

BOA-22790

19-13 29

23.1

BOARD OF ADJUSTMENT CASE REPORT

STR: 9329

Case Number: **BOA-22790**

CZM: 47

CD: 9

HEARING DATE: 12/10/2019 1:00 PM

APPLICANT: Jessie Strickler

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

LOCATION: 4728 S LEWIS CT E

ZONED: RS-1

PRESENT USE: Residential

TRACT SIZE: 15873.33 SQ FT

LEGAL DESCRIPTION: LT 5 BK 1, REGENCY MANOR ADDN

RELEVANT PREVIOUS ACTIONS:

Subject property: None

Surrounding Properties:

BOA-09099; On 06.03.1976 the Board **approved** a Minor *Variance* of the rear yard setback from 25' to 20' 4" in an RS-1 District (Section 430- Bulk Area Requirements in the Residential District- Under Provisions of Section 1630). Property located 4717 South Lewis Court.

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 an RS-1 zoned tract located at the NW/c of S. Lewis Ct. and E. 47th Pl. S.

STAFF COMMENTS: The applicant is requesting **Variance** to reduce the rear 25 ft rear setback in an RS-1 District (Sec. 5.030-A, 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:

Per Application: Home was built closer to the rear boundary of lot. It is more desirable to neighbors for homeowner not to add on to the street side of home. More opens space in the front verses the rear conforms better with surrounding lots.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Variance** to reduce the rear 25 ft setback in an RS-1 District (Sec. 5.030-A, 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:

- 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."*

Board Action:

On MOTION of SMITH, the Board (5-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205-Community Services, Cultural and Recreational Facilities) to use property for church use, subject to a conceptual plot plan being furnished to the Board by July 1, 1976, subject to the approval of the drainage plans by the City Engineer, subject to screening being provided on the southern property line and subject to parking ^{only for structures or other uses} being permitted on the southernmost lots ~~only~~, in an RD District on the following described tract:

*amended
7/11/76
settle
see minutes*

Lots 3, 4, 5, 6, 8 & 9, Block 3, less the south 20' of Lots 6 & 8 and the west 20' of Lot 6, Sanford Heights Addition to the City of Tulsa, Oklahoma.

9099

Action Requested:

Minor Variance (Section 430 - Bulk and Area Requirements in the Residential District - Under the Provisions of Section 1630) for a variance of the rear yard setback from 25' to 20' 4" in an RS-1 District located at 4717 South Lewis Court.

Presentation:

Don Kihle submitted the plot plan (Exhibit "I-1") requesting a minor variance of the rear yard setback in order that he might expand the existing structure as proposed.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (5-0) approved a Minor Variance (Section 430 - Bulk and Area Requirements in the Residential District - Under the Provisions of Section 1630) for a variance of the rear yard setback from 25' to 20' 4", per plot plan, in an RS-1 District on the following described tract:

Lot 7, Block 1, Regency Manor Addition to the City of Tulsa, Okla.

ADDITIONAL ITEMS:

ELECTIONS:

On NOMINATION of SMITH, the Board elected Dr. E. T. Guerrero Chairman by acclamation.

There being no further business, the Chair declared the meeting adjourned at 5:13 p.m.

Date Approved

July 1, 1976

[Signature]

Chairman

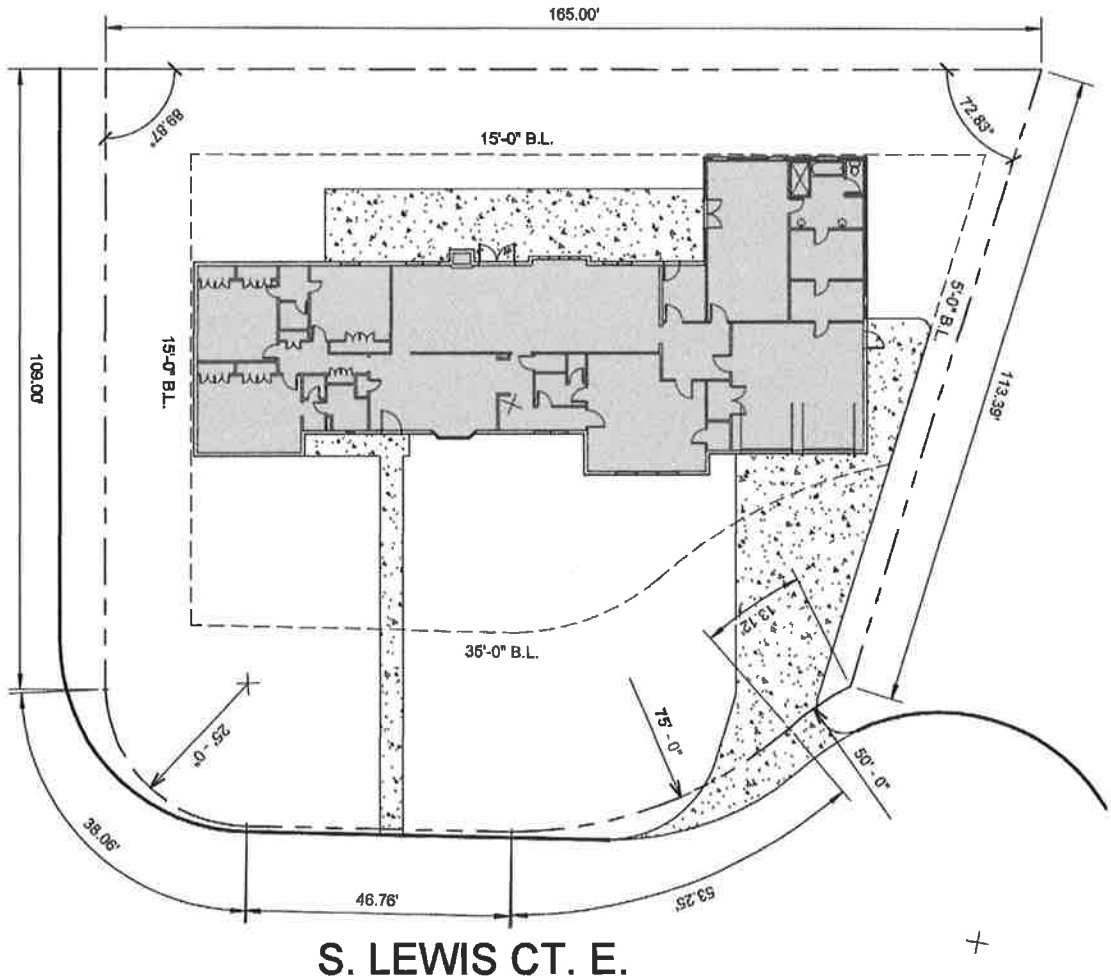
6.3.76:213(18)

LEGAL DESCRIPTION
 LOT 5, BLOCK 1
 REGENCY MANOR
 TULSA, OKLAHOMA



1 SITE PLAN
 3/64" = 1'-0"

E. 47TH PL. S.



S. LEWIS CT. E.

Jennifer Strickler
 Design, LLC

2292 E. 48th St.
 Tulsa, Ok 74105
 Phone 405.834.6513

Long Residence Addition
 4728 S. Lewis CT. E.
 Tulsa, Ok. 74105

SITE PLAN

Date 08.25.2019

Project number 19001

Sheet No.

A001

23.5

23.6

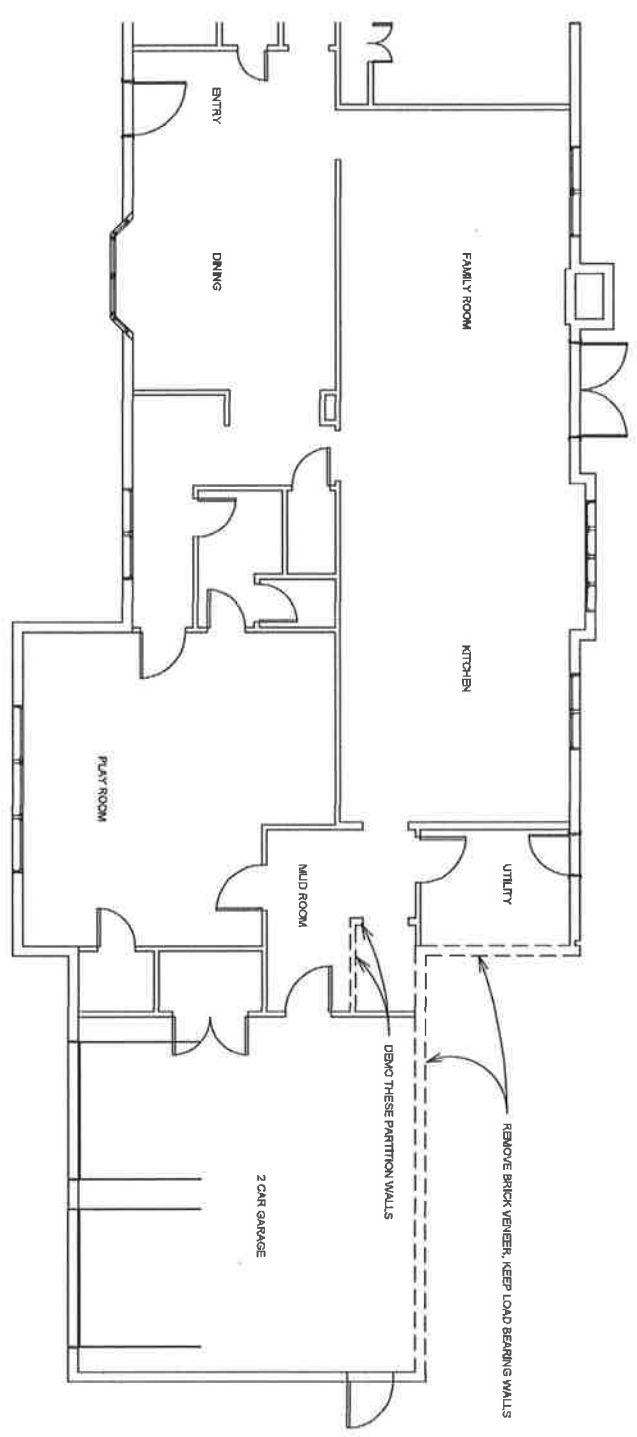
Jennifer Strickler
Design, LLC

2502 E. 48th N.
Tulsa, OK 74116
Phone: 405.534.5513

Long Residence Addition
4728 S. Lewis CT. E.
Tulsa, Ok. 74105

EXISTING ROOF PLAN

Date	08.25.2019
Project number	19001
Sheet No.	A100E

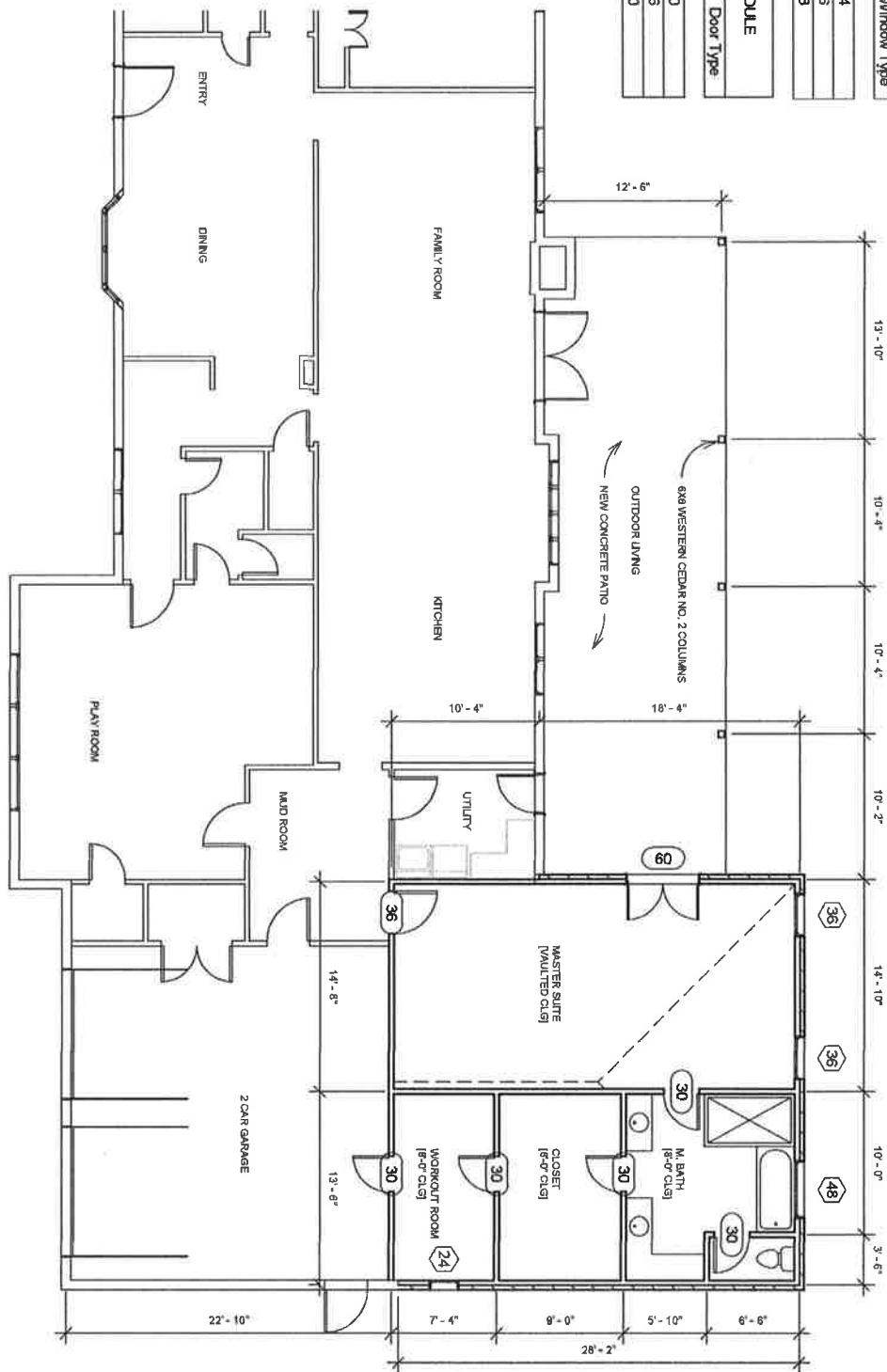


1 FIRST FLOOR EXISTING AND DEMO
1/8" = 1'-0"



WINDOW SCHEDULE		
Width	Height	Window Type
2'-0"	4'-0"	24
3'-0"	5'-0"	36
4'-0"	4'-0"	48

DOOR SCHEDULE		
Width	Height	Door Type
2'-6"	6'-8"	30
3'-0"	6'-8"	36
5'-0"	6'-8"	60



1 FIRST FLOOR
1/8" = 1'-0"

Jennifer Strickler
Design, LLC

2502 E. 46th N.
Tulsa, OK 74115
Phone: 405.544.5513

Long Residence Addition
4728 S. Lewis CT. E.
Tulsa, Ok. 74105

FIRST FLOOR PLAN

Date 08.25.2019

Project number 19001

Sheet No.

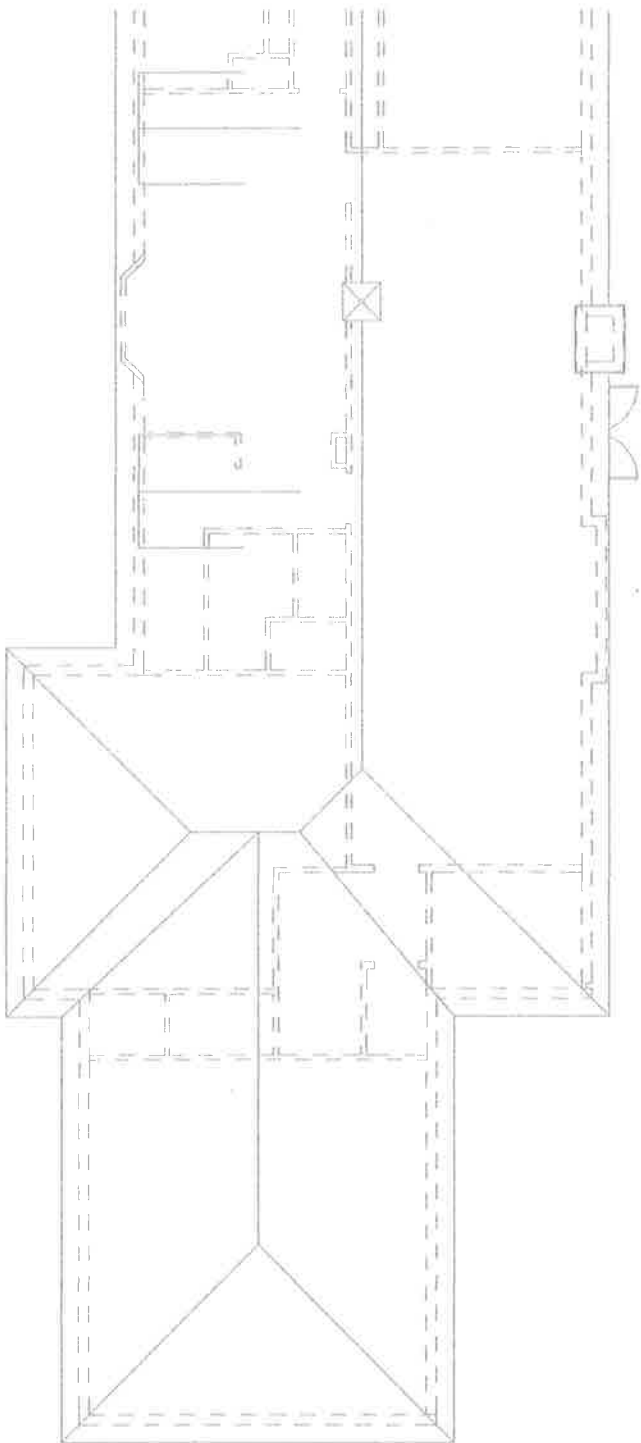
A100

23.7

Jennifer Strickler
Design, LLC

2522 E. 48th Pl.
Tulsa, OK 74105
Phone: 405.634.6613

Long Residence Addition
4728 S. Lewis CT. E.
Tulsa, Ok. 74105



1 EXISTING ROOF PLAN
1/8" = 1'-0"

EXISTING ROOF PLAN

Date 08.25.2019

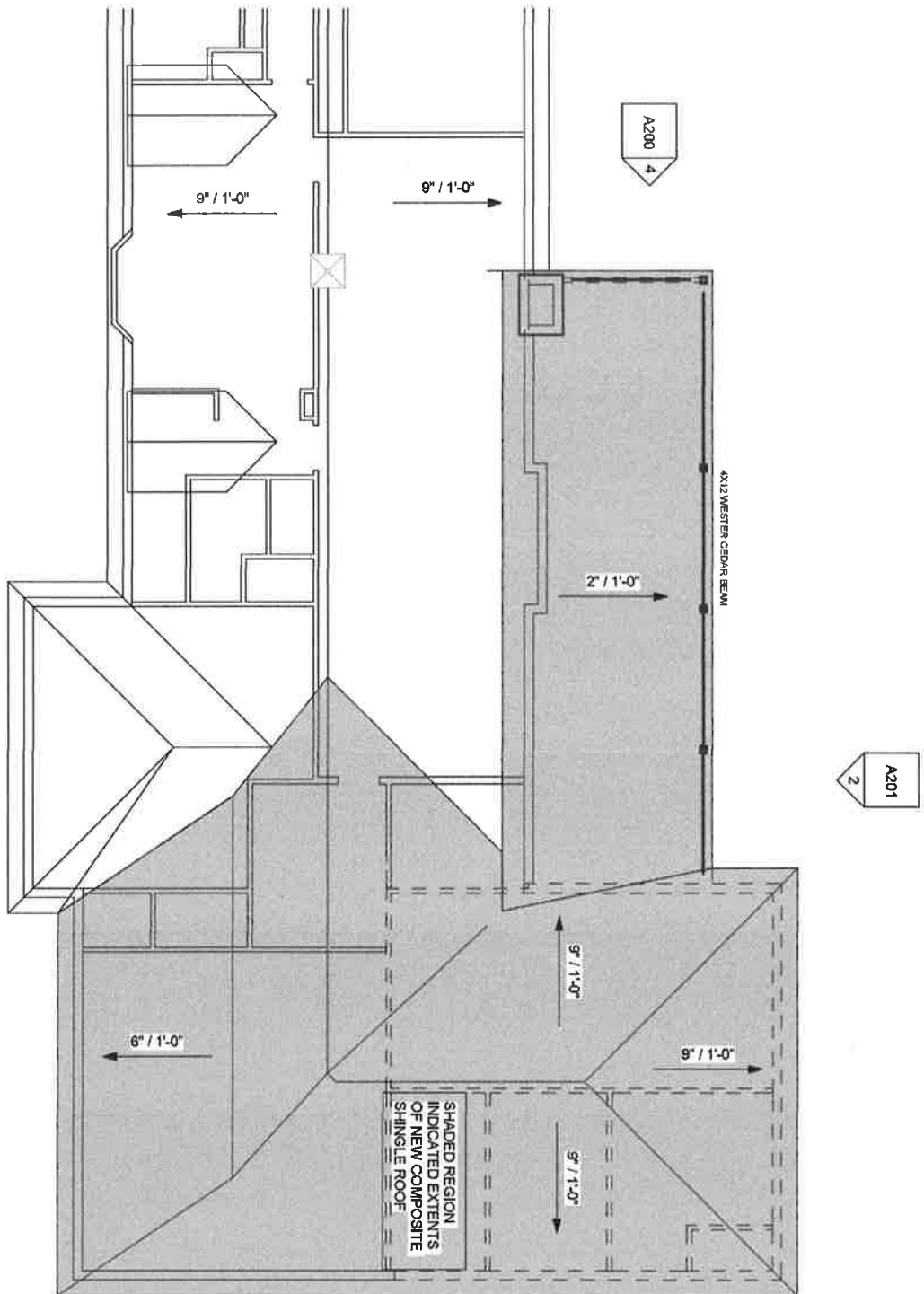
Project number 19001

Sheet No.

A101E



1 ROOF PLAN
1/8" = 1'-0"



Jennifer Strickler Design, LLC 2532 E. 48th Pl. Tulsa, OK 74105 Phone: 405.834.8513		Long Residence Addition 4728 S. Lewis CT. E. Tulsa, Ok. 74105	
ROOF PLAN			
Date	08.25.2019		
Project number	19001		
Sheet No.	A101		

23.10

FOUNDATION PLAN NOTES

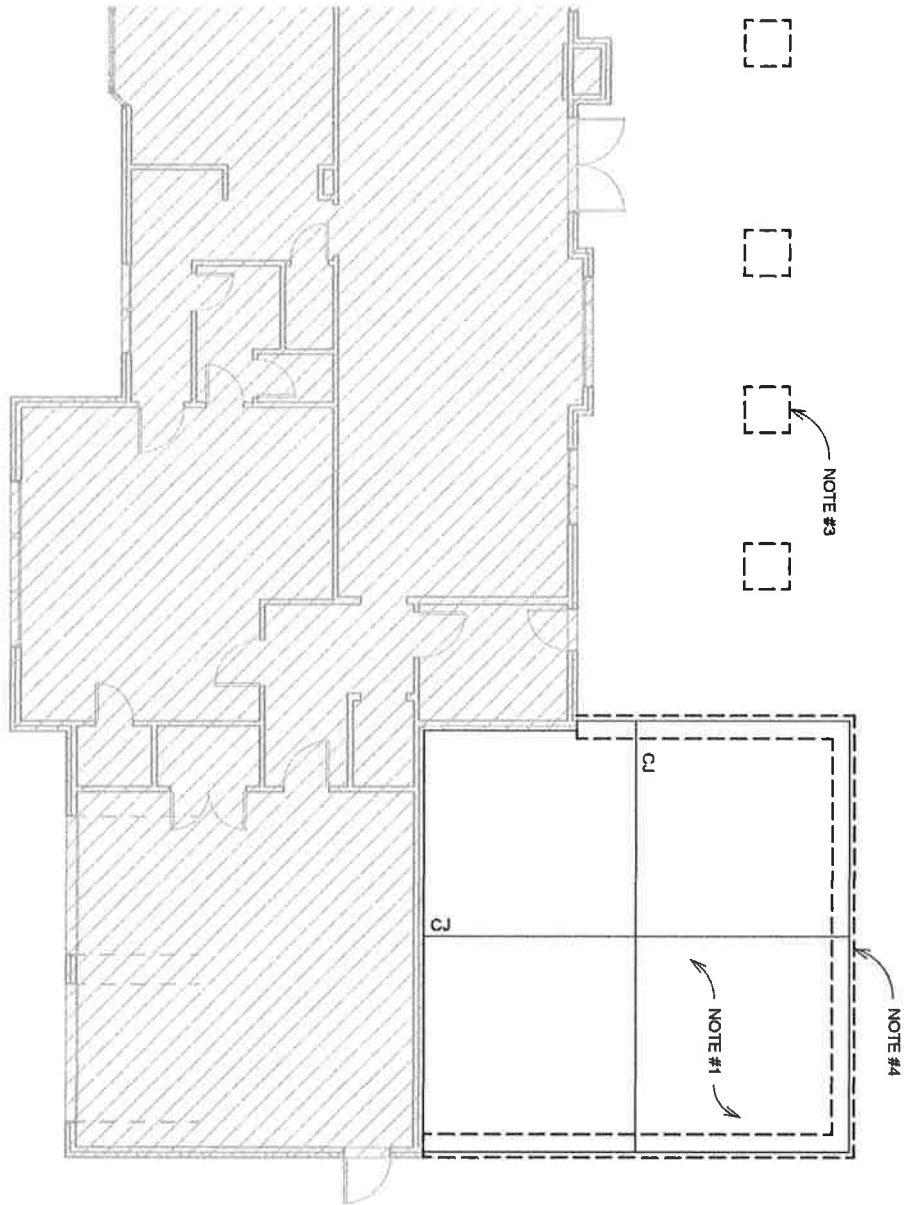
1. FINISH FLOOR REFERENCE ELEVATION = 100'-0". TYPICAL FLOOR SLAB SHALL BE 4" THICK CONCRETE SLAB-ON-GRADE REINFORCED WITH #4 AT 18" OC EACH WAY OVER 10 MIL MINIMUM VAPOR BARRIER OVER 4" GRANULAR BASE COURSE ON COMPACTED STRUCTURAL FILL.
2. FOOTINGS SHALL BEAR EITHER ON COMPETENT NATIVE SOIL OR COMPACTED STRUCTURAL FILL AS PER THE GEOTECHNICAL REPORT. EXTERIOR PERIMETER FOOTINGS SHALL BEAR NOT LESS THAN 24 INCHES BELOW FINISH GRADE.
3. ALL ISOLATED FOOTINGS SHALL BE F1.
4. ALL CONTINUOUS FTGS SHALL BE CF1.

CONTINUOUS FOOTING SCHEDULE

MARK	SIZE (WxDL)	REINFORCEMENT
CF1	1'-6"x1'-6"	(2)#4 CONT TOP AND BOT #3 TIE AT 48" OC

ISOLATED FOOTING SCHEDULE

MARK	SIZE (LxWxD)	REINFORCEMENT
F1	3'-0"x3'-0"x1'-6"	(3)#6 EACH WAY BOTTOM



1 FOUNDATION PLAN
1/8" = 1'-0"

Jennifer Strickler
Design, LLC

2532 E. 48th N.
Tulsa, Oklahoma 74112
Phone: 405.634.6513

Long Residence Addition
4728 S. Lewis CT. E.
Tulsa, Ok. 74105

Date 08.25.2019

Project number 19001

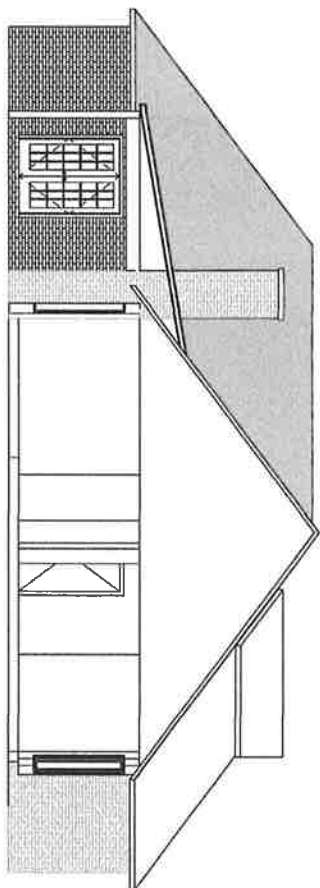
Sheet No.

S100

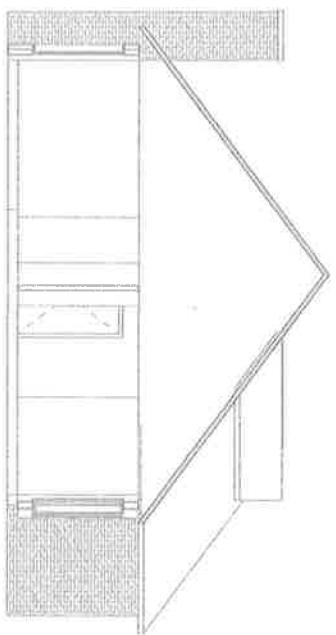
23.11

Jennifer Strickler
Design, LLC
2502 E. 48th N.
Tulsa, OK 74105
Phone: 405.624.8513

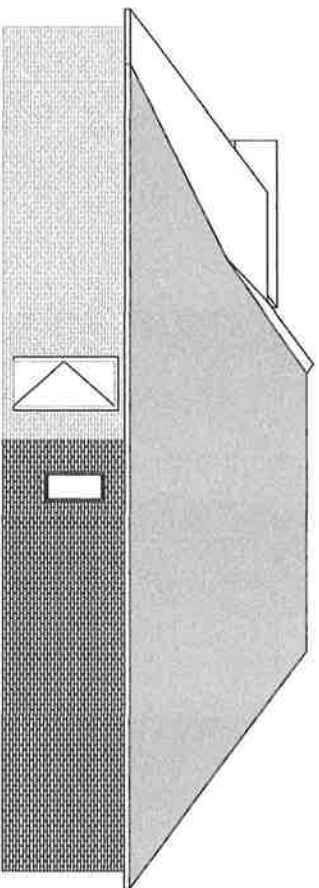
Long Residence Addition
4728 S. Lewis CT. E.
Tulsa, Ok. 74105



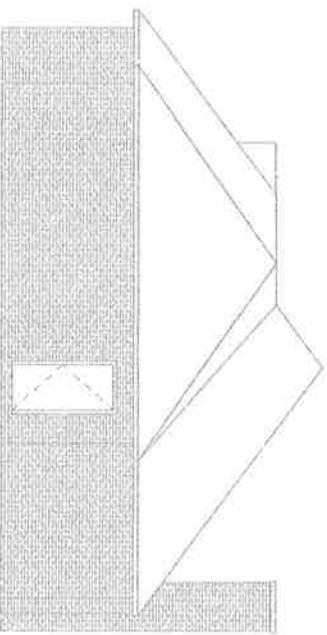
4 SOUTH ELEVATION
1/8" = 1'-0"



3 SOUTH ELEVATION - EXISTING
1/8" = 1'-0"



2 NORTH ELEVATION
1/8" = 1'-0"



1 NORTH ELEVATION - EXISTING
1/8" = 1'-0"

ELEVATIONS	
Date	08.25.2019
Project number	19001
Sheet No.	A200

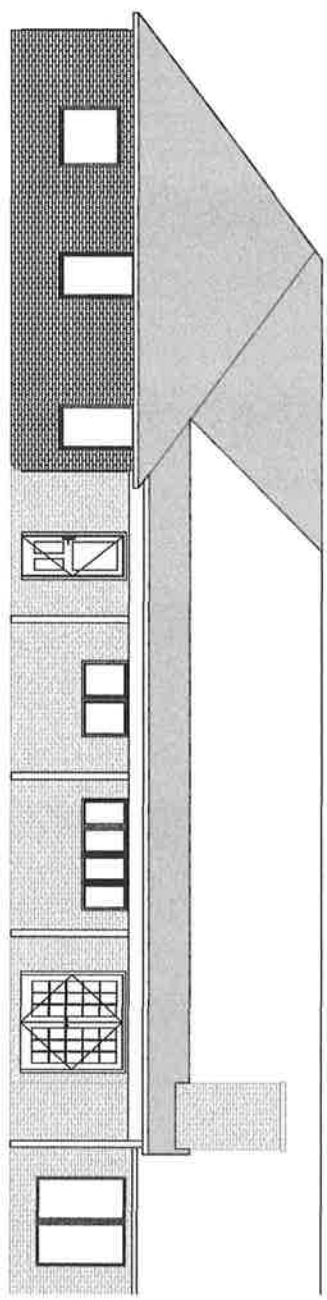
23.12

Jennifer Strickler
Design, LLC

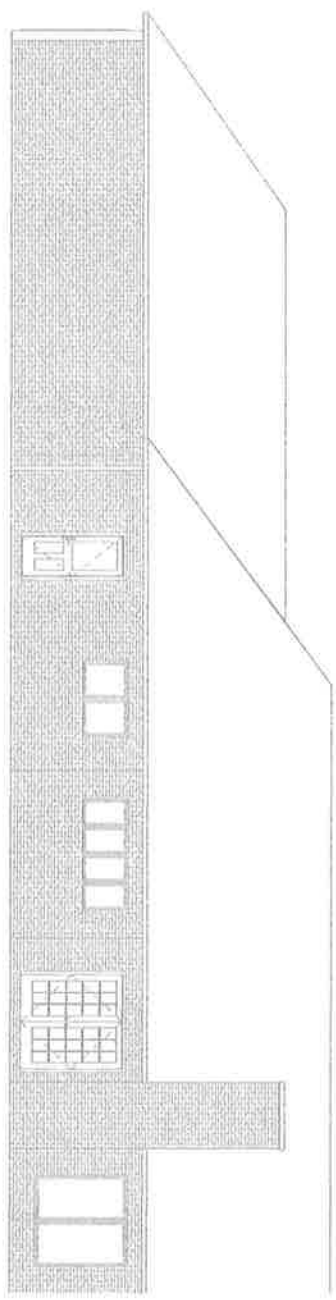
2320 E. 48th N.
Tulsa, OK 74105
Phone: 405.634.6513

Long Residence Addition
4728 S. Lewis CT. E.
Tulsa, Ok. 74105

2 PARTIAL WEST ELEVATION
1/8" = 1'-0"



1 PARTIAL WEST ELEVATION - EXISTING
1/8" = 1'-0"



ELEVATIONS	
Date	08.25.2019
Project number	19001
Sheet No.	A201

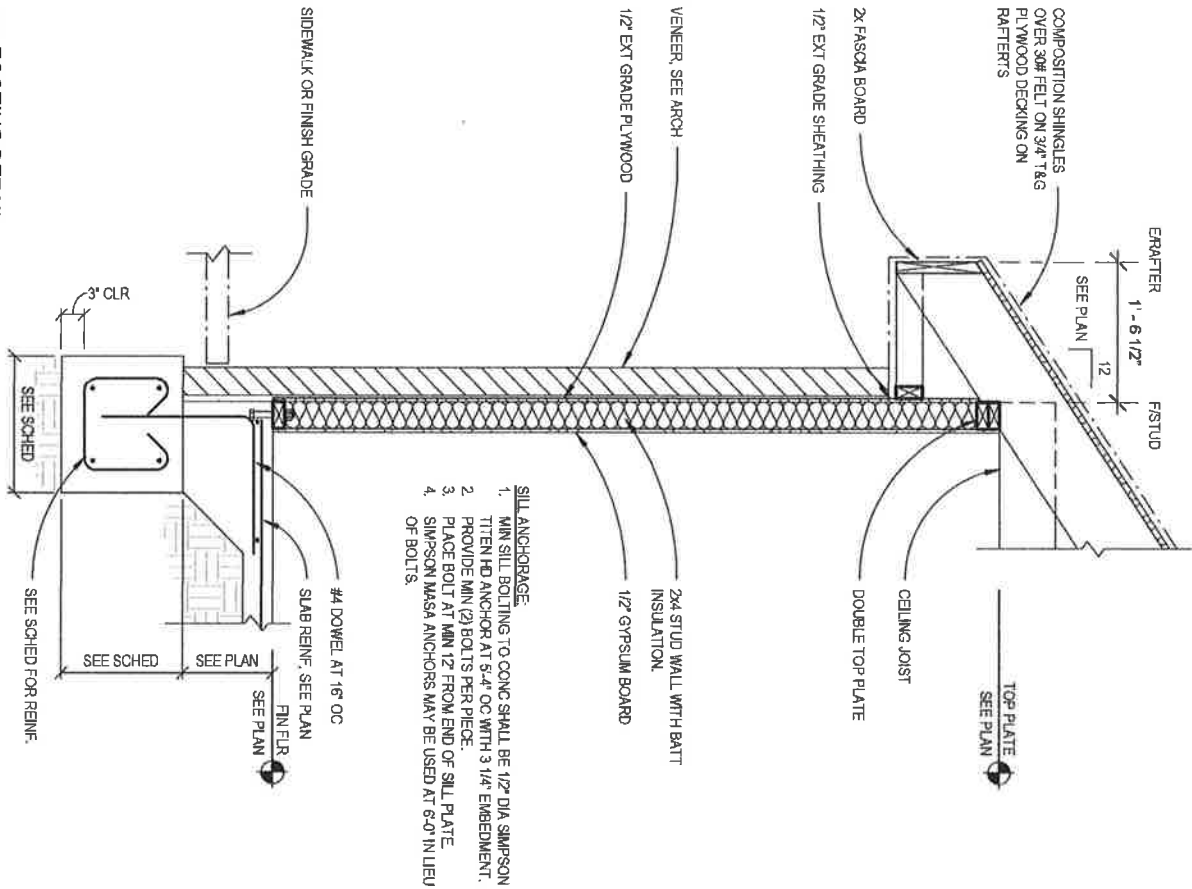
23.13

**Jennifer Strickler
Design, LLC**
2532 E. 49th PL
TULSA, OK 74112
PHONE 405.624.0513

**Long Residence Addition
4728 S. Lewis CT. E.
Tulsa, Ok. 74105**

WALL SECTIONS			
Date	08.25.2019		
Project number	19001		
Sheet No.	AS01		

1 FOOTING DETAIL
3/4" = 1'-0"



Jeff S. Taylor
Zoning Official
Plans Examiner II

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



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

Jennifer Strickler
Jennifer Strickler Design

9/12/2019

APPLICATION NO: BLDR-041141-2019 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 4728 S Lewis Ct E

Description: 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)

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-041141-2019**

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.

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.

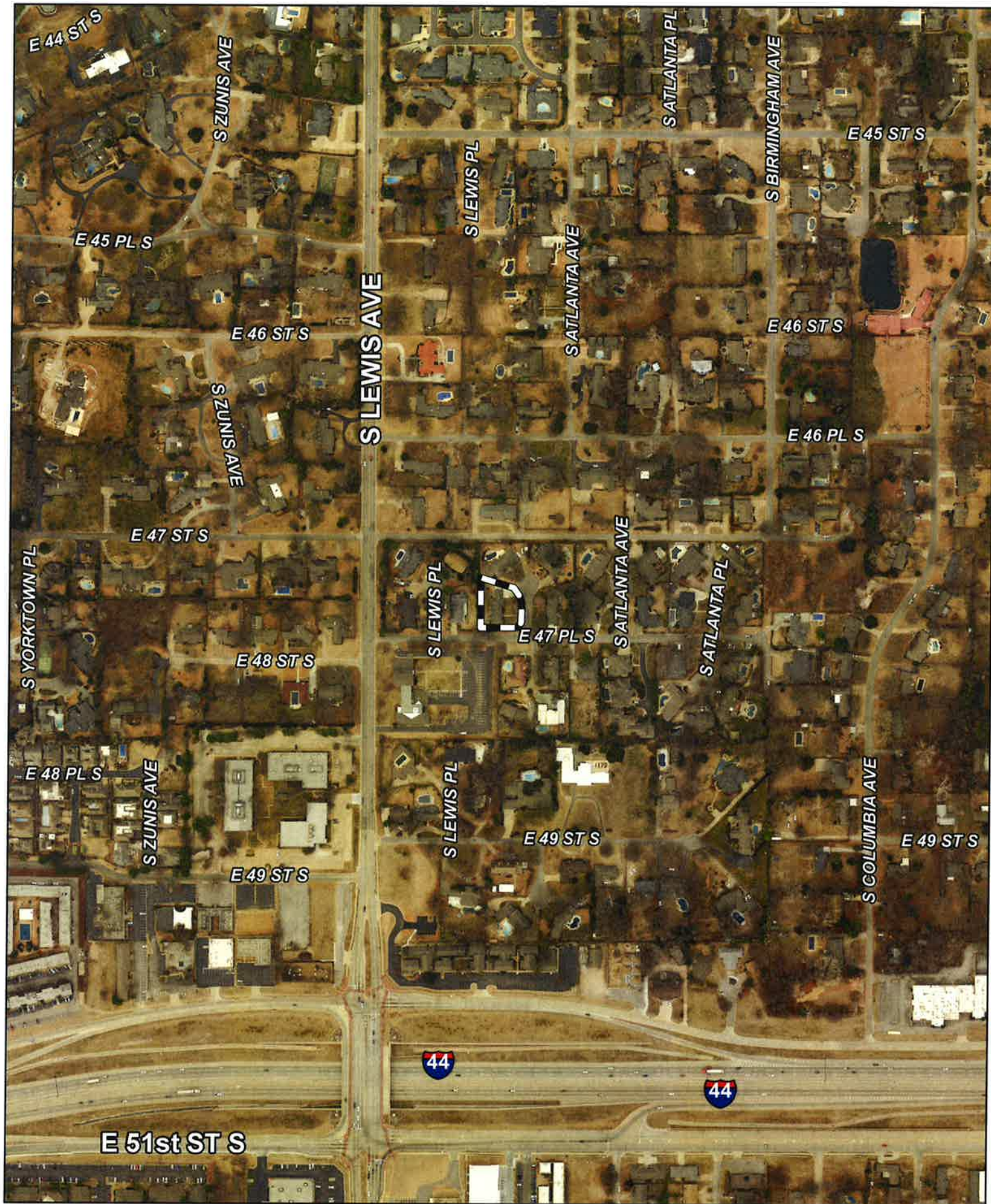
KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.



Subject property



Side view of subject property from E. 47th



0 200 400
Feet



Subject
Tract

BOA-22790

19-13 29

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

Aerial Photo Date: February 2018



23.17



E 47 ST S

S LEWIS PL

E 47 PLS

S LEWIS CT

S ATLANTA AVE

0 50 100
Feet



Subject
Tract

BOA-22790

19-13 29

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

Aerial Photo Date: February 2018



23.18

**THIS PAGE
INTENTIONALLY
LEFT BLANK**