



Board of Adjustment

**Staff Report
Variance Case BOA-23648**

Hearing Date: March 12, 2024
Prepared by: Dylan Siers
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918-596-7584

Owner and Applicant Information

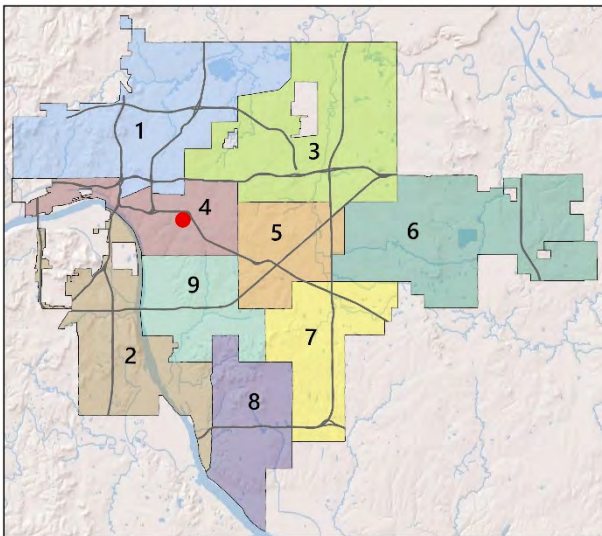
Applicant: Tom Neal
Property Owner: Sara E & Stephen D Skipper

Property Location

1625 S. Lewis Place E.
Tract Size: ±0.51 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

Request Summary

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

Zoning

Zoning District: RS-3
Zoning Overlays: N/A

Comprehensive Plan Considerations

Land Use

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

Transportation

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

Environment

Flood Area: City of Tulsa Regulatory Flood Plain
Tree Canopy Coverage: 20-30%
Parks & Open Space: N/A

Staff Analysis

The applicant is proposing a Variance to reduce the required 25-foot Street setback in a RS-3 District (Sec. 5.030-A, 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 | - |
| 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 | - |
| 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 | - |
| 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 | 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 | - |
| Duplex | - | - | - | 60 | 50 | 30 | 50 | 50 | 50 | 50 | 50 | 50 | - |
| Multi-unit house | - | - | - | - | - | - | 30 | 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 |
| Minimum Street Frontage | | | | | | | | | | | | | |

Chapter 5 | Residential Districts
Section 5.030 | 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 |
|-----------------------------------|--------|-------|-------|----------|-------|------|-------|-------|-------|------|------|------|-------|
| Residential bldgs/uses [2] | | | | | | | | | | | | | |
| Min. Building Setbacks (ft.) | 30 | 30 | 30 | 30 | 30 | 30 | 30 | 30 | 30 | 30 | 30 | 30 | 30 |
| Street [3] | | | | | | | | | | | | | |
| Arterial or fwy service rd. | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 10 | 10 | 10 | 10 | 35 |
| Other streets | 35 | 35 | 30 | 25 | 20 | 20 | 25 | 10 | 10 | 10 | 10 | 10 | 25 |
| Side (interior) [4] | 15 | 5 | 5 | 5 | 5 | 5 | 5 | 5[5] | 5[6] | 5[6] | 5[6] | 5[6] | 10 |
| Rear [4] | 25 | 25 | 25 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 10 | 20 | 15 |
| Min. Open Sp./Unit (sq. ft.) | 12,000 | 7,000 | 5,000 | 4,000[8] | 2,500 | 600 | 2,000 | 1,200 | 1,200 | 600 | 200 | - | 2,500 |
| Max. Building Height (feet) | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 35 | - | 35 |

The applicant is seeking to reduce the setback to 17-feet for a rebuilt porch and stairs.

Relevant Case History

- None

Statement of Hardship

“Most of the lot is sewer easements. House location predates current zoning code”

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 an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from 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 | Neighborhood | Residential |
| East | RS-3 | Neighborhood | Residential |
| South | RS-3 | Neighborhood | Residential |
| West | RS-3 | Neighborhood | Residential |

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 streetcar era.

The subject property is in an area developed during the Streetcar Era (1910s-30s), prior to the proliferation of automobiles, when streetcars facilitated growth beyond downtown. Land uses range from fully integrated to somewhat separated, on a half-mile grid, with a mix of housing options. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, transit-oriented development, commercial districts, and well-designed streetscapes.

Transportation

Major Street & Highway Plan: N/A

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Arterial Traffic per Lane: N/A

Environmental Considerations

Flood Area: The subject property is within the City of Tulsa Regulatory Flood Plain

Tree Canopy Coverage: Tree canopy in the area is 24%. The area would benefit from additional trees, which also capture and treat runoff before it enters the river.

Parks & Open Space: N/A

Photos:



Subject Property

Sample Motion

I move to approve or deny a Variance to reduce the required 25-foot Street setback in a RS-3 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:

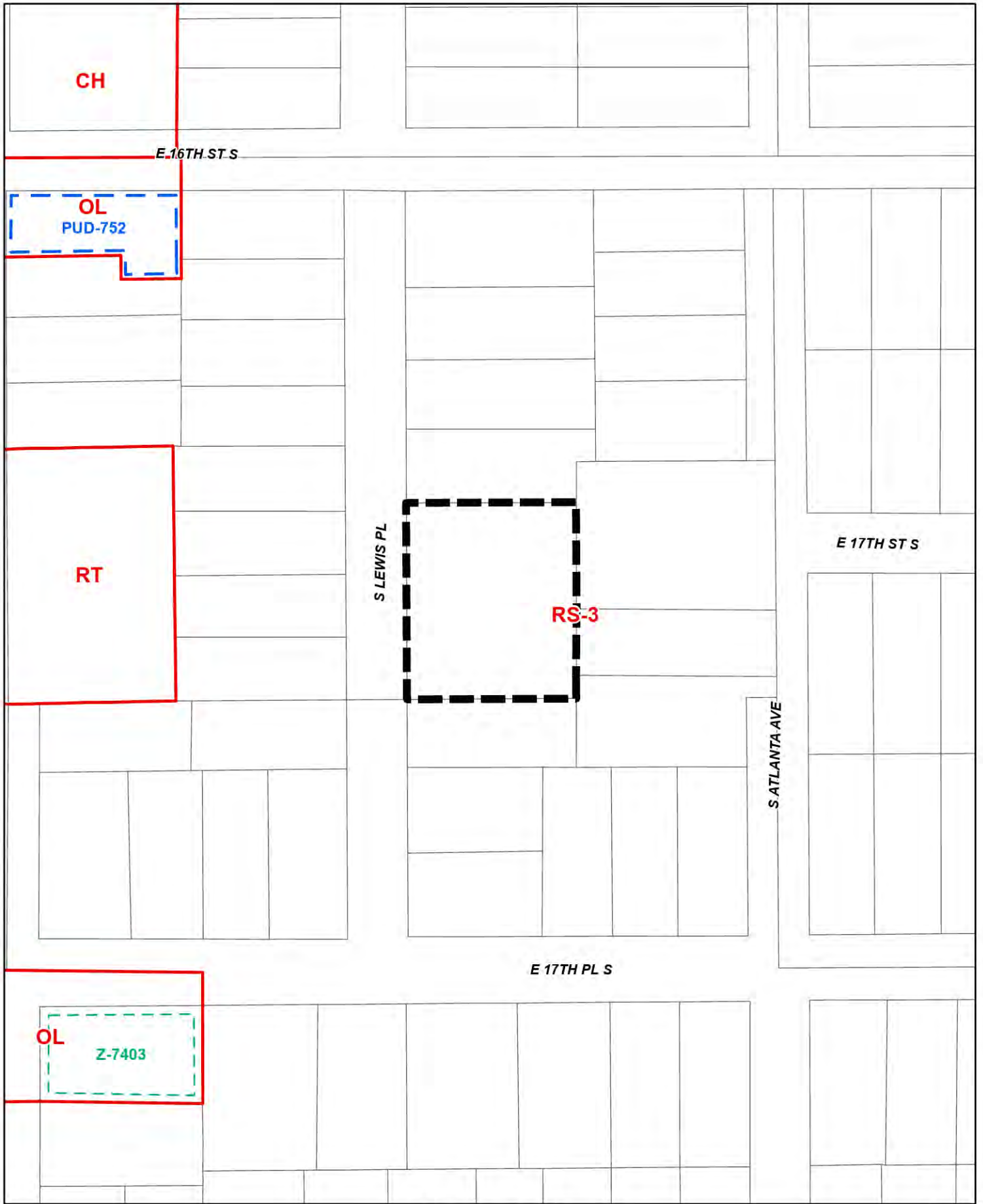
- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
- b. That literal 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

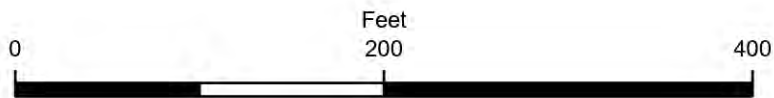
S 160 of W 165 LT Less W 25, Glen Acres-Lynn Lane, City of Tulsa, Tulsa County, State of Oklahoma

Exhibits

- Case map
- Aerial (small scale)
- Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Applicant's Exhibits



BOA-23648





S LEWIS PL

S ATLANTA AVE

E 17TH PL S

BOA-23648

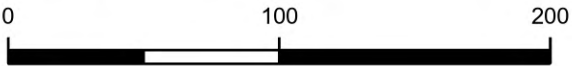
Note: Graphic overlays may not precisely align with physical features on the ground.

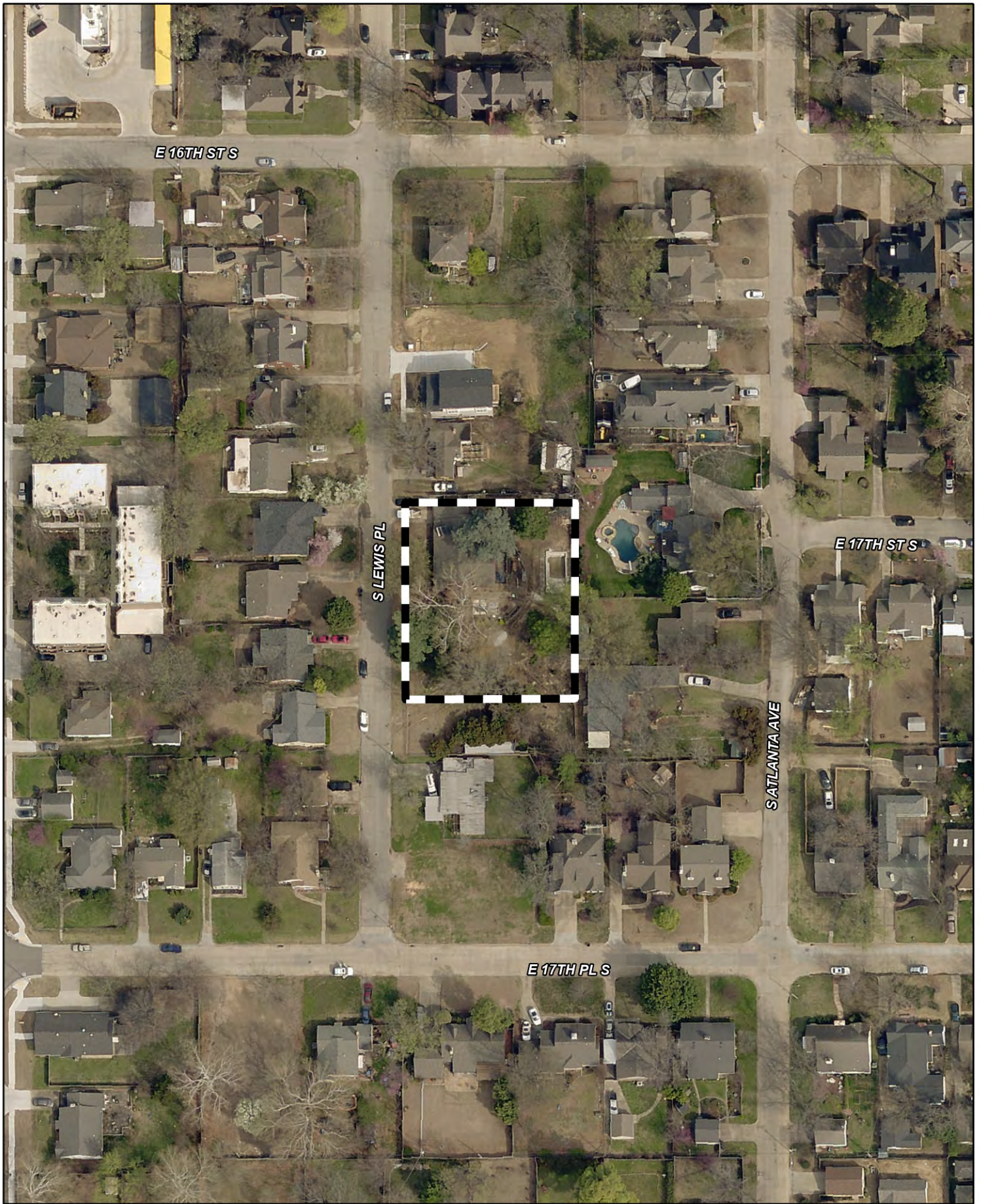
Aerial Photo Date: 2021

1.7

 Subject Tract

Feet
0 100 200





E 16TH ST S

S LEWIS PL

E 17TH ST S

S ATLANTA AVE

E 17TH PLS



Subject Tract

BOA-23648

Feet
200

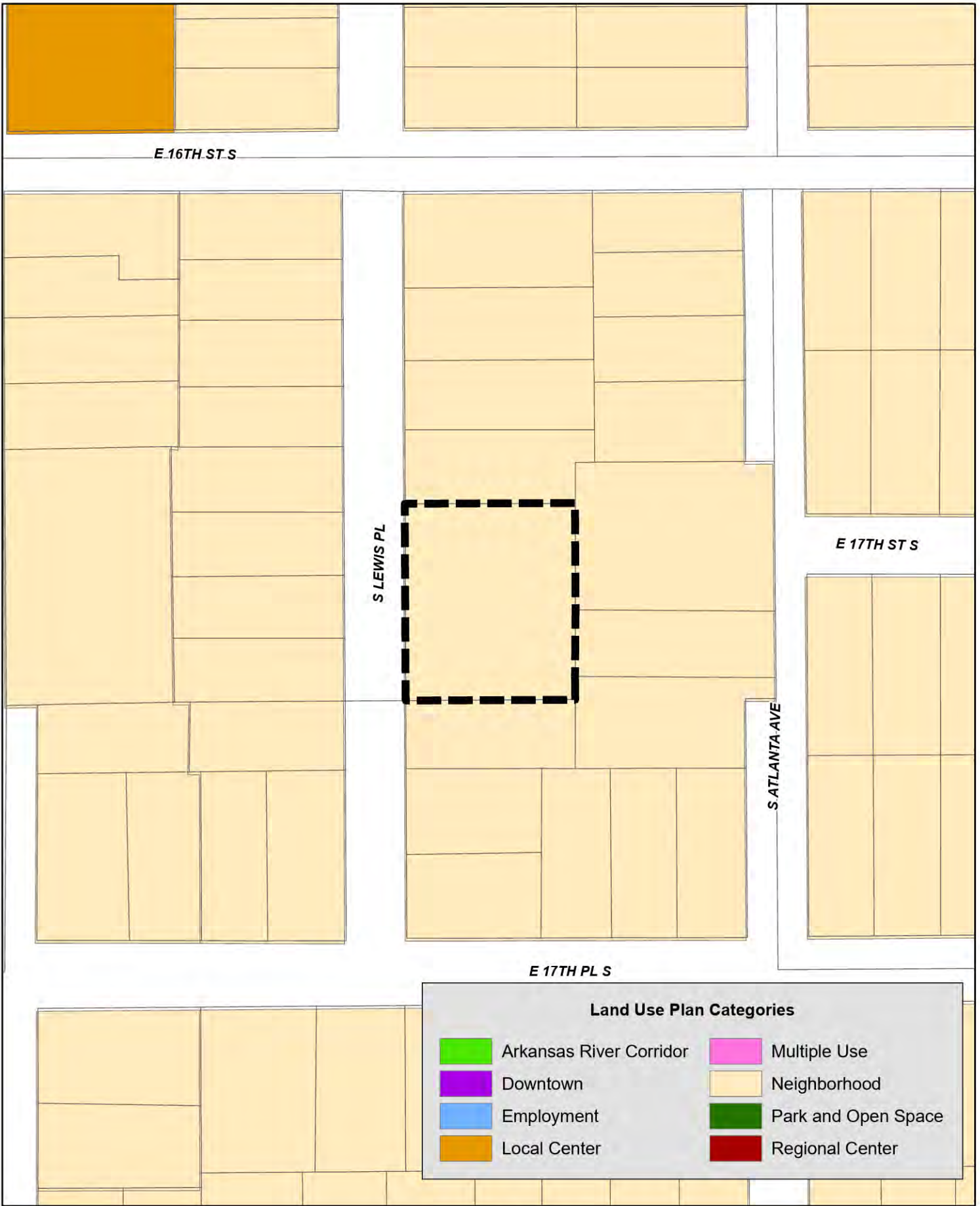
400

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

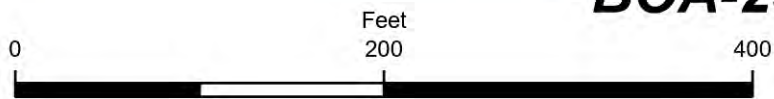


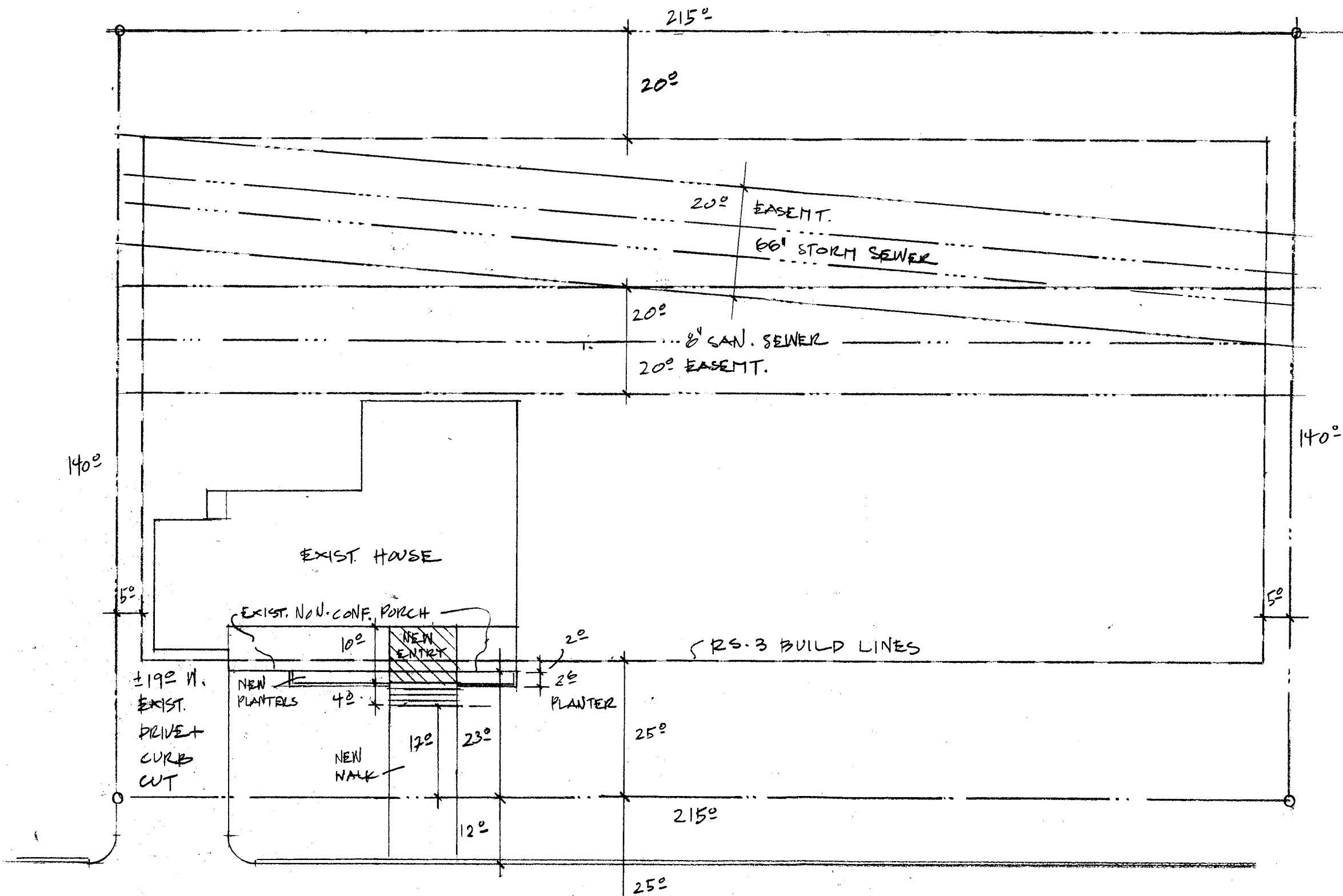
Aerial Photo Date: 2021

1.8



BOA-23648





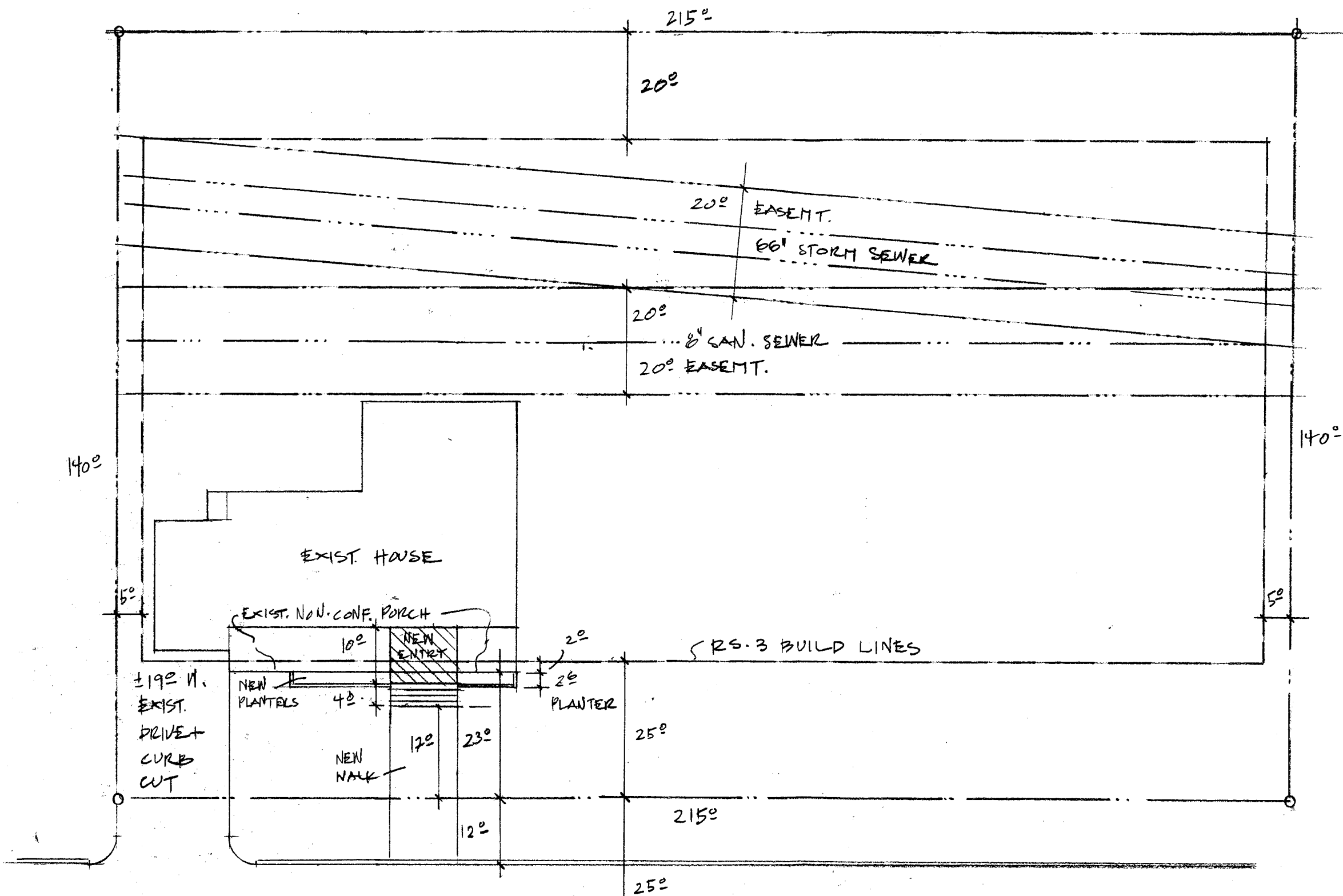
SITE PLAN 1" = 20' ← NORTH

← SO. LEWIS PLACE

SKIPPER
 1625 SO. LEWIS PLACE
 TULSA - OKLA | 2024

TOM NEAL
 DESIGN
 Associate member, American Institute of Architects

918.231.7372



SITE PLAN 1" = 20' ← NORTH

← SO. LEWIS PLACE

SKIPPER
 1625 SO. LEWIS PLACE
 TULSA - OKLA | 2024

TOM NEAL
 DESIGN
 Associate member, American Institute of Architects

918.231.7372