

AGENDA
Tulsa County Board of Adjustment
Regularly Scheduled Meeting
Tuesday, June 15, 2021, 1:30 p.m.
Williams Tower I
1 West 3rd Street, St. Francis Room

Meeting No. 495

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 West 3rd Street, Tulsa, Oklahoma

Attend Virtually: <https://us02web.zoom.us/j/83121094905>

Attend by Phone: 1-312-626-6799 Meeting ID: 831 2109 4905

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.

INTRODUCTION AND NOTICE TO THE PUBLIC

At this Meeting the Board of Adjustment, in accord with and pursuant to applicable Board of Adjustment Policies and Procedures, will review, consider, discuss, and may take action on, approve, amend, modify, approve with amendment(s) or modification(s), deny, reject, or defer any action on any item listed on this Agenda.

Review and possible approval, approval with modifications, denial or deferral of the following:

1. Approval of **Minutes** of May 18, 2021 (Meeting No. 494).

UNFINISHED BUSINESS

Review and possible approval, approval with modifications, denial or deferral of the following:

2. 2887—Natalie Jackson

Use Variance to allow Use Unit 25, Light Manufacturing Industry, to permit a medical marijuana processing facility in a CS District (Section 1225). **LOCATION:** 7425 North Peoria Avenue East

NEW APPLICATIONS

Review and possible approval, approval with modifications, denial or deferral of the following:

3. 2890—Michael Skinner

Special Exception to permit a fence to exceed 4 feet in height in the front yard setback (Section 240.2); Variance from the all-weather parking surface requirement (Section 1340.D); Special Exception to allow Use Unit 25, Light Manufacturing Industry, to permit a heavy construction contracting service in a CH District (Section 1225). **LOCATION:** South of the SE/c of West Skelly Drive & South 41st West Avenue

4. 2891—Jennifer Jefferson

Special Exception to allow Use Unit 5, Community Services and Similar Uses, to allow a youth day camp in an AG District (Section 1205); Variance from the all-weather parking surface requirement (Section 1340.D). **LOCATION:** 14601 South Lewis Avenue East & 14775 South Lewis Avenue East

5. 2893—Kenneth Johnson

Use Variance to allow Use Unit 13, Convenience Goods and Services, to permit a medical marijuana dispensary in the AG District (Section 1213). **LOCATION:** 7703 West 7th Street South

6. 2894—Dustin Carder

Variance of the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet to 0 feet in the AG District to permit a lot-split (Section 207). **LOCATION:** 7719 East 176th Street North

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

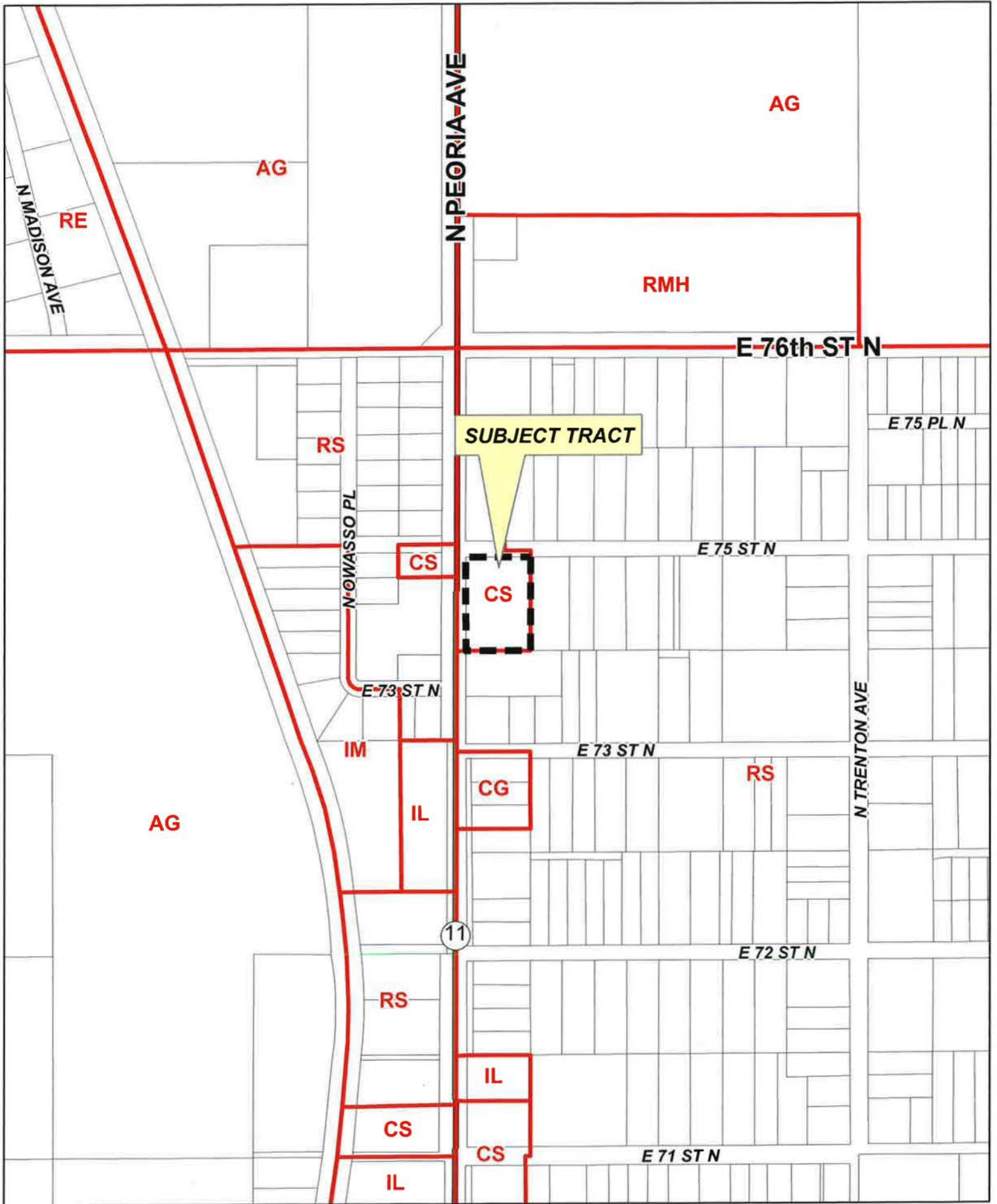
Website: tulsaplanning.org

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.



CBOA-2887

2.1



21-13 31



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1331

CZM: 16

CASE NUMBER: CBOA-2887

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 06/15/2021 1:30 PM

APPLICANT: Natalie Jackson

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

LOCATION: 7425 N PEORIA AV E

ZONED: CS

FENCELINE: Turley

PRESENT USE: Vacant

TRACT SIZE: 1.47 acres

LEGAL DESCRIPTION: LOT 6 BLK 3, GOLDEN HILL ADDN

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2776 November 2019: The Board approved a Use Variance to permit Use Unit 3, Agriculture, in a CS District, subject to conceptual plan with a three-year time limit (November 2022), on property located at 7425 North Peoria Drive.

ANALYSIS OF SURROUNDING AREA: The subject tract abuts RS zoning to the east and south. It abuts CS and RS zoning to the west and north. The surrounding properties appear to be a mixture of commercial and residential uses.

STAFF COMMENTS:

New Staff Comments:

On 06.18.2021, the case was continued until 07.15.2021 because the applicant was not present at the meeting.

Original 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 a CS 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 CS district.

The applicant has provided the following statement, "I need this variance granted so I can keep providing my patients with their medicine."

2.2

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 a CS 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.

harmony with the spirit and intent of the code. The decision of the TCBA has worked or, if enforced, will work an unnecessary hardship on or create substantial harm or loss to Cummings. Accordingly, the Court reverses the decision of the TCBA and orders that TCBA grant the Special Exception.”; for the following property:

A Tract of Land that is part of the Southeast Quarter (SE/4) of Section 33, Township 21 North, Range 14 East, of the Indian Base and Meridian in Tulsa County, State of Oklahoma, and more particularly described as follows: beginning at the NE corner of the SE/4; thence S 00°00'30" E and along the E line of Said SE/4 1172.47 ft.; thence N 89°29'52" W a distance of 1035.24 ft.; thence S 00°34'19" W a distance of 407.68 ft.; thence N 89°50'50" W a distance of 99.79 ft.; thence S 01°21'52" W a distance of 28.51 ft.; thence 89°59'13" W a distance of 596.09 ft.; thence N 00°23'28" E a distance of 937.68 ft. to a point on the N line of the South Half of the NW/4 of the SE/4; thence N 89°56'07" and along said N line a distance of 405.85 ft. to a point in the west line of the East Half of the SE/4; thence N 00°02'37" E and along said west line a distance of 659.67 ft. to a point on the north line of the SE/4; thence 89°55'04" E and along said north line a distance of 1322.90 ft. to the Point of Beginning., OF TULSA COUNTY, STATE OF OKLAHOMA

Mr. Charney re-entered the meeting at 1:40 P.M.

NEW APPLICATIONS

FILE COPY

2776—Gass Up Medical Marijuana Farm

Action Requested:

Use Variance to permit Use Unit 3, Agriculture, in a CS District (Section 710, Table 1). **LOCATION:** 7425 North Peoria Avenue

Presentation:

Natalie Jackson, 2145 South 74th East Avenue, Tulsa, OK; stated she would like to have a marijuana grow house located in the strip mall.

Mr. Charney asked Ms. Jackson if she currently owned the property or have it under contract. Ms. Jackson stated she does not own the property but will lease the property.

Mr. Charney asked Ms. Jackson if there was a building currently on the property. Ms. Jackson answered affirmatively.

UBOA-2776

FILE COPY

Mr. Hutchinson asked Ms. Jackson about the layout of the proposal within the strip mall. Ms. Jackson stated that Suite A would be a dispensary, Suite B would be for processing, and Suite C is the former donut shop.

Mr. Hutchinson asked Ms. Jackson if the grow house was going to be inside. Ms. Jackson answered affirmatively.

Mr. Hutchinson asked Ms. Jackson how many plants she plans to cultivate. Ms. Jackson stated that it will be a small grow house, about six to ten plants.

Mr. Hutchinson asked Ms. Jackson if she was familiar with the Tulsa County Code that she will need to abide by. Ms. Jackson answered affirmatively.

Mr. Crall asked Ms. Jackson if she would have a problem if the Board assigned a time limit on the approval if they chose to approve this request. Ms. Jackson stated that would not be a problem for her.

Mr. Hutchinson asked Ms. Jackson if she knew how many square feet the nursery would be using. Ms. Jackson stated that she does not know.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **HUTCHINSON**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the request for a Use Variance to permit Use Unit 3, Agriculture, in a CS District (Section 710, Table 1), subject to conceptual plan 3.8 in the agenda packet. The approval will have a time limit of three years, November 2022. The Board finds the hardship to be that this is in CS zoning creating a fluent working pattern. 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; for the following property:

LOT 6 BLK 3, GOLDEN HILL ADDN, OF TULSA COUNTY, STATE OF OKLAHOMA



N MADISON AVE

N PEORIA AVE

E 76th ST N

NOWASSO PL

E 75 PL N

E 75 ST N



E 73 ST N

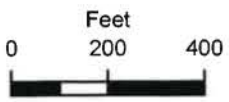
N TRENTON AVE

E 73 ST N

11

E 72 ST N

E 71 ST N



Subject Tract

CBOA-2887

21-13 31

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

Aerial Photo Date: February 2016



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N PEORIA AVE

E 75 ST N

11

E 73 ST N

E 73 ST N



Subject Tract

CBOA-2887

21-13 31

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

Aerial Photo Date: February 2018

2.7

N



Looking north, the building is on the right.



Subject Property



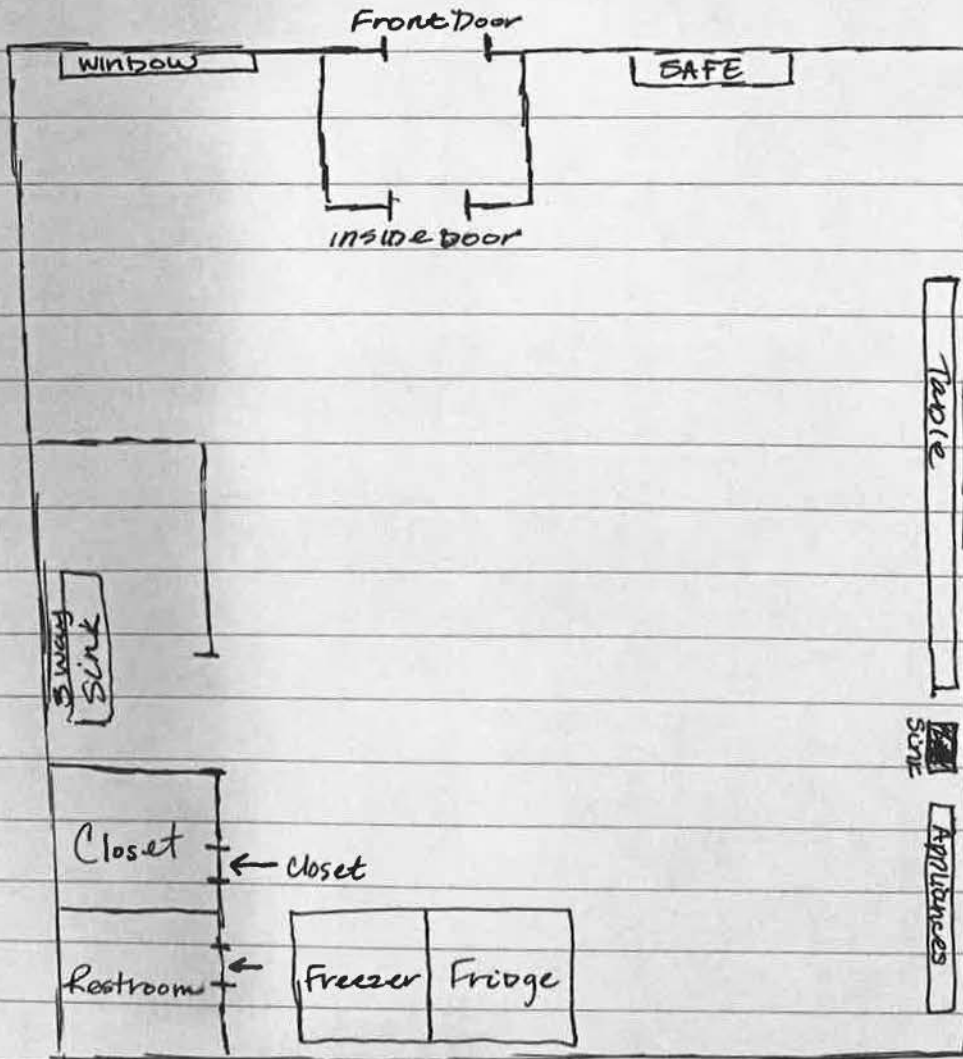
Looking south, the building is on the left.



Building containing the Subject Property

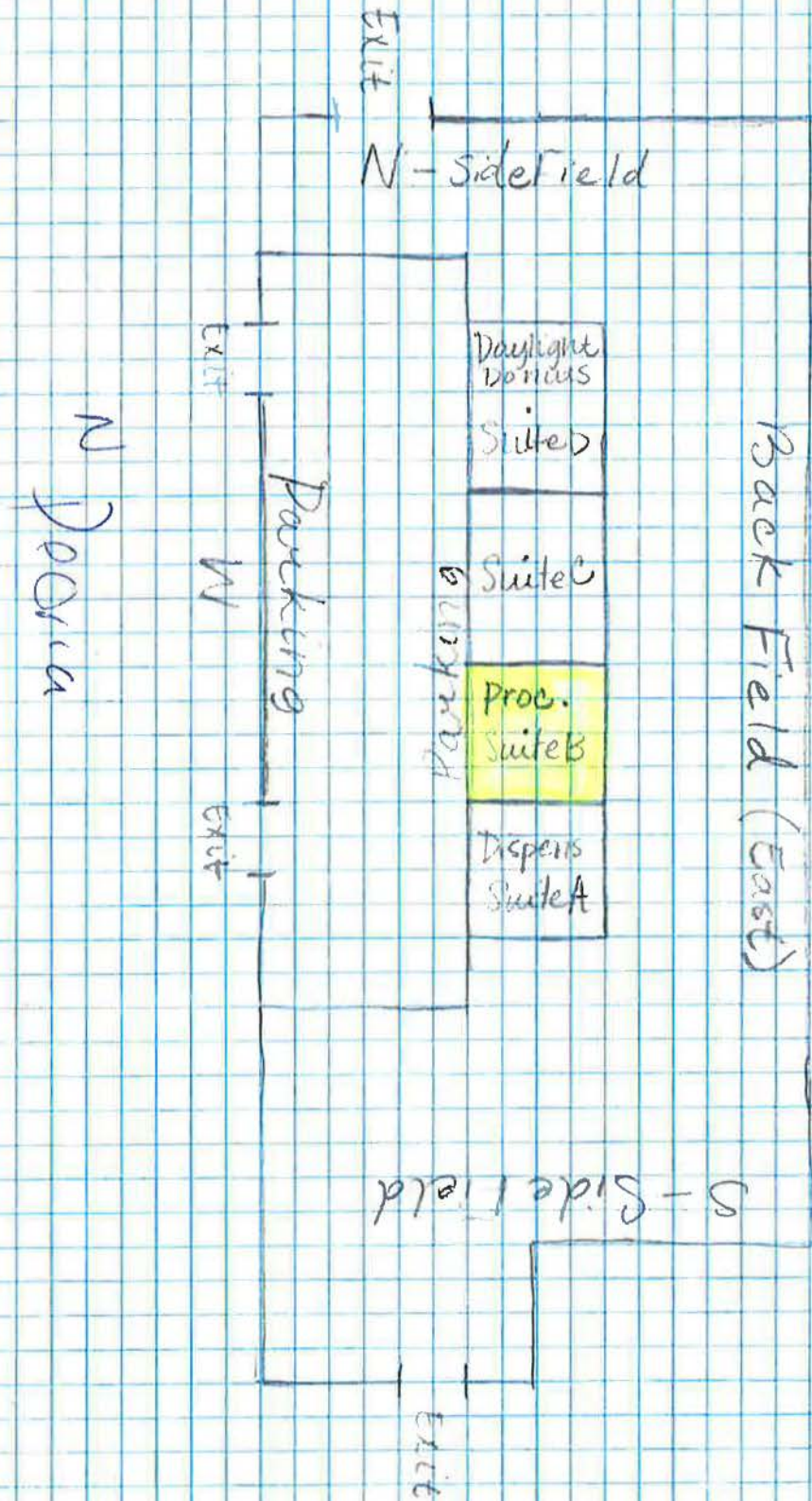
918 Budds Processing

7425 N Peoria Ave Tulsa, OK 74126

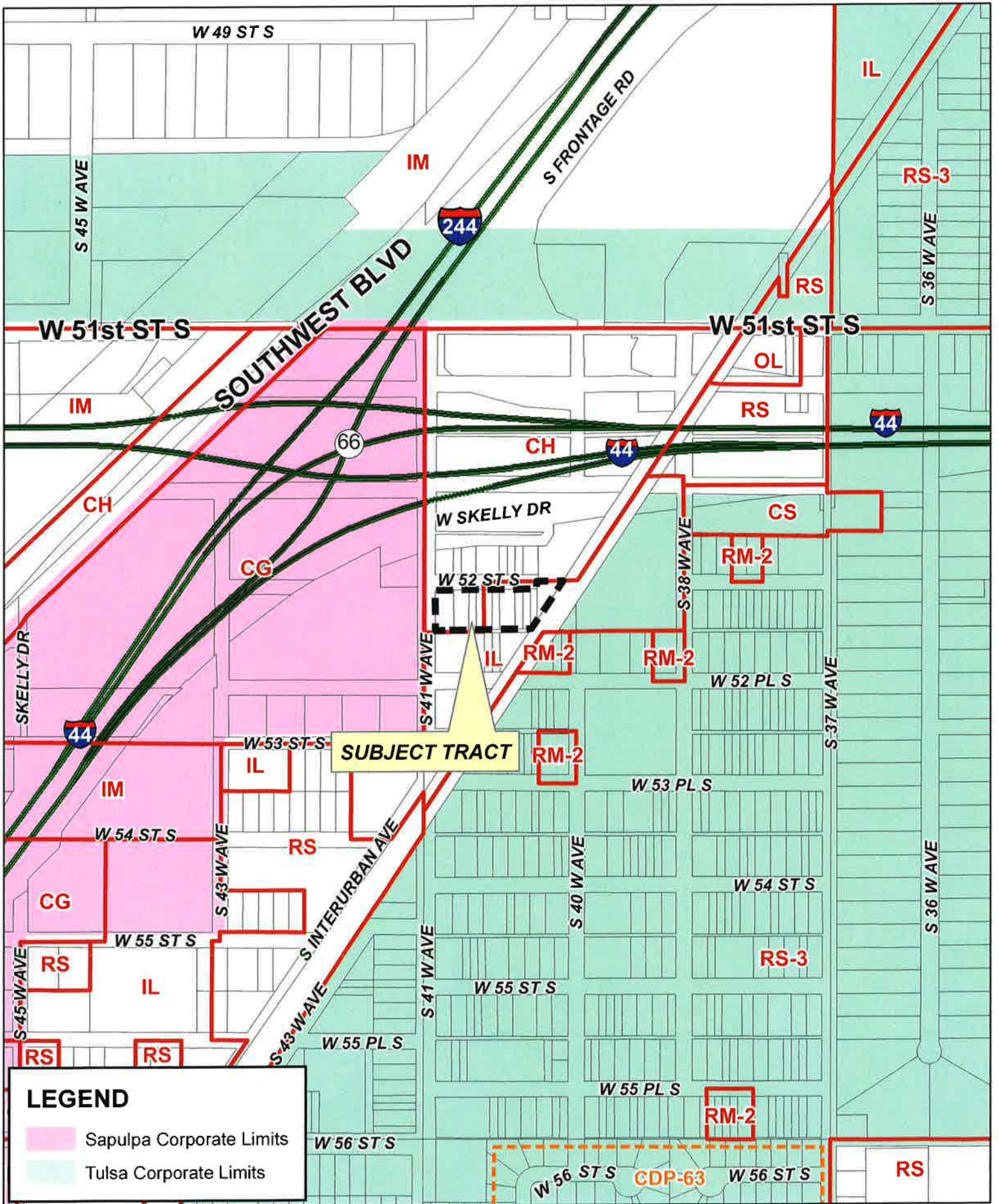


Cass Up Medical Marijuana Farm

75th



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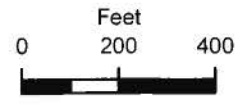
SUBJECT TRACT

LEGEND

- Sapulpa Corporate Limits
- Tulsa Corporate Limits

CBOA-2890

3.1



19-12 33



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9233

CASE NUMBER: CBOA-2890

CZM: 45

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 06/15/2021 1:30 PM

APPLICANT: Michael Skinner

ACTION REQUESTED: Special Exception permit a fence to exceed 4ft in height in the front yard setback (section 240.2); Variance from the all-weather parking surface requirement (Section 1340.D); Special Exception to allow Use Unit 25, Light Manufacturing Industry, to permit a Heavy Construction Contracting Service in a CH district (Section 1225).

LOCATION: South of the SE/c of W. Skelly Dr. & S. 41st W. Ave. **ZONED:** CH,IL

AREA: West Central Tulsa County

PRESENT USE: Industrial

TRACT SIZE: 1.13 acres

LEGAL DESCRIPTION: LT 9 BLK 22; LT 5 BLK 22; LT 3 BLK 22; LT 8 BLK 22; LT 11 BLK 22; LTS 14 15 BLK 22; LT 10 BLK 22; LTS 12 13 BLK 22; LT 2 & S25 VAC ST ADJ ON N BLK 22; LTS 6 7 BLK 22; LT 4 BLK 22, SOUTH HAVEN AMD

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is abutting CH zoning to the north, CG zoning to the west, and IL zoning to the east and south. Surrounding properties appear to be used for industrial purposes.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception permit a fence to exceed 4ft in height in the front yard setback (section 240.2); Variance from the all-weather parking surface requirement (Section 1340.D); Special Exception to allow Use Unit 25, Light Manufacturing Industry, to permit a Heavy Construction Contracting Service in a CH district (Section 1225).

As shown in the attached site plan and letter of explanation, the property owner intends to construct a 6 ft. galvanized aluminum fence topped with a 1 ft. security wire which encloses the property. The Code limits fence and wall heights in the required front yard setback to 4 ft. However, the Code permits the Board of Adjustment to modify the height limitation through special exception approval. The intent of the Code's fence height restrictions is to maintain a minimal level of transparency or connection between a house and the surrounding neighborhood.

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.

A Special Exception for Use Unit 25, Light Manufacturing Industry, is being requested so the applicant can operate the Heavy Construction Contracting Service on the part of the property that is zoned CH. Use Unit 25 is not a use allowed by right in a CH district. Section 1225.1 describes Light Manufacturing Industry: Light manufacturing and industrial uses having slight or no objectionable environmental influences by reason of the emission of odor, heat, smoke, noise, or vibration. Use Unit 25 is allowed by right on the portion of the property zoned IL.

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 limit approval for a temporary length of time to establish a trial period.

Sample Motion:

“Move to _____ (approve/deny) a Special Exception permit a fence to exceed 4ft in height in the front yard setback (section 240.2).

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

Move to _____ (approve/deny) a Special Exception to allow Use Unit 25, Light Manufacturing Industry, to permit a Heavy Construction Contracting Service in a CH district (Section 1225).

Subject to the following condition(s), 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.

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

Finding the hardship to be _____.

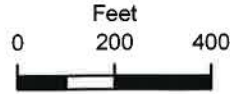
Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not 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-2890

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



19-12 33

Aerial Photo Date: February 2018

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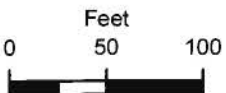
WSKELLY DR

W52 STS

S41 WAVE

W52 PLS

S40 WAVE



Subject Tract

CBOA-2890

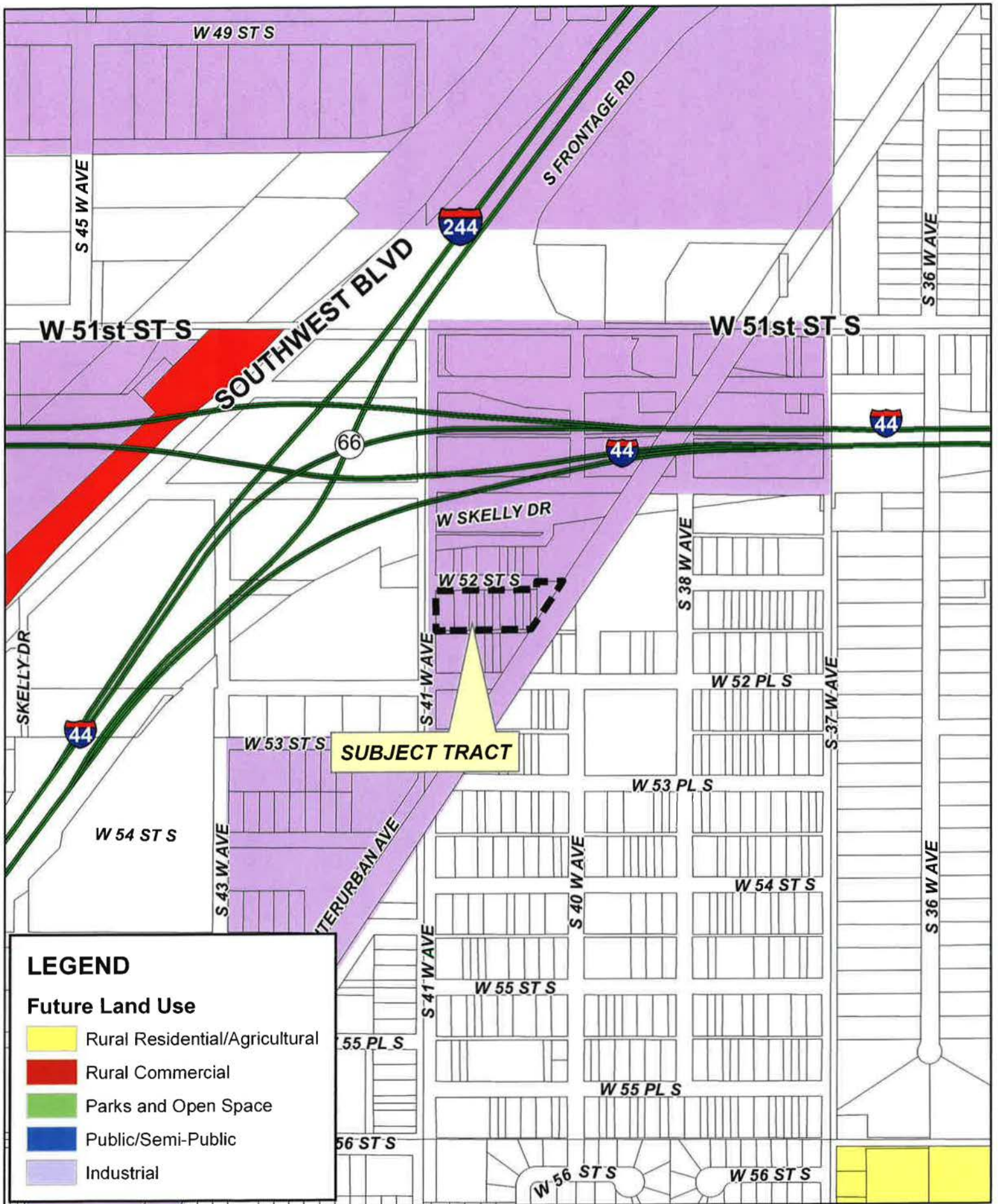
19-12 33

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

Aerial Photo Date: February 2018

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SUBJECT TRACT

LEGEND

Future Land Use

- Rural Residential/Agricultural
- Rural Commercial
- Parks and Open Space
- Public/Semi-Public
- Industrial



CBOA-2890

19-12 33

3.6





Looking east towards subject property from S. 41st W. Ave.

City of Tulsa
Development Services
Permit Center
175 E. 2nd Street, 4th Floor
Tulsa, OK 74103

Special Exceptions

Dear City of Tulsa,

As a lease holder Horizontal Boring and Tunneling is wanting to install a permanent fence at 4021 W. 52nd Place Tulsa, OK 74107. The proposed fence exceeds the maximum height requirement of four feet. In addition, the proposed fence requires a one-foot barbed wire located on top of the proposed fence for security purposes.

The estimated length would be 1,000 LF (Linear Feet), including 2-3 gates for access. The proposed height would be 6' galvanized aluminum chain link fence. Included in that fence would be a security wire which would be installed directly on the fence and increasing the fence height to be a total of 7' in height. To meet this proposed fence plan, it would require a special exception per section 70.120 & Title 24, section 103 of Tulsa Revised Ordinances.

- Section 70.120 for Special exception of the City of Tulsa Zoning requires an approved application. Exception Requirement: The requested special exception is to have a 6' fence on all sides, including front, rear, and both sides. The fence will meet all other standards per City of Tulsa fence standards. The height of the fence does not include the 1' of security wire on top of the proposed fence.
- Title 24, Section 103 of Tulsa Revised Ordinances requires an approved application. Exception Requirement: Per section 45.080-C of Fences and Walls of Tulsa Zoning Code, IL, or industrial light district, allows a barbed wire or razor fencing. The proposed plan is to have barbed wire located on top of all sections of the proposed 6' fence for security purposes only.

If you have any questions or concerns about the special exceptions, please do not hesitate to contact Horizontal Boring and Tunneling.

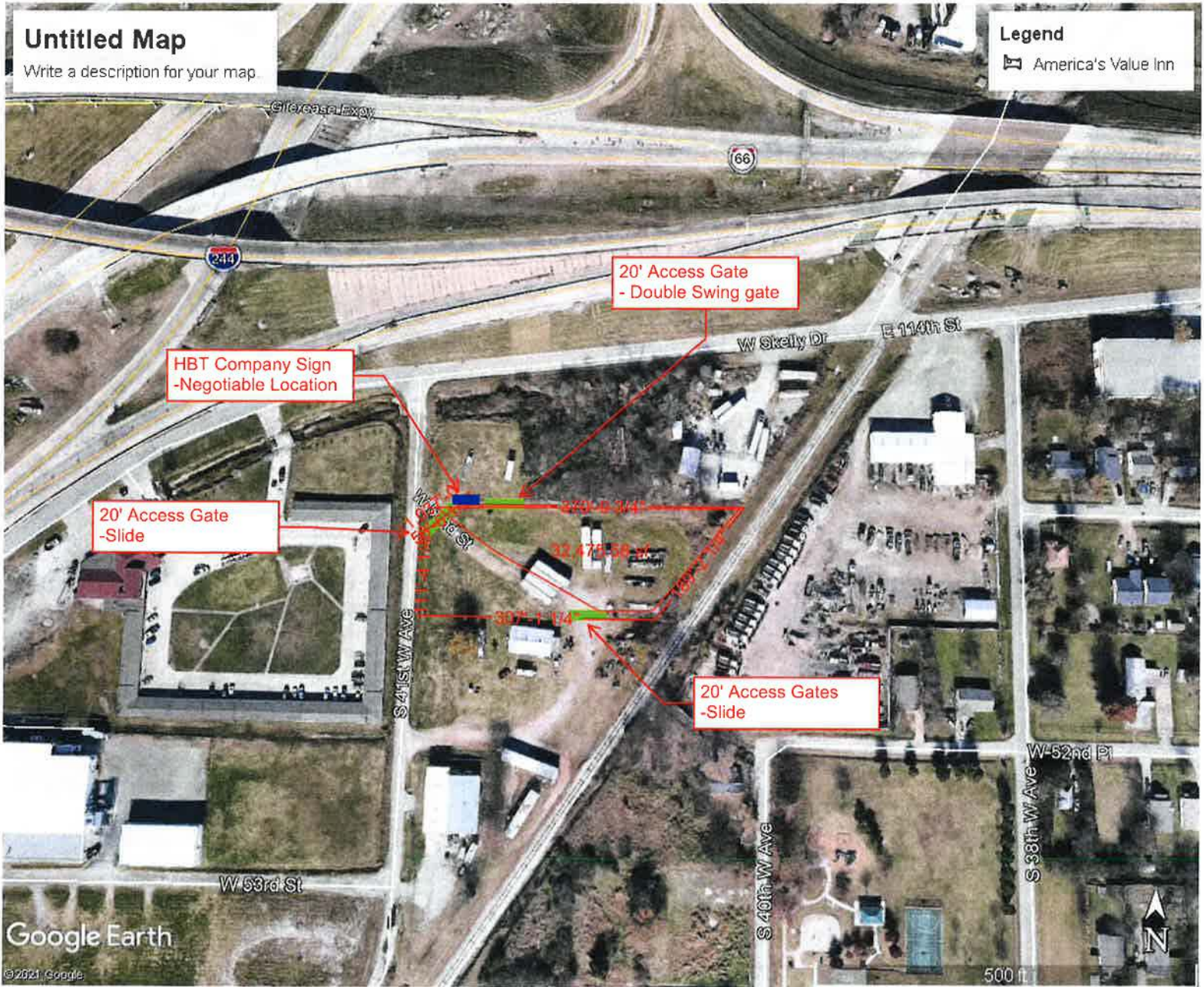
Best Regards,

Mike Skinner
Field/Office Engineer
402-266-1683
Michaels@HBTTrenchless.com

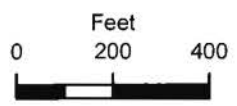
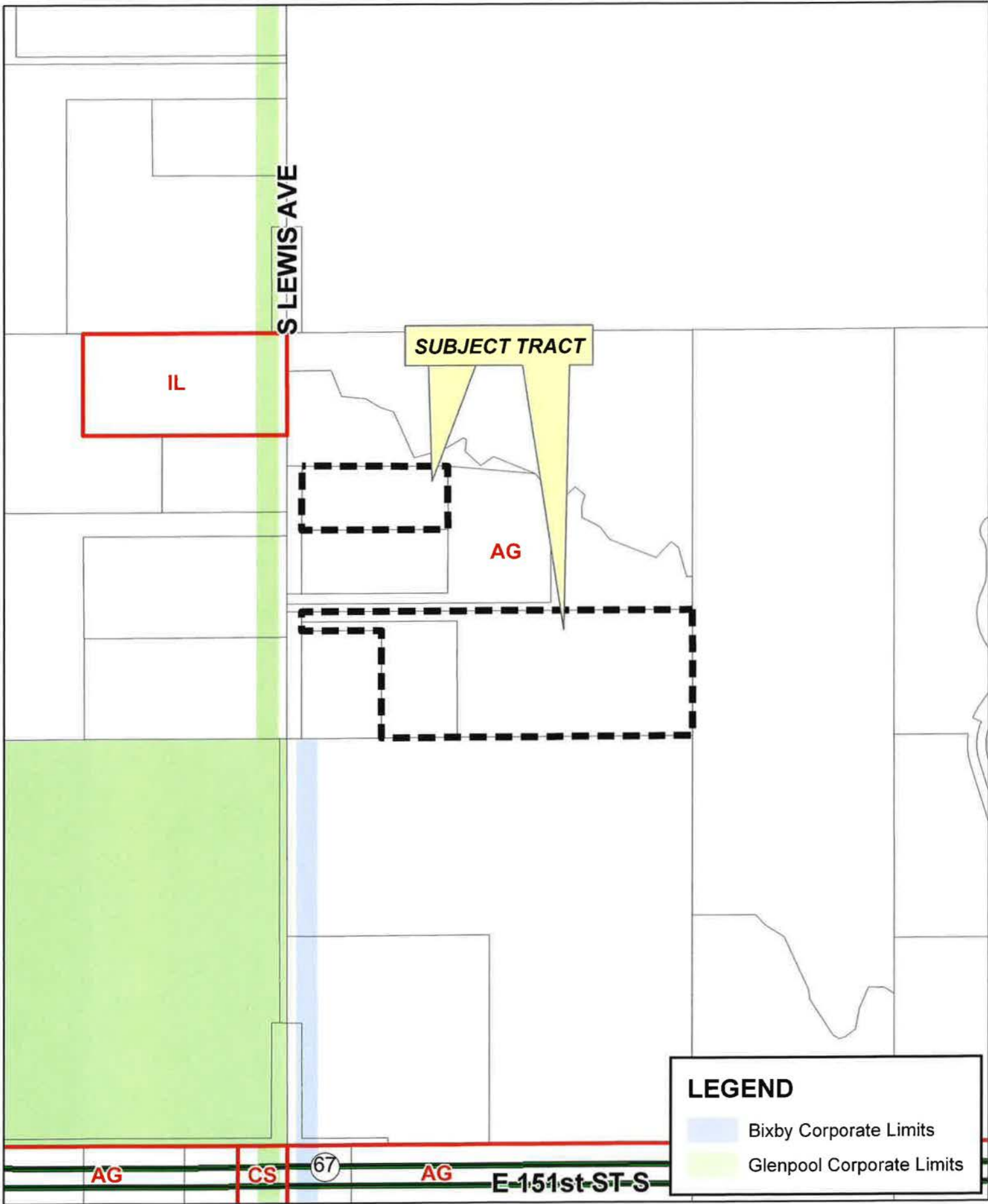
Mike Skinner

Trenchless Construction Specialist





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CBOA-2891

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17-13 17



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 7317

CASE NUMBER: CBOA-2891

CZM: 61

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 06/15/2021 1:30 PM

APPLICANT: Jennifer Jefferson

ACTION REQUESTED: Special Exception to allow Use Unit 5, Community Services and Similar Uses, to allow a Youth Day Camp in an AG district (Section 1205); and a Variance from the all-weather parking surface requirement (Section 1340.D).

LOCATION: 14775 S LEWIS AV E and 14601 S LEWIS AV E

ZONED: AG

FENCELINE: Bixby

PRESENT USE: Residential and Youth Day Camp

TRACT SIZE: 12.23 acres

LEGAL DESCRIPTION: PRT NW SW BEG 908.84S & 50E NWC SW TH E1270 S411.16 W765 N381.16 W505 N30 TO POB SEC 17 17 13 7.569ACS; PRT SW BEG 938.84S & 50E NWC SW TH E505 S381.16 W244.50 N351.46 W260.50 N30 TO POB SEC 17 17 13 2.318ACS; S207.50 N641.34 W525 NW SW LESS W50 FOR RD SEC 17 17 13 2.262ACS,

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by AG zoning. There is IL zoning located nearby to the northwest. Surrounding uses appear to be a mix of residential and agricultural.

STAFF COMMENTS:

The applicant is before the Board requesting a Special Exception to allow Use Unit 5, Community Services and Similar Uses, to allow a Youth Day Camp in an AG district (Section 1205); and a Variance from the all-weather parking surface requirement (Section 1340.D).

A Special Exception is required as the proposed Youth Day Camp (Use Unit 5) is a use which is not permitted by right in the AG district because of potential adverse affects, but which if controlled in the particular instance as to its relationship to the area and to the general welfare, may be permitted. The proposed use must be found to be compatible with the surrounding area.

The applicant submitted site plans for both 14775 S. Lewis Avenue and 14601 S. Lewis Avenue. The site at 14775 S. Lewis Avenue has been operating without incident for many years. The Day Camp is held on the property as identified by the site plan. The applicant is hoping to expand the camp to include activities on her daughter's property at 14601 S. Lewis Avenue. That site plan identifies the barn which is to be used as part of the Youth Day Camp.

The proposed parking lot will have a gravel surface. The Code requires all parking areas be paved with an all-weather material to maintain a minimum level of aesthetics, and to control air-borne particulates like dust. The applicant has requested a variance to allow a gravel parking area on the site.

4.2

If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the current and future use of the subject lot is compatible with the surrounding area.

Sample Motion:

“Move to _____ (approve/deny) a Special Exception to allow Use Unit 5, Community Services and Similar Uses, to allow a Youth Day Camp in an AG district (Section 1205).

*Subject to the following conditions (including time limitation & 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.

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

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.”

Jones, Robi

From: lacy.bowen@gmail.com
Sent: Wednesday, June 9, 2021 11:59 AM
To: esubmit
Subject: Eight Acres Camp - Case Number CBOA-2891

Hello,

I am writing to show support for the changes proposed in this case.

Thank you,
Lacy Bowen

Jones, Robi

From: Megan Scheinkoenig <mkschein@yahoo.com>
Sent: Wednesday, June 9, 2021 11:37 AM
To: esubmit
Subject: "Eight Acres Camp - Case Number CBOA-2891"

To whom it may concern,

We love eight acres camp and the opportunity it gives children to play outdoors through the summer and the activities they provide my children. Having another space for the kiddos to learn, explore, and experiment with would only further enhance their camp experience. Please consider allowing Ms Jennifer to expand her space for our kids.

With thanks,

Megan Scheinkoenig
414.840.1322

Sent from Yahoo Mail for iPhone

Jones, Robi

From: Chasidy Kelough <chasidykelough@yahoo.com>
Sent: Wednesday, June 9, 2021 11:27 AM
To: esubmit
Subject: Eight Acres Camp - Case Number CBOA-2891

Hello!

We wanted to email you all to show support for Eight Acres Camp to use the red barn as part of the camp. Our child has gone to this camp for years, and absolutely loves it!! This would be so awesome to get this approved. Please vote YES!



Thanks!
Chasidy

Sent from Yahoo Mail for iPhone

Jones, Robi

From: Clint Brown <clint_brown1982@yahoo.com>
Sent: Wednesday, June 9, 2021 11:09 AM
To: esubmit
Subject: Eight Acres Camp - Case Number CBOA-2891

To whom it may concern:

This email is sent in support of the Eight Acres camp in Bixby, Ok. They are looking to add additional space for Art and STEM classes for those who attend summer camp, which includes my children. They run a wonderful camp each year and are always adding new ideas for our children to safely learn and grow, so any additional shades play space or art center area would be a blessing!

Thank you,

Clint Brown
918-237-0492

Jones, Robi

From: Robin Carley <robincarley61@gmail.com>
Sent: Tuesday, June 8, 2021 9:40 PM
To: esubmit
Subject: Case Number:CBOA-2891

Tulsa Board of Adjustment
Re: Jennifer Jefferson, Eight Acres Day Camp

We recently received the notification regarding the application allowance to expand and utilize nearby property for an art barn with additional parking.

We have been neighbors of Jennifer Jefferson for 23 years, purchasing our property at 14801 South Lewis from her to build our home. During that time she has continued to make improvements to her own property and home that is directly behind our home. She has always been a courteous and respectful neighbor and responsible business owner in the development of her Eight Acres Day Camp. She maintains her property and it's a pleasure to see children enjoying themselves from our kitchen windows. The use of the adjoining property to expand her services is an exciting and welcome addition.

We wish her continued success.

George and Robin Carley

Sparger, Janet

From: Emily Cole <emilyycole@gmail.com>
Sent: Wednesday, June 9, 2021 11:14 AM
To: esubmit
Subject: Eight Acres Camp - Case Number CBOA-2891

Hello-

My son is a camper at Eight Acres and I am in full support of using the barn for camp activities. It will be a great use of the space and enriching for the kids!

Emily Brown

Sent from my iPhone

Jones, Robi

From: Amanda Berry <BerryAmanda@msn.com>
Sent: Wednesday, June 9, 2021 11:19 AM
To: esubmit
Subject: Eight Acres Camp - Case Number CBOA-2891

To Whom It May Concern - I was just informed of 8 Acres desire to remodel the big red barn to the north of the property in an effort to use it for camp activities / space. This add-on would be amazing for all the kids that attend this wonderful camp. We've been going to 8 Acres for many years and the kids love it. We are very fortunate to be able to go. I hope you will vote to allow this to happen. Thank you very much for your time.

Amanda Stephens
(713) 677-1831

Jones, Robi

From: Piper Dunlap <piperdunlap83@gmail.com>
Sent: Wednesday, June 9, 2021 11:04 AM
To: esubmit
Subject: Eight Acres Camp - Case Number CBOA-2891

Hi there!

My daughter goes to this camp and we absolutely love everything they do! We really hope Jennifer can get the extra space to provide more fun and learning opportunities for the kids and hopefully even more campers in the future!

Please support this camp. They are a huge blessing to our community and to all us working parents. They provide an affordable safe and fun way for our children to spend their days in the summer while giving us piece of mind they are in good hands all day.

Thank you so much!

Piper Dunlap

Jones, Robi

From: Shondelmyer, Corey <Corey.Shondelmyer@williams.com>
Sent: Wednesday, June 9, 2021 11:02 AM
To: esubmit
Subject: Eight Acres Camp - Case Number CBOA-2891

The opportunity to convert a barn space into usable space for our kids to continue to learn and have fun throughout the summer, while they are out of school, would be invaluable for their minds and their bodies. Also, the ability to be able to use this as a multi-function space during the hot, summer months would only add to the ability of the Eight Acres Camp to serve their customers even better.

Thank you,

Corey Shondelmyer

Williams | Supply Chain Specialist III

Office: 918-573-4656 | Cell: 405-431-8836 | One Williams Center, WRC3 | Tulsa, OK 74171

If you have received this message in error, please reply to advise the sender of the error and then immediately delete this message.

Sparger, Janet

From: Shannon Thompson <shannon@oklahomapromo.com>
Sent: Wednesday, June 9, 2021 10:55 AM
To: esubmit
Subject: Eight Acres Camp - Case Number CBOA-2891

Good morning, our daughter attends 8 Acres camp and I heard they are working to upgrade their space to offer Stem and art classes. This would be so beneficial to our daughter and the other campers. We would love if you can consider supporting their efforts as they do great work for the kiddos in the community. Thanks in advance for your consideration!

Thanks,



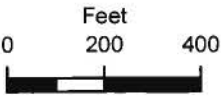
Shannon Thompson
Owner, Oklahoma Promo
918-248-8145
shannon@oklahomapromo.com
oklahomapromo.com



S LEWIS AVE

67

E 151st ST S



Subject Tract

CBOA-2891

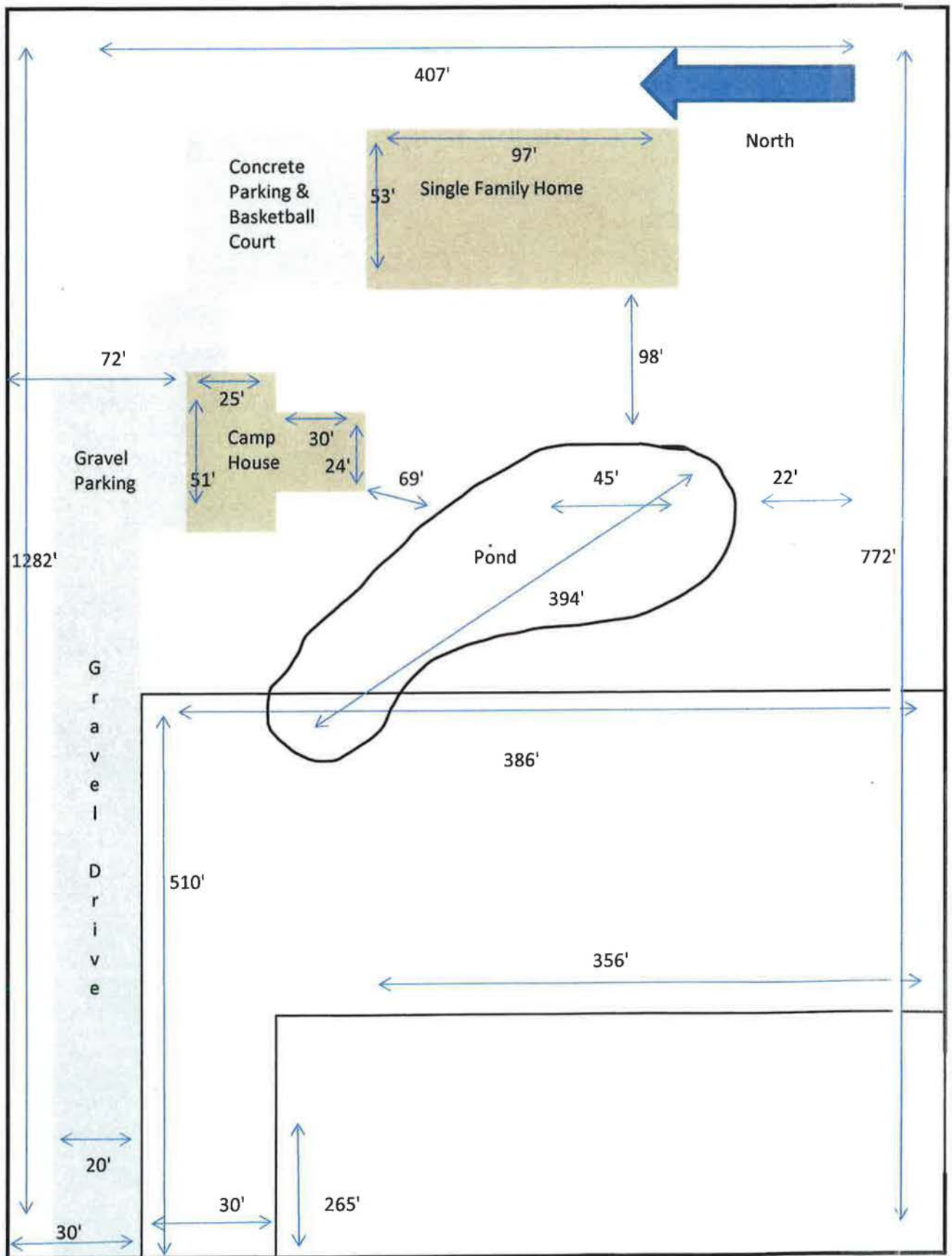
17-13 17

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

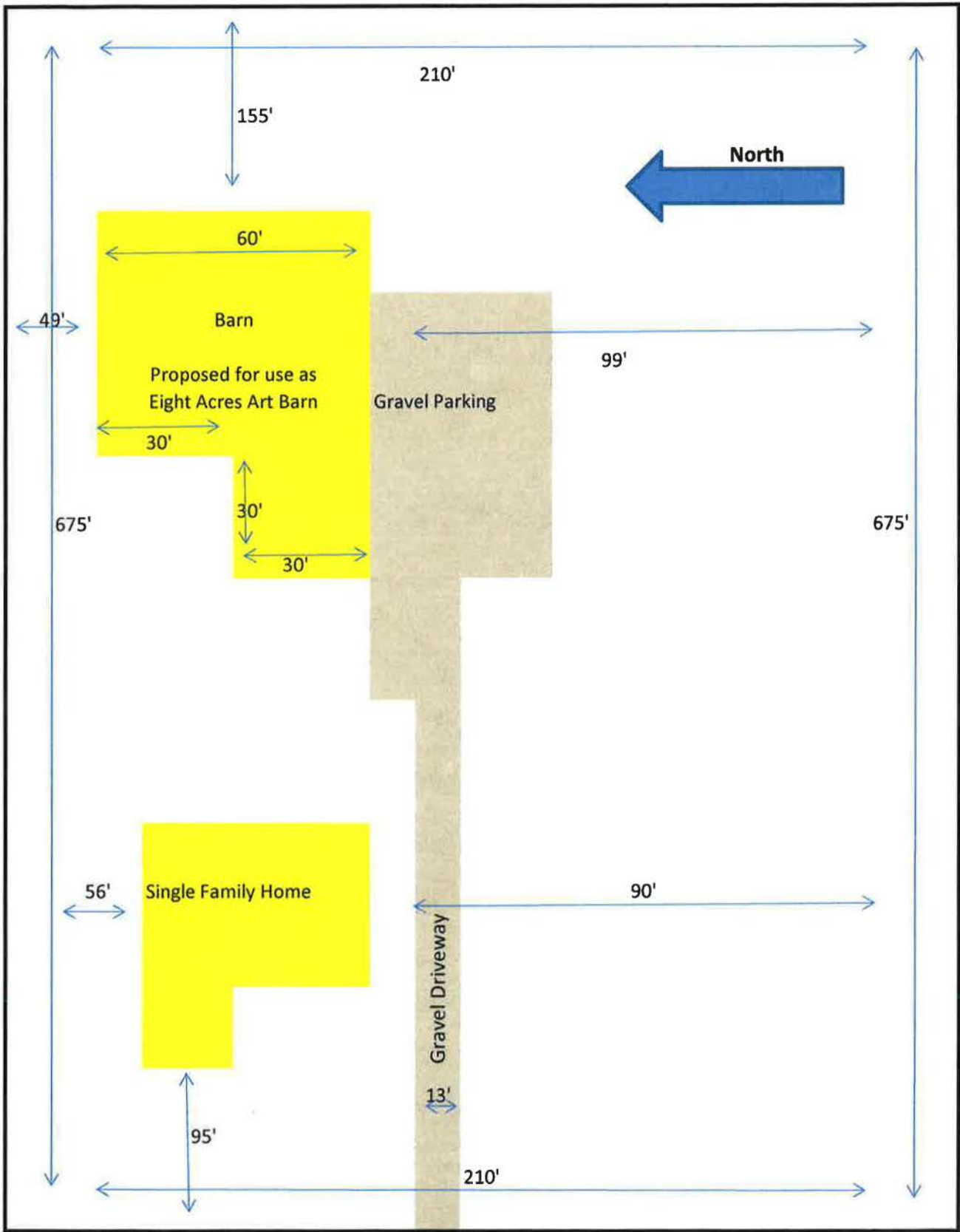
Aerial Photo Date: February 2018

4.14



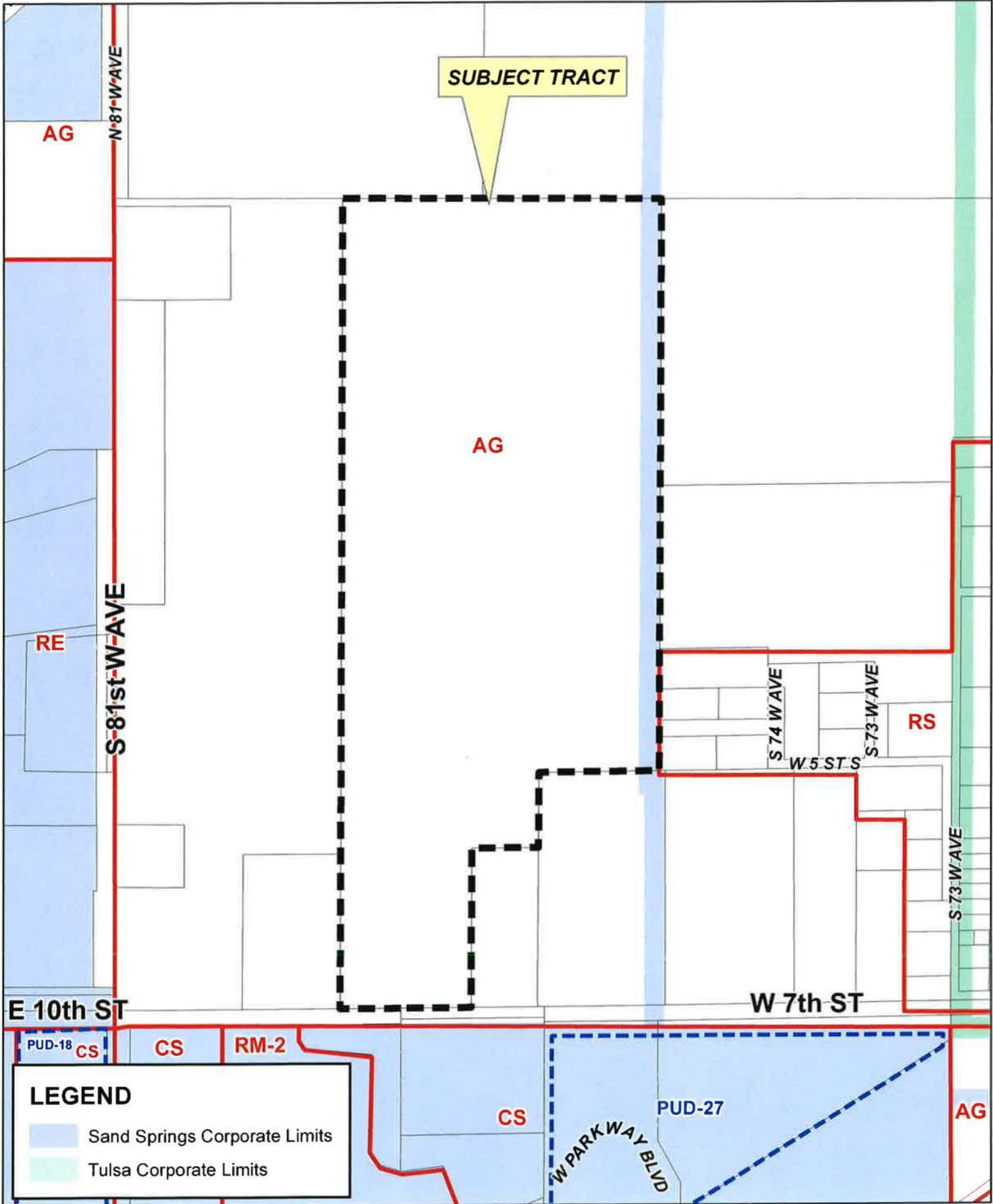


14775 S. Lewis Ave.



14601 S Lewis Ave, Bixby, OK 74008

NOT to Scale



SUBJECT TRACT

AG

N-81st-W-AVE

AG

RE

S-81st-W-AVE

RS

S 74 WAVE

S 73 WAVE

W 5 ST S

S 73 WAVE

E 10th ST

W 7th ST

PUD-18 CS

CS

RM-2

CS

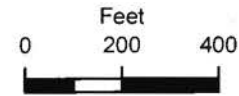
PUD-27

AG

LEGEND

- Sand Springs Corporate Limits
- Tulsa Corporate Limits

W PARKWAY BLVD



CBOA-2893

5.1



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9206

CASE NUMBER: CBOA-2893

CZM: 35

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 06/15/2021 1:30 PM

APPLICANT: Kenneth Johnson

ACTION REQUESTED: Use variance to allow use unit 13, Convenience Goods and Services, to permit a Medical Marijauna Dispensary in the AG District (Section 1213).

LOCATION: 7703 W 7 ST S

ZONED: AG

FENCELINE: Sand Springs

PRESENT USE: Agriculture, Commercial and Industrial

TRACT SIZE: 50.63 acres

LEGAL DESCRIPTION: TR 2 W984.24 E1916 SW LESS S770 E368 & LESS W210 E1510 S520.65 SEC 6 19 12 50.63AC,

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2831 July 2020: The Board APPROVED a *Use Variance* to allow Use Unit 25, Light Manufacturing Industry, in an AG district, on property located at 7703 W. 7th St. S.

BOA-9792 December 1977: The Board APPROVED a *Special Exception* to permit a construction/demolition landfill in an AG district, on property located at 7703 W. 7th St. S.

Surrounding Property:

CBOA-2766 September 2019: The Board DENIED a *Use Variance* to permit Use Unit 3, Agriculture, in a residential neighborhood, on property located at 451 South 74th West Avenue.

ANALYSIS OF SURROUNDING AREA: The subject tract is located in an AG district and abuts AG zoning on the west, north, and east. There are four additional parcels to the east that are zoned RS with what appear to be residential uses. The parcels to the south are zoned CS and are within the corporate limits of Sand Springs. Surrounding uses appear to be single-family residential on large lots with some agricultural and commercial uses as well.

STAFF COMMENTS:

The applicant is requesting a Use Variance to allow Use Unit 13, Convenience Goods and Services, to permit a Medical Marijauna Dispensary in the AG District (Section 1213).

5.2

A Use Variance is required as Use Units 13, Convenience Goods and Services, is not permitted by right in the AG district because of 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 applicant submitted the following statement: *"I already have two medical marijuana businesses on this 55 acre AG zoning for Grow/Industrial Use for Processing. We already sell wholesale to dispensaries at this location. I also sell other goods such as pest control products, farming equipment, soil, and structures. All other business except cannabis has been here for at least seven years."*

Sample Motion:

"Move to _____ (approve/deny) a Use variance to allow use unit 13, Convenience Goods and Services, to permit a Medical Marijuana Dispensary in the AG District (Section 1213).

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

Subject to the following conditions (including time limitation, 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.

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9206

CASE NUMBER: CBOA-2893

CZM: 35

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 06/15/2021 1:30 PM

APPLICANT: Kenneth Johnson

ACTION REQUESTED: Use variance to allow use unit 13, Convenience Goods and Services, to permit a Medical Marijauna Dispensary in the AG District (Section 1213).

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ZONED: AG

FENCELINE: Sand Springs

PRESENT USE: Agriculture, Commercial and Industrial

TRACT SIZE: 50.63 acres

LEGAL DESCRIPTION: TR 2 W984.24 E1916 SW LESS S770 E368 & LESS W210 E1510 S520.65 SEC 6 19 12 50.63AC,

RELEVANT PREVIOUS ACTIONS:

Subject Property:

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BOA-9792 December 1977: The Board APPROVED a *Special Exception* to permit a construction/demolition landfill in an AG district, on property located at 7703 W. 7th St. S.

Surrounding Property:

CBOA-2766 September 2019: The Board DENIED a *Use Variance* to permit Use Unit 3, Agriculture, in a residential neighborhood, on property located at 451 South 74th West Avenue.

ANALYSIS OF SURROUNDING AREA: The subject tract is located in an AG district and abuts AG zoning on the west, north, and east. There are four additional parcels to the east that are zoned RS with what appear to be residential uses. The parcels to the south are zoned CS and are within the corporate limits of Sand Springs. Surrounding uses appear to be single-family residential on large lots with some agricultural and commercial uses as well.

STAFF COMMENTS:

The applicant is requesting a Use Variance to allow Use Unit 13, Convenience Goods and Services, to permit a Medical Marijauna Dispensary in the AG District (Section 1213).

A Use Variance is required as Use Units 13, Convenience Goods and Services, is not permitted by right in the AG district because of 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 applicant submitted the following statement: *"I already have two medical marijuana businesses on this 55 acre AG zoning for Grow/Industrial Use for Processing. We already sell wholesale to dispensaries at this location. I also sell other goods such as pest control products, farming equipment, soil, and structures. All other business except cannabis has been here for at least seven years."*

Sample Motion:

"Move to _____ (approve/deny) a Use variance to allow use unit 13, Convenience Goods and Services, to permit a Medical Marijuana Dispensary in the AG District (Section 1213).

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

Subject to the following conditions (including time limitation, 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.

E/2 SW SE NW SEC 16 19 12 4.99ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

2831—Kenneth Johnson

FILE COPY

Action Requested:

Use Variance to allow Use Unit 25, Light Manufacturing Industry, in an AG District (Section 1225). **LOCATION:** 7703 West 7th Street South

Presentation:

Kenneth Johnson, 7703 West 7th Street, Tulsa, OK; stated he would like to be able to process his cannabis crop. He makes pre-row out of ice extraction bubble hatch and the crop is full organic. There is no C1D1, there are no hydrocarbons or anything like that. Mr. Johnson stated that his property is certified through the Department of Agriculture for USDA certification when he was growing produce. The land is kept organic. He has been growing cannabis since February 18, 2019. There is fencing around the property. He has his compliance from Tulsa County. The processing started in September 2019 and his renewal is August 25th. Mr. Johnson stated that he takes the product after it has been trimmed and put the trim in an ice water bath that runs like a washing machine, freeze it, the product is then strained off and place that in a freeze drier turning it into powder. The powder is added to infused pre-row. Pre-row is like a cigarette without a filter. The product is then sold.

Mr. Hutchinson asked Mr. Johnson if people come to his property when he sells his product. Mr. Johnson answered no and stated that he sells to dispensaries. There is no traffic that comes to the property. He has been doing this for a year and growing for a year and half. No one knew what he was doing until they received their notices about this request.

Mr. Johnson stated there is no environmental impact; he wakes up every morning to see 35 deer in the field.

Ryan Kuzmic, Viridian Legal Services, 1602 South Main Street, Tulsa, OK; he represents Mr. Johnson and he has handled most of the introduction to what is being asked for. Mr. Kuzmic stated this part of a reapplication process for Mr. Johnson; he is already using the property for this purpose and has been doing so legally for a year with no issues. The subject property is surrounded on three sides by family and he owns about 51 acres. Mr. Johnson has a processing license and when he obtained that license the certificate of compliance was not required. There are only three employees and they are all family living on the site. This will not increase the foot traffic to the site, and it will not increase the footprint or the affect on the neighborhood in any way. The subject property has a history of industrial use and had been previously been given a Special Exception for a land fill and it functioned as a construction land fill for about 30 years. When it was a land fill there were trucks going to the site until about four years ago. The land fill left scars on the land that he thinks does not make it appropriate for a commercial agriculture grow.

07/21/2020/#484 (24)

0.30A-2831

FILE COPY

All the facilities that need to be there for this request are existing on the subject property. Mr. Johnson has 16 cameras on site with a 24-hour guard on site, and there have been no incidents. This will not affect the neighborhood in any appreciable manner.

Mr. Crall asked Mr. Johnson if this step is strictly a clean-up process for the paperwork of an existing business. Mr. Johnson stated that when he received his processing license OMMA did not have a requirement in their rules and regulations that the site had to be in compliance with the City or County. When he received his license, he paid his fees and he passed the background check and he proceeded. Since that time, there have been new laws implemented.

Ms. Tosh stated that it has always been a requirement that a person come to the local jurisdiction before going into growing, processing or distribution. Whether OMMA makes that clear may be a fault of theirs. People should call the local jurisdiction and ask questions. It has always been required so there have been no permits for the subject site.

Ryan Kuzmic stated that when this was passed a person was allowed to apply to OMMA as a state agency directly. There was a period of time when a person could apply directly to OMMA and receive a certificate of compliance or a processor license directly. Next year, since the laws have subsequently changed, to include the municipal zoning. He is also aware that Tulsa County, at some point, changed their position on the zoning that would allow processing as well. There would be no way online for a member of the public to be put on notice that a processor would not be allowed in that agricultural zoning in Tulsa County; it is not written in the Code anywhere. Mr. Johnson was completely compliant beforehand and now he is just trying to do everything correctly as part of the application process.

Mr. Hutchinson asked staff if a person owns more than 20 acres is it correct that there is no building permit required? Ms. Tosh stated that is an urban legend. There is a zoning clearance that is allowed to a person that owns 20 acres or more to build a house or pole barn, and that only allows the person a lower cost. All the paperwork still has to be turned in for permits, but the cost is less. It is a benefit to help farmers that have an Oklahoma agricultural exemption identification permit card. Tulsa County has changed nothing in the Code and there have been no new rules; this has always been in effect before OMMA.

Mr. Hutchinson asked if Mr. Johnson has the right to grow without coming before the Board of Adjustment. Ms. Tosh answered affirmatively.

Mr. Johnson stated that when he filed with OMMA agricultural grow license he called the building code department and asked about what he needed to do. At that time, the man that he spoke to said that his department was not involved in it and that he was to go by OMMA and Oklahoma Narcotics regulations. Now that he has come back for renewal after a year there has been a law passed that states he has to have a certificate of compliance with Tulsa County. When he went to Tulsa County this time to find out what to do, he was asked how much the fence he erected cost, so he could be issued a permit.

07/21/2020/#484 (25)

5.7

CBDA-2831

The fence is the only thing that he has built on the property because he already had the barns and had a hoop house. The only thing he has done differently is plant a different seed. Mr. Johnson stated he was passed by Tulsa County, and he still has those tags to show he passed the inspection, so he received his certificate of compliance. Two months later the Tax Commission came out because the eight-foot fence is considered industrial and now his property taxes have been raised. Now his property value has been reassessed because there was 30,000 square feet under an eight-foot chain link fence with barbed wire on top.

Interested Parties:

Amy McAllister, 3480 South 184th West Avenue, Tulsa, OK; stated she is speaking on behalf of her future father-in-law who resides at 416 South 73rd West Avenue whose property borders the subject property. Ms. McAllister stated she has also been given a letter of authorization from Georgia Keesline who has property at 108 South 72nd West Avenue. Ms. McAllister stated that she is a local builder and has built over 40 houses in the Tulsa County and Osage County area. She is currently building a \$750,000 property within a ½ mile radius of the subject property. Ms. McAllister stated that she would also like to speak as a community member for the women's shelter that is directly across the street from the subject property. There are two apartment facilities within the vicinity, one which is a low-income facility. It concerns her to see the community have an area go to light industrial after all the investments that have been done in a mostly residential area with children in the area. Ms. McAllister stated that everyone knows what is going on, if you live in the area you know. The fact that there is security on the subject property is an area of concern. Ms. McAllister stated she greatly opposes this request.

Amy Tebow, 7703 West 7th Street, Tulsa, OK; stated she lives on the property and has for four years. There are not a lot of children in the area and the area is basically a highway. There is a women's shelter across the street but there are no children out playing in the area. People in the area do know what is going on but no one has had a problem with it. The money the subject site is generating helps education, helps the Police force, helps the local high school, it is doing a lot of good. The armed security on site is there for their protection so they cannot be stolen from. The only time that security would be seen is if someone came onto the property, and then they would have to be 50 feet onto the property to be approached by armed security because of the fences. Ms. Tebow stated that the family does not live in a rough area, but she wouldn't consider it a residential area. The area was a highway and stuff built up around it.

Ryan Kuzmic stated that the affect on the neighborhood will basically be negligible. There are only going to be three employees so there will be no increase in traffic. This will not increase the impact on any of the surrounding properties.

Comments and Questions:

Mr. Dillard stated that if Mr. Johnson were growing tomatoes the Board would not be having this conversation. Unfortunately, the law has changed, and he may not agree with it personally, but it's the law. He can support this request.

CPBOA - 2831

FILE COPY

Mr. Crall said obviously the women's shelter does not have a problem with this request because there is no one here saying this is detrimental to the neighborhood. Mr. Crall stated he has no reason not to support this.

Mr. Hutchinson stated he can support this request. Even if the Board were to vote no Mr. Johnson could still have the grow facility because the property is zoned AG. The property is a 51-acre tract. This request is because of the processing factor so he can support this request.

Board Action:

On **MOTION** of **HUTCHINSON**, the Board voted 4-0-0 (Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; Charney "absent") to APPROVE the request for a Use Variance to allow Use Unit 25, Light Manufacturing Industry, in an AG District (Section 1225), subject to conceptual plan 12.11 of the agenda packet. The Board has found the hardship to be that the property is 51 acres and it is not detrimental to the surrounding area. 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; for the following property:

TR 2 W984.24 E1916 SW LESS S770 E368 & LESS W210 E1510 S520.65 SEC 6 19 12 50.63AC, OF TULSA COUNTY, STATE OF OKLAHOMA

9790 (continued)

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 3-0 (Guerrero, Jolly, and Walden "aye", Smith "out", Purser "absent") approved the Variance (Section 1460 - Repairs - Under the Provisions of Section 1670) to enclose a porch on a detached garage; and upheld (the Appeal Section 1650 - Appeals from the Building Inspector) a decision of the Building Inspector for refusing to permit the remodeling of a garage on the basis that the cubic content of a nonconforming building may not be altered or increased on the following described tract:

Lot 123 of the Resubdivision of Lots 1 to 10, Block 2, Rogers Heights Addition to the City of Tulsa.

9791

Action Requested:

Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670) of the setback requirements from 100' to 91' to permit an addition to the present building in a CG District located at 2648 North Cincinnati Avenue.

Presentation:

The applicant George Bell, 2344 West Tecumseh, advised that he operates a restaurant at the subject location and wishes to make an addition to the restaurant. A 9' variance in the setback is needed. Mr. Bell stated that he is proposing to increase the kitchen area of the restaurant. The applicant submitted a plot plan (Exhibit "K-1") showing the present and proposed structure.

The Staff submitted a correspondence (Exhibit "K-2") from the owners of the restaurant stating that the addition would be an asset to the restaurant as well as encourage investment.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Variance (Section 730 - Bulk and Area Requirements in Commercial Districts - Under the Provisions of Section 1670) of the setback requirements from 100' to 91' to permit an addition to the present building, per plot plan submitted on the following described tract:

Lot 1, Block 1, Archer Heights Addition to the City of Tulsa Okla.

9792

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1202 - Area-Wide Exception Uses) for an exception to permit a construction/demolition land-fill in an AG District located at 7703 West 7th Street.

12.15.77:250(17)

Presentation:

The applicant Ted Rauch was not present, but was represented by Charles Rauch, 1543 East 49th Place, who requested an exception to locate a demolition land-fill in the 7700 Block of West 7th Street. Mr. Charles Rauch advised that materials going into the land-fill will be that of dirt, rocks, tree materials, but no organic matter. He stated that the proposed land-fill is an abandoned rock quarry and the roads will be maintained with rock from the abandoned quarry. The hours of operation will be from 8:30 a.m. until approximately 6:00 p.m., and closed on Sundays. Mr. Rauch informed that the entrance will be from the expressway at 81st then north to 7th Street. Mr. Rauch submitted an Engineering Report for a Demolition Land-fill (Exhibit "L-1") at the subject location and advised that he has received a letter from the Tulsa City-County Health Department recommending the proposed site. He added that the Health Department suggested watering down the roads to prevent dust problems. Mr. Rauch submitted an application (Exhibit "L-2") of which he has applied for a license for construction and demolition of the land-fill, also correspondence from the Oklahoma State Department of Health informing of the items to be included in the engineering report for a construction/demolition type solid waste disposal site. He also submitted a proposed demolition land-fill plan (Exhibit "L-3") showing the site of the land-fill on the subject property.

The Staff submitted a copy of the correspondence (Exhibit "L-4") given the applicant listing the operation requirements for a sanitary land-fill.

Protests: None.

Board Action:

On MOTION of WALDEN, the Board 4-0 (Guerrero, Jolly, Smith and Walden "aye", Purser "absent") approved the Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1202 - Area-Wide Special Exception Uses) to permit a construction/demolition land-fill in an AG District subject to the plot plan and all other standards submitted on the following described tract:

The North 1,000' of the South 2,049' of the West 500' of the East $\frac{1}{4}$ 916' of the East 1,916' of the SW/4 of Section 6, Township 19 North, Range 12 East, Tulsa County, Oklahoma.

9793

Action Requested:

Variance (Section 630 - Bulk and Area Requirements in the Office Districts - Under the Provisions of Section 1670) of the Bulk and Area Requirements in an OM and OL District to permit computation of permitted floor area on the entire tract in common ownership located on the North-east corner of 66th Street and Yale Avenue.

Presentation:

Attorney Roy Johnsen, representing the Warren Interest, requested a variance of the 21-acre site located south of St. Francis and north of 66th Street which contains the Warren and Kelly Medical buildings

12.15.77:250(18)

septic and water installed on the west remaining five acres that they own. There is a 20'-0" wide driveway that leads to the property. Later his in-laws sold the 2 ½ acres with the house which is on the northeast portion of the property in question; they kept the five acres on the west rear portion and placed a travel trailer on it so they could stay in it when they visited. Now that the in-laws are in their 80's they would like to move back to Collinsville to be close to family. After purchasing a mobile home and applying for a permit they discovered that the easement requirement is 30'-0", so they would like approval for the existing 20'-0" easement.

Interested Parties:

There were no interested parties present.

Comments and Questions:

Mr. Dillard stated that he has no problem with the request because 20 feet is wide enough to get in and out of the property. It is when the family goes to sell the property the vendor is going to want a 30-foot easement.

Board Action:

On **MOTION** of **HUTCHINSON**, the Board voted 4-0-0 (Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; Charney "absent") to **APPROVE** the request for a **Variance** of the minimum frontage requirement on a public street/dedicated right-of-way from 30 feet to 0 feet in the AG District (Section 207). The Board has found the hardship to be that the property is five acres and the 20-foot easement has been in existence for numerous years. 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; for the following property:

S/2 NW NE SE SEC 13 22 13 5.00ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

2766—Michael Parrish

FILE COPY

Action Requested:

Use Variance to permit Use Unit 3, Agriculture, in a Residential District (Chapter 4, Table 1). **LOCATION:** 451 South 74th West Avenue

Presentation:

Michael Parrish, 449 South 74th West Avenue, Tulsa, OK; stated the house he lives in and the structure next to it were built in 1955. The building next door was a casino in the 1950s and the 1960s. Last year he received a permit to raze a portion of the old

casino and to use the remaining structure for a greenhouse; the remaining portion is a concrete block walled structure.

Mr. Hutchinson asked Mr. Parrish if he stated that he had a house on the property. Mr. Parrish answered affirmatively; his house address is 449 and the concrete block structure is 451.

Mr. Hutchinson asked Mr. Parrish if he wanted to have a greenhouse in the subject building. Mr. Parrish answered affirmatively and stated he has a permit for that and has had the permit for over a year.

Mr. Parrish stated that he has the only house on the street. Mr. Parrish presented photographs of the subject property showing what it looked like before he razed a portion of the subject building.

Mr. Hutchinson asked Mr. Parrish if the greenhouse would be for commercial operation. Mr. Parrish answered affirmatively.

Mr. Hutchinson asked Mr. Parrish about the utilities. Mr. Parrish stated there is a septic tank, there is a water meter for his house that is located 3 ½ blocks away on 73rd Street and he has repaired it several times. In order to have the greenhouse he will need to drill a well.

Interested Parties:

Amy McAllister, 416 South 73rd West Avenue, Tulsa, OK; stated she is representing her family and the property that Mr. Parrish labeled as the place with a lot of junk; she takes offense to that because it is her livelihood. Her family owns a lot of property in the area and have for many years, so there are plans for the property for family. Ms. McAllister stated that the main issue with this request is the water. The water meters provide very low pressure and having a greenhouse would make it difficult for the City to provide water. Ms. McAllister stated she is a custom home builder and she has built two houses about a mile north of the subject property, and she has installed two water wells, and both have collapsed. Her concern over water is warranted over this type of project. She is also concerned about the resell value of the property within a ten-mile radius because there is a school and very expensive houses in the area and having a commercial greenhouse in the area is a concern. Ms. McAllister stated she is in strong opposition to this request.

Mr. Hutchinson asked Ms. McAllister how close the school is to the subject property. Ms. McAllister stated that it is two miles northwest of the subject property.

Rebuttal:

Michael Parrish came forward and stated water is a problem for the area; he has the last water meter on the line, and he has had to repair leaks three times. Mr. Parrish stated there is an operating commercial greenhouse that is on the west side of his property.

CBOA - 2766

FILE COPY

Comments and Questions:

Mr. Crall stated that he has concerns about the request being inside a residentially zoned district.

Mr. Hutchinson stated that he has a concern with the project being on a piece of property that is zoned RS.

Mr. Dillard stated his concerns are that there is no water, no sewer, no public utilities, the property has been neglected, and he cannot see changing the zoning when the applicant has not been in compliance with the RS zoning, so he cannot support this request.

Board Action:

On **MOTION** of **DILLARD**, the Board voted 4-0-0 (Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; Charney "absent") to **DENY** the request for a **Use Variance** to permit Use Unit 3, Agriculture, in a Residential District (Chapter 4, Table 1) finding this would be injurious to the neighborhood; for the following property:

PRT SW BEG 1710S & 931.76W NEC SW TH N109 E345 S109 W345 POB LESS BEG 1710S & 741.76W NEC SW TH E155 N109 W155 S109 POB SEC 6 19 12 .47AC; PRT SW BEG 1710S & 741.76W NEC SW TH E155 N109 W155 S109 POB SEC 6 19 12 .38AC, OF TULSA COUNTY, STATE OF OKLAHOMA

2768—Madison Freeman

Action Requested:

Variance of the side setback from 15 feet to 10 feet in an AG District (Section 330, Table 3). **LOCATION:** 5710 East 96th Street North

Presentation:

Madison Freeman, 4021 Old Shawnee Road, Muskogee, OK; stated there was an old, old existing building on the property that was close to the ten feet from the setback. There is a portion that sticks out on the north side of the building and sticks out too far into the backyard. That portion cannot be moved forward because it would not allow enough space between the house and the building, and there is a huge tree that does not allow it to be moved backward.

Mr. Hutchinson asked Mr. Freeman if the old building had been razed. Mr. Freeman answered affirmatively.

Interested Parties:

There were no interested parties present.



N 81 WAVE

S 81st W AVE

E 10th ST

W 7th ST

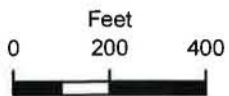
S 74 WAVE

S 73 WAVE

W 5 ST S

S 73 WAVE

W PARKWAY BLVD



Subject Tract

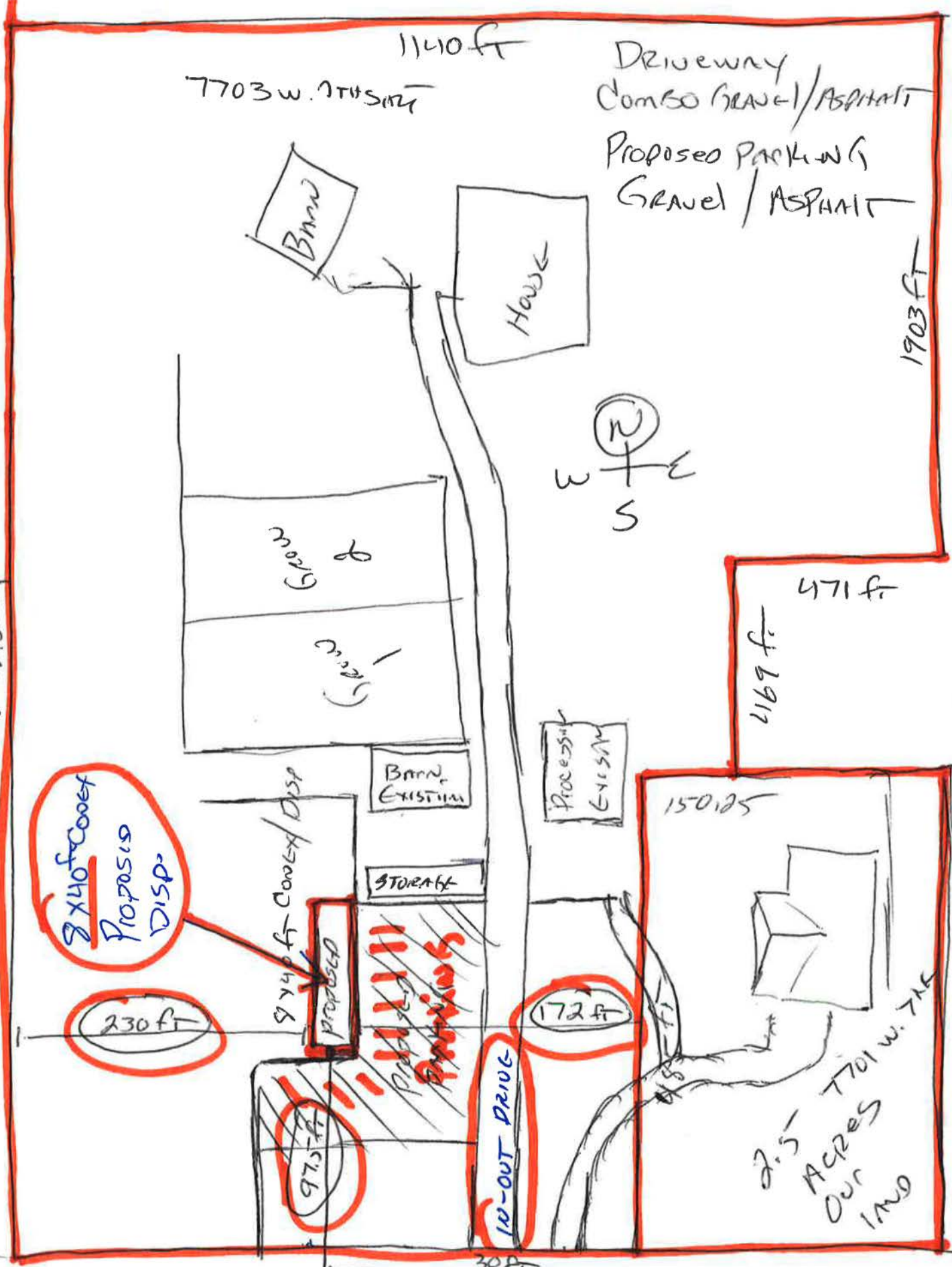
CBOA-2893

19-12 06

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

Aerial Photo Date: February 2018





1140 ft

7703 W. 7th St

Driveway
COMBO GRAVEL/ASPHALT
Proposed PARKING
GRAVEL / ASPHALT

Bmw

House

1903 ft



Garage
Garage

471 ft

4169 ft

2678 ft

8x40 Cooler
Proposed
DISP.

230 ft

8x40 ft Cooler/Disp

Bmw
EXISTING

Processing
EXISTING

STORAGE

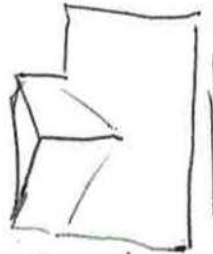
150.25

Proposed
Prohibited
Activities

172 ft

97.5 ft

10-OUT DRIVE



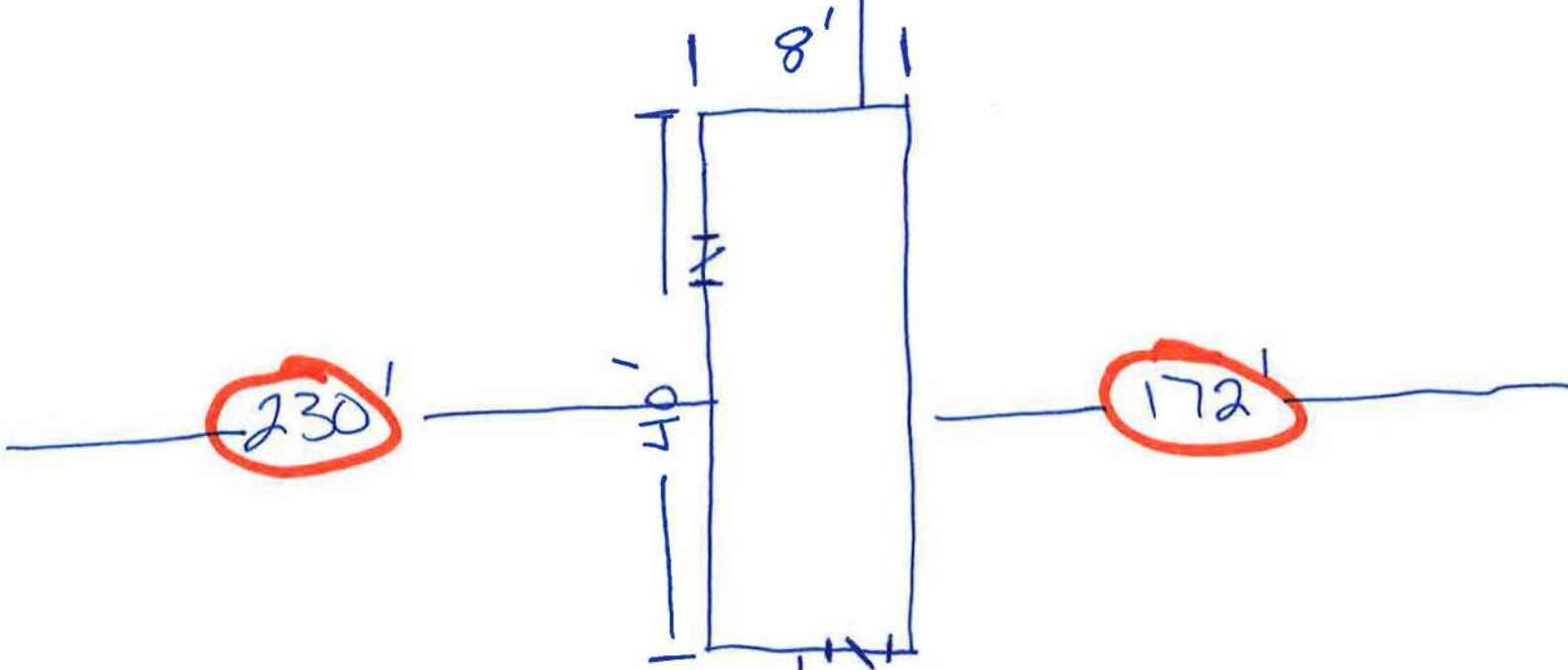
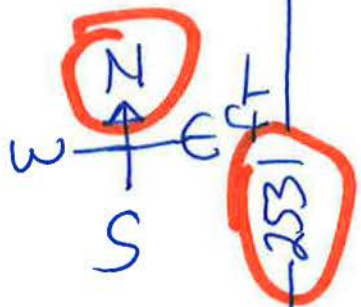
2.5
ACRES
OUR
LAND

7701 W. 7th

451 ft

30 ft

8' x 40' CONEX BLDG
STEEL / WOOD FLOOR



DRIVEWAY

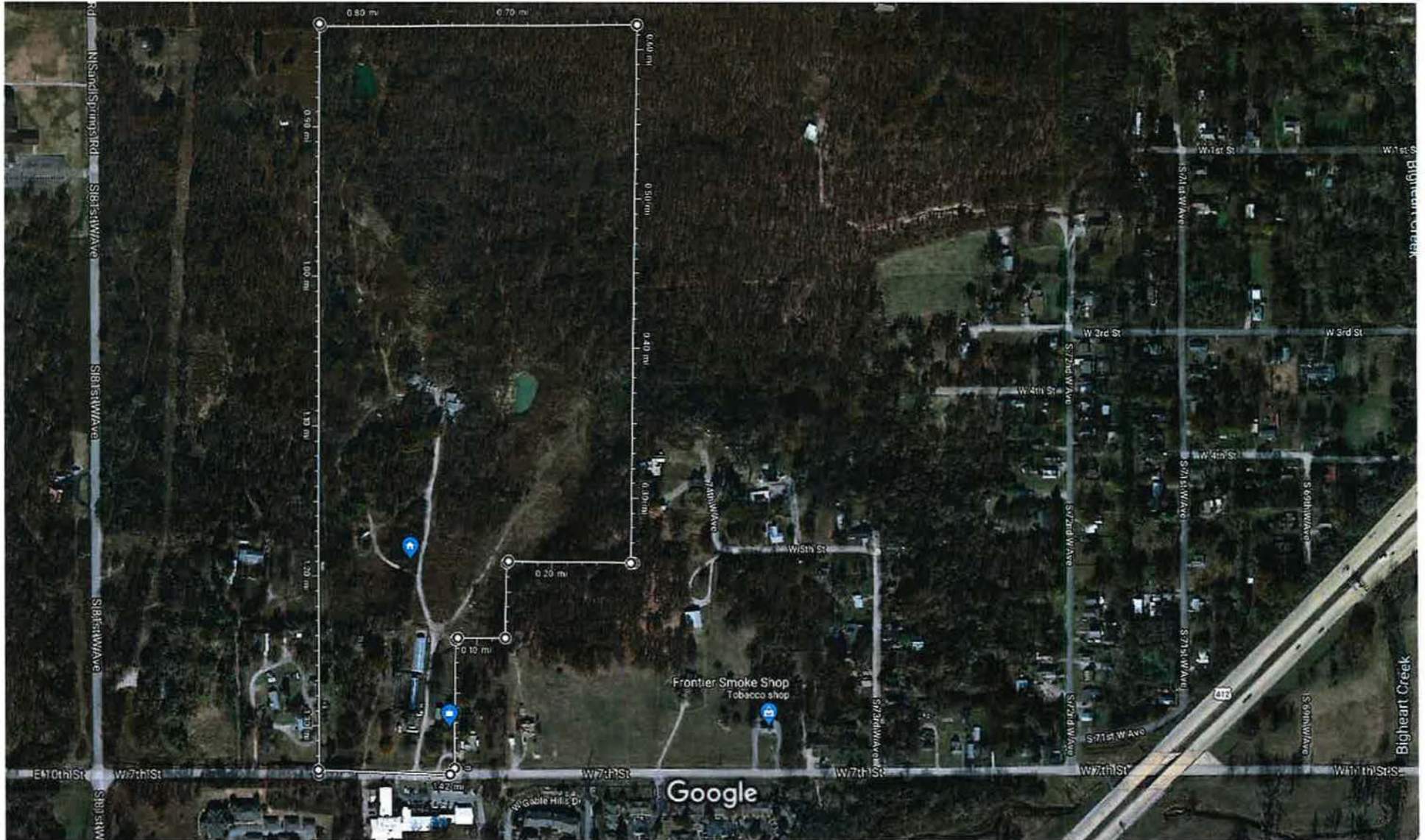
DRIVEWAY

MTH ST

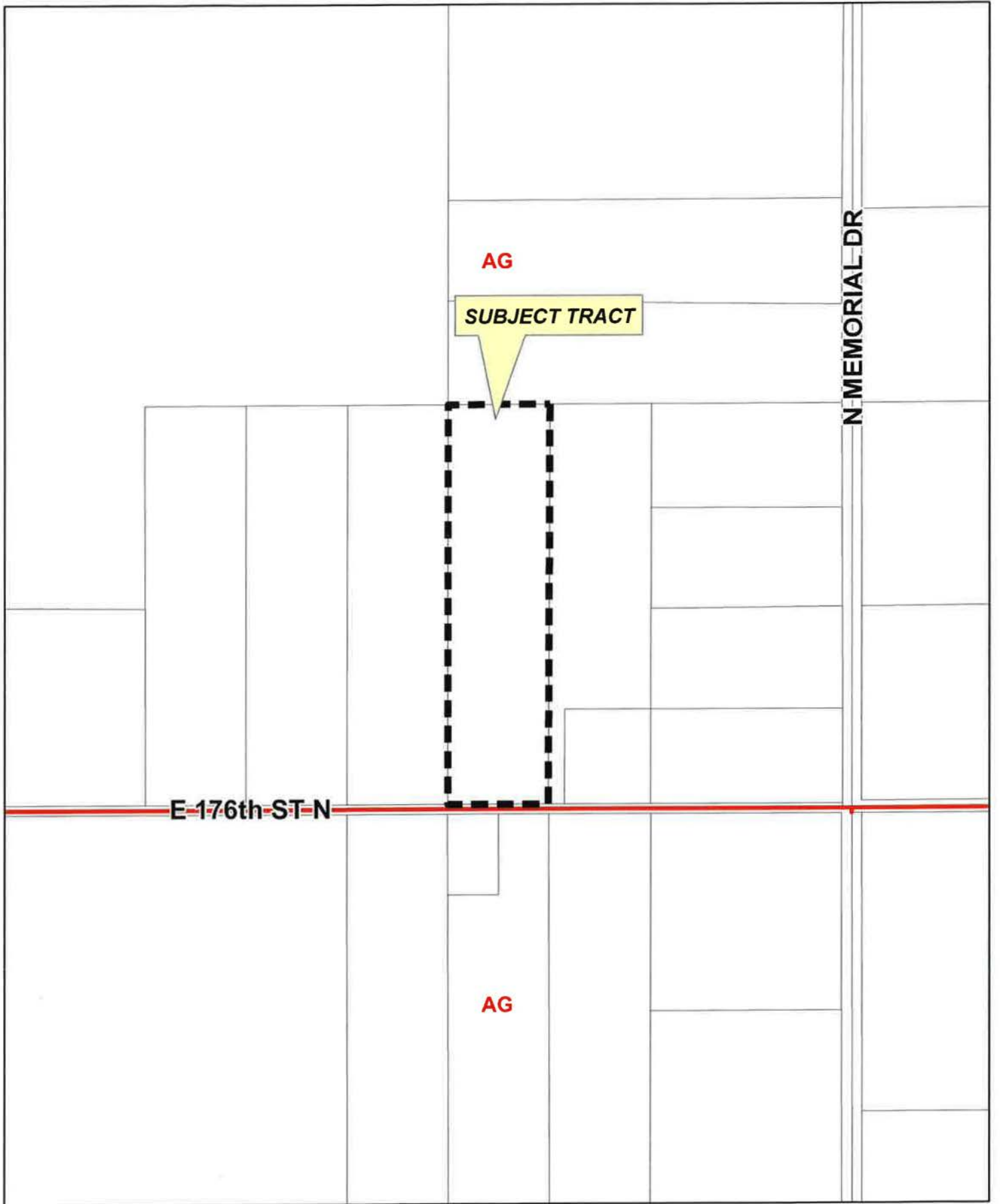
5.17

TOTAL AREA 2,507,477.33 ft²
TOTAL DISTANCE 1.42 miles

5.18



Imagery ©2021 Maxar Technologies, USDA Farm Service Agency, Map data ©2021 200 ft



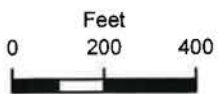
E-176th-ST-N

AG

SUBJECT TRACT

N-MEMORIAL-DR

AG



CBOA-2894

6.1



22-13 02

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 2302

CASE NUMBER: CBOA-2894

CZM: 3

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 06/15/2021 1:30 PM

APPLICANT: Dustin Carder

ACTION REQUESTED: Variance of the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet to 0 feet in the AG district to permit a lot split (Section 207).

LOCATION: 7719 E 176 ST N

ZONED: AG

FENCELINE: Collinsville

PRESENT USE: Residential

TRACT SIZE: 9.88 acres

LEGAL DESCRIPTION: W/2 W/2 SE SE LESS S16.5 THEREOF FOR RD SEC 2 22 13 9.875ACS,

RELEVANT PREVIOUS ACTIONS:

Subject Property: None relevant

Surrounding Property:

CBOA-2188 December 2005: The Board denied a Variance of lot area from 2 acres to 1.07 acres and a Variance of land area per dwelling unit from 2.1 acres to 1.16 acres to permit a lot split, on property located at 17620 N. Memorial Drive East.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by AG zoning with a mixture of agricultural and residential uses.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance of the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet to 0 feet in the AG district to permit a lot split (Section 207).

The Code requires owners of land utilized for residential purposes to maintain 30 feet of frontage on a public street or dedicated right-of-way. The applicant submitted a site plan, it indicates that that Tract 1 has 0' of frontage onto North Memorial Drive. The applicant has submitted a copy of the deeds which includes a "less and except" for 50 feet for roadway along the northern border of the property.

The applicant has provided the following statements: "We have lived on this property for years and have now been approved for a VA loan for a new home. If we don't receive this variance, we will not be able to get our new home or VA loan; The variance for which I am applying, if not approved, will cause a great hardship for me and my family. The right-of-way access road that is currently used to access my residence on the same plot of land has been in use by me for seven years, by my wife

6.2

for approximately 15 years, and by her grandmother for approximately 30 years. This access road, which is the subject of the variance, is the only way to access my home, and my wife's grandmother's home next door to us. These are conditions that are peculiar to the piece of property and do not apply to other properties in the same zoning district. This piece of property is otherwise inaccessible without the right-of-way road. Disapproval of this variance request would impair the purpose and intent of our comprehensive plan. This right-of-way road subject to the variance application is the only means by which emergency services can access our home. This is also used by neighboring landowners/lessees to access adjacent farmland. If granted, this special exception will be in harmony with the spirit and intent of the Zoning Code because it would allow access to homes that would otherwise have no access. It will not be injurious to the neighborhood; due to the fact it has already been in use for 30 years with no issues."

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 Variance of the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet to 0 feet in the AG district to permit a lot split (Section 207).

Finding the hardship to be _____.

Subject to the following conditions (if any) _____.

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."

Case No. 2188

Action Requested:

Variance of lot area from 2 acres to 1.07 acres; variance of land area per dwelling unit from 2.1 acres to 1.16 acres to permit a lot split, located: 17620 North Memorial Drive East.

Mr. Cuthbertson pointed out to the Board there are three dwellings on this property. If they split out one acre, it would leave two dwellings on 3.4 acres, and would create a non-conforming use.

Presentation:

Travis Q. Foster, 7929 East 176 Street North, Collinsville, Oklahoma, stated he bought a mobile and paid to have utilities connected. When they attempted to file the deed they discovered it was not in compliance with the zoning code.

Comments and Questions:

Mr. Hutson noted there is enough property that they could purchase enough to comply with the code. He added there is no hardship. Mr. Hutson stated re-zoning would be the best solution. Mr. Dillard was concerned that the applicant obtained a building permit and was trying to follow the legal requirements. He felt that should be given consideration.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Walker**, the Board voted 3-1-0 (Walker, Tyndall, Dillard, Hutson "aye"; no "nays"; no "abstentions"; Charney "absent") to **DENY** a **Variance** of lot area from 2 acres to 1.07 acres; **Variance** of land area per dwelling unit from 2.1 acres to 1.16 acres to permit a lot split, for lack of hardship; and that the application fee be applied to the next application as in the previous similar cases, on the following described property:

S/2 SE SE SE LESS S16.5 & E33 THEREOF FOR RD SEC 2 22 13 4.506ACS,
Tulsa County, State of Oklahoma

Kenneth L. Rodden
278 8th St 686
Tulsa, Okla 74106

3275 Rod.
78914

Form 6 - Burkhead, Phillips & Steinkamp Co., Tulsa, Okla.

General Warranty Deed

(WITH SURVIVORSHIP CLAUSE)

BOOK 4635 PAGE 344

STATE OF OKLAHOMA
TULSA COUNTY
FILED OR RECORDED
1982 AUG 31 PM 2:21

ANITA NESBITT
COUNTY CLERK
1/3

THIS INSTRUMENT, Made this 20th day of August, 1982.
H. E. Colpitt, a single person and James R. Colpitt,
Trustees under Trust Agreement dated January 1, 1972
and Mildred D. Colpitt, wife of James R. Colpitt

Parties of the first part, and: Kenneth Lee Rodden and Alma Estelle Rodden,
husband and wife

With the right of survivorship as hereinafter set out, part ies of the second part.

WITNESSETH: That in consideration of the sum of Ten Dollars

DOLLARS,

and other good and valuable considerations, receipt whereof is hereby acknowledged, said part ies of the first part do
by these presents grant, bargain, sell and convey unto Kenneth Lee Rodden and Alma Estelle Rodden,
husband and wife

as joint tenants,
and not as tenants in common, on the death of one the survivor, the heirs and assigns of the survivor, to take the entire fee simple
title, the following described real estate situated in Tulsa County, State of Oklahoma, to-wit:
The Surface Only of the East Half of the West Half of the Southeast Quarter of the
Southeast Quarter of Section Two, Township Twenty-two North, Range Thirteen East
of the Indian Base and Meridian, Tulsa County, State of Oklahoma according to the
U. S. Government Survey thereof, Less and except All minerals and mineral rights
thereunder and less and except the North Fifty feet for roadway and subject to a
two inch water line and subject to existing oil and gas lease.

TO HAVE AND TO HOLD the same as joint tenants, and not as tenants in common, with the fee simple title in the
survivor, the heirs and assigns of the survivor, together with all and singular the tenements, hereditaments and appurtenances
thereunto belonging or in any wise appertaining forever.

AND said H. E. Colpitt and James R. Colpitt, Trustees for themselves and for their
successors, grantees, executors, and administrators, do hereby covenant and agree to and with said parties of the second part
that, at the delivery of these presents, they are lawfully seized of an absolute and indefeasible estate of inheritance
in fee simple, of and in, all and singular, the above granted and described premises, with appurtenances; that the same are free,
clear and discharged and unencumbered of and from all former and other grants, titles, charges, judgments, estates, taxes, assessments
and encumbrances of whatsoever nature and kind, EXCEPT: Easements and building restrictions of record and special
assessments not yet due; existing oil and gas lease held by production



WARRANT AND FOREVER DEFEND the same unto said part ies of the second part, their heirs, successors and assigns, and all and every person, company or individual
lawfully claiming, or to claim the same.

IN WITNESS WHEREOF, part ies of the first part has executed or caused to be executed, this instrument the day
and year first above written.

Mildred D. Colpitt
Mildred D. Colpitt

James R. Colpitt
James R. Colpitt, Trustee under Trust
Agreement dated January 1, 1972
(Oklahoma Form of Acknowledgment)

STATE OF OKLAHOMA,
County of Tulsa

Before me, the undersigned, a Notary Public, in and for said County and State, on this 20th day of
August, 1982, personally appeared H. E. Colpitt, a single person
and James R. Colpitt, Trustees under Trust Agreement dated January 1, 1972
to me known and known to me, who executed the within and foregoing instrument, and acknowledged to me that
they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.
Given under my hand and seal of office the day and year above written.

My commission expires March 18, 1984

Wanda S. York
Wanda S. York
Notary Public

53532

1969 176 R00002.10
(For Filing Only)

BOOK 3912 PAGE 522 **General Warranty Deed**
(WITH SURVIVORSHIP CLAUSE)

STATE OF OKLAHOMA
TULSA COUNTY
FILED OR RECORDED

DEC 19 4 53 PM '69

CLYDE WINTERRINGER
COUNTY CLERK

Sue Jordan

THIS INDENTURE, Made this 14th day of November, 1969
between H. E. Colpitt and Patricia Colpitt, his wife
and James R. Colpitt and Mildred D. Colpitt, his wife

Part ies of the first part, and Charles Bennett and Dean Bennett,
Husband and Wife

with the right of survivorship as hereinafter set out, part ies of the second part.

WITNESSETH: That in consideration of the sum of Ten Dollars and 00/100
(\$10.00) DOLLARS,
and other good and valuable considerations, receipt whereof is hereby acknowledged, said part ies of the first part do
by these presents grant, bargain, sell and convey unto Charles Bennett and Dean Bennett,
Husband and Wife

as joint tenants,
and not as tenants in common, on the death of one the survivor, the heirs and assigns of the survivor, to take the entire fee simple
title, the following described real estate situated in Tulsa County, State of Oklahoma, to-wit:
North Half of the Southeast Quarter of the Southeast Quarter (N1/2 S1/2 SE1/4)
of Section Two(2), Township Twenty-two North (22N), Range Thirteen East
(13E), Tulsa County, State of Oklahoma, according to the U. S. Government
Survey thereof, Subject to 50 foot roadway on the North end roadway on the
East.

TO HAVE AND TO HOLD the same as joint tenants, and not as tenants in common, with the fee simple title in the
survivor, the heirs and assigns of the survivor, together with all and singular the tenements, hereditaments and appurtenances
thereto belonging or in any wise appertaining forever.

AND said Grantors for themselves and for their heirs,
successors, grantees, executors, and administrators, do hereby covenant and agree to and with said parties of the second part
that, at the delivery of these presents, they is/are lawfully seized of an absolute and indefeasible estate of inheritance
in fee simple, of and in, all and singular, the above granted and described premises, with appurtenances; that the same are free,
clear and discharged and unencumbered of and from all former and other grants, titles, charges, judgments, estates, taxes, assessments
and encumbrances of whatsoever nature and kind, EXCEPT: Easements, building restrictions of record and special assessments
not yet due;



and that part ies grantor will

WARRANT AND FOREVER DEFEND the same unto said part ies of the second part, their heirs, successors and assigns
against said part ies of the first part, their heirs, successors and assigns, and all and every person or persons whomsoever
lawfully claiming, or to claim the same.

IN WITNESS WHEREOF, part ies of the first part have executed or caused to be executed, this instrument the day
and year first above written.

H. E. Colpitt
H. E. Colpitt
Patricia Colpitt
Patricia Colpitt

James R. Colpitt
James R. Colpitt
Mildred D. Colpitt
Mildred D. Colpitt
Mildred D. Colpitt

STATE OF OKLAHOMA,
County of Tulsa (Oklahoma Form of Acknowledgment)

Before me, the undersigned, a Notary Public, in and for said County and State, on this 14th day of
November, 1969, personally appeared H. E. Colpitt and Patricia Colpitt, his wife
and James R. Colpitt, and Mildred D. Colpitt, his wife
to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that
they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year above written.

My commission expires May 29, 1973

Gene Jackson
Gene Jackson
Notary Public

Dot 216 Callmell 7404

33.75 Rev

Eldon Roy Clow

Form 6 - Burkhart Printing & Engraving Co., Tulsa, Okla.

719 E. 176th St. W. Collinsville, Okla.

81948

BOOK 4637 PAGE 1072

General Warranty Deed

(WITH SURVIVORSHIP CLAUSE)

(For Filing Only)
STATE OF OKLAHOMA
TULSA COUNTY
FILED OR RECORDED

532 SEP 13 PM 12:44
ANITA NESEBITT
COUNTY CLERK

THIS INDENTURE, Made this 10th day of September, 1982
between James R. Colpitt, Trustee of the James R. Colpitt Trust
dated 1/1/73 and H. E. Colpitt, a single person and
Mildred D. Colpitt, wife of James R. Colpitt

Parties of the first part, and Eldon Roy Clow and Brenda Lee Clow,
Husband and Wife

with the right of survivorship as hereinafter set out, parties of the second part.

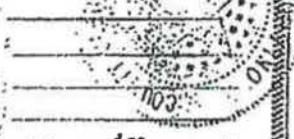
WITNESSETH: That in consideration of the sum of Ten Dollars and 00/100
(\$10.00) DOLLARS,
and other good and valuable considerations, receipt whereof is hereby acknowledged, said parties of the first part do
by these presents grant, bargain, sell and convey unto Eldon Roy Clow and Brenda Lee Clow,
Husband and Wife

as joint tenants,
and not as tenants in common, on the death of one the survivor, the heirs and assigns of the survivor, to take the entire fee simple
title, the following described real estate situated in Tulsa County, State of Oklahoma, to-wit:
THE SURFACE ONLY of the West Half of the West Half of the Southeast Quarter of the
Southeast Quarter (W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Two (2), Township Twenty-two North
(22N), Range Thirteen East (13E) of the Indian Base and Meridian, Tulsa County,
State of Oklahoma according to the U. S. Government Survey thereof, LESS AND EXCEPT
all minerals and minerals rights thereunder and LESS AND EXCEPT the North 50 feet
for roadway and subject to 2" water line and subject to existing oil and gas lease,

17848 N.
MEMORIAL DR
Collinsville, OK
74021

TO HAVE AND TO HOLD the same as joint tenants, and not as tenants in common, with the fee simple title in the
survivor, the heirs and assigns of the survivor, together with all and singular the tenements, hereditaments and appurtenances
thereunto belonging or in any wise appertaining forever, Mildred D. Colpitt

AND James R. Colpitt, Trustee and H. E. Colpitt for themselves and for their
heirs,
successors, grantees, executors, and administrators, do hereby consent and agree to and with said parties of the second part
that, at the delivery of these presents, they were lawfully seized of an absolute and indefeasible estate of inheritance
in fee simple, of and in, all and singular, the above granted and described premises, with appurtenances; that the same are free,
clear and discharged and unencumbered of and from all former and other grants, titles, charges, judgments, debts, taxes, assessments,
and encumbrances of whatsoever nature and kind, EXCEPT: Easements and building restrictions of record and special
assessments not yet due:



and that part ies grantor will
WARRANT AND FOREVER DEFEND the same unto said parties of the second part, their heirs, successors and assigns
against said parties of the first part, their heirs, successors and assigns, and all and every person or persons whomsoever
lawfully claiming, or to claim the same.

IN WITNESS WHEREOF, part ies of the first part have executed or caused to be executed, this instrument the day
and year first above written.

Mildred D. Colpitt
Mildred D. Colpitt

James R. Colpitt, Trustee
James R. Colpitt, Trustee of the
James R. Colpitt Trust dated 1/1/73
H. E. Colpitt
H. E. Colpitt

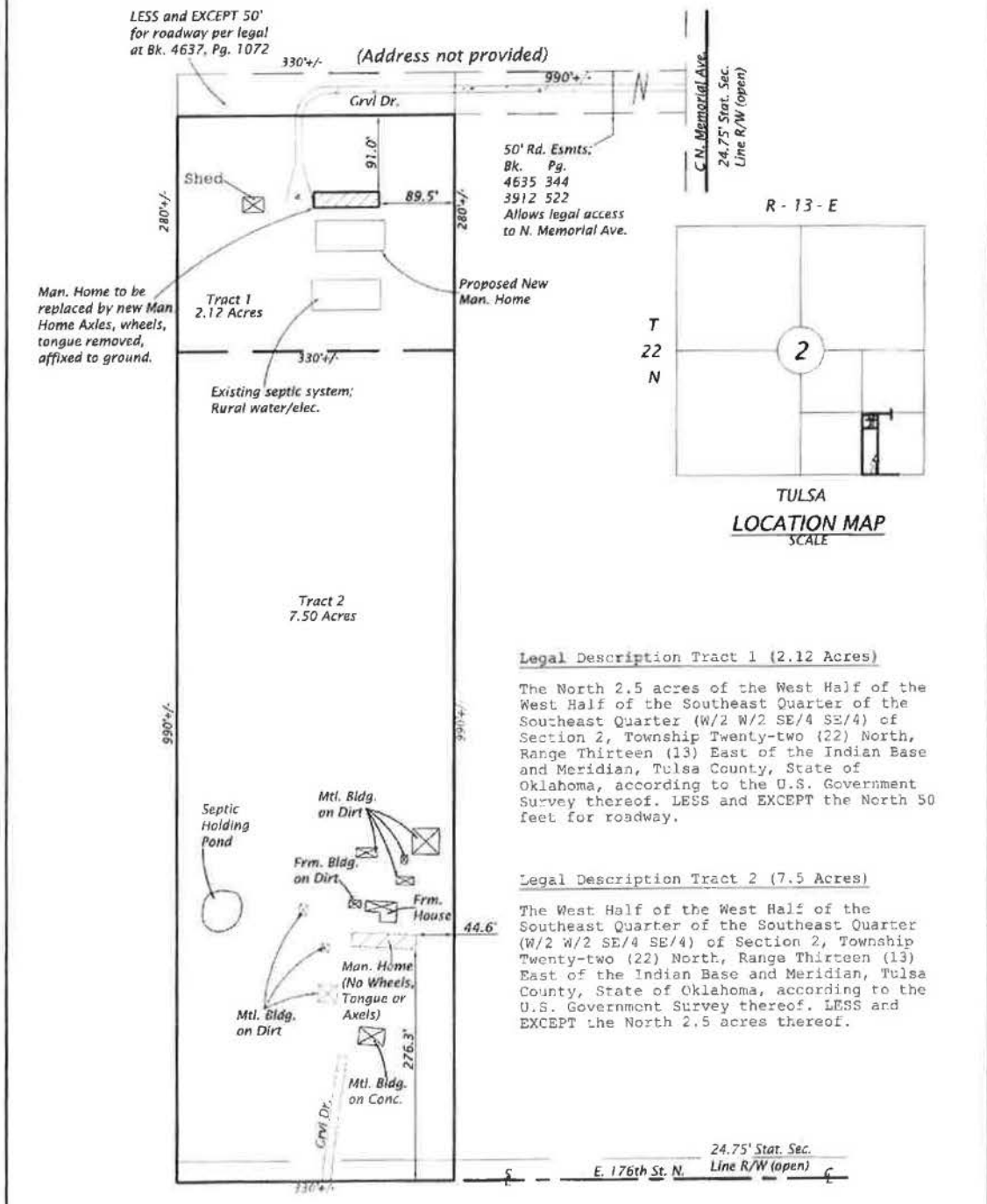
STATE OF OKLAHOMA,
County of Tulsa

(Oklahoma Form of Acknowledgment)

Before me, the undersigned, Notary Public, in and for said County and State, on this 10th day of
September, 1982, personally appeared James R. Colpitt, Trustee of the James
R. Colpitt Trust dated 1/1/73 AND H. E. Colpitt, a single person, and
Mildred D. Colpitt, wife of James R. Colpitt
to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that
they executed the same their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year above written.
My commission expires May 30, 1982

Jane Jackson
Jane Jackson
Notary Public



Legal Description Tract 1 (2.12 Acres)
 The North 2.5 acres of the West Half of the West Half of the Southeast Quarter of the Southeast Quarter (W/2 W/2 SE/4 SE/4) of Section 2, Township Twenty-two (22) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof. LESS and EXCEPT the North 50 feet for roadway.

Legal Description Tract 2 (7.5 Acres)
 The West Half of the West Half of the Southeast Quarter of the Southeast Quarter (W/2 W/2 SE/4 SE/4) of Section 2, Township Twenty-two (22) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof. LESS and EXCEPT the North 2.5 acres thereof.



K.S. Collins

| | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| COLLINS LAND SURVEYING, INC. 3340 W. 181st ST. S. - P.O. Box 250 KIEFER, OK 74041 OFFICE (918)321-9400 FAX (918)321-9404 CA#2856 EXPIRES: 06/30/2022 | Sketch of Proposed Lot Split |
| | Performed For: Freedom Homes of Tulsa |
| J.O. NO. 21-03-046 | DATE: 05/13/2021 |

COLLINS LAND SURVEYING, INC.
3340 West 151st Street South
P.O. Box 250
Kiefer, Ok 74041
Ph. 918-321-9400 Fax 321-9404

REF. NO. 21-03-045

LEGAL DESCRIPTION (ORIGINAL)

The West Half of the West Half of the Southeast Quarter of the Southeast Quarter (W/2 W/2 SE/4 SE/4) of Section 2, Township Twenty-two (22) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

COLLINS LAND SURVEYING, INC.
3340 West 151st Street South
P.O. Box 250
Kiefer, Ok 74041
Ph. 918-321-9400 Fax 321-9404

REF. NO. 21-03-045

LEGAL DESCRIPTION (7.5 ACRES)

The West Half of the West Half of the Southeast Quarter of the Southeast Quarter (W/2 W/2 SE/4 SE/4) of Section 2, Township Twenty-two (22) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof. LESS and EXCEPT the North 2.5 acres thereof.

COLLINS LAND SURVEYING, INC.
3340 West 151st Street South
P.O. Box 250
Kiefer, Ok 74041
Ph. 918-321-9400 Fax 321-9404

REF. NO. 21-03-045

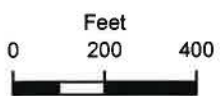
LEGAL DESCRIPTION (2.12 ACRES)

The North 2.5 acres of the West Half of the West Half of the Southeast Quarter of the Southeast Quarter (W/2 W/2 SE/4 SE/4) of Section 2, Township Twenty-two (22) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof. LESS and EXCEPT the North 50 feet for roadway.



E 176th ST N

N MEMORIAL DR



Subject Tract

CBOA-2894

22-13 02

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

Aerial Photo Date: February 2018



6.12

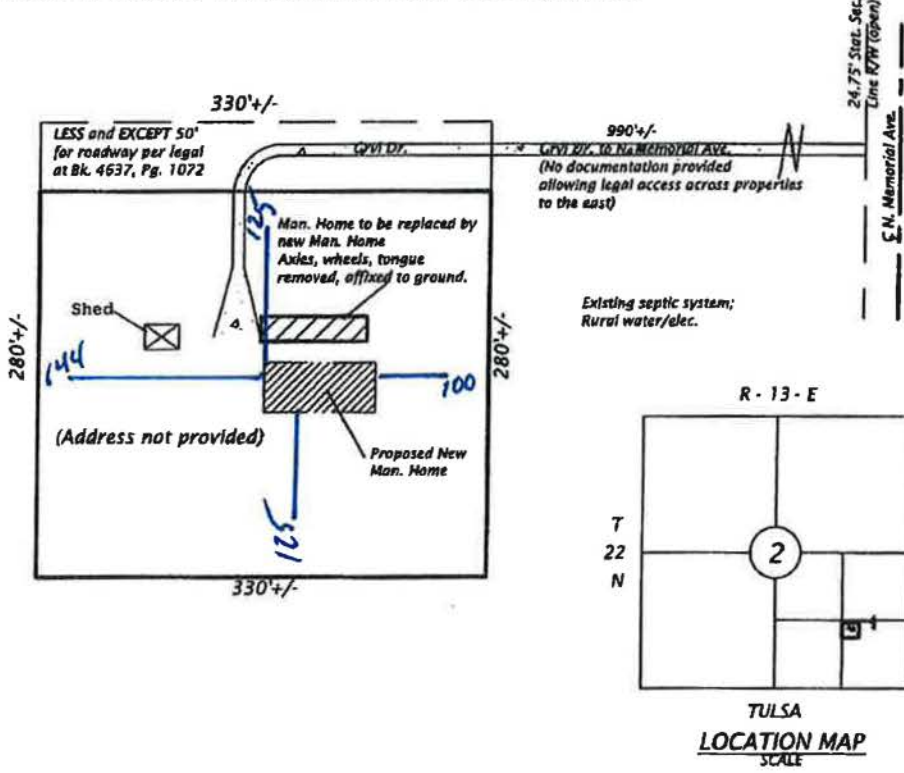
**REGISTERED LAND SURVEYOR'S INSPECTION
PLAT AND CERTIFICATE FOR MORTGAGE
LOAN PURPOSE**

COLLINS LAND SURVEYING, INC.
3840 W. 151st ST. S. - P.O. Box 250
KIEFER, OK. 74041
OFFICE (918)321-9400 FAX (918)321-9404

J.O. NO.: 21-03-045
Customer: Freedom Homes of Tulsa
Borrower: Carder, Dustin
Plat No: N/A

| | | | | |
|-----------------------------------------------------------|-------------------------------------------------------------------|------------------------------------------------------------------------------------|---------------|---------|
| B/L=Building Line U/E=Utility Emnt. F/E=Fence Emnt. | OB/L=Out Building Line SW/E=Sidewalk Emnt. R/W=Right of Way | D/E=Drainage Emnt. B/E=Buried Tele. & Elec. Cable Emnt. S/E=Service Entrance | SCALE: 1"=80' | ↑ NORTH |
|-----------------------------------------------------------|-------------------------------------------------------------------|------------------------------------------------------------------------------------|---------------|---------|

SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "UNSHRADED X" AN AREA OF MINIMAL FLOOD HAZARD AS SHOWN ON FIRM MAP#400462 0045K, DATED 08/03/2009.



THIS PLAT IS MADE FOR AND AT THE REQUEST OF:
Freedom Homes of Tulsa
FOR MORTGAGE LOAN PURPOSES ONLY COVERING LEGAL DESCRIPTION AS PROVIDED

The North 2.5 of the West Half of the West Half of the Southeast Quarter of the Southeast Quarter (W/2 W/2 SE/4 SE/4) of Section 2, Township Twenty-two (22) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof. LESS and EXCEPT the North 50 feet for roadway.

Property address: TBD, Collinsville, Oklahoma

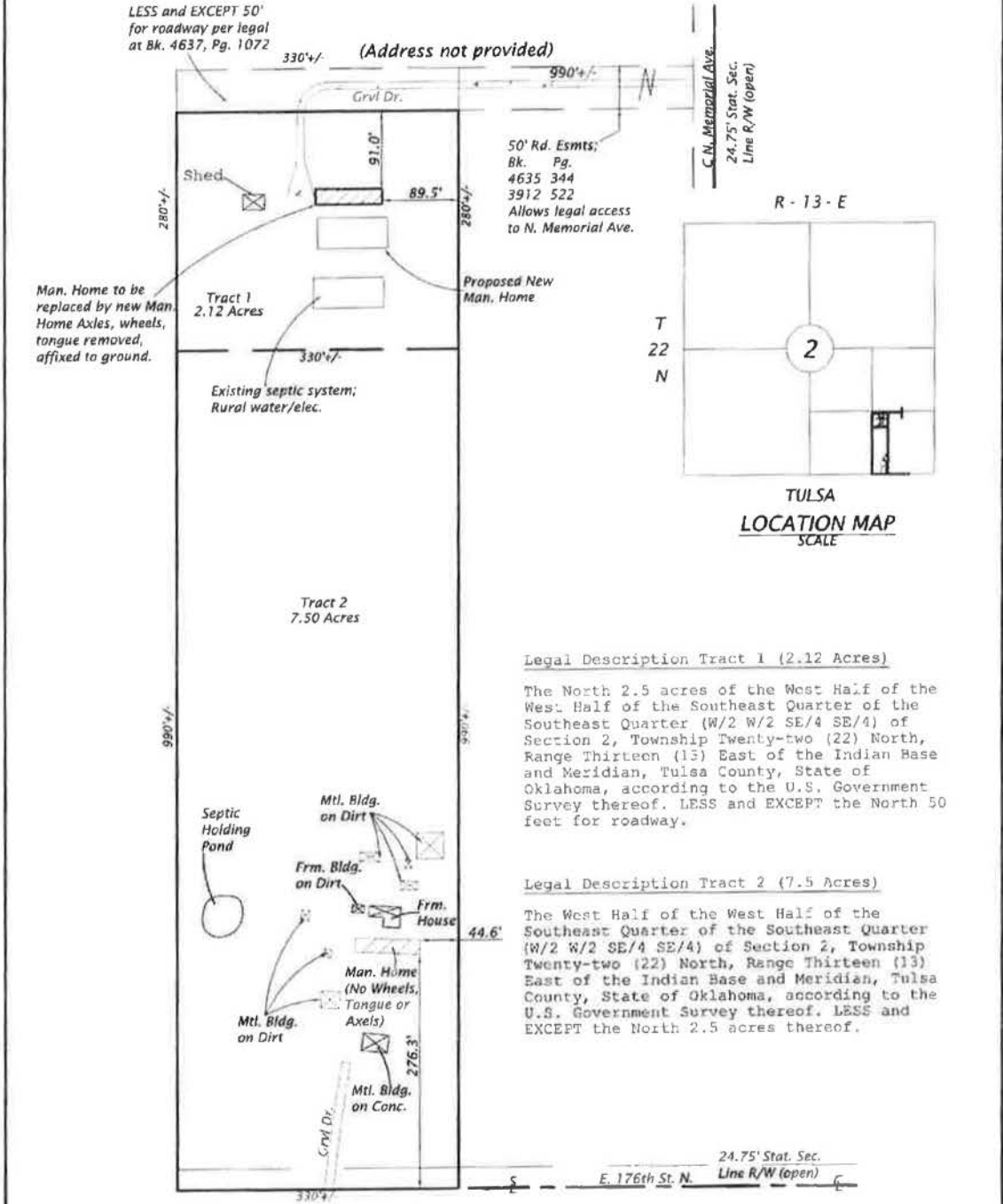
SURVEYORS STATEMENT

COLLINS LAND SURVEYING INC., AN OKLAHOMA CORPORATION, AND THE UNDERSIGNED REGISTERED PROFESSIONAL LAND SURVEYOR 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 ONLY FOR THE MORTGAGE 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 EASES, BUILDINGS, OR OTHER IMPROVEMENTS; THAT UNDERGROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS INSPECTION PLAT UNLESS SPECIFICALLY REQUESTED BY THE CLIENT; THAT THIS INSPECTION PLAT WAS PREPARED SOLELY FOR THE CLIENT LISTED HEREON AND MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFUNDANCE, OR OTHER TRANSACTION; AND THAT NO RESPONSIBILITY OR LIABILITIES ASSUMED HEREBY TO THE PRESENT OR FUTURE LAND OWNER OR OCCUPANT. BURIED SERVICE CABLE LOCATIONS ARE APPROXIMATE; CALL ONE BEFORE DIGGING 1-(800)-522-6545

WITNESS MY HAND AND SEAL THIS DATE:
FINAL: 03/15/2021

K.S. COLLINS
OKLAHOMA REGISTERED
LAND SURVEYOR NO. 1259
CA#2856 EXPIRES: 08/30/2022

6.13



Legal Description Tract 1 (2.12 Acres)

The North 2.5 acres of the West Half of the West Half of the Southeast Quarter of the Southeast Quarter (W/2 W/2 SE/4 SE/4) of Section 2, Township Twenty-two (22) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof. LESS and EXCEPT the North 50 feet for roadway.

Legal Description Tract 2 (7.5 Acres)

The West Half of the West Half of the Southeast Quarter of the Southeast Quarter (W/2 W/2 SE/4 SE/4) of Section 2, Township Twenty-two (22) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof. LESS and EXCEPT the North 2.5 acres thereof.



A.S. Collins

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| COLLINS LAND SURVEYING, INC. 3340 W. 131st ST. S. - P.O. Box 880 KIEFER, OK. 74041 OFFICE (918)321-9400 FAX (918)321-9404 CA#2858 EXPIRES: 06/30/2022 | Sketch of Proposed Lot Split |
| | Performed For: Freedom Homes of Tulsa J.O. NO. 21-03-045 DATE: 06/13/2021 |

6.14