



Board of Adjustment

**Staff Report
BOA-23791**

Hearing Date: November 12, 2024

Prepared by: Erin Roark

eroark@cityoftulsa.org

918-596-7618

Owner and Applicant Information

Applicant: Christopher Tucker

Property Owner: Christopher Tucker

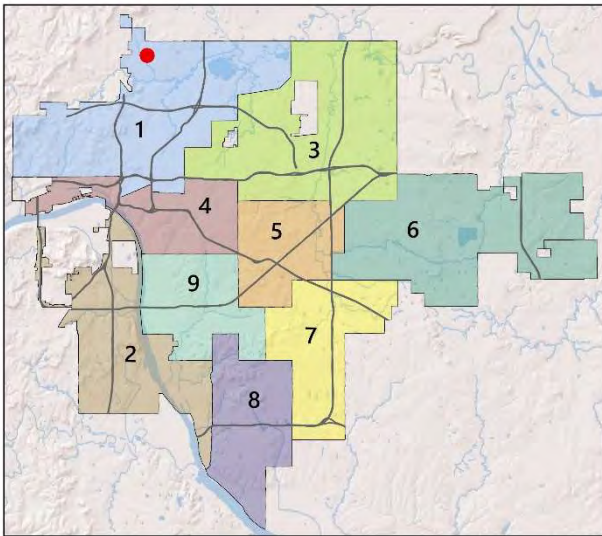
Property Location

4963 North Johnstown Avenue East

Tract Size: ±0.58 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 1, Vanessa Hall-Harper

County Commission: District 1, Stan Sallee

Public Notice Required

Newspaper Notice – min. 10 days in advance

Mailed Notice to 300’ radius – min. 10 days in advance

Request Summary

Special Exception to increase the permitted driveway width in the RS-3 district (Section 55.090).

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: N/A

planitulsa Street Type: N/A

Transit: N/A

Existing Bike/Ped Facilities: Osage Trail

Planned Bike/Ped Facilities: N/A

Environment

Flood Area: N/A

Tree Canopy Coverage: 30-50%

Parks & Open Space: Chamberlain Park

Staff Analysis

The applicant requests a special exception to increase the permitted driveway width (Section 55.090). According to the plans submitted by the applicant, several parking areas constructed from brick paving blocks would be added to the lot, including one abutting the street. A previous building permit has also been issued for a detached house on the property. Based on the street frontage of the lot, the maximum driveway width would be 26 feet within the right-of-way and 30 feet within the street setback. A total driveway width of 38 feet is proposed, which exceeds the maximum driveway width within the right-of-way by 12 feet and within the street setback by 8 feet.

Section 55.090 Parking Area Design

55.090-F Surfacing

1. All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of [§55.090-F.4](#). Parking area surfacing must be completed prior to initiation of the use to be served by the parking.
2. All motorized vehicles designed for travel upon public streets and all recreational vehicles that are being parked, stored or displayed for sale must be parked, stored or displayed on a dustless, all-weather surface. This surfacing requirement does not apply to junk or salvage yards. The board of adjustment is authorized to grant a special exception permitting the parking, storage or display of motorized vehicles or recreational vehicles on a surface other than one consisting of a dustless, all-weather surface if the location complies with all applicable minimum building setbacks.
3. Driveways, not including parking spaces, that serve residential uses in AG and AG-R zoning districts may be surfaced with gravel in place of a dustless, all-weather surface outside of the street right-of-way.
4. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of [Section 70.120](#), or, if in a PUD, in accordance with the amendment procedures of [§30.010-1.2](#). (Refer to the [City of Tulsa Standard Specifications and Details for Residential Driveways #701-704](#)).

Table 55-6: Maximum Driveway Widths in RE and RS Zoning Districts

Lot Frontage	Maximum Driveway Width				
	75'+	60' – 74'	46' – 59'	30' – 45'	Less than 30' [2]
Driveway Within Right-of-Way (feet) [1]	27'	26'	22'	20'	12'
Driveway Within Street Setback (feet)	30'	30'	-	-	-

[1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.

[2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.

Relevant Case History

- None found

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 property is not included in 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: N/A

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: The Osage Trail runs adjacent to the subject property on the east.

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: N/A

Environmental Considerations

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

Tree Canopy Coverage: Tree canopy in the area is 33%. 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. The area would benefit from additional trees, which also capture and treat runoff before it enters the river.

Parks & Open Space: Chamberlain Park is nearby to the west of the subject property.

Sample Motion

I move to *approve or deny* a Special Exception to increase the permitted driveway width (Section 55.090), *from 26 feet to 38 feet in the right-of-way and from 30 feet to 38 feet in the street setback*,

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

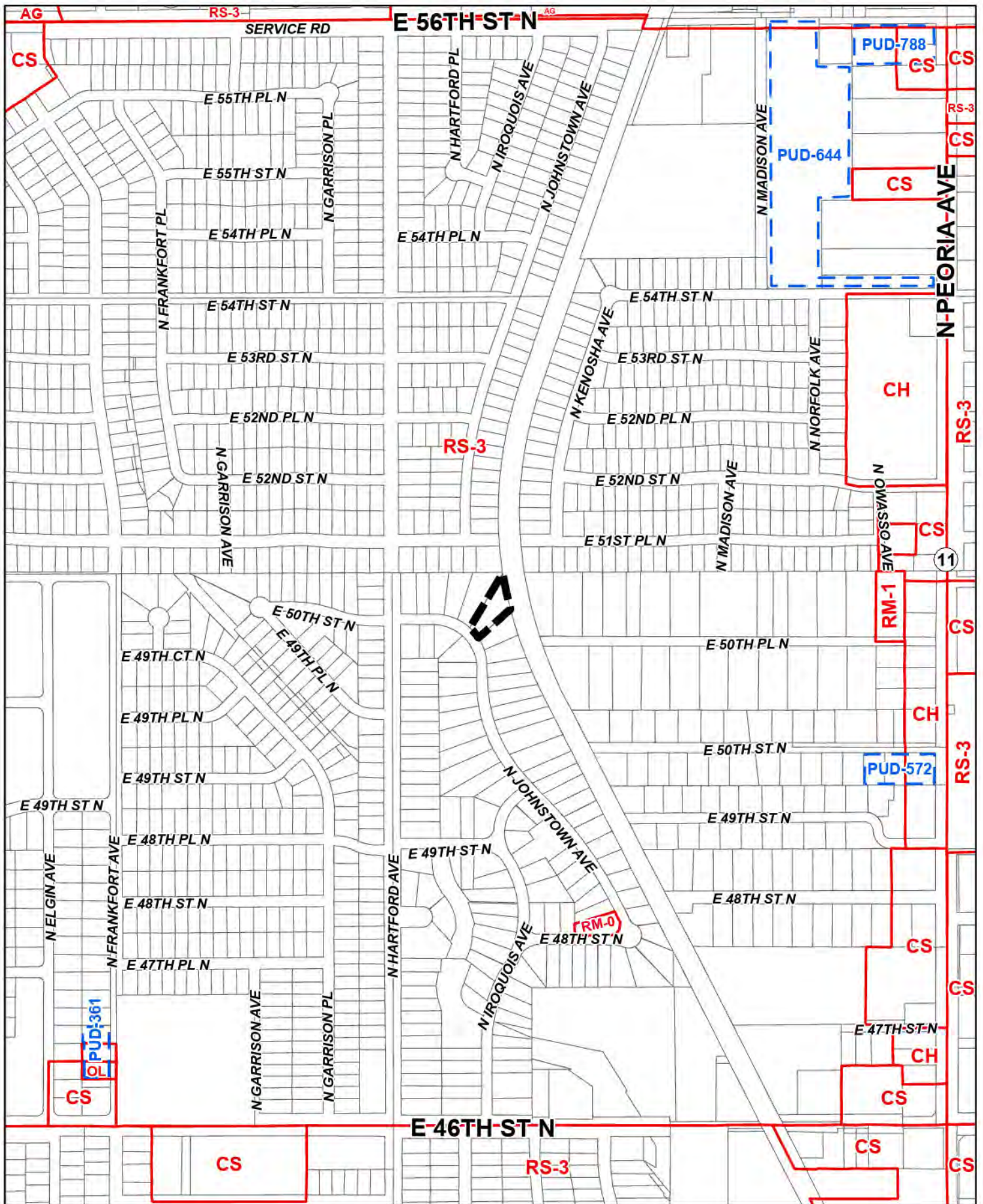
The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Property Description

LOT 6 BLOCK 1 Fairhill Addition, City of Tulsa, Tulsa County, State of Oklahoma

Exhibits

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

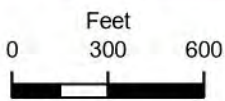
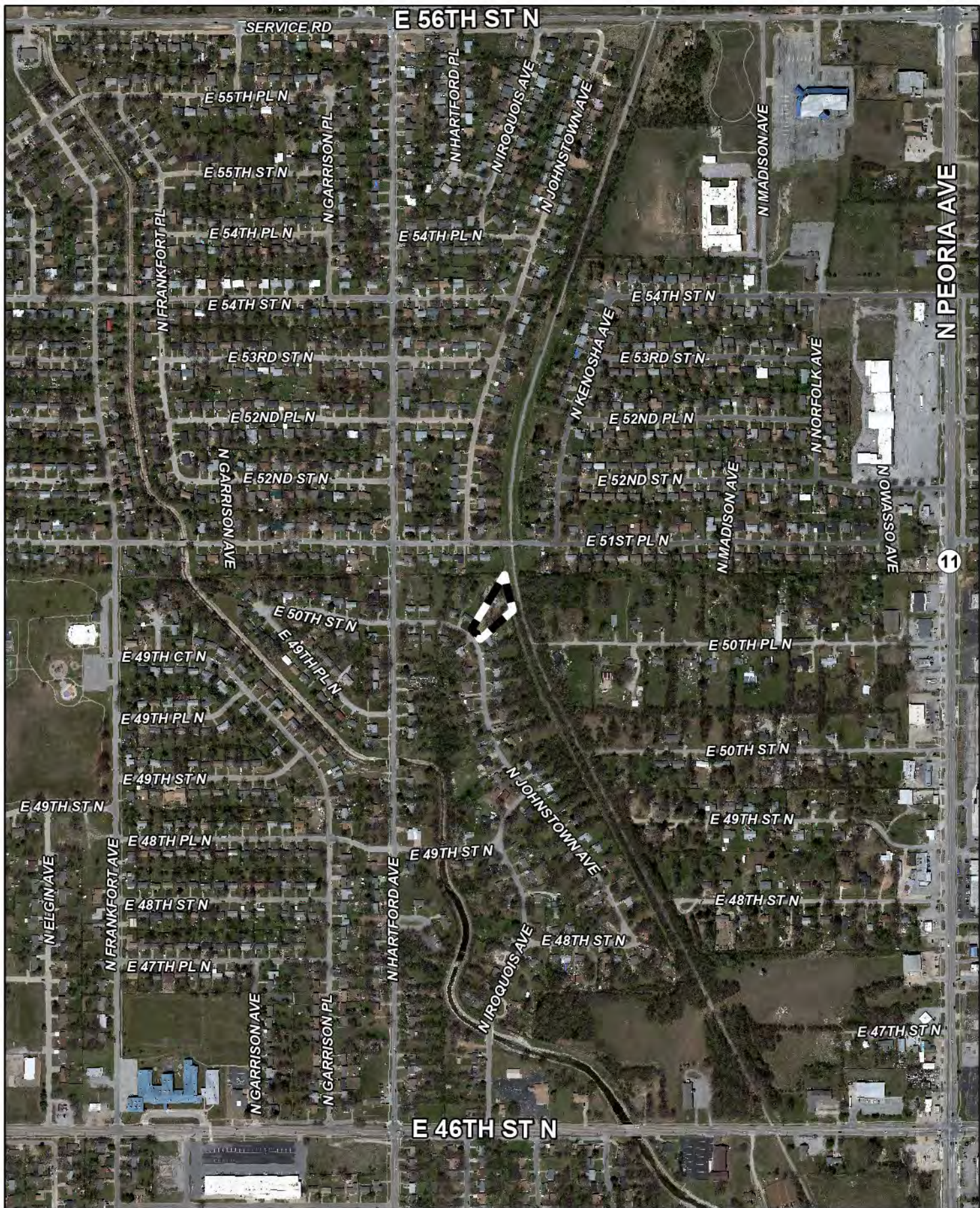


BOA-23791

20-12 12

 Subject Tract





 Subject Tract

BOA-23791

20-12 12

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

Aerial Photo Date: 2022



4.6



E 51ST PL N

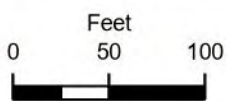
N JOHNSTOWN AVE

N KENOSHA AVE

E 50TH ST N

E 50TH PL N

N JOHNSTOWN AVE



Subject Tract

BOA-23791

20-12 12

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









Aerial Photo Date: 2022

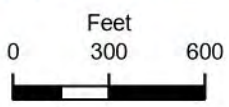


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Land Use Plan Categories

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



 Subject Tract

BOA-23791
20-12 12





DEVELOPMENT SERVICES

175 E 2ND ST., STE 405
TULSA, OK 74103
918-596-9456

CITY OF TULSA

PLAN CORRECTIONS SUMMARY

ZCO-189974-2024 (4963 N JOHNSTOWN AVE E Tulsa Tulsa, OK 74126) Markup Summary #1

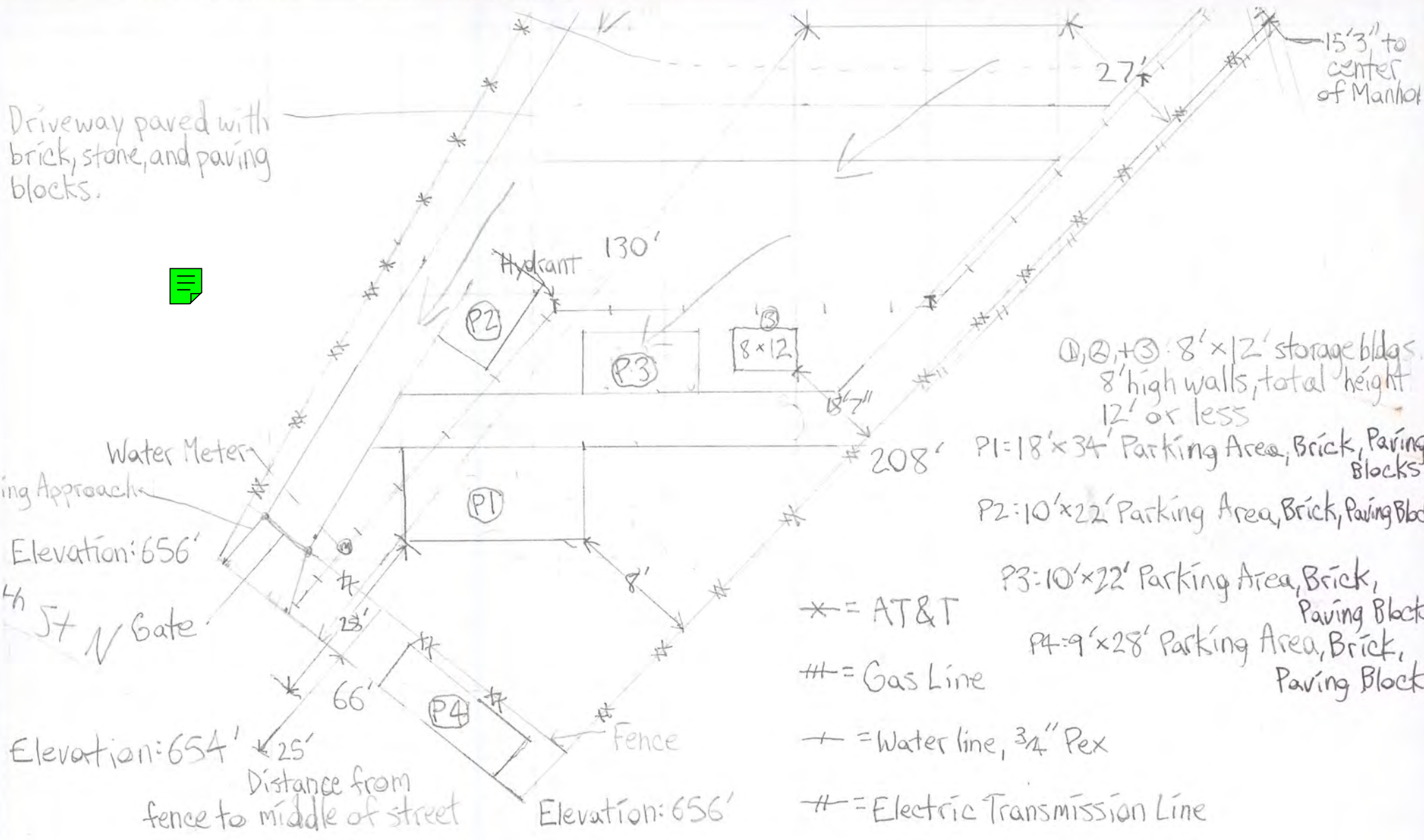
Zoning Review (1)



Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 8/26/2024 4:17:53 PM
Status:
Color: ■
Layer:
Space:

Section 55.090-F.4 Surfacing. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of Section 70.120, or, if in a PUD, in accordance with the amendment procedures of Section 30.010-I.2. (Refer to the City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).
REVIEW SUMMARY: For this lot, according to the table in this section you are allowed to have up to 26' driveway width in the right of way, and 30' in the front setback. The front setback is the part of your lot that is within 25' of the front property line. You may revise the plans to reduce the driveway width to 26' or less in the right of way, and 30' or less in the front setback. You may also request a special exception from the Board of Adjustment for driveway widths that exceed these limits. Call the Planning Office at 918-596-7526 for Board of Adjustment schedules and procedures. When you revise the plans, you need to add somethings. First, draw a line that represents the 25' front setback; showing where that is on your lot. Second, the parking areas should be drawn to scale and the dimensions to the side property lines needs to be to scale as well.

Driveway paved with brick, stone, and paving blocks.



15'3" to center of Manhol

①, ②, + ③: 8' x 12' storage bldgs.
8' high walls, total height 12' or less

P1: 18' x 34' Parking Area, Brick, Paving Blocks

P2: 10' x 22' Parking Area, Brick, Paving Block

P3: 10' x 22' Parking Area, Brick, Paving Block

P4: 9' x 28' Parking Area, Brick, Paving Block

* = AT&T

= Gas Line

+ = Water line, 3/4" Pex

-#- = Electric Transmission Line

-*- = 4' Chain Link Fence

*- = 4' Wrapped Wire Fence

Johnstown Av



- APPROVED
- APPROVED AS CORRECTED
- REVISE AND RESUBMIT
- REJECTED
- FOR INFORMATION ONLY

The City of Tulsa Building Code requires that this set of approved plans shall be kept at the building site, open to inspection of the Building Official or His authorized representative at all Reasonable Times. Plans are generally approved for issuance of a Building Permit. This approval does not constitute a waiver of any provisions of the Building Code, nor should it be construed that this approval constitutes a certification that all details shown are in compliance with the Code

BY DLW

DATE 6/20/2024

City of Tulsa
Office of the Building Inspector

Plans are generally approved for issuance of a Building Permit. This Approval does not constitute a waiver of any provision of the Building Code, nor should it be construed that this approval constitutes a certification that All Details shown are in compliance with the Code.

TO ALLOW FLEXIBILITY IN SELECTION OF LUMBER SPECIES, STRUCTURAL ANALYSIS OF PLANS HAS NOT BEEN MADE. JOIST AND RAFTER SIZE, SPACING AND SPAN SHALL COMPLY WITH LIMITATIONS PROVIDED IN THE ONE AND TWO FAMILY DWELLING CODE. WALL CONSTRUCTION MUST COMPLY WITH REQUIREMENTS OF THE CODE.

