



CITY OF
Tulsa
Board of Adjustment

Case Number: BOA-23560

Hearing Date: 09/12/2023 (Cont. from 8/22/23)

Case Report Prepared by:

Austin Chapman

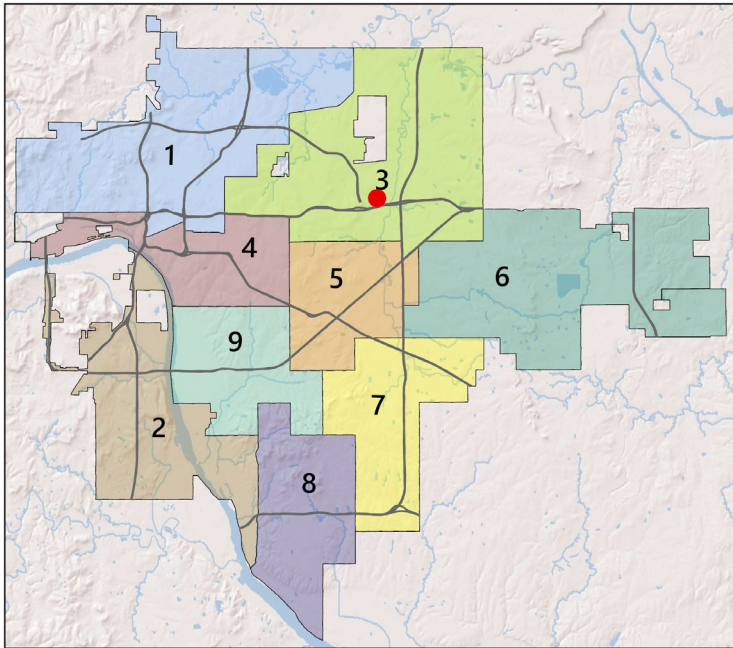
Owner and Applicant Information:

Applicant: Ignacio Becerra

Property Owner: Nunez, Marcos & Sergio & Jonathan

Action Requested: Special Exception to permit a carport in the street setback and street yard with modifications to the allowable height, width, length and setback requirements (Section 90.090-C.1)

Location Map:



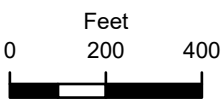
Additional Information:

Present Use: Residential

Tract Size: 0.16 acres

Location: 6747 E. Independence Pl. N.

Present Zoning: RS-3

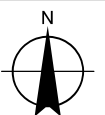


 Subject Tract

BOA-23560

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

Aerial Photo Date: 2021



3.2



N 68TH AVE

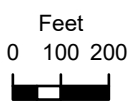
E KING ST

E JASPER ST

N 71ST AVE

E INDEPENDENCE PL

E INDEPENDENCE ST

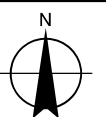


Subject Tract

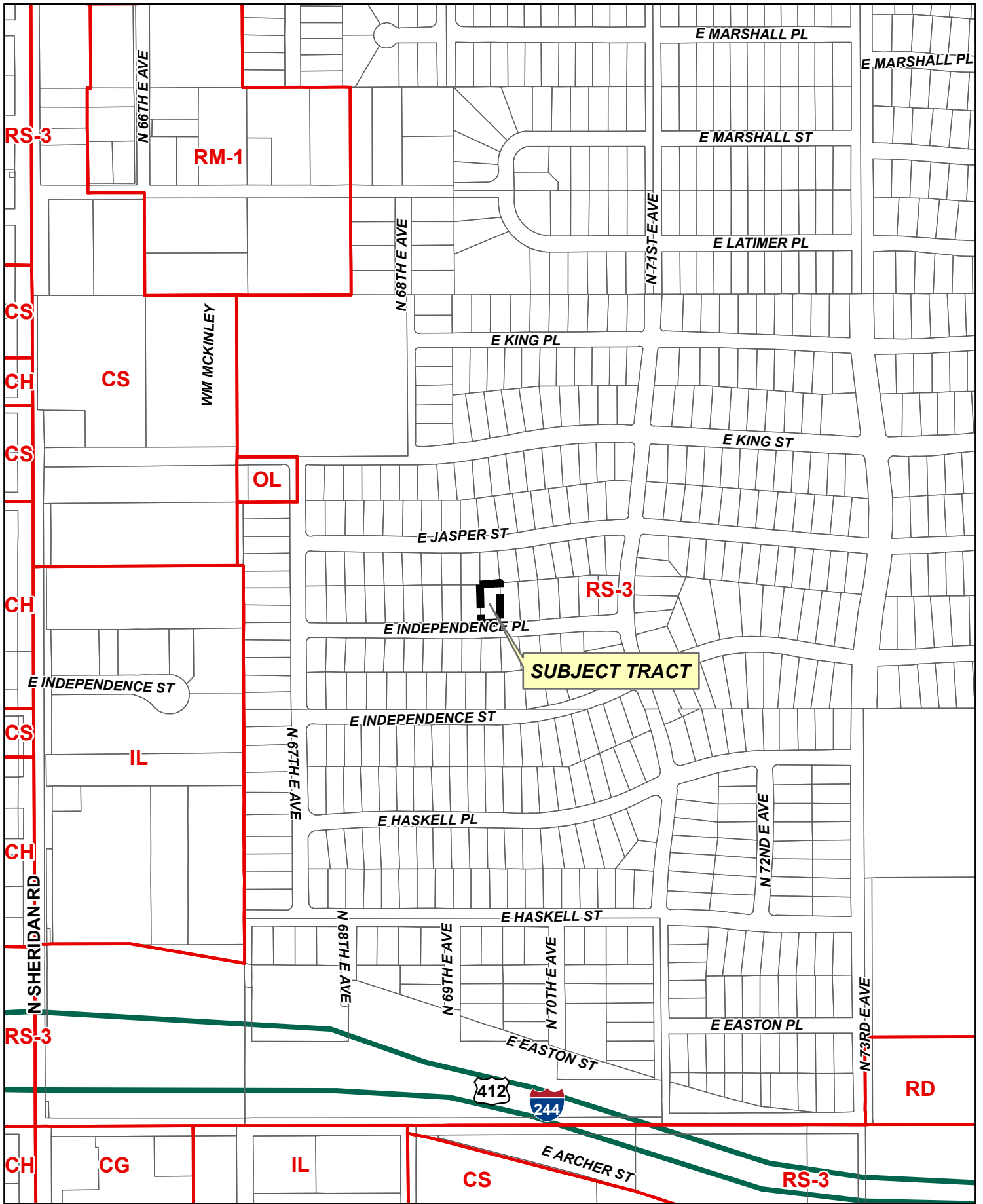
BOA-23560

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

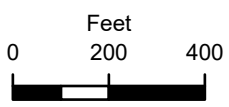
Aerial Photo Date: 2021



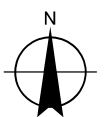
3.3



SUBJECT TRACT



BOA-23560



3.4

**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 0335
CD: 3

Case Number: **BOA-23560**

HEARING DATE: 09/12/23 (Continued from 08/22/23). Board requested applicant provide plans that are reduce in size.

APPLICANT: Ignacio Becerra

ACTION REQUESTED: Special Exception to permit a carport in the street setback and street yard with modifications to the allowable height, width, length and setback requirements (Section 90.090-C.1)

LOCATION: 6747 E. Independence Pl. N.

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 7130.8 SQ FT

LEGAL DESCRIPTION: LT 27 BLK 14, VAL-CHARLES 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” Land Use Designation.

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.

STAFF ANALYSIS:

The applicant is requesting a special exception to permit a carport in the street yard and street setback with modifications to the allowable height, width, length and setback requirements (Section 90.090-C.1).

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.

The proposed carport exceeds 8-feet in height within 10-feet of the side lot line, is set back by less than 5 feet from the side lot line and exceeds the 20-feet in length by 20-feet in width.

SAMPLE MOTION:

Move to _____ (approve/deny) a special exception to permit a carport in the street yard and street setback with modifications to the allowable height, width, length and setback requirements (Section 90.090-C.1).

- 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



Facing West on E. Independence Pl. N.

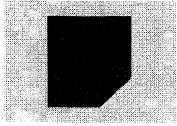


DEVELOPMENT SERVICES
175 E 2ND ST., STE 405
TULSA, OK 74103
918-596-9456

CITY OF TULSA

CORRECTIONS SUMMARY

Zoning Review (1)



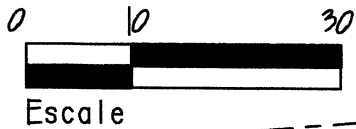
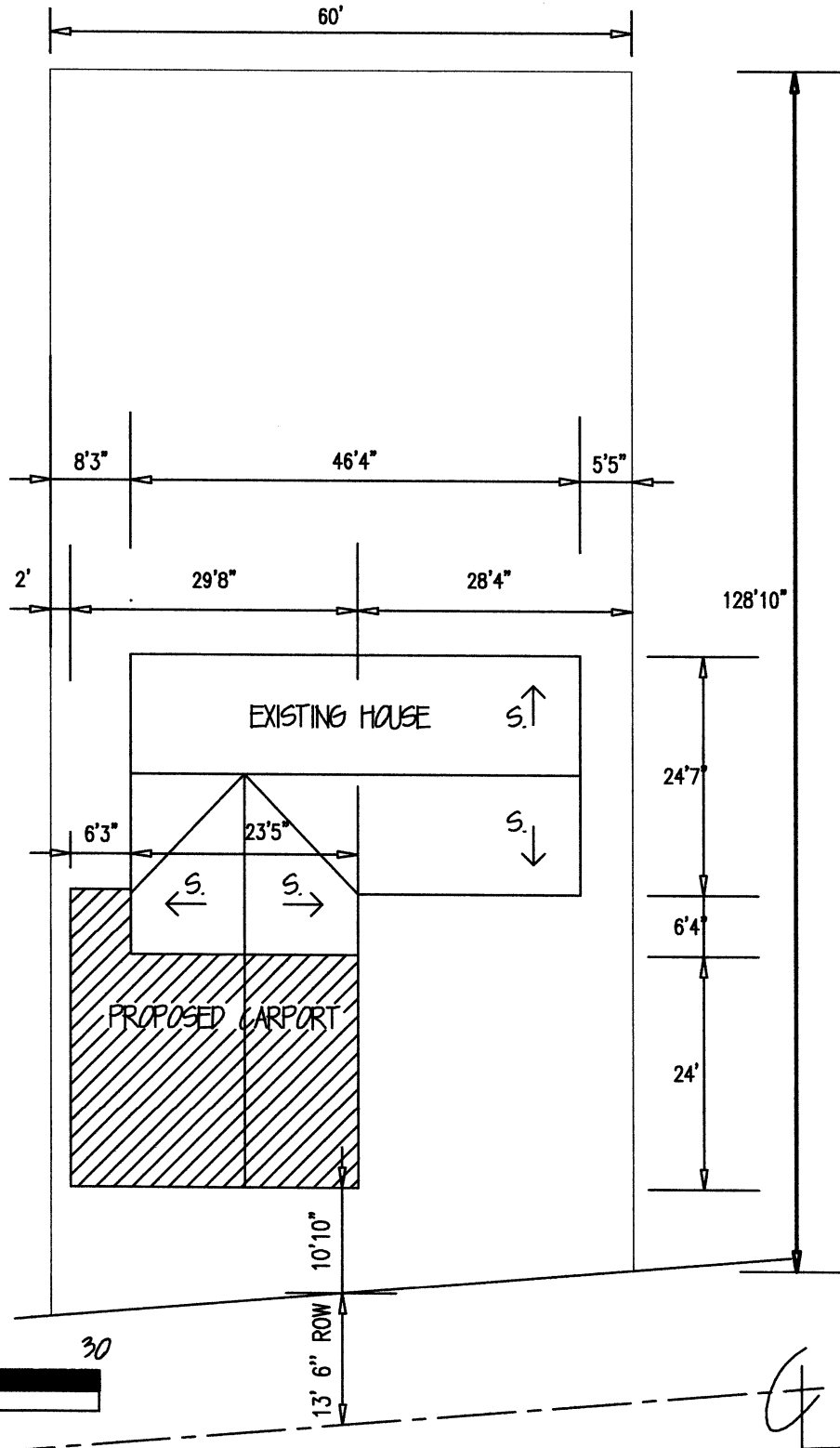
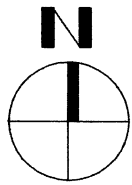
Subject: Zoning Review
Page Label: 2
Status:
Author: DWhiteman
Date: 6/16/2023 2:14:43 PM
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Section 90.090-C.1, Carports. Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception 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.
- 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.

Review comment: The proposed carport is in the street yard and street setback, part of this attached carport exceeds 8 feet in height within 10 feet of the side lot line, and the carport is setback by less than 5' from the side lot line. The proposed carport requires a special exception granted by the Board of Adjustment.

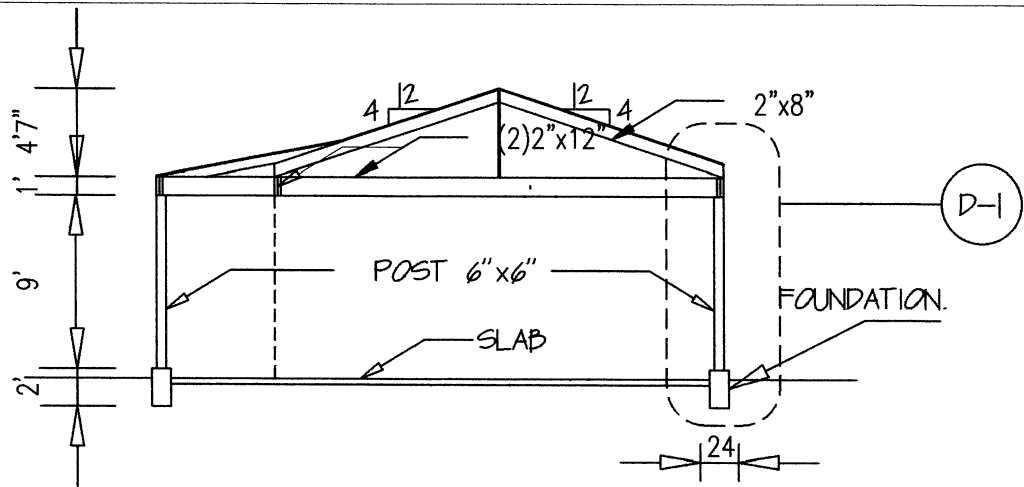
In preparing the site plan for the Board of Adjustment, please show the distance from the carport to the west property line. Contact INCOG at 918-584-7526 regarding Board of Adjustment schedule and procedures. If you receive Board approval, please bring your approval paperwork to the permit office as revised plans.



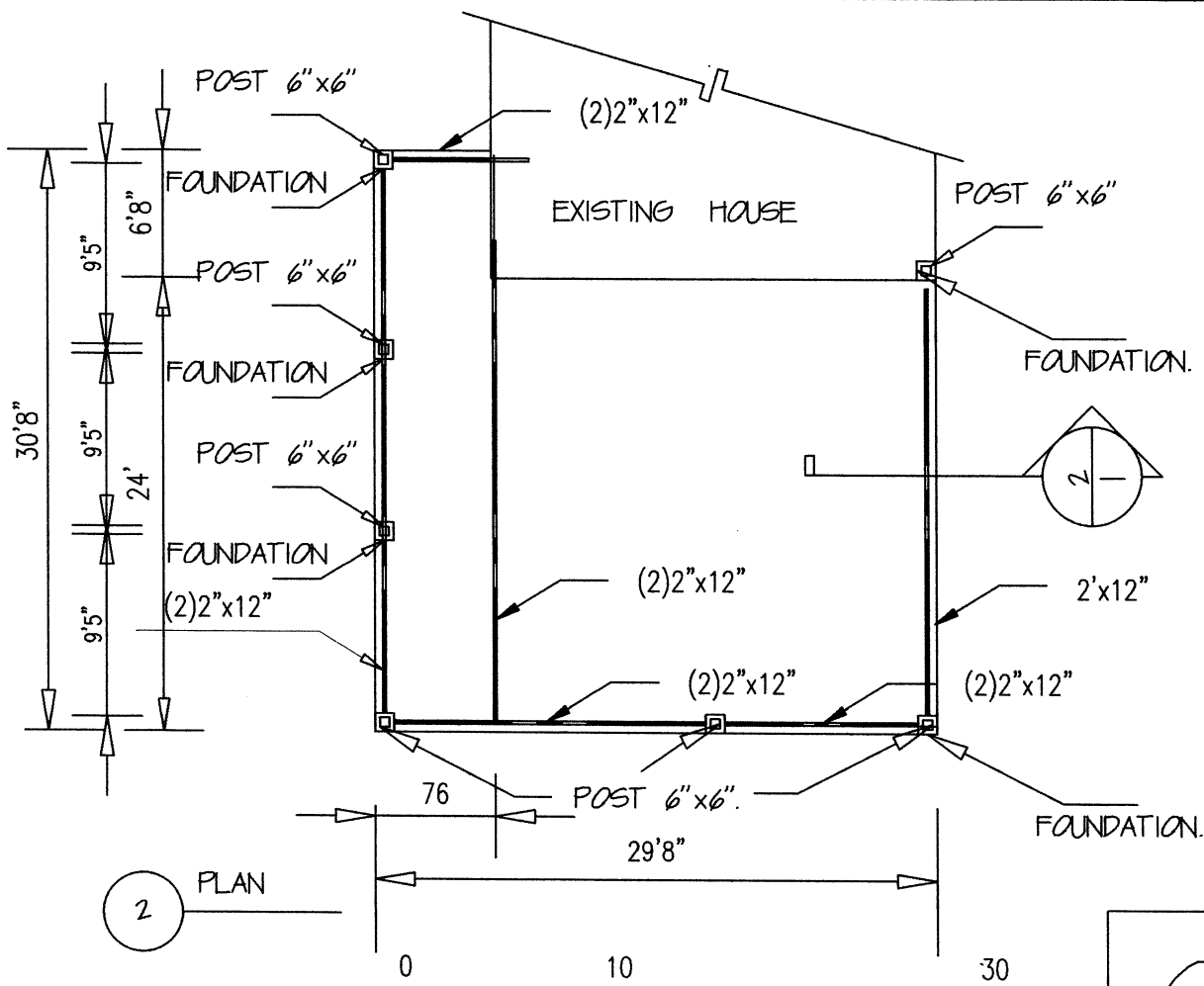
1 PLANT

INDEPENDENCE PL STREET.

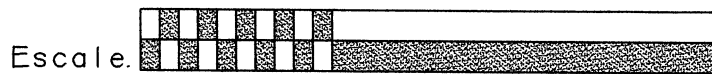
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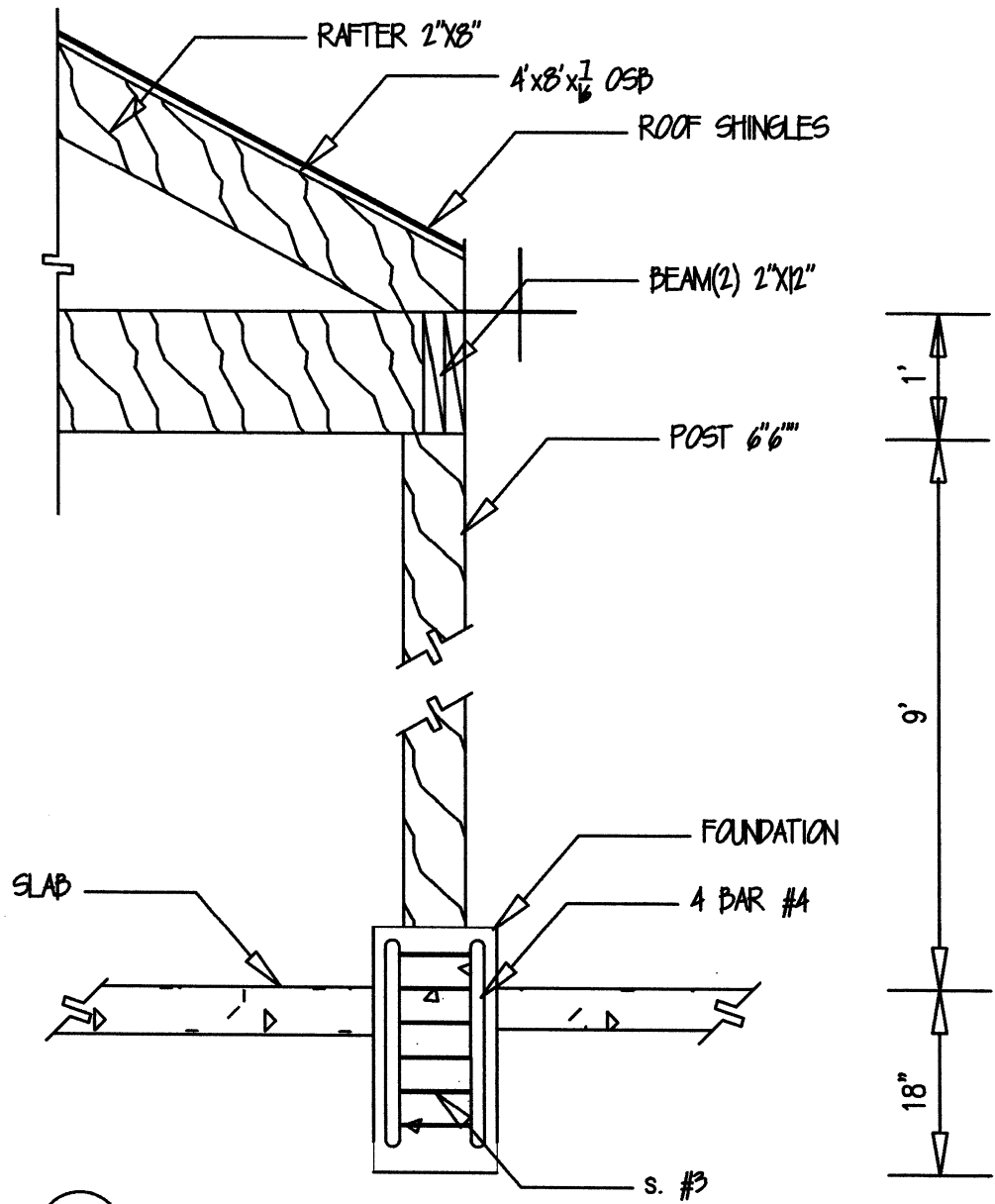
1 SECTION



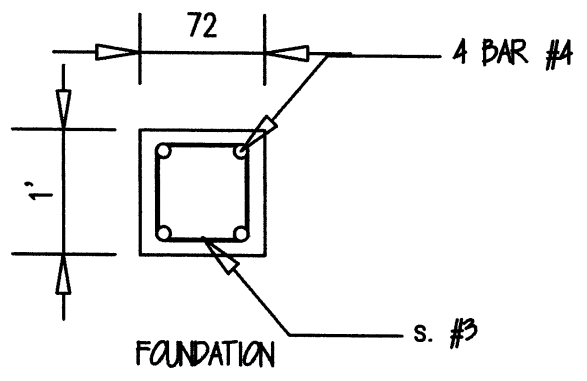
2 PLAN



2



D-1
 NO SCALE (3)



3



TULSA CITY BOARD OF ADJUSTMENT
CASE NO. 23560
OFFICIAL RECORD EXHIBIT
ENTERED IN THE 8/22/23
MINUTES OF THE TULSA CITY BOARD
OF ADJUSTMENT



3.13





3.15