



CITY OF
Tulsa
Board of Adjustment

Case Number: BOA-23534

Hearing Date: 06/13/2023 1:00 PM

Case Report Prepared by:

Kendal Davis

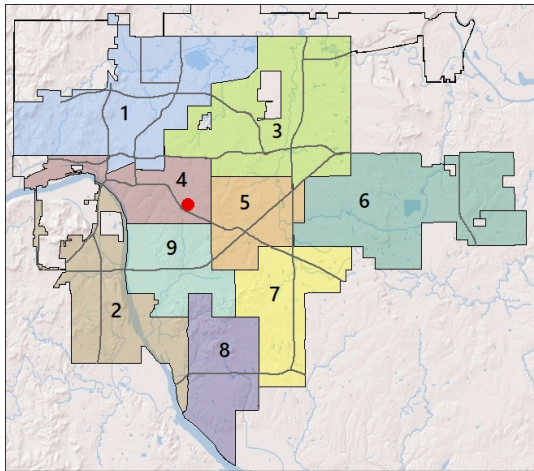
Owner and Applicant Information:

Applicant: Robert McMurtry

Property Owner: Collinsville Properties LLC

Action Requested: Special Exception to permit a carport in the street setback and yard with modifications in the increase the allowed height (Sec. 90.090-C1)

Location Map:



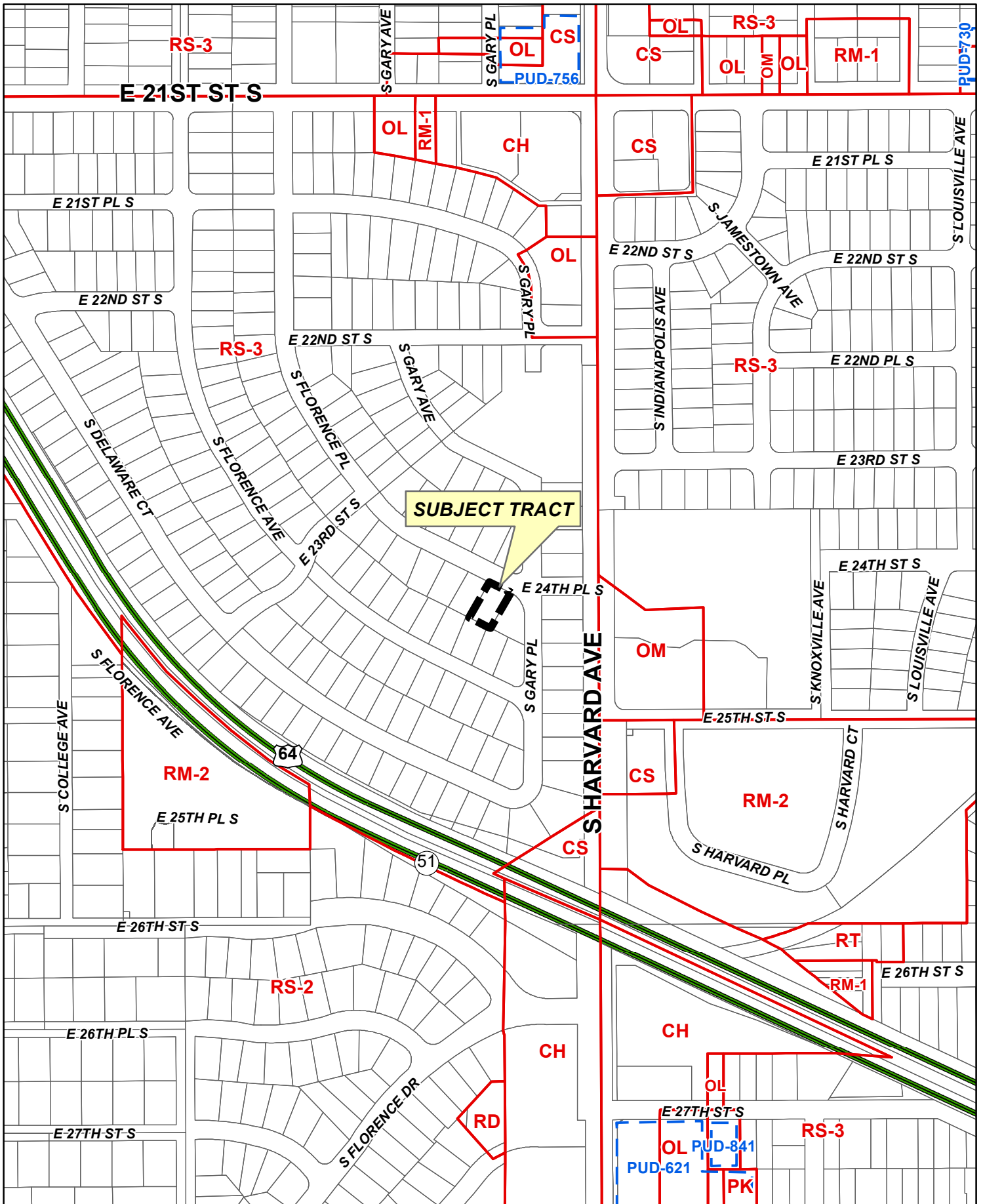
Additional Information:

Present Use: Residential

Tract Size: 0.22 acres

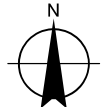
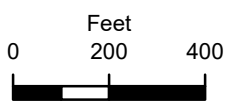
Location: 2342 S. Florence Pl. East

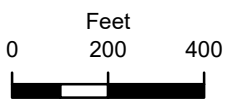
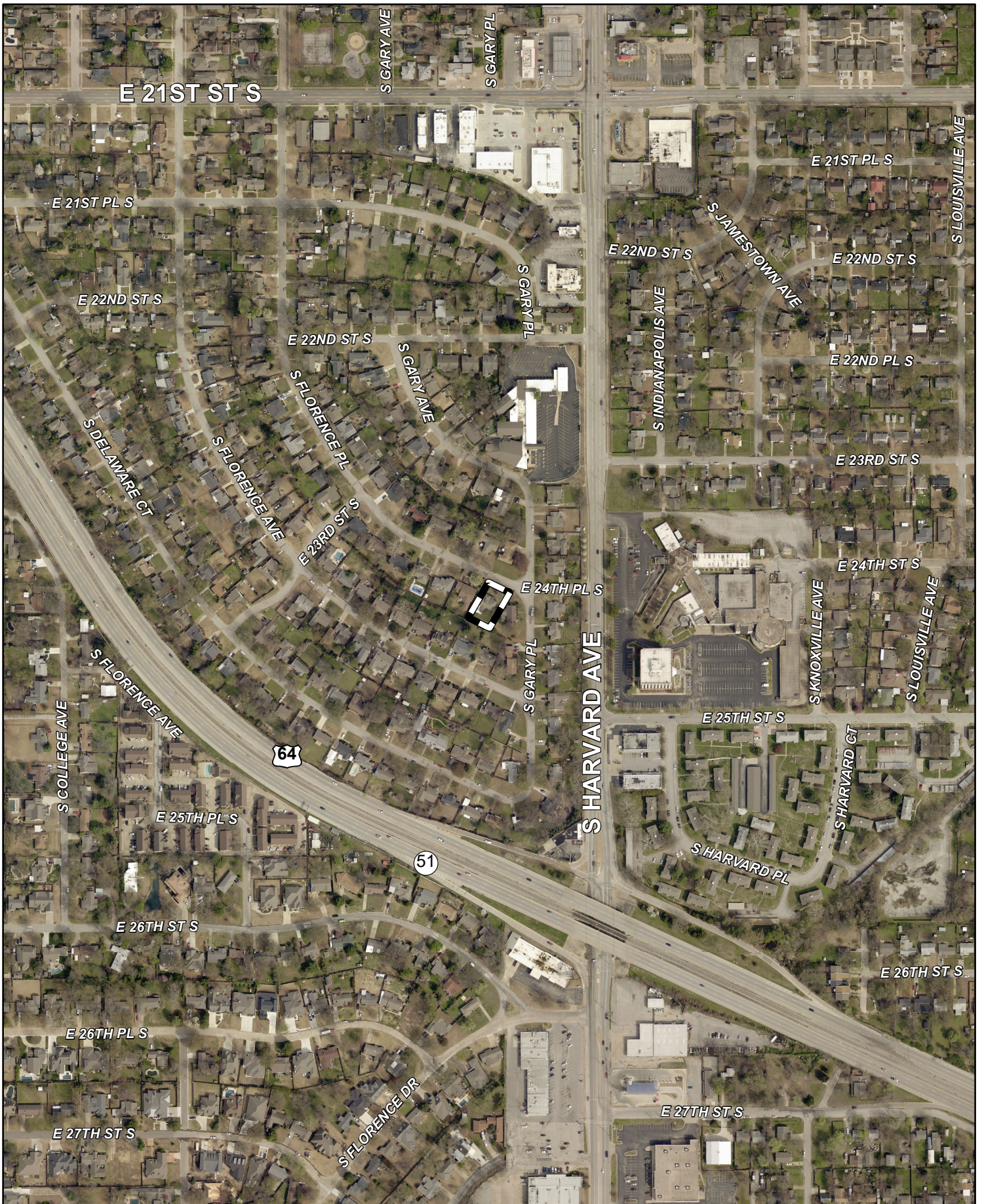
Present Zoning: RS-3



BOA-23534

19-13 17





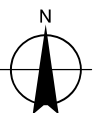
Subject Tract

BOA-23534

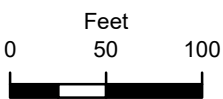
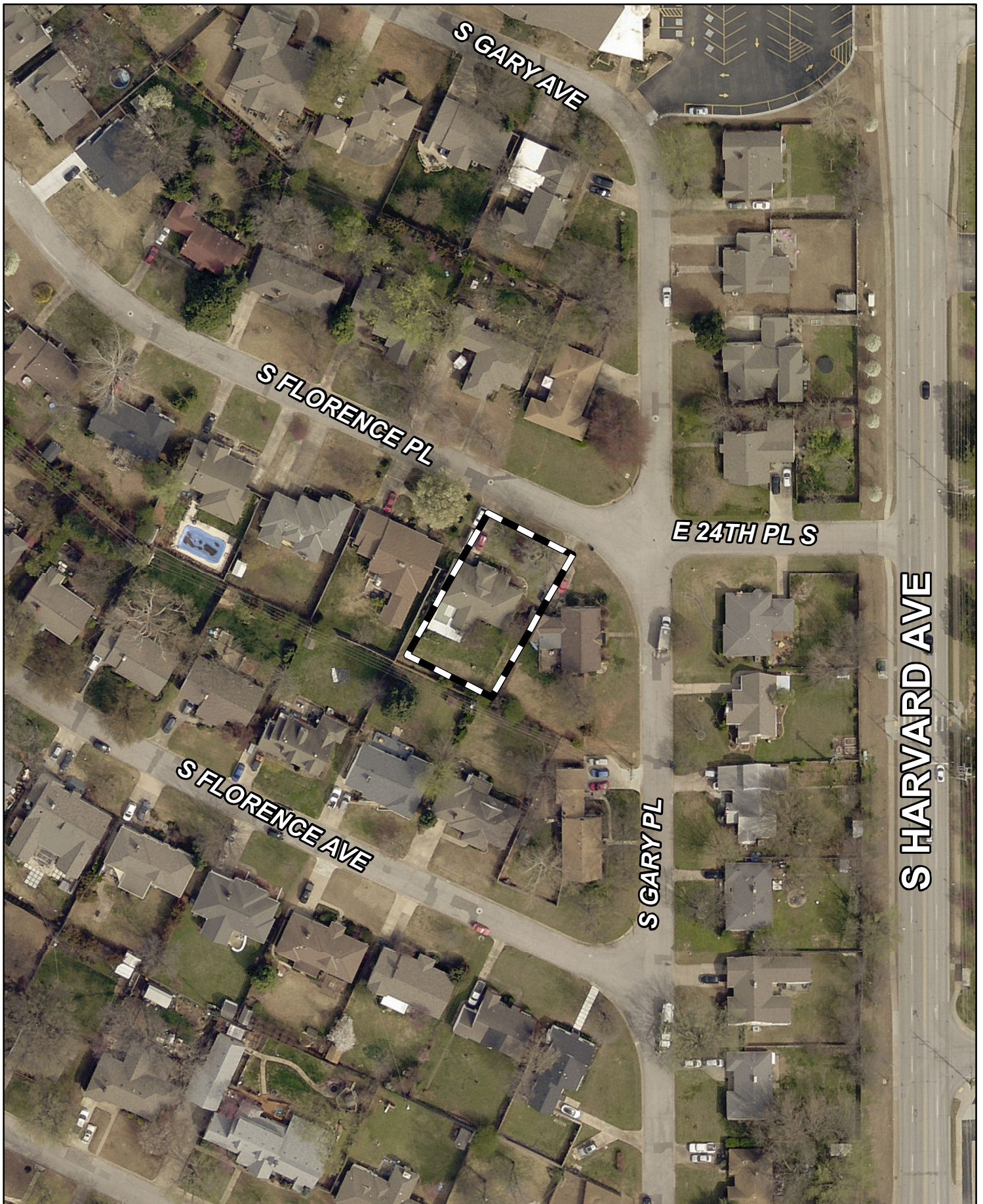
Note: Graphic overlays may not precisely align with physical features on the ground.

19-13 17

Aerial Photo Date: 2020/2021



5.3



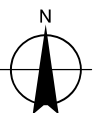
Subject Tract

BOA-23534

19-13 17

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

Aerial Photo Date: 2020/2021



5.4

BOARD OF ADJUSTMENT CASE REPORT

STR: 9317

Case Number: BOA-23534

CD: 4

HEARING DATE: 06/13/2023 1:00 PM

APPLICANT: Robert McMurtry

ACTION REQUESTED: Special Exception to permit a carport in the street setback and yard with modifications in the increase the allowed height (Sec. 90.090-C1)

LOCATION: 2342 S FLORENCE PL E

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 9748.77 SQ FT

LEGAL DESCRIPTION: LT 2 BLK 3, WIL-REY TERRACE 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 COMMENTS: The applicant is requesting a Special Exception to permit a carport in the street setback and yard with modifications in the increase the allowed height (Sec. 90.090-C1)

A Copy of Sec. 90.090-C1 is included in your packet.

The applicant is requesting a carport in the street setback and street yard that is 9-feet at the top plate and 13-feet at the ridge.

SAMPLE MOTION: Move to (approve/deny) a Special Exception to permit a carport in the street setback and yard with modifications in the increase the allowed height (Sec. 90.090-C1)

- 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

Table 90-1: Permitted Setback Obstructions in R Zoning Districts

Obstruction	Setback		
	Street	Side	Rear
Accessory buildings (see also §90.090-C2)	No	No	Yes
Air conditioning units	No	Yes	Yes
Arbors and trellises	Yes	Yes	Yes
Awnings, canopies, light shelves and architecturally integrated solar shading devices projecting no more than 2 feet into the setback	Yes	Yes	Yes
Barbeque pits and outdoor fireplaces	No	No	Yes
Bay windows projecting no more than 2 feet into the setback	Yes	Yes	Yes
Carports	Yes [1]	Yes [2]	Yes [2]
Chimneys and flues projecting no more than 2 feet into the setback	Yes	Yes	Yes
Clotheslines	No	Yes	Yes
Decks, patios, and other features and structures less than 30 inches in height above grade	Yes	Yes	Yes
Eaves and gutters projecting no more than 2 feet into the setback	Yes	Yes	Yes
Fences and walls (see also Section 45.080)	Yes	Yes	Yes
Fire escapes projecting no more than 4.5 feet into the setback	Yes	Yes	Yes
Flagpoles and similar features	Yes	Yes	Yes
Geothermal heat pumps and geothermal heat exchange system equipment up to 4 feet in height above grade	No	No	Yes
Green houses and hoop houses	No	No	Yes
Insulation added to the outside of the exterior wall of an existing building	Yes	Yes	Yes
Plants and cold frames	Yes	Yes	Yes
Rainwater harvesting equipment projecting no more than 4.5 feet into the setback	Yes	Yes	Yes
Recreational equipment (e.g., swing sets, playground equipment, tree houses, etc.)	No	No	Yes
Satellite dish antennas	See Section 45.180		
Signs (see also Chapter 60)	Yes	Yes	Yes
Sills, belt courses, cornices and similar architectural features projecting no more than 2 feet into the setback	Yes	Yes	Yes
Solar energy systems, building-mounted	No	Yes	Yes
Solar energy systems, ground-mounted	No	No	Yes
Swimming pools and tennis courts	No [3]	No	Yes
Vehicle parking/storage, inoperable (see also Section 45.140)	No	No	Yes
Wheelchair lifts and ramps that meet federal, state and local accessibility standards	Yes	Yes	Yes

Table 90-1 Notes

- [1] Special exception approval required; see [90.090-C1](#).
- [2] Must be setback at least 3 feet from side and rear lot lines.
- [3] May be allowed in the street setback within a rear yard.

1. Carports

Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception procedures of [Section 70.120](#). Any carport that occupies all or a portion of the street setback or street yard area must comply with the following regulations, unless otherwise expressly approved by the board of adjustment as part of the special exception process:

- a. A carport may be a detached accessory building or an integral part of the principal building.
- b. The area of a carport may not exceed 20 feet in length by 20 feet in width.

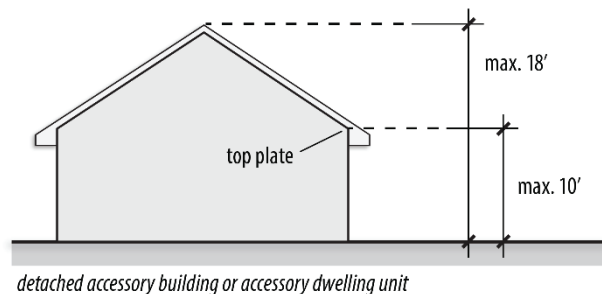
- c. A detached carport may not exceed 8 feet in height at its perimeter or 18 feet in height at its highest point. A carport erected as an integral part of the principal building may not exceed 8 feet in height within 10 feet of a side lot line or 18 feet at its highest point.
- d. The carport structure must be setback from side lot lines by a minimum distance of 5 feet or the depth of the principal building setback, whichever is a greater distance from the side lot line.
- e. The carport structure may project into the required street setback by a maximum distance of 20 feet. This distance must be measured from the required street setback line or the exterior building wall of the principal building, whichever results in the least obstruction of the street setback.
- f. All sides of a carport that are within the required street setback must be open and unobstructed, except for support columns, which may not obstruct more than 15% of the area of any side.
- g. The entire area under a carport may be used only for storage of operable, licensed motor vehicles (i.e., cars, boats, pickup trucks, vans, sport utility vehicles), which are customarily accessory to the dwelling. No other use of the carport area is allowed.

2. Detached Accessory Buildings, including Accessory Dwelling Units, in RE, RS, RD Districts and RM Zoned Lots Used for Detached Houses or Duplexes.

- a. Detached accessory buildings, including Accessory Dwelling Units, may be located in rear setbacks provided that:

- (1) The building does not exceed one story or 18 feet in height and is not more than 10 feet in height to the top of the top plate; and

Figure 90-9: Maximum Height of Accessory Buildings, Including Accessory Dwelling Units In Rear Setbacks (RE, RS and RD Districts or RM Zoned Lots Used for Detached Houses or Duplexes)



- (2) Building coverage in the rear setback does not exceed the maximum limits established in [Table 90-2](#):

Table 90-2: Accessory Building, Including Accessory Dwelling Units, Coverage Limits in Rear Setback

Zoning District	Maximum Coverage of Rear Setback
RS-1 and RE Districts	20%
RS-2 District	25%
RS-3, RS-4, RS-5 and RD Districts	30%
RM zoned Lots Used for Detached Houses or Duplexes	30%



DEVELOPMENT SERVICES
175 E 2ND ST., STE 405
TULSA, OK 74103
918-596-9456

CITY OF TULSA

CORRECTIONS SUMMARY

BLDR-144274-2023 (2342 S FLORENCE PL E Tulsa Tulsa, OK 74114) Markup Summary #2

Zoning Review (1)



Subject: Zoning Review
Page Label: 5
Status:
Author: DWhiteman
Date: 5/1/2023 4:58:13 PM
Color: ■

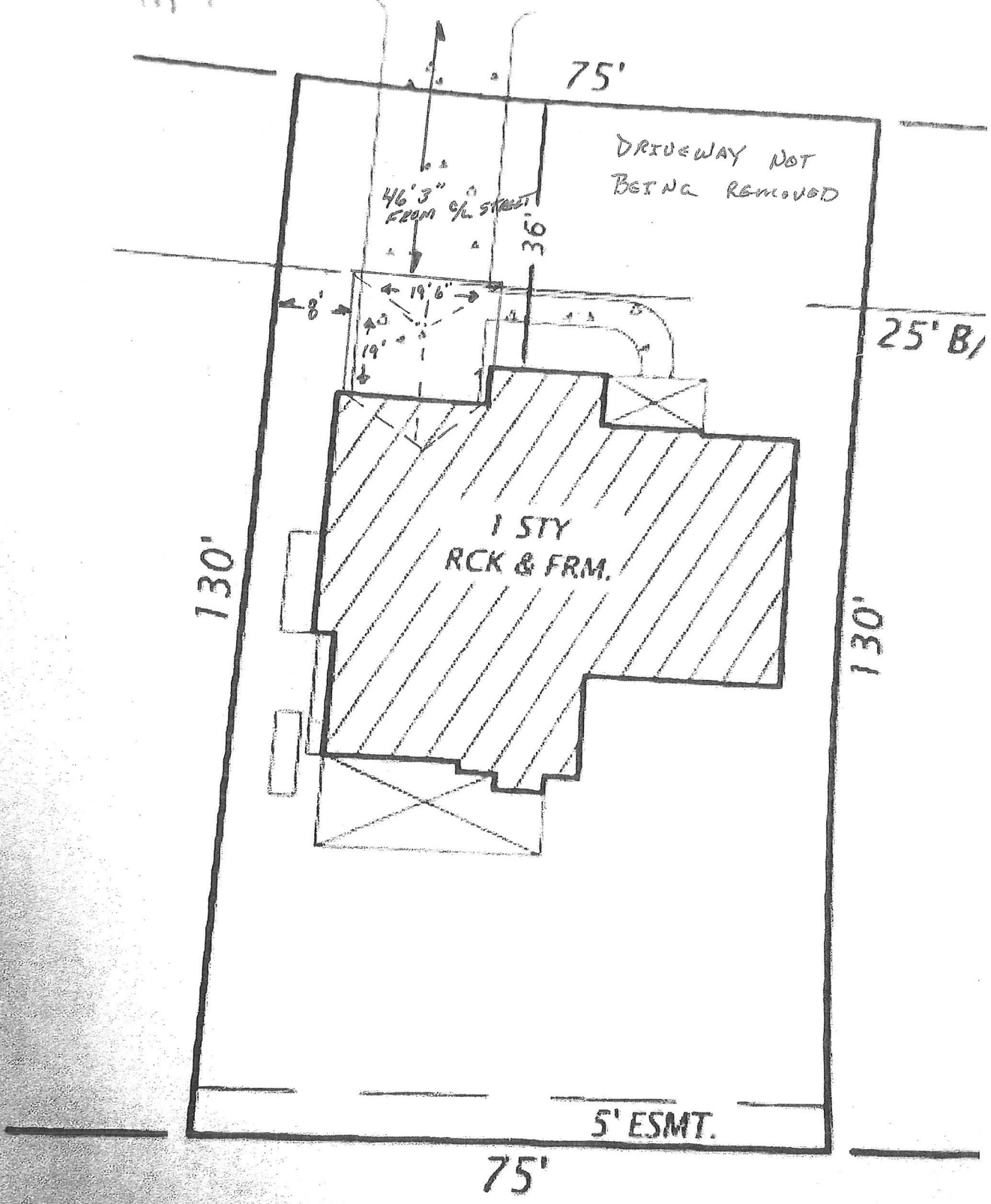
Section 90.090-C.1, Carports.

Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception procedures of Section 70.120.

Any carport that occupies all or a portion of the street setback or street yard area must comply with the following regulations, unless otherwise expressly approved by the board of adjustment as part of the special exception process:

- b. The area of a carport may not exceed 20 feet in length by 20 feet in width.
- c. A carport erected as an integral part of the principal building may not exceed 8 feet in height within 10 feet of a side lot line or 18 feet at its highest point.

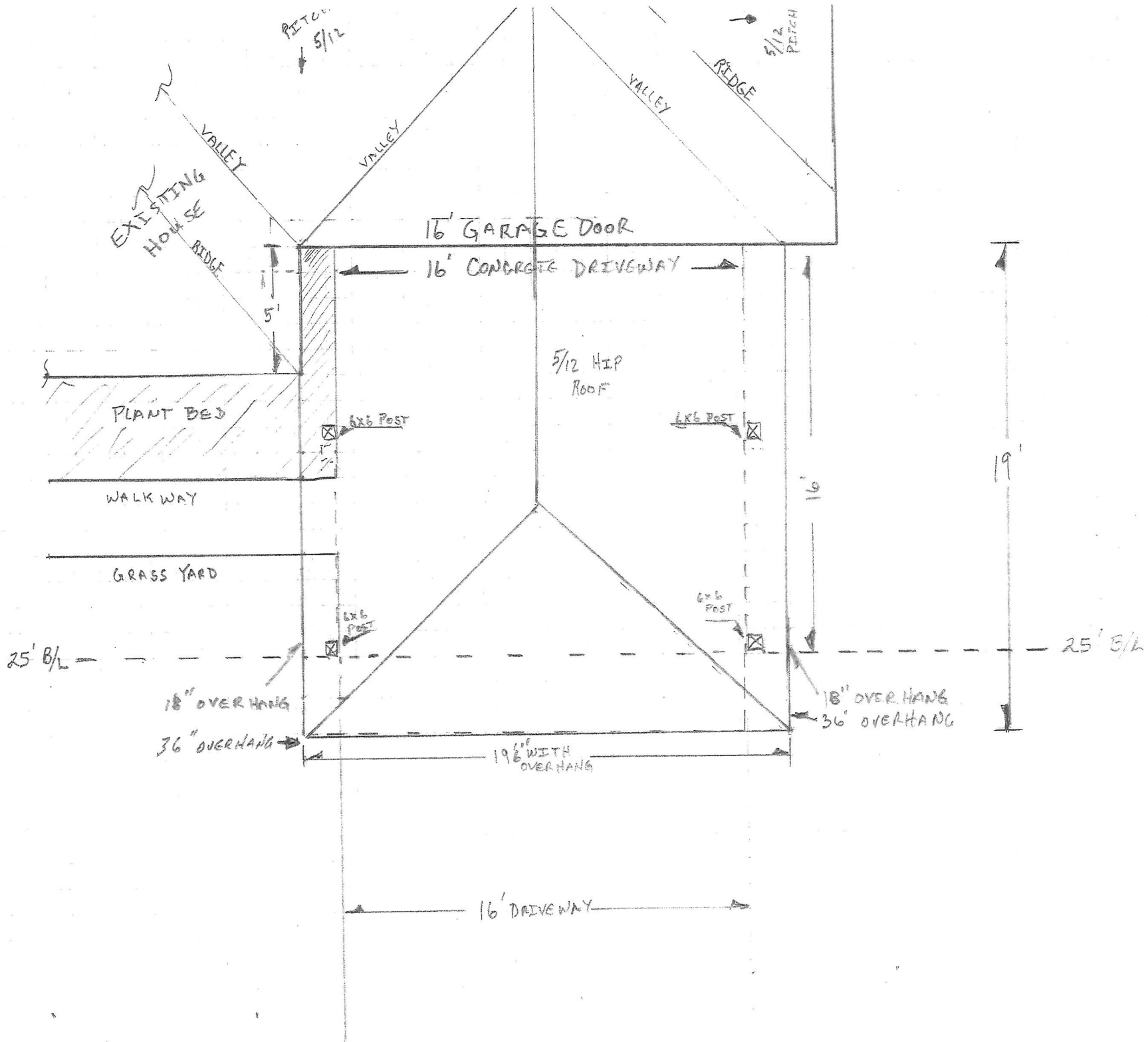
Review comment: The proposed carport is in the street setback, and part of this attached carport exceeds 8 feet in height within 10 feet of the side lot line. The proposed carport requires a special exception granted by the Board of Adjustment.

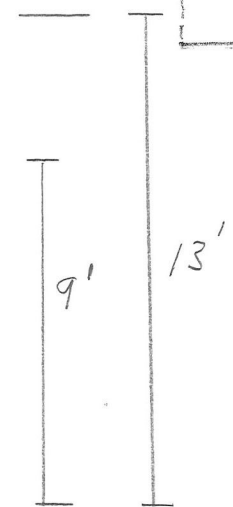
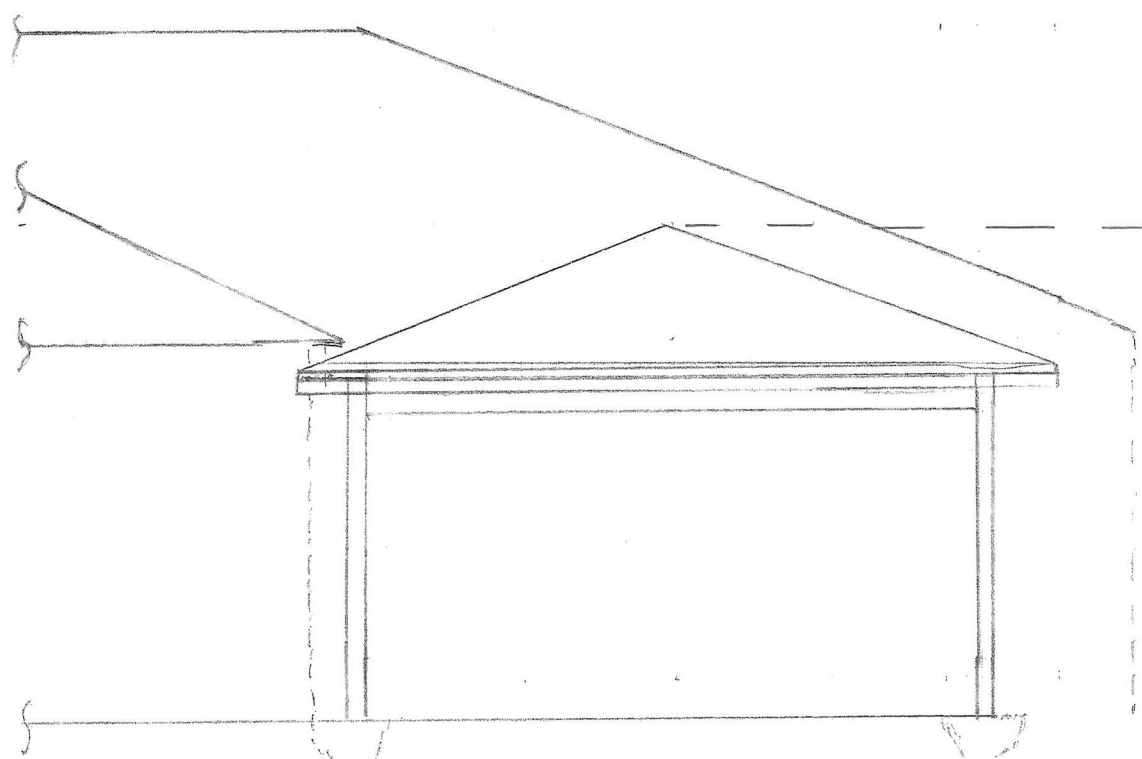
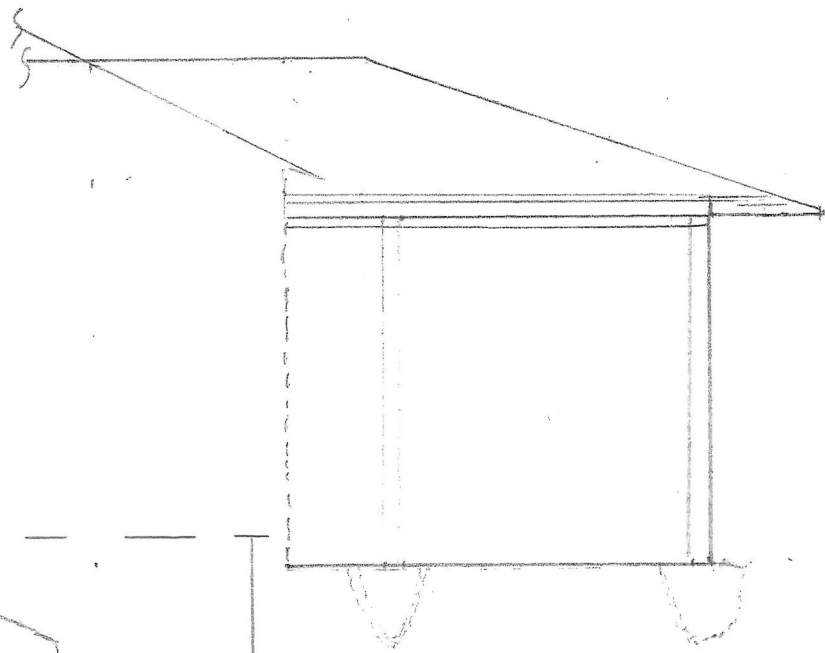
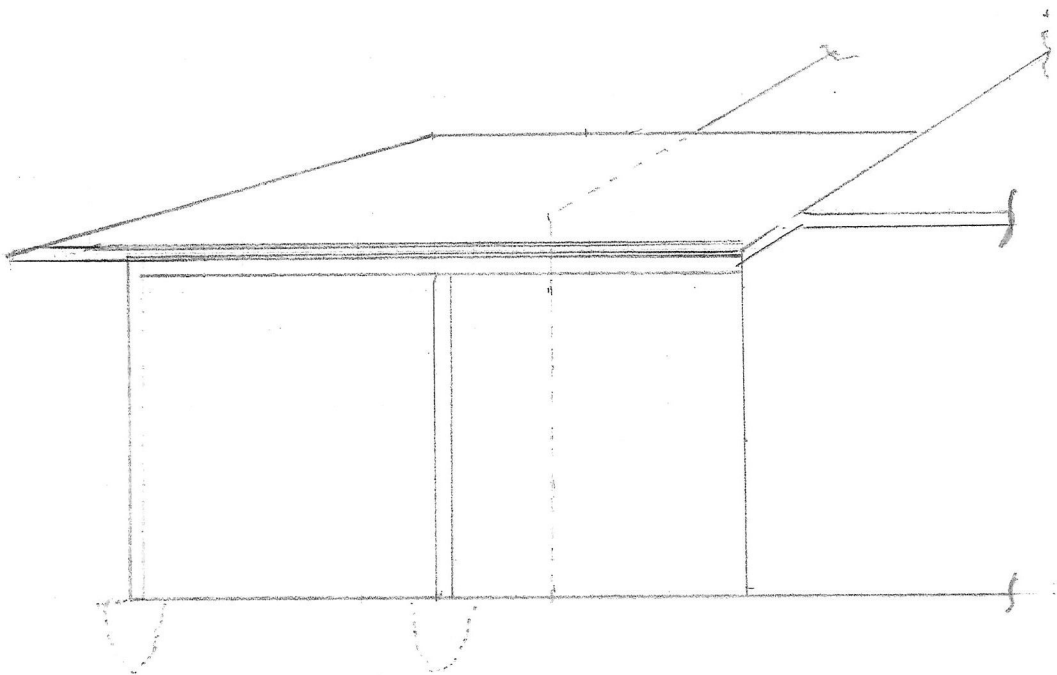


PROPERTY LIES WITHIN FLOOD ZONE "UNSH"
 ON FIRM MAP #40143C0240

Oklahoma

5.10





5.12

File Number TUL2022-014

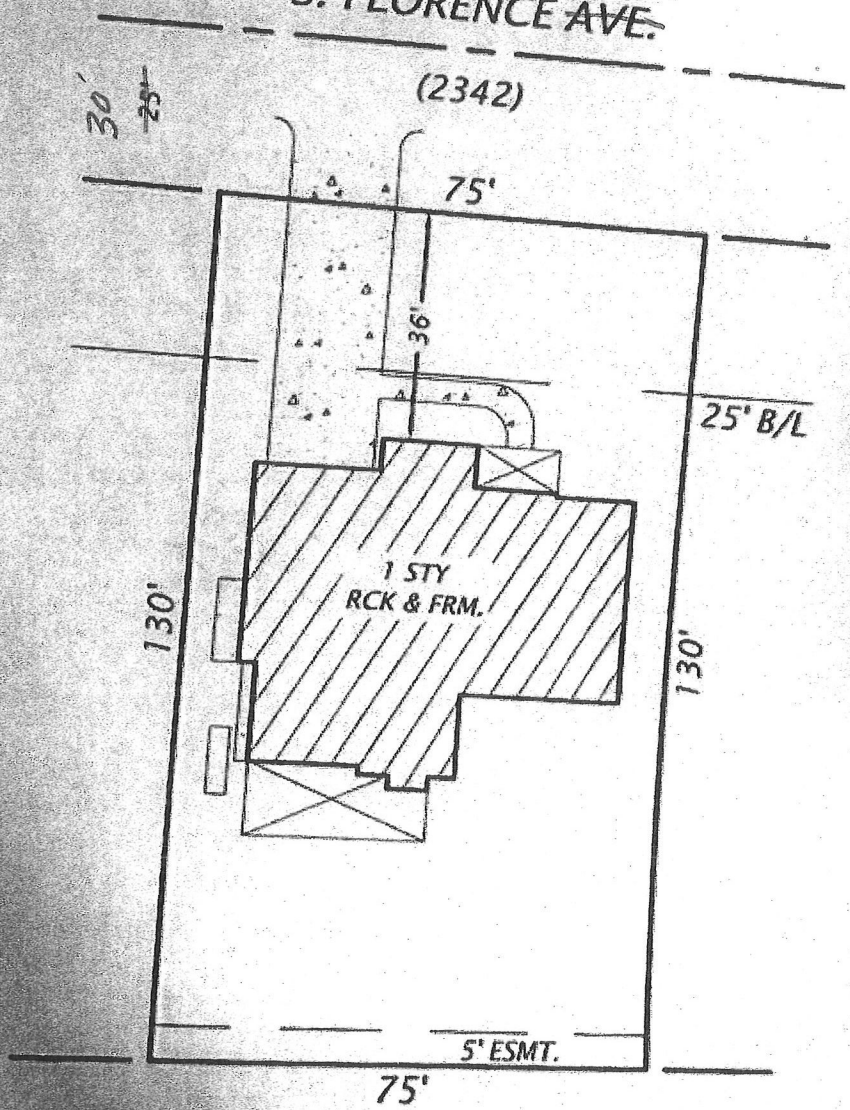
(918) 404-8848
darrin@tulsapl.com

Legal Description

Lot Two (2), Block Three (3), WIL-REY TERRACE, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

PL
S. FLORENCE AVE.

SCALE
1" = 30'



PROPERTY LIES WITHIN FLOOD ZONE "UNSHADED X" AN AREA OF MINOR
 AS SHOWN ON FIRM MAP#40143C0240L, DATED 10/16/12

Avenue, Tulsa, Oklahoma

STATEMENT

THAT IN MY PROFESSIONAL OPINION, THE ABOVE DESCRIBED, THAT IT IS ENTIRELY WITHIN
 VISIBLE PERMANENT IMPROVEMENT
 5-1-13 RECORDED PLAT EA
 BY COMMITMENT
 IDENTIFY