



CITY OF Tulsa

Board of Adjustment

Case Number: BOA-23611

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

Case Report Prepared by:

Sean Wallace

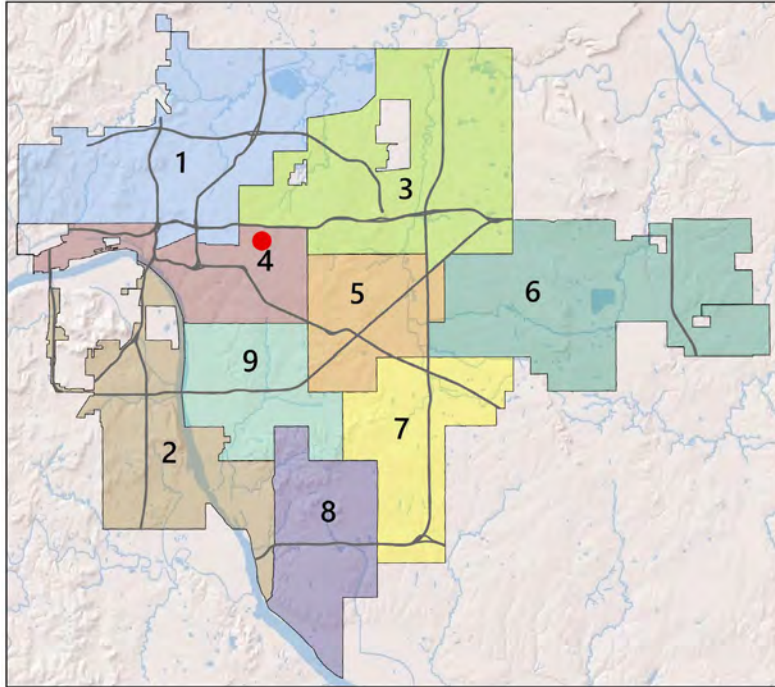
Owner and Applicant Information:

Applicant: David Brunson

Property Owner: In His Name Construction LLC

Action Requested: Special Exception to allow an Accessory Dwelling Unit in an RS-3 District (45.031-D); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A, 45.031-D.6)

Location Map:



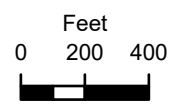
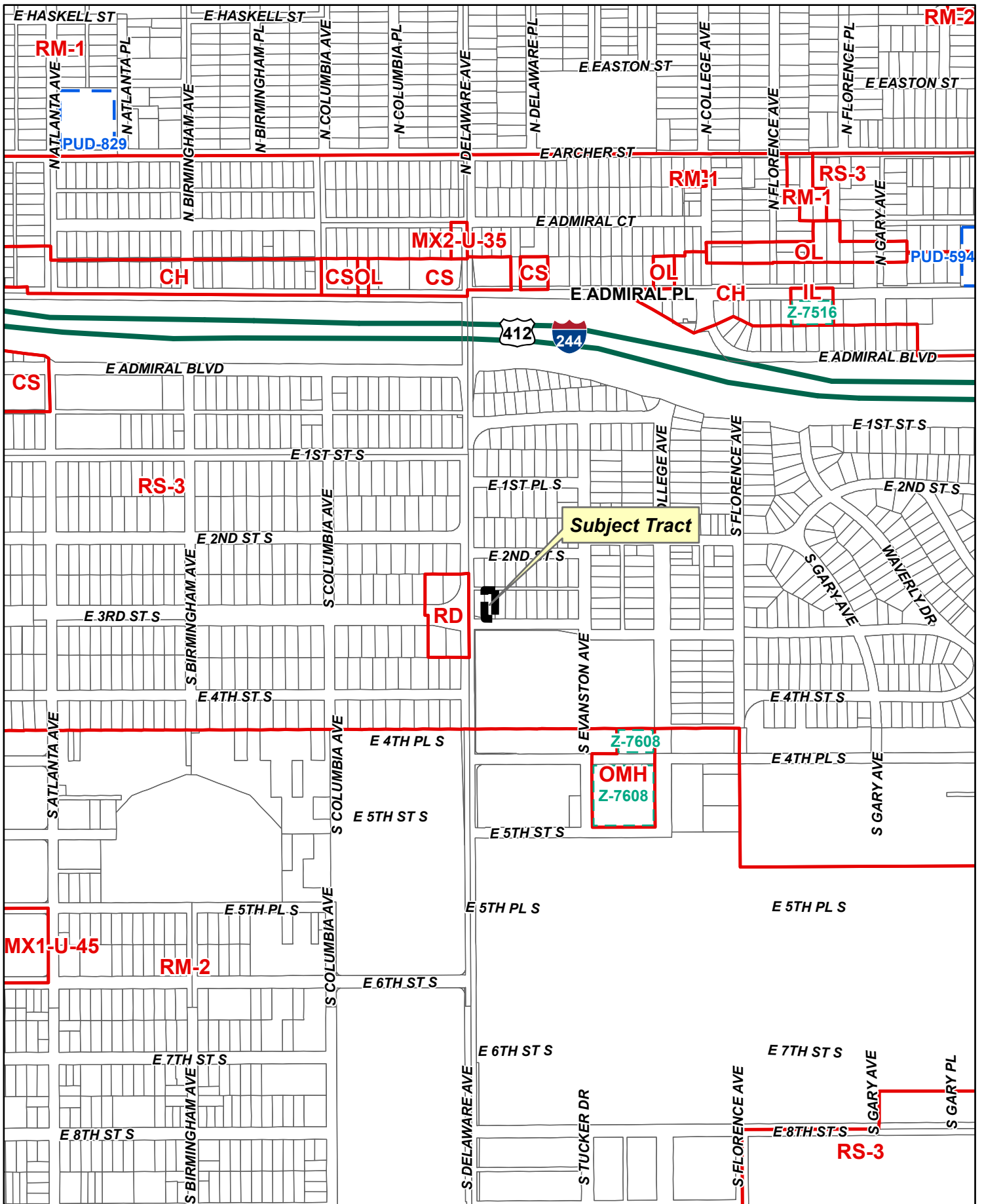
Additional Information:

Present Use: Residential

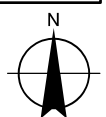
Tract Size: 0.16 acres

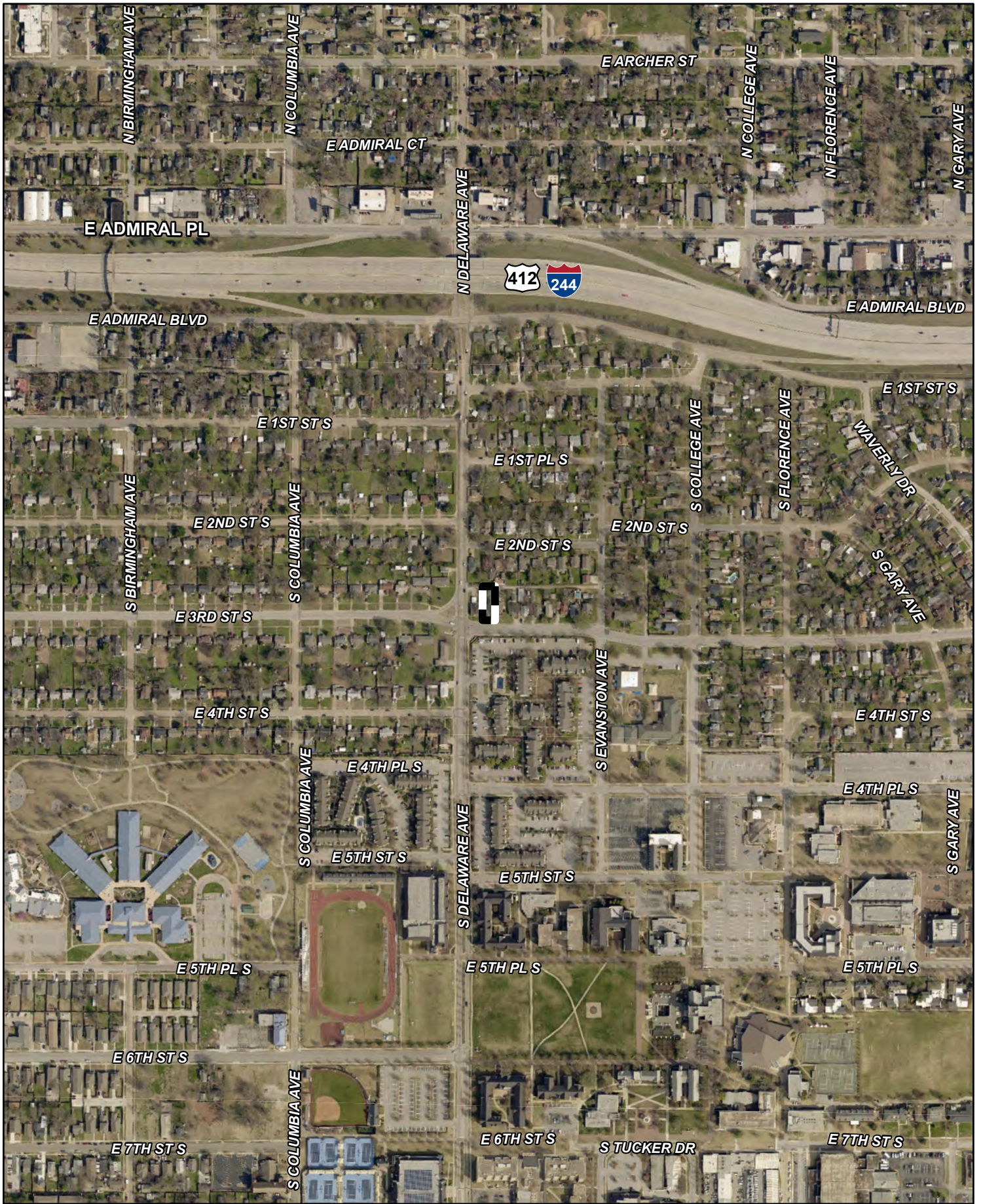
Location: 2807 E. 3rd St. S

Present Zoning: RS-3



BOA-23611





E ADMIRAL PL

E ADMIRAL BLVD

E 1ST ST S

E 2ND ST S

E 3RD ST S

E 4TH ST S

E 4TH PL S

E 5TH ST S

E 5TH PL S

E 6TH ST S

E 7TH ST S

N COLUMBIA AVE

N BIRMINGHAM AVE

S BIRMINGHAM AVE

S COLUMBIA AVE

S COLUMBIA AVE

N DELAWARE AVE

S DELAWARE AVE

E ARCHER ST

N COLLEGE AVE

N FLORENCE AVE

N GARY AVE

E ADMIRAL BLVD

E 1ST ST S

E 1ST PL S

E 2ND ST S

E 2ND ST S

WAVERLY DR

S GARY AVE

S COLLEGE AVE

S FLORENCE AVE

S EVANSTON AVE

E 4TH ST S

E 4TH PL S

S GARY AVE

E 5TH ST S

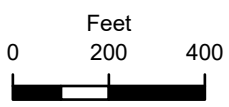
E 5TH PL S

E 5TH PL S

E 6TH ST S

S TUCKER DR

E 7TH ST S

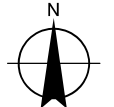


Subject Tract

BOA-23611

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

Aerial Photo Date: 2021



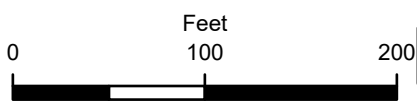
16.3



E 2ND ST S

S DELAWARE AVE

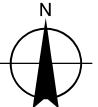
E 3RD ST S



Subject **BOA-23611**
Tract

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

Aerial Photo Date: 2021



16.4

**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9305
CD: 4

Case Number: **BOA-23611**

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

APPLICANT: David Brunson

ACTION REQUESTED: Special Exception to allow an Accessory Dwelling Unit in an RS-3 District (45.031-D); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A, 45.031-D.6)

LOCATION: 2807 E. 3rd St. S

ZONED: RS-3

PRESENT USE: Residential

TRACT SIZE: 6751.83 SQ FT

LEGAL DESCRIPTION: E 1/2 LT 6 BLK 5, PLEASANT VIEW 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.

STAFF ANALYSIS: The applicant is requesting a Special Exception to allow an Accessory Dwelling Unit in an RS-3 District (45.031-D); Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A; 45.031-D.6).

A copy of sections 45.030 and 45.031 are included in your packet.

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%



(subject property)

SAMPLE MOTION:

Move to _____ (approve/deny) a Special Exception to allow an Accessory Dwelling Unit in an RS-3 District (45.031-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.

Move to _____ (approve/deny) a Variance to allow the floor area of detached accessory buildings to exceed 500 square feet and 40% of the floor area of the principal residential structure (Section 45.030-A, 45.031-D.6).

- 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."*

MORTGAGE INSPECTION PLAT



1"=30'

PROJECT NO.: 224854-634

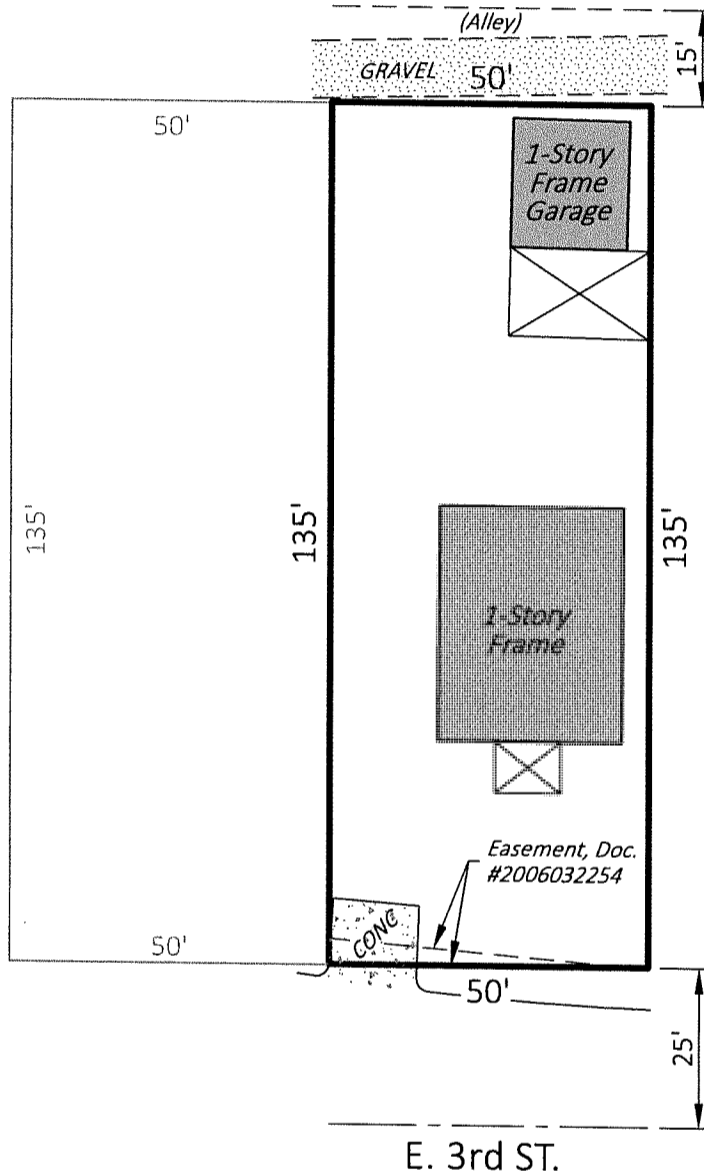
MORTGAGOR: In His Name Construction LLC

CLIENT: Integrity Title & Closing, LLC
Regent Bank
File No.: 22-10008

This property is located in flood zone "X-UNSHADED" as per FIRM Community Panel No. 405381 0240L, as last revised October 16, 2012.

LEGEND

- B/E BURIED ELECTRIC SERVICE CABLE ESMT (APPROX LOCATION)
- B/L BUILDING LINE
- D/E DRAINAGE EASEMENT
- U/E UTILITY EASEMENT
- EM ELECTRIC METER
- FL/E FENCE AND LANDSCAPE EASEMENT



PLAT NO. 125

LEGAL DESCRIPTION AS PROVIDED:

THE EAST 50 FEET OF LOT SIX (6), BLOCK FIVE (5), PLEASANT VIEW ADDITION TO TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 125, AND KNOWN AS 2807 EAST 3rd STREET.

SURVEYOR'S STATEMENT

Harden & Associates, Surveying and Mapping, PC, an Oklahoma corporation, and the undersigned Registered Professional Land Surveyor, under Certificate of Authorization No. CA4656 renewal date: June 30, 2023, do hereby state that in our professional opinion the above Inspection Plat shows the dwelling as located on the premises described, that it is entirely within the described tract boundaries, and there are no encroachments thereon by visible permanent improvements, except as indicated; that the above Inspection Plat shows all Recorded Plat easements and other such easements which have been disclosed by a current Title Opinion or by Commitment for Title Insurance and copies thereof provided to us; that this Inspection Plat was prepared for identification purposes only for the mortgagee and is not a Land or Boundary Line Survey; that no property corners were set, and is not to be used or relied upon for the establishment of fence, building or other improvements; that underground or above ground utilities were not field located and therefore are not shown on this Inspection Plat unless specifically requested by the client; that this Inspection Plat is prepared solely for the client listed hereon as of this date and may not be used for any subsequent loan closing, refinance, or other transaction and that no responsibility or liability is assumed herein or hereby to the present or future land owner or occupant.

WITNESS MY HAND AND SEAL THIS DATE: 10.19.2022

REVISED: _____

UPDATED: _____

5807 South Garnett Road, Suite K
Tulsa, Oklahoma 74146

HARDEN & ASSOCIATES
SURVEYING AND MAPPING, PC

REGISTERED PROFESSIONAL LAND SURVEYOR

NATHANIEL J. REED
P.L.S. 1744

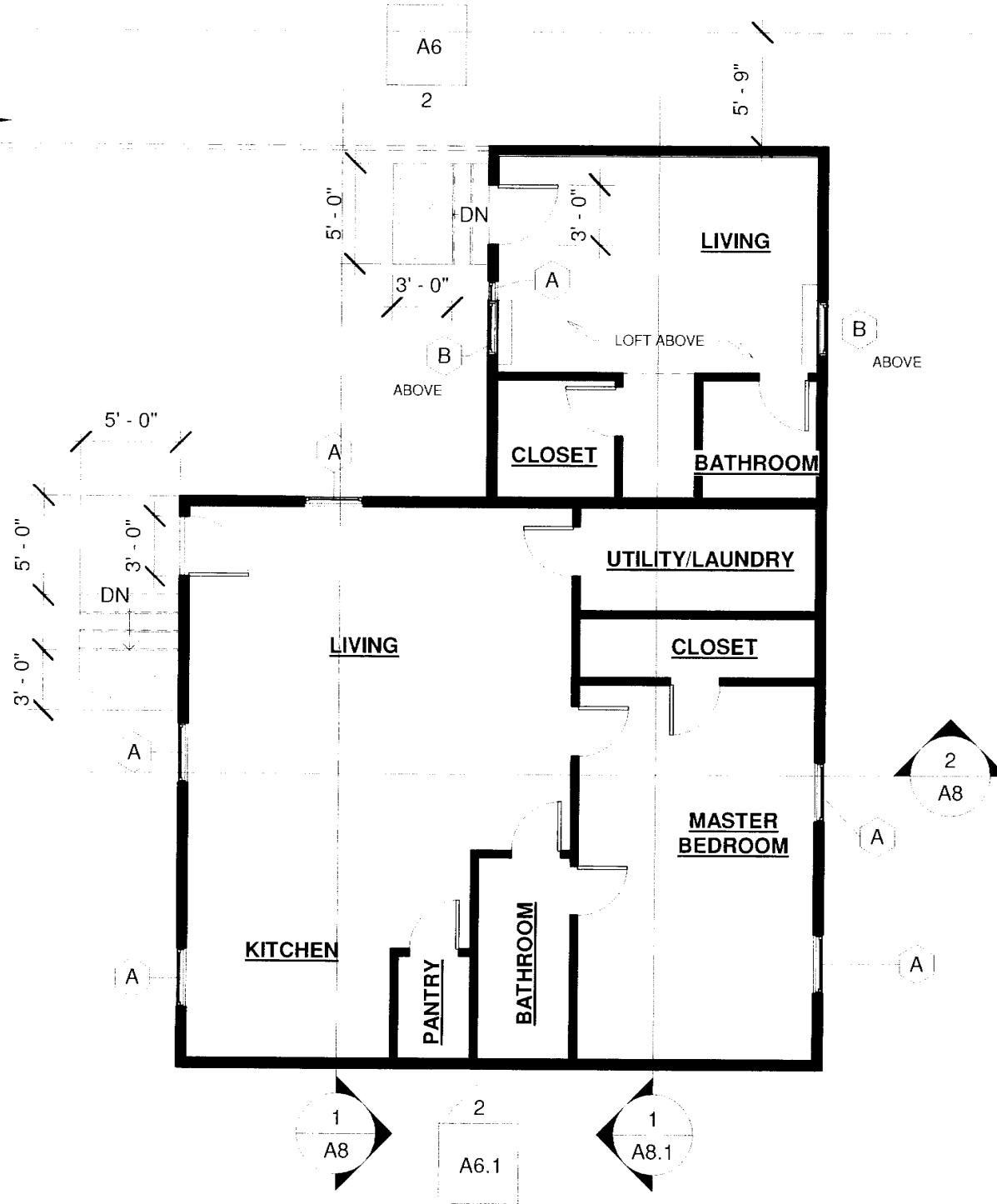


(918) 234-4859 Office
(918) 893-5552 Fax

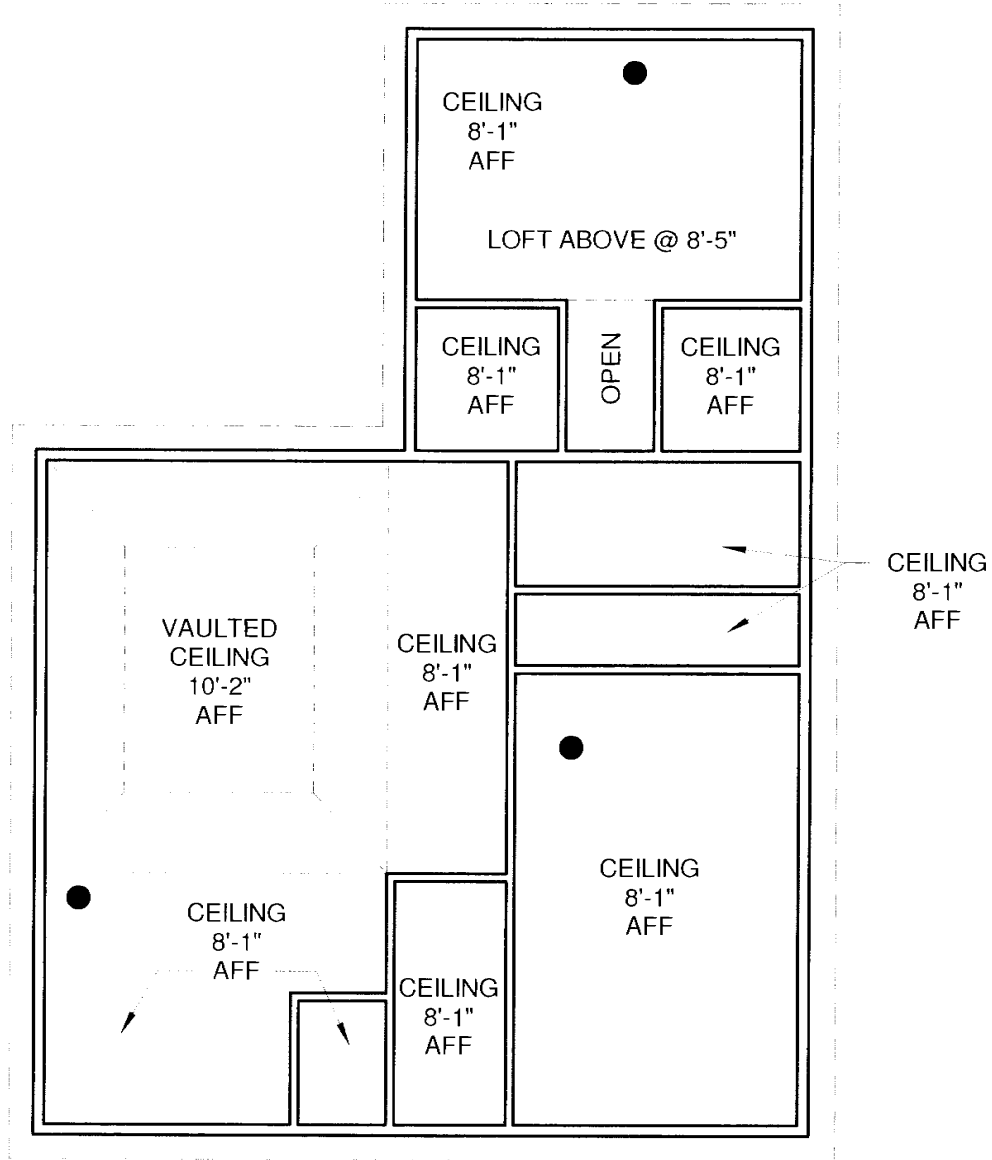
PROPERTY LINE

PROPERTY LINE

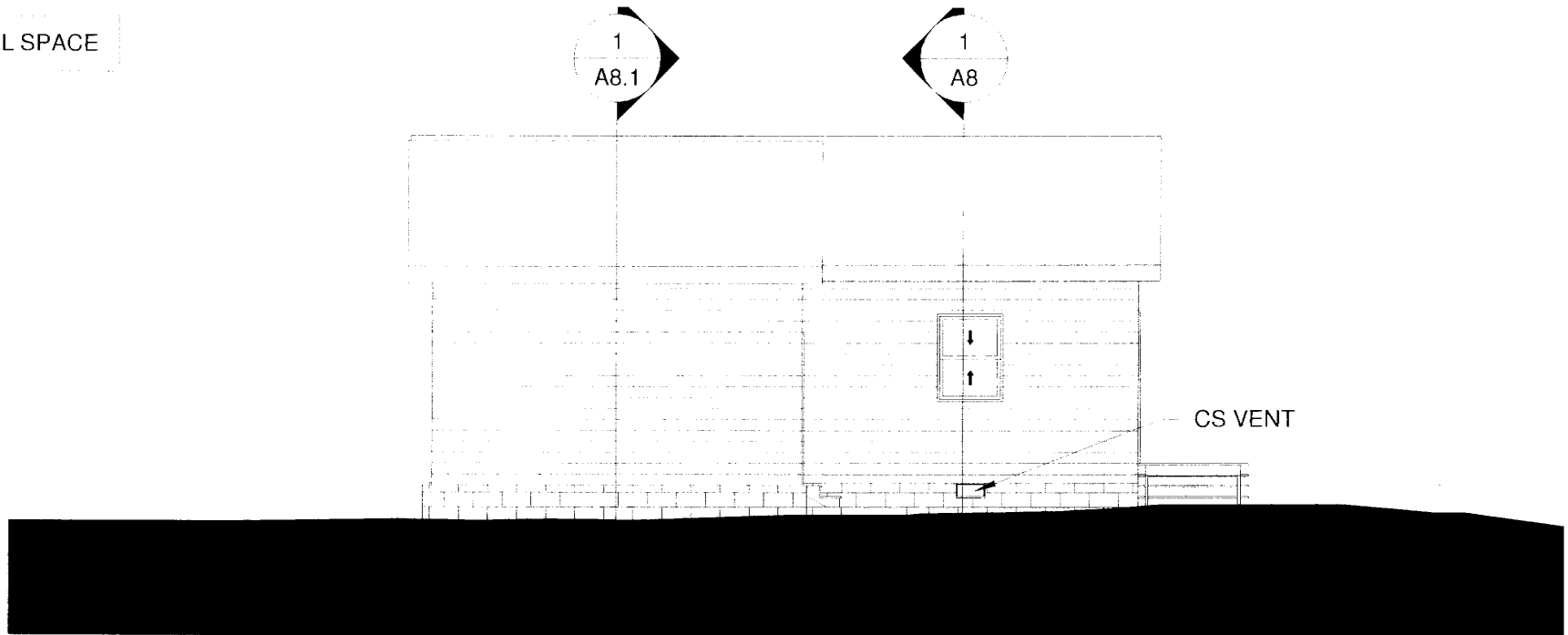
FENCE



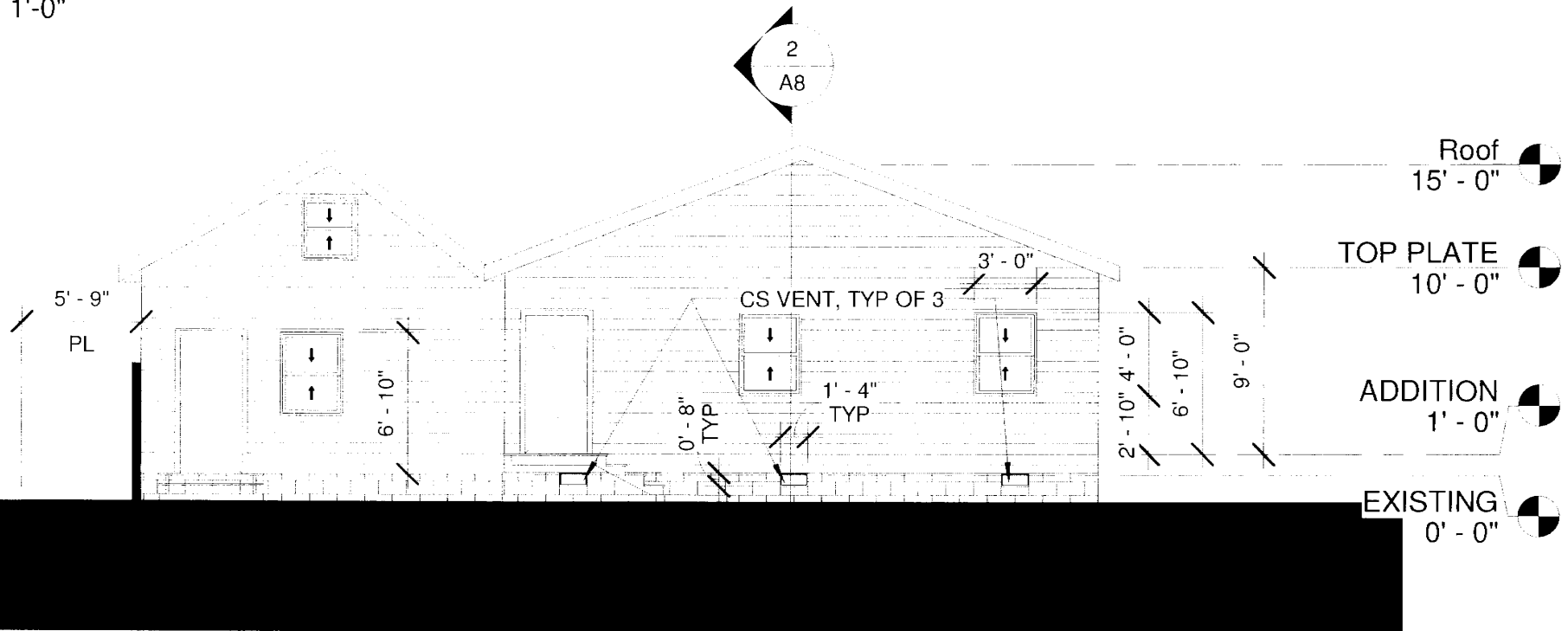
SMOKE DETECTOR = ●



CS = CRAWL SPACE

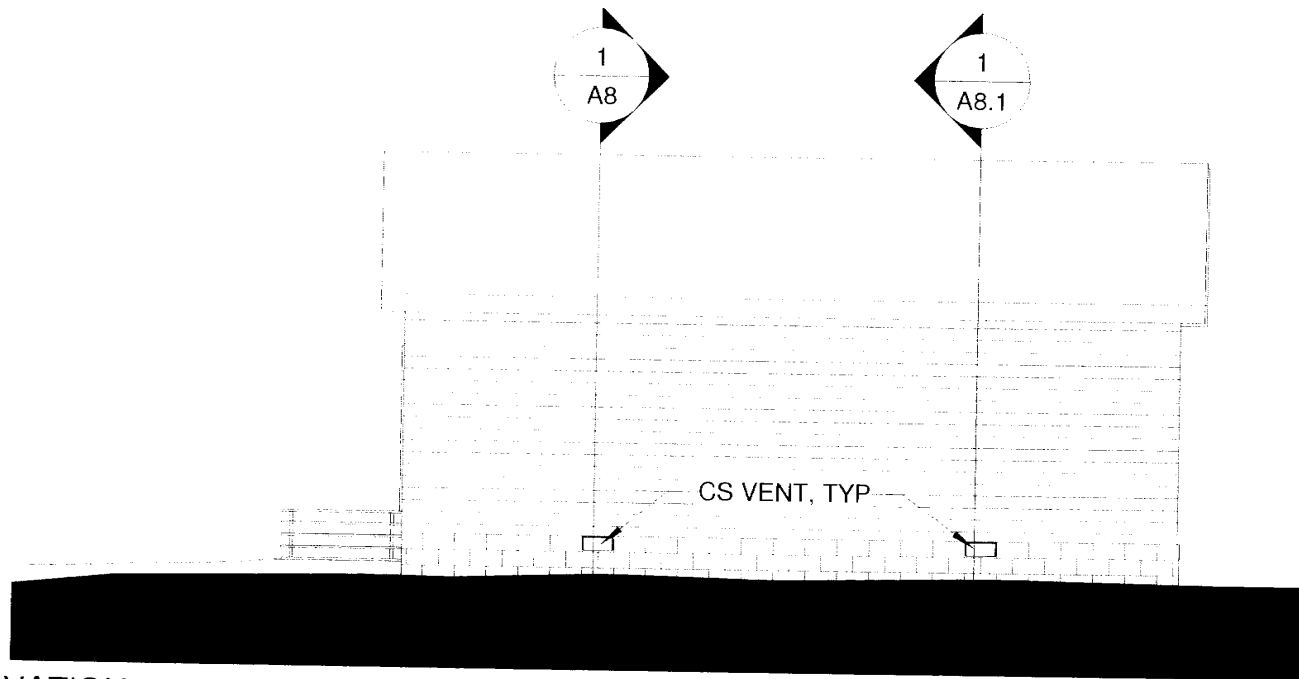


2 NORTH ELEVATION
1/8" = 1'-0"

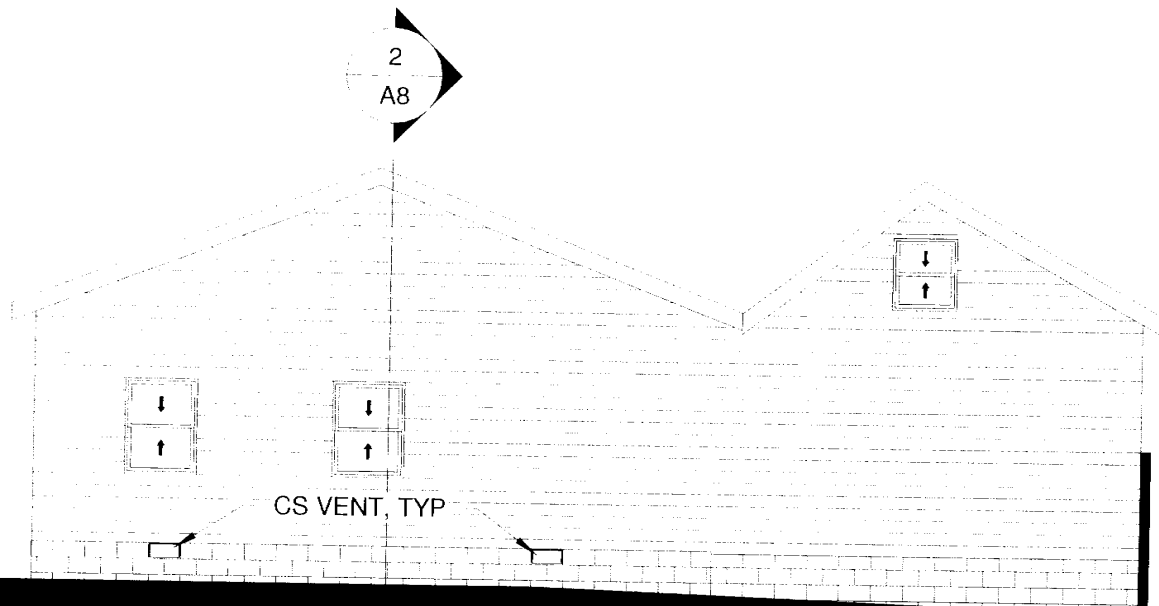


1 WEST ELEVATION
1/8" = 1'-0"

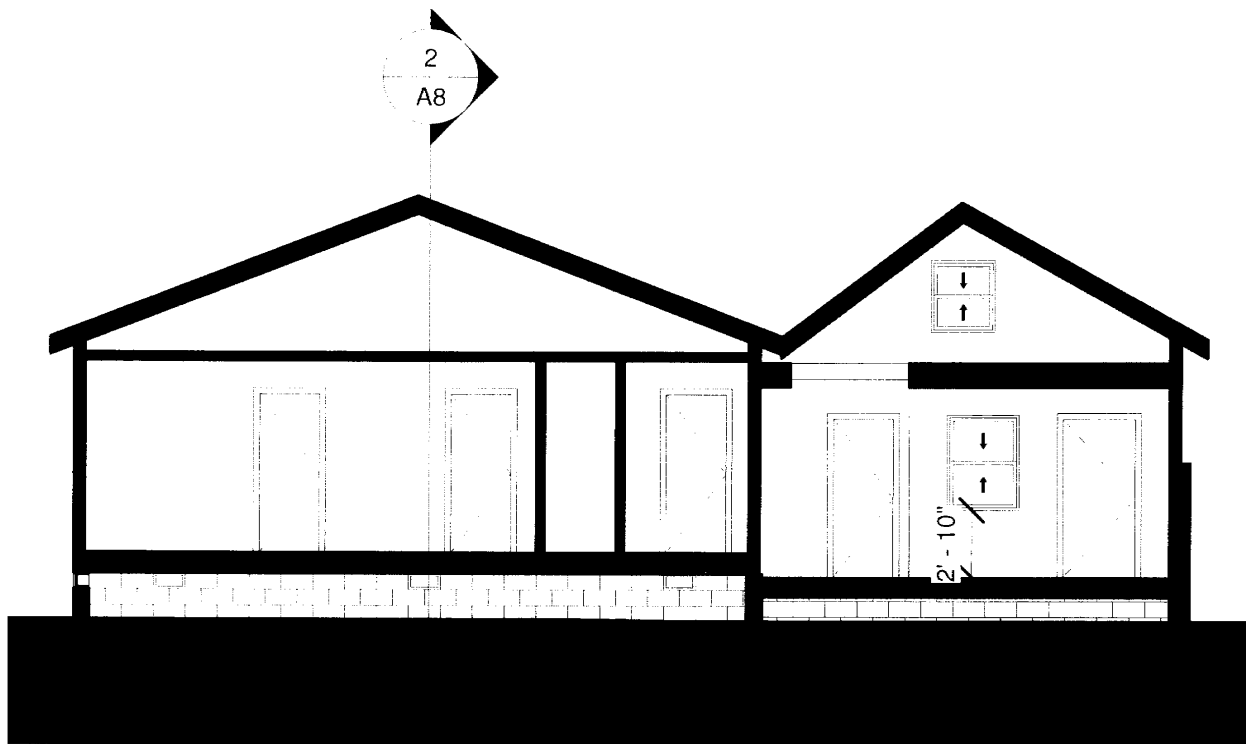
CS = CRAWL SPACE



2 SOUTH ELEVATION
1/8" = 1'-0"



1 EAST ELEVATION
1/8" = 1'-0"



1 EAST BUILDING SECTION
1/8" = 1'-0"

Window Schedule				
Type Mark	Rough Opening		Type	Comments
	Width	Height		
A	3' - 0"	4' - 0"	Window-Double-Hung	
A	3' - 0"	4' - 0"	Window-Double-Hung	
A	3' - 0"	4' - 0"	Window-Double-Hung	
A	3' - 0"	4' - 0"	Window-Double-Hung	
A	3' - 0"	4' - 0"	Window-Double-Hung	
A	3' - 0"	4' - 0"	Window-Double-Hung	
B	2' - 8"	3' - 0"	Window-Double-Hung	
B	2' - 8"	3' - 0"	Window-Double-Hung	

Door Schedule		
Door Number	Door Size	Finish Comments
2	30" x 80"	
3	30" x 80"	
4	30" x 80"	
5	30" x 80"	
6	30" x 80"	
7	36" x 80"	
8	36" x 80"	
9	30" x 80"	
10	30" x 80"	
11	30" x 80"	

ALLEYWAY

5'-9"

5'-9"

PL

FENCE

FENCE

PL

FENCE

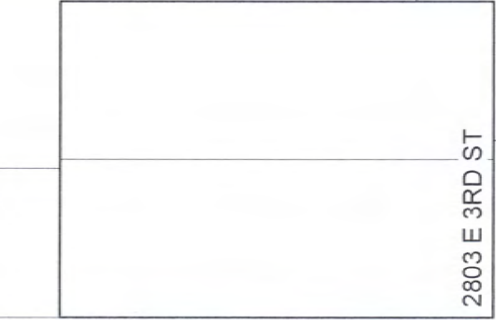


NEW

8'-0"

135'

12'-10"



2803 E 3RD ST



EXISTING

ENTRANCE

2807 E 3RD ST

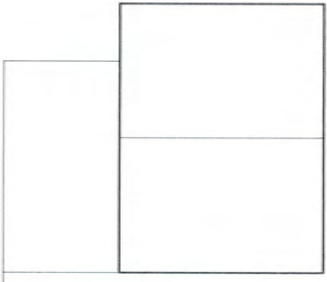
FENCE

PL

PL

50'

50'



2811 E 3RD ST

DELAWARE AVE

E 3RD ST

16.15

1 SITE PLAN

1" = 20'-0"

