



**Board of Adjustment**

**Staff Report  
BOA-23735**

**Hearing Date:** July 9, 2024  
**Prepared by:** Dylan Siers  
dsiers@cityoftulsa.org  
918-596-7584

**Owner and Applicant Information**

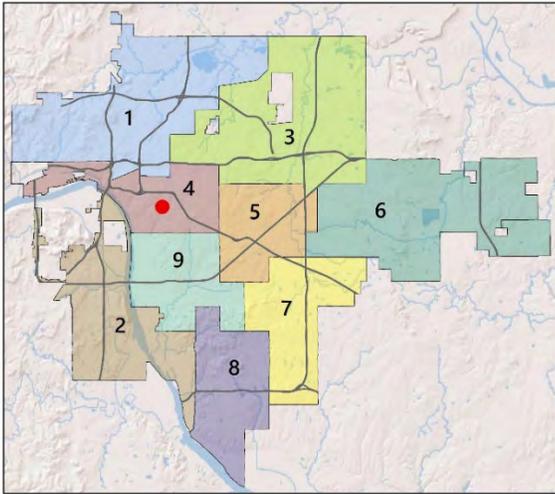
Applicant: Phillip Doyle  
Property Owner: Luke G. Bryant and Amanda K. Adwon

**Property Location**

2612 E 22nd St S  
Tract Size: ±0.36 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 rear setback in the RS-2 District (Sec. 5.030-A, Table 5-3)

**Zoning**

Zoning District: RS-2  
Zoning Overlays: None

**Comprehensive Plan Considerations**

**Land Use**

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

**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: Tulsa Regulatory Floodplain  
Tree Canopy Coverage: 30-50%  
Parks & Open Space: N/A

**Staff Analysis**

The applicant is proposing a Variance to reduce the required 25-foot rear setback in the RS-2 District (Sec. 5.030-A, Table 5-3). The existing residence is 18'-3" from the rear lot line. The applicant now proposes a 1-story rear addition, which would be 11'-6" from the rear lot line.

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]	30	30	30	30	30	30	30	30	30	30	30	30	30
<b>Min. Building Setbacks (ft.)</b>													
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[7]	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

Relevant Case History

- None

**Statement of Hardship**

"RS-2 requires 25' rear yard setback. This lot is an existing non-conformity, as lot depth has been reduced by 15' compared to neighboring lots."

**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	RS-2	Neighborhood	Vacant lot
South	RS-2	Neighborhood	Residential
West	RS-2	Neighborhood	Residential

**Small Area Plans**

The subject property is not a part of 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 located within the Tulsa Regulatory Floodplain.

Tree Canopy Coverage: Tree canopy in the area is 30-50%. 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 reduce the required 25-foot rear setback in the RS-2 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:

- 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;
- That literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose;
- 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;
- That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;
- That the variance to be granted is the minimum variance that will afford relief;
- 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
- 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**

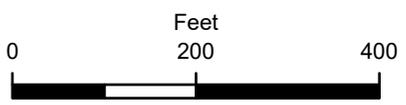
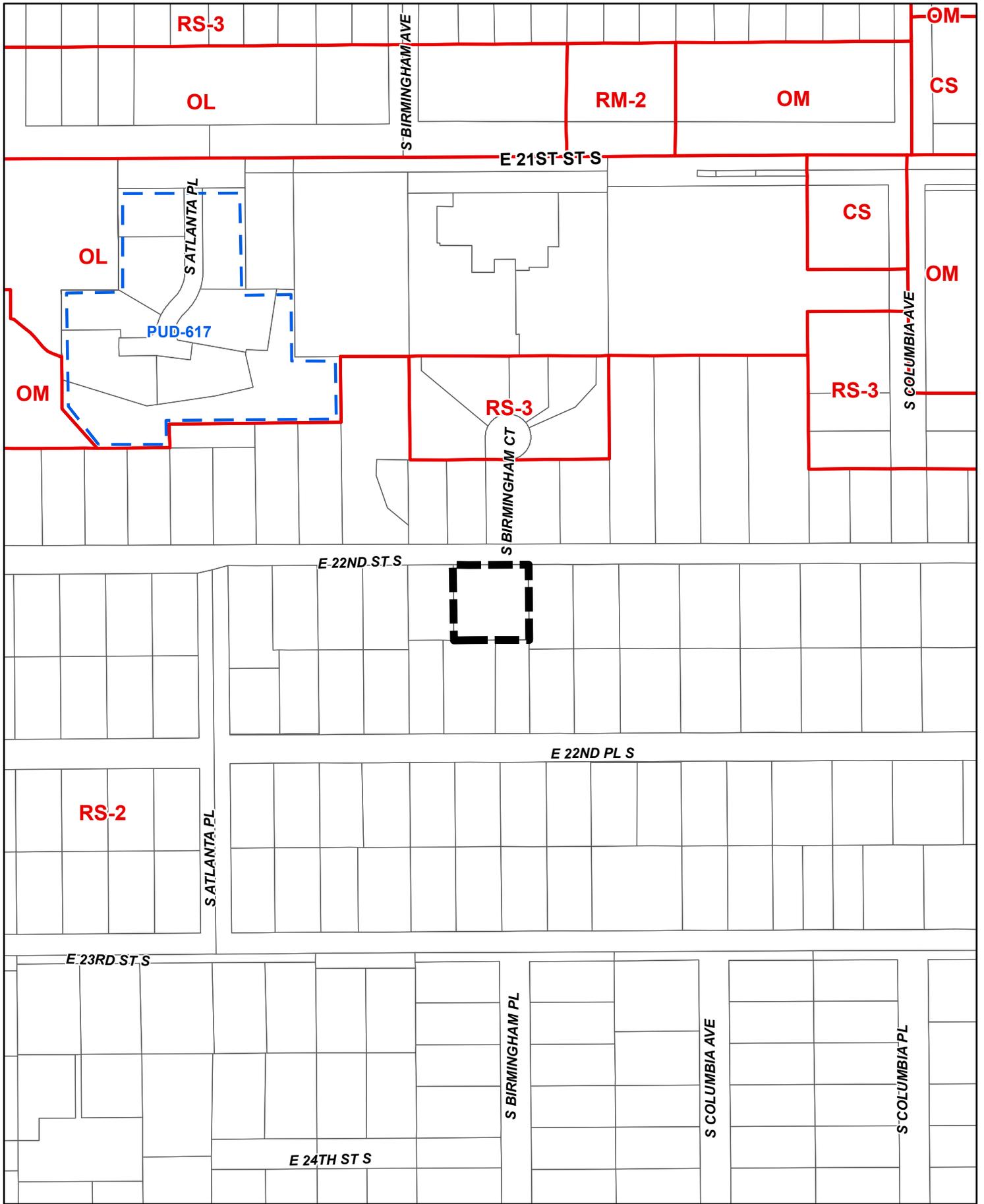
N 125 OF E/2 LT 8 & N 125 LTS 9 & 10, BLK 1, HARTER’S FOURTH RESUB L1-20 B1 HARTER’S THIRD RESUBL1, City of Tulsa, Tulsa County, State of Oklahoma



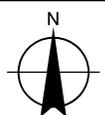
(Image from Google Street View of 2612 E 22nd St)

**Exhibits**

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

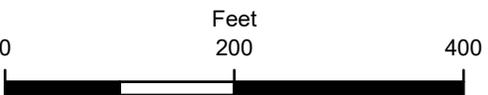


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Subject Tract

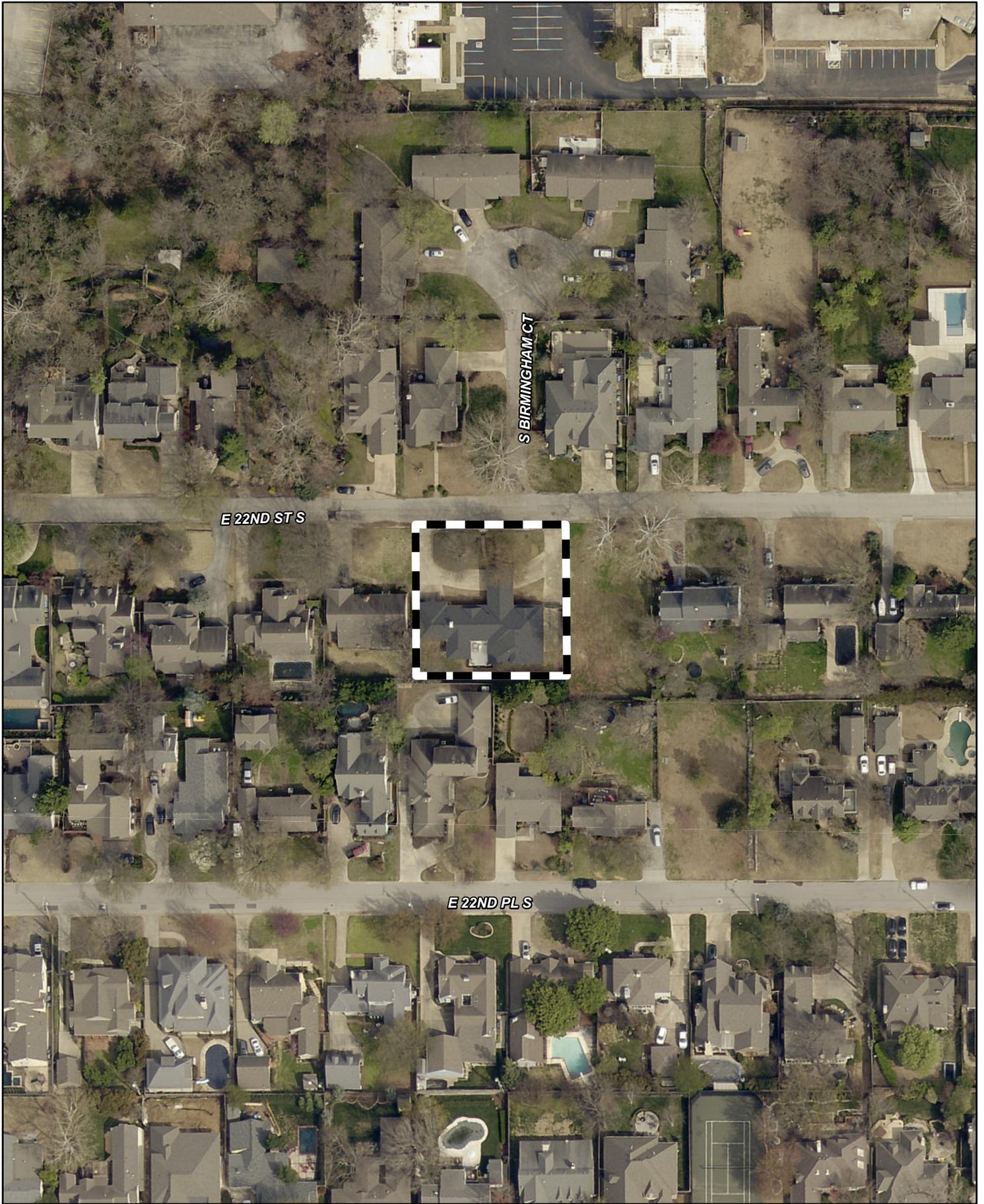


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Note: Graphic overlays may not precisely align with physical features on the ground.



Aerial Photo Date: 2021



E 22ND ST S

S BIRMINGHAM CT

E 22ND PL S

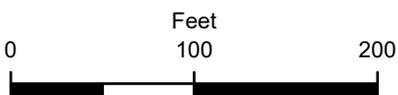


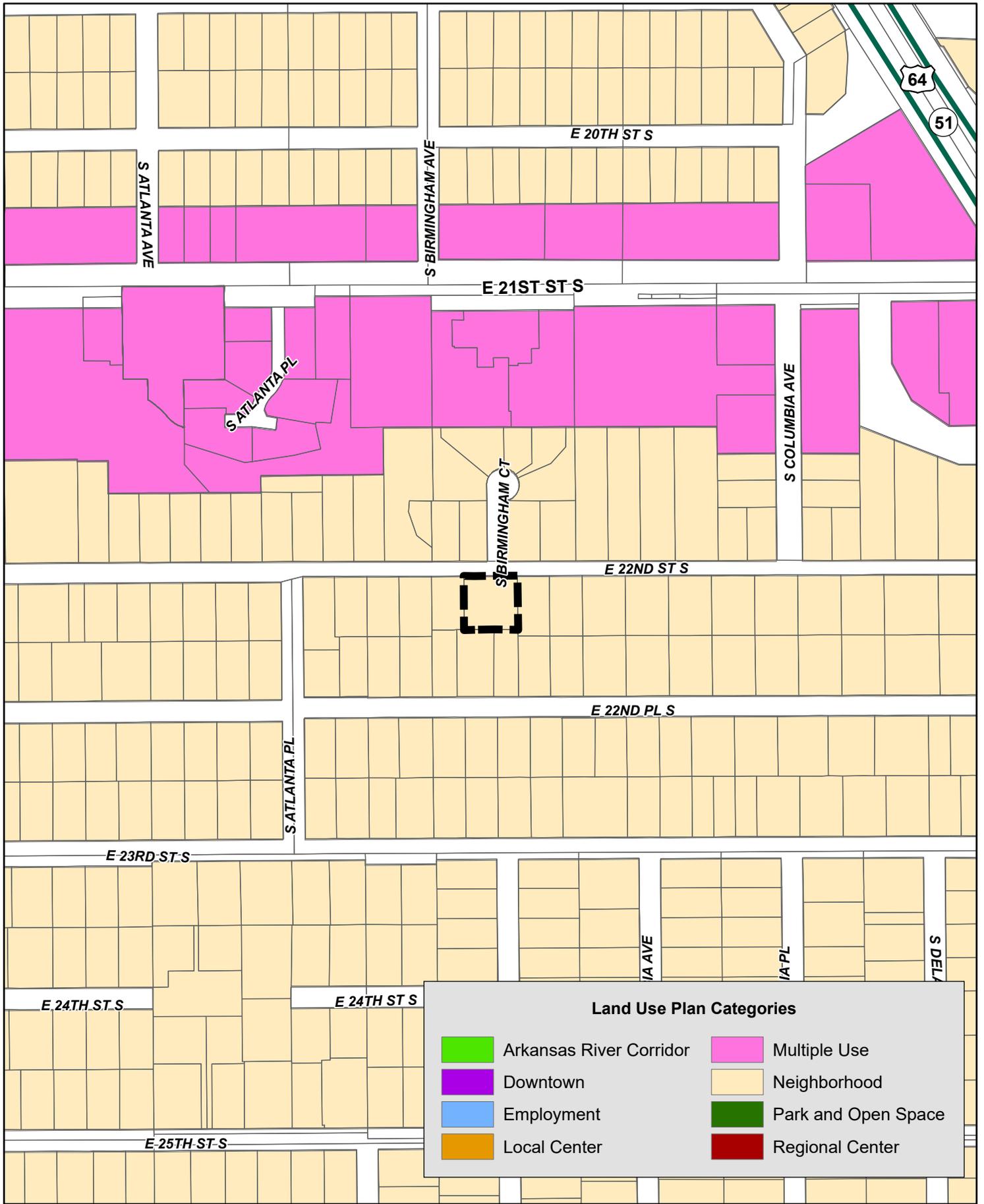
Subject  
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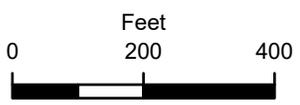
Aerial Photo Date: 2021





**Land Use Plan Categories**

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

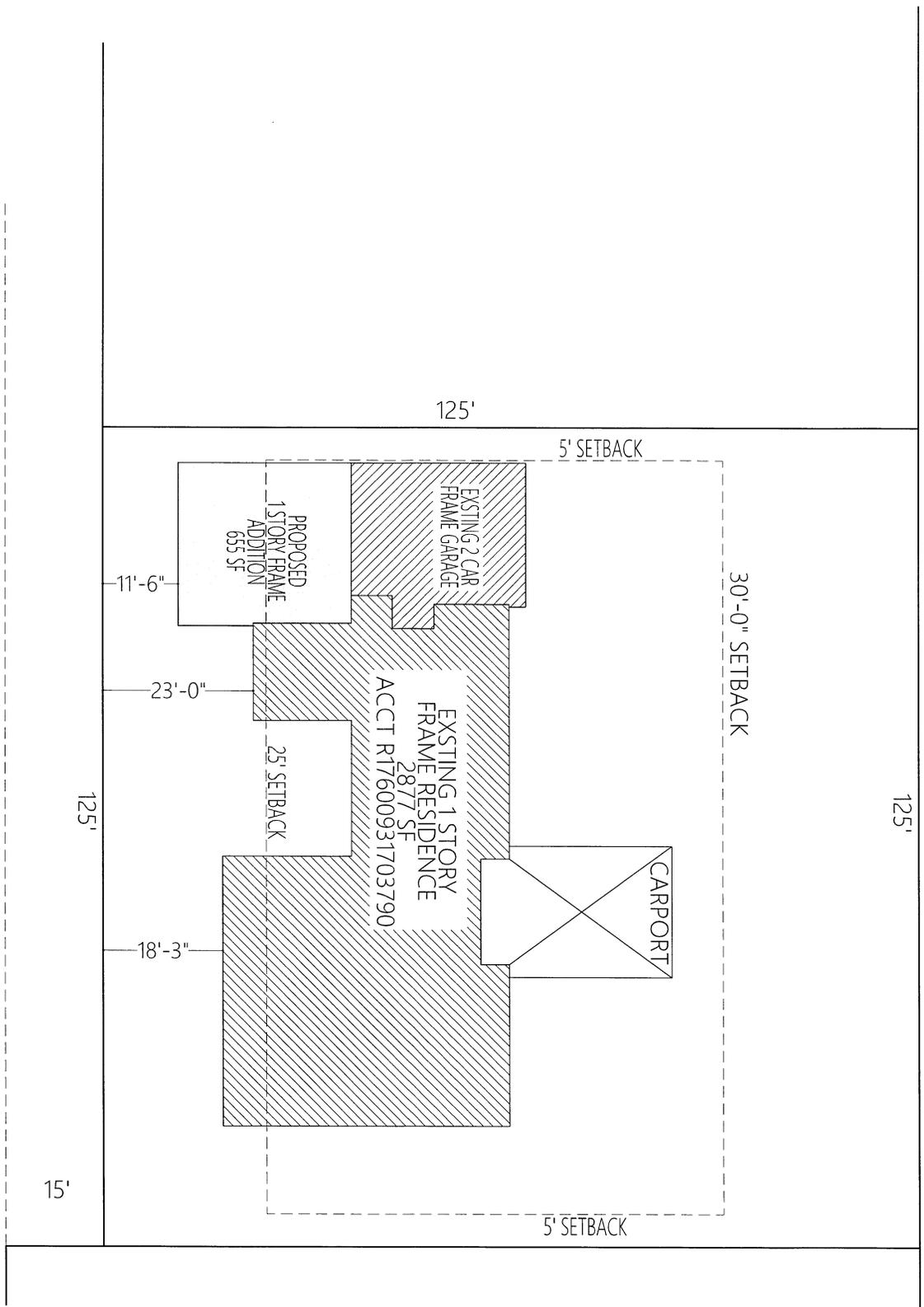


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## Zoning hardship for 2612 E 22nd St S

RS-2 requires 25' rear yard setback  
this lot is an existing non-compliance  
as lot depth has been reduced by 15'  
compared to neighbouring lots.



**A** SITE PLAN

3/8" = 1'-0"

**GENERAL NOTES:**

- All work shall conform to the International Residential code (2015) and all other Governing laws, codes, ordinances and regulations. See structural drawings for additional design criteria.
- These plans and specification documents are intended for one project only at one particular site only. Any additional use or reproduction without the written permission of the design firm is forbidden. Changes to plan and specification documents shall be made only by the approval of this office and/or owner. Changes should be submitted in writing.
- All exterior dimensions are to the face of the exterior frame wall and/or concrete or stemwall.
- All interior plan dimensions are to face of framing, centerline or an extension of an exterior dimension.
- Written dimensions take precedence over scaled dimensions.
- All contractors shall field verify all existing and new conditions, materials, elevations and dimensions. Any discrepancies, or omissions shall be immediately reported to this office and /or owner before construction proceeds.
- All contractors shall examine all drawings and existing conditions to determine locations and dimensions of any and all chases, inserts, openings, sleeves, depressions and of other project requirements.
- All wood in contact with concrete shall be pressure treated (PT).
- Provide for passive control of radon entry as membrane beyond outside face of the slab so as to seal openings or crack that connect the house interior to the sub-slab soil. Seal all penetrations, joints, tears and cuts with tape or mastic.
- General contractor shall coordinate and provide for termite protections and inspection as outlined in R318 (2015 IRC).
- Provide safety glazing at all Hazardous Locations as defined in section R308.4 (2015 IRC).
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**LEGAL DESCRIPTION:**

SUBDIVISION PART 153 COURTHOUSE RESIDUAL LOT 100 PARTS 153 AND 154 RESIDUAL Legal N. 125 OF E 22<sup>ND</sup> ST. & N. 125<sup>TH</sup> 115.9 & 10<sup>TH</sup> BLK. 1 section 17 township 19 Range 13

**CODE:**

2018 International Residential code

**ZONING:**

RS-2 district

**SQUARE FOOTAGE:**

Existing Square Footage: 2877 SF  
 Addition: 655 SF  
 Total: 3532 SF

**LEGEND:**

- Drawing name and location
- Reference grid for dimensions
- Section through plan
- Carpentry detail
- Construction note/detail
- Door number
- Window type
- Reference area
- Top of measure from
- Center line measure to

**SHEET INDEX:**

- 1 Title sheet, site plan
- 2-1 First floor, dimensioned
- 2-2 Roof plan - main
- 2-3 Elevations
- 2-4 Large scale details
- 3-1 Lighting and Electrical
- 3-2 Foundation plan