



Board of Adjustment

**Staff Report
BOA-24029**

Hearing Date: May 12, 2026 (Continued from April 28, 2026)
Prepared by: Erin Roark
eroark@cityoftulsa.org
918-596-7618

Owner and Applicant Information

Applicant: Lindsay Floyd, Kimber Homes
Property Owner: Alexander C Lewis

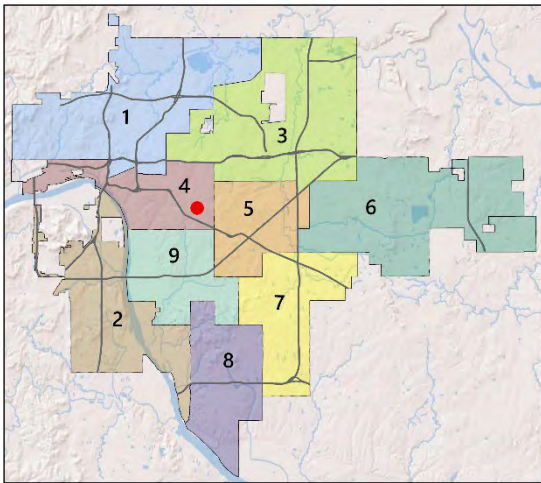
Property Location

3536 East 23rd Street South

Tract Size: ±.20 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

Request Summary

Variance to increase the allowable floor area of a detached accessory building in the RS-3 district (Section 45.030-A).

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 Era

Transportation

Major Street & Highway Plan: Residential Collector
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 variance to increase the allowable floor area of a detached accessory building in the RS-3 district (Section 45.030-A). The principal structure on the subject property is 1,168 square feet, which provides an accessory building budget of 500 square feet. This proposal would expand an existing accessory building on site to have a floor area of 594 square feet. The applicant is requesting 94 square feet of relief.

The existing structure pre-dates the zoning code and has a nonconforming side setback. The nonconformity is not being expanded by this addition and therefore relief for the side setback is not necessary.

This case was originally heard at the April 28, 2026, hearing, but was continued to give the applicant time to supply additional information regarding their hardship.

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 45.030-C.

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

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 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: East 23rd Street South runs parallel to the north 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: 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 18%. 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 south from East 23rd Street South, May 2025 (Image from Google Street View)

Sample Motion

I move to approve or deny a variance to increase the allowable floor area of a detached accessory building in the RS-3 district from 500 square feet to 594 square feet (Section 45.030-A),

- 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:

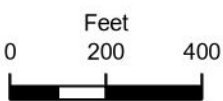
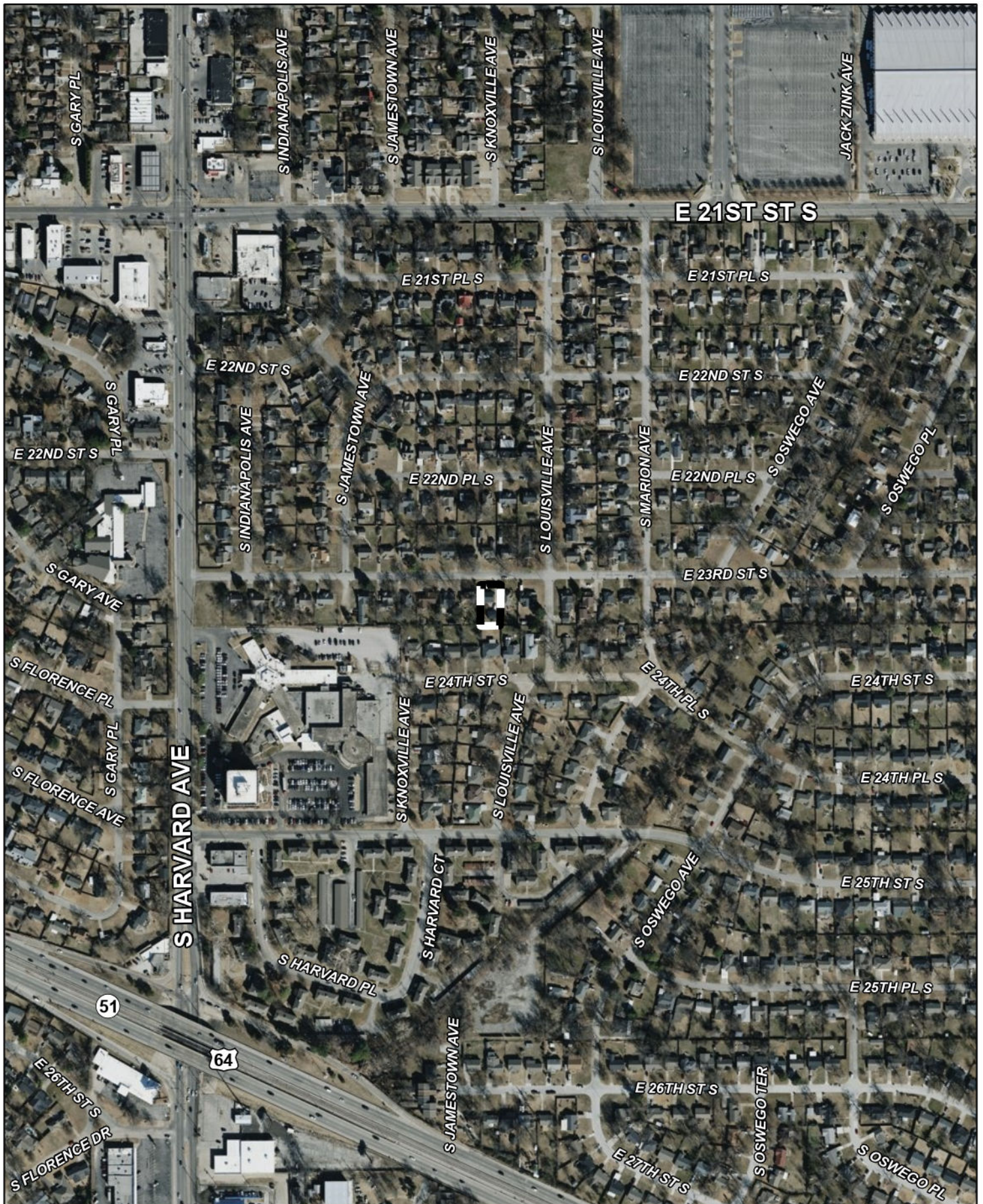
- That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
- That literal enforcement 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 12, JEFFERSON HILLS 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-24029

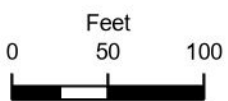
19-13 16

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

Aerial Photo Date: 2025



2.6



Subject
Tract

BOA-24029

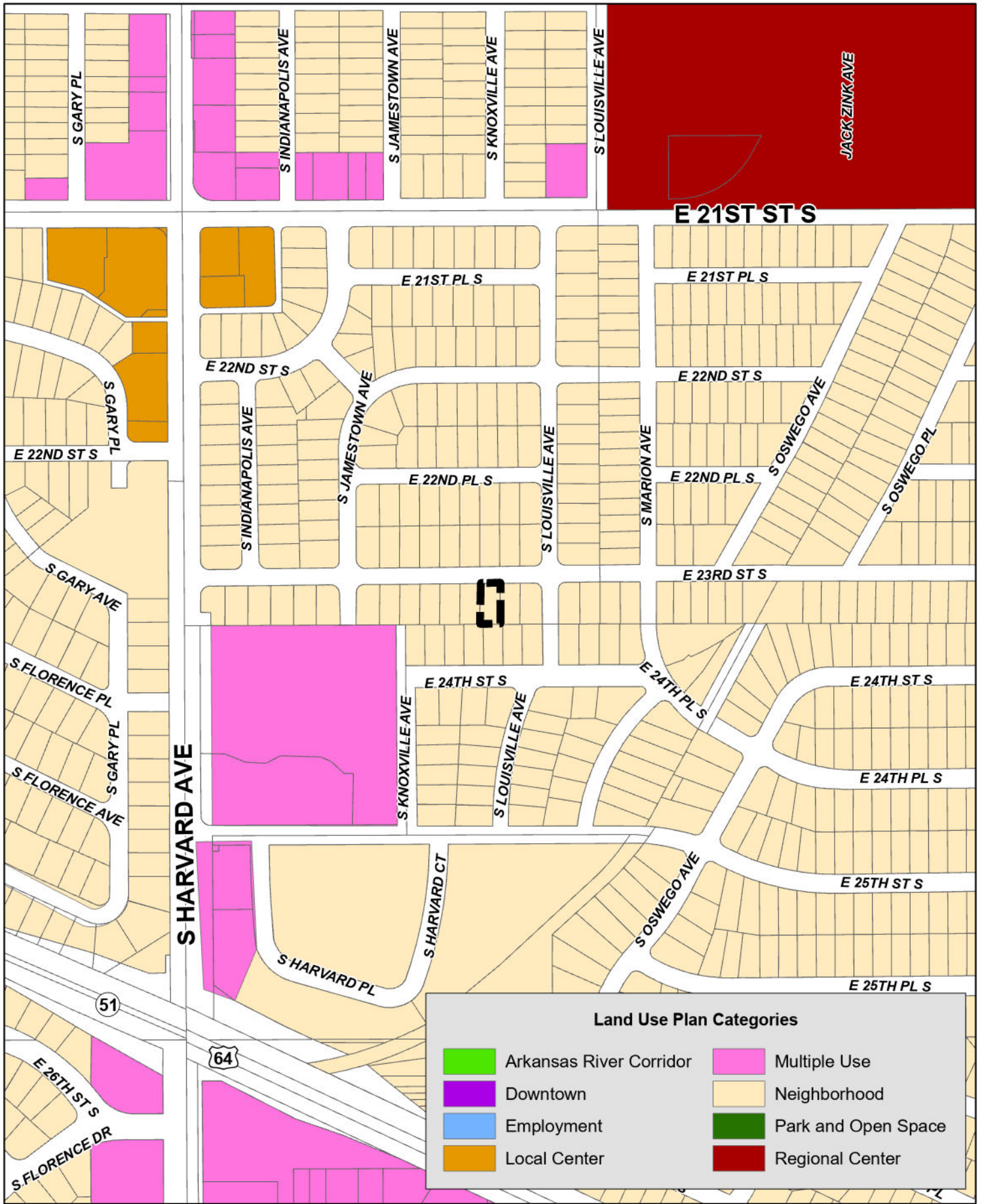
19-13 16









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

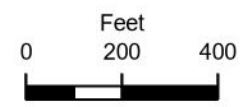
Aerial Photo Date: 2025



2.7



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



 Subject Tract

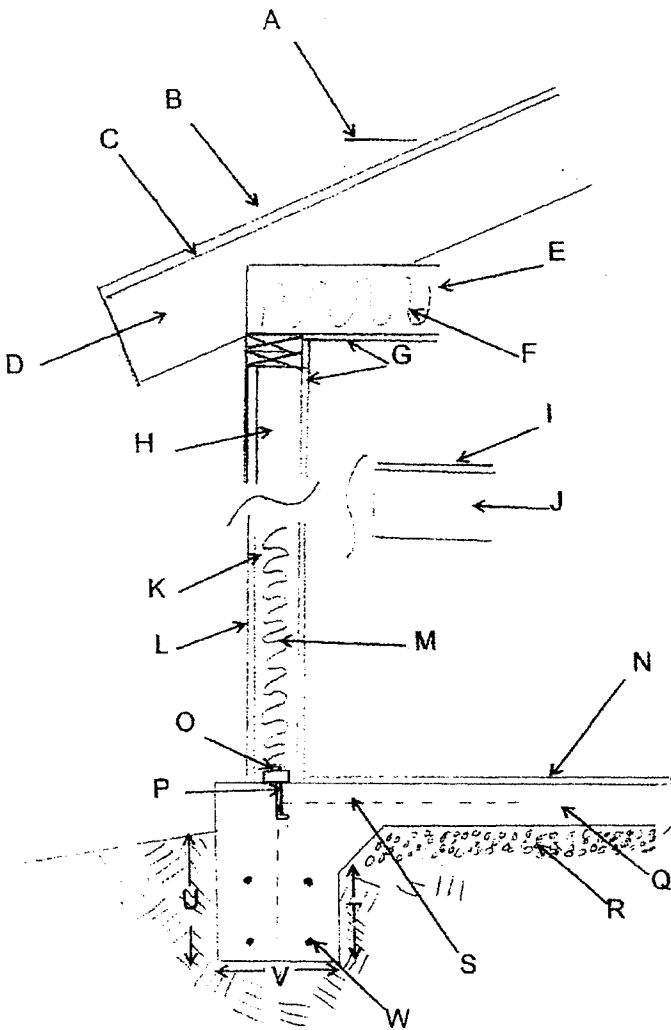
BOA-24029

19-13 16



2.9

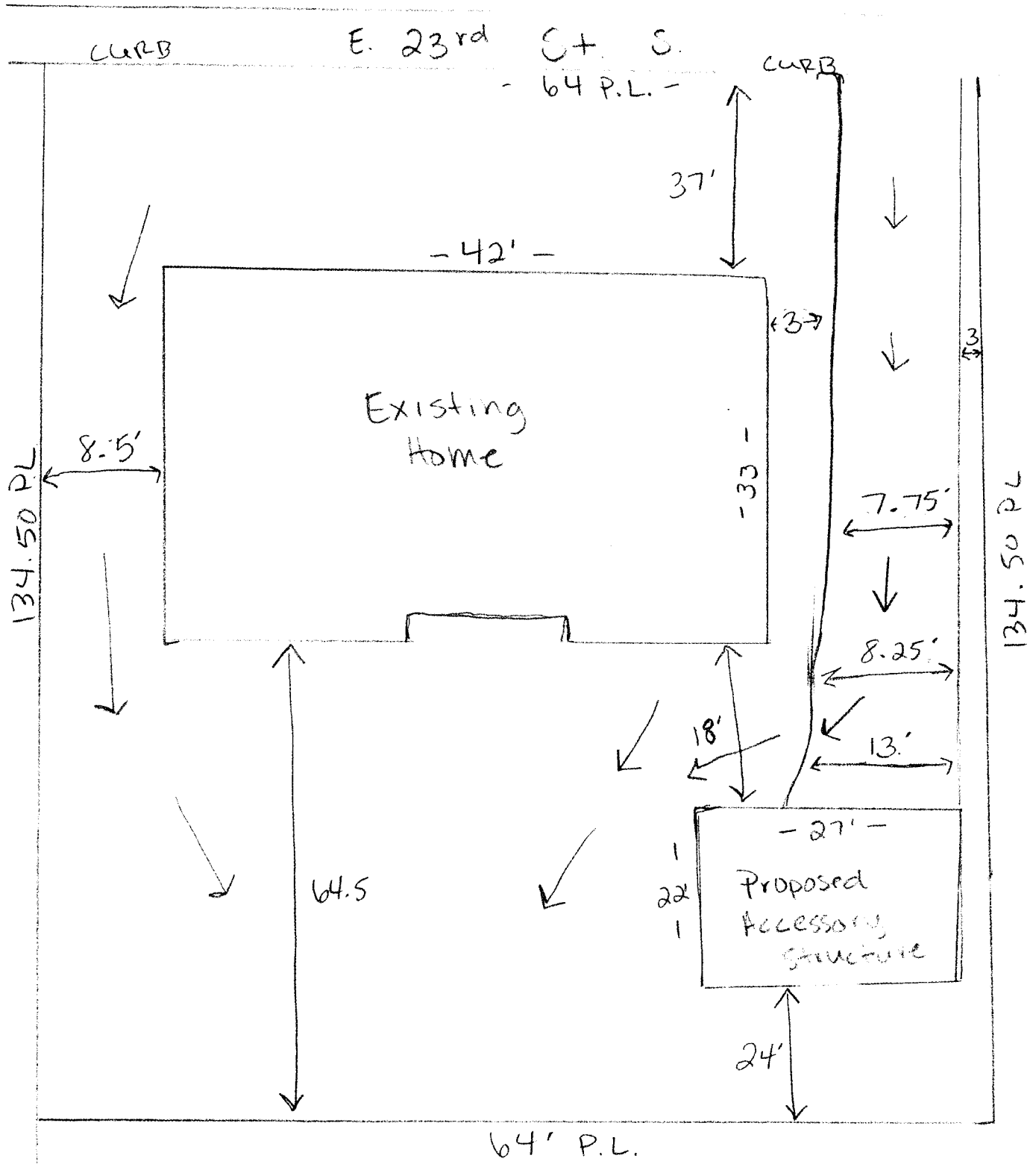
Wall cross section: slab

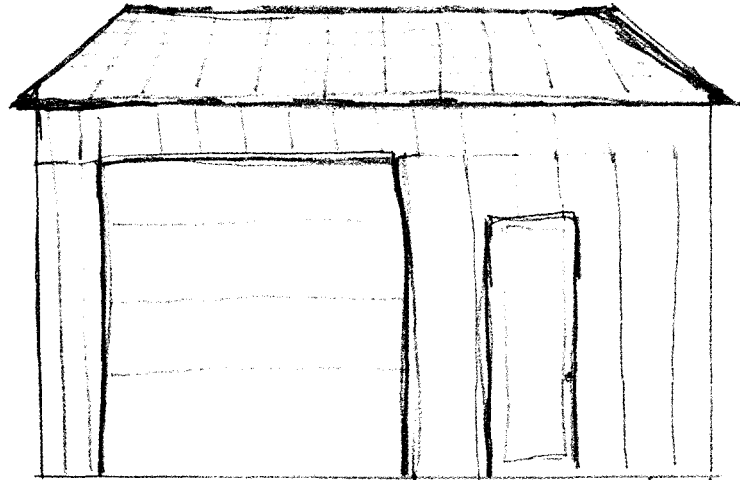


- A: Roof pitch 3/12
- B: Roof covering type Architectural
- C: Roof decking 1/2 plywood
- D: Rafter size and spacing 3/12 @ 24"
- E: Ceiling joist size and spacing 2x4 @ 24"
- F: Ceiling insulation (R30 min.) Batten
- G: Interior wall and ceiling covering Drywall
- H: Wall stud size and spacing 2x4 16 on center
- I: Floor covering (if applicable) Epoxy paint
- J: 2nd floor joist size and spacing (if applicable) _____
- K: Exterior wall sheathing 7/16 OSB
- L: Exterior wall covering SmartSide Board
- M: Wall insulation (R13 min.) Batten
- N: Floor covering _____
- O: Treated sill plate YES
- P: Min. 1/2" anchor bolt, max 6' o.c. (or other approved method) 4' o.c. 5/8 wedge anchors
- Q: Slab thickness 4" to 8"
- R: Base course Compact Rock Base
- S: Dowels, min. 1/2", 4' o.c., min. 12" embedment into footing and stem wall #3 rebar 18 center
- T: Footing thickness (6" minimum) 12"
- U: Footing depth (18" minimum) 18"
- V: Footing width (12" minimum) 12"
- W: Footing reinforcement (four - 5/8" minimum) _____

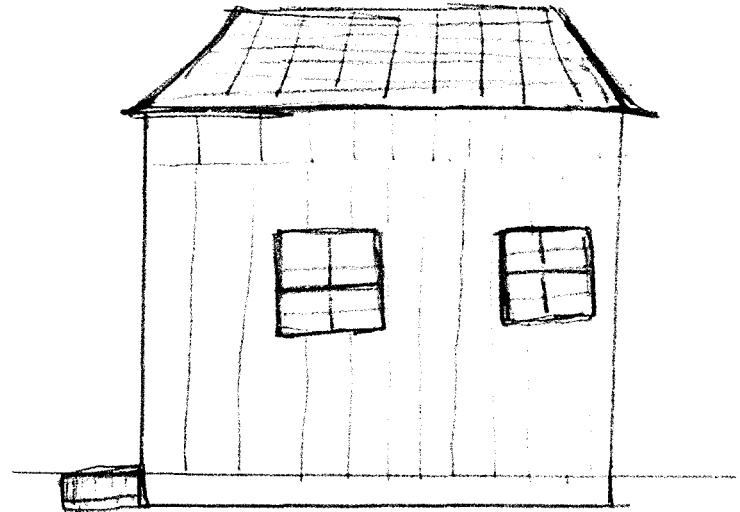
* Will vary with building height, veneer type, etc.

3536 E. 23 St S. Tulsa 74114
LT 3 BLK 12

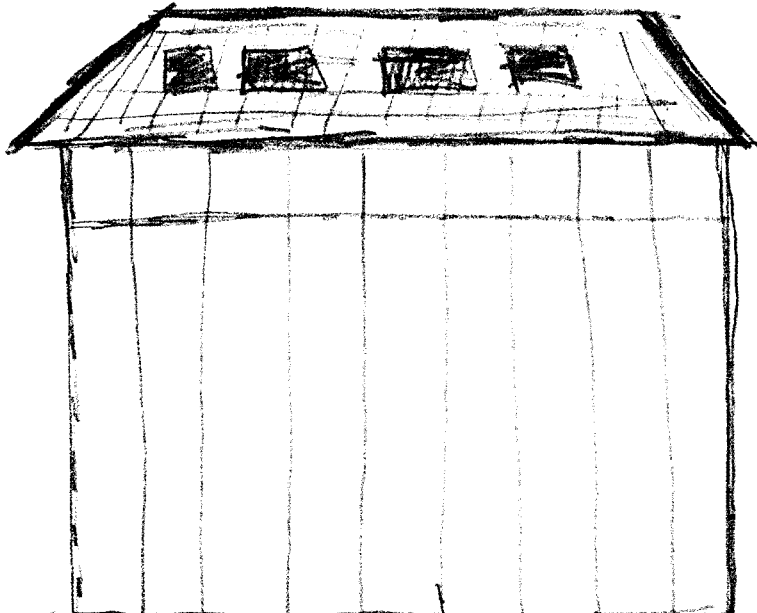




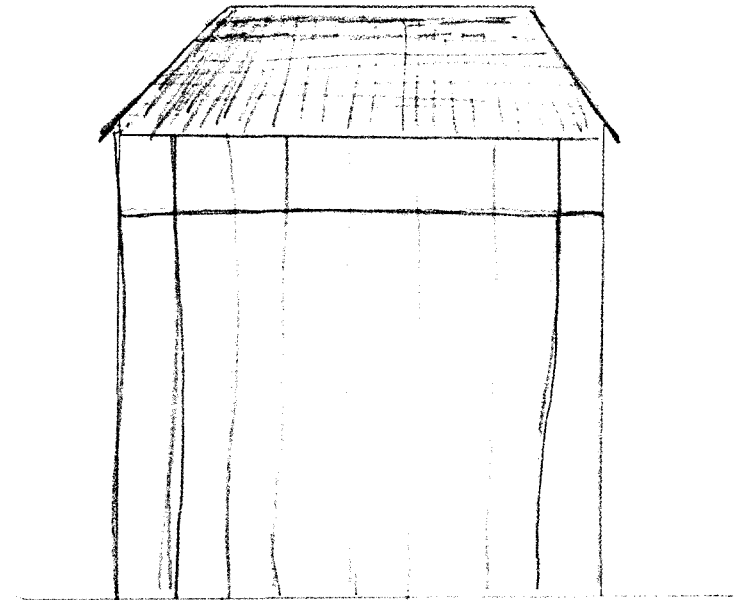
Front Elevation - North (side)



West (side) Elevation



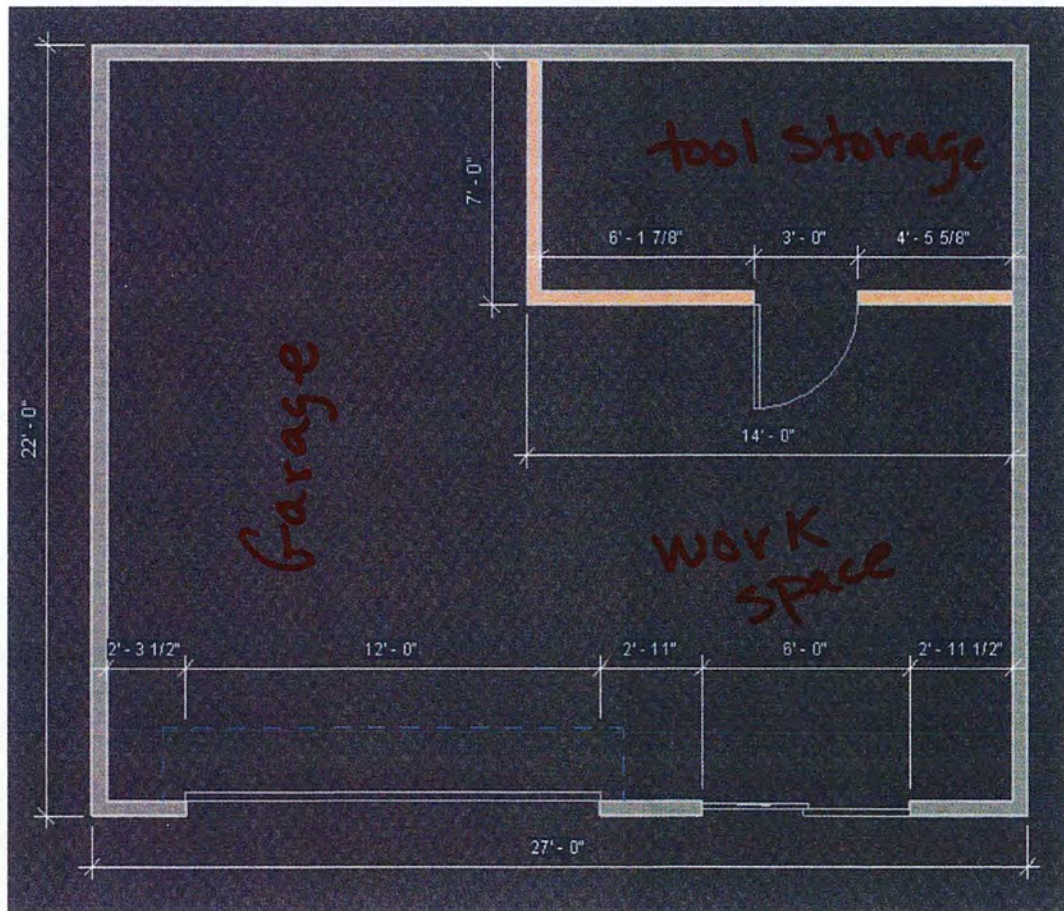
Rear Elevation South (side)



East side or Left Elevation

3536 E23 St S Tulsa 74114

Floor Plan





Pryor Truss Company
 4488 W Highway 20
 P.O. Box 830
 Pryor, Oklahoma 74361
 Ph: (918) 825-1715
 Fax: (918) 825-1727
 Email: dustin@pryortruss.com

QUOTATION

Bid #: B251019
 Date: 12/22/2025

Job: B251019 - George Hip Job

CUSTOMER INFORMATION		JOB INFORMATION	
Valued Customer	Phone:		Contact:
Placeholder	Fax:		Phone:
Placeholder,	Email:		
Valued Customer -	P.O.#:		
SalesPerson: Dustin Lee	Notes:	Based on Material Catalog: B251019_Pryor Truss - Default	
Designer:			

Plan 1 Elevation A

Truss	Span	Plies	Truss Image	Pitch	Size	Heel Height		Overhang		Cantilever	QTY	Price
						Left	Right	Left	Right			
Weight	Spacing			T Chord	Chords							
				B Chord								
CG01	9-9-4	1		2.12	2x4T	0-3-14	1-5-0	0-0-0	0-0-0	0-0-0	Each	\$44.54
40.43	2-0-0			0.00	2x4B	2-0-9	0-0-0	0-0-0	0-0-0	0-0-0	4	\$178.16
J01	7-0-0	1		3.00	2x4T	0-3-14	1-0-0	0-0-0	0-0-0	0-0-0	Each	\$24.54
21.10	2-0-0			0.00	2x4B	2-0-14	0-0-0	0-0-0	0-0-0	0-0-0	10	\$245.39
J02	4-10-15	1		3.00	2x4T	0-3-14	1-0-0	0-0-0	0-0-0	0-0-0	Each	\$17.94
15.32	2-0-0			0.00	2x4B	1-6-10	0-0-0	0-0-0	0-0-0	0-0-0	8	\$143.51
J03	2-10-15	1		3.00	2x4T	0-3-14	1-0-0	0-0-0	0-0-0	0-0-0	Each	\$12.66
9.80	2-0-0			0.00	2x4B	1-0-10	0-0-0	0-0-0	0-0-0	0-0-0	8	\$101.27
X01	22-0-0	2		3.00	2x4T	0-3-14	1-0-0	0-0-0	0-0-0	0-0-0	Each	\$256.99
217.41	2-0-0			0.00	2x6B	0-3-14	1-0-0	0-0-0	0-0-0	0-0-0	2	\$513.98
X02	22-0-0	1		3.00	2x4T	0-3-14	1-0-0	0-0-0	0-0-0	0-0-0	Each	\$113.37
99.38	2-0-0			0.00	2x4B	0-3-14	1-0-0	0-0-0	0-0-0	0-0-0	2	\$226.74
X03	22-0-0	1		3.00	2x4T	0-3-14	1-0-0	0-0-0	0-0-0	0-0-0	Each	\$102.14
92.08	2-0-0			0.00	2x4B	0-3-14	1-0-0	0-0-0	0-0-0	0-0-0	4	\$408.56

Tax Scheme: Tulsa, Tulsa Co & St

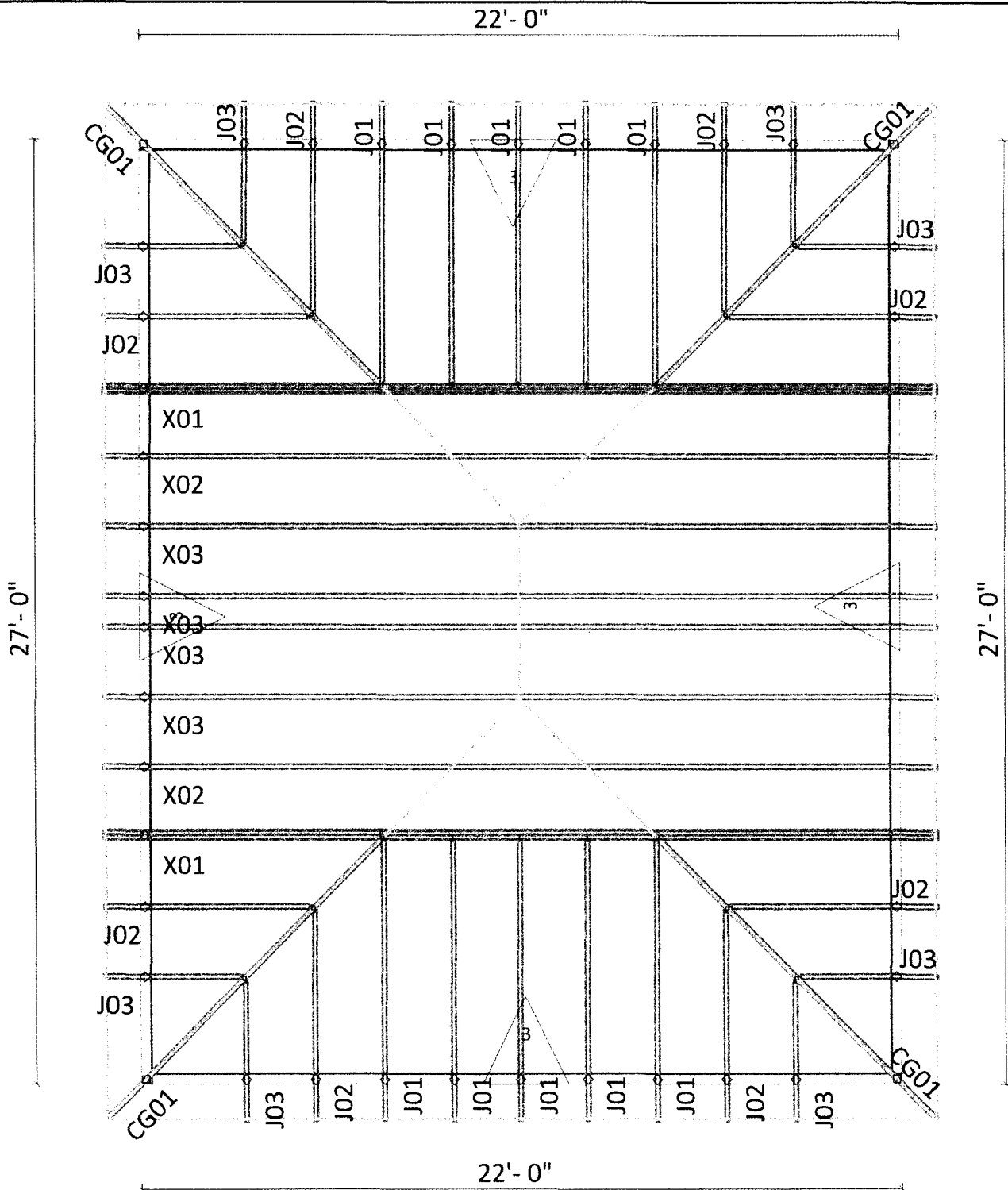
SubTotal: \$1,817.61

Delivery: \$45.00

Sales Tax #1 \$154.81 + Sales Tax #2 \$0.00 Tax: \$154.81

Total: \$2,017.42





ROOF TRUSS LAYOUT

Scale: 1/4" = 1'-0"

PROJECT #:

B251019

SHOP DRAWING APPROVAL

THIS LAYOUT IS THE SOLE SOURCE FOR FABRICATION OF THE TRUSSES AND VOIDS. ALL PREVIOUS ARCHITECTURAL OR OTHER TRUSS LAYOUT, REVIEW AND APPROVAL OF THIS LAYOUT MUST BE RECEIVED BEFORE ANY TRUSSES WILL BE BUILT. VERIFY ALL CONDITIONS TO INSURE AGAINST CHANGES THAT WILL RESULT IN EXTRA CHARGES TO YOU.

REVIEWED BY:

APPROVED BY:

DATE:

C:\SST\Client\...

Job Name: George Hip Job

Building Code: IRC-2021

Customer: Valued Customer

TLL: 20.00 psf | TDL: 10.00 psf | BLL: 0.00 psf | BDL: 10.00 psf

Site Address: Placeholder

Sales Rep: Dustin Lee

City:

ST:

ZIP:

Designer:



DEVELOPMENT SERVICES

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

CITY OF TULSA

PLAN CORRECTIONS SUMMARY

BLDR-239795-2026 (3536 E 23RD ST S Tulsa Tulsa, OK 74114)
Markup Summary #1

Note (2)



Subject: Note
Page Label: 1
Author: Derrick Jones
Date: 3/11/2026 1:25:38 PM
Color: ■

A/R review to follow Zoning review. No comments at this time pending Zoning.



Subject: Note
Page Label: 1
Author: Derrick
Date: 3/11/2026 1:26:34 PM
Color: ■

Zoning Review (3)



Subject: Zoning Review
Page Label: 4
Author: DWhiteman
Date: 3/11/2026 11:12:50 AM
Color: ■

Please provide a brief description of how the building will be used and complete the floor plan to show the room types. For example, will it have a kitchen, bath or shower, or any areas used as a dwelling or as habitable space?

This constitutes a Plan Review to date in response to the information submitted with and after the above referenced application. Additional issues may develop when the review continues upon receipt of additional information requested in this letter or upon additional submittal from the client. Any code items not reviewed are still in force, and it shall be the responsibility of the owner and design professional(s) to ensure that all code requirements are satisfied.



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: 3/11/2026 1:54:27 PM
Color: ■

Section 45.030-A.2, RS-2, RS-3, RS-4, RS-5 and RM Districts. In RS-2, RS-3, RS-4, RS-5, 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.

REVIEW COMMENT: You are proposing 594 square feet of detached accessory structure floor area. The proposed detached structure exceeds 500 square feet and 40% of the size of your house. Based on the floor area of your house (1,168 square feet) you are allowed 500 square feet of detached accessory structure floor area on your lot. Please reduce the size of your proposed detached accessory structure to be no more than 500 square feet. You will need to submit revised building and floor plans as well. Otherwise you will need to apply to the Board of Adjustment for a variance for an accessory building in the RS-3 district to exceed 500 square feet. Contact the Planning Office at 918-596-7526 for Board of Adjustment schedules and procedures.

This constitutes a Plan Review to date in response to the information submitted with and after the above referenced application. Additional issues may develop when the review continues upon receipt of additional information requested in this letter or upon additional submittal from the client. Any code items not reviewed are still in force, and it shall be the responsibility of the owner and design professional(s) to ensure that all code requirements are satisfied.



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: 3/11/2026 1:54:58 PM
Color: ■

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: Per Table 5-3, this structure must be at least 5' from the side property line. You will either need to move the building to be at least 5' from the side property line, or apply to the Board of Adjustment for a variance for an accessory building in the RS-3 district to be 3' from a side property line.

Contact the Planning Office at 918-596-7526 for Board of Adjustment schedules and procedures.

This constitutes a Plan Review to date in response to the information submitted with and after the above referenced application. Additional issues may develop when the review continues upon receipt of additional information requested in this letter or upon additional submittal from the client. Any code items not reviewed are still in force, and it shall be the responsibility of the owner and design professional(s) to ensure that all code requirements are satisfied.

Roark, Erin

From: Whiteman, Danny
Sent: Thursday, March 12, 2026 3:27 PM
To: Roark, Erin
Subject: RE: BLDR-239795-2026 LOD Comments

So if they expanded it to the west then that makes sense. If that's the case, I agree with not needing a special exception. They should still complete the floor plan though, but it seems like the only variance they need is for floor area.

Danny Whiteman | Plans Examiner II

City of Tulsa Planning & Development Department
175 East 2nd St, Suite 455. Tulsa, OK 74103
T: 918-596-9664
F: 918-699-3100
E: dwhiteman@cityoftulsa.org
www.cityoftulsa.org

From: Roark, Erin <eroark@cityoftulsa.org>
Sent: Thursday, March 12, 2026 1:58 PM
To: Whiteman, Danny <dwhiteman@cityoftulsa.org>
Subject: BLDR-239795-2026 LOD Comments

Hey Danny,

I spoke with a representative of the owner for BLDR-239795-2026 about your comments yesterday. They are going to move forward with the floor area variance, but I wanted to get your thoughts on the setback variance.

Their site plan makes it look like it is a new structure, but to my understanding, they expanded the shed currently on site. According to her and from what I could tell, the existing shed on site pre-dates the zoning code, so I think we can view it as a nonconforming structure and therefore not require a variance. They do not appear to expand the nonconformity since they built further into the rear yard, so it also won't need a special exception.

Let me know what you think. Thanks,

Erin Roark
Planner
Tulsa Planning Office
175 E. 2nd Street, Suite 480
Tulsa, OK 74103
T: 918-596-7618
E: eroark@cityoftulsa.org
www.tulsaplanning.org



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;

The location of the home and the requested 94 square foot increase are based on a practical difficulty and hardship unique to this property. The Property is impacted by drainage patterns the direct water into the back yard, along with limited access to the rear yard. These conditions significantly restrict the ability to construct or place a detached storage structure, creating a hardship beyond the mere inconvenience.

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 zoning code is to maintain proportional structures and protect the character of the neighborhood. The requested increase is minimal and, due to the property's drainage limitations and restricted rear access, there is no reasonable alternative for storage. Granting this variance will not alter the character of the property or neighborhood and still upholds the intent of the code.

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;

The conditions leading to the request are unique to the subject property, Due to the drainage patterns, The backyard frequently collects and carries eater, functioning as a drainage area for multiple surrounding properties. Combined with the lack of alley access and limited entry through a narrow driveway these conditions are not typical of other properties in the same zoning classifications.

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

The hardship was not created or self-imposed by the current property owner. The drainage conditions and limited access are inherent characteristics of the property that existed prior to ownership. The request for the slight increase is garge size is a direct result of these pre-existing conditions.

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

The requested 94 square foot increase is the minimum variance necessary yo provide the reasonable storage capacity given the limitations of the property.

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 requested variance will not alter the essential character of the neighborhood or impair the use or development of adjacent properties. The 94 square foot increase is minor, will be attached to the existing garage, and will remain consistent with surrounding structures. It will not interfere with neighboring property use, drainage, or access.

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.

The requested variance will not cause substantial detriment to the public good or impair the purpose, spirit, or intent of the zoning code or comprehensive plan. The request is minimal and necessary due to unique property conditions. Granting the variance will allow reasonable residential use while maintaining consistency with neighborhood compatibility and overall zoning objectives.