



Board of Adjustment

**Staff Report
Special Exception Case BOA-23655**

Hearing Date: March 12, 2024
Prepared by: Dylan Siers
dsiers@cityoftulsa.org
918-596-7584

Owner and Applicant Information

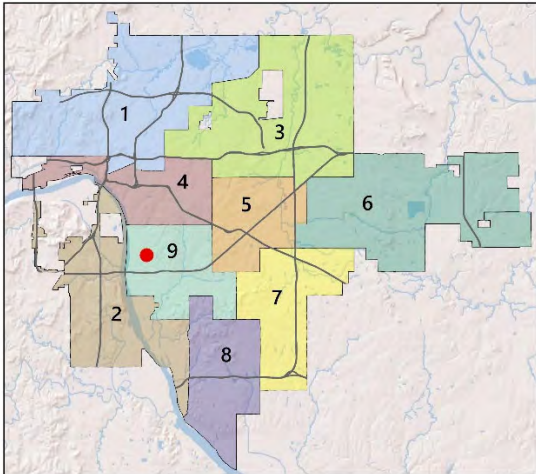
Applicant: Lou Reynolds
Property Owner: Steve Mitchell

Property Location

1710 E 41st St S
Tract Size: ± 1.40 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 9, Jayme Fowler
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

Special Exception to permit a Parks and Recreation Use in the RE District to permit a private sports court (Sec. 5.020, Table 5-2)

Zoning

Zoning District: RE
Zoning Overlays: N/A

Comprehensive Plan Considerations

Land Use

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

Transportation

Major Street & Highway Plan: E. 41st Street: Urban Arterial
S. Victor: Residential Collector
planitulsa Street Type: None
Transit: N/A
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: None

Environment

Flood Area: N/A
Tree Canopy Coverage: 30-50%
Parks & Open Space: N/A

Staff Analysis

The applicant is proposing a Special Exception to permit a Parks and Recreation Use in the RE District to permit a private sports court (Sec. 5.020, Table 5-2);

The applicant has provided information explaining their request. The applicant is seeking to build a sports court on a Residential property prior to the residence being built. Per the applicant the sports court will become accessory to Residential use in the future.

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 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-2	Neighborhood	Residential
East	RE	Neighborhood	Residential
South	RE	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 in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of the connectivity from neighborhood streets to the arterial network, with mostly commercial, office, industrial, and other active uses along major streets and a mix of housing options and neighborhood-based uses like schools, churches, and libraries in the interior sections. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, commercial revitalization, compatibility of scale for neighborhood development, and transitions between commercial corridors and residential areas.

Transportation

Major Street & Highway Plan: East 41st Street: Urban Arterial. South Victor Avenue: Residential Collector

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Arterial Traffic per Lane: 2500-5000 per lane

Environmental Considerations

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

Tree Canopy Coverage: Tree canopy in the area is 39%. 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 Special Exception to permit a Parks and Recreation Use in the RE District to permit a private sports court (Sec. 5.020, Table 5-2)

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

A tract of land that is a part of Lot One (1), Block Seven (7), BOLEWOOD ACRES, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, and the North 200 feet of the East 30 feet of vacated South Utica Avenue lying West and adjacent to said Lot One (1), said tract being more particularly described as follows:

COMMENCING at the Northeast corner of said Lot One (1); Thence South 89°00'21" West and along the North line of Lot One (1) for a distance of 158.97 feet to the Point of Beginning; Thence South 01°20'00" East and parallel with the West line of Lot One (1) for a distance of 200.00 feet to a point; Thence South 89°00'21" West for a distance of 150.00 feet to a point on the centerline of said vacated South Utica Avenue; Thence North 01°20'00" West and along said centerline for a distance of 200.00 feet; Thence North 89°00'21" East for a distance of 150.00 feet to the POINT OF BEGINNING.

AND

A tract of land that is a part of Lot One (1), Block Seven (7), BOLEWOOD ACRES, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, being more particularly described as follows:

BEGINNING at the Northeast corner of said Lot One (1); Thence South 02°33'09" East and along the East line of Lot One (1) and the Westerly Right of Way line of Victor Avenue, for a distance of 180.00 feet to a point of curvature; Thence along a 3246.57 foot radius curve to the right, having a central angle of 00°21'15", with a chord bearing and distance of South 02°22'32" East for 20.07 feet, for an arc distance of 20.07 feet to a point; Thence South 89°00'21" West and parallel with the North line of Lot One (1) for a distance of 163.16 feet to a point; Thence North 01°20'00" West and parallel with the West line of Lot One (1) for a distance of 200.00 feet to a point on the North line of Lot One (1); Thence North 89°00'21" East and along said North line for a distance of 158.97 feet to the POINT OF BEGINNING, City of Tulsa, Tulsa County, State of Oklahoma

Photos:



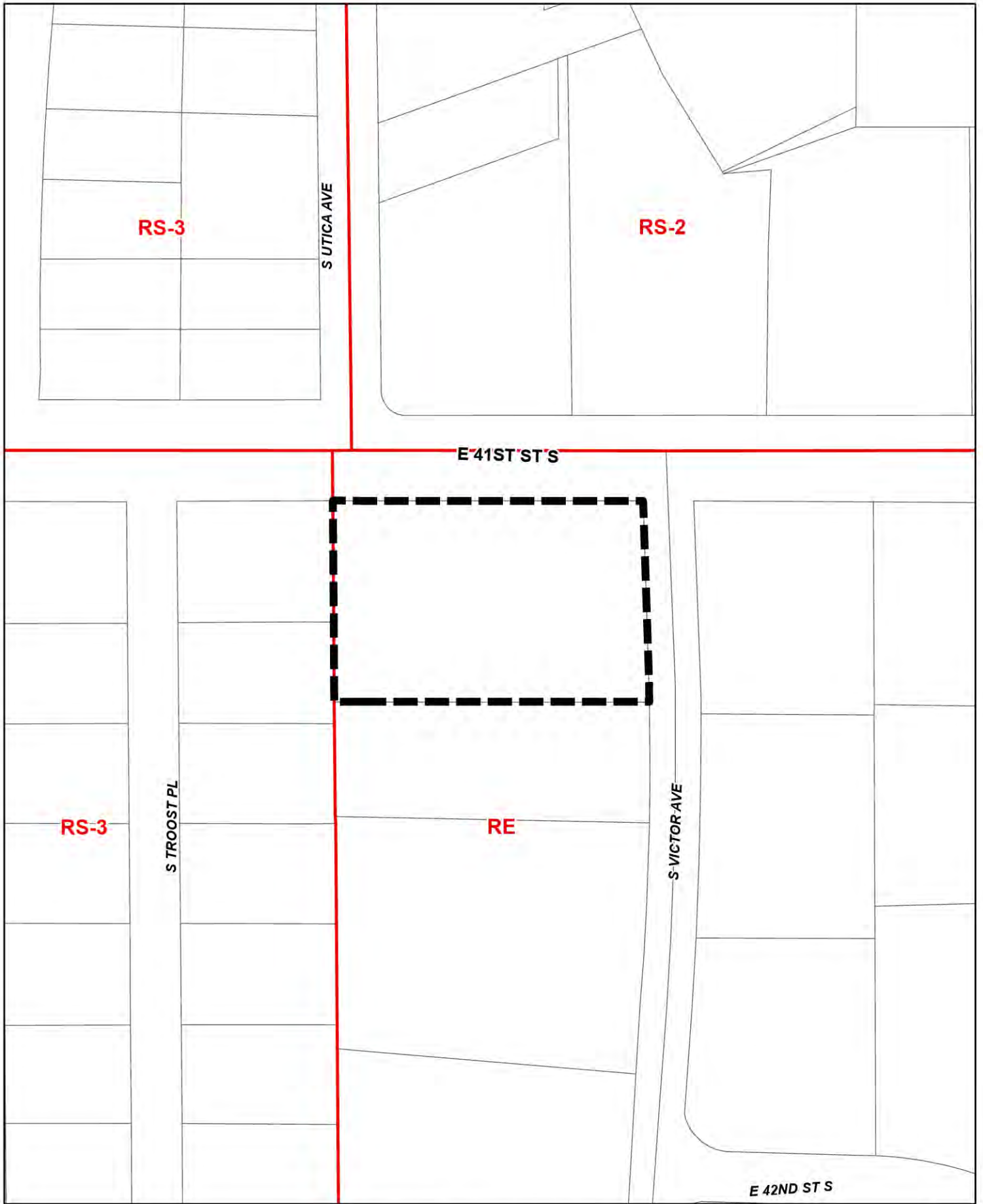
Subject Property



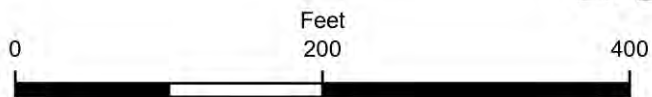
Subject Property

Exhibits

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



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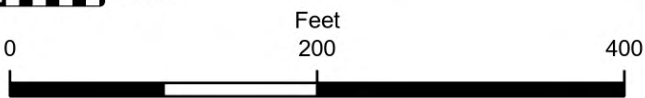


7.6



 Subject Tract

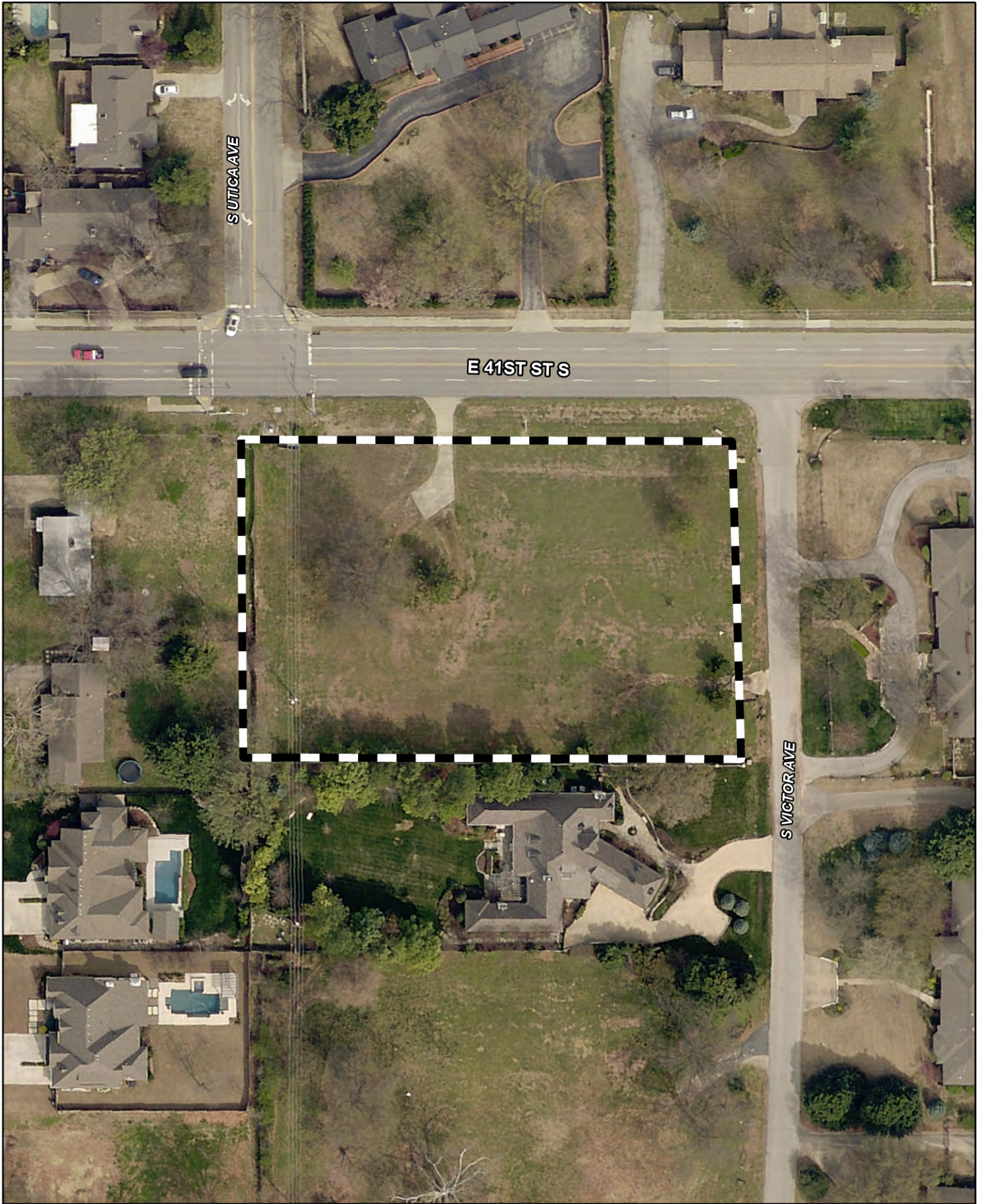
BOA-23655



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



Aerial Photo Date: 2021



SUTICA AVE

E 41ST ST S

S VICTOR AVE

BOA-23655

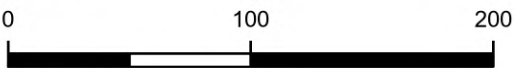
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021

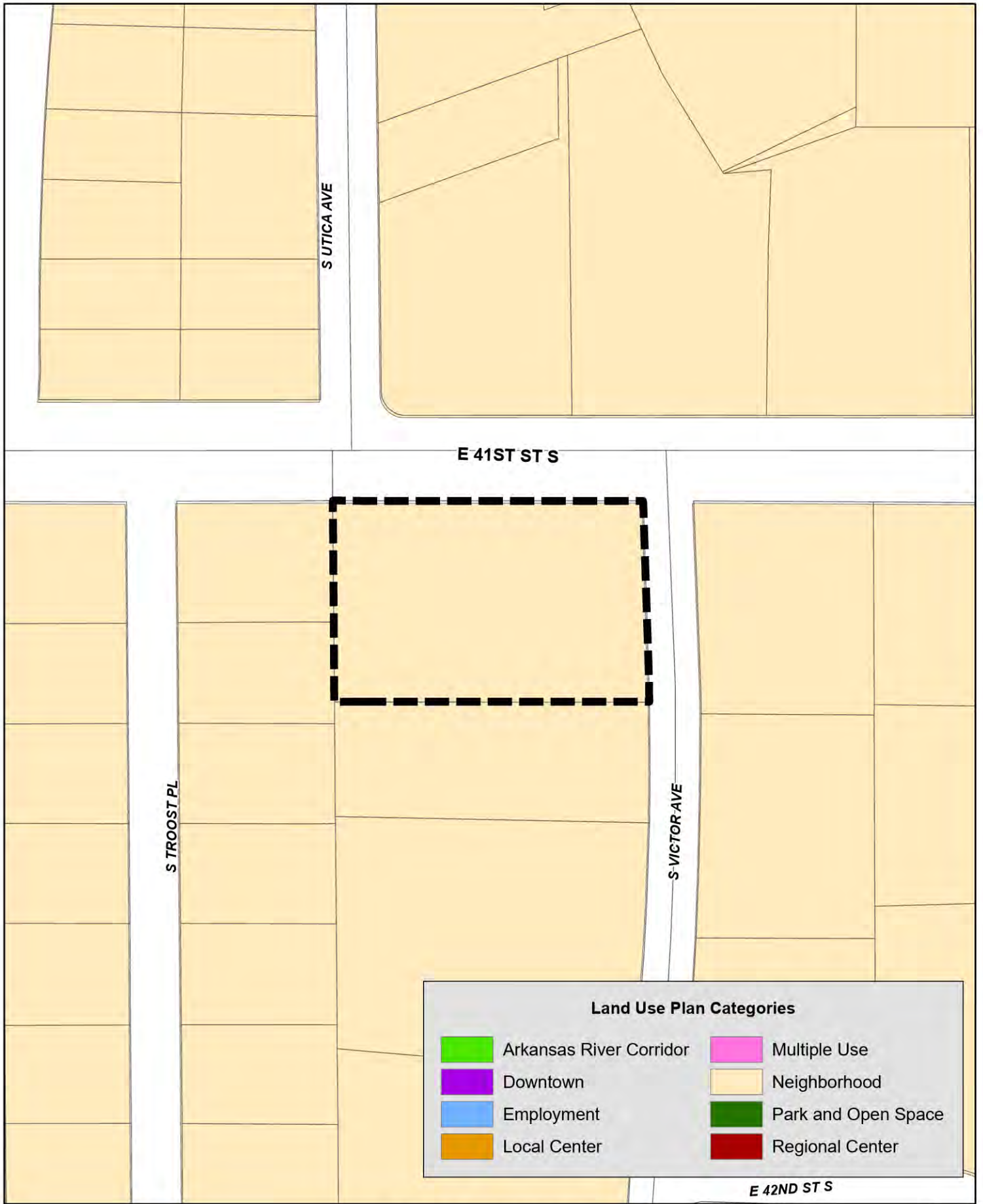


 Subject Tract

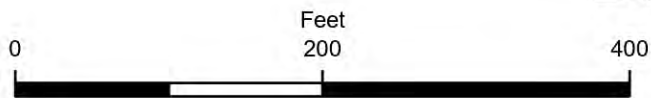
Feet
0 100 200



7.8



BOA-23655



7.9

Exhibit "A"

A tract of land that is a part of Lot One (1), Block Seven (7), BOLEWOOD ACRES, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, and the North 200 feet of the East 30 feet of vacated South Utica Avenue lying West and adjacent to said Lot One (1), said tract being more particularly described as follows:

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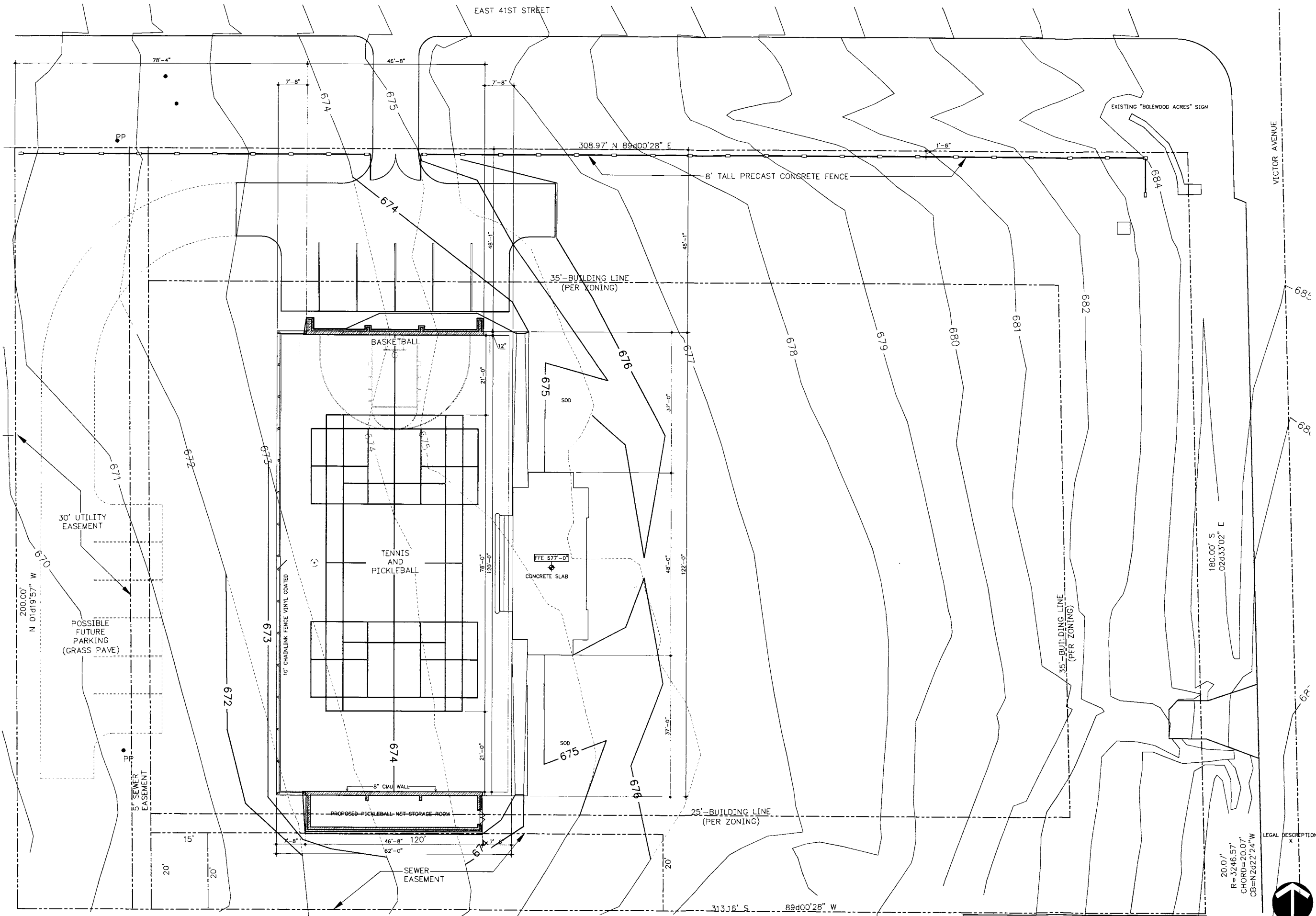
Exhibit “B”

The Applicant requests a Special Exception pursuant to Section 50.020, Table 5-2 of the Tulsa Zoning Code (the “Code”) to permit a Parks and Recreation Use in the RE District for a private tennis/sports court for property located at 1710 E. 41st Street (the “Property”).

The Property is a 1.5 acre vacant corner lot located at the southwest corner of E. 41st St. and S. Victor Ave., directly south of the terminus of S. Utica Ave., in Bolewood Acres. The Property has been vacant since approximately 2014 when the previous residence was demolished. The current owner lives just up street, less than a quarter mile east at 41st Street and Yorktown, and intends to build his new residence on the Property.

Construction of the new residence is planned to occur in two phases, with an accessory private tennis court and foundations for accessory outdoor living areas to be constructed in phase one, and the principal residence to be constructed in phase two. Conceptual site plans for both phases are attached hereto. Design work for the principal residence is anticipated to take a minimum of one year, and construction to take several more years. In the interim, the Property owner desires to construct the accessory private tennis/sports court for personal use.

Private tennis courts are commonplace throughout Bolewood Acres and the Property owner currently lives in close proximity to use and maintain the proposed tennis court. Accordingly, the Special Exception will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



20.07'
 R=3246.57'
 CHORD=20.07'
 CB=N2d22'24"W

A PROJECT OVERVIEW - PHASE ONE
 SCALE: 3/32"=1'-0"



LEGAL DESCRIPTION:
 X



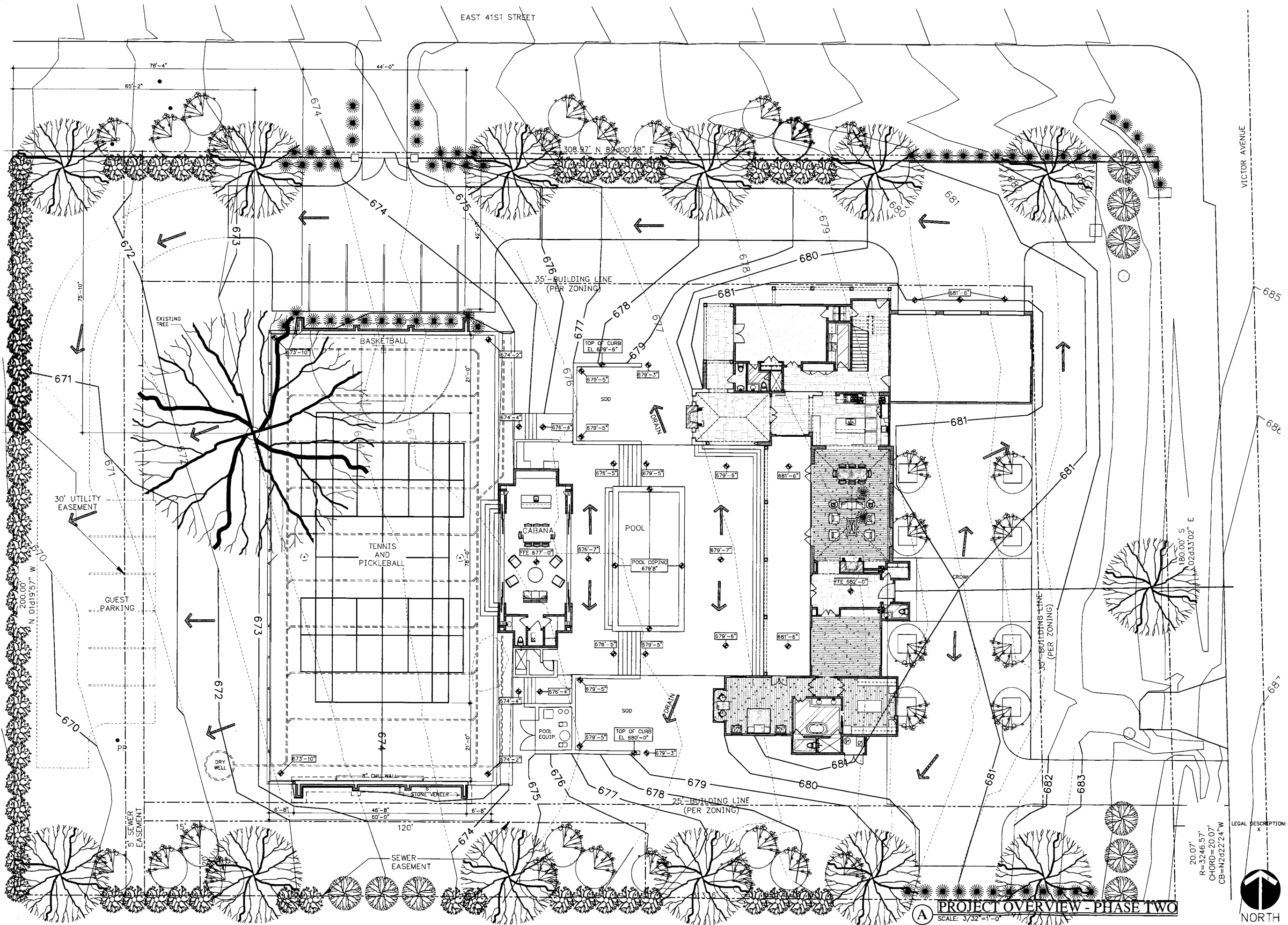
A NEW RESIDENCE FOR:
Steve Mitchell
 41st & Victor,
 Tulsa, Oklahoma



NOT FOR CONSTRUCTION
 ISSUED:
 JOB NO: 2209
 DRAWN BY:
 REVISED:

ARCHITECTURAL RESOURCES by
JACK ARNOLD
 7310 South Yale • Tulsa, Oklahoma 74136 • 1.918.494.2730 • www.jackarnold.com

Sheet:
SP1
 PHASE ONE



20.07'
 R=3246.57'
 CHORD=20.07'
 CB=NZd22.4"W



PROJECT OVERVIEW - PHASE TWO
 SCALE: 3/32"=1'-0"



A NEW RESIDENCE FOR:
Steve Mitchell
 41st & Victor,
 Tulsa, Oklahoma



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Sheet:
SP2
 PHASE TWO