

To	Planning Commission
Hearing Date	October 22, 2020
Case Number	JL 20-349   Jesse Powell, Clearfield Estates
Request	Lot Split and Minor Amendment to PUD 107
Location	13973, 13859 S 21 <sup>st</sup> Court East
Applicant	Jesse Powell

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Staff Report

Preparer | Marcaé Hilton

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Attachments

Lot Split Documents

Preparer

TEP Engineering

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Background Information

**STAFF COMMENTARY** | This Lot Split/Lot Combination and Minor Amendment request to PUD 107 Clearfield Estates is an effort to remedy a build line encroachment by Concept Builders. When they dug the footing, they found both front lot pins, so they squared the house on those located pins and dug the footing. It was not until the builder on the adjacent lot started digging his footing that the Jenks building inspector observed something was off. Jesse Powell with Concept Builders immediately contacted the survey crew and was informed the Southwest front pin was set back into the lot over 3.5 feet more than the Northwest pin; causing the back Southeast corner of the house to encroach onto the 5' side yard setback.

Jesse worked with staff on the following proposal: deed 2' of Lot 12 Block 3 to Lot 13 Block 3. This allows the builder and future homeowner to meet the covenant requirement stating, no lot shall be smaller than 58' in width. Although 2' is not enough to give the back corner of the house the 5' setback it requires, it does provide plenty of room to be able to walk around the corner of the house once a fence is installed.

Staff believes this is a viable solution, the minor amendment to PUD 107 will provide the relief needed from the PUD requirements and keep the title clean of a Board of Adjustment Variance. No notice is required for minor amendments. This is a minor amendment due to the number of lots still owned by the developer.

Staff received a letter asking for a minor amendment to PUD 107

- a. to reduce the building line setback from 5 (five) feet to 3 (three) feet on the north lot line of Lot 13 (thirteen) and;
- b. this request will not affect any other lots or other approved PUD 107 requirements

## PLANNING DATA

Public Comment	None   No notice is given to public for Lot Splits or Minor Amendments
Plat Data	Clearfield Estates No. 6886, Filed November 05, 2019 75 Lots, 4 Blocks, 8 Reserves STR   Section 8, Township 17, Range 13 Acres 19.8230
Lot Split Data	Original   Lot Thirteen, Block Three   6,900 square feet, or 0.1584 Acres Split   Lot Twelve, Block Three   South two (2) feet for a total of 230 square feet, or 0.0053 Acres Combined Area   Lot Thirteen, Block Three   together with the south 2.00 feet of Lot Twelve (12), of said Block Three (3) for new area of 7,130 square feet, or 0.1637 acres, more or less No new easements dedicated
TAC 10.15.20	No comments
Zoning	PUD 107   JZ 611   Approved February 19, 2018
Special District	None
General Location	West of Harvard and north of 141 <sup>st</sup>

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## Staff Evaluation & Recommendation

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**EVALUATION** Staff believes the lot split JL 20-349 and required minor amendment request to PUD 107 meets the land use requirements and removes the hardship created when the build line was encroached during the building process, thereby, causing the applicant to violate the required side yard standards in PUD 107 of 5 feet/5 feet.

**CONDITIONS** | Submit the following to Planning Staff before filing with Tulsa County:

1. Deeds to be stamped by City Planner
  - i. Deeds to be recorded in Tulsa County by applicant
2. Provide City Planner with copy of recorded Deeds

Submit the following to Planning Staff and Protective Inspections for Lot 13 and Lot 12 of Block 3 as part of the building permit process:

1. Lot 13, Block 3, Clearfield Estates
  - a. Site Plan/Plot plan clearly identifying:
    - i. *Lot Split Number (JL 20-349)*
    - ii. *Add the Minor Amendment to PUD 107 language “Lot 13, Block 3 of Clearfield Estates received, Minor Amendment to PUD 10, approval to allow for the side build line to be reduced from 5 (five) feet to 3 (three) feet on the north lot line of Lot 13 (thirteen) and; this approval does not affect any other lots or other approved PUD 107 requirements.”*
2. *“Lot 12, Block 2, Clearfield Estates is part of approved Lot Split JL 20-349”*

**RECOMMENDATION** | Staff recommends approval of the Lot Split and required Minor Amendment to PUD 107 changing the build line; applicant must provide requested information and meet conditions of approval by City Council.

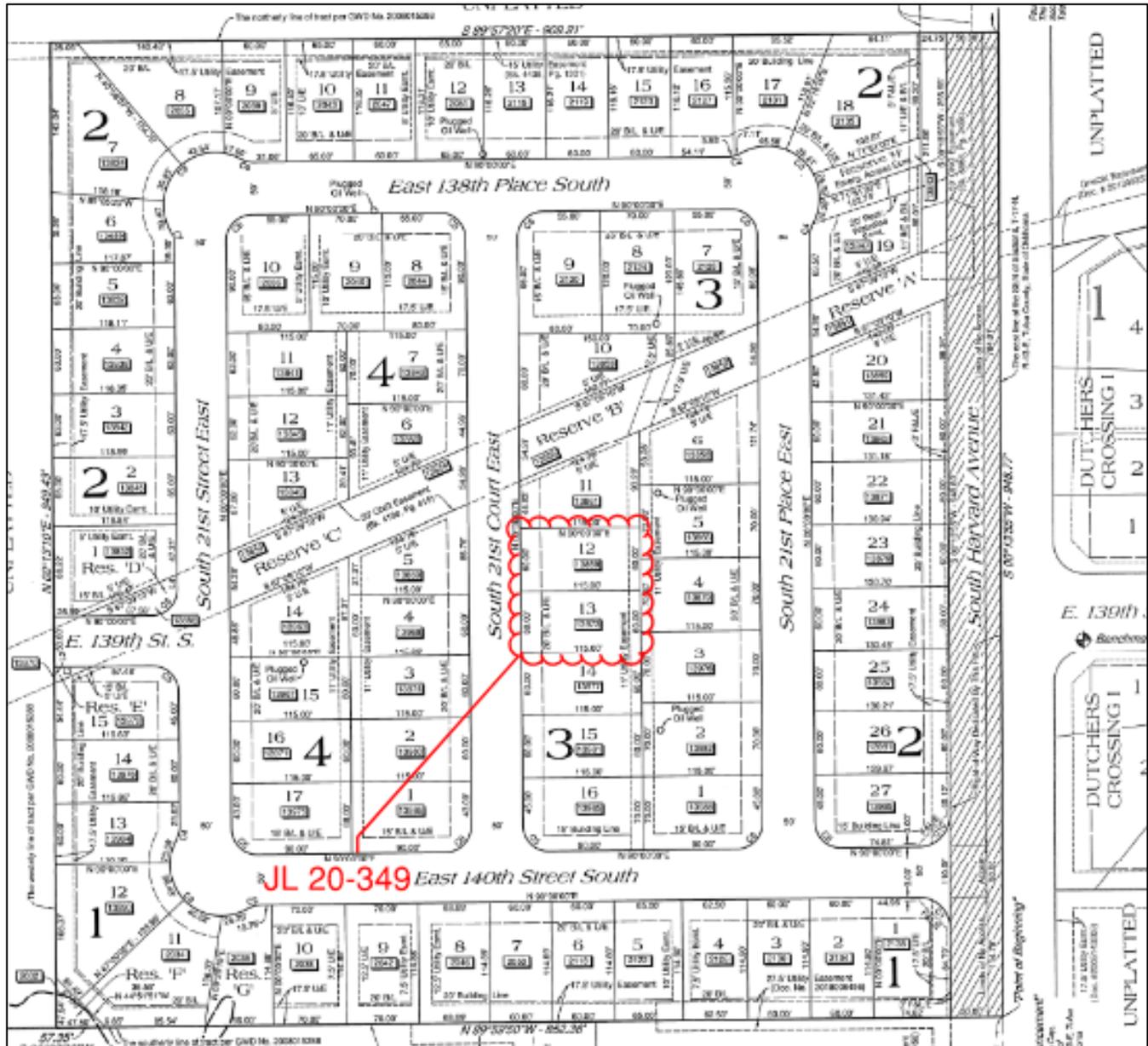


Figure 1: Clearfield Estates Plat with Lots Split identified



Figure 2: Rendering of Clearfield Estates entry feature from website

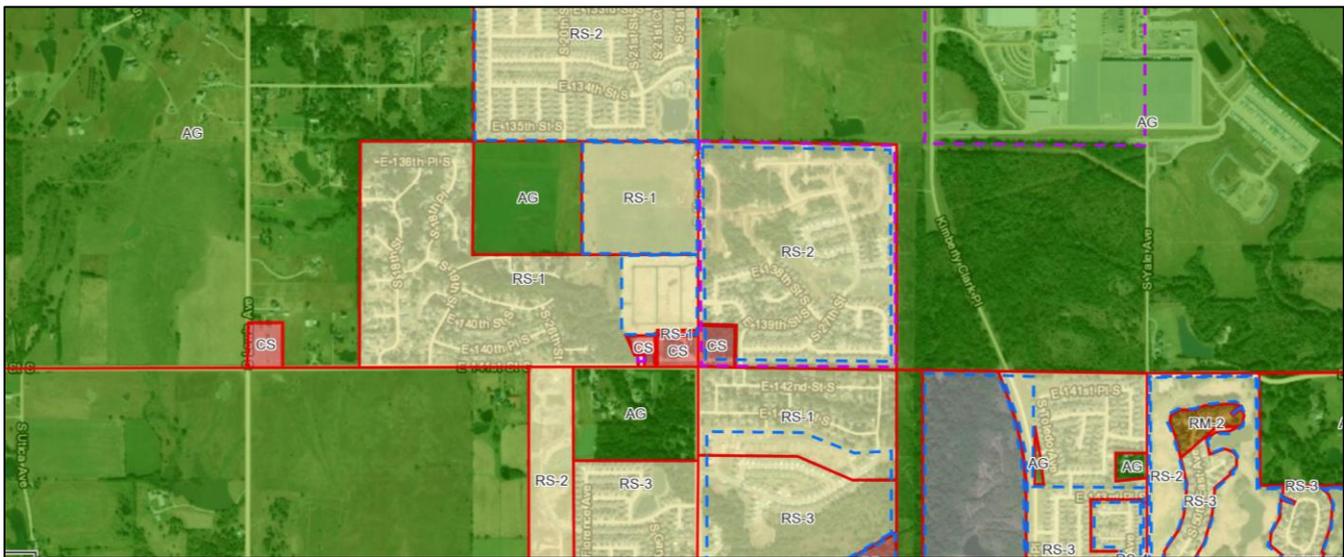


Figure 3: Zoning Map