

Case Number: BOA-23552

Hearing Date: 07/25/2023 1:00 PM

Case Report Prepared by:

Austin Chapman

Owner and Applicant Information:

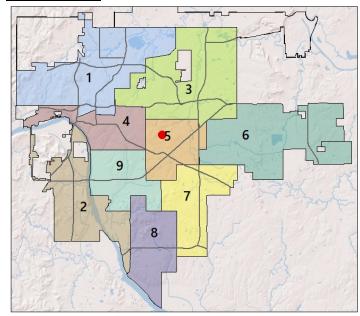
Applicant: Jason Goltry

Property Owner: WARDEN, CARMEN & JASON D

GOLTRY

<u>Action Requested</u>: Variance to reduce the 15-foot side street building setback and 20-foot side street setback for a street-facing garage door on a corner lot in the RS-3 District (Sec. 5.030-A, Table 5-3, Table Note [3]); Variance to reduce the 20-foot rear setback in the RS-3 District (Sec. Sec. 5.030-A, Table 5-3)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 0.17 acres

Location: 1117 S NORFOLK AV E

Present Zoning: RS-3

BOARD OF ADJUSTMENT CASE REPORT

STR: 9212 Case Number: **BOA-23552**

CD: 4

HEARING DATE: 07/25/2023 1:00 PM

APPLICANT: Jason Goltry

<u>ACTION REQUESTED</u>: Variance to reduce the 15-foot side street building setback and 20-foot side street setback for a street-facing garage door on a corner lot in the RS-3 District (Sec. 5.030-A, Table 5-3, Table Note [3]); Variance to reduce the 20-foot rear setback in the RS-3 District (Sec. Sec. 5.030-A, Table 5-3)

LOCATION: 1117 S NORFOLK AV E ZONED: RS-3

PRESENT USE: Residential TRACT SIZE: 7501.06 SQ FT

LEGAL DESCRIPTION: LT 16 BLK 2, RIDGEWOOD ADDN OF TRACY PARK 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 a "Neighborhood".

Neighborhoods are "Mostly Residential Uses" which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents' daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off of a lower-order street separated from the arterial, then it would be considered Neighborhood.

STATEMENT OF HARDSHIP: The previous house was exactly 36 feet wide on the west elevation, and the new structure is the same width, so the distance from the side street (11th Place) will be the same as what was there for almost 90 years.

The garage will be roughly the distance to the adjacent property from the way it previously was, give or take a foot. Now it will just be attached to the home for convenience. It will also be rotated so rather than facing Norfolk Ave and having the entire length of the lot covered in concrete, it will face 11th Place and just have the required 20-foot setback. This is consistent with the other garages for corner-lot homes in the neighborhood.

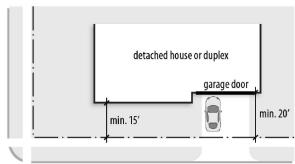
We have alerted the neighbors and have heard no opposition; in fact, they've been supportive. The proposed structure is not materially different than the one that was there from 1935 to earlier this year. The real difference is that the garage will be attached, which is standard in 2023.

STAFF ANALYSIS: Applicant is requesting Variance to reduce the 15-foot side street building setback and 20-foot side street setback for a street-facing garage door on a corner lot in the RS-3 District (Sec. 5.030-A, Table 5-3, Table Note [3]); Variance to reduce the 20-foot rear setback in the RS-3 District (Sec. Sec. 5.030-A, Table 5-3)

[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.

Figure 5-1: Street Side Setback on Corner Lots



Facts staff finds favorable for variance request:

 Property is located in the Tracy Park Historic Preservation Overlay District and has received a Historic Preservation permit of this work.

Facts Staff find unfavorable for the variance request:

None.

<u>SAMPLE MOTION:</u> Move to _____ (approve/deny) a **Variance** to reduce the 15-foot side street building setback and 20-foot side street setback for a street-facing garage door on a corner lot in the RS-3 District (Sec. 5.030-A, Table 5-3, Table Note [3]); **Variance** to reduce the 20-foot rear setback in the RS-3 District (Sec. 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."



Subject property





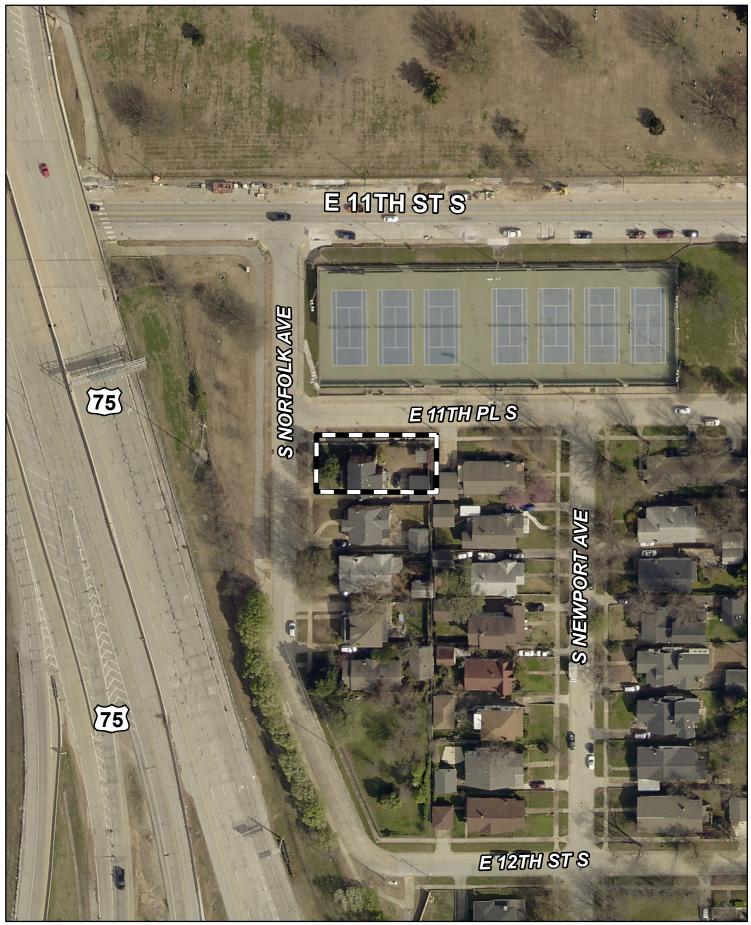


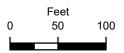
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Note: Graphic overlays may not precisely align with physical features on the ground.









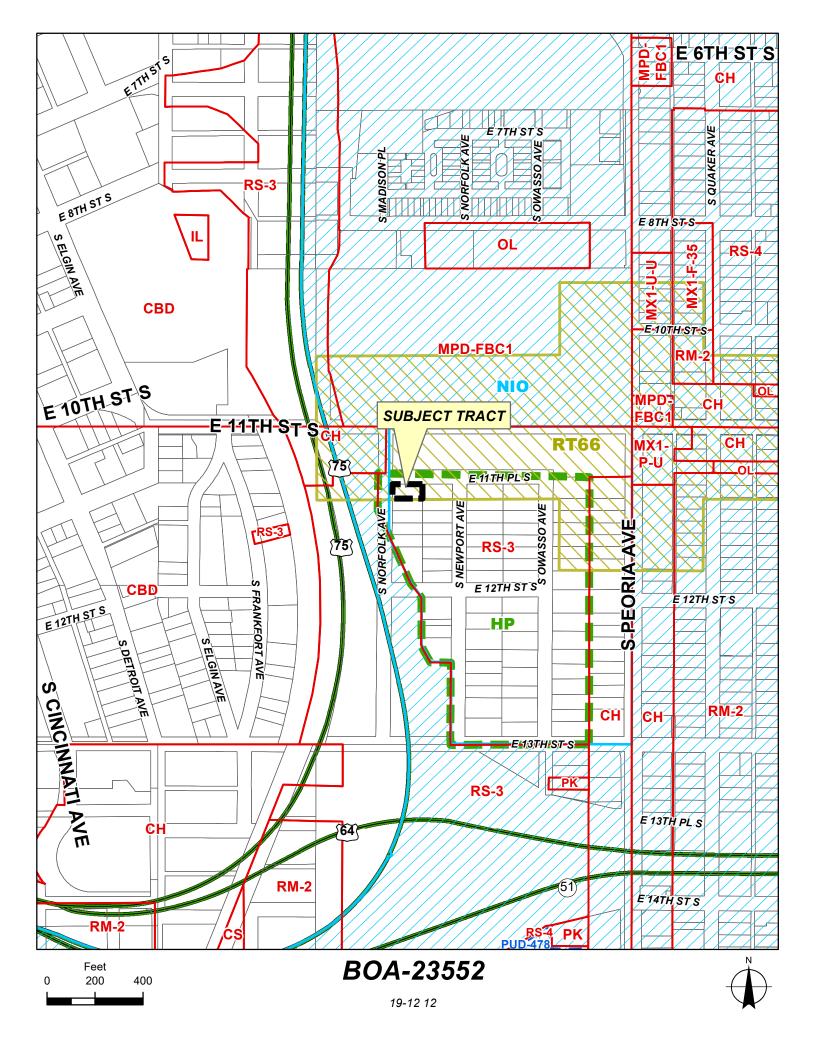


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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021







CITY OF TULSA CORRECTIONS SUMMARY

Zoning Review (2)



Subject: Zoning Review

Page Label: 15 Status:

Author: DWhiteman Date: 6/7/2023 3:14:47 PM

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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.

Review Comment: Per Table 5-3, a 20' rear setback is required for this RS-3 zoned lot. The site plan only provides a 5.01' rear setback, please revise the site and house plans to comply with this section. If you revise the plans to comply, you will also need to contact INCOG regarding an amended HP permit. As an alternative, you may request a variance from the Board of Adjustment to reduce a rear setback in the RS-3 zoning district from 20' to 5.01'.



Subject: Zoning Review

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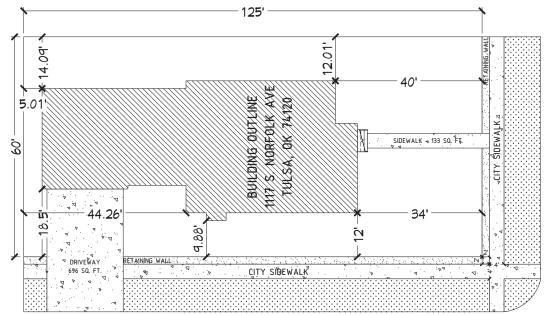
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Section 5.030-A – Setback(s) footnote [3]: In the RS-2 zoned district on corner lots, the minimum side street setback along a non-arterial street may be reduced to 15 feet, provided that the minimum setback for street-facing garage doors is 20 feet or 20 feet from the back of the sidewalk, whichever is greater. The street setback specified in Table 5-3applies along the other street.

Review Comment: Please revise the plans to indicate a 15' side street setback from the north side of the house, and a 20' setback for the street-facing garage doors. As an alternative you may request a variance from the Board of Adjustment for a side street setback of less than 15' and you may request an Administrative Adjustment from INCOG for the street facing garage doors; to reduce the required street setback by up to 5'.



E. 11TH PL.

GENERAL NOTES:

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PLOT PLAN

JASON & CARMEN GOLTRY

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JASON & CARMEN GOLTRY

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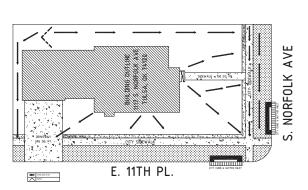
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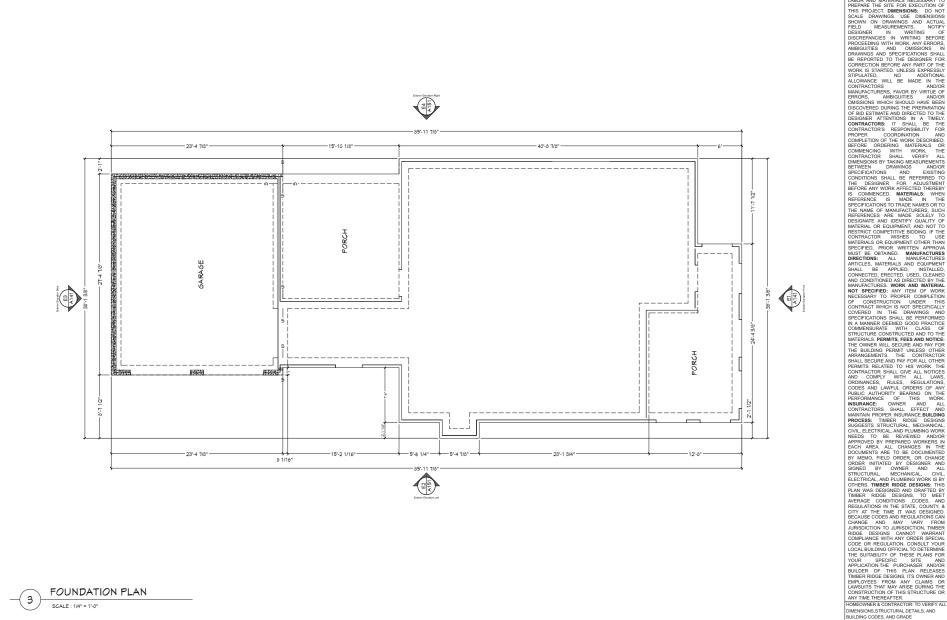
AVE NORFOLK E. 11TH PL.



PROPOSED POST-CONSTRUCTION DRAINAGE

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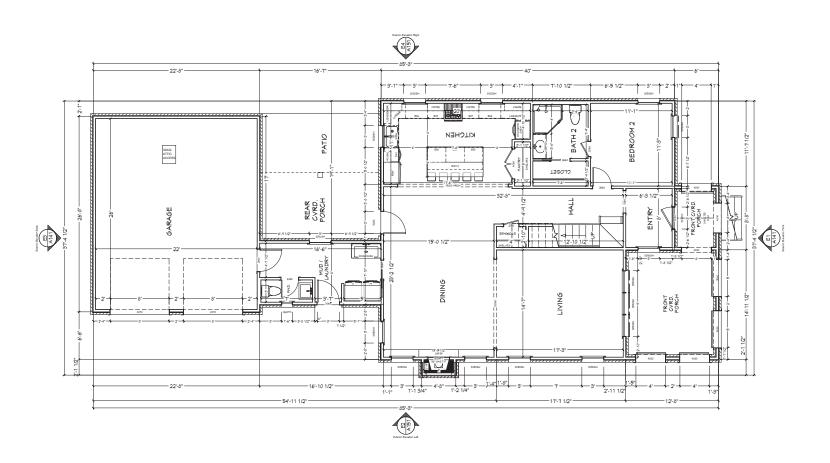
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JASON & CARMEN GOLTRY

D-09/5-01

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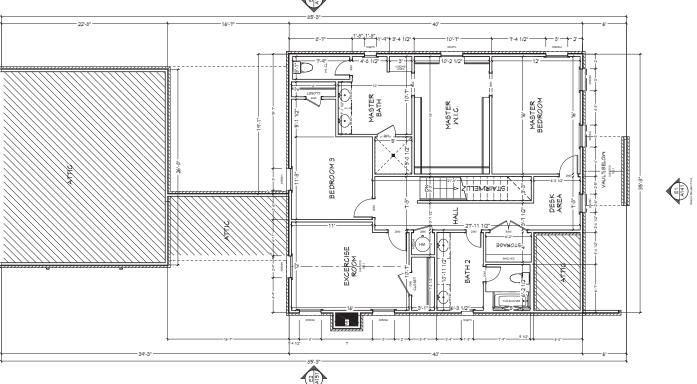
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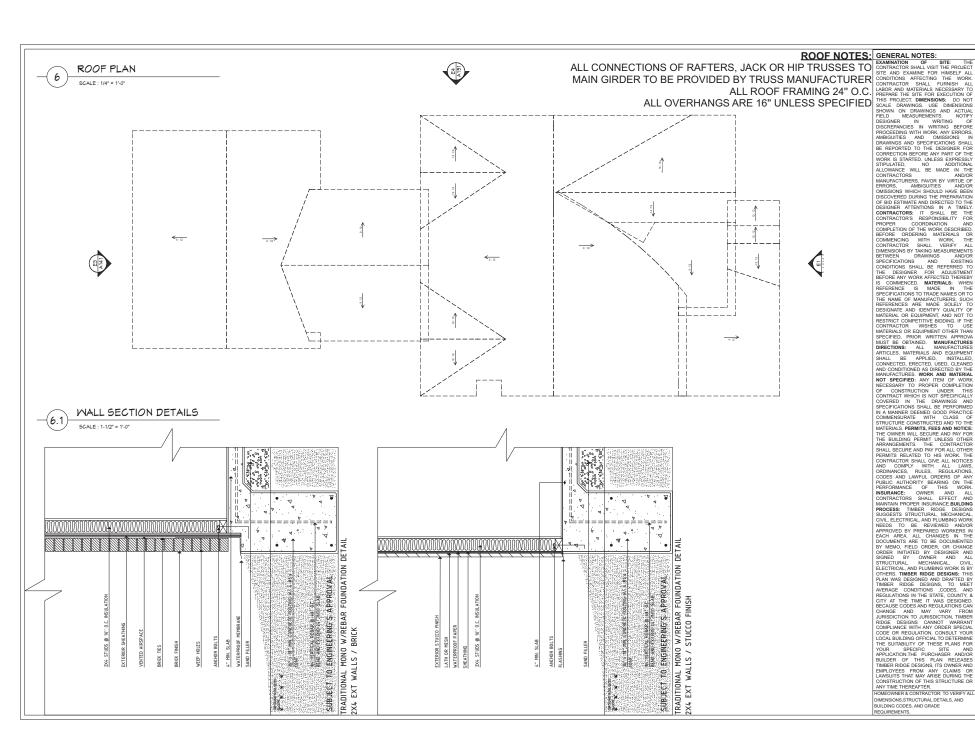
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ROOF PLAN

> JASON & CARMEN **GOLTRY**

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1.466 SQ. FT MAIN FLOORAREA 2.866 SQ. FT UBSTARS FLOOR AREA 2.80 SQ. FT GARAGE FLOOR AREA SQ. FT. CVRD. FRONT PORCH AREA 55 SQ. FT. CVRD. REAR PORCH AREA

SPEC:

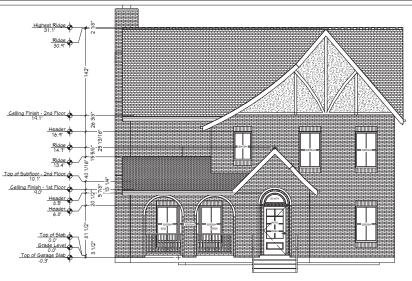
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SCALE:

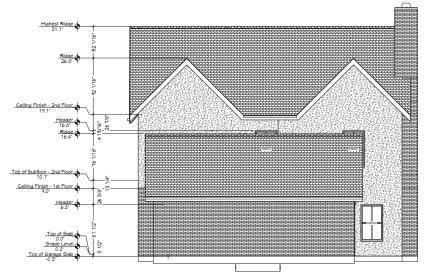
1/4 = 1'-0"

SHEET:

6



EXTERIOR FRONT ELEVATION SCALE : 1/4" = 1'-0"



EXTERIOR REAR ELEVATION (E3 SCALE : 1/4" = 1'-0"

GENERAL NOTES:

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ARRANGEMENTS. THE CONTRACTOR SHALL SECURE AND PAY FOR ALL OTHER PERMITS RELATED TO HIS WORK. THE CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS, CODES AND LAWFUL ORDERS OF ANY	OVE	FLOOR	MAIN	UPSTAIRS	
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REQUIREMENTS.

D-09 / S-01

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