BOARD OF ADJUSTMENT
CASE REPORT

STR: 0328
CZM: 29
CD: 3

HEARING DATE: 04/13/2021 1:00 PM

APPLICANT: Sandra Doctor

ACTION REQUESTED: Special Exception to permit a carport in the street yard and street setback with modifications to size, height, and setbacks. (Section 90.090-C.1)

LOCATION: 1567 N OSWEGO AV E
ZONED: RS-3

PRESENT USE: Residential
TRACT SIZE: 9779.26 SQ FT

LEGAL DESCRIPTION: LT 9 BLK 28, LOUISVILLE HGTS ADDN B9-30

RELEVANT PREVIOUS ACTIONS: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "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 South of the Se/c of N. Oswego Ave. and E. Reading Pl.

STAFF COMMENTS: The applicant is requesting Special Exception to permit a carport in the street yard with modifications to size, height, and setbacks. (Section 90.090-C.1)
1. Carports

Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception procedures of Section 70.120. Any carport that occupies all or a portion of the street setback or street yard area must comply with the following regulations, unless otherwise expressly approved by the board of adjustment as part of the special exception process:

a. A carport may be a detached accessory building or an integral part of the principal building.

b. The area of a carport may not exceed 20 feet in length by 20 feet in width.

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TULSA ZONING CODE | July 1, 2020
page 90-6

Chapter 90 | Measurements
Section 90.090 | Setbacks

c. A detached carport may not exceed 8 feet in height at its perimeter or 18 feet in height at its highest point. A carport erected as an integral part of the principal building may not exceed 8 feet in height within 10 feet of a side lot line or 18 feet at its highest point.

d. The carport structure must be setback from side lot lines by a minimum distance of 5 feet or the depth of the principal building setback, whichever is a greater distance from the side lot line.

e. The carport structure may project into the required street setback by a maximum distance of 20 feet. This distance must be measured from the required street setback line or the exterior building wall of the principal building, whichever results in the least obstruction of the street setback.

f. All sides of a carport that are within the required street setback must be open and unobstructed, except for support columns, which may not obstruct more than 15% of the area of any side.

g. The entire area under a carport may be used only for storage of operable, licensed motor vehicles (i.e., cars, boats, pickup trucks, vans, sport utility vehicles), which are customarily accessory to the dwelling. No other use of the carport area is allowed.

The proposed carport is to be 12’ wide by 35’ long and 12’ 6” in height at the center and 11’ in height the posts.

SAMPLE MOTION: Move to _______ (approve/deny) a Special Exception to allow a carport in the required street setback on an RS-3 zoned lot, with a modification to allow the area of the carport to exceed 20'-0" x 20'-0" (Section 90.090-C).

- 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 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.
Facing South on Oswego

Facing North on Oswego
Subject property
APPLICATION NO: ZN LOD 81173-2021  (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 1567 N Oswego Ave E
Description: Carport

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. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.

2. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN “SUPPORTING DOCUMENTS”, IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.

3. 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.

A COPY OF A “RECORD SEARCH” 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)
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.

Special exception approval required; see §90.090-C1.

1. Sec.90.090-C.1 Carports: Carports are allowed in street setbacks and yards in R zoning districts only if approved in accordance with the special exception procedures of Section 70.120. Any carport that occupies all or a portion of the street setback or street yard area must comply with the following regulations, unless otherwise expressly approved by the board of adjustment as part of the special exception process:

   a. A carport may be a detached accessory building or an integral part of the principal building.

   b. The area of a carport may not exceed 20 feet in length by 20 feet in width.

   c. A detached carport may not exceed 8 feet in height at its perimeter or 18 feet in height at its highest point. A carport erected as an integral part of the principal building may not exceed 8 feet in height within 10 feet of a side lot line or 18 feet at its highest point.

   d. The carport structure must be setback from side lot lines by a minimum distance of 5 feet or the depth of the principal building setback, whichever is a greater distance from the side lot line.

   e. The carport structure may project into the required street setback by a maximum distance of 20 feet. This distance must be measured from the required street setback line or the exterior building wall of the principal building, whichever results in the least obstruction of the street setback.

   f. All sides of a carport that are within the required street setback must be open and unobstructed, except for support columns, which may not obstruct more than 15% of the area of any side.

   g. The entire area under a carport may be used only for storage of operable, licensed motor vehicles (i.e., cars, boats, pickup trucks, vans, sport utility vehicles), which are customarily accessory to the dwelling. No other use of the carport area is allowed.
Review comment: The proposed carport is located in the street setback area and requires special exception granted by the BOA. Please contact an INCOG representative at 918-584-7526 for further assistance. Please note: If the regulations above cannot be met, you will need to address these items as part of the special exception process as the proposed structure is not in compliance with said regulations as submitted. If approved, submit a copy of the approved special exception as a revision to your application.

If assistance is needed to find review comments or upload revisions contact Ashley Chaney 918-694-4196 or email at AChaney@cityoftulsa.org

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.

Note: All references are to the City of Tulsa Zoning Code. Kink to Zoning Code:

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.
Legal Description of Property
Lot 9, Block 28, of Blocks 9 through 30, Inclusive, Louisville Heights Addition to the City of Tulsa, State of Oklahoma, according to the Recorded Plot, therefore, and Known as 1567 N. Oswego Ave.

City of Tulsa
Office of the Building Inspector

Plans are generally approved for issuance of a Building Permit. This Approval does not constitute a waiver of any provision of the Building Code, nor should it be construed that this approval constitutes a certification that all Details shown are in compliance with the Code.

Approved by:

[Signature]

DATE: 2/22/2021

The City of Tulsa Building Code requires that this set of approved plans shall be kept at the building site, open to inspection of the Building Official and any other law enforcement agency assigned to this purpose.

The approved plans do not constitute a waiver of any provisions of the Building Code, nor should it be construed that the approved plans constitute a certification that all Details shown herein are in compliance with the Code.
REGISTERED LAND SURVEYOR'S INSPECTION PLAT AND
CERTIFICATE FOR MORTGAGE LOAN PURPOSES

CERTIFICATE

This plat is made for and at the request of First Continental Mortgage Co. for mortgage loan purposes only covering property described at:

Lot 9, Block 20, of Blocks 9 through 30, inclusive, EAGLE HIGHLANDS ADDITION to the City of Tulsa, County of Tulsa, State of Oklahoma, according to the Recorded Plat thereof, and known as 1567 North Avenoo Avenue.

I hereby certify that the above inspection plat shows the improvements as located on the premises described, that they are entirely within the described tract boundaries, and that there are no encroachments thereon except as indicated; that the above plat shows all recorded plat easements and other such easements as have been disclosed and furnished us by lender; that this plat was prepared for identification purposes only for the Mortgagee and is not a land or property line survey; that no property corners were set, and it is not to be used or relied upon for the establishment of fence, building or other improvement lines. No responsibility is assumed herein or hereby to the present or future land owner or occupant.
Perspective View

Front

Left Side

Right Side
Building Images

Back

Front

Left

12'

35'

Right

12'

35'

Back
### Structure Details

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<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Amount</th>
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</tr>
<tr>
<td>Roof: LightStone</td>
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<tr>
<td>Trim: LightStone</td>
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<td>Gable End Wall: LightStone</td>
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<tr>
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#### Additional Options

- 29 Gauge (Standard)

If a Telescopic Lift is required, customer will provide

Subtotal: $3,060.80

Tax Calculated Based Off Delivery Address: $260.78

Total Order Amount: $3,321.58

Deposit Required to Order: $489.73

Final Balance Due at Installation: $2,831.85

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**Total Order Amount:** $3,321.58

**Deposit Required to Order:** $489.73

**Final Balance Due at Installation:** $2,831.85

**Signatures**

Customer Signature:  

#1605632716392235

4.18
Hello,

We are your neighbors, Herman and Sandy Doctor. We live at 1567 N. Oswego Ave. We want to build a metal carport for our motor home/RV. We want to know if you have any objections to our building the carport. It will be built by Texwin.

Please sign below.

Yes ☐
No ☒
Address 1589 N. Oswego Ave
City, State, Zip Tulsa, OK 74115

Print Name: Jose Hernandez

Signature: Jose Hernandez
Hello,

We are your neighbors, Herman and Sandy Doctor. We live at 1567 N. Oswego Ave. We want to build a metal carport for our motor home/RV. We want to know if you have any objections to our building the carport. It will be built by Texwin.

Please sign below.

Yes □
No ☒
Address 1568 N. Oswego Ave
City, State, Zip Tulsa, OK. 74115

Print Name: Jackie Kelley
Signature: Jackie Kelley
Hello,

We are your neighbors, Herman and Sandy Doctor. We live at 1567 N. Oswego Ave. We want to build a metal carport for our motor home/RV. We want to know if you have any objections to our building the carport. It will be built by Texwin.

Please sign below.

Yes ☐
No ☐
Address 1564 N. Oswego,
City, State, Zip Juba Dr., 74115

Print Name: Sammy Spencer Shepherd
Signature: Sammy S. Shepherd

Other Names
1571 N. Oswego
1810 N. Oswego Pl.

Case #: BOA 23099

4.22
Hello,

We are your neighbors, Herman and Sandy Doctor. We live at 1567 N. Oswego Ave. We want to build a metal carport for our motor home/RV. We want to know if you have any objections to our building the carport. It will be built by Texwin.

Please sign below.

Yes □
No ☒
Address 1558 N. Oswego Ave
City, State, Zip TULSA OK 74115

Print Name: BLANCA E. RODRIGUEZ
Signature: [Signature]
Hello,

We are your neighbors, Herman and Sandy Doctor. We live at 1567 N. Oswego Ave. We want to build a metal carport for our motor home/RV. We want to know if you have any objections to our building the carport. It will be built by Texwin.

Please sign below.

Yes □
No X
Address  1554 N. Oswego Ave.
City, State, Zip  Tulsa, OK 74115

Print Name:  Michael Howard
Signature:  [signature]

4.24
Hello,

We are your neighbors, Herman and Sandy Doctor. We live at 1567 N. Oswego Ave. We want to build a metal carport for our motor home/RV. We want to know if you have any objections to our building the carport. It will be built by Texwin.

Please sign below.

Yes ☐
No ☒

Address 1567 N Oswego
City, State, Zip TULSA OR

Print Name: Angelyta Melendez Garcia
Signature: ____________________________

4.25
Hello,

We are your neighbors, Herman and Sandy Doctor. We live at 1567 N. Oswego Ave. We want to build a metal carport for our motor home/RV. We want to know if you have any objections to our building the carport. It will be built by Texwin.

Please sign below.

Yes □
No ☒
Address 1547 N. Oswego Ave
City, State, Zip Tulsa, OK 74115

Print Name: James H. Burkhalter
Signature: [Signature]

4.26
Hello,

We are your neighbors, Herman and Sandy Doctor. We live at 1567 N. Oswego Ave. We want to build a metal carport for our motor home/RV. We want to know if you have any objections to our building the carport. It will be built by Texwin.

Please sign below.

Yes ☐
No ☑
Address 1538 N Oswego Ave
City, State, Zip Tulsa, OK 74115

Print Name: Magdalena Estrada
Signature: Magdalena Estrada

Case #: BOA-23099

4.27
Hello,

We are your neighbors, Herman and Sandy Doctor. We live at 1567 N. Oswego Ave. We want to build a metal carport for our motor home/RV. We want to know if you have any objections to our building the carport. It will be built by Texwin.

Please sign below.

Yes ☐
No ☑
Address 1531 N. Oswego Ave
City, State, Zip Tulsa, OK 74115

Print Name: Yvette Martinez

Signature: [Signature]
Hello,

We are your neighbors, Herman and Sandy Doctor. We live at 1567 N. Oswego Ave. We want to build a metal carport for our motor home/RV. We want to know if you have any objections to our building the carport. It will be built by Texwin.

Please sign below.

Yes □
No ☒
Address: 4010 E Reading Place
City, State, Zip: Tulsa, OK 74115
Print Name: Lloyd Gates
Signature: 

4.29
Hello,

We are your neighbors, Herman and Sandy Doctor. We live at 1567 N. Oswego Ave. We want to build a metal carport for our motor home/RV. We want to know if you have any objections to our building the carport. It will be built by Texwin.

Please sign below.

Yes ☐
No ☒
Address 4005 E Reading PL
City, State, Zip TULSA OK 74005

Print Name: Michael Pitts
Signature:
Hello,

We are your neighbors, Herman and Sandy Doctor. We live at 1567 N. Oswego Ave. We want to build a metal carport for our motor home/RV. We want to know if you have any objections to our building the carport. It will be built by Texwin.

Please sign below.

Yes □
No ☒
Address 4015 E Reading Pl
City, State, Zip Tulsa, OK, 74115

Print Name: Thomas Moody
Signature: __________________________