



**Board of Adjustment**

**Staff Report  
BOA-23986**

**Hearing Date:** January 13, 2026  
**Prepared by:** Erin Roark  
eroark@cityoftulsa.org  
918-596-7618

**Owner and Applicant Information**

Applicant: Femi Fasesin  
Property Owner: Sonia & Daniel Banuelos

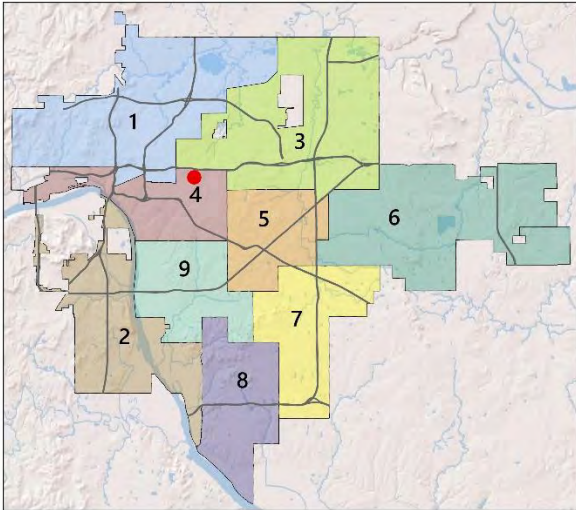
**Property Location**

402 South Florence Avenue

Tract Size: ±0.17 acres

**Location within the City of Tulsa**

*(shown with City Council districts)*



**Elected Representatives**

City Council: District 4, Laura Bellis  
County Commission: District 2, Lonnie Sims

**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 an accessory dwelling unit in the RS-3 district (Section 45.031-D); Special Exception to increase the allowable floor area of detached accessory buildings containing an accessory dwelling unit in the RS-3 district (Section 45.031-D).

**Zoning**

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

**Comprehensive Plan Considerations**

**Land Use**

Land Use Plan: Neighborhood  
Small Area Plans: Kendall-Whittier  
Development Era: Streetcar Era

**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 an accessory dwelling unit in the RS-3 district (Section 45.031-D) and a Special Exception to increase the allowable floor area of detached accessory buildings containing an accessory dwelling unit in the RS-3 district (Section 45.031-D).

The proposed ADU is located in the rear yard of the subject property. The maximum aggregate floor area of accessory buildings in the RS-3 district is 500 square feet or 40% of the floor area of the principal dwelling, whichever is greater. Accessory buildings that contain an accessory dwelling unit are allowed an additional 500 square feet. The principal dwelling is 1,101 square feet, so the total allowable floor area for accessory buildings on the subject property is 1,000 square feet. An existing garage on the subject property is 288 square feet, and the proposed ADU is 767 square feet, for a total accessory building floor area of 1,055 square feet. The applicant is requesting 55 square feet of relief.

A copy of Zoning Code Sections 45.030 and 45.031, which regulate accessory buildings and accessory dwelling units, is included as an attachment.

### 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 included in the Kendall-Whittier Sector 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: 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 17%. 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 South Florence Avenue, June 2023 (Image from Tulsa County Assessor)

**Sample Motion**

Special Exception

I move to approve or deny a special exception to permit an accessory dwelling unit in the RS-3 district (Section 45.031-D) and a special exception to increase the allowable floor area of detached accessory buildings containing an accessory dwelling unit in the RS-3 district from 1,000 square feet to 1,055 square feet (Section 45.031-D);

- 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**

N 1/2 LT 4 & E 10 VAC ALLEY BLK 8, PLEASANT VIEW ADDN, City of Tulsa, Tulsa County, State of Oklahoma

**Exhibits**

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

supporting structure (excluding any guy lines) to the nearest point on the residential zoning district boundary line, excluding R-zoned freeways.

## 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 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]

#### 2. RS-2, RS-3, RS-4, RS-5, RD, RT, and RM Districts

In RS-2, RS-3, RS-4, RS-5, RD, RT, and RM districts, the total aggregate floor area of all detached 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] [2]

[1] For detached accessory buildings located within rear setbacks, see Section [90.090-C](#).

[2] See Section 45.031-D.6 for exceptions to these floor area limits for accessory buildings containing an Accessory Dwelling Unit.

### 45.030-B Carports

Carports are allowed in R zoning districts. Any carport that occupies all or a portion of the street setback or street yard area must be approved in accordance with the special exception procedures of [Section 70.120](#) and comply with the regulations of [§90.090-C1](#).

## Section 45.031 ADU, Accessory Dwelling Units

### 45.031-A Definition

A dwelling unit that is located in an accessory building on the same lot as a household living use to which it is accessory and subordinate.

Examples of ADUs include carriage houses, garage apartments, and mother-in-law flats.

### 45.031-B Purpose

1. The purpose of allowing accessory dwelling units is to:
  - a. accommodate new housing units while preserving the character of existing neighborhoods;
  - b. allow efficient use of the city's existing housing stock and infrastructure;
  - c. provide housing options and choices that respond to varying income levels, changing household sizes and lifestyle needs; and
  - d. provide a means for residents—particularly seniors, single parents, and empty-nesters—to remain in their homes and neighborhoods, and obtain extra income, security, companionship and assistance.

2. The ADU supplemental regulations are also intended to help ensure that that new buildings and modifications to existing buildings are designed with sensitivity to their context in terms of building placement, proportions, building materials, and similar design features.

#### **45.031-C Applicability**

These regulations apply to all accessory dwelling units, as defined by Section 45.031-A.

#### **45.031-D Regulations**

##### **1. Where Allowed**

Accessory dwelling units are allowed by special exception in RE, RS, AG, and AG-R districts. Accessory dwelling units are allowed by right in all other districts when accessory to a household living use.

##### **2. Number**

No more than one accessory dwelling unit is allowed per lot.

##### **3. Methods of Creation**

An accessory dwelling unit may be created only through the following methods:

- a. Constructing an accessory dwelling unit on a lot with a new or existing principal building; or
- b. Converting or increasing existing floor area within an accessory building on a lot with an existing principal building.

##### **4. Density (Minimum Lot Area and Lot Area per Unit)**

No additional lot area or lot area per unit is required for the accessory dwelling unit.

##### **5. Open space (Minimum open space per unit)**

No additional open space is required for the accessory dwelling unit.

##### **6. Accessory Dwelling Unit Size**

The size limitations in [Section 45.030](#) apply, provided that the maximum allowed square footage of an accessory building containing an Accessory Dwelling Unit is increased by 500 square feet. The maximum allowable floor area for accessory buildings containing an Accessory Dwelling Unit may be increased in accordance with the special exception procedures of [Section 70.120](#).

##### **7. Building and Fire Codes**

All accessory dwelling units are subject to applicable building and fire codes.

##### **8. Additional Regulations for Accessory Dwelling Units**

**a. Entrances**

Building entrances to accessory dwelling units may not face the nearest side or rear property line unless there is an alley or street abutting that property line.

**b. Setbacks**

An accessory dwelling unit must be located at least 10 feet behind the principal building. This required 10-foot separation distance must be open from the ground to the sky except that it may include walkways, patios, decks and similar structures that do not exceed 30 inches in height above finished grade.

**c. Exterior Finish Materials**

The exterior finish material of any new accessory dwelling unit must be the same or visually match in type, size and placement, the exterior finish material of the principal building.

**d. Roof Pitch**

The roof pitch any new accessory dwelling unit must be the same as the predominant roof pitch of the principal building.

**e. Second Story Windows**

Any second-story window less than 10 feet from and oriented toward a lot line not abutting a right of way shall either use permanently translucent glazing or have a minimum sill height of 6 feet above the finished floor.

**Section 45.040 Compressed Natural Gas (CNG) Refueling Appliances**

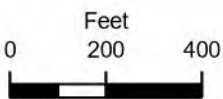
Private (restricted access), consumer-oriented (home), CNG refueling appliances are permitted as an accessory use to lawfully established household living uses in all zoning districts.

**Section 45.050 Dumpsters**

**45.050-A Regulations**

Dumpsters established or placed on or after the effective date specified in [Section 1.030](#) are subject to the following regulations:

1. Dumpsters may only be placed with the written permission of the owner of the subject property.
2. Dumpsters must be located on a dustless, all-weather surface.
3. Dumpsters may not:
  - a. Obstruct motorized or non-motorized traffic;
  - b. Reduce any sidewalk or walkway designed for the passage of pedestrians to less than 5 feet in width;
  - c. Be located within 10 feet of a fire hydrant or fire suppression connection;
  - d. Be located in a required parking space or required landscape area; or
  - e. Be located in a street setback or side setback.



Subject Tract

**BOA-23986**

19-13 05

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

Aerial Photo Date: 2025



11.8



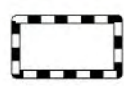
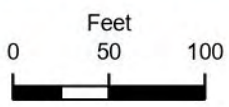
S COLLEGE AVE

E 3RD ST S

E 4TH ST S

S FLORENCE AVE

E 4TH PL S



Subject Tract

**BOA-23986**

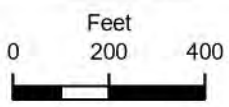
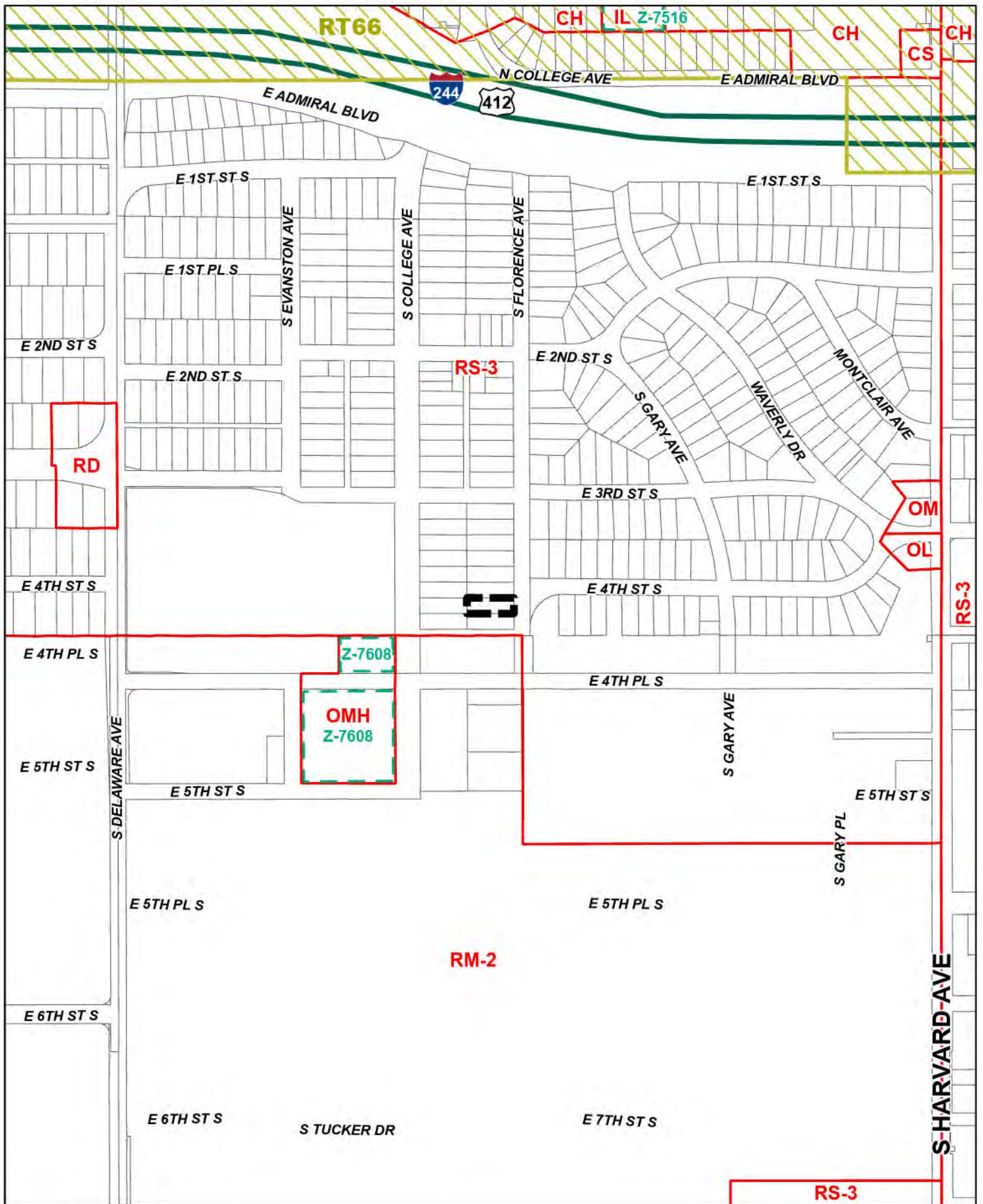
19-13 05

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

Aerial Photo Date: 2025



11.9



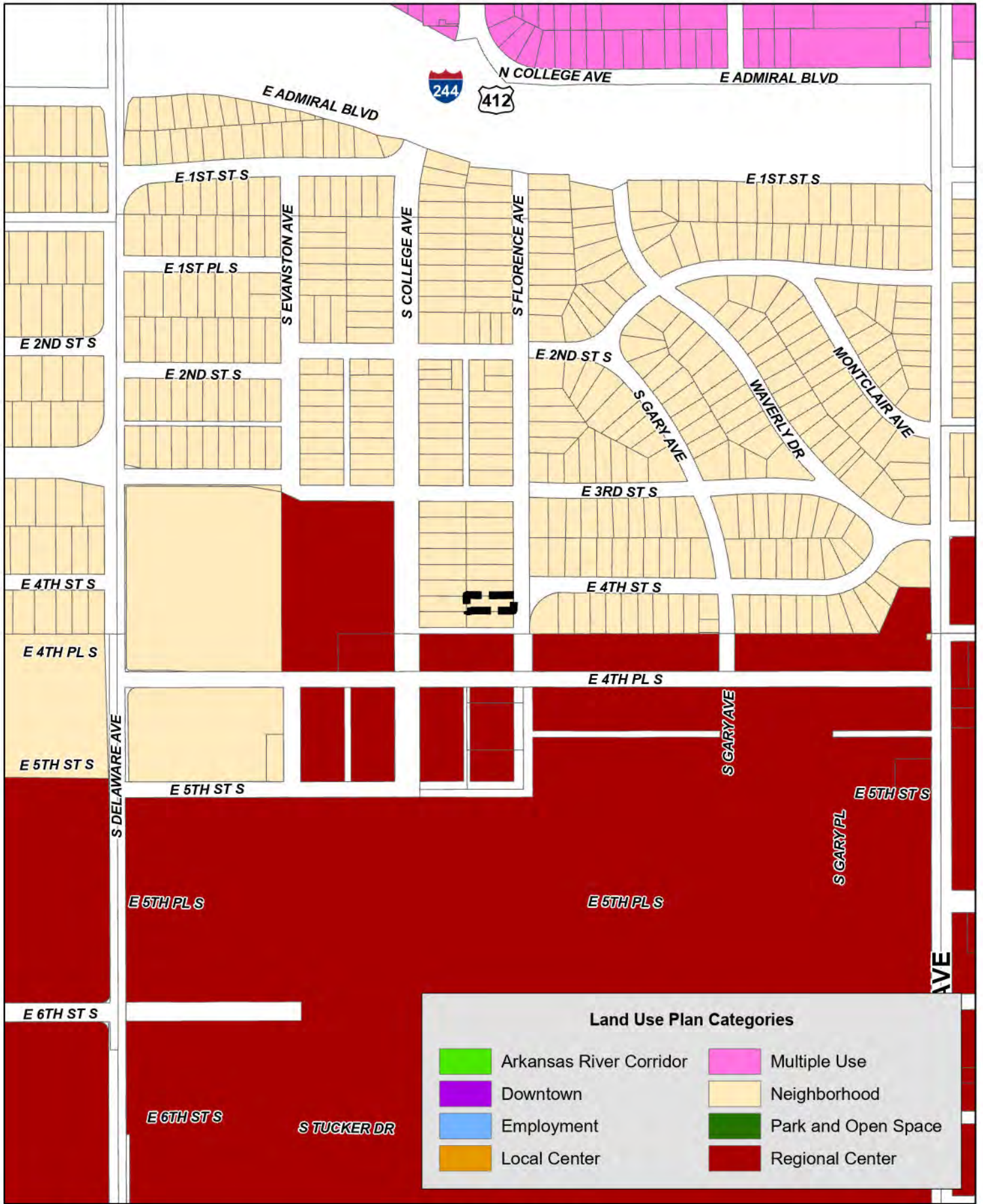
 Subject Tract

**BOA-23986**









19-13 05

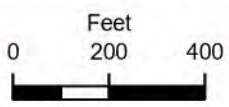


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**Land Use Plan Categories**

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



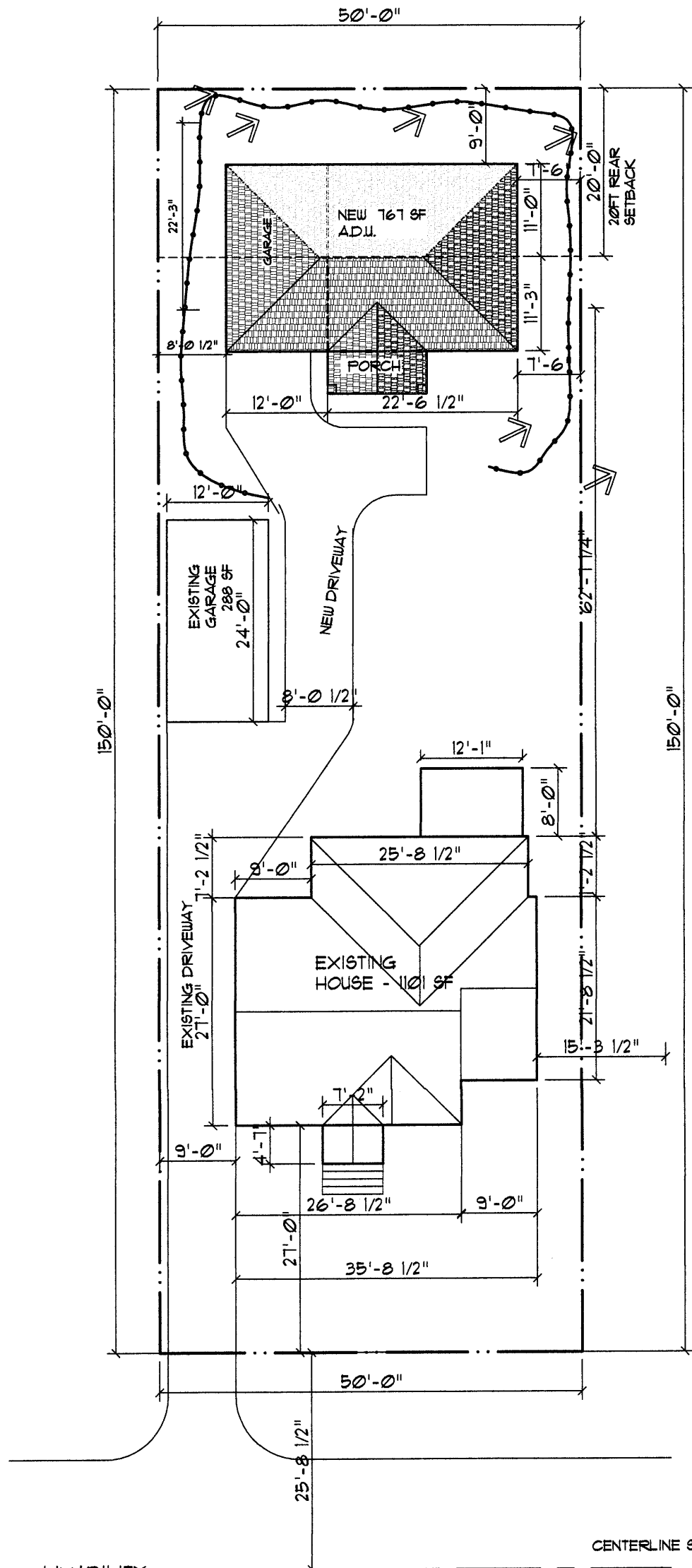
 Subject Tract

**BOA-23986**

19-13 05



11.11



← DRAINAGE PATH  
 NOTE:  
 THERE IS NO CHANGE IN  
 DRAINAGE PATTERN  
 —●—●—●—●— SILT FENCE

**LIVABILITY:**

EXISTING HOUSE ---- 1,101 SQ FT  
 PROPOSED A.D.U. -----767 SQ FT  
 EXISTING GARAGE -----288 SQ FT  
 ALL DRIVEWAYS -----1216 SQ FT  
 TOTAL -----3,372 SQ FT

LOT SIZE -----1,500 SQ FT  
 3372 / 1500 = 45%



**LEGAL DESCRIPTION:**

N 1/2 LOT FOUR (4) AND 10 FEET  
 VAC ALLEY, BLOCK 8, PLEASNT  
 VIEW ADDITION TO THE CITY OF  
 TULSA, TULSA COUNTY OKLAHOMA.  
 ALSO KNOWN AS 402 SOUTH  
 FLORENCE AVE

**SITE PLAN**  
 1/16" = 1'-0"



5 SEP 2025

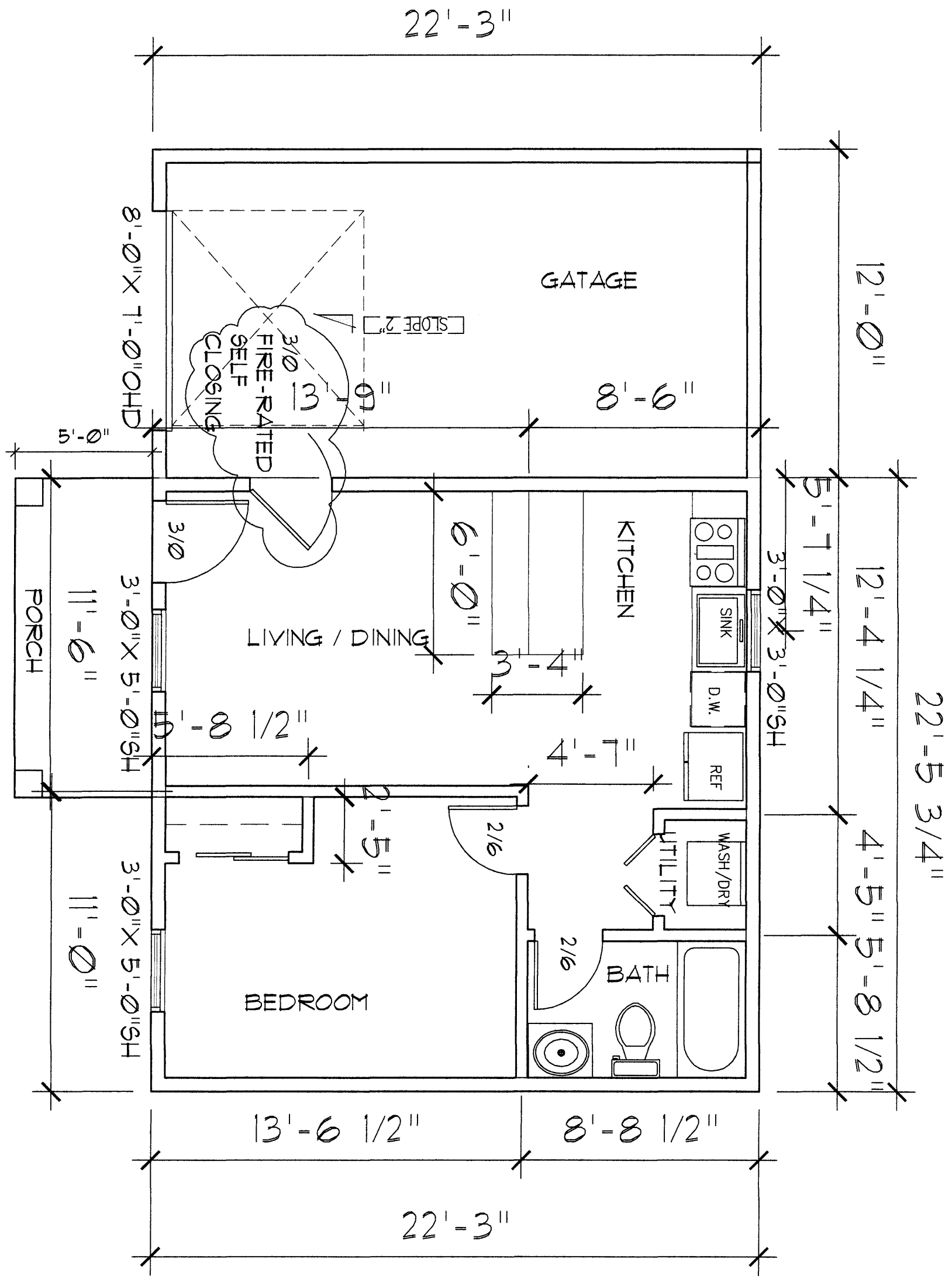
REVISIONS	
ISSUED	
DATE	5 September 2025
SCALE	
SHEET NAME	
SHEET NUMBER	1

**FEMI FASESIN, ARCHITECT**  
 ARCHITECTURE & PLANNING

421 SOUTH OLYMPIA AVE., TULSA, OKLAHOMA 74127  
 PHONE: 918-346-9700 • FAX: 918-585-2289

**ASSESSORY DWELLING UNIT**  
 402 South Florence Ave  
 Tulsa, Oklahoma  
 74110

PROPOSED FLOOR PLAN  
 1/4" = 1'-0"



5 SEP 2025

NO.	DATE	DESCRIPTION

ISSUED: 5 September 2025  
 DATE: 5 September 2025  
 SCALE: 1/4" = 1'-0"

FEMI FASESIN, ARCHITECT  
 ARCHITECTURE & PLANNING  
 421 SOUTH OLYMPIA AVE., TULSA, OKLAHOMA 74127  
 PHONE: 918-346-9700 • FAX: 918-585-2289

ASSESSORY DWELLING UNIT  
 402 South Florence Ave  
 Tulsa, Oklahoma  
 74112



DEVELOPMENT SERVICES

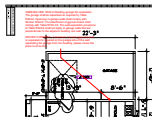
175 E 2ND ST., STE 405  
TULSA, OK 74103  
918-596-9456

# CITY OF TULSA

## PLAN CORRECTIONS SUMMARY

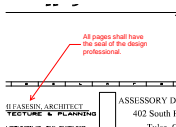
### BLDR-227947-2025 (402 S FLORENCE AVE E Tulsa, OK 74104) Markup Summary #2

#### Callout (2)



**Subject:** Callout  
**Page Label:** 1  
**Author:** Derrick  
**Date:** 11/6/2025 7:50:24 AM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

**UNRESOLVED: R302.6**  
Dwelling-garage fire separation. The garage shall be separated as required by Table R302.6. Openings in garage walls shall comply with Section R302.5. The attachment of gypsum board shall comply with Table R702.3.5. The wall separation provisions of Table R302.6 shall not apply to garage walls that are perpendicular to the adjacent dwelling unit wall.  
**REVIEW COMMENT:** A minimum 1/2-inch gypsum board or equivalent is required on the garage side of the wall separating the garage from the dwelling; please revise the plans to show this.



**Subject:** Callout  
**Page Label:** 1  
**Author:** Derrick  
**Date:** 11/6/2025 7:50:51 AM  
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**Layer:**  
**Space:**

All pages shall have the seal of the design professional.

#### Zoning Review (1)



**Subject:** Zoning Review  
**Page Label:** 1  
**Author:** DWhiteman  
**Date:** 11/6/2025 3:01:16 PM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

Section 45.031-D.1 Regulations, Where Allowed. Accessory dwelling units are allowed by special exception in RE, RS, AG, and AG-R districts. Accessory dwelling units are allowed by right in all other districts when accessory to a household living use.  
**REVIEW COMMENT:** Apply to the Board of Adjustment for a special exception to allow an Accessory Dwelling Unit in an RS-3 zoning district. Contact the Tulsa Planning Office at 918-596-7526 for Board of Adjustment scheduling and procedures.