BOARD OF ADJUSTMENT
CASE REPORT

STR: 9208 Case Number: BOA-23234
CZM: 35
CD: 1

HEARING DATE: 01/11/2022 1:00 PM

APPLICANT: Yolanda Rodriguez

ACTION REQUESTED: Special Exception to allow a manufactured housing unit in the RM-2 district (Sec. 5.020, Table 5-2); Special Exception to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec.40.210-A)


PRESENT USE: Vacant TRACT SIZE: 7501.06 SQ FT

LEGAL DESCRIPTION: LT 30 BLK 3, LAWNWOOD ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property: None.

Surrounding properties:

BOA-16253; On 01.26.93 the Board approved a Special Exception to permit a Mobile Home and Variance of the 1-year time limit. Property located 6123 W. 9th Street.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an "Exisitng 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 purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the NW/c of W. 9th St. S. & S. 61st W. Ave.and is currently vacant.

STAFF COMMENTS: The applicant is requesting Special Exception to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); Special Exception to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec.40.210-A)
SAMPLE MOTION: Move to ________ (approve/deny) a Special Exception to allow a manufactured housing unit in the RS-3 district (Sec. 5.020, Table 5-2); Special Exception to extend the one-year time limit to allow the Manufactured Housing Unit permanently (Sec.40.210-A)

- 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.
Case No. 16251 (continued)
Mr. Doverspike asked if the height and size of the sign or the topography of the land will be different at the new location, and Mr. Paulson replied that they will remain the same.

Mr. Doverspike advised that he will abstain, due to a conflict of interests.

It was the consensus of the Board that, since there are only three Board members present and one member is abstaining, it would be appropriate to continue the application to the February 9th meeting.

Board Action:
On MOTION of T. WHITE, the Board voted 3-0-0 (Doverspike, S. White, T. White, "aye"; no "nays"; no "abstentions"; Bolzle, Chappelle, "absent") to CONTINUE Case No. 16251 to February 9, 1993.

Case No. 16253

Action Requested:
Special Exception to permit a mobile home in an RM-2 District, and a variance of the one year time limitation - Section 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS - Use Unit 9, located 6123 West 9th Street.

Presentation:
The applicant, Ralph Berg, 6125 West 9th Street, informed that he is proposing to install a mobile home on property adjacent to his residence to be used as a rental unit. Mr. Berg stated that he is handicapped and the rent will supplement his income. The applicant submitted a plot plan (Exhibit H-1) and photographs (Exhibit H-2) of other mobile homes in the area.

Protestants:
Art Maimbourg, 6100 West 9th Street, stated that he is concerned that the installation of additional mobile homes in the neighborhood could decrease property values.

Comments and Questions:
Ms. White asked Mr. Maimbourg if he would be opposed to the mobile home if it was properly installed, and he replied that he does not have a problem with the mobile home, but only with the impact it could have on properties being bought for the upcoming expressway project.
Case No. 16253 (continued)

**Applicant's Rebuttal:**

Mr. Berg stated that his parents have owned property in the neighborhood for many years, and he is concerned with the appearance of the neighborhood and would not want to contribute to further deterioration. The applicant stated that the vacant lot is currently a maintenance problem, and the establishment of a residence would improve the neighborhood.

**Additional Comments:**

Mr. Doverspike stated that mobile home use seems to be appropriate for the area.

Mr. Gardner noted that the area is blanket zoned for multi-family use, and an apartment building could be constructed by right.

Ms. White asked if the proposed mobile home will be comparable to other mobiles in the area, and Mr. Berg informed that he has not purchased the unit, but it will be an attractive 14' by 60' mobile home.

**Board Action:**

On MOTION of DOVERSPIKE, the Board voted 3-0-0 (Doverspike, S. White, T. White, "aye"; no "nays"; no "abstentions"; Bolzle, Chappelle, "absent") to APPROVE a Special Exception to permit a mobile home in an RM-2 District, and a variance of the one year time limitation — Section 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS — Use Unit 9; subject to the mobile home being skirted, tied down and a minimum size of 14' by 60'; finding mobile home use to be compatible with the area; on the following described property:

Lot 25, Block 3, Lawnwood Addition, City of Tulsa, Tulsa County, Oklahoma.

Case No. 16254

**Action Requested:**

Variance of lot width from 60' to 57.64' to permit an existing platted lot in an RS-3 District — Section 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS — Use Unit 6, located 9612 South 89th East Avenue.

**Presentation:**

The applicant, Cedar Ridge Park Development Company, 4404 East 11th Street, was represented by Dwight Claxton, who advised that the development was platted in 1984, and the lot in question was overlooked during the approval process. He stated that it was platted at 57.64', which
APPLICATION NO: ZCO 79562-2020  (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 818 S 61st Ave W
Description: Manufactured Housing Unit

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.

3rd Letter

1. Sec.5.020 Table 5-2: The submitted application indicates construction of a “Manufactured Housing Unit” per documents submitted to our office. The proposed Manufactured Housing Unit is located in an RS-3 Zoning District.

   Review Comments: Manufactured Housing Units are allowed in this zoning district by special exception. Apply for a Special Exception from the City of Tulsa Board of Adjustment (BOA) per Sec.70.120 to allow a Manufactured Housing Unit to be placed on your lot. Once you receive approval you will need to upload the approval documents as a revision to your application for a building permit.

2. Section 40.210 Manufactured Housing Units
   The application for a special exception must be accompanied by a written signed agreement by the applicant and the property owner to remove the manufactured housing unit within one year of the date of special exception approval.

   40.210-A The manufactured housing unit must be removed from the lot within one year of the date of special exception approval. The board of adjustment is authorized to extend the one-year limit through approval of a subsequent special exception if the (special exception) extension request is filed before expiration of the one-year time limit.

   Review Comments: Provide a written signed agreement to the BOA that the manufactured house will be removed within one year or seek a special exception from the BOA to extend the subsequent one year time limit.

3. 5.030-A: In the RM-2 zoned district the minimum north side rear setback shall be 10 feet from the rear property line.

   Review Comments: Revise your plans to indicate a 10’ rear setback to the property line or apply to INCOG for a variance to allow less than a 10’ rear setback.

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.
Per the applicant the tree is to be removed and shift the manufactured unit South to meet the 10-foot rear yard setback.
Facing East from 61st W. Ave.

Facing East from 61st W. Ave.
Subject property (Construction vehicles were present working on utilities and not related to this application)