

AGENDA
Tulsa County Board of Adjustment
Regularly Scheduled Meeting
Tuesday, December 15, 2020, 1:30 p.m.
Williams Tower I
1 West 3rd Street, St. Francis Room

Meeting No. 489

The Tulsa County Board of Adjustment will be held in the St. Francis Room in Williams Tower I and by videoconferencing and teleconferencing.

Board of Adjustment applicants and members of the public are encouraged to attend and participate in the Board of Adjustment meeting via videoconferencing and teleconferencing by joining from a computer, tablet, or smartphone.

Attend in Person: Williams Tower I, St. Francis Room, 1st Floor
1 W. 3rd St., Tulsa, Oklahoma

Attend Virtually: <https://us02web.zoom.us/j/87945284884>

Attend by Phone: 1-312-626-6799 **Meeting ID:** 879 4528 4884

Additional Directions: During the meeting, if you are participating through ZOOM and wish to speak on an item, please send your name and the case number via the ZOOM chat. If you are dialing in on a phone, wait for the item to be called and speak up when the Chair asks for any interested parties.

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Approval of **Minutes** of November 17, 2020 (Meeting No. 488).

UNFINISHED BUSINESS

2. **2857—Rick Clark**
Use Variance to allow storage of personal items (Use Unit 23 - Section 1223);
Variance to allow the total combined floor area of accessory buildings to exceed 750 square feet in the RS District (Section 240.2-E). **LOCATION:** 11802 East 140th Street North

NEW APPLICATIONS

3. **2859—Canaday Trailers – Devon Rogers**
Variance from the all-weather parking surface requirement (Section 1340.D).
LOCATION: 11415 West. 61st Street South

4. **2860—Kyle Smalygo**
Variance to permit a detached accessory building in the side yard in an RE District (Section 420.2-A.2). **LOCATION:** 8279 North 72nd Avenue East
5. **2861—Eller & Detrich – Lou Reynolds**
Special Exception to permit Use Unit 2, Area-Wide Special Exception Uses, for a temporary off-site construction facility in the AG District (Section 310, Table 1 & Section 1202). **LOCATION:** 6410 West 51st Street South
6. **2862—Kyndal Pett**
Use Variance to allow Use Unit 25, Light Manufacturing Industry, to permit a medical marijuana processing facility in an AG District (Section 1225). **LOCATION:** 7710 East 131st Street North
7. **2863—Donald Breadon**
Use Variance to allow for recreational vehicles (Use Unit 17) in an RMH District (Section 410). **LOCATION:** 14600 West 16th Street South
8. **2864—Daniel Ramsey**
Variance of the lot area and land area per dwelling unit in the AG District to permit two dwellings on one lot (Section 330). **LOCATION:** 7528 East 86th Street North
9. **2865—Richard Coffman**
Variance to allow two dwelling units on a single lot of record in an RE District (Section 208); Special Exception to permit a manufactured home (Use Unit 9) in an RE District (Section 410). **LOCATION:** 5205 East 94th Street North

OTHER BUSINESS
NEW BUSINESS
BOARD MEMBER COMMENTS
ADJOURNMENT

Website: tulsaplanning.org

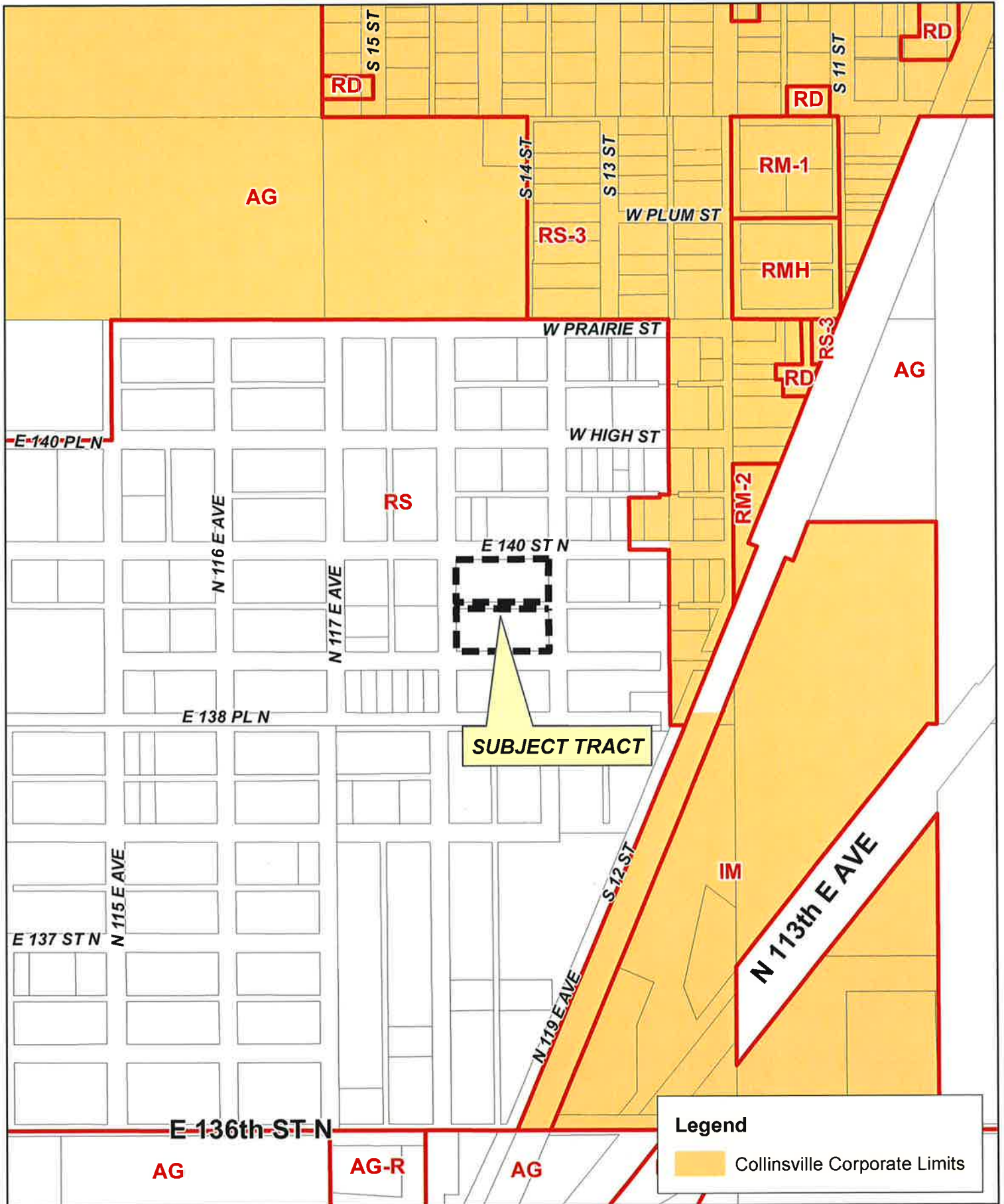
E-mail: esubmit@incog.org

If you require special accommodations pursuant to the Americans with Disabilities Act, please call 918-584-7526.

NOTE: Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained at the Tulsa Planning Office at INCOG. *All electronic devices must be silenced* during the Board of Adjustment meeting.

NOTE: This agenda is for informational purposes only and is not an official posting. Please contact the Tulsa Planning Office at 918-584-7526 if you require an official posted agenda.

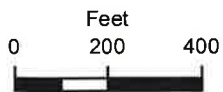
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SUBJECT TRACT

Legend

- Collinsville Corporate Limits



CBOA-2857

22-14 29

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**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 2429

CASE NUMBER: CBOA-2857

CZM: 75

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 12/15/2020 1:30 PM

APPLICANT: Rick Clark

ACTION REQUESTED: Use Variance to allow (Use Unit 23 - Section 1223) storage of personal items; and Variance to allow the total combined floor area of accessory buildings to exceed 750 SF in the RS district (Section 240.2-E)

LOCATION: 11802 E. 140th St. N.

ZONED: RS

FENCELINE: Collinsville

PRESENT USE: Vacant

TRACT SIZE: 1.93 acres

LEGAL DESCRIPTION: LTS 1 TO 12 INCL BLK 17, HIGHLAND PARK ADDN

RELEVANT PREVIOUS ACTIONS: None relevant

ANALYSIS OF SURROUNDING AREA: The subject tract abuts RS zoning in all directions. It is located in a rural area with both residential uses and vacant properties.

STAFF COMMENTS:

New Comments:

The case was continued 60 days, until 12/15/2020 to give the applicant time to make plans for the house he would build on the property and to submit a site plan showing the new residence.

The applicant has informed staff that he is looking into purchasing a double-wide manufactured home to place on the property. He is also planning to reduce the size of the accessory structure to approximately 1,600 square feet (see attached email).

Original Comments:

The applicant is before the Board requesting a Use Variance to allow (Use Unit 23 - Section 1223) storage of personal items; and Variance to allow the total combined floor area of accessory buildings to exceed 750 SF in the RS district (Section 240.2-E).

A Use Variance is required because a storage facility (Use Unit 23) is a use that is prohibited in the RS district. As a safeguard for the surrounding neighborhood, the Code requires that a screening fence or wall be constructed along the lot line(s) in common with an R-zoned lot.

The applicant provided the following statement:

"I purchased this property from my Parents to build a retirement living situation. I am 61 and am looking to retire on this piece of land in the next few years. The building currently being planned is solely to store personal items and to utilize for my retirement. At some point there will be a home built on this same property for my personal use within the next few years. The planned building is the minimum size requirement needed to hold my personal belongings. This space will also be utilized to allow remodel of my current home during the remodel proceedings.

The planned structure will be purposely hidden from view from the road. This is desirable feature to deter theft and keep privacy to a maximum.

The placement for the proposed building is as far south on the property as it can be placed due to terrain a terrain issue. The property features a steep hillside slope.

The properties surrounding this location are a diverse mix of metal buildings, houses, and farmland with livestock. Located within site of this property are multiple large, residential structures similar to the proposed building, all being used for similar situations.

There are no issues in the foreseeable future that would be a detriment to the surrounding property owners.

Also, properties surrounding this location are at least one acre and have houses built on them. It would not be feasible for residential tract development.

Located 0.4 miles and adjacent cross ways to the east from this property is a large metal structure. There are also two very large commercial businesses within a half a mile of this location that are far larger than this proposed personal use building."

Section 240.2.E permits accessory buildings in the RS district up to 750 SF of floor area. The provision of the Code attempts to establish and maintain development intensity of the district, preserve the openness of living areas and avoid overcrowding by limiting the bulk of structures. According to the site plan, the proposed building will be 40' x 80' (3,200 SF).

If inclined to approve the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed use is compatible with the surrounding area. The Board may consider prohibiting outside storage of materials or personal items on the lot.

Sample Motion:

"Move to _____ (approve/deny) a Use Variance to allow (Use Unit 23 - Section 1223) storage of personal items; and Variance to allow the total combined floor area of accessory buildings to exceed 750 SF in the RS district (Section 240.2-E)

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan."

FILE COPY

2857—Rick Clark

Action Requested:

Use Variance to allow (Use Unit 23 - Section 1223) storage of personal items;
Variance to allow the total combined floor area of accessory buildings to exceed 750 square feet in the RS District (Section 240.2-E). **LOCATION:** 11802 East 140th Street North

Mr. Hutchinson recused and left the meeting at 3:53 P.M.

Presentation:

Rick Clark, 10517 East 136th Street, Collinsville, OK; stated he purchased this three acres from his parents and wants to build his retirement home on the property; currently he lives a mile away. His plan and desire is to build a 40 x 80 pole barn for his own use to store building materials in to build the future house and there would be no commercial use. Mr. Clark stated he has spoken to four of the closest neighbors and they have no objections to this proposal. The only objection that he is aware of is the e-mail that was sent yesterday from a property to the south that no one lives in and no one has lived in it for about 20 years. The area is considered agricultural.

Mr. Charney stated that very often accessory buildings are accessory to a dwelling. The Board has often struggled with requests to build the accessory building first because it is not accessory to anything yet. Mr. Clark stated he lives a mile away and this will be a gradual process of transitioning his belongings. He may be doing the process in reverse order, but he really needs to have a place to store building materials and personal items.

Mr. Charney stated that if a building is accessory to a residence in a residentially zoned area on large tracts, he does not know if the Board has granted this to be done before the house.

Ms. Miller stated the Use Variance is to address that issue. A Use Variance is to allow the storage of personal items, so that addresses the fact that this would be storage. It is interesting that the second request is for an accessory building. Ms. Robi Jones stated that due to the size of the building the accessory building Variance had to be requested. Ms. Miller asked Ms. Jones if she had to request the Use Variance because there was not an existing house on the property. Ms. Jones answered affirmatively, that was the only thing that could be requested. Ms. Miller stated that even though this is not an accessory building it is still an RS District and that is a safe request if there is to be a future residence.

Mr. Clark stated that he would be wasting the Board's time and his money if he did not build a house on the property. He has no other use for the property other than to live on it. If he puts a building on it with the intent of reselling it, he thinks it would be a negative gain.

CABOA-2857

FILE COPY

Mr. Johnston stated that he does not know if he can be in favor of this request, but one point to be made is that the applicant could invest in a set of plans that show what he plans to build, present a site plan to show where the house and building are to be located, but he could not promise the Board would approve the request at that point. A financial commitment, even if it is toward a house plan, in showing how this would fit on the site overall would help.

Mr. Tisdale stated the concern he has the proximity of how close the applicant lives to the property now, there is no incentive to move quickly. He is not questioning the applicant's integrity but taking into consideration the proximity of the applicant's current residence.

Mr. Charney stated that normally when the Board approves accessory buildings that are larger the Board is provided the whole site plan; where does the house sit, where is the ingress and egress, what is the drive back to the accessory building in conjunction with the residence. What the Board has now is just an indication of how this particular 40 x 80 structure would be situated on the property. The Board is hesitant to grant a request for a building in a residential location not knowing where the building is actually placed, what it looks like, where the ingress/egress is in relation to the house and the building, etc.

Mr. Clark stated that he has already committed to a realtor to sell his existing house so he can pay for the new house and the new building. The only reason he has not fully committed is because he does not know how long it will take to sell his existing house, even the realtor says it is a great market.

Mr. Charney stated that an option might be a continuance so a site plan can be brought back to the Board for review.

Interested Parties:

Angela Jackson and Richard Tanner, 2417 Avenue M, Galveston, TX; stated she submitted an e-mail stating objections to the request. Ms. Jackson stated her father is the landowner to the south of the subject site. This appears to be a warehouse for storage that is much larger than the allowed. She does not want a warehouse in a residential area.

Rebuttal:

Rick Clark came forward and stated that the Tanner property has been vacant for at least 20 years and it is severely depleted. Mr. Clark stated that he does not understand how someone that has lived in Galveston for the last 29 years can have an objection to his request.

CBOA-2857

FILE COPY

Comments and Questions:

Mr. Johnston stated that if the Board approves this request and something happens to Mr. Clark or his situation and the house is never built, then what happens? That is a major concern. He would prefer Mr. Clark request a continuance.

Mr. Charney and Mr. Tisdale agreed.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 3-0-1 (Charney, Johnston, Tisdale "aye"; no "nays"; Hutchinson "abstaining"; Crall "absent") to **CONTINUE** the request for a Use Variance to allow (Use Unit 23 - Section 1223) storage of personal items; Variance to allow the total combined floor area of accessory buildings to exceed 750 square feet in the RS District (Section 240.2-E) to the December 15, 2020 Board of Adjustment meeting; for the following property:

LTS 1 TO 12 INCL BLK 17, HIGHLAND PARK ADDN, OF TULSA COUNTY, STATE OF OKLAHOMA

Mr. Hutchinson re-entered the meeting at 4:21 P.M.

OTHER BUSINESS

Review and approval of the 2021 meeting schedule.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Hutchinson, Johnston, Tisdale "aye"; no "nays"; no "abstentions"; Crall absent) to **APPROVE** the 2021 calendar schedule for the Board of Adjustment meeting.

Jones, Robi

From: Rick <clarkrick@yahoo.com>
Sent: Friday, November 13, 2020 10:45 AM
To: Jones, Robi
Subject: RE: Thanks and a question

I'm doing a hard search now for a double wide. I do think this is the way I'll go. Even if a modular may decrease in value I'm 61 so it's not a big issue. And if I go this route I'll downsize my pole barn smaller. 1200-1600 square feet. I really appreciate your inquiry

[Sent from Yahoo Mail on Android](#)

On Fri, Nov 13, 2020 at 9:46 AM, Jones, Robi <rjones@incog.org> wrote:

Have you made any decisions on putting in a double wide mobile home and building a smaller pole barn?

Robi



Robi Jones

Community Planner

County Board of Adjustment Administrator

Tulsa Planning Office

2 W. 2nd St., 8th Floor | Tulsa, OK 74103

918.579.9472

rjones@incog.org

From: Rick <clarkrick@yahoo.com>
Sent: Thursday, October 22, 2020 7:58 AM
To: Jones, Robi <rjones@incog.org>
Subject: Re: Thanks and a question

If I change gears & place a double wide and delay building a smaller pole barn (1600sf ?) what is the procedure ? There has never been a structure on site but water, electric & septic are in place. Again thank you for your assistance.

On Wednesday, October 21, 2020, 11:42:18 AM CDT, Jones, Robi <rjones@incog.org> wrote:

In a residential zoning district, you can only have an accessory building up to 750 sq. ft. without going before the Board for a Variance. You can't have any size accessory building on the property as a stand-alone. We asked for the Use Variance in order to allow you to have a structure for storage. The Variance for size was an additional request to keep you from having to go before the Board again later to request a Variance for an accessory building over 750 sq. ft. I am not sure how 750 sq. ft. was determined. (It is 500 sq. ft. in most residential districts in the City of Tulsa.)

A double-wide mobile home is treated the same as a single-family home. It does not need approval from the Board.



Robi Jones

Community Planner

County Board of Adjustment Administrator

Tulsa Planning Office

2 W. 2nd St., 8th Floor | Tulsa, OK 74103

918.579.9472

rjones@incog.org

From: Rick <clarkrick@yahoo.com>
Sent: Wednesday, October 21, 2020 11:28 AM
To: Jones, Robi <rjones@incog.org>
Subject: RE: Thanks and a question

I'm mistaken all the way around I guess. I thought one of the variances was for a size exemption due to no existing home on the property. So a size variance is required whether an existing home is there or not ? What is so special about 750sf ? I promise you I'm usually pretty sharp but the 750sf confuses me. Also just for education what are the requirements for a double wide modular ? My east neighbor has one.

[Sent from Yahoo Mail on Android](#)

On Wed, Oct 21, 2020 at 11:20 AM, Jones, Robi

<rjones@incog.org> wrote:

Rick,

You are not able to erect a 750 sq. ft. building without an existing home on the property. It is an accessory building and you would still need the Use Variance approval.

You can contact the Tulsa County Permit Department to make a complaint. Their number is 918-596-5293.



Robi Jones

Community Planner

County Board of Adjustment Administrator

Tulsa Planning Office

2 W. 2nd St., 8th Floor | Tulsa, OK 74103

918.579.9472

rjones@incog.org

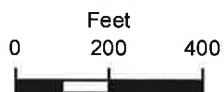
From: Rick <clarkrick@yahoo.com>
Sent: Wednesday, October 21, 2020 9:29 AM
To: Jones, Robi <rjones@incog.org>
Subject: Thanks and a question

I appreciate your help. I'm aware I can erect a 750 square foot building without an existing home. I may be forced to do that for now. I believe it's unfair for the commission to expect me to sell my existing home before I'm issued a variance. But what hoops do I need to jump through for a 750 sq ft building ? I need to get something built before bad weather. Additionally who do I make a complaint to regarding dilapidated property with numerous abandoned vehicles ? I'm talking about the Tanner property. Since they're so concerned about the neighborhood they can lead by example. I wish to file a formal complaint with whatever code enforcement the county offers. It truly is an eyesore. Thank you again, Rick Clark

Sent from Yahoo Mail on Android



Aerial view looking south onto the (approximate) subject property from E. 140th St. N.



 Subject Tract

CBOA-2857

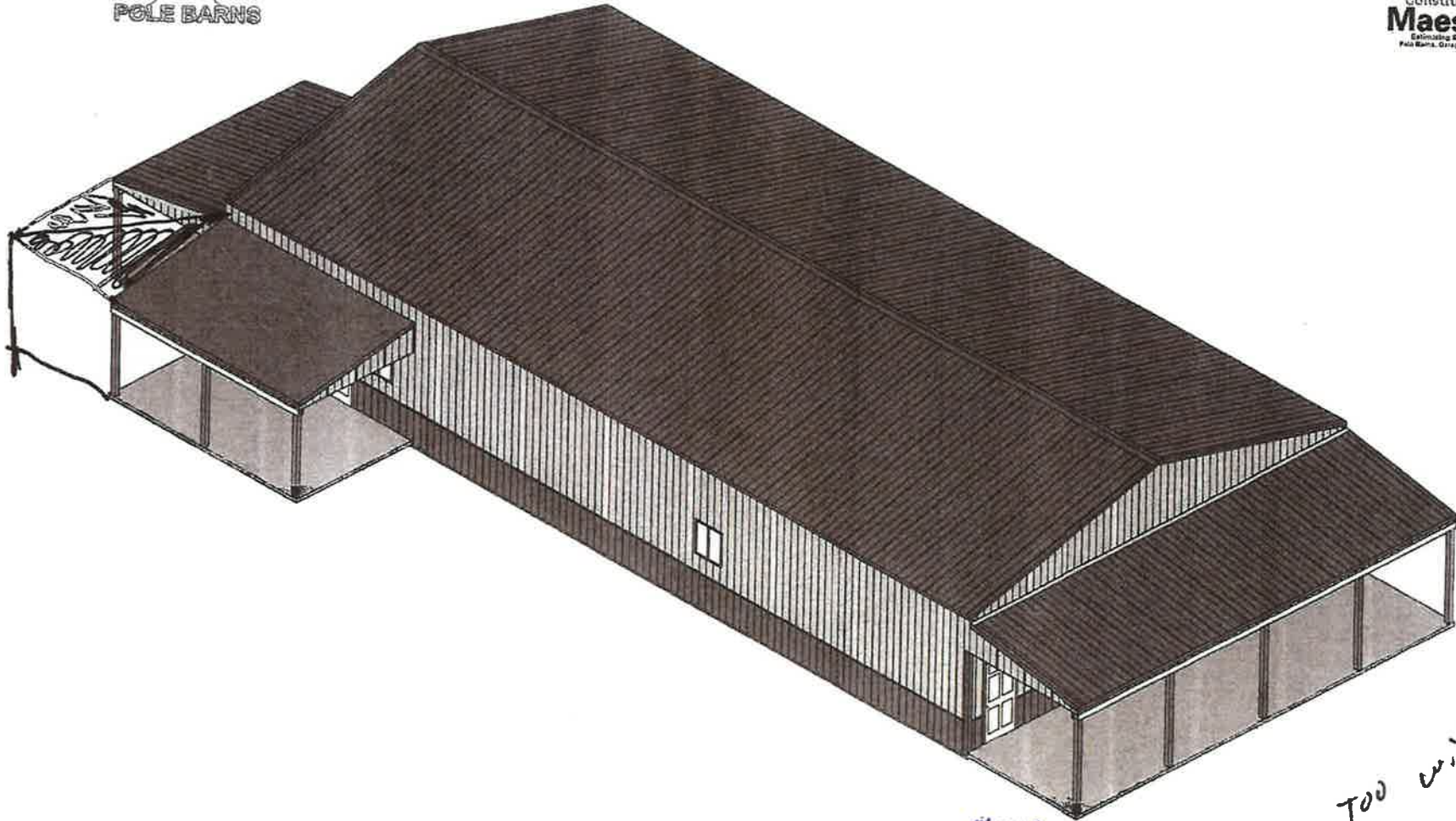
22-14 29

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

Aerial Photo Date: February 2018



2.12



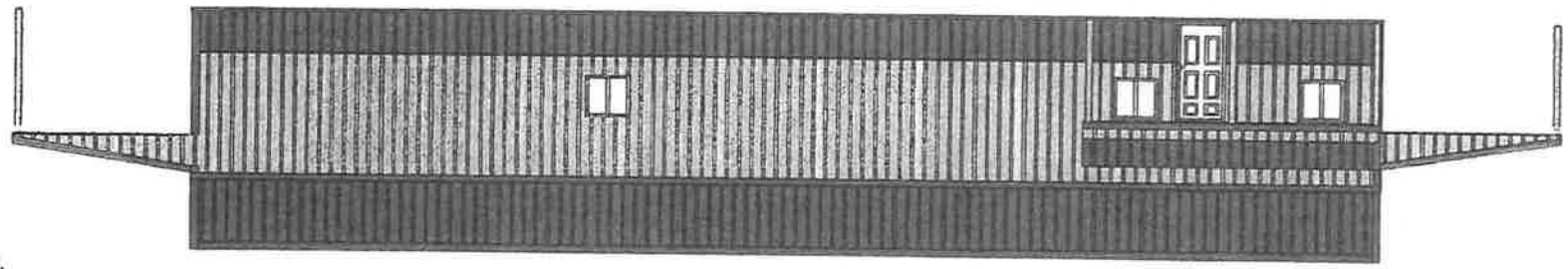
MOVE
ENTRY
DOOR
WEST
UNDER
CANOPY

This beam too will only be
20'
centered on
40' wall

2.13

"Rick Clark
Estimate Number: 117
8/25/2020"

2.14



EAST SIDE-EAVE SIDE 2 ELEVATION

Maestro





Jones, Robi

From: Rick <clarkrick@yahoo.com>
Sent: Wednesday, September 23, 2020 11:16 PM
To: Jones, Robi
Subject: Clark variances

I drove around within a half mile of my property and found several apparent zoning violations. The single wide mobile home was just delivered yesterday (?) to 11426 E 137th St. It previously had a house on it. The photo of the 3 horses were taken from the spot I want to construct my pole barn looking east across our shared fence. Their home is a manufactured double wide. Roberts at 11914 E 140th St, zoned residential. Also in the photograph you can see the fire department (metal building) , the Storm Safe Rooms company, J&K Equipment and Collinsville Livestock Sales. Please take these into consideration for my application, I will be sending more in the next few days. Thank you, Rick Clark





Sparger, Janet

From: RONALD JACKSON <ronjack18@hotmail.com>
Sent: Monday, October 19, 2020 11:38 AM
To: esubmit; riones@incog.org
Subject: Subject: Objection to Case Number: CBOA-2857, Applicant Rick Clark

TO: Board of Adjustment, County of Tulsa, Oklahoma

From: Richard P. Tanner, Owner of adjacent property at 1202 S. 12th Street, Collinsville, Oklahoma

Subject: Use Variance to allow (Use Unit 23-Section 1223) storage of personal items; and variance to allow total combined floor area of accessory buildings to exceed 750 SF in the RS district (Section 240.2-E) at 11802 E. 140th St. N., Collinsville Oklahoma.

Good Afternoon Board Members and interested parties:

As owner of the property directly south of the subject lots, I strongly oppose the approval of this variance application to allow Mr. Clark to build a 3,200 square feet warehouse and required off street parking in the middle of this zoned residential (RS) neighborhood.

Use Unit 12-Section 1223 describes warehousing adjacent to a central business district, in industrial parks and port areas. These two lots are not abutting the boundary of our residential district. The lots are right in the middle of the neighborhood and have many residential homes surrounding the proposed site of the warehouse. At 3,200 square feet, the warehouse is 4.3 times larger than the 750 square feet limit. A screening wall will not block out the noise and disruption to the tranquility of our neighborhood.

Approving this variance request will violate several provisions of Chapter 4 Section 400 Purposes of Residential Districts:

400.1 General Provisions

The Residential Districts are designed to:

- A. Achieve the residential objectives of the Comprehensive Plan.
- B. Protect the character of residential areas by excluding inharmonious commercial and industrial activities.
- D. Preserve openness of the living areas and avoid overcrowding by requiring minimum yards, open spaces, lot areas, and by limiting bulk structures.

400.3 Purposes of the RS Residential Single-Family District

The RS District is designed to permit and conserve single-family detached dwellings in suitable environments at urban densities.

Specifically to my property, the lots sit at a much higher elevation than mine. Erecting a 3,200 square feet warehouse with required driveways and parking will turn these lots into impervious land that will adversely affect the flow of rainwater onto and flooding my property.

I urge the board to deny Mr. Clark's variance application and allow our neighborhood to remain a residential area.

Thank you for your time and consideration,
Richard P. Tanner
2417 Avenue M
Galveston Tx. 77550

Agent in Fact:
Angela Jackson
2417 Avenue M
Galveston Tx. 77550
713-927-0032

Sparger, Janet

From: Jones, Robi
Sent: Tuesday, October 20, 2020 8:45 AM
To: David Charney; don.crall@tulsacc.edu; Don Hutchinson; William Tisdale; lwjslj@sbcglobal.net
Cc: Miller, Susan; Sparger, Janet; ttosh@tulsacounty.org; James Rea
Subject: FW: Subject: Objection to Case Number: CBOA-2857, Applicant Rick Clark

From: Rick <clarkrick@yahoo.com>
Sent: Monday, October 19, 2020 11:24 PM
To: Jones, Robi <rjones@incog.org>
Subject: Re: Subject: Objection to Case Number: CBOA-2857, Applicant Rick Clark

Please enclose these photos of the abandoned home of the Tanner property. The roof appears to be in disrepair and the home has been empty many years. It appears the only objection has been by someone who doesn't take care of their own property and has grossly misrepresented my plans for my pole barn by calling it a warehouse







Sent from Yahoo Mail on Android

On Mon, Oct 19, 2020 at 1:29 PM, Rick
<clarkrick@yahoo.com> wrote:

The Tanner property has sat empty for longer than I can remember. 30 years ? And Mr Tanner is around 90 years of age and last time I talked with him approximately 2 years ago he was living in Sand Springs. There are numerous abandoned automobiles and equipment in disrepair. I strongly suspect the objection was sent by his daughter who I've been told lives in Galveston.

Sent from Yahoo Mail on Android

On Mon, Oct 19, 2020 at 1:11 PM, Jones, Robi
<rjones@incog.org> wrote:

This email arrived today and will be forwarded to the Board.



Robi Jones

Community Planner

County Board of Adjustment Administrator

Tulsa Planning Office

2 W. 2nd St., 8th Floor | Tulsa, OK 74103

918.579.9472

rjones@incog.org

From: RONALD JACKSON <ronjack18@hotmail.com>

Sent: Monday, October 19, 2020 11:38 AM

To: esubmit <esubmit@incog.org>; rjones@incog.org

Subject: Subject: Objection to Case Number: CBOA-2857, Applicant Rick Clark

TO: Board of Adjustment, County of Tulsa, Oklahoma

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Use Unit 12-Section 1223 describes warehousing adjacent to a central business district, in industrial parks and port areas. These two lots are not abutting the boundary of our residential district. The lots are right in the middle of the neighborhood and have many residential homes surrounding the proposed site of the warehouse. At 3,200 square feet, the warehouse is 4.3 times larger than the 750 square feet limit. A screening wall will not block out the noise and disruption to the tranquility of our neighborhood.

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Specifically to my property, the lots sit at a much higher elevation than mine. Erecting a 3,200 square feet warehouse with required driveways and parking will turn these lots into impervious land that will adversely affect the flow of rainwater onto and flooding my property.

I urge the board to deny Mr. Clark's variance application and allow our neighborhood to remain a residential area.

Thank you for your time and consideration,

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Agent in Fact:

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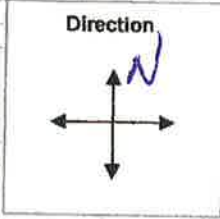
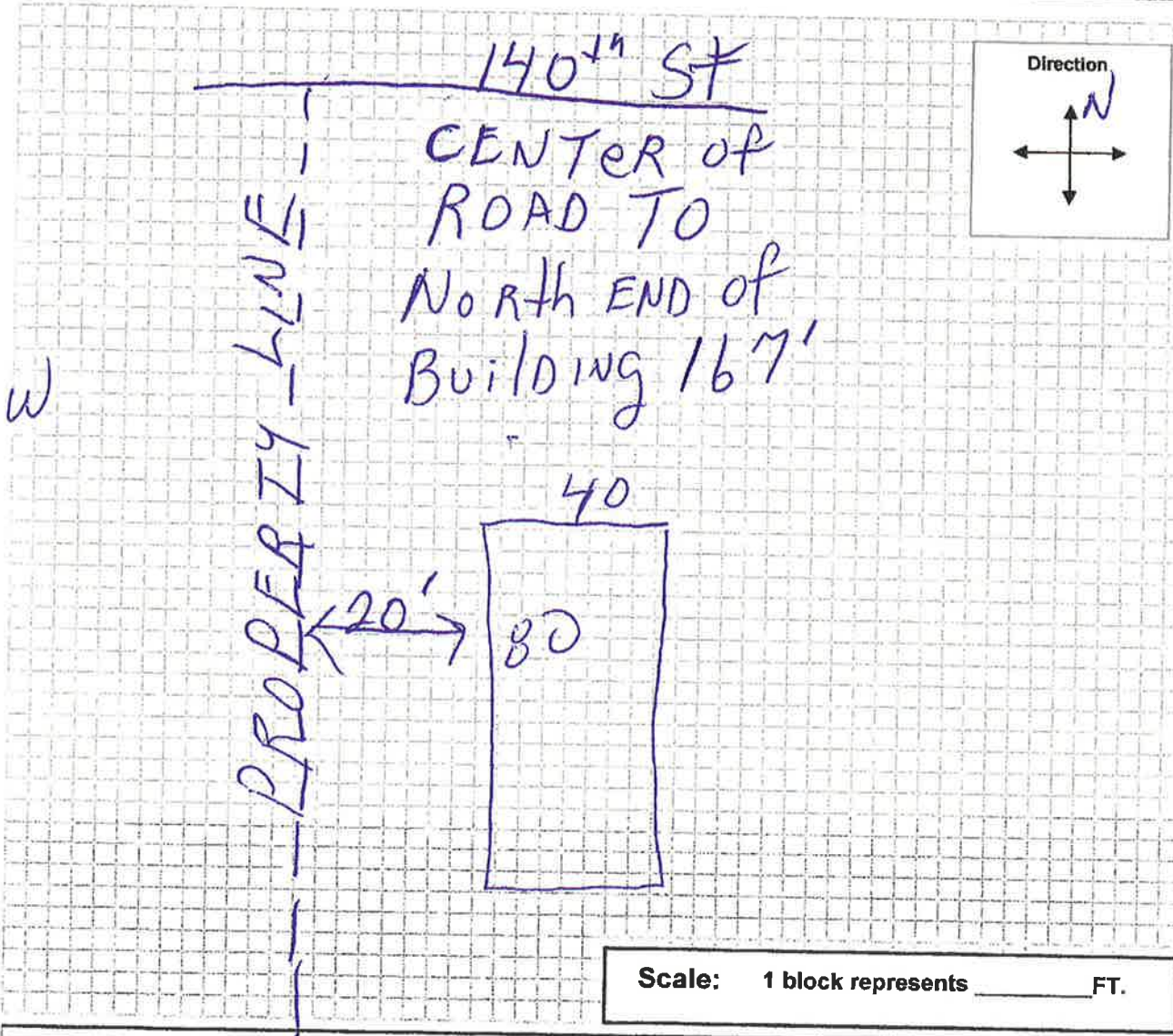
713-927-0032

CBOA-2857



Site Plan

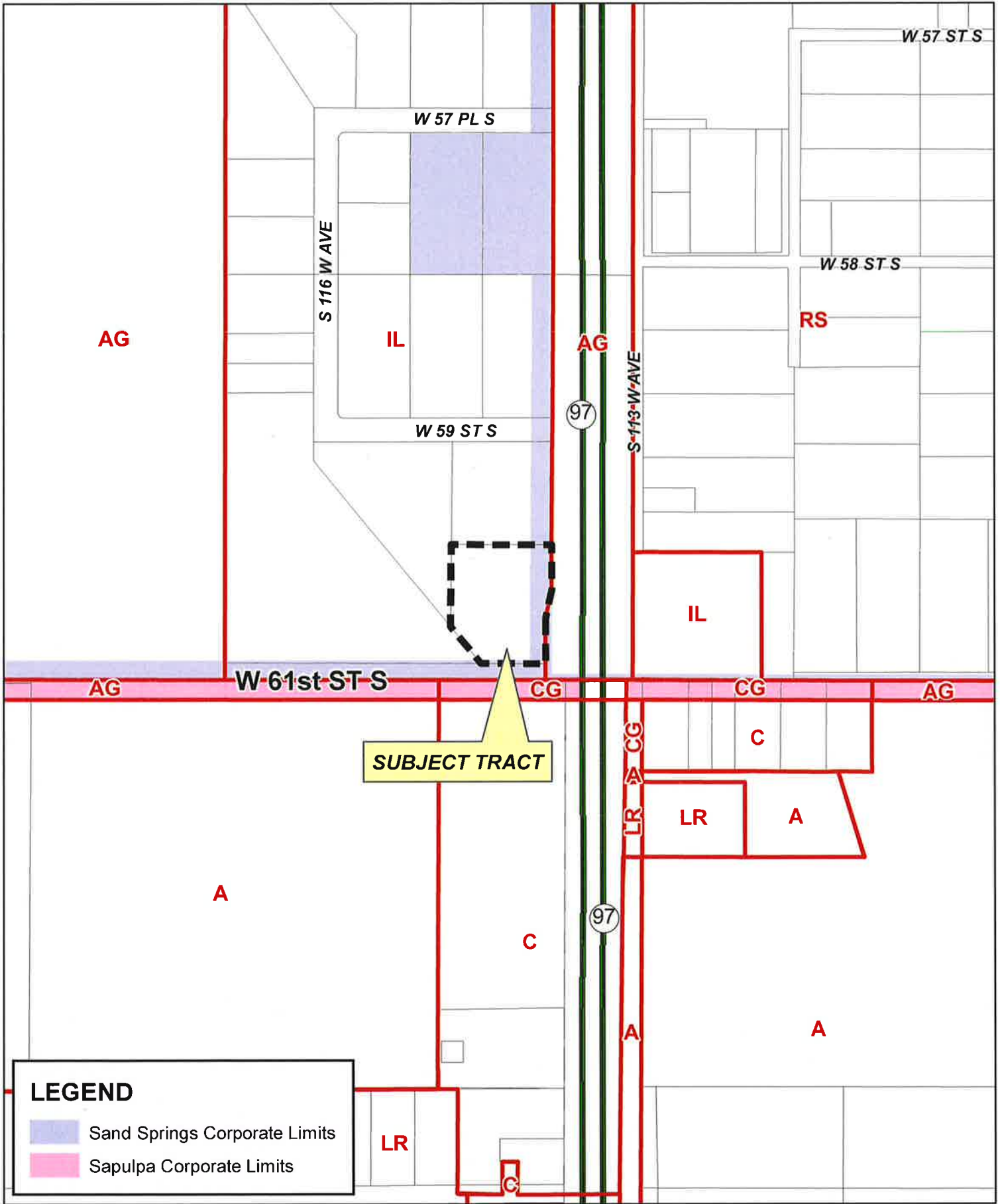
Construction
Maestro[®]
Estimating Software
Pole Barns, Garages & Decks





Scale: 1 block represents _____ FT.

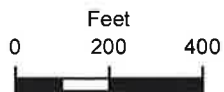
Name of Owner:		Phone: ()
Name of Agent: (If Applicable)		Phone: ()
Address of Property:	City:	State: Zip:
Zoned: NC <input type="checkbox"/> RA <input type="checkbox"/> RSA <input type="checkbox"/> RU1 <input type="checkbox"/> RU2 <input type="checkbox"/> RU3 <input type="checkbox"/> C-1 <input type="checkbox"/> C-2 <input type="checkbox"/> Other _____ <input type="checkbox"/>	Parcel ID:	Legal Description Attached <input checked="" type="radio"/> (Y) <input type="radio"/> (N)

"Rick Clark
Estimate Number: 117
8/25/2020"



LEGEND

-  Sand Springs Corporate Limits
-  Sapulpa Corporate Limits



CBOA-2859

3.1

19-11 34



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9134

CASE NUMBER: CBOA-2859

CZM: 44

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 12/15/2020 1:30 PM

APPLICANT: Devon Rogers / Canady Trailers

ACTION REQUESTED: Variance from the all-weather parking surface requirement (Section 1340.D).

LOCATION: 11415 W 61 ST S

ZONED: IL

FENCELINE: Sand Springs

PRESENT USE: Vacant

TRACT SIZE: 3.01 acres

LEGAL DESCRIPTION: LT 1 BLK 1, PRATTVILLE INDUSTRIAL PARK SOUTH

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract abuts IL zoning to the north and west with what appears to be industrial uses. It abuts State Highway 97 to the east.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance from the all-weather parking surface requirement (Section 1340.D).

The applicant supplied the following statement: "Trailers on a hard surface other than gravel has always been a problem. Turning and moving trailers on concrete and or asphalt will wear the tires and put marks on the concrete or tear up the asphalt. We also repair trailers and weekly someone brings a trailer in with an axle of hub dragging the ground, this would be a damaging event to any hard surface we lay down other than gravel. Having customers walk the lot and look at trailers on a hard surface under winter conditions would be very dangerous gravel soaks up ground water better and alleviates this problem for the most part. Also, maintaining gravel in the long run properly will last much longer than asphalt or concrete with the operations of our business."

The Code requires all parking surfaces be paved with an all-weather surface so as to maintain a minimum level of aesthetics, but more importantly to control air-borne particulates like dust and to control the tracking of dirt and mud onto public streets. The applicant has requested a variance to permit a gravel parking area.

If inclined to approve the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed use is compatible with the surrounding area.

Sample Motion:

"Move to _____ (approve/deny) Variance from the all-weather parking surface requirement (Section 1340.D).

3.2

Finding the hardship to be _____.

Subject to the following condition(s), if any: _____.

Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.

Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan.



W 57 PL S

S 116 W AVE

W 58 ST S

97

W 59 ST S

S 113 W AVE

W 61st ST S

97



Subject Tract

CBOA-2859

19-11 34

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

Aerial Photo Date: February 2018



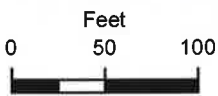
3.4



W 61st ST S

97

97



Subject Tract

CBOA-2859

19-11 34

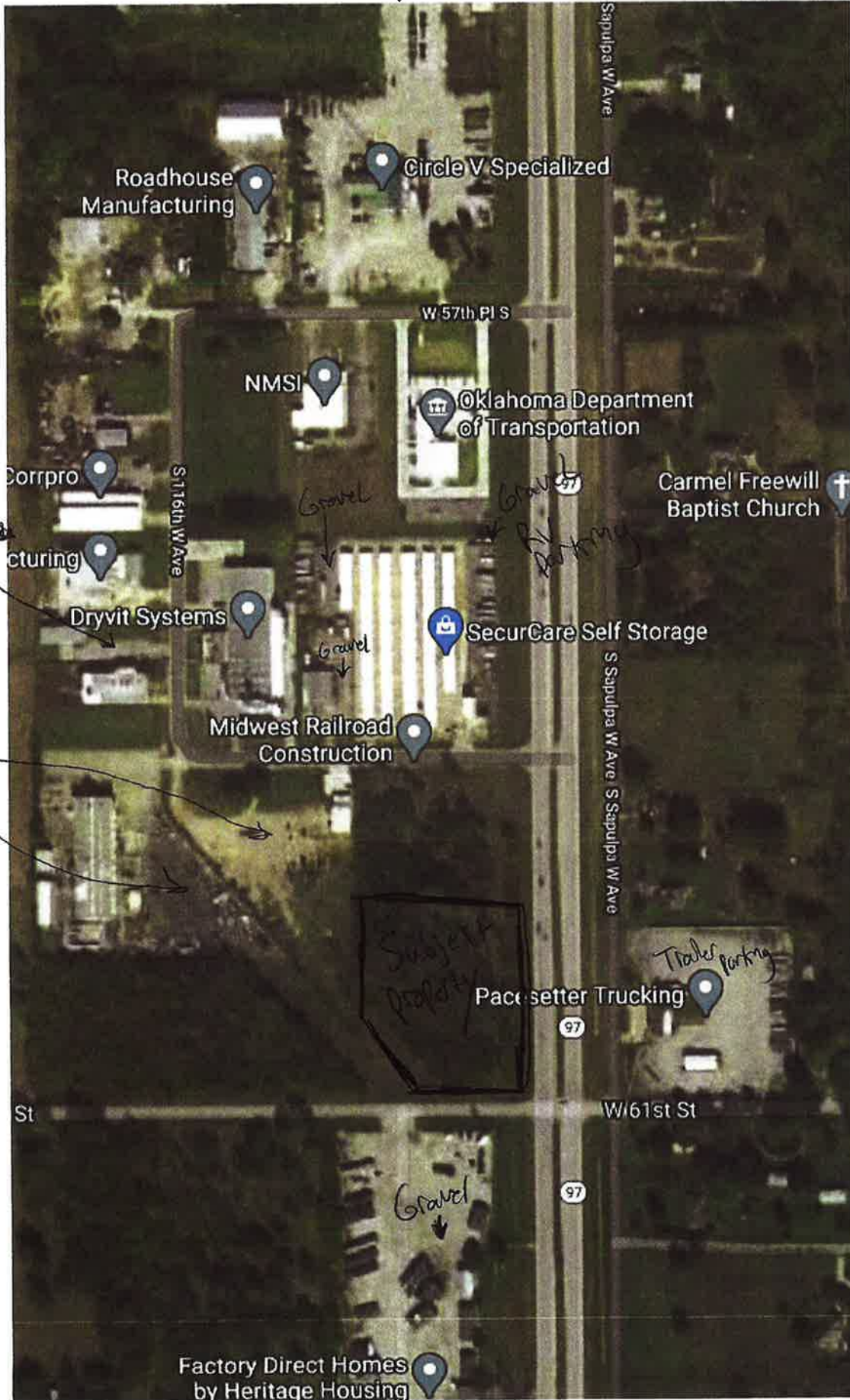
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

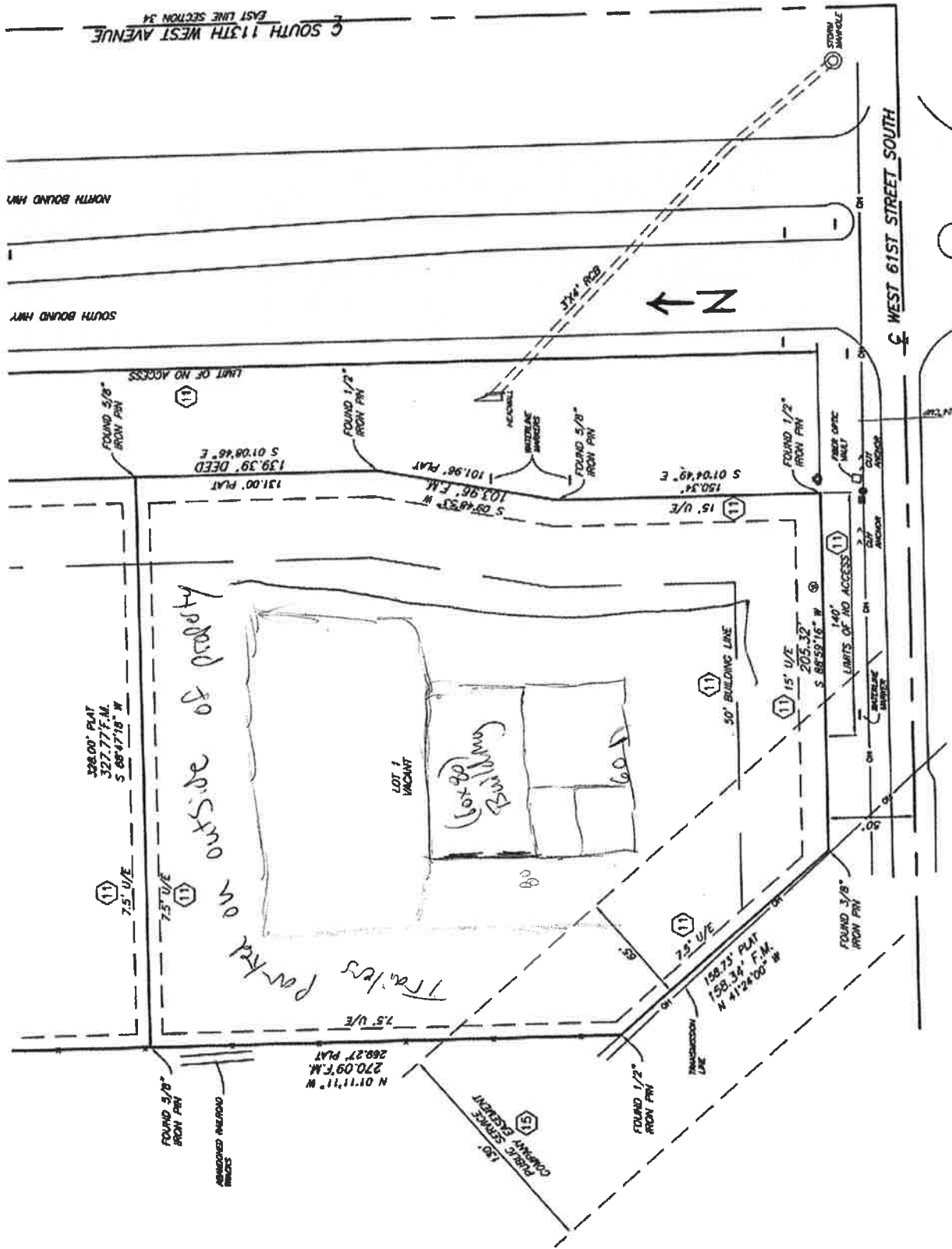
3.5



Gravel
↓



3.7



SOUTH 113TH WEST AVENUE
EAST LINE SECTION 34

WEST 61ST STREET SOUTH



Trailers parked on outside of property

Building (vacant)

LOT 1 VACANT

50' BUILDING LINE

FOUND 3/8" IRON PIN

FOUND 1/2" IRON PIN

158.73' PLAT
158.34' F.M.
N 41°24'00" W

270.09' F.M.
N 01°11'11" W
269.27' PLAT

FOUND 3/8" IRON PIN

ANNOUNCED RAILROAD TRACKS

PUBLIC SERVICE COMPANY EGRESS

FOUND 1/2" IRON PIN

FOUND 3/8" IRON PIN

FOUND 1/2" IRON PIN

FOUND 1/2" IRON PIN

150.34' S 01°04'49" E

103.96' F.M.
S 03°48'53" N 155.89' PLAT

131.00' PLAT
139.39' DEED
S 01°08'46" E

FOUND 1/2" IRON PIN

FOUND 3/8" IRON PIN

LIMIT OF NO ACCESS

NORTH BOUND HWY

SOUTH BOUND HWY

STORM MANHOLE

3 1/4" RCB

ACTUAL
MUTUAL
BARRIERS

FOUND 1/2" IRON PIN

140' LIMITS OF NO ACCESS

15' U/E

15' U/E

7.5' U/E

7.5' U/E

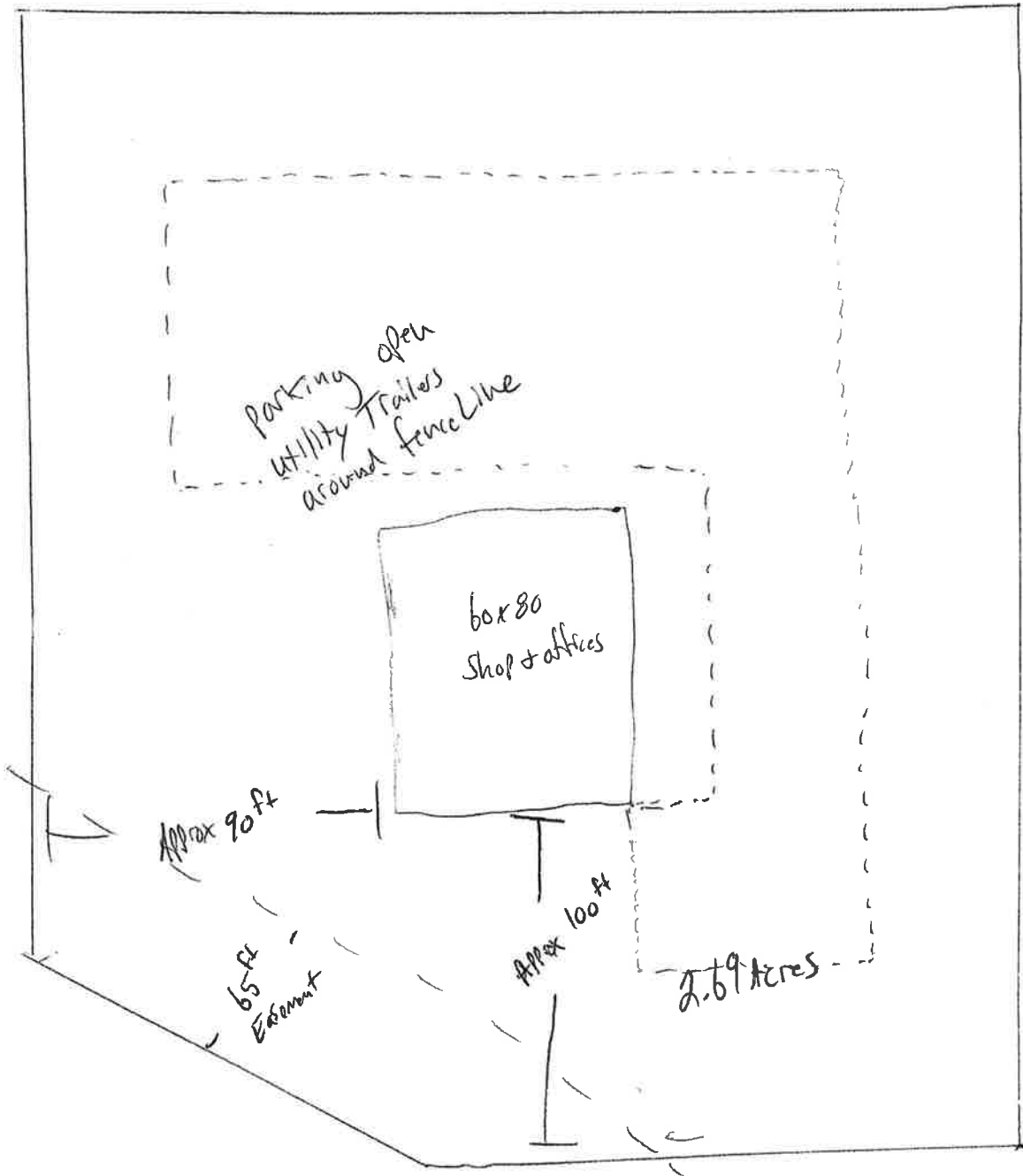
7.5' U/E

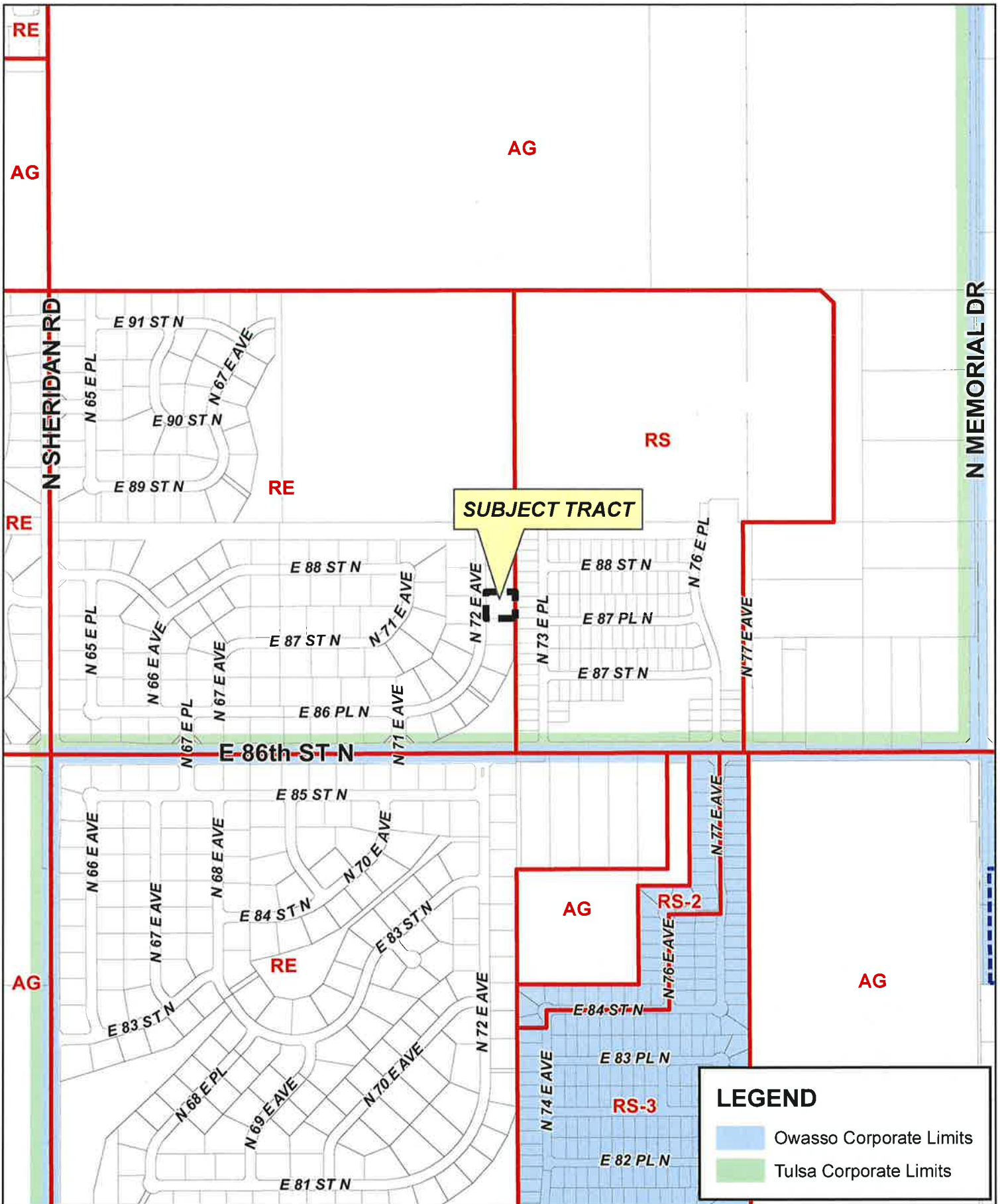
7.5' U/E

7.5' U/E

7.5' U/E

Gravel under parked Trailers
around outside of fence all the way around.





SUBJECT TRACT

LEGEND

- Owasso Corporate Limits
- Tulsa Corporate Limits



CBOA-2860

4.1



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1323
CZM: 17

CASE NUMBER: CBOA-2860
CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 12/15/2020 1:30 PM

APPLICANT: Kyle Smalygo

ACTION REQUESTED: Variance to permit a detached accessory building in the side yard in an RE district (Section 420.2-A.2)

LOCATION: 8729 N 72 AV E

ZONED: RE

FENCELINE: Owasso

PRESENT USE: Residential

TRACT SIZE: 0.58 acres

LEGAL DESCRIPTION: Lot 4 Block 3, SHERIDAN CROSSING PHASE II

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is located in a residential neighborhood with RE zoning and it abuts another residential neighborhood to the east with RS zoning.

STAFF COMMENTS:

The applicant is before the Board to request a **Variance** to permit a detached accessory building in the side yard in an RE district (Section 420.2-A.2).

According to the site plan, the applicant intends to construct a 14' x 18' (252 sq. ft.) accessory building in the side yard, south of the existing house on the site. Section 420.2 states that a detached accessory building shall not be in the front or side yard or encroach upon a minimum setback line. The detached accessory building does not encroach into the minimum 15 ft. side setback requirement.

The applicant provided the statement: *"Drainage/Easements/Topography/Adjacent Sub-Division."*

Sample Motion:

"Move to _____ (approve/deny) a Variance to permit a detached accessory building in the side yard in an RE district (Section 420.2-A.2).

Finding the hardship to be _____.

Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.

Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be

granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan.”



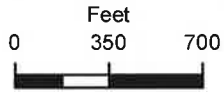
N SHERIDAN RD

N MEMORIAL DR

E 86th ST N

CBOA-2860

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



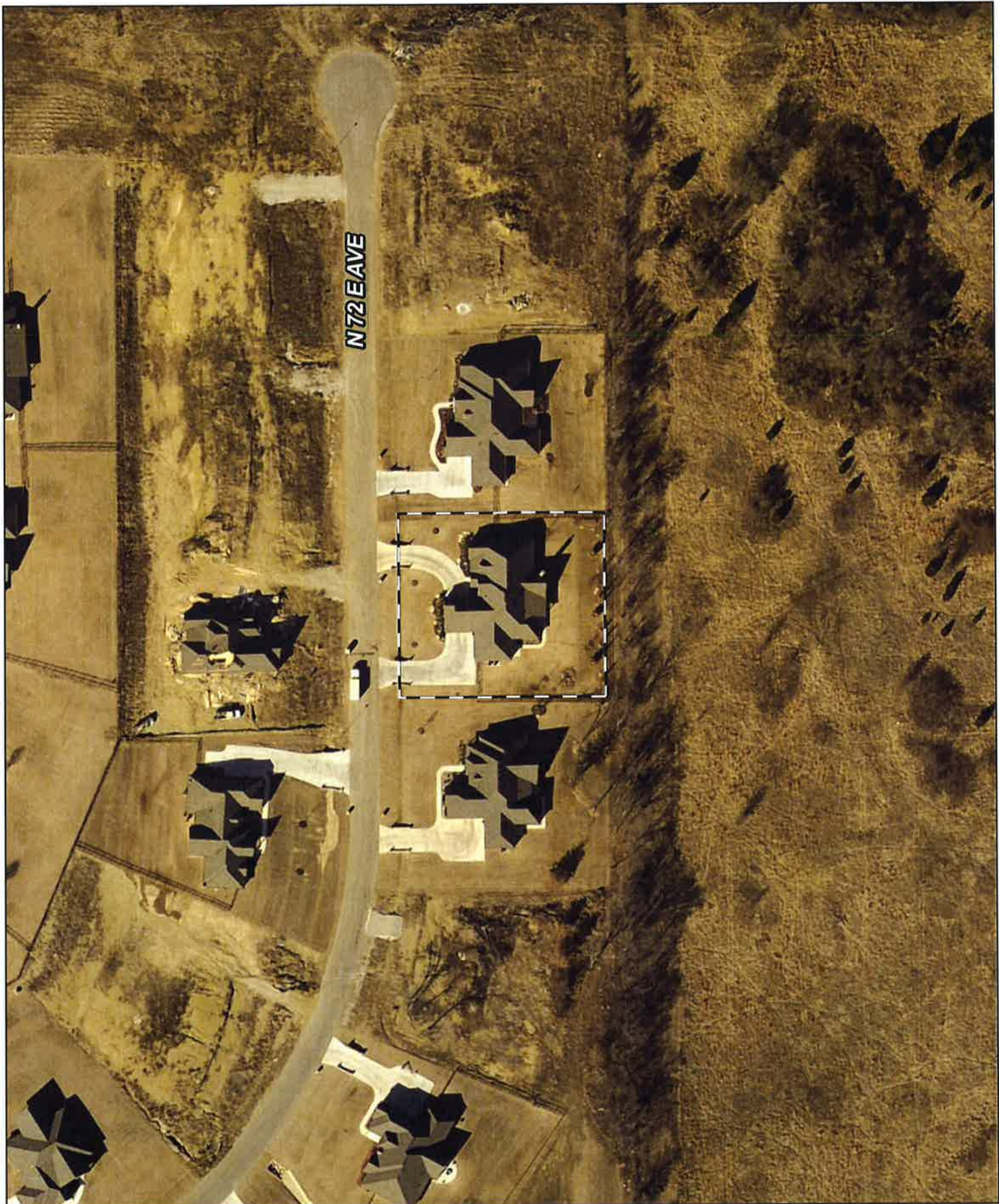
Subject Tract

21-13 23

Aerial Photo Date: February 2018



4.4



N72 EAVE



Subject Tract

CBOA-2860

21-13 23

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

Aerial Photo Date: February 2018



4.5

Jones, Robi

From: Ron Watkins <macgron@aol.com>
Sent: Monday, November 30, 2020 4:02 PM
To: esubmit
Subject: Case Number: CBOA-2860

I would like to comment on Case Number: CBOA-2860.

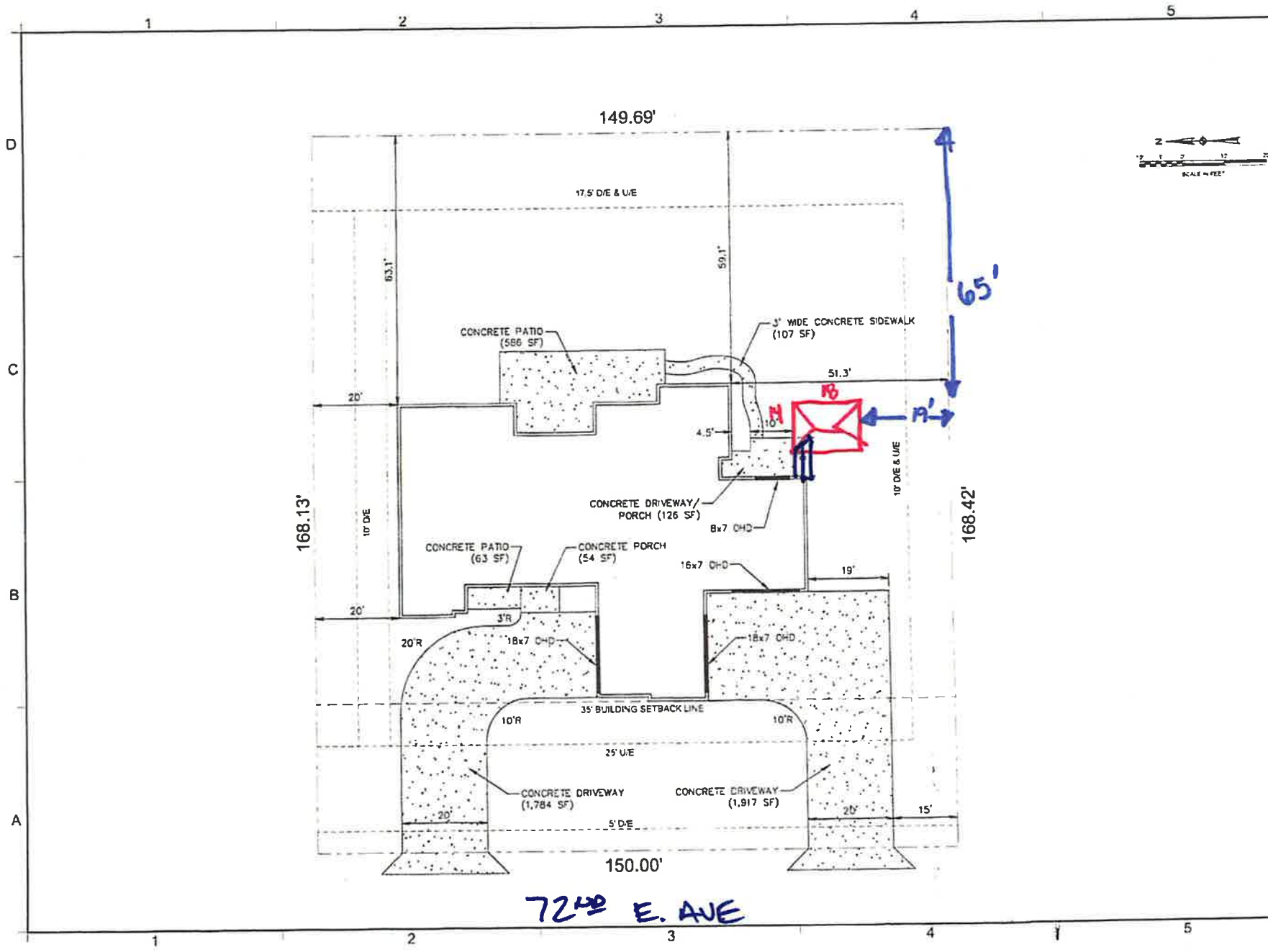
As a home owner in the Sheridan Crossing Phase II and on the same street this construction will take place I have the following comment.

The detached accessory building at the location that its being requested to be constructed at, is acceptable to me as a stand alone building without any contact to the existing home.

There are several accessory buildings of similar design / construction already in the Sheridan Crossing addition.

Ron Watkins
8717 N. 72 E. Ave.
Owasso, Okla. 74055
Ph: 918-510-7612

4.7



SMALYGO PROPERTIES INC

DATE	
BY	
CHECKED BY	
APPROVED BY	
SCALE	
PROJECT NO.	
SHEET NO.	
TOTAL SHEETS	

OWNER	
DESIGNER	
DATE	
PROJECT NO.	
SHEET NO.	
TOTAL SHEETS	

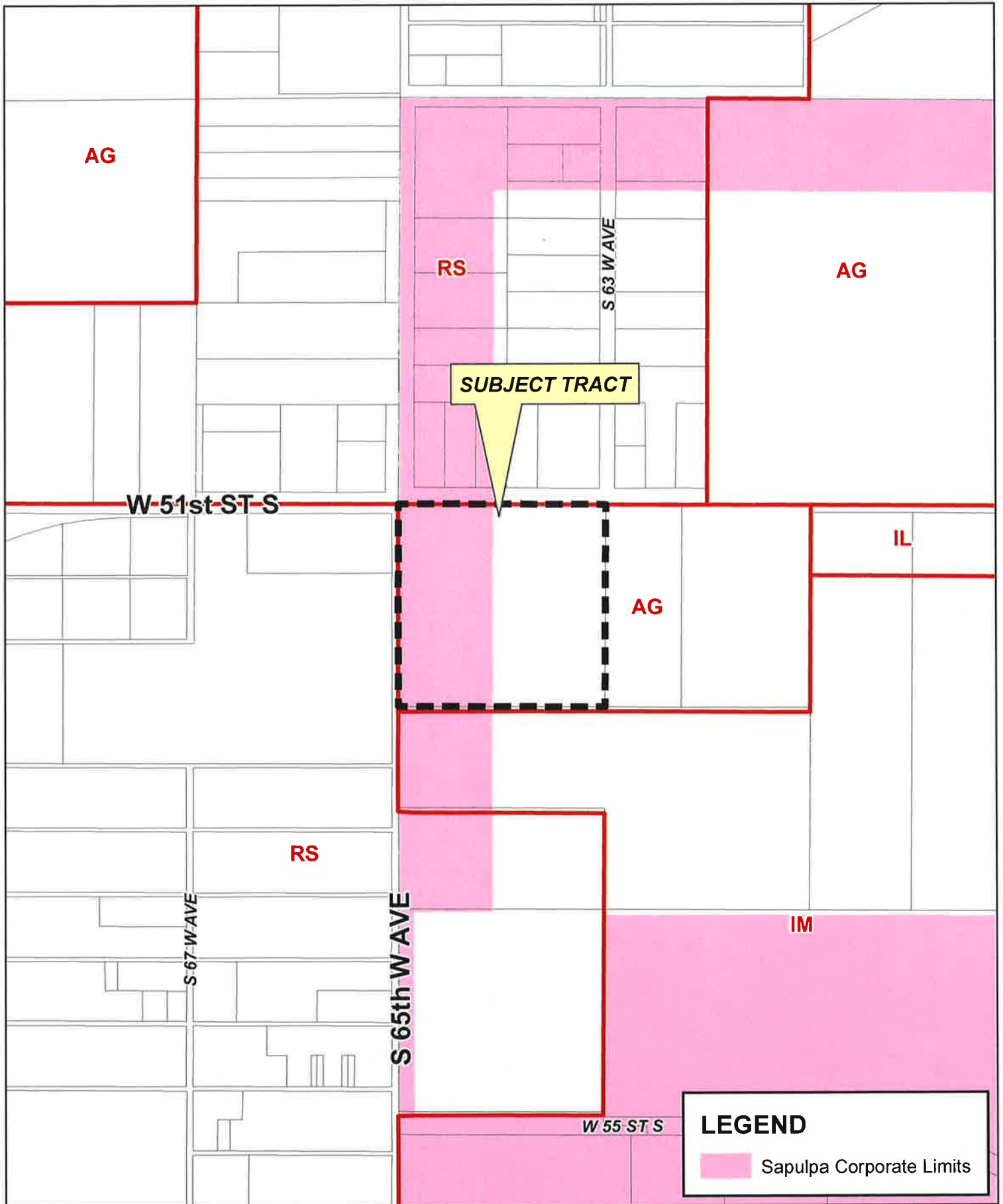
SITE PLAN

SHEET REFERENCE NUMBER
C-100

7240 E. AVE

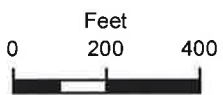
PARCEL # 57328-13-23-39870

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LEGEND

 Sapulpa Corporate Limits



CBOA-2861

5.1



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9232

CZM: 45

CASE NUMBER: CBOA-2861

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 12/15/2020 1:30 PM

APPLICANT: Lou Reynolds

ACTION REQUESTED: Special Exception to permit Use Unit 2, Area-Wide Special Exception Uses, for a temporary off-site construction facility in the AG District (Section 310, Table 1; Section 1202).

LOCATION: 6410 W 51 ST S

ZONED: AG

FENCELINE: Sapulpa

PRESENT USE: Vacant/Warehouse

TRACT SIZE: 10 acres

LEGAL DESCRIPTION: The Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW/4 NW/4 NW/4) of Section 32, Township 19 North, Range 12 East of the Indian Base & Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract abuts AG zoning with a residential use to the east, IM zoning with an industrial use to the south and RS zoning with what appears to be a combination of residential uses and vacant land to the west and north.

STAFF COMMENTS:

The applicant is before the Board requesting a Special Exception to permit Use Unit 2, Area-Wide Special Exception Uses, for a temporary construction facility in the AG District (Section 1202). A Special Exception is required as it is a use which is not permitted by right in the AG District because of potential adverse affect, but which if controlled in the particular instance as to its relationship to the area and to the general welfare, may be permitted. The temporary construction facility must be found to be compatible with the surrounding area. Construction Facilities must abide by the following Use Conditions:

1202.3 Use Conditions:

- A. The Board of Adjustment shall impose appropriate time limitations on temporary open-air activities, except construction facilities, to ensure that the use is not injurious and is temporary in nature.
- B. Construction Facilities
 1. The use may continue for a period not to exceed two years in the same location.
 2. Ingress and egress must be from arterial or collector streets, provided that such location would result in less traffic on streets in residential areas.

5.2

3. The use shall not be located nearer than 100 feet to any lot containing an occupied dwelling, without the consent of the owner thereof.

The applicant provided the following information:

Exhibit "B"

The Applicant requests a Special Exception pursuant to Section 310 (Table 1) of the Tulsa County Zoning Code (the "Code") to permit a temporary off-site construction facility (Use Unit 2 Area-Wide Special Exception Use) in an AG district for property located at 6410 W. 51st Street (the "Property").

The proposed use of the Property is a temporary off-site concrete plant that will be used for concrete preparation and mixing for the I-44 widening project. The site is located approximately one mile west of I-44 with direct access via 51st Street. A Site Plan is attached hereto as Exhibit "B-1".

The Property is a ten (10) acre tract located on the southeast corner of W. 51st St. and S. 65th W. Ave. North and west of the Property, across 51st and 65th, is zoned RS and there are scattered residential structures. South and east of the Property are a variety of industrial uses - American Demolition & Site Services, an excavation company, abuts the Property directly to the south. A contractor service, Sagebrush Pipeline Supply and the JRP Speedway are located to the east. Further east are multiple dirt work and staging sites associated with the I-44 project.

In accordance with Section 1202.3.B of the Code, the proposed concrete facility is temporary and the use of the Property for this purpose will be for less than two (2) years. West 51st Street will be used for ingress and egress to and from the site. As shown on the Site Plan, the use will be located more than 100 feet from any residential dwelling.

The existing, similar industrial uses in the vicinity are of equal or greater intensity than the proposed use. Additionally, the temporary nature of use in conjunction with the I-44 widening project will benefit the public good. Therefore, the requested Special Exception is in harmony with the spirit and intent of the Code and is not injurious to the neighborhood or otherwise detrimental to the public welfare.

The approval of a special exception will trigger the requirement to conform to the Subdivision and Development Regulations. Issues related to Right-of-Way dedication and storm water management would be addressed during the platting stage.

The 10-acre parcel is located in both unincorporated Tulsa County and the City of Sapulpa. According to the attached site plan, the proposed use, a temporary construction facility, will be located on the side of the property within the boundary of unincorporated Tulsa County.

If inclined to approve the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the construction facility is compatible with the surrounding area.

SAMPLE MOTION:

"Move to _____ (approve/deny) a Special Exception to permit Use Unit 2, Area-Wide Special Exception Uses, for a temporary off-site construction facility in the AG District (Section 310, Table 1; Section 1202).

Approved per conceptual plan on page _____ of the agenda packet.

Subject to the following conditions (including time limitation, or hours of operation if any): _.

Finding the 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.”



W 51st ST S

S 63 W AVE

S 65th W AVE

S 67 W AVE

W 55 ST S



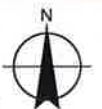
Subject Tract

CBOA-2861

19-12 32

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

Aerial Photo Date: February 2018



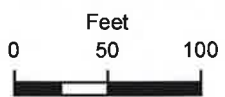
3.5



S 65th W AVE

W 51st ST S

S 63 W AVE



 Subject Tract

CBOA-2861

19-12 32

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

Aerial Photo Date: February 2018

5.6



Exhibit "A"

The Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW/4 NW/4 NW/4) of Section 32, Township 19 North, Range 12 East of the Indian Base & Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

Exhibit "B"

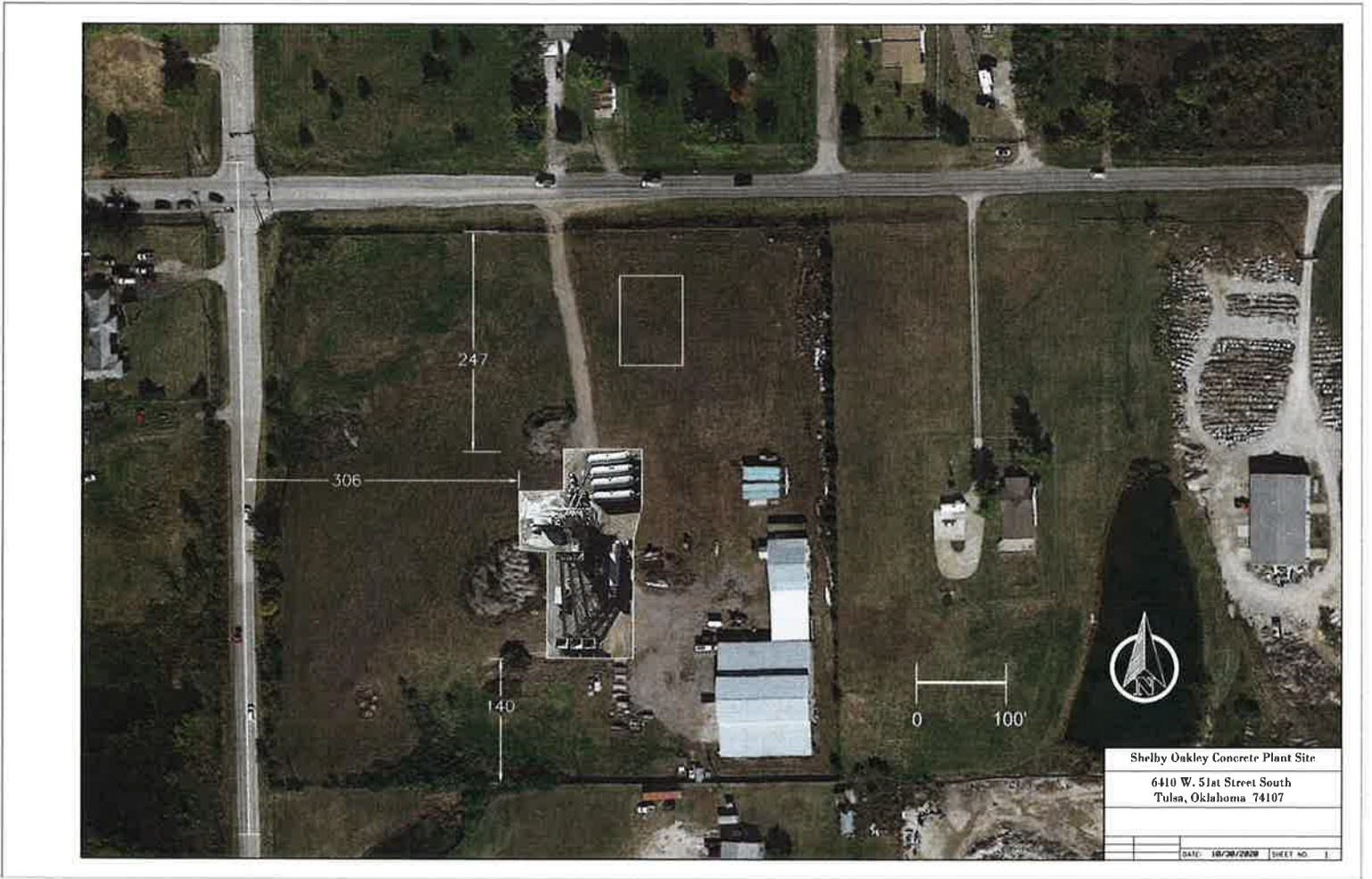
The Applicant requests a Special Exception pursuant to Section 310 (Table 1) of the Tulsa County Zoning Code (the "Code") to permit a temporary off-site construction facility (Use Unit 2 Area-Wide Special Exception Use) in an AG district for property located at 6410 W. 51st Street (the "Property").

The proposed use of the Property is a temporary off-site concrete plant that will be used for concrete preparation and mixing for the I-44 widening project. The site is located approximately one mile west of I-44 with direct access via 51st Street. A Site Plan is attached hereto as **Exhibit "B-1"**.

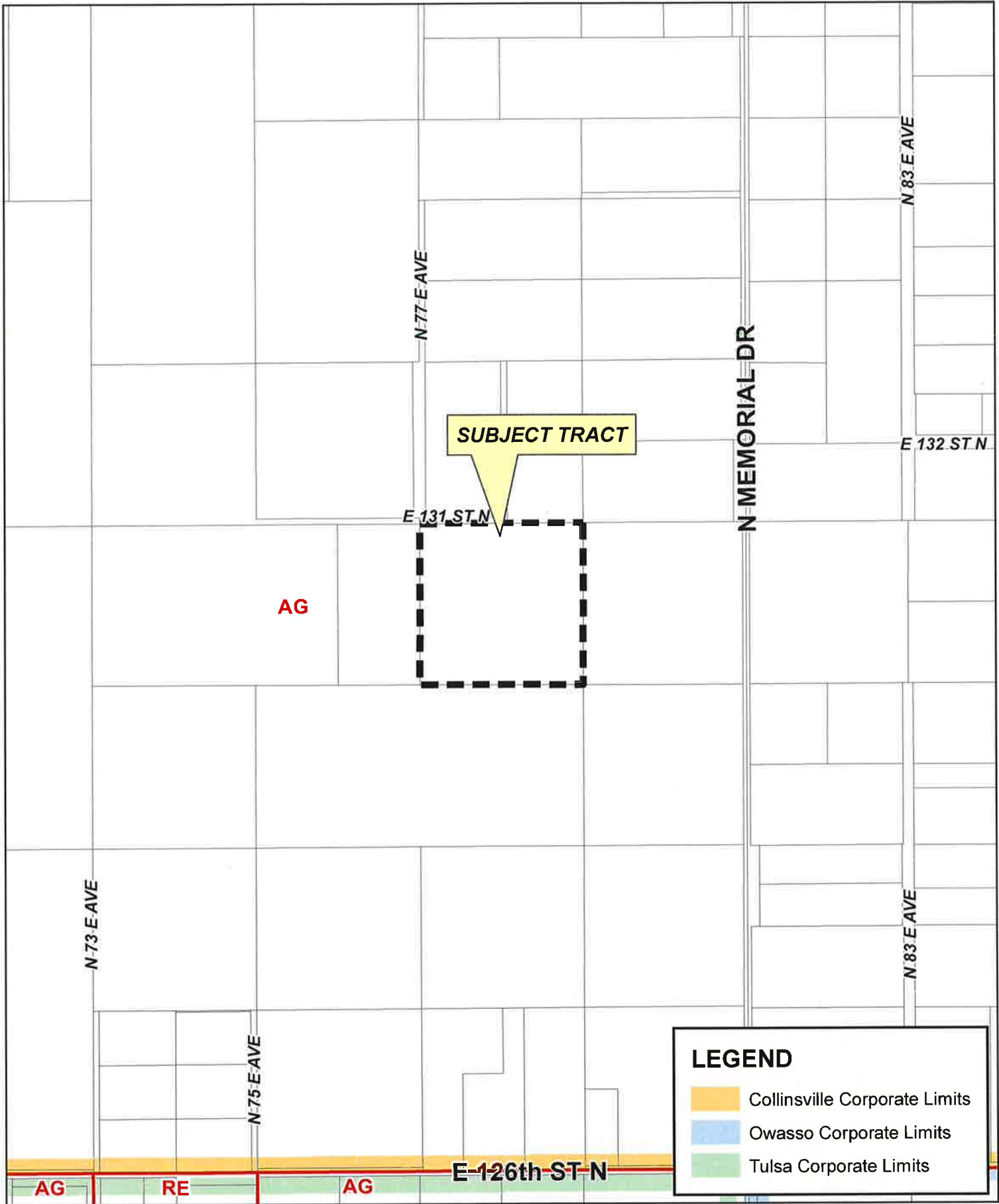
The Property is a ten (10) acre tract located on the southeast corner of W. 51st St. and S. 65th W. Ave. North and west of the Property, across 51st and 65th, is zoned RS and there are scattered residential structures. South and east of the Property are a variety of industrial uses - American Demolition & Site Services, an excavation company, abuts the Property directly to the south. A contractor service, Sagebrush Pipeline Supply and the JRP Speedway are located to the east. Further east are multiple dirt work and staging sites associated with the I-44 project.

In accordance with Section 1202.3.B of the Code, the proposed concrete facility is temporary and the use of the Property for this purpose will be for less than two (2) years. West 51st Street will be used for ingress and egress to and from the site. As shown on the Site Plan, the use will be located more than 100 feet from any residential dwelling.

The existing, similar industrial uses in the vicinity are of equal or greater intensity than the proposed use. Additionally, the temporary nature of use in conjunction with the I-44 widening project will benefit the public good. Therefore, the requested Special Exception is in harmony with the spirit and intent of the Code and is not injurious to the neighborhood or otherwise detrimental to the public welfare.



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SUBJECT TRACT

AG

E 131 ST N

E 132 ST N

N 73 E AVE

N 75 E AVE

N 77 E AVE

N MEMORIAL DR

N 83 E AVE

N 83 E AVE

E 126th ST N

AG

RE

AG

LEGEND

- Collinsville Corporate Limits
- Owasso Corporate Limits
- Tulsa Corporate Limits



CBOA-2862

6.1



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 2335

CZM: 7

CASE NUMBER: CBOA-2862

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 12/15/2020 1:30 PM

APPLICANT: Kyndal Pett

ACTION REQUESTED: Use variance to allow Use Unit 25, Light Manufacturing Industry, to permit a medical marijuana processing facility in an AG district (Section 1225)

LOCATION: 7710 E 131 ST N

ZONED: AG

FENCELINE: Collinsville

PRESENT USE: Agricultural

TRACT SIZE: 10 acres

LEGAL DESCRIPTION: NW NE SE SEC 35 22 13 10ACS,

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by AG zoning with what appears to be AG uses and a smattering of residential uses.

STAFF COMMENTS:

The applicant is before the Board requesting a Use variance to allow Use Unit 25, Light Manufacturing Industry, to permit a medical marijuana processing facility in an AG district (Section 1225).

A Use Variance to allow Use Unit 25, Light Manufacturing Industry, is required as Use Unit 25 is not allowed by right in an AG district. According to the attached site plan, the proposed use will happen in the room identified as the Cure Room. It is 125 sq. ft. The applicant is requesting Use Unit 25 in order to make "pre-rolls" with the product produced in their existing Horticulture Nursery. In the future, the applicant might want to make lotions but nothing involving big machinery or equipment. Oklahoma Medical Marijuana Authority, OMMA, will require the proper licenses be approved and maintained for the applicant to grow and process medical marijuana.

The applicant has supplied the following statement of hardship:

- "1. The structure is located on 10 acres and the property owner owns 20 acres connected to the property. It is in a rural area without residential property surrounding the area. The structure to be used is a very small footprint on a large area of land."*
- 2. There are industrial zoned areas within 2 miles each way of this property.*
- 3. There will be no customers coming to this property. There will be no large equipment being added inside the structure for this purpose."*

6.2

If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed use and future development of the subject property is compatible with and non-injurious to the surrounding area.

Sample Motion:

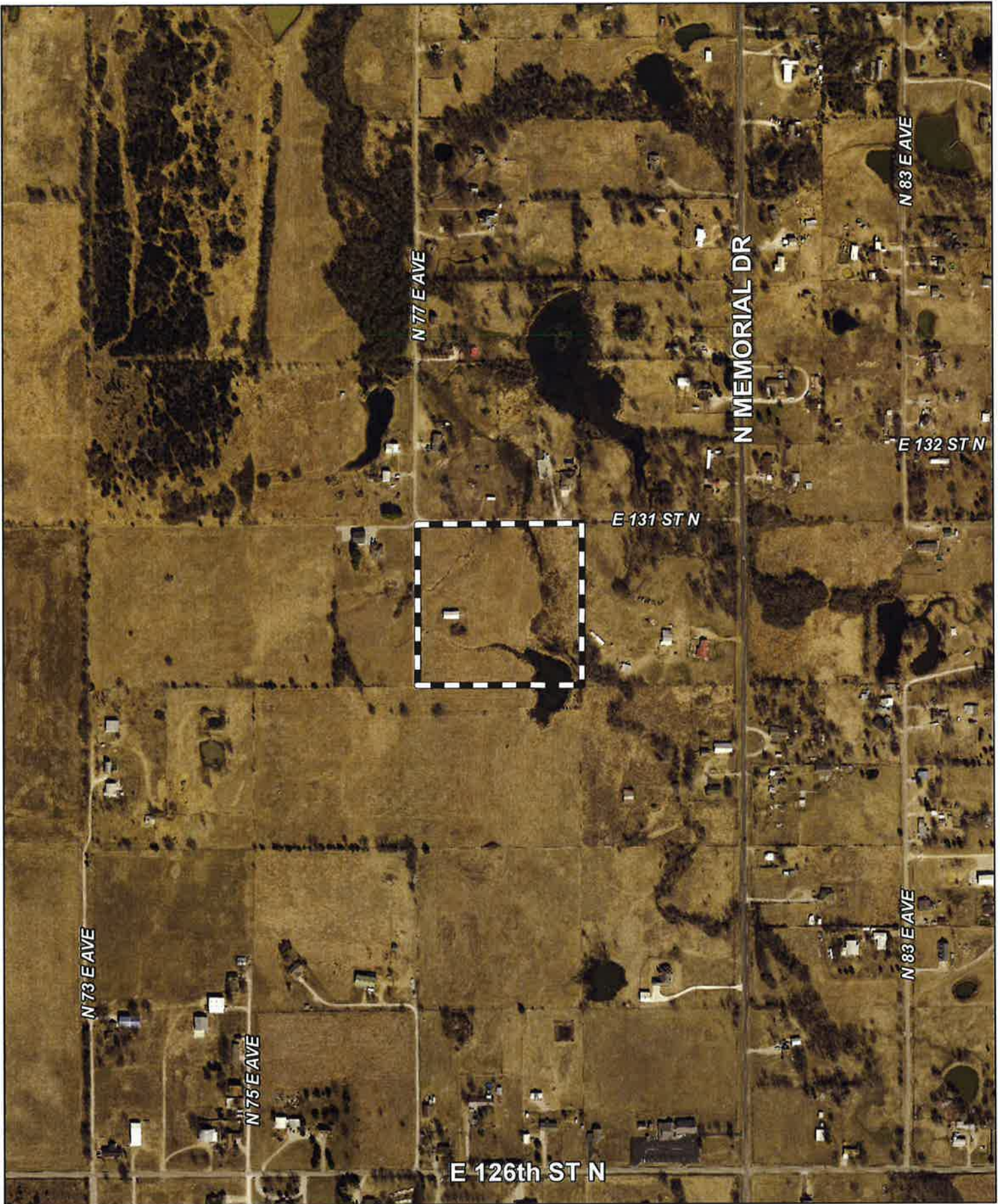
“Move to _____ (approve/deny) a Use variance to allow Use Unit 25, Light Manufacturing Industry, to permit a medical marijuana processing facility in an AG district (Section 1225)

Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

Finding that by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan.



 Subject Tract

CBOA-2862

22-13 35

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

Aerial Photo Date: February 2018

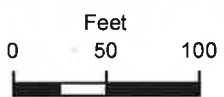


6.4



N 77 E AVE

E 131 ST N



Subject Tract

CBOA-2862

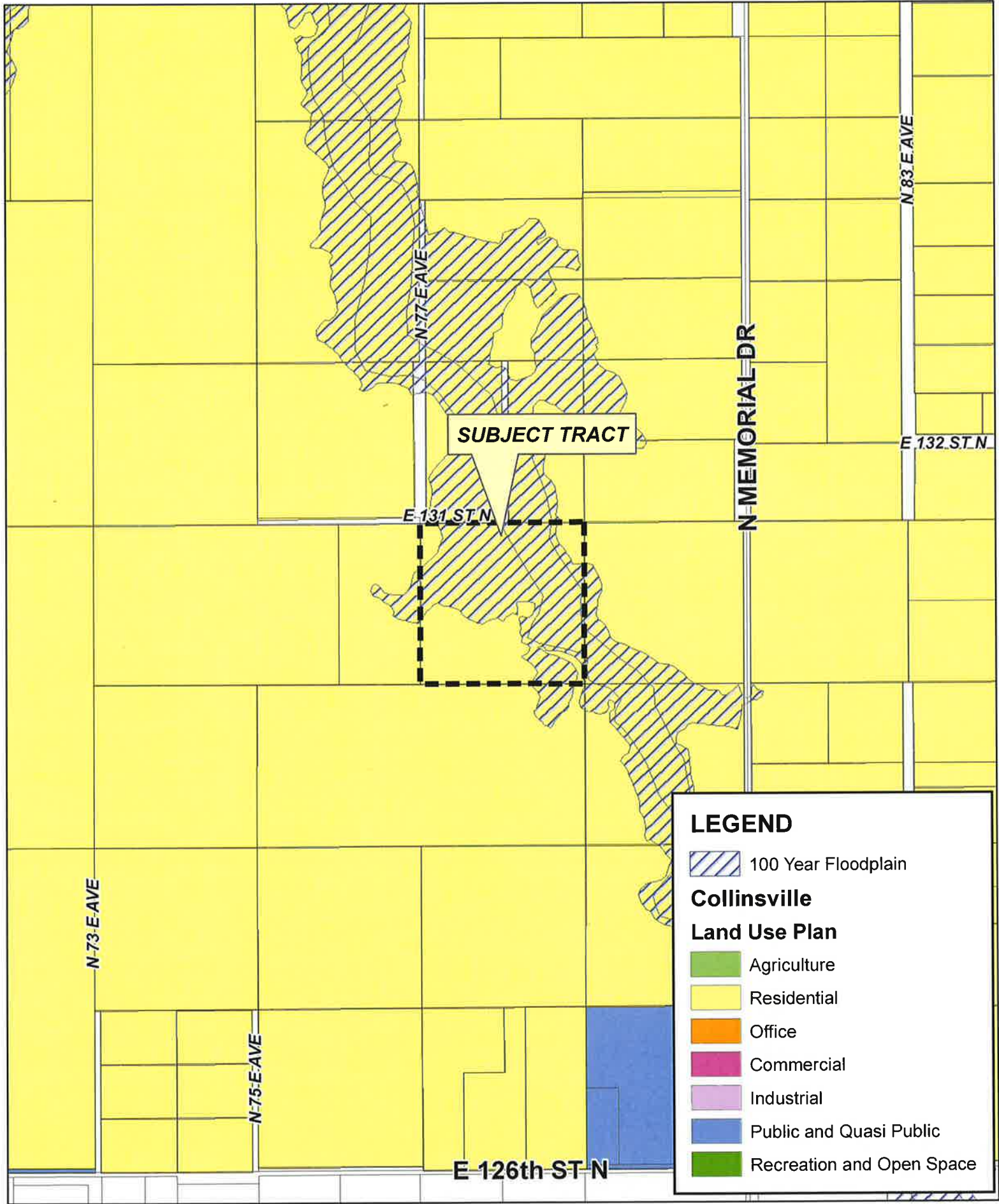
22-13 35

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

Aerial Photo Date: February 2018










6.5



SUBJECT TRACT

LEGEND

-  100 Year Floodplain
- Collinsville Land Use Plan**
-  Agriculture
-  Residential
-  Office
-  Commercial
-  Industrial
-  Public and Quasi Public
-  Recreation and Open Space



CBOA-2862

22-13 35



2.9



Existing Site Plan
 SCALE : 1" = 100'-0"



MICHAEL A. DOERING
 8915 N. 123rd E. Ave.
 Owasso, OK 74055
 Phone: (918) 406-9465

OWNER:
 DEREK PETT
 7710 E. 131st St. N.
 Collinsville, OK 74021

REV.
DATE: 07/01/2020
SHEET

EXISTING
 SITE
 PLAN



MICHAEL A. DOERING
8915 N. 123rd E. Ave.
Owasso, OK 74055
Phone: (918) 406-9465

OWNER:

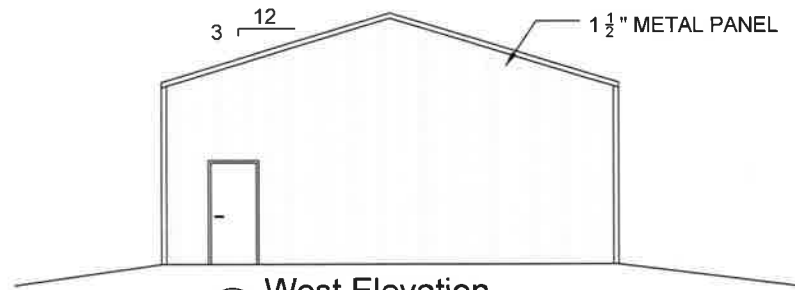
DEREK PETT
7710 E. 131st St. N.
Collinsville, OK 74021

REV.

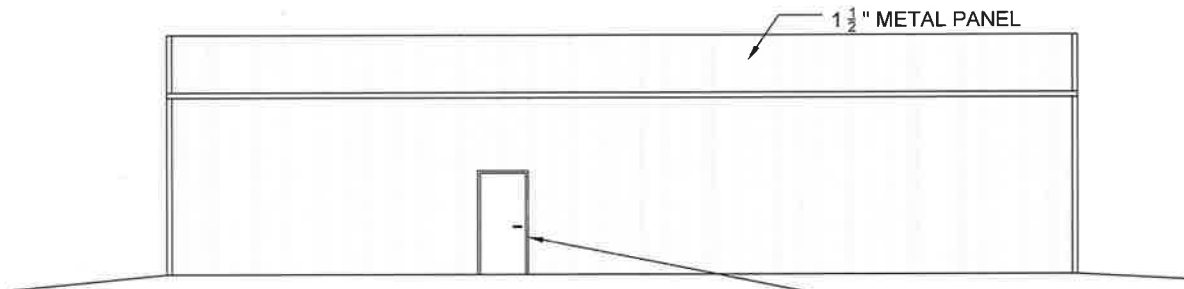
DATE: 07/01/2020

SHEET

EXISTING
ELEVATIONS



② West Elevation
SCALE $\frac{1}{8}''=1'-0''$



① South Elevation
SCALE $\frac{1}{8}''=1'-0''$

NEW
3'-0" X 7'-0"
EXTERIOR DOOR



MICHAEL A. DOERING
8915 N. 123rd E. Ave.
Owasso, OK 74055
Phone: (918) 406-9465

OWNER:

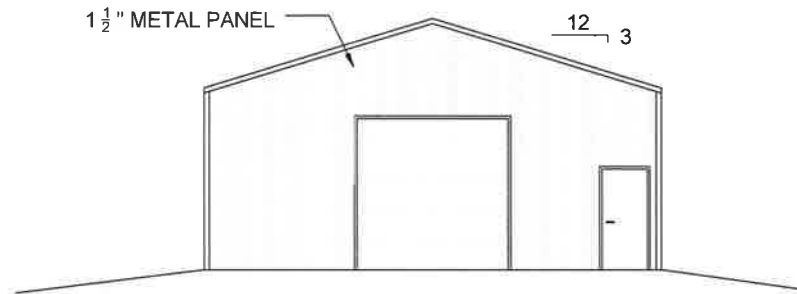
DEREK PETT
7710 E. 131st St. N.
Collinsville, OK 74021

REV.

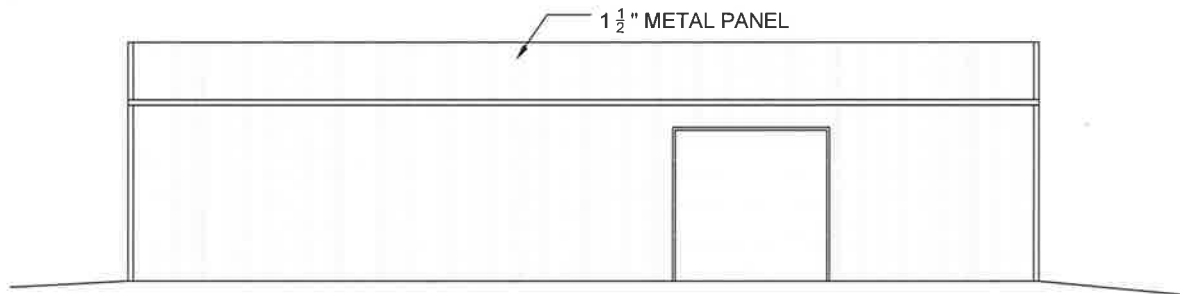
DATE: 07/01/2020

SHEET

EXISTING
ELEVATIONS



② East Elevation
SCALE $\frac{1}{8}''=1'-0''$



① North Elevation
SCALE $\frac{1}{8}''=1'-0''$

6.9



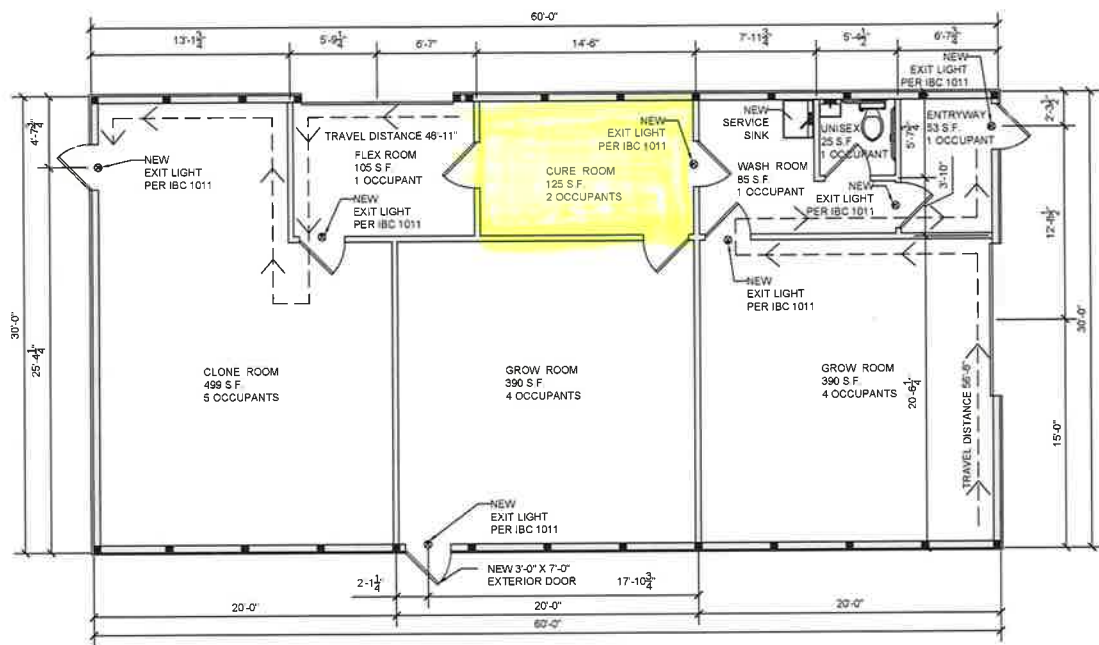
MICHAEL A. DOERING
 8915 N. 123rd E. Ave.
 Owasso, OK 74055
 Phone: (918) 406-9465

OWNER:
 DEREK PETT
 7710 E. 131st St. N.
 Collinsville, OK 74021

REV.

DATE: 07/01/2020
 SHEET
 EXISTING/NEW
 PLAN

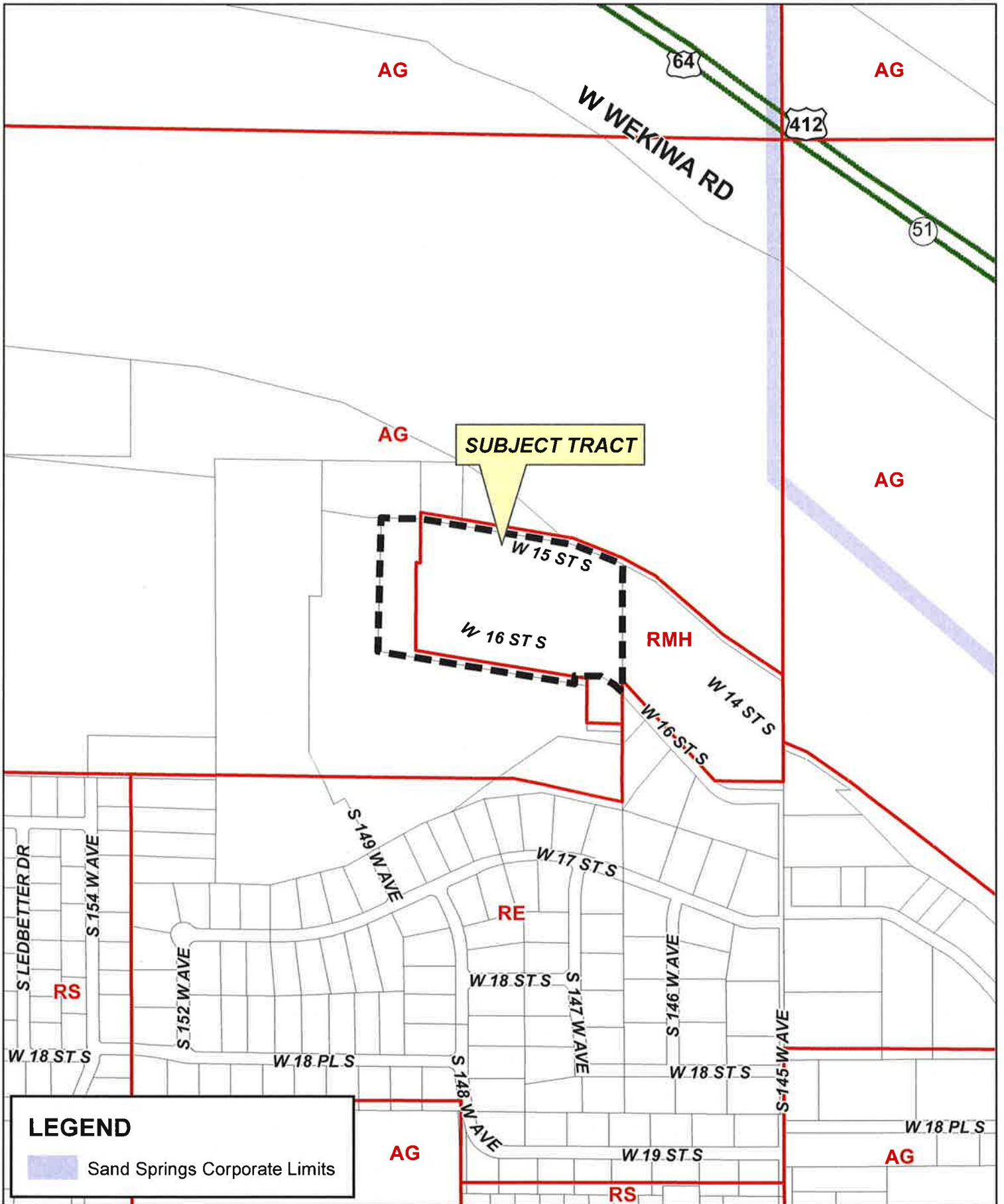
- GENERAL NOTES:**
- ALL INTERIOR WALLS ARE NEW 2X4 CONSTRUCTION WITH IMPERVIOUS SURFACE
 - ALL INTERIOR DOORS ARE NEW 3'-0" X 7'-0"



1 Existing/New Plan View
 SCALE 1/8"=1'-0"



019



LEGEND

 Sand Springs Corporate Limits



CBOA-2863

7.1

19-11 08



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9108
CZM: 34

CASE NUMBER: CBOA-2863
CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 12/15/2020 1:30 PM

APPLICANT: Donald Breadon

ACTION REQUESTED: Use Variance to allow for recreational vehicles (Use Unit 17) in an RMH district (Secion 410)

LOCATION: 14600 W 16 ST

ZONED: RMH,AG

FENCELINE: Sand Springs

PRESENT USE: Mobile Home Park

TRACT SIZE: 12.36 acres

LEGAL DESCRIPTION: BEG 1722.18N SWC RIVERSIDE ESTATES ALSO 483.42N NEC RIVERSIDE WEST 660W & 402.18N SECR NE TH N489.89 NW231.13 NW626.11 W160 S540 SE799.93 N32.39 E104 SE61.96 SE47.98 POB SEC 8 19 11 12.363ACS,

RELEVANT PREVIOUS ACTIONS:

Subject Property: None Relevant

Surrounding Property:

CBOA-2544 November 2015: The Board approved a Use Variance to allow for recreational vehicles (Use Unit 17) in the RMH District, on property located at 1400 South 145th West Avenue.

ANALYSIS OF SURROUNDING AREA: The subject tract abuts AG zoning to the north, west, and south. The Arkansas River is to the north and the parcels to the west and south appear to be vacant. The parcel to the east is zoned RMH and is the site of another mobile home park.

STAFF COMMENTS:

The applicant is before the Board requesting a Use Variance to allow for recreational vehicles (Use Unit 17) in an RMH district (Section 410). A Use Variance is required as the proposed RV Park (Use Unit 17) is a use which is not permitted by right in the RMH district because of the potential adverse affects, but which if controlled in the particular instance as to its relationship to the surrounding area and to the general welfare, may be permitted. The proposed use must be found to be compatible with and non-injurious to the surrounding area. The applicant provided the following statement:

“Respectfully request use variance for current RMH zoning to include lot rental for Recreational Vehicles (RV's) based on the repeated history of planned flooding events. Historical short notice flooding events have not allowed sufficient time to remove homes or tenants' belongings out of harm's way to reduce the disastrous effects of large-scale flooding and displacement to families, the county, and FEMA disaster assistance cost. It is the intent of this variance request to include RV lot rental for the existing mobile home lots with the concept of having a highly mobile response

7.2

to short notice flooding events thereby reducing danger and loss to families, our community and federal agencies.

The variance requested is not anticipated to cause detriment to public good considering that it would be simply exchanging the use of areas currently designated area for mobile homes for the use of Recreational Vehicles. Due to the size and amenity difference between the RVs and Mobile Homes it may even bring more spending to the local community as RV's tend to spend more on pre-made meals and outside services like laundry and entertainment.

According to the site plan, each existing lot is designed to be no less than approximately 90' in depth and 40' in width with a 20' x 20' concrete parking area.

If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure the proposed use is compatible with and non-injurious to the surrounding area.

Sample Motion:

"I Move to _____ (approve/deny) a Use Variance to allow recreational vehicles (Use Unit 17) in an RMH district (Section 410).

Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan."

2557—Shelby Oakley

Action Requested:

Variance to reduce the required 30 feet of frontage on a public road or right-of-way to 0 feet (Section 207). **LOCATION:** SW of the SW/c of East 131st Street South and South Peoria Avenue, Glenpool

Presentation:

The applicant has requested a continuance to the December 15, 2015 County Board of Adjustment hearing.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **DILLARD**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** the applicant's request for a Variance to reduce the required 30 feet of frontage on a public road or right-of-way to 0 feet (Section 207) to the December 15, 2015 Board of Adjustment hearing; for the following property:

PRT NE BEG 826.4N SWC NE TH N165.27 E1321.55 S165.19 W1321.63 POB SEC 12 17 12 5.01ACS, IN TULSA COUNTY, STATE OF OKLAHOMA

UNFINISHED BUSINESS

FILE COPY

2544—Bob Restor

Action Requested:

Use Variance to allow for recreational vehicles (Use Unit 17) in the RMH District (Section 410). **LOCATION:** 1400 South 145th West Avenue, Sand Springs

Presentation:

Bob Restor, 207 North Main, Sand Springs, OK; he represents Mr. David Giles. Mr. Restor stated this is a mobile home park west of Sand Springs off Highway 51 or 145th West Avenue. The mobile home park has existed since the early 1970s with the first mobile home moving in 1969. There were approximately 40 lots established at that time. In the early 1970s mobile homes were smaller than they are today so the sites do not accommodate a modern mobile home. The mobile home park was struck by a tornado in March 2015 and the owner is in the process of cleaning up the debris. Now

CBOA-2544

FILE COPY

he would like to do something a little different with the property by placing RVs on the property because they would fit better into the site sizes. Mr. Giles inherited the mobile home park and he can answer any questions from the Board.

Mr. Hutchinson asked Mr. Restor if the mobile homes in the park were occupied. Mr. Restor deferred to Mr. Giles.

Interested Parties:

David Giles, 14440 West 17th Street, Sand Springs, OK; stated the existing five mobile homes in the park are occupied and they have lived there before the tornado this year. There are eight mobile homes that have been abandoned and they are in the process of being demolished.

Mr. Charney asked Mr. Giles if he was going to remodel or remove the abandoned mobile homes. Mr. Giles stated that he will be removing them.

Mr. Charney asked Mr. Giles if only one RV would allowed on a lot. Mr. Giles answered affirmatively.

Mr. Charney asked about the frequency of turnover in the mobile home park and if there was a current RV park in the area. Mr. Giles stated there is a RV park about three miles to the east of the subject property and it is exclusively an RV park.

Mr. Charney asked Mr. Giles if he planned making the park a mixed use park. Mr. Giles answered affirmatively.

Comments and Questions:

None.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the applicant's request for a Use Variance to allow for recreational vehicles (Use Unit 17) in the RMH District (Section 410) with the hardship being the overall configuration of the subject tract that compels smaller units to be located thereon. This approval conditioned that a six foot opaque screening or privacy fence be erected between the subject lot and the residential area to the south; for the following property:

A tract of ground situated in the SE/4 of the NE/4 of Section 8, Township 19 North, Range 11 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, being more particularly described as follows, to-wit: Beginning at a point on the South meander line of the Arkansas River which is 716.98 feet North and 546.0 feet West of the East Quarter corner of Section 8; thence North a distance of 130.0 feet to a point on the South bank of the Arkansas River; thence Northwesterly along said bank a distance of 158.0 feet to Northwest corner of Tract "A"; thence South a distance of 85.18 feet to a point on the South meander

CBOA-2544

FILE COPY

line of the Arkansas River; thence South a distance of 382.82 feet to a point on the Northeasterly right-of-way line on 14th street South; thence South 43°20'45" East along said right-of-way a distance of 166.08 feet to the Southeast corner of Tract "A"; thence North a distance of 391.37 feet to the point of beginning. Containing 1.39 acres more or less. AND A tract of ground situated in the SE/4 of the NE/4 of Section 8, Township 19 North, Range 11 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, being more particularly described as follows, to-wit: Beginning at a point on the South meander line of the Arkansas River which is 413.5 feet North and 256.0 feet West of the East Quarter corner Section 8, thence North a distance of 189.0 feet to the South bank of the Arkansas River; thence Northwesterly along said bank a distance of 410.0 feet to the Northwest corner of Tract "B"; thence South a distance of 130.0 feet to a point on the South meander line of the Arkansas River; thence South a distance of 391.37 feet to a point on the Northeasterly right-of-way line of 14th Street South; thence South 43°20'45" East along said right-of-way line to the point of curve of a curve having a radius of 65.94 feet on the North right-of-way line; thence Southeasterly along said curve a distance of 15.78 feet to the Southwest corner of Tract "C"; thence North 413.13 feet to the point of beginning. Containing 4.15 acres more or less. AND A tract of ground situated in the SE/4 of the NE/4 of Section 8, Township 19 North, Range 11 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows, to-wit: Beginning at the East Quarter corner of Section 8; thence along the East line of Section 8, a distance of 179.5 feet to a point on the South meander line of the Arkansas River; thence North a distance of 264.0 feet to the South bank of the Arkansas River to the Northeast corner of Tract "C"; thence Northwesterly along said South bank of a distance of 339.5 feet to the Northwest corner of Tract "C"; thence South 189.0 feet to the point on the South meander line of the Arkansas River; thence South a distance of 413.12 feet to a point on a curve on the North side of 14th street South said curve having a radius of 65.94 feet on the North property line; thence Southeasterly around said curve a distance of 73.88 feet to the point of curve; thence East a distance of 200 feet to the point of beginning. Containing 3.6 acres more or less IN TULSA COUNTY, STATE OF OKLAHOMA

NEW APPLICATIONS

2553—Merle Martindale

Action Requested:

Variance of the required front setback in the IM District from 50 feet to 20 feet (Section 930, Table 2). LOCATION: 5001 West 21st Street South



Subject Tract

CBOA-2863

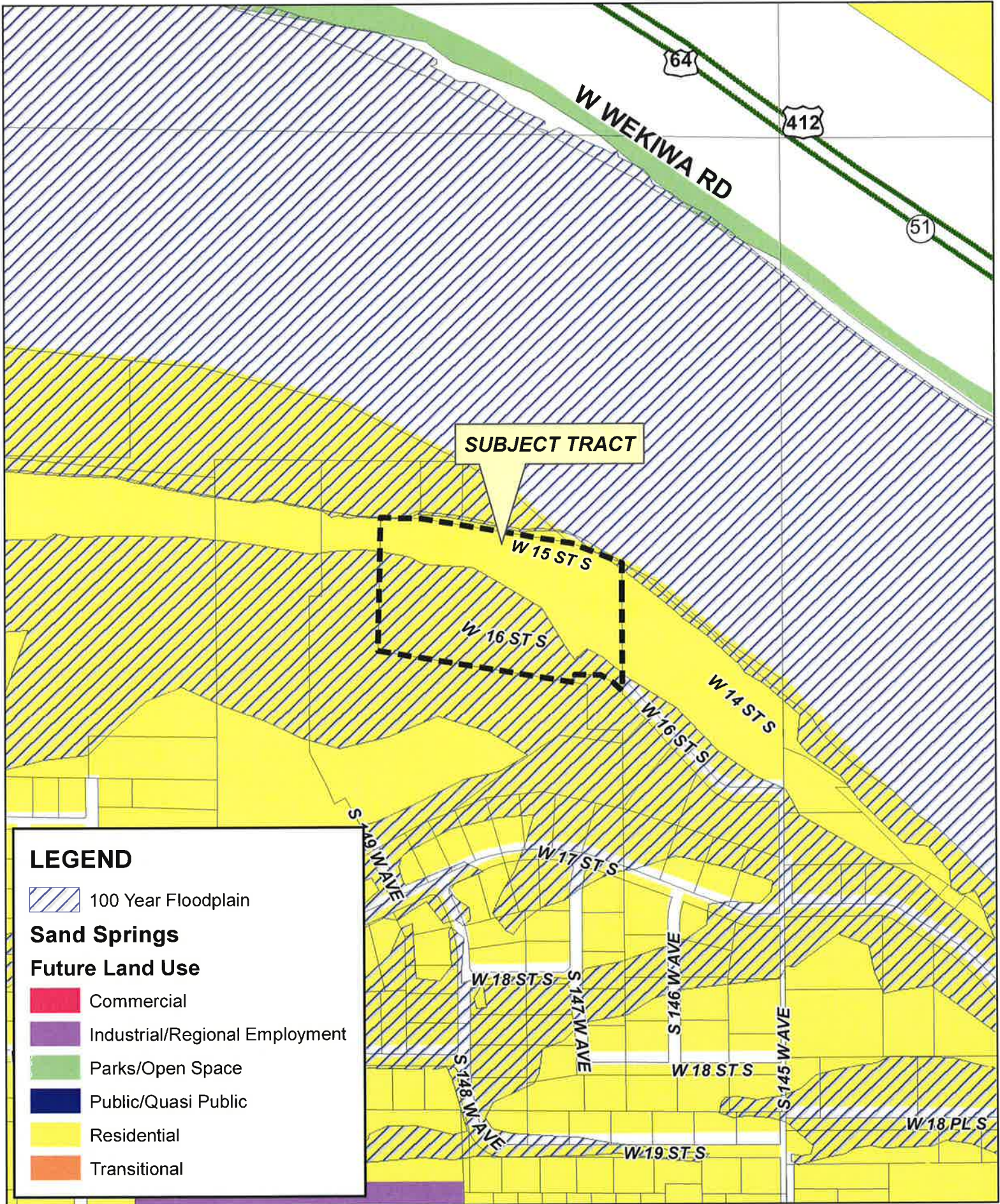
19-11 08

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

Aerial Photo Date: February 2018

7.7





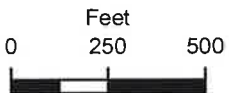
LEGEND

100 Year Floodplain

Sand Springs

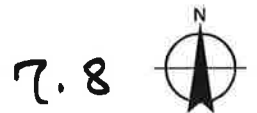
Future Land Use

- Commercial
- Industrial/Regional Employment
- Parks/Open Space
- Public/Quasi Public
- Residential
- Transitional



CBOA-2863

19-11 08

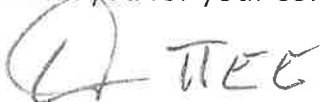


Variance Hardship Request:

Respectfully request use variance for current RMH zoning to include lot rental for Recreational Vehicles (RV's) based on the repeated history of planned flooding events. Historical short notice flooding events have not allowed sufficient time to remove homes or tenants' belongings out of harm's way to reduce the disastrous effects of large-scale flooding and displacement to families, the county, and FEMA disaster assistance cost. It is the intent of this variance request to include RV lot rental for the existing mobile home lots with the concept of having a highly mobile response to short notice flooding events thereby reducing danger and loss to families, our community and federal agencies.

The variance requested is not anticipated to cause detriment to public good considering that it would be simply exchanging the use of areas currently designated area for mobile homes for the use of Recreational Vehicles. Due to the size and amenity difference between the RVs and Mobile Homes it may even bring more spending to the local community as RV's tend to spend more on pre-made meals and outside services like laundry and entertainment.

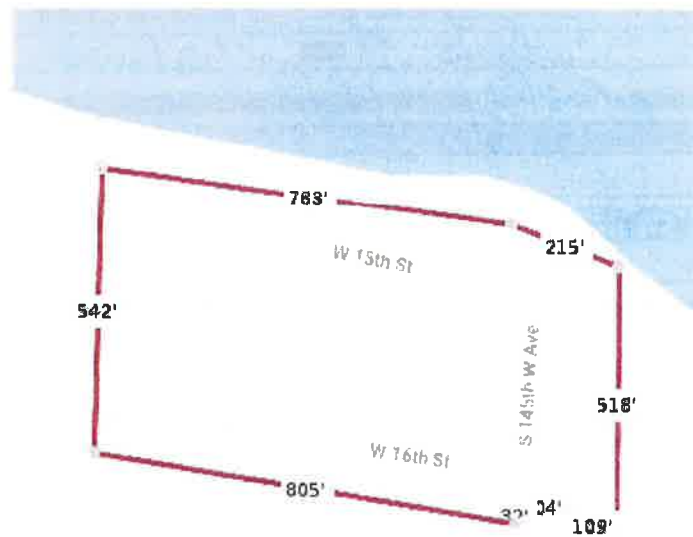
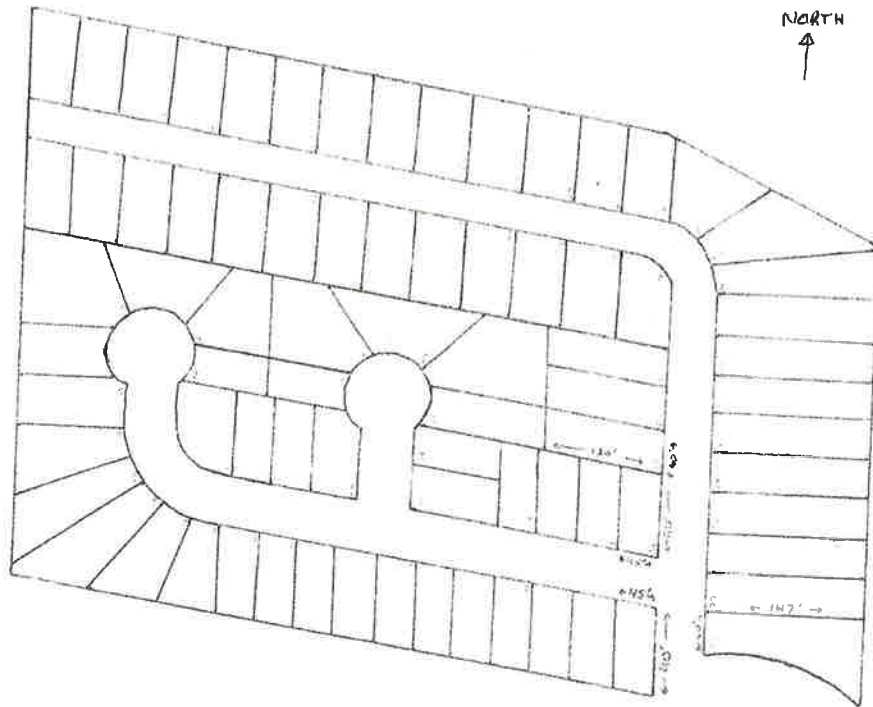
Thank you for your consideration,



Donald Breadon Trustee,
Asian Orphans Group

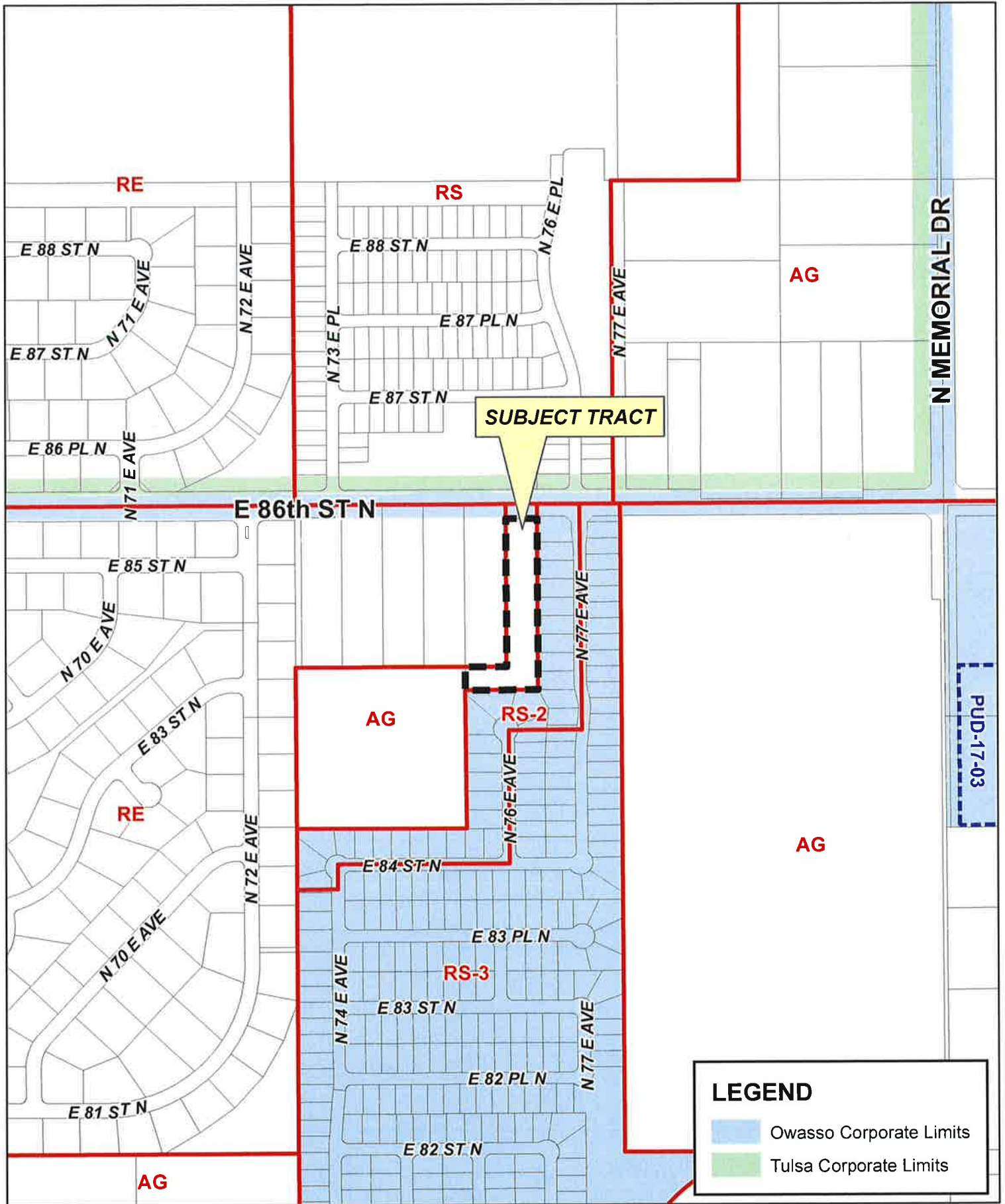
Sight Plat: (north up)

Each existing lot is designed to be no less than approximately 90' in depth and 40' in width with a 20' x 20' concrete parking area.



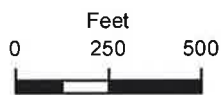
Google

100 yards
Map data ©2020



LEGEND

- Owasso Corporate Limits
- Tulsa Corporate Limits



CBOA-2864

8.1



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1326

CZM: 17

CASE NUMBER: CBOA-2864

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 12/15/2020 1:30 PM

APPLICANT: Daniel Ramsey

ACTION REQUESTED: Variance of the lot area and land area per dwelling unit in the AG district to permit two dwellings on one lot. (Section 330)

LOCATION: 7528 E 86 ST N

ZONED: AG

Area: North Tulsa County

PRESENT USE: Residential

TRACT SIZE: 2.36 acres

LEGAL DESCRIPTION: BEG 850E NWC NW NE TH S660 W165 S95 E290 N755 W125 POB LESS N60 THEREOF FOR RD SEC 26 21 13 2.358ACS,

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract abuts RE zoning with a residential use on the west, RS zoning to the north, RS-2 zoning with residential uses within the city limits of Owasso to the east and south.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance of the lot area and land area per dwelling unit in the AG district to permit two dwellings on one lot (Section 330). As shown on the attached plan, the applicant has an existing home on the lot and is proposing to build another single-family residence behind that existing home.

The applicant provided the following statement: *"Due to size of property, can easily accommodate two homes."*

Section 330, Table 3 of the Code requires a minimum lot area of 2 acres and a minimum land area per dwelling unit of 2.1 acres in the AG district. The applicant is proposing two dwelling units on the 2.36-acre subject lot.

Section 208 of the Code states that not more than one single-family dwelling or mobile home may be constructed or otherwise placed on a lot, except in the case of a lot...in an AG district, with the exception in the AG district that there be not more than two dwellings per lot.

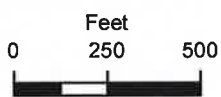
If inclined to approve, the Board may consider any conditions it deems necessary and reasonably related to the request to ensure that the additional dwelling is not injurious to the surrounding agricultural district.

Sample Motion:

"Move to _____ (approve/deny) Variance of the lot area and land area per dwelling unit in the AG district to permit two dwellings on one lot. (Section 330)

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Finding the hardship to be _____.

Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan"



Subject Tract

CBOA-2864

21-13 26

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

Aerial Photo Date: February 2018

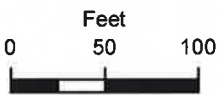


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E 86th ST N

N 77 E AVE



Subject Tract

CBOA-2864

21-13 26

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

Aerial Photo Date: February 2018



8.5

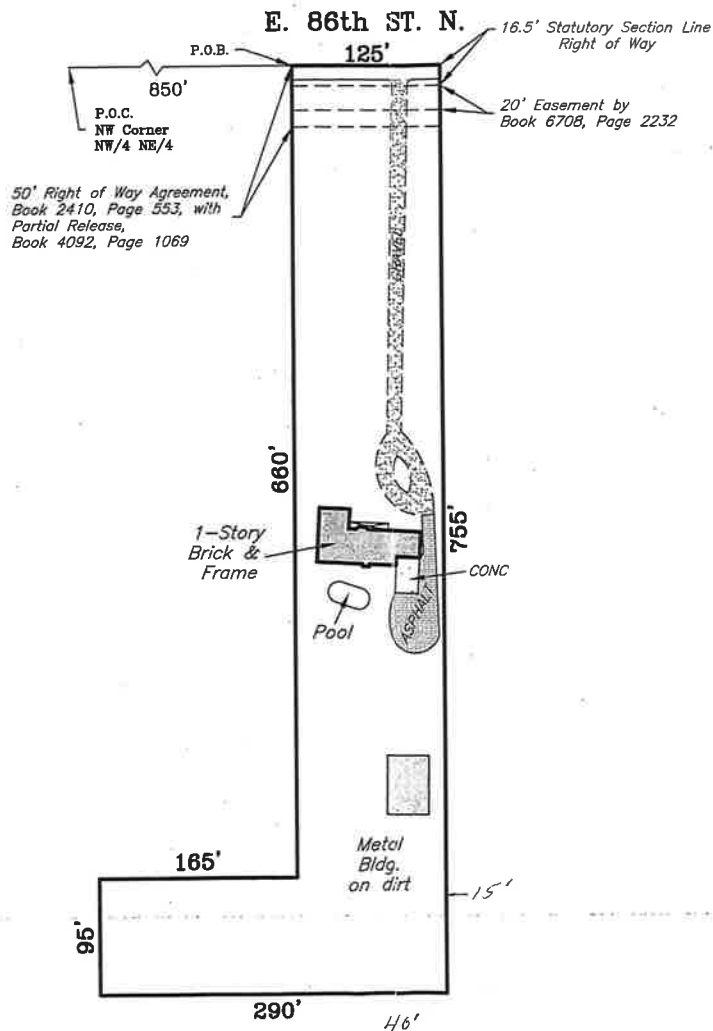
MORTGAGE INSPECTION PLAT

PROJECT NO: 133982-565
MORTGAGOR: Daniel A. Ramsey
CLIENT: First American Title & Abstract Company
 Bank of Oklahoma, N.A.
 File No.: 1819507-TU06

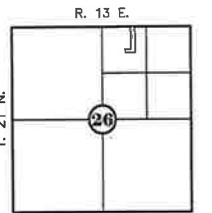
This property is located in flood zone "X-UNSHADED" as per FIRM Community Panel No. 400462 0120L, as last revised October 16, 2012.

LEGAL DESCRIPTION AS PROVIDED:

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4) OF SECTION TWENTY-SIX (26), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT 850 FEET EAST OF THE NORTHWEST CORNER THEREOF; THENCE SOUTH 660 FEET; THENCE WEST 165 FEET; THENCE SOUTH 95 FEET; THENCE EAST 290 FEET; THENCE NORTH 755 FEET TO THE NORTH LINE OF SECTION; THENCE WEST 125 FEET TO THE POINT OF BEGINNING, AND KNOWN AS 7528 EAST 86TH STREET NORTH.



- LEGEND**
- B/E BURIED ELECTRIC SERVICE CABLE ESMT (APPROX LOCATION)
 - B/L BUILDING LINE
 - D/E DRAINAGE EASEMENT
 - U/E UTILITY EASEMENT
 - EM ELECTRIC METER



LOCATION MAP

SURVEYOR'S STATEMENT

Harden & Associates, Surveying and Mapping, PC, an Oklahoma corporation, and the undersigned Registered Professional Land Surveyor, under Certificate of Authorization No. CA4858 renewal date: June 30, 2013, do hereby state that in our professional opinion the above inspection Plat shows the dwelling as located on the premises described, that it is entirely within the described tract boundaries, and there are no encroachments thereon by visible permanent improvements, except as indicated; that the above inspection Plat shows all Recorded Plat easements and other such easements which have been disclosed by a current Title Opinion or by Commitment for Title Insurance and copies thereof provided to us; that this inspection Plat was prepared for identification purposes only for the mortgagee and is not a Land or Boundary Line Survey; that no property corners were set, and is not to be used or relied upon for the establishment of fence, building or other improvements; that underground or above ground utilities were not field located and therefore are not shown on this inspection Plat unless specifically requested by the client; that this inspection Plat is prepared solely for the client listed hereon as of this date and may not be used for any subsequent loan closing, refinancing, or other transaction and that no responsibility or liability is assumed herein or hereby to the present or future land owner or occupant.

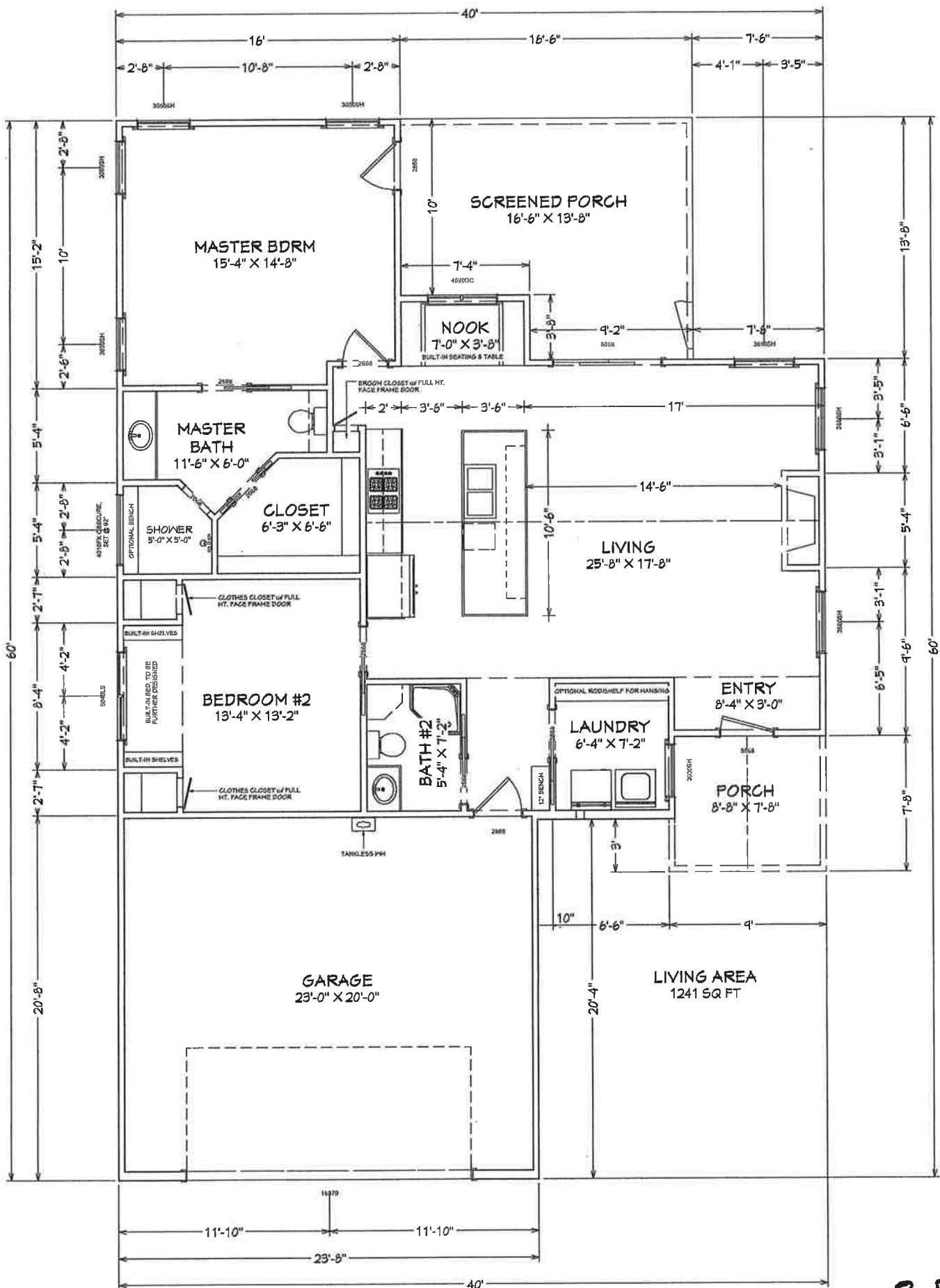
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aero

WITNESS MY HAND AND SEAL THIS DATE 12/13

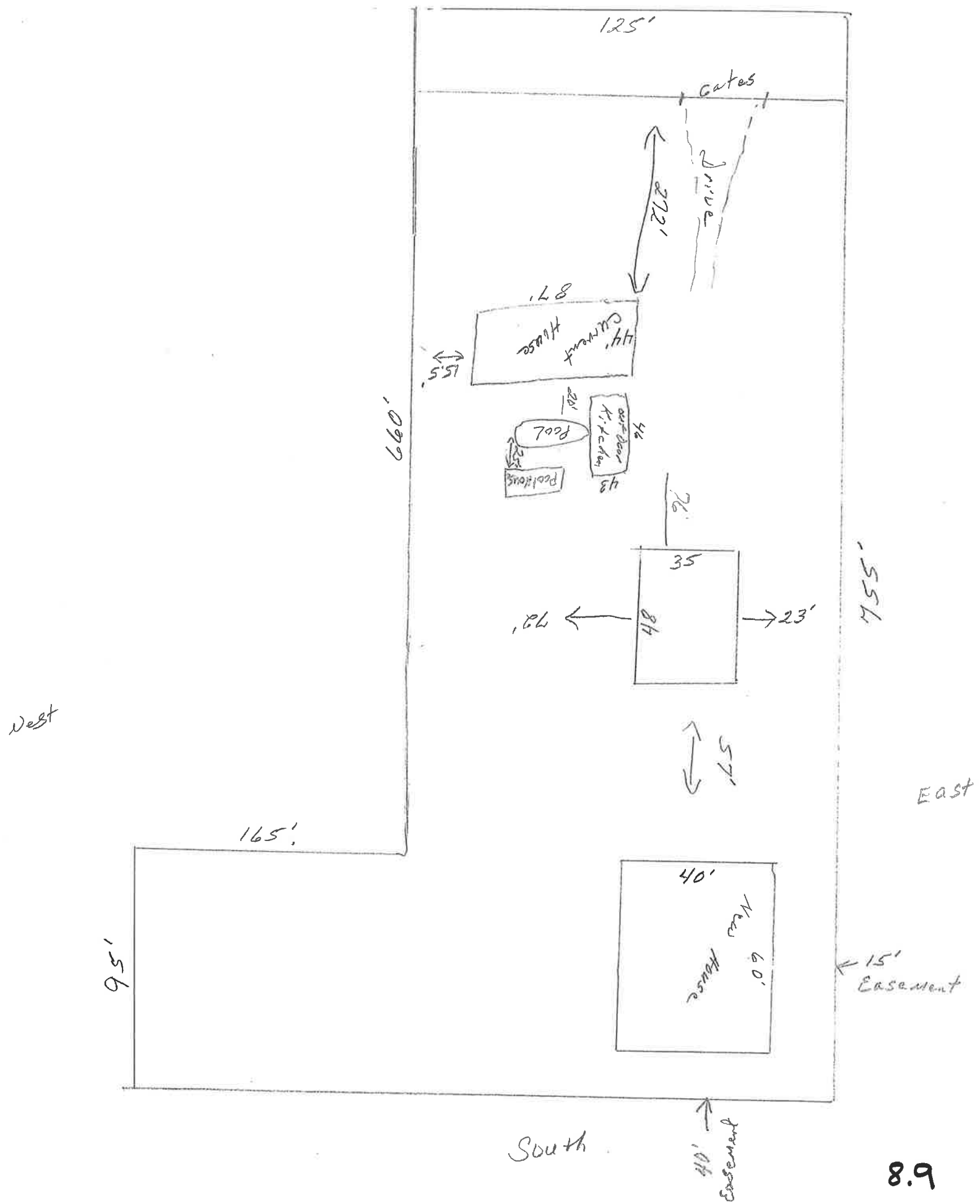


HARDEN & ASSOCIATES		2901 South 114th East Avenue Tulsa, Oklahoma 74128		(918) 234-4630 Office (918) 437-5533 Fax	
REVISIONS	BY	DATE	Certificate of Authorization No. 4658	Expires June 30, 2013	
MORTGAGE INSPECTION PLAT					
Drawn By:	ACG	Checked By:	JEH	Proj. No.:	133982
Date:	04/30/2013	Scale:	1"=100'	Sheet:	1 of 1

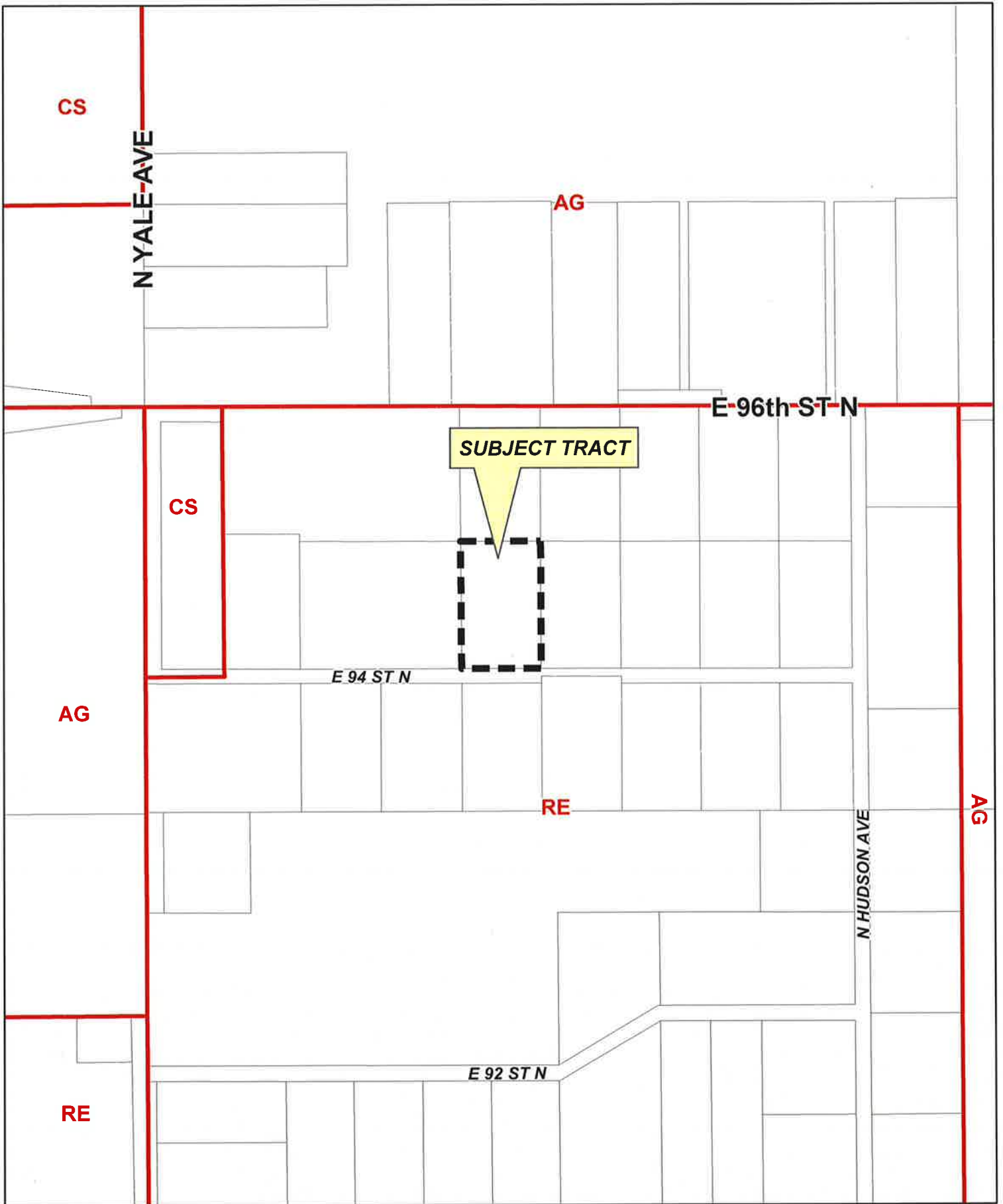
8.6



ND 111
86th St



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CS

N YALE AVE

AG

E 96th ST N

SUBJECT TRACT

CS

E 94 ST N

AG

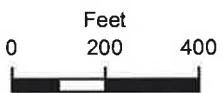
RE

N HUDSON AVE

AG

E 92 ST N

RE



CBOA-2865

9.1



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1322

CZM: 17

CASE NUMBER: CBOA-2865

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 12/15/2020 1:30 PM

APPLICANT: Richard Coffman

ACTION REQUESTED: Variance to allow two dwelling units on a single lot of record in an RE district (Section 208); Special Exception to permit a manufactured home (Use Unit 9) in an RE District (Section 410)

LOCATION: 5205 E 94 ST N

ZONED: RE

AREA: North Tulsa County

PRESENT USE: Residential

TRACT SIZE: 2.47 acres

LEGAL DESCRIPTION: PRT NW BEG 1018.06E & 440.40S NWC NW TH E259.03 S440.38 W259.03 N440.38 POB LESS S25 THEREOF FOR RD SEC 22 21 13 2.47AC,

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2444 November 2012: The Board approved a *Special Exception* to allow a manufactured home in an RE District, on property located at 5205 E. 94th Street North.

Surrounding Property:

CBOA-2613 January 2017: The Board approved a *Special Exception* to permit a manufactured home (Use Unit 9) in the RE District permanently, on property located at 5008 East 96th Street North.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RE zoning with residential uses.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance to allow two dwelling units on a single lot of record in an RE district (Section 208) and a Special Exception to permit a manufactured home (Use Unit 9) in an RE District (Section 410). The Code states that no more than one single-family dwelling or mobile home may be constructed or placed on a single lot. The applicant is before the Board requesting a **Variance** to a to permit two dwelling units on a single lot of record (Sec. 208) as shown on the attached site plan.

The applicant has also requested a **Special Exception** to permit one manufactured home in an RE district. A Special Exception is required as the proposed manufactured home is a use which is not permitted by right in the RE district because of potential adverse effect, but which if controlled as to its relationship to the neighborhood and to the general welfare, may be permitted.

9.2

The applicant provided the following statement: "The new dwelling will not be injurious to the property nor to the neighborhood. There has been a building on site before that has been removed also this is a 2.47-acre property which should be adequate for two dwellings."

Sample Motion:

"Move to _____ (approve/deny) a Variance to allow two dwelling units on a single lot of record in an RE district (Section 208); Special Exception to permit a manufactured home (Use Unit 9) in an RE District (Section 410)

Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

Finding the 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.

Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan."

UNFINISHED BUSINESS

2438—David Woods

Action Requested:

Variance from the requirement that a lot have a minimum of 30 feet of frontage on a public street or dedicated right-of-way (Section 207). **Location:** 5875 South 157th West Avenue

Presentation:

The applicant was not present. Mr. Charney moved this case to the end of the meeting to allow the applicant time to arrive.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

No Board action required at this time.

* * * * *

NEW APPLICATIONS

FILE COPY

2444—Edgar Duesenberg

Action Requested:

Special Exception to allow a manufactured home in an RE District (Section 410, Table 1). **Location:** 5205 East 94th Street North

Presentation:

Edgar Duesenberg, Box 106, Ramona, OK; stated this application for a special exception is for a single-wide mobile home. The home will sit on 2-1/2 acres and is in a rural setting with cattle, horses, chicken, and other animals in the area. There is an existing single-wide mobile home in the area. He does not want the new home to be injurious to the neighborhood so he will make the home look nice.

Mr. Charney asked Mr. Duesenberg if he had heard anything negative from any of his neighbors. Mr. Duesenberg stated that he did not know too many of the neighbors yet, but he has planted some trees on the land and he met a few of the neighbors then. The neighbor closest to him did voice some concerns but after he spoke with the neighbor they were happy and said they would not even attend today's meeting.

BOA-2444

FILE COPY

Mr. Osborne asked Mr. Duesenberg if he planned to have this land as a permanent residence. Mr. Duesenberg stated that at this point in time he plans to save and then build a wood frame constructed home on the land. After the newly constructed home is complete the single-wide mobile home will be removed.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **OSBORNE**, the Board voted 5-0-0 (Charney, Dillard, Draper, Osborne, Walker "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the request for a **Special Exception** to allow a manufactured home in an RE District (Section 410, Table 1). This approval is conditioned on the requirement that the mobile home have the appropriate ties downs, skirting or screening, paved parking and meets DEQ approval; finding the 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; for the following property:

**PRT NW BEG 1018.06E & 440.40S NWC NW TH E259.03 S440.38 W259.03 N440.38
POB LESS S25 THEREOF FOR RD SEC 22 21 13 2.47AC, OF TULSA COUNTY,
STATE OF OKLAHOMA**

Case No. 1303-A—John Davis

Action Requested:

Modification to previously approved Special Exception (CBOA-1303) to permit a church in an AG District for proposed expansion of existing Sanctuary for new Fellowship Hall. **Location:** 12215 North Garnett Road East

Presentation:

John Davis, P. O. Box 227, Owasso, OK; stated the church has a master plan for future plans but the goal today is the proposal of adding 3,000 square feet to the rear of the existing building. The church is located near German Corner in the Owasso area.

Ms. Back stated that church has a master plan, and if the Board is so inclined they would like to have the master plan adopted so they can go directly to Mr. Terry West, County Inspector.

Mr. Charney asked Mr. Davis if he is asking the Board to approve and adopt the conceptual master plan for the church's future renovations. Mr. Davis gave affirmation.

2612—Tommy Cody

Action Requested:

Special Exception to allow auto repair and service (Use Unit 17) in the CS District (Section 710); Variance of the screening requirement along the north lot line (Section 1217). LOCATION: 4815 and 4817 West 41st Street South

Presentation:

Rob Coday, Architect, 9131 East 77th Street, Tulsa, OK; stated the application is for a load escort service and will not be a mechanical garage. If there is any mechanical work performed it will be minor and it will be on company vehicles. The neighbor to the north has requested that a privacy fence not be erected because he likes to see over the area. There will be landscaping. Mr. Coday presented a letter from the neighbor on the north side requesting that a fence not be erected. The building is up and planned to be in compliance with the CS zoning but it is not the intended occupancy. If today's request is not approved the building will be used for something that is in compliance with the CS zoning.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **CRALL**, the Board voted 3-0-0 (Crall, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; Charney, Dillard "absent") to **APPROVE** the request for a Special Exception to allow auto repair and service (Use Unit 17) in the CS District (Section 710); Variance of the screening requirement along the north lot line (Section 1217). The Board has found the hardship is the fact that a screening wall would create a hardship for the neighbor; for the following property:

LT 7 LESS S15 THEREOF FOR RD BLK 1; LT 8 LESS S15 THEREOF & LESS W15 THEREOF FOR RD BLK 1, PARKS HGTS, OF TULSA COUNTY, STATE OF OKLAHOMA

2613—Cheryl Hoot

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Action Requested:

Special Exception to permit a manufactured home (Use Unit 9) in the RE District permanently (Section 410). LOCATION: 5008 East 96th Street North, Owasso

Presentation:

Cheryl Hoot, 8809 North 77th East Avenue, Owasso, OK; stated she is speaking on behalf of her mother. Her mother received a Special Exception five years ago to have

CBOA-2613

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the manufactured home on the subject property so she could live next to her son. Now she would like to have permission to have the manufactured home on the property permanently.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of HUTCHINSON, the Board voted 3-0-0 (Crall, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; Charney, Dillard "absent") to **APPROVE** the request for a Special Exception to permit a manufactured home (Use Unit 9) in the RE District permanently (Section 410), finding the 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; for the following property:

PRT NW NW BEG 250E NWC NW TH E768.06 S440.4 W518.06 N24.62 W250 N415.78 POB SEC 22 21 13 7.624ACS, CONVENIENT CENTER, OF TULSA COUNTY, STATE OF OKLAHOMA

2614—Ray Walters

Action Requested:

Variance of the 30 foot of frontage on a public right-of-way in the AG-R District to build a new dwelling (Section 207); Variance of the 15 foot side yard setback for an accessory building (Section 330). **LOCATION:** 20923 West Highway 51, Sand Springs

Presentation:

Ray Walters, 20923 West Highway 51, Sand Springs, OK; stated he would like to have a large shop and a mobile home that would be temporary for about three years to have time to build a house on the subject property.

Mr. Hutchinson asked Mr. Walters what his plans were for the shop. Mr. Walters stated the shop will be for personal use only.

Mr. Johnston asked Mr. Walters why he was requesting a Variance for the 15 foot setback. Mr. Walters stated it is because the road is a private road or private drive and it does not have access to a County maintained road. Mr. Johnston stated that his question is pertaining to the side yard setback. Mr. Johnston stated that unbeknownst to him he needed a permit to build the shop. The poles have already been erected and they are only 11 feet from the neighbor's fence. Mr. Johnston asked Mr. Walters how many poles had been erected. Mr. Walters stated there about ten poles already in the



N YALE AVE

E 96th ST N

E 94 ST N

E 92 ST N

N HUDSON AVE



Subject Tract

CBOA-2865

21-13 22

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

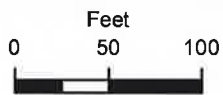
Aerial Photo Date: February 2018

9.8





E 94 ST N



Subject Tract

CBOA-2865

21-13 22

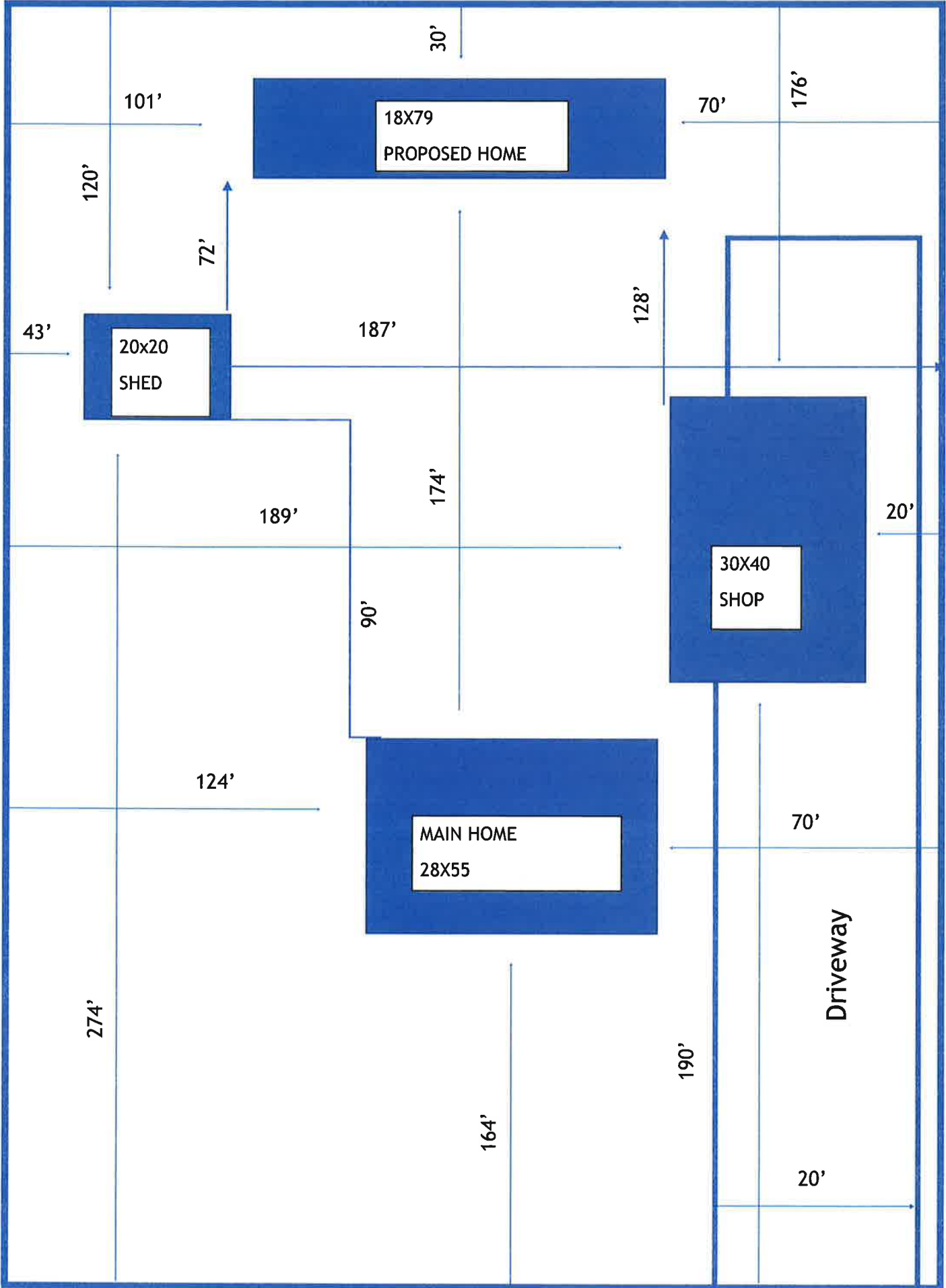
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018





414'



96th St. N



9.10