Staff Report BOA-23702

Hearing Date: May 28, 2024
Prepared by: Dylan Siers
dsiers@cityoftulsa.org
918-596-7584

Owner and Applicant Information
Applicant: Richard Rokeby
Property Owner: Richard Rokeby

Property Location
5722 E. 5th Pl.
Tract Size: ±.74 acres

Location within the City of Tulsa
(shown with City Council districts)

Request Summary
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-A);
Variance to allow an accessory building to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C)

Zoning
Zoning District: RS-3
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: Hudson Ave (Residential Collector)
planitulsa Street Type: N/A
Transit: N/A
Existing Bike/Ped Facilities: N/A
Planned Bike/Ped Facilities: None

Environment
Flood Area: N/A
Tree Canopy Coverage: 10-20%
Parks & Open Space: N/A

Elected Representatives
City Council: District 3, Crista Patrick.
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
Staff Analysis
The Applicant is proposing a 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-A); Variance to allow an accessory building to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C) The proposed accessory building is 1,200 sq ft

Section 45.030 Accessory Buildings and Carports in R Districts

45.030-A Accessory Building Size

1. RE and RS-1 Districts
   In RE and RS-1 districts, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, and accessory buildings not erected as an integral part of the principal residential building may not exceed 750 square feet or 40% of the floor area of the principal residential structure, whichever is greater. [1]

2. RS-2, RS-3, RS-4, RS-5 and RM Districts
   In RS-2, RS-3, RS-4, RS-5, or RM zoned lots used for detached houses or duplexes, the total aggregate floor area of all detached accessory buildings, including accessory dwelling units, 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. [1]

[1] For detached accessory buildings, including accessory dwelling units, located within rear setbacks see 90.090-C.

2. Detached Accessory Buildings, Including Accessory Dwelling Units, in RE, RS, RD Districts and RM Zoned Lots Used for Detached Houses or Duplexes.
   a. Detached accessory buildings, including Accessory Dwelling Units, may be located in rear setbacks provided that:
      (1) 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; and

Relevant Case History
• None

Statement of Hardship
"There is a pre-existing 30X 40 ft pad on the property. Because the rear property line is at a slight angle, a portion of the sw rear of the pad is 17 ft 4 inches from the back fence. The pad at the SE portion is 21 ft 1 inc A tree directly north of the pad is the sole remaining intact tree on the property, following the fathers day storm of 2023. Being that
this proposed building is replacing a building destroyed by a falling tree, the homeowner is very cautious about trees close to buildings. Moving the proposed building to accommodate the 20 ft rule would place it closer to the tree.

While the proposed square footage of the building is beyond the rule, this is a very large lot which would leave more than ample room surrounding it. The homeowner has a substantial collection of tools and parts to shelter in addition to lawn mowing and gardening equipment. The building is intended to be used for storage and a general hobby hut. Behind the property is a 2 story separate garage. To my knowledge, that property owner has not had any problems with neighbors. It’s in full view of the homeowners kitchen window but has never been an issue. In addition, there are 5 other fairly large site-built accessory buildings within 2 blocks of the homeowner.”

**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:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>East</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>South</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
<tr>
<td>West</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Residential</td>
</tr>
</tbody>
</table>

**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 Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

**Transportation**

**Major Street & Highway Plan:** Hudson Ave (Residential Collector)

**Comprehensive Plan Street Designation:** N/A

**Transit:** N/A

**Existing Bike/Ped Facilities:** None
Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: N/A

Environmental Considerations

Flood Area: N/A

Tree Canopy Coverage: 10-20%. 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 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); Variance to allow an accessory building to exceed to exceed 10 feet in height to the top of the top plate in the rear setback (Section 90.090-C) 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.

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**
E100 LESS E15 BLK 46, Glenhaven, City of Tulsa, Tulsa County, State of Oklahoma
Subject property from E 5th Pl. (Image used from Google Street view)

**Exhibits**

Case map
Aerial (small scale)
Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Applicant Exhibits
BOA-23702

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2021

13.9
**SCOPE OF PLANS:**
1. To provide structural design for the pre-fab metal building per the specified design loads, and applicable building codes. Any discrepancies in design loads shall be brought to the attention of the engineer of record.
2. **DOES NOT PROVIDE** any architectural, site, zoning, HVAC, electrical, mechanical design or requirements. These items must be addressed by their respective professionals in charge.

**GENERAL STRUCTURAL DESIGN NOTES:**
1. All construction shall be provided in accordance with IBC 2018, ASCE 7-16, IDC, ASCE 360, AS 3100, AWS D1.3 codes and all other applicable local city or county requirements.
2. All welds are to be shop welded. Field welding is not permitted. Welding electrodes per AWS code, E70xx unless noted otherwise on plans.
3. All structural light gauge tubing shall be ASTM A500 Grade C (Fy = 50 ksi, Fu = 62 ksi) or equal, all channels shall be A653 (HSLA) Grade 50 Steel (Fy = 50 ksi, Fu = 62 ksi) or equal.
4. All structural field connections shall be #8-1/4 x 3/4 SDS per ESFR 2-96. U.N.O. Ref to design notes on sheet 2 for sheathing fastener type.
5. Gypsum board or drywall finish or any brittle base material is not considered or accounted for in the design criteria of this structure, U.N.O.

### STRUCTURAL DESIGN CRITERIA

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
<th>Factor</th>
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<tr>
<td>Prevailing Code</td>
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<td>Occupancy / Use Group</td>
<td>S (Storage)</td>
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<tr>
<td>Construction Type</td>
<td>V (Any Matl - IBC 402.5)</td>
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<td>Risk Category</td>
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<tr>
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<td>Snow Load</td>
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<td>Ground Snow Load</td>
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<td>Roof Slope Factor</td>
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<td>SLOPED ROOF SNOW LOAD</td>
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<td>Wind Load (W)</td>
<td>V = 140 MPH</td>
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<td>Exposure</td>
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<tr>
<td>Importance Factor</td>
<td>Iy = 1.00</td>
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</table>

### ASD LOAD COMBINATIONS
1. D + (LR or S)
2. D + (0.4W or 0.7E)
3. D + 0.75 (0.5W or 0.2E) + 0.75 (LR or S)
4. 0.6W + 0.4E or 0.57E

**SPECIAL INSPECTIONS:**
No special inspections are required for this structure, as it meets the exceptions of Section 1704 per OBC 2016, unless explicitly required by the building official.

Ahmad M. Wehbi, P.E.
Ahmad M. Wehbi, P.E.
34435

Expires: 12/31/2025
Signed: MAR 18 2024

MAR 18 2024

13.11
FOUNDATION PLAN

SCALE: 1" = 1'-0"

FOUNDATION NOTES:

1. Control joints shall be placed so as to limit max. slab spans to 20' in each direction.
2. Concrete anchors shall be located as shown on the foundation plan with a minimum of (1) anchor per post.
3. Min. footing depth needed to resist building loads is indicated on foundation details. However, a greater footing depth may be required to meet the local frost line depth per code.
4. Depth of footings shall extend into undisturbed soil or compacted engineering fill.
5. Assumed soil bearing capacity is to be a min. of 1500 PSI.
6. Concrete strength to be a min. of 3000 PSI @ 28 days for moderate weathering potential. Special inspection of concrete is not required as structural design of foundations is based on a min strength of 3500 PSI @ 28 days.

CONCRETE ANCHORAGE

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1A</td>
<td>(1) 1/2&quot; X 7&quot; LG. &quot;POWER-STUD&quot; S/EXPANSION ANCHOR (PER ESR 2018)</td>
</tr>
<tr>
<td>2A</td>
<td>(2) 1/2&quot; X 7&quot; LG. &quot;POWER-STUD&quot; S/EXPANSION ANCHOR (PER ESR 2018)</td>
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<tr>
<td>3A</td>
<td>(3) 1/2&quot; X 7&quot; LG. &quot;POWER-STUD&quot; S/EXPANSION ANCHOR (PER ESR 2018)</td>
</tr>
</tbody>
</table>
**CONCRETE ANCHORAGE**

1. **ANCHOR INSTALLATION REQUIREMENTS (REF ANCHORAGE DETAIL):**
   - A.L. - ANCHOR LENGTH: 7.00'
   - E.D. - ANCHOR EDGE DISTANCE: MIN. 4.00' OR U.N.O.
   - H. - ANCHOR HOLE DEPTH: MIN. 4.50'
   - D. - CONCRETE EMBEDMENT DEPTH: MIN. 3.75'
   - SPACING BETWEEN (2) ANCHORS: MIN. 5.00' OR U.N.O.
   - ANCHORS TO BE SPACED NO MORE THAN 6' FROM POSTS OR U.N.O.
   - ANCHORS TO BE INSTALLED PER MANUFACTURER'S REG. PER SPECIFIED ESR.

**REINFORCEMENT NOTES:**
1. REINFORCING STEEL DEFORMED BARS CONFORMING TO ASTM A615, GRADE 40, WITH A MINIMUM FIELD OF 40 ksi FOR ALL BARS UNLESS OTHERWISE INDICATED ON DRAWINGS.
2. WELDED WIRE FABRIC ASTM A480 USING BRIGHT STEEL WIRE MEETING THE REQUIREMENTS OF ASTM A52, GAUGES AND DIMENSIONS AS NOTED ON THE DRAWINGS, PROVIDED IN FLAT SHEETS OR ROLLS.

**"OPTIONAL CURB" NOTES:**
1. THE USE OF CURB IS OPTIONAL. HOWEVER, WHEN SELECTED, A CURB SHALL BE PROVIDED BELOW ALL WALLS (PERIMETER AND INTERIOR) INTERNAL STRUCTURE.
2. CURB OPENINGS MUST BE LARGER THAN DOOR OPENINGS TO ALLOW DOOR TRACES TO REACH THE SLAB. REFER EXAMPLES BELOW. NOTES ARE THE RESPONSIBILITY OF CONC. CONTRACTOR TO COORDINATE AND VERIFY CLEAR DPM, NEEDED FOR DOOR TRACKS FROM DOOR AREA TO BUILDING MCG PRIOR TO PURCHASING.

**FOUNDATION DETAILS**

**SCALE: 3/4" : 1'**

**CURB ANCHORAGE DETAIL**

**ANCHORAGE DETAIL**

**ANCHORAGE NOTES:**
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   - E.D. - ANCHOR EDGE DISTANCE: MIN. 4.00' OR U.N.O.
   - H. - ANCHOR HOLE DEPTH: MIN. 4.50'
   - D. - CONCRETE EMBEDMENT DEPTH: MIN. 3.75'
   - SPACING BETWEEN (2) ANCHORS: MIN. 5.00' OR U.N.O.
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SIDE WALL FRAMING DETAILS

1. COLUMN-BASE DETAIL
   - SCALE: 3/4" = 1'
   - SINGLE TUBE
   - 6" SLEEVE
   - (4) #12 SDS
   - 1/2" STK. TYP. / 1/8" BASE RAL
   - CONE

2. GIRT/PURLIN DETAIL
   - SCALE: 3/4" = 1'
   - (2) #12-14 SDS
   - ROOF BM
   - GIRTS OR PURLINS
   - MIN. 6" OVERLAP
   - ATTACHMENT DETAIL

3. WINDOW/DOOR DETAIL
   - SCALE: 3/4" = 1'
   - SINGLE POST
   - 2x2x12GA ANGLE CLIP W/ (4) #12 SDS
   - SINGLE HEADER

4. DOOR DETAIL
   - SCALE: 3/4" = 1'
   - SINGLE POST
   - 2x4x10GA FLAT CLIP W/ (4) #12 SDS
   - BASE TUBE
   - 2x2x12GA ANGLE CLIP W/ (4) #12 SDS
MEMBER PROPERTIES

<table>
<thead>
<tr>
<th>MEMBER</th>
<th>SIZE</th>
</tr>
</thead>
<tbody>
<tr>
<td>CORNER POST</td>
<td>2 1/2&quot; SQ. X 14GA TUBE</td>
</tr>
<tr>
<td>ROOF MEMBER</td>
<td>2 1/2&quot; SQ. X 14GA TUBE</td>
</tr>
<tr>
<td>BASE RAIL</td>
<td>2 1/2&quot; SQ. X 14GA TUBE</td>
</tr>
<tr>
<td>GIRT</td>
<td>4&quot; X 14GA HAT CHANNEL</td>
</tr>
<tr>
<td>HEADER</td>
<td>2 1/2&quot; SQ. X 14GA TUBE</td>
</tr>
<tr>
<td>DOOR POST</td>
<td>2 1/2&quot; SQ. X 14GA TUBE</td>
</tr>
<tr>
<td>WINDOW POST</td>
<td>2 1/2&quot; SQ. X 14GA TUBE</td>
</tr>
<tr>
<td>END WALL POSTS</td>
<td>2 1/2&quot; SQ. X 14GA TUBE</td>
</tr>
<tr>
<td>DIAGONAL BRACES</td>
<td>2&quot; SQ. X 12GA TUBE</td>
</tr>
<tr>
<td>MFB2, BRACE</td>
<td>2 1/4&quot; SQ. X 14GA TUBE</td>
</tr>
</tbody>
</table>

1. **ROOF MEMBER DETAIL**
   - **SCALE**: 3/4" : 1
   - 2x8x19GA FLAT-CUT W/ (4) #12 SDS
   - 2x2x2x18GA ANGLE-CLIP W/ (4) #12 SDS PER CUP

2. **CORNER DETAIL**
   - **SCALE**: 3/4" : 1
   - 2x2x2x18GA ANGLE-CLIP W/ (4) #12 SDS

3. **WINDOW/DOOR DETAIL**
   - **SCALE**: 3/4" : 1
   - 2x8x19GA FLAT-CUT W/ (4) #12 SDS
   - 2x2x2x18GA ANGLE-CLIP W/ (4) #12 SDS

4. **WINDOW/DOOR DETAIL**
   - **SCALE**: 3/4" : 1
   - 2x8x19GA FLAT-CUT W/ (4) #12 SDS
   - 2x2x2x18GA ANGLE-CLIP W/ (4) #12 SDS

**FRONT END WALL FRAMING**
- **SCALE**: 3/4" : 1

**REAR END WALL FRAMING**
- **SCALE**: 3/4" : 1