



## Board of Adjustment

## Staff Report BOA-23931

**Hearing Date:** September 9, 2025 (Continued from August 26, 2025)

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

### **Owner and Applicant Information**

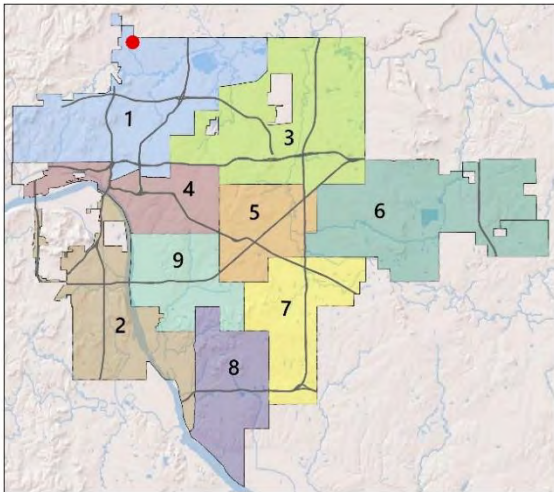
Applicant: LaShan Ellison  
Property Owner: Ellison Investment Group LLC

### **Property Location**

5522 North Hartford Avenue  
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 minimum open space per unit requirement in the RS-3 district to permit a duplex (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 Era

#### **Transportation**

Major Street & Highway Plan: Residential Collector  
planitulsa Street Type: N/A  
Transit: Regular Route  
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) 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). 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. As proposed, the subject property would have 2,070.5 square feet of open space per unit, or 4,141 square feet total. The proposed total open space on the lot is 859 square feet less than required.

This application was originally heard on August 26, 2025, but was continued to September 9, 2025, to allow the applicant time to provide an updated site plan and additional information.

**Section 5.020 Use Regulations**

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

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*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		
<b>RESIDENTIAL</b>														
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	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	-	

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*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		
<b>RESIDENTIAL</b>														
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
***													
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**

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[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: North Hartford Avenue runs parallel to the east side of the subject property and is classified as a Residential Collector, which has a planned minimum right-of-way width of 60 feet.

Comprehensive Plan Street Designation: N/A

Transit: Regular Route 110 runs along North Hartford Avenue and has a stop in front of the subject property.

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 16%. 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 west from Hartford Avenue, February 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 to reduce the minimum open space per unit requirement in the RS-3 district from 2,500 square feet to 2,070.5 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:

- 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**

LT 3 BLK 52, VALLEY VIEW ACRES THIRD ADDN, City of Tulsa, Tulsa County, State of Oklahoma

**Exhibits**

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





N GARRISON CT

N GARRISON PL

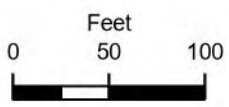
E 56TH ST N

SERVICE RD

E 55TH PL N

N GARRISON PL

N HARIFORD AVE



Subject Tract

**BOA-23931**

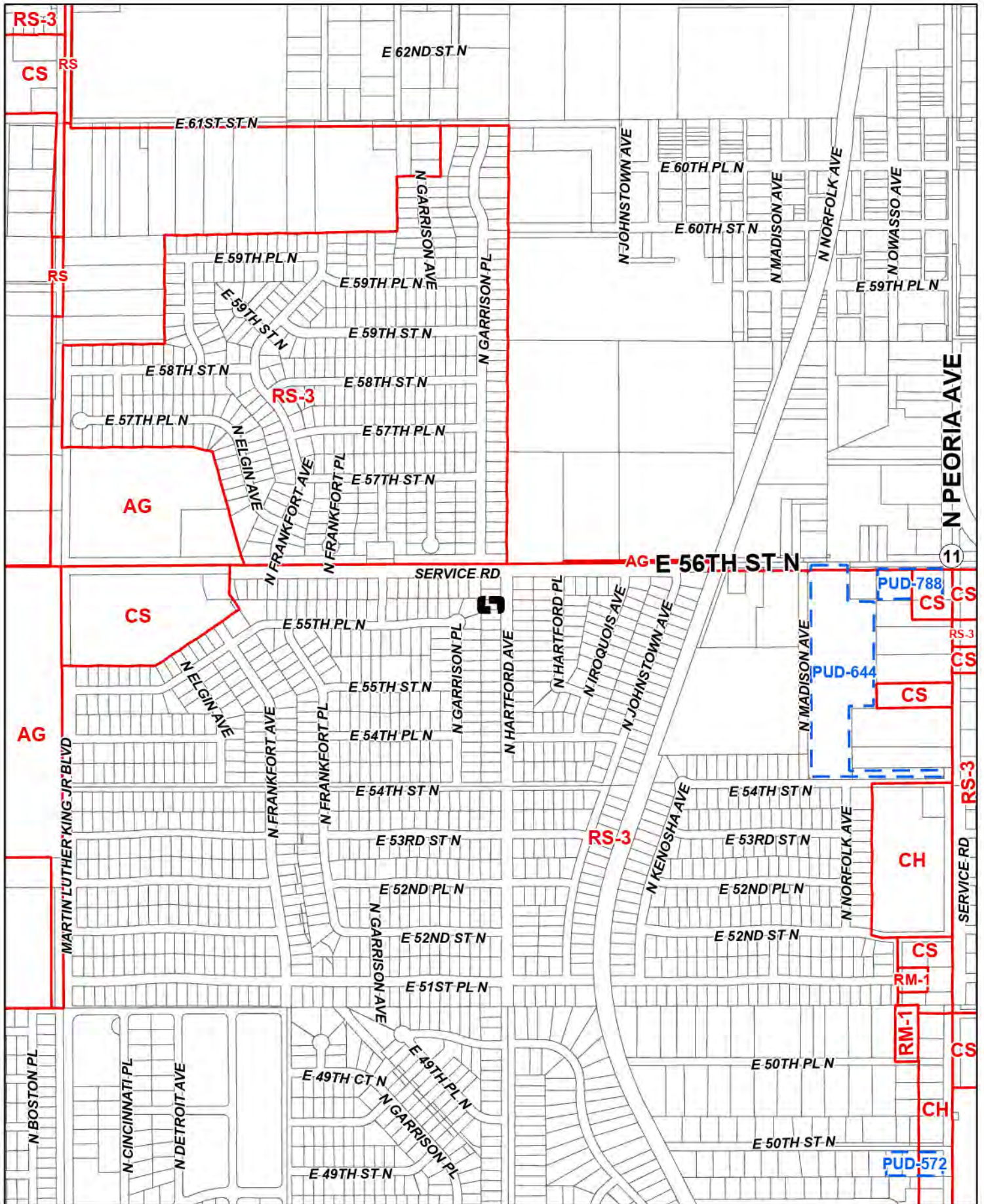
20-12 12

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

Aerial Photo Date: 2025



2.7

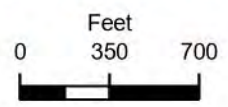
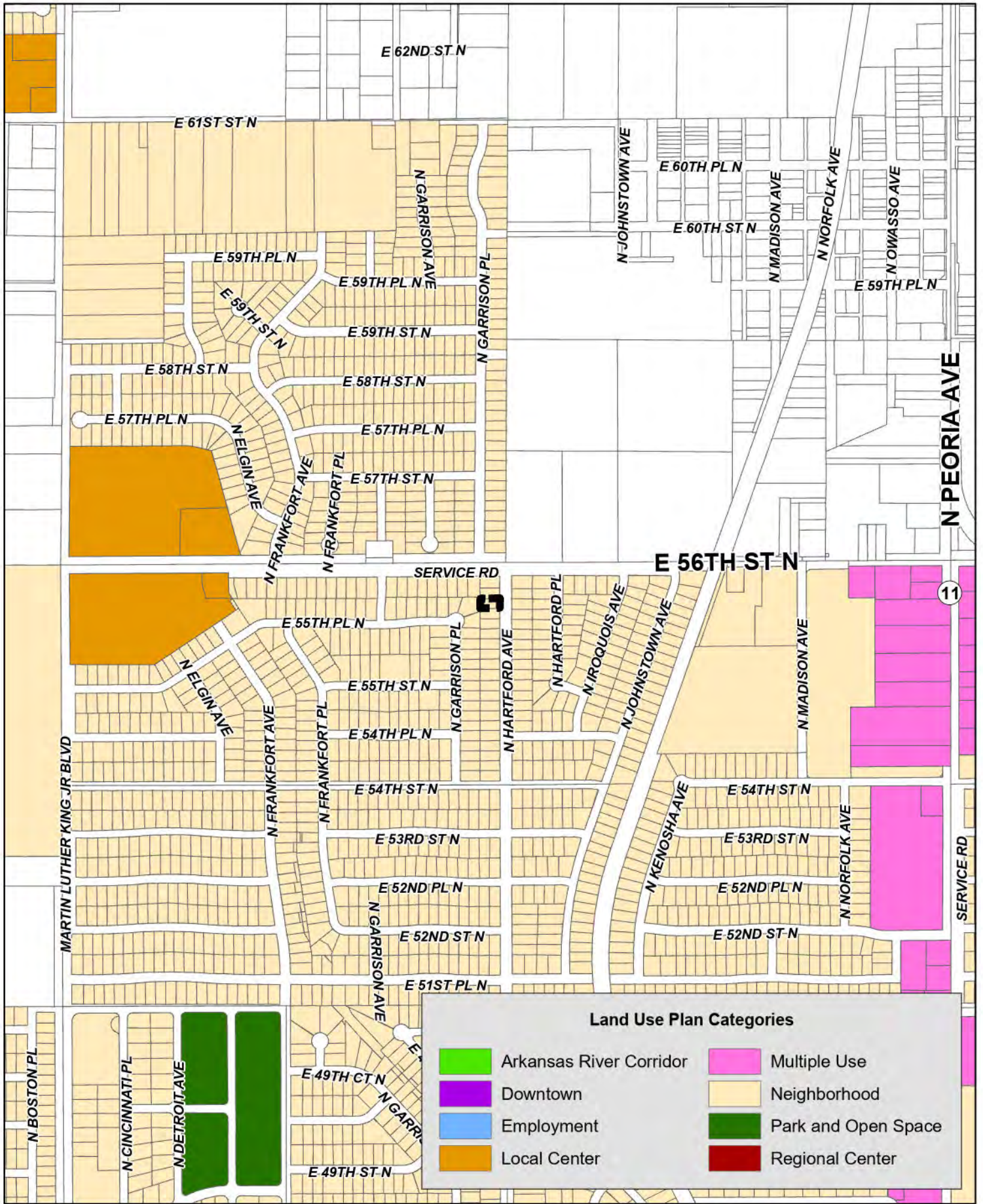


**BOA-23931**

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 Subject Tract





**Subject Tract**

**BOA-23931**

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2.9

## Special Exceptions

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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.

PROPERTY: 7140 SF  
 IMPERVIOUS: 2999 SF  
 GREEN SPACE: 4141 SF  
 ALLOWABLE: 5000

COMPLIANT: NO

NOT FOR CONSTRUCTION - REVIEW ONLY  
 ISSUED  
 Issue Date

**ELLISON DUPLEX**  
 5522 N HARTFORD  
 TULSA OK 74126

SQUARE FOOTAGE  
 TOTAL: 1,964 SF CONDITIONED

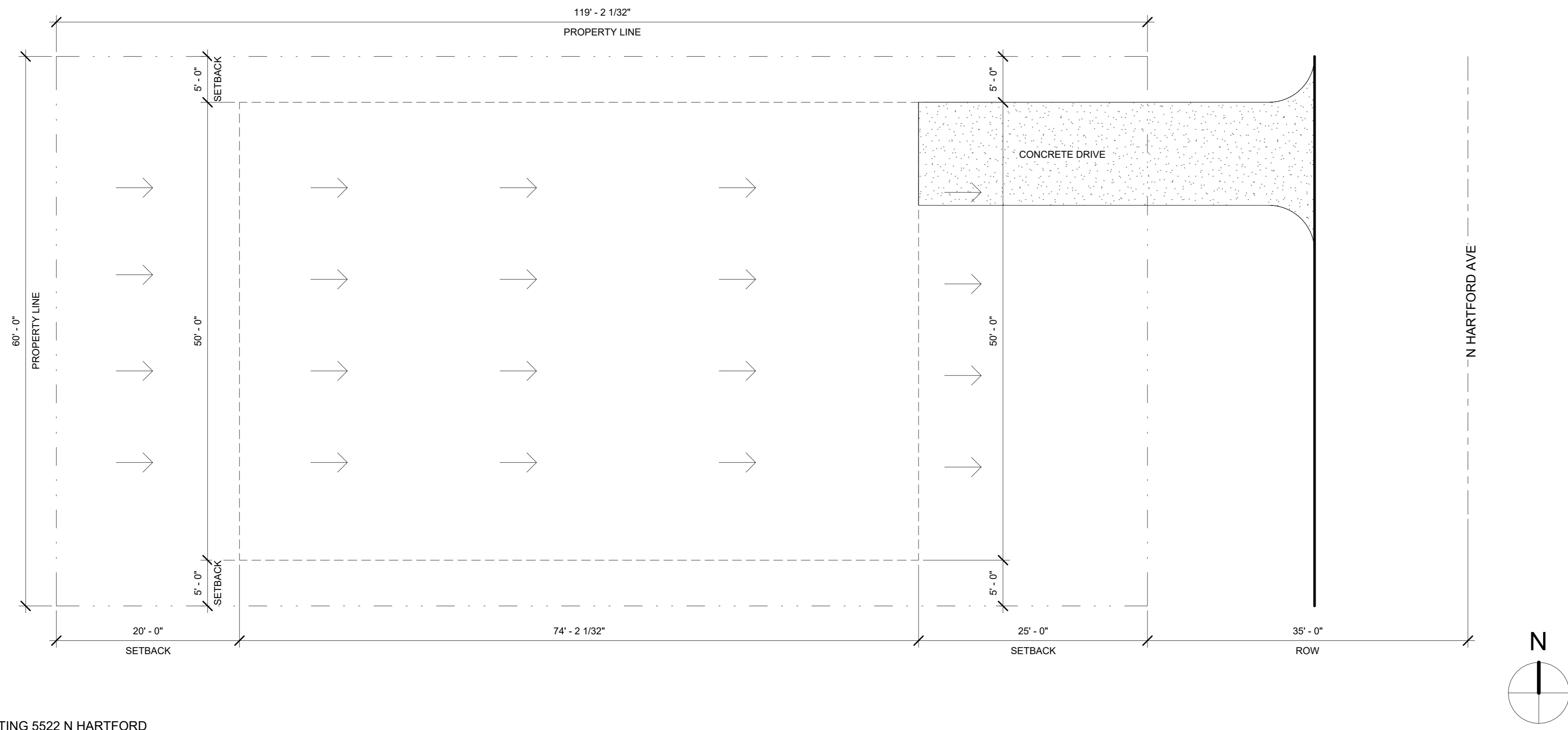
REVISIONS  
 NO. NAME DATE

PROJECT NO.  
 2025\_28

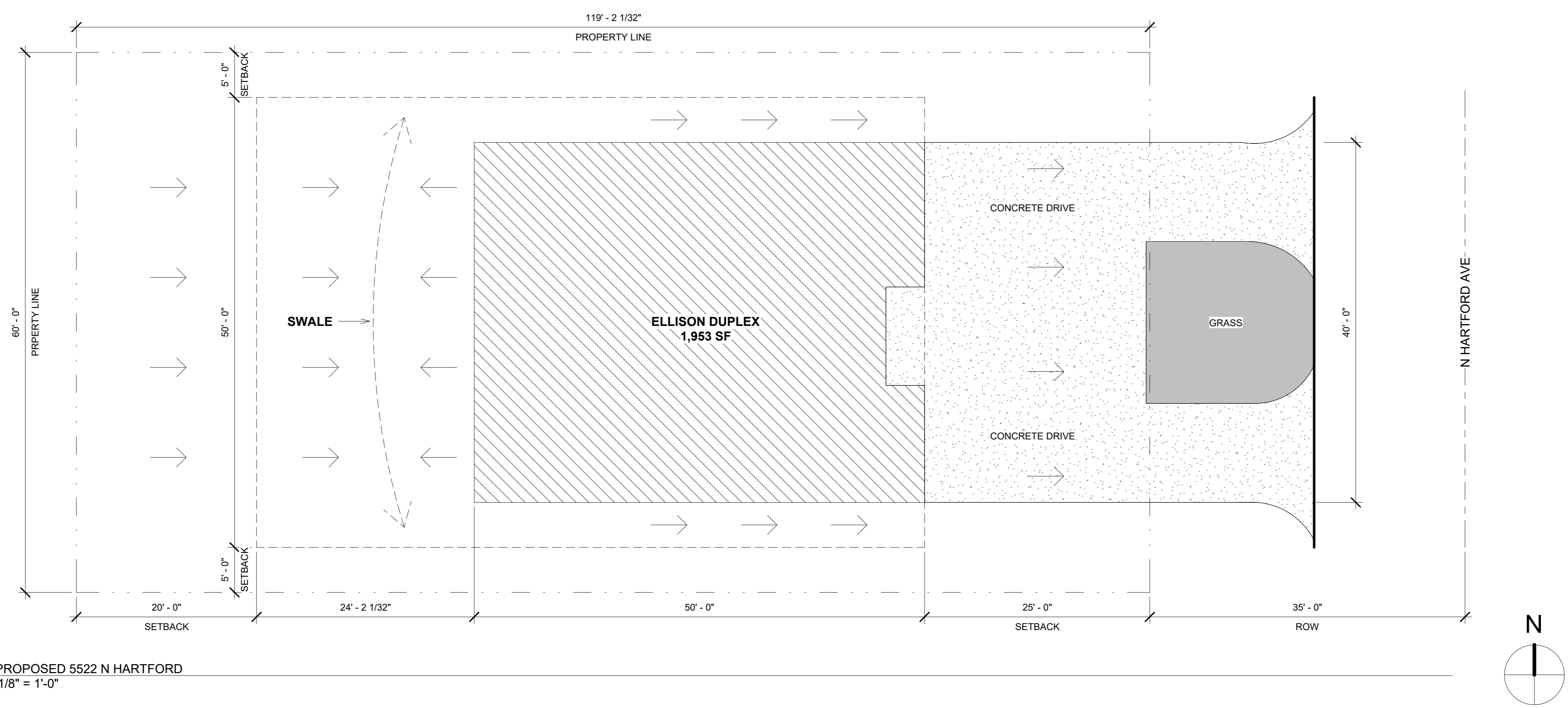
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 Author

SITE PLAN - 5522

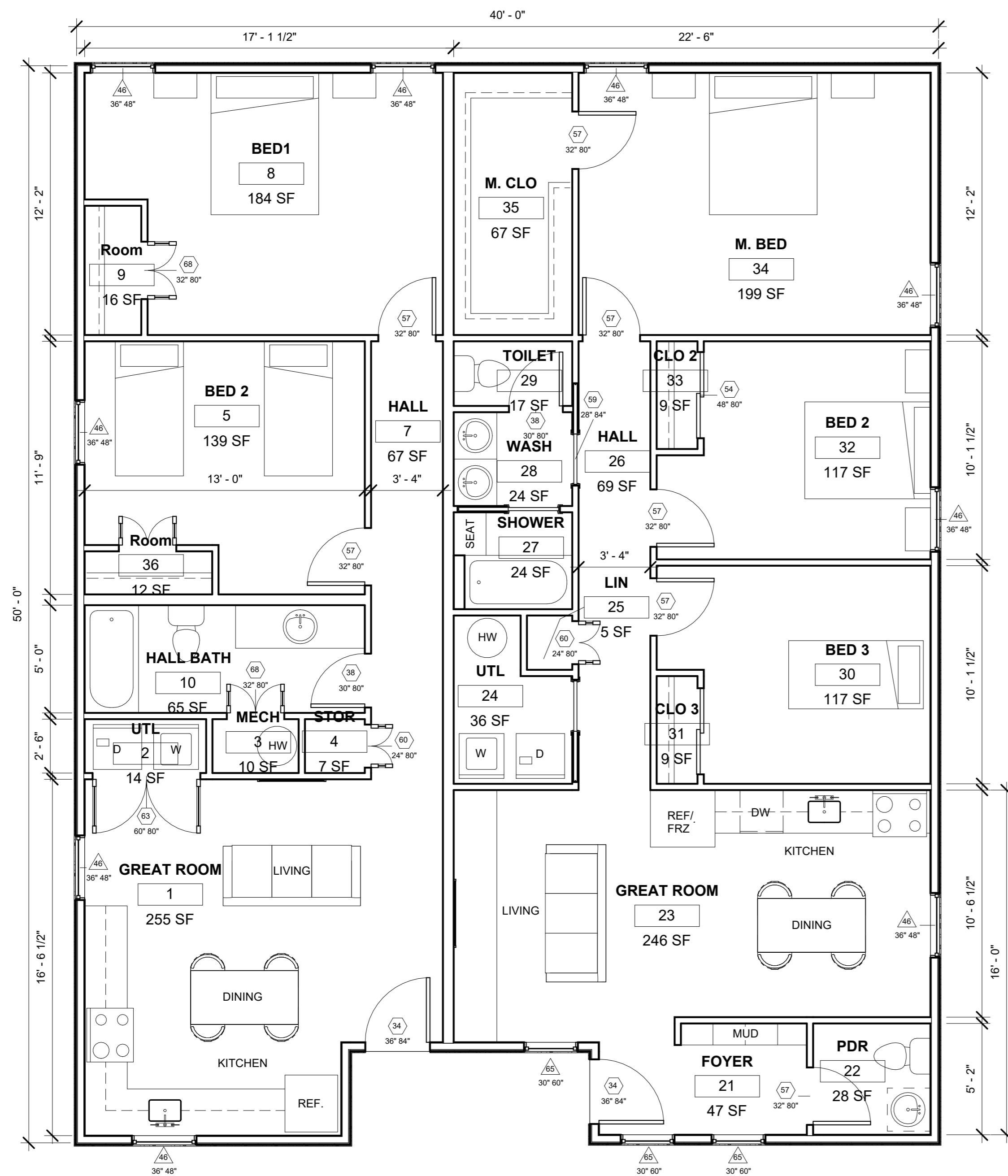
**SP1**



2 EXISTING 5522 N HARTFORD  
 1/8" = 1'-0"

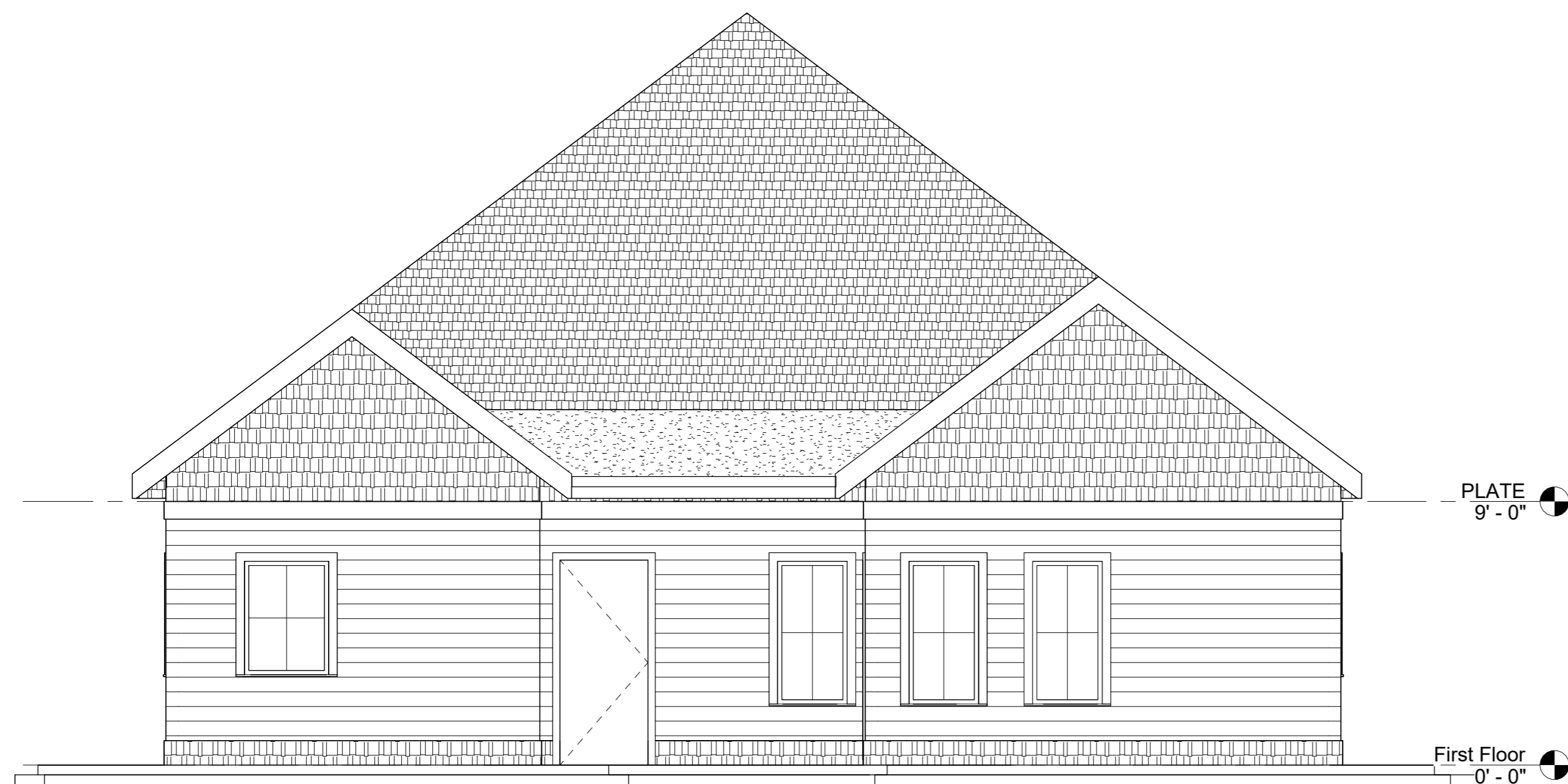


1 PROPOSED 5522 N HARTFORD  
 1/8" = 1'-0"

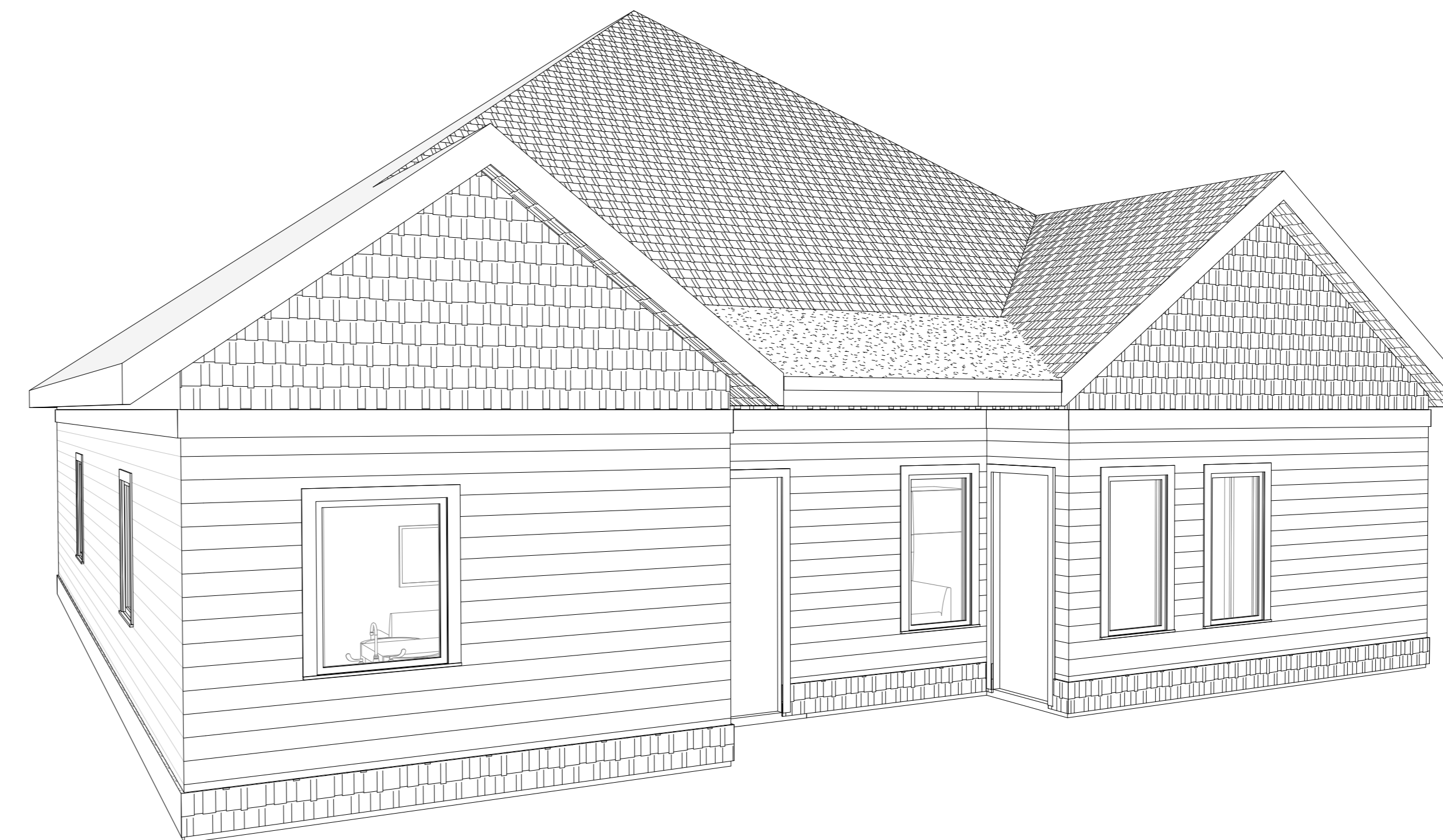


1 First Floor  
1/4" = 1'-0"

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

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JAYNICKS

DUPLEX DESIGN