Board of Adjustment

Staff Report
BOA-24118

Hearing Date: November 17, 2026 (Continued from October 27, 2026)

Prepared by: Christopher Willis
ctwillis@cityoftulsa.org
918-596-7620

Owner and Applicant Information

Applicant: W Design

Property Owner: CBC BUILDS LLC

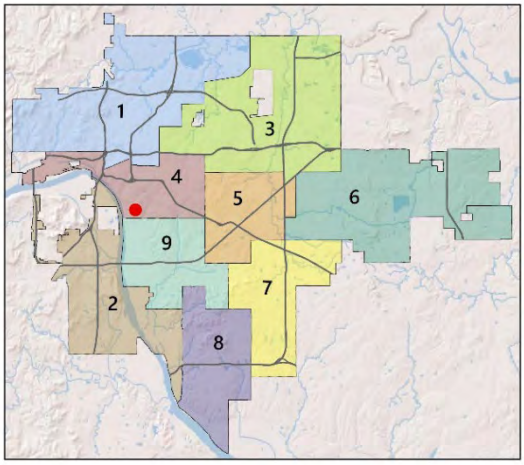
Property Location

Southwest of the southwest corner of East 27th Street South and South Peoria Avenue

Tract Size: ±0.16 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 reduce the minimum open space per unit requirement 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: Sidewalks

Planned Bike/Ped Facilities: N/A

Environment

Flood Area: N/A

Tree Canopy Coverage: 20-29%

Parks & Open Space: N/A

Staff Analysis

The applicant is requesting a variance to reduce the minimum open space per unit requirement in the RS-3 district (Section 5.030-A, Table 5-3). The applicant is proposing to construct a new detached home on the subject property. The minimum open space per unit requirement for an RS-3 property is 4,000 square feet. The applicant is proposing 3,480 square feet of open space per unit, which requires 520 square feet of relief.

This case was originally heard on October 27, 2026, but was continued to the November 17, 2026 hearing to potentially be heard by a full board.

Section 5.030 Lot and Building Regulations

***

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.

***

Table 5-1: 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

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 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:

Location	*Existing Zoning/Overlay*	*Existing Land Use Designation*	*Existing Use*
North	RS-3	Neighborhood	Residential
East	RS-3	Neighborhood	Residential
South	RS-3	Neighborhood	Residential
West	RS-3, RS-2	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: Sidewalks are present along East 27th Place.

Planned Bike/Ped Facilities: N/A

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 24%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

Site Photos

View east from East 27th Place, March 2025 (Image from Google Street View)

Sample Motion

Variance

I move to *approve or deny* a variance to reduce the minimum open space per unit requirement in the RS-3 district *from 4,000 square feet to 3,480 square feet* (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

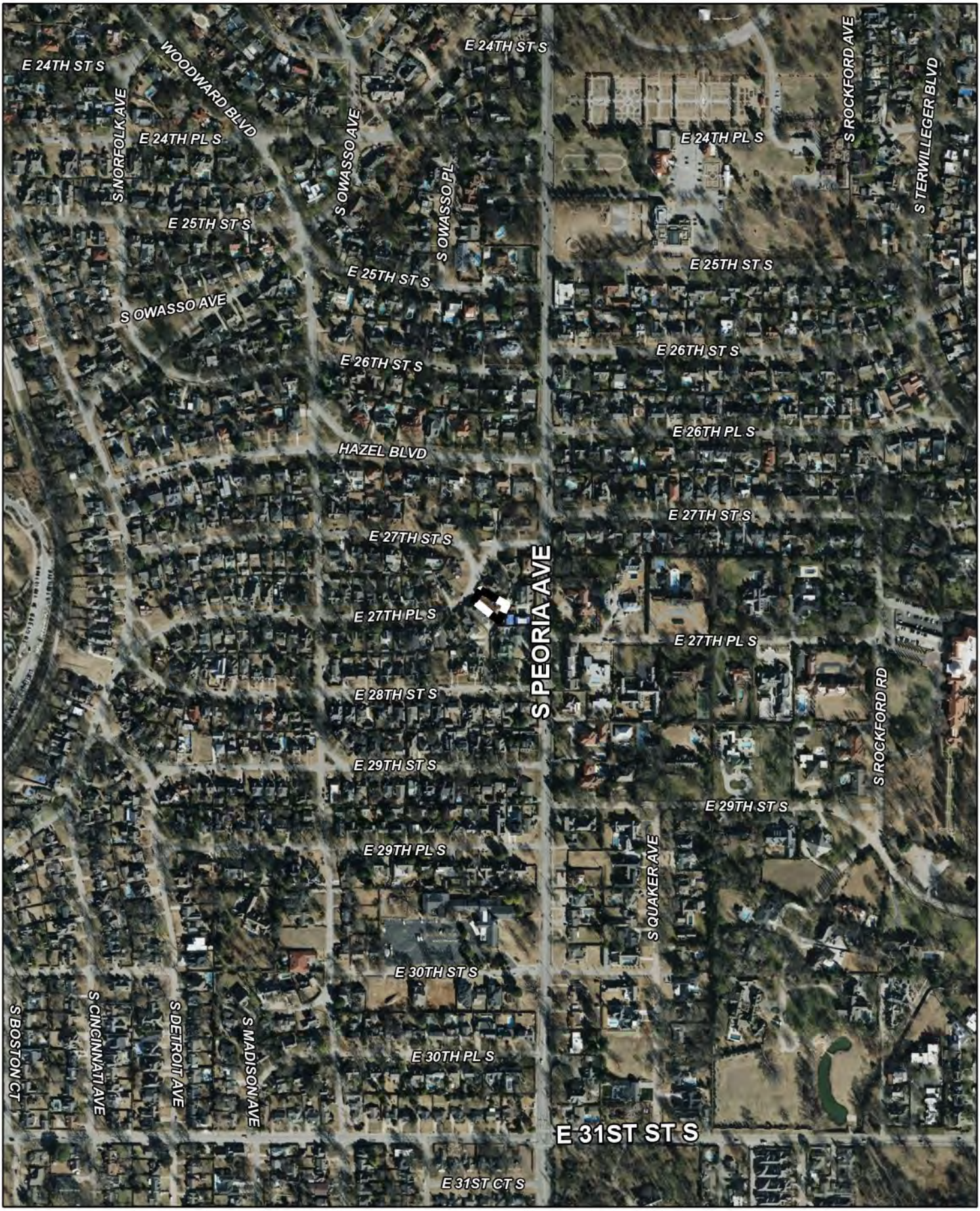
g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.

Property Description

LT 5 BK 19, SUNSET TERRACE, City of Tulsa, Tulsa County, State of Oklahoma

Exhibits

Case map
Aerial (small scale)
Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Statement of Hardship



Feet
0 250 500

Subject Tract

BOA-24118

19-12 13

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

Aerial Photo Date: 2025

N

Feet
0 50 100

Subject Tract

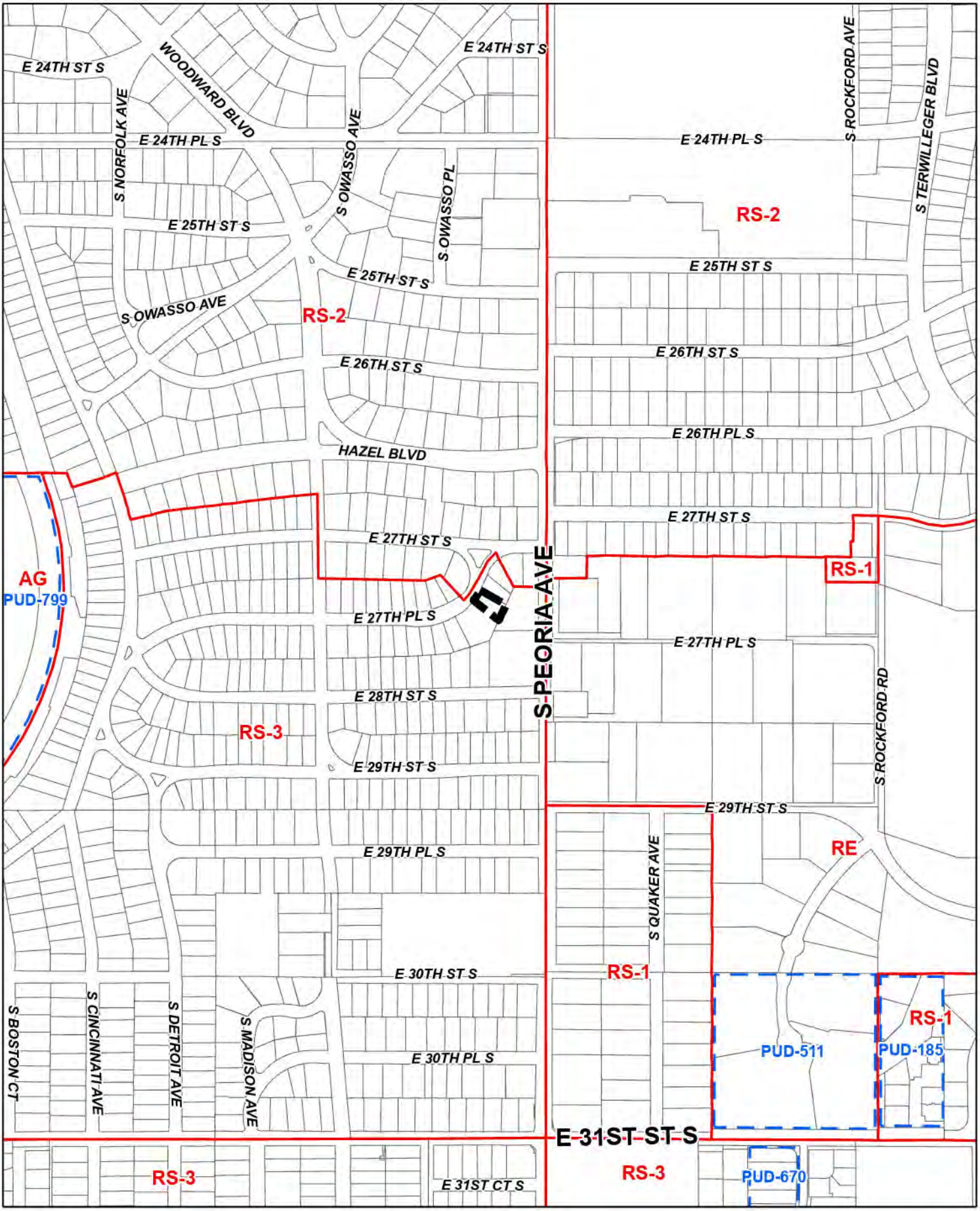
BOA-24118

19-12 13

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

Aerial Photo Date: 2025

N



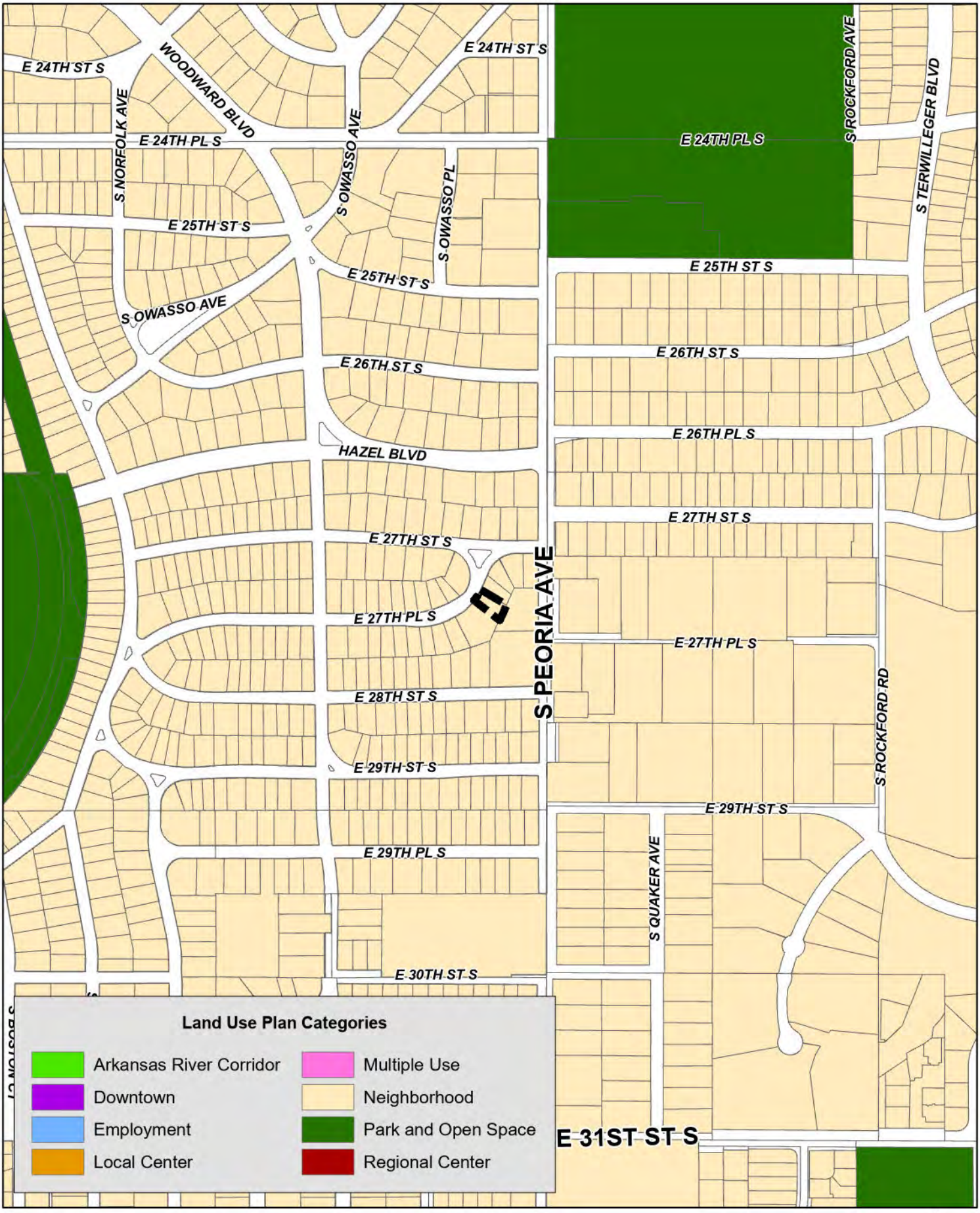
Feet
0 250 500

Subject Tract

BOA-24118

19-12 13

N


E 24TH ST S
WOODWARD BLVD
E 24TH ST S
E 24TH PL S
S NORFOLK AVE
S OWASSO AVE
S OWASSO PL
E 24TH PL S
S ROCKFORD AVE
S TERWILLEGER BLVD
E 25TH ST S
E 25TH ST S
S OWASSO AVE
E 25TH ST S
E 26TH ST S
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HAZEL BLVD
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S PEORIA AVE
E 27TH PL S
E 28TH ST S
S ROCKFORD RD
E 29TH ST S
E 29TH ST S
E 29TH PL S
S QUAKER AVE
E 30TH ST S
E 31ST ST S
Land Use Plan Categories
Arkansas River Corridor
Downtown
Employment
Local Center
Multiple Use
Neighborhood
Park and Open Space
Regional Center
Feet
0
250
500
Subject Tract
BOA-24118
19-12 13
N

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;

There is an existing asphalt drive in an access easement on the subject property that absorbs approximately 993sf of lot area, 737sf of that area is counting against the Open Space requirement limiting the ability to design a structure fitting the rest of the neighborhood.

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

The existing asphalt drive absorbs a substantial amount of lot area that is not owned by the land owner and restricts a design complimentary to the existing houses in this small pocket development. If the asphalt drive were not present, the design would conform to the zoning requirements.

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;

If the asphalt drive were not present, the design of this design would confirm to zoning requirements. The design of this home is such that it compliments the existing character of the pocket development.

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

The asphalt drive was placed with the initial development and was not part of the initial design or intent of design for this particular structure to be placed on this lot.

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

We are asking for the minimum variance that will facilitate the design intent.

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

This variance in no way diminishes or alters the existing character of the neighborhood or any adjacent properties.

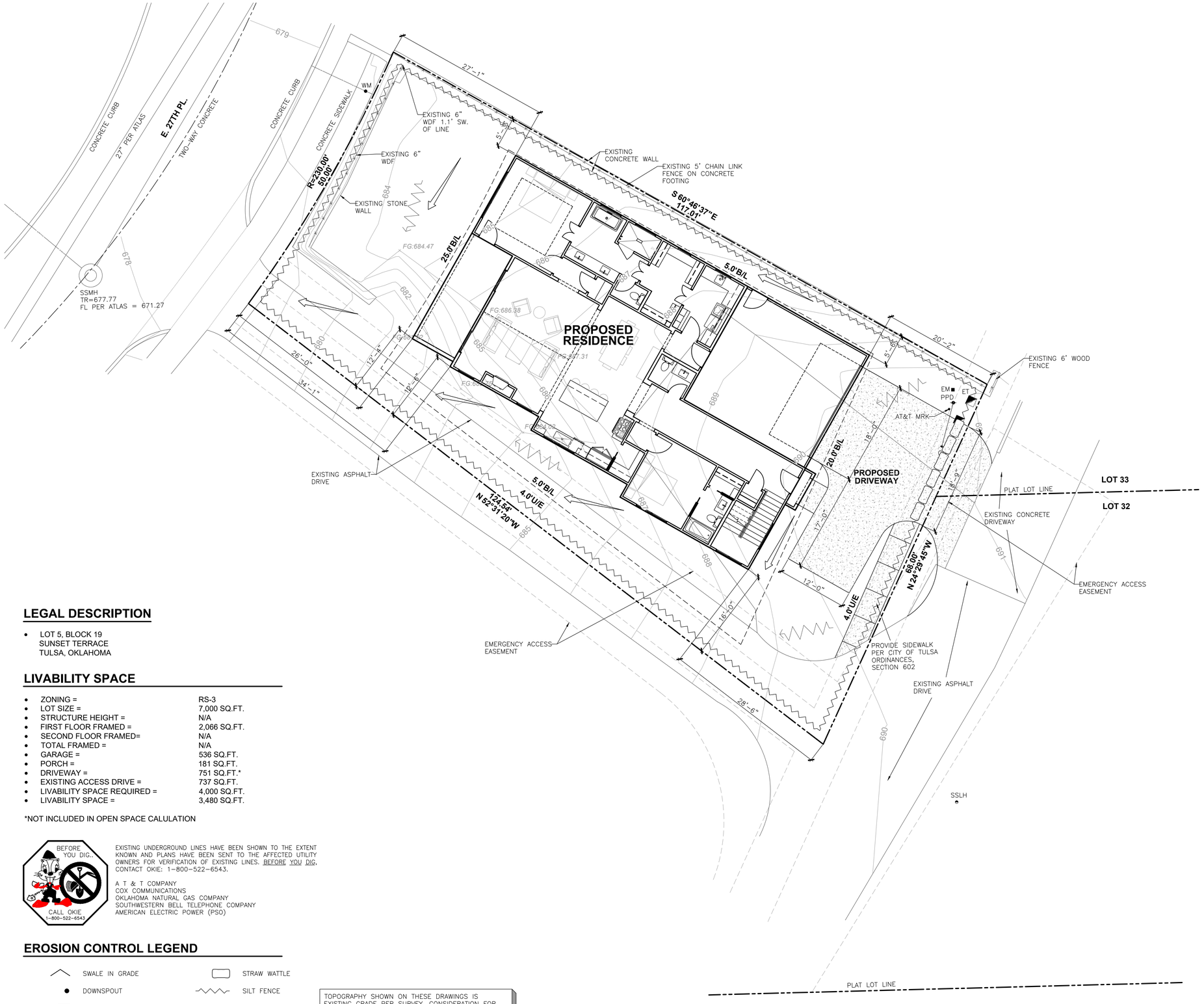
7. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the zoning code or the comprehensive plan.

This variance will keep within the nature and intent of the Zoning Code and the Comprehensive Plan.

NOTES:

GRADING AND EROSION CONTROL PLAN

1. ALL GRADING AND EROSION CONTROL SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT CITY STANDARD CONSTRUCTION SPECIFICATIONS.
2. ALL EROSION CONTROL CONSTRUCTION SHALL BE INSPECTED BY THE PUBLIC WORKS DEPARTMENT UTILITY INSPECTORS, IN ACCORDANCE WITH CITY POLICY.
3. EROSION CONTROL SHALL START WITH INITIAL CONSTRUCTION AND BE PRACTICED THROUGHOUT THE PROJECT.
4. STRAW WATTLES AND/OR SILT FENCES SHALL BE CONSTRUCTED ADJACENT TO ALL DRAINAGE-WAYS, AND IN ALL AREAS THAT WILL ERODE INTO THE STORM SEWER SYSTEM.
5. WHERE CONSTRUCTION ACTIVITY TEMPORARILY CEASES FOR 14 DAYS, THE DISTURBED AREAS SHALL BE STABILIZED WITH SEED AND MULCH.
6. THE CONTRACTOR SHALL RE-SEED ALL AREAS DISTURBED DURING CONSTRUCTION AND CONTRACTOR SHALL BE RESPONSIBLE FOR SEEDED AREAS UNTIL GROWTH IS ESTABLISHED TO A UNIFORM HEIGHT OF TWO(2) INCHES.
7. THERE ARE NO OFFSITE MATERIAL, WASTE, BORROW, OR EQUIPMENT STORAGE AREAS.
8. THE STORM WATER POLLUTION PREVENTION PLAN SHALL BE UPDATED AS NECESSARY TO REMAIN CONSISTENT WITH ANY CHANGES APPLICABLE TO PROTECT SURFACE WATER RESOURCES IN SEDIMENT EROSION SITE PLANS OR SITE PERMITS, OR STORM WATER MANAGEMENT SITE PLANS OR SITE PERMITS APPROVED BY STATE OR LOCAL OFFICIALS FOR WHICH THE PERMITEE RECEIVES WRITTEN NOTICE.



1 **ARCHITECTURAL SITE PLAN**
SCALE: 1/8" = 1'-0"

LEGAL DESCRIPTION

- LOT 5, BLOCK 19
  SUNSET TERRACE
  TULSA, OKLAHOMA

LIVABILITY SPACE

ZONING =	RS-3
LOT SIZE =	7,000 SQ.FT.
STRUCTURE HEIGHT =	N/A
FIRST FLOOR FRAMED =	2,066 SQ.FT.
SECOND FLOOR FRAMED=	N/A
TOTAL FRAMED =	N/A
GARAGE =	536 SQ.FT.
PORCH =	181 SQ.FT.
DRIVEWAY =	751 SQ.FT.*
EXISTING ACCESS DRIVE =	737 SQ.FT.
LIVABILITY SPACE REQUIRED =	4,000 SQ.FT.
LIVABILITY SPACE =	3,480 SQ.FT.

*NOT INCLUDED IN OPEN SPACE CALULATION

BEFORE YOU DIG... CALL OKIE 1-800-522-6543

EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN AND PLANS HAVE BEEN SENT TO THE AFFECTED UTILITY OWNERS FOR VERIFICATION OF EXISTING LINES. BEFORE YOU DIG, CONTACT OKIE: 1-800-522-6543.

A T & T COMPANY
COX COMMUNICATIONS
OKLAHOMA NATURAL GAS COMPANY
SOUTHWESTERN BELL TELEPHONE COMPANY
AMERICAN ELECTRIC POWER (PSO)

EROSION CONTROL LEGEND

- SWALE IN GRADE
- DOWNSPOUT
- DOWNSPOUT TO SPLASH PAD
- UNDERGROUND LEADER, DISCHARGE AT CURB
- NEW DRAINAGE FLOW
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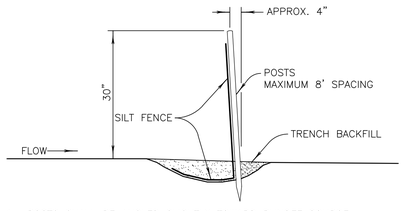

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2 **SILT FENCE DETAIL**
SCALE: NONE

Exhibit 1

wdesign
ARCHITECTURE & INTERIORS
608 E. 3rd Street
Tulsa, OK 74120
Office: 918.794.6616
Fax: 918.794.6602
www.wdesignsite.com

SEAL:

STATE OF OKLAHOMA
WELDON JORDAN BOWMAN
No. 6042
TULSA, OK
LICENSED ARCHITECT

9/23/2026
WELDON BOWMAN, AIA
OK LICENSE NO. 6042
CA# 02461 EXPIRES 06/30/2027

PROJECT:

SUNSET TERRACE SPEC - L5 B19

PROJECT # 22118.06

CONSULTANT:

REVISIONS:

ISSUE DATE:

9.23.2026

SHEET NAME:
ARCHITECTURAL SITE PLAN

SHEET #:

SP

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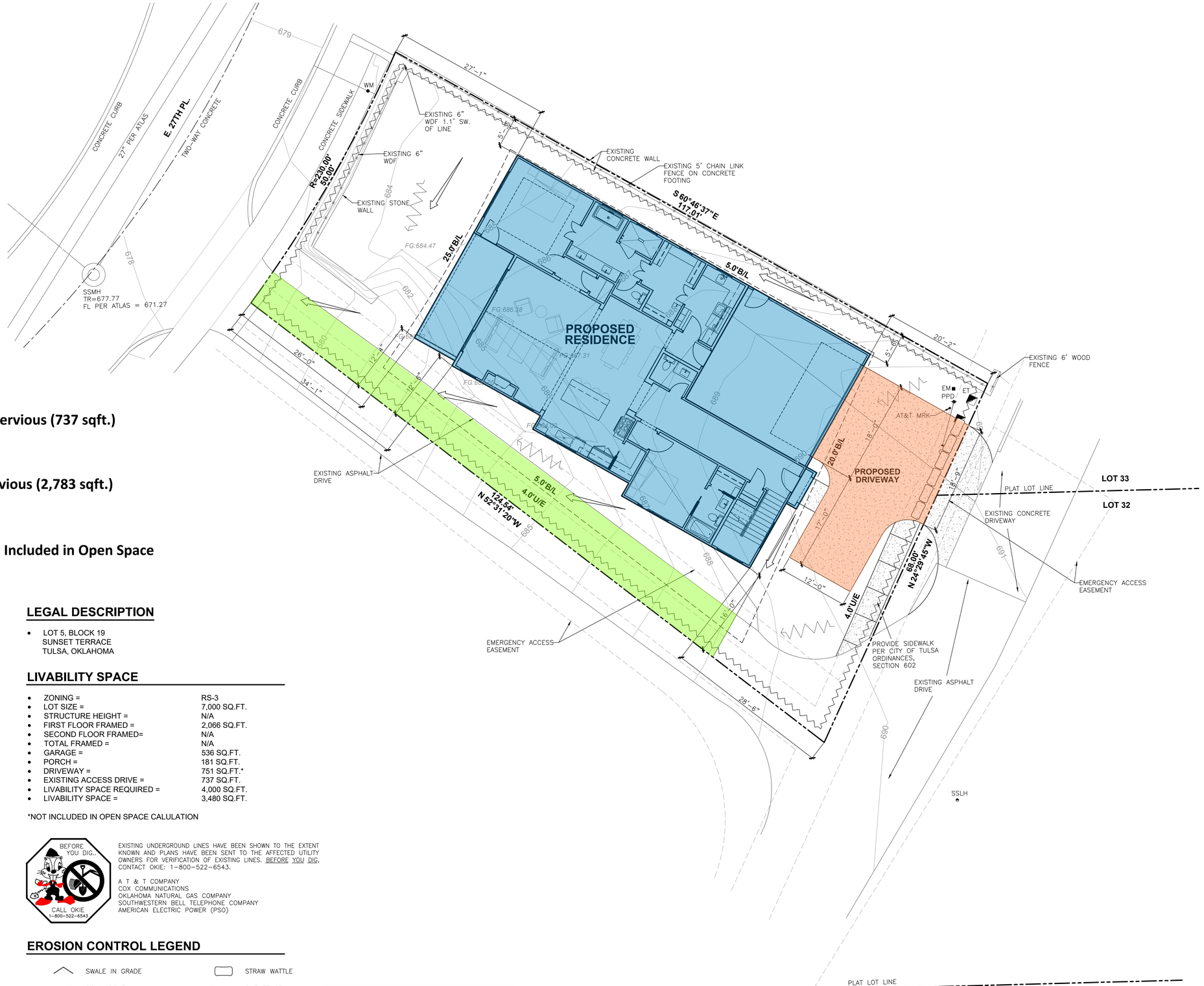

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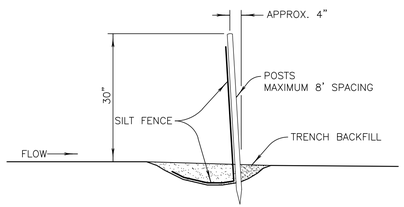

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Exhibit 2

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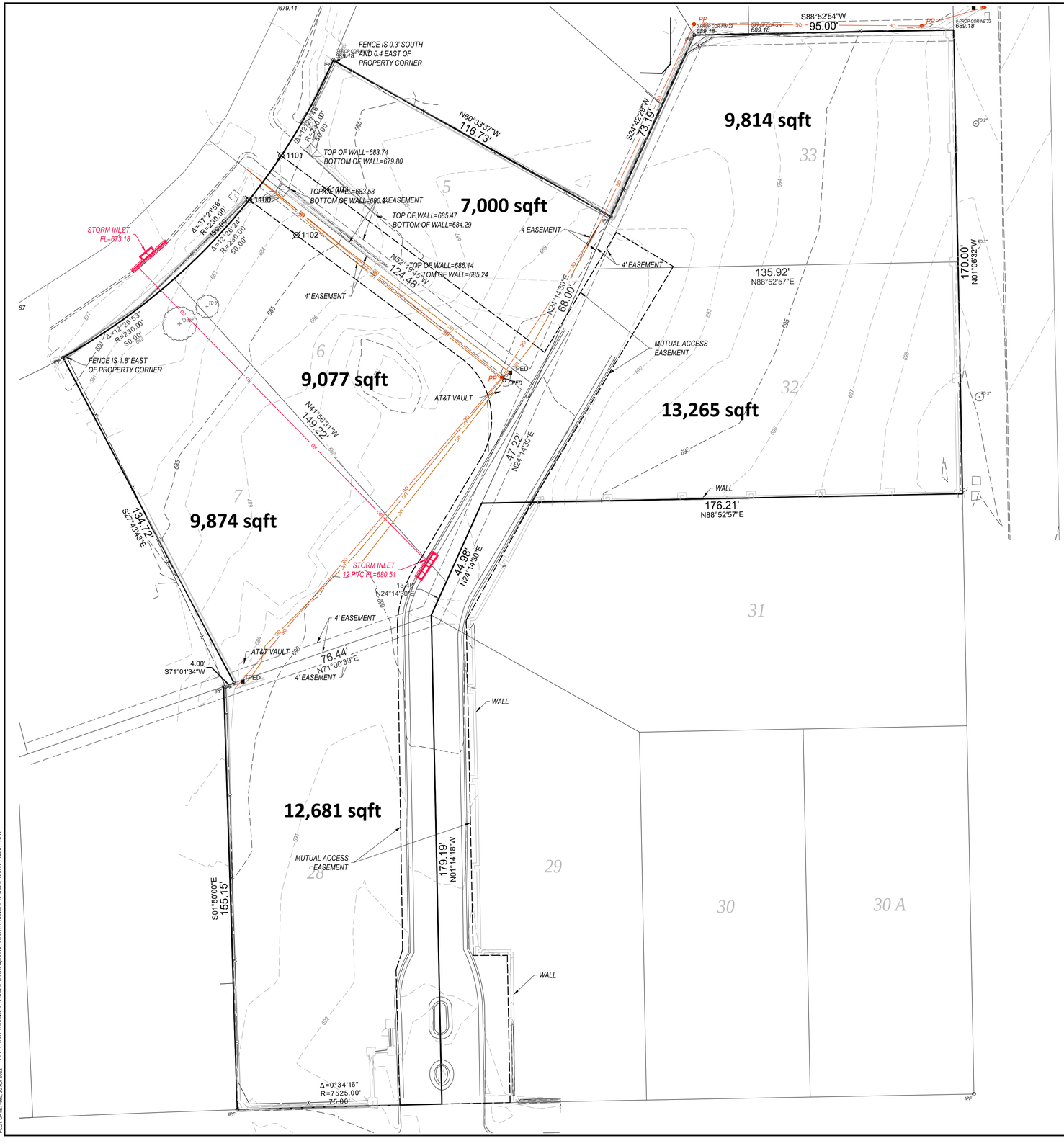
TOPOGRAPHICAL & BOUNDARY SURVEY

SUNSET TERRACE

LOTS 5, 6, 7, 28, 32, AND 33 OF BLOCK 19
AN ADDITION TO THE CITY OF TULSA
TULSA COUNTY, STATE OF OKLAHOMA


9,814 sqft
7,000 sqft
9,077 sqft
13,265 sqft
9,874 sqft
12,681 sqft
FENCE IS 0.3' SOUTH AND 0.4 EAST OF PROPERTY CORNER
FENCE IS 1.8' EAST OF PROPERTY CORNER
S88°52'54"W 95.00'
N60°33'37"W 116.73'
S24°42'29"W 73.19'
135.92' N88°52'57"E
170.00' N01°06'32"W
68.00' N24°14'30"E
41.22' N24°14'30"E
176.21' N88°52'57"E
44.98' N24°14'30"E
134.72' S27°43'43"E
N41°56'31"W 149.22'
N53°45'47"W 124.48'
76.44' N71°00'39"E
4.00' S71°01'34"W
S01°50'00"E 155.15'
179.19' N01°14'18"W
Δ=0°34'16" R=7525.00' 75.00'
TOP OF WALL=683.74 BOTTOM OF WALL=679.80
TOP OF WALL=683.58 BOTTOM OF WALL=680.24
TOP OF WALL=685.47 BOTTOM OF WALL=684.29
TOP OF WALL=686.14 BOTTOM OF WALL=685.24
4' EASEMENT
MUTUAL ACCESS EASEMENT
STORM INLET FL=673.18
STORM INLET 12 PVC FL=680.51
AT&T VAULT
WALL
1101
1102
1100
1103
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Waiver of Plan Corrections Summary Requirement

I understand that if Board of Adjustment staff waives the requirement that a Plan Corrections Summary accompany an application to the Board, the Applicant is responsible for requesting all necessary relief and for citing the sections of the zoning code pertinent to the relief sought.

I understand that the waiver of the requirement that a Plan Corrections Summary accompany an application to the Board of Adjustment shall not be considered a waiver of the necessity to apply for a building permit or a zoning clearance permit, as may be required by the particular proposed use or construction.

In the event that the applicant does not request all necessary relief, additional BOA action may be required resulting in significant delays during the building permit process.

I hereby certify that I have read and understand the above requirements and that I will have the Plan Corrections Summary requirement waived for the subject property in BOA case number: _____.

Applicant's Signature

22 SEP 26

Date