

AGENDA
Tulsa County Board of Adjustment
Regularly Scheduled Meeting
Tuesday, July 20, 2021, 1:30 p.m.
Williams Tower I
1 West 3rd Street, St. Francis Room

Meeting No. 496

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 June 15, 2021 (Meeting No. 495).

UNFINISHED BUSINESS

None.

NEW APPLICATIONS

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

2. **2892—Charles Keeling**
Variance of the minimum lot area and land area per dwelling unit (Tract 1) in the AG District to permit a lot split (Section 330); Variance of the minimum land area per dwelling unit (Tract 2) in the AG District to permit two dwelling units on one lot of record (Section 330). **LOCATION:** 3928 South 179th Avenue West
3. **2895—Nicholas Wooters**
Variance from the all-weather parking surface requirement (Section 1340.D).
LOCATION: 521 South 209th Avenue West

4. **2896—Rick L. Portilloz**
Variance to permit a detached accessory building to exceed 750 square feet in the RS District. (Section 240). **LOCATION:** 5809 South 170th Avenue West
5. **2897—Tom Yohanan**
Variance of the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet in the AG District to permit a lot split (Section 207).
LOCATION: 4375 South 157th Avenue West
6. **2898—Darrell Moody**
Special Exception to permit a carport in an AG-R District (Section 240.2.H);
Variance of the side setback in an AG-R District to permit a carport (Section 320.2-2 & Section 330, Table 3). **LOCATION:** 6492 North 134th Avenue East
7. **2899—Thomas Oliver**
Variance of the required rear yard setback from 40 feet to 8 feet in an AG District (Section 330). **LOCATION:** 6006 South 204th Avenue West
8. **2900—Patricia Contreras**
Special Exception for Use Unit 2, Area-Wide Special Exception Uses, for a Wedding and Event Venue in an AG District (Section 1202); Variance from the all-weather parking surface requirement (Section 1340.D). **LOCATION:** 14225 North Yale Avenue East

Staff requests a continuance to August 17, 2021.

9. **2901—Bryan Steffes**
Use Variance to allow Use Unit 11, Offices and Studios, to permit a General Business Office in a RS District (Section 1211); Use Variance to allow Use Unit 23, Warehousing and Wholesaling, Not Elsewhere Classified, to permit indoor storage in an RS District (Section 1223). **LOCATION:** 11400 West 56th Street South

Case has been withdrawn by staff.

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

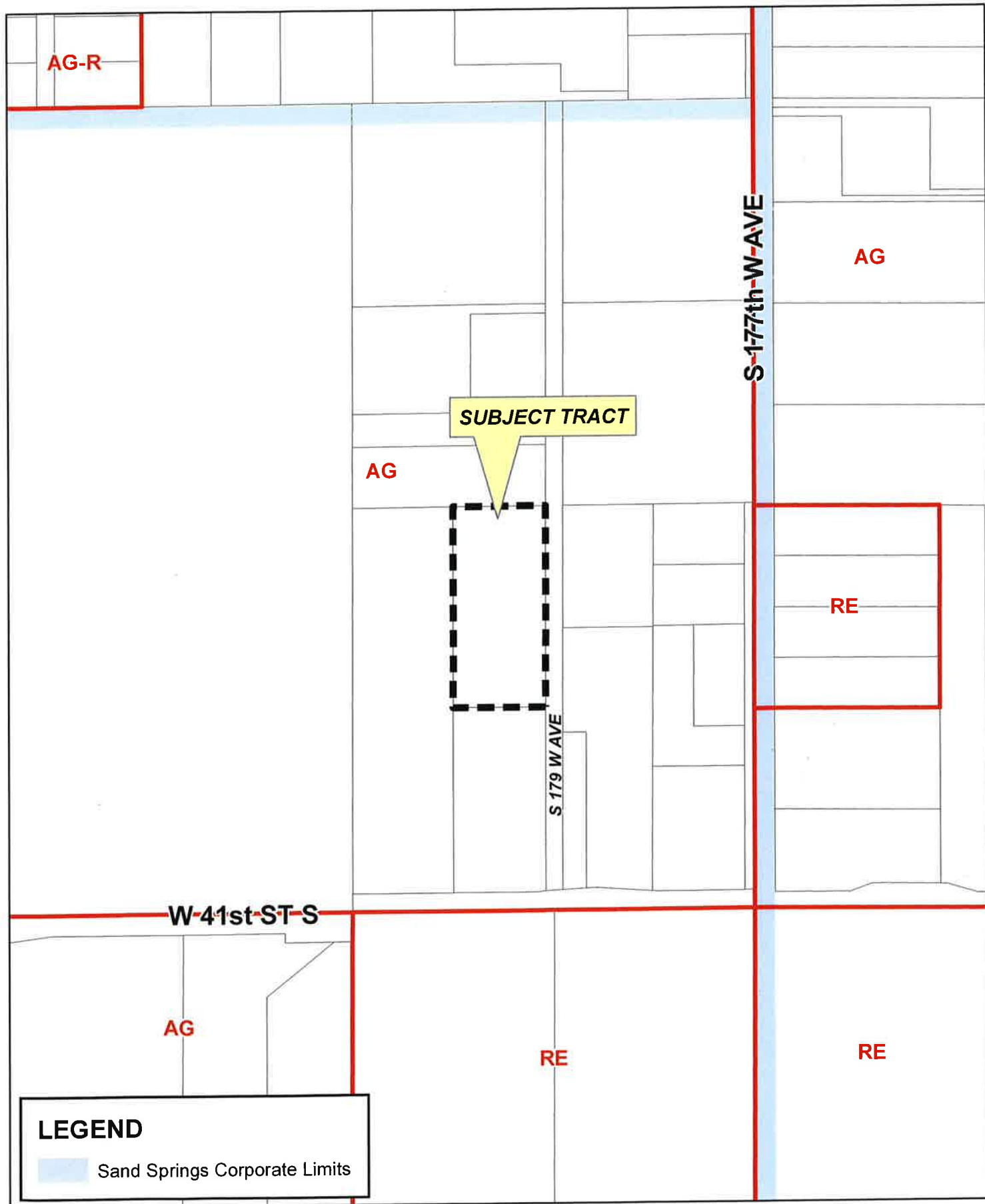
Website: tulsaplanning.org

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.



LEGEND

 Sand Springs Corporate Limits



CBOA-2892

19-10 24

2.1



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9024

CASE NUMBER: CBOA-2892

CZM: 42

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 07/20/2021 1:30 PM

APPLICANT: Charles Keeling

ACTION REQUESTED: Variance of the minimum lot area and land area per dwelling unit (Tract 1) in the AG district to permit a lot split (Section 330); Variance of the minimum land area per dwelling unit (Tract 2) in the AG district to permit two dwelling units on one lot of record (Section 330).

LOCATION: 3928 S 179 AV W

ZONED: AG

FENCELINE: Sand Springs

PRESENT USE: Residential

TRACT SIZE: 4.55 acres

LEGAL DESCRIPTION: N/2 E/2 W/2 SE SE LESS E30 THEREOF SEC 24 19 10 4.55ACS,

RELEVANT PREVIOUS ACTIONS:

Subject Property: None relevant

Surrounding Property:

CBOA-641 March 1986: The Board approved a minor *Variance* of the lot area from 2 acres to 1.12 acres and a *Variance* of the lot width from 200' to 198' in order to permit a lot split, on property located on the northwest corner of 41st Street and 177th West Avenue.

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

STAFF COMMENTS:

The applicant is before the Board requesting a Variance of the minimum lot area and land area per dwelling unit (Tract 1) in the AG district to permit a lot split (Section 330); Variance of the minimum land area per dwelling unit (Tract 2) in the AG district to permit two dwelling units on one lot of record (Section 330).

The applicant supplied the following statement: *"The land is only good for a house. I have only post oak and rocks. The family needs a home so I gave them 2 acres for a new home."*

The AG district requires a minimum lot area of 2 acres and a minimum land area per dwelling unit of 2.1 acres. As shown on the submitted survey, the proposed lot split will create two lots. Tract 1 will be 1.81 acres and Tract 2 will be 2.77 acres.

In order to permit a lot split as proposed, the applicant is requesting a variance to reduce the lot area and the land area per dwelling unit to 1.81 on Tract 1 and the land area per dwelling unit to

1.38 acres on Tract 2 to allow two existing homes on the parcel. If the proposed lot split is approved, there will be two dwelling units on the 2.77 acre parcel.

Sample Motion:

“Move to _____ (approve/deny) Variance of the minimum lot area and land area per dwelling unit (Tract 1) in the AG district to permit a lot split (Section 330); Variance of the minimum land area per dwelling unit (Tract 2) in the AG district to permit two dwelling units on one lot of record (Section 330).

- Finding the hardship(s) 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. 640 (continued)

Presentation:

The applicant, Birdie Clifton, 218 East 58th Street North, Tulsa, Oklahoma, stated that her husband is retired and would like to have permission for a home occupation. She informed that he has a pacemaker and is planning to do only minor car repair in their garage.

Comments and Questions:

Mr. Alberty asked Ms. Clifton if her husband does body work and she replied that he does not do this type of work.

Mr. Looney asked the applicant if her husband would be working in the evening and she replied that he would not work after 5 p.m.

Mr. Alberty asked Ms. Clifton if there would be a sign advertising the business or outside storage on the property. She replied that the business would not have a sign or outside storage and would comply with the Home Occupation Guidelines.

Mr. Gardner asked if automobiles waiting for repair will be stored on the lot and Ms. Clifton replied that her husband would only work on one car at a time.

Protestants: None.

Board Action:

On MOTION of WALKER, the Board voted 4-0-0 (Alberty, Looney, Walker, Wines, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to **APPROVE** a **Special Exception** (Section 420 - Accessory Uses In Residential Districts - Use Unit 1217) to allow a home occupation (minor car repair) in an RS District; subject to days and hours of operation being Monday through Saturday, 8:00 a.m. to 5:00 p.m.; subject to use of equipment that produces noise being restricted; subject to no painting, no outside work and no open storage of automobiles or parts on the subject property; and subject to the home occupation being limited to the applicant only; on the following described property:

Lot 1, Block 19, Suburban Hills Addition, Tulsa County, Oklahoma.

Case No. 641

Action Requested:

Minor Variance - section 330 - Bulk and Area Requirements in Agriculture Districts - Use Unit 1206 - request a minor variance of

Case No. 641 (continued)

the lot area from 2 acres to 1.12 acres and a variance of the lot width from 200' to 198' in order to permit a lot split; located on the NW/c of 41st Street and 177th West Avenue.

Presentation:

The applicant, Andrew Underwood, was represented by Alma Underwood, Route 2, Box 55, Sand Springs, Oklahoma. She stated that she owns 10 acres and asked the Board to permit a lot split which would enable her to give each of her 3 children a 1 1/2-acre lot.

Comments and Questions:

Mr. Alberty asked if the lots would have an access road and Ms. Underwood stated that adjoining property is being developed and access is already provided.

Mr. Looney asked Ms. Underwood if the road has been dedicated and she answered that it has not.

Mr. Alberty pointed out that the road is not built to county standards, but the Board accepted it from the standpoint of meeting our requirements.

Mr. Walker voiced a concern that the access is on a road that is not dedicated at this time.

Mr. Gardner informed that TMAPC approved the lot split on March 5, 1986.

Protestants: None.

Board Action:

On MOTION of LOONEY, the Board voted 4-0-0 (Alberty, Looney, Walker, Wines, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to APPROVE a Minor Variance (Section 330 - Bulk and Area Requirements in Agriculture Districts - Use Unit 1206) of the lot area from 2 acres to 1.12 acres and a variance of the lot width from 200' to 198' in order to permit a lot split; finding a hardship demonstrated by the shape and size of the tract; on the following described property:

E/2, E/2, SE/4, SE/4, Section 24, T-19-N, R-10-E, Tulsa County, Oklahoma.

Case No. 642

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in Agriculture districts - Use Unit 1209 - Request a special exception to allow a mobile home in an AG-R District.



Subject Tract

CBOA-2892

19-10 24

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

Aerial Photo Date: February 2018



2.6



W 41st ST S

S 179 WAVE

S 177th W AVE



Subject Tract

CBOA-2892

19-10 24

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

Aerial Photo Date: February 2018



2.7

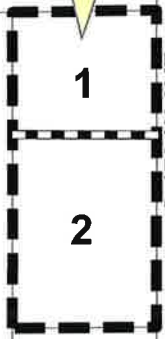
AG-R

AG

SUBJECT TRACT

Related
Lot
Split
LS-21371

AG



S 179 W AVE

S-177th-W-AVE

RE

W-41st ST S

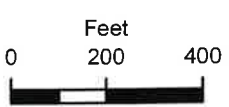
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RE

RE

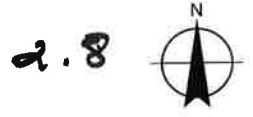
LEGEND

Sand Springs Corporate Limits



LS-21371

19-10 24





Related
Lot
Split
LS-21371



S 179 WAVE

S 177th WAVE

W 41st ST S



Subject
Tract

LS-21371

19-10 24

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

Aerial Photo Date: February 2018



2.9



Related
Lot Split
LS-21371

1

2

S 179 WAVE



Subject
Tract

LS-21371

19-10 24

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

Aerial Photo Date: February 2018

2.10



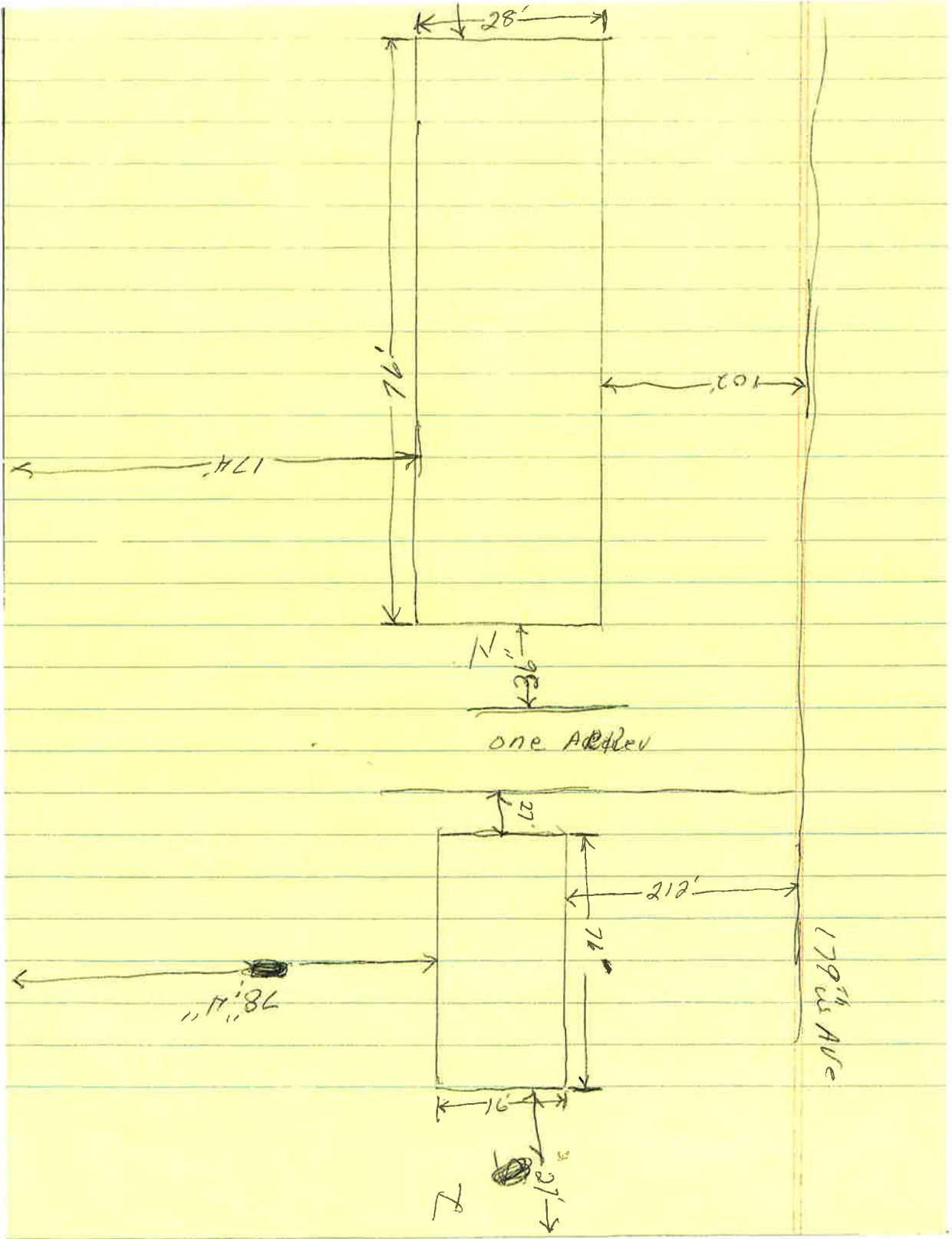




Looking west toward the subject property from S. 179th W. Ave.

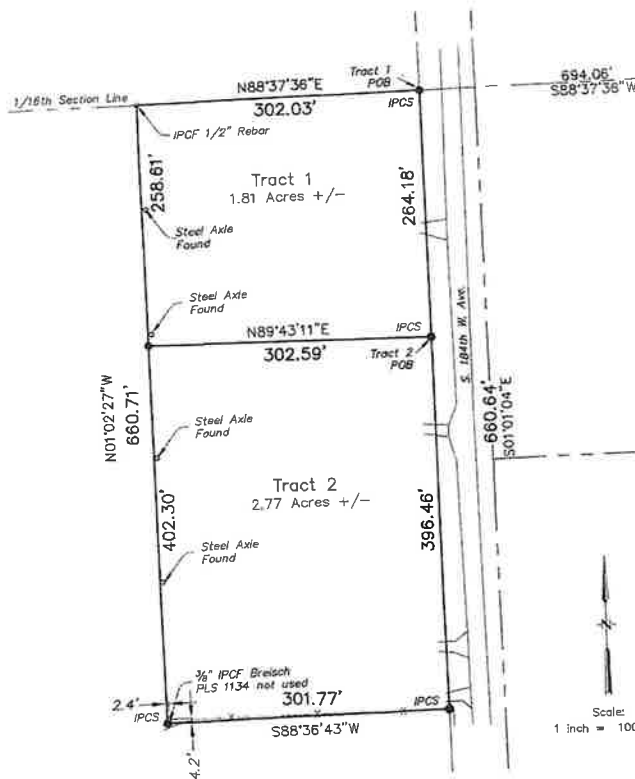


Looking north on S. 179th W. Ave.



Lot Split Survey

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 10 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA.



- Legend**
- IPCF 3/8" IRON PIN W/ CAP SET 'PLS 1893'
 - IPCS 3/8" IRON PIN W/ CAP SET 'PLS 1893'
 - IPF 3/8" IRON PIN FOUND
 - ◇ MAGF MAG NAIL FOUND
 - x — EXISTING FENCE
 - POC POINT OF COMMENCEMENT
 - POB POINT OF BEGINNING

Parent Legal Description As filed with the Tulsa County Court Clerk Bk. 4520, Pg. 2226

The North Half (N/2) of the East Half (E/2) of the West Half (W/2) of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of Section Twenty-four (24), Township Nineteen (19) North, Range Ten (10) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma according to U.S. Government Survey thereof.

Tract 1 Legal Description

A tract of land located in the North Half (N/2) of the East Half (E/2) of the West Half (W/2) of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of Section 24, Township 19 North, Range 10 East of the Indian Meridian, Tulsa County, State of Oklahoma, and being more particularly described as follows, to-wit: Commencing at the Southeast Corner the Southeast Quarter (SE/4) of said Section 24; thence N00°58'18"W along the East Section line a distance of 1320.92 feet to a point; thence S88°37'36"W along the 1/16th line a distance of 694.06 feet to the POINT OF BEGINNING, a distance of 258.61 feet to a point; thence N88°37'36"E a distance of 302.03 feet to the POINT OF BEGINNING, said tract being 1.81 acres, more or less.

Tract 2 Legal Description

A tract of land located in the North Half (N/2) of the East Half (E/2) of the West Half (W/2) of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of Section 24, Township 19 North, Range 10 East of the Indian Meridian, Tulsa County, State of Oklahoma, and being more particularly described as follows, to-wit: Commencing at the Southeast Corner the Southeast Quarter (SE/4) of said Section 24; thence N00°58'18"W along the East Section line a distance of 1320.92 feet to a point; thence S88°37'36"W along the 1/16th line a distance of 694.06 feet to a point; thence S01°01'04"E a distance of 264.18 feet to the POINT OF BEGINNING, thence S01°01'04"E a distance of 301.77 feet to a point; thence N01°02'27"W a distance of 402.30 feet to a point; thence N89°43'11"E a distance of 302.59 feet to the POINT OF BEGINNING, said tract being 2.77 acres, more or less.

I, E. Dane Trout, a Registered Land Surveyor in the State of Oklahoma, hereby certify that the above plat represents a true and accurate survey performed under my direct supervision, and that this Plat of Survey meets or exceeds the Oklahoma Minimum Standards, as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors. Field survey was conducted April 15th - 19th, 2021.

Witness my hand and seal this 3rd day of May, 2021.

E. Dane Trout



Scale:
1 inch = 100 ft.

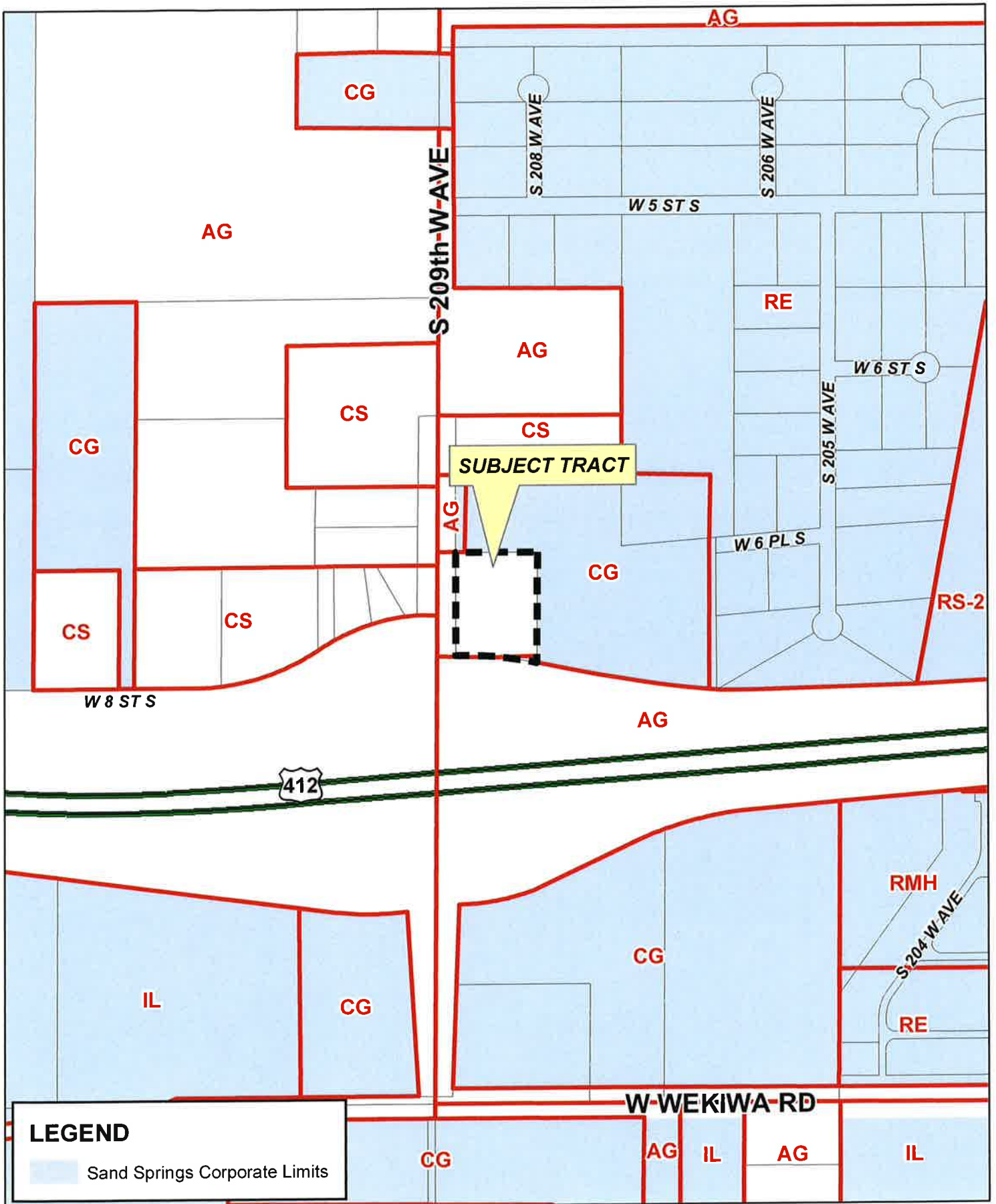
Notes:

1. Basis of Bearings: Grid North as established by State Plane Datum NAD83(2011).
2. This firm was not contracted to research easement or encumbrances of record. No attempt to research the County Records or other Record Offices was performed by this firm, therefore, easements may affect the Subject Tract that are not reflected by this plat.


TROUT LAND SURVEYING, LLC

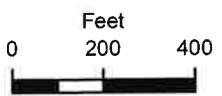
918.734.3423 - 807 N. Birch St. Jenks, OK 74037
CA 7312 (LS) Exp. 6-30-2021

21.14



LEGEND

 Sand Springs Corporate Limits



CBOA-2895

19-10 02

3.1



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9002

CASE NUMBER: CBOA-2895

CZM: 33

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 07/20/2021 1:30 PM

APPLICANT: Nicholas Wooters

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

LOCATION: 521 S 209 AV W

ZONED: CG

FENCELINE: Sand Springs

PRESENT USE: Coffee Shop

TRACT SIZE: 2.11 acres

LEGAL DESCRIPTION: PRT NW SW BEG 1437.26N & 65E SWC SW TH N366.95 E261.08 S366.95 W261.08 POB LESS .09AC TO STATE SEC 2 19 10 2.11ACS,

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2676 May 2018: The Board approved a Special Exception to permit a firework's stand (Use Unit 2) in a CG district, on property located at the northeast corner of Highway 64 & 209th West Avenue.

CBOA-2263 May 2007: The Board approved a *Special Exception* to permit a firework's stand in a CG district (Section 710); a *Variance* of the required hard surface parking to allow for gravel parking (Section 1340.D), on property located at the northeast corner of Highway 64 & 209th West Avenue.

ANALYSIS OF SURROUNDING AREA: The subject tract abuts CG zoned property within the city limits of Sand Springs to the north and the east. Property appears to be either vacant or agricultural in nature. It abuts AG zoning to the south, partially to the west with the remainder to the west zoned as CS.

STAFF COMMENTS:

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

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.

The applicant provided the following statement: *"The land is sloped, the building is set, we will not be able to asphalt under the building which would cause water pooling underneath."*

3.2

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

Sample Motion:

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

Subject to the following conditions (including time limitation, 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.”

Comments and Questions:

None.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 3-0-0 (Charney, Crall, Hutchinson "aye"; no "nays"; no "abstentions"; Dillard, Johnston "absent") to **APPROVE** the request for a **Special Exception** to allow a Mining and Mineral processing use (Use Unit 24) in an AG District (Section 310). The approval is limited to the land shown on Exhibit A and located south of Highway 64; not all the land originally advertised. There is to be no blasting. The approval will be limited to five years, May 15, 2023. The applicant is to conform to all the industrial standards for dust control and erosion control; for the following property:

NE SE LESS 5.95 ACRES FOR RD. SEC 26 17-14; NW SE LESS 7.83 AC FOR RD SEC 26 17 14; NW SW LYING SW NEW HWY 64 SEC 25 17 14 4.46AC; E1/2 SW LESS HW & RY. SEC 25-17-14, OF TULSA COUNTY, STATE OF OKLAHOMA

NEW APPLICATIONS

FILE COPY

2676—American Promotional Events

Action Requested:

Special Exception to permit a firework stand (Use Unit 2) in an CG District (Section 701). **LOCATION:** NE/c of Highway 64 & 209th West Avenue, Sand Springs

Presentation:

Lonnie Basse, American Promotional Events, Inc., 5401 West Skelly Drive, Tulsa, OK; stated this request is for consumer firework sales that was previously granted for a ten-year period and has now expired. The hours of operation will be from June 15th to July 6th; 10:00 A.M. to 10:00 P.M. from June 15th to July 2nd; July 3rd and July 4th the hours will be 8:00 A.M. to midnight.

Mr. Charney asked Mr. Basse if he had any objections from anyone with the City of Sand Springs. Mr. Basse stated that he has not had any objections.

Mr. Charney asked Mr. Basse if he was involved in the operation of the previous stand on the subject property. Mr. Basse stated that he was not.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

CBDA-2676

FILE COPY

Board Action:

On **MOTION** of **CRALL**, the Board voted 3-0-0 (Charney, Crall, Hutchinson "aye"; no "nays"; no "abstentions"; Dillard, Johnston "absent") to **APPROVE** the request for a **Special Exception** to permit a firework stand (Use Unit 2) in an CG District (Section 701) with a time limit of five years, May 15, 2023. The hours of operation are to be June 15th through July 4th; 10:00 A.M. to 10:00 P.M., June 15th through July 2nd and 8:00 A.M. to Midnight July 3rd and July 4th; for the following property:

**PRT NW SW BEG 1437.26N & 65E SWC SW TH N366.95 E261.08 S366.95 W261.08
POB LESS .09AC TO STATE SEC 2 19 10 2.11ACS, OF TULSA COUNTY, STATE
OF OKLAHOMA**

2677—Jason Schultz

Action Requested:

Variance of the minimum land area per dwelling unit (Section 330). **LOCATION:**
12034 North 145th Avenue East

Presentation:

Jason Schultz, 10208 North 140th East Court, Owasso, OK; stated this lot split request is for a six-acre tract and it would be 2.04 acres for a single-family residence.

Mr. Charney asked Mr. Schultz if the tract he is seeking to build on is fronted by a public street. Mr. Schultz answered affirmatively. Mr. Charney asked if there was a mutual access easement running along the northern boundary. Mr. Schultz answered affirmatively. Mr. Charney asked if there was an existing residence on the tract located in the back. Mr. Schultz answered that residence is being built currently.

Mr. Charney advised Mr. Schultz that he carefully construct a mutual access easement along the northerly boundary, having it carefully drafted and placed in the abstract with a maintenance agreement because that is a critical instrument for mortgage financing and resale. Mr. Charney informed Mr. Schultz that the Board does not want the subject property to be split any more, and he asked Mr. Schultz if he agreed with that. Mr. Schultz confirmed his agreement to no more lot splits for the subject property.

Mr. Charney asked Mr. Schultz if the property were going to be served by an aerobic system. Mr. Schultz answered affirmatively.

Mr. Hutchinson asked Mr. Schultz if Tract A and Tract B were going to have shared driveway. Mr. Schultz stated he will be laying his driveway beside to Tract B's driveway.

Interested Parties:

Anthony Jury, 12931 East 98th Street North, stated the residence on the subject property has been unoccupied for two years. He added that the owner has not maintained the property. There is a narrow paved driveway to the house.

Abigail Jones, 12902 East 100th Street North, Owasso, Oklahoma, submitted a packet of documents in opposition to the application (Exhibit A-1). She spoke for herself and Tammy and Ron Kates, 12990 East 100th Street North, Owasso. She stated there was no place to park and the stand would not be compatible with the neighborhood. She commented that 100th Street North is not a through street.

Doug Frances, 12920 East 101st Street North, Owasso, expressed concern for late hours of operation for the fireworks stand, traffic and noise as already mentioned.

Tammy Kates, 12990 East 100th Street North, Owasso, expressed the same concerns as the other interested parties.

Board Action:

On **Motion of Dillard**, the Board voted 4-0-0 (Walker, Tyndall, Dillard, Charney "aye"; no "nays"; no "abstentions"; Hutson "absent") to **DENY** Case No. 2260, finding it would not be in harmony with the spirit and intent of the code and would be injurious to the neighborhood, or otherwise detrimental to the public welfare, on the following described property:

LT 5 BLK 1 GLENN-MUR ACRES SUB Tulsa County, State of Oklahoma

Case No. 2263

Action Requested:

Special Exception to permit a fireworks stand in a CG district (Section 710); a Variance of the required hard surface parking to allow for gravel parking (Section 1340.D), located: Northeast corner of South 209th West Avenue and Highway 64.

Presentation:

Melissa Torkleson, 1120 South 221st West Avenue, Sand Springs, Oklahoma, proposed to open a fireworks stand to be operated by a non-profit organization. They would operate from June 15th through July 4th and the New Year's seasons from 10:00 a.m. to 10:00 p.m., with the exception of a closing time at midnight on July 3rd and 4th. She asked for an approval of five years for this temporary use.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion of Tyndall**, the Board voted 4-0-0 (Walker, Tyndall, Dillard, Charney "aye"; no "nays"; no "abstentions"; Hutson "absent") to **APPROVE** a Special Exception to permit a fireworks stand in a CG district (Section 710) for a period of five years; per request to operate the stand June 15th through July 4th and the New Year's seasons from 10:00 a.m. to 10:00 p.m., with the exception of a closing time at midnight on July 3rd and 4th; finding it 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.

On **Motion of Walker**, the Board voted 4-0-0 (Walker, Tyndall, Dillard, Charney "aye"; no "nays"; no "abstentions"; Hutson "absent") to **APPROVE** a Variance of the required hard surface parking to allow for gravel parking (Section 1340.D), finding the temporary use, on the following described property:

PRT NW SW BEG 1437.26N & 65E SWC SW TH N366.95 E261.08 S366.95 W261.08 POB LESS .09AC TO STATE SEC 2 19 10 2.11ACS Tulsa County, State of Oklahoma

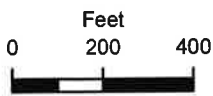
Case No. 2264

Action Requested:

Special Exception to permit a halfway house in an AG district (Section 310), located: 1821 East 66th Street North.

Presentation:

Stephen A. Schuller, 1100 One Ok Plaza, submitted the site plan and an exhibit (Exhibit B-1 and B-2) to the Board. Mr. Schuller stated the zoning code permits this Use Unit 2 use in an AG district by special exception. This project complies with the bulk and area requirements of the zoning code. It will comply with the off-street parking and loading requirements. He informed the Board that he invited the property owners within 1,000 ft. of the site to a meeting to provide them with information regarding this application. He pointed out the mission of the proposed halfway house is to develop a rehabilitation-based program for the residents to achieve a maximum level of functioning as productive, accountable, law-abiding and responsible citizens through comprehensive assessment, supervision and guidance. This organization provides experienced, professional counselors. The house would be a community-based residential facility established to assist persons leaving structured institutions, such as prisons and jails to transition back into society. Mr. Schuller noted this is the largest federal district in northern Oklahoma that does not have a federal halfway house contractor. They have found these people need to re-establish family and community ties for positive support in the transition. Cornerstone Halfway House would offer a rigorous assessment, and would not admit sex-offenders, drug-users, or violent residents in this house. They perform mandatory and random drug tests. They provide



 Subject Tract

CBOA-2895

19-10 02

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

Aerial Photo Date: February 2018

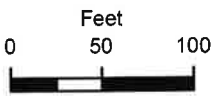


3.8



S 209th W AVE

W 8th STS



 Subject Tract

CBOA-2895

19-10 02

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

Aerial Photo Date: February 2018



3.9

3.10

TEMPORARY COFFEE KIOSK:

EMBERS COFFEE
5 2 1 N O R T H 2 0 9 T H W E S T

TULSA COUNTY OKLAHOMA 74063

SHEET NOTES

1. PROPERTY INFORMATION HAS NOT BEEN SURVEYED FOR EXACT BOUNDARY LOCATIONS.
2. SITE INFORMATION BASED ON INFORMATION RECEIVED FROM THE OWNER.
3. CONTRACTOR TO VERIFY BOUNDARIES FOR ANY WORK WITHIN 25' OF THE PROPERTY LINE(S).
4. ALL EXISTING APPURTENANCES ARE APPROXIMATE.
5. LOCATE NEW STRUCTURE AS REQUIRED TO ALLOW FOR ADEQUATE VEHICULAR PASSAGE AROUND PERIMETER OF KIOSK.
6. PARKING AREA IS FOR EMPLOYEES ONLY. NO CUSTOMER PARKING IS REQUIRED.
7. OWNER TO LOCATE BINSTER. COORDINATE FINAL LOCATION WITH TRASH SERVICE PROVIDER.
8. EXISTING ENTRY DRIVE TO REMAIN. CLEANOUT CURBVERT TO ENSURE DRAINAGE.
9. GRADE SITE TO MAINTAIN DRAINAGE PATTERNS. ENSURE DRAINAGE IS CLEAR OF THE KIOSK LOCATION. NO PONDING SHALL OCCUR IN THE IMMEDIATE AREA AROUND THE KIOSK AND DRIVE THRU LANES.



TODD PATRICK COLE, AIA
ARCHITECT OF RECORD

DOCUMENTS WITHOUT
SIGNATURE AND REQUIRED
SEAL ARE
NOT FOR CONSTRUCTION

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2440 WEST 81ST STREET
TULSA OKLAHOMA 74132
918.605.7537

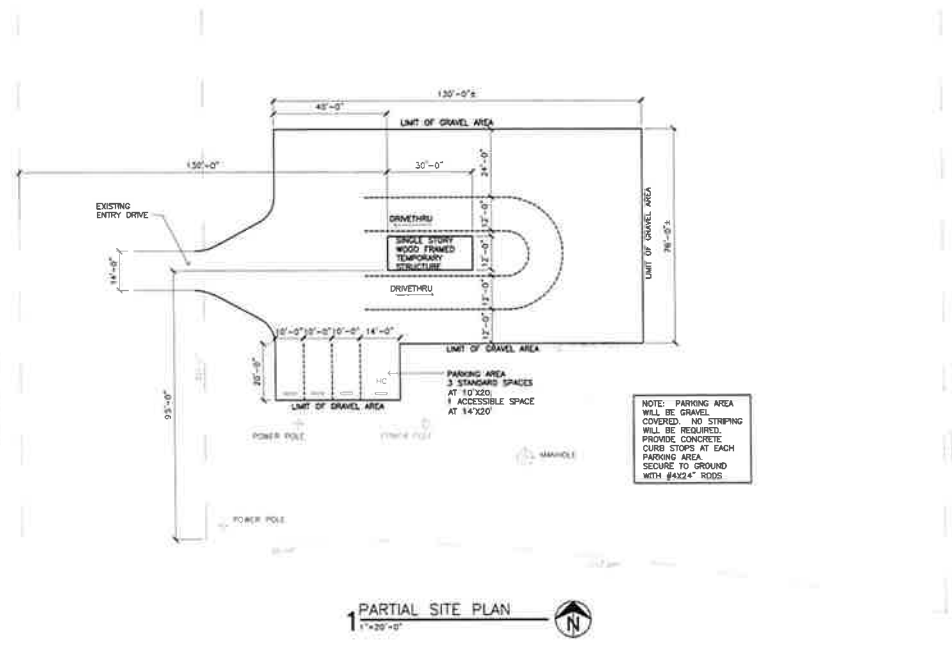
BREWER DEVELOPMENT:
EMBERS COFFEE
5 2 1 N O R T H 2 0 9 T H W E S T
TULSA COUNTY OKLAHOMA 74063

ISSUE NO.	DATE

**PARTIAL
ARCHITECTURAL
SITE PLAN**

PROJECT NUMBER: SP100
DATE: 01.14
DRAWN BY: JF
CHECKED BY: JF

SHEET
SP100



PROPERTY LOCATION

521 NORTH 20TH STREET WEST, SAND SPRINGS OK 74053
NE CORNER OF HIGHWAY 412 AND 20TH WEST

LEGAL DESCRIPTION OF PROPERTY

PART OF 50 AC BEGINNING 1/47N1/4W AND 1/4E 2/4W 7/16N/20S 22N1 OR 2368.95 W/201 OR 200 LESS 0.09 AC TO STATE SECTION 2 TOWNSHIP 15 RANGE 10.

TULSA, TULSA COUNTY, STATE OF OKLAHOMA

CODE DATA

APPLICABLE CODES
2015 INTERNATIONAL BUILDING CODE
2015 INTERNATIONAL FIRE CODE
2015 INTERNATIONAL FUEL GAS CODE
2009 INTERNATIONAL MECHANICAL CODE
2012 INTERNATIONAL PLUMBING CODE
2014 NATIONAL ELECTRIC CODE
2008 ICC/ANSI A117.1 ACCESSIBILITY STANDARD

FIRE RISKS

PRIMARY STRUCTURAL FRAME 0 IBC 2015 TABLE 601
BEARING WALLS 0 IBC 2015 TABLE 601
EXTERIOR 0 IBC 2015 TABLE 601
INTERIOR 0 IBC 2015 TABLE 601
NON-BEARING WALLS AND PARTITIONS 0 IBC 2015 TABLE 601
EXTERIOR 0 IBC 2015 TABLE 601
INTERIOR 0 IBC 2015 TABLE 601
FLOOR CONSTRUCTION AND SECONDARY MEMBERS 0 IBC 2015 TABLE 601
ROOF CONSTRUCTION AND SECONDARY MEMBERS 0 IBC 2015 TABLE 601

OVERALL BUILDING DESCRIPTION

AREA
MAXIMUM ALLOWABLE AREA (A) = 8,500 SF

ACTUAL AREA (GROSS):
COFFEE KIOSK (62-STORAGE) = 332 SF

TEMPORARY STRUCTURE

BUILDING CODE ANALYSIS

OCCUPANCY CLASSIFICATION:
MERCANTILE (M)
REQUIRED OCCUPANCY SEPARATION:
NON-SPRINKLED = 1 HOUR SEPARATION MIXED USE
TYPE OF CONSTRUCTION: VB

SCOPE OF WORK

NEW COMMERCIAL TENANT (2,304 SQUARE FEET) FINISH OUT.
INCLUDES NEW FINISHES, LIGHT GAUGE METAL STUD FRAMING,
SUSPENDED ACOUSTICAL CEILING, GYPSUM BOARD CEILING,
PLUMBING, HVAC, LIGHTING, POWER, AND FIRE ALARMS.

ADDITIONAL SYSTEMS INCLUDE SMOKE REMOVAL/FILTRATION

SAFETY GLAZING - CHAPTER 24

ALL GLAZING SHALL MEET REQUIREMENTS OF SECTION 2408 AND
SHALL PASS THE TEST REQUIREMENTS OF EPC 16 CFR PART 1201.
ALL SHALL BE A MINIMUM CATEGORY 1.

OCCUPANCY: GROUP S2 - LOW HAZARD STORAGE SECTION 311.3

TYPE OF CONSTRUCTION: TYPE V-B - TABLE 601
FIRE SPRINKLER NOT REQUIRED PER SECTION 903.2.1.3

DISTANCE OF TRAVEL: MAXIMUM DISTANCE OF TRAVEL TO AN EXIT
(NON-SPRINKLERED): 300 FEET (TABLE 1016.1)

OCCUPANT LOAD: TABLE 1004.1.1
SQUARE FEET / OCCUPANT REQUIRED
STORAGE: 300 SF / OCCUPANT

FLOOR AREAS / OCCUPANT LOAD (NET)		
PREP	192 SF/300	= 0.64 OCC.
WASH AREA	46 SF/300	= 0.15 OCC.
STORAGE AREA	51 SF/300	= 0.17 OCC.
RESTROOM	38 SF/300	= 0.13 OCC.
TOTAL OCCUPANT LOAD		= 1.09 OCC.

MEANS OF EGRESS

SECTION 1005.1
MEANS OF EGRESS WIDTH PER PERSON = 0.20" PER PERSON
MERCANTILE
1.1 + 0.20 = 0.22" REQUIRED
2 DOORS AT 32" = 64" PROVIDED
TOTAL = 64" PROVIDED

FIGURE COUNT

TABLE 2902.1
TOTAL BUILDING OCCUPANT LOAD/2
SECTION 2902.2
SEPARATE FACILITIES NOT REQUIRED WHEN TOTAL OCCUPANT LOAD FOR BOTH
EMPLOYEES AND CUSTOMERS IS LESS THAN 15.
WATER CLOSETS = MEN/500 WOMEN/500
LAVATORIES = MEN/750 WOMEN/750

WATER CLOSETS	=	1	REQUIRED	1	PROVIDED
URINALS	=	0	REQUIRED	0	PROVIDED
RESTROOM LAVATORIES	=	1	REQUIRED	1	PROVIDED
WOP SINK	=	1	REQUIRED	1	PROVIDED



1 LIFE SAFETY PLAN
1/8"=1'-0"

LEGEND

BATTERY BACKED UP EXIT LIGHT REFER ELECTRICAL

3.11

JODY PATRICK COLE, AIA
ARCHITECT OF RECORD

DOCUMENTS WITHOUT
SIGNATURE AND REQUIRED
FEES ARE
NOT FOR CONSTRUCTION

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2440 WEST 81ST STREET
TULSA, OKLAHOMA, 74132
918.605.7537

PREPARED BY: JPC
DATE: 03/13/20
DRAWN BY: JPC
SCALE: AS SHOWN

PROJECT: EMBERS COFFEE
521 NORTH 20TH WEST
TULSA COUNTY OKLAHOMA 74053

**LIFE SAFETY PLAN
AND
CODE DATA**

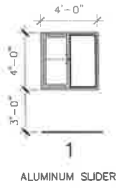
SHEET
LS101

3.12

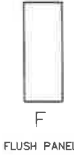
DOOR SCHEDULE									
NO.	ROOM	DOOR TYPE	DOOR FRAME	DOOR MATERIAL	DOOR FINISH	DOOR SCHEDULE	HARDWARE	GLAZING	COMMENTS
1	COFFEE PREP AREA	3'-0" x 6'-0"	F	1	STL	STL	PAINT	1	
2	COFFEE PREP AREA	PR 3'-0" x 6'-0"	F	1	STL	STL	PAINT	2	
3	RESTROOM	3'-0" x 6'-0"	F	1	STL	STL	PAINT	2	

- NOTES:**
- DOOR DECKS/PANIC HARDWARE SHALL COMPLY WITH UL305
 - ALL DOOR GLAZINGS SHALL BE UL LISTED
 - DOOR HARDWARE SHALL COMPLY WITH ANSI 117.1
 - ALL DOOR HARDWARE SHALL BE BRUSHED ALUMINUM FINISH B25.
 - DOORS
 - EXTERIOR DOORS: ANSI 200.11, LEVEL 2 AND PHYSICAL PERFORMANCE LEVEL B (HEAVY DUTY), 1-3/4 INCHES THICK, MODEL 1 (FULL FLUSH) 0.042 INCH MIN. THICKNESS (18 GAUGE), ASTM A 653, COMMERCIAL STEEL (CS), TYPE B, WITH AN 400 ZINC-RICH-ALLOY (GALVANNEAL) COATING, COLD-ROLLED STEEL, POLYURETHANE OR POLYSTYRENE FOAM INSULATED CORE CONSTRUCTION
 - FABRICATE HEAD FLUSH WITH TOP EDGE TO EXCLUDE WATER
 - DOOR CORE CONSTRUCTION:
 - POLYURETHANE CORE FOAMED IN PLACE OR LAMINATED, R=10, 1/2 INCH MAXIMUM VOIDS IN ANY DIRECTION. STRENGTH OF BOND BETWEEN CORE AND STEEL FACE SHEET SHALL EXCEED STRENGTH OF CORE SO DELAMINATING WILL NOT OCCUR DURING OPERATING CONDITIONS
 - RIGID CORE OF POLYSTYRENE FOAM DENSE, R=7, STRENGTH OF BOND BETWEEN CORE AND STEEL FACE SHEET SHALL EXCEED STRENGTH OF CORE SO THAT DELAMINATING WILL NOT OCCUR UNDER OPERATING CONDITIONS
 - MONOCORC CORE, SOFT FIBER MONOCORC WITH NOMINAL 1 INCH CELL SIZE AND CRUSH STRENGTH OF 45 PSI
 - IF LAMINATED INSULATION IS USED, APPLY ADHESIVE FULL COVERAGE TO DOOR FACE.
 - EXTERIOR FRAMES
 - 16 GAUGE STEEL AND GALVANNEAL COATING (ASTM A 653), MITERED AND WELDED UNITS.
 - JAMB DEPTH: 5-3/4"

- HARDWARE SET 1 - EXTERIOR DOORS**
- 1-1/2 PH. BUTTS - STAINLESS STEEL
 - 1 EA. EXT. DOCKS - RM. DPT ONLY, WITH ALARM
 - 1 EA. PROMOTE EXTERIOR ACCESS MODEL BY HON SUPPLY SERIES 248 (SIZE AS REQUIRED FOR DOOR SCHEDULE)
 - 1 EA. WITH OUTSIDE ACCESS
 - 1 EA. CLOSER PARALLEL ARM, NO POSITIVE STOP
 - 1 EA. THRESHOLD 5 INCHES ALUMINUM STOP SEAL
 - 1 EA. DOOR BOTTOM HEAVY-DUTY - DOOR BOTTOM SWEEP, SURFACE MOUNTED
 - 1 EA. SWEEP, ANODIZED ALUMINUM, NEOPRENE SEAL
 - 1 EA. JAMB & HEAD HEAVY-DUTY - MEETING STILE SIGHTS WITH SILICON INSERT
 - 1 EA. DRIP CAP
 - 1 EA. ARMOR PLATE 24 INCH X (2W-2 INCH)
- HARDWARE SET 2 - RESTROOM DOOR**
- 1-1/2 PH. BUTTS - STAINLESS STEEL
 - 1 EA. CLOSER PARALLEL ARM, POSITIVE STOP
 - 1 EA. MORTISE LOCKSET W/ LEVER
 - 1 EA. KICK PLATE
 - 3 EA. SILENCERS



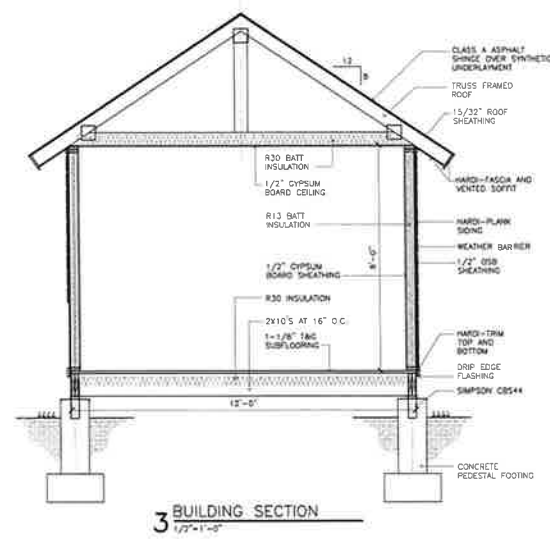
1 ALUMINUM SLIDER



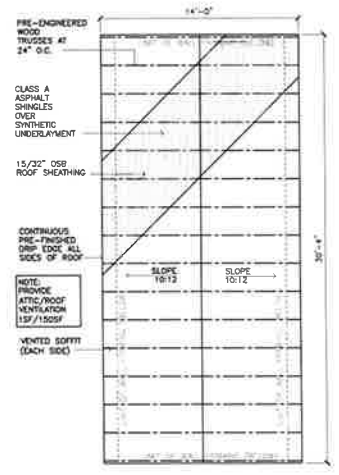
F FLUSH PANEL

4 WINDOW TYPES
N.T.S.

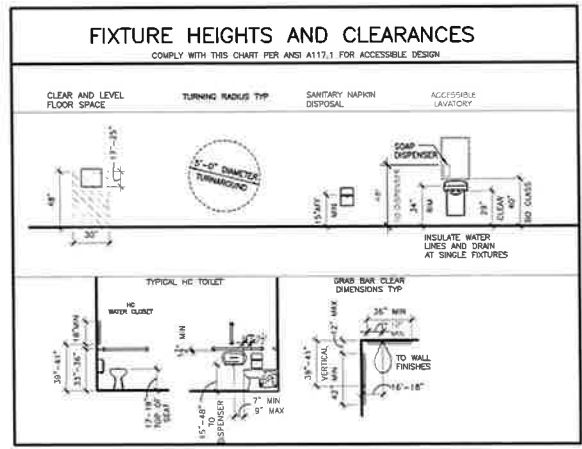
3 DOOR TYPES
N.T.S.



3 BUILDING SECTION
1/2\"/>

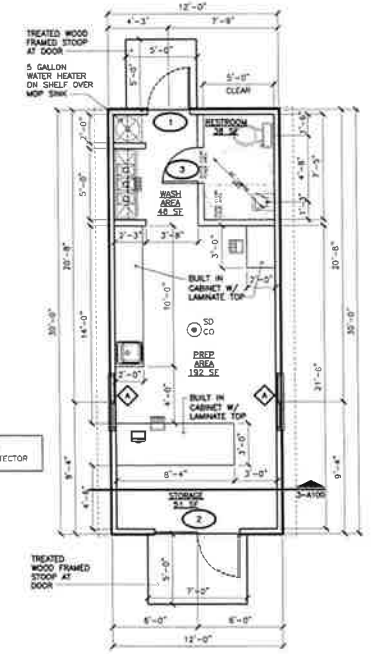


2 ROOF FRAMING PLAN
1/4\"/>



FIXTURE HEIGHTS AND CLEARANCES
COMPLY WITH THIS CHART PER ANSI A117.1 FOR ACCESSIBLE DESIGN

- SHEET NOTES**
- REFER TO SHEET A101 FOR FOUNDATION AND FLOOR FRAMING PLANS.
 - REFER TO SHEET A102 FOR EQUIPMENT PLAN AND SCHEDULE.
 - BASE AND UPPER CABINETS SHALL BE CONSTRUCTED WITH MELAMINE FINISHES INSIDE AND OUTSIDE. PROVIDE ADJUSTABLE SHELVING. KNOBS/PULL HANDLES TO BE SELECTED BY OWNER.
 - SEAL ALL SURFACES WITH CLEAR SILICONE SEALANT.
 - SEAL TOILET TO FLOOR WITH CLEAR SILICON SEALANT.
 - PROVIDE AIR CURTAIN AT EACH DRIVE THRU WINDOW.
 - ADD SIGNAGE AT REAR DOOR 1\"/>



1 FLOOR PLAN
1/4\"/>



JODY PATRICK COLE, AIA
ARCHITECT OF RECORD

DOCUMENTS WITHOUT SIGNATURE AND REQUIRED SEAL ARE NOT FOR CONSTRUCTION

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2440 WEST 81ST STREET
TULSA, OKLAHOMA 74132
918.605.7537

BREWER DEVELOPMENT:
EMBERS COFFEE
521 NORTH 209TH WEST
TULSA COUNTY OKLAHOMA 74063

DATE	BY	REVISION

FLOOR PLAN AND DETAILS

PROJECT NO. 4610
DATE: 03.13.20
DRAWN BY:
SCALE: AS SHOWN
SHEET

A100

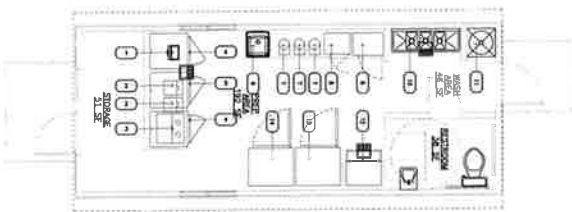
SHEET NOTES

1. ALL EQUIPMENT SHALL BE NSF RATED.
2. ALL SURFACES SHALL BE NSF RATED.
3. ALL INTERIOR WALL SURFACES SHALL BE NON-ABSORBENT AND EASILY CLEANABLE.
4. PROVIDE PULP GUARD AT HAND SINK TO PREVENT PULP FROM BEING DISPOSED INTO WASTE.
5. PROVIDE COMPARTMENT SEALANT AT ALL INTERSECTING SURFACES FOR PERMANENTLY INSTALLED TRUCK.
6. PROVIDE FLOOR SINK(S) AS REQUIRED FOR USE OF EQUIPMENT. PROVIDE SINK(S) AS REQUIRED FOR USE OF EQUIPMENT. AS REQUIRED BY TULSA COUNTY HEALTH DEPARTMENT.
7. PROVIDE EXHAUST FAN IN RECEPTION. INTERCONNECT WITH LIGHT SWITCHES.
8. PLUMBING DESIGN BY OTHERS. COORDINATE WITH MECHANICAL CONTRACTOR.
9. HVAC DESIGN BY OTHERS. SIZE AND INSTALLATION OF HVAC SHALL BE COORDINATED BY HVAC CONTRACTOR.
10. ELECTRICAL DESIGN BY OTHERS. COORDINATE WITH MECHANICAL CONTRACTOR. COORDINATE WITH OWNER SELECTED CONTRACTOR.

EQUIPMENT SCHEDULE

Abbott/Blue, LLC Office Equipment Company, 4472 Quaker Street, N. Tulsa, OK 74119

#	REL	ALD	EQUIPMENT DESCRIPTION	MANUFACTURER	MODEL NO.	REMARKS
1	1	1	POS STATION	DELL		
2	1	1	PRINTED SERVER	DELL		
3	1	1	SERVER RACK	DELL		
4	1	1	SERVER RACK	DELL		
5	1	1	SERVER RACK	DELL		
6	1	1	SERVER RACK	DELL		
7	1	1	SERVER RACK	DELL		
8	1	1	SERVER RACK	DELL		
9	1	1	SERVER RACK	DELL		
10	1	1	SERVER RACK	DELL		
11	1	1	SERVER RACK	DELL		
12	1	1	SERVER RACK	DELL		
13	1	1	SERVER RACK	DELL		
14	1	1	SERVER RACK	DELL		



1 EQUIPMENT PLAN



3.14



JOY PATRICK COLE, AIA
ARCHITECT OF RECORD

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918.605.7537

BREWER DEVELOPMENT:
EMBERS COFFEE
321 NORTH 208TH WEST
TULSA COUNTY OKLAHOMA 74063

DATE	BY	ISSUE

EXTERIOR ELEVATIONS

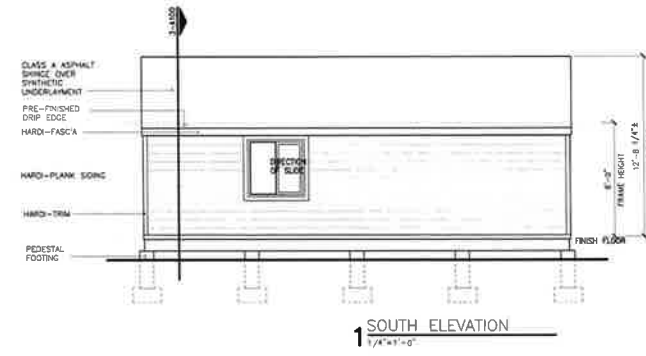
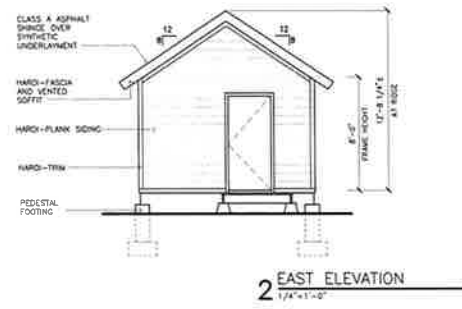
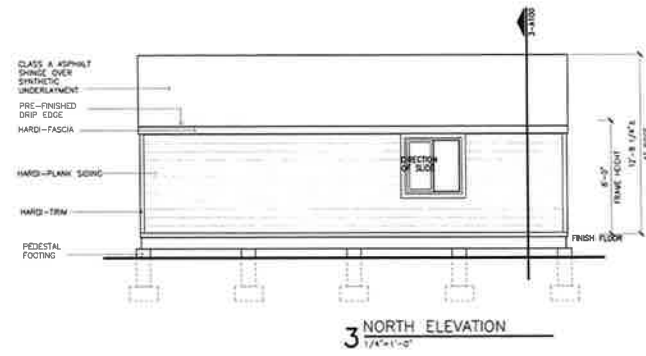
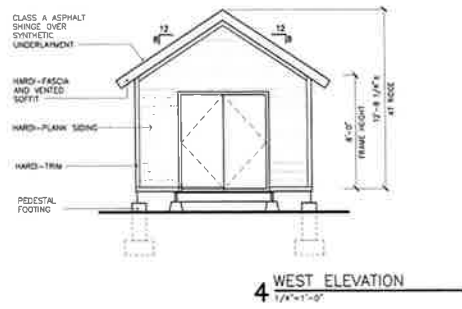
Drawn by: JPC
Scale: AS NOTED

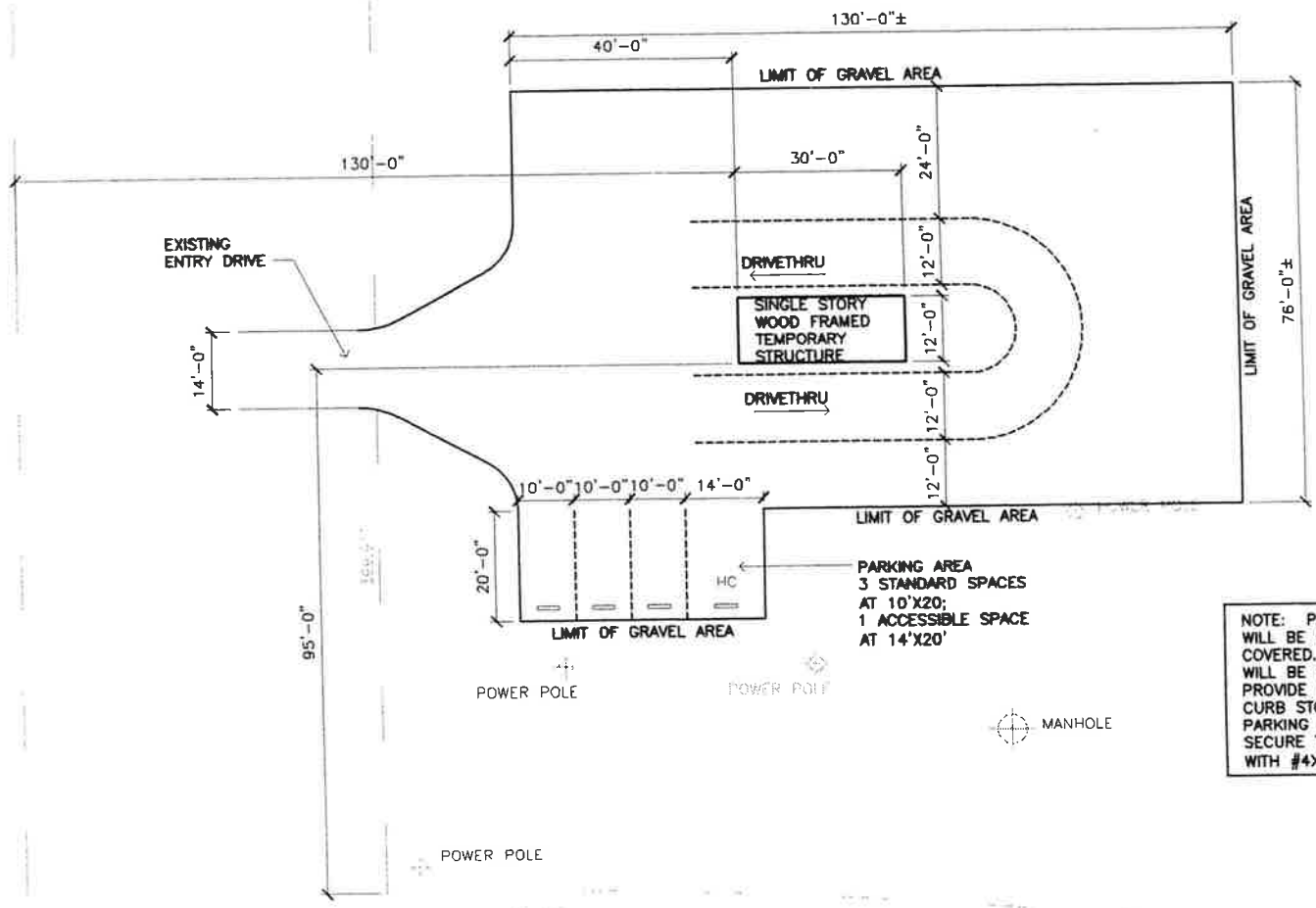
SHEET

A200

SHEET NOTES

1. SEAL SIDING JOINTS AS REQUIRED BY MANUFACTURER. ENSURE BUTT END JOINTS ARE SPACED ACCORDINGLY.
2. PROVIDE STAINLESS STEEL SERVICE SHELF AT PICKUP WINDOW. MOUNT 6" BELOW WINDOW ELEVATION.
3. PROVIDE CONTINUOUS GUTTERS WITH THREE (3) DOWNSPOUTS EACH SIDE. PROVIDE SPLASH BLOCK AT EACH DOWNSPOUT. ENSURE POSITIVE DRAINAGE AWAY FROM BUILDING.
4. PAINT ALL EXPOSED WOOD. COLOR BY OWNER.
5. PROVIDE CONTINUOUS DRIP EDGE OVER EXTERIOR DOORS.
6. HVAC CONDENSER TO BE PLACED ON 3" THICK CONCRETE HOUSEKEEPING PAD. LOCATE CLEAR OF TRAFFIC.
7. PROVIDE ONE (1) 65W LIGHT AT EACH DOOR. LIGHT SHALL BE CONNECTED TO DARK TO DAWN SENSOR. LOCATE SENSOR ON SW CORNER OF BUILDING.
8. COORDINATE LOCATION OF MENU BOARDS AND POWER REQUIREMENTS WITH OWNER.



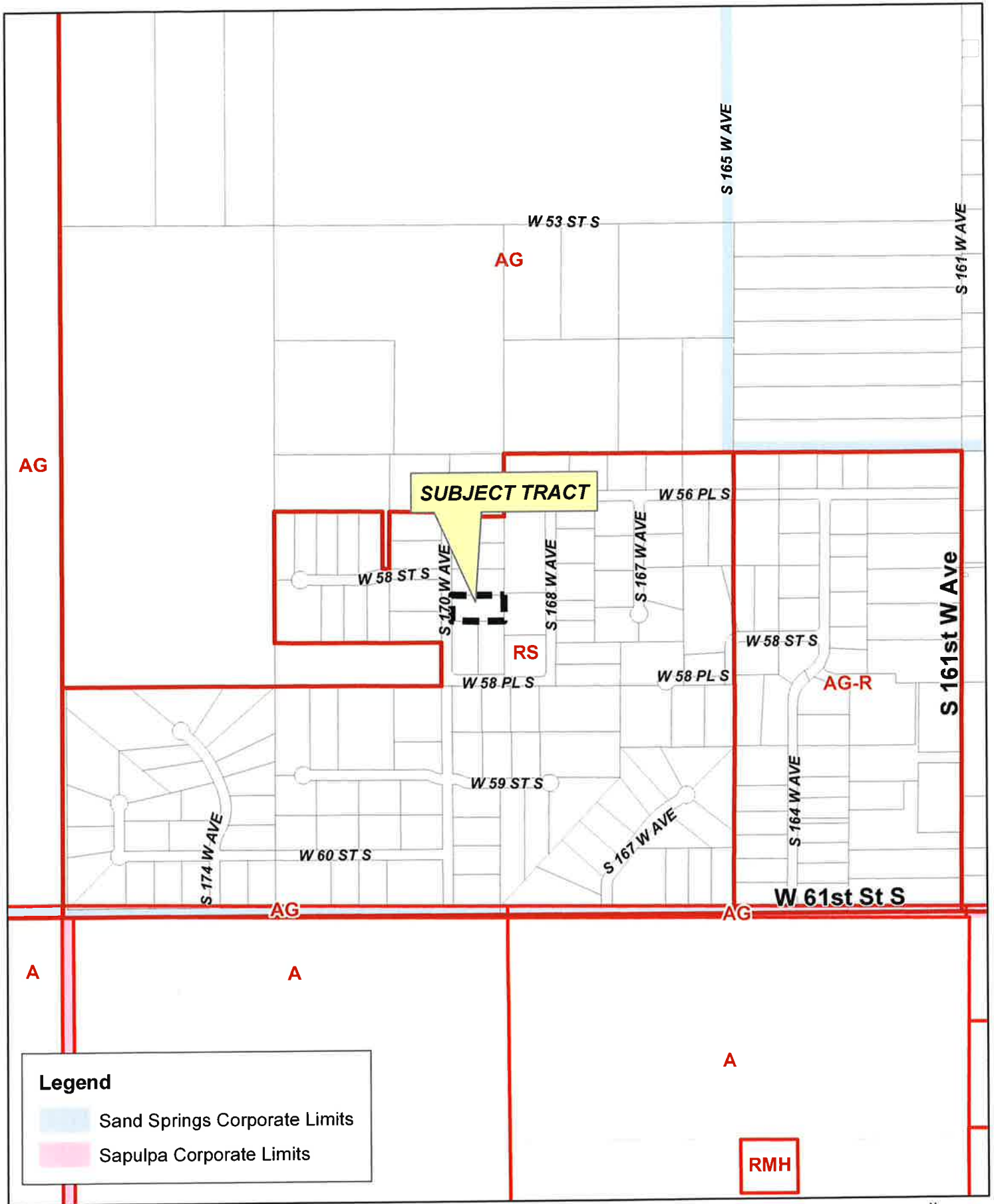


Site Plan Enlarged

NOTE: PARKING AREA WILL BE GRAVEL COVERED. NO STRIPING WILL BE REQUIRED. PROVIDE CONCRETE CURB STOPS AT EACH PARKING AREA. SECURE TO GROUND WITH #4X24" RODS

1 PARTIAL SITE PLAN
1"=20'-0"

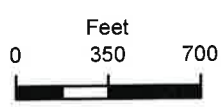




CBOA-2896

4.1

19-11 31



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9131

CASE NUMBER: **CBOA-2896**

CZM: 43

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 07/20/2021 1:30 PM

APPLICANT: Rick Portilloz

ACTION REQUESTED: Variance to permit a detached accessory building to exceed 750 square feet in the RS district. (Sec. 240)

LOCATION: 5809 S 170 AV W

ZONED: RS

FENCELINE: Sand Springs

PRESENT USE: Residential

TRACT SIZE: 1.03 acres

LEGAL DESCRIPTION: LT 4 BLK 1, HIDDEN OAKS

RELEVANT PREVIOUS ACTIONS:

Subject Property: None Relevant

Surrounding Property:

CBOA-2661 February 2018: The Board approved a *Variance* to permit a detached accessory building to exceed 750 sq. ft., on property located at 16918 W. 58th Pl. S.

CBOA-2354 February 2010: The Board denied a *Variance* of the maximum permitted floor area for a detached accessory building in an RS district from 750 sq. ft. to 2100 sq. ft., on property located at 5823 S. 170th W. Ave.

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

STAFF COMMENTS:

The applicant is before the Board requesting a Variance to permit a detached accessory building to exceed 750 square feet in the RS district. (Sec. 240). Section 240.2.E permits accessory buildings in the RS district, however, the total square footage of all accessory buildings on the lot cannot exceed 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.

The applicant provided the following statement: *"The subject property is 1.03 acres. Tulsa County zoning requirements that limit detached accessory buildings to 750 square feet, would not allow for adequate building size to meet all the needs for the building. Proposed building is 1,200 square feet."*

4.2

According to the site plan provided, the applicant is proposing to construct a 60' x 20' building at the rear of his property. The total square footage will be 1,200 square feet.

If inclined to approve, the Board may consider any conditions it deems necessary and reasonably related to the request to ensure that the proposed accessory buildings are compatible with and non-injurious to the surrounding area.

Sample Motion:

"Move to _____ (approve/deny) a Variance to permit a detached accessory building to exceed 750 square feet in the RS district. (Sec. 240)

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."

Residential Estate District (Section 410, Table 1). LOCATION: South of the intersection of South 179th West Avenue and West 41st Street South

Presentation:

The application was withdrawn by the applicant.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

No Board action required; for the following property:

E/2 NE LESS S/2 S/2 S/2 E/2 NE SEC 25 19 10 70ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

NEW APPLICATIONS

FILE COPY

2661—Brad Sherrill

Action Requested:

Variance to permit a detached accessory building (pole barn) to exceed 750 square feet (Section 240). LOCATION: 16918 West 58th Place South

Presentation:

Brad Sherrill, 16918 West 58th Place South, Sand Springs, OK; stated he would like to actually build a stick built accessory garage, so it will look more like his house. The garage will be approximately 1,200 square feet. Mr. Sherrill stated that he is a car collector and works on them as a hobby, and the garage would be for storage for those cars. The garage will be for personal use and there will be no commercial use.

Mr. Charney asked Mr. Sherrill if the building will architecturally conform to the house. Mr. Sherrill answered affirmatively and stated the garage will have a shingled roof and siding just like the house.

Mr. Crall asked if the proposed garage is going to be on the same corner as the existing shed. Mr. Sherrill answered affirmatively.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

CSDA-2661

FILE COPY

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 request for a **Variance** to permit a detached accessory building to exceed 750 square feet (Section 240) as requested in conformity with the site plan that has been submitted. The outbuilding will be 1,200 square feet. The Board has found the hardship to be the unusual size and shape of the lot coupled with the underlying zoning; for the following property:

LT 1 BLK 1, PLEASANT OAKS III, OF TULSA COUNTY, STATE OF OKLAHOMA

2662—Greg Guerro

Action Requested:

Special Exception to allow an Agritourism Facility (Use Units 5 and 20) in an AG District; **Variance** from the all-weather parking surface requirement (Sections 310 and 1340.D). **LOCATION:** North of 33rd West Avenue and East 36th Place South

Presentation:

Greg Guerro, 1120 South Boston Avenue, Suite 100, Tulsa, OK; stated that Agritourism is broadly defined as any operation or activity that brings people onto a farm or a ranch. The Oklahoma Department of Agritourism highlights some of the activities as trail riding, mazes, country stays, guest ranches, petting farms, bird watching, teachable moments, pumpkin picking, weddings, etc. The development plan submitted with the application highlighted the activities he would like to develop over time. These activities are consistent with the ones described by the Oklahoma Department of Agritourism. In addition, he would argue this venue is especially helpful to teach and celebrate the history of Tulsa and its development. Red Fork Mountain is uniquely well situated for teaching about this history. The focus for the planned activities is just below and around Channel 8 on 29th West Avenue, which is also known as Lookout Mountain Road. This is the best access road, the easiest to find, the least intrusive to the neighbors, and the topography is suitable. It is also closest to the historically significant places and views that he believes are the most helpful in learning about the history of Tulsa and its development. What is attractive about the subject property is its country agricultural aspect. The atmosphere of being in the country is not achievable if there are activities near existing houses, which is why it is helpful that there is a large parcel of agricultural land. The surrounding property to the east is industrial, to the north is a little industrial and primarily agricultural, to the south and to the west is primarily agricultural but there is a neighborhood on the east end of the south side of the old Red Fork District. There is a neighborhood on West 30th Street coming into the property on the far west side. Both neighborhoods have unique characteristics in that they have almost a country feel. What he is planning to do is not contrary to these neighborhoods

Case No. 2362

Action Requested: Variance of the minimum required lot width in an AG district from 150 ft. (Section 330), located at 13031 N. Sheridan Rd.

Presentation:

Mike Marrara, 2001 S. 114th E. Ave., Tulsa, Oklahoma, stated his client would like to cutoff/purchase a two and one-half acre track at the rear of this property. During zoning, it was discovered that the minimum lot width is 150 ft. This piece of property is long and narrow its 330 feet wide by a quarter mile deep. The metal building and current house prevent splitting the property so as to achieve the minimum lot width. There is also a proposed 50' wide roadway easement for county for right away.

Comments and Questions:

Mr. Cuthbertson commented that if it splits this way, Tract No. 1 that can still be split if the house is removed.

Interested Parties:

There were no interested parties.

Board Action:

On **Motion of Osborne**, the Board voted 3-0-0 (Walker, Tyndall, Osborne, "aye"; no "nays"; no "abstentions"; two "absences") to **APPROVE** a variance of the minimum required lot width in an AG district from 150 ft. (Section 330), on following described property: 13031 N. Sheridan Rd. Finding: the hardship being the narrowness of the lot along with the existing structure on the property and the natural ravine and tree line; as presented, per lot-split plan page 4.5.

N/2 N/2 NW SW LESS W16.5 FOR RD SEC 35 22 13, Tulsa County, State of Oklahoma

UNFINISHED BUSINESS

FILE COPY

Case No. - 2354

Action Requested:

A Variance of the maximum permitted floor area for a detached accessory building in an RS district from 750 sq. ft. to 2,100 sq. ft. (Section 240.2.E), located: 5823 S. 170th W. Ave.

Presentation:

The applicant was not present.

Comments and Questions:

Mr. Cuthbertson recommended that this case be denied. He provided even with the denial the applicant can still build a 750 sq. ft., building.

Interested Parties:

Dan Schweitzer, 16907 W. 58th Pl. S. Tulsa, Oklahoma, asked if this recommendation is given would the applicant be required to take down the poles that are already up. The Board informed Mr. Schweitzer that the existing building would have to be brought down to the permitted size.

Board Action:

On **Motion** of Tyndall, the Board voted 3-0-0 (Walker, Tyndall, Osborne, "aye"; no "nays"; no "abstentions"; two "absences") to **Deny** a variance of the maximum permitted floor area for a detached accessory building in an RS district from 750 sq. ft. to 2,100 sq. ft. (Section 240.2.E), on the following described property: 5823 S. 170th W. Ave. Finding the applicant has made no attempt or communicated no attempt to comply.

LT 5 BLK 1, HIDDEN OAKS, Tulsa County, State of Oklahoma

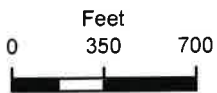
NEW BUSINESS

Introduction: Venda Zezulka as the new Recording Secretary.

There being no further business, the meeting adjourned at 1:52 p.m.

Date approved: 3-16-2010

Robert L. Walker
Chair



 Subject Tract

CBOA-2896

19-11 31

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

Aerial Photo Date: February 2018



4.8



W 53 ST S

S 170 W AVE

W 53 PLS



Subject Tract

CBOA-2896

19-11 31

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

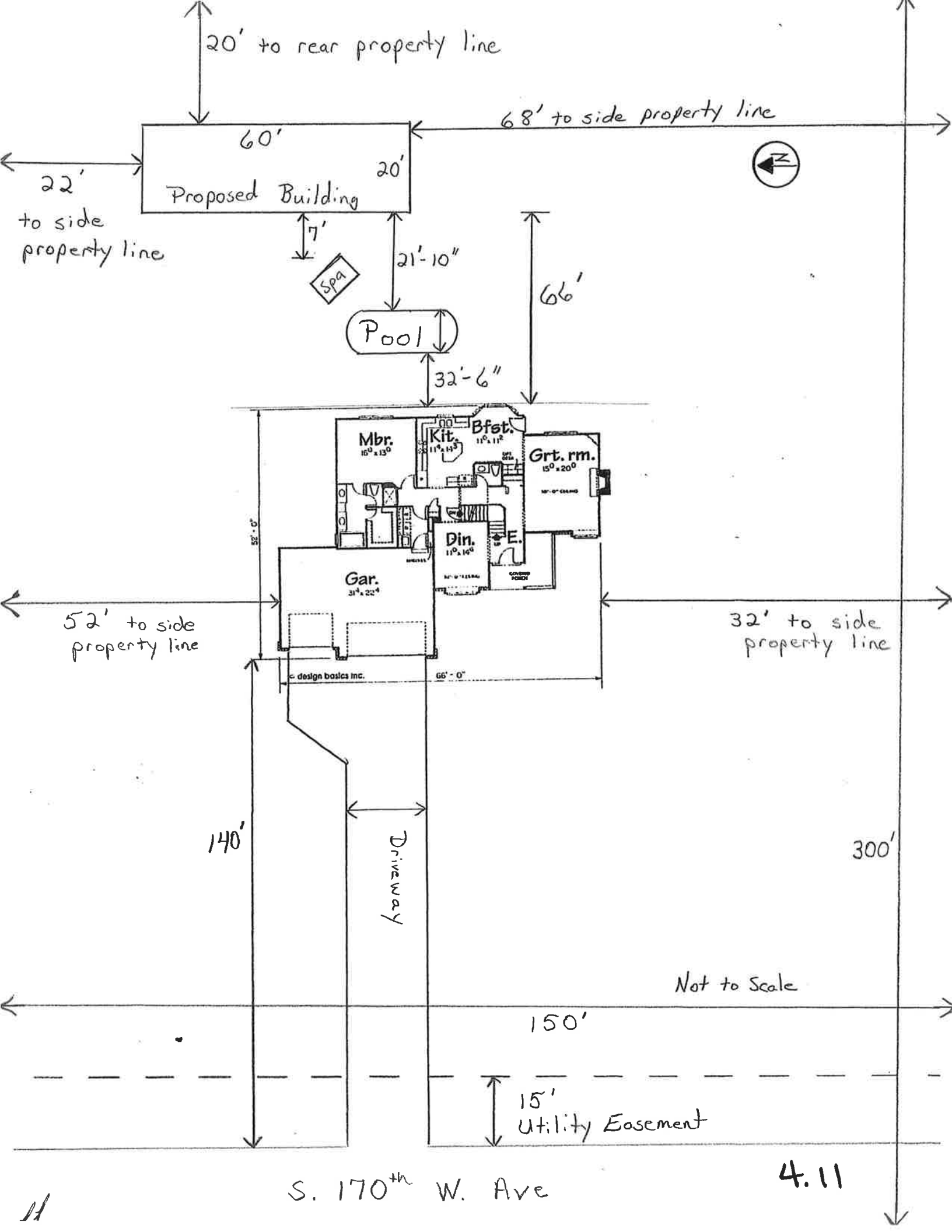
Aerial Photo Date: February 2018



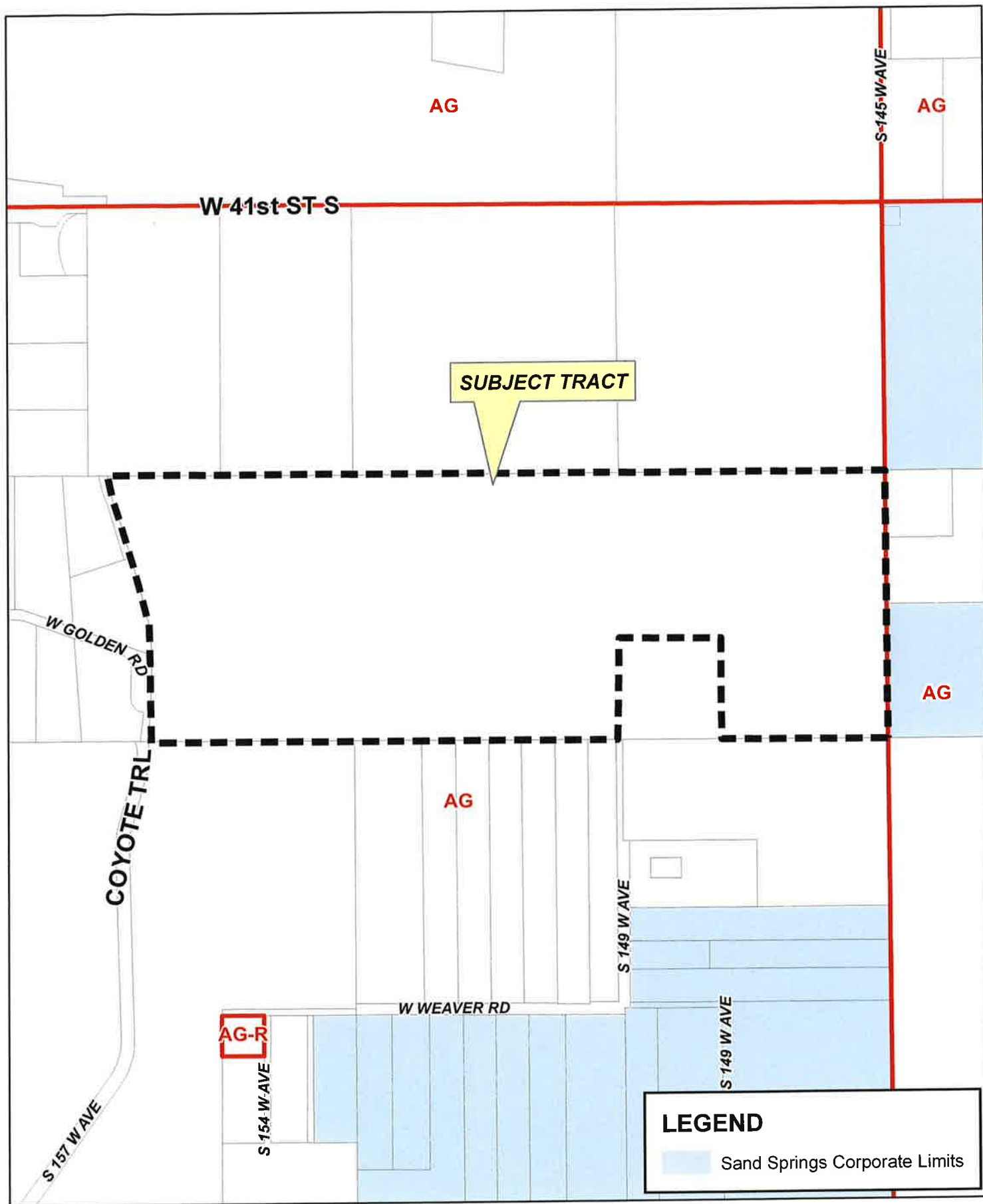
4.9



Looking east at subject property from S. 170th W. Ave.



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CBOA-2897

5.1

19-11 29



LEGEND

Sand Springs Corporate Limits

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9129

CZM: 43

CASE NUMBER: CBOA-2897

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 07/20/2021 1:30 PM

APPLICANT: Tom Yohanan

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

LOCATION: 4375 S 157 AV W

ZONED: AG

FENCELINE: Sand Springs

PRESENT USE: vacant

TRACT SIZE: 111.6 acres

LEGAL DESCRIPTION: S/2 NE & SE NW LYING E OF COYOTE TRAIL SEC 29 19 11 111.6AC,

RELEVANT PREVIOUS ACTIONS: None relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by AG zoning with a combination of agricultural and rural 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 in the AG district to permit a lot split (Section 207).

The applicant provided the following statement, *"Not having the variance approved will prevent us from obtaining a permit and thus preventing us from building our retirement home in our favorite spot."*

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 submitted site plan indicates that the subject lot has 0' of frontage onto Coyote Trail. The applicant owns the full 111 acres and intends to split off the 2.65 acre parcel to construct a single-family home.

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:

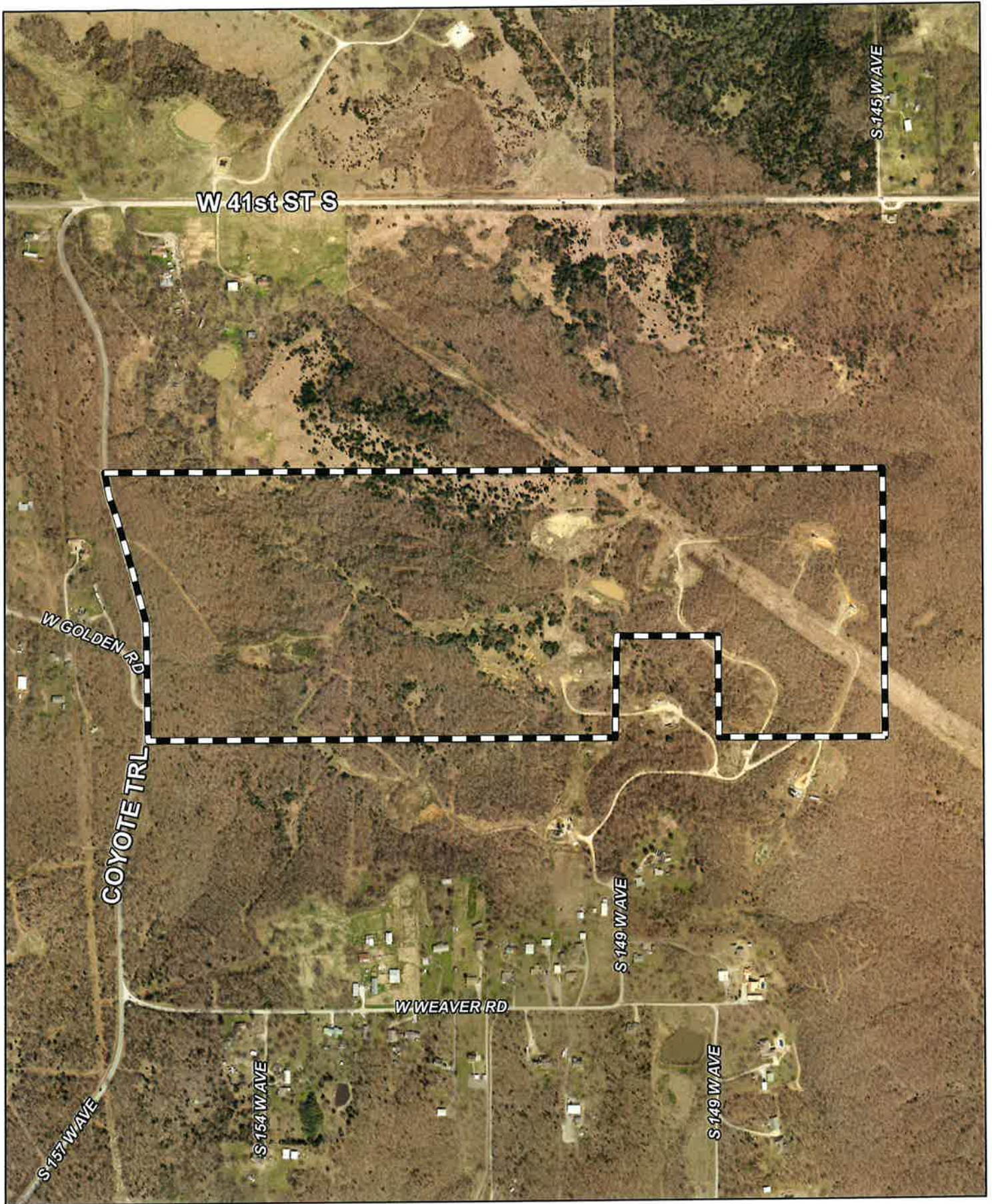
"Move to _____ (approve/deny) a Variance of the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet in the AG district to permit a lot split (Section 207).

Finding the hardship to be _____.

5.2

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."



Subject Tract

CBOA-2897

19-11 29

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

Aerial Photo Date: 2021



5.4

Action(s) requested:

A variance from the Board of Adjustment to allow the building of a home on a 2.65 acre lot landlocked within our agricultural lot, having private driveway access from Coyote Trail (A.K.A. South 157th West Ave) to the proposed home site. Easement to the above private driveway access is provided to the owner(s) of the 2.65 acre lot.

Hardship:

Not having the variance approved will prevent us from obtaining a permit and thus preventing us from building our retirement home in our favorite spot.

EASEMENT

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

Tom Yohanan and Rhonda Yohanan, the undersigned, being the sole owner(s) of all interests, both legal and equitable, in the following described property, to-wit:

A piece, parcel, or tract of land lying in the S/2 of the NW/4 and the S/2 of the NE/4 of Section Twenty-Nine (29), Township Nineteen (19) North, Range Eleven (11) East, Tulsa County, Oklahoma, more particularly described as follows:

Beginning at a found original stone which is the SE corner NE/4; thence N 01°01'30" W along the East line thereof a distance of 1320.04 feet to the NE corner of the S/2 of the NE/4; thence S 89°03'55" W along the North line thereof a distance of 3,826.91 feet to the centerline of Coyote Trail; thence S 11°37'50" E along said centerline of Coyote Trail a distance of 249.47 feet; thence S 18°01'00" E along said centerline of Coyote Trail a distance of 93.43 feet; thence S 08°46'55" E along said centerline of Coyote Trail a distance of 994.88 feet to the South line thereof; thence N 89°03'57" E along said South line a distance of 2303.79 feet to a found iron pin; thence N 00°56'03" W a distance of 500.00 feet; thence N 89°03'57" E a distance of 500.00 feet; thence S 00°56'03" E a distance of 500.00 feet to the South line thereof; thence N 89°03'57" E a distance of 815.62 feet to the point of beginning, having an area of 4652308.6 square feet, 106.802 acres;

for and in consideration of the special benefits to the remainder of the above described property, accruing thereto upon this dedication, do hereby grant unto said Tom Yohanan and Rhonda Yohanan or whoever they transfer the ownership to, a perpetual easement, under the following described lots or parcels of land, lying and being situated in the following described portion thereof, to wit:

Beginning at a point on the existing centerline of Coyote Trail, said point being 1,012.87 feet

to have and to hold said described premises unto the said public forever. Signed and delivered this ___ day of ___, 2021.

Tom Yohanan

Rhonda Yohanan

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

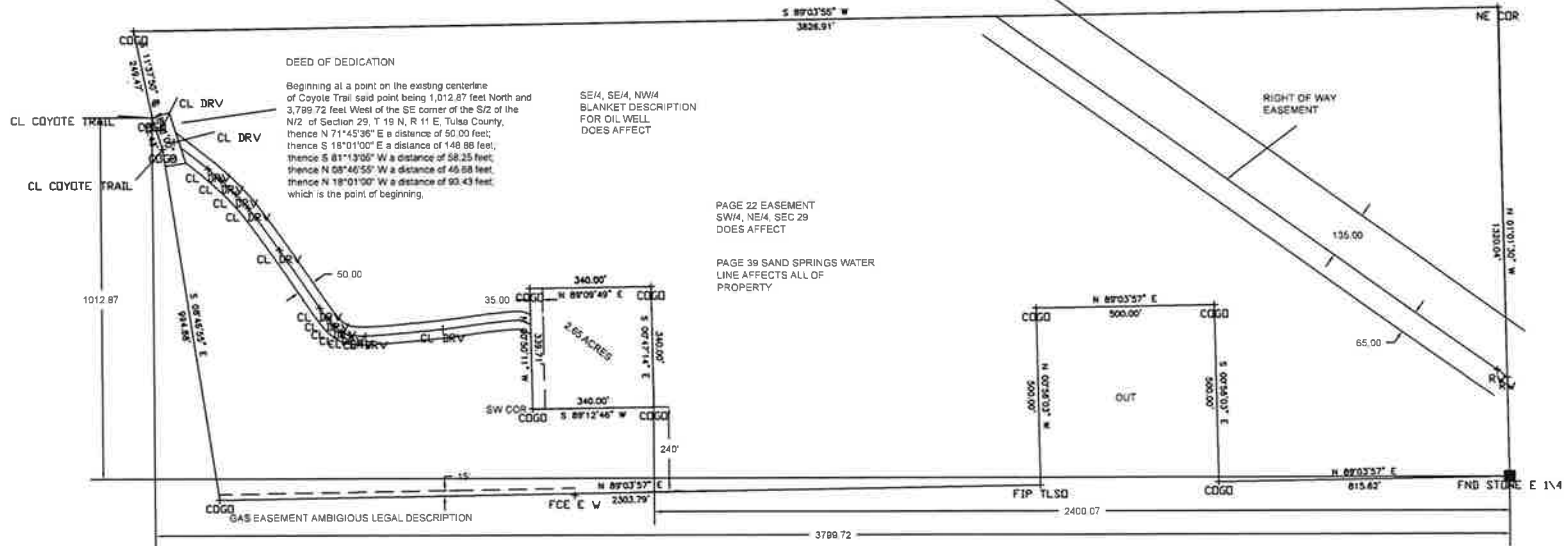
INDIVIDUAL ACKNOWLEDGEMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 2021, _____, to me known to be the identical person(s) who executed the foregoing instrument and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Expires: _____
_____ Notary Public

LOT SPLIT SURVEY



DEED OF DEDICATION
 Beginning at a point on the existing centerline of Coyote Trail said point being 1,012.87 feet North and 3,789.72 feet West of the SE corner of the S/2 of the N/2 of Section 29, T 19 N, R 11 E, Tulsa County, Oklahoma more particularly described as follows:
 thence N 71°45'36" E a distance of 50.00 feet;
 thence S 19°01'00" E a distance of 148.86 feet;
 thence S 81°13'00" W a distance of 58.25 feet;
 thence N 58°46'55" W a distance of 46.58 feet;
 thence N 18°01'00" W a distance of 93.43 feet;
 which is the point of beginning.

SE/4, SE/4, NW/4
 BLANKET DESCRIPTION
 FOR OIL WELL
 DOES AFFECT

PAGE 22 EASEMENT
 SW/4, NE/4, SEC 29
 DOES AFFECT

PAGE 39 SAND SPRINGS WATER
 LINE AFFECTS ALL OF
 PROPERTY

PARENT TRACT
 ALL THAT PART OF THE FOLLOWING TRACT LYING EAST OF COYOTE TRAIL AS FOLLOWS:

A piece, parcel or tract of land lying in the S/2 of the NW/4 and the S/2 of the NE/4 of Section 29, T 19 N, R 11 E, Tulsa County, Oklahoma more particularly described as follows:
 Beginning at a found original stone which is the SE corner NE/4;
 thence N 01°01'30" W along the East line thereof a distance of 1320.04 feet to the NE corner of the S/2 of the NE/4;
 thence S 89°03'55" W along the North line thereof a distance of 3,826.91 feet to the centerline of Coyote Trail;
 thence S 11°37'50" E along said centerline of Coyote Trail a distance of 248.47 feet;
 thence S 18°01'00" E along said centerline of Coyote Trail a distance of 93.43 feet;
 thence S 08°46'55" E along said centerline of Coyote Trail a distance of 994.88 feet to the South line thereof;
 thence N 89°03'57" E along said South line a distance of 2303.79 feet to a found iron pin;
 thence N 00°56'03" W a distance of 500.00 feet;
 thence N 89°03'57" E a distance of 500.00 feet;
 thence S 60°56'03" E a distance of 500.00 feet to the South line thereof;
 thence N 89°03'57" E a distance of 815.62 feet to the point of beginning,
 having an area of 4652308.6 square feet, 106.602 acres

PROPOSED LOT DESCRIPTION

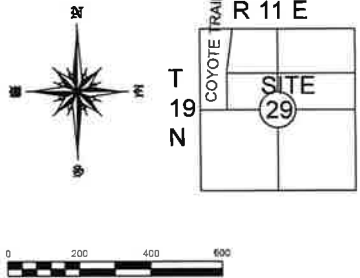
A piece, parcel, or tract of land located in the South Half of the North Half of Section 29, T 19 N, R 11 E, Tulsa County, Oklahoma more particularly described as follows:
 Beginning at a point 240.0 feet North and 2,400.07 feet West of the SE corner of the NE/4;
 thence S 89°12'46" W a distance of 340.00';
 thence N 00°50'11" W a distance of 339.71';
 thence N 89°03'49" E a distance of 340.00';
 thence S 00°47'14" E a distance of 340.00';
 which is the point of beginning.

REMAINDER

A piece, parcel or tract of land lying in the S/2 of the NW/4 and the S/2 of the NE/4 of Section 29, T 19 N, R 11 E, Tulsa County, Oklahoma more particularly described as follows:
 Beginning at a found original stone which is the SE corner NE/4;
 thence N 01°01'30" W along the East line thereof a distance of 1320.04 feet to the NE corner of the S/2 of the NE/4;
 thence S 89°03'55" W along the North line thereof a distance of 3,826.91 feet to the centerline of Coyote Trail;
 thence S 11°37'50" E along said centerline of Coyote Trail a distance of 248.47 feet;
 thence S 18°01'00" E along said centerline of Coyote Trail a distance of 93.43 feet;
 thence S 08°46'55" E along said centerline of Coyote Trail a distance of 994.88 feet to the South line thereof;
 thence N 89°03'57" E along said South line a distance of 2303.79 feet to a found iron pin;
 thence N 00°56'03" W a distance of 500.00 feet;
 thence N 89°03'57" E a distance of 500.00 feet;
 thence S 00°56'03" E a distance of 500.00 feet to the South line thereof;
 thence N 89°03'57" E a distance of 815.62 feet to the point of beginning

LESS AND EXCEPT

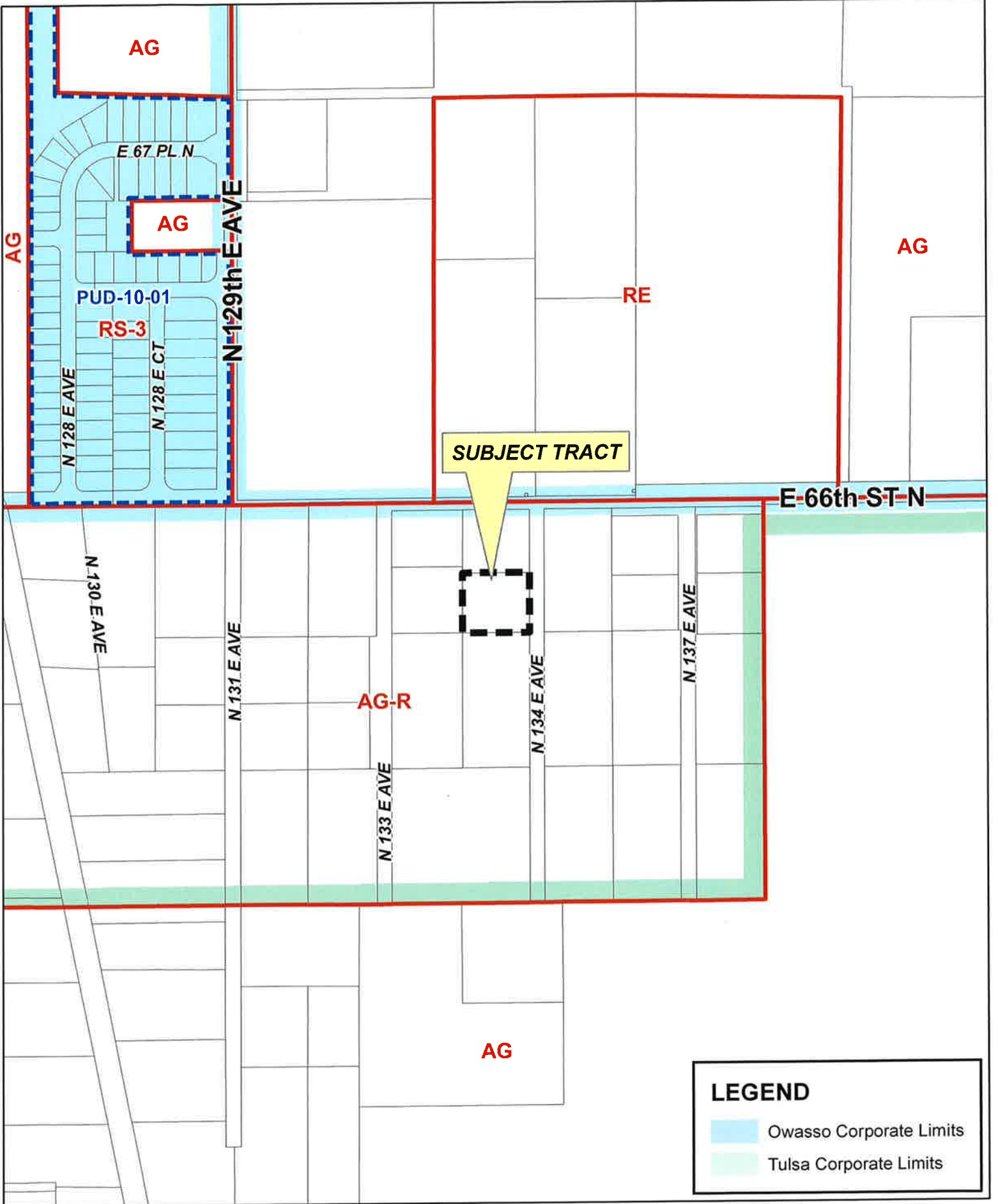
A piece, parcel, or tract of land located in the South Half of the North Half of Section 29, T 19 N, R 11 E, Tulsa County, Oklahoma more particularly described as follows:
 Beginning at a point 240.0 feet North and 2,400.07 feet West of the SE corner of the NE/4;
 thence S 89°12'46" W a distance of 340.00';
 thence N 00°50'11" W a distance of 339.71';
 thence N 89°03'49" E a distance of 340.00';
 thence S 00°47'14" E a distance of 340.00';
 which is the point of beginning.



Micheal Jerome Huddleston

TOM YOHANAN		
DRAWN MJH	DATE 6/8/2021	Huddleston Land Surveying, Inc. P.O. Box 496 Vinita, Ok. 74301
APPROVED	DATE 5/11/2021 6/02/2021	Ph 918/451/1925 CA 16-13 EXP 6/30/21
SCALE 1"=200'	SHEET	PROJECT NO

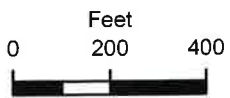
5.8



SUBJECT TRACT

LEGEND

- Owasso Corporate Limits
- Tulsa Corporate Limits



CBOA-2898

20-14 04

6.1



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 0404

CASE NUMBER: **CBOA-2898**

CZM: 24

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 07/20/2021 1:30 PM

APPLICANT: Darrell Moody

ACTION REQUESTED: Special Exception to permit a carport in an AG-R district (Section 240.2.H); Variance of the side setback in an AG-R district to permit a carport (Section 320.2-2 & Section 330, Table 3).

LOCATION: 6492 N 134 AV E

ZONED: AG-R

AREA: N. Tulsa County

PRESENT USE: Residential

TRACT SIZE: 1 acres

LEGAL DESCRIPTION: TR BEG 745.80W & 244.40S NEC NE NW TH S195 W248.60 N195 E248.60 POB LESS E25 THEREOF FOR RD SEC 4 20 14 1.001AC,

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2157 May 2005: The Board approved a *Variance* to allow accessory building as a principle use in an AG-R district; a *Variance* of the setback for a building in AG-R district from 15 ft to 7.4 ft (Tract A); and a *Variance* of the setback from the property for an accessory building in an AG-R zoned district from 40 ft to 8 ft (Tract B) to allow for a lot split, on property located at 6550 N. 134th East Ave.



Surrounding Property:

CBOA-2049 July 2003: The Board approved a *Variance* of lot area from 1 acre to .85 acre for a lot split finding the same size lots across the street, on property located at 13302 E. 66th St. N.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by AG-R zoning with large lot residential uses.

STAFF COMMENTS:

The applicant is before the Board requesting a Special Exception to permit a carport in an AG-R district (Section 240.2.H); Variance of the side setback in an AG-R district to permit a carport (Section 320.2-2 & Section 330, Table 3).

Section 240.2.H of the code requires a Special Exception for a carport that is proposed for placement in a required yard. The code states that required yards shall be open and unobstructed

6.2

from the ground to the sky unless the use is a permitted obstruction as detailed in section 240.2 of the code.

Section 320.2.A.2. states: An accessory building shall meet the minimum yard or building setback requirements. In this case, the minimum building setback line is not being met so the applicant is requesting a **Variance** to reduce the side setback for a carport in an AG-R district (Section 320.2-2 & Section 330, Table 3) from the required 15' to 8'.

The applicant provided the following statement: *"If we moved the building to the north side of the property to stay in the side setback, it would cause us to have to put in a second driveway and create water run-off problems for the neighboring house to the north. It would also decrease the front yard green space."*

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

SAMPLE MOTION:

"Move to _____ (approve/deny) a Special Exception to permit a carport in an AG-R district (Section 240.2.H); Variance of the side setback in an AG-R district to permit a carport (Section 320.2-2 & Section 330, Table 3).

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."

Board Action:

On **Motion of Charney**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Use Variance** to permit the cultivation of grapes, wine production and retail sales (winery) in an AG District; per plan, finding the literal enforcement of the code would not permit the applicant to reasonably use the subject property to grow grapes for the vineyard purposes, on the following described property:

BEG 659.16N & 150W & 648.4N SECR NW TH N875 NW249.35 S941 E240.22
POB SEC 31 19 12 5.010ACS, Tulsa County, State of Oklahoma

..*.*.*.*.*.*

Case No. 2157

Presentation:

Tony Stevenson, 6550 North 134th East Avenue, and his sister, **Nancy Cook**, 13601 East 66th Street North introduced themselves to the Board. Their parents purchased this property many years ago and recently deeded it to them. They proposed a lot-split to sell the house separately. Ms. Cook commented that her parents built a nice workshop and suggested it should go with the house. They considered tearing down the barn but it was well built. She stated that everyone built their barns close to the property line. A site plan and photographs were submitted (Exhibits E-1 and E-2).

Comments and Questions:

Mr. Walker noted a lot-split on the property adjacent to them. Mr. Cuthbertson commented this is the only way to split the property. There is not an alternative to create two legal lots in regards to land area and lot area, and to avoid the structural encroachments.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion of Charney**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a **Variance** to allow accessory building as principle use in an AG-R district (Section 18); a **Variance** of the setback for a building in AG-R district from 15 ft to 7.4 ft (Tract A) (Section 330); and a **Variance** of the setback from the property for an accessory building in an AG-R zoned district from 40 ft to 8 ft (Tract B) (Section 330) to allow a lot split (19814), per plan, finding existing conditions, on the following described property:

PRT NE NW BEG 745.80W NEC NE NW TH S439.40 W248.60 N439.40
E248.60 POB LESS N25 & E25 FOR RD SEC 4 20 14 2.13AC, Tulsa County,
State of Oklahoma

SW/c SE/4 of Section 14, T-22-N, R-13-E; thence S 89°51'10" E along the S line of the SE/4 a distance of 209.00'; thence continuing S 89°51'10" E a distance of 30.00'; thence N 00°00'29" E a distance of 30.00'; thence N 89°51'10" a distance of 5.00'; thence N 00°00'29" E a distance of 383.00'; thence S 89°51'10" E a distance of 200.50'; thence N 00°00'25" E a distance of 247.30'; thence N 89°51'44" W a distance of 225.495'; thence S 00°00'29" W a distance of 660.26' to the POB, Tulsa County, Oklahoma.

..*.*.*.*.*.*

Case No. 2049

Action Requested:

Variance of lot area from 1.00 acre to .85 acre for lot split. SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS – Use Unit 6, located 13302 E. 66th St. N.

Presentation:

Edward L. Smothers, Jr., 219 W. 1st St., Owasso, Oklahoma, stated he purchased one and a quarter acres (Tract A) on which to build a home. He found out later that previous owners did not get the necessary lot split. Also, Tulsa County now requires more street frontage leaving only .85 acres on which to build. He submitted a letter from the homeowner's association in support of the application and photographs (Exhibits C-1 and C-2).

Interested Parties:

There were no interested parties present who wished to speak.

Board Action:

On **Motion of Dillard**, the Board voted 3-0-0 (Alberty, Tyndall, Dillard "aye"; no "nays"; no "abstentions"; Hutson, Walker "absent") to **APPROVE** a **Variance** of lot area from 1.00 acre to .85 acre for lot split. SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS – Use Unit 6, finding the same size lots across the street, on the following described property:

Part of the NE/4 NW/4 of Section 4, T-20-N, R-14-E, of the IBM, Tulsa County, State of Oklahoma, to-wit: Beg. at a point 994.4' W of the NE/c of said NW/4; thence S 219.7'; thence W 248.6'; thence N 219.7'; thence E 248.6' to the POB, less the W 30.00' and N 50.00' for road, AND beg. at a point 994.4' W and 219.7' S of the NE/c of said NW/4; thence S 219.7'; thence W 248.6'; thence N 219.7'; thence E 248.6' to the POB, less the W 30' for road.

..*.*.*.*.*.*



E 67 PL N

E 67 ST N

N 128 E AVE

N 128 E CT

N 129th E AVE

E 66th ST N

N 130 E AVE

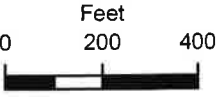
N 131 E AVE



N 134 E AVE

N 137 E AVE

N 133 E AVE



Subject Tract

CBOA-2898

20-14 04

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

Aerial Photo Date: 2021

6.6

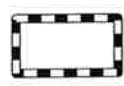
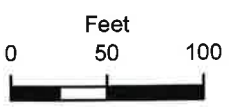




E 66th ST N

N 134 EAVE

N 133 EAVE



Subject Tract

CBOA-2898

20-14 04

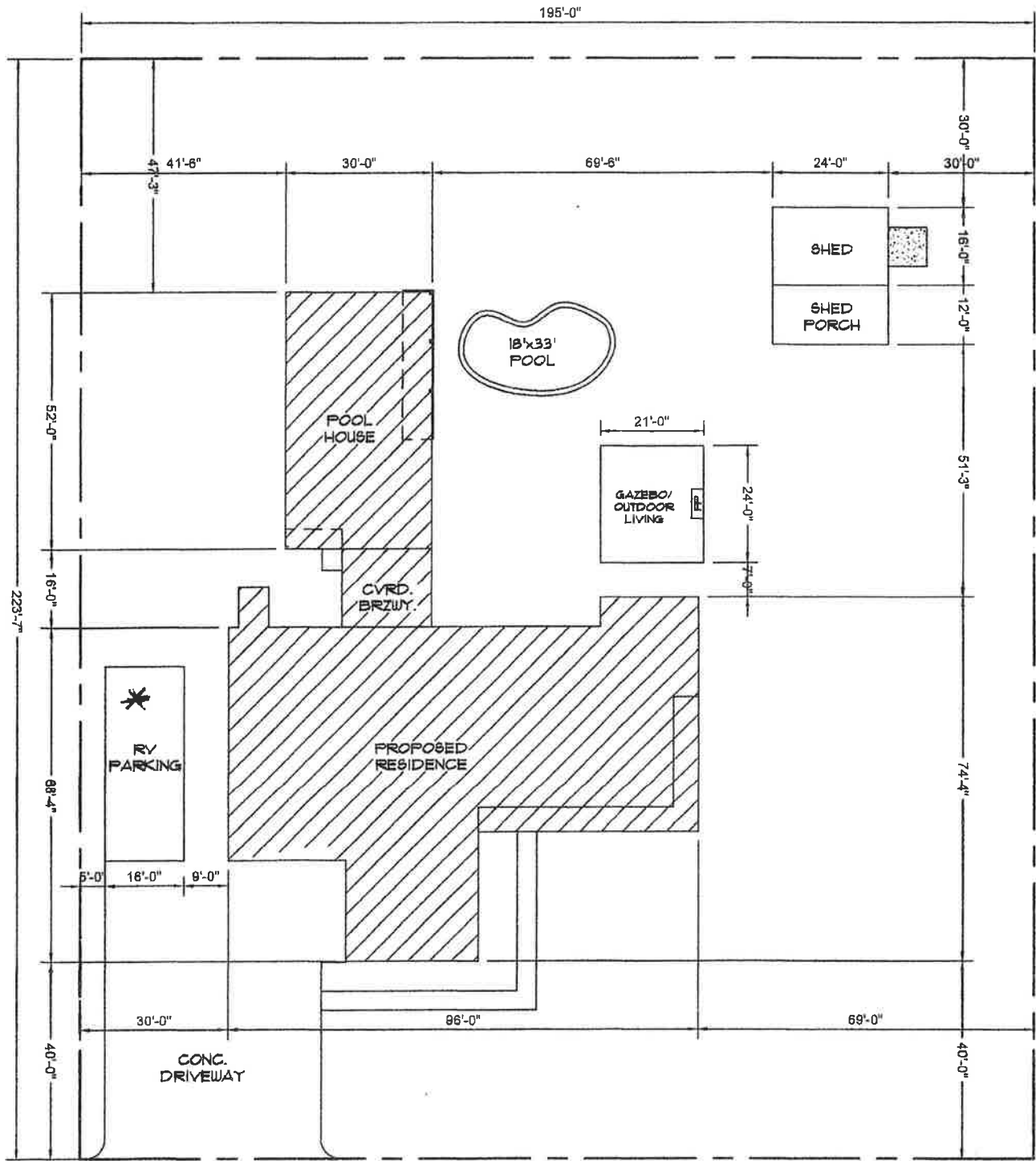
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021

6.7



NORTH
→

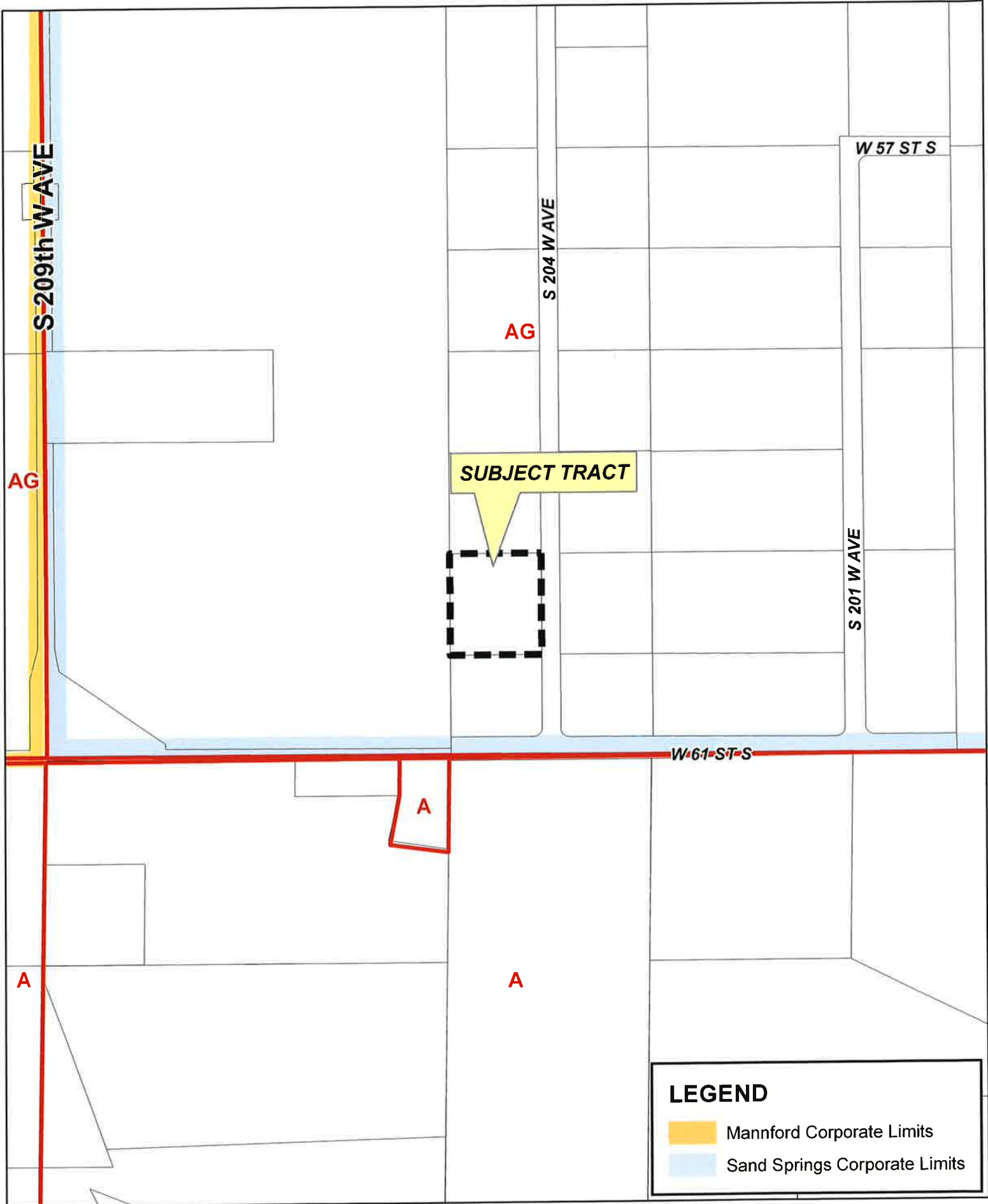


6492 134TH EAST AVENUE

SITE PLAN

1" = 30'-0"

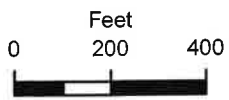
BUILDING FOR
* PROPOSED VARIANCE



SUBJECT TRACT

LEGEND

- Mannford Corporate Limits
- Sand Springs Corporate Limits



CBOA-2899

7.1



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9035

CASE NUMBER: **CBOA-2899**

CZM: 42

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 07/20/2021 1:30 PM

APPLICANT: Thomas Oliver

ACTION REQUESTED: Variance of the required rear yard setback from 40 feet to 8 feet in an AG district (Section 330).

LOCATION: 6006 S 204 AV W

ZONED: AG

FENCELINE: Sand Springs

PRESENT USE: Agricultural/Residential

TRACT SIZE: 2.3 acres

LEGAL DESCRIPTION: LT 2 BLK 3, ROCK CREEK ACRES

RELEVANT PREVIOUS ACTIONS: None Relevant

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

STAFF COMMENTS:

The applicant is before the Board requesting a Variance of the required rear yard setback from 40 feet to 8 feet in an AG district (Section 330).

The applicant provided the following statement: *"This particular area for the slab and cover were decided because this property has a hard runoff from a hill and incline behind my property."*

The Code requires a 40 ft rear yard setback in an AG district. The applicant has requested a variance to reduce the rear yard setback from 40 ft. to 8 ft. to permit an accessory building.


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

Sample Motion:

"Move to _____ (approve/deny) a Variance of the required rear yard setback from 40 feet to 8 feet in an AG district (Section 330).

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


REVISED 7/7/2021

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”



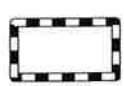
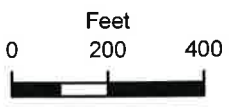
S 209th W AVE

S 204 W AVE

S 201 W AVE

W 57 ST S

W 61 ST S



Subject Tract

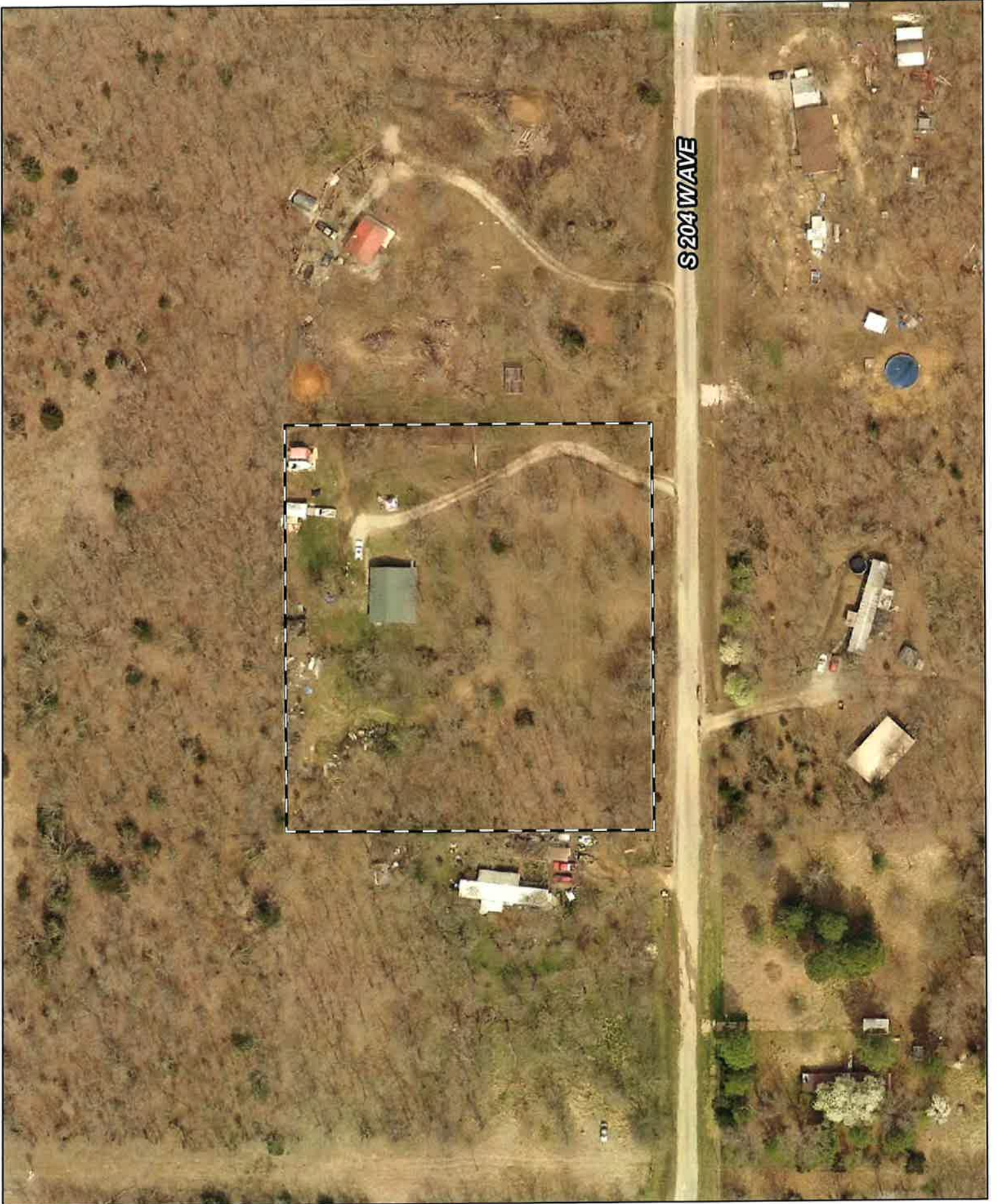
CBOA-2899

19-10 35

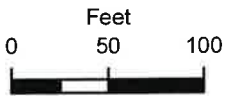
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021 7.4





S 204 WAVE



Subject Tract

CBOA-2899

19-10 35

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

Aerial Photo Date: 2020/2021

7.5

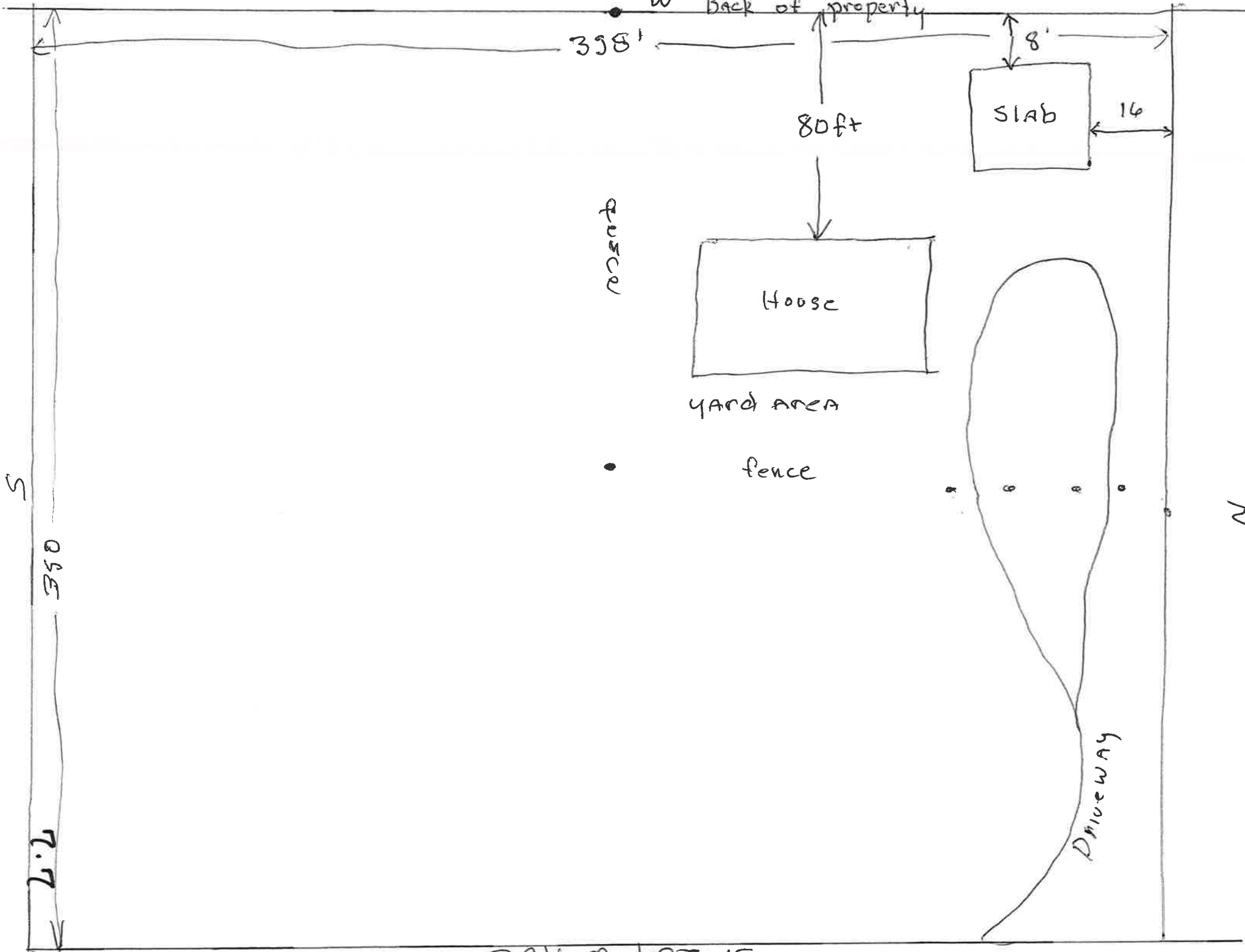




Looking west at subject property from S. 170th W. Ave.



Looking south on S. 204th W. Ave.



Back of property

358'

80ft

8'

Slab

14'

House

YARD AREA

fence

PUSCO

Driveway

S

350

7.7

S. 204 W AVE

N

CBOA-2900 – PATRICIA CONTRERAS

**STAFF REQUESTS A CONTINUANCE
TO AUGUST 17, 2021**

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CBOA-2901 – BRYAN STEFFES

**CASE HAS BEEN WITHDRAWN BY
STAFF**