

BOA-22783

19-13 17

16.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 9317

Case Number: **BOA-22783**

CZM: 37

CD: 4

HEARING DATE: 11/12/2019 1:00 PM

APPLICANT: Tony Jordan

ACTION REQUESTED: Variance to reduce the required 25 ft. rear setback in an RS-1/RS-2 District (Sec. 5.030, Table 5-3)

LOCATION: 2407 E 26 PL S

ZONED: RS-1/RS-2

PRESENT USE: Residential

TRACT SIZE: 78425.75 SQ FT

LEGAL DESCRIPTION: PRT LTS 7 & 8 BEG 54.66W & 5S NWC LT 7 TH E280.72 S126.81 SW78.21 W78.21 S200 TO PT ON SL LT 7 CRVLF 26.65 SW125 TO SWC LT 7 CRVRT 41.15 NLY367.75 POB BLK 1, WOODY-CREST SUB

RELEVANT PREVIOUS ACTIONS:

Subject property: None

Surrounding Properties:

BOA-21806; On 11.25.2014 the Board **approved** a *Variance* to allow a swimming pool to be constructed in the required front yard (Section 210.B.6) and a *Variance* to reduce the rear yard setback to 22 feet on an RS-1 zoned lot (Section 403, Table 3), subject to the property as constructed shown on page 8.10. Property located 2403 East 27th Place.

BOA-20834; On 01.13.2009 the Board **approved** a *Variance* of the rear yard requirement in the RS-2 district (Section 403) to permit a garage addition finding that the lot is exceptionally shallow depth and at 122.5 ft does not permit the normal application of a garage. Property located 2504 East 25th Place.

BOA-20302; On 07.11.2006 the Board **denied** a *Variance* of the 25 ft. required rear yard (Section 403) in an RS-2 district, finding a lack of hardship. Property located 2518 East 26th Street South.

BOA-17049; On 05.23.1995 the Board **approved** a *Variance* of the required rear yard from 25' to 16' to permit the addition of a second story to an existing dwelling (Section 403. Bulk and Area Requirements in Residential Districts- Use Unit 6) per plan submitted, subject to the new construction extending no farther into the required setback than the 1st floor of the dwelling, finding that a second story could be constructed over the dwelling by right that would be higher than the proposed addition over the garage. Property located 2604 East 26th Street.

BOA-14616; On 09.17.1987 the Board **approved** a *Variance* (Section 430.1- Bulk Area Requirements in Residential Districts- Use Unit 1206) of rear yard setback from 25' to 5', a *Variance* of side yard setback from 10' to 2', and a *Variance* of the livability space from 5,000 sq. ft. to 4,000 sq. ft., all to allow for an addition to an existing dwelling unit, per plot plan submitted, finding that similar setback variances have been granted in the area. Property located 2427 East 26th Street.

16.2

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a “Existing Neighborhood” and an “Area of Stability”.

An **Existing Neighborhood** is intended to preserve and enhance Tulsa’s existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code.

The **Areas of Stability** include approximately 75% of the city’s total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is located East of Lewis Ave. between E. 26th St. S. and E. 26th Pl. S. The zoning so the property is split between RS-1 and RS-2.

STAFF COMMENTS:

The applicant is requesting a **Variance** to reduce the required 25 ft. rear setback in an RS-1/RS-2 District (Sec. 5.030, Table 5-3)

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Min. Building Setbacks (ft.)													
Street [3]													
Arterial or fwy service rd.	35	35	35	35	35	35	35	35	35	35	35	35	35
Other streets	35	35	30	25	20	20	25	10	25	25	10	25	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

STATEMENT OF HARDSHIP: For staff to be out of weather/heat/rain/snow.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Variance** to reduce the required 25 ft. rear setback in an RS-1/RS-2 District (Sec. 5.030, Table 5-3)

- Finding the hardship(s) to be_____.
- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions _____.

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."*

LT 1 BLK 1; LT 2 BLK 1, LEADERSHIP OFFICE PARK, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21806—Seisemore, Weisz Associates, Inc.

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Action Requested:

Variance to allow a swimming pool to be constructed in the required front yard (Section 210.B.6); Variance to reduce the rear yard setback to 22 feet on an RS-1 zoned lot (Section 403, Table 3). **LOCATION:** 2403 East 27th Place (CD 4)

Presentation:

Mark Capron, 6111 East 32nd Place, Tulsa, OK; stated he represents the applicant. In 1991 the subject house was built with a permit and a swimming pool was later built under a permit. The house has a unique situation because it is with three houses on a private access drive. Mr. Capron used an aerial photo of the subject property on the overhead projector screen to show how the subject house is positioned and served by the private drive. A survey was made and it was discovered that there is an encroachment of the front yard with a swimming pool and a 2'-6" encroachment on the east side.

Mr. Van De Wiele asked Mr. Capron if the front yard was technically Lewis Avenue. Mr. Capron answered affirmatively. According to the City of Tulsa Lewis Avenue is the front yard of the property that has a 12 or 15 foot concrete wall. No one will see what is going on in the yard. It is not the practical front yard even though the strict interpretation of the code states the front is Lewis Avenue.

Mr. Swiney asked Mr. Capron if there was any access to Lewis Avenue through the surrounding concrete wall. Mr. Capron stated there is not. Mr. Swiney asked if the Post Office delivered the mail from the private drive. Mr. Capron stated that he did not know the answer to that question. Ms. Moyer stated that the Post Office does deliver the mail from the private drive because when she was taking site pictures the mail truck was parked on the drive, and the parked truck can be seen in the picture on page 8.9.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 5-0-0 (Henke, Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; none absent) to **APPROVE** the request for a Variance to allow a swimming pool to be constructed in the required front yard (Section 210.B.6); Variance to reduce the rear yard setback to 22 feet on an RS-1

BOA-21806

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zoned lot (Section 403, Table 3), subject to the property as constructed as shown on page 8.10. The Board has found that this property which fronts onto a private drive, the legal front yard faces Lewis Avenue, the property's practical rear yard faces the private drive which is the legal back yard but is the practical front yard on the private drive creating the hardship for which the Variances need to be granted. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variances to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan for the following property:

PRT LT 6 BEG 25.01E NWC LT 6 TH S183.68 NE128.49 N155.6 W126.92 TO POB & 25.01 VAC STREET ADJ ON W BLK 2, WOODY-CREST SUB, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21810—Eli Ingram

Action Requested:

Special Exception to permit a landscaping/irrigation business (Use Unit 15) in a CS District (Seciton 701, Table 1). **LOCATION:** 6520 East Latimer Place (CD 3)

Presentation:

Shawna Hale, 1245 South Owasso Avenue, Tulsa, OK; stated she represents the buyer and the seller as the subject property is currently under contract. The property has already undergone the rezoning through the the Tulsa Metropolitan Area Planning Commission. The business will provide security and general beautification for the neighborhood just because of their line of business. Neighbors have already let it be known that they are happy to see the property occupied because of past issues with vandalism and vagrancy.

Mr. White asked Ms. Hale if there would be outside storage of products such as sod or dirt. Ms. Hale stated that due to the location it is the intention to store 90% of the equipment and materials indoors. The materials will be on site based on a job-by-job basis. There will be trees stored outdoors. The front of the building is about 100 feet from the street and the building itself is about 100 feet long. Any outside storage would be contained in the rear yard.

Mr. White asked Ms. Hale what the days and hours of operation for the business would be. Ms. Hale stated the hours of operation would be the normal business hours of 8:00 A.M. to 5:00 P.M., Monday through Friday.

Interested Parties:

There were no interested parties present.

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Case No. 20834

Action Requested:

Variance of the rear yard requirement in the RS-2 district (Section 403) to permit a garage addition, located: 2504 East 25th Place.

Presentation:

Lou Reynolds, 2727 East 21st Street, Tulsa, Oklahoma. The house was built in the early 1950s and has a one car garage. The lot is a rather shallow RS-2 lot. The owners intend to tear down the garage and put in a breezeway. They plan to install a new two car garage.

Comments and Questions:

Ms. Stead asked Mr. Reynolds to confirm where the garage would be built. She asked what the building was at the back of the house that could be seen from the street. Mr. Reynolds noted that it is actually part of the house. The addition had been built in the 1970s.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **MOTION** of **White**, the Board voted 3-0-2 (White, Stead, Stephens "aye"; no "nays"; Henke, Tidwell "abstained"; no "absences") to **APPROVE** a variance of the rear yard requirement in the RS-2 district (Section 403) to permit a garage addition finding that the lot is exceptionally shallow depth and at 122.5 ft. does not permit the normal application of a garage. In order to get a full two car garage in there, it needs the additional depth for that to be located toward the rear of the lot. Any additional driveway will be concrete or asphalt. This is per the plan on page 11.8 and profile view submitted today. The Board finds that by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code or the Comprehensive Plan, on the following described property:

LT 6 BLK 2, EASTWOOD ADDN RESUB L3 J P HARTER'S SUB, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20835

Action Requested:

Variance of the maximum display surface area permitted in an OH district (Section 602.B.4.c); and a Variance of the setback requirement for a sign visible from an R

Case No. 20302

Action Requested:

Variance of the 25 ft. required rear yard (Section 403) in an RS-2 district, located: 2518 East 26th Street South.

Presentation:

Richard Howard, 2431 East 61st Street, Suite 300, represented the applicant, **Rodney Young**. The home was built about 1951 and the property was subdivided from a plat done in 1947. A garage and second story over the garage was added sometime prior to 1965. The home has been in the family since 1965. They plan to add an exercise area to the lower level and also to make room for some elderly family members. They are willing to make some changes in the plan for the privacy of the neighbors, at the Board's direction. The entire property is surrounded by privacy fence.

Comments and Questions:

Ms. Stead asked if the apartment above the garage is a full apartment, to which Mr. Howard replied it has a small half-kitchen. Mr. Howard was asked if the apartment had been rented to tenants. Upon checking with Mr. Young, he replied that it has not been rented for "about five to ten years". Ms. Stead did not think they have enough back yard for this variance. Mr. Dunham commented that the front of the house is in line with the other houses.

Interested Parties:

Kevin Anderson, 2510 East 26th Street, commented that the site plan appears to show more property to the front than there really exists. He mentioned that his property and that of Mr. Zacharias, to the east, are at a lower elevation than the subject property so a two-story house would not give them any privacy. He suggested that the deck area could be enclosed and save Mr. Young a lot of money. He had drainage concerns also. A letter of opposition was provided (Exhibit E-1).

Sid Smith, 2457 East 26th Place, stated he is south of the property. His objection was to the second story addition, which would look over his pool.

Applicant's Rebuttal:

Mr. Howard stated they could put in skylights instead of windows, and noted the heavily tree-lined property lines. Mr. Henke asked Mr. Howard to repeat the hardship. Mr. Young wants to make space for his relatives and stated the placement of the house before the Young's purchased it and prior to the current zoning code.

Comments and Questions:

Mr. Tidwell has seen a similar situation and the two-story towers over the neighbors and everyone loses privacy. Mr. Stephens and Mrs. Stead could not see a hardship either.

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (Dunham, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **DENY** a Variance of the 25 ft. required rear yard (Section 403) in an RS-2 district, finding a lack of hardship, on the following described property:

PRT LT 6 BEG 90.2E NWC TH SLY115.8 E105 NLY113.6 W105 POB BLK 1,
WOODY-CREST SUB, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20303

Action Requested:

Variance of required parking for an existing commercial center from 155 spaces to 134 spaces (Section 1212.D), located: 6028 South Memorial Drive.

Presentation:

Alan Harju, 6202 South Lewis, Suite E, stated he is the manager for Copper Mountain, LLC. He submitted a Parking Use Survey (Exhibit F-1) of the parking usage on this site. They have done a major remodeling of the shopping center. The center is 68% occupied at this time. There was a 22% use rate of the parking lot at noontime. The Mazzio's delivery store is considered a restaurant, which requires 20 parking spaces, but it never utilizes that.

Interested Parties:

Don Shint, 10747 South Quebec Avenue, stated he has the wireless cellular phone store next door. His only concern would be overflow parking into his parking area.

Comments and Questions:

There was a question and discussion as to the number of parking spaces required. Mr. Cuthbertson responded that it depends on the tenant mix.

Board Action:

On **Motion** of **Dunham**, the Board voted 5-0-0 (Dunham, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Variance of required parking for an existing commercial center from 155 spaces to 134 spaces (Section 1212.D), finding that by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

Case No. 17049

Action Requested:

Variance of the required rear yard from 25' to 10' to permit the addition of a second story to an existing dwelling - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6, located 2604 East 26th Street.

Presentation:

The applicant, **Rodney Ghan**, 2604 East 26th Street, submitted a plot plan and photographs (Exhibit L-1) and explained that he is proposing to expand an existing dwelling by the addition of an upstairs bedroom. He informed that the garage floor is lower than that of the house and the bedroom will be lower than a typical two story home. The applicant stated that the existing dwelling is encroaching into the required rear yard (16' from property line) and the new construction will not be farther to the rear of the lot than the existing building wall. Mr. Ghan informed that the existing window will be enlarged; however, it is located over the tub and will not give a direct view of the neighbors back yard. Numerous photographs were submitted (Exhibits L-2, L-3, L-5)

Comments and Questions:

Ms. Turnbo asked if the window will remain at the current location, and Mr. Ghan answered in the affirmative. He noted that the new construction will align with the existing wall, which is 16' from the rear lot line, and the application can be changed to reflect 16' instead of 10'.

Mr. Doverspike asked if the neighbors have been advised of the project, and the applicant replied that he distributed plans before the meeting.

In reply to Ms. Abbott, the applicant stated that a small awning over the porch will be replaced with a new covering.

Protestants:

Brad and Diane Fussell, 2551 East 26th Place, stated that they live directly behind the property in question and the proposed addition will elevate the roofline approximately 10'. He pointed out that the new room will loom over their back yard and will invade their privacy and block the view. Mr. Fussell asked the Board to deny the request.

Sara Bailey, 2553 East 26th Place, stated that she lives to the south of the subject property and questioned if approval of the variance would permit other construction within 10' of the property line. She noted that the lot is shallow and the dwelling has the appearance of being very close to the lot line. Ms. Bailey asked the Board to adhere to the setback requirements that have been adopted and deny the request.

Letters of protest (Exhibit L-4) from Ms. Bailey and Mr. Fussell were submitted.

Case No. 17049 (continued)

Mr. Ghan stated that mature trees and the slope of the land prohibit the construction of additional living space at another location on the lot.

Mr. Doverspike advised that, if approved per plan, any further expansion would require additional Board approval.

Mr. Jackere stated that the applicant does not need Board approval to add a second story 35' high on any portion of the dwelling that is not over the 25' setback line.

Applicant's Rebuttal:

Mr. Ghan pointed out that the new building wall will not extend farther toward the neighbors to the rear, and the new construction will improve the property and be an asset to the neighborhood. Mr. Ghan stated that mature trees and the slope of the land prohibit the construction of additional living space at another location on the lot. He pointed out that a second story over the garage will be much lower than it would be at any other point on the dwelling, because the floor of the garage is below ground level.

Board Action:

On **MOTION** of **TURNBO**, the Board voted 3-1-1 (Abbott, Bolzle, Turnbo, "aye"; Doverspike, "nay"; White, "abstaining"; none "absent") to **APPROVE** a **Variance** of the required rear yard from 25' to 16' to permit the addition of a second story to an existing dwelling - **SECTION 403. BULK AND AREA REQUIREMENTS IN THE RESIDENTIAL DISTRICTS** - Use Unit 6; per plan submitted; subject to the new construction extending no farther into the required setback than the 1st floor of the dwelling; finding that a second story could be constructed over the dwelling by right that would be higher than the proposed addition over the garage; and finding that approval of the request will not cause substantial detriment to the public good, or violate the spirit, purpose or intent of the Code; on the following described property:

North 90', east 178' Lot 5, Block 1, Woody Crest Addition to the City of Tulsa, Tulsa County, Oklahoma.

Case No. 17050

Action Requested:

Special Exception to permit a post office distribution facility in a CS zoned district - **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 2, located Admiral Place and Highway 169.

Presentation:

The applicant, **John Wingfield**, 8401 Connecticut Avenue, Chevy Chase, MD, was not present.

Case No. 14615

Action Requested:

Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Use Unit 1213 - Request a variance of setback from the centerline of 21st Street from 110' to 60' to allow for an addition to an existing building, located 1905 East 21st Street.

Presentation:

The applicant, Harry Wallace, 1905 East 21st Street, Tulsa, Oklahoma, stated that an addition is planned for Wendy's Restaurant at the above stated location. He explained that a variance was acquired for the original building, and the new construction will be added on the side and align with the front building line.

Comments and Questions:

Ms. Hubbard explained that the restaurant was constructed in 1979 and approved by the Board, per plot plan, but since they now plan to deviate from the plan, additional consideration is required.

Mr. Gardner asked if the new construction is closer to 21st Street than the old building, and Ms. Hubbard stated that it aligns with the older building.

Ms. White asked where the new addition will be located, and the applicant informed that all new construction will be on the east side of the building.

Protestants: None.

Board Action:

On MOTION of WHITE the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to APPROVE a Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Use Unit 1213) of setback from the centerline of 21st Street from 110' to 60' to allow for an addition to an existing building; per revised plot plan; subject to no new construction exceeding the existing setback; finding that the new addition will align with the existing building along 21st Street and the granting of the variance request will not cause substantial detriment to the public good or impair the spirit, purposes and intent of the Code or the Comprehensive Plan; on the following described property:

Lots 13, and 14, Block 2, Reddin III Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14616

Action Requested:

Variance - Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a variance of rear yard setback from 25' to 5', a variance of sideyard setback from 10' to 2' and a variance of the livability space, all to allow for an addition to an existing dwelling unit, located 2427 East 26th Street.

9.17.87:499(12)

16.12

Case No. 14616 (continued)

Comments and Questions:

Mr. Taylor stated that the amount of relief for livability space was not known at the time of the filing of the application. He informed that a variance of livability space from 5,000 sq. ft. to 4,000 sq. ft. is requested.

Presentation:

The applicant, Adrienne Stone, 2427 East 26th Street, Tulsa, Oklahoma, who submitted a plot plan (Exhibit H-1), stated that two families are being combined and she is proposing to add a bedroom and attached garage to an existing dwelling.

Additional Comments:

Mr. Smith asked if the garage will extend to the lot line, and the applicant replied that it will be 2' from the lot line and cover the driveway area. It was stated that the existing small garage will be converted into a bedroom.

Mr. Gardner inquired if there will be a kitchen in the new area, and the applicant replied that there will be a bathroom added, but no kitchen.

Mr. Smith asked how the drainage from the garage will be directed, and it was stated that the garage will be guttered and water runoff directed down the driveway.

Ms. White inquired if the house to the east has a similar addition, and it was stated that the next door neighbor has added a den, which is structurally similar to the proposed garage.

Board Action:

On **MOTION** of **SMITH** the Board voted 3-0-0 (Chappelle, Smith, White, "aye"; no "nays"; no "abstentions"; Bradley, Quarles, "absent") to **APPROVE** a **Variance** (Section 430.1 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of rear yard setback from 25' to 5', a variance of sideyard setback from 10' to 2' and a variance of the livability space from 5,000 sq. ft. to 4,000 sq. ft., all to allow for an addition to an existing dwelling unit; per plot plan submitted; finding that similar setback variances have been granted in the area; and finding a hardship imposed on the applicant by the narrowness of the lot in the older addition; on the following described property:

Lot 14, Block 1, Kenlawn II Addition, City of Tulsa, Tulsa County, Oklahoma.



Facing East from 26th St S.



Facing West from 26th St. S.



Subject tract from 26th St. S.

Jeff S. Taylor
Zoning Official
Plans Examiner III

TEL(918) 596-7637
jstaylor@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

Tony Jordan
Tony Jordan & Sons

10/4/2019

APPLICATION NO: BLDR-43150-2019 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 2407 E 26th PI S

Description: Covered Porch addition

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
3. A COPY OF A "RECORD SEARCH" ☐ IS ☒ IS NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

16.15

REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT
WWW.CITYOFTULSA-BOA.ORG

Application No. **BLDR-43150-2019**

Note: As provided for in Section 70.130 you may request the Board of Adjustment to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

5.030-A: In the RS-1 zoned district the minimum rear yard setback shall be 25 feet from the rear property line to the proposed covered porch.

Review Comments: Revise your plans to indicate a 25' rear setback to the property line, or apply to INCOG for a variance to allow less than a 25' rear setback.

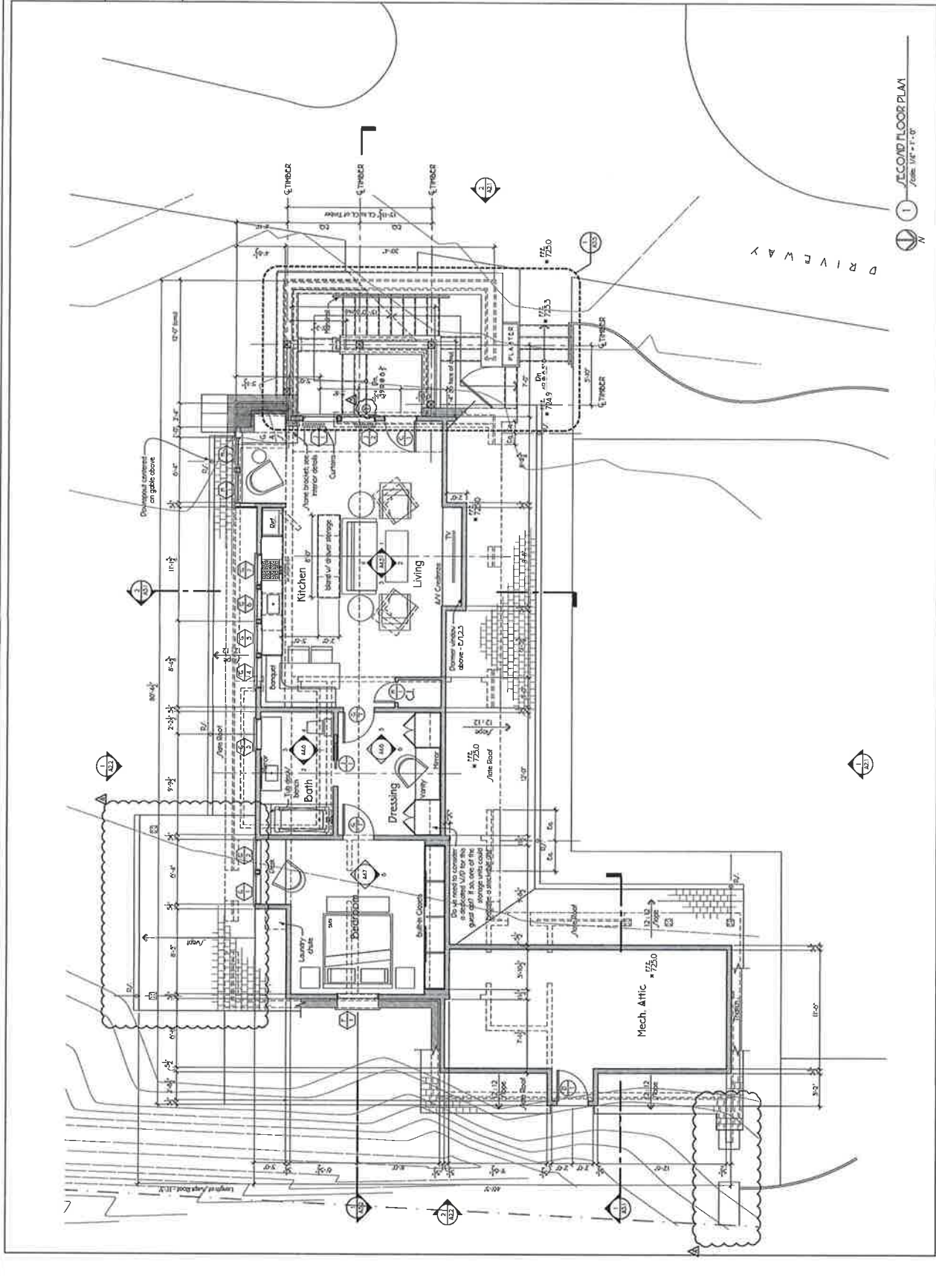
This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter. A hard copy of this letter is available upon request by the applicant.

Please Notify Plans Examiner By Email When You Have Submitted A Revision. If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online

END –ZONING CODE REVIEW

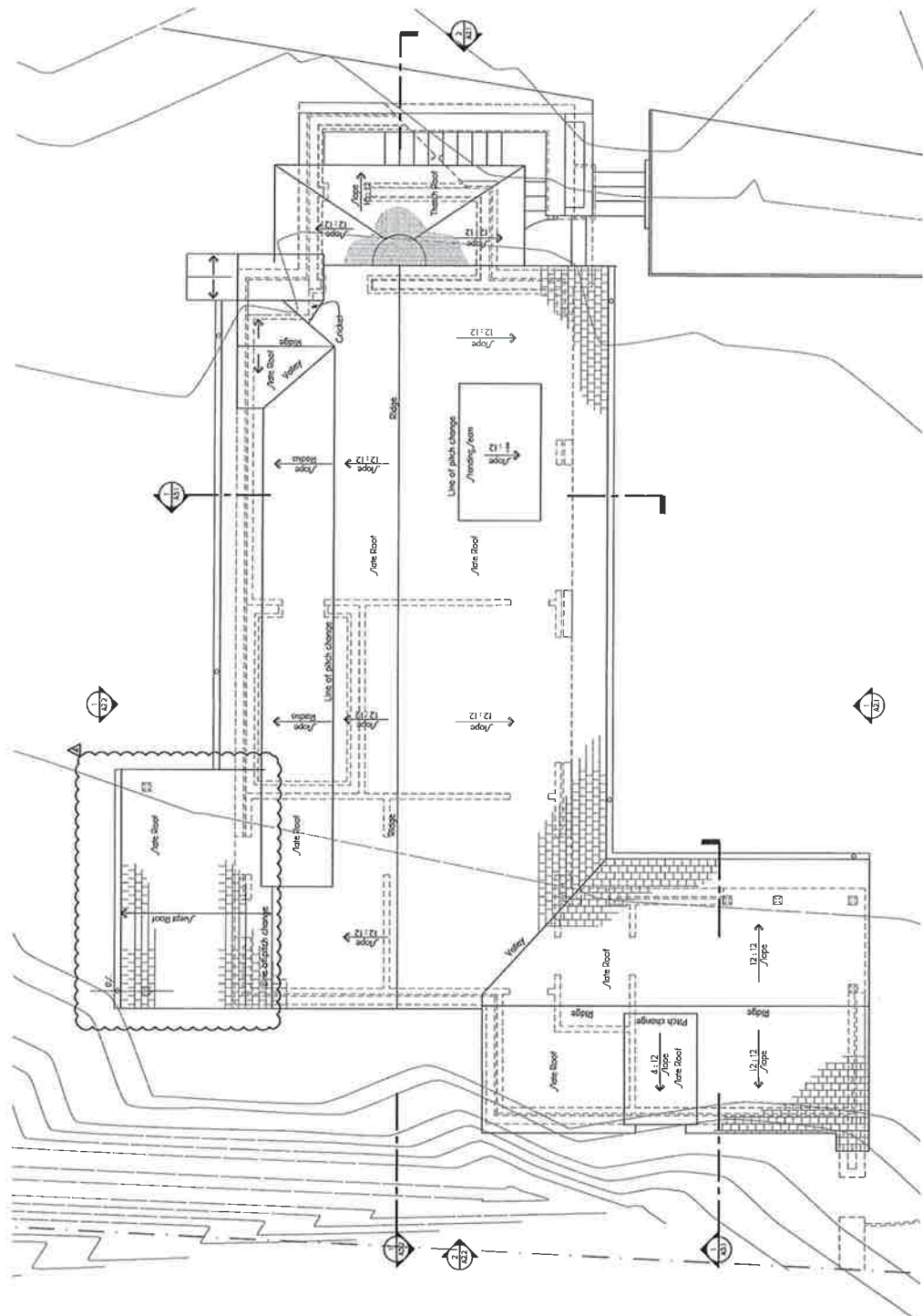
NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

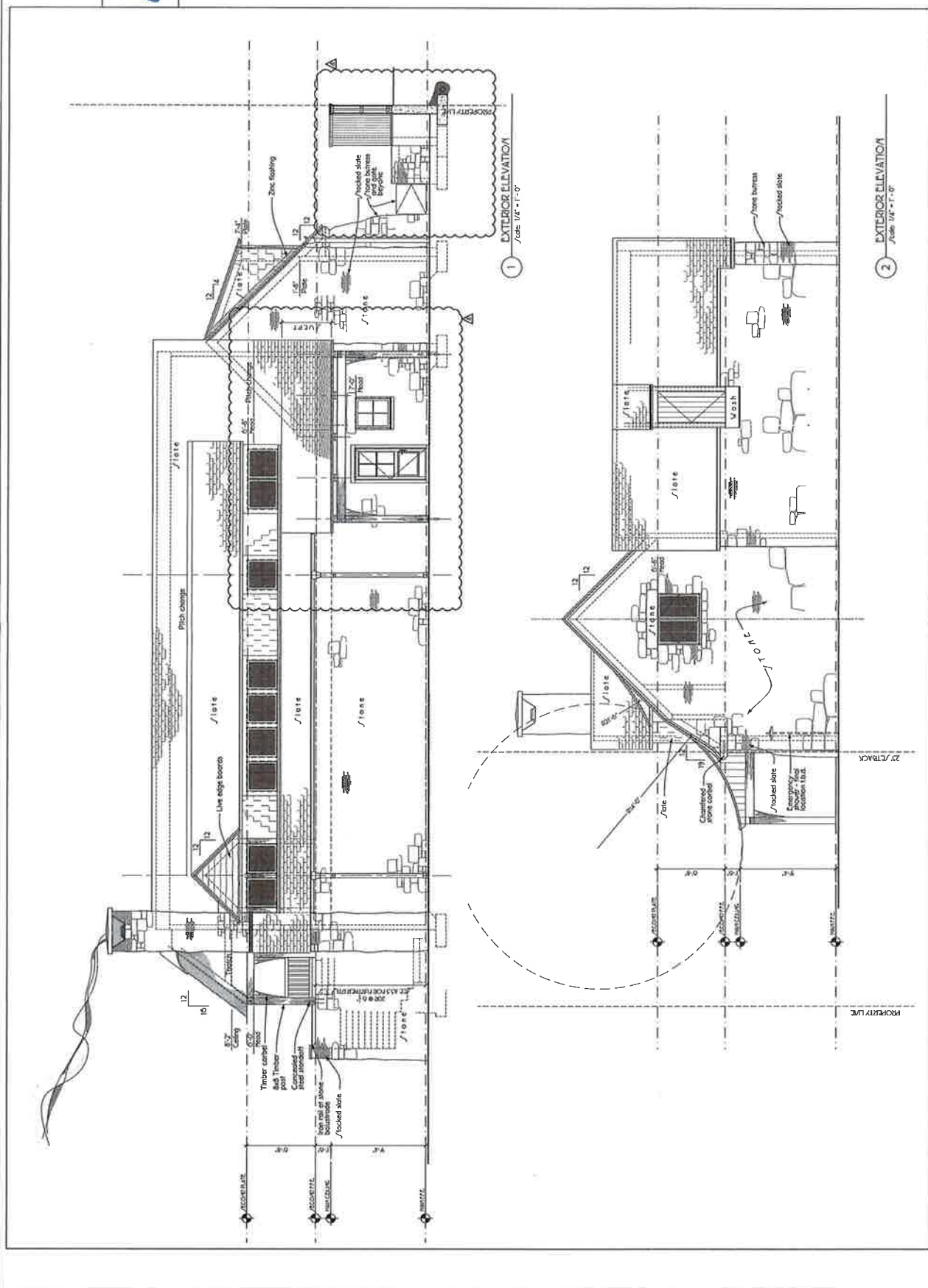
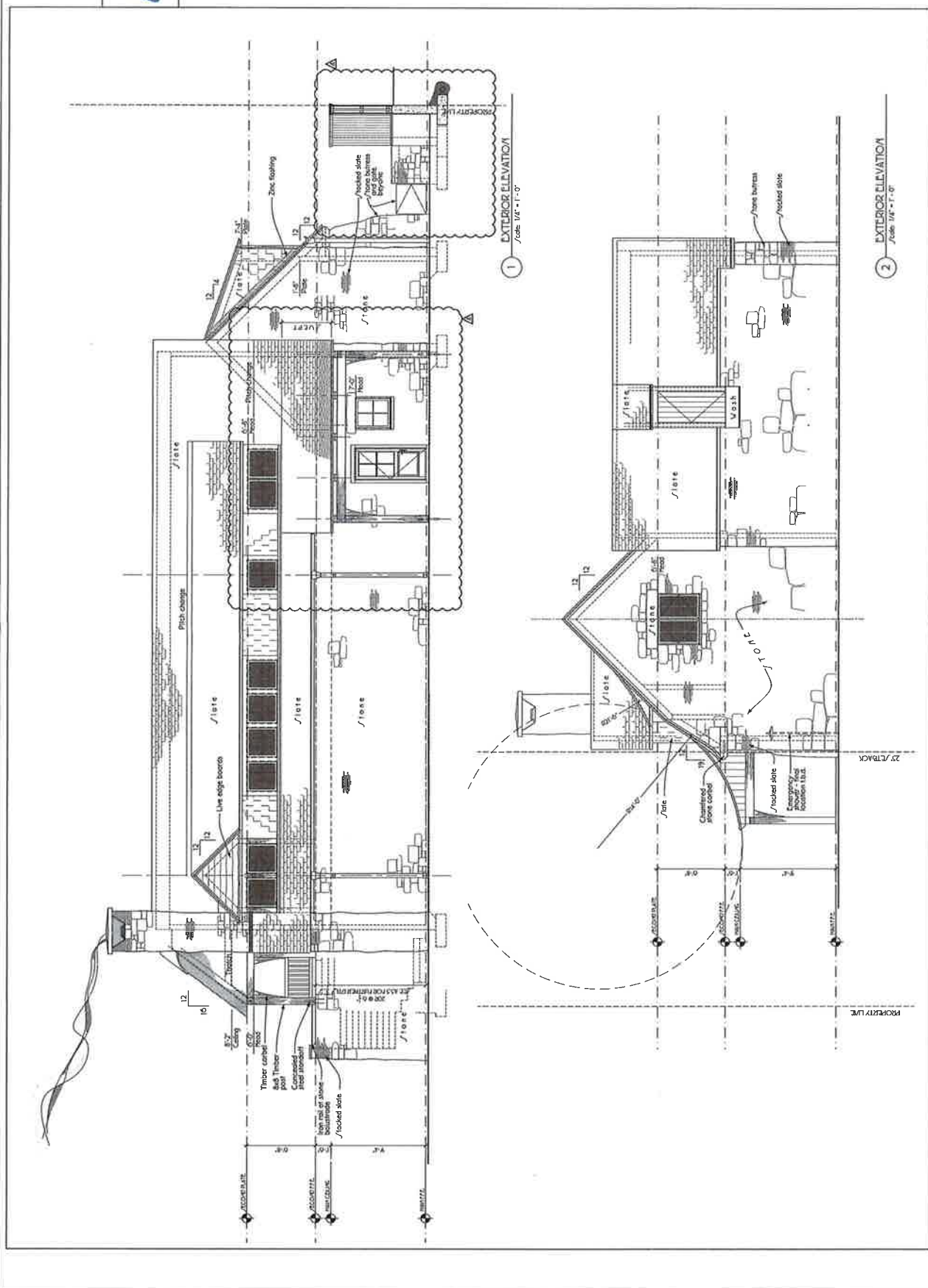


SECOND FLOOR PLAN
Scale: 1/8" = 1'-0"

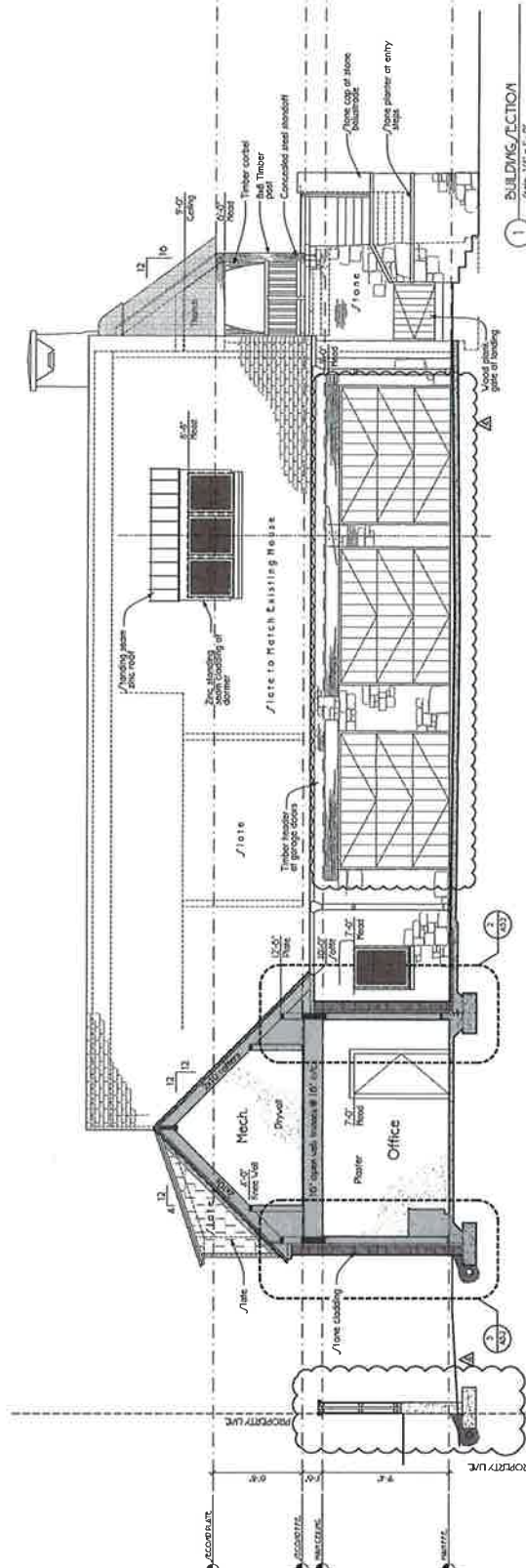
16.18



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



1 BUILDING SECTION





THIS DRAWING IS THE PROPERTY OF THE ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM THE ARCHITECT.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

NOTE TO CONTRACTOR: ANY CHANGES TO THIS DRAWING MUST BE MADE BY THE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

DATE: 10/10/2018
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CHECKED BY: JAC

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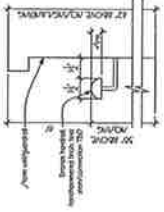
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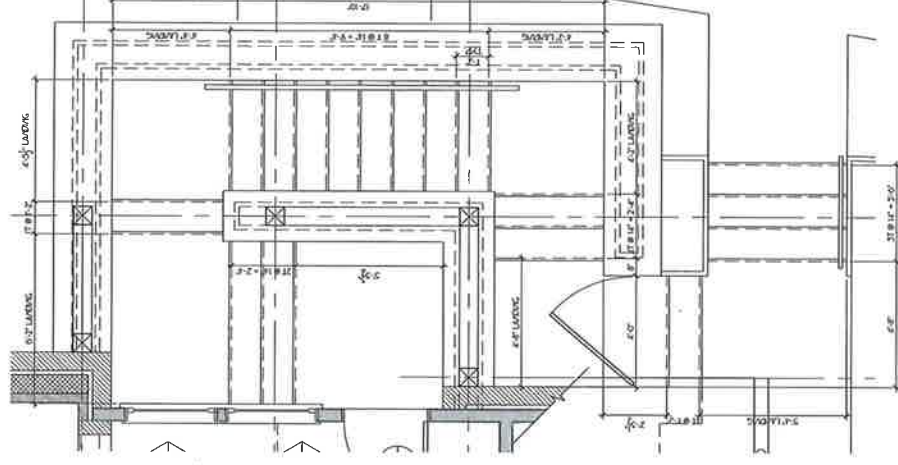
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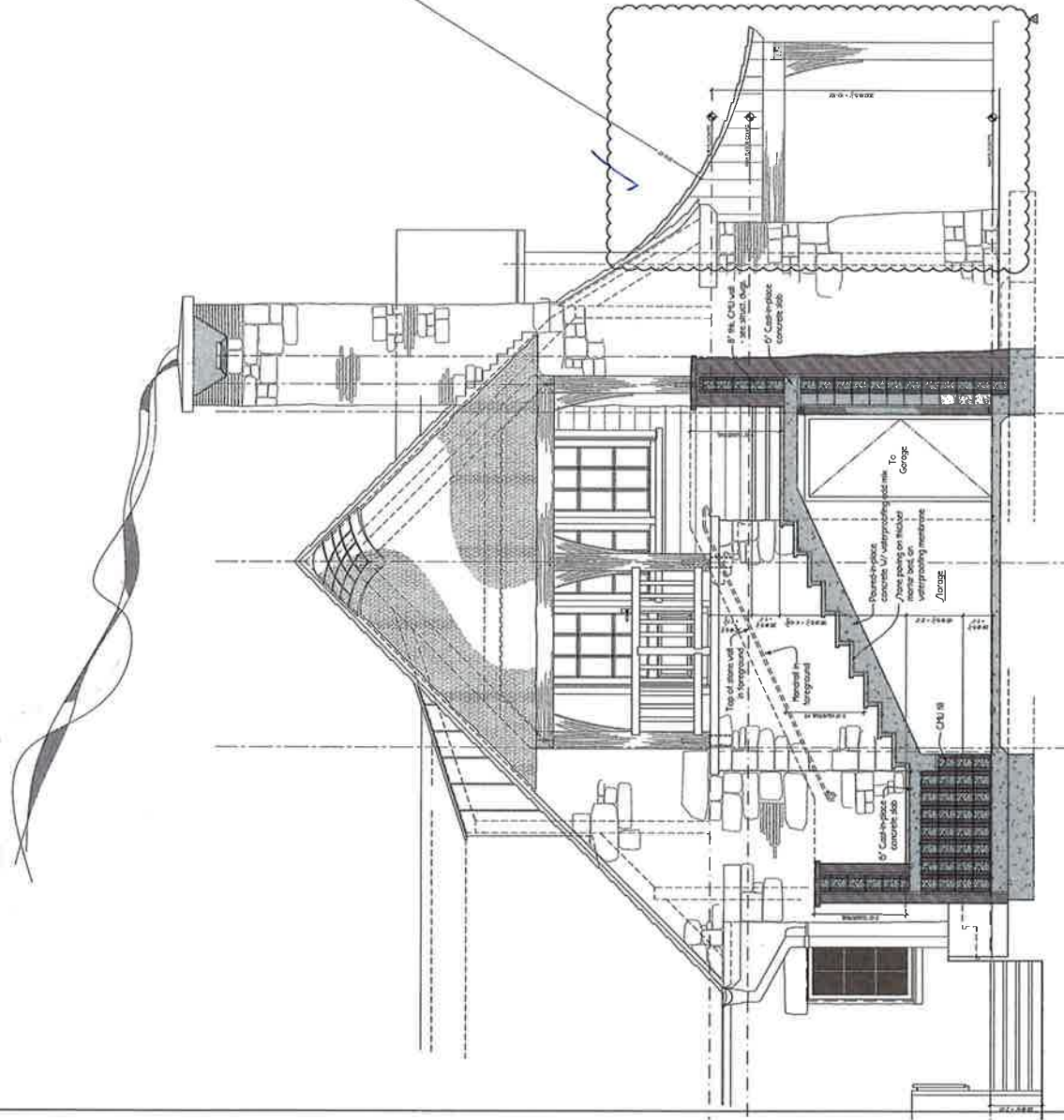
DATE: 10/10/2018
PROJECT: SUMMER
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CHECKED BY: JAC



5 MAXIMUM DETAIL
Scale: 1/2" = 1'-0"



1 EXTERIOR WALL DETAIL
Scale: 1/2" = 1'-0"



2 EXTERIOR SECTION
Scale: 1/2" = 1'-0"



0 250 500
Feet



Subject
Tract

BOA-22783

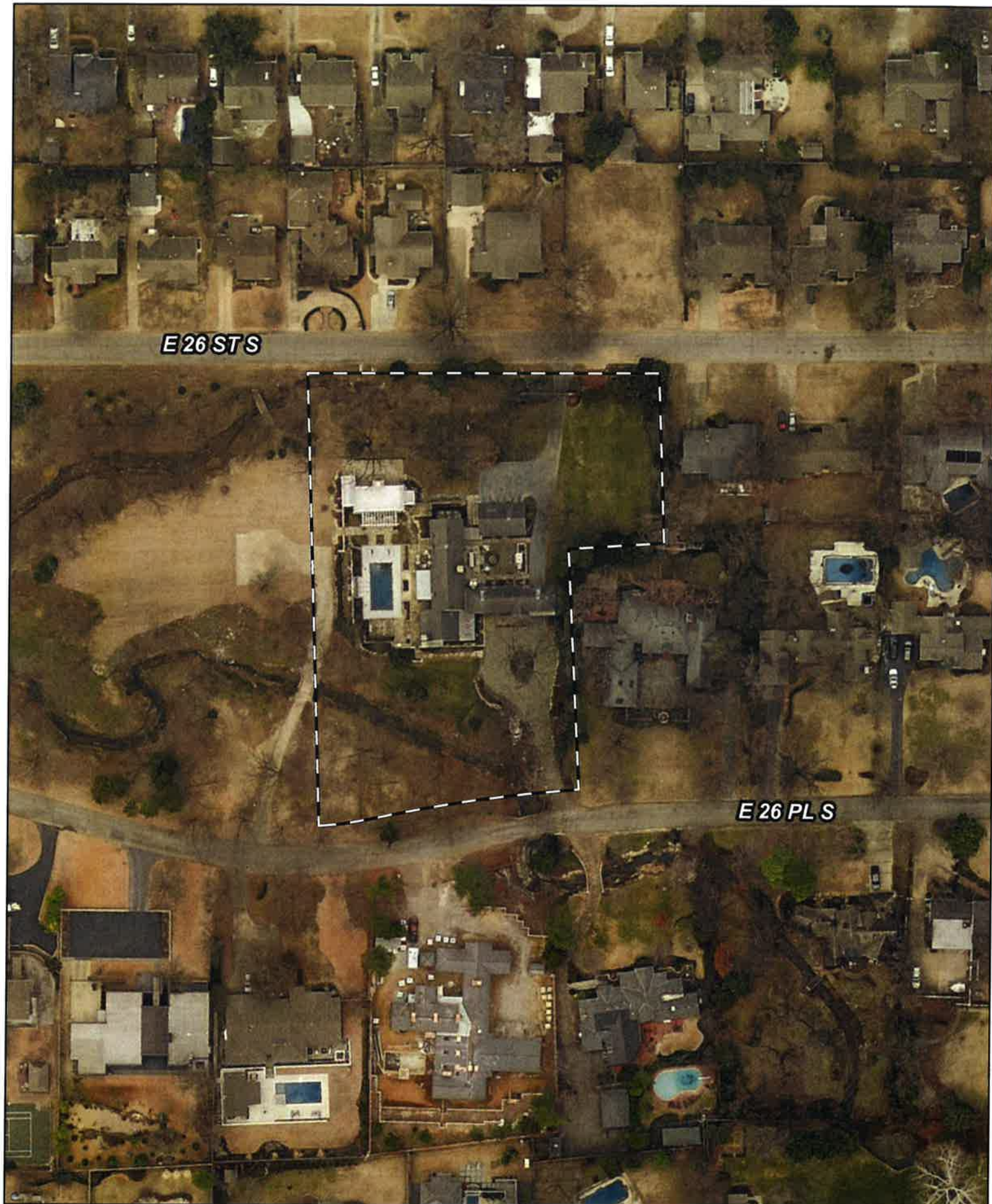
19-13 17

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

Aerial Photo Date: February 2018



16.26



E 26 ST S

E 26 PL S

0 Feet 50 100



Subject Tract

BOA-22783

19-13 17

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

Aerial Photo Date: February 2018



16.27

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