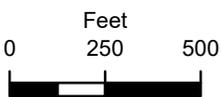


SUBJECT TRACT

BOA-23343

20-13 29

11.1



BOARD OF ADJUSTMENT CASE REPORT

STR: 329
CZM: 29
CD: 3

Case Number: **BOA-23343**

HEARING DATE: 05/10/2022 1:00 PM

APPLICANT: Shirley Thomas

ACTION REQUESTED: 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)

LOCATION: 2138 N DELAWARE AV E

ZONED: RS-3

PRESENT USE: RS-3

TRACT SIZE: 6751.83 SQ FT

LEGAL DESCRIPTION: LOT 3 BLK 1, WAFUL HGTS RESUB B9 CITY VIEW & PRT B8&19 TULSA HGTS

RELEVANT PREVIOUS ACTIONS: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "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 a vacant parcel located South of the SW/c of E. Woodrow Pl. and N. Delaware Ave.

STAFF COMMENTS: The applicant is requesting 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)

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.

The applicant has provided a site plan showing the placement of the unit on the property but did not show a model year or renderings of the home.

SAMPLE MOTION: Move to _____ (approve/deny) **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.



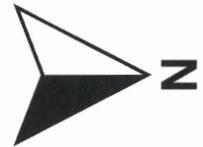
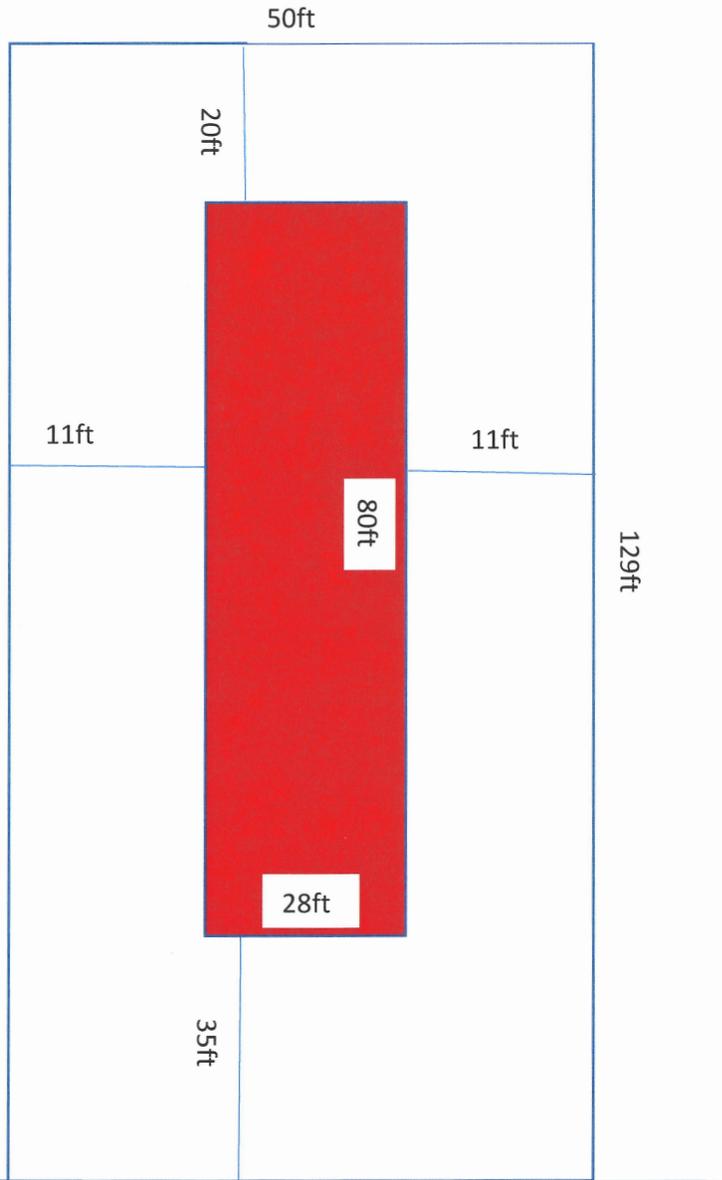
Subject property



Facing South on N. Delaware

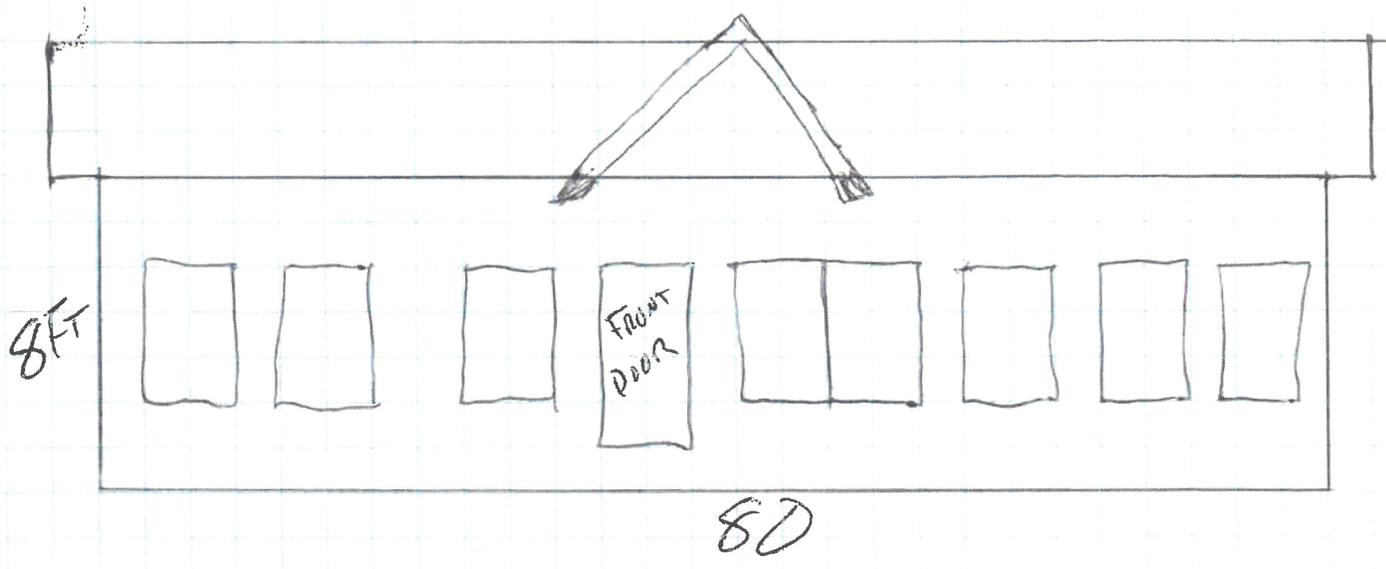
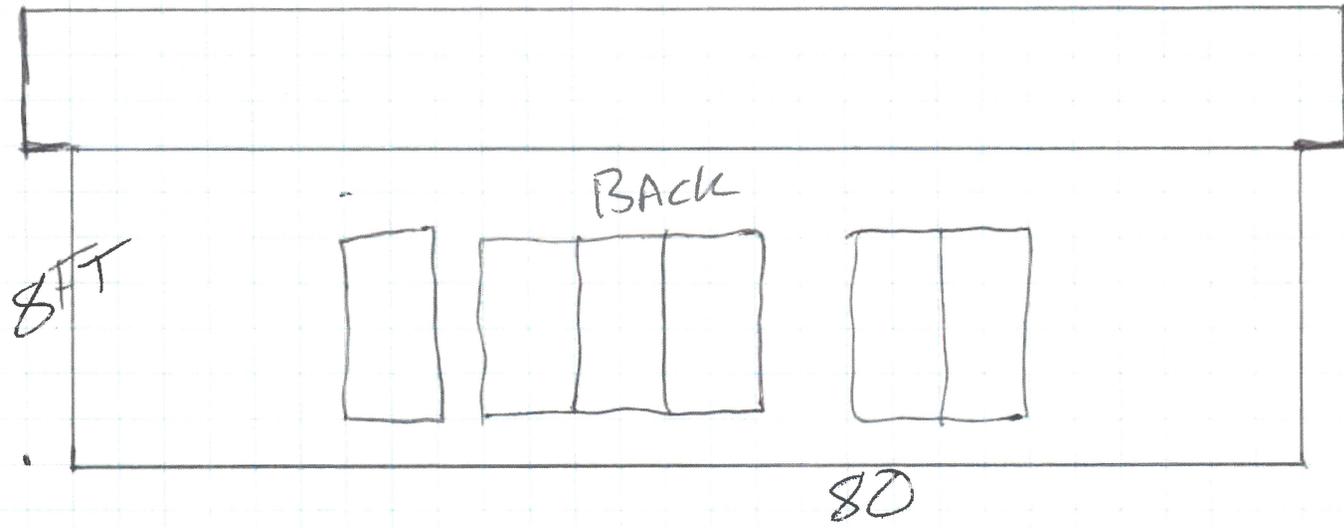


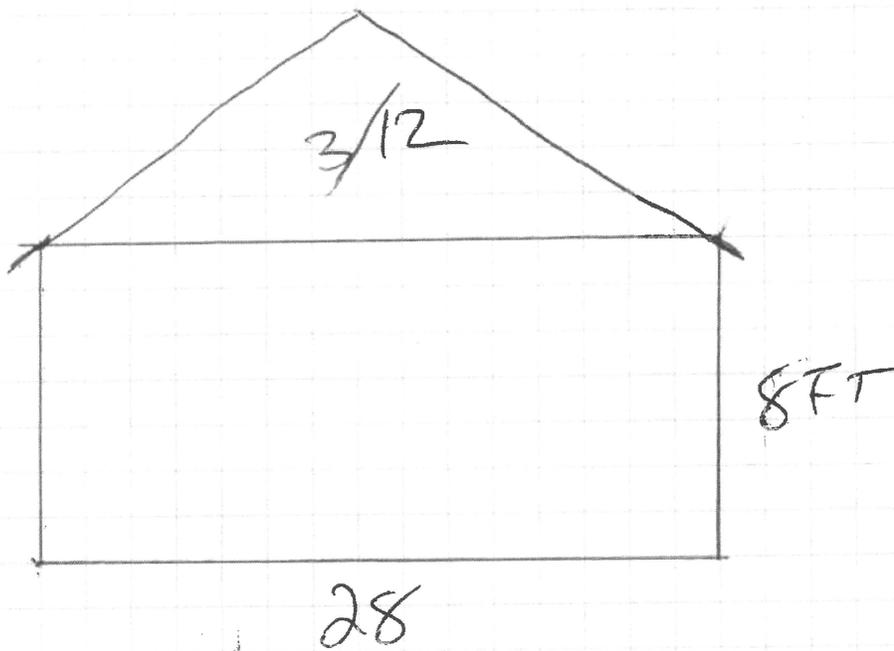
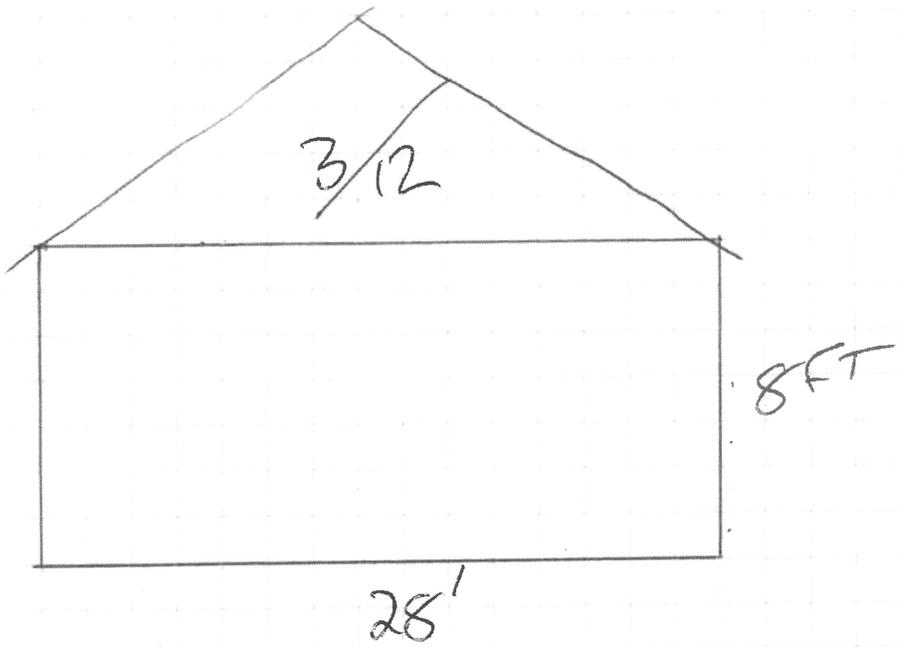
Facing North on N. Delaware



N Delaware Ave

STAFF COMMENT: Applicant has not provided parking spaces on site plan, per code 2 spaces will be required per Table 55-1 of the Zoning Code. Those spaces must meet the parking area design standards of Sec. 55.090.





Danny Whiteman
Zoning Official
Plans Examiner II

TEL (918) 596-9664
dwhiteman@cityoftulsa.org



DEVELOPMENT SERVICES

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

ZONING CLEARANCE PLAN REVIEW

10/27/2021

LOD No. 1

Shirley Thomas
2139 N. Delaware Ave.
Tulsa, OK 74110

APPLICATION NO: BLDR-098898-2021 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Project Location: 2138 N. Delaware Ave.

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. 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" [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 <http://tulsaplanning.org/plans/TulsaZoningCode.pdf>

Application No. BLDR-098898-2021

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 as a revision to your application for a building permit.

2. 35.010-H Manufactured Housing Unit A detached house is a principal residential building, other than a manufactured housing unit or mobile home, that contains only one dwelling unit and that is located on a single lot that is not occupied by other principal residential buildings. Detached houses are not attached to and do not abut other dwelling units.

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

3. Sec. 55.090-A Applicability The parking area design regulations of this section apply to all off-street parking lots for motor vehicles, whether containing required parking spaces or non-required parking spaces. You are required to provide 2 parking spaces on this lot per Table 55-1.

Review Comments: Each parking space must be 8.5 feet by 18 feet on this lot. Therefore, the parking area must be at least 17' wide by 18' deep and it must be entirely on your lot; it cannot be in the right of way. Provide two parking spaces on this lot or apply to BOA for a variance to allow less than the required parking spaces.

4. Sec. 70. 080-C-Site Plan for Zoning Plan Review: Applications for a Building Permit shall include a site plan that provides zoning data for the Zoning review portion of the Building Permit application.

Review Comment: Your site plan is insufficient to complete the Zoning portion of your application. The dimensions of the building and the setbacks from the property line should add up. For instance, the building is shown to be 60' long, and there are setbacks shown of 58' 2" and 30' 5" to the property lines. This adds up to a distance of 148' 7" which is longer than the 123.38' long property line shown on the south side of the lot.

Submit a site plan that provides the following:

- North arrow
- Appropriate drawing to scale;
- Legal description of the lot;
- Actual shape and dimensions of the lot;
- Lot lines and names of abutting streets;
- Public rights-of-way;
- The location, dimensions and height of proposed buildings or structures, drawn to scale;
- The setbacks from the proposed new buildings or structures to the centerline of abutting street.

The zoning review for your permit application will resume after these revised documents are submitted. Additional deficiencies may be found and are required to be resolved prior to approval of your application.

Note: Please direct all questions concerning variances, special exceptions, alternative landscape plans, alternative compliance parking ratios 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.

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. 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.



E WOODROW PL

N DELAWARE BLVD

N DELAWARE AVE

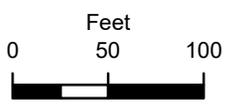
E VIRGIN ST

BOA-23343

20-13 29

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

Aerial Photo Date: 2020/2021



Subject Tract



11.13