

AGENDA
Tulsa County Board of Adjustment
Regularly Scheduled Meeting
Tuesday February 21, 2023, 1:30 p.m.
Williams Tower I
1 West 3rd Street, St. Francis Room

Meeting No. 516

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 December 20, 2022 (Meeting No. 514)
2. Approval of Minutes of January 17, 2023 (Meeting No. 515)

UNFINISHED BUSINESS

3. 3034 - Ron Sterling

Action Requested:

Variance to permit a detached accessory building in a side yard in an RE zoned district (420.2.A.2) **Location:** 26121 W 27th St S **(CD 2)**

NEW APPLICATIONS

4. 3042 - Blas Gaytan

Action Requested:

Special Exception to permit an Open-Air Flea Market/ Swap Meet (Use Unit 2, Use Unit 14) in the IM District (Sec. 910, Table-1) **Location:** 5825 N. Mingo Rd. **(CD 1)**

5. 3043 - Jennifer Jennings

Action Requested:

Special Exception to permit a manufactured home in an RS district (Section 410).

Location: 1110 E 59th PI N (CD 1)

6. 3044 - Steven Graves

Action Requested:

Use Variance to allow Warehousing (Use Unit 23) and Automotive Repair (Use Unit 17) in the RS District (310). **Location:** 5403 S. 113th W. Ave. (CD 2)

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.



Board of Adjustment

Case Number: CBOA-3034

Hearing Date: 02/21/2023 1:30 PM
(Continued from 01/17/2023)

Case Report Prepared by:

Jay Hoyt

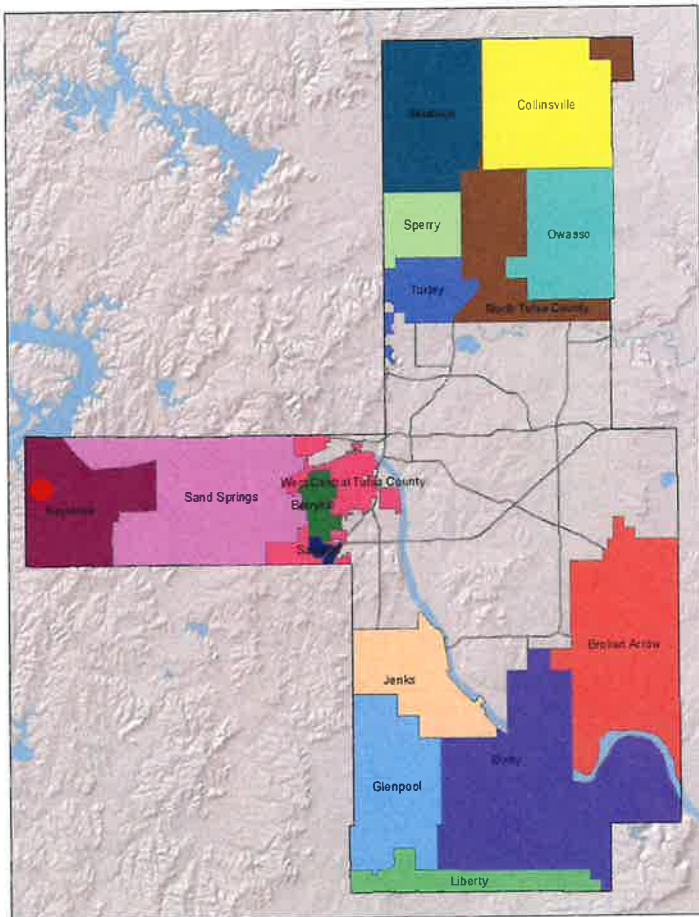
Owner and Applicant Information:

Applicant: Ron Sterling

Property Owner: STERLING, RON E & ROXANE

Action Requested: Variance to permit a detached accessory building in a side yard in an RE zoned district (420.2.A.2)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 1.25 acres

Location: 26121 W 27 ST S

Present Zoning: RE

Fenceline/Area: Keystone

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9018

CZM: 32

CASE NUMBER: CBOA-3034

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 02/21/2023 1:30 PM

APPLICANT: Ron Sterling

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

LOCATION: 26121 W 27 ST S

ZONED: RE

FENCELINE: Keystone

PRESENT USE: Residential

TRACT SIZE: 1.25 acres

LEGAL DESCRIPTION: LT 8 BLK 1, LAKE SUBURBAN ESTATES Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RE and is abutted by RE zoning to the east, west and south containing single-family residences as well as AG zoning to the north containing vacant agricultural land.

STAFF COMMENTS:

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

The Tulsa County Zoning code (Section 420.2.A.2) prohibits accessory buildings in Residentially zoned districts from being constructed in the front or side yards of a residential lot. The applicant is proposing to finish construction of a 20' x 30' garage in the side yard of the subject lot, as illustrated by the site plan provided by the applicant, that was previously begun by the prior property owner.

The applicant has provided the statement "Property has an existing detached garage that has already passed final framing inspection 12-17-18 Permit # 19518. I purchased the property from Sharp Marle in September 2022. The property is unfinished and I am trying to renew the building permit."

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

Sample Motion:

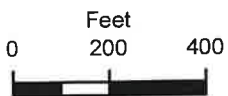
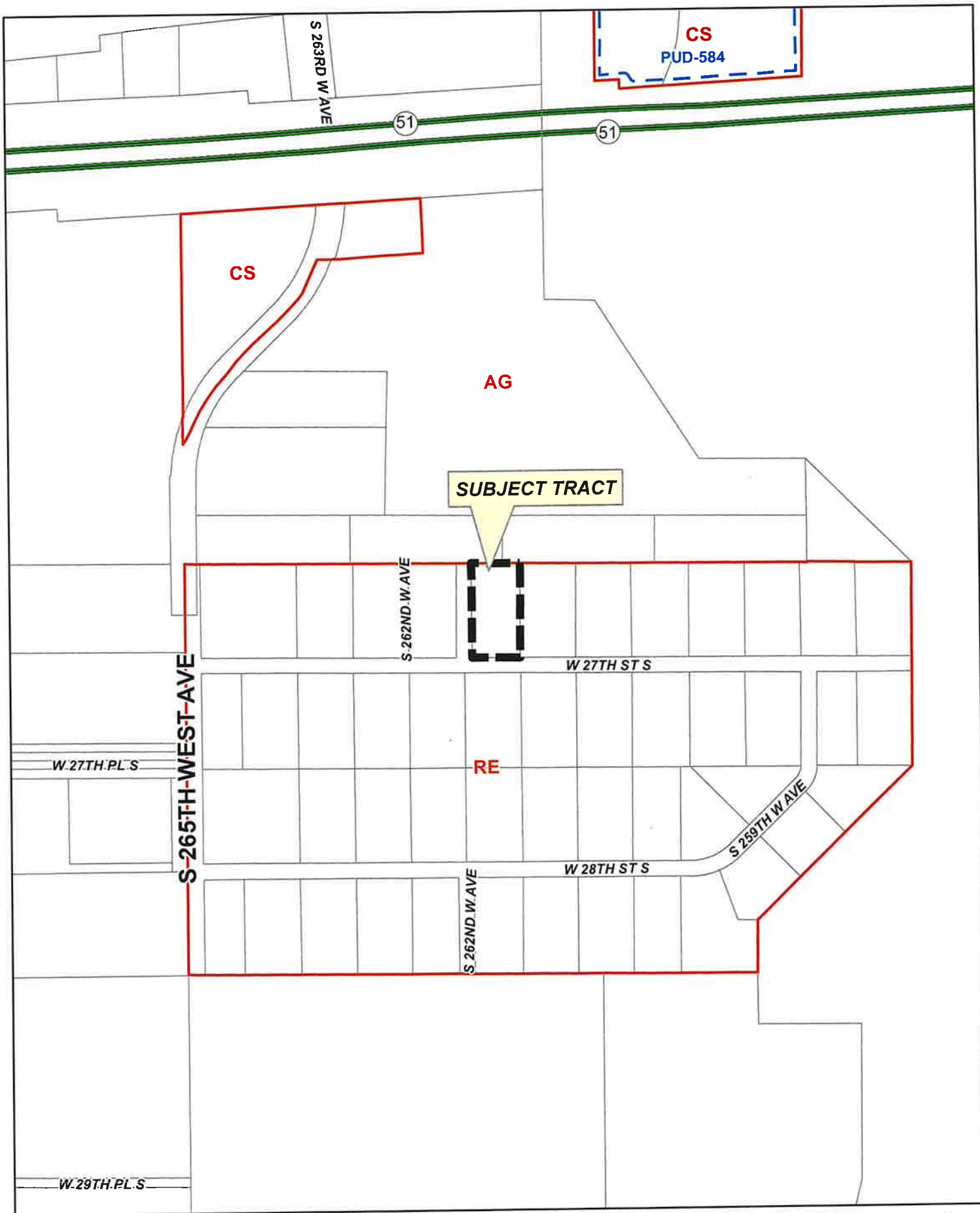
"Move to _____ (approve/deny) a Variance to permit a detached accessory building in a side yard in an RE zoned district (420.2.A.2)

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



CBOA-3034

19-10 18





Subject Tract

CBOA-3034

19-10 18

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

Aerial Photo Date: 2020/2021

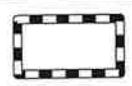
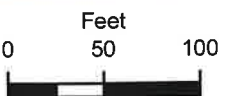


CBOA-3034 3.5



S 262ND W AVE

W 27TH ST S



Subject Tract

CBOA-3034

19-10 18

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

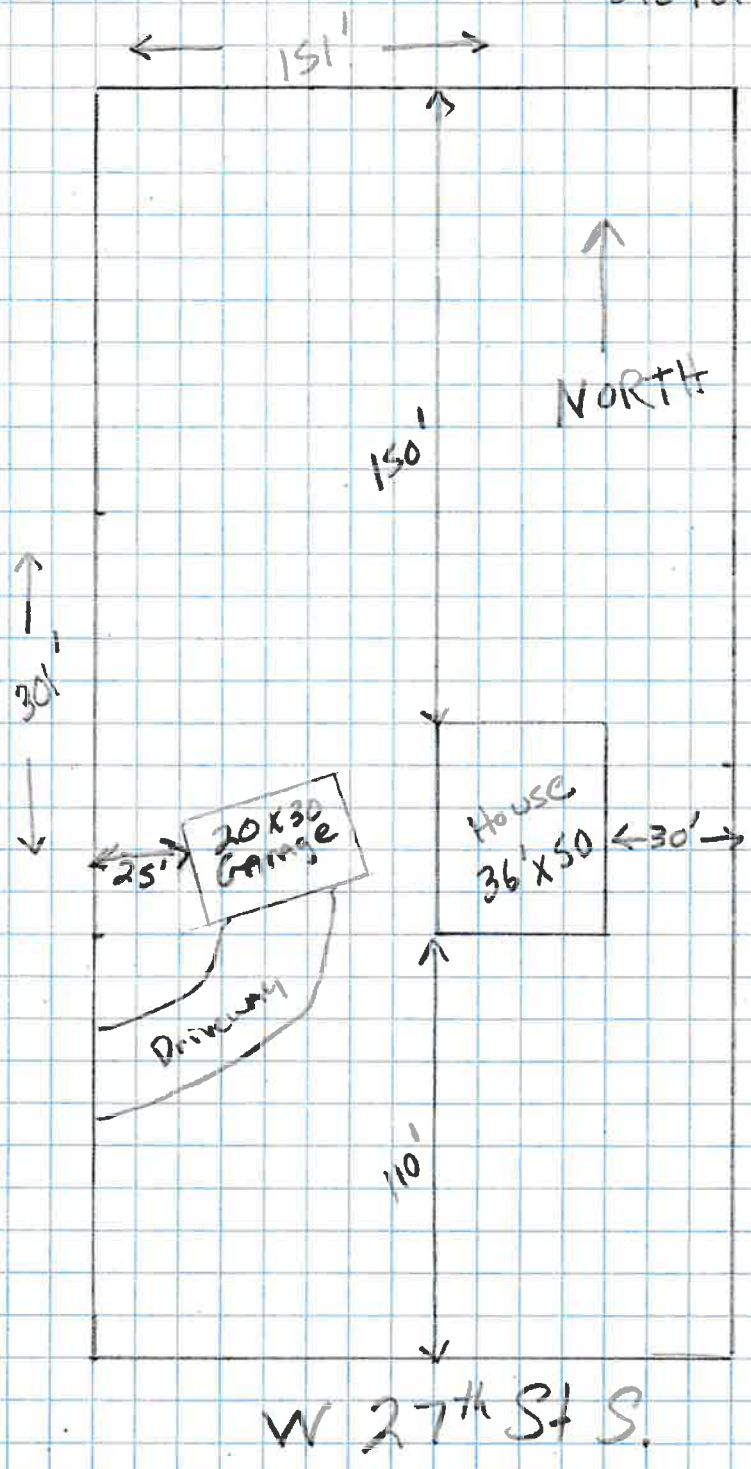
Aerial Photo Date: 2020/2021



CBOA-3034 3.6

SCALE: one sq = 10'

26121 W 27th ST S
Sand Springs 74063





Case Number: CBOA-3042

Hearing Date: 02/21/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

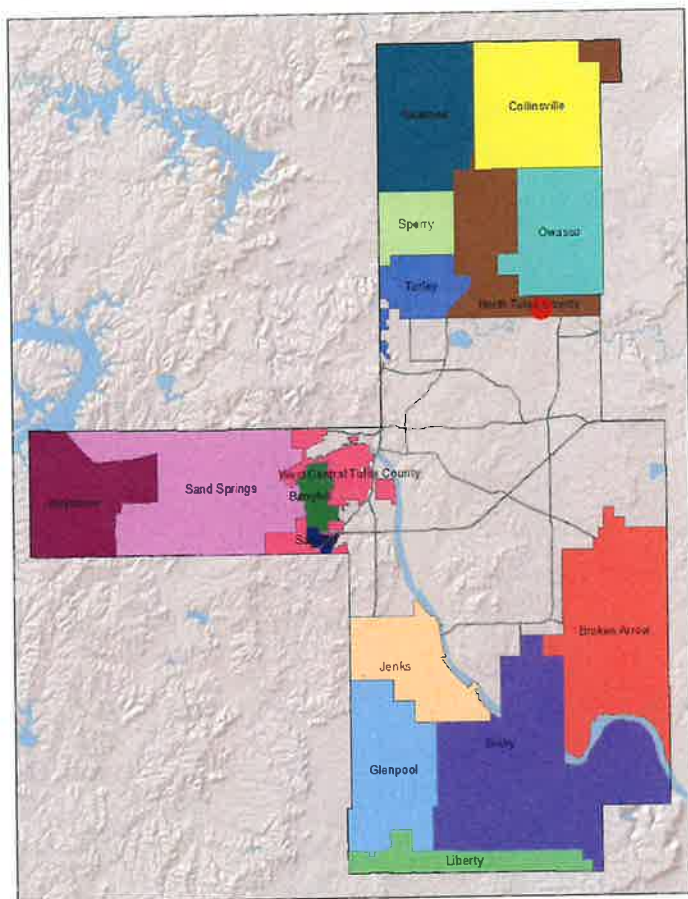
Owner and Applicant Information:

Applicant: Blas Gaytan

Property Owner: GAYTAN LLC

Action Requested: Special Exception to permit an Open Air Flea Market/ Swap Meet (Use Unit 2, Use Unit 14) in the IM District (Sec. 910, Table-1)

Location Map:



Additional Information:

Present Use: Event Space

Tract Size: 41.17 acres

Location: 5825 N MINGO RD E

Present Zoning: IM

Fenceline/Area: Tulsa

Land Use Designation: Industrial

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 0406

CZM: 24

CASE NUMBER: **CBOA-3042**

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 02/21/2023 1:30 PM

APPLICANT: Blas Gaytan

ACTION REQUESTED: Special Exception to permit an Open Air Flea Market/ Swap Meet (Use Unit 2, Use Unit 14) in the IM District (Sec. 910, Table-1)

LOCATION: 5825 N MINGO RD E

ZONED: IM

FENCELINE: Tulsa

PRESENT USE: Event Space

TRACT SIZE: 41.17 acres

LEGAL DESCRIPTION: N1156.9 BLK 1, NORTHEAST INDUSTRIAL DISTRICT Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2082 February 2004: Special Exception to permit a dance hall in an IM District.

CBOA-2427 March 2012: Special Exception to allow Use Unit 2 in an IM district to allow open air music festivals and a Variance from the requirement that parking for special events be on an all-weather surface.

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned IM and is currently uses as event space. The site is abutted to the East, West and South by IM zoning containing Industrial uses and vacant land and to the North by IL and AG zoning containing a storage facility and vacant land.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to permit an Open Air Flea Market/ Swap Meet (Use Unit 2, Use Unit 14) in the IM District (Sec. 910, Table-1).

A special exception is required as the proposed Open Air Flea Market/Swap Meet is a use which is not permitted by right but by exception in the IM district because of potential adverse effects, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted. The proposed use must be found to be compatible with the surrounding neighborhood.

The site had been previously approved by the Board for a Special Exception to permit open air music festivals and received a variance of the requirement for an all-weather parking surface.

If inclined to approve the Board may consider the following conditions:

- *Limiting the day and hours of operation.*

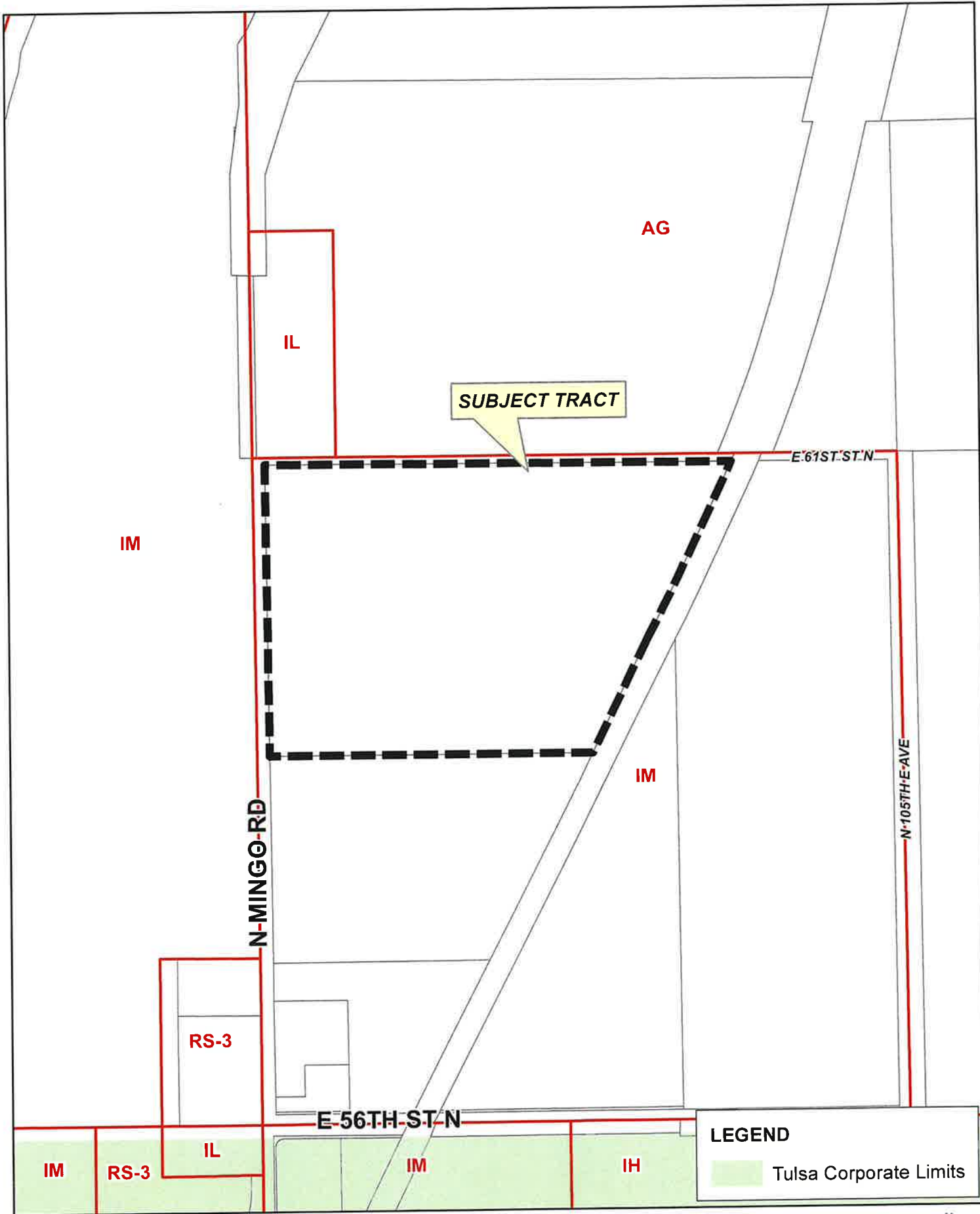
Sample Motion:

“Move to _____ (approve/deny) a Special Exception to permit an Open Air Flea Market/ Swap Meet (Use Unit 2, Use Unit 14) in the IM District (Sec. 910, Table-1)

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.



CBOA-3042

20-14 06





N MINGO RD

E 61ST ST N

N 105TH AVE

E 56TH ST N



Subject Tract

CBOA-3042

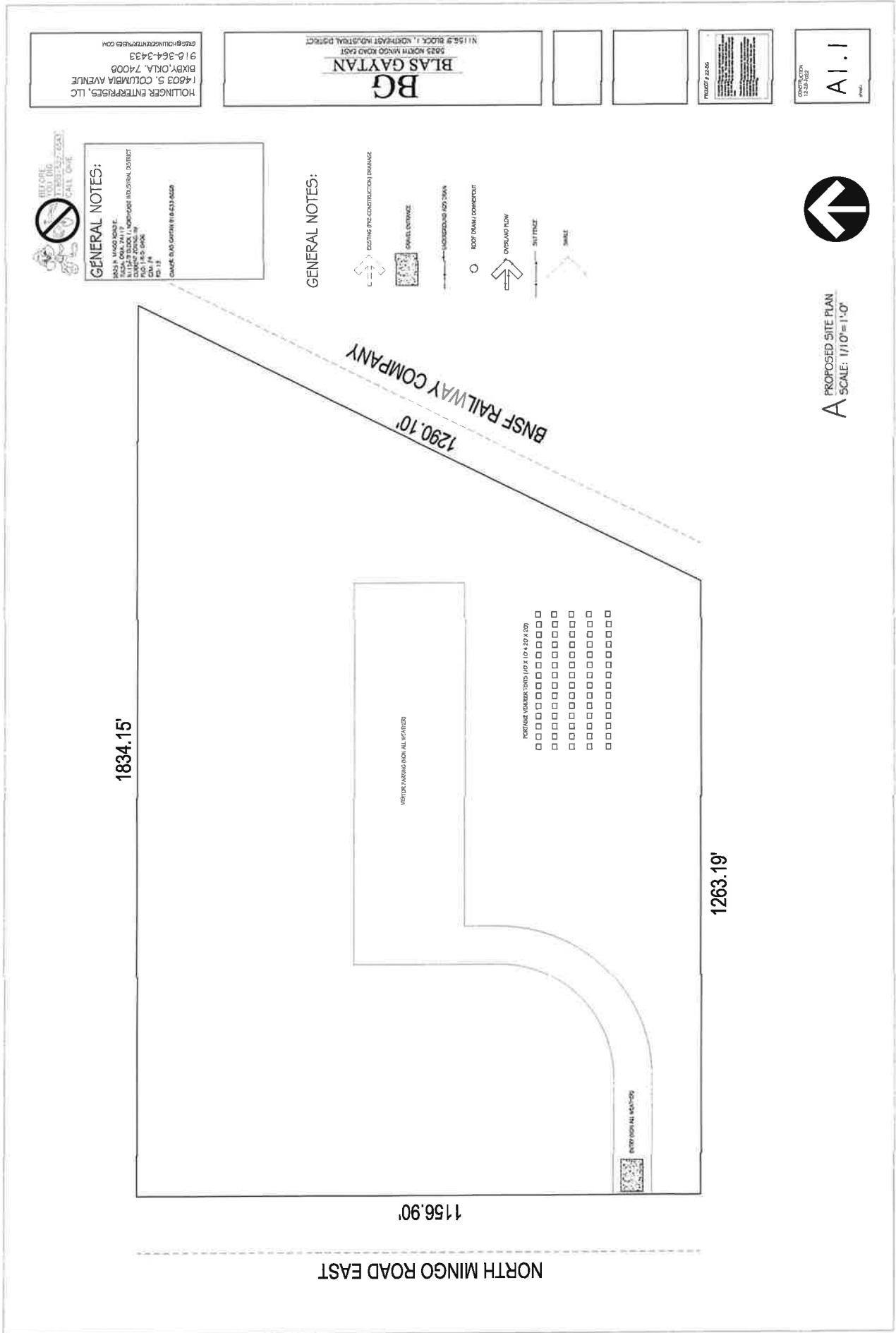
20-14 06

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

Aerial Photo Date: 2020/2021



CBOA-3042 4.5



PROPOSED SITE PLAN
SCALE: 1/110" = 1'-0"



CONSTRUCTION
11.28.2022

A.I.I.

PROJ. # 2306

PROJ. # 2306

11.28.2022

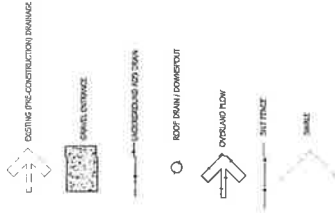


BG

BLAS GAVTAN

5825 NORTH MINGO ROAD EAST
N 1156.9' BLOCK / NORTHEAST INDUSTRIAL DISTRICT

HOLLINGER ENTERPRISES, LLC
14203 S. COLUMBIA AVENUE
BIXBY, OKLA. 74008
918-364-3433
6026@HOLLINGERENTERPRISES.COM



GENERAL NOTES:

BLAS GAVTAN, INC.
14113 S. MINGO ROAD, SUITE 117
NORTHEAST INDUSTRIAL DISTRICT
BIXBY, OKLA. 74008
PH: 918-364-3433
CELL: 918-364-3433
WWW.BGAS.COM





Board of Adjustment

Case Number: CBOA-3043

Hearing Date: 02/21/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

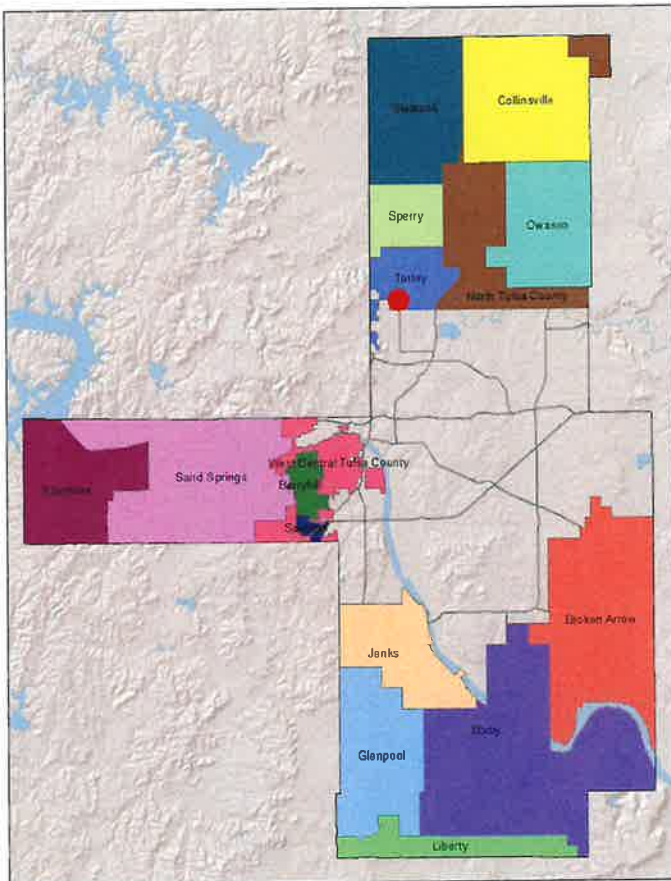
Owner and Applicant Information:

Applicant: Jennifer Jennings

Property Owner: JENNINGS, JENNIFER LYNN & JAMES R

Action Requested: Special Exception to permit a manufactured home in an RS district (Section 410).

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 0.27 acres

Location: 1110 E 59 PL N

Present Zoning: RS

Fenceline/Area: Turley

Land Use Designation: Rural Commercial

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 0201

CZM: 21

CASE NUMBER: **CBOA-3043**

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 02/21/2023 1:30 PM

APPLICANT: Jennifer Jennings

ACTION REQUESTED: Special Exception to permit a manufactured home in an RS district (Section 410).

LOCATION: 1110 E 59 PL N

ZONED: RS

FENCELINE:

PRESENT USE: Vacant

TRACT SIZE: 0.27 acres

LEGAL DESCRIPTION: LTS 20 THRU 22 BLK 12, TURLEY-ORIGINAL TOWN Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-2606 November 2016: Special Exception to allow a community group home for children (Use Unit 8) in an RS district (Section 410)

CBOA-935 November 1989: The Board approved a Special Exception to allow a manufactured home in an RS district (Section 410).

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and is bounded to the East, West and South by RS zoning containing single-family residences and to the North by CH zoning containing a commercial business.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to allow a manufactured home (Use Unit 9) in a RS district. (Section 410).

A special exception is required as the proposed mobile home is a use which is not permitted by right but by exception in the RS district because of potential adverse effects, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted. The mobile home must be found to be compatible with the surrounding neighborhood.

If inclined to approve the request the Board may consider any condition it deems necessary in order to ensure that the proposed mobile home is compatible and non-injurious to the surrounding area.

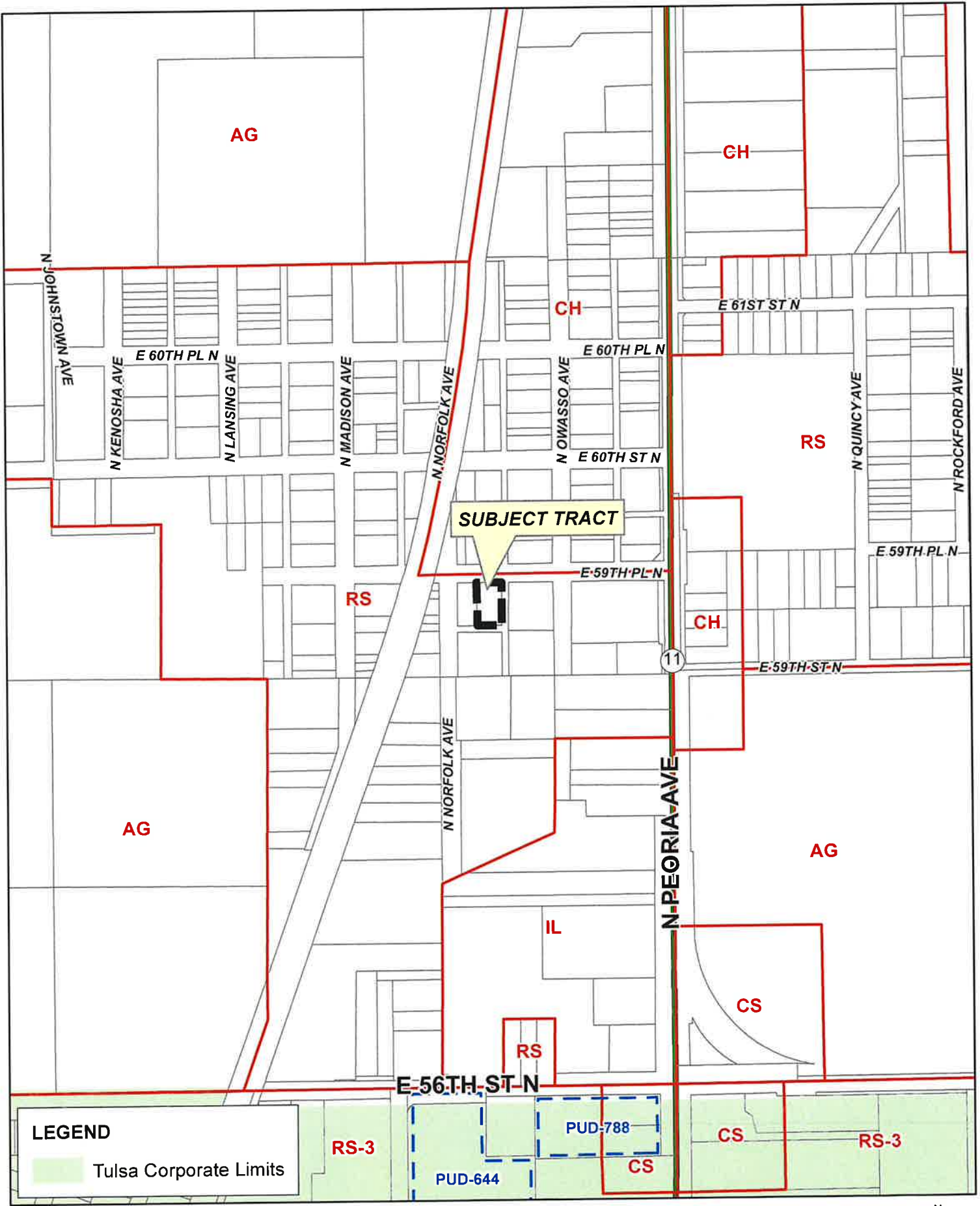
Sample Motion:

"Move to _____ (approve/deny) a Special Exception to permit a single-wide mobile home in an RS district (Section 410).

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

Subject to the following conditions, if any: _____.

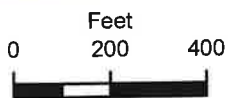
In granting a Special Exception, the Board must find that the Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



CBOA-3043

20-12 01





 Subject Tract

CBOA-3043

20-12 01

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

Aerial Photo Date: 2020/2021



CBOA-3043 5.5



Subject Tract

CBOA-3043

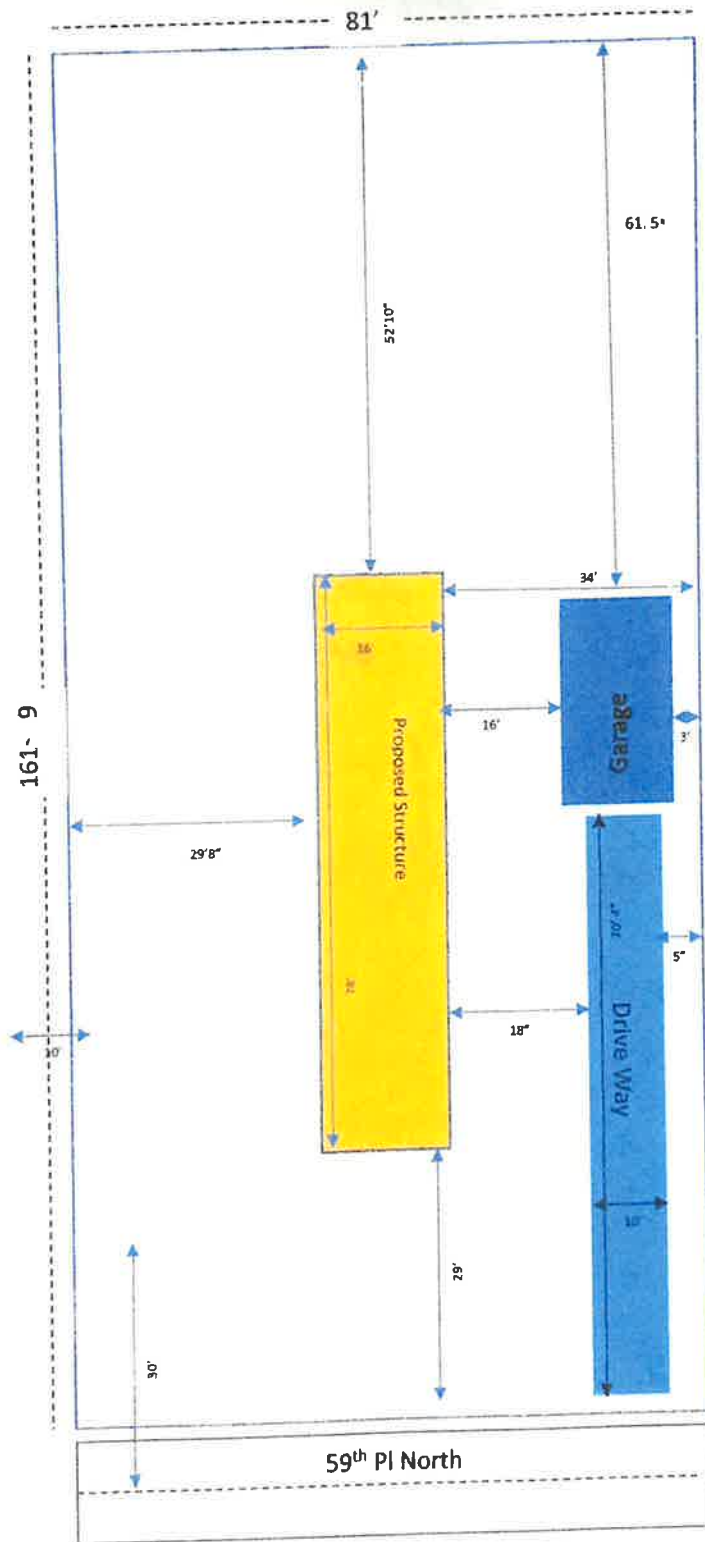
20-12 01

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

Aerial Photo Date: 2020/2021



CBOA-3043 5.6



Scale 1/4 inch = 1 foot





Board of Adjustment

Case Number: CBOA-3044

Hearing Date: 02/21/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

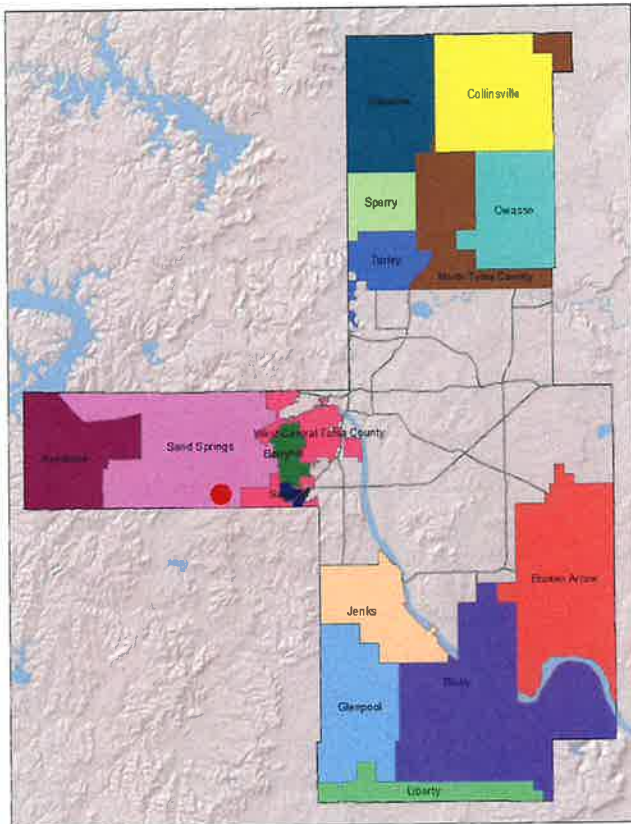
Owner and Applicant Information:

Applicant: Steven Graves

Property Owner: SGJCC PROPERTY LLC

Action Requested: Use Variance to allow Warehousing (Use Unit 23) and Automotive Repair (Use Unit 17) in the RS District (310).

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 1.38 acres

Location: 5403 S 113 AV W

Present Zoning: RS

Fenceline/Area: Sand Springs

Land Use Designation: Residential

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9135

CZM: 44

CASE NUMBER: CBOA-3044

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 02/21/2023 1:30 PM

APPLICANT: Steven Graves

ACTION REQUESTED: Use Variance to allow Warehousing (Use Unit 23) and Automotive Repair (Use Unit 17) in the RS District (310).

LOCATION: 5403 S 113 AV W

ZONED: RS

FENCELINE: Sand Springs

PRESENT USE: Vacant

TRACT SIZE: 1.38 acres

LEGAL DESCRIPTION: N/2 LT 3 BLK 3; S/2 LT 3 BLK 3, BUFORD COLONY SECOND ADDN Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and is currently vacant. It is surrounded by RS zoning to the North, South and East containing a combination of single-family residences and vacant land and to the West by Hwy 97, zoned AG with RM-2 and CG zoning to the West of 97 containing multi-family and commercial uses.

STAFF COMMENTS:

The applicant is before the Board to request a Use Variance to allow Warehousing (Use Unit 23) and Automotive Repair (Use Unit 17) in the RS District (310).

The applicant is proposing to construct a metal building on the subject lot similar to the example they have provided for warehousing and automotive repair. The proposed uses would fall under Use Unit 23 - Warehousing and Wholesaling and use Unit 17 - Automobile and Allied Activities, which are not allowable uses in the RS district. This would require a use variance allowing Use Units 17 & 23 on the subject lot in order to permit the uses of the proposed building.

The applicant has stated that they the building is intended to be a 100x100 FT building divided into four sections, with office and warehouse space. The intended use is for the applicant to have one of the four sections for automotive repair and the other three sections rented out to other professionals such as residential or commercial contracting companies.

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

Sample Motion:

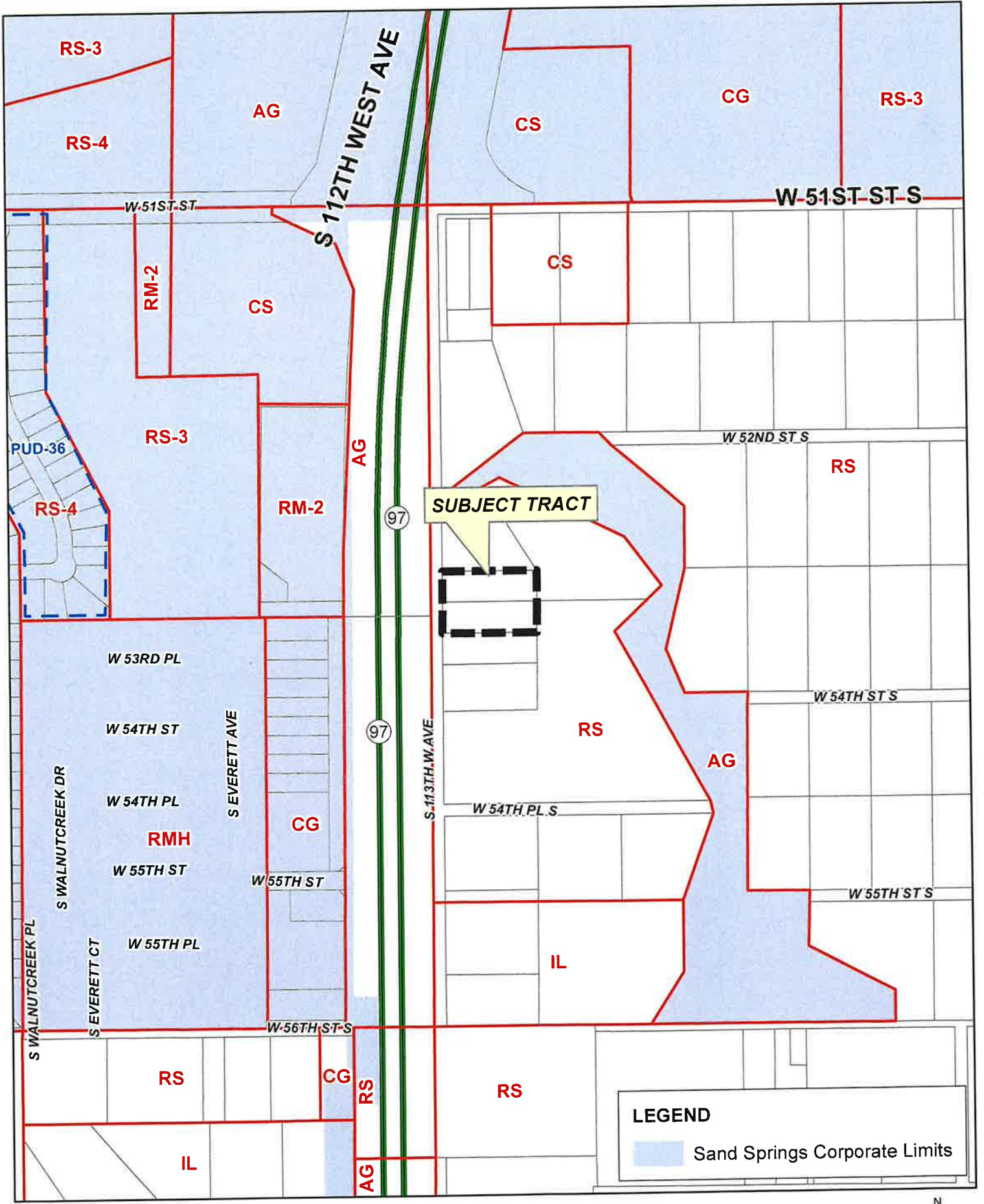
"Move to _____ (approve/deny) a Use Variance to allow Warehousing (Use Unit 23) and Automotive Repair (Use Unit 17) in the RS District (310).

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.



CBOA-3044

19-11 35



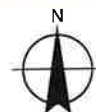
Subject
Tract

CBOA-3044

19-11 35

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

Aerial Photo Date: 2020/2021

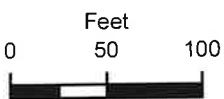


CBOA-3044 6.5



97

S 113TH WAVE



Subject Tract

CBOA-3044

19-11 35

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

Aerial Photo Date: 2020/2021



CBOA-3044 6.6

Near Exact Example of Building Project.

100' x 100' Length

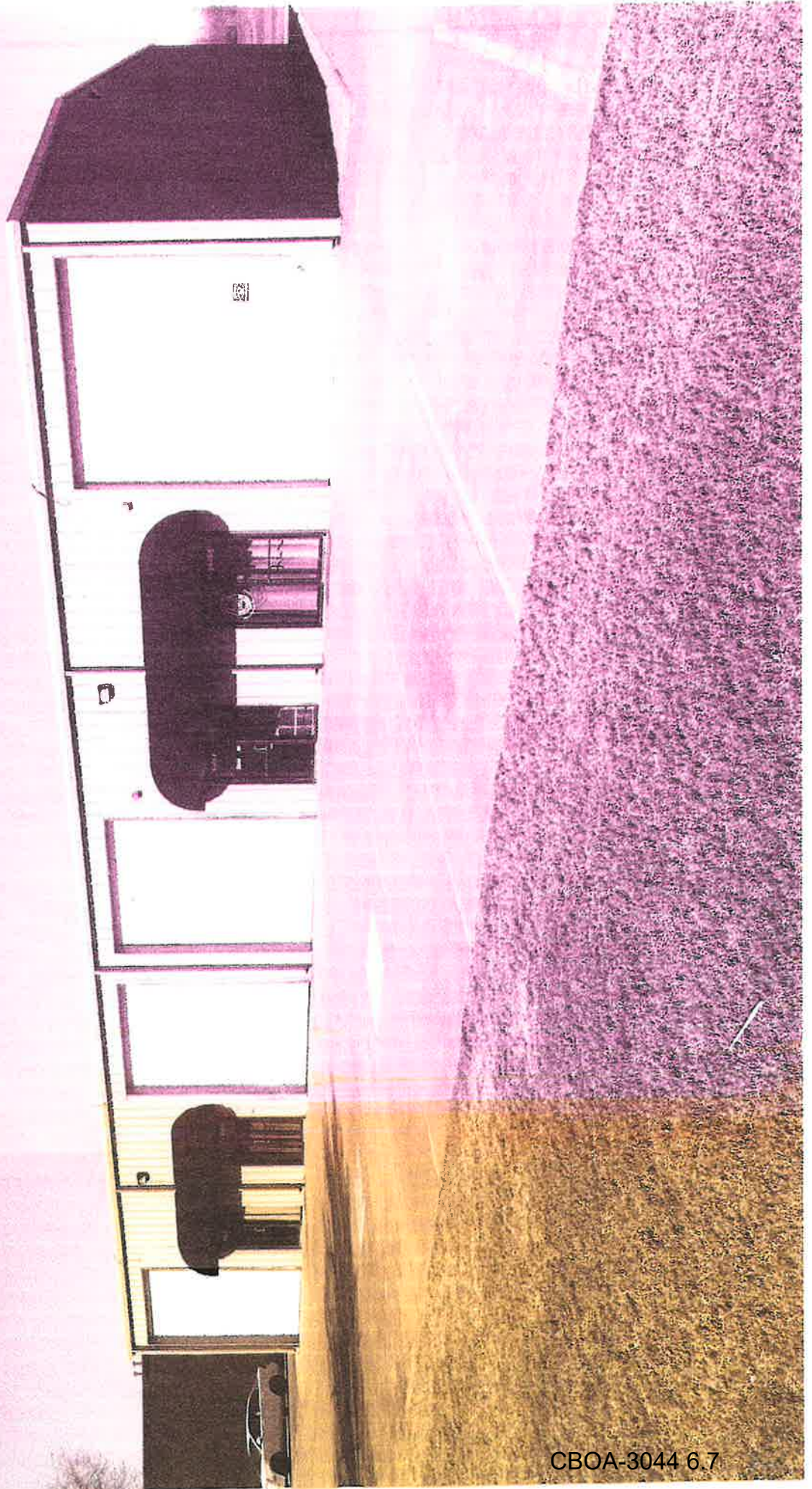
16' Side Walls

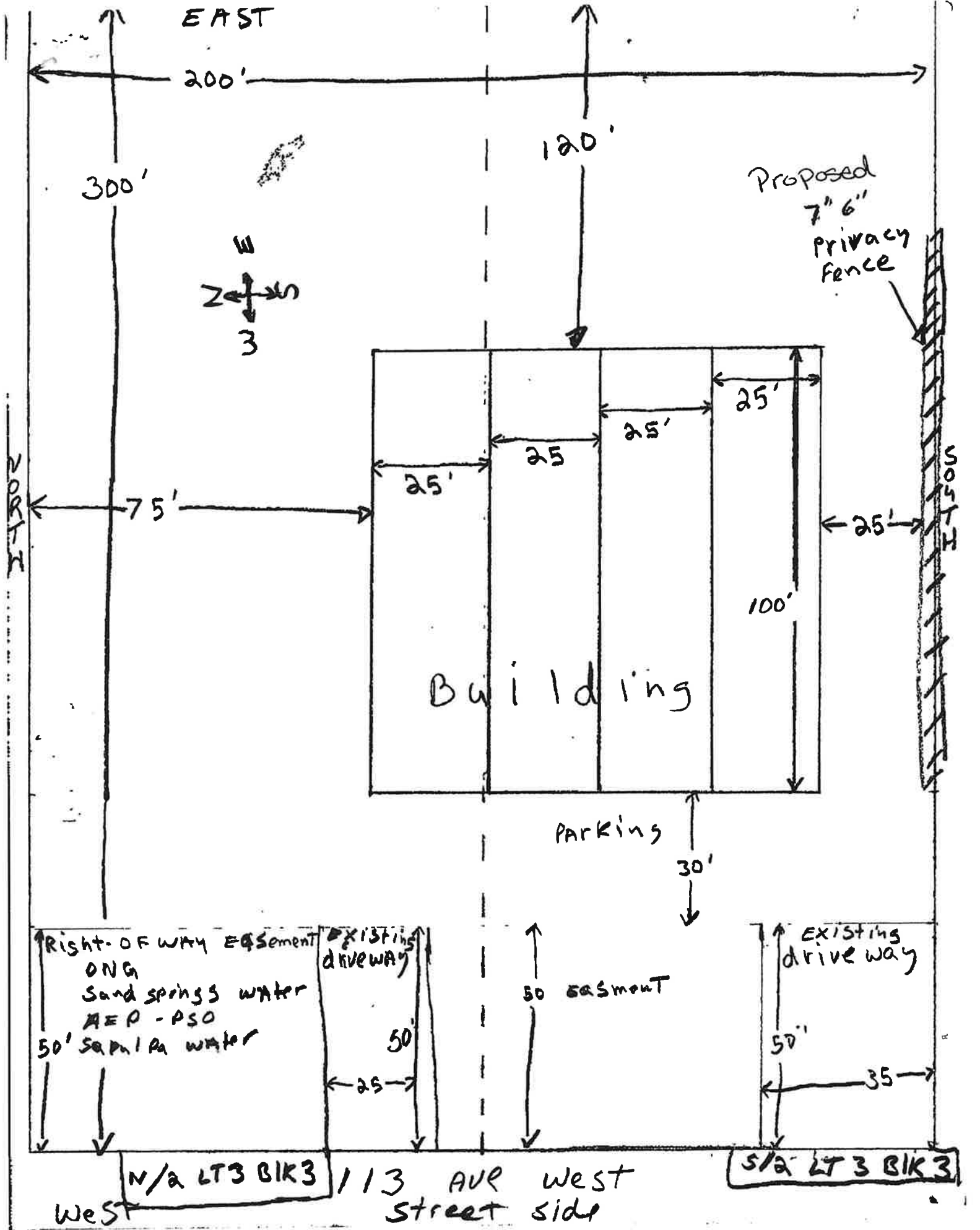
20' @ the highest Peak

This would be the Street Side View.

5403 S. 113 W Ave
Sand Springs, OK 74063

Legal- Lot 3 Block 3
Butford Colony 2nd Addition
Tulsa County.





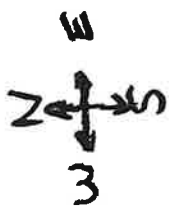
EAST

200'

300'

120'

Proposed
7" 6"
Privacy
Fence



NORTH

SOUTH

75'

25'

25'

25'

25'

25'

100'

Building

Parking

30'

Right-Of-Way Easement
ONG
Sand Springs Water
AEP - PSO
50' Sand Springs Water

Existing
driveway

50'

25'

50' easement

Existing
drive way

50'

35'

N/a LT3 BIK3

113 AVE West
Street side

S/a LT3 BIK3

West















