



**CITY OF**  
**Tulsa**  
**Board of Adjustment**

**Case Number: BOA-23484**

**Hearing Date: 01/24/2023 1:00 PM**

**Case Report Prepared by:**

Austin Chapman

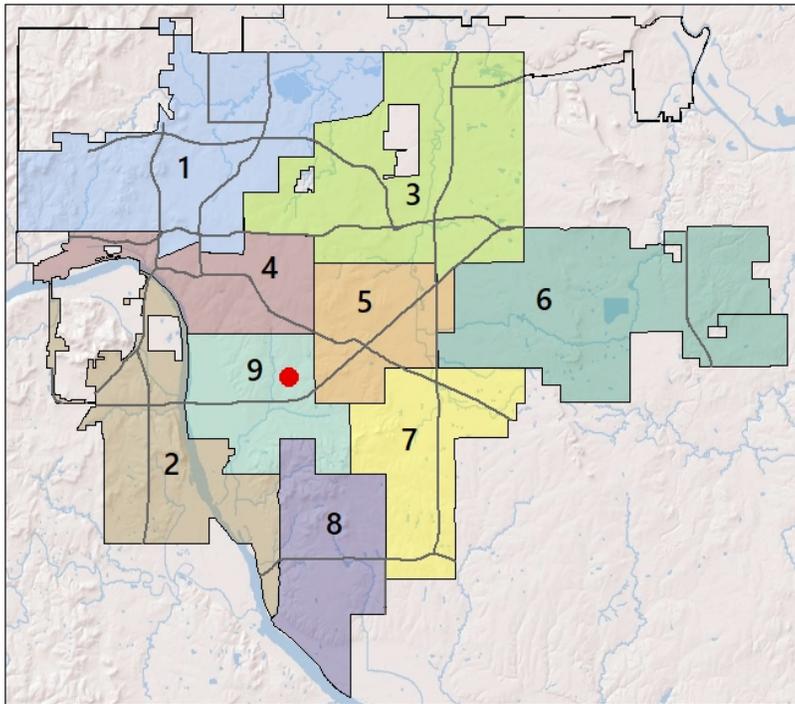
**Owner and Applicant Information:**

**Applicant: Kurt Barron**

**Property Owner: John W And Penny M Tipton**

**Action Requested: Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)**

**Location Map:**



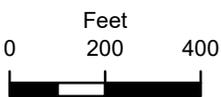
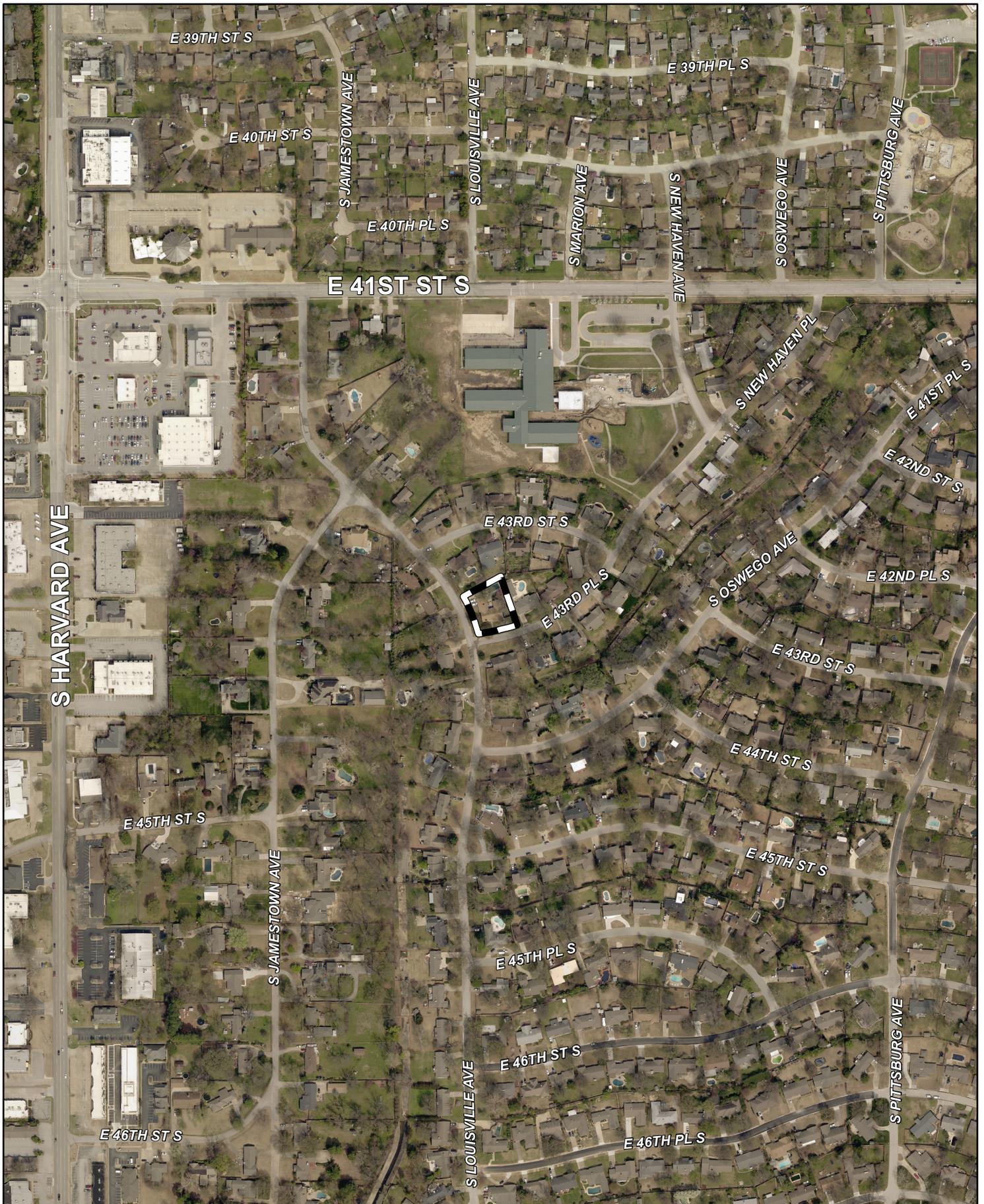
**Additional Information:**

**Present Use: Residential**

**Tract Size: 0.43 acres**

**Location: 3709 E 43 PL S**

**Present Zoning: RS-2**



 Subject Tract

**BOA-23484**

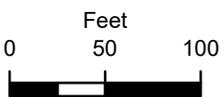
19-13 28

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

Aerial Photo Date: 2020/2021



3.2



 Subject Tract

**BOA-23484**

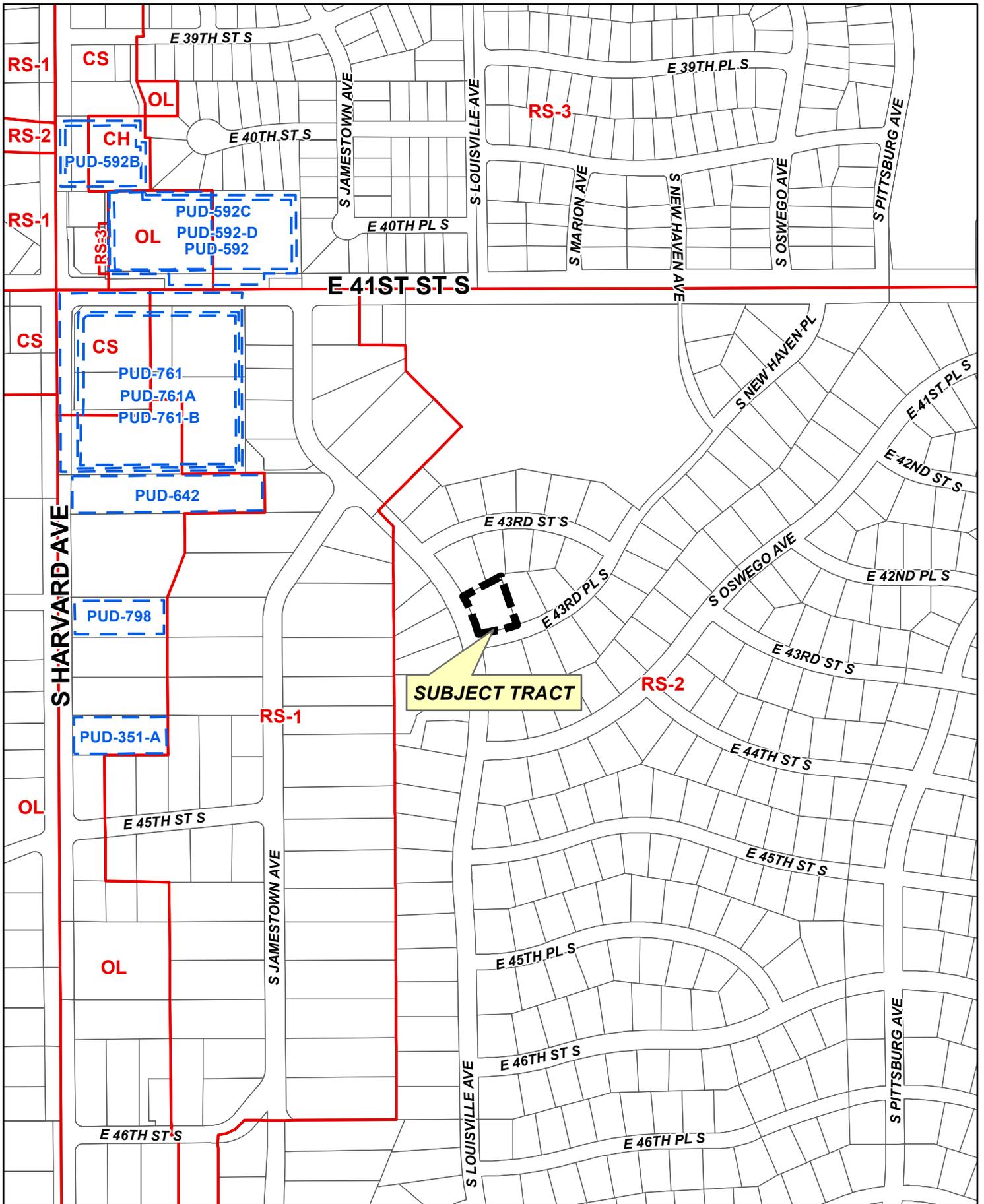
19-13 28

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

Aerial Photo Date: 2020/2021

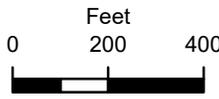


**3.3**



**BOA-23484**

19-13 28



# BOARD OF ADJUSTMENT CASE REPORT

**STR:** 9328

**Case Number:** BOA-23484

**CD:** 9

**HEARING DATE:** 01/24/2023 1:00 PM

**APPLICANT:** Kurt Barron

**ACTION REQUESTED:** Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)

**LOCATION:** 3709 E 43 PL S

**ZONED:** RS-2

**PRESENT USE:** Residential

**TRACT SIZE:** 18543.57 SQ FT

**LEGAL DESCRIPTION:** LT 6 BLK 15, PATRICK HENRY B13-23 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.

**STAFF ANALYSIS:** The applicant is requesting a Special Exception to increase the permitted driveway width in a Residential District (Section 55.090-F.3)

3. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of [Section 70.120](#), or, if in a PUD, in accordance with the amendment procedures of [§30.010-1.2](#). (Refer to the [City of Tulsa Standard Specifications and Details for Residential Driveways #701-704](#)).

Maximum Driveway Width

Lot Frontage	75'+	60' - 74'	46' - 59'	30' - 45'	Less than 30' [2]
Driveway Within Right-of-Way (feet) [1]	27'	26'	22'	20'	12'
Driveway Within Street Setback (feet)	30'	30'	--	--	--

[1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.

[2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.

Applicant is requesting to replace an existing non-conforming driveway that is 37-feet and 9-inches at its widest point with a driveway that is 39-feet and 9-inches on the lot inside the street setback. The portion of the driveway inside the right-of-way is being widened from 17-feet and 3-inches to 19-feet and 3-inches. Staff has highlighted the location of the proposed work on the plat provided by the applicant.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to increase the permitted driveway width in a Residential District (Section 55.090-F.3)

- Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):  
\_\_\_\_\_.
- Must secure a right-of-way permit for work prior to construction.

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.

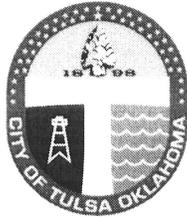


*Subject property taken from S. Louisville*



*Subject proeprty take from E. 43 Pl.*

**Jeff S. Taylor**  
 Zoning Official  
 Building Plans Review  
 Supervisor  
 TEL(918) 596-7637  
 jstaylor@cityoftulsa.org



**DEVELOPMENT SERVICES**  
 175 EAST 2<sup>nd</sup> STREET, SUITE 450  
 TULSA, OKLAHOMA 74103

**ZONING CLEARANCE PLAN REVIEW**

**Jose Pujol**  
 josepujol19@icloud.com

**10/26/2022**

**APPLICATION NO: ROWSR 130926** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)  
**Project Location: 3709 E 43<sup>rd</sup> PI S**  
**Description: Driveway Expansion**

<b>INFORMATION ABOUT SUBMITTING REVISIONS</b>
<p>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.</p> <p><b>REVISIONS NEED TO INCLUDE THE FOLLOWING:</b></p> <ol style="list-style-type: none"> <li>1. A COPY OF THIS DEFICIENCY LETTER</li> <li>2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED</li> <li>3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)</li> <li>4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT</li> </ol> <p>REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2<sup>nd</sup> 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.</p> <p style="text-align: center;"><b><u>SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.</u></b></p>
<b>IMPORTANT INFORMATION</b>
<ol style="list-style-type: none"> <li>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.</li> <li>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 <a href="http://WWW.INCOG.ORG">WWW.INCOG.ORG</a> OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.</li> <li>3. A COPY OF A "RECORD SEARCH" <input type="checkbox"/> IS <input checked="" type="checkbox"/> 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.).</li> </ol>

(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>

**Note:** 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. Requests for variances from the Board of Adjustment require proof of a hardship per Section 70.130.

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. The zoning review will resume after these modified plans are submitted.

Maximum Driveway Width

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[1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.

[2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.

**55.090-F3 Surfacing.** In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120. Maximum Driveway Width allowed is 30' on your lot in the street setback.

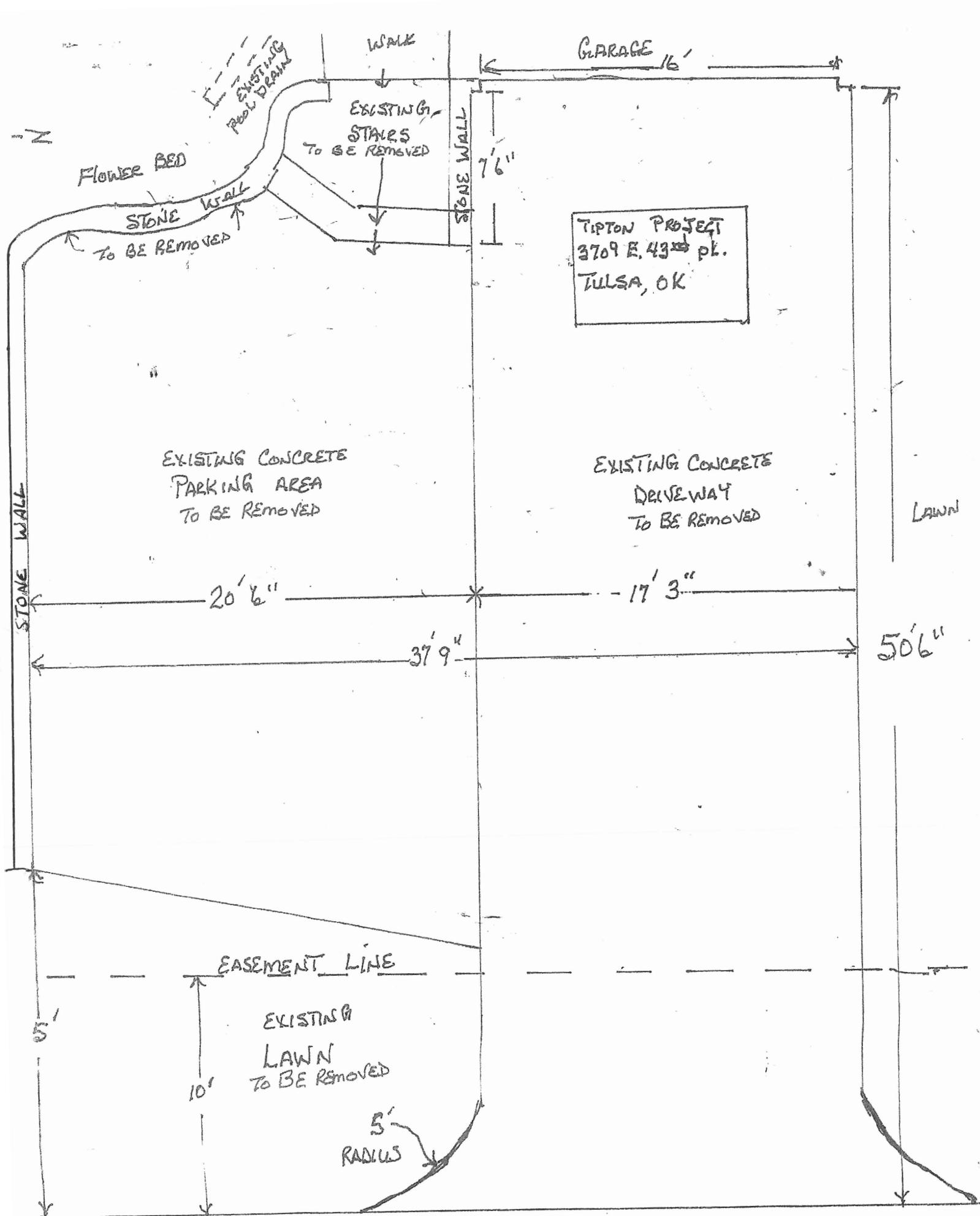
**Review Comments:** The submitted site plan proposes a driveway width of more than 30' in width on the lot in the street setback which exceeds the maximum allowable driveway width on this lot. Revise plans to indicate the driveway shall not exceed the 30' maximum allowable width or apply to the BOA for a special exception for the proposed driveway width on this lot.

## 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.

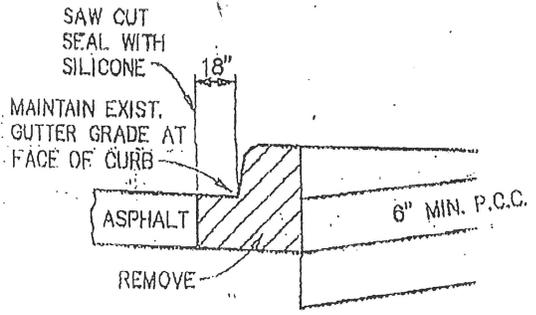
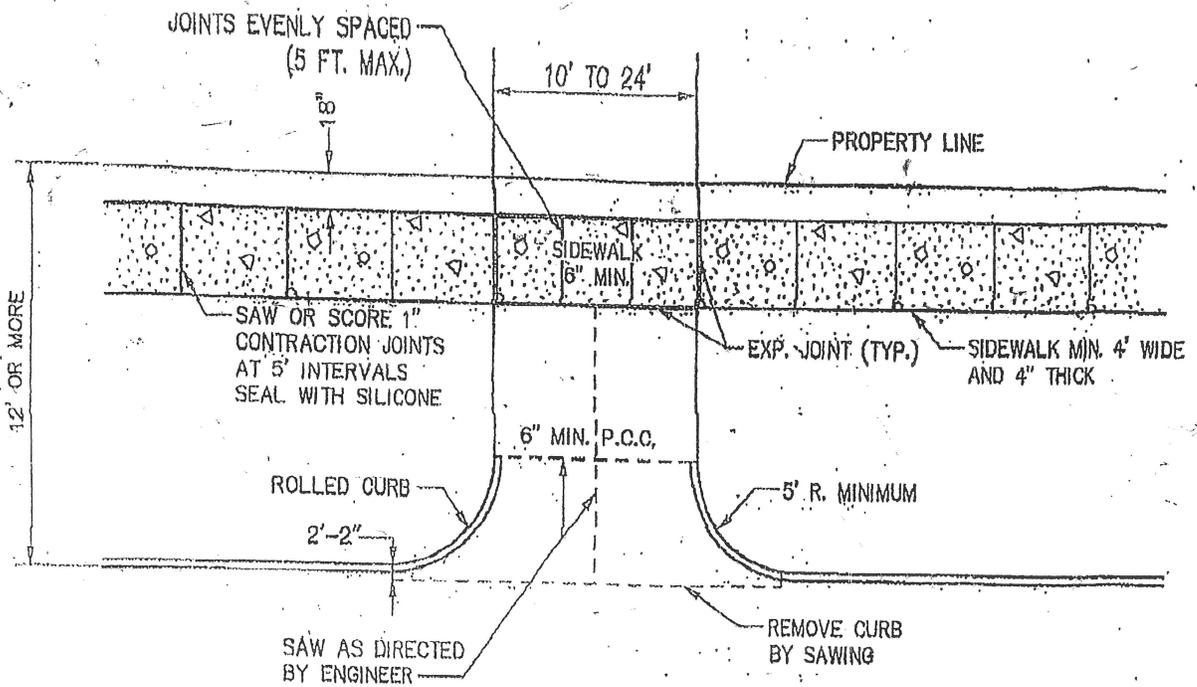
KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.



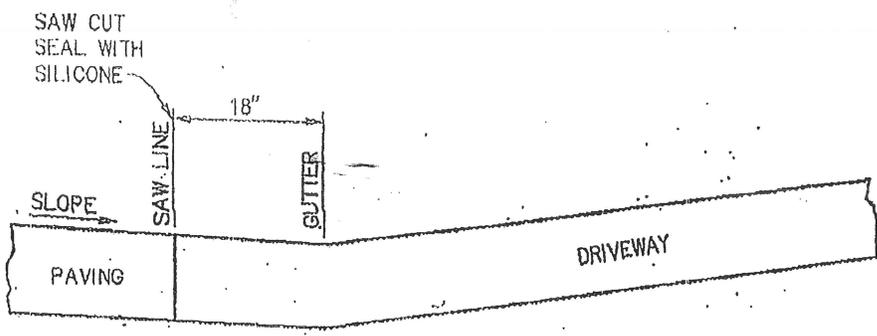


STREET  
 SCALE 3/16 = 1'

FILE NAME: /E:/PARTS/STD/C&G/STD/102-RES-CONC-DRV-ASPH-STR.DGN 58W 06/19/2013



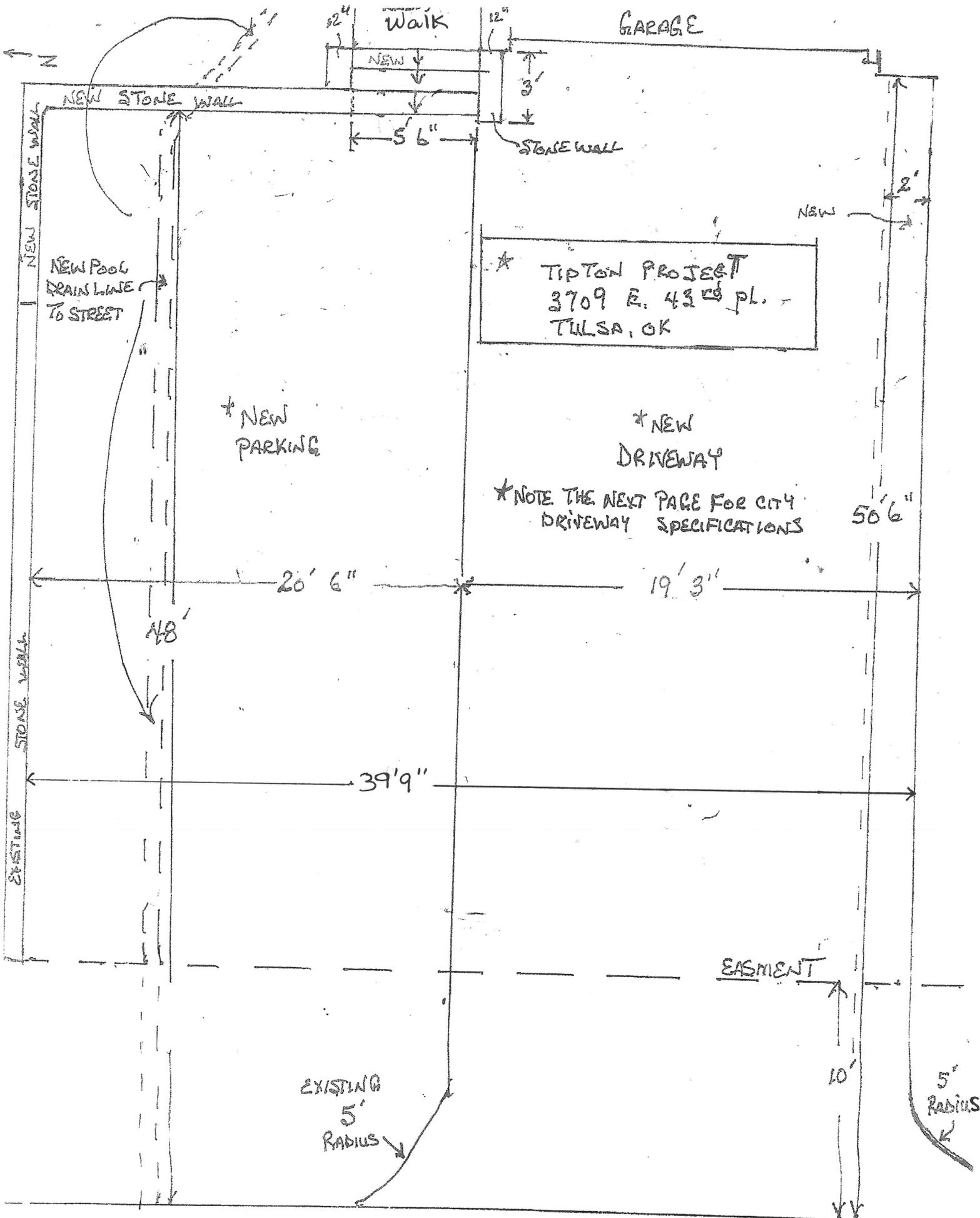
DRIVEWAY SECTION



SECTION AT GUTTER

RESIDENTIAL CONCRETE DRIVEWAY ASPHALT STREET	
CITY OF TULSA, OKLAHOMA ENGINEERING SERVICES DEPARTMENT	
DRAWN BY: S.R.W.	APPROVED
CHECKED BY:	<i>[Signature]</i>
DATE: OCTOBER 2013	

PROPERTY LINE



\* TIPTON PROJECT  
 3709 E. 43<sup>RD</sup> PL.  
 TULSA, OK

STREET  
 SCALE  $\frac{3}{16} = 1'$