



Board of Adjustment

**Staff Report
Variance Case BOA-23632**

Hearing Date: January 23, 2024
Prepared by: Sean Wallace
swallace@cityoftulsa.org
918-596-7585

Owner and Applicant Information

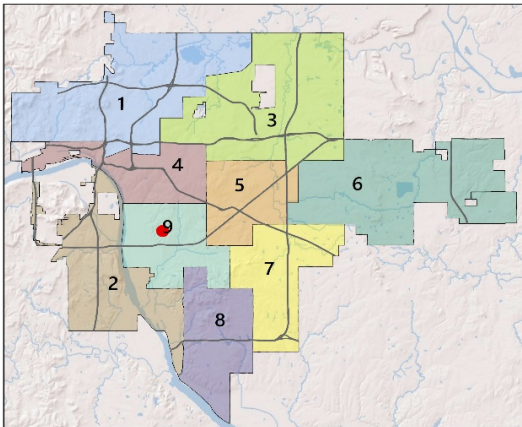
Applicant: Ron Vanderslice
Property Owner: Ron Vanderslice

Property Location

2525 E 47th St
Tract Size: ±.5 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 9, Jayme Fowler.
County Commission: District 3, Kelly Dunkerley.

Public Notice Required

Newspaper Notice – min. 10 days in advance
Mailed Notice to 300’ radius – min. 10 days in advance

Request Summary

Variance to reduce the required 25-foot rear setback in a RS-1 District (Sec. 5.030-A, Table 5-3)

Zoning

Zoning District: RS-1
Zoning Overlays: None

Comprehensive Plan Considerations

Land Use

Land Use Plan: Neighborhood
Small Area Plans: None
Development Era: Early Automobile

Transportation

Major Street & Highway Plan: N/A
planitulsa Street Type: Residential Collector
Transit: N/A
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: None

Environment

Flood Area: N/A
Tree Canopy Coverage: 20-50%
Parks & Open Space: N/A

Staff Analysis

The applicant is proposing to convert the current garage into living space and add-on a new garage. The minimum rear setback in an RS-1 district is 25 feet and the proposed garage will be 15 feet 6 inches from the rear property line.

Relevant Case History

- None

Statement of Hardship

“The lot boundary line has a 9.6’ distance (n/s) from one end of the property to the other, going west to east causing non-conformity based on the 25’ rear setback. The previous owner of the house owned the full acre and split the lot and built in their backyard which did not meet current setback requirements.”

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as neighborhood.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	RS-1	Neighborhood	Residential
East	RS-1	Neighborhood	Residential
South	RS-1	Neighborhood	Residential
West	RS-1	Neighborhood	Residential

Small Area Plans

The subject property is not inside a small area plan.

Development Era

The subject property is located in an area developed during the early automobile era.

During this time period, Tulsa saw some of the fastest growth that has occurred in the city’s history, consistent with population growth across the United States. Detached house neighborhoods with a variety of architectural styles proliferated through the area, and a relatively low level of redevelopment has occurred over time as compared to the Downtown Era and the Streetcar Era.

Transportation

Major Street & Highway Plan: N/A

Comprehensive Plan Street Designation: Residential collector

Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: N/A

Environmental Considerations

Flood Area: The subject property is not inside a floodplain.

Tree Canopy Coverage: Tree canopy in the area is 31%. For areas on the map with between 20% and 50% canopy coverage, significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

Sample Motion

I move to approve or deny a Variance to reduce the required 25-foot rear setback in a RS-1 District (Sec. 5.030-A, Table 5-3):

- 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 the hardship to be _____.

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.

Property Description

Subdivision: ARNALL HGTS (02050)
 Legal: PRT E150 LT 6 BEG SECR TH W150 N123.57 E43.60
 N9.60 E106.34 S134.30 POB
 Section: 29 Township: 19 Range: 13

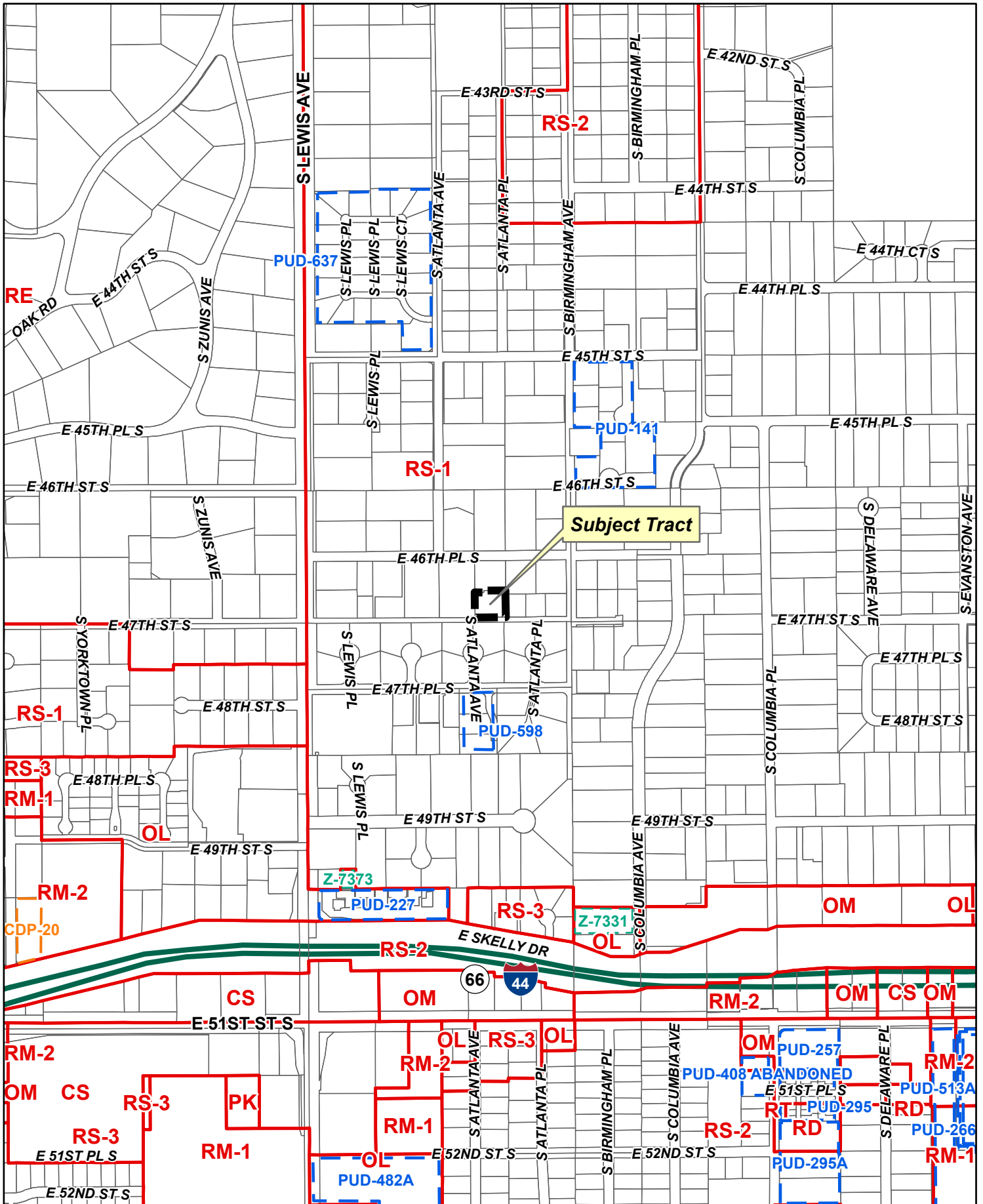
Photos



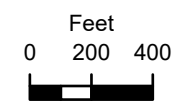
Subject Property

Exhibits

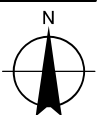
- Tulsa Comprehensive Plan Land Use Map
- Case map
- Aerial (small scale)
- Aerial (large scale)



Subject Tract



BOA-23632



10.5



E 44TH PL S

E 44TH PL S

S ATLANTA PL

E 45TH ST S

S LEWIS PL

S BIRMINGHAM AVE

E 45TH PL S

E 45TH PL S

S ATLANTA AVE

E 46TH ST S

E 46TH ST S

E 46TH PL S

E 47TH ST S

S LEWIS PL

S ATLANTA AVE

S ATLANTA AVE

S ATLANTA PL

S BIRMINGHAM AVE

E 47TH PL S

E 48TH ST S

S LEWIS AVE

S LEWIS PL

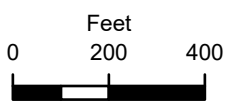
E 49TH ST S

E 49TH ST S

E 49TH ST S

S COLUMBIA AVE

E SKELLY DR

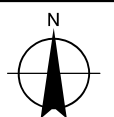


 Subject Tract

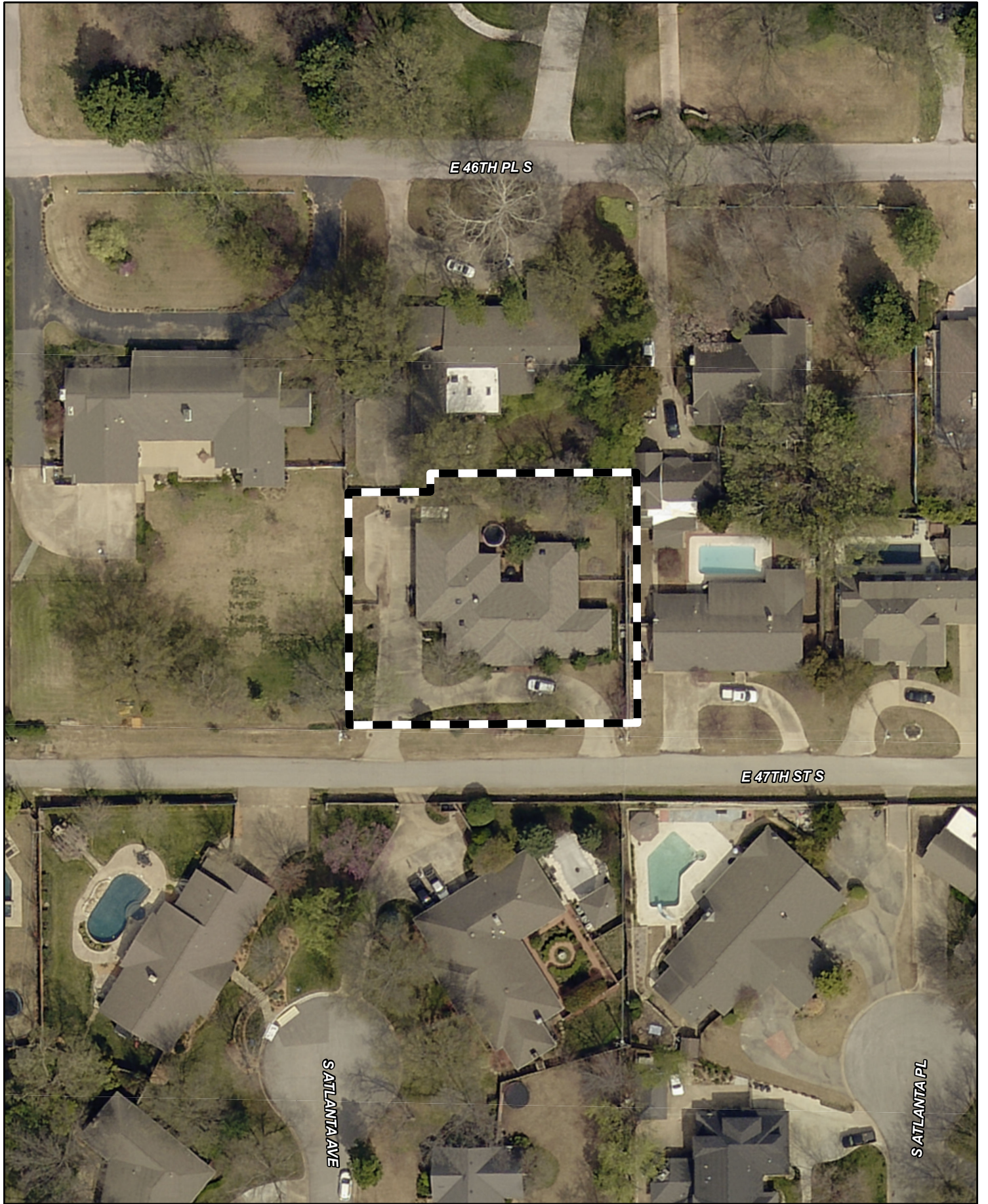
BOA-23632

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

Aerial Photo Date: 2021



10.6



E 46TH PL S

E 47TH ST S

S ATLANTA AVE

S ATLANTA PL

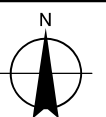
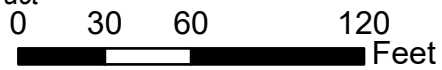
BOA-23632

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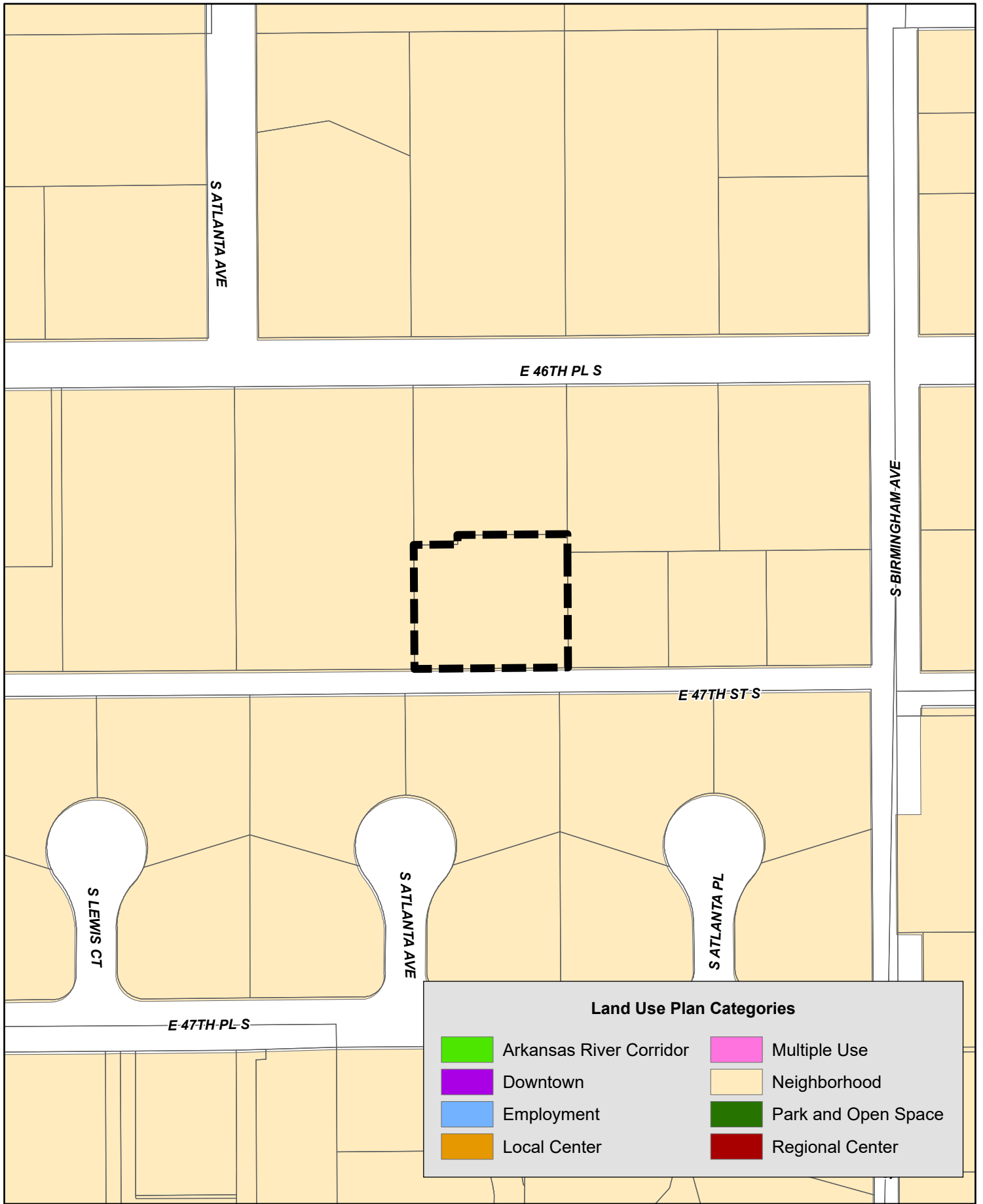
Aerial Photo Date: 2021



Subject Tract

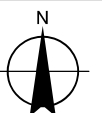


10.7



BOA-23632

10.8





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

CITY OF TULSA

CORRECTIONS SUMMARY

ZCO-166471-2023 (2525 E 47TH ST S Tulsa, OK 74105) Markup Summary #1

Zoning Review (3)



Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 12/11/2023 5:07:32 PM
Status:
Color: ■
Layer:
Space:

Note: this permit application type is for zoning clearance only. There won't be any review of the building plans; you will still be required to apply for and be approved for a full building permit before work can be started.



Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 12/11/2023 4:52:07 PM
Status:
Color: ■
Layer:
Space:

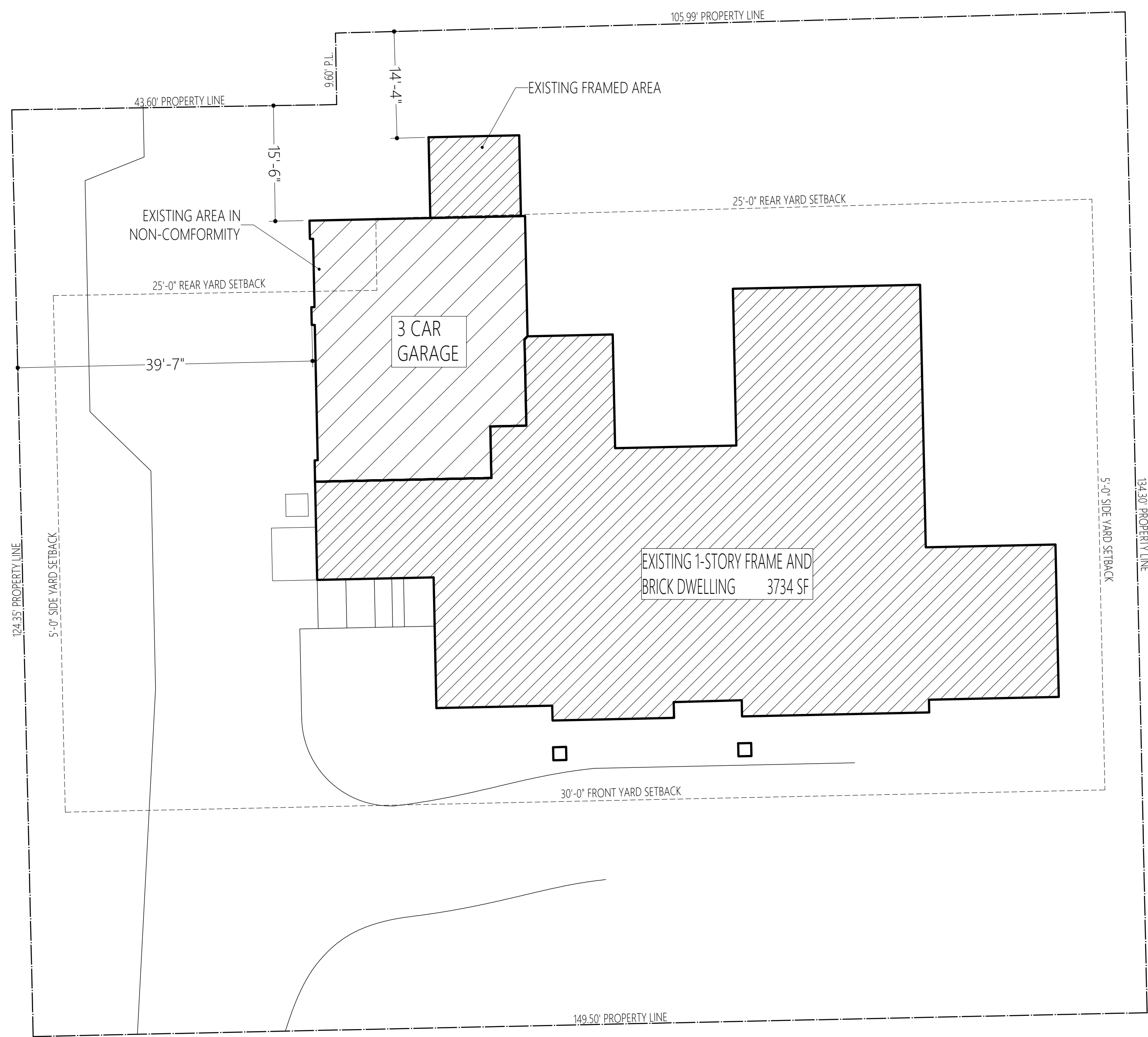
Please revise the plans to show a full site plan and show the addition on the site plan. Site plan should show full boundaries of property and show distances from the addition to the side, rear, and front property lines, as well as to the center of E. 47th St.



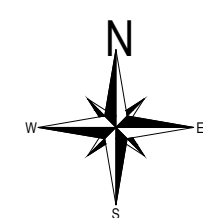
Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 12/11/2023 5:06:54 PM
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Color: ■
Layer:
Space:

Section 5.030-A Table of Regulations
The lot and building regulations of Table 5-3 apply to all principal uses and structures in R districts, except as otherwise expressly stated in this zoning code. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90. Regulations governing accessory uses and structures can be found in Chapter 45.
Review Comments: The building plans seem to indicate this addition will only be 16' from the rear property line (north). This property is zoned RS-1 which requires a 25' setback from the rear property line. Please revise the plans so that no portion of the addition is within 25' of the rear property line.

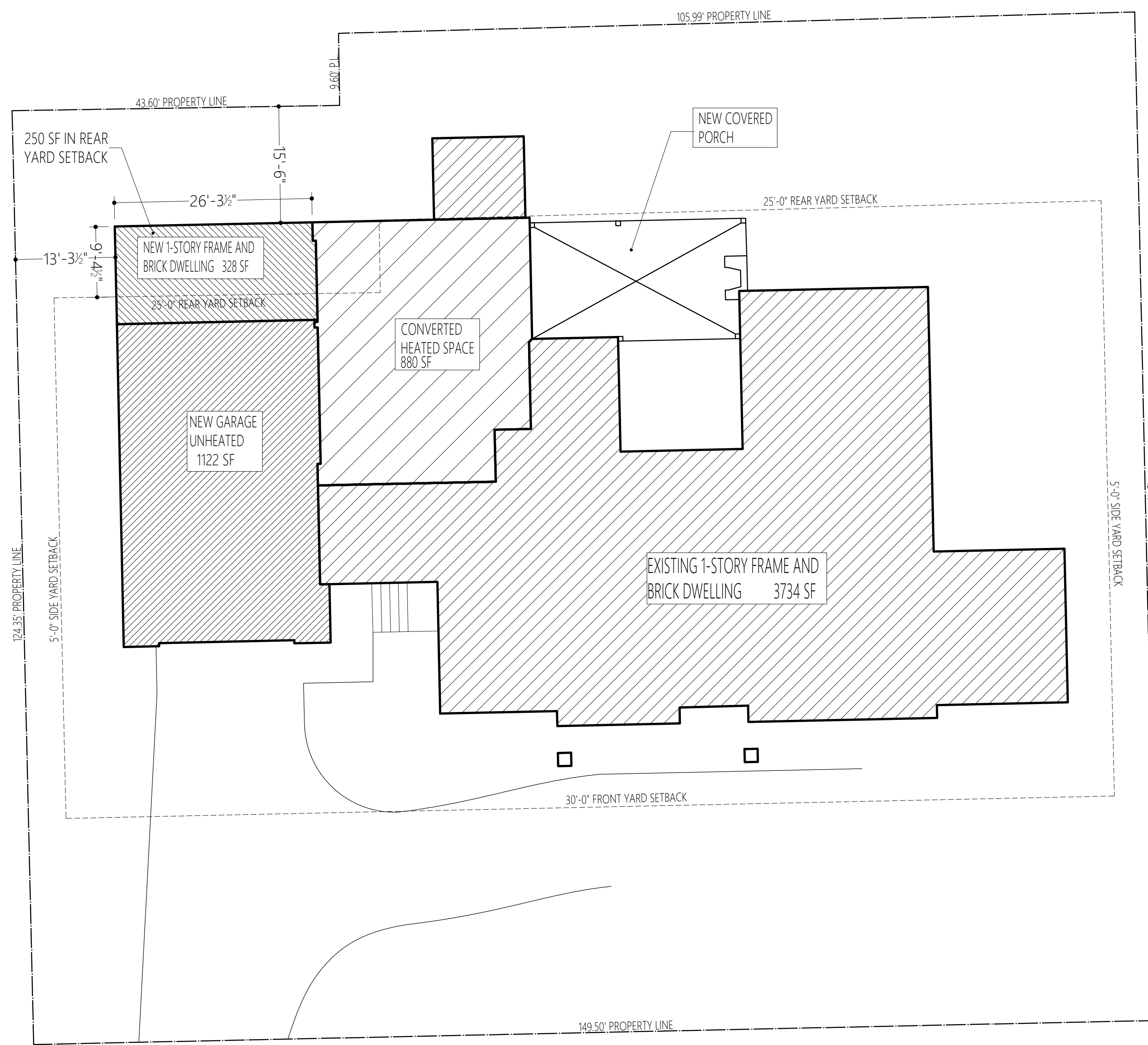
This constitutes a Plan Review to date in response to the information submitted with and after the above referenced application. Additional issues may develop when the review continues upon receipt of additional information requested in this letter or upon additional submittal from the client. Any code items not reviewed are still in force, and it shall be the responsibility of the owner and design professional(s) to ensure that all code requirements are satisfied.



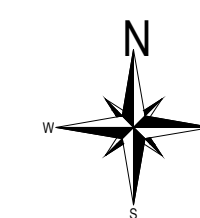
© EAST 47TH STREET SOUTH



B SITE PLAN - EXISTING
1/2" = 1'-0"



© EAST 47TH STREET SOUTH



A SITE PLAN-NEW
3/32" = 1'-0"

GENERAL NOTES:

- All work shall conform to the "International Residential Code (2015)" and all other governing laws, codes, ordinances and regulations. See structural drawings for additional details.
- These plans and specification documents are intended for one project only at one particular site only. Any additional use or reproduction without the written permission of the design firm is forbidden. Changes to plan and specification documents shall be made in writing and approved by the design firm. Changes shall be submitted in writing.
- All exterior dimensions are to the face of the exterior frame wall and/or concrete or stucco.
- All interior dimensions are to the face of framing, centerline or an extension of an exterior dimension.
- Written dimensions take precedence over scaled dimensions.

LEGAL DESCRIPTION:

Part of the East Half of Lot 6,
Section 29, Township 19, Range 13,
Subdivision: ARNALL HEIGHTS
City of Tulsa, Tulsa County
State of Oklahoma

CODE:

2015 International Residential code

ZONING:

RS-1 district

SQUARE FOOTAGE:

Heated Square Footage First floor:	3,734sf
NEW Heated Square Footage First floor:	1,208sf
	4,942sf

LEGEND:

- [X] Drawing name and location
- [X] Reference grid for dimensions
- [X] Section through plan
- [X] Carpentery detail
- [X] Construction note/detail
- [X] Door number
- [X] Window type
- [X] Reference area
- T.O. "Top of" measure from
- C "Center line" measure to

SHEET INDEX:

- 1 Title sheet, site plan
- 1.1 Hardscaping plan
- 2.1 Foundation plan
- 2.2 First Floor Dimensioned
- 2.2a First Floor plan - Overall
- 2.3 Second Floor Dimensioned
- 2.3a Second Floor plan - Overall
- 2.4 First Floor material - HVAC
- 2.5 Second Floor material - HVAC
- 2.6 Roof plan - main
- 2.7 Roof plan - lower
- 2.8 Framing Plan - first floor
- 2.9 Framing Plan - second floor
- 3.1 Elevations
- 3.2 Elevations
- 3.3 Elevations and sections
- 3.4 Sections
- 3.5 Sections
- 4.1 Large scale details
- 4.2 Large scale details

- All contractors shall verify all existing and new conditions, materials, elevations and dimensions. Any discrepancies or omissions shall be immediately reported to this office.
- All contractors shall examine all drawings and existing conditions to determine locations and dimensions of any and all chases, inserts, openings, sleeves, depressions and other project requirements.
- Contractors shall be responsible for providing and installing all necessary permits.
- Provide for passive control of rain water runoff from the roof to the exterior face of the slab so as to seal openings or cracks that connect the house interior to the sub-slab soil. Seal all penetrations, joints, tears and cuts with tape or mastic.
- General contractor shall coordinate and provide for termite protections and inspection as required by the City of Tulsa (2015 IRC).
- Provide safety glazing at all Hazardous Locations as defined in section R308.4 (2015 IRC).