of Tulsa, Tulsa County, Oklahoma.
The same being
The W/2 of SE/4 of NW/4 of Sec 13,
Township 15 North, Range 13 East
Tulsa County, Oklahoma.
Scale: 1/100

By Henry F. Thomas,
Consulting Engineer.
Exhibit “A”

The Applicant requests two Variances from Section 5.020-G and Table 5-2.5 of the Tulsa Zoning Code (the “Code”) to allow a lot split resulting in two lots, each fifty feet (50’) wide with 3500 square feet of open space. The subject property is located at 1512 E. 33rd Street (the “Property”).

The Property is located on the south side of E. 33rd Street, across from Zink Park. The Property is currently comprised of a part of Lot 2, all of Lot 3, and a part of Lot 4 in the Parramore Addition, which was originally platted in 1930. The original platted lots along 33rd Street were each 50 feet wide – however over time, lot lines have shifted so that now, nearly none of the platted lots are fully intact but lot widths have remained between 50 and 60 feet. The owner desires to split the Property back into two, 50 foot wide residential lots. An exhibit of the proposed lot split is attached hereto as Exhibit “B”.

Currently, the Property is considerably larger than a typical RS-3 lot and the surrounding lots in the area. For example, nearly all of the lots on the west side of S. Rockford Avenue along 33rd and 34th Street were originally platted as 100 foot wide lots (Oliver’s Addition) and have since been split into 50 foot wide lots. And, as mentioned above, the lots of Parramore Addition were platted 50 feet wide and have remained 50 to 60 feet wide.

The size and depth of the Property will allow for the development of two residences with front and rear yards and ample room to comply with all building setbacks. The proposed lots will be the size originally contemplated by the Plat, with houses that accommodate modern amenities. But for the shifting of lot lines, the original 50 foot lots would be considered nonconforming and would be entitled to 3500 square feet of open space by right. The lot width and open space requirements results in unnecessary hardship to the owner. The lot split will result in lots that are more typical of an RS-3 district and more similar to the size of the surrounding lots, with houses that are consistent with the development pattern of the area. Therefore, the Variances will not cause substantial detriment to the public welfare and are in harmony with the spirit and intent of the Code.
Note: Graphic overlays may not precisely align with physical features on the ground.
Harvey P Nylajo, Trustee
1512 E 33rd St.
Tulsa, OK 74105

Tuesday 22nd, November 2022

To whom it may concern,

As current owner of the above listed property, I hereby grant permission to Russell Patterson, his Attorney and any other parties facilitating him in his submission of his Board of Adjustments request to INCOG to continue doing so.

Regards,

Harvey P Nylajo

11/22/2022