



Board of Adjustment

Staff Report BOA-23681

Hearing Date: April 23, 2024

Prepared by: Dylan Siers

dsiers@cityoftulsa.org

918-596-7584

Owner and Applicant Information

Applicant: Tom Neal

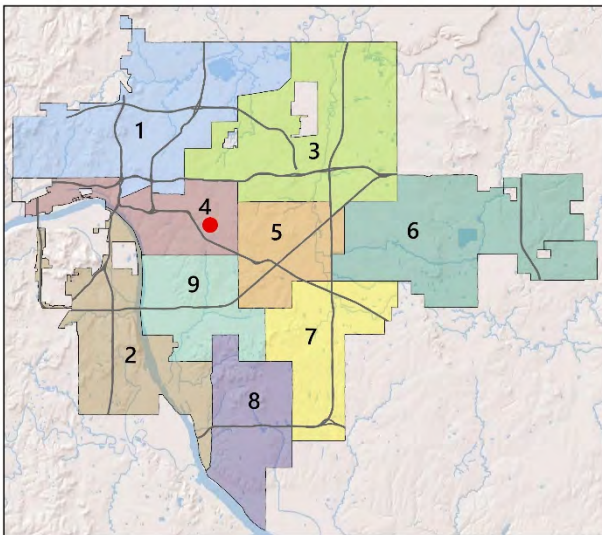
Property Owner: Judith Feuquay

Property Location

1731 S. Delaware Ave.

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 3-foot side setback for a carport in the RS-3 District (Sec. 90.090, Table 90-1 Table Note [2])

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: N/A

Transit: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

Environment

Flood Area: N/A

Tree Canopy Coverage: 10-20%

Parks & Open Space: N/A

Staff Analysis

The applicant is proposing a Variance to reduce the required 3-foot side setback for a carport in the RS-3 District (Sec. 90.090, Table 90-1 Table Note [2]):

Table 90-1: Permitted Setback Obstructions in R Zoning Districts

Obstruction	Setback		
	Street	Side	Rear
Accessory buildings (see also §90.090-C2)	No	No	Yes
Air conditioning units	No	Yes	Yes
Arbors and trellises	Yes	Yes	Yes
Awnings, canopies, light shelves and architecturally integrated solar shading devices projecting no more than 2 feet into the setback	Yes	Yes	Yes
Barbeque pits and outdoor fireplaces	No	No	Yes
Bay windows projecting no more than 2 feet into the setback	Yes	Yes	Yes
Carports	Yes [1]	Yes [2]	Yes [2]

Table 90-1 Notes

- [1] Special exception approval required; see [90.090-C1](#).
- [2] Must be setback at least 3 feet from side and rear lot lines.

Applicant is requesting a to reduce their setback to 2-feet.

Statement Of Hardship: House sits 5-feet on South with no back access. Carport to accommodate 9-foot wide travel trailer so a reduction of 3-foot to 2-foot in needed. Existing building limits access to back yard. There are several other carports in the area.

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-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 in a small area plan.

Development 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: N/A

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: N/A

Environmental Considerations

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

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 Variance to reduce the required 3-foot side setback for a carport in the RS-3 District (Sec. 90.090, Table 90-1 Table Note [2]):

- per the conceptual plan(s) shown on page(s) _____ of the agenda packet.
- subject to the following conditions (including time limitation, if any): _____.

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

Lot 14, Block 4, Hickory Manor Addn, City of Tulsa, Tulsa County, State of Oklahoma

Exhibits

Photos

Case map

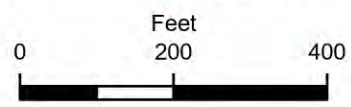
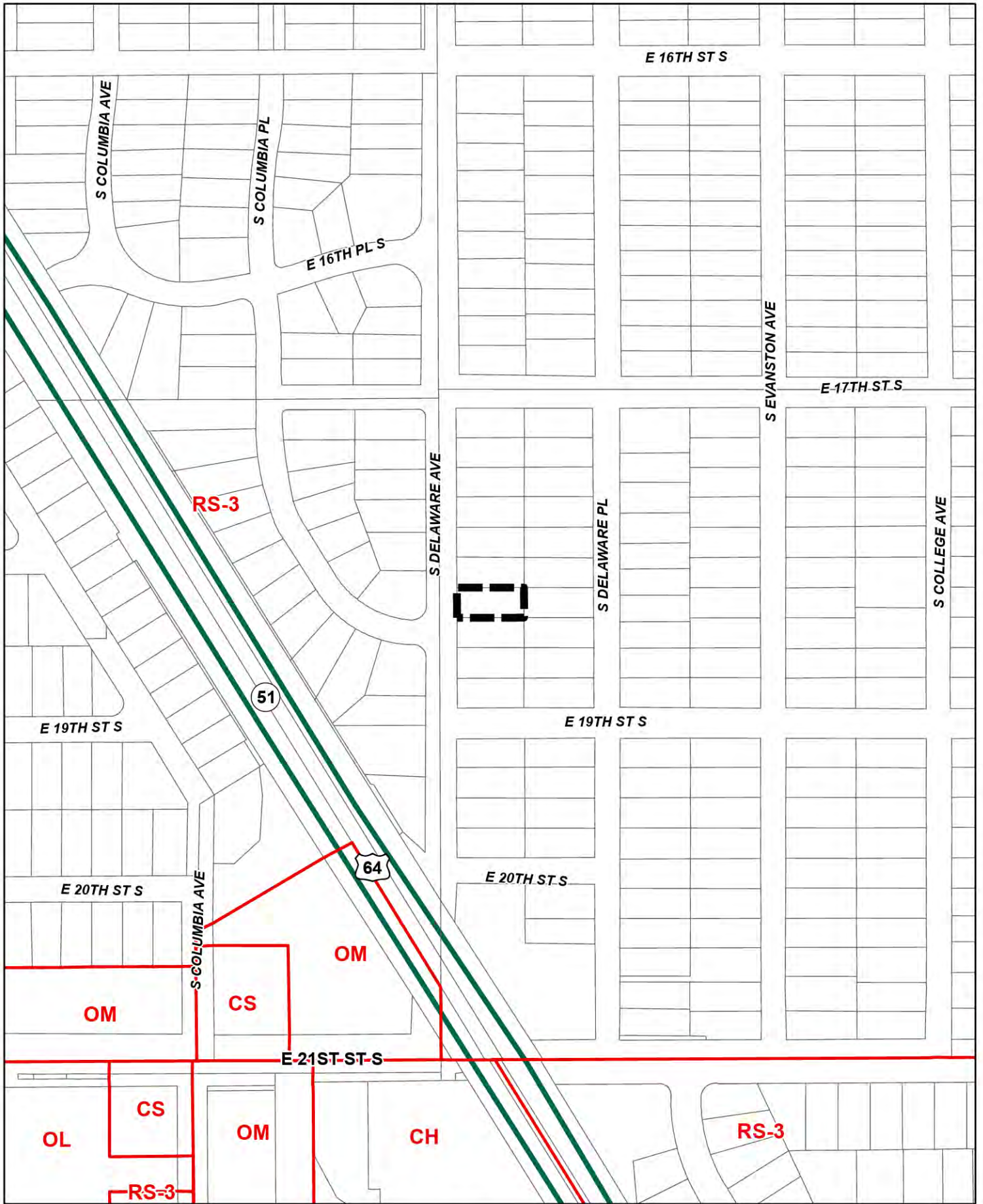
Aerial (small scale)

Aerial (large scale)

Tulsa Comprehensive Plan Land Use Map



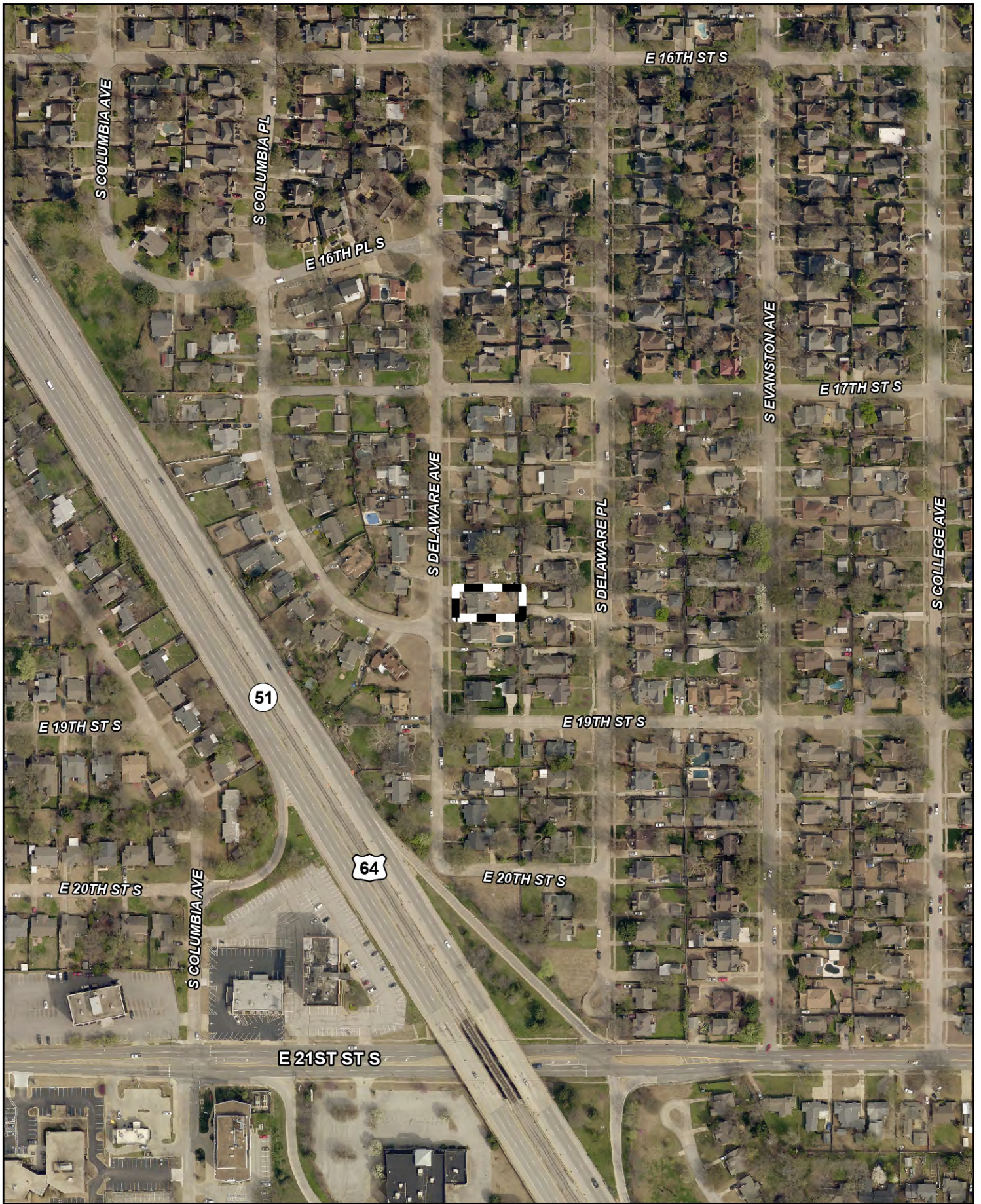
Subject property from Delaware Ave. (Image used from Google Street view)



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11.6



Subject Tract

Feet

0

200

400

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



Aerial Photo Date: 2021

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S DELAWARE AVE

S DELAWARE PL

S COLUMBIA PL

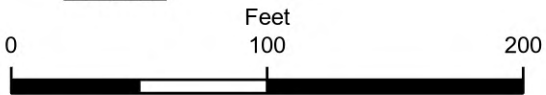
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Subject Tract

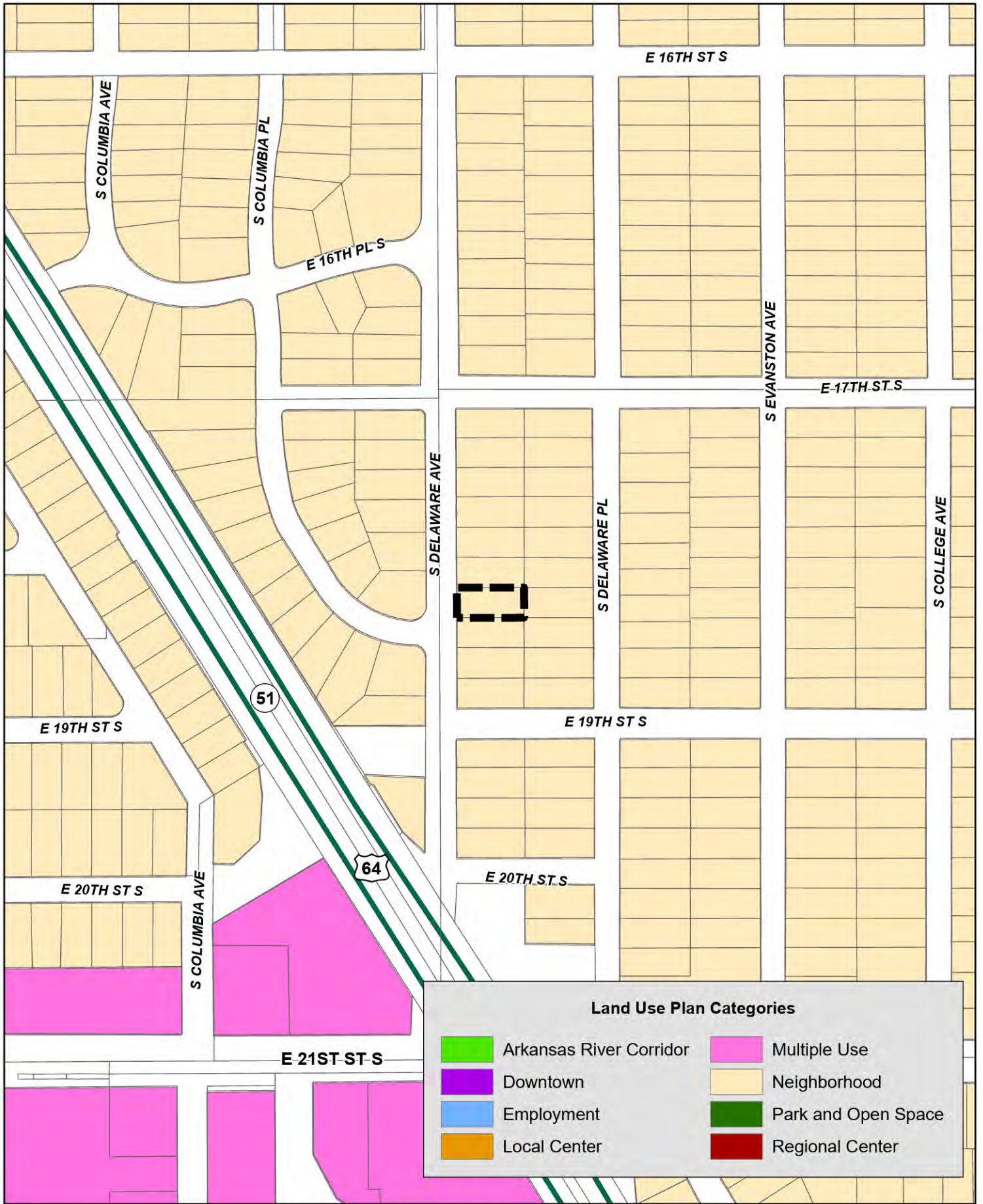
BOA-23681

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Aerial Photo Date: 2021

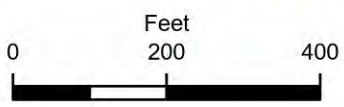


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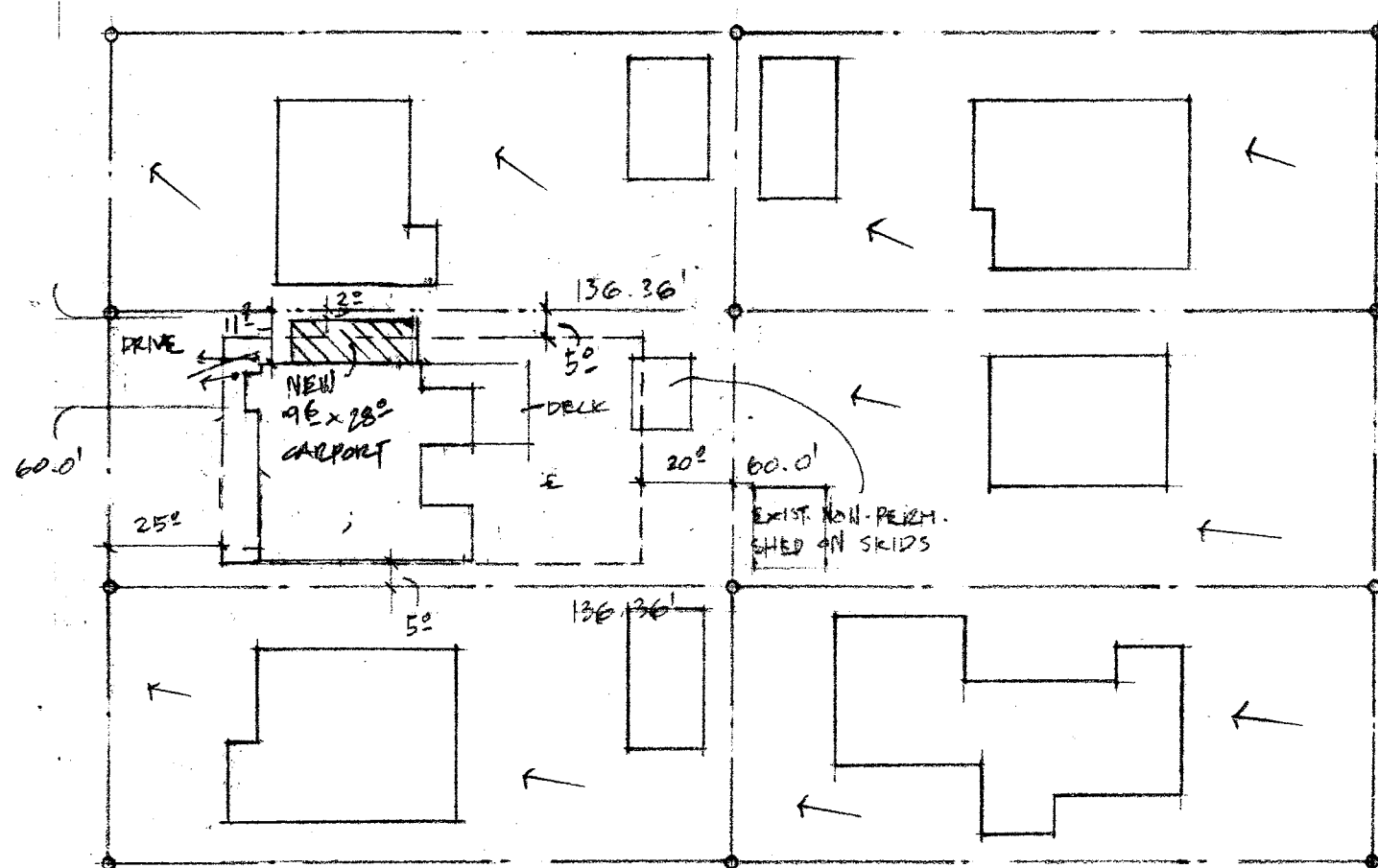
Land Use Plan Categories


 Arkansas River Corridor	 Multiple Use
 Downtown	 Neighborhood
 Employment	 Park and Open Space
 Local Center	 Regional Center



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SITE DRAINAGE PLAN 1" = 40' 

NOTES:

CARPORT WILL REQ. A VARIANCE TO BE
 12' FROM THE PROPERTY LINE & WILL REQ.
 FIRE RESISTANT CONSTRUCTION WITHIN 3'
 OF PROP. LINE. 10' TOP PLATE + 15' @ RIDGE.

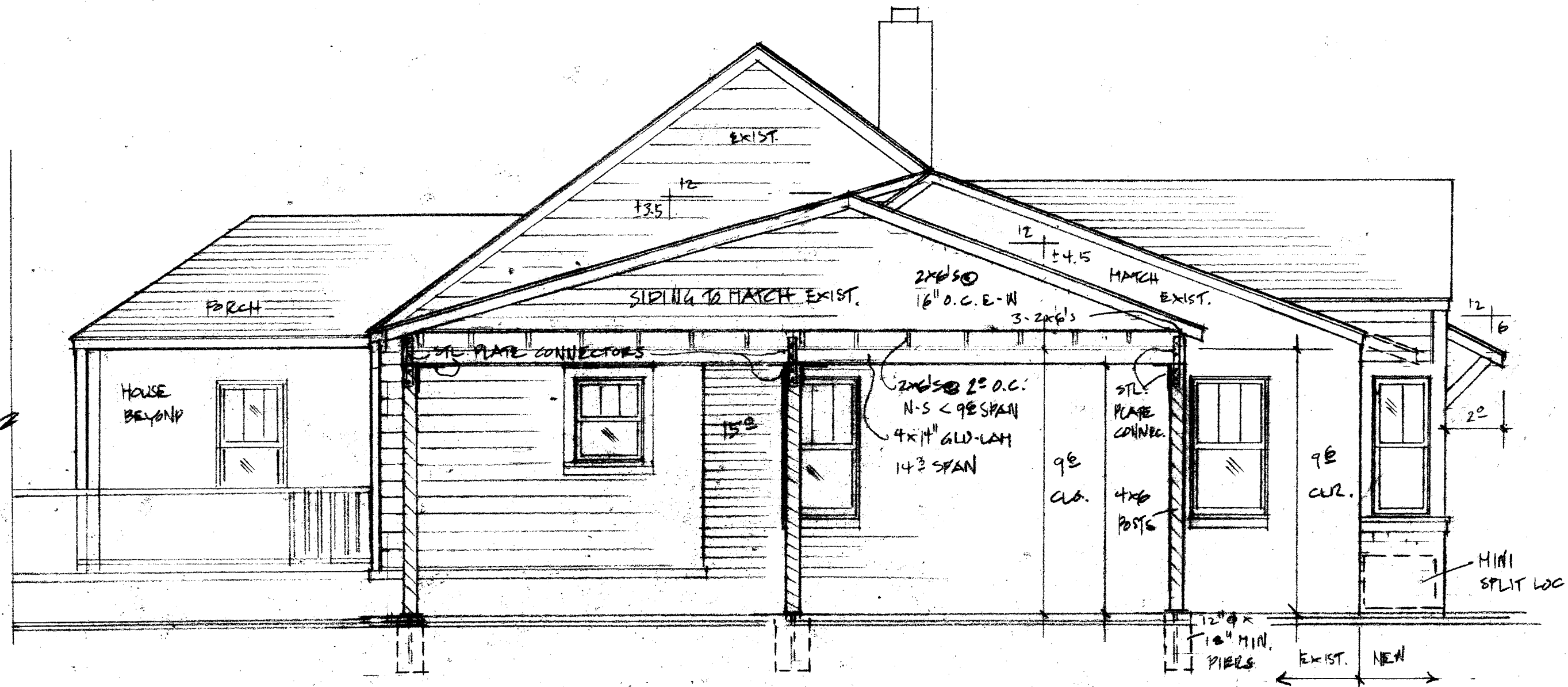
FEUGUAY PROJECT ~~7-8-2019~~
 1731 60. DELAWARE AVENUE
 TULSA - OKLA. ~~3-26-2019~~

~~2-2024 11-2023~~

TOM NEAL
 DESIGN

Associate member, American Institute of Architects

918.231.7372 11.10



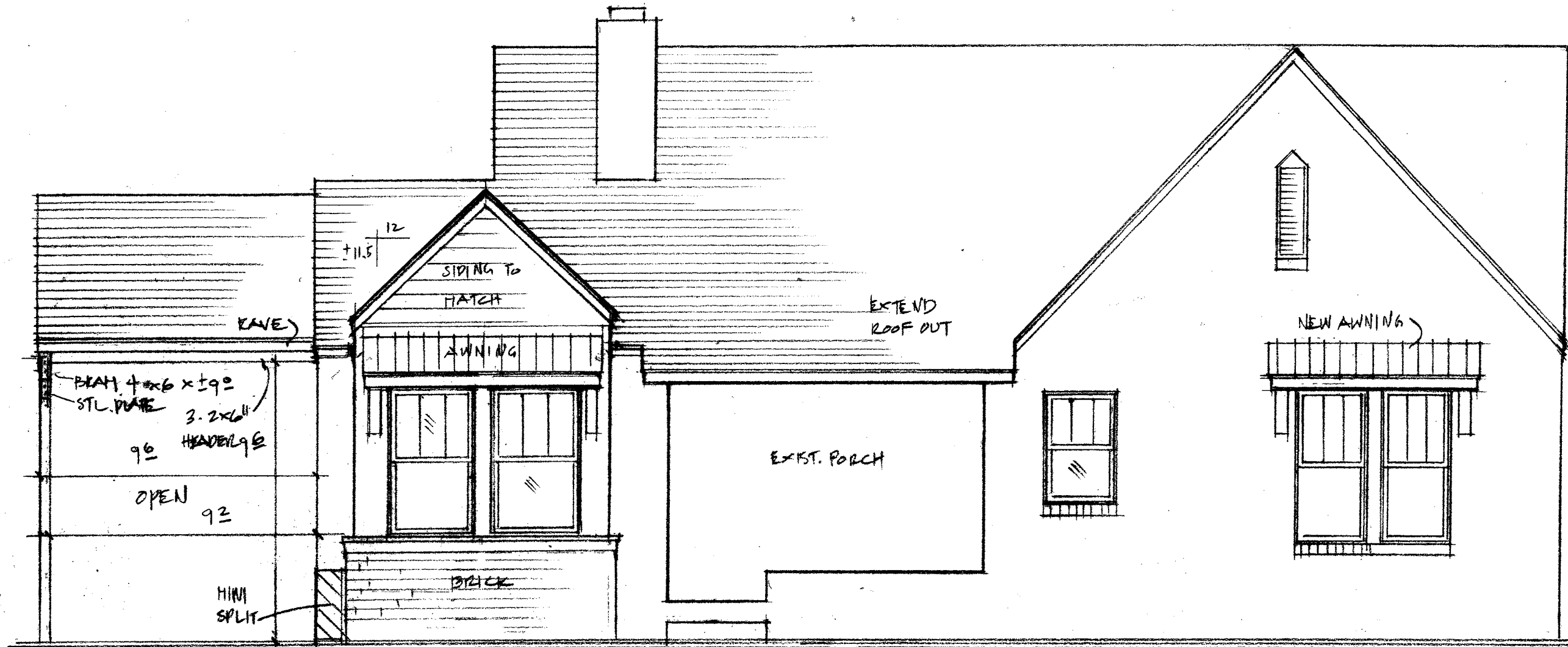
NORTH ELEV. 1/4" = 1'-0"

NOTE:
 ALL MAT'L'S LESS THAN 30'
 FROM PROP. LINE MUST BE
 FIRE RESIST.

FUEQUAY PROJECT
 1731 SO. DELAWARE AVE.
 TULSA - OKLA 72019
 3-2024 ~~2-2024~~

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WEST ELEV. 1/4" = 1'-0"

← NEW → EXIST. →

FUEQUAY PROJECT
 1731 SO. DELAWARE AVE
 TULSA, OKLA 7-2019
 3-2024 ~~2-2024~~

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