



Board of Adjustment

**Staff Report
Special Exception Case BOA-23637**

Hearing Date: February 13, 2024
Prepared by: Dylan Siers
dsiers@cityoftulsa.org
918-596-7584

Owner and Applicant Information

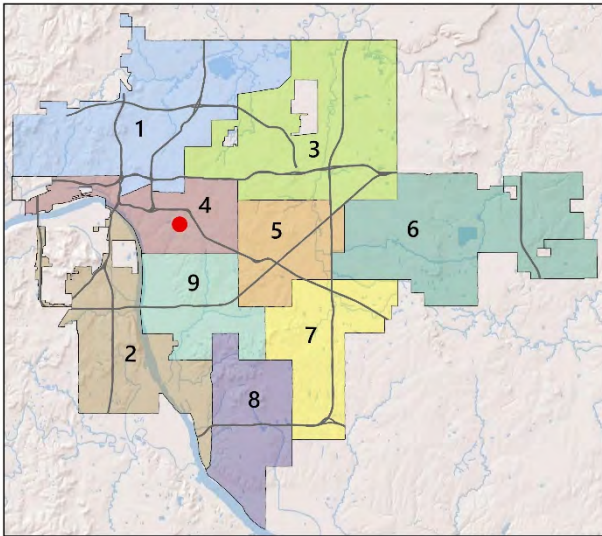
Applicant: Tom Neal
Property Owner: Johnny Dale Reaves

Property Location

1704 S Yorktown Ave
Tract Size: ±0.22 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 4, Laura Bellis
County Commission: District 2, Karen Keith

Public Notice Required

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

Request Summary

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)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);Special Exception to allow an Accessory Dwelling Unit in an RS-3 District (45.031-D)Special Exception to increase the permitted driveway width in a RS-3 district (Sec. 55.090-F.3)

Zoning

Zoning District: RS-3
Zoning Overlays: HP

Comprehensive Plan Considerations

Land Use

Land Use Plan: Neighborhood
Small Area Plans: None
Development Era: Streetcar

Transportation

Major Street & Highway Plan: None
planitulsa Street Type: N/A
Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Environment

Flood Area: None
Tree Canopy Coverage: 10-20%
Parks & Open Space: N/A

Staff Analysis

The applicant is proposing a 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) 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); Special Exception to allow an Accessory Dwelling Unit in an RS-3 District (45.031-D) Special Exception to increase the permitted driveway width in a RS-3 district (Sec. 55.090-F.3)

The site plan shows the proposed structure to have a height of 22'6". The applicant is proposing a 1,344 sq. ft detached accessory building. This exceeds the 500 sq ft and 40% of the floor area of the principal building. The lot currently has 25'6" of driveway, the applicant is proposing to add a new driveway that will bring the total to 49'6". This is about 19' over the allowed driveway width.

Statement of Hardship

"Modern cars will not fit in model A size garage. Owners also have had another child & a formal office is needed for nursery. 2nd floor will be home office and guest quarters. This has been approved by the Tulsa Preservation Commission. "

Relevant Case History

- None

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated 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.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	RS-3/HP	Neighborhood	Single Family Home
East	RS-3/HP	Neighborhood	Single Family Home
South	RS-3/HP	Neighborhood	Single Family Home
West	RS-3/HP	Neighborhood	Single Family Home

Small Area Plans

The subject properties are not within a small area plan.

Development Era

The subject property is located in an area developed during the street car era.

The Streetcar Era area is the second level of the Development Era Map and encompasses those areas of the city that also predate the proliferation of the automobile and maintain a highly walkable urban form. These areas emerged as the streetcar suburbs and commercial main streets prior to World War II

Transportation

Major Street & Highway Plan: None

Comprehensive Plan Street Designation: None

Transit: None

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Arterial Traffic per Lane: None

Environmental Considerations

Flood Area: The subject property is not within a Flood area

Tree Canopy Coverage: Tree canopy in the area is 10-20% The area would benefit from additional trees, which also capture and treat runoff before it enters the river.

Parks & Open Space: None

Sample Motion

I move to approve or deny a The applicant is proposing a 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)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);Special Exception to allow an Accessory Dwelling Unit in an RS-3 District (45.031-D) Special Exception to increase the permitted driveway width in a RS-3 district (Sec. 55.090-F.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 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.

Property Description

Subdivision: MAYWOOD ADDN (26450)

Legal: LT 1 BLK 4

Section: 07

Township: 19 Range: 13



Subject Property

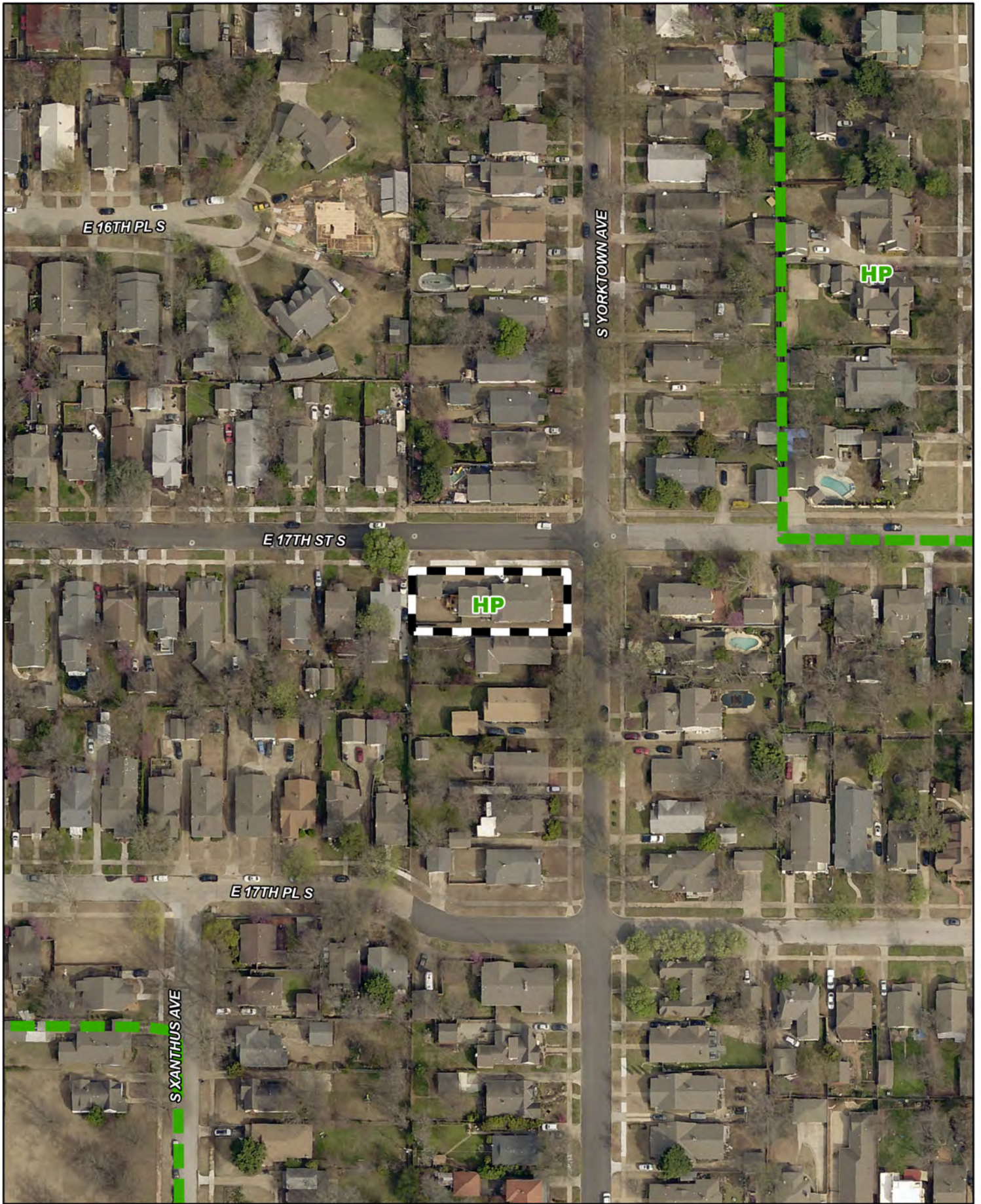


Subject Property

Exhibits

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





 Subject Tract

Feet
0 200 400

BOA-23637

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

Aerial Photo Date: 2021



4.6



Feet
0 100 200

 Subject Tract

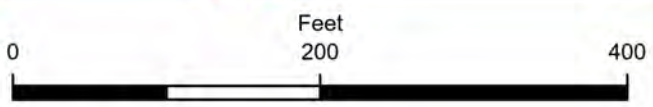
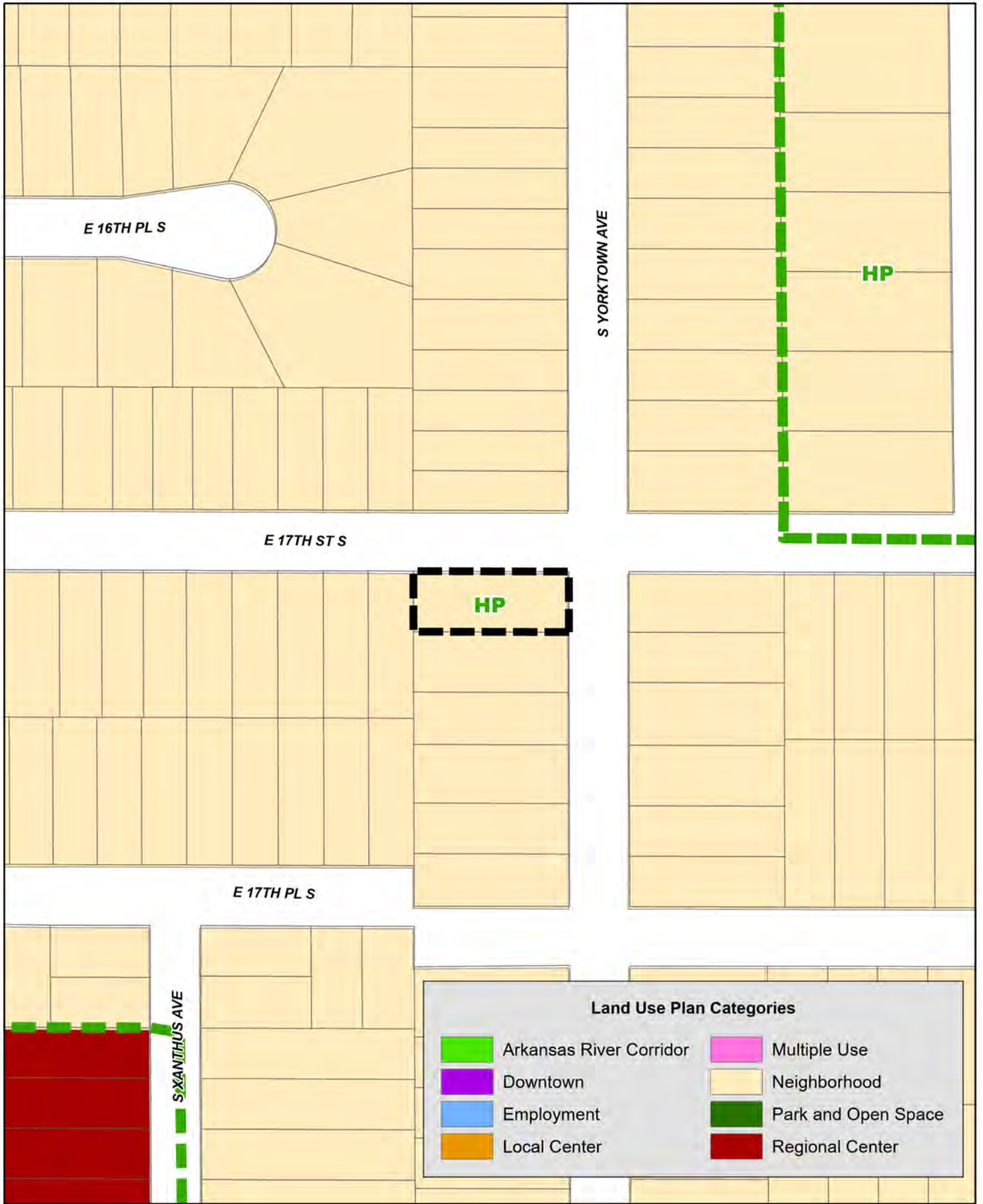
BOA-23637

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

Aerial Photo Date: 2021



4.7



BOA-23637

4.8



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

CITY OF TULSA

CORRECTIONS SUMMARY



Subject: WSD Comment
Page Label: 1
Author: James Henley
Date: 11/27/2023 12:33:18 PM
Status:
Color: ■
Layer:
Space:

Revise site plan with a drainage plan that clearly shows how overland drainage will be conveyed to the street or public storm system. Show how the proposed structure affects overland drainage. Use arrows to indicate flow direction.



Subject: WSD Comment
Page Label: 1
Author: James Henley
Date: 11/27/2023 12:36:29 PM
Status:
Color: ■
Layer:
Space:

There is an 8" sanitary sewer line in the vicinity of the proposed structure. Revise site plan with the location of this sewer line and a measurement from the center of the line to the Western edge of the proposed structure. Minimum setback from the center of the line is 7.5ft.

Zoning Review (4)



Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 12/15/2023 10:48:36 AM
Status:
Color:
Layer:
Space:

BOA

Section 55.090-F.3, Surfacing.
In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of Section 70.120, or, if in a PUD, in accordance with the amendment procedures of Section 30.010-1.2. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).
Review Comment: This house has a 60' lot front, and per this section the max driveway widths allowed are 26' in the right of way, and 30' on the lot. You may request a special exception from the Board of Adjustment for driveway widths that exceed these limits.

496 24
 14
 10
 48

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.



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

CITY OF TULSA

CORRECTIONS SUMMARY



Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 12/15/2023 10:48:47 AM
Status:
Color:
Layer:
Space:

BOA

Section 90.090-C.2.a.1, Detached Accessory Buildings. Detached accessory buildings may be located in rear setbacks in RE, RS and RD districts, provided that 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.

Review Comments: You will need to apply to the Board of Adjustment for a variance to allow an accessory structure in the rear setback to exceed 18 feet in height, 10 feet to the top plate, and one story.



Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 12/15/2023 11:03:32 AM
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BOA

Section 45.030-B RS-2, RS-3, RS-4, RS-5 or RM Districts. In RS-2, RS-3, RS-4 and RS-5 districts, the total aggregate floor area of all detached accessory buildings and accessory buildings not erected as an integral part of the principal residential building may not exceed 500 square feet or 40% of the floor area of the principal residential structure, whichever is greater.

Review comments: You are proposing 1,344 sq. ft. of detached accessory structure floor area. The proposed detached structure exceeds 500 sq. ft. and 40% of the size of your house. Based on the floor area of your house/garage (3,130 sq. ft.) you are permitted 1,252 sq. ft. of detached accessory structure floor area on your lot. You may reduce the size of your proposed detached accessory structure to be 1,252 sq. ft. floor area or less, or apply to Board of Adjustment for a variance to permit the floor area a detached accessory structure to exceed 40% of the principle structure in an RS-3 zoning district.



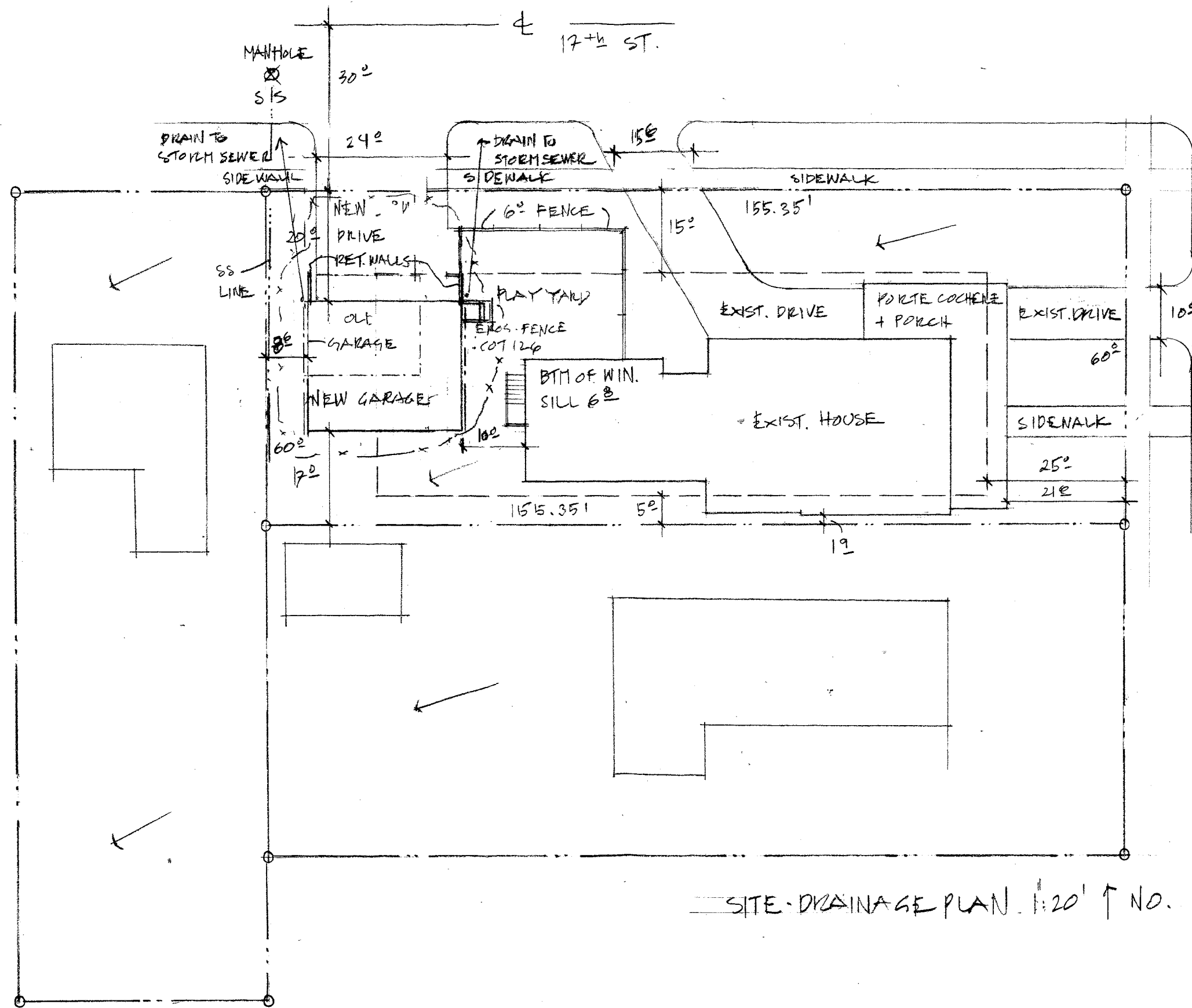
Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 12/15/2023 11:11:36 AM
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BOA

Section 45.031-D Regulations Where Allowed. Accessory dwelling units are allowed by special exception in RE, RS, AG, and AG-R districts on lots occupied by a detached house. Accessory dwelling units are allowed by right in RD, RT, RM and RMH districts on lots occupied by a detached house.

Review Comments: Apply to the Board of Adjustment for a special exception to allow an Accessory Dwelling Unit in an RS-3 zoned area. Contact the Tulsa Planning Office at 918-596-7526 for Board of Adjustment scheduling and procedures.

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.

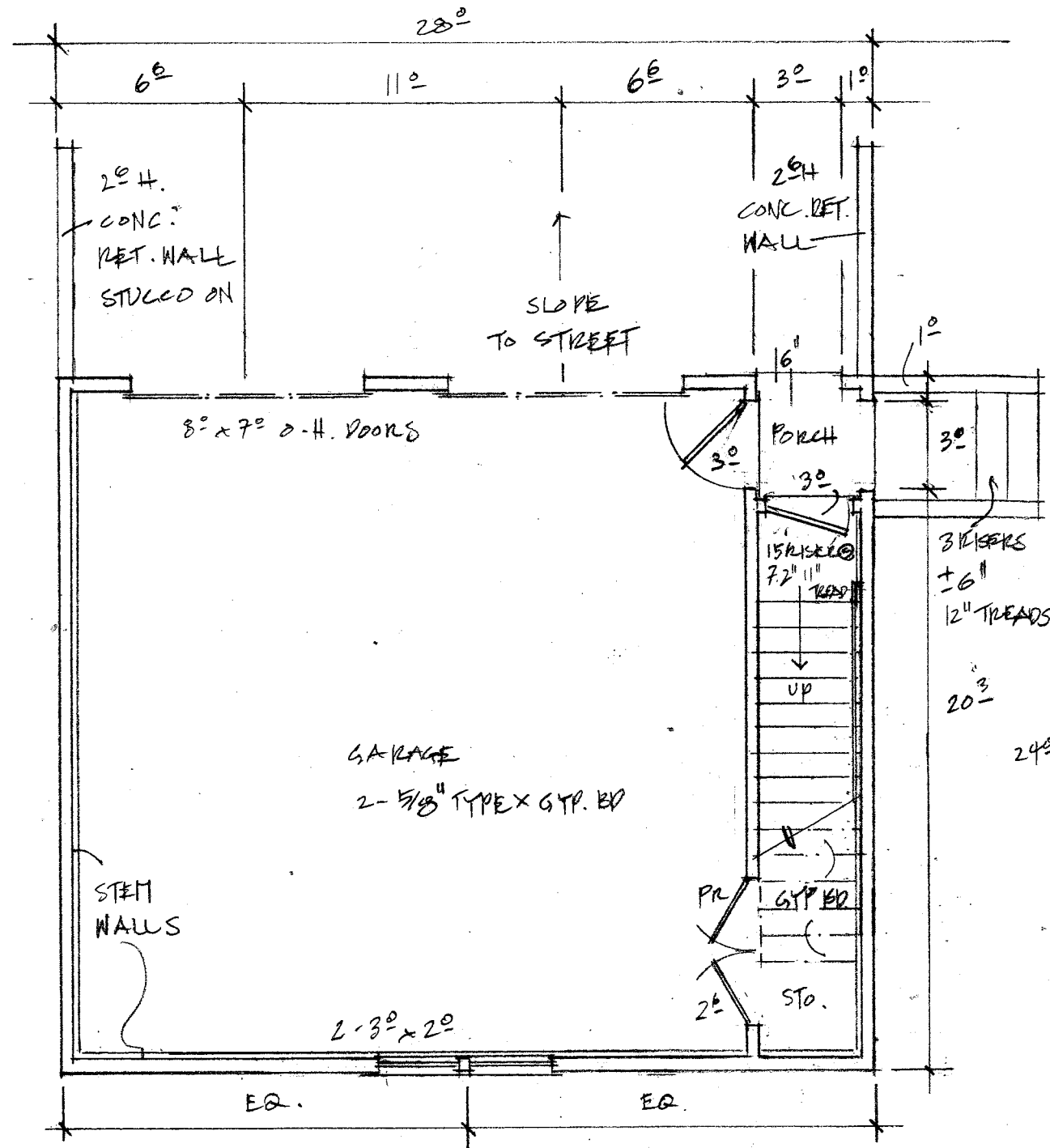


SITE DRAINAGE PLAN 1:20' ↑ NO.

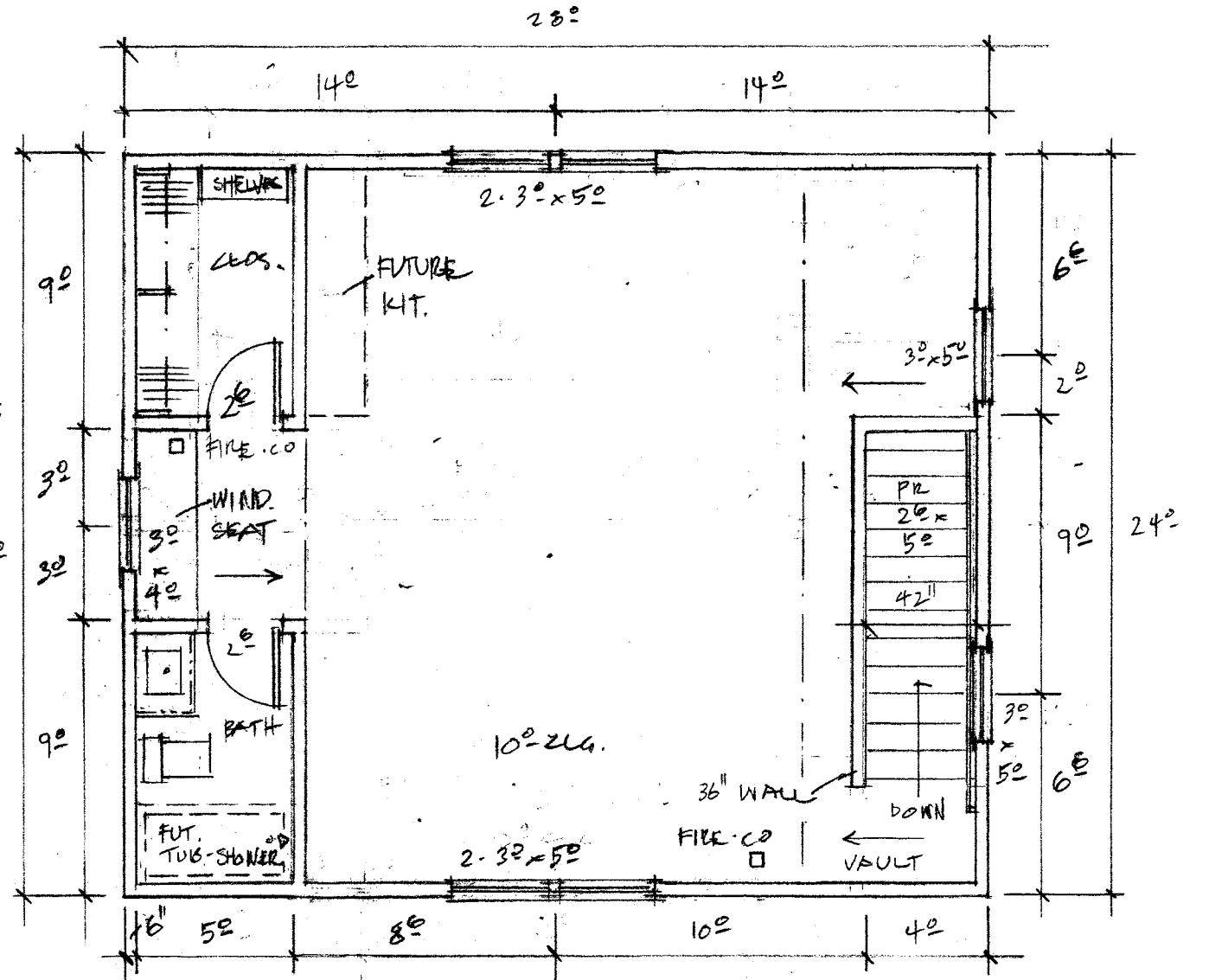
1.2024
~~REEVES~~ ~~11.2023~~
 1704 SO. YORKTOWN
 TULSA OKLA 5.2023

TOM NEAL
 DESIGN
 Associate member, American Institute of Architects

918.231.7372



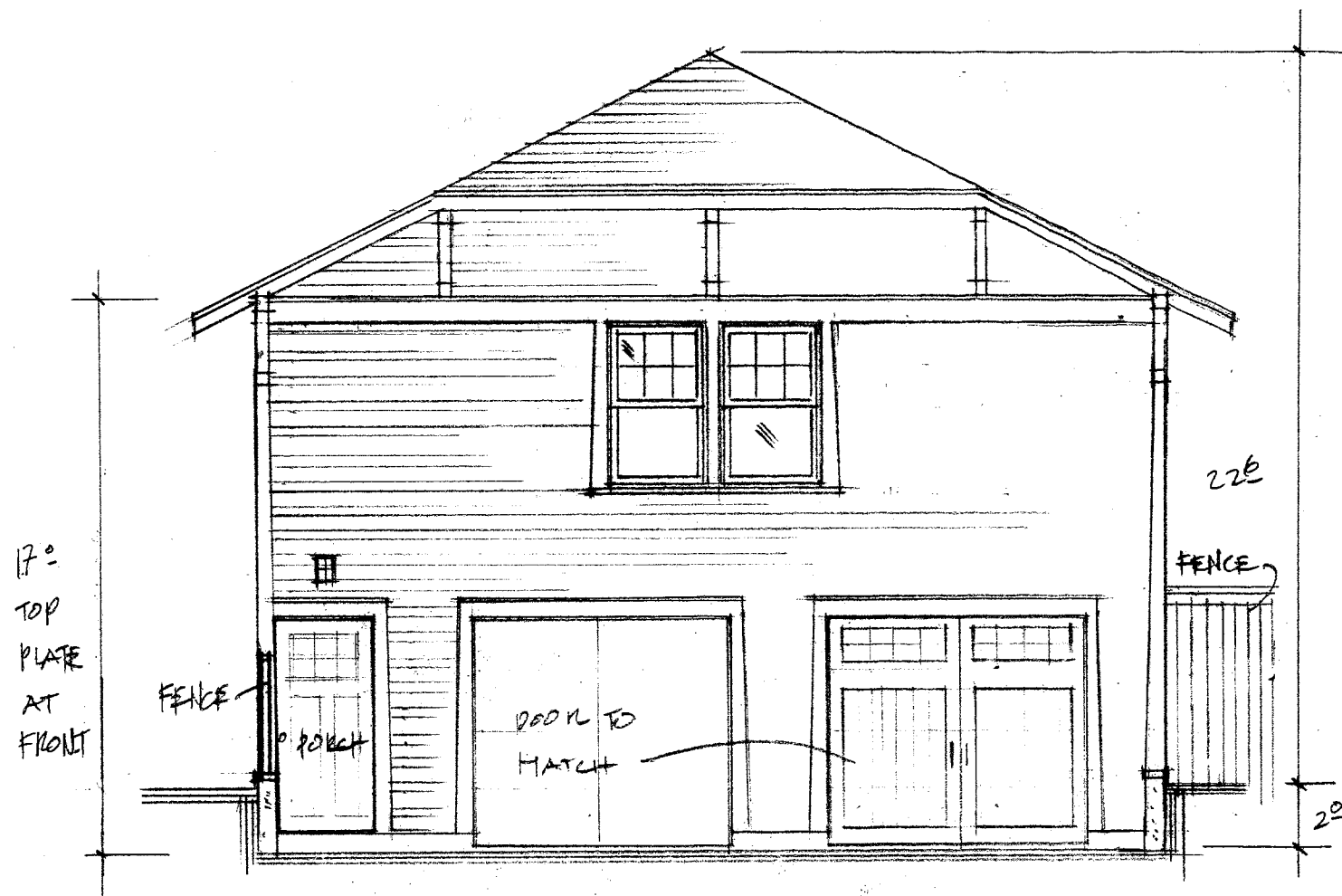
1ST FLOOR 3/16" = 1'-0"



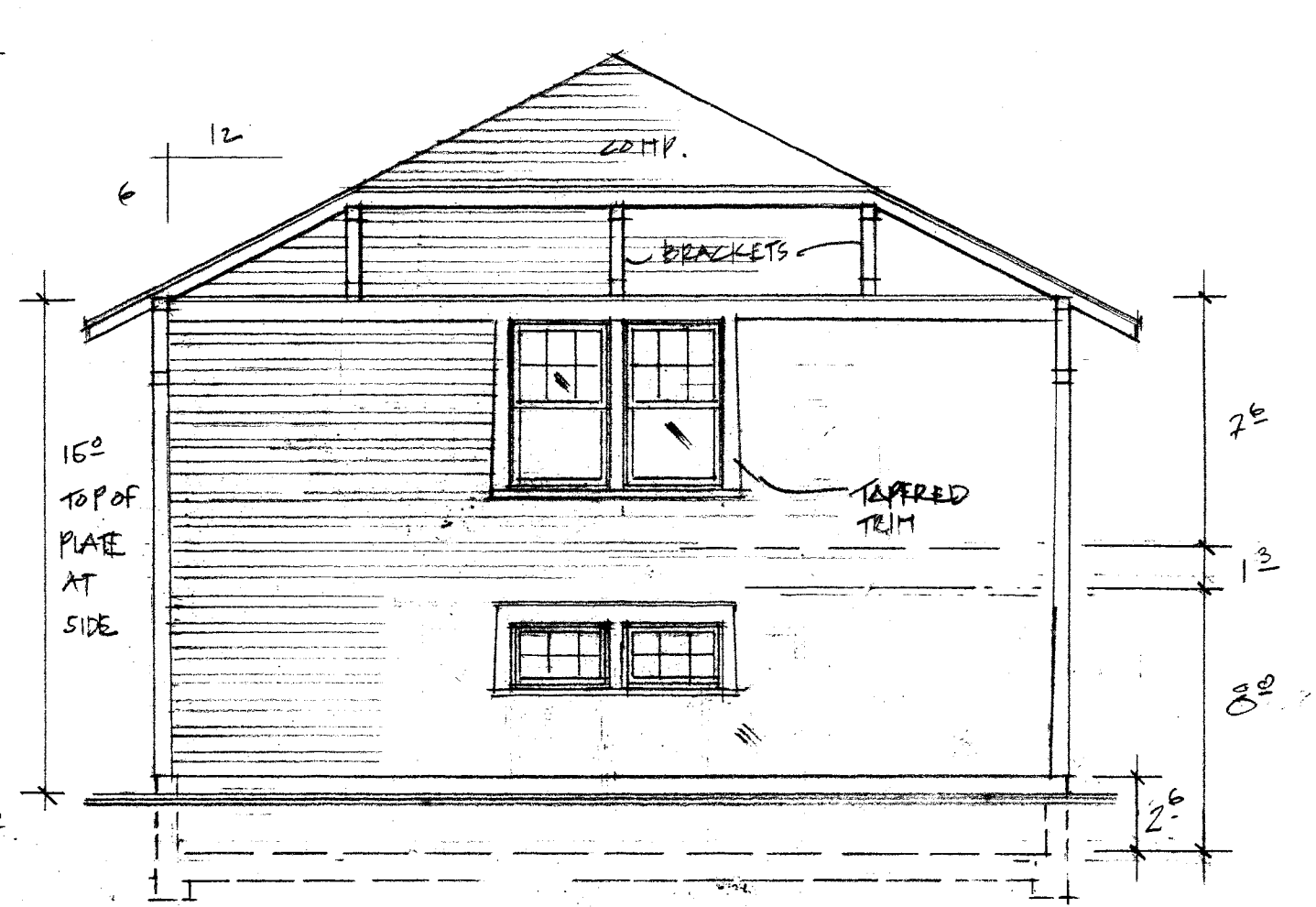
2ND FLOOR

1.2024
~~REEVES 11.2023-2023~~
 1704 SO. YORKTOWN
~~TULSA, OKLA 5.2023~~
 9.2023

**TOM NEAL
 DESIGN**
 Associate member, American Institute of Architects
 918.231.7372



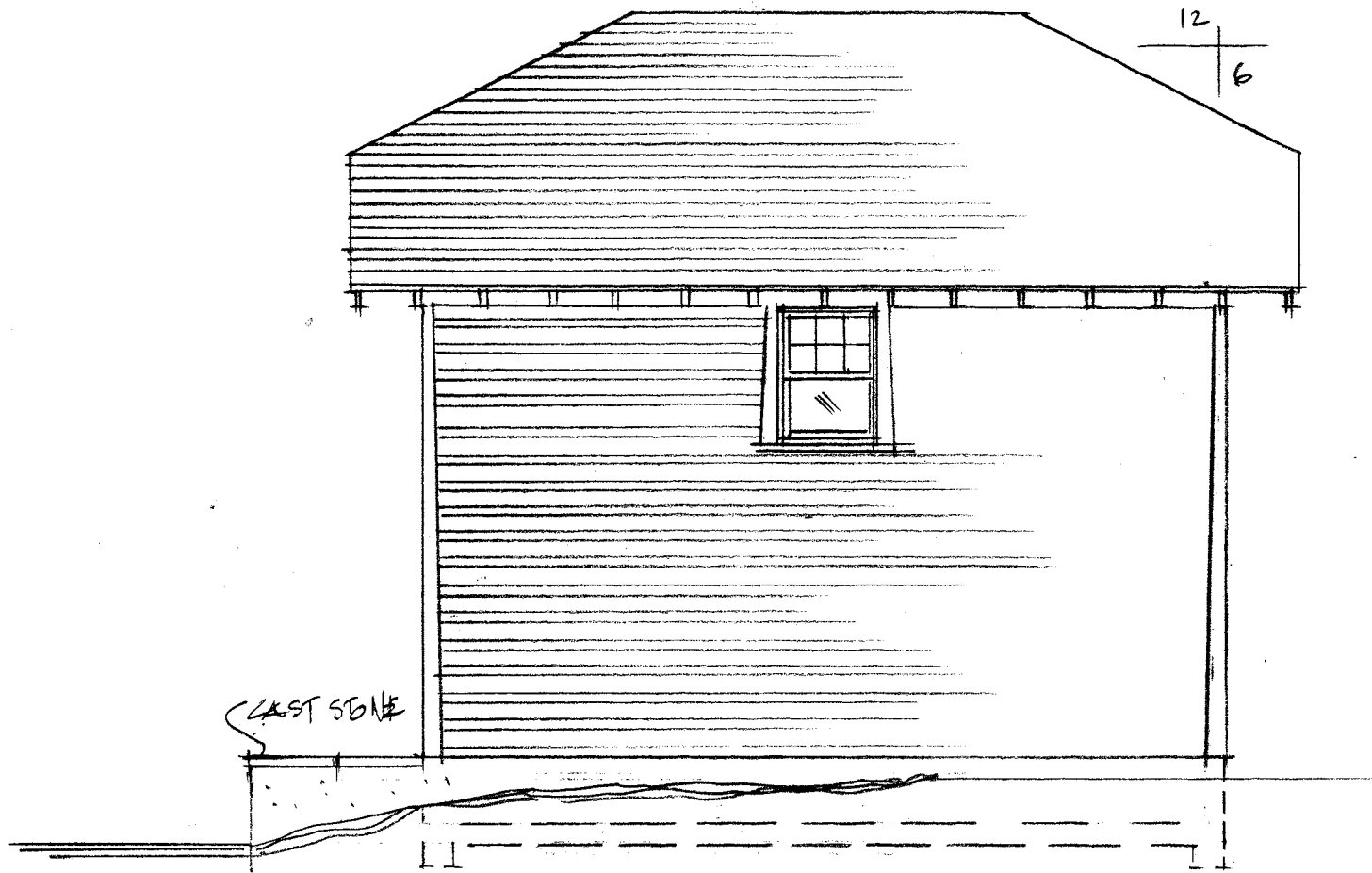
NORTH $\frac{3}{16}'' = 1'-0''$ STREET VISIBLE



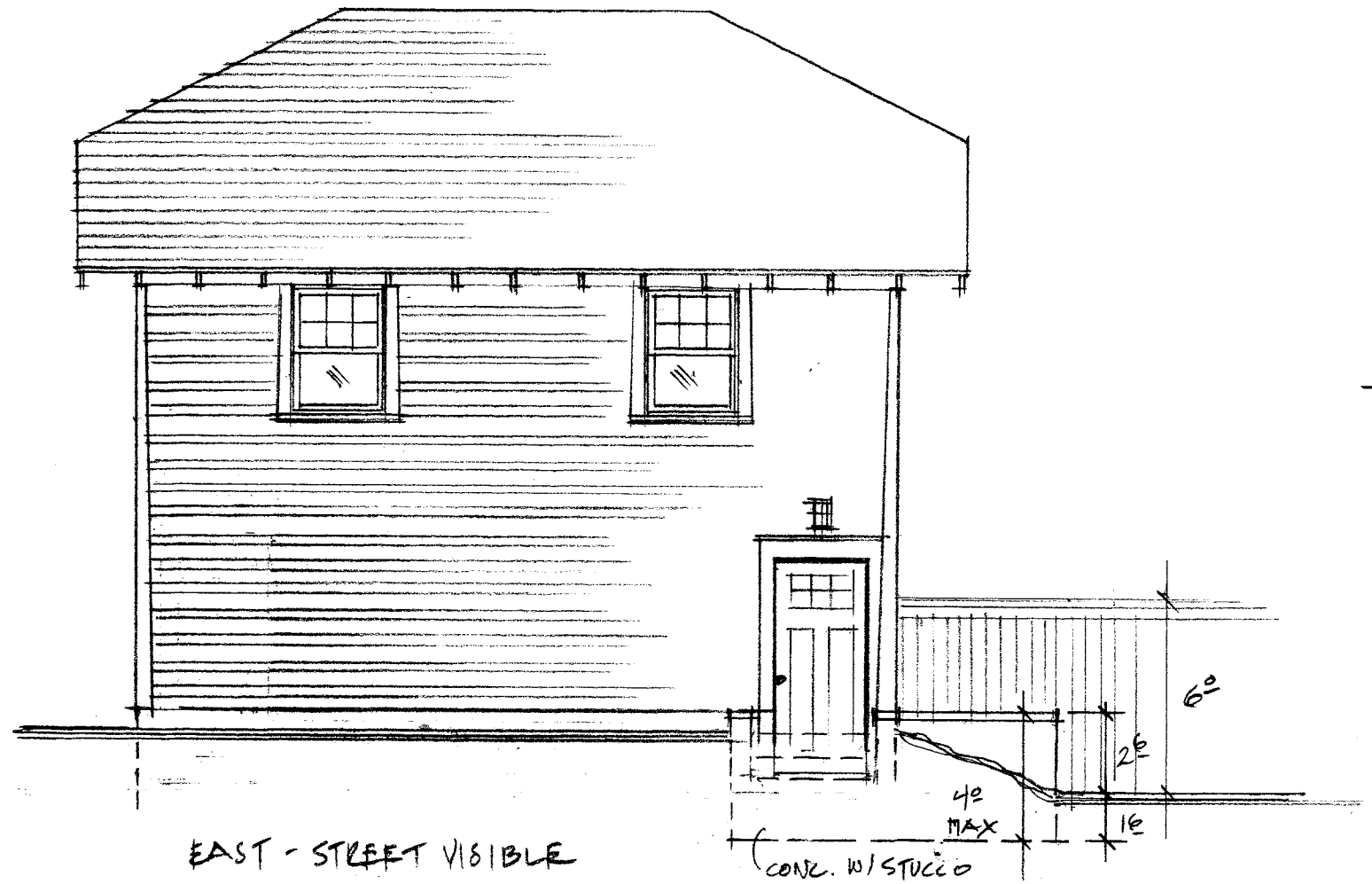
SOUTH - NOT VISIBLE FROM STREET

REEVES ~~8-2023~~
 1704 SO. YORKTOWN
 TULSA - OKLA ~~5-2023~~
 11-2023

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 DESIGN
 Associate member, American Institute of Architects
 912.231.7372



WEST $\frac{3}{16}'' = 1'-0''$ STREET VISIBLE

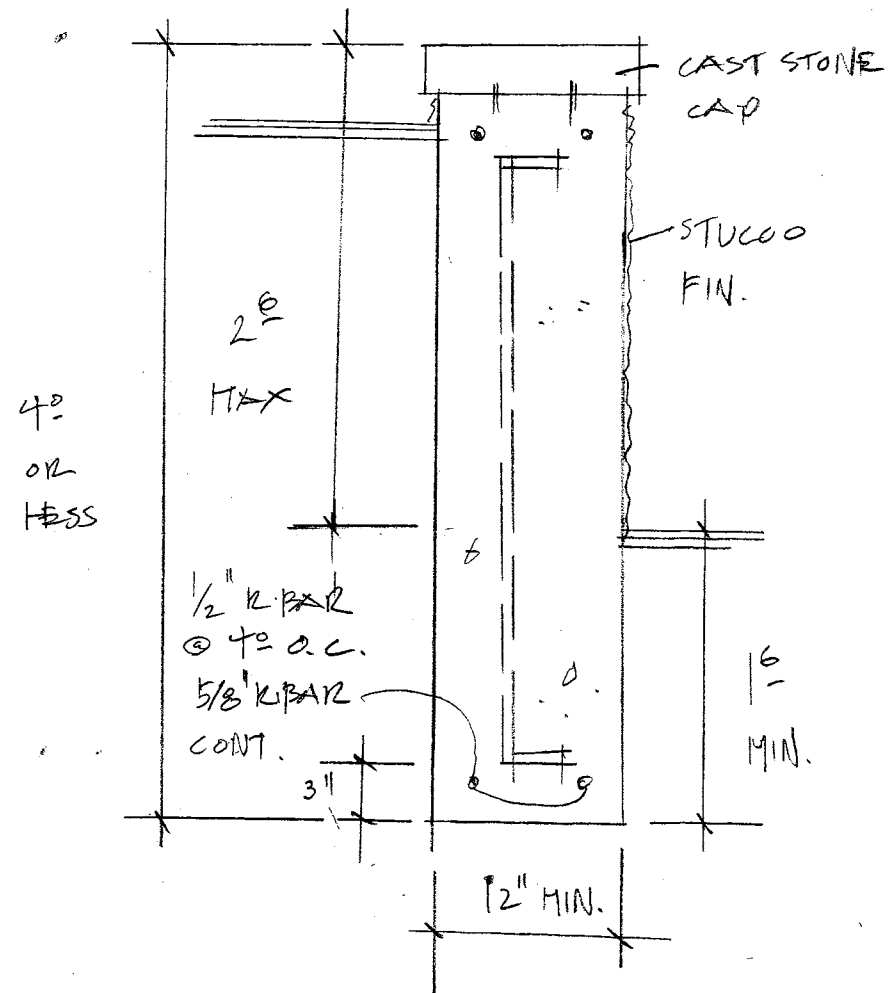


EAST - STREET VISIBLE

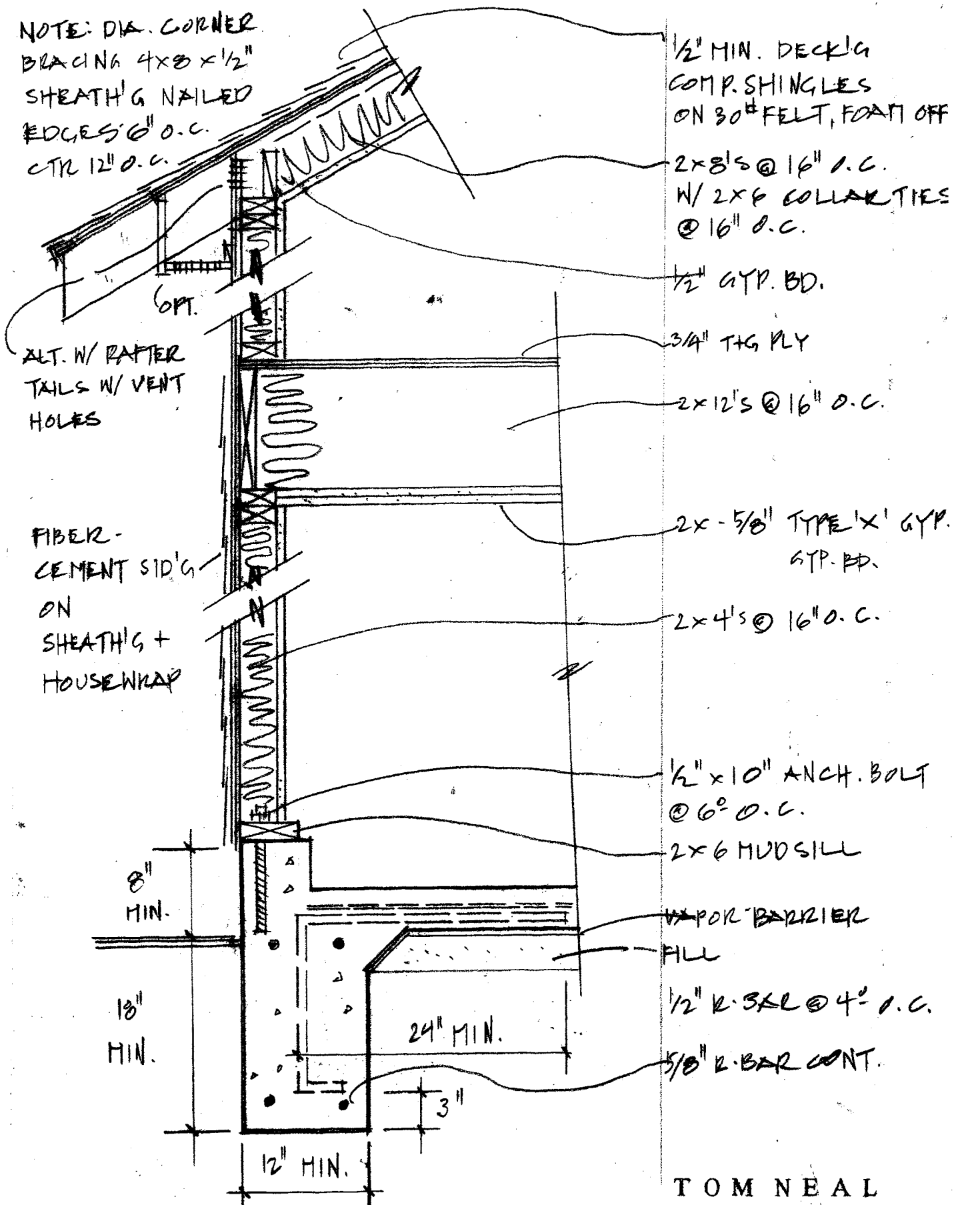
CONC. W/ STUCCO

REEVES 1-2024
 1704 SO. YORKTOWN 11-2023
 TULSA, OKLA 8-2023

TOM NEAL
 DESIGN
 Licensed Architect, American Institute of Architects



RET. WALL DET. 1" = 1'-0"



WALL SECTION 1" = 1'-0" 11.2020

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