



CITY OF
Tulsa
Board of Adjustment

Case Number: BOA-23564

Hearing Date: 09/12/2023 1:00 PM

Case Report Prepared by:

Sean Wallace

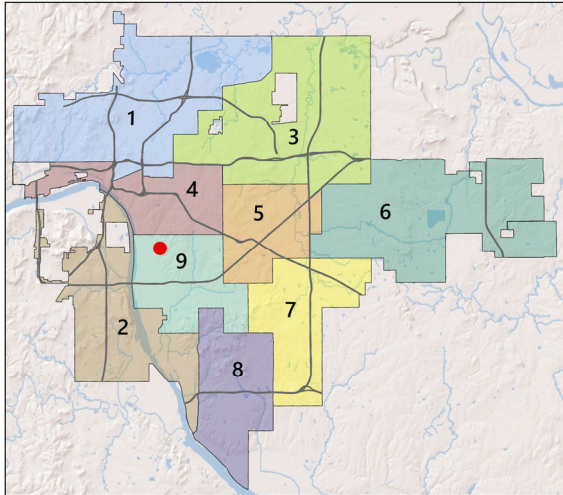
Owner and Applicant Information:

Applicant: Pat White

Property Owner: John J & Rachel L Zigrang

Action Requested: Special Exception to extend an exterior building wall with a non-conforming setback (Sec. 80.030-D).

Location Map:



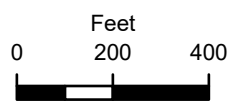
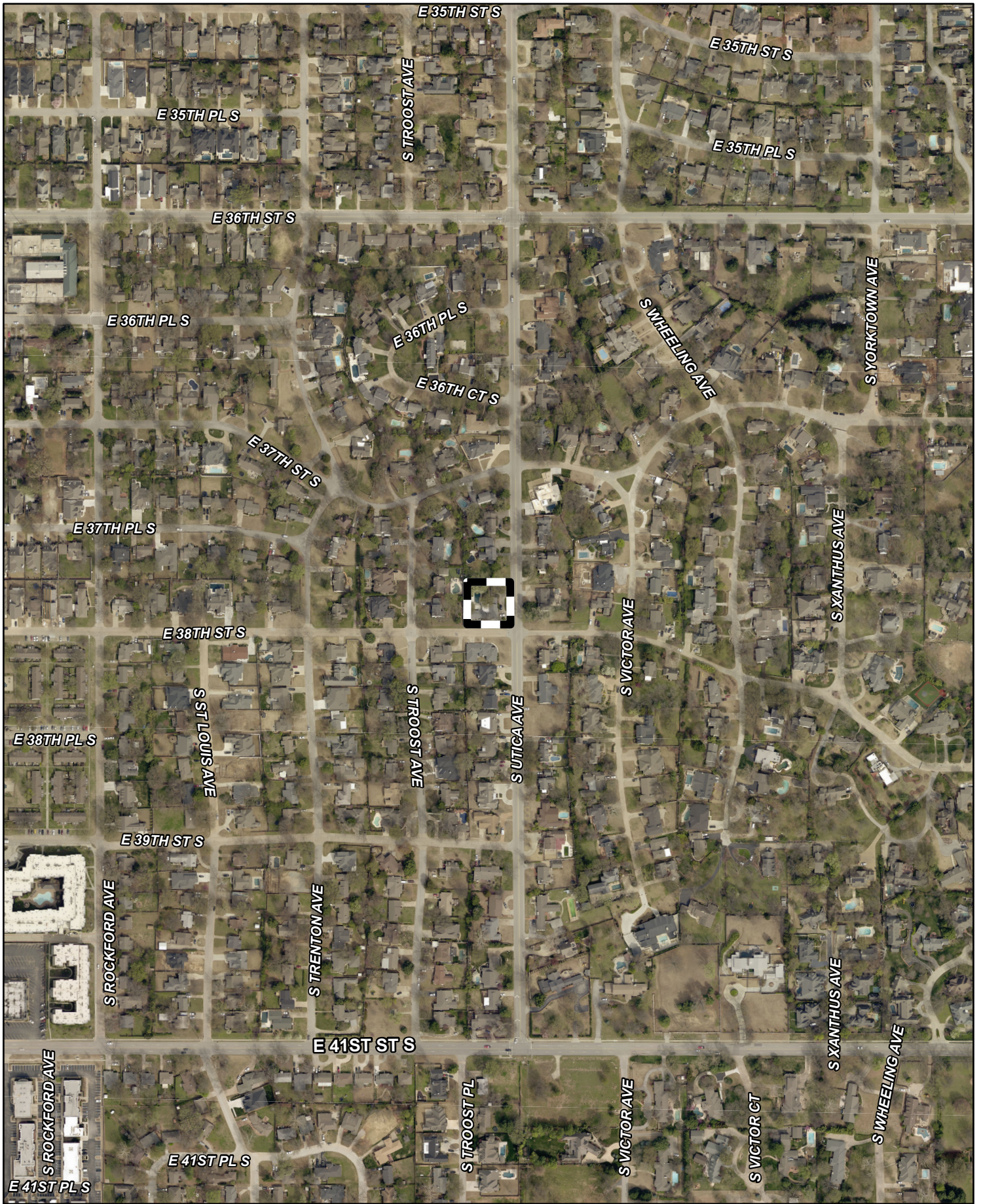
Additional Information:

Present Use: Residential

Tract Size: 0.43 acres

Location: 3732 S. Utica Ave.

Present Zoning: RS-2

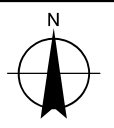


 Subject Tract

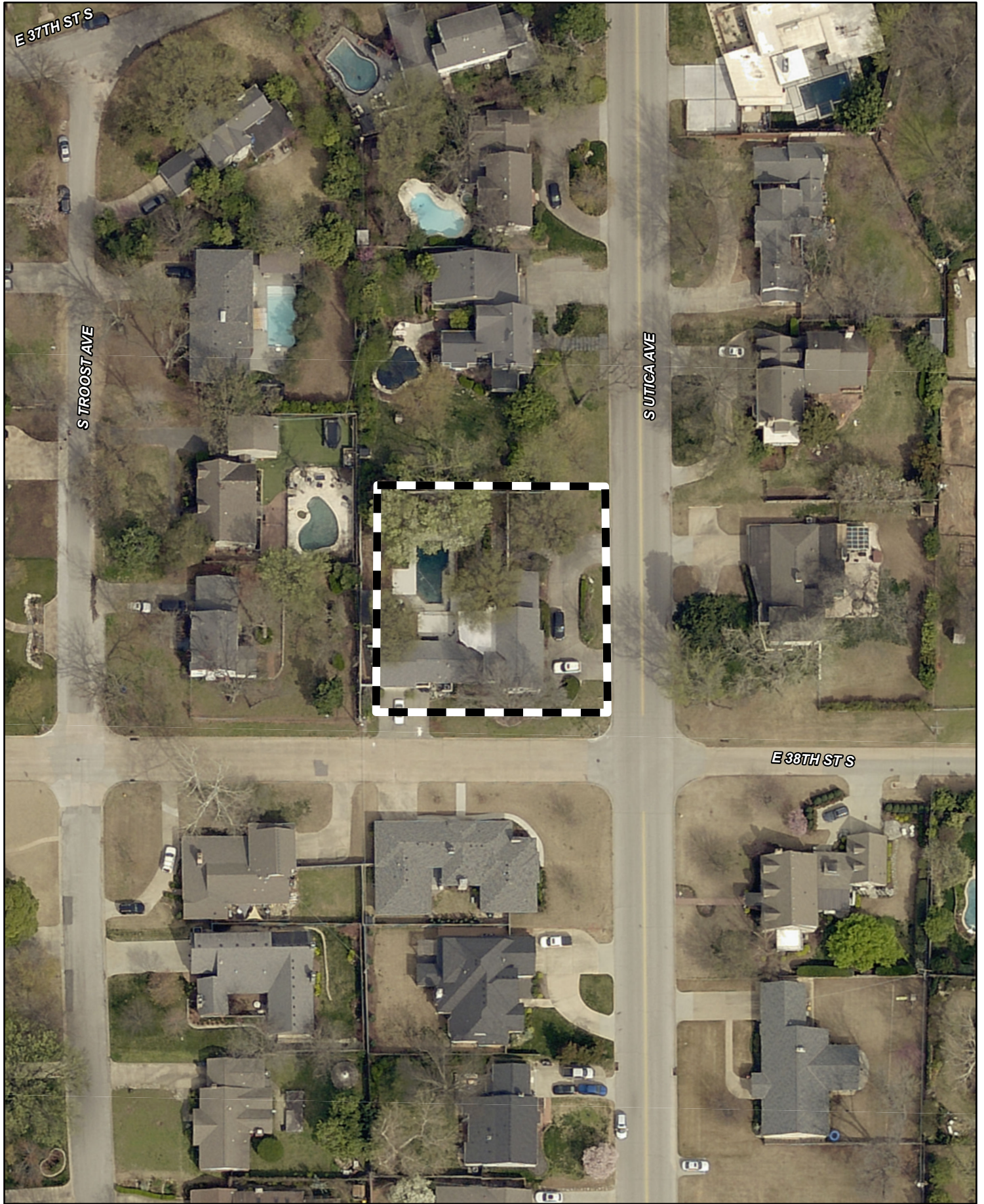
BOA-23564

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

Aerial Photo Date: 2021



4.2



Feet
0 100 200

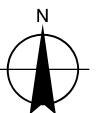


Subject
Tract

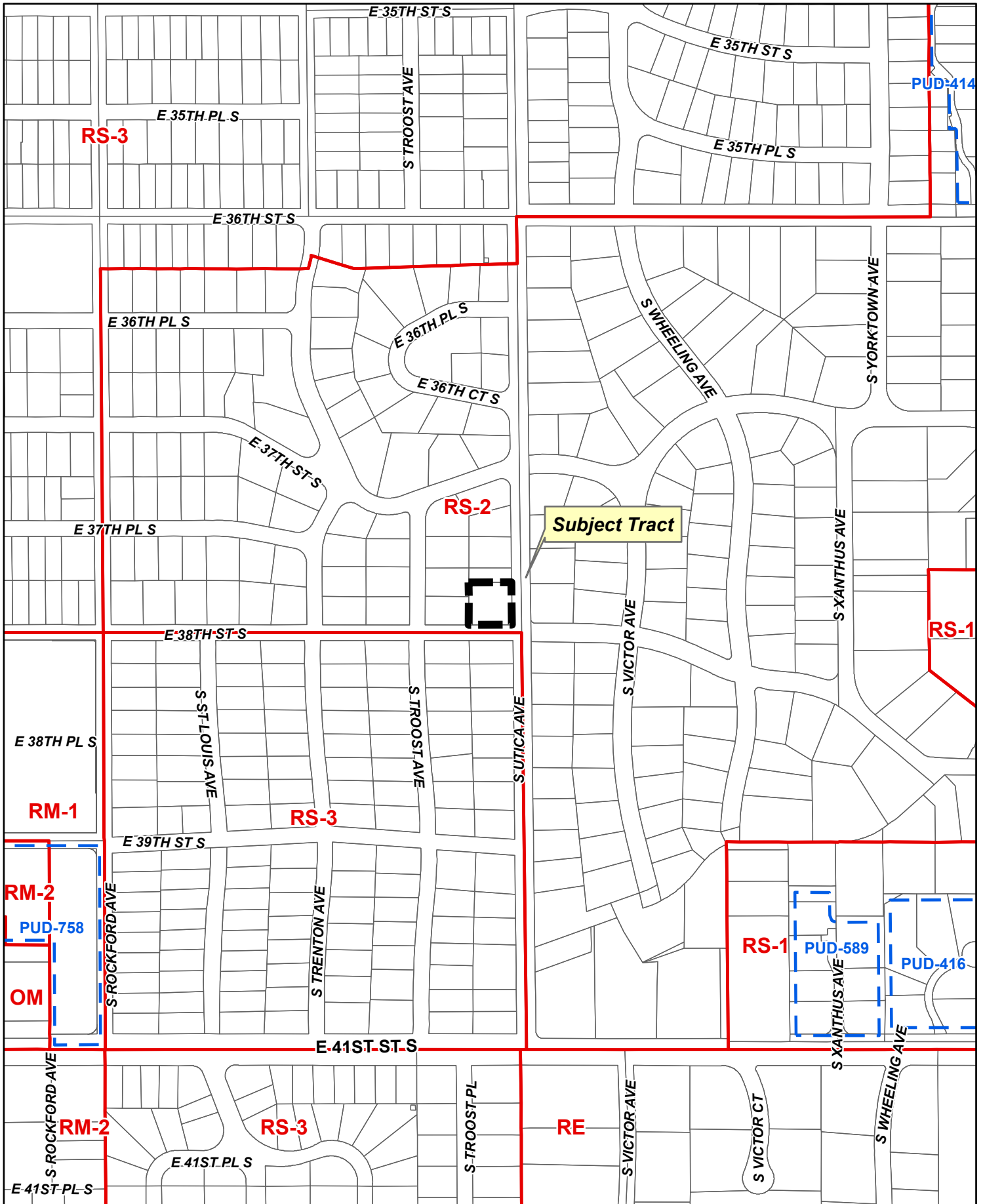
BOA-23564

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

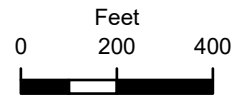
Aerial Photo Date: 2021



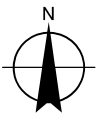
4.3



Subject Tract



BOA-23564



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9319
CD: 9

Case Number: **BOA-23564**

HEARING DATE: 09/12/2023 1:00 PM

APPLICANT: Pat White

ACTION REQUESTED: Special Exception to extend an exterior building wall with a non-conforming setback (Sec. 80.030-D).

LOCATION: 3732 S. Utica Ave.

ZONED: RS-2

PRESENT USE: Residential

TRACT SIZE: 18900.76 SQ FT

LEGAL DESCRIPTION: LOT 5 & THE S 1/2 OF LOT 6 BLK 6, WOODLAND HGTS 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.

STAFF ANALYSIS:

Applicant is seeking to build an addition to garage, which is a non-conforming structure due to its location on a corner lot and it being within the 25-foot rear setback.

80.030-D Alterations, Enlargements and Expansions

Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building regulations and does not increase the extent of the nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback regulations and all other applicable lot and building regulations. Horizontal and vertical extensions of an exterior wall that is nonconforming with regard to applicable setbacks may be approved in accordance with the special exception procedures of [Section 70.120](#), provided the extensions are not located closer to the lot line than the existing structure.

SAMPLE MOTION:

Move to _____ (approve/deny) a Special Exception to extend an exterior building wall with a non-conforming setback (Sec. 80.030-D).

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 (Red Arrow indicates the location of the proposed addition)



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

CITY OF TULSA

CORRECTIONS SUMMARY

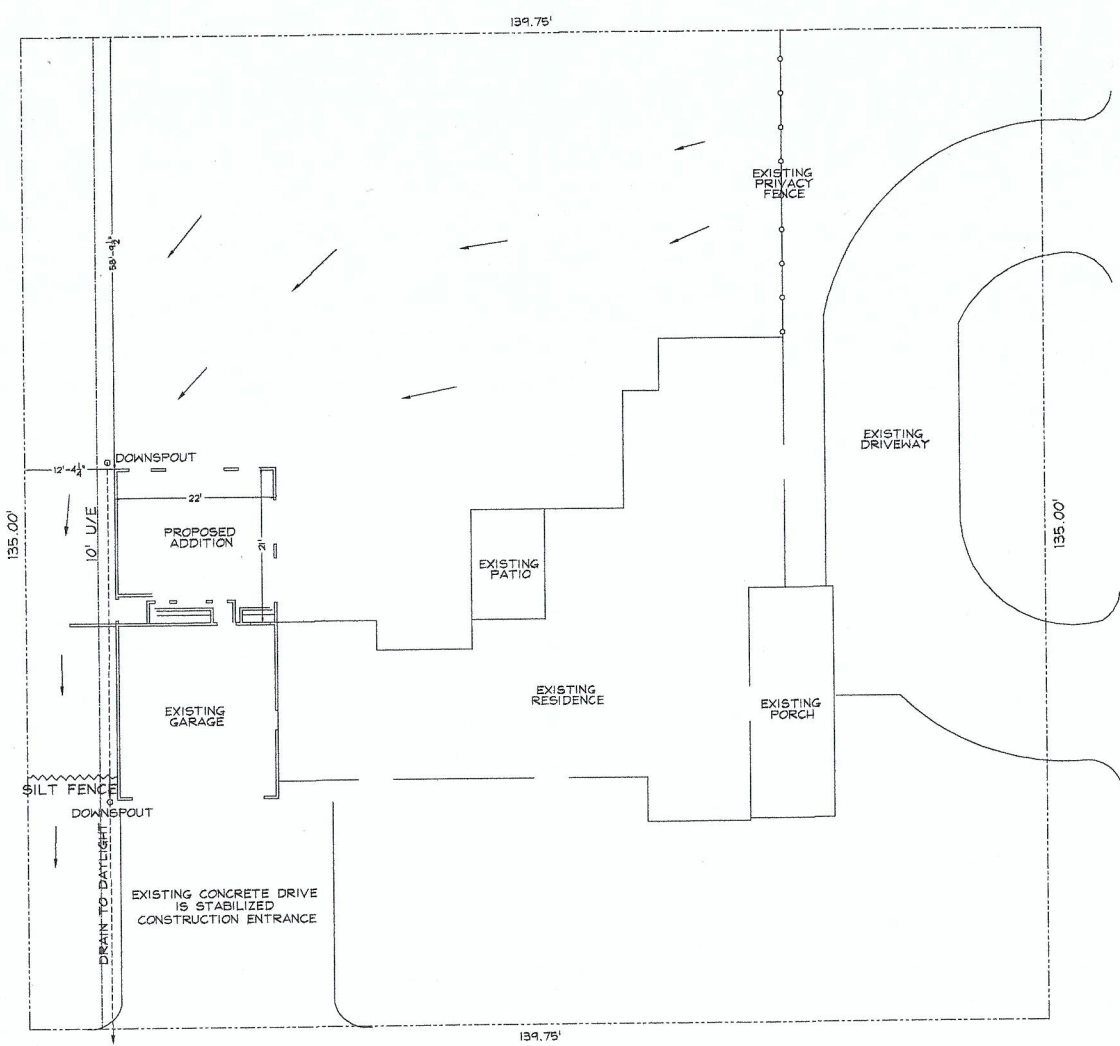
Zoning Review (1)



Subject: Zoning Review
Page Label: 1
Status:
Author: DWhiteman
Date: 7/19/2023 10:29:53 AM
Color: ■

Section 80.030-D, Nonconforming structures: Alterations, Enlargements and Expansions. Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building regulations and does not increase the extent of the nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback regulations and all other applicable lot and building regulations. Horizontal and vertical extensions of an exterior wall that is nonconforming with regard to applicable setbacks may be approved in accordance with the special exception procedures of Section 70.120, provided the extensions are not located closer to the lot line than the existing structure.

Review Comment: For this corner lot, it looks like the east side of the lot is the front of the lot. The way to know for sure is to provide distances from the house to the centers of Utica Ave. and 38th St. If the Utica side of the lot is the front of the lot based on setbacks, then the rear of the lot is the west side of the lot, and this house is a nonconforming structure because it already encroaches on the 25' rear setback (per Table 5-3 for an RS-2 zoned lot). If that's the case, a special exception will be needed to extend a nonconforming exterior wall. Please revise the site plan to provide distances from the existing house to the centers of the streets. Unless the house is setback 30' from the south property line, and 55' from the center of 38th St., please apply to the Board of Adjustment for a special exception to extend a nonconforming exterior wall.



NOTES:

This design plan (Plan) has been prepared by Pinnacle Design (Pinnacle) without any contractor working for the customer the living conditions. (1) Pinnacle shall have no liability whatsoever to the customer and (2) it is the responsibility of customer and contractor to verify all construction conditions, use building materials and be corrected by the contractor.

PINNACLE
 HOME DESIGN
KEITH DALESSANDRO
 1112 S. Kolanchoe Ave.
 Broken Arrow, OK 74012
 418.691.3627
 keith@pinnacledesignco.com
 www.pinnacledesignco.com



3732 S. UTICA Ave.
 TULSA, OK 74015
 L5 # S1/2 L6 B6 - WOODLAND HEIGHTS
 .43 ACRE - 18,900 SQ. FT.
 SCALE: 1/8"=1'0"

MODEL #:
 3732 S. UTICA

SQUARE FOOTAGE:
 1st LIVING: _____
 2nd LIVING: _____
 TOTAL: _____
 GARAGE: _____
 PATIO: _____
 PORCH: _____
 LIVING: _____
 TOTAL: _____

REVISIONS:
 DATE: 06.21.23
 06.30.2023

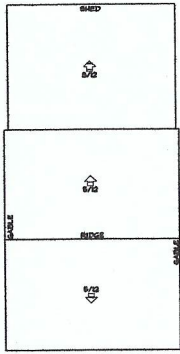
PDG PROJECT NUMBER:
 23-075

ADDRESS:

SITE PLAN

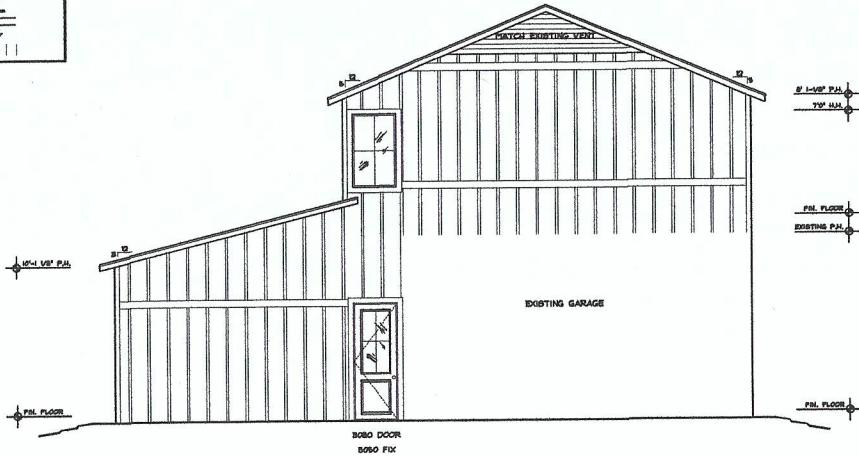
SCALE: 1/8"=1'0"

SHEET:
 C-1

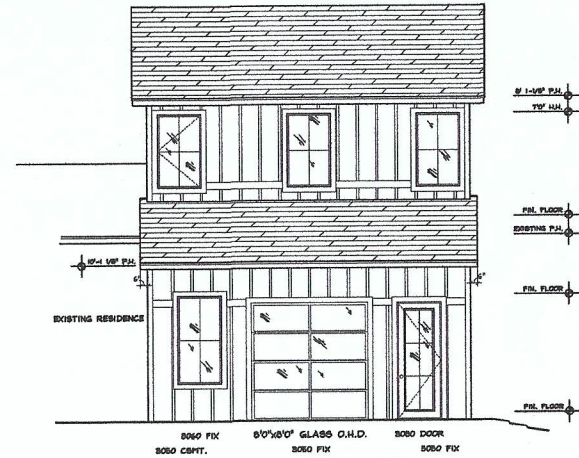


NOTES:
 1. PLATE HEIGHTS ARE NOTED ON ELEV.
 2. PITCH IS AS NOTED ON ELEV.
 3. 1/4" O.C. GABLE NOTED ON ELEV.
LEGEND:
 FRAME LINE
 ROOF LINE
 SLOPE
 FIN. FLOOR
 EXISTING P.L.

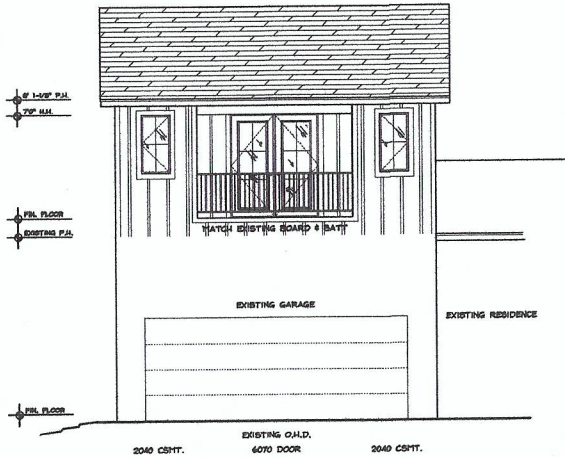
5 ROOF PLAN: 1/8" = 1'-0"



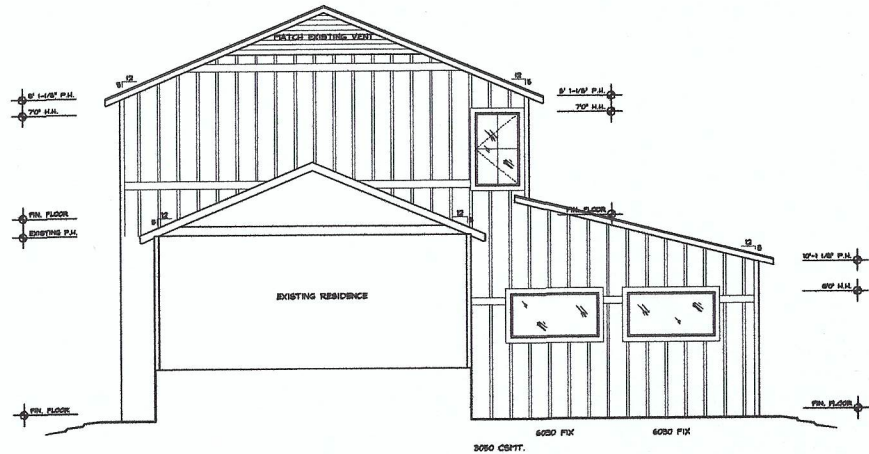
3 "PARTIAL" REAR ELEVATION



4 "PARTIAL" RIGHT ELEVATION



2 "PARTIAL" LEFT ELEVATION



1 "PARTIAL" FRONT ELEVATION

NOTES:

This design plan (from) has been prepared by Pinnacle Design (Pinnacle) without any contractor working for the customer. The use of this Plan by the customer and any contractor working for the customer, the liability shall have no liability binding contractor. (2) Pinnacle shall have no liability attributable to the Plan and (3) it is the responsibility of customer and contractor before utilizing the Plan in connection with any construction activities. Local building codes vary and are controlled by the local jurisdiction.

PINNACLE
HOME DESIGN

KEITH DALESSANDRO
 1112 S. Kolachos Ave.
 Broken Arrow, OK 74012
 918.441.3967
 keith@pinnaclehomedesign.com
 www.pinnaclehomedesign.com

MODEL #: 3732 S. UTICA

SQUARE FOOTAGE:
 Frame: _____
 1st LIVING: _____
 2nd LIVING: _____
 TOTAL: _____
 GARAGE: _____
 PORCH: _____
 PATIO: _____
 YARD: _____
 LIVING: _____
 TOTAL: _____

REVISIONS:
 DRAWING DATE: 06.01.23
 06.30.2023

PDG PROJECT NUMBER: 23-075

ADDRESS:

ELEVATION

SCALE: 1/4" = 1'-0"

SHEET: A-2