



CITY OF Tulsa

Board of Adjustment

Case Number: BOA-23623

Hearing Date: 01/09/2024 1:00 PM

Case Report Prepared by:

Austin Chapman

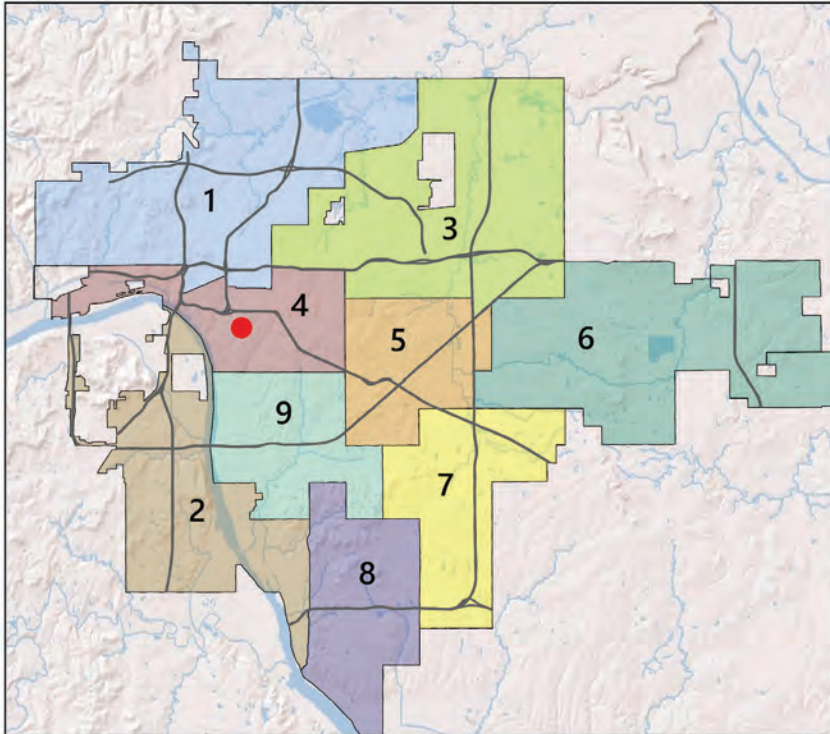
Owner and Applicant Information:

Applicant: RCJ Designs

Property Owner: TPAT PROPERTIES LLC

Action Requested: Variance to reduce the required 15-foot side street setback in the RS-4 District (Sec. 5.030, Table Note [3]) Variance to reduce the required lot area; Variance to reduce the lot width requirement for a duplex use in the RS-4 District (Table 5-3)

Location Map:



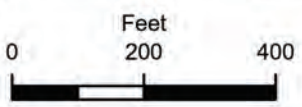
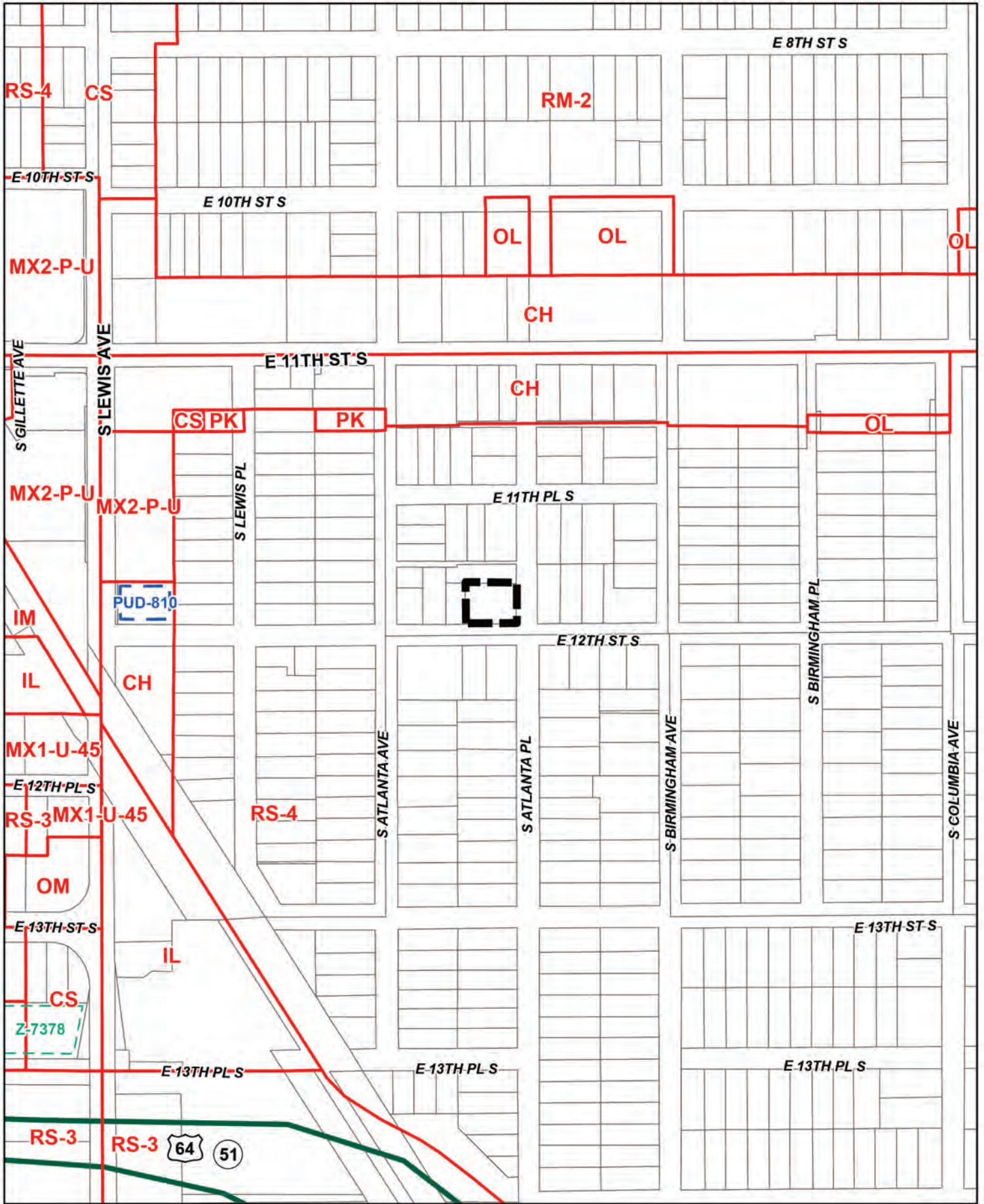
Additional Information:

Present Use: Residential

Tract Size: 0.25 acres

Location: 1148 S. Atlanta Pl.

Present Zoning: RS-4



BOA-23623



11.2



Subject
Tract

Feet
0 200 400

BOA-23623

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



Aerial Photo Date: 2021

11.3

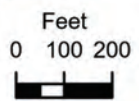


S ATLANTA AVE

E 11TH PLS

S ATLANTA PL

E 12TH STS



Subject Tract

BOA-23623

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

Aerial Photo Date: 2021



11.4

**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9308

Case Number: **BOA-23623**

CD: 4

HEARING DATE: 01/09/2024 1:00 PM

APPLICANT: RCJ Designs

ACTION REQUESTED: Variance to reduce the required 15-foot side street setback in the RS-4 District (Sec. 5.030, Table Note [3]); Variance to reduce the required lot area and lot area per unit (Sec. 5.030, Table 5-3); Variance to reduce the 50-foot lot width requirement in the RS-4 District (Sec. 5.030, Table 5-3)

LOCATION: 1148 S. Atlanta Pl.

ZONED: RS-4

PRESENT USE: Residential

TRACT SIZE: 10924.89 SQ FT

LEGAL DESCRIPTION: S.95'E.115 LT 4 BK 3, TULSA SQUARE ADDN AMD 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: "Our request for a lot split stems from a series of unforeseen and challenging circumstances that have significantly impacted our ability to maintain the current configuration of the property including bank financing issues, title closing issues, and future selling of each house.

STAFF ANALYSIS: The applicant is requesting a Variance to reduce the required 15-foot side street setback in the RS-4 District (Sec. 5.030, Table Note [3]); Variance to reduce the required lot area and lot area per unit (Sec. 5.030, Table 5-3); Variance to reduce the 50-foot lot width requirement in the RS-4 District (Sec. 5.030, Table 5-3)

Table 5-3: R District Lot and Building Regulations

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Minimum Lot Area (sq. ft.)													
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Patio house	-	-	-	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Townhouse	-	-	-	4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	-
Cottage house development	-	-	-	-	-	10,000	10,000	10,000	10,000	10,000	10,000	10,000	-
Duplex	-	-	-	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Multi-unit house	-	-	-	-	-	3,300	6,900	5,500	5,500	5,500	5,500	5,500	-
Apartment/Condo	-	-	-	-	-	-	-	-	10,000	10,000	6,000	24,000	-
Mobile home park	-	-	-	-	-	-	-	-	-	-	-	-	[1]
Other allowed buildings/uses													
Permitted by right	22,500	13,500	9,000	6,900	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Min. Lot Area per Unit (sq. ft.)													
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Patio house	-	-	-	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Townhouse	-	-	-	4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	-
Cottage house development	-	-	-	-	-	2,500	2,500	2,500	2,500	2,500	2,500	2,500	-
Duplex	-	-	-	3,450	2,750	1,650	2,750	2,750	2,750	2,750	2,750	2,750	-
Multi-unit house	-	-	-	-	-	1,100	1,800	1,800	1,800	1,375	1,100	900	-
Apartment/Condo	-	-	-	-	-	-	-	-	2,900	1,750	1,100	400	-
Other allowed buildings/uses													
Permitted by right	-	-	-	-	-	-	-	-	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	
Minimum Lot Width (ft.)													
Detached house	150	100	75	60	50	30	50	50	50	50	50	50	-
Patio house	-	-	-	60	50	30	50	50	50	50	50	50	-
Townhouse	-	-	-	30	25	20	25	20	20	20	20	20	-
Cottage house development	-	-	-	-	-	75	75	75	75	75	75	75	-
Duplex	-	-	-	60	50	30	50	50	50	50	50	50	-
Multi-unit house	-	-	-	-	-	30	50	50	50	50	50	50	-
Apartment/Condo	-	-	-	-	-	-	-	-	100	100	50	100	-
Other allowed buildings/uses													
Permitted by right	150	100	75	60	50	50	50	50	50	50	50	50	50
Special exceptions	150	100	100	100	100	100	100	100	100	100	100	100	100

Facts staff finds favorable for variance request:

- The existing conditions of 2 units on a single lot is a unique condition that presents challenges to utilizing the existing structures.

Facts Staff find unfavorable for the variance request:

- None.

SAMPLE MOTION:

Move to (approve/deny) a Variance to reduce the required 15-foot side street setback in the RS-4 District (Sec. 5.030, Table Note [3]); Variance to reduce the required lot area and lot area per unit (Sec. 5.030, Table 5-3); Variance to reduce the 50-foot lot width requirement in the RS-4 District (Sec. 5.030, 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:

- 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;*
- That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;*

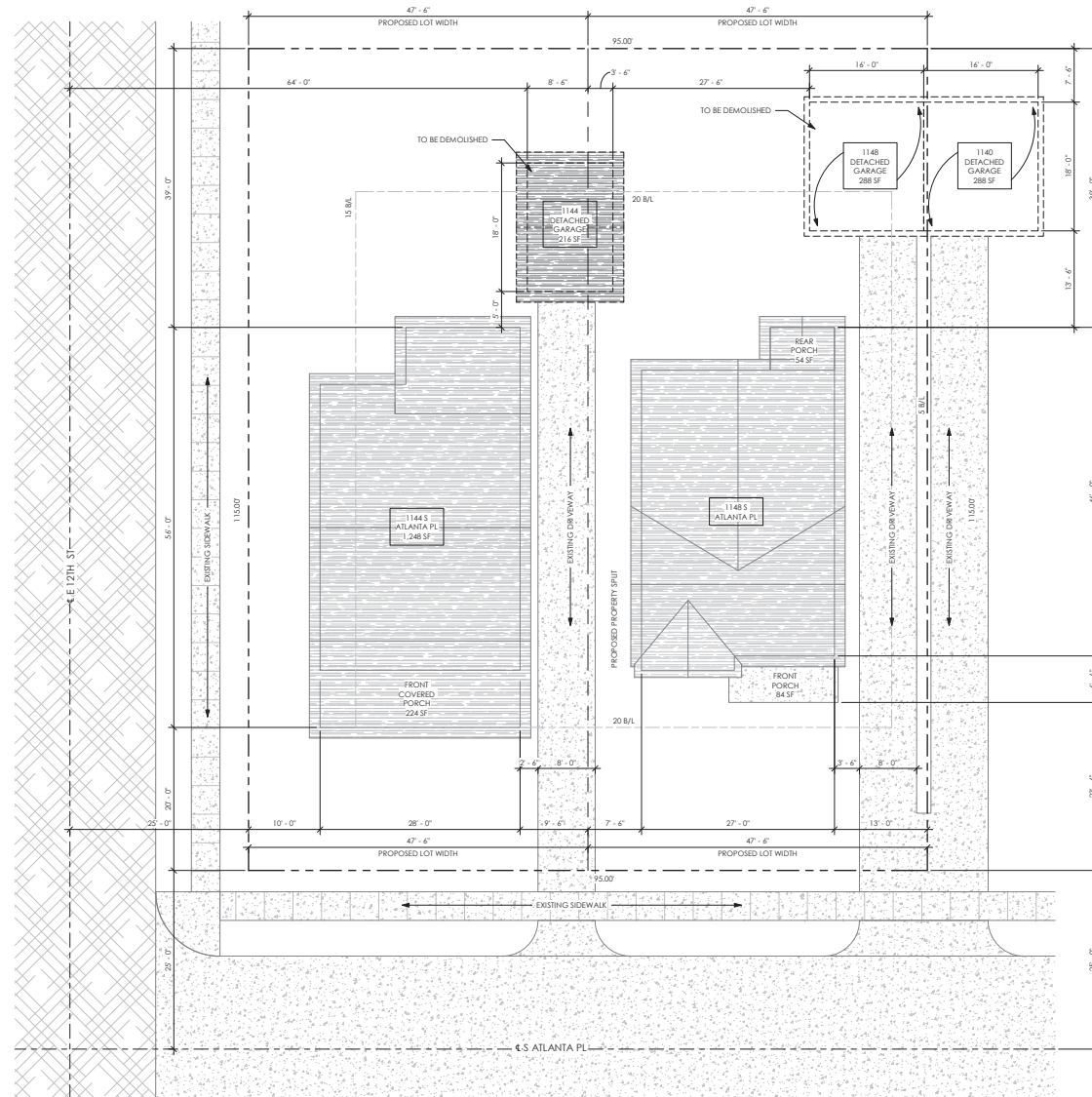
- c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;*
- d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the 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



T U L S A , O K
 W I L D S S P A S
 WWW.RCJDESIGNS.COM



1 SITE PLAN
 1/8" = 1'-0"

DRAWN FOR:
VIVE INVESTMENTS

LOT SPLIT

1144/1148 S ATLANTA PL
 TULSA, OK 74104

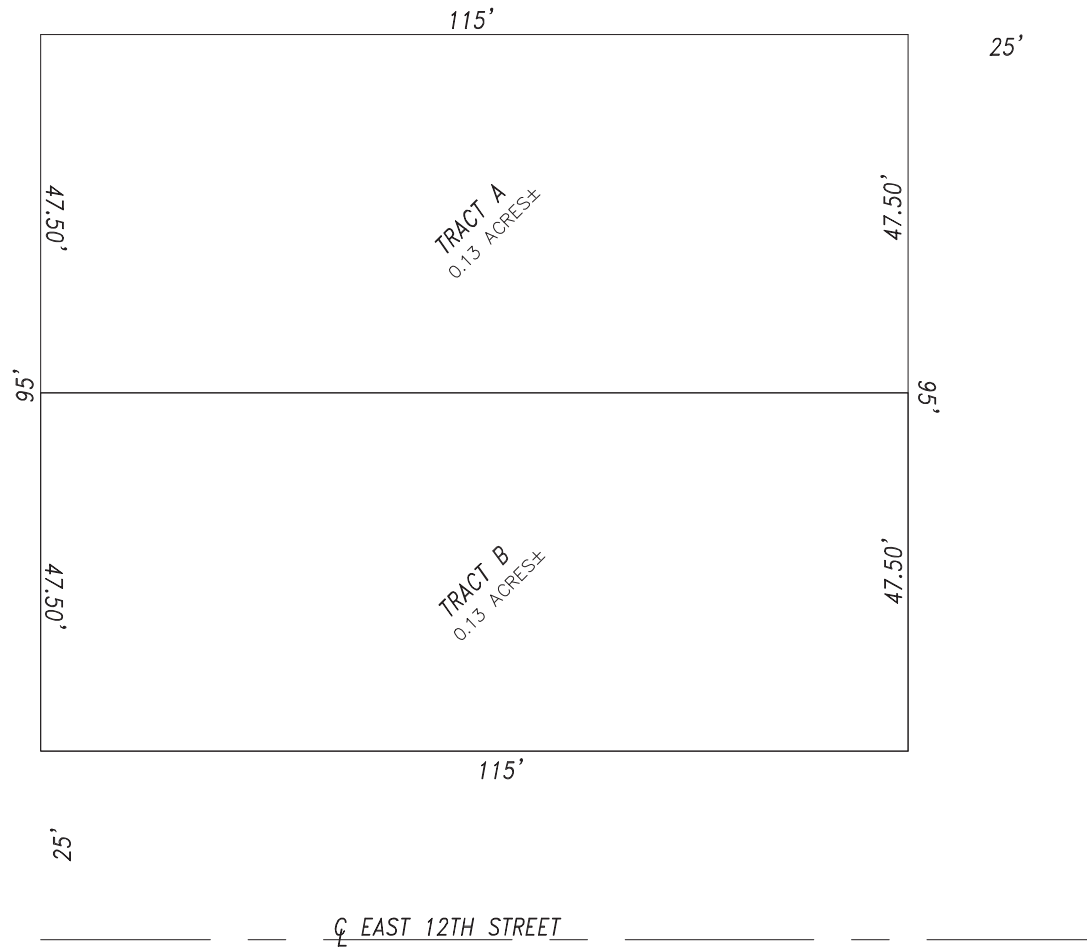
NO.	REVISION	DATE

PROJECT NUMBER:
 23170
 ISSUE:
 LOT SPLIT SP
 DATE:
 11.30.2023
 DRAWN BY:
 RCJ
 CHECKED BY:
 RCJ
 SHEET TITLE:

SITE PLAN

SP

REGISTERED LAND SURVEYOR'S
EXHIBIT



LEGEND	
U/E	- UTILITY EASEMENT
B/L	- BUILDING LINE
D/E	- DRAINAGE EASEMENT
ELEC	- ELECTRIC
COV'D	- COVERED
M/P	- METERING POINT



SCALE 1"=20'

FOR: RCJ DESIGNS
INVOICE NO.: 23970

ADDRESS: 1144 SOUTH ATLANTA PLACE, TULSA OK

PARENT TRACTS (AS PROVIDED):

THE SOUTH 95 FEET OF THE EAST 115 FEET OF LOT FOUR (4), BLOCK THREE (3), TULSA SQUARE ADDITION TO TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 167

TRACT A:

THE NORTH 47.50 FEET OF THE SOUTH 95 FEET OF THE EAST 115 FEET OF LOT FOUR (4), BLOCK THREE (3), TULSA SQUARE ADDITION TO TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 167. SAID TRACT CONTAINING 0.13 ACRE, MORE OR LESS

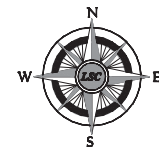
TRACT B:

THE SOUTH 95 FEET OF THE EAST 115 FEET OF LOT FOUR (4), BLOCK THREE (3), TULSA SQUARE ADDITION TO TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 167, LESS AND EXCEPT THE NORTH 47.50 FEET THEREOF. SAID TRACT CONTAINING 0.13 ACRES, MORE OR LESS.

THAT THIS IS NOT A LAND OR BOUNDARY SURVEY PLAT, AND THAT THIS EXHIBIT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING OR OTHER FUTURE IMPROVEMENT LINES. FENCES, IF SHOWN, ARE FOR REFERENCE ONLY, ACTUAL LOCATIONS REQUIRE A BOUNDARY SURVEY. NO EFFORT HAS BEEN MADE TO SEARCH THE RECORDS OF THE COUNTY CLERK'S OR OTHER GOVERNMENT OFFICE. ANY EASEMENT OR RIGHTS OF WAY SHOWN OR NOTED IS PER SUBDIVISION PLAT OR AS SPECIFICALLY PROVIDED BY THE CLEINT TO THE UNDERSIGNED.



11/27/23
DAVID D. LACY, P.L.S. #1666



DAVID D. LACY

PO BOX 471211, TULSA OK 74147
Phone: 918.519.1873 Email: pls4air@gmail.com