

AGENDA
Tulsa County Board of Adjustment
Regularly Scheduled Meeting
Tuesday July 18, 2023, 1:30 p.m.
Williams Tower I
1 West 3rd Street, St. Francis Room

Meeting No. 521

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:

UNFINISHED BUSINESS

1. 3038 - Raychel & Rusty Stamper

Action Requested:

Use Variance to allow (Use Unit 15) in an AG District to permit other trades and services (Section 310). variance of the all-weather surface requirement for parking.

Location: 11716 N 97 E Ave **(CD 1)**

2. 3072 - James Kent

Action Requested:

Special Exception to allow a fireworks stand (Use Unit 2) in an RS zoned district. (Sec. 410); Variance of the all-weather surface material requirement for parking (Section 1340.D). **Location:** 4503 South 49 Avenue West **(CD 2)**

3. 3073 - Randy Scott

Action Requested:

Special Exception to permit fireworks stand (Use Unit 2) in an RS district (Section 410) **Location:** 1035 W 4 ST N **(CD 1)**

4. 3078 - Chris Garr

Action Requested:

Variance to allow a third dwelling unit in AG (Section 208) **Location:** 13902 N Memorial Dr **(CD 1)**

NEW APPLICATIONS

5. 3079 - Yong Yang

Action Requested:

Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330) **Location:** 12857 N 143rd E Av **(CD 1)**

6. 3080 - William Reed

Action Requested:

Special Exception to permit a single-wide manufactured home in an RS district (Section 410). **Location:** 5716 N Norfolk Av E **(CD 1)**

7. 2694-A - William Vernon Bearden Jr.

Action Requested:

Modification to a previously approved Special Exception (CBOA-2694) for a firework stand (Use Unit 2) to extend the time limit (Section 310). **Location:** 17137 S Mingo Rd **(CD 3)**

8. 3082 - Darren Yates

Action Requested:

Variance to permit two dwelling units on a single lot of record in an RE district (Section 208). Special Exception to permit a single-wide mobile home in an RE district (Section 410). **Location:** 12208 N 75th E Ave **(CD 1)**

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-3038

Hearing Date: 07/18/2023 1:30 PM
(Continued from 01/17/2023)

Case Report Prepared by:

Jay Hoyt

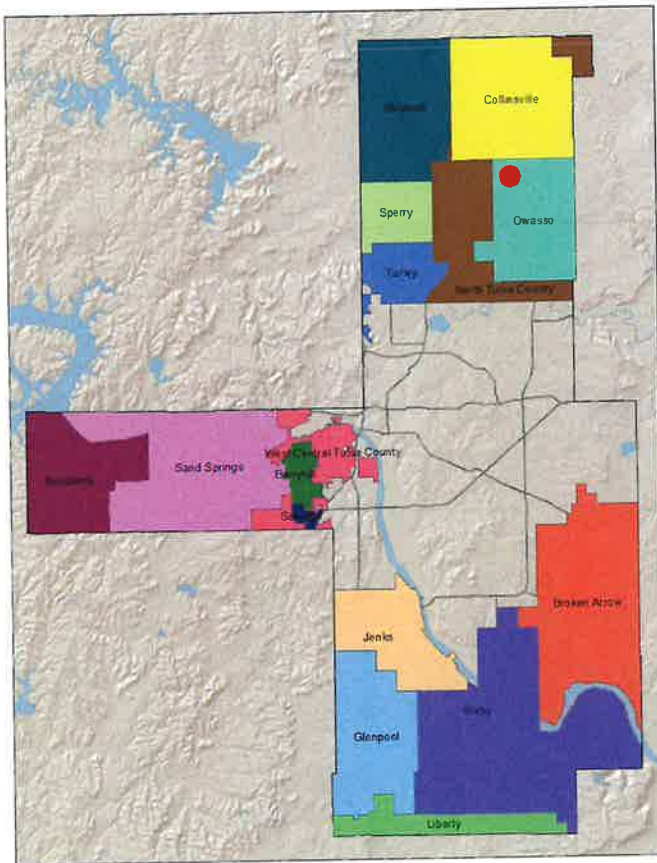
Owner and Applicant Information:

Applicant: Raychel Stamper

Property Owner: STAMPER, GARY

Action Requested: Use Variance to allow (Use Unit 15) in an AG District to permit other trades and services (Section 310) a Variance of the all weather surface requirement for parking (Section 1340.D).

Location Map:



Additional Information:

Present Use: AG

Tract Size: 5.48 acres

Location: 11716 N 97 AV E

Present Zoning: AG

Fenceline/Area: Owasso

Land Use Designation: Commercial

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1301

CZM: 11

CASE NUMBER: CBOA-3038

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 07/18/2023 1:30 PM (Continued from 01/17/2023)

APPLICANT: Raychel Stamper

ACTION REQUESTED: Use Variance to allow (Use Unit 15) in an AG District to permit other trades and services (Section 310). Variance of the all weather surface requirement for parking (Section 1340.D).

LOCATION: 11716 N 97 AV E

ZONED: AG

FENCELINE: Owasso

PRESENT USE: AG

TRACT SIZE: 5.48 acres

LEGAL DESCRIPTION: A TRACT OF LAND IN S/2 SE BEG 724.17N SECR SE TH N200 W1210.66 S200 E1210.9 POB LESS E16.5 FOR RD SEC 1 21 13 5.483ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-2980 July 2022: Use Variance to permit Use Unit 15 Other Trades and Services, to allow a service establishment in an AG district (Section 1215) and a Variance from the all-weather parking surface requirement (Section 1340.D).

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and contains a single-family residence. The site is abutted by AG zoning to the north, south and west containing single-family residences and to the east by AG-R zoning containing single-family residences.

STAFF COMMENTS:

The applicant is before the Board to request a Use Variance to allow (Use Unit 15) in an AG District to permit other trades and services (Section 310) and a Variance of the all weather surface requirement for parking (Section 1340.D).

The subject lot is currently used by a plumbing company, Gary's Plumbing, for storage of equipment and supplies and office space. The applicant states that Gary Stamper is the only office employee on the site with two plumbing employees who park their personal vehicles on site to pick up supplies for plumbing jobs.

The applicant provided the statement "I, Gary R Stamper, live on the property described in the Tulsa County Board of Adjustment Application. I also own and operate Gary's Plumbing LLC. Gary's Plumbing LLC is a service based business with all businesses activities conducted off-site except for the storage of equipment and supplies and my personal office, where I have no other office employees. I currently have 2 plumbing employees who park their personal vehicles at the shop area shown on the site plan, load the necessary equipment and supplies for the job requirements and leave for the job site. I have owned the

said property since April 2006 and have conducted the same business out of the property since that time. I am requesting that the Board of Adjustment grant the use variance to permit Use Unit 15, Other Trades and Services”

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 (Use Unit 15) in an AG District to permit other trades and services (Section 310) and a Variance of the all weather surface requirement for parking (Section 1340.D).

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

Subject to the following conditions, if any: _____.

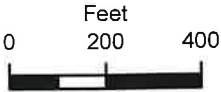
Finding the hardship to be _____.

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



LEGEND

 Owasso Corporate Limits



CBOA-3038

21-13 01





E 121ST ST N

E 120TH ST N

E 120TH ST N

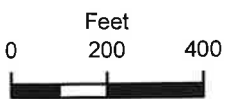
N 93RD E AVE

N 97TH RD

E 116TH ST N

N 97TH EAST AVE

N 96TH E AVE



 Subject Tract

CBOA-3038

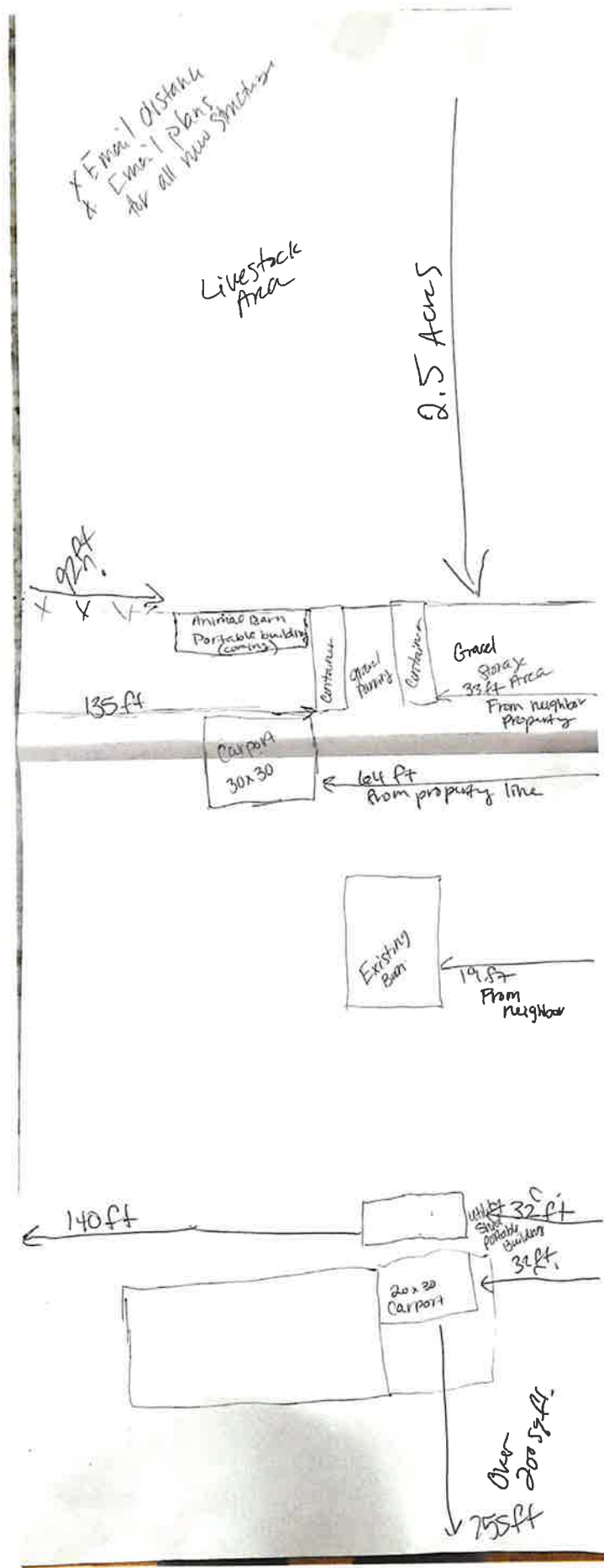
Note: Graphic overlays may not precisely align with physical features on the ground.

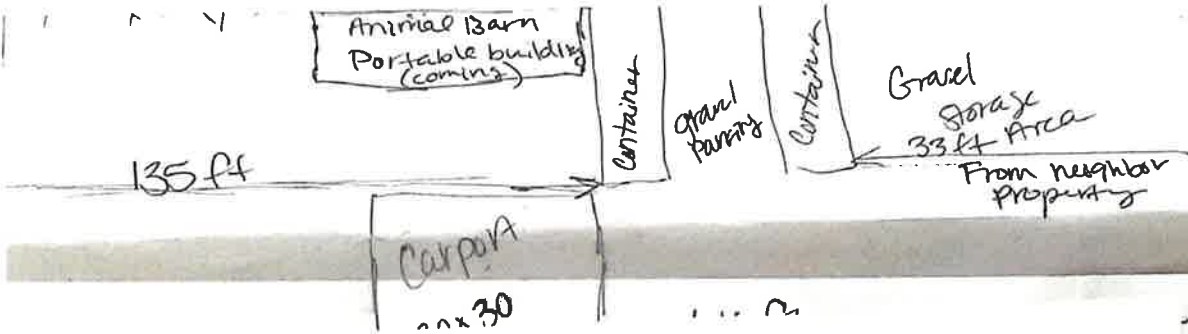
21-13 01

Aerial Photo Date: 2020/2021



CBOA-3038 1.5





12/13/22, 8:40 AM

Untitled document - Google Docs

Hardship:

I, Gary R. Stamper, live on the property described in the Tulsa County Board of Adjustment Application. I also own and operate Gary's Plumbing LLC. Gary's Plumbing LLC is a service-based business with all business activities conducted off-site except for the storage of equipment and supplies and my personal office, where I have no other office employees. I currently have 2 plumbing employees who park their personal vehicles at the shop area shown on the site plan, load the necessary equipment and supplies for the job requirements and leave for the job site.

I have owned the said property since April 2006 and have conducted the same business out of the property since that time. I am requesting that the Board of Adjustment grant the use variance to permit Use Unit 15, Other Trades and Services.

CBOA-3038

01/03/2023

I am writing to oppose the variances related to the above case.

A commercial plumbing business is being ran on the property. Employees are parking their vehicles and taking the business vehicles to jobs.

There are 4 large work trucks. 1 work van. 1 back hoe and 3 track hoes. multiple heavy equipment trailers. delivery trucks delivering plumbing equipment. multiple large bundles of plumbing pipe. 2 40 ft shipping containers

Ferguson and Locke supply equipment deliveries.

Please see photos submitted.

There has been multiple tons of gravel brought in to park all of the work trucks and heavy equipment.

This gravel is causing water run off to my property leading to standing water and causing my property to remain wet for long periods.

I have had to move my farm implements and horse trailer to help with the drying to increase air flow and light to help w/evaporation and drying.

Please see photos submitted showing the gravel is about 12 inches above ground level.

I believe my property value has been decreased and is less desirable due to the plumbing business that has been operating for years in a residential/agriculture zoned property.

I am asking you to uphold the law which does not allow for a business of the this size in a residential/ag zoned location.

Again. My property is being affected due to the water run off we are receiving due to all of the gravel to support his commercial business.

Again my wife and I oppose the continued operation of a commercial business and the gravel associated with it.

We oppose all variances related to CBOA-3038.

Thank you.

TODD and ANGIE GODFREY

11804 N.97th E. AVE

Collinsville, ok.

Case # CBOA-3038

We the below oppose any and all variances pertaining to the Above case #.

<u>name</u>	<u>Address</u>	<u>Phone #</u>
1. <u>Danny Moss</u>	<u>11645 W 97th East Ave</u>	<u>918-202-4829</u>
2. <u>Michelle Heath</u>	<u>11635 N 97th E Ave</u>	<u>918-520-3497</u>
3. <u>Charles & Jay</u>	<u>11706 N. 97th EAVE</u>	<u>918-948-1949</u>
4. <u>Robert Maren</u>	<u>11949 N. 97th E. Ave Collinsville</u>	<u>918 371 5146</u>
5. <u>J. Thompson</u>	<u>COLLINSVILLE, OK 74021 11990 N. 97th EAST AVE</u>	<u>918-608-8753</u>
6. <u>James</u>	<u>11929 N. 97th E. Ave. Collinsville, OK 74021</u>	<u>(918) 698-6909</u>
7. <u>Ma Howard</u>	<u>11616 W 97 E Ave Collinsville OK 74021</u>	<u>918-695-3137</u>
8. <u>Donnie</u>	<u>11920 N 97 EAVE Collinsville OK 74021</u>	<u>(918) 271 1202</u>

NAME

Address

Phone #

9. Eldon W Jackson

11922 24 97
~~1277~~

918-371-3058

10. David McAlvair,
Stacey Cunniff

11881 N. 93rd E Ave
74021

918-530-9004

11. Todd & Angie Godfrey

11804 N 97th
East AVE Collinsville

918-371-9438

12. _____

**Notice of Hearing Before the
Board of Adjustment
County of Tulsa, Oklahoma**

Case Number: CBOA-3038

Notice is hereby given that a public hearing will be held before the Board of Adjustment to consider the following application. All persons interested in this matter may attend this hearing and present their objections to or arguments for the request.
You have received this notice because your property is near the property (or properties) subject to the application.

The Case

Applicant: Raychel Stamper
9184979499, powersraychel@yahoo.com

Action Requested: Use Variance to allow (Use Unit 15) in an AG District to permit other trades and services (Section 310). variance of the all weather surface requirement for parking.

Location: 11716 N 97 AV E

Property Legal Description: A TRACT OF LAND IN S/2 SE BEG 724.17N SECR SE TH N200 W1210.66 S200 E1210.9 POB LESS E16.5 FOR RD SEC 1 21 13 5.483ACS, , Tulsa County, State of Oklahoma

Current Zoning: AG

View the Application: tulsaplanning.org/countyboa/cases/CBOA-3038.pdf

Read the County Zoning Code: tulsaplanning.org/resources/plans

The Public Hearing

Date: Tuesday, 01/17/2023 1:30 PM

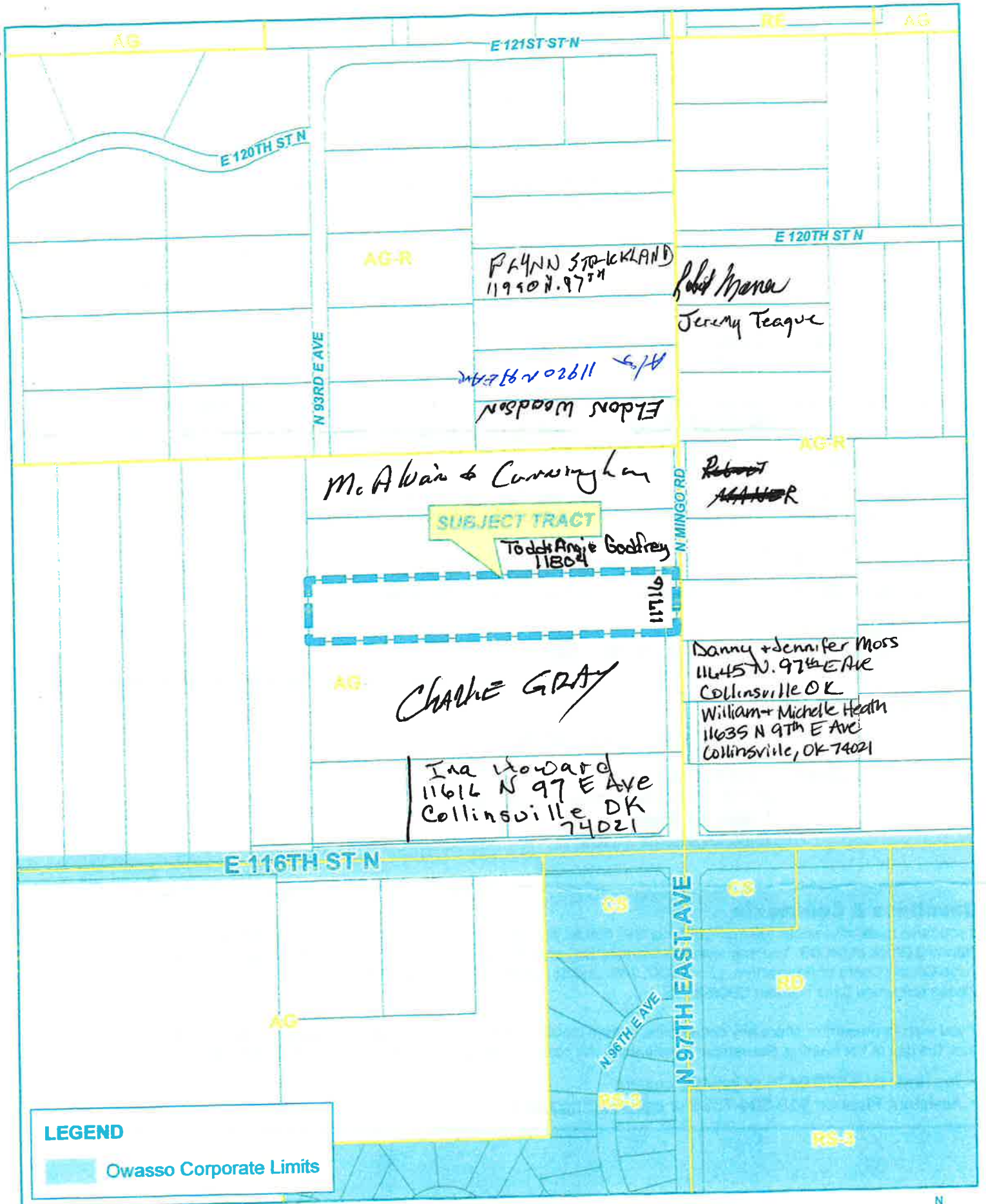
Location: Williams Tower I
St. Francis Conference Room, 1st Floor
1 West 3rd Street
Tulsa, Oklahoma 74103

Questions & Comments

If you have questions about the application or this notice, you may contact the applicant or County BOA staff in the Tulsa Planning Office at INCOG. You may speak at the meeting, or submit written comments via email to esubmit@incog.org or by mail: Tulsa County Board of Adjustment, c/o INCOG, 2 W. 2nd St., Suite 800, Tulsa, OK 74103. Please reference Case Number CBOA-3038.

If you wish to present or share any documents, written comments, or exhibits during the hearing, please submit them by 9:00 a.m. the day of the hearing. Remember to reference the case number and include your name and address.

- Jay Hoyt: 918-579-9476 or jhoyt@incog.org
 - Assistant Planner: 918-584-7526 or esubmit@incog.org
-



SUBJECT TRACT

PAUNN STOKKLAND
11950 N. 97TH

Robert Mena
Jeremy Teague

After 11920 N 97TH Ave
Eldon Woodson

McAlvan & Cunningham

Robert
~~MAHER~~

Todd & Angie Godfrey
11804

Danny + Jennifer Moss
11645 N. 97TH E AVE
Collinsville OK
William + Michelle Heath
11635 N 97TH E AVE
Collinsville, OK 74021

Charlie GRAY

Ina Howard
11616 N 97 E Ave
Collinsville, OK
74021

LEGEND

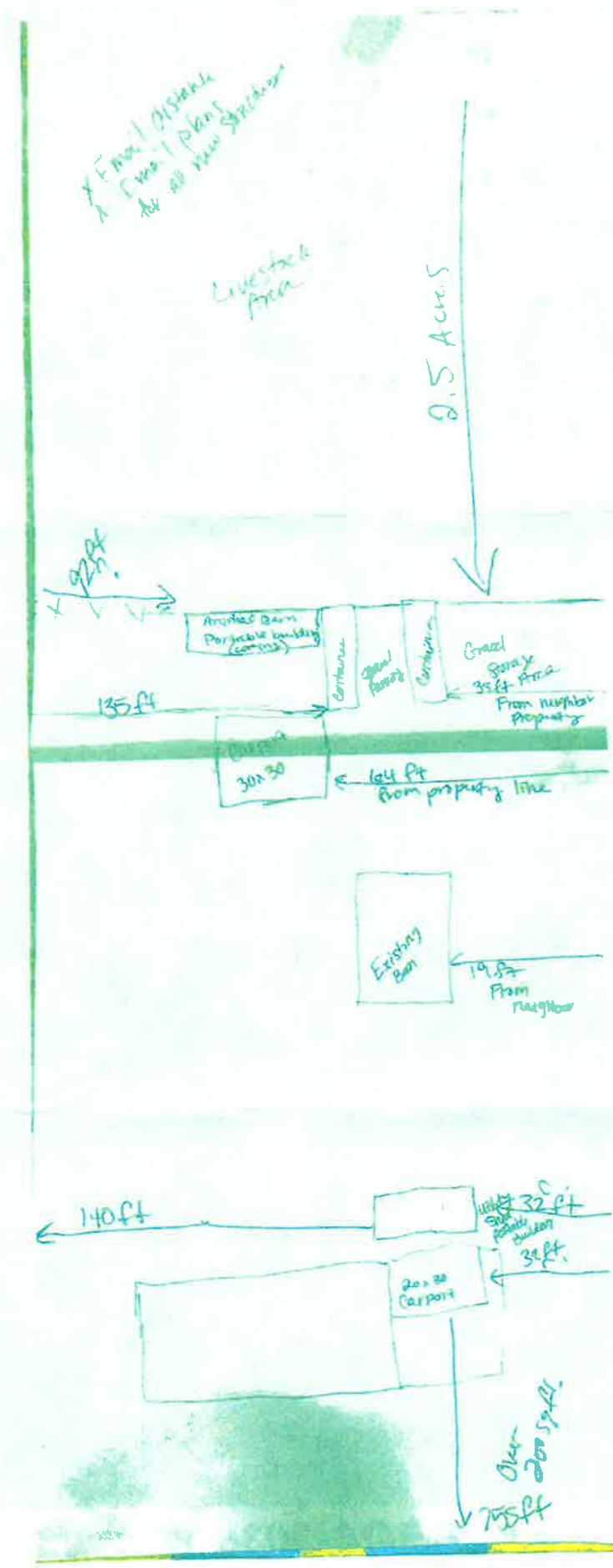
Owasso Corporate Limits



CBOA-3038

21-13 01





#1

Name	Qty	First	Last
4x6	25		

Photos of Employees
 arriving & leaving in work
 truck, Gravel which is
 causing water run off to
 my property + Equipment
 Photos - descriptions of each
of photos
 CAS# CBOA-3038

Order#: 990401610 Mon Jan 02, 2023 10:50 AM Todd Godfrey 9183719438



OBCA 3038 1.14

2023.01.03

2023.0

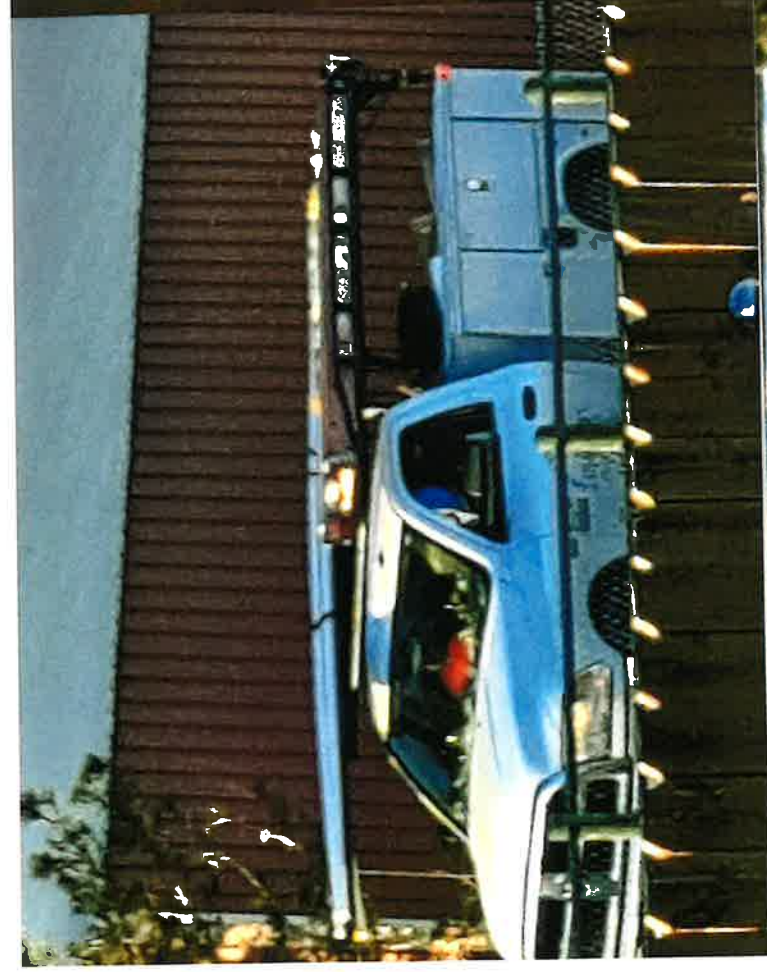


2023.01.03



CBOA 3038 1:15







Name	Qty	First	Last
4x6	15		

CASE # CBDA-3038

#2

More Pictures
OF
GARY'S PLUMBING

ORDER# 9183719438

Mon Jan 02, 2023 10:54 AM

Todd Godfrey 9183719438





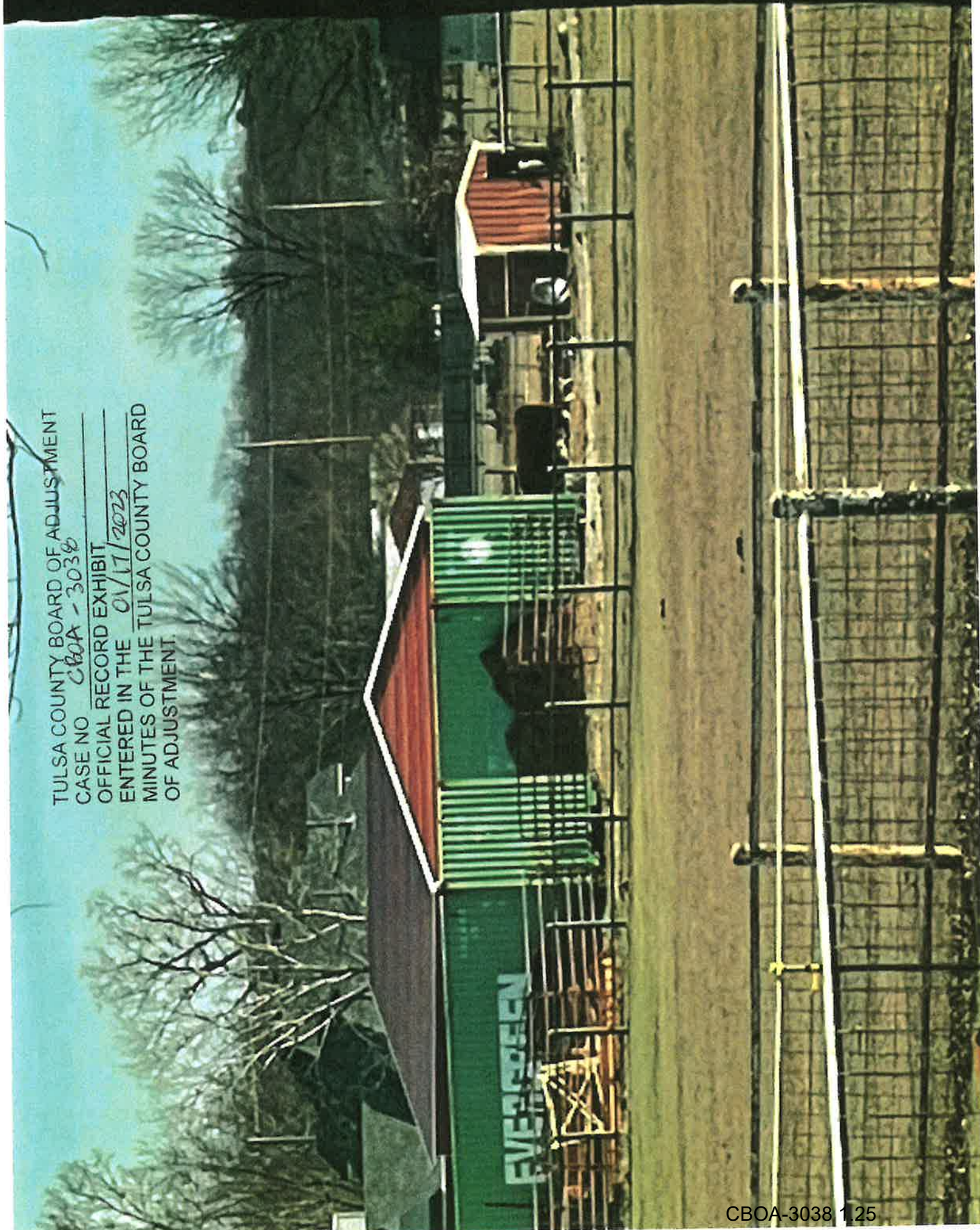




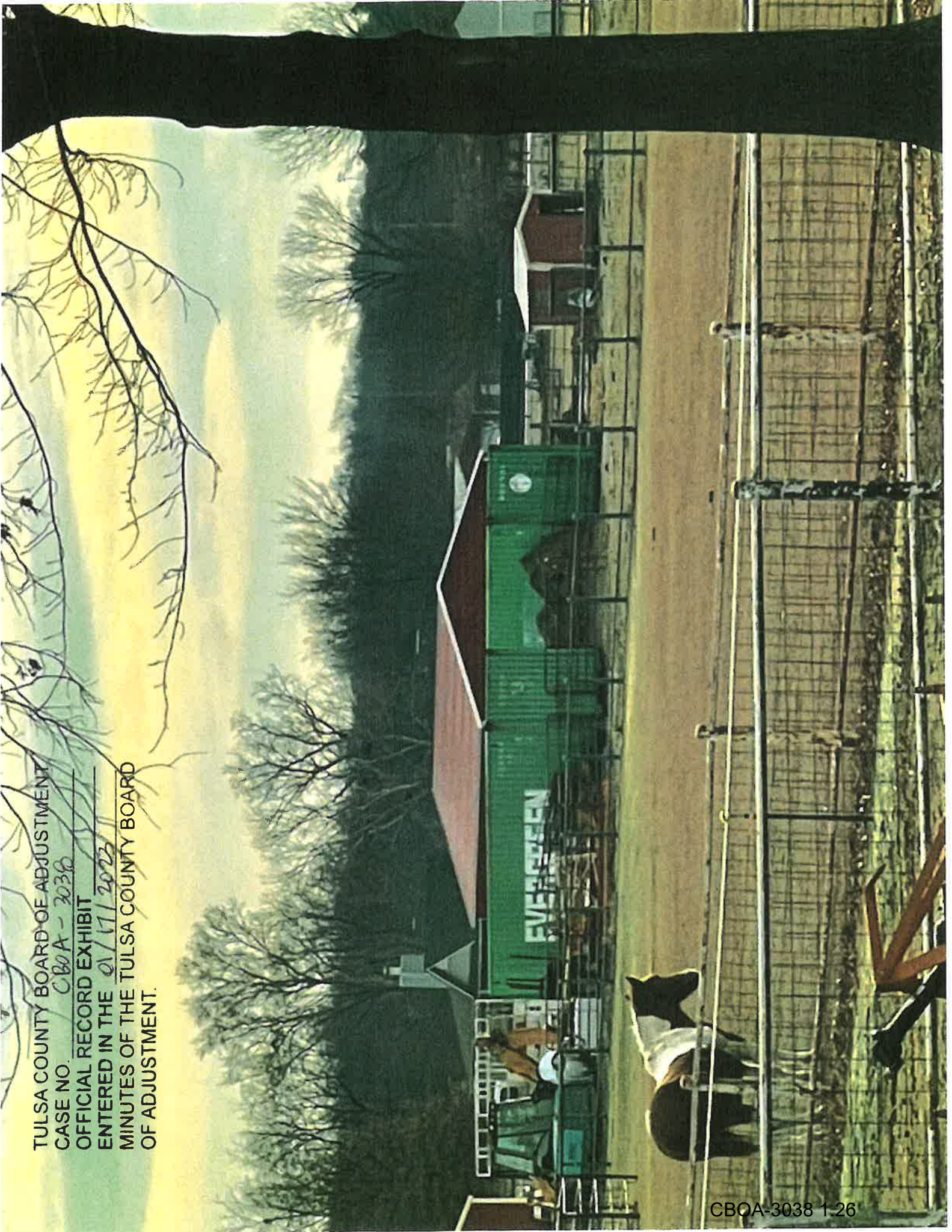


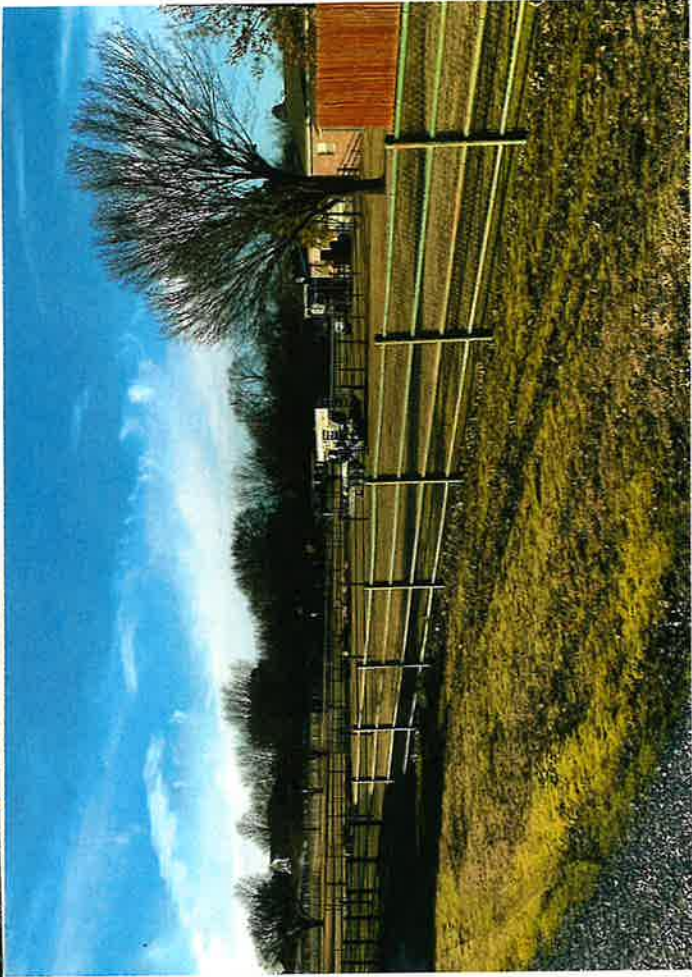


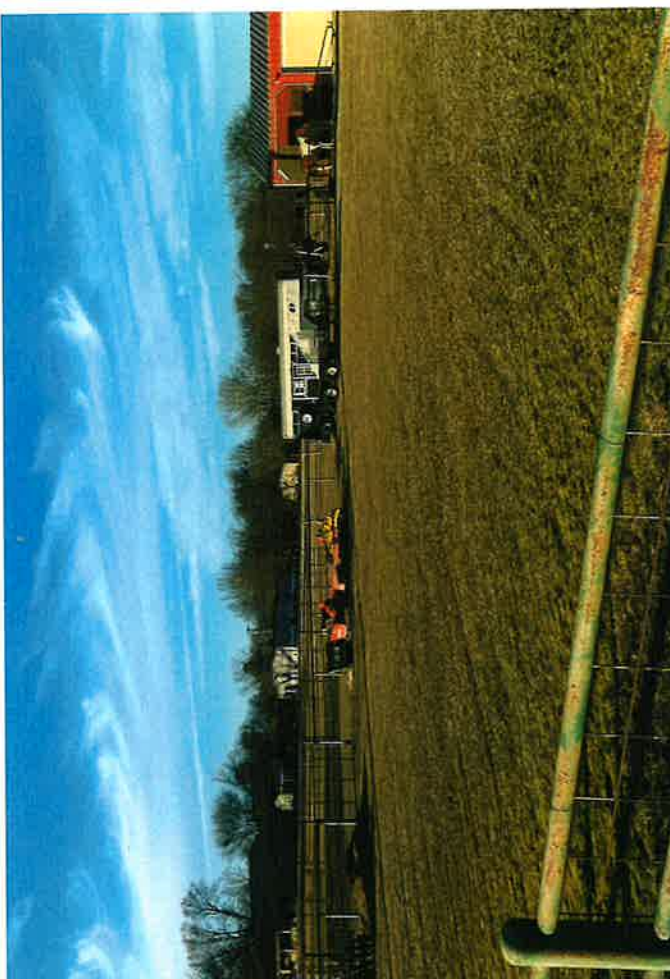
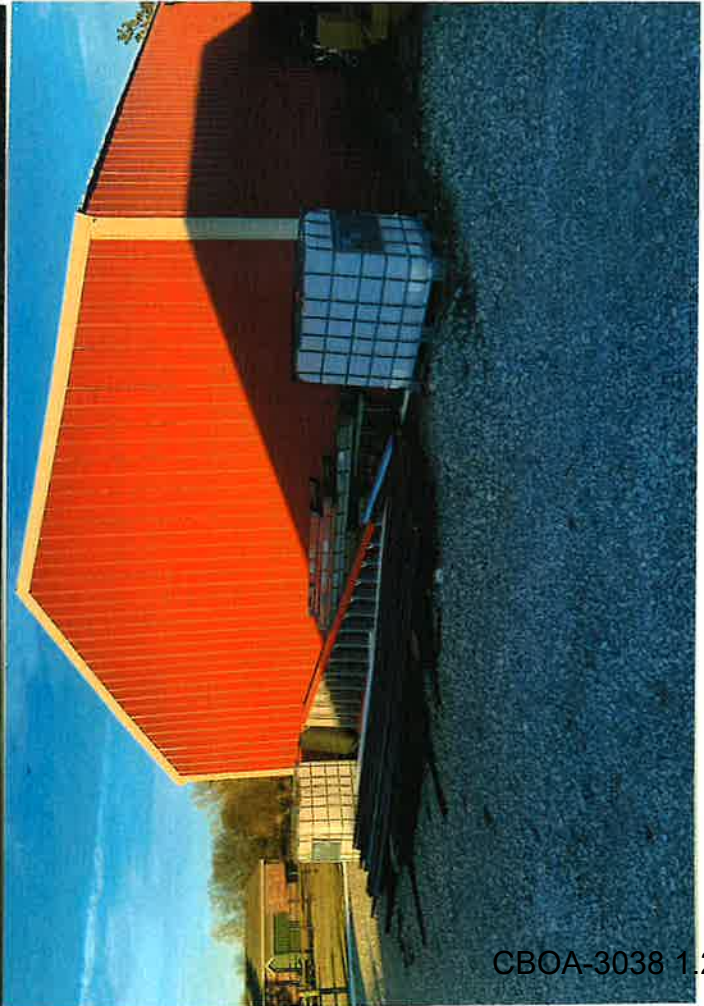
TULSA COUNTY BOARD OF ADJUSTMENT
CASE NO. CBOA-3038
OFFICIAL RECORD EXHIBIT
ENTERED IN THE 01/11/2023
MINUTES OF THE TULSA COUNTY BOARD
OF ADJUSTMENT.



TULSA COUNTY BOARD OF ADJUSTMENT
CASE NO. CBOA - 3038
OFFICIAL RECORD EXHIBIT
ENTERED IN THE 01/17/2003
MINUTES OF THE TULSA COUNTY BOARD
OF ADJUSTMENT.











Case Number: CBOA-3072

Hearing Date: 07/18/2023 1:30 PM
(Continued from 06/20/26 & 06/26/2023)

Case Report Prepared by:

Jay Hoyt

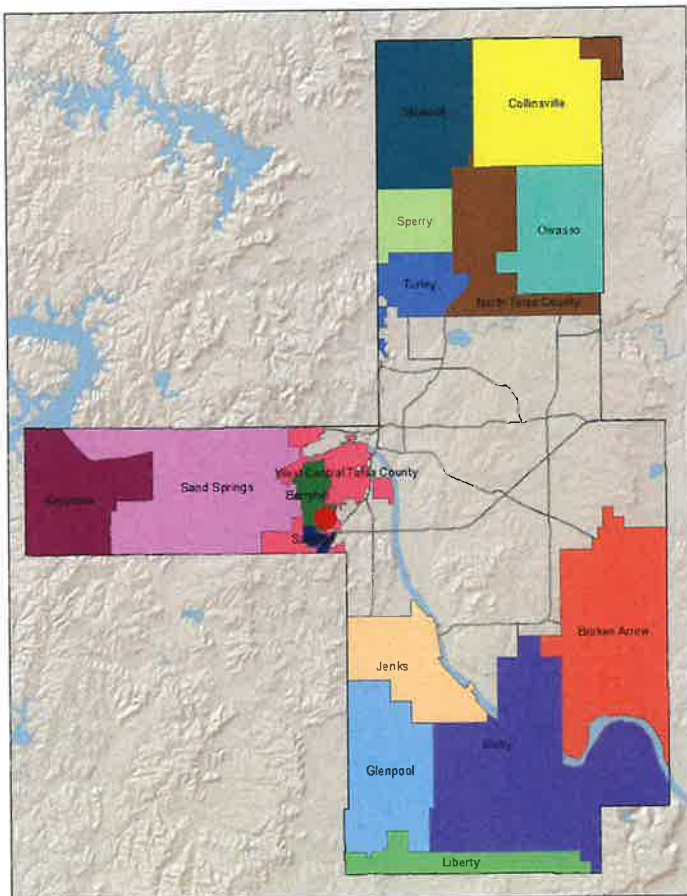
Owner and Applicant Information:

Applicant: James Kent

Property Owner: KENT, JAMES A & LINDA D REVOCABLE TRUST

Action Requested: Special Exception to allow a fireworks stand (Use Unit 2) in an RS zoned district. (Sec. 410); Variance of the all-weather surface material requirement for parking (Section 1340.D).

Location Map:



Additional Information:

Present Use: Renewal of firework stand

Tract Size: 0.86 acres

Location: 4503 S 49th W Ave

Present Zoning: IL,RS

Fenceline/Area: West Central Tulsa County

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9228
CZM: 45

CASE NUMBER: **CBOA-3072**
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 07/18/2023 1:30 PM (Continued from 06/20/2023 & 06/26/2023)

APPLICANT: James Kent

ACTION REQUESTED: Special Exception to allow a fireworks stand (Use Unit 2) in an RS zoned district. (Sec. 410); Variance of the all-weather surface material requirement for parking (Section 1340.D).

LOCATION: 4503 South 49 Avenue West

ZONED: IL,RS

FENCELINE: West Central Tulsa County

PRESENT USE: Renewal of firework stand

TRACT SIZE: 0.86 acres

LEGAL DESCRIPTION: LT 24 BLK 1, BRIDGES THIRD SUB Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2707 August 2018: The Board approved a Special Exception to allow a fireworks stand (Use Unit 2) in a RS district and IL district; Variance of the all-weather surface material requirement for parking (Section 1340.D). Granted a 5 year time limit on approvals.

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and is currently vacant. It is bounded to the north by RS and to the east by RS/IL containing single-family residences and to the south and west by IL zoning containing Industrial uses.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to allow a fireworks stand (Use Unit 2) in an RS zoned district. (Sec. 410); Variance of the all-weather surface material requirement for parking (Section 1340.D).

A special exception is required as the proposed fireworks stand is a use which is not permitted by right but by exception in the RE 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.

Section 1340.D of the Tulsa County Zoning Code requires that unenclosed off-street parking areas be surfaced with an all-weather material. The applicant is requesting a variance of that requirement so that the existing gravel parking area may be used.

The applicant provided the statement that they are requesting the variance due to the temporary nature of parking for a firework stand.

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 Special Exception to allow a fireworks stand (Use Unit 2) in an RS zoned district. (Sec. 410); Variance of the all-weather surface material requirement for parking (Section 1340.D).

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

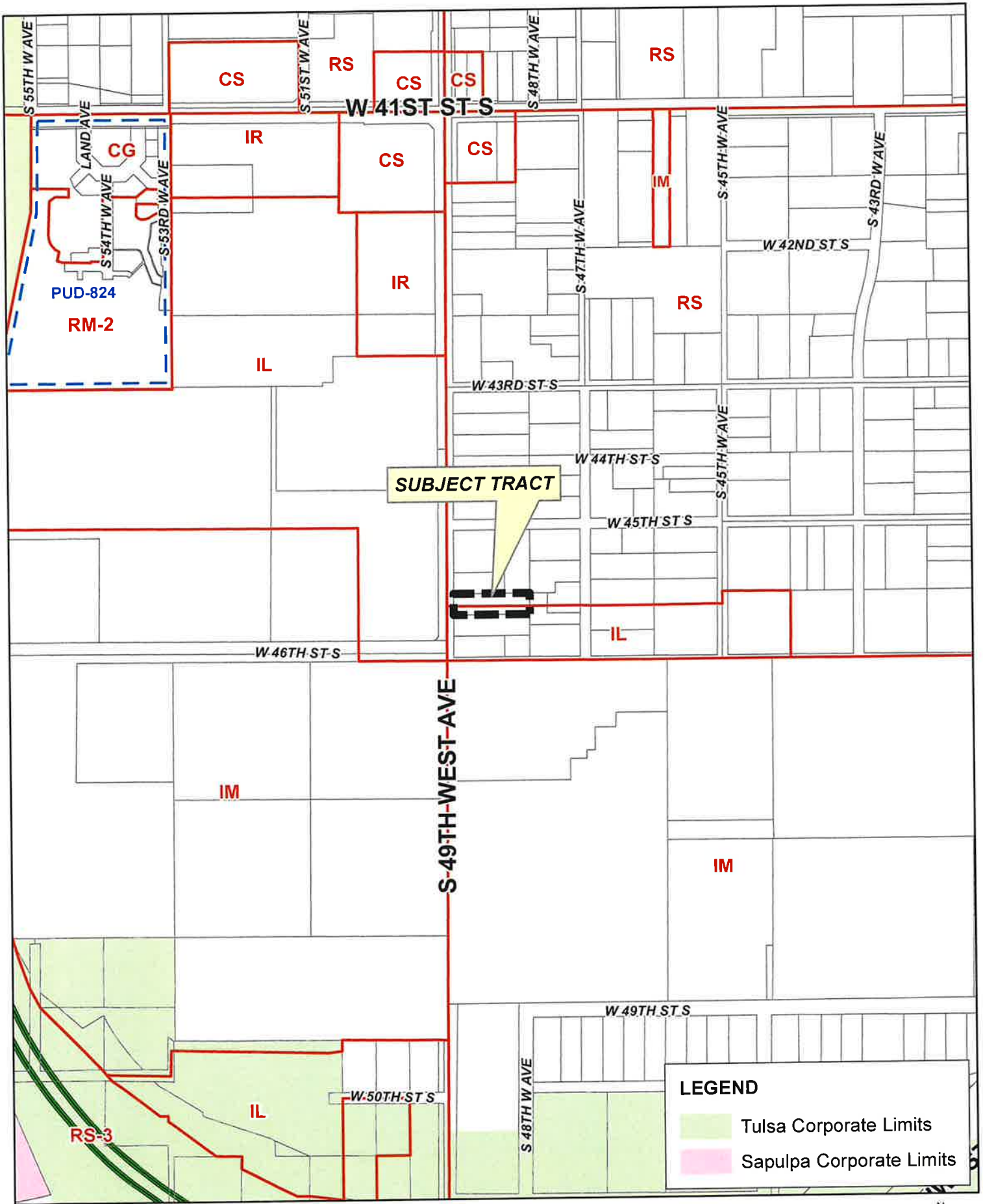
Subject to the following conditions, if any: _____.

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



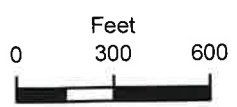
Subject Property looking East from S 49th W Ave



SUBJECT TRACT

LEGEND

- Tulsa Corporate Limits
- Sapulpa Corporate Limits

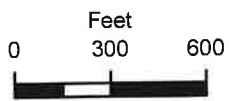


CBOA-3072

19-12 28



CBOA-3072 2.5



Subject Tract

CBOA-3072

19-12-28

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

Aerial Photo Date: 2020/2021

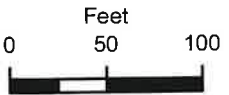




W 45TH ST S

S 49TH WEST AVE

W 46TH ST S



Subject Tract

CBOA-3072

19-12 28

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

Aerial Photo Date: 2020/2021



CBOA-3072 2.7

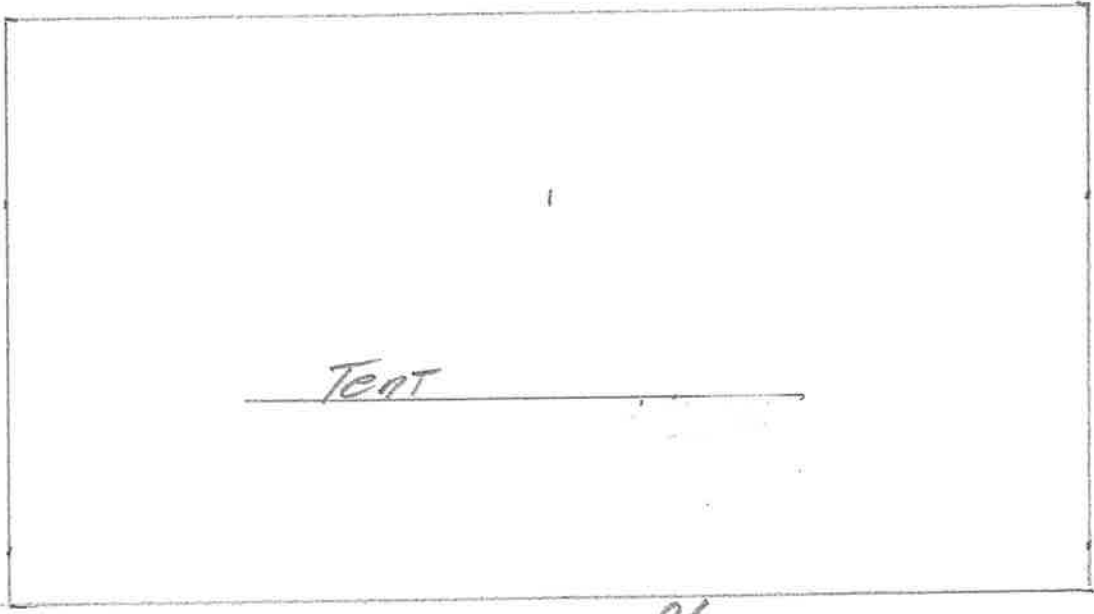
W

S 49 West Ave

4503 So 49th W. Ave.
TULSA, OK 74107

Gravel Parking

60' APX



Tent

30'

70'

300' N↑

S

103' E

CBOA-3072 2.8



Case Number: CBOA-3073

Hearing Date: 07/18/2023 1:30 PM
(Continued from 06/20/2023 & 06/26/2023)

Case Report Prepared by:

Jay Hoyt

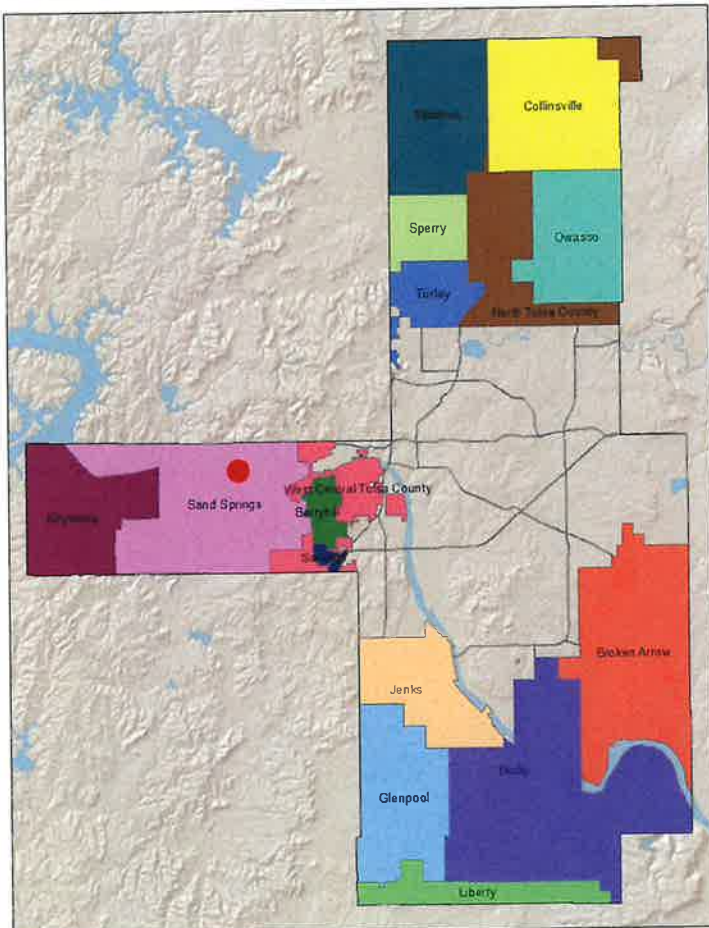
Owner and Applicant Information:

Applicant: Randy Scott

Property Owner: SHIPMAN, ALAN & CURTIS

Action Requested: Special Exception to permit a fireworks stand (Use Unit 2) in an RS district (Section 410).

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 0.81 acres

Location: 1035 W 4 ST N

Present Zoning: RS

Fenceline/Area: Sand Springs

Land Use Designation: Residential

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9110
CZM: 76

CASE NUMBER: CBOA-3073
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 07/18/2023 1:30 PM (Continued from 06/20/2023 & 06/26/2023)

APPLICANT: Randy Scott

ACTION REQUESTED: Special Exception to permit a fireworks stand (Use Unit 2) in an RS district (Section 410).

LOCATION: 1035 W 4 ST N

ZONED: RS

FENCELINE: Sand Springs

PRESENT USE: Vacant

TRACT SIZE: 0.81 acres

LEGAL DESCRIPTION: LOT-9-LESS A TRACT BG. SW-COR. N. 9.10' SE 178.8' S.10.4 MW 179.6'TO BG. BLK-21, CHARLES PAGE HOME ACRES NO 2 & RESUB PRT B10-12, VALLEY VIEW ESTATES Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-2699 July 2018: The Board approved a Special Exception to allow a fireworks stand (Use Unit 2) in an RS zoned district. (Sec. 410) and a variance of the all weather surface requirement for parking.

CBOA-3051 March 2023: The Board approved a Modification of a previously approved Special Exception (CBOA-2699) to extend the time limitation (Section 310).

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and contains a single-family residence and is abutted by RS zoning to the North, East and West containing single family residences and to the south by RS zoning containing Highway 412 as well as OM zoning to the east containing a commercial business.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to permit a fireworks stand (Use Unit 2) in an RS district (Section 410).

A special exception is required as the proposed fireworks stand is a use which is not permitted by right but by exception in the AG 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.

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

Sample Motion:

“Move to _____ (approve/deny) a Special Exception to permit a fireworks stand (Use Unit 2) in an RS district (Section 410).

Subject to the following conditions (including time limitation, if any): _____.

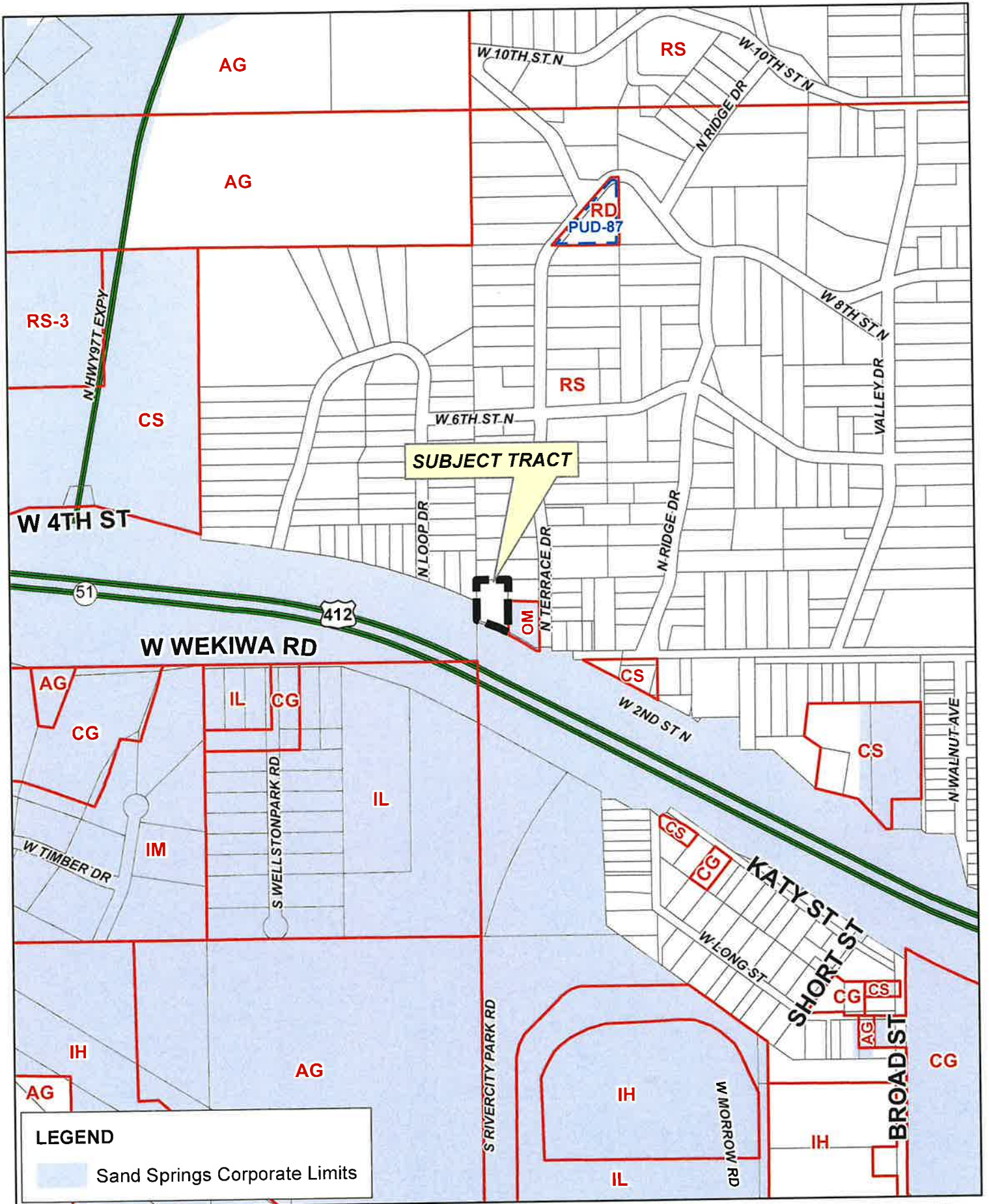
Finding the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Subject Property looking Northeast from W 4th St N

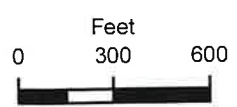


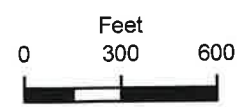
Subject Property looking Northwest from W 4th St N



CBOA-3073

19-11 10





 Subject Tract

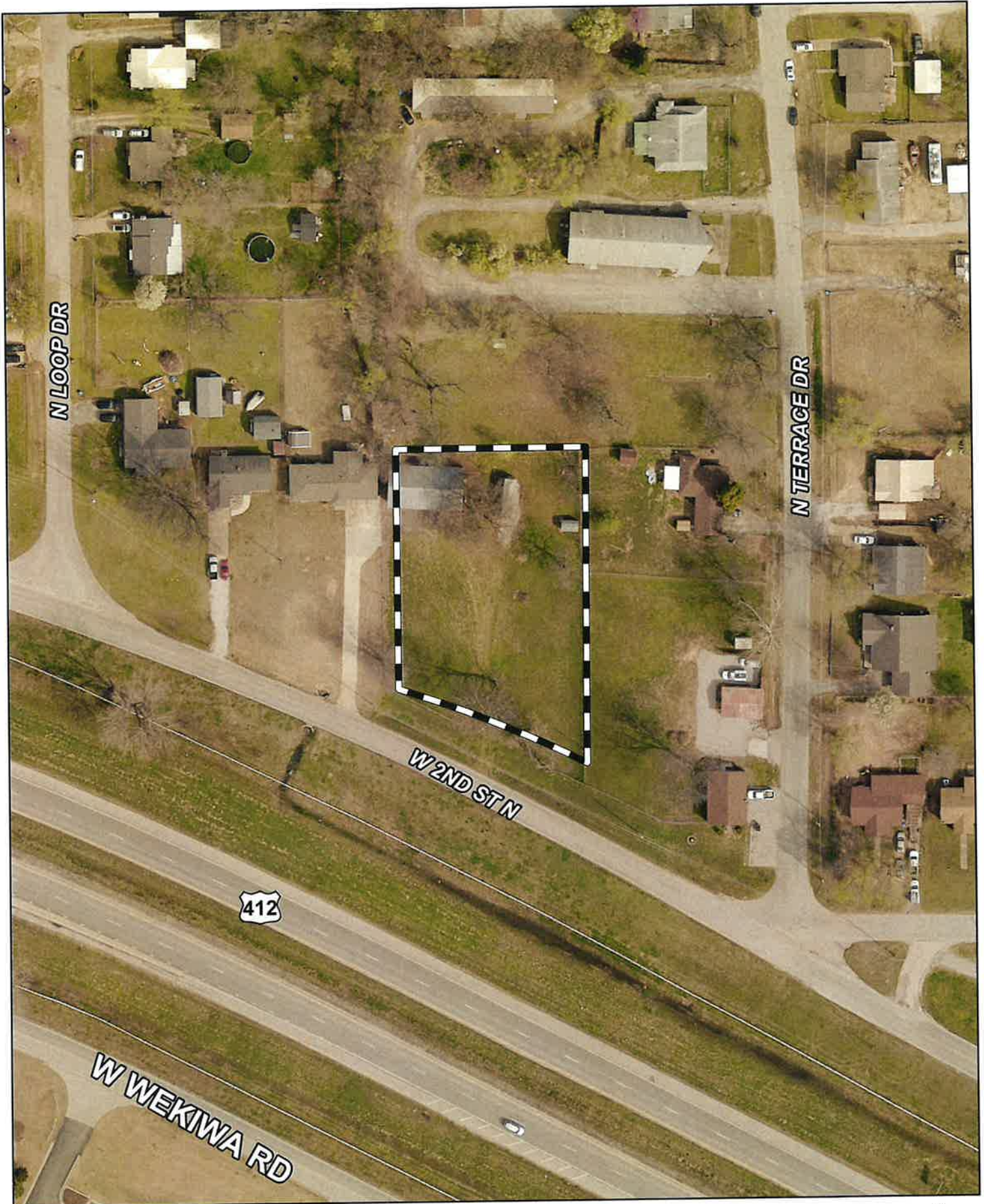
CBOA-3073

19-11 10

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

Aerial Photo Date: 2020/2021





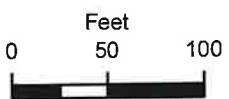
N LOOP DR

N TERRACE DR

W 2ND ST N

412

W WEKIWA RD



Subject Tract

CBOA-3073

19-11 10

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

Aerial Photo Date: 2020/2021



CBOA-3073 3.7



Board of Adjustment

Case Number: CBOA-3078

Hearing Date: 07/18/2023 1:30 PM
(Continued from 06/20/2023 & 06/26/2023)

Case Report Prepared by:

Jay Hoyt

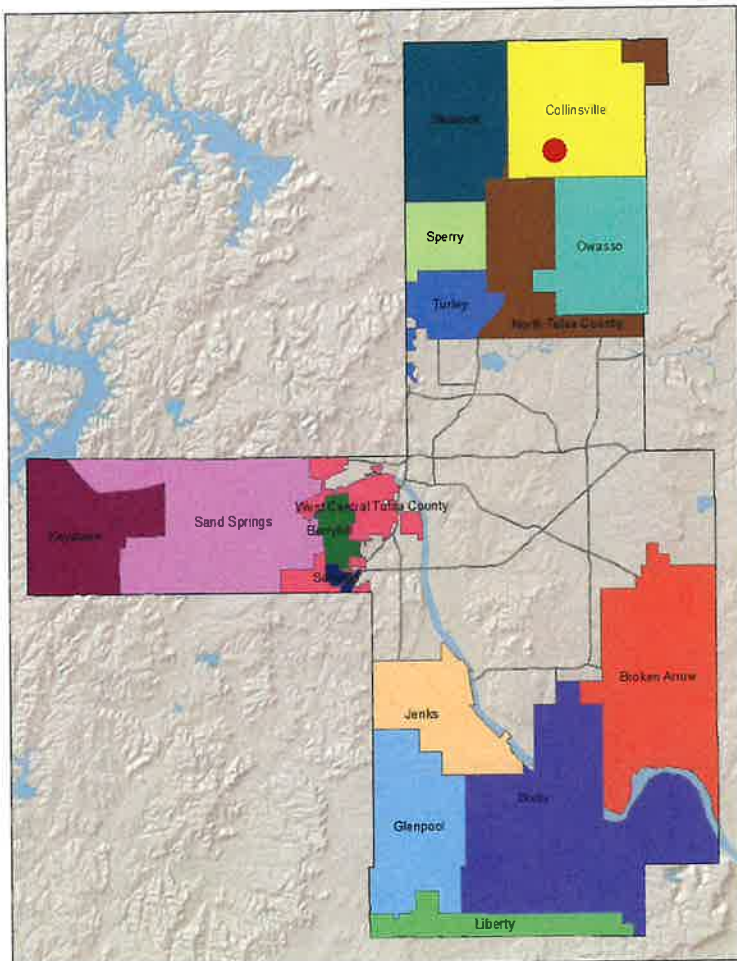
Owner and Applicant Information:

Applicant: Chris Garr

Property Owner: 918 WRECKER SERVICE INC

Action Requested: Variance to allow a third dwelling unit in and AG district (Section 208)

Location Map:



Additional Information:

Present Use: AG

Tract Size: 7.19 acres

Location: 13902 N Memorial Dr

Present Zoning: AG

Fenceline/Area: Collinsville

Land Use Designation: Residential

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 2326

CZM: 7

CASE NUMBER: CBOA-3078

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 07/18/2023 1:30 PM (Continued from 06/20/2023 & 06/26/2023)

APPLICANT: Chris Garr

ACTION REQUESTED: Variance to allow a third dwelling unit in an AG district (Section 208).

LOCATION: 13902 N Memorial Dr

ZONED: AG

FENCELINE: Collinsville

PRESENT USE: AG

TRACT SIZE: 7.19 acres

LEGAL DESCRIPTION: BEG SECR NE SE TH N486.42 W660 S486.55 E660 POB LESS E16.5 THEREOF FOR RD SEC 26 22 13 7.186ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and currently contains a mobile home. The tract is abutted to the north, south and west by AG zoned tracts containing single-family residences and agricultural land and to the east by RE zoned land that is intended to be developed as a single-family subdivision.

STAFF COMMENTS:

The applicant is before the Board to request a Variance to allow a third dwelling unit in an AG district (Section 208).

The subject tract currently contains on mobile home residence. The applicant proposes to place two more mobile homes as illustrated by the site plan provided by the applicant. Section 208 limits AG zoned parcels to a maximum of two dwelling units. In order to permit a third dwelling unit, a variance is required due to this limitation. AG zoned lots area required to have 2.1 acres per dwelling unit. With 7.19 acres, the subject tract has adequate land area to support three dwelling units on the subject tract.

The applicant has provided the statement that they are "moving family in to take care of elderly grandparents of neighboring property. Will install brick wainscotting and new siding to make mobile homes have a clean appearance from the road."

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 allow a third dwelling unit in an AG district (Section 208).

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.



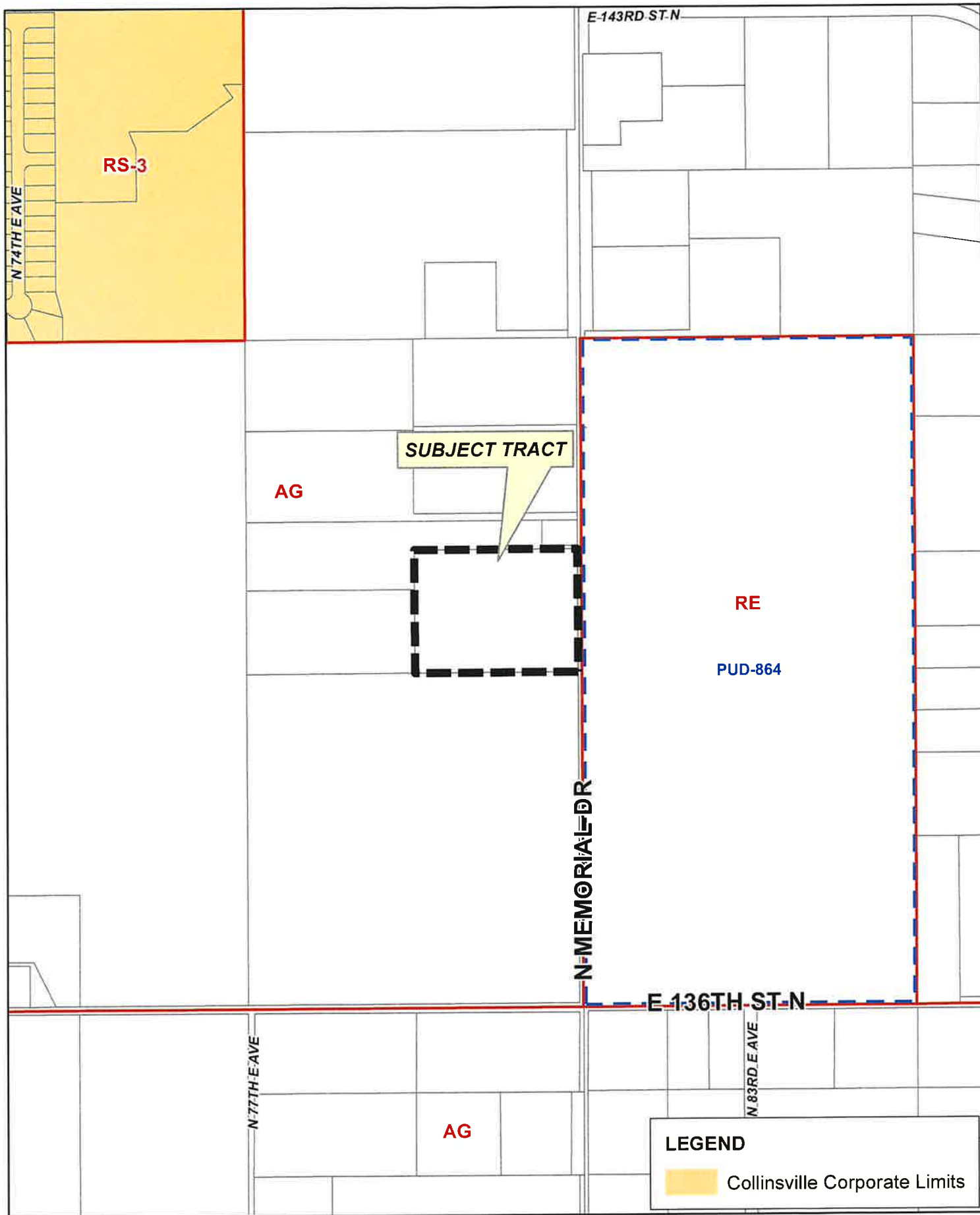
Subject Property looking Northwest from N Memorial Dr



Subject Property looking West from N Memorial Dr



Subject Property looking Southwest from N Memorial Dr



CBOA-3078

22-13 26

CBOA-3078 4.6





 Subject Tract

CBOA-3078

22-13 26

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

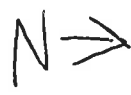
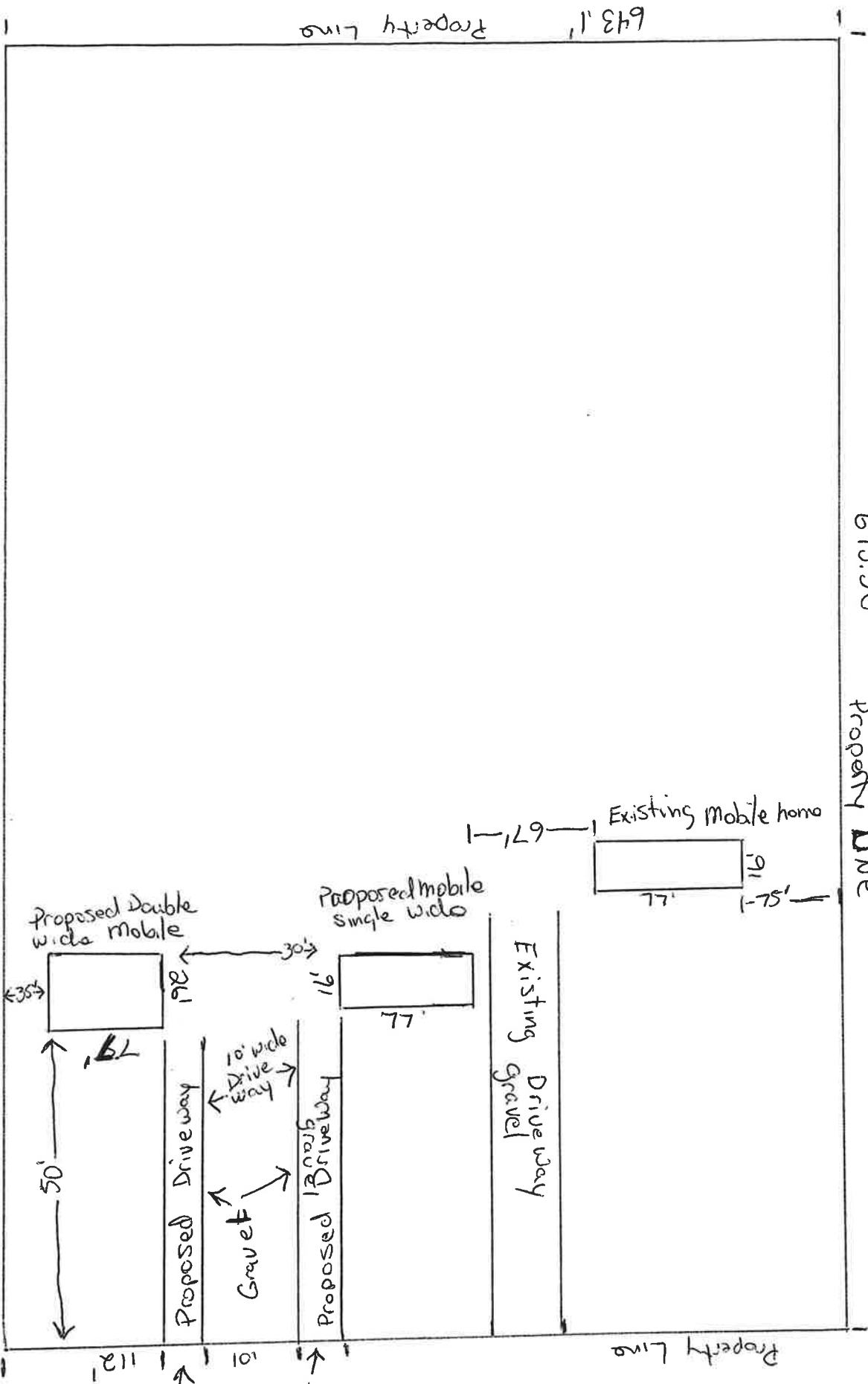
Aerial Photo Date: 2020/2021

CBOA-3078 4.7



All Mobile Homes will Have Brick Wainscoting

Property Line



North Memorial Drive →

CBOA-3078-4.8



Board of Adjustment

Case Number: CBOA-3079

Hearing Date: 07/18/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

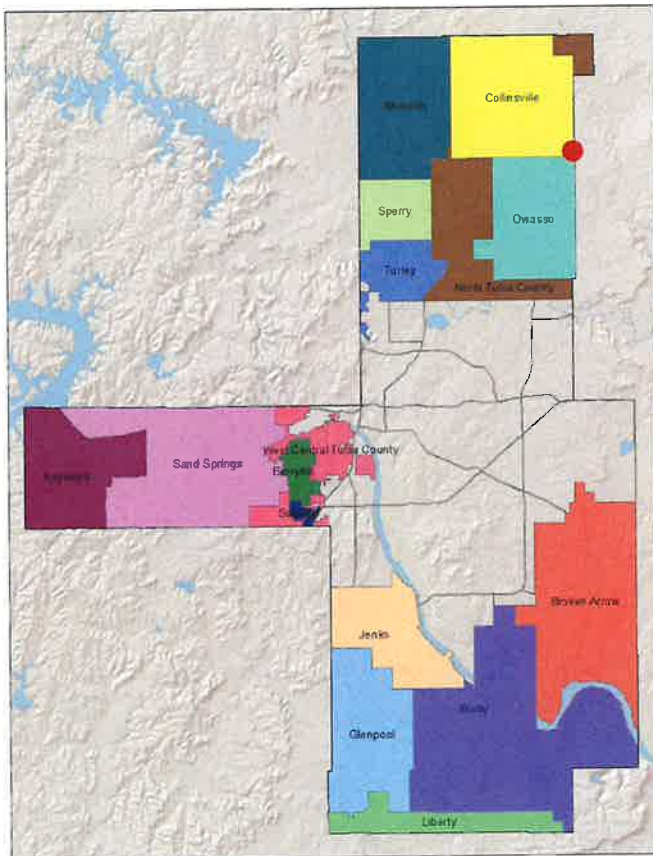
Owner and Applicant Information:

Applicant: Yong Yang

Property Owner: THAO, SUE

Action Requested: Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330)

Location Map:



Additional Information:

Present Use: Rural Residential / AG

Tract Size: 0.65 acres

Location: North of the Northeast Corner of N 143rd E Ave & E 126th St N

Present Zoning: AG

Fenceline/Area: Collinsville

Land Use Designation: Residential

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 2433
CZM: 75

CASE NUMBER: CBOA-3079
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 07/18/2023 1:30 PM

APPLICANT: Yong Yang

ACTION REQUESTED: Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330)

LOCATION: North of the Northeast Corner of N 143rd E Ave & E 126th St N **ZONED:** AG

FENCELINE: Collinsville

PRESENT USE: Rural Residential / AG

TRACT SIZE: 0.65 acres

LEGAL DESCRIPTION: W220 N150 S220 N1320 E/2 E/2 SE LESS W30 THEREOF FOR RD SEC 33 22 14 .654AC, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2472 August 2013: The Board approved a Variance of the land area per dwelling unit from 2.1 acres to allow a lot split (Section 330, Table 3) and a variance of the side yard setback from 15' to 0' (Section 330, Table 3).

Surrounding Properties:

CBOA-2622 March 2017: The Board approved a Variance of the lot area from 2 acres and land area per dwelling unit from 2.1 to 1.41 and 1.09 acres and a Variance of the minimum lot width from 150' to 144' to permit a lot-split in an AG district (Section 330, Table 3)

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and contains a single-family residence. The subject tract is surrounded by AG zoned lots containing single-family residences.

STAFF COMMENTS:

The applicant is before the Board to request a Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330).

The AG district requires minimum of 2.1 acres per dwelling unit. The subject tract is 0.65 acres in size and contains an existing single-family home. The applicant intends to replace the existing home with a new, larger home, as illustrated on the site plan provided by the applicant. The lot has frontage on N 143rd E Ave but shares a gravel drive with the property immediately to the south.

The applicant provided the statement "There is already an existing home on the property and the new home will replace it.

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

Sample Motion:

“Move to _____ (approve/deny) a Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330).

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.



Subject Property Looking Southeast from N 143rd E Ave



Subject Property Looking Northeast from N 143rd E Ave

N 150TH E AVE

SUBJECT TRACT

AG

N 143RD E AVE

N-145TH-EAST-AVE



N 139TH E AVE

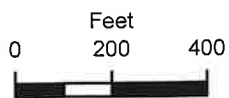
E-126TH-ST-N

CS

AG

LEGEND

-  Owasso Corporate Limits
-  Collinsville Corporate Limits

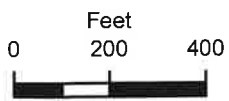


CBOA-3079

22-14 33

CBOA-3079 5.5





 Subject Tract

CBOA-3079

22-14 33

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

Aerial Photo Date: 2023

CBOA-3079 5.6





N 143RD E AVE



Subject Tract

CBOA-3079

22-14 33

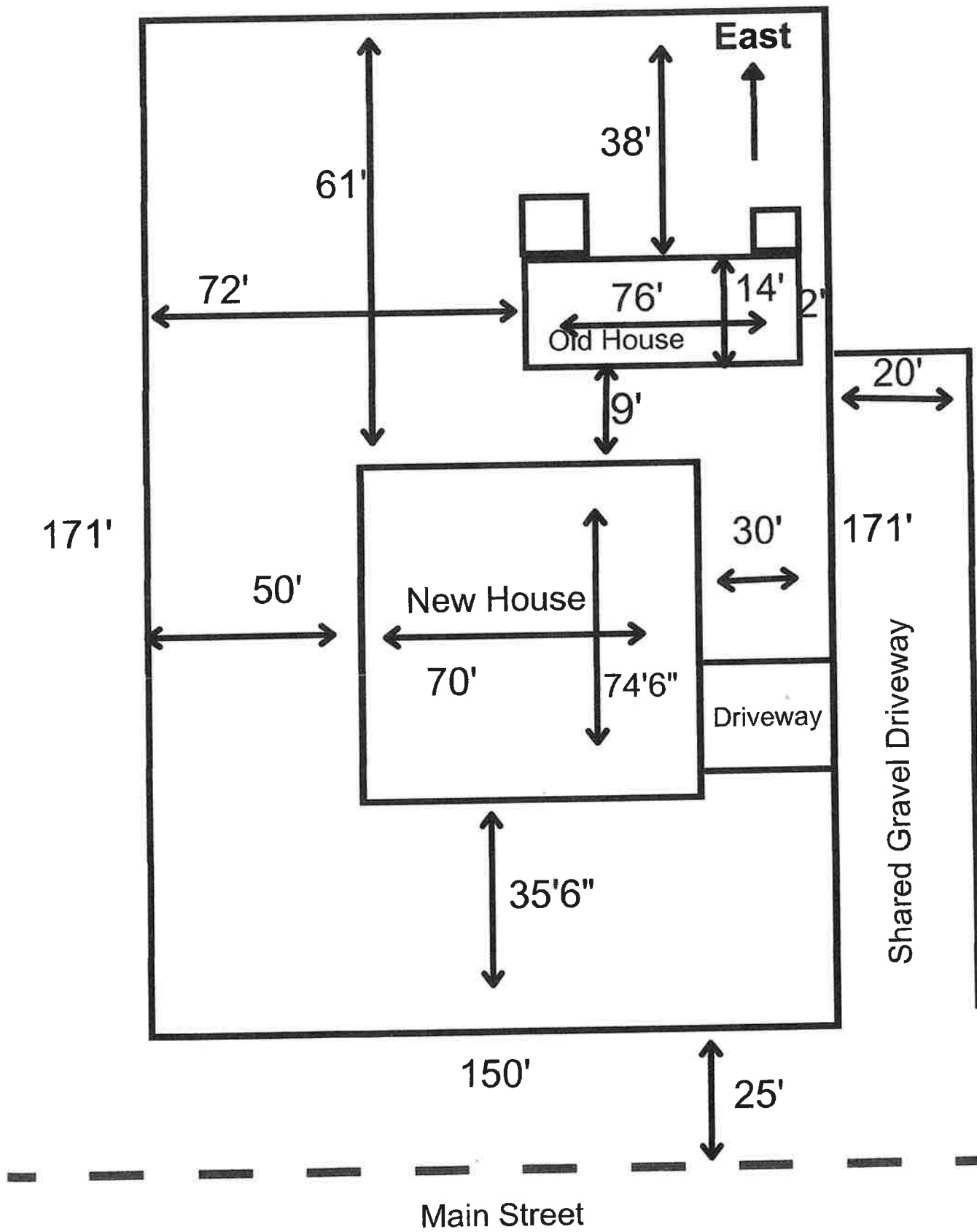
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2023
CBOA-3079 5.7



Site Plan

150'





Board of Adjustment

Case Number: CBOA-3080

Hearing Date: 07/18/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

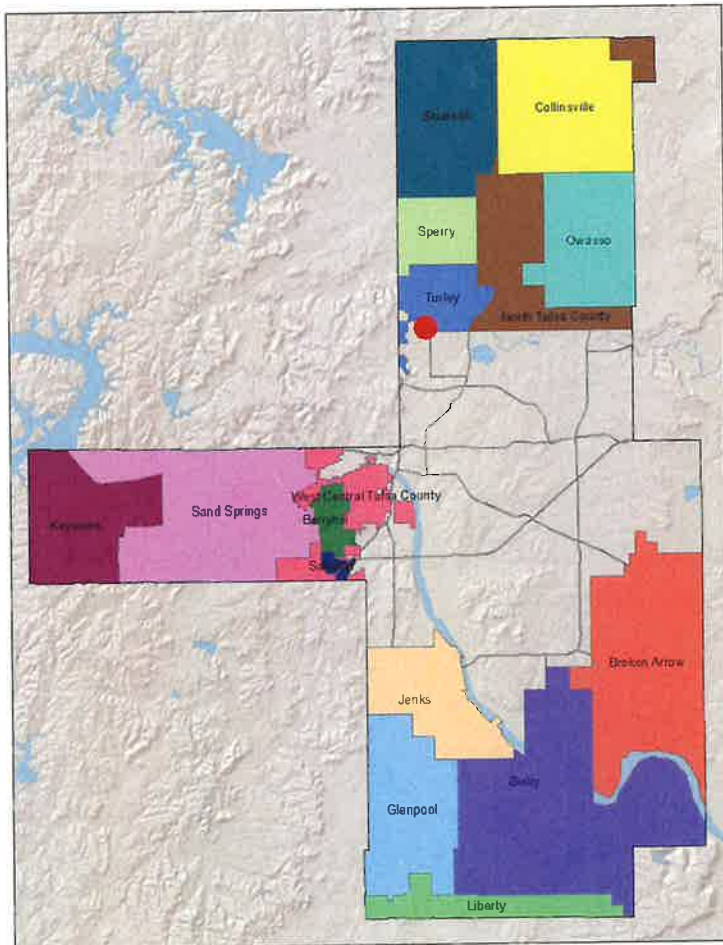
Owner and Applicant Information:

Applicant: William Reed

Property Owner: REED, WILLIAM J

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

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 0.39 acres

Location: 5716 N NORFOLK AV E

Present Zoning: RS

Fenceline/Area: Turley

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 129

CZM: 21

CASE NUMBER: CBOA-3080

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 07/18/2023 1:30 PM

APPLICANT: William Reed

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

LOCATION: 5716 N NORFOLK AV E

ZONED: RS

FENCELINE: Turley

PRESENT USE: Vacant

TRACT SIZE: 0.39 acres

LEGAL DESCRIPTION: BEG. 700' W & 399.5 S NE COR. SE SE TH. W. 280' SWLY ON RY ROW TO PT. E. 285'N. 60' TO BEG. SEC.-1-20-12, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-1643 May 1999: The Board approved a Variance to allow two dwelling units per lot of record (Section 208) and a Special Exception to allow a mobile home on an RS zoned lot (Section 410).

Surrounding Properties:

CBOA-2364 April 2010: The Board approved a Special Exception to permit a manufactured home in the RS district (Section 410).

CBOA-3039 January 2023: The Board approved a Special Exception to permit a manufactured home in the RS district (Section 410).

CBOA-2591 September 2016: The Board approved a Special Exception to permit a manufactured home in the RS district (Section 410).

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and is currently vacant. The tract is surrounded by RS zoning containing single-family residences and vacant land.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to permit a single-wide manufactured home in an RS district (Section 410).

The subject tract contains 0.16 acres in area. The Board had previously approved a special exception (CBOA-1643) for a mobile home in an RS district on the subject lot as well as for additional locations near the subject tract. The applicant is intending to place a 16' X 40' home on the subject lot as illustrated on the plan provided by the applicant. 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 manufactured home in an RS district (Section 410).

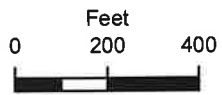
Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.

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.



Subject Property looking West from N Norfolk Ave



Subject Tract

CBOA-3080

20-12 01

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

Aerial Photo Date: 2023



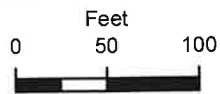
CBOA-3080 6.5



N MADISON AVE

N NORFOLK AVE

SUBJECT TRACT



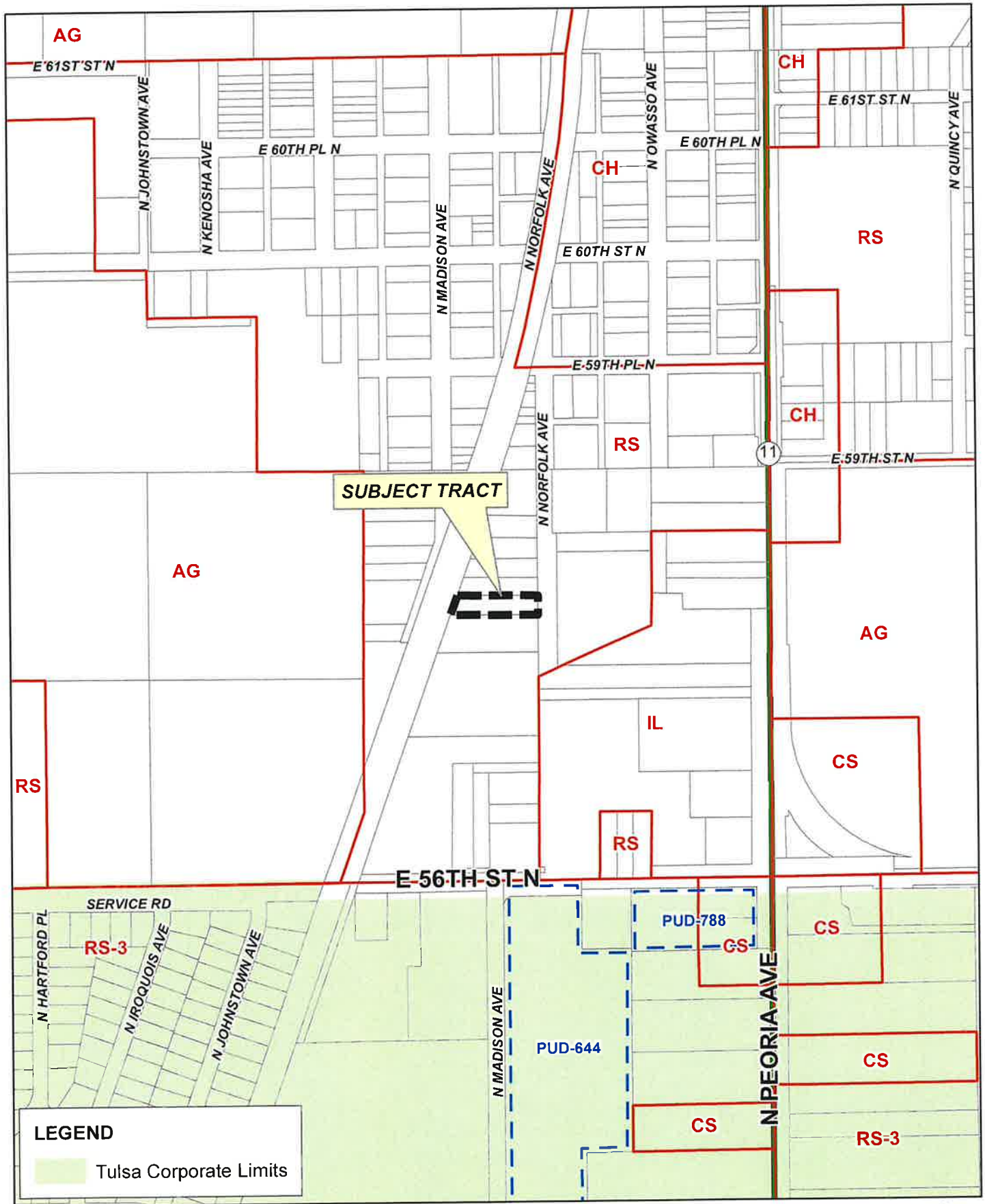
CBOA-3080

20-12 01

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

Aerial Photo Date: 2023

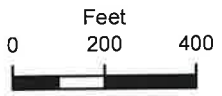




SUBJECT TRACT

LEGEND

Tulsa Corporate Limits



CBOA-3080

20-12 01





William Keed

5716 N Norfolk Ave

16x40



M.3 N est

607

15 ft East To center of Road
5 ft To The North fence line
15 ft To The ~~East~~ South fence line



Board of Adjustment

Case Number: CBOA-2694-A

Hearing Date: 07/18/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

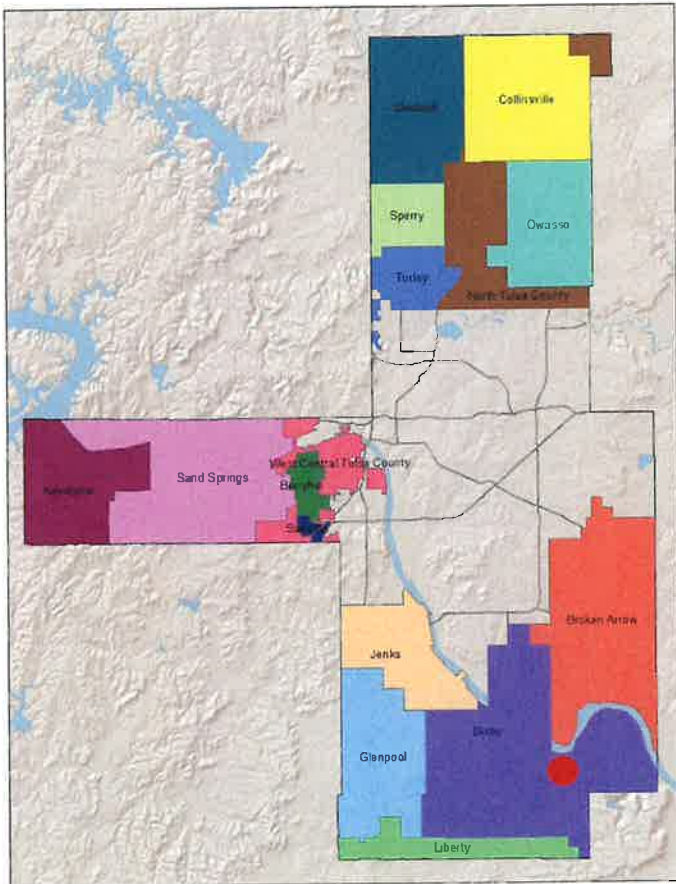
Owner and Applicant Information:

Applicant: William Vernon Bearden Jr.

Property Owner: CARMICHAEL, CHESTER DON & JOYCE ANN

Action Requested: Modification to a previously approved Special Exception (CBOA-2694) for a firework stand (Use Unit 2) to extend the time limit (Section 310).

Location Map:



Additional Information:

Present Use: Firework stand

Tract Size: 116.38 acres

Location: 17137 S MINGO RD E

Present Zoning: AG

Fenceline/Area: Bixby

Land Use Designation: Rural Agriculture/Flood District

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 7431
CZM: 68

CASE NUMBER: CBOA-2694-A
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 07/18/2023 1:30 PM

APPLICANT: William Vernon Bearden Jr.

ACTION REQUESTED: Modification to a previously approved Special Exception (CBOA-2694) for a firework stand (Use Unit 2) to extend the time limit (Section 310).

LOCATION: 17137 S MINGO RD E

ZONED: AG

FENCELINE: Bixby

PRESENT USE: Firework stand

TRACT SIZE: 116.38 acres

LEGAL DESCRIPTION: W/2 NW & SE NW LESS BEG NWC NW TH S65 E1155.3 SE20.6 E130 N70 W TO POB & LESS W24.75 FOR RD SEC 31 17 14 116.380ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2694 July 2018: The Board approved a Special Exception to allow a fireworks stand (Use Unit 2) in an AG zoned district. (Sec. 310) with a time limit of 5 years.

CBOA-2001 September 2002: The Board approved a Use Variance to allow retail sales of produce on an AG tract (Sec. 310).

Surrounding Properties:

CBOA-2814 May 2020: The Board approved a Use Variance to allow Use Unit 25, Light Manufacturing and Industry, to permit processing in an AG district (Section 1225).

ANALYSIS OF SURROUNDING AREA: The subject tract is zone AG and contains an agricultural produce establishment. The tract is abuts AG zoned lots to the North, East and South containing Agricultural land and to the West by CS/RS/RE zoning (within Bixby Corporate limits) containing Single-Family residences and a Religious Facility.

STAFF COMMENTS:

The applicant is before the Board to request a Modification to a previously approved Special Exception (CBOA-2694) for a firework stand (Use Unit 2) to extend the time limit (Section 310).

Previously, CBOA-2694 was approved by the Board granting a Special Exception to allow a fireworks stand with a five year time limit, which expires in July of this year (2023). The applicant wishes to extend this time limit so that they may continue to utilize the subject lot for fireworks sales.

A special exception was required as the proposed fireworks sales is a use which is not permitted by right but by exception in the AG 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 fireworks sales must be found to be compatible with the surrounding neighborhood.

If inclined to approve the Board may consider the following conditions or others as deemed appropriate to the request:

- *Limiting the day and hours of operation.*
- *Placing a time limit for approval of the modification request.*

“Move to _____ (approve/deny) a Modification to a previously approved Special Exception (CBOA-2694) for a firework stand (Use Unit 2) to extend the time limit (Section 310).

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

Finding the proposed modification is compatible with and non-injurious to the surrounding area and meets the previously granted Board relief or meets the zoning requirements, per code.



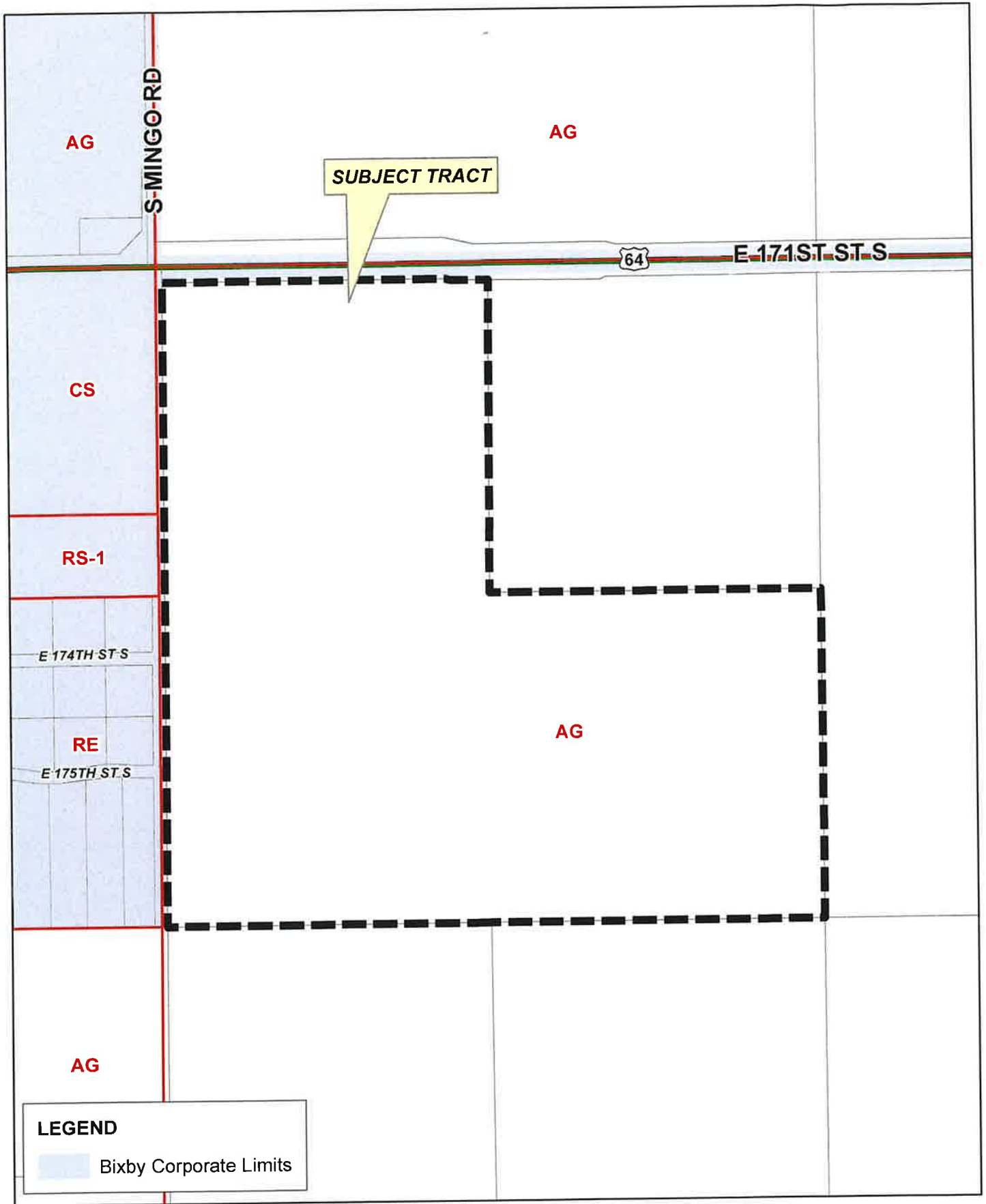
Subject Property looking South from E 171st St S



Subject Property looking East from S Mingo Rd



Subject Property looking Northeast from S Mingo Rd



LEGEND

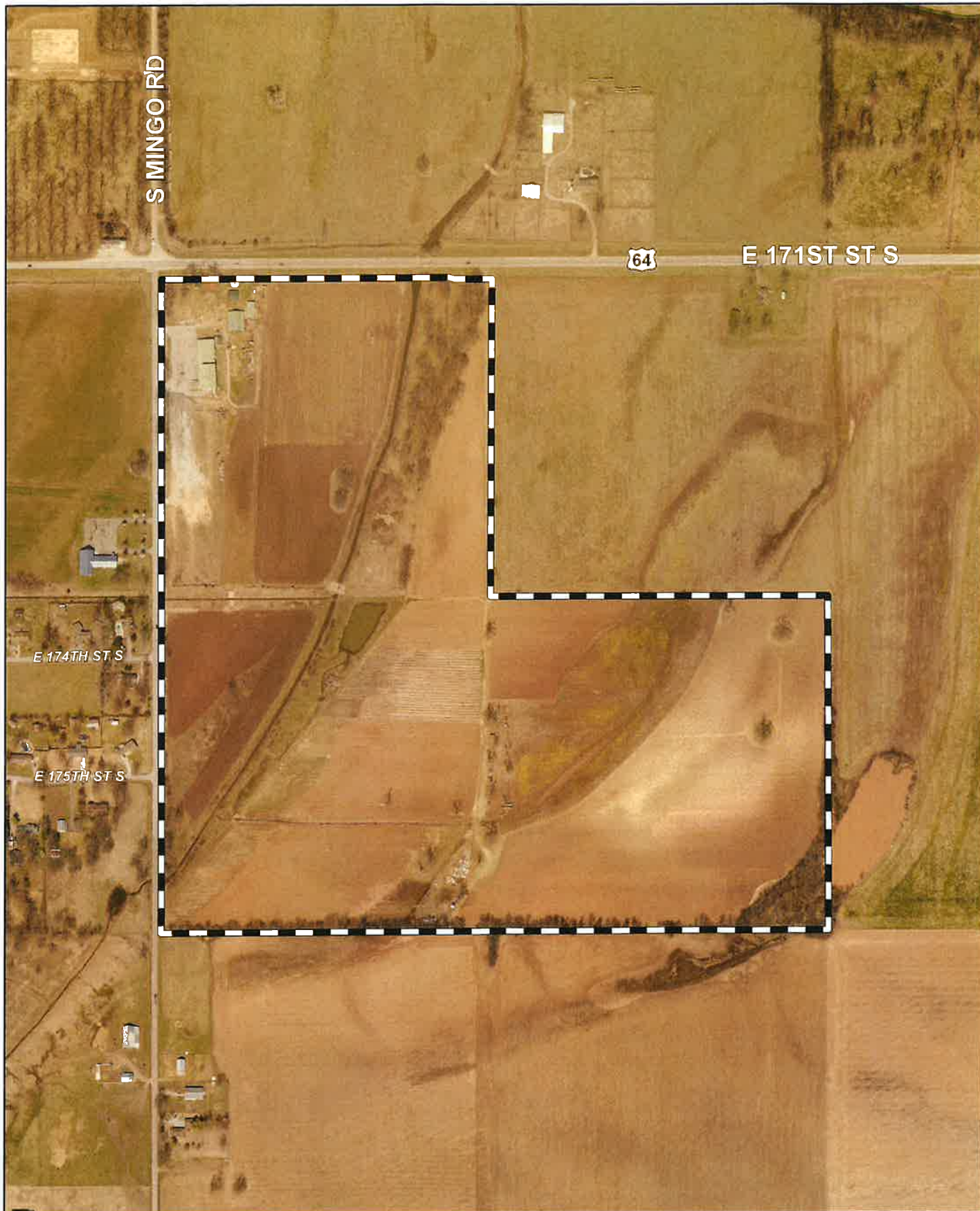
 Bixby Corporate Limits



CBOA-2694-A

17-14 31





S MINGO RD

64

E 171ST ST S

E 174TH ST S

E 175TH ST S



Subject Tract

CBOA-2694-A

17-14 31

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

Aerial Photo Date: 2021



E. 171st St. S.

Fireworks
Stands

Parking

S. Mingo Rd.





Board of Adjustment

Case Number: CBOA-3082

Hearing Date: 07/18/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

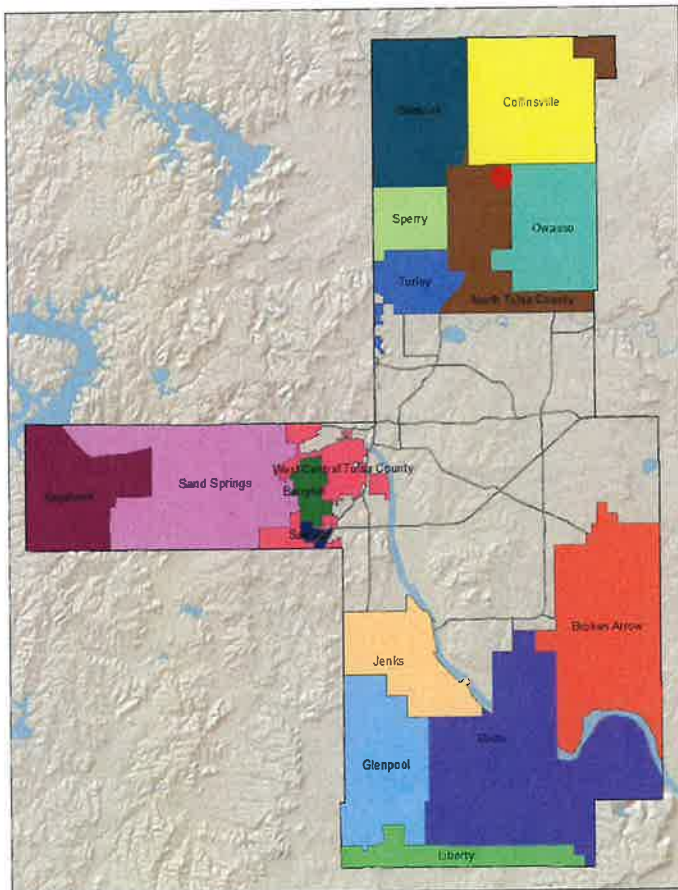
Owner and Applicant Information:

Applicant: Darren Yates

Property Owner: YATES, DARREN L & KIMBERLY G

Action Requested: Variance to permit two dwelling units on a single lot of record in an RE district (Section 208). Special Exception to permit a single-wide mobile home in an RE district (Section 410).

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 2.5 acres

Location: 12208 N 75 AV E

Present Zoning: RE

Fenceline/Area: North Tulsa County

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1302
CZM: 11

CASE NUMBER: CBOA-3082
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 07/18/2023 1:30 PM

APPLICANT: Darren Yates

ACTION REQUESTED: Variance to permit two dwelling units on a single lot of record in an RE district (Section 208). Special Exception to permit a single-wide mobile home in an RE district (Section 410).

LOCATION: 12208 N 75 AV E

ZONED: RE

FENCELINE: North Tulsa County

PRESENT USE: Residential

TRACT SIZE: 2.5 acres

LEGAL DESCRIPTION: N/2 S/2 E/2 W/2 SW NE SEC 2 21 13, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2422 March 2012: The Board approved a Variance from the requirement that residential lots have a minimum of 30-feet of frontage along a public street or dedicated right-of-way to permit a lot split.

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RE and contains a single-family residence. The tract abuts RE zoning to the North, South and West containing single-family residences and to the East by AG zoning containing a single-family residence and agricultural land. The neighborhood containing the subject lot was developed around an airstrip, with many homes having small hangars on site.

STAFF COMMENTS:

The applicant is before the Board to request a Variance to permit two dwelling units on a single lot of record in an RE district (Section 208) and a Special Exception to permit a single-wide mobile home in an RE district (Section 410).

The RE district is limited to one dwelling unit per lot of record per Section 208 of the Tulsa County Zoning Code. The minimum lot area per dwelling unit in the RE district is 22,250 sf. The subject tract is 2.5 acres in area, so has the required lot area to permit two dwelling units.

A special exception is required as the proposed mobile home is a use which is not permitted by right but by exception in the RE 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.

The applicant is proposing to place a 16' X 52' sf mobile home on the site to serve as a residence for the applicants father. The applicant provided the statement that they are requesting the Variance and Special

Exception “to allow his 86 year old father, who is in poor health to live on the property to receive care and support from the family. Because of the urgency of the requirement to relocate his father, pre-fabricated housing offers the most viable option.”

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 and special exception is compatible with and non-injurious to the surrounding area.

Sample Motion:

“Move to _____ (approve/deny) a Variance to permit two dwelling units on a single lot of record in an RE district (Section 208) and a Special Exception to permit a single-wide mobile home in an RE district (Section 410).

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

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

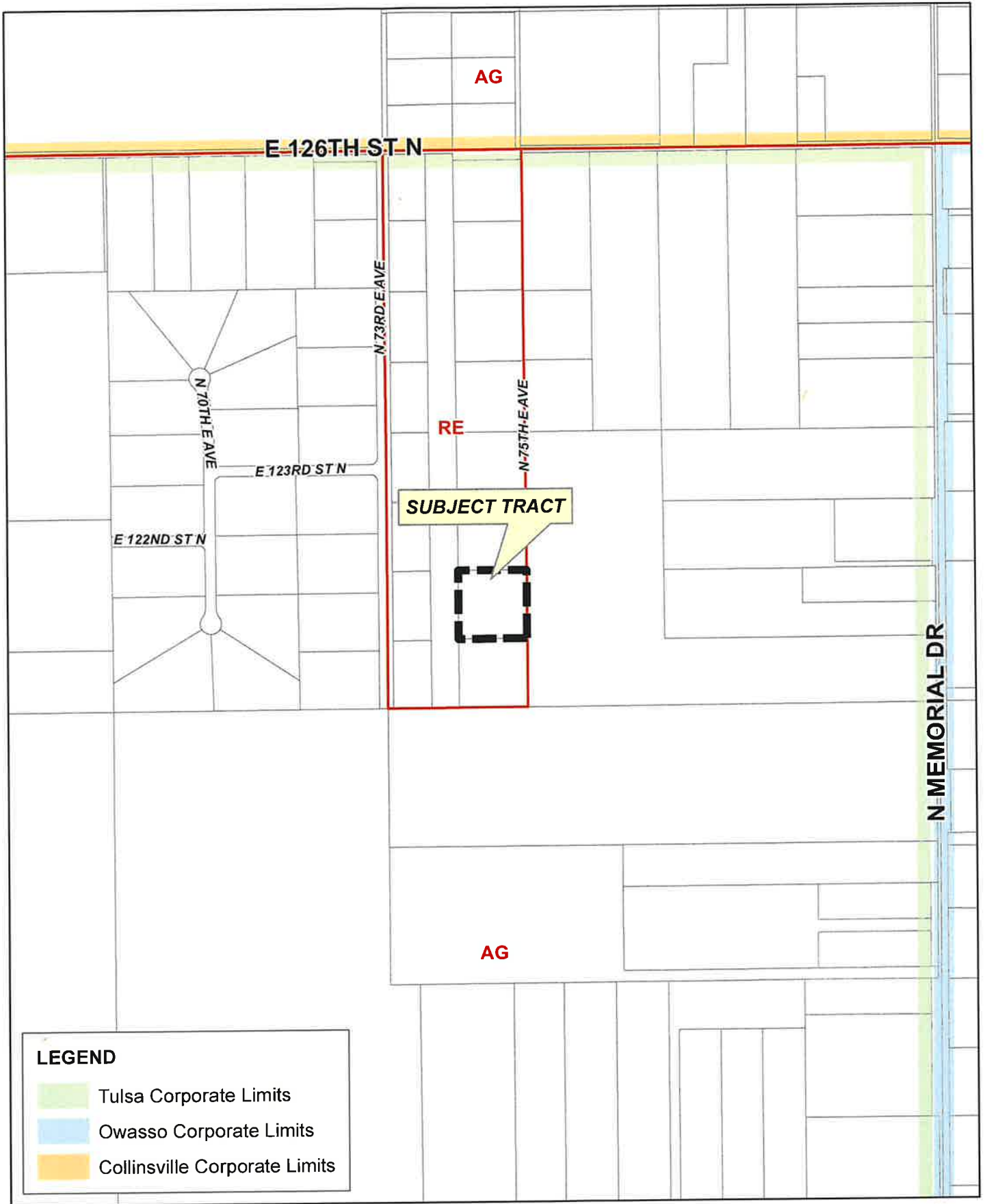
Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not 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 Property looking Northwest from N 75th E Ave

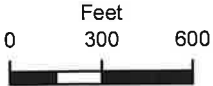


Subject Property looking Southwest from N 75th E Ave



LEGEND

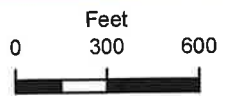
- Tulsa Corporate Limits
- Owasso Corporate Limits
- Collinsville Corporate Limits



CBOA-3082

21-13 02





 Subject Tract

CBOA-3082

21-13 02

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

Aerial Photo Date: 2021





N 75TH E AVE



 Subject Tract

CBOA-3082

21-13 02

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

Aerial Photo Date: 2021



CBOA-3082 8.7

Yates Residence
 12208 N 75th E Ave, Collinsville, OK 74021
 Legal: N/2 S/2 E/2 W/2 SW NE SEC 2 21 13
 Section: 02 Township: 21 Range: 13

