



Board of Adjustment

**Staff Report
BOA-23930**

Hearing Date: August 26, 2025

Prepared by: Erin Roark
eroark@cityoftulsa.org
918-596-7618

Owner and Applicant Information

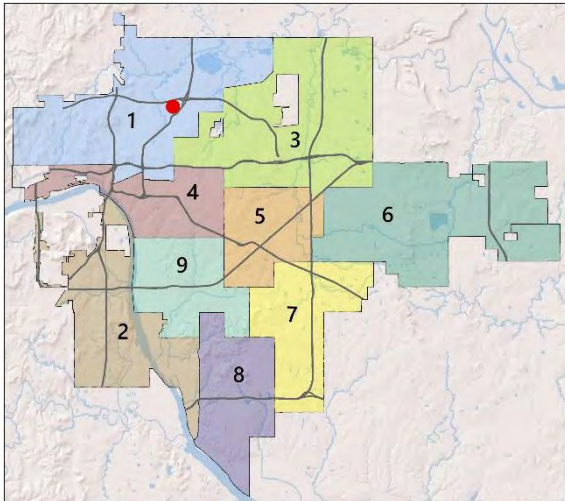
Applicant: LaShan Ellison
Property Owner: Ellison Investment Group LLC

Property Location

2426 East 27th Street North
Tract Size: ±0.16 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
Posted Sign – min. 10 days in advance

Request Summary

Special Exception to permit a duplex in the RS-3 district (Section 5.020, Table 5-2, Table 5-2.5); Variance to reduce the required 60-foot minimum lot width in the RS-3 district to permit a duplex (Section 5.030, Table 5-3); Variance to reduce the minimum open space per unit requirement in the RS-3 district to permit a lot split (Section 5.030, Table 5-3).

Zoning

Zoning District: RS-3
Zoning Overlays: N/A

Comprehensive Plan Considerations

Land Use

Land Use Plan: Neighborhood
Small Area Plans: N/A
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: Sidewalks

Environment

Flood Area: N/A
Tree Canopy Coverage: 10-19%
Parks & Open Space: N/A

Staff Analysis

The applicant is requesting a special exception to permit a duplex in the RS-3 district (Section 5.020, Table 5-2, Table 5-2.5), a variance to reduce the required 60-foot minimum lot width in the RS-3 district to permit a duplex (Section 5.030, Table 5-3), and a variance to reduce the minimum open space per unit requirement in the RS-3 district to permit a duplex (Section 5.030, Table 5-3). The minimum lot width for a duplex in the RS-3 district is 60 feet. The existing lot is 50 feet wide, 10 feet less than required. In the RS-3 district, duplexes are required to have a minimum open space per unit of 2,500 square feet, or 5,000 square feet total. Staff has requested additional information from the applicant regarding the open space on the lot. As proposed, the subject property would have 2,004.5 square feet of open space per unit, or 4,009 square feet total. The proposed total open space on the lot is 991 square feet less than required.

Section 5.020 Use Regulations

Principal uses are allowed in R districts in accordance with [Table 5-2](#).

Table 5-2: R District Use Regulations

USE CATEGORY Subcategory Specific use	RE	RS-					RD	RT	RM-				RMH	Supplemental Regulations
		1	2	3	4	5			0	1	2	3		
RESIDENTIAL														
Household Living (if in allowed building type identified in Table 5-2.5)														
Single household	P	P	P	P	P	P	P	P	P	P	P	P	P	
Two households on single lot	-	-	-	S	S	S	P	P	P	P	P	P	-	
Three or more households on single lot	-	-	-	-	S	S	P	P	P	P	P	-		

Table 5-2.5: R District Building Type Regulations for Household Living

USE CATEGORY Subcategory Specific Uses Building Type	RE	RS-					RD	RT	RM-				RMH	Supplemental Regulations
		1	2	3	4	5			0	1	2	3		
RESIDENTIAL														
Household Living														

Two households on single lot														
Duplex	-	-	-	S	S	S	P	P	P	P	P	P	-	

Section 5.030 Lot and Building Regulations

Table 5-3: R District Lot and Building Regulations

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH

Minimum Lot Width (ft.)													
Detached house	150	100	75	60	50	30	50	50	50	50	50	50	-
Patio house	-	-	-	60	50	30	50	50	50	50	50	50	-
Townhouse	-	-	-	30	25	20	25	20	20	20	20	20	-
Cottage house development	-	-	-	-	-	75	75	75	75	75	75	75	-
Duplex	-	-	-	60	50	30	50	50	50	50	50	50	-
Multi-unit house	-	-	-	-	-	30	50	50	50	50	50	50	-
Apartment/Condo	-	-	-	-	-	-	-	-	100	100	50	100	-
Other allowed buildings/uses													
Permitted by right	150	100	75	60	50	50	50	50	50	50	50	50	50
Special exceptions	150	100	100	100	100	100	100	100	100	100	100	100	100

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

5.030-B Table Notes

[8] Minimum required open space for duplex in RS-3 is 2,500 square feet per unit.

Relevant Case History

- None found

Statement of Hardship

The applicant’s statement of hardship is attached as a separate exhibit.

Comprehensive Plan Considerations

Land Use Plan

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 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 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: N/A

Planned Bike/Ped Facilities: Sidewalks are recommended along street frontages.

Arterial Traffic per Lane: N/A

Environmental Considerations

Flood Area: N/A

Tree Canopy Coverage: Tree canopy in the area is 12%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: N/A

Site Photos



View north from 27th Street, March 2025 (Image from Google Street View)

Sample Motion

Special Exception

I move to approve or deny a special exception to permit a duplex in the RS-3 district (Section 5.020, Table 5-2, Table 5-2.5),

- 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.

Variance

I move to approve or deny a variance

1. to reduce the required 60-foot minimum lot width in the RS-3 district from 60 feet to 50 feet to permit a duplex (Section 5.030, Table 5-3),
 2. to reduce the minimum open space per unit requirement in the RS-3 district from 2,500 square feet to 2,004.5 square feet to permit a duplex (Section 5.030, 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:

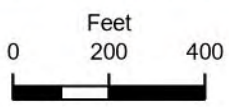
- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
- b. That literal 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

LT 4 BLK 12, THE BEN C FRANKLIN ADDN, City of Tulsa, Tulsa County, State of Oklahoma

Exhibits

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



 Subject Tract

BOA-23930

20-13 20

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

Aerial Photo Date: 2025



6.6

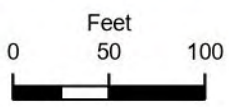


E 28TH ST N

NATLANTA AVE

E 27TH ST N

E 26TH PL N



Subject Tract

BOA-23930

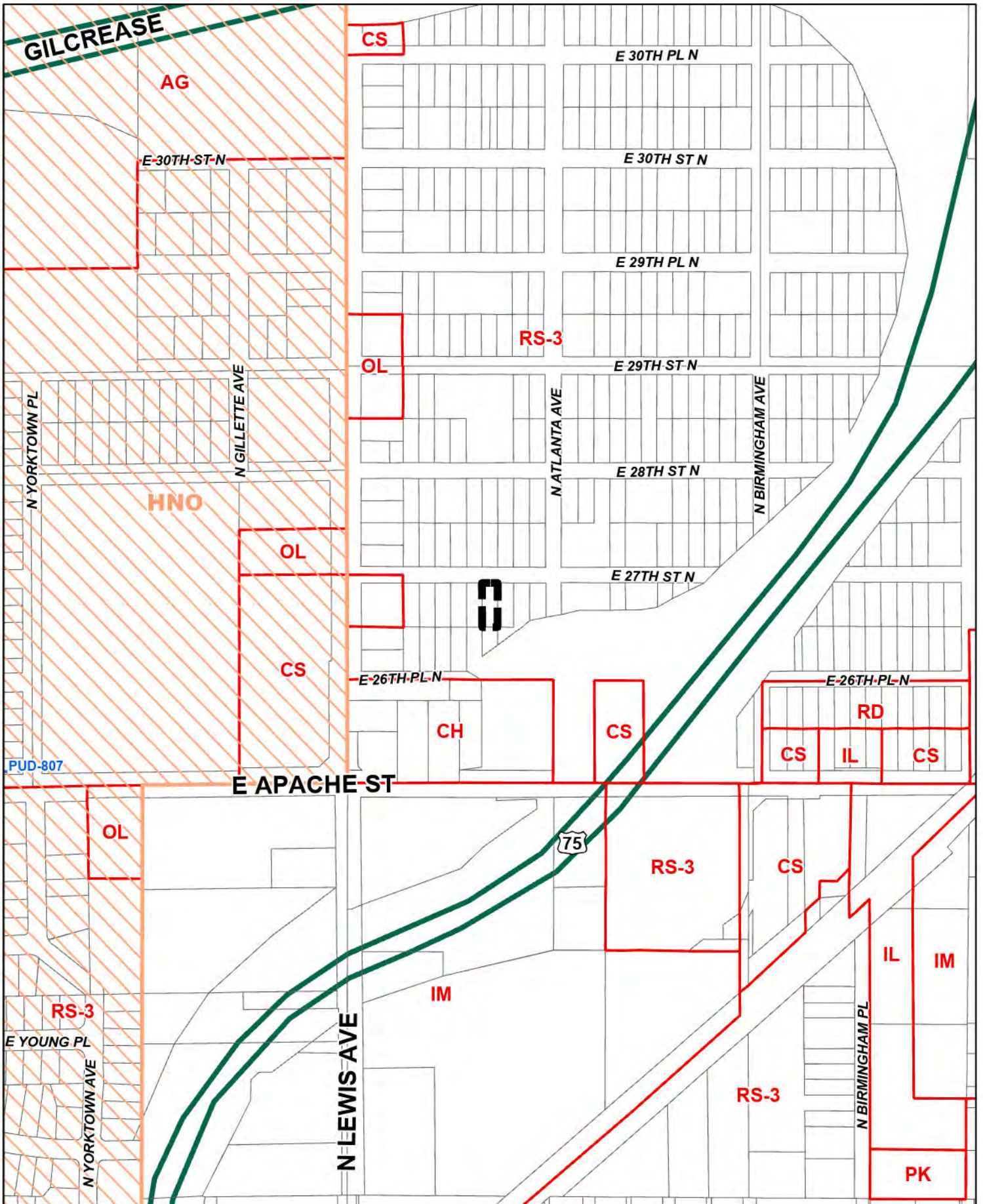
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Note: Graphic overlays may not precisely align with physical features on the ground.

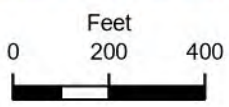
Aerial Photo Date: 2025



6.7



PUD-807



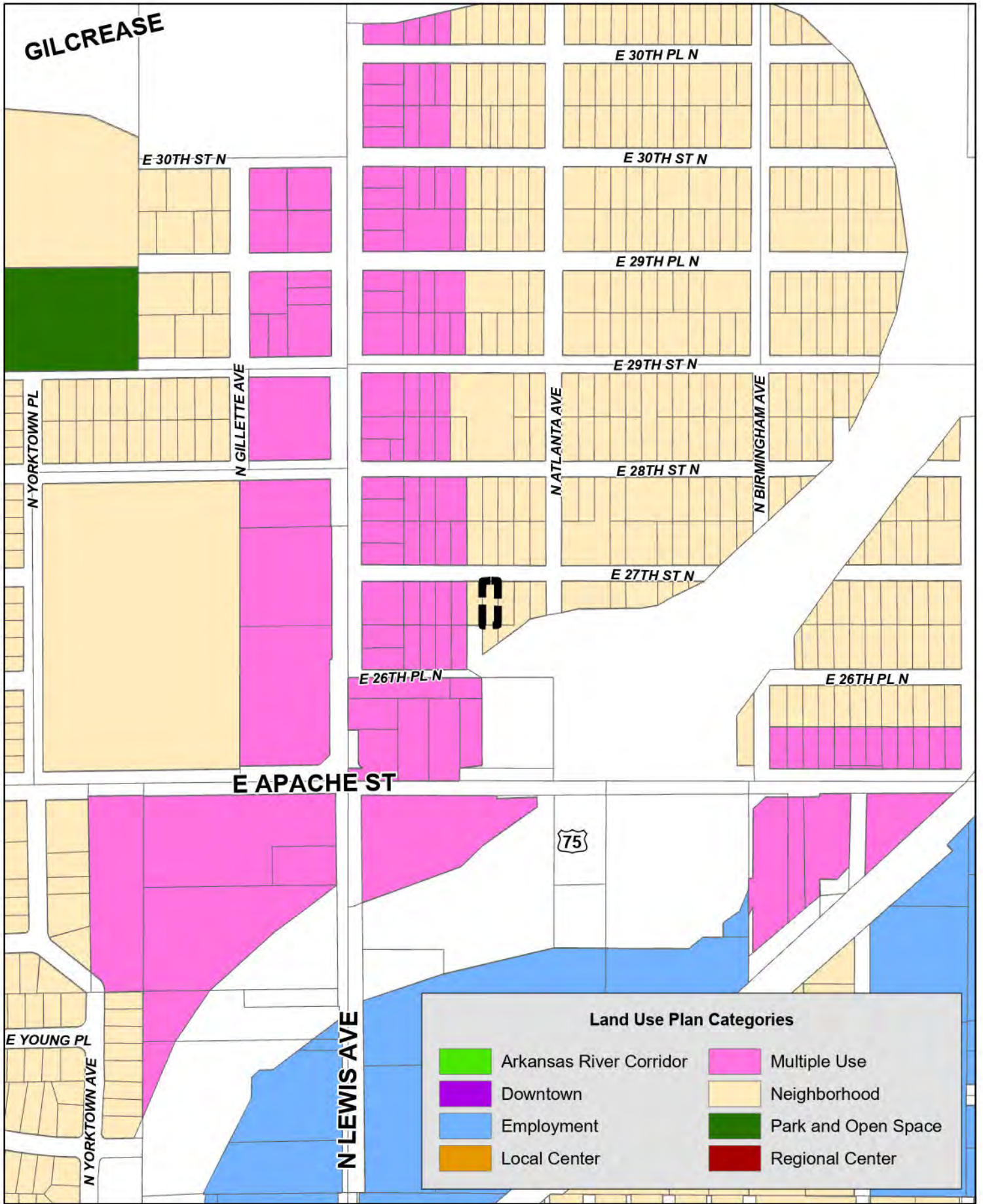
Subject Tract

BOA-23930

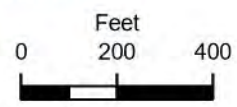
20-13 20



6.8



GILCREASE



Subject Tract

BOA-23930

20-13 20



6.9

41

Special Exceptions

The Board of Adjustment is allowed to approve special exceptions only after determining that the following conditions exist. Below, explain how your requests satisfy these conditions:

1. The special exception will be in harmony with the spirit and intent of the Zoning Code; and

will advance the Code's stated purposes (§ 1.050) by implementing Tulsa's Comprehensive Plan goal of introducing "missing-middle" housing types in Neighborhood areas, all while fully respecting RS-3 bulk, height, and setback standards.

2. The special exception will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

This exception will be an advancement of City housing and equity goals. Delivering two income-restricted homes supports Tulsa's Affordable Housing Strategy call for "small-scale incremental density" in established neighborhoods. New, well-designed construction typically raises nearby values by improving curb appeal and improving empty lots.

Conditions

In granting any special exception, the Board may make appropriate conditions or safeguards, may limit the approval to a specified period of time and may require a bond or other guarantee necessary to enforce compliance with the conditions.

If your application is approved, you will likely need additional permits.

Call 918.596.9456 to speak with the Permit Center or Development Services Plans Review.

Variances

Proof of Hardship

The Board of Adjustment is allowed to approve variances only after determining that the following conditions exist. Below, describe how your request satisfies **each** of these conditions.

1. That the physical surroundings, shape, or topographic 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;

2. That the literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;

3. 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;

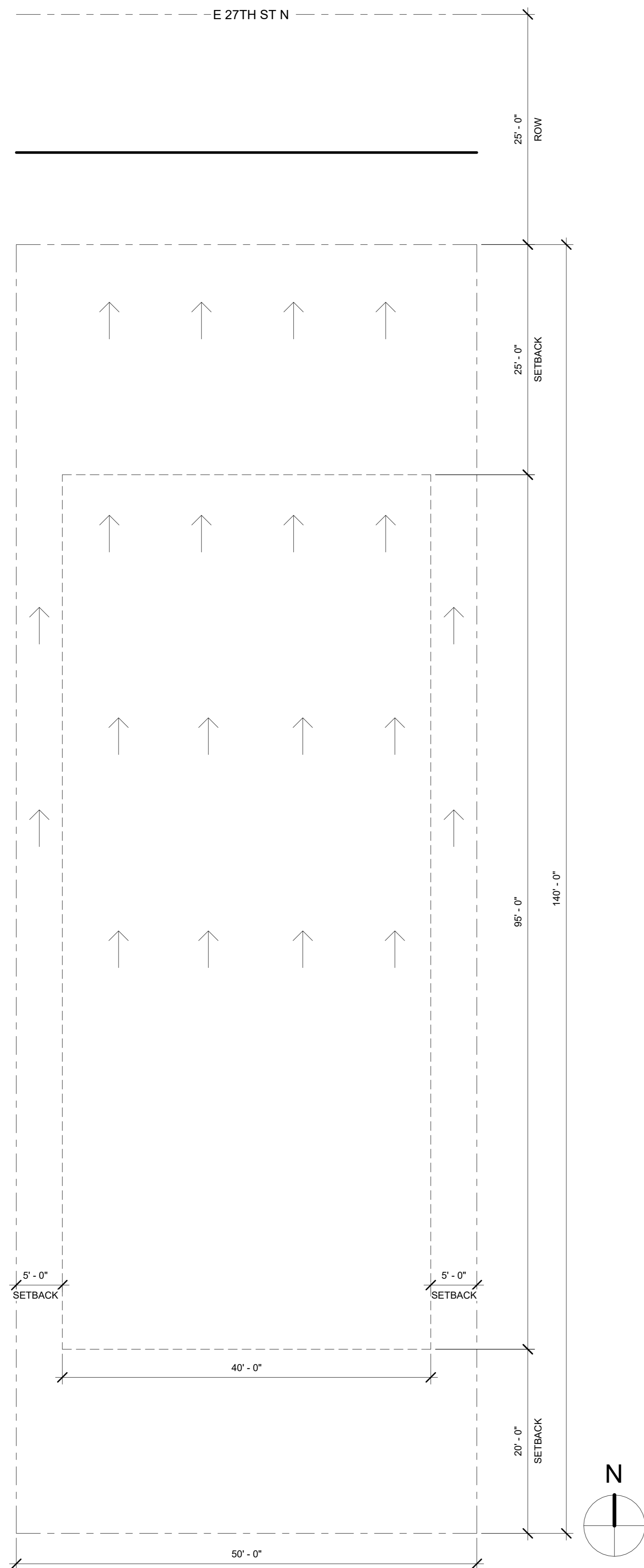
4. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;

5. That the variance to be granted is the *minimum* variance that will afford relief;

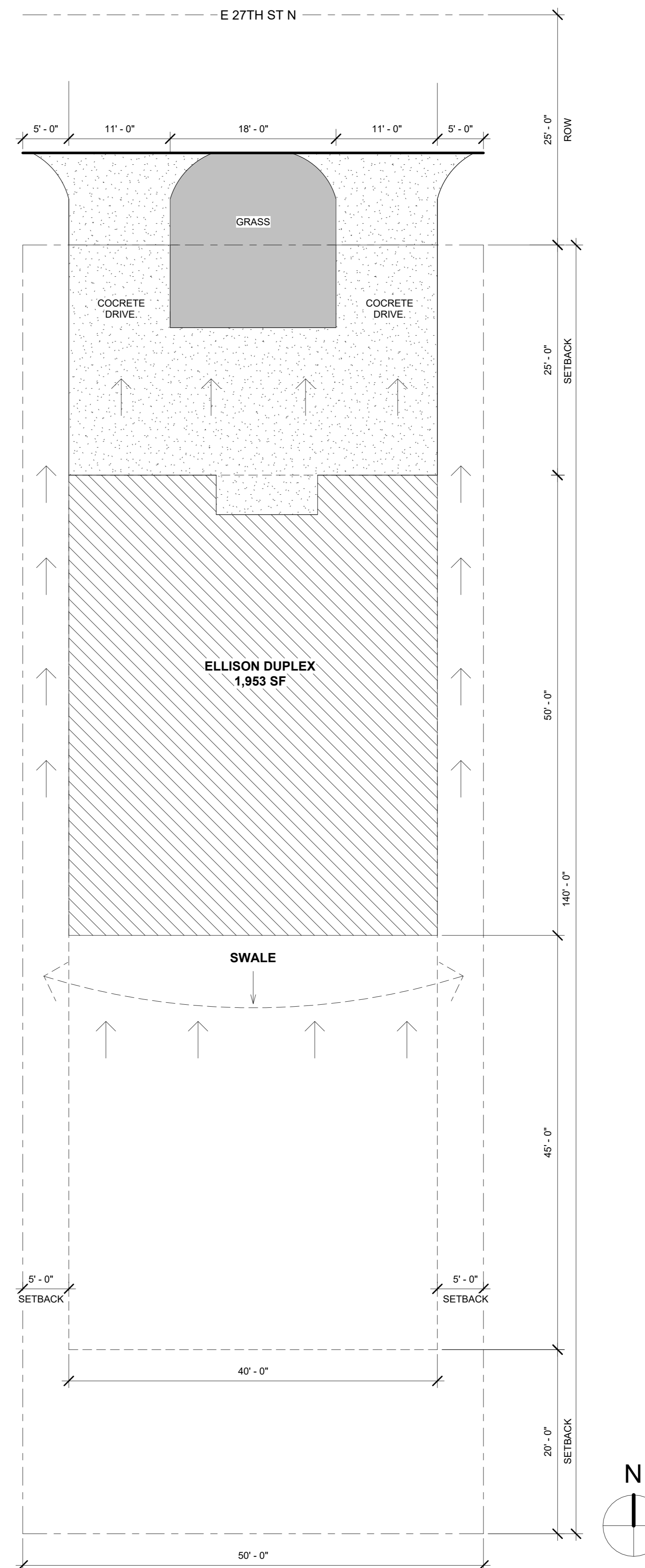
6. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and

7. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the zoning code or the comprehensive plan.

1. The subject property was originally platted many decades ago at a width of just 50 feet, which no longer aligns with current development needs or zoning regulations that favor wider lots or larger setbacks. If the strict letter of the existing regulations were applied, it would severely restrict or prohibit viable development on this parcel. This creates a practical difficulty—not merely an inconvenience—for the property owner seeking to contribute to the city's broader housing goals.
2. The literal enforcement of the subject zoning code provision is not necessary to achieve its intended purpose, which is to ensure adequate spacing, privacy, and overall compatibility between neighboring properties. The proposed site design thoughtfully incorporates appropriate setbacks and intentional spacing that maintain the spirit and functional goals of the code. Even with a reduced lot width, the design ensures there is no overcrowding, shadowing, or adverse impact on adjacent properties. By preserving meaningful distance and green space between structures, the intent of the zoning regulation is fully met—without requiring rigid adherence to outdated dimensional standards that were not designed with today's infill needs in mind.
3. While other properties in the same zoning classification may meet or exceed current code requirements, this lot's narrow frontage and legacy platting create a distinctive constraint that limits its development potential without a variance. These unique physical and historical conditions justify special consideration and differentiate the site from surrounding properties.
4. The lot was platted many decades ago with dimensions that no longer conform to current zoning standards. These conditions were inherited and are the result of historical planning practices. The need for a variance arises solely from the property's original configuration, which predates the current zoning code.
5. The requested variance is the minimum necessary to allow for reasonable use of the property. It provides just enough relief to build a duplex, which aligns with the city's current need for increased housing density. Allowing two units on this historically narrow lot maximizes the site's potential without compromising neighborhood character, and supports broader housing goals with minimal deviation from code requirements.
6. The design remains compatible in scale, spacing, and use with surrounding homes. A duplex on this lot is complementary to the residential character of the area and supports thoughtful infill without creating congestion or visual disruption.
7. The variance will not cause harm to the public good nor undermine the purpose or spirit of the zoning code or comprehensive plan. In fact, it supports the city's goals of increasing housing supply through smart infill development.



② EXISTING 2426 E 27TH ST N
1/8" = 1'-0"



① PROPOSED ELLISON 2426 E 27th St N
1/8" = 1'-0"

PROPERTY: 7000 SF
IMPERVIOUS: 2991 SF
GREEN SPACE: 4009 SF
ALLOWABLE: 5000

COMPLIANT: NO



NOT FOR CONSTRUCTION - REVIEW ONLY
ISSUED
Issue Date

ELLISON DUPLEX
2426 E 27TH ST N
TULSA, OK 74110

SQUARE FOOTAGE
TOTAL: 1,964 SF CONDITIONED

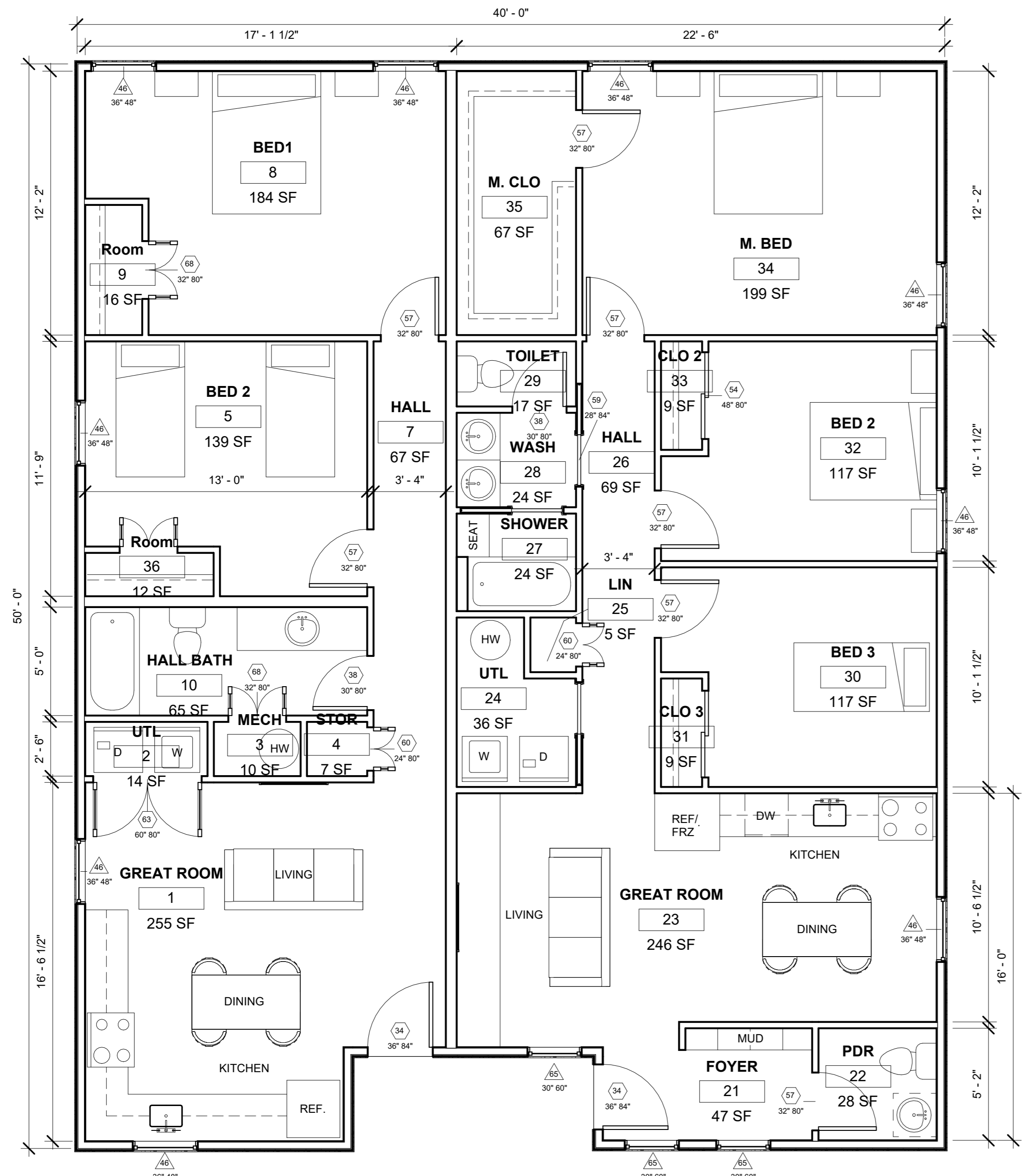
REVISIONS
NO. NAME DATE

PROJECT NO.
2025_28

DRAWN BY
Author

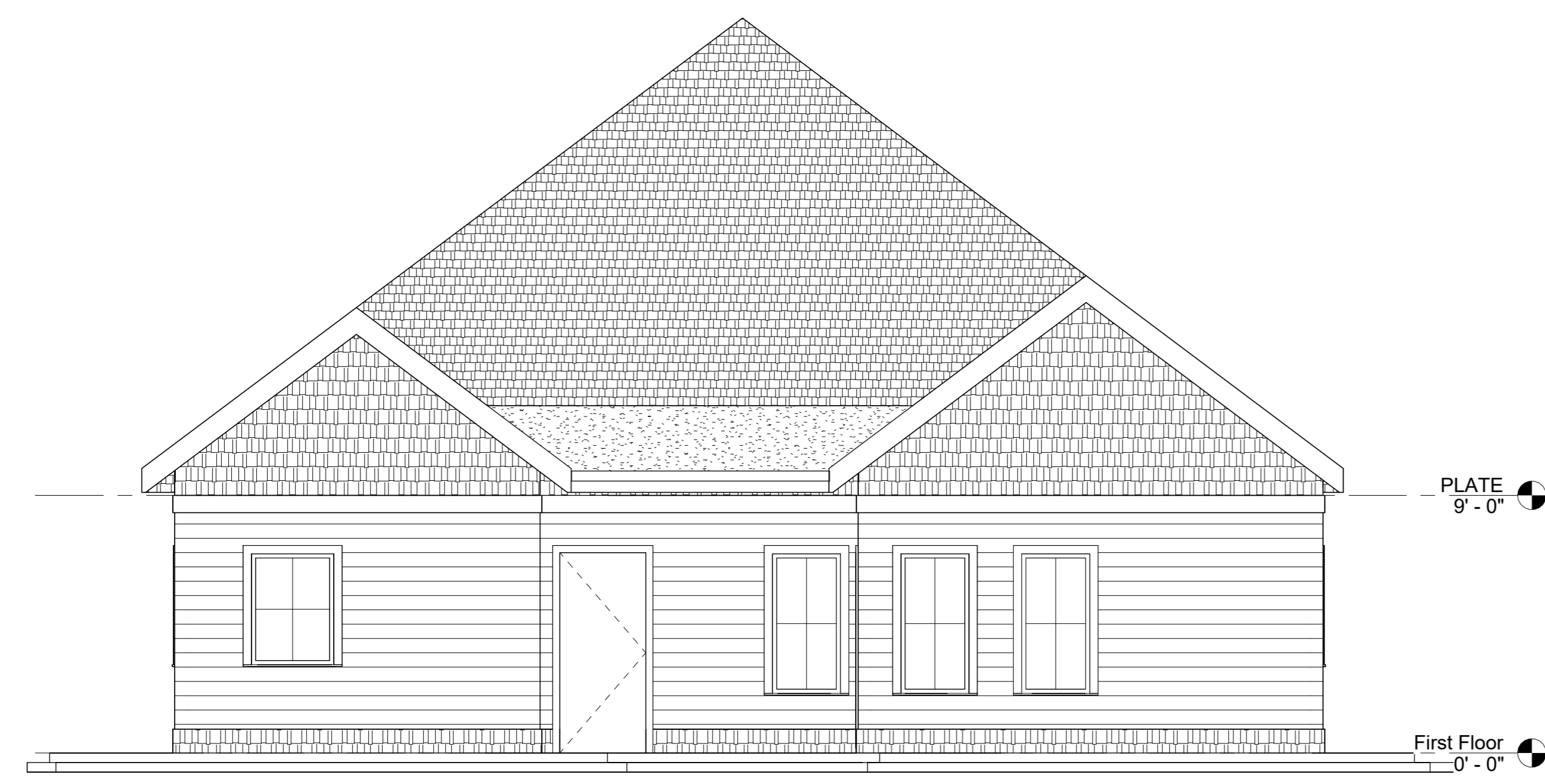
SITE PLAN - 2426

SP2

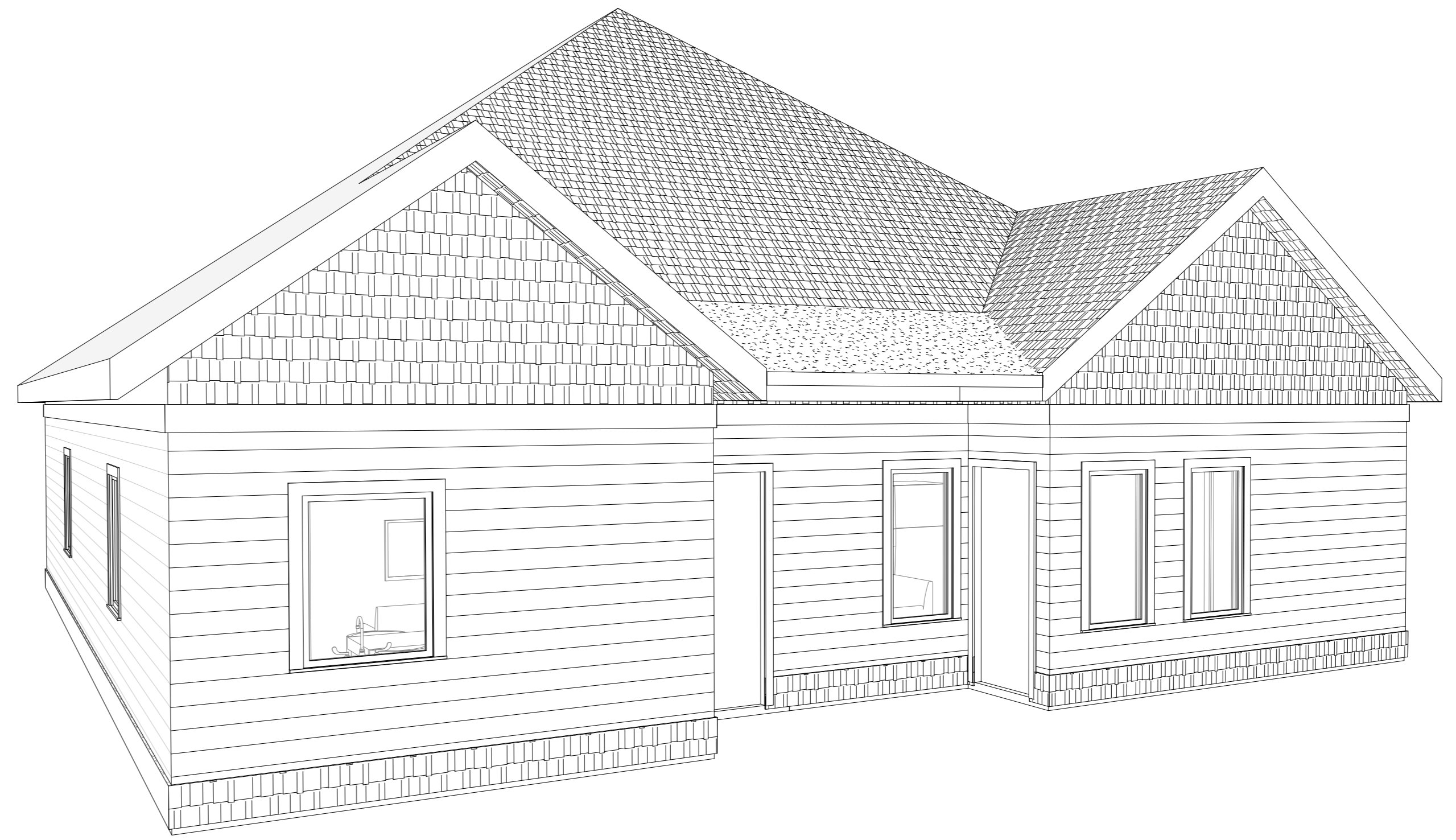


1 First Floor
1/4" = 1'-0"

ROOM FINISH SCHEDULE							
Room: Number	Room: Name	Room: Area	Room: Floor Finish	Room: Base Finish	Room: Wall Finish	Room: Ceiling Finish	Room: Comments
1	GREAT ROOM	255 SF	LVT	WOOD TRIM	GYP SUM	GYP SUM	
2	UTL	14 SF	LVT	WOOD TRIM	GYP SUM	GYP SUM	
5	BED 2	139 SF	CARPET	WOOD TRIM	GYP SUM	GYP SUM	
7	HALL	67 SF	LVT	WOOD TRIM	GYP SUM	GYP SUM	
8	BED 1	184 SF	CARPET	WOOD TRIM	GYP SUM	GYP SUM	
10	HALL BATH	65 SF	TILE	WOOD TRIM	GYP SUM	GYP SUM	
21	FOYER	47 SF	LVT	WOOD TRIM	GYP SUM	GYP SUM	
22	PDR	28 SF	TILE	WOOD TRIM	GYP SUM	GYP SUM	
23	GREAT ROOM	246 SF	LVT	WOOD TRIM	GYP SUM	GYP SUM	
24	UTL	36 SF	LVT	WOOD TRIM	GYP SUM	GYP SUM	
26	HALL	69 SF	LVT	WOOD TRIM	GYP SUM	GYP SUM	
27	SHOWER	24 SF	TILE	WOOD TRIM	GYP SUM	GYP SUM	
28	WASH	24 SF	TILE	WOOD TRIM	GYP SUM	GYP SUM	
29	TOILET	17 SF	TILE	WOOD TRIM	GYP SUM	GYP SUM	
30	BED 3	117 SF	CARPET	WOOD TRIM	GYP SUM	GYP SUM	
32	BED 2	117 SF	CARPET	WOOD TRIM	GYP SUM	GYP SUM	
34	M. BED	199 SF	CARPET	WOOD TRIM	GYP SUM	GYP SUM	



2 FRONT ELEVATION
1/4" = 1'-0"



3 FRONT VIEW

REVISIONS NO.	NAME	DATE

PROJECT NO.
2025_28

DRAWN BY
JAYNICKS

DUPLEX DESIGN