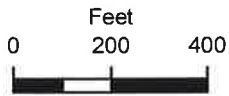


**SUBJECT TRACT**

**BOA-23017**

**5.1**



20-12 24



# BOARD OF ADJUSTMENT CASE REPORT

**STR:** 148 Case Number: **BOA-23017**

**CZM:** 28

**CD:** 1

**HEARING DATE:** 10/27/2020 1:00 PM

**APPLICANT:** LaToyna Exom

**ACTION REQUESTED:** Special Exception to allow a manufactured housing unit in an RS-3 district (Sec.5.020 Table 5-2.5); Special Exception to extend the time limit for a manufactured home permanently (Sec.40.210)

**LOCATION:** 1037 E 26 PL N

**ZONED:** RS-3

**PRESENT USE:** Vacant

**TRACT SIZE:** 14122.21 SQ FT

**LEGAL DESCRIPTION:** LTS 9 & 10 BLK 2, WAREHOUSING ADDN

## **RELEVANT PREVIOUS ACTIONS:**

### **Subject Property:**

**BOA-12770;** On 08.25.83 the Board **approved** a Special Exception to allow a mobile home in an RS-3 District and **continued** a request for a variance of the 1-year limitation for a mobile home. Staff could not find that the variance was ever decided by the Board.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:** The Tulsa Comprehensive Plan identifies the subject property as part of a "New Neighborhood" and an "Area of Growth".

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.

**The New Neighborhood** designation is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single- family homes on a range of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an existing or new Neighborhood or Town Center.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located on E. 26 Pl. N. between Norfolk and North Madison Pl.

**STAFF COMMENTS:** The applicant is requesting Special Exception to allow a manufactured housing unit in an RS-3 district (Sec.5.020 Table 5-2.5); Special Exception to extend the time limit permanently (Sec.40.210)

Table 5-2.5: R District Building Type Regulations for Household Living

USE CATEGORY Subcategory Specific Uses Building Type	RE	RS-					RD	RT	RM-				RMH	Supplemental Regulations
		1	2	3	4	5			0	1	2	3		
<b>RESIDENTIAL</b>														
<b>Household Living</b>														
<b>Single household</b>														
Detached house	P	P	P	P	P	P	P	P	P	P	P	P	P	S
Patio House	-	-	-	P	P	P	P	P	P	P	P	P	-	<a href="#">Section 40.290</a>
<b>Townhouse</b>														
2-unit townhouse	-	-	-	S	S	P	P	P	P	P	P	P	-	<a href="#">Section 40.390</a>
3+-unit townhouse	-	-	-	-	-	-	-	P	P	P	P	P	-	<a href="#">Section 40.390</a>
Manufactured housing unit	S	S	S	S	S	S	S	S	S	S	S	S	P	<a href="#">Section 40.210</a>
Manufactured housing subdivision	-	-	-	-	-	-	-	-	-	-	-	-	P	<a href="#">Section 40.220</a>
Mobile home	-	-	-	-	-	-	-	-	-	-	-	-	P	<a href="#">Section 40.240</a>
<b>Mixed-use building</b>														
Vertical mixed-use building	-	-	-	-	-	-	-	-	-	S	S	S	-	
<b>Two households on single lot</b>														
Duplex	-	-	-	S	S	S	P	P	P	P	P	P	-	
Mixed-use building	-	-	-	-	-	-	-	-	-	P	P	P	-	
Vertical mixed-use building	-	-	-	-	-	-	-	-	-	P	P	P	-	
<b>Three or more households on single lot</b>														
Cottage house development	-	-	-	-	-	P	S	S	P	P	P	P	-	<a href="#">Section 40.110</a>
Multi-unit house	-	-	-	-	-	S	S	P	P	P	P	P	-	<a href="#">Section 40.250</a>
Apartment/condo	-	-	-	-	-	-	-	-	P	P	P	P	-	<a href="#">Section 40.030</a>
Mobile home park	-	-	-	-	-	-	-	-	-	-	-	-	P	<a href="#">Section 40.240</a>
<b>Mixed-use building</b>														
Vertical mixed-use building	-	-	-	-	-	-	-	-	-	P	P	P	-	

P= Permitted; S=Special Exception Approval Required; - = Prohibited

**Section 40.210 Manufactured Housing Units**

The supplemental regulations of this section apply only to manufactured housing units approved as special exception uses in R or AG-R zoning districts.

**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.

**40.210-B** No more than one manufactured housing unit may be located on a lot.

**40.210-C** Manufactured housing units are required to comply with the same lot and building regulations that apply to detached houses in the subject zoning district.

**SAMPLE MOTION:**

Move to \_\_\_\_\_ (approve/deny) a **Special Exception** to allow a manufactured housing unit in an RS-3 district (Sec.5.020 Table 5-2.5); **Special Exception** to extend the time limit permanently (Sec.40.210)

- 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. 12769 (continued)

The applicant informed he had a building permit, but Ms. Hubbard said she has no record of a permit being issued. Mr. Miller stated that he got the permit before he even purchased the building. Ms. Hubbard requested that the applicant call her and give her the permit number.

Mr. Jackere stated that ordinarily, before a person can get a building permit, they have to come before the Board, because a person cannot put a duplex on a single-family lot without this Board's approval.

The applicant informed their building permit was just to put the building on the lot--they understood that the building was not to be used as a duplex until they received this Board's permission. The applicant understands that he may not be able to use the building as a duplex.

Mr. Victor stated he cannot see how a duplex would affect the density of the area. Ms. Purser agreed with Mr. Victor, but informed she would have a problem if someone moved a duplex in on the two lots next to her house--it just wouldn't fit in.

The Board informed the applicant to get with Ms. Hubbard as soon as possible to get the problem with the building permit cleared up. The Board also suggested that the applicant talk to some of the people of the area.

Mr. Jackere informed the petition was signed by people who do not want a zoning change from RS-3.

Board Action:

On MOTION of CHAPPELLE and SECOND by PURSER, the Board voted 4-0-0 (Chappelle, Purser, Victor, Wait, "aye"; no "nays"; no "abstentions"; Smith, "absent") to continue Case No. 12769 to the September 8, 1983, meeting to allow the Board members time to view the site and to allow time to solve the building permit issue.

Case No. 12770

Action Requested:

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209 - Request to permit a mobile home in an RS-3 zoned district - Under the Provisions of Section 1680.

Variance - Section 440.6 (a) (c) (d) (e) - Special Exception Uses in Residential Districts, Requirements - Request for a variance of the one-year time limitation to permit permanent occupancy, variance of the removal contract, and a variance of the removal bond posting requirement in an RS-3 zoned district - Under the Provisions of Section 1670, located west of the NW corner of Norfolk Avenue and 26th Place North.

Presentation:

Eula M. Kelly was represented by Jessie Kelly, 1110 East Ute Street, her brother. The applicant would like to move a mobile home on the subject property. The wheels will be taken off of the mobile home and it will be put on a foundation. The applicant will cover the mobile home with rocks and will put a roof on it--it will not look like a mobile home when they get finished with it. They plan to do the work on the mobile home as soon as they get permission, and it should be completed within 3 months. The applicant's brother, who is a mason, will do the work on the mobile home. There is a mobile home about 1 block away and one about 3 or 4 blocks away. The mobile home which they would like to move on the subject property has two bedrooms--it is single-wide and about 60' long. The home is a 1978 model. The mobile home will be completely covered with rock--you will not be able to see the metal.

Protestants: None.

Comments:

Mr. Victor stated he would have a hard time granting the variance until the work is finished. There is no guarantee that it will be approved at that time, but the Board members indicated they would look at the application favorably if the applicant did what was presented.

Board Action:

On MOTION of PURSER and SECOND by CHAPPELLE, the Board voted 4-0-0 (Chappelle, Purser, Victor, Wait, "aye"; no "nays"; no "abstentions"; Smith, "absent") to approve a Special Exception (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Use Unit 1209) to permit a mobile home in an RS-3 zoned district - Under the provisions of Section 1680, and to continue this case to the January 12, 1984, meeting where the variance will be considered at that time and the applicant will return with pictures of all sides showing that the work is completed, on the following described property:

Lots 9 and 10, Block 2, Warehousing Addition to the City of  
Tulsa, Tulsa County, Oklahoma.

There being no further business, the Chair adjourned the meeting at 5:36 p.m.

Date Approved Sept 23, 1983  
Adrian M. Smith  
Chairman



*Subject property*



*Facing East on 26<sup>th</sup> Pl*



*Facing West on 26<sup>th</sup> Pl.*



**Jeff S. Taylor**  
Zoning Official  
Plans Examiner III  
TEL(918) 596-7637  
jstaylor@cityoftulsa.org



## DEVELOPMENT SERVICES

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### ZONING CLEARANCE PLAN REVIEW

**LaTonya Monique**  
exomlatonya12@yahoo.com

9/16/2020

**APPLICATION NO: ZN LOD- 68580-2020** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

**Project Location: 1037 E 26<sup>th</sup> PI North**  
**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 2<sup>nd</sup> 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](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

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](http://WWW.CITYOFTULSA-BOA.ORG)

Application No. **ZN LOD- 68580-2020**

**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.

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 submit the approval documents to this office.

2. **40.210-B** 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 :Setback(s) (Residential):** In the RS-3 zoned district the minimum street setback shall be 25 feet from the property line, or measured from the centerline of the abutting street add to the setback distance  $\frac{1}{2}$  the right-of-way (ROW) designated on the major street plan.

**Review Comments:** Revise your plans to indicate a 25' front setback to the property line, or apply to INCOG for a variance to allow less than a 25' front 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.**

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

**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.

**From:** LaTonya Exom <exomlatonya12@yahoo.com>  
**Sent:** Sunday, September 20, 2020 10:15 PM  
**To:** FedEx  
**Subject:** [EXTERNAL] City

Caution! This email originated outside of FedEx. Please do not open attachments or click links from an unknown or suspicious origin.

I LaTonya Monique Exom plan to use my property located at 1037 east 26 place north Tulsa ok 74106 to build a site build home using my 1998 oakwood mobile home as the structure and frame. The home will be tied down using 1 1/2 x .035 cold rolled heat treated hot dipped galvanized straps. Confirming to federal SPEC QQ-S- 781F type 1 class B grade 1. With 4feet ground anchors. Per City of Tulsa guide line. The home will be tied using four over the top tie and seven frame ties on each side . The home will also be layered with cement bricks placed in a continuous footing around the house which is 16x76 home. The footing will be at least the depth of 18". And at least 25 front setback to property line. My home will be used for a permanent resident for me and my nine year old child.

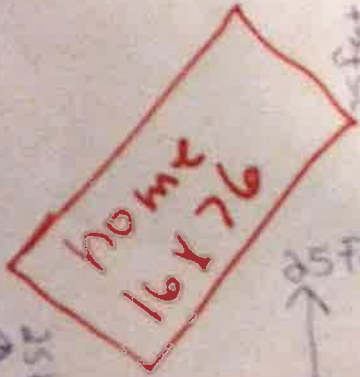
Vacant lot <sup>North</sup> ↓

Back Property line

Property line

↑ East 503

Vacant Lot

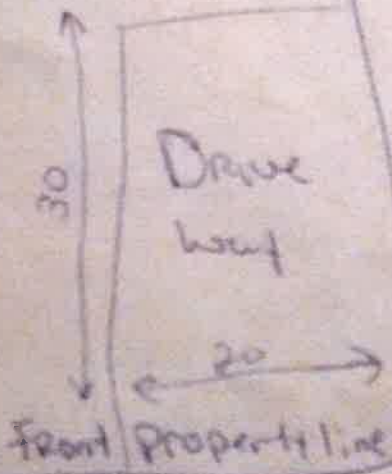


40 feet

25 feet

25 feet

25 feet



30

Driveway

20

Front Property line

Street 26<sup>th</sup> Street <sup>South</sup> ↑

Vacant house <sup>West</sup> ↑

Property line

↑ South  
Property line

Property line 107

H15

electric  
PSO

city  
water

131.2 1037 east 26th - Pl. : North

131.2

Long-Gay

40 Feet

minimum 9/8 Bars  
20" top 20" Bottom

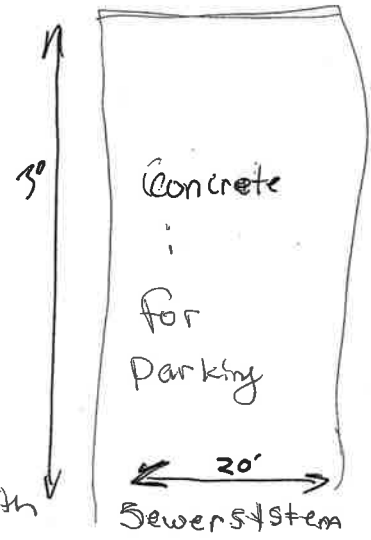
25 Feet

16 x 76  
home

30 Feet 76" long  
continuous footing

25 Feet

Property Line 107





GILCREASE EXPWY

GILCREASE EXPWY

N IROQUOIS AVE

N KENOSHA AVE

N LANSING PL

E 28 ST N

MOHAWK BLVD

E 28 ST N

N QUAKER AVE

N QUINCY AVE

E 27 ST N

E 27 PL N

E 27 ST N

E 26 PL N

E 26 PL N

N IROQUOIS AVE

E APACHE ST

N MADISON AVE

N NORFOLK AVE

N OWASSO AVE

N PEORIA AVE

E ZION CT

E ZION ST

E ZION PL

E ZION ST

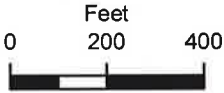
SERVICE RD

N LANSING AVE

N MADISON PL

E YOUNG PL

E YOUNG ST



Subject Tract

**BOA-23017**

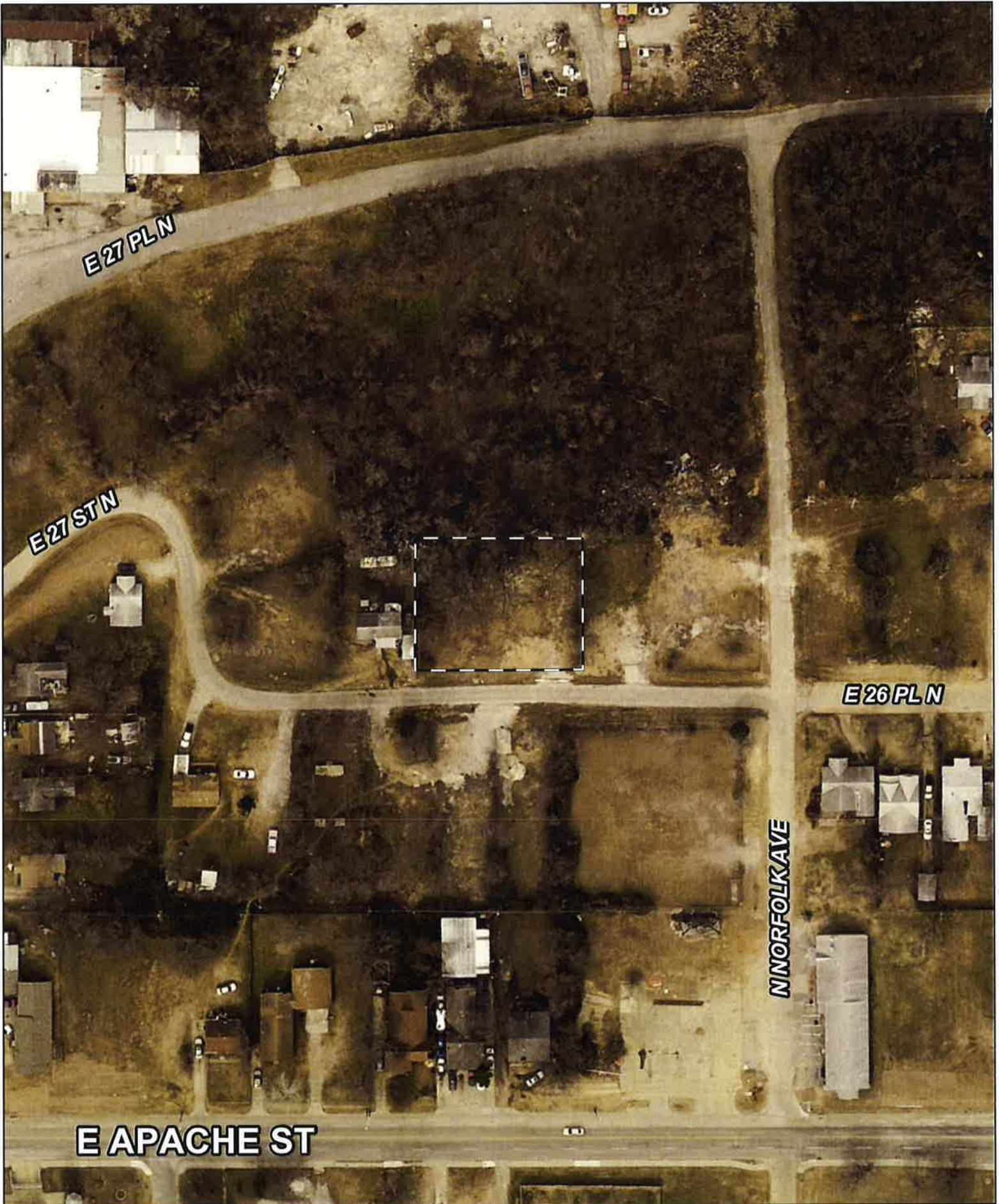
20-12 24

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

Aerial Photo Date: February 2018

5.15





E 27 PL N

E 27 ST N

E 26 PL N

N NORFOLK AVE

E APACHE ST

**BOA-23017**

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

Aerial Photo Date: February 2018



Subject Tract

20-12 24

