



Board of Adjustment

**Staff Report
BOA-23790**

Hearing Date: November 12, 2024

Prepared by: Erin Roark

eroark@cityoftulsa.org

918-596-7618

Owner and Applicant Information

Applicant: Uriel Almanza Lobatos

Property Owner: Fransisco Almanza Lobatos

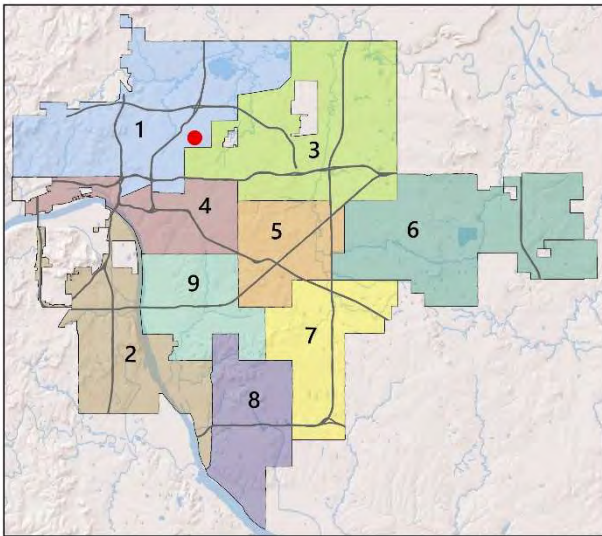
Property Location

1732 North Birmingham Place

Tract Size: ±0.51 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 1, Vanessa Hall-Harper

County Commission: District 1, Stan Sallee

Public Notice Required

Newspaper Notice – min. 10 days in advance

Mailed Notice to 300’ radius – min. 10 days in advance

Posted Sign – min. 10 days in advance

Request Summary

Special Exception to permit a manufactured housing unit in the RS-3 district (Section 5.020, Table 5-2.5); Special Exception to extend the 1-year time limit for a manufactured housing unit (Section 40.210-A).

Zoning

Zoning District: RS-3

Zoning Overlays: N/A

Comprehensive Plan Considerations

Land Use

Land Use Plan: Neighborhood

Small Area Plans: None

Development Era: Early Automobile

Transportation

Major Street & Highway Plan: N/A

planitulsa Street Type: N/A

Transit: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

Environment

Flood Area: N/A

Tree Canopy Coverage: 10-20%

Parks & Open Space: Adams Park

Staff Analysis

The applicant requests a special exception to permit a manufactured housing unit in the RS-3 zoning district (Section 5.020, Table 5-2.5); and a special exception to extend the 1-year time limit for a manufactured housing unit (Section 40.210-A). According to the applicant, the existing detached house on the site has been or will be demolished, and an existing manufactured housing unit will be updated as shown on the plans.

Section 5.020 Use Regulations

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		
RESIDENTIAL														
Household Living														
Single household														
Detached house	P	P	P	P	P	P	P	P	P	P	P	P	S	
Patio House	-	-	-	P	P	P	P	P	P	P	P	P	-	Section 40.290
Townhouse														
2-unit townhouse	-	-	-	S	S	P	P	P	P	P	P	P	-	Section 40.390
3+-unit townhouse	-	-	-	-	-	-	-	P	P	P	P	P	-	Section 40.390
Manufactured housing unit	S	S	S	S	S	S	S	S	S	S	S	S	P	Section 40.210

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.

Relevant Case History

- None found.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as Neighborhood. Neighborhoods are mostly residential uses, which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	RS-3	Neighborhood	Residential
East	RS-3	Neighborhood	Residential
South	RS-3	Neighborhood	Residential
West	RS-3	Neighborhood	Residential

Small Area Plans

The subject property is not located within a small area plan.

Development Era

The subject property is in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of the connectivity from neighborhood streets to the arterial network, with mostly commercial, office, industrial, and other active uses along major streets and a mix of housing options and neighborhood-based uses like schools, churches, and libraries in the interior sections. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, commercial revitalization, compatibility of scale for neighborhood development, and transitions between commercial corridors and residential areas.

Transportation

Major Street & Highway Plan: N/A

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: N/A

Environmental Considerations

Flood Area: The subject property is not located within a flood area.

Tree Canopy Coverage: Tree canopy in the area is 15%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm. The area would benefit from additional trees, which also capture and treat runoff before it enters the river.

Parks & Open Space: Adams Park is located nearby to the southwest of the subject property.

Sample Motion

I move to approve or deny a Special Exception to permit a manufactured housing unit in the RS-3 zoning district (Section 5.020, Table 5-2.5); and a Special Exception to extend the 1-year time limit for a manufactured housing unit (Section 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): _____.

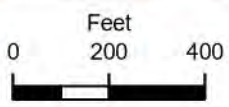
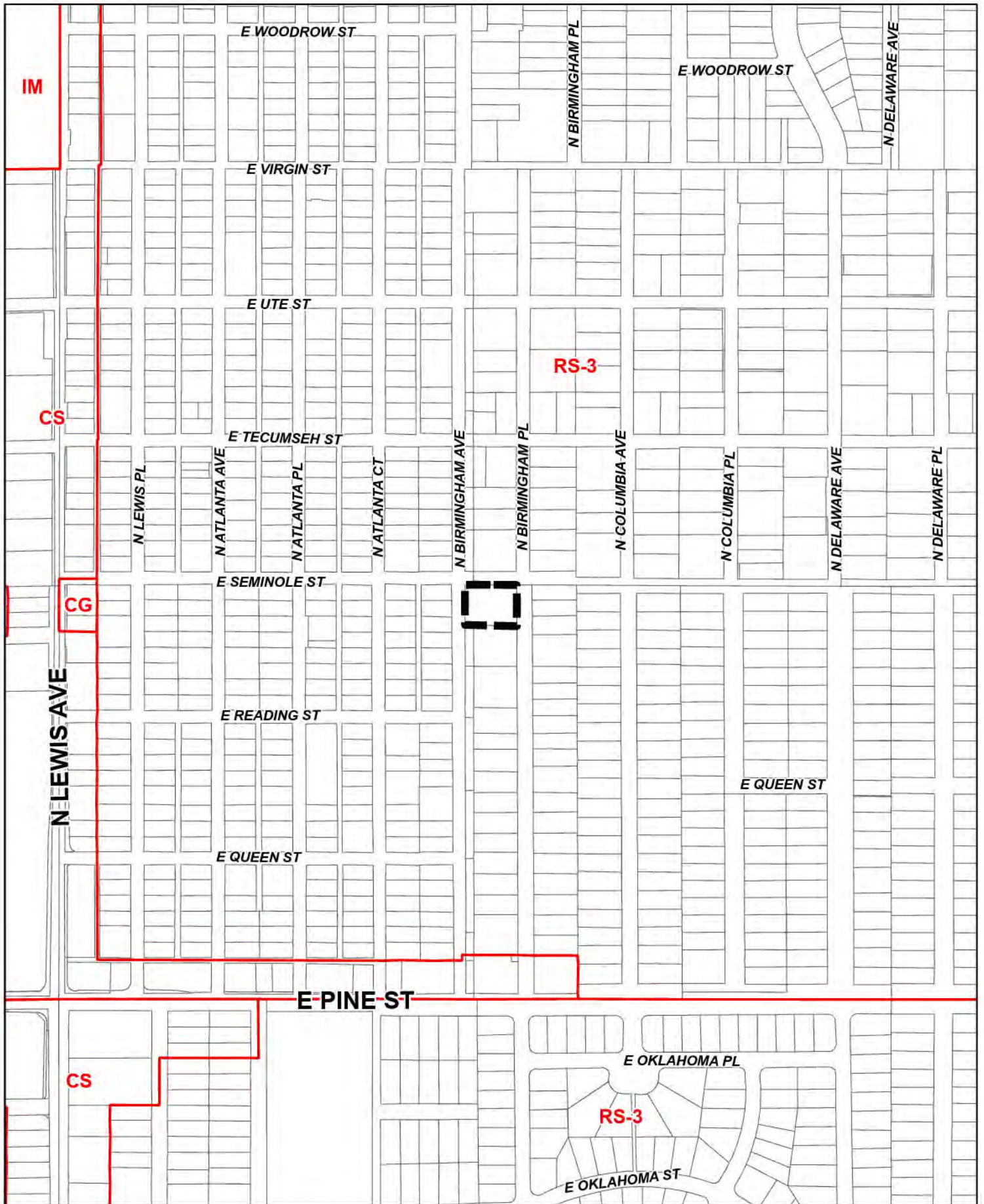
The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Property Description

N134 LOT 562 BLOCK 43 TULSA HEIGHTS & LOT 20 BLOCK 1, Waverly Place Addition, City of Tulsa, Tulsa County, State of Oklahoma

Exhibits

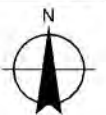
- Case map
- Aerial (small scale)
- Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map



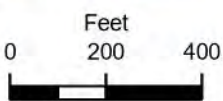
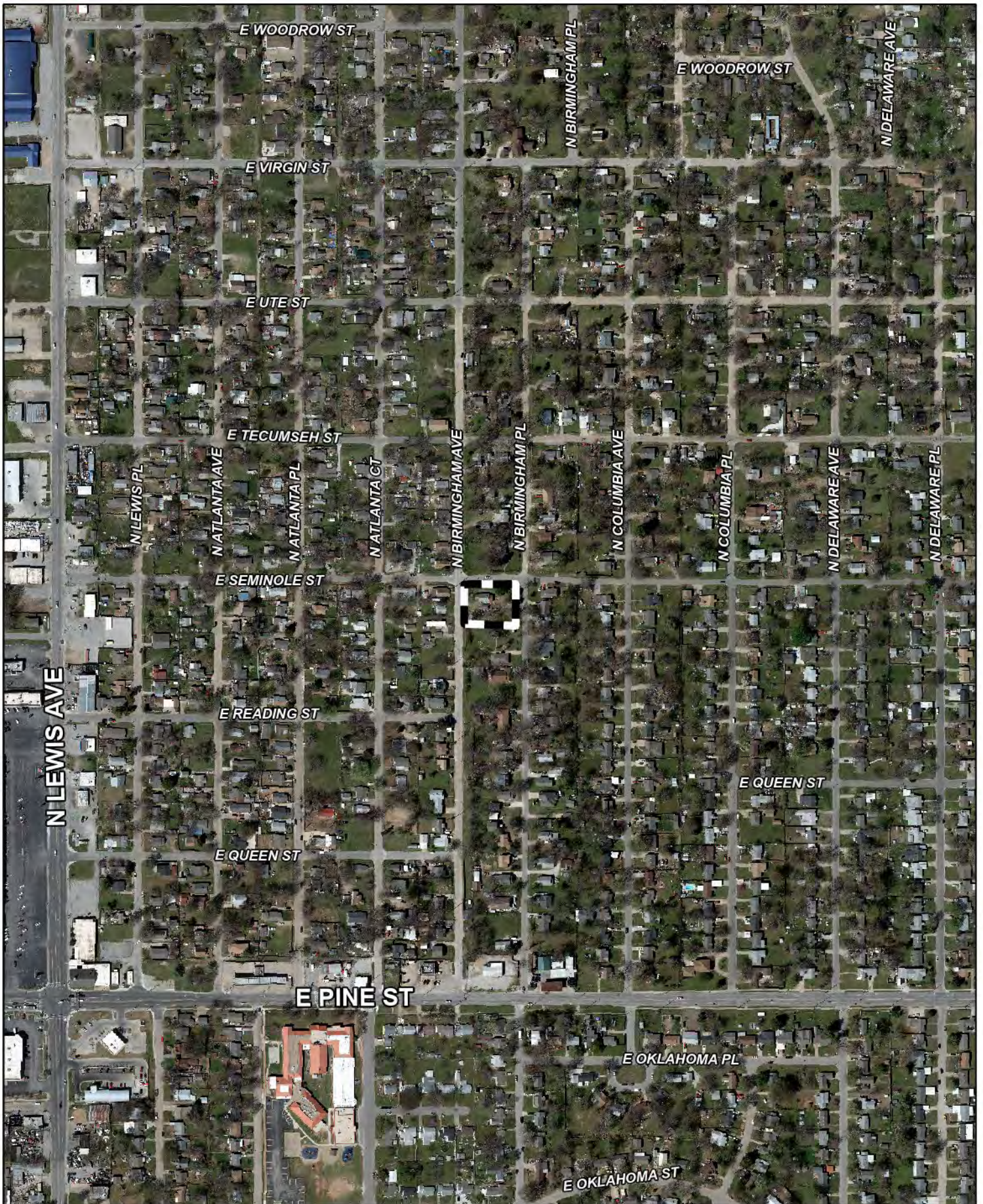
 Subject Tract

BOA-23790

20-13 29



3.5



Subject Tract

BOA-23790

20-13 29

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

Aerial Photo Date: 2022



3.6



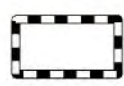
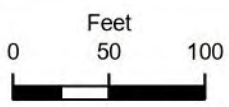
N ATLANTA CT

N BIRMINGHAM AVE

N BIRMINGHAM PL

E SEMINOLE ST

E READING ST



Subject Tract

BOA-23790

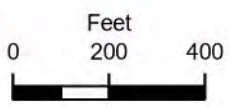
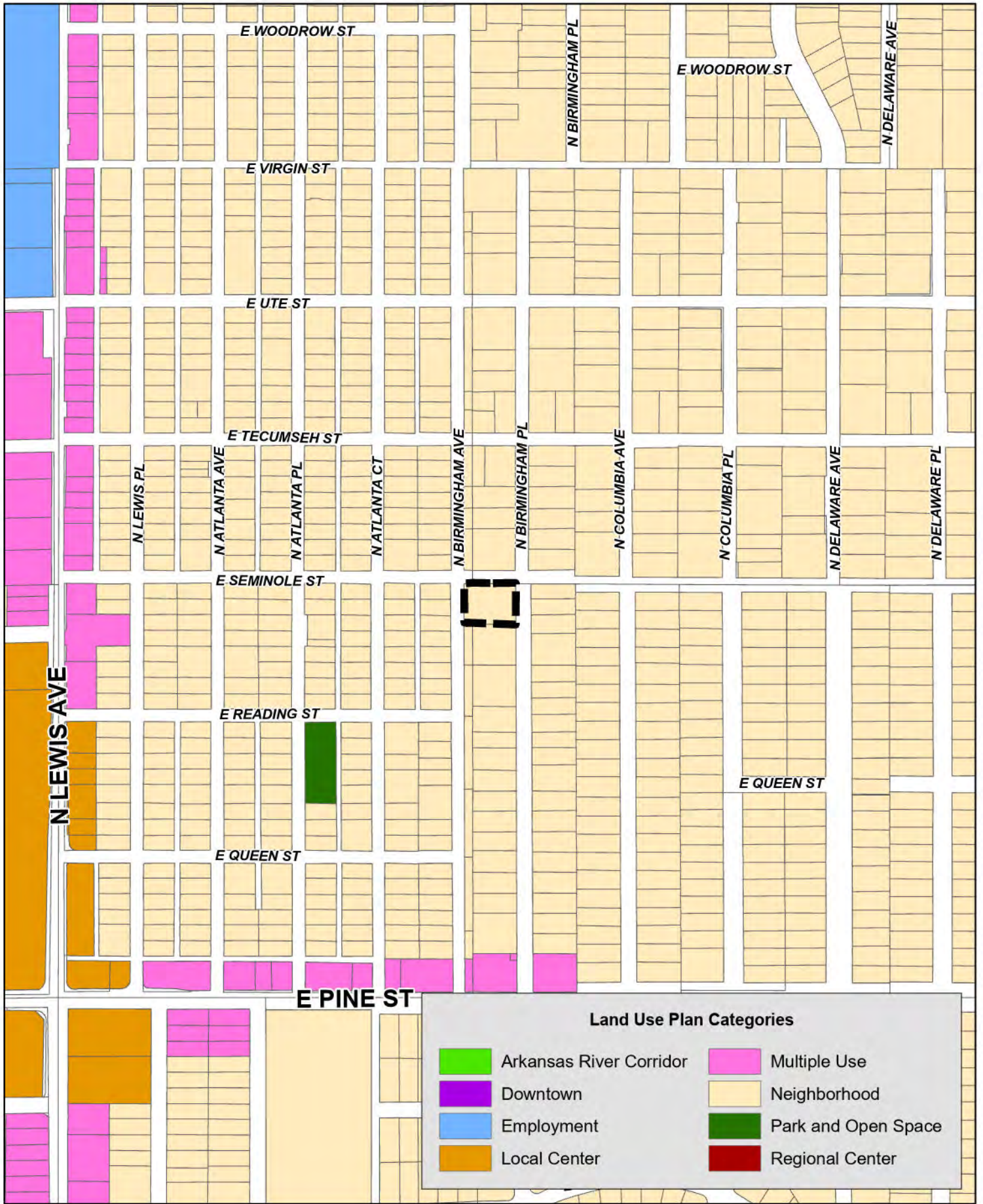
20-13 29

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

Aerial Photo Date: 2022



3.7

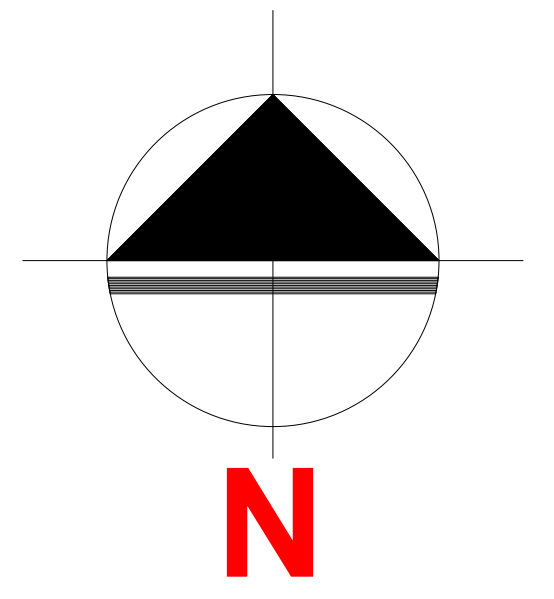


 Subject Tract

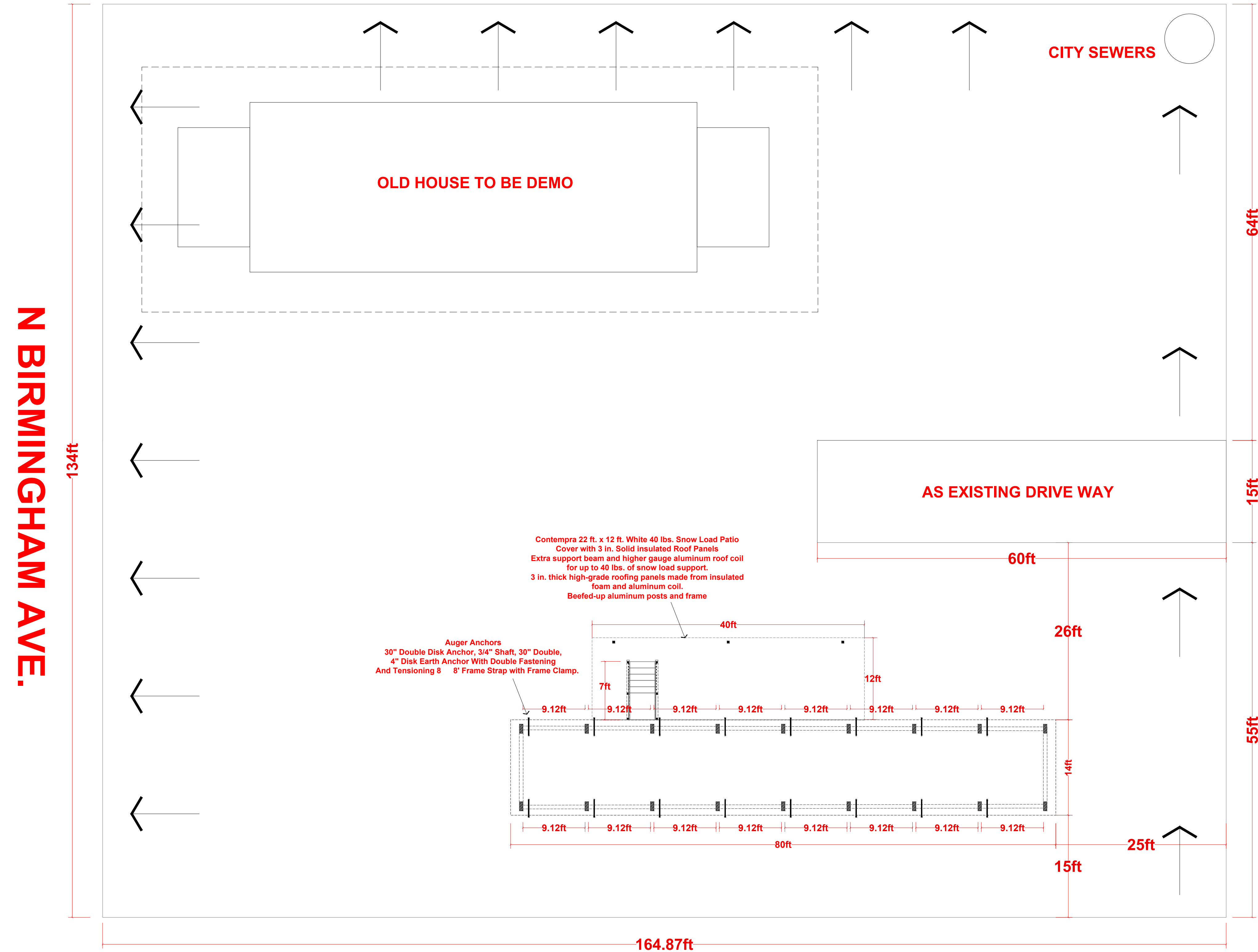
BOA-23790
20-13 29



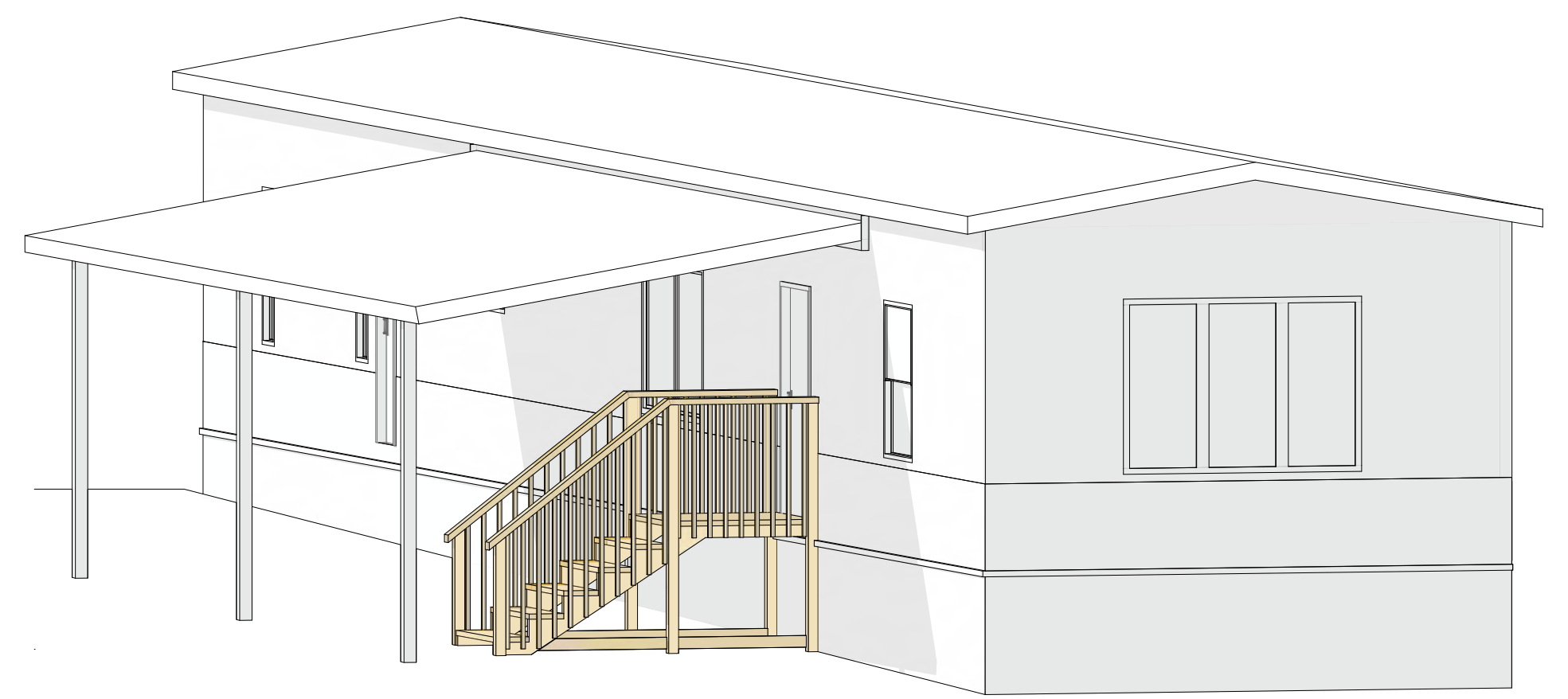
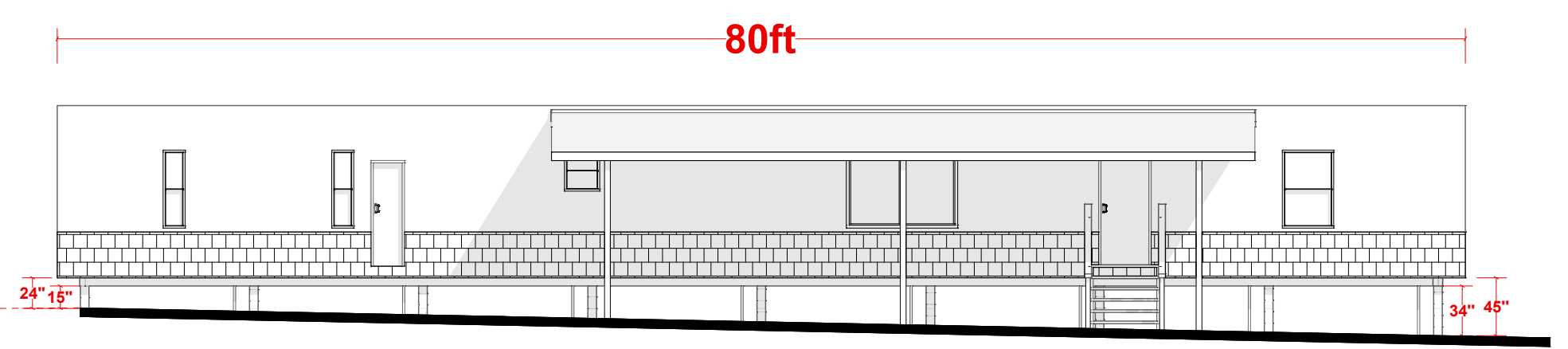
1732 N BIRMINGHAM TULSA OK 74110



SEMINOLE ST.



N BIRMINGHAM PL.



N BIRMINGHAM AVE.

NEIGHBOR
1720 N BIRMINGHAM TULSA OK 74110





DEVELOPMENT SERVICES

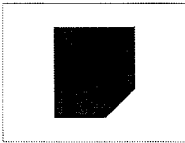
175 E 2ND ST., STE 405
TULSA, OK 74103
918-596-9456

CITY OF TULSA

PLAN CORRECTIONS SUMMARY

BLDR-191237-2024 (1732 N BIRMINGHAM PL E Tulsa Tulsa, OK 74110) Markup Summary #1

Building Review (1)



Subject: Building Review
Page Label: 1
Author: DWhiteman
Date: 9/10/2024 10:14:04 AM
Status:
Color: ■
Layer:
Space:



R106.1.1 Information on construction documents. Construction documents shall be drawn upon suitable material. Electronic media documents are permitted to be submitted where approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. REVIEW COMMENT: This unit will need secured, how do you plan on doing that? If you are going to place it on a permanent foundation, you need to show the plans for that: how deep the footing is, the dimensions of the footing and foundations or slab, how it will be constructed, etc. You can also secure it using blocks, ground anchors, and straps, as long as it meets the city's minimum anchoring requirements. Please submit a foundation or anchoring plan showing how the unit will be secured.

Also, no details are given for the porch or how it will be built. Please provide information and dimensions on the footing sizes and depth, post sizes, header and beam size, rafter size and spacing, deck, etc. Elevation drawings will be required as well showing a side view of how the porch will look after it is built. Is this a raised porch with stairs, like a deck? Or just a covered patio? Provide more details and dimensions on this structure.



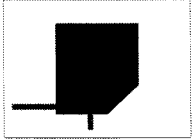
DEVELOPMENT SERVICES

175 E 2ND ST., STE 405
TULSA, OK 74103
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CITY OF TULSA

PLAN CORRECTIONS SUMMARY

Note (1)



Subject: Note
Page Label: 1
Author: Kylan
Date: 9/11/2024 11:59:09 AM
Status:
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Drive way must be marked as existing to remain on the plans if no updates are being done to it.

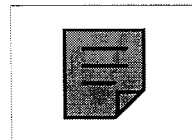
Provide engineering scale for the drawing.

Zoning Review (5)



Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 9/10/2024 9:49:33 AM
Status:
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Section 5.020-G Use Regulations - Residential Building Types. Residential uses allowed in R districts must be located in residential buildings. Descriptions of the residential building types and references to applicable regulations are found in Section 35.010. The following residential building types are allowed in R districts.
REVIEW COMMENT: A manufactured housing unit at this location will require a special exception from the Board of Adjustment. Submit revised plans to show compliance with other review comments BEFORE submitting a site plan to the Board of Adjustment; so that we can demonstrate compliance with other regulations before seeking the special exception.



Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 9/10/2024 9:33:14 AM
Status:
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✓ The plans call for the old house to be demolished. You will need to apply for and be issued a demo permit for the existing house, in order to continue with this manufactured housing unit permit. Only one dwelling is allowed per lot.

3.12

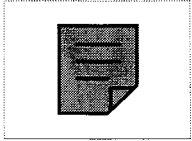


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PLAN CORRECTIONS SUMMARY



Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 9/10/2024 9:46:03 AM
Status:
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Section 5.030-A Table of Regulations. The lot and building regulations of Table 5-3 apply to all principal uses and structures in R districts, except as otherwise expressly stated in this zoning code. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90. Regulations governing accessory uses and structures can be found in Chapter 45.

✓ **REVIEW COMMENT:** The setback off of Birmingham Pl. should be 25'. Your site plan only shows 20'. Please revise the plans to move the manufactured housing unit to at least 25' from the east property line. Show the distance from the west property line as well on the site plan.



Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 9/10/2024 9:57:33 AM
Status:
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✓ According to the county assessor legal description and maps, your property is 164.87' long, east to west. Please revise the plans to reflect this unless you can provide other information indicating your property is 139' long.

3.13

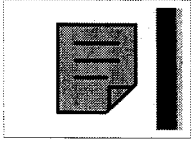


DEVELOPMENT SERVICES

175 E 2ND ST., STE 405
TULSA, OK 74103
918-596-9456

CITY OF TULSA

PLAN CORRECTIONS SUMMARY



Subject: Zoning Review
Page Label: 1
Author: DWhiteman
Date: 9/10/2024 10:02:55 AM
Status:
Color: ■
Layer:
Space:

✓ Section 55.090-F.1 Surfacing. All off-street parking areas must be surfaced with a dustless, all-weather surface unless otherwise expressly stated in this zoning code. Pervious pavement or pervious pavement systems are allowed subject to the supplemental regulations of §55.090-F.5. Parking area surfacing must be completed prior to initiation of the use to be served by the parking. REVIEW COMMENT: Please revise the plans to show the driveway material. Driveways and all areas where vehicles are parked or stored are required to be of a dustless all weather material, such as concrete or asphalt. Gravel is not considered dustless all weather. Please revise the plans to show that the driveway and all areas used for parking vehicles will be of a dustless all weather surface.