



CITY OF Tulsa

Board of Adjustment

Case Number: BOA-23617

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

Case Report Prepared by:

Sean Wallace

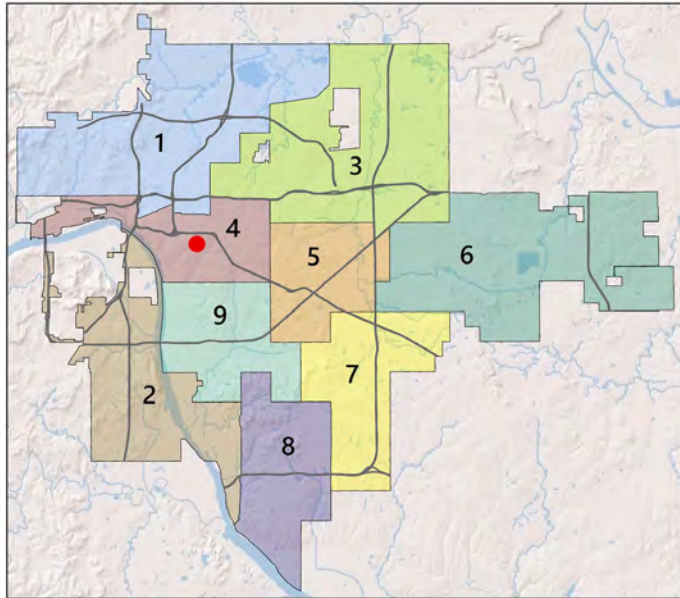
Owner and Applicant Information:

Applicant: Harry Bjornberg

Property Owner: Brosis Enterprises 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-B); Variance to allow more than 30% coverage by an Accessory Dwelling Unit in the rear setback in the RS-3 District (Section 90.090-C); Variance to allow a detached Accessory Dwelling Unit to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C).

Location Map:



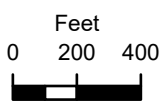
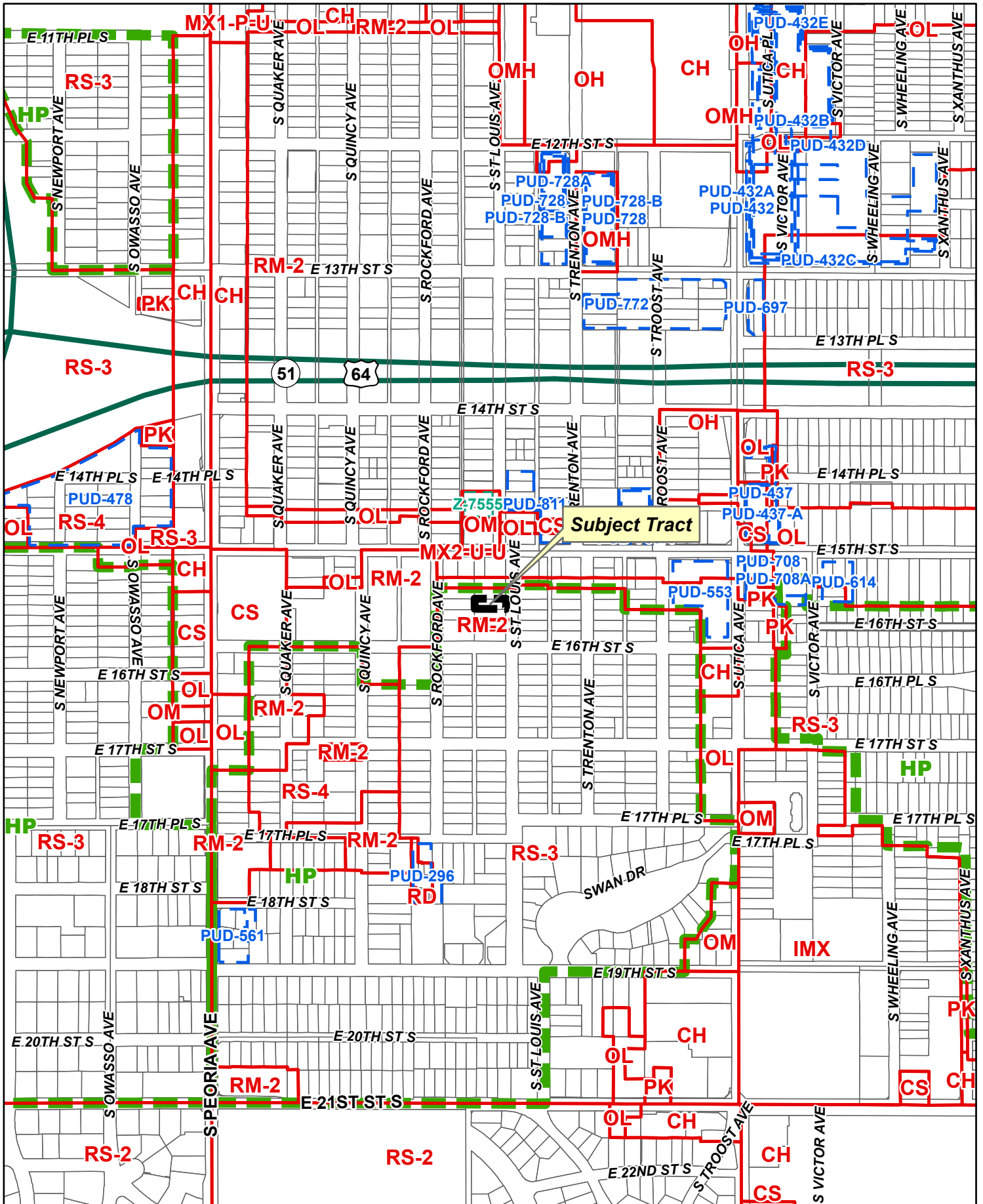
Additional Information:

Present Use:

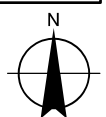
Tract Size: 0.18 acres

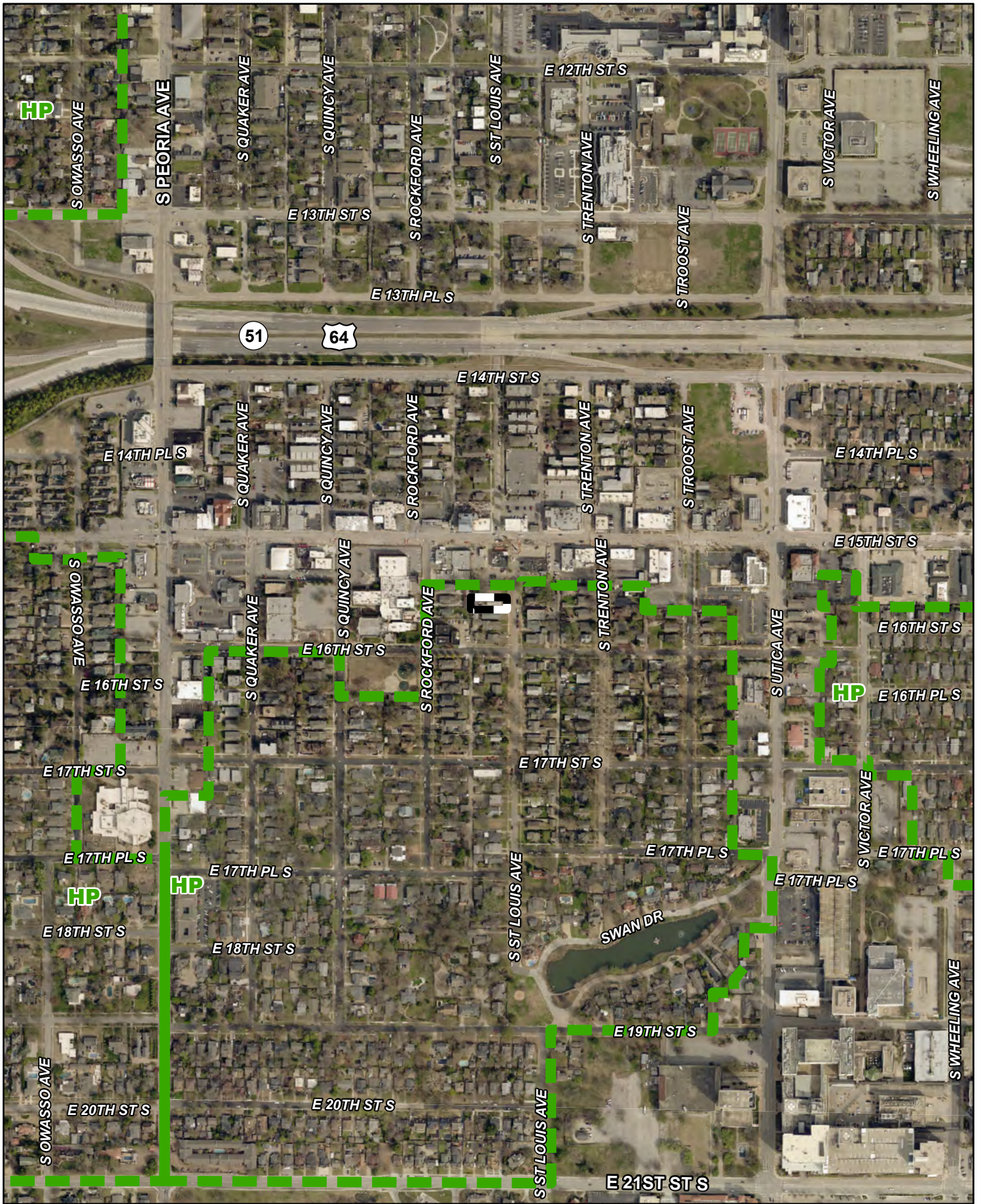
Location: 1520 S. St. Louis Ave. E

Present Zoning: RS-3



BOA-23617



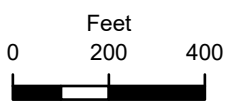


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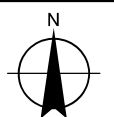


Subject Tract

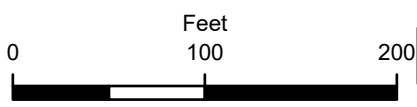
BOA-23617

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

Aerial Photo Date: 2021



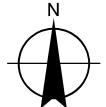
21.3



Subject **BOA-23617**
Tract

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

Aerial Photo Date: 2021



21.4

**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9307

Case Number: **BOA-23617**

CD: 4

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

APPLICANT: Harry Bjornberg

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-B); Variance to allow more than 30% coverage by an Accessory Dwelling Unit in the rear setback in the RS-3 District (Section 90.090-C); Variance to allow a detached Accessory Dwelling Unit to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C).

LOCATION: 1520 S. St. Louis Ave. E

ZONED: RS-3

PRESENT USE: garage

TRACT SIZE: 8002 SQ FT

LEGAL DESCRIPTION: LT 5 BLK 5 & 10 FT VAC ALLEY, ORCUTT ADDN CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS: None.

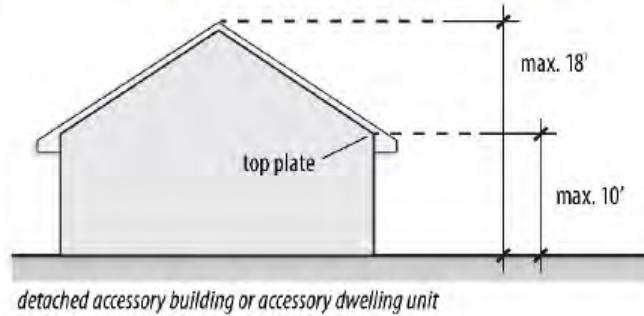
RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as "Neighborhood."

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-B; 45.031.6.a); Variance to allow more than 30% coverage by an Accessory Dwelling Unit in the rear setback in the RS-3 District (Section 90.090-C); Variance to allow a detached Accessory Dwelling Unit to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C).

- (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%

The applicant seeks to build a 2-story accessory building that is 21.6-feet in height at its peak (18ft allowed); with a floor area of 1,085 sq ft (allowed 824sq ft) covering 672 square feet (allowed 300sq ft) of the rear setback.



(subject property)

SAMPLE MOTION:

Special Exception:

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.

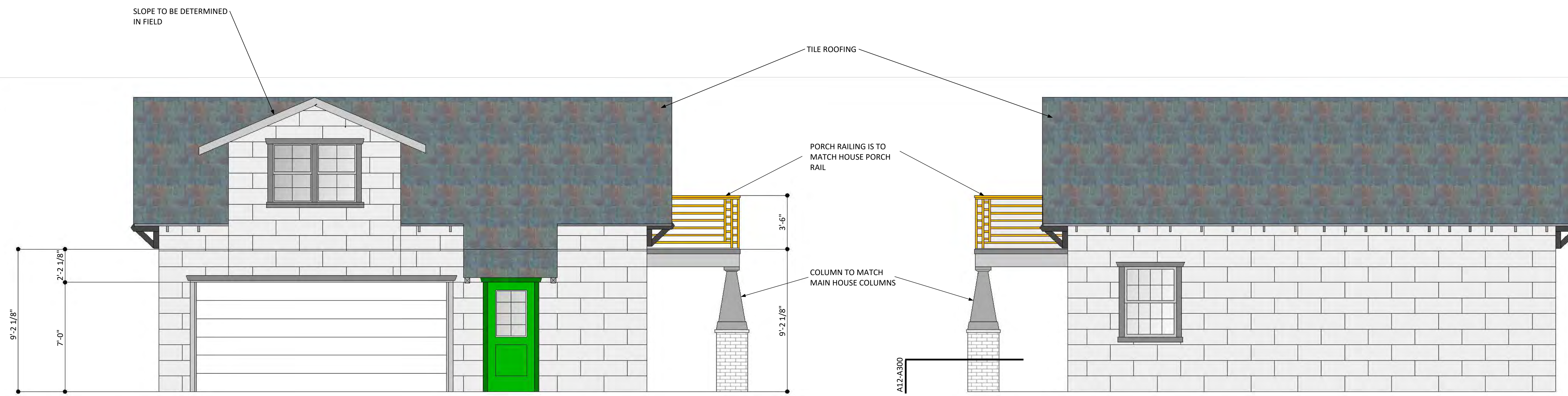
Variance:

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); **Variance** to allow more than 30% coverage by an Accessory Dwelling Unit in the rear setback in the RS-3 District (Section 90.090-C); **Variance** to allow a detached Accessory Dwelling Unit to exceed one story or 18 feet in height and to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C).

- Finding the hardship(s) to be _____.
- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions _____.

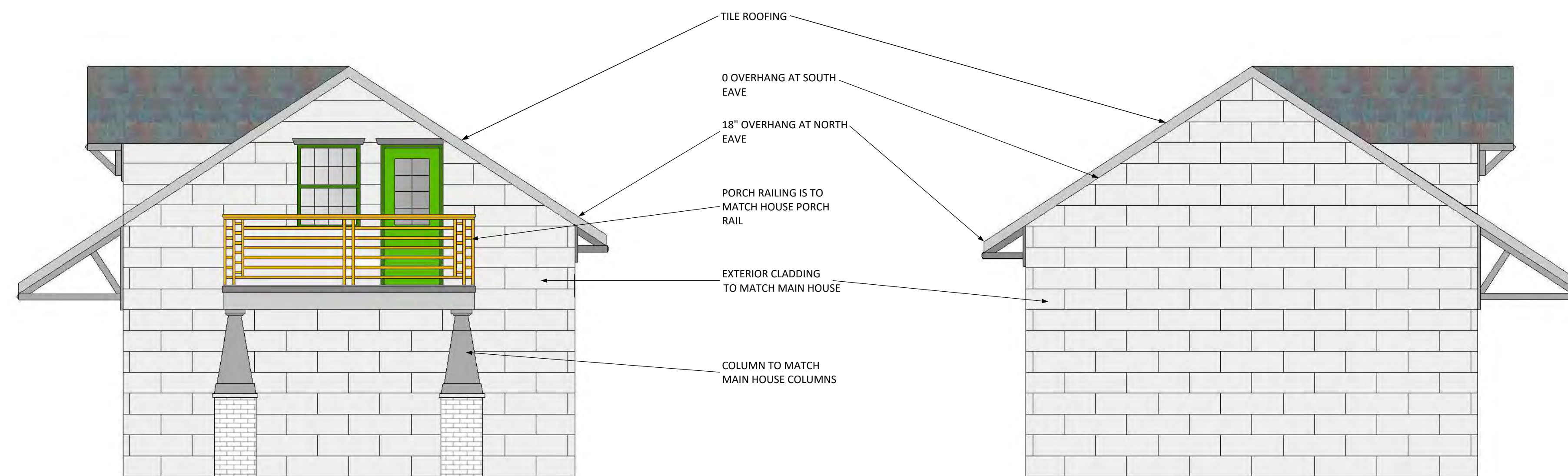
In granting the **Variance** the Board finds that the following facts, favorable to the property owner, have been established:

- 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."*



A-3 EAST ELEVATION
SCALE: 1/4"=1'-0"

A-4 WEST ELEVATION
SCALE: 1/4"=1'-0"



A-2 NORTH ELEVATION
SCALE: 1/4"=1'-0"

A-1 SOUTH ELEVATION
SCALE: 1/4"=1'-0"

REVISIONS

REMARKS

MM/DD/YY

1

2

3

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5

GARAGE RECONSTRUCTION

1520 SOUTH ST LOUIS
TULSA, OKLAHOMA

ARCHITECT

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4853 S SHERIDAN RD,
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918-724-4472
hbjorn@ewc1incorporated.com

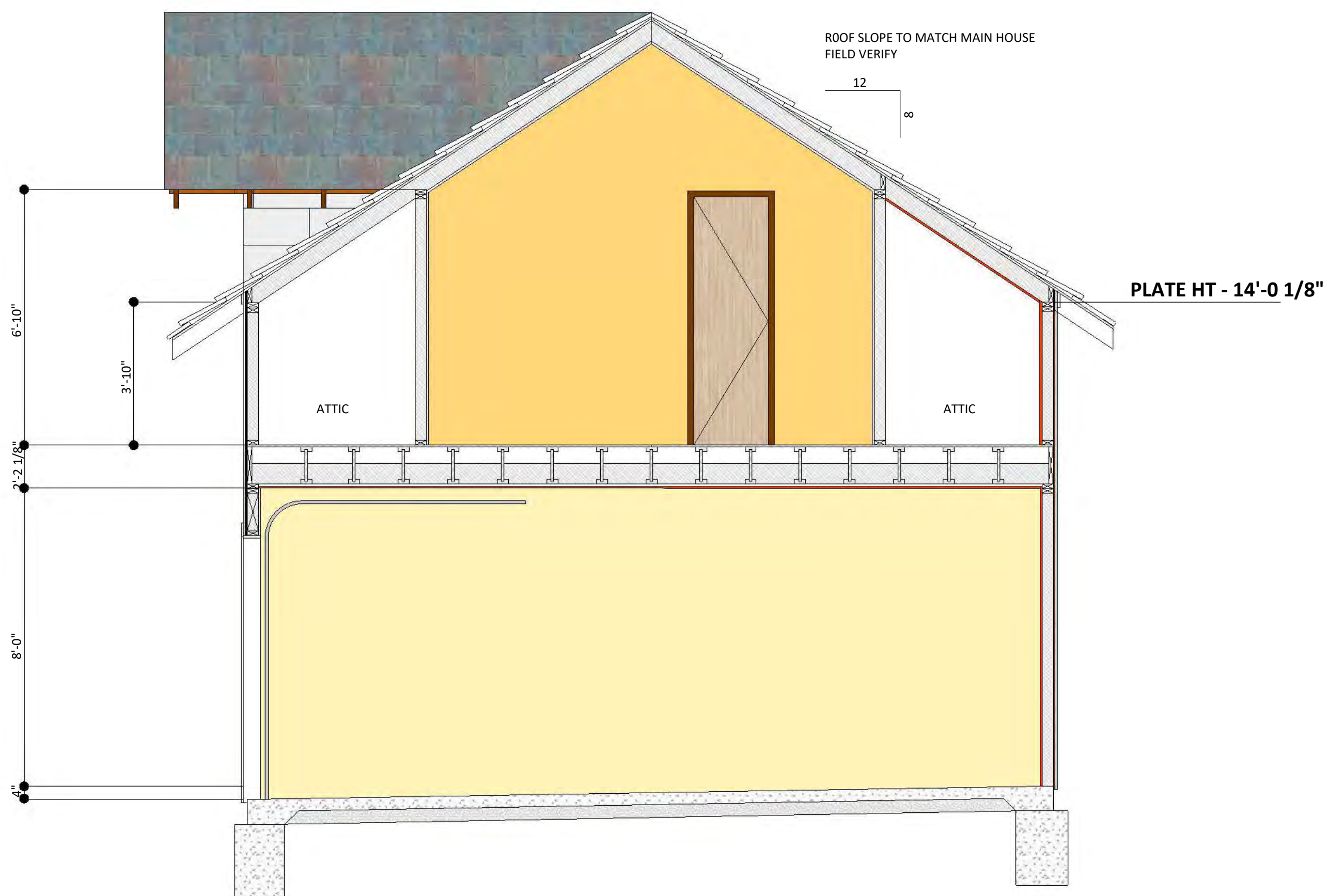
STRUCTURAL ENGINEER

**KING ENGINEERING
& CONSTRUCTION**
4853 S SHERIDAN RD,
TULSA OK 74145
918-724-4472

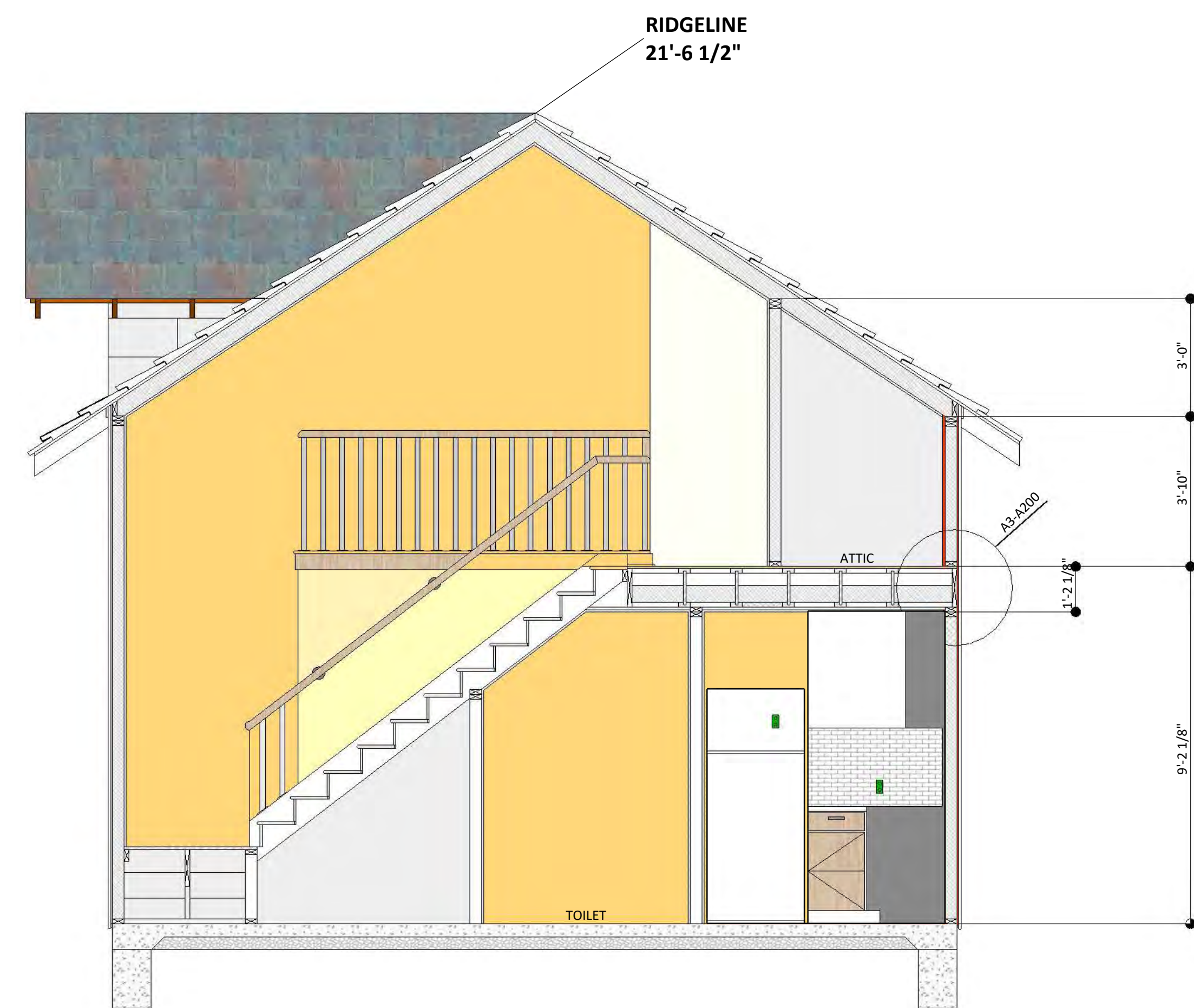


ELEVATIONS

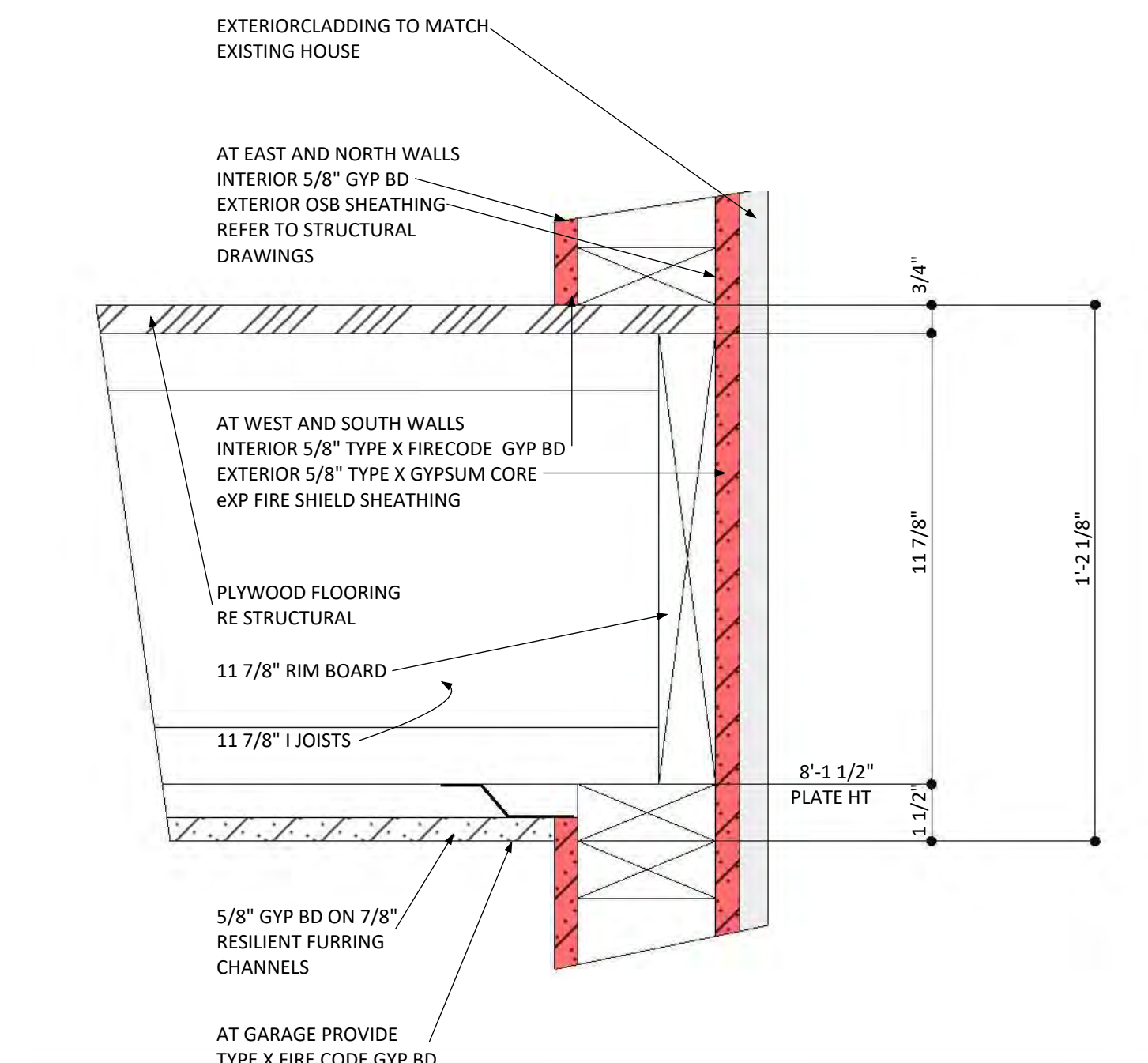
A-200



A-2 BUILDING SECTION
SCALE: 1/2"=1'-0"



A-1 BUILDING SECTION
SCALE: 1/2"=1'-0"



A-3 FLOOR DETAIL
SCALE: 3"=1'-0"

NO.	DATE	REVISIONS	REMARKS
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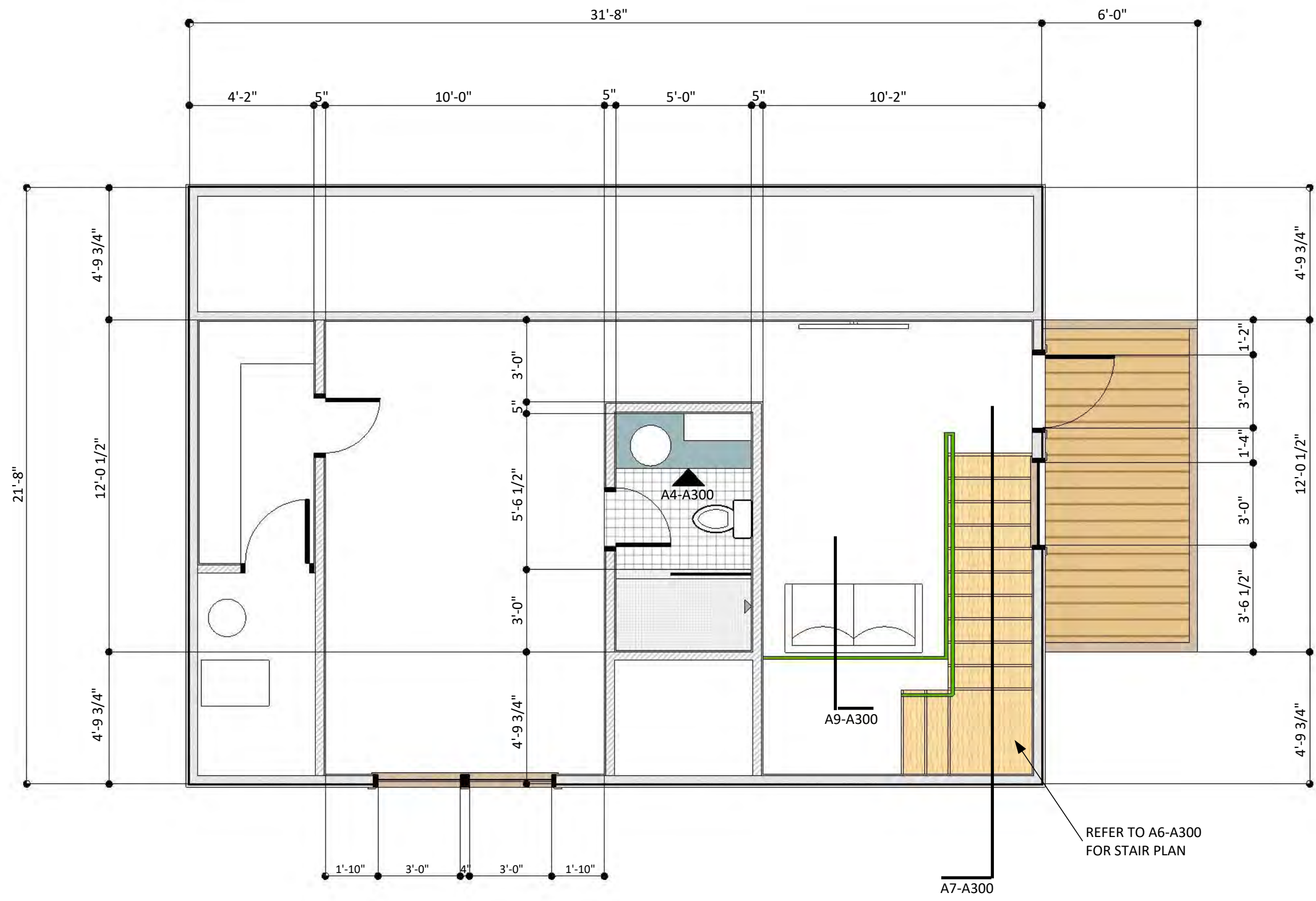
GARAGE RECONSTRUCTION
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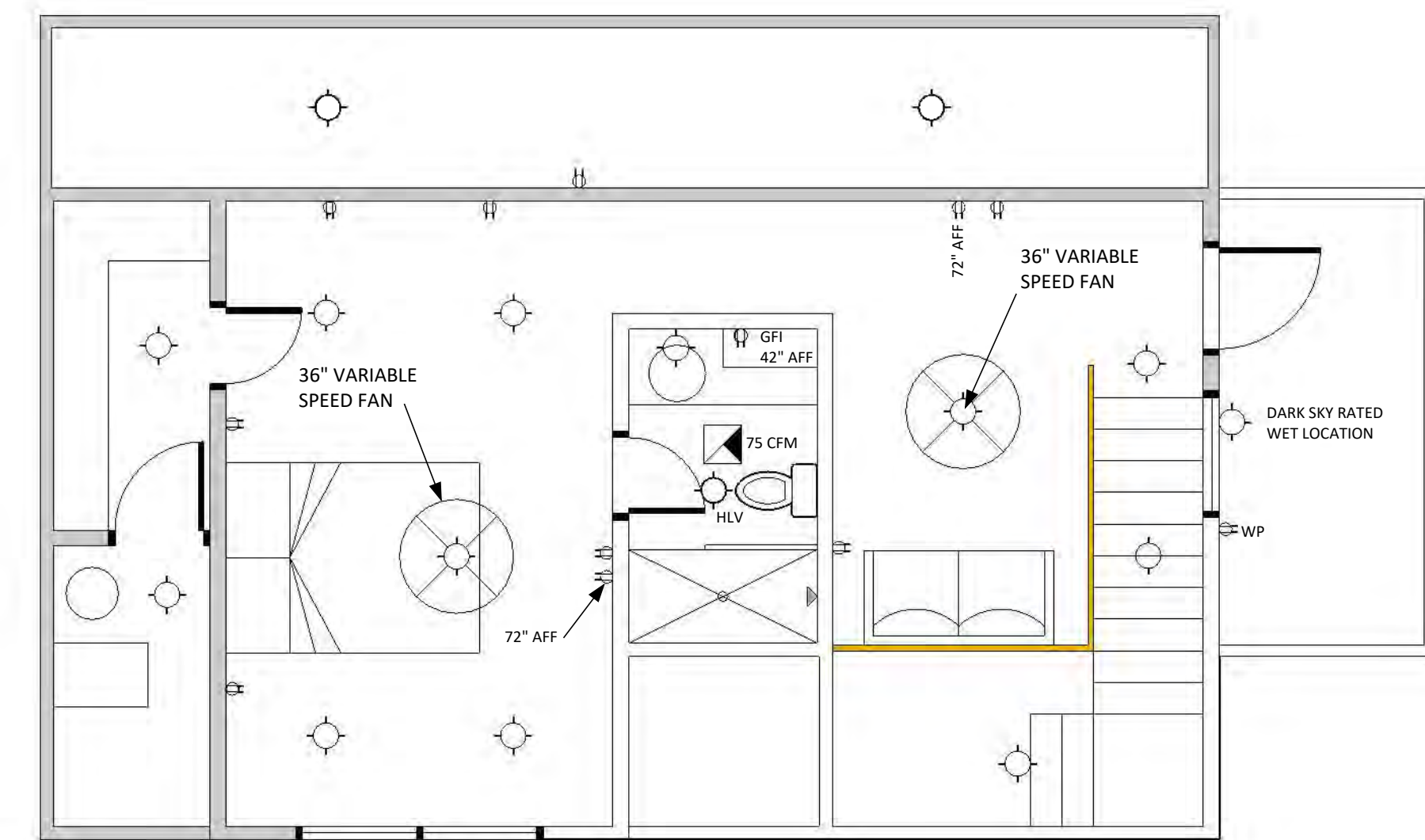
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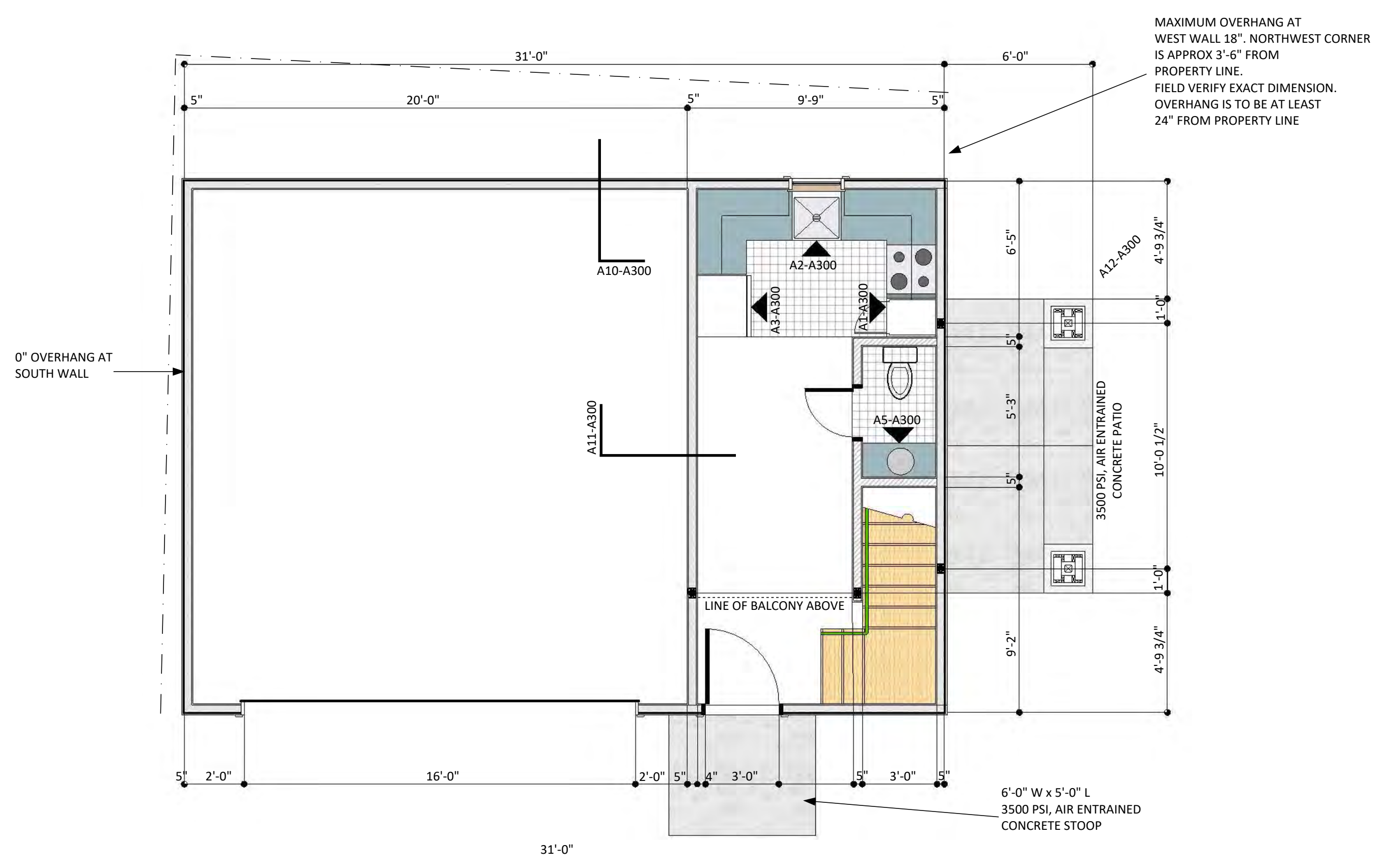
BUILDING SECTIONS / ELEVATIONS



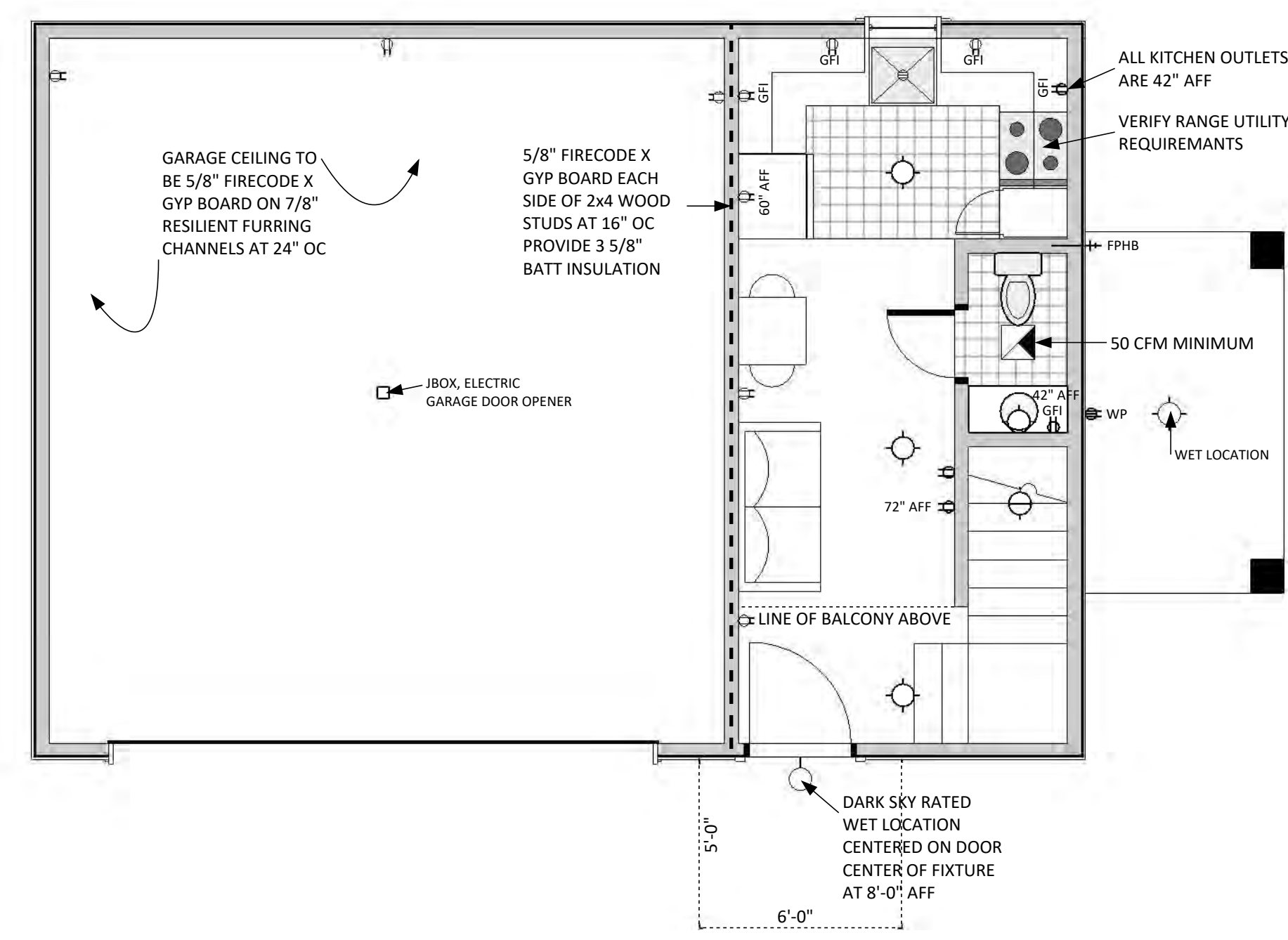
A-3 SECOND FLOOR PLAN >
SCALE: 1/4"=1'-0" NORTH



A-4 SECOND FLOOR POWER / LIGHTING >
SCALE: 1/4"=1'-0" NORTH



A-2 GROUND FLOOR PLAN >
SCALE: 1/4"=1'-0" NORTH



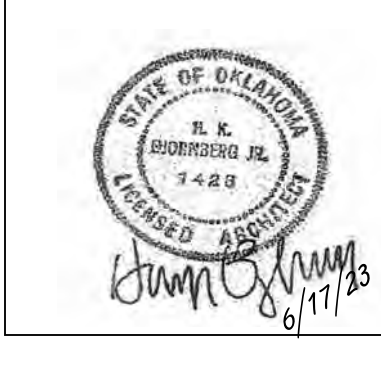
A-1 GROUND FLOOR POWER / LIGHTING >
SCALE: 1/4"=1'-0" NORTH

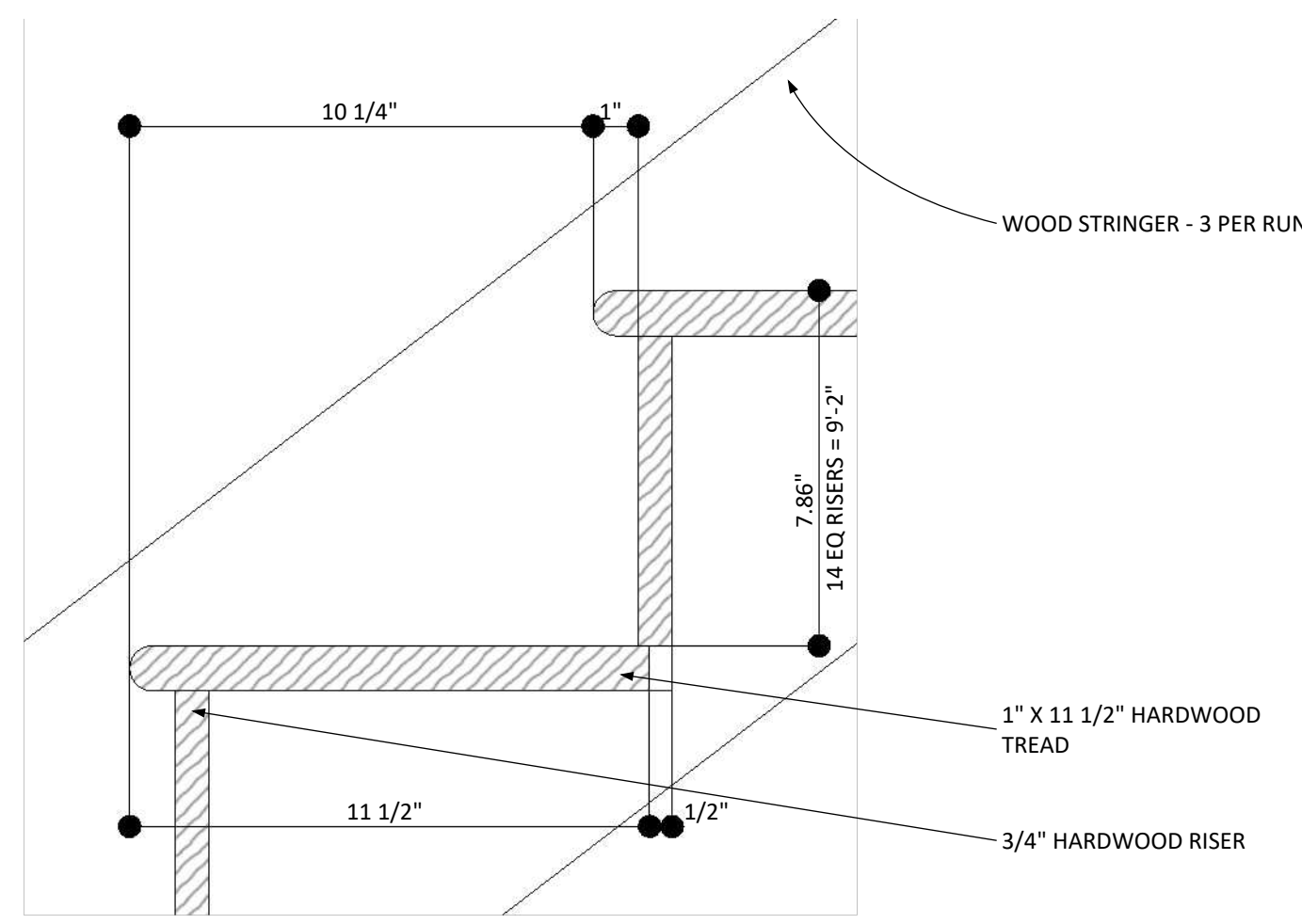
REVISIONS	REMARKS
MM/DD/YY	
1	
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GARAGE RECONSTRUCTION
1520 SOUTH ST LOUIS
TULSA, OKLAHOMA

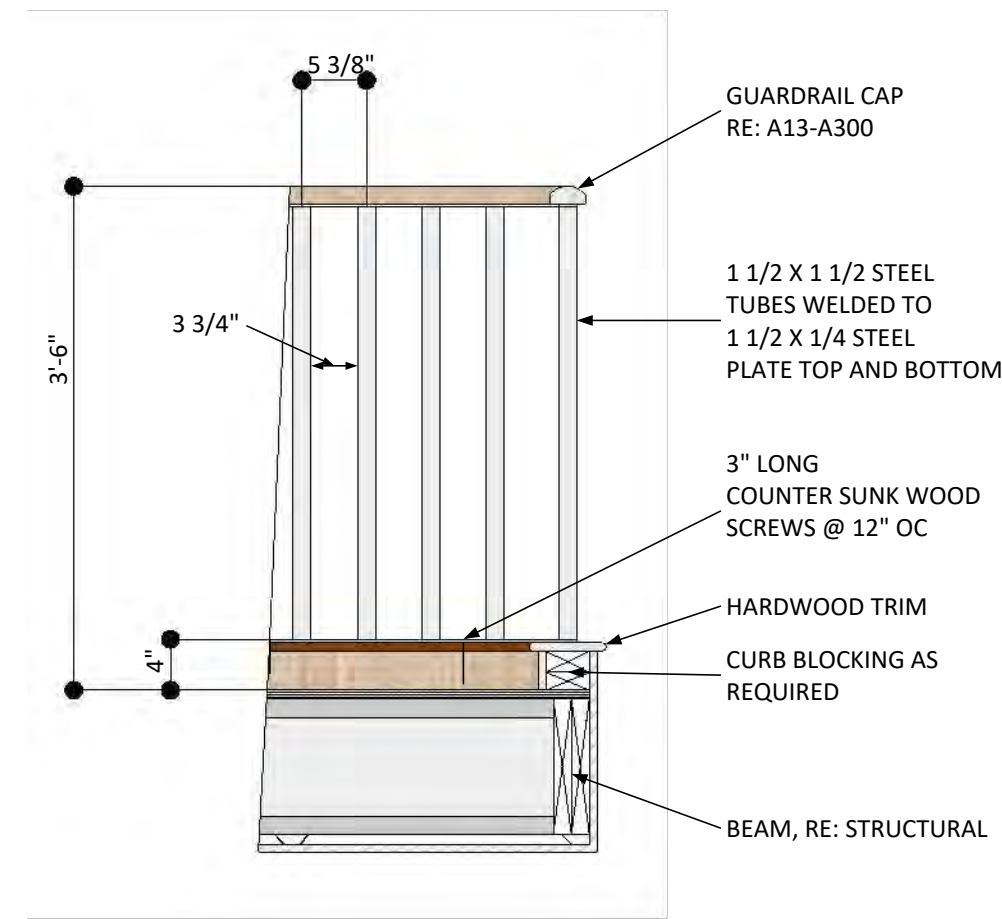
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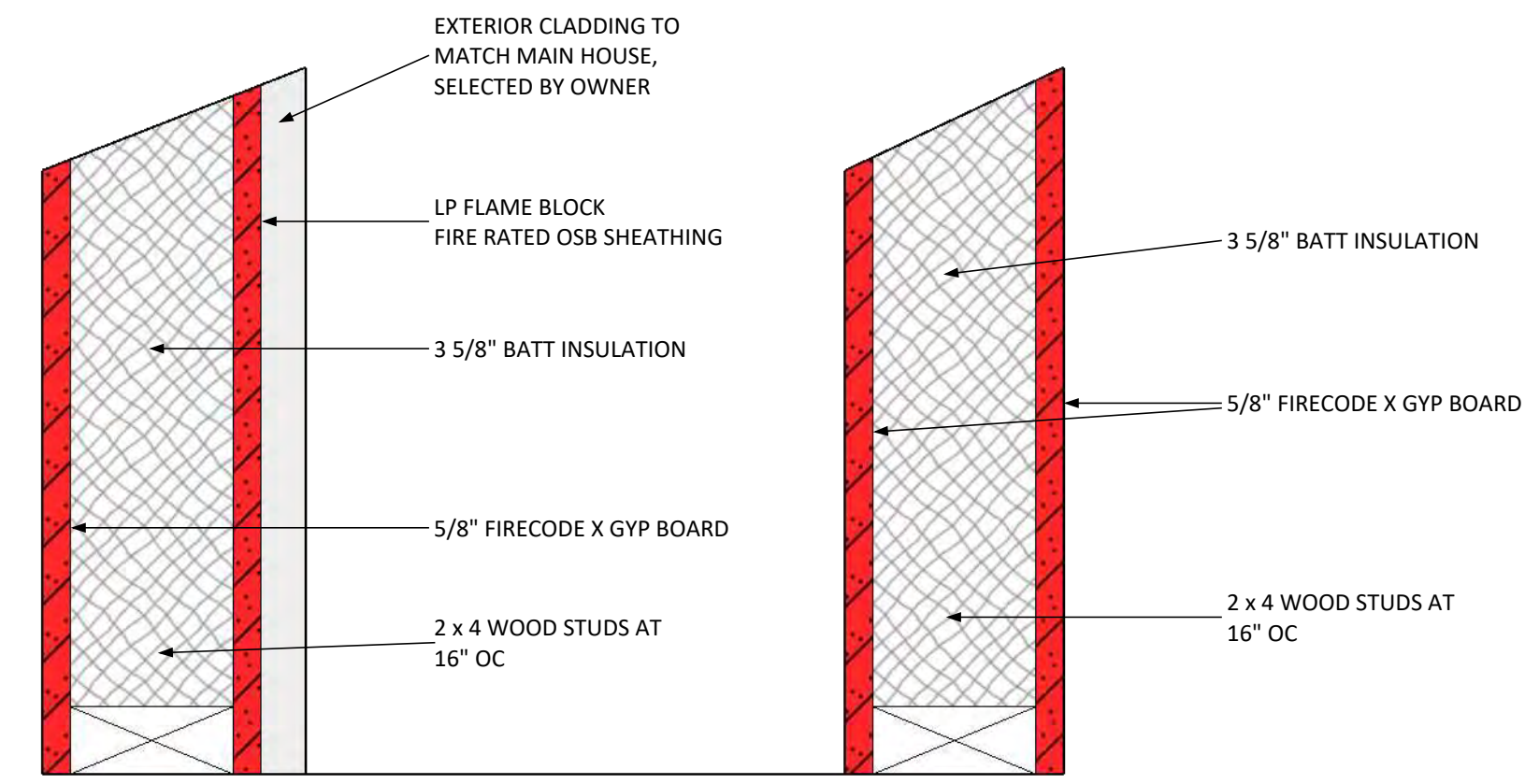




A-8 TREAD / RISER DETAIL
SCALE: 3/4"=1'-0"

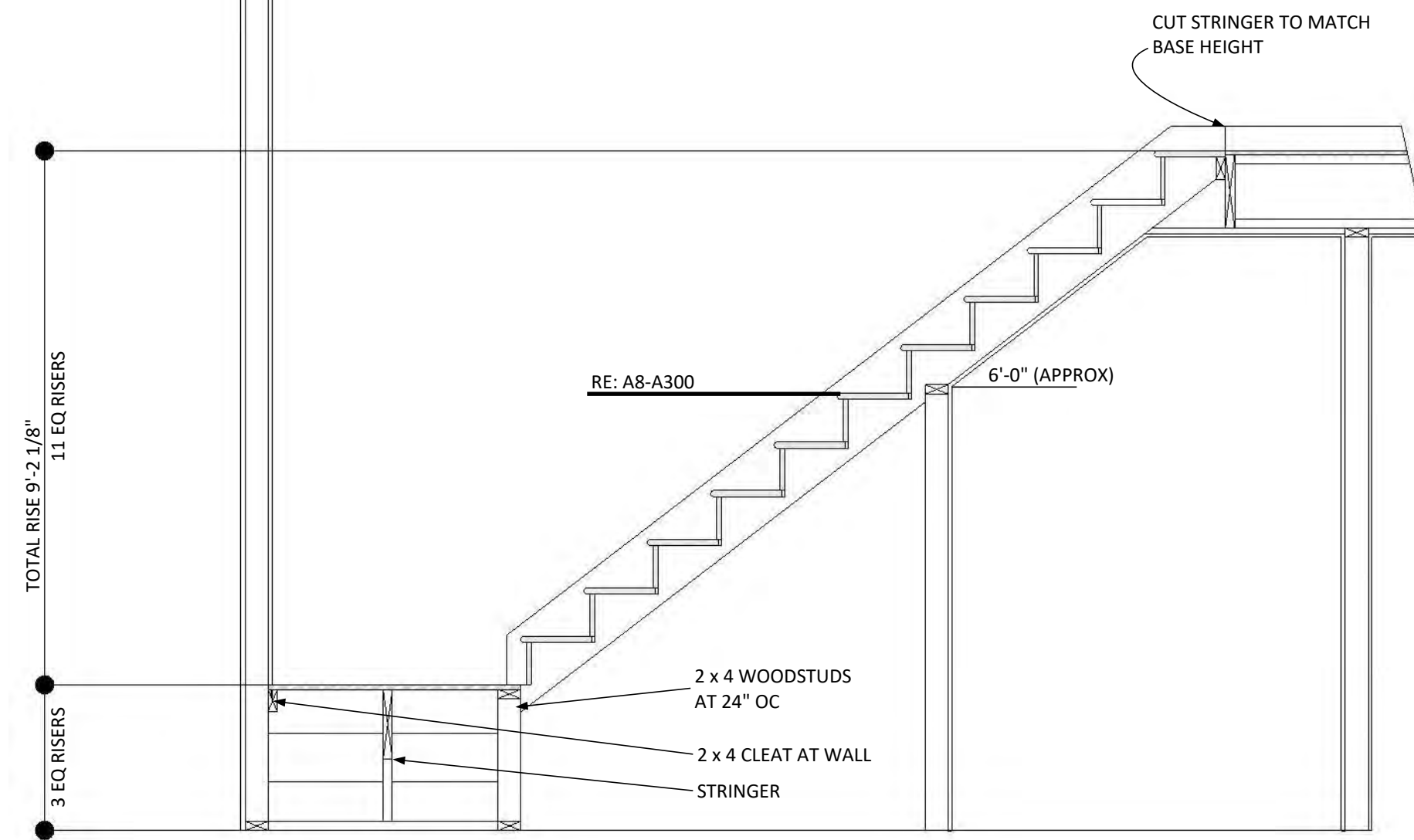


A-9 BALCONY RAIL DETAIL
SCALE: 3/4"=1'-0"

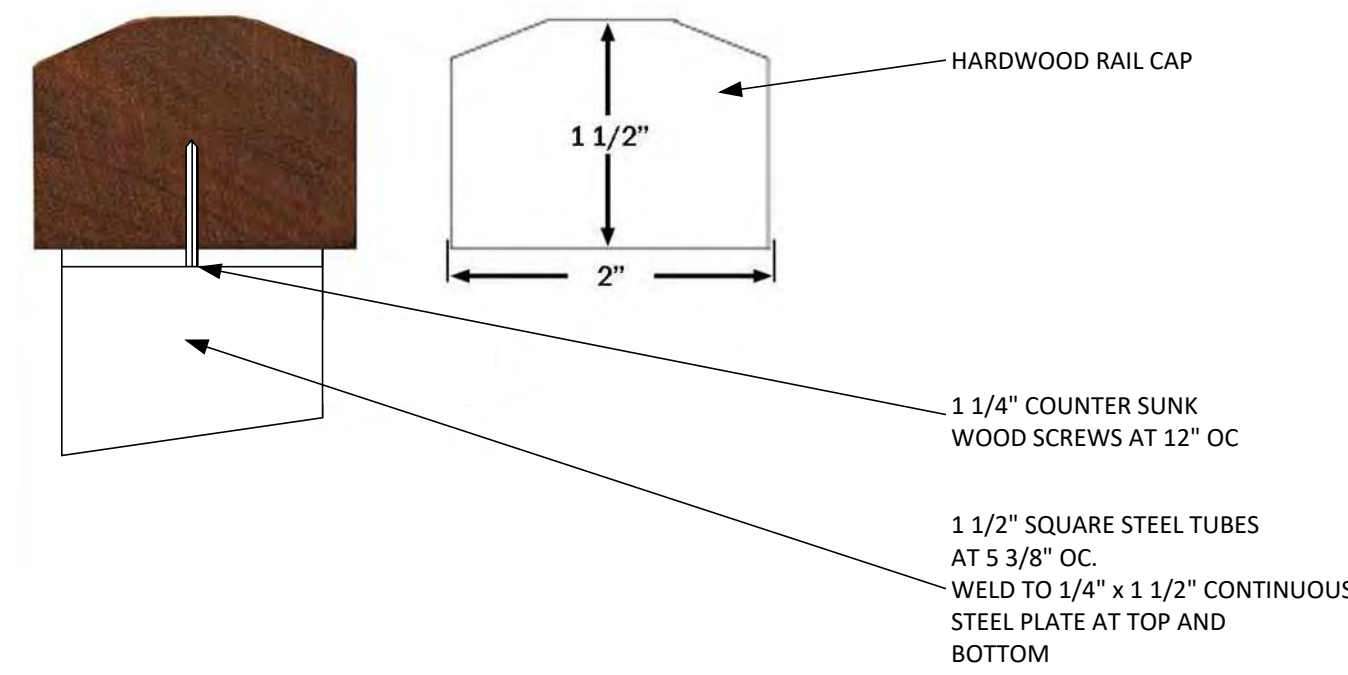


A-10 EXTERIOR WALL DETAIL
SCALE: 3/4"=1'-0"
WEST AND SOUTH WALLS

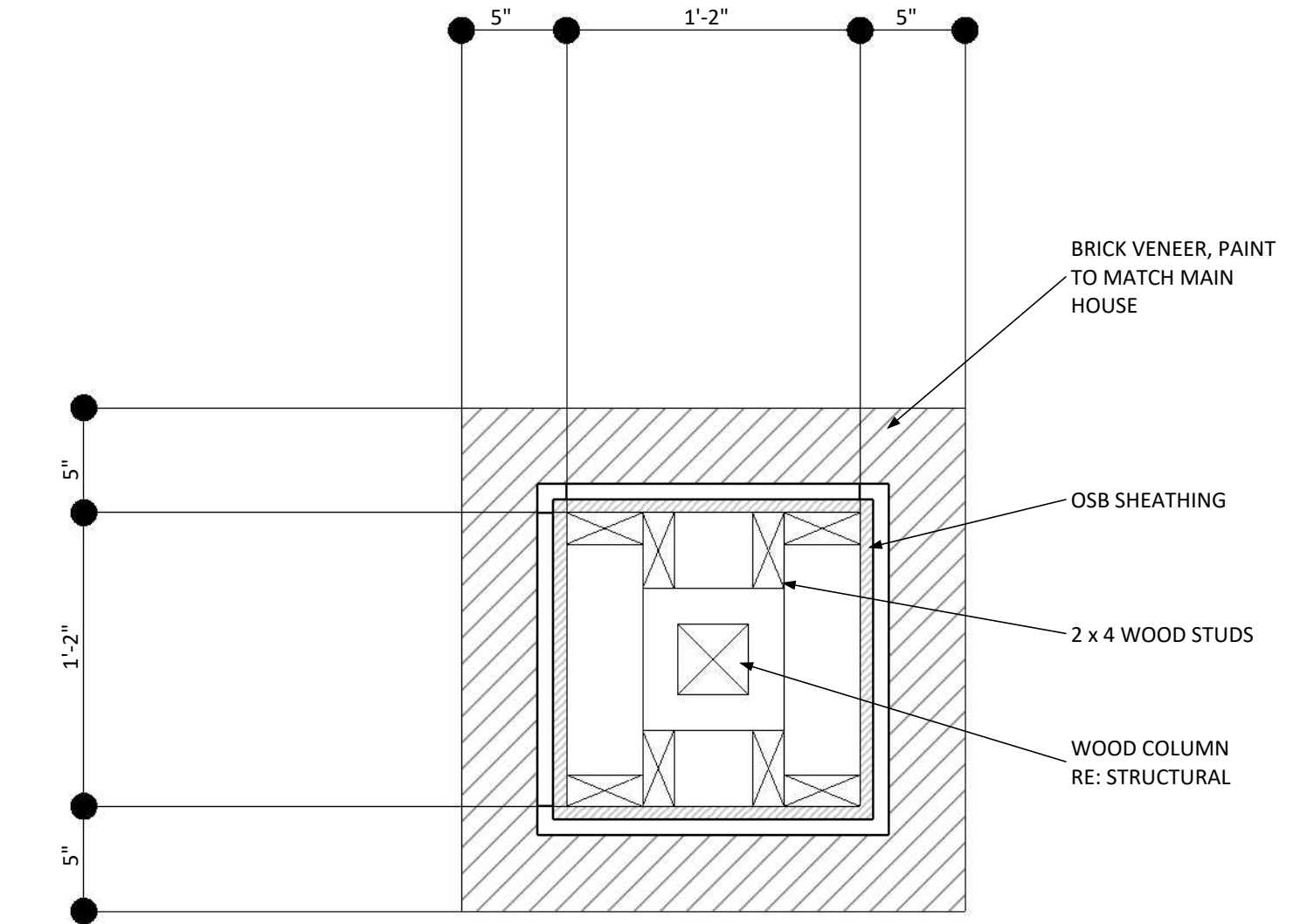
A-11 PARTITION DETAIL
SCALE: 3/4"=1'-0" GARAGE / ADU SEPARATION



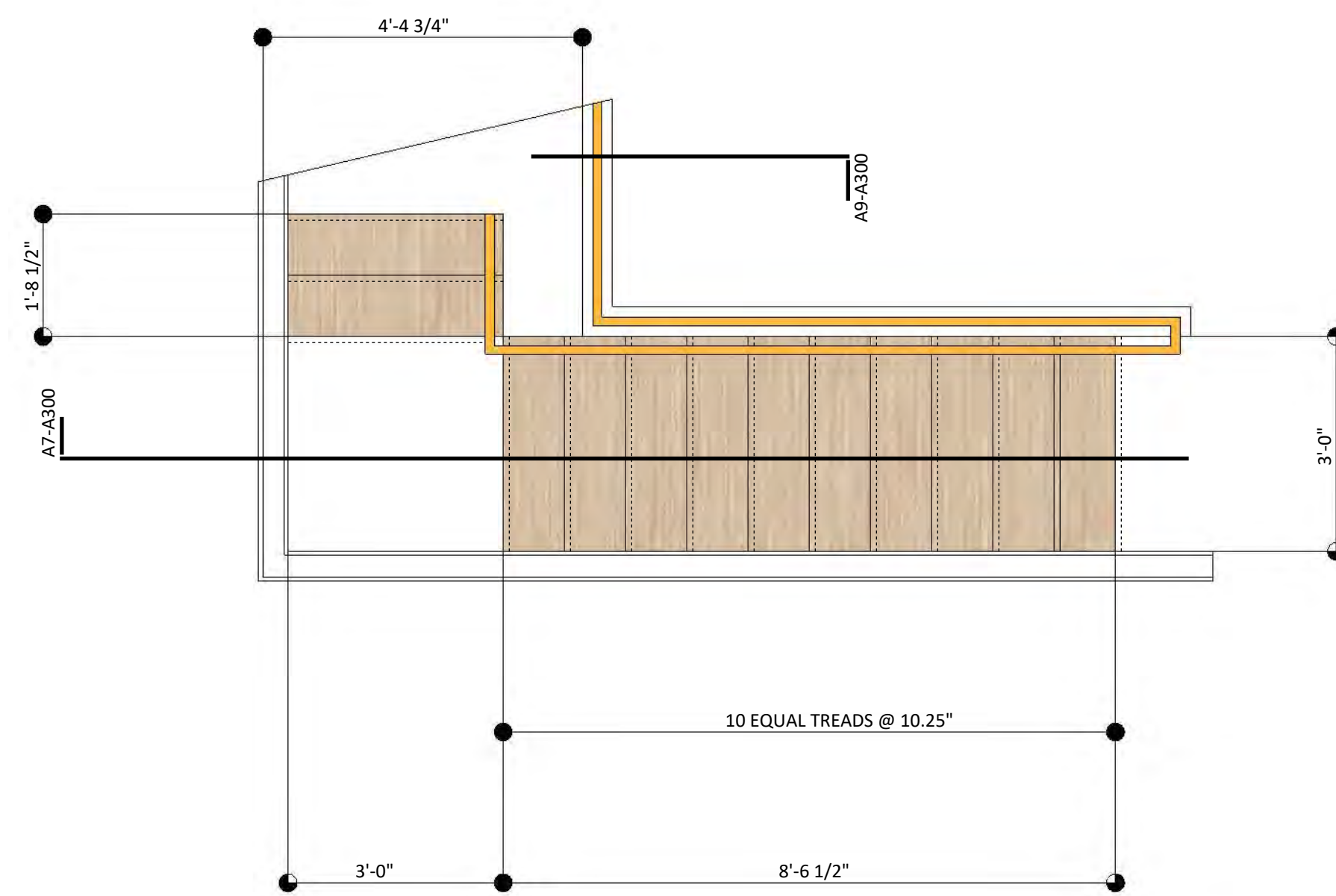
A-7 STAIR SECTION
SCALE: 1/2"=1'-0"



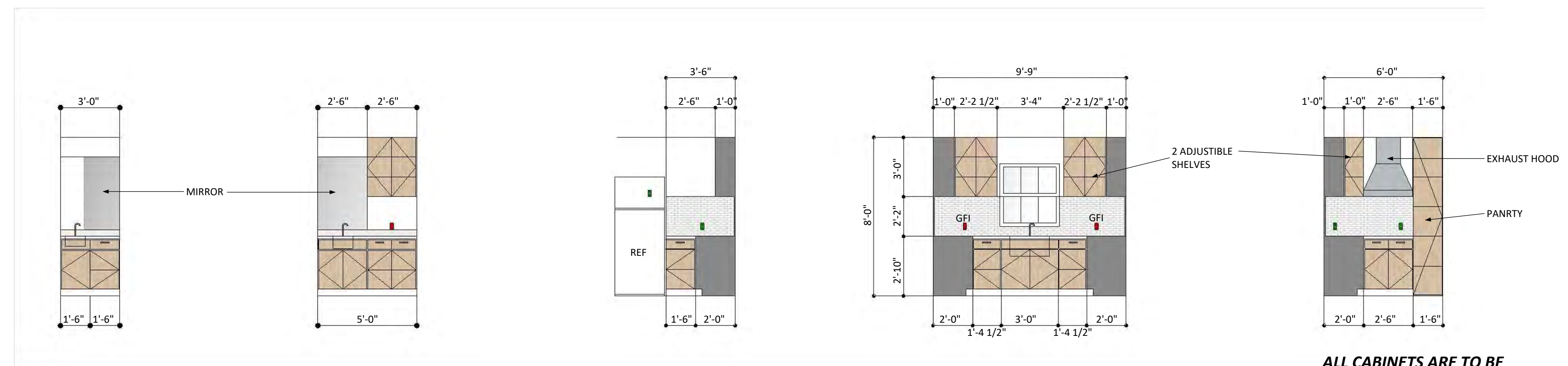
A-13 RAIL CAP
NO SCALE



A-12 PORCH COLUMN
SCALE: 1 1/2"=1'-0"



A-6 STAIR PLAN
SCALE: 1/2"=1'-0"



A-5 VANITY ELEVATION
SCALE: 1/4"=1'-0"

A-4 VANITY ELEVATION
SCALE: 1/4"=1'-0"

A-3 KITCHEN ELEVATION
SCALE 1/4"=1'-0"

A-2 KITCHEN ELEVATION
SCALE 1/4"=1'-0"

A-1 KITCHEN ELEVATION
SCALE 1/4"=1'-0"

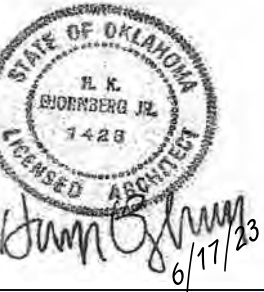
ALL CABINETS ARE TO BE
AWI CUSTOM GRADE

NO.	DATE	REVISIONS	REMARKS

GARAGE RECONSTRUCTION
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TULSA, OKLAHOMA

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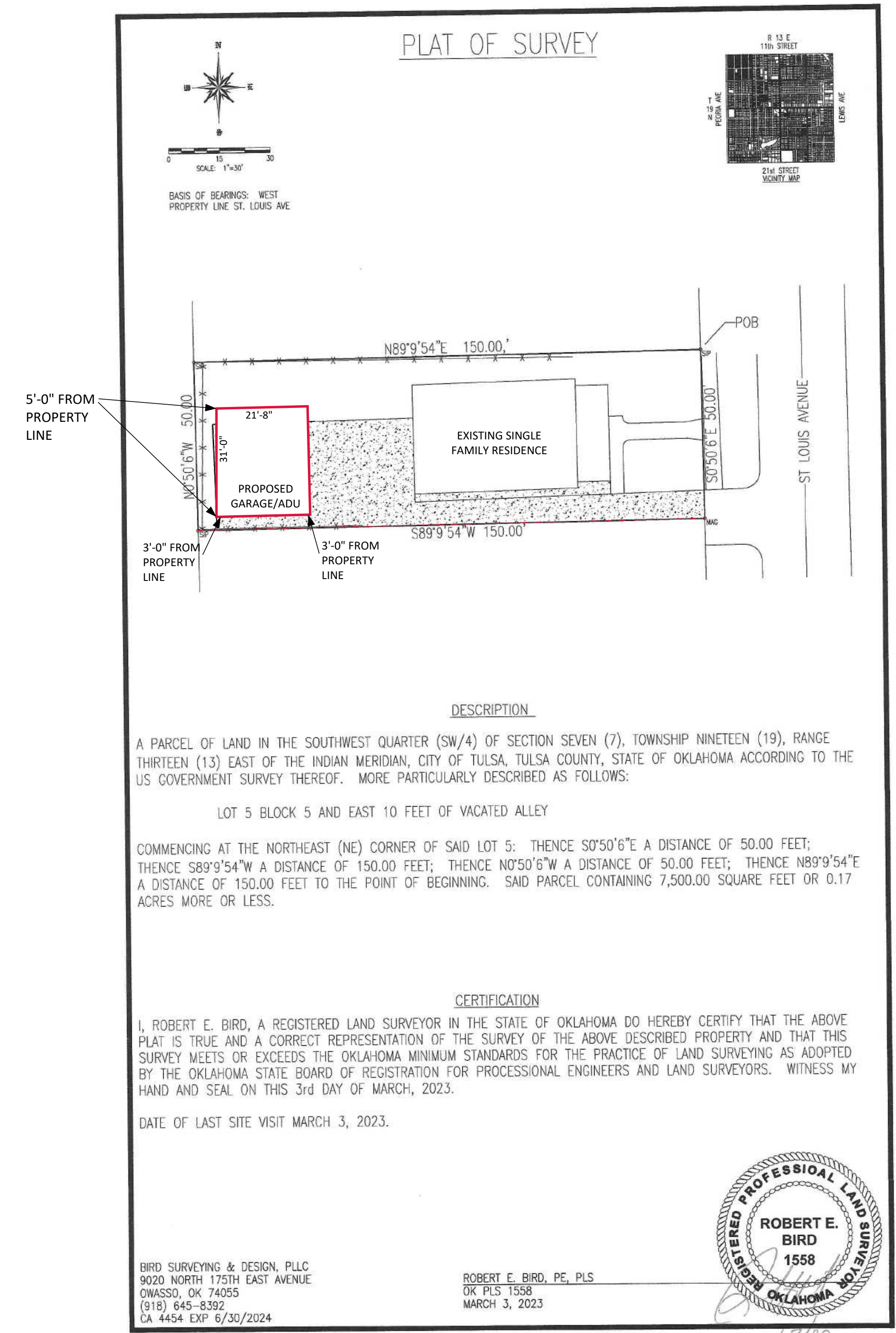
GARAGE RECONSTRUCTION WITH AN ADU

1520 SOUTH ST LOUIS
TULSA, OKLAHOMA

DRAWING INDEX

ARCHITECTURAL
A-000 COVER SHEET
A-100 FLOOR PLAN / CEILING PLAN
A-200 BUILDING ELEVATIONS
A-300 DETAILS
A-500 BUILDING SECTIONS

STRUCTURAL
S-1 FLOOR AND ROOF FRAMING PLAN
S-2 SECTIONS AND ELEVATIONS
S-3 FOUNDATION PLAN AND DETAILS



PROJECT DESCRIPTION

THIS PROJECT INCLUDES THE RECONSTRUCTION OF A PREVIOUSLY DEMOLISHED GARAGE WITH THE ADDITION OF AN ACCESSORY DWELLING UNIT (ADU).

THE GARAGE / ADU IS TO BE CONSTRUCTED ON THE ORIGINAL FOOTPRINT OF THE PREVIOUSLY DEMOLISHED GARAGE.

THE NEW CONSTRUCTION WILL BE IN COMPLIANCE WITH IRC 2018.

GARAGE AREA: 444 SF
ADU AREA:
GROUND FLOOR: 220 SF
SECOND FLOOR: 421 SF
ADU TOTAL: 641 SF

TOTAL AREA: 1,085 SF

CONSTRUCTION TYPE: WALLS: 2x4 WOOD STUDS
FLOOR: WOOD JOISTS WITH PLYWOOD DECKING
ROOF: WOOD STICK FRAMING (RESTRI)

ADU SEPARATION: COMPLIES WITH TABLE 302.6

REVISIONS
REMARKS

MM/DD/YY

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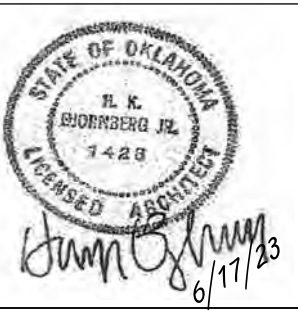
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COVER SHEET

A-000

21.12