



**Board of Adjustment**

**Staff Report  
BOA-23987**

**Hearing Date:** February 10, 2026  
**Prepared by:** Erin Roark  
eroark@cityoftulsa.org  
918-596-7618

**Owner and Applicant Information**

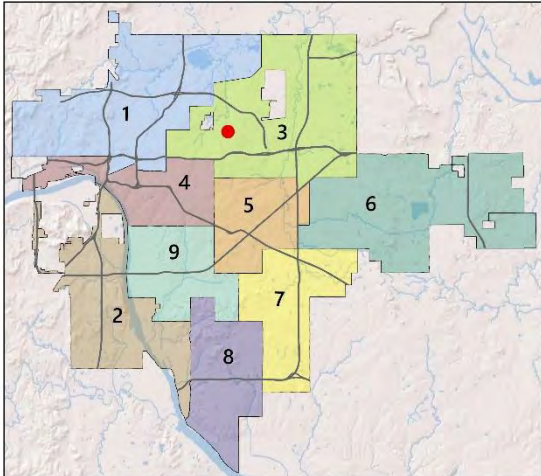
Applicant: RCJ Designs LLC  
Property Owner: Aurelia A Cancino & Adrian T Sanchez

**Property Location**

1437 North Joplin Avenue  
Tract Size: ±0.17 acres

**Location within the City of Tulsa**

*(shown with City Council districts)*



**Elected Representatives**

City Council: District 3, Jackie Dutton  
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

**Request Summary**

Variance to reduce the required 5-foot side setback in the RS-3 district (Section 5.030-A, Table 5-3); Variance to reduce the required 20-foot rear setback in the RS-3 district (Section 5.030-A, Table 5-3).

**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: 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 two variances to reduce the required 5-foot side setback and 20-foot rear setback in the RS-3 district (Section 5.030-A, Table 5-3). The applicant is proposing a 960-square-foot covered patio located on the north side property line and 5 feet from the rear property line. The applicant is requesting 5 feet of relief for the side setback and 15 feet of relief for the rear setback.

### 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
<b>Min. Building Setbacks (ft.)</b>													
<b>Street [3]</b>													
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

#### Relevant Case History

- None found.

## Statement of Hardship

The applicant's statement of hardship is included as a separate exhibit.

## Comprehensive Plan Considerations

### Land Use Plan

The 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 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: The subject property is not located within a designated flood area.

Tree Canopy Coverage: Tree canopy in the area is 14%. 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 east from North Joplin Avenue, April 2025 (Image from Google Street View)

**Sample Motion**

Variance

I move to *approve or deny* a variance to

1. reduce the required side setback *from 5 feet of 0 feet* in the RS-3 district (Section 5.030-A, Table 5-3);
2. reduce the required rear setback *from 20 feet to 5 feet* in the RS-3 district (Section 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:

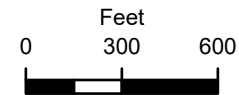
- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
- b. That literal 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 22 BLK 3, MAPLEWOOD ADDN B2-3&5 AMD, City of Tulsa, Tulsa County, State of Oklahoma

**Exhibits**

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



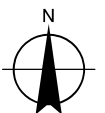
 Subject Tract

**BOA-23987**

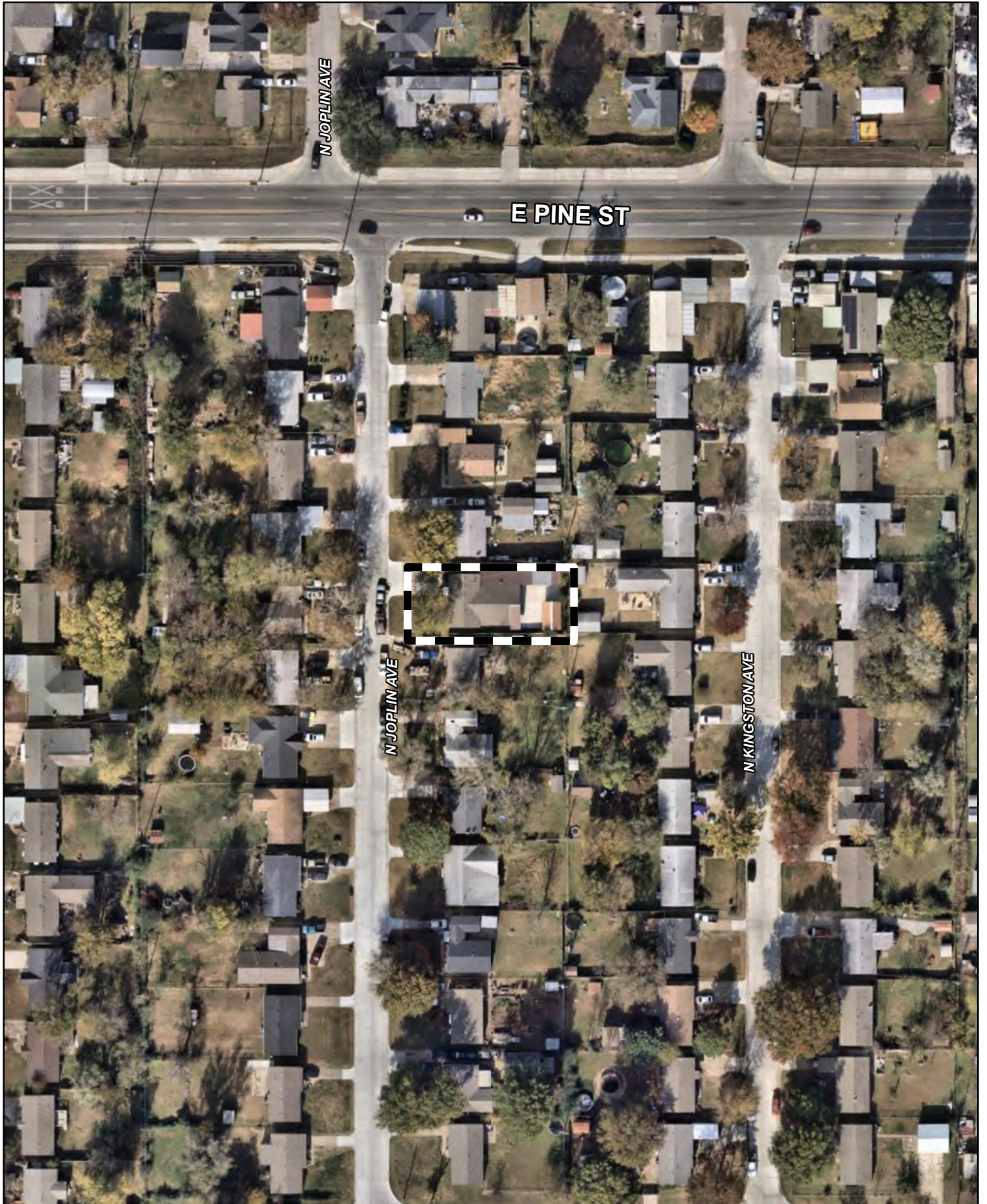
20-13 34

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

Aerial Photo Date: 2025



6.6

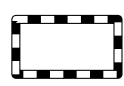
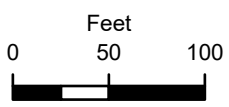


N JOPLIN AVE

E PINE ST

N JOPLIN AVE

N KINGSTON AVE



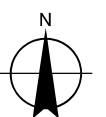
Subject Tract

**BOA-23987**

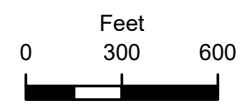
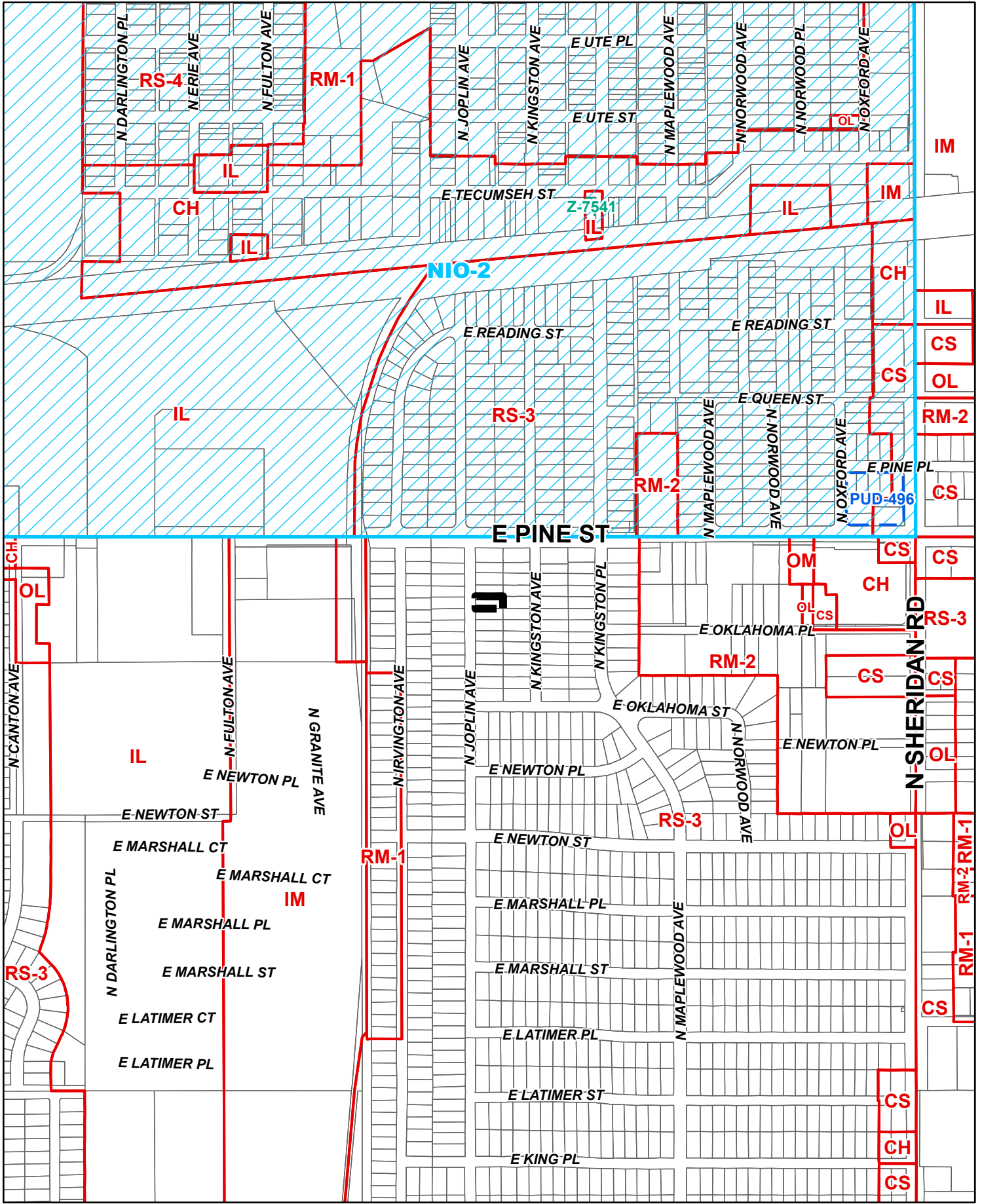
20-13 34

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

Aerial Photo Date: 2025



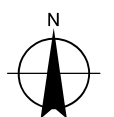
6.7



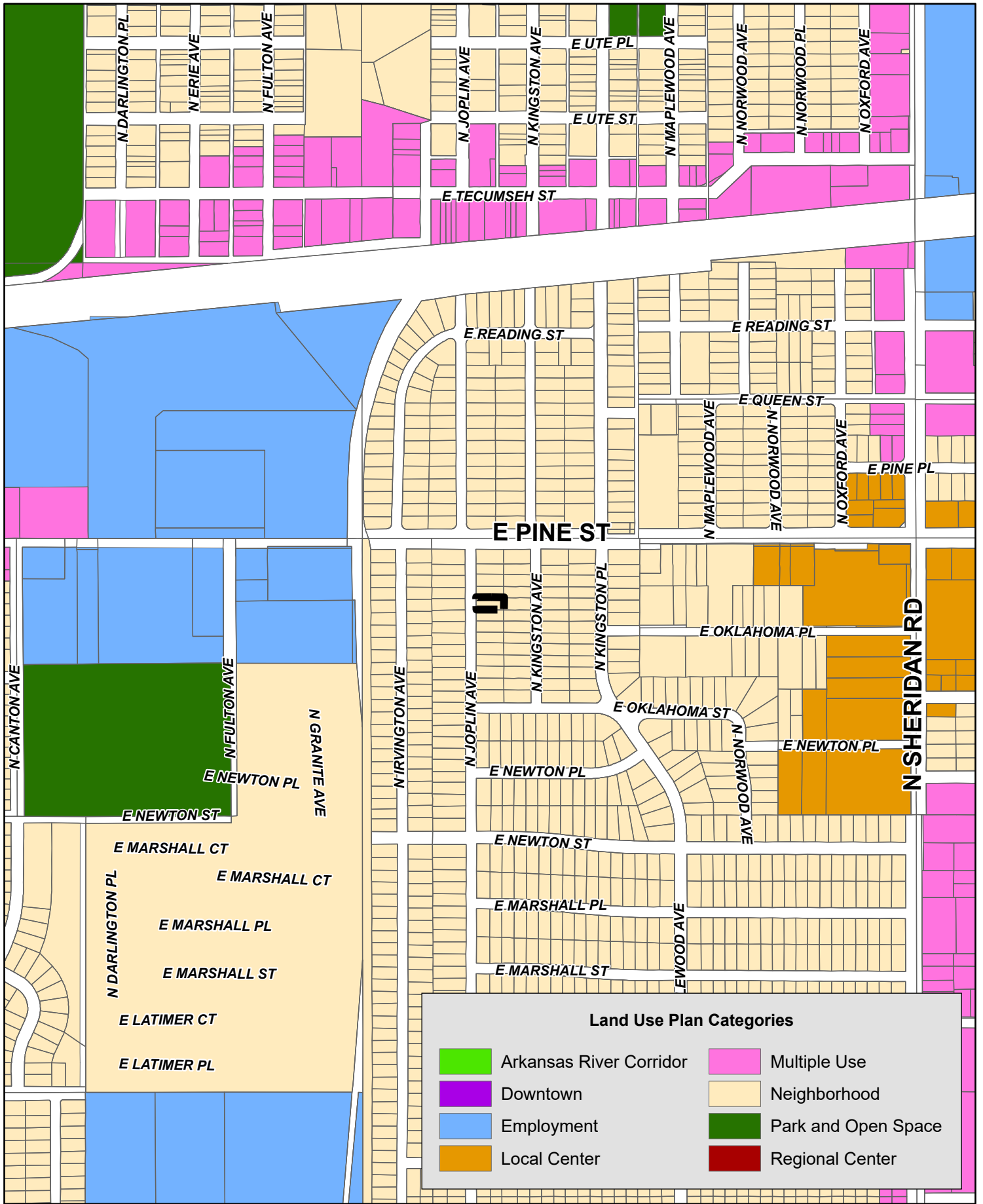
 Subject Tract









# BOA-23987

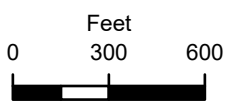
20-13 34



6.8



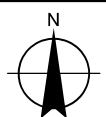
Land Use Plan Categories	
	Arkansas River Corridor
	Downtown
	Employment
	Local Center
	Multiple Use
	Neighborhood
	Park and Open Space
	Regional Center



 Subject Tract

**BOA-23987**

20-13 34



6.9

## Variances

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### 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;

This lot is a typical-sized RS-3 parcel at 7,410 square feet, but its width (57 ft) is slightly below the 60-ft minimum required in this district. The combination of narrow width, shallow depth, and required open space and setback standards limits the buildable area and restricts the ability to make modest additions to the existing home, particularly along the rear and north side

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

The intent of the rear and side setback standards is to maintain separation between structures and preserve access to light and air. The proposed additions are modest, will not crowd neighboring properties, and maintain reasonable building separations. The design aligns with the spirit of the zoning code even if it slightly varies from strict numerical compliance.

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;

While this parcel is conforming in area, the nonconforming lot width and existing home placement result in less flexibility than typical RS-3 lots. This condition isn't universally present in the district and affects how the owners can use their property.

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

The constraints on the buildable area stem from the existing lot dimensions and the relationship between the house and the required setbacks. The proposed additions are modest and within the scale of neighborhood context. The hardship arises from applying uniform setback standards to a parcel with less dimensional flexibility; not from owner actions.

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

The requested variances represent only the minimum necessary to accommodate the proposed additions. If required, the applicant is willing to forego the rear variance request and proceed with only the side yard request, which is more critical to the project.

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

The additions are small in scale, consistent with the form and footprint of neighboring homes, and will not disrupt the character of the area. No impact to adjacent property development is anticipated.

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.

Allowing modest rear and side encroachments enables reinvestment in a residential property without undermining the broader goals of the zoning code. The essential standards of the RS-3 district; single-family use, lot coverage, and building scale remain intact.

# BECERRA RESIDENCE

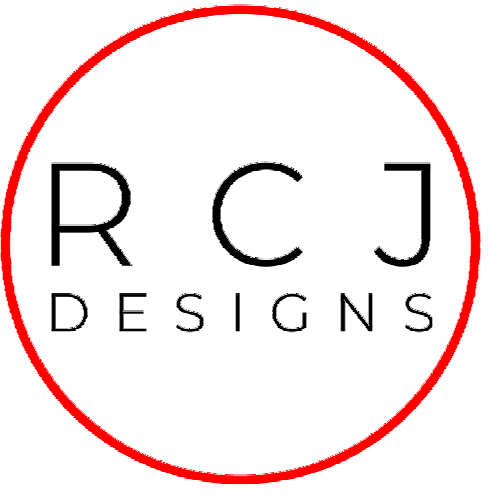
1437 N JOPLIN AVE,  
TULSA, OK 74115

PROJECT NUMBER

25034

PERMIT SET

04.19.2025



T U L S A , O K .  
9 1 8 . 8 5 9 . 9 3 4 3  
WWW.RCJDESIGNS.COM

PROJECT ISSUE  
PERMIT SET

ISSUE DATE  
04.19.2025

PROJECT ADDRESS  
1437 N JOPLIN AVE,  
TULSA, OK 74115

PROJECT NUMBER  
25034

# BECERRA RESIDENCE

## PROJECT TEAM

### DESIGN:

RCJ DESIGNS, LLC  
8246 E 73RD ST  
TULSA, OK. 74133

RAUL CISNEROS JR  
918.859.9343  
RAUL@RCJDESIGNS.COM  
WWW.RCJDESIGNS.COM

## SCOPE OF WORK

### SUMMARY:

PROPOSING A NEW STORAGE BUILDING, NEW CARPORT, AND  
ENCLOSING THE REAR PORCH.

## SHEET INDEX

CS	COVER SHEET
A0	SITE PLAN & WALL SECTIONS

## DEFERRED SUBMITTALS

STRUCTURAL DESIGN OF STRUCTURE.  
STRUCTURAL INSPECTION REQUIRED BY STRUCTURAL ENGINEER.

DESCRIPTION OF DEFERRED SUBMITTAL:  
STRUCTURAL DESIGN OF BACK PORCHES

DESCRIPTION OF DEFERRED SUBMITTAL:  
STRUCTURAL DESIGN OF STORAGE BUILDING

**PROJECT INFORMATION**

**LEGAL DESCRIPTION**  
 SUBDIVISION: MAPLEWOOD ADDN B2-3&5 AMD (25075)  
 LEGAL: LT 22 BLK 3  
 SECTION: 34 TOWNSHIP: 20 RANGE: 13

**GENERAL INFORMATION**  
 ZONING: RS-3  
 LOT SIZE: 0.17 ACRES / 7,410 SQ FT

**ADDITIONAL INFORMATION**  
 LIVABLE AREA: 1,676 SQ FT  
 STORAGE BUILDING: 189 SQ FT  
 FRONT COVERED PORCH: 28 SQ FT  
 REAR COVERED PORCH: 156 SQ FT  
 LARGE REAR COVERED PORCH: 960 SQ FT  
**GRAND TOTAL: 3,009 SQ FT**

**REGULATIONS**  
 MIN. OPEN SPACE REQ'D: 50% OF LOT SIZE / 3,705  
 OPEN SPACE PROPOSED: 4,401 SQ FT



**CAUTION**  
 NOTICE TO CONTRACTOR  
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THE LOCATION AND ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES.

**SURVEY DISCLAIMER** SITE PLAN

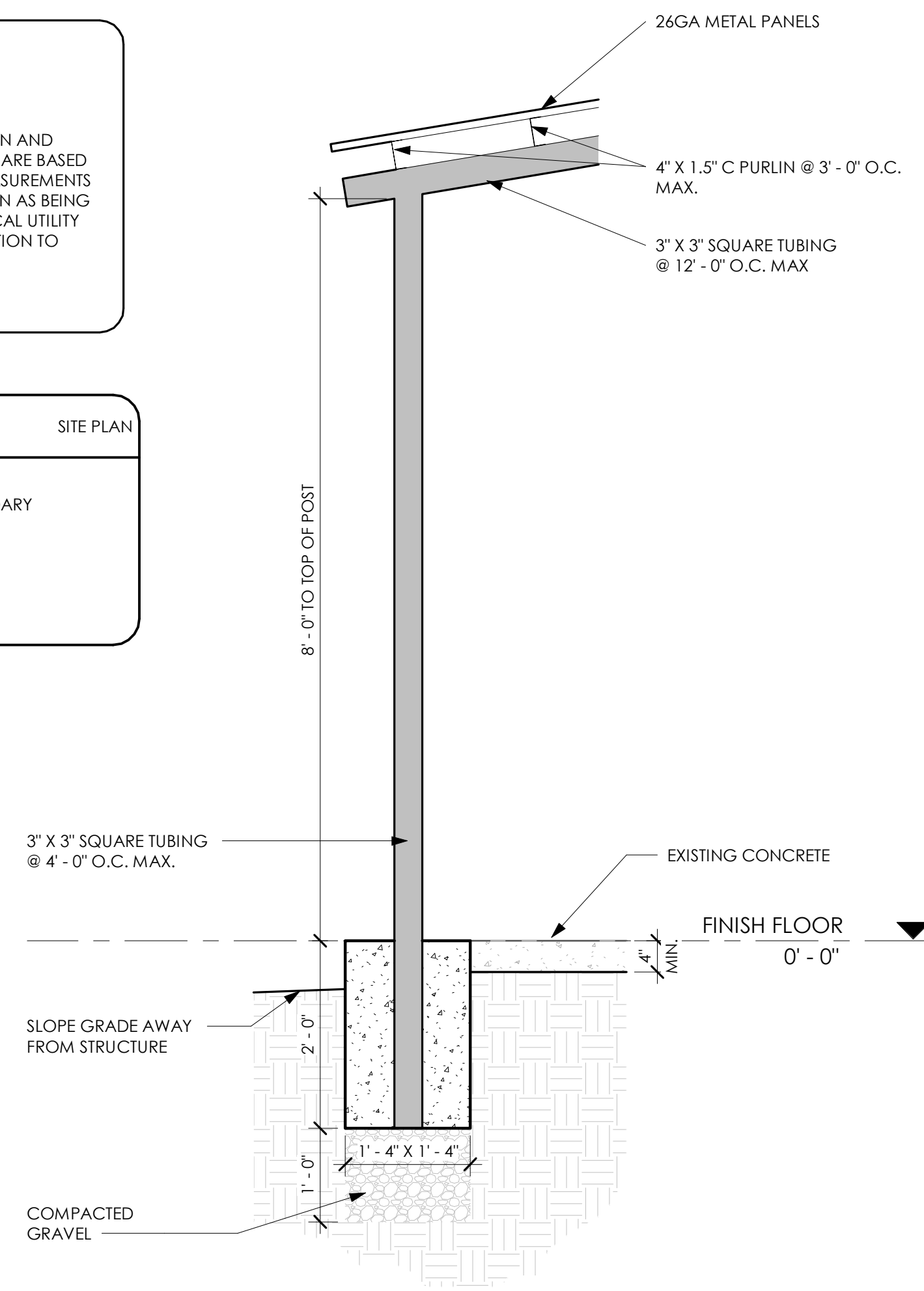
THIS SITE PLAN IS DRAWN WITHOUT THE BENEFIT OF A BOUNDARY SURVEY. BOUNDARY AND EXISTING STRUCTURE LOCATIONS ARE APPROXIMATE BASED ON FIELD INFORMATION AND FOR ILLUSTRATIVE PURPOSES ONLY.

**LEGEND** SITE PLAN

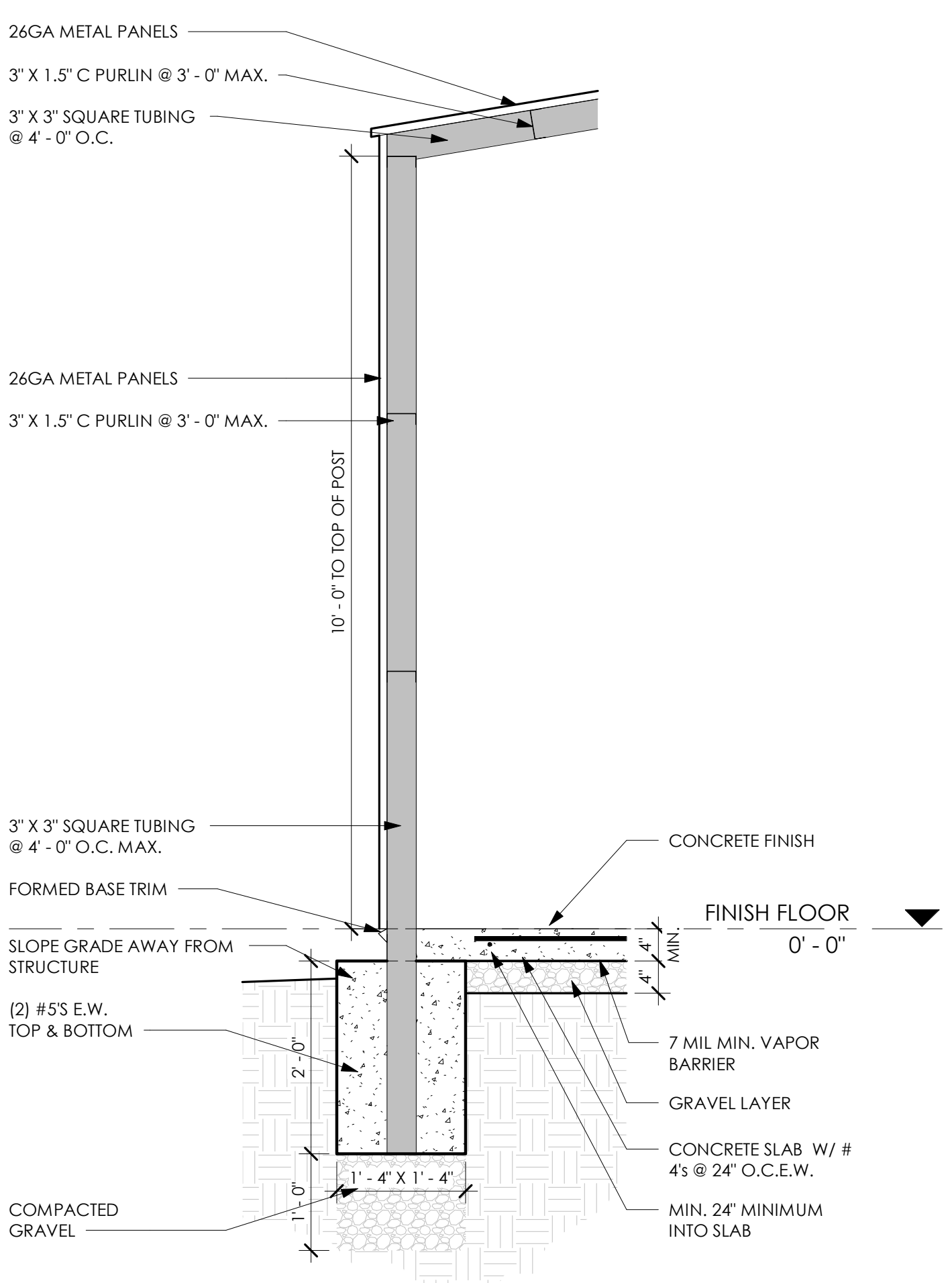
- NOT ALL ITEMS MAY BE USED
- EXISTING BUILDING FOOTPRINT: AREA NOT IN SCOPE OF WORK
  - EXISTING ASPHALT PAVING
  - NEW ASPHALT PAVING/ TRACK
  - TULSA REGULATORY FLOOD PLAIN
  - EXISTING SOD TO REMAIN
  - NEW CONCRETE DRIVEWAY/WALKWAY
  - PROPERTY LINE
  - BUILDING SETBACKS
  - BUILDING OUTLINE
  - SILT FENCE
  - PRE-CONSTRUCTION DRAINAGE FLOW
  - POST-CONSTRUCTION DRAINAGE FLOW
  - STRAW WATTLE
  - DOWNSPOUTS

**KEYNOTES** # SITE PLAN

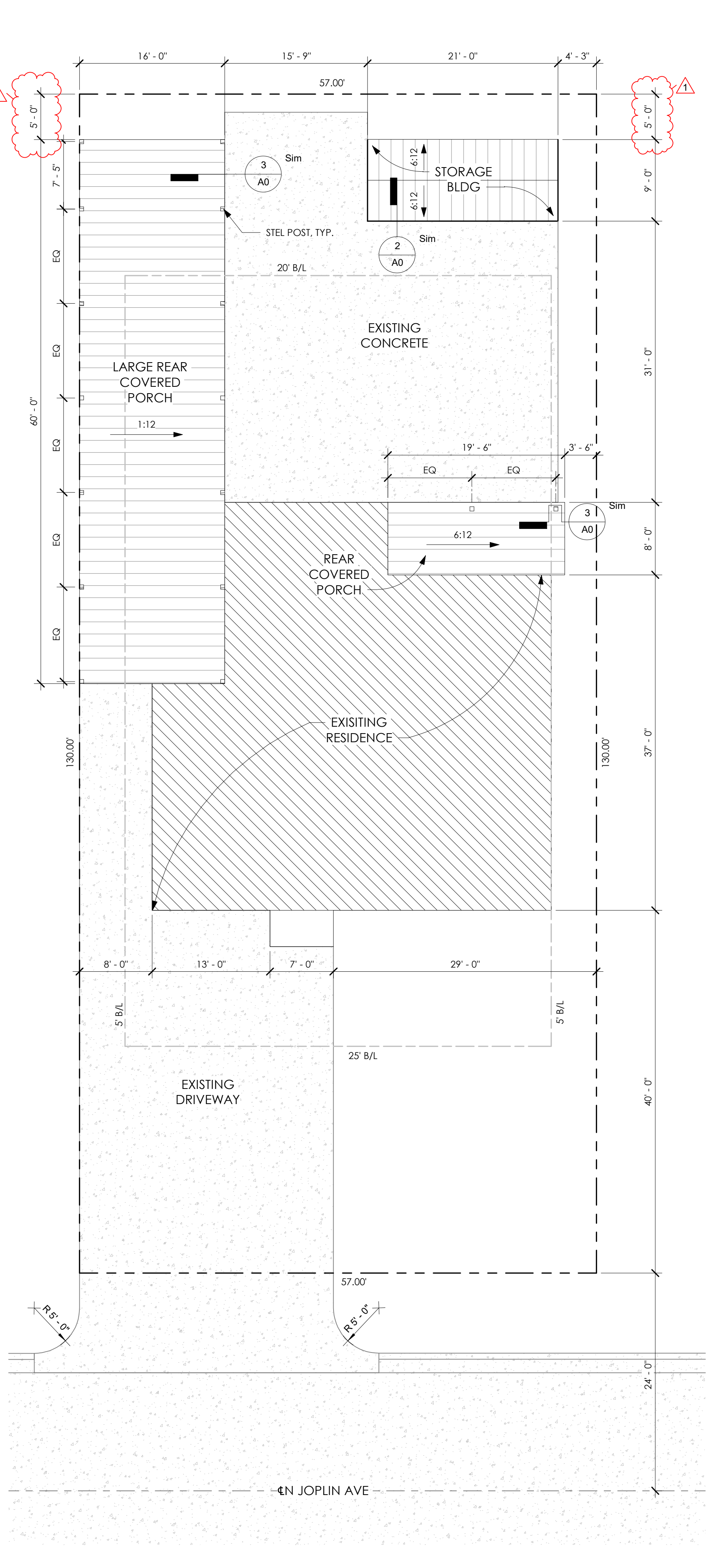
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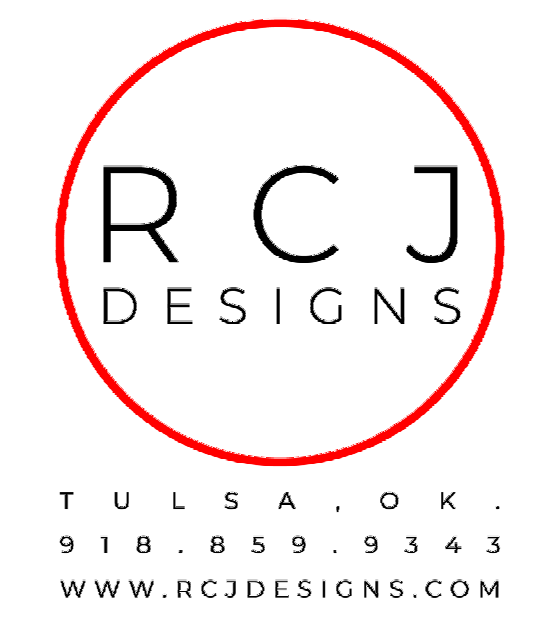
**3** WALL SECTION  
 3/4" = 1'-0"



**2** WALL SECTION  
 3/4" = 1'-0"



**1** SITE PLAN  
 1/8" = 1'-0"



DRAWN FOR:  
**BECERRA RESIDENCE**

1437 N JOPLIN AVE,  
 TULSA, OK 74115

NO.	REVISION	DATE
1	LOD #1	12.12.2025

PROJECT NUMBER:  
 25034  
 ISSUE:  
 PERMIT SET  
 DATE:  
 04.19.2025  
 DRAWN BY:  
 RAAS  
 CHECKED BY:  
 RCJ  
 SHEET TITLE:

**SITE PLAN & WALL SECTIONS**

**A0**



DEVELOPMENT SERVICES

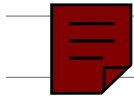
175 E 2ND ST., STE 405  
TULSA, OK 74103  
918-596-9456

# CITY OF TULSA

## PLAN CORRECTIONS SUMMARY

### BLDR-212063-2025 (1437 N JOPLIN AVE E Tulsa, OK 74115) Markup Summary #1

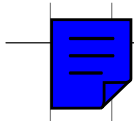
#### ARCHITECTURAL (1)



**Subject:** ARCHITECTURAL  
**Page Label:** 2  
**Author:** GEORGE GOZA  
**Date:** 5/5/2025 1:09:04 PM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

R301.1.3 Engineered design. Where a building of otherwise conventional construction contains structural elements exceeding the limits of Section R301 or otherwise not conforming to this code, these elements shall be designed in accordance with accepted engineering practice. The extent of such design need only demonstrate compliance of nonconventional elements with other applicable provisions and shall be compatible with the performance of the conventional framed system. Engineered design in accordance with the International Building Code is permitted for buildings and structures, and parts thereof, included in the scope of this code.  
**REVIEW COMMENT:** The design presented for this structure appears to contain structural elements which exceed the limits found in the IRC. The design detail(s) in this proposal will require a seal by an Oklahoma Professional Engineer unless the design can meet the requirements for Cold-formed Steel framing as found in the IRC.

#### Note (3)



**Subject:** Note  
**Page Label:** 2  
**Author:** James Henley  
**Date:** 4/29/2025 11:11:07 AM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

We had a meeting with this customer a few months ago on permit #s 201011 and 201010 and are aware that the carport, addition, and storage building have all been built without permits. You will need to apply for another accessory structure permit for the storage building. It is also encroaching on a dedicated easement and will require an encroachment agreement just like the carport.



DEVELOPMENT SERVICES

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

# CITY OF TULSA

## PLAN CORRECTIONS SUMMARY



**Subject:** Note  
**Page Label:** 2  
**Author:** James Henley  
**Date:** 4/29/2025 11:11:14 AM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

Revise site plan with a measurement from the North property line to the Northernmost outside edge of the proposed carport.



**Subject:** Note  
**Page Label:** 2  
**Author:** James Henley  
**Date:** 4/29/2025 11:06:08 AM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

Carport is encroaching on a dedicated 5' utility easement. The carport will either need to be removed or if construction is to remain occupying area of dedicated easement, you must first:

- a. Obtain permission from the City of Tulsa for an encroachment agreement and/or easement closure. This process takes a minimum of about 6 weeks, as the proposal must be approved by the Mayor.
- b. To begin, please contact the Utility coordinator (link below), at Engineering services, City of Tulsa, to discuss the process required to obtain approval to construct within U/E.  
<https://www.cityoftulsa.org/government/departments/engineering-services/right-of-way-easement-and-encroachment-closures/>



DEVELOPMENT SERVICES

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

# CITY OF TULSA

## PLAN CORRECTIONS SUMMARY

### Zoning Review (3)



**Subject:** Zoning Review  
**Page Label:** 2  
**Author:** DWhiteman  
**Date:** 5/7/2025 1:48:30 PM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

Section 80.020-B Nonconforming Lots in Residential Zoning Districts. In residential zoning districts, a single detached house may be erected on a nonconforming lot without complying with the minimum lot area, minimum lot area per unit, minimum lot width, minimum street frontage or minimum open space per unit requirements of the subject zoning district, provided that at least 50% of the lot area remains as open space. All other lot and building regulations apply, except that detached houses may be erected on corner lots that are nonconforming with regard to lot width, subject to a reduced minimum street side building setback of 5 feet. Garages that are accessed through a side yard abutting a street must be set back at least 20 feet.

REVIEW COMMENT: The proposed lot is considered an existing nonconforming lot. Additions and accessory structures are allowed, provided that 50% of the lot size remains as open space. With a lot size of 7,410 square feet, 3,705 square feet of the lot must remain open. Per Section 90.080-B, the driveway does not count as open space. The area of your existing house, the driveway, and the proposed accessory building and additions appears to be approximately 4,160 square feet. Please reduce the size of either the proposed additions or accessory building, or both, to maintain at least 50% of the lot (3,705 square feet) as open space.



**Subject:** Zoning Review  
**Page Label:** 2  
**Author:** DWhiteman  
**Date:** 5/7/2025 1:48:31 PM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

Note: zoning review is for the additions only. Other fences, structures, accessory buildings, etc. will require separate permits.

6-15



DEVELOPMENT SERVICES

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

# CITY OF TULSA

## PLAN CORRECTIONS SUMMARY



**Subject:** Zoning Review  
**Page Label:** 2  
**Author:** DWhiteman  
**Date:** 5/7/2025 1:48:37 PM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

Section 5.030-A Table of Regulations. The lot and building regulations of Table 5-3 apply to all principal uses and structures in R districts, except as otherwise expressly stated in this zoning code. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90. Regulations governing accessory uses and structures can be found in Chapter 45.  
REVIEW COMMENT: This lot is zoned RS-3, and additions to the house must be set back at least 5' from the side property lines, and 20' from the rear property lines. Please revise the plans to reflect these required setbacks for the proposed additions.