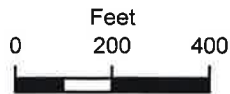


BOA-22501

2.1



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9308

Case Number: **BOA-22501**

CZM: 37

CD: 4

A-P#:

HEARING DATE: 09/11/2018 1:00 PM

APPLICANT: Christy Allen

ACTION REQUESTED: Special Exception to allow a Bed and Breakfast (short-term rental) in a RS-3 District (Section 5.020).

LOCATION: 1635 S COLLEGE AV E

ZONED: RS-3

PRESENT USE: residential

TRACT SIZE: 7000.12 SQ FT

LEGAL DESCRIPTION: LT 16 BLK 8, AVONDALE ADDN

RELEVANT PREVIOUS ACTIONS:

None relevant.

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

The **Existing Residential Neighborhood** category 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. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

The **Areas of Stability** includes 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 surrounded by residential uses on all sides.

STAFF COMMENTS:

The applicant is before the Board requesting a Special Exception to permit a Bed & Breakfast in the existing house on the subject site. The request is to permit short-term (less than 30 days) lodging/rental on the site.

The following supplemental use regulations in **Section 40.060** apply to all bed and breakfast uses.

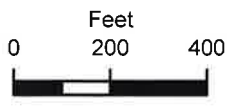
- Bed and breakfast are limited to a maximum of 12 guest rooms unless a lower limit is established by the board of adjustment as a condition of an approved special exception.
- The maximum length of stay for any guest is limited to 30 consecutive days.
- The owner/operator must maintain a register of bed and breakfast guests and on-site events for each calendar year and make the register available to city code enforcement upon request.
- Cooking facilities are prohibited in guest rooms.
- Signs are allowed in accordance with the sign regulations of the subject zoning district unless the board of adjustment establishes stricter conditions at the time of special exception approval.
- Public restaurants are prohibited. Meals may be served only to overnight guests and for on-site events expressly authorized by the board of adjustment at the time of special exception approval. The board of adjustment may authorize bed and breakfasts to be rented for events, such as weddings, receptions, anniversaries, private dinner parties, business seminars, etc. The use of bed and breakfasts for on-site events requires ex-press authorization of the board of adjustment, in accordance with the special exception procedures of Section 70.120. As part of approval of the special exception, the board of adjustment is authorized to establish the maximum number of on-site events per year and the maximum number of guests per any single event, based on the avail-ability of off-street parking and the facility’s likely impacts on the area.

Sample Motion

Move to _____ (approve/deny) a Special Exception to allow a Bed and Breakfast (short-term rental) in an RS-3 district. (Section 5.020).

- Subject to the following conditions (including time limitation, if any): _____

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Subject Tract

BOA-22501

19-13 08

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

Aerial Photo Date: February 2018

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E 16 ST S

S FLORENCE AVE

S COLLEGE AVE

E 17 ST S



Subject Tract

BOA-22501

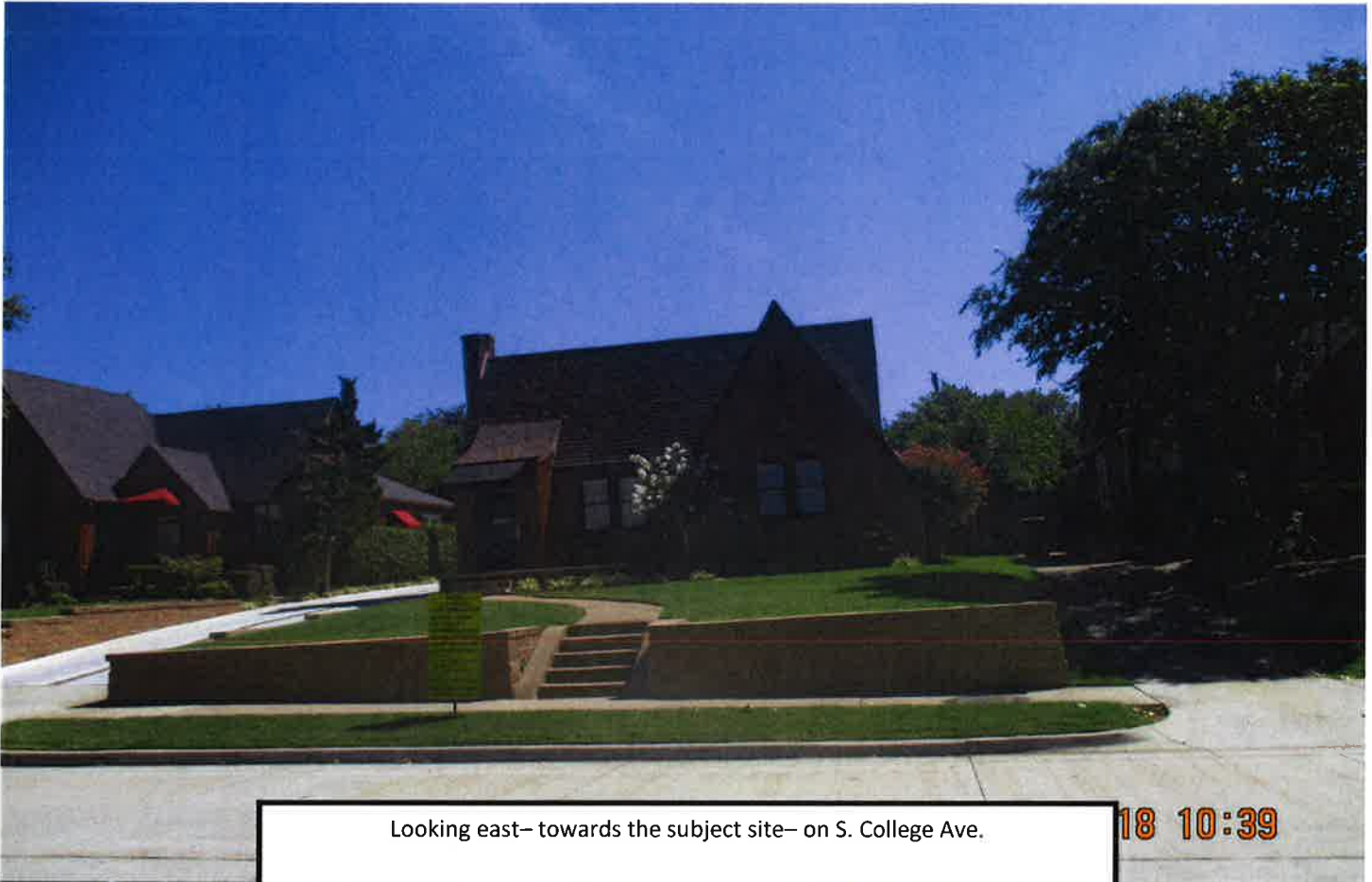
19-13 08

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

Aerial Photo Date: February 2018

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Looking east- towards the subject site- on S. College Ave.

18 10:39

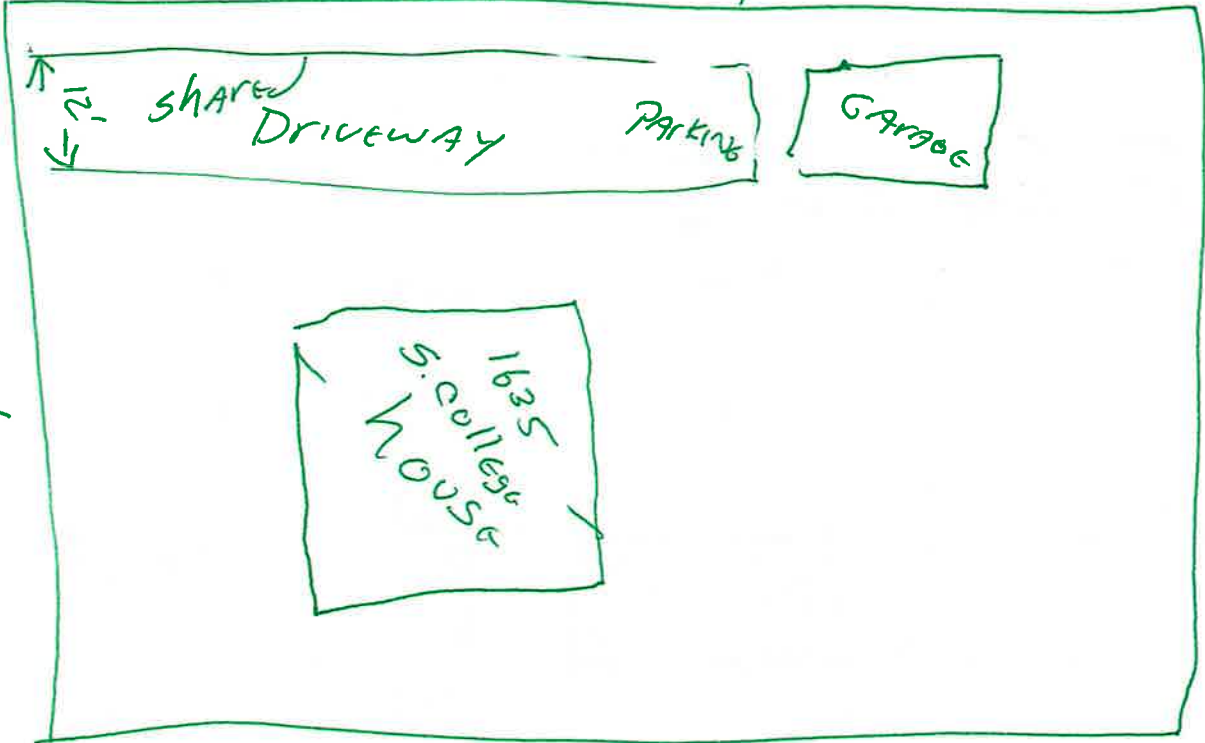


Looking east- towards the subject site- on S. College Ave.

08/31/2018 10:39

Neighbor Drive

Shared 2 car Driveway



S. College Ave

50'

140'

CHUCK LANGE
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-9688
clange@cityoftulsa.org



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1

JUNE 21,2018

CHRISTY ALLEN
1416 S HARVARD AVE
TULSA, OK 74112

Phone: 918.606.8532

APPLICATION NO: ZCO-003032-2018

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: 1635 S COLLEGE AVE
Description: BED & BREAKFAST

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" **[X] 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.	Address	Date
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Note: Please direct all questions concerning special exceptions, platting and appeals of an administrative official decision and all questions regarding BOA application forms and fees to an INCOG representative at 918-584-7526. 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.

Sec.35.050-G1: Your application is for a Bed & Breakfast which is located in an RS-3 zoning district. This use is allowed in the RS-3 district by Special Exception (*Table 5-2: R District Use Regulations*). In its approval the Board shall consider the following:

- A. The lot area is less than 12,000 ft² (Table 5-3),
- B. The lot area per unit is less than 12,000 ft² (Table 5-3),
- C. The lot width is less than 100 ft. (Table 5-3), and
- D. The building side yard setbacks are less than 25 ft. (Table 5-3, Sec.5.030 [4]).

Review Comment: Submit a copy of the Special Exception reviewed and approved per *Sec.70.120* to allow a Bed & Breakfast in the RS-3 zoning district.

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:
<http://www.tmapc.org/Documents/TulsaZoningCodeAdopted110515.pdf>

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.

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.

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