

AGENDA
Tulsa County Board of Adjustment
Regularly Scheduled Meeting
Tuesday September 19, 1:30 p.m.
Williams Tower I
1 West 3rd Street, St. Francis Room

Meeting No.523

Consider, Discuss and/or Take Action On:

1. Approval of **Minutes** of August 15, 2023 (Meeting No. 522).

UNFINISHED BUSINESS

2. **CBOA 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

3. **CBOA 3091 - Timothy Merrill**

Action Requested:

Use Variance to allow Use Unit 15, Other Trades and Services to permit a personal shop building as the primary use (Section 410). Variance of the street frontage from 30' to 0' (Section 207). Variance for size of an accessory building in an RS district from 750 sf (Section 410). Location: 4315 W 46th St S

4. **CBOA 3092 - Patrick Starkey**

Action Requested:

Special Exception to permit a manufactured home in the RS district (Section 410) and a Variance to permit two dwelling units on a single lot of record in an RS district (Section 208). Location: 737 E 63rd St N

NEW APPLICATIONS

5. **CBOA 3095 - Wendell Brewer**

Action Requested:

Use Variance to permit Use Unit 23, Warehousing and Wholesaling in an RS District (Section 410). Location: 412 W 61st St N

6. **CBOA 3096 - Tillman Infrastructure**

Action Requested:

Special Exception to permit a 273 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3); and a Special

Exception to reduce the required tower setback (110% of the tower height) from 300 ft to 129 ft (Section 1204.3). Location: 20014 S 129th E Ave

Applicant has requested continuance to 10/17/23 meeting.

7. **CBOA 3097 - Christina Rybacki**

Action Requested:

Variance to permit two dwelling units on a single lot of record in an RS district (Section 208). Location: 3744 S 63rd W Ave

8. **CBOA 3098 - Cristina Bejar**

Action Requested:

Special Exception to permit a manufactured home in the RS district (Section 410)
Location: 1700 E 71st St N

9. **CBOA 3098 - Anna Owens**

Action Requested:

Special Exception to permit a manufactured home in the RS district (Section 410)
Location: 1700 E 71st St N

10. **CBOA 3100 - Edward Kempf Jr.**

Action Requested:

Variance to permit a detached accessory building in the RS district to be greater than 750 sf of floor area (Section 240.2.E) Location: 6512 W 34th St S

11. **CBOA 3101 - Yandy Marino**

Action Requested:

Special Exception to permit Use Unit 17, Automobile and Allied Activities in a CS zone (Section 710). Location: 6004 W 21st Pl

12. **CBOA 3102 - Luis Raul Hernandez Galindo**

Action Requested:

Special Exception to permit a manufactured home in the RS district (Section 410)
Location: 6314 N Trenton Ave

13. **CBOA 3103 - Brent Properties/Taylor Williams**

Action Requested:

Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330) Location: 3345 W 111th St S

14. **CBOA 3104 – Paula McGuire**

Action Requested:

Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330) Location: 3345 W 111th St S

15. **CBOA 3105 – Peter Gilstrap**

Action Requested:

Special Exception to permit a Church in the AG district (Section 310). Location: N of NWC S 67th W Ave & W 25th St S

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

Website: http://www.countyoftulsa-boa.org/meeting_schedule.html

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.



Case Number: CBOA-2694-A

Hearing Date: 09/19/2023 1:30 PM
(Continued from 07/18/2023 & 08/15/2023)

Case Report Prepared by:

Jay Hoyt

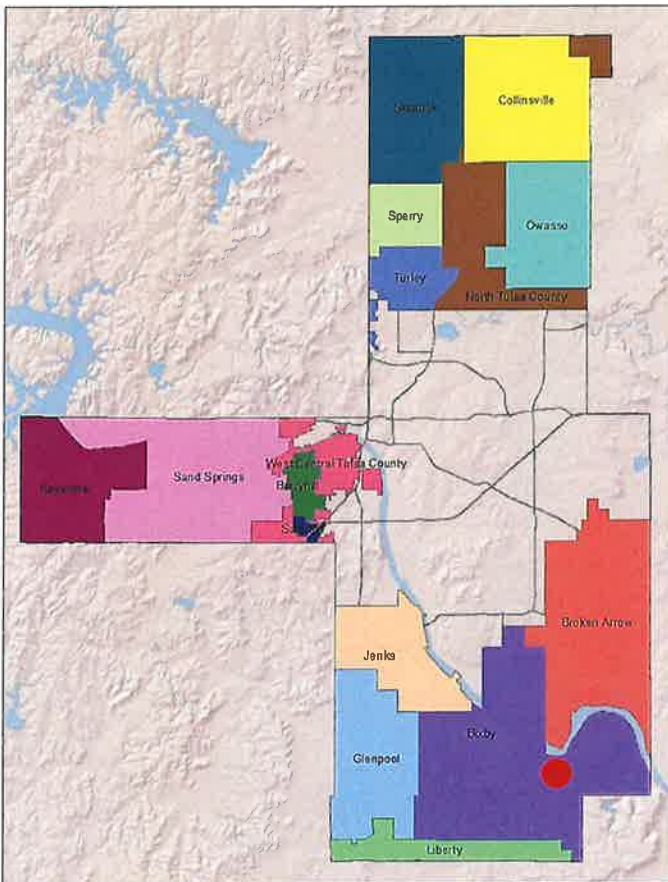
Owner and Applicant Information:

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: 09/19/2023 1:30 PM (Continued from 07/18/2023 & 08/15/2023)

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.



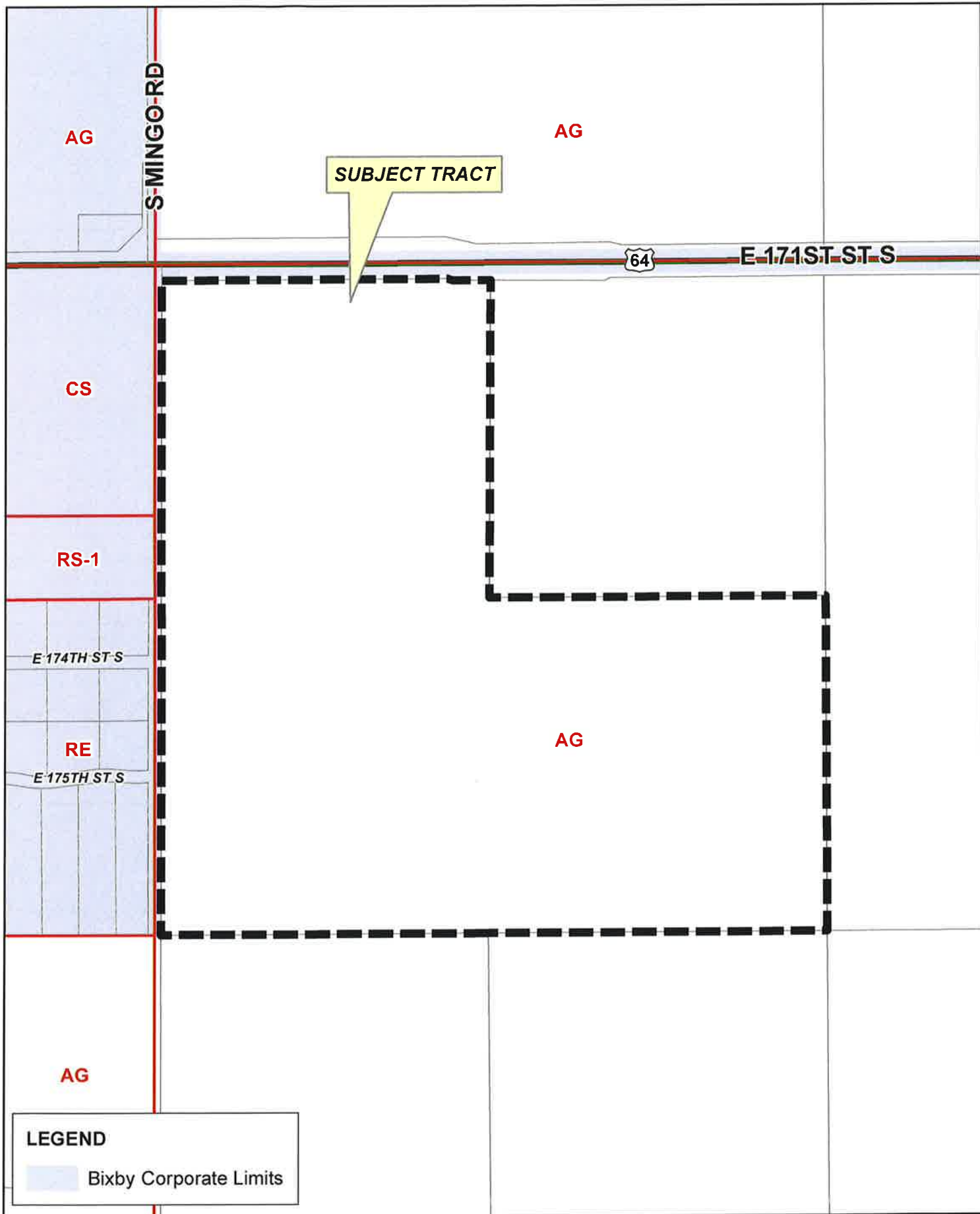
Subject Property looking South from E 171st St S



Subject Property looking East from S Mingo Rd



Subject Property looking Northeast from S Mingo Rd



LEGEND

 Bixby Corporate Limits

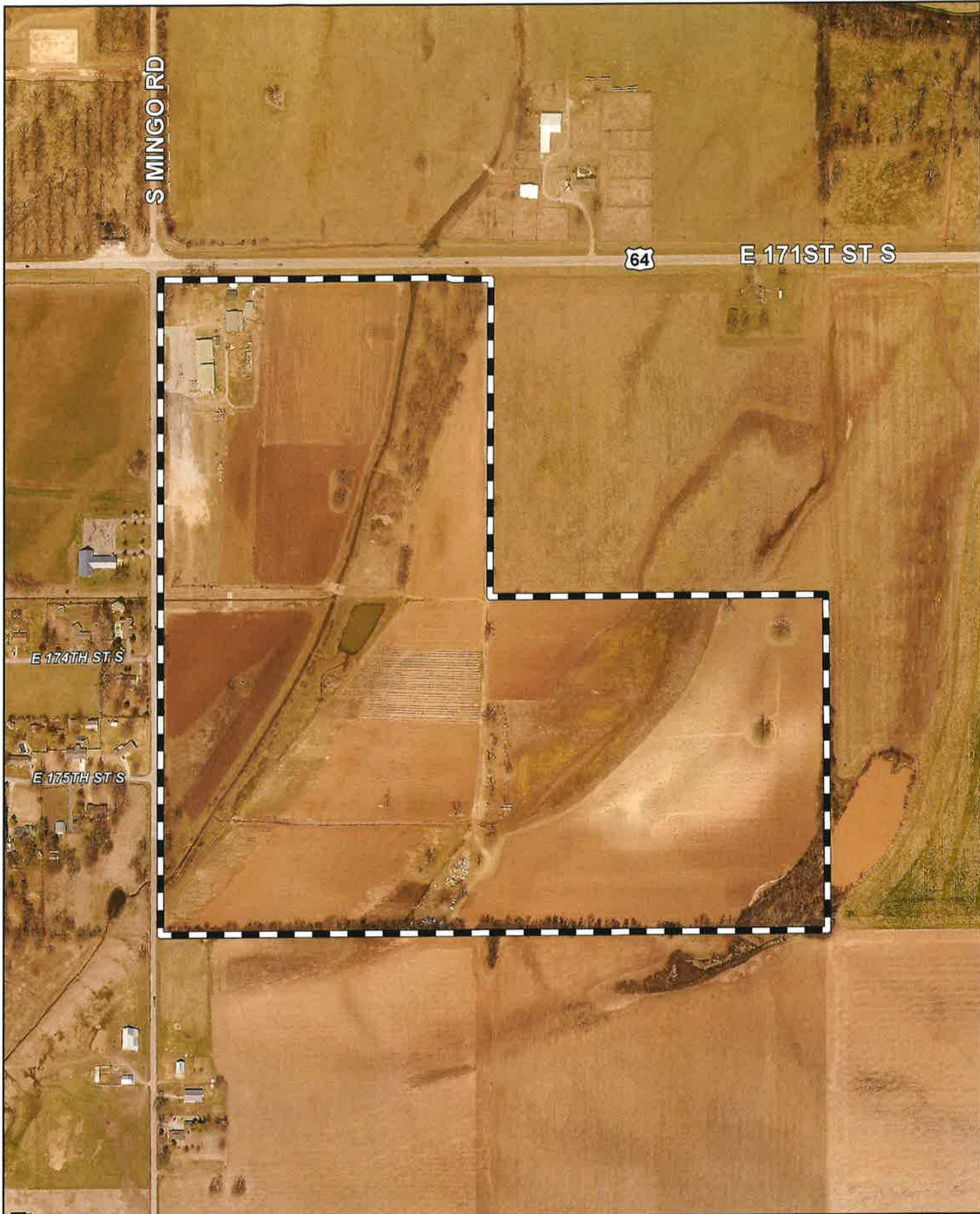


CBOA-2694-A

17-14 31

CBOA-2694-A 2.5





S MINGO RD

64

E 171ST ST S

E 174TH ST S

E 175TH ST S



Subject Tract

CBOA-2694-A

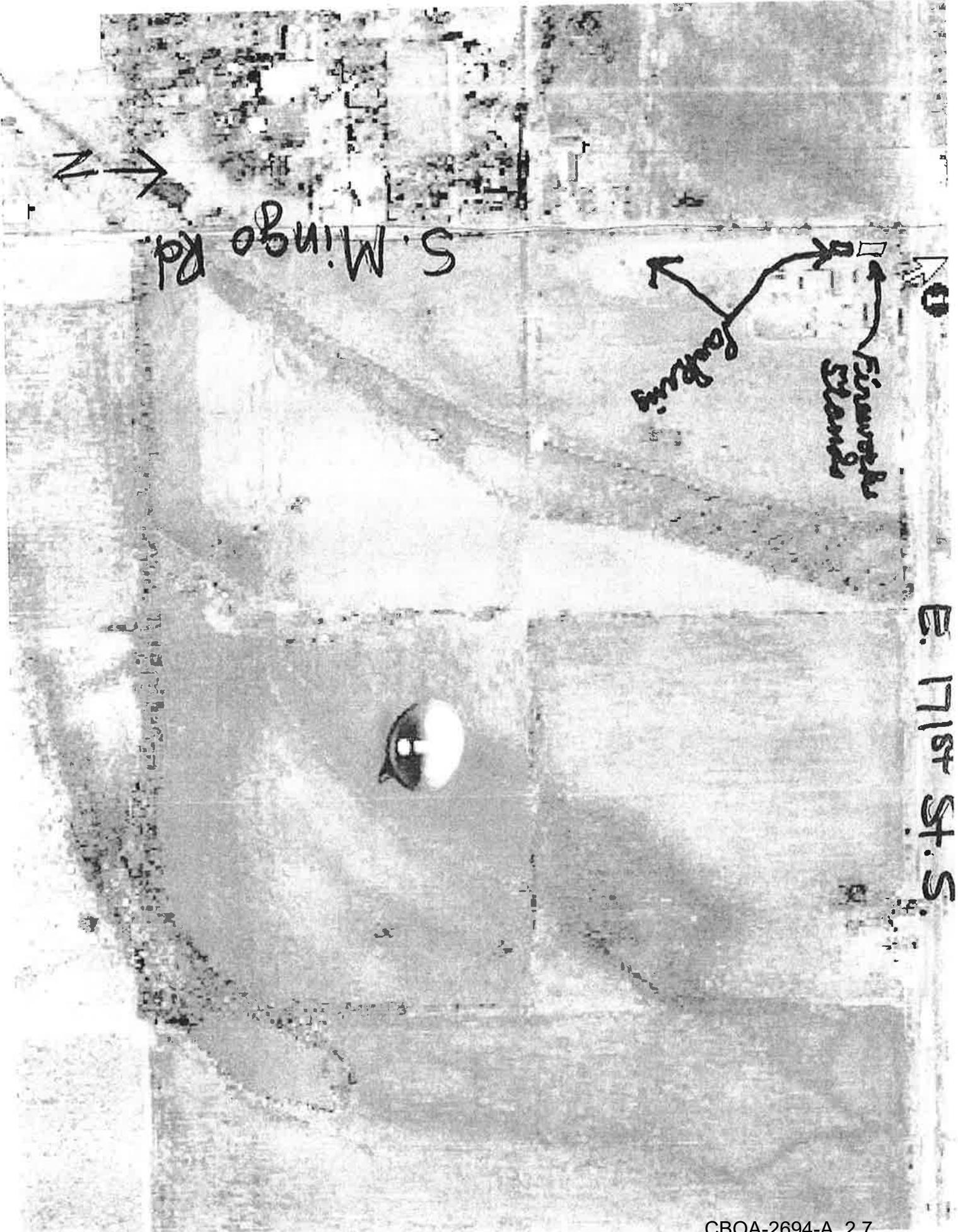
17-14 31

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

Aerial Photo Date: 2021

CBOA-2694-A 2.6





S. Mingo Rd



Finger Islands
Landing

E. 171st St. S.



Board of Adjustment

Case Number: CBOA-3091

Hearing Date: 09/19/2023 1:30 PM
(Continued from 08/15/2023)

Case Report Prepared by:

Jay Hoyt

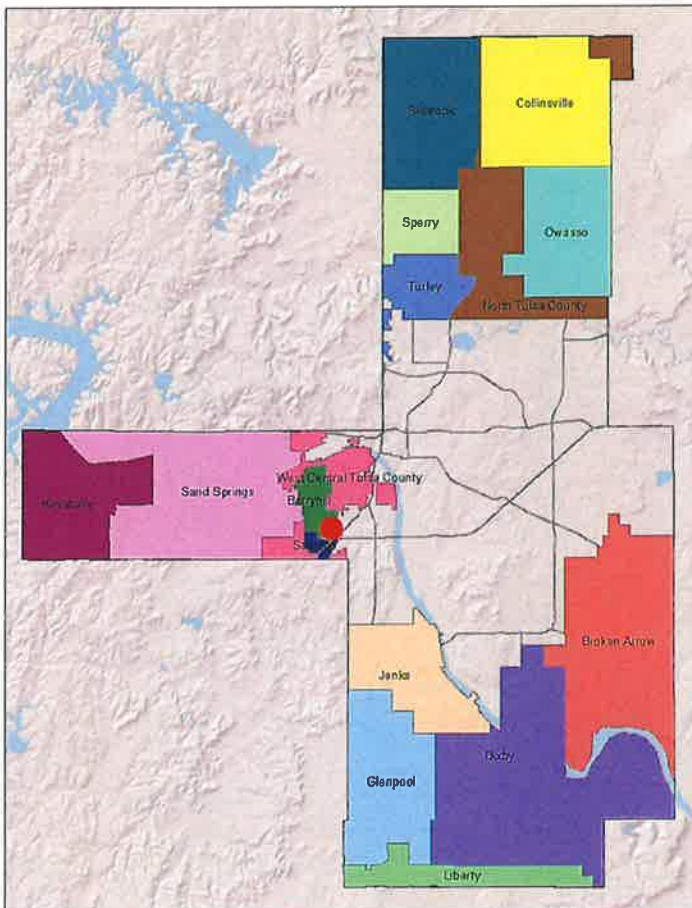
Owner and Applicant Information:

Applicant: Timothy Merrill

Property Owner: MERRILL, TIMOTHY JOEL

Action Requested: Use Variance to allow Use Unit 15, Other Trades and Services to permit a personal shop building as the primary use (Section 410). Variance of the street frontage from 30' to 0' (Section 207). Variance for size of an accessory building in an RS district from 750 sf (Section 410).

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 2.14 acres

Location: 4315 W 46 ST S

Present Zoning: 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-3091
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 09/19/2023 1:30 PM (Continued from 08/15/2023)

APPLICANT: Timothy Merrill

ACTION REQUESTED: Use Variance to allow Use Unit 15, Other Trades and Services to permit a personal shop building as the primary use (Section 410). Variance of the street frontage from 30' to 0' (Section 207). Variance for size of an accessory building in an RS district from 750 sf (Section 410).

LOCATION: 4315 W 46 ST S

ZONED: RS

FENCELINE: West Central Tulsa County

PRESENT USE: Vacant

TRACT SIZE: 2.14 acres

LEGAL DESCRIPTION: LT 2 BLK 2, YARGEE HOMESITE ADDN Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Property:

CBOA-2919 September 2021: The Board approved a Special Exception to permit a single-wide mobile home in an RS district (Section 410).

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and is currently vacant. The site abuts RS zoning to the North containing single-family residences, RS zoning to the East containing vacant land, to the West by IL zoning containing vacant land and to the South by IM zoning containing vacant land.

STAFF COMMENTS:

The applicant is before the Board to request a Use Variance to allow Use Unit 15, Other Trades and Services to permit a personal shop building as the primary use (Section 410), a Variance of the street frontage from 30' to 0' (Section 207) and a Variance for size of an accessory building in an RS district from 750 sf (Section 410).

The applicant intends to build a shop on the subject property for their own personal use. The zoning code requires accessory buildings in the RS district to be associated with a residence. No residence currently exists there, so the proposed shop would be considered the primary use of the lot. As a primary use, a shop would fall under Use Unit 15, which is not permitted in the RS district, therefore a Use Variance would be required for the shop to be located on the lot, without a residence. Additionally, the floor area of the proposed shop is approximately 2,970 sf. The zoning code limits accessory buildings in an RS district to 750 sf.

The subject property does not have frontage onto a public street, as required by the zoning code, which requires a minimum of 30 ft of frontage. The site is currently accessed via a dirt road that comes off of S 45th W Ave.

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, Other Trades and Services to permit a personal shop building as the primary use (Section 410), a Variance of the street frontage from 30' to 0' (Section 207) and a Variance for size of an accessory building in an RS district from 750 sf (Section 410).

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

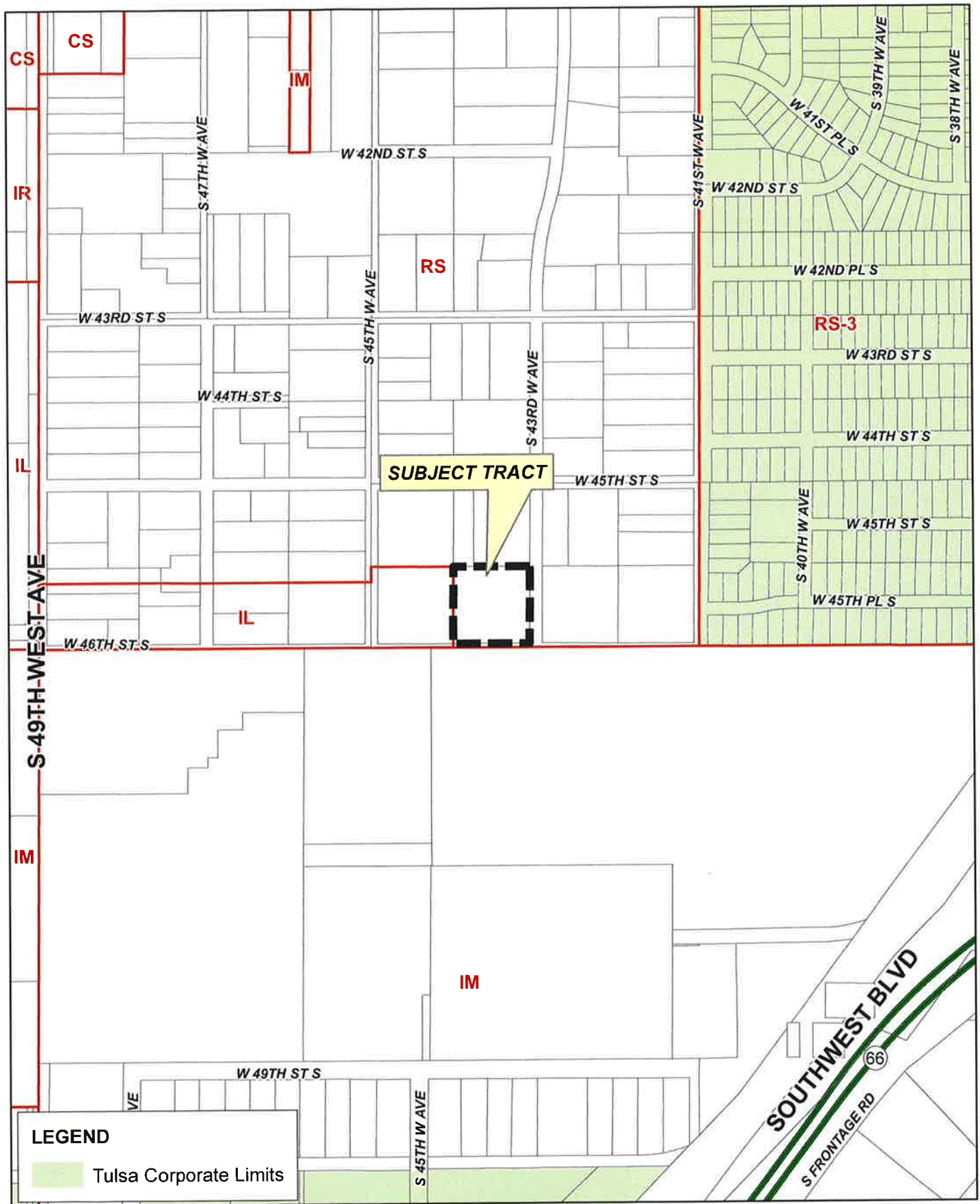
Subject to the following conditions, if any: _____.

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



View of current access to subject lot looking East from S 45th W Ave



CBOA-3091

19-12 28



 Subject Tract

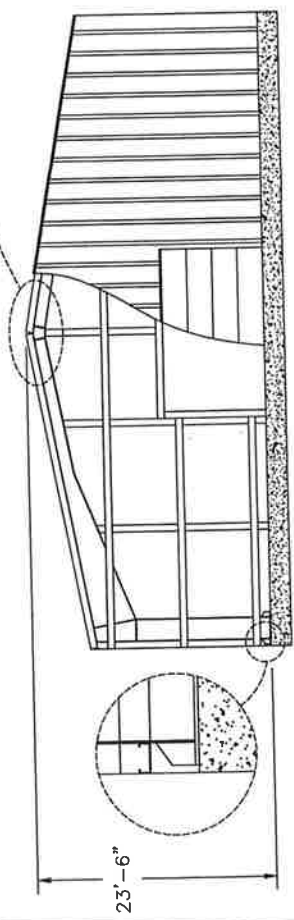
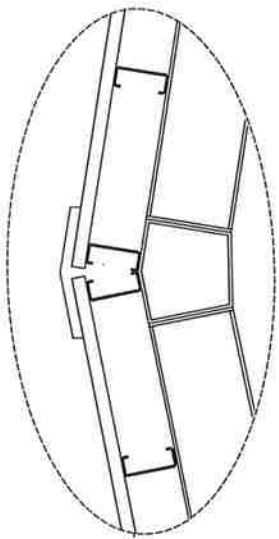
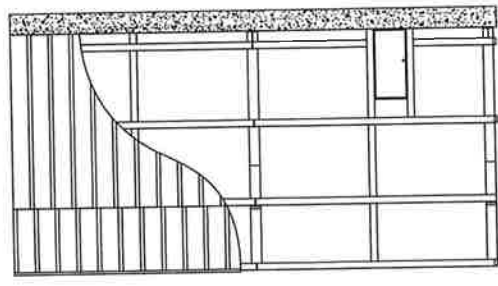
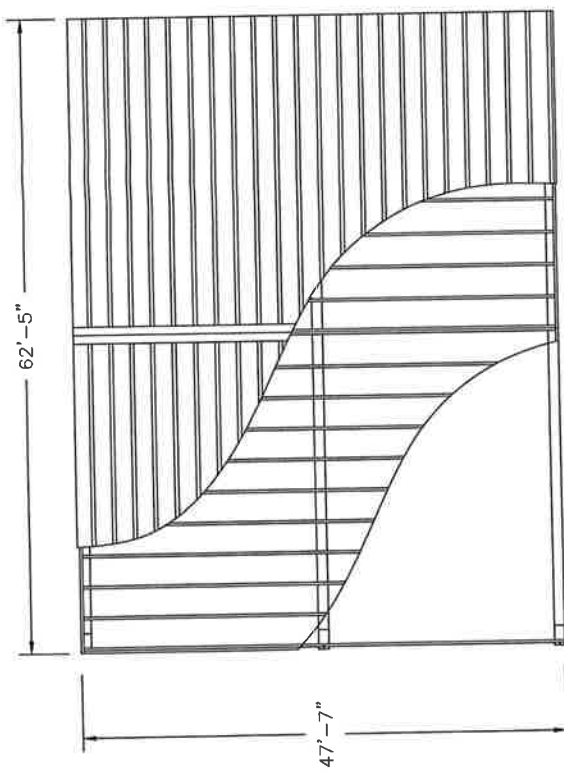
CBOA-3091

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

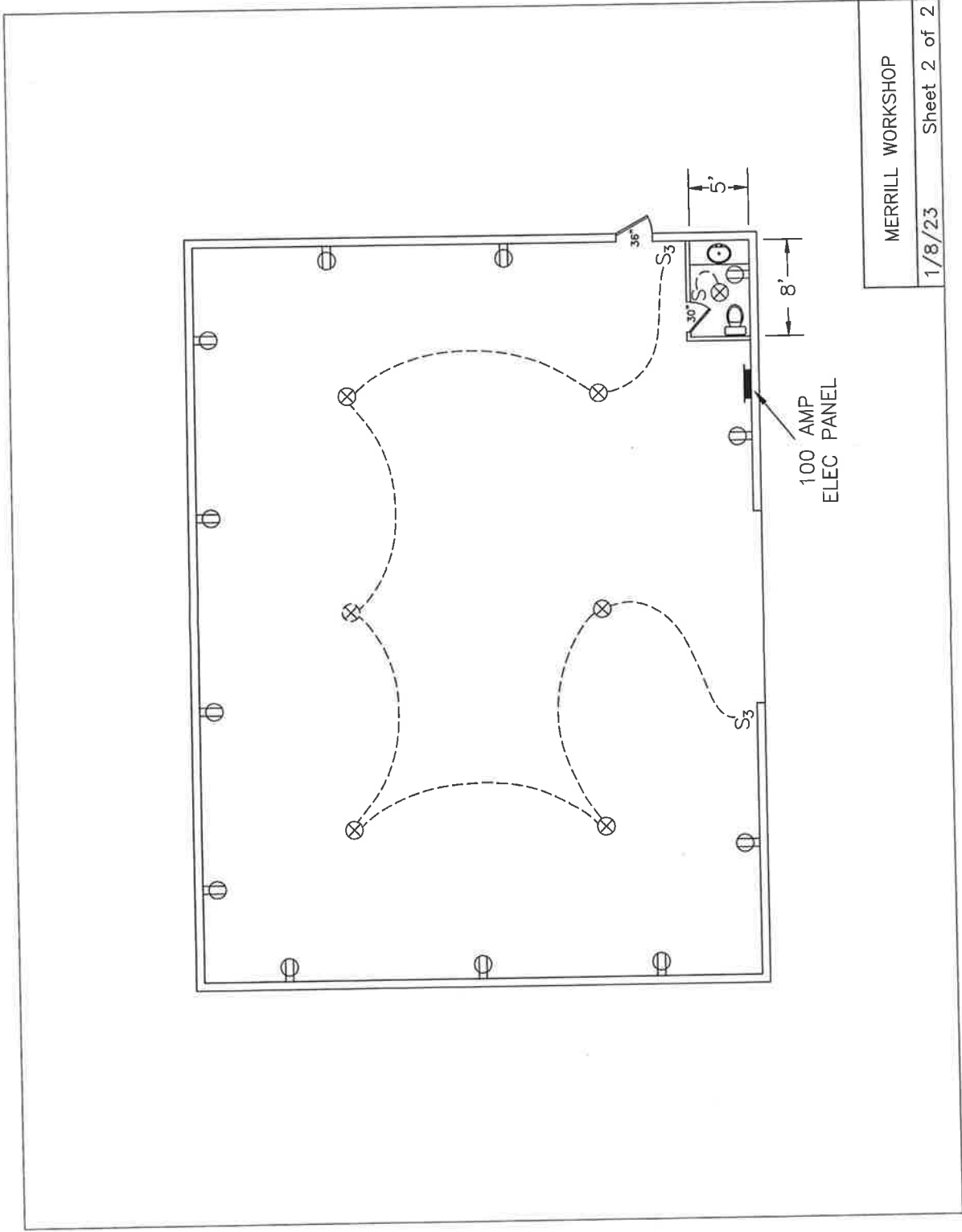
19-12 28

Aerial Photo Date: 2023





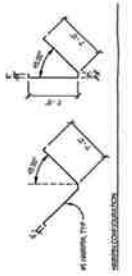
MERRILL WORKSHOP
1/8/23 Sheet 1 of 2



MERRILL WORKSHOP
 1/8/23 Sheet 2 of 2

GENERAL FOUNDATION NOTES

1. SOME CHANGING SHEET NOTES MAY NOT APPLY TO THIS SHEET.
2. SEE ARCHITECTURAL PLAN FOR DIMENSIONS NOT SHOWN. COORDINATE LINES WITH ARCHITECTURAL PLAN.
3. SEE MECHANICAL AND ARCHITECTURAL DRAWINGS FOR SIZES AND LOCATION OF ROOFING FLASHINGS.
4. THE SCHEDULED REINFORCING SHALL NOT BE ALLOWED TO BE ANY OTHER THAN THAT SHOWN.
5. SEE SHEET 3004 FOR REFINEMENTS AT REINFORCING CORNERS AND BRANCHES.
6. BRANCHES SHALL BE REINFORCED WITH AT LEAST TWO BARS PER BRANCH, AND THE TOP OF BRANCHES SHALL BE REINFORCED WITH AT LEAST TWO BARS PER BRANCH.
7. TOP OF EXTERIOR FOOTING (ELEVATION) SHALL BE REINFORCED WITH AT LEAST TWO BARS PER BRANCH.
8. TOP OF EXTERIOR FOOTING (ELEVATION) SHALL BE REINFORCED WITH AT LEAST TWO BARS PER BRANCH.



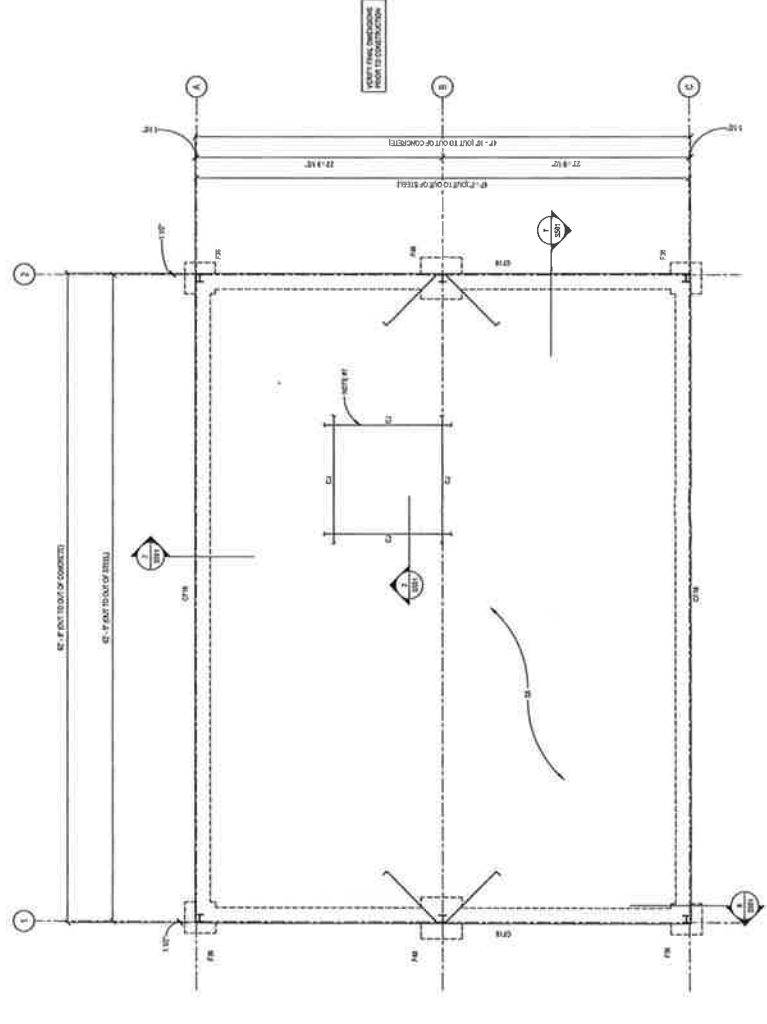
REINFORCING SHALL BE PLACED WITH THE BAR OR BARS SHOWN IN THIS SECTION UNLESS OTHERWISE INDICATED. REINFORCING SHALL BE PLACED WITH THE BAR OR BARS SHOWN IN THIS SECTION UNLESS OTHERWISE INDICATED.

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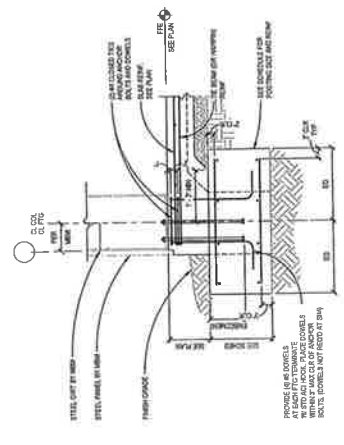
LINE NO.	SECTION	REINFORCEMENT
1	1'-0" x 2'-0"	6#4 @ 12" O.C.
2	1'-0" x 2'-0"	6#4 @ 12" O.C.
3	1'-0" x 2'-0"	6#4 @ 12" O.C.
4	1'-0" x 2'-0"	6#4 @ 12" O.C.
5	1'-0" x 2'-0"	6#4 @ 12" O.C.
6	1'-0" x 2'-0"	6#4 @ 12" O.C.
7	1'-0" x 2'-0"	6#4 @ 12" O.C.
8	1'-0" x 2'-0"	6#4 @ 12" O.C.
9	1'-0" x 2'-0"	6#4 @ 12" O.C.
10	1'-0" x 2'-0"	6#4 @ 12" O.C.

LINE NO.	SECTION	REINFORCEMENT
1	1'-0" x 2'-0"	6#4 @ 12" O.C.
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4	1'-0" x 2'-0"	6#4 @ 12" O.C.
5	1'-0" x 2'-0"	6#4 @ 12" O.C.
6	1'-0" x 2'-0"	6#4 @ 12" O.C.
7	1'-0" x 2'-0"	6#4 @ 12" O.C.
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10	1'-0" x 2'-0"	6#4 @ 12" O.C.



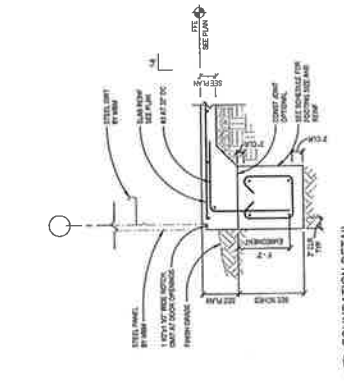
1 FOUNDATION PLAN
3004-1-0



8 FOUNDATION DETAIL
 18\"/>

- NOTES:
1. ALL ANCHOR RODS SHALL MEET THE REQUIREMENTS OF ASTM A36 OR A572 GR. 50.
 2. ALL ANCHOR RODS SHALL BE WELDED TO THE STEEL BEAM OR TO THE STEEL GIRT BY WELD.
 3. ANCHOR RODS SHALL BE WELDED TO THE STEEL BEAM OR TO THE STEEL GIRT BY WELD.
 4. ANCHOR RODS SHALL BE WELDED TO THE STEEL BEAM OR TO THE STEEL GIRT BY WELD.
 5. ANCHOR RODS SHALL BE WELDED TO THE STEEL BEAM OR TO THE STEEL GIRT BY WELD.

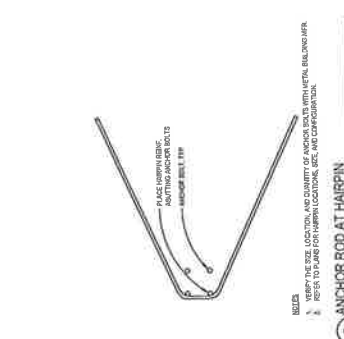
5 ANCHOR RODS
 18\"/>



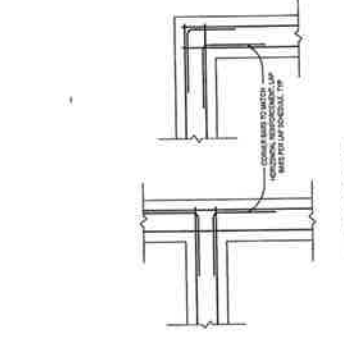
7 FOUNDATION DETAIL
 18\"/>

- NOTES:
1. SEE FOUNDATION PLAN FOR ADDITIONAL SLAB INFORMATION INCLUDING REINFORCING DETAILS.
 2. THE REINFORCING SHALL BE WELDED TO THE STEEL BEAM OR TO THE STEEL GIRT BY WELD.
 3. ANCHOR RODS SHALL BE WELDED TO THE STEEL BEAM OR TO THE STEEL GIRT BY WELD.
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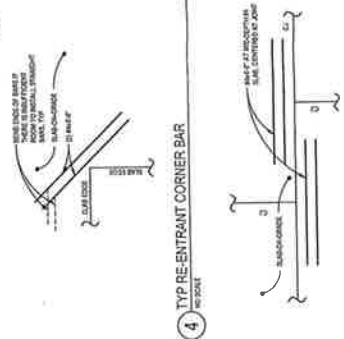
2 SLAB JOINTS
 18\"/>



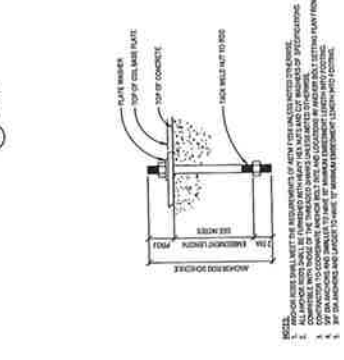
6 ANCHOR ROD AT HAIRPIN
 18\"/>



1 CORNER BAR REINFORCING
 18\"/>



4 TYP RE-ENTRANT CORNER BAR
 18\"/>



3 REINFORCING AT SLAB JOINT
 18\"/>

W 45th St

W 45th St

W 45th St

W 45th St

W 45th St

W 45th St

W 45th St

4322

4323

4324

4325

4326

4327

4328

4329

560

515

535

515

4315

Distance To Nearest Residences



Board of Adjustment

Case Number: CBOA-3092

Hearing Date: 09/19/2023 1:30 PM
(Continued from 08/15/2023)

Case Report Prepared by:

Jay Hoyt

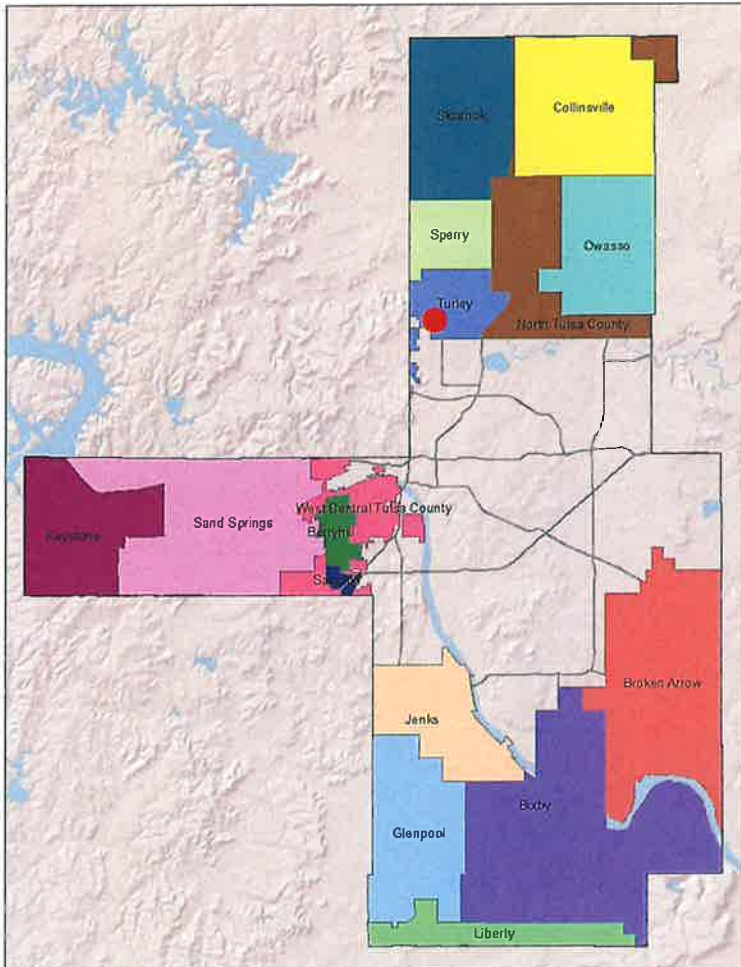
Owner and Applicant Information:

Applicant: Patrick Starkey

Property Owner: STARKEY, PATRICK J AND CAROL J

Action Requested: Special Exception to permit a manufactured home in the RS district (Section 410) and a Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 4.86 acres

Location: 737 E 63 ST N

Present Zoning: RS

Fenceline/Area: Turley

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 0201
CZM: 21

CASE NUMBER: CBOA-3092
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 09/19/2023 1:30 PM (Continued from 08/15/2023)

APPLICANT: Patrick Starkey

ACTION REQUESTED: Special Exception to permit a manufactured home in the RS district (Section 410) and a Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

LOCATION: 737 E 63 ST N

ZONED: RS

FENCELINE: Turley

PRESENT USE: Vacant

TRACT SIZE: 4.86 acres

LEGAL DESCRIPTION: W/2 LT 8 & ALL LTS 9 & 10 BLK 9, NORTH TURLEY ADDN, NORTH TURLEY 2ND ADDN Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Property:

CBOA-1113 October 1992: The Board approved a Special Exception to permit a single-wide mobile home in an RS district (Section 410).

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and is currently vacant. The tract abuts RS zoning to the North, East and West containing single-family residences and to the South by AG zoning containing vacant land.

STAFF COMMENTS:

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

The site contains 4.86 acres. There are several manufactured homes in the general vicinity of the subject tract.

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.

A variance is required due to there being an existing home on the subject lot. The manufactured home requested as part of the special exception portion of this proposal would be the second dwelling unit on the lot, which would require a variance to be permitted due to the zoning code limitation on the number of dwelling units allowed on a single lot of record in the RS district. The RS district requires 6,900 sf of floor

area per dwelling unit. The subject lot is 4.86 acres in size, so has more than enough land area for two dwellings.

If inclined to approve the request the Board may consider any condition it deems necessary in order to ensure that the proposed special exception and variance are compatible and non-injurious to the surrounding area.

Sample Motion:

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

Subject to the following conditions, if any: _____.

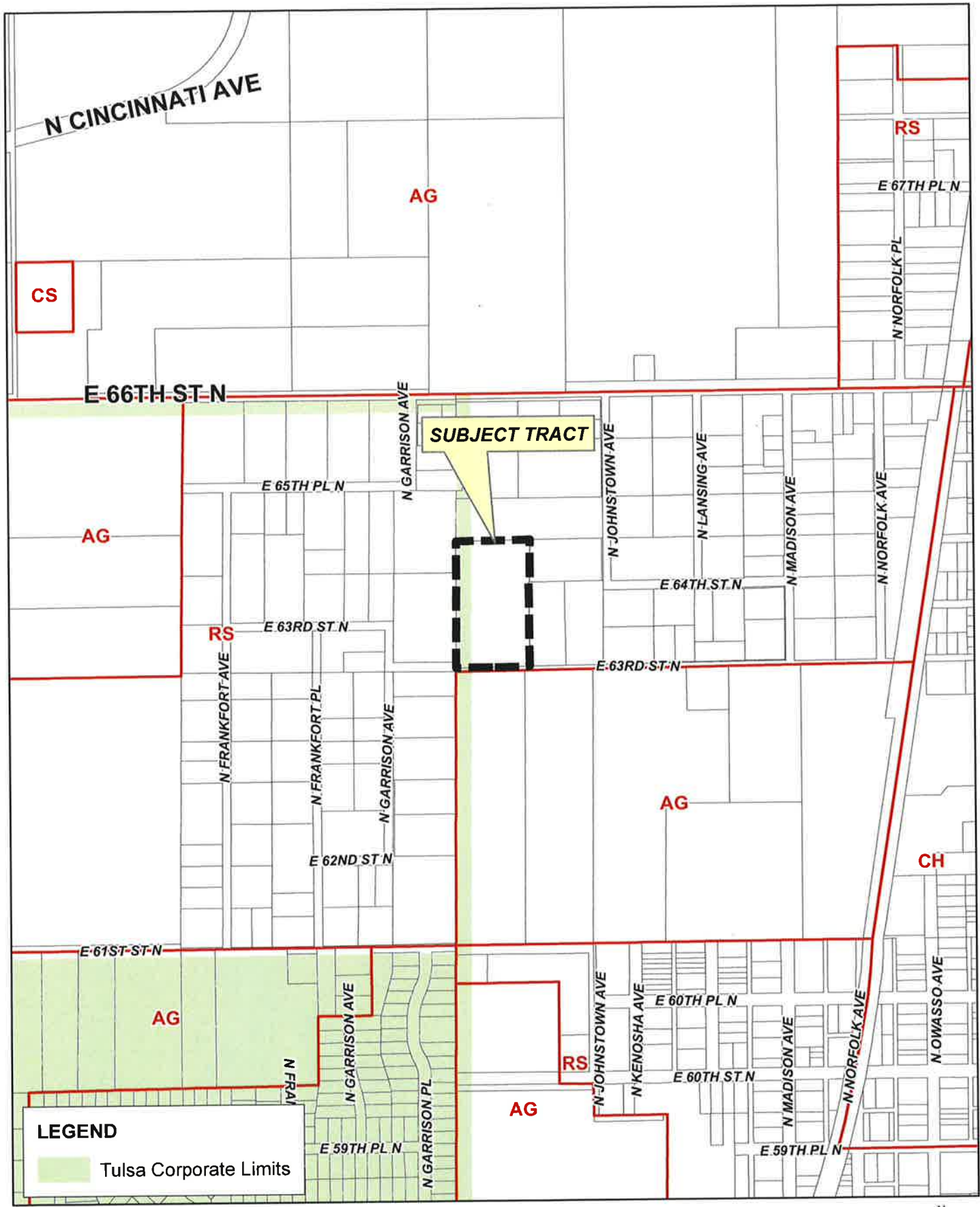
In granting a Special Exception and Variance, the Board must find that the Special Exception and Variance will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Subject Property looking Northeast from E 63rd St N

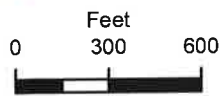


Subject Property looking Northwest from E 63rd St N



LEGEND

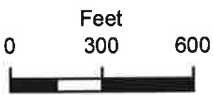
 Tulsa Corporate Limits



CBOA-3092

20-12 01





Subject Tract

CBOA-3092

20-12 01

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

Aerial Photo Date: 2023





Board of Adjustment

Case Number: CBOA-3095

Hearing Date: 09/19/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

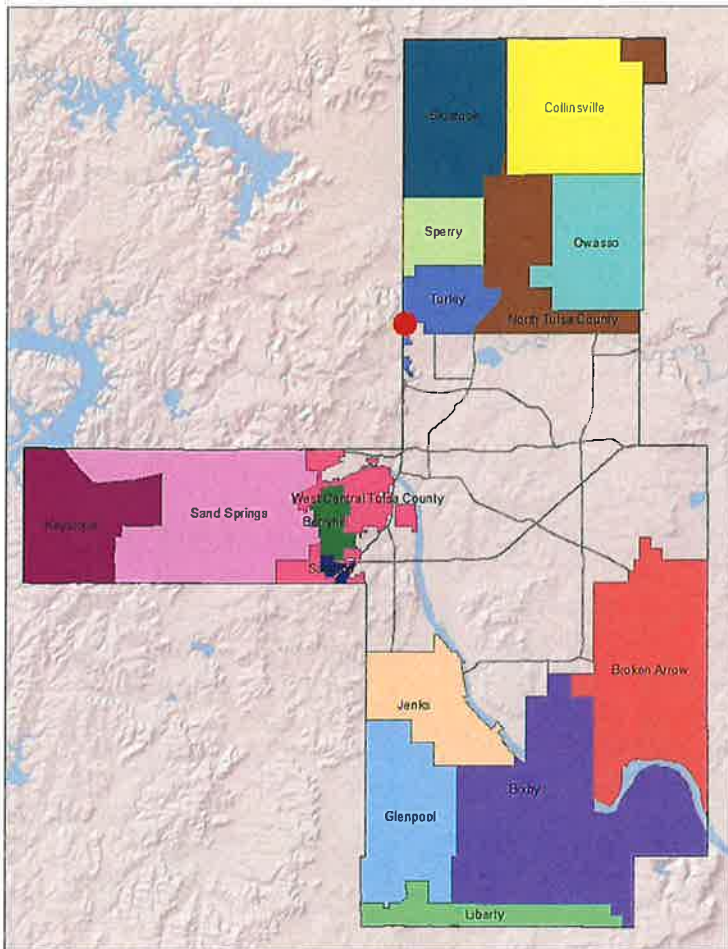
Owner and Applicant Information:

Applicant: Wendell Brewer

Property Owner: BREWER, DOROTHY A

Action Requested: Use Variance to permit Use Unit 23, Warehousing and Wholesaling in an RS District (Section 410).

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 0.77 acres

Location: 412 W 61 ST N

Present Zoning: RS

Fenceline/Area: Turley

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 0202

CZM: 21

CASE NUMBER: CBOA-3095

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 09/19/2023 1:30 PM

APPLICANT: Wendell Brewer

ACTION REQUESTED: Use Variance to permit Use Unit 23, Warehousing and Wholesaling in an RS District (Section 410).

LOCATION: 412 W 61 ST N

ZONED: RS

FENCELINE: Turley

PRESENT USE: Vacant

TRACT SIZE: 0.77 acres

LEGAL DESCRIPTION: LT 1 BLK 1, VINING ACRES Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and is currently vacant. The tract abuts RS zoning to the east, west and south, containing single-family residences and to the north by RS-3 zoning containing single-family residences.

STAFF COMMENTS:

The applicant is before the Board to request a Use Variance to permit Use Unit 23, Warehousing and Wholesaling in an RS District (Section 410).

The applicant proposes to construct a storage structure on the subject lot. The lot does not currently contain a home, which would normally permit an accessory structure to be associated with the home, however the applicant wishes to build the storage structure before a home is build on the lot, meaning that it would not be associated with an existing home and would be considered the primary use of the lot until a home is constructed. The applicant has requested a Use Variance for Use Unit 23, Warehousing and Wholesaling in order to be able to construct the storage structure and utilize it before a home is built.

The applicant provided the statement, "Currently the lot is vacant and the owner wants to build a storage structure first before building the primary residence. The current zoning does not allow for development to commence in that sequence. The owner requests that the Board allow him to build his accessory structure first."

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

Sample Motion:

"Move to _____ (approve/deny) a Use Variance to permit Use Unit 23, Warehousing and Wholesaling in an RS District (Section 410).

Finding the hardship to be _____.

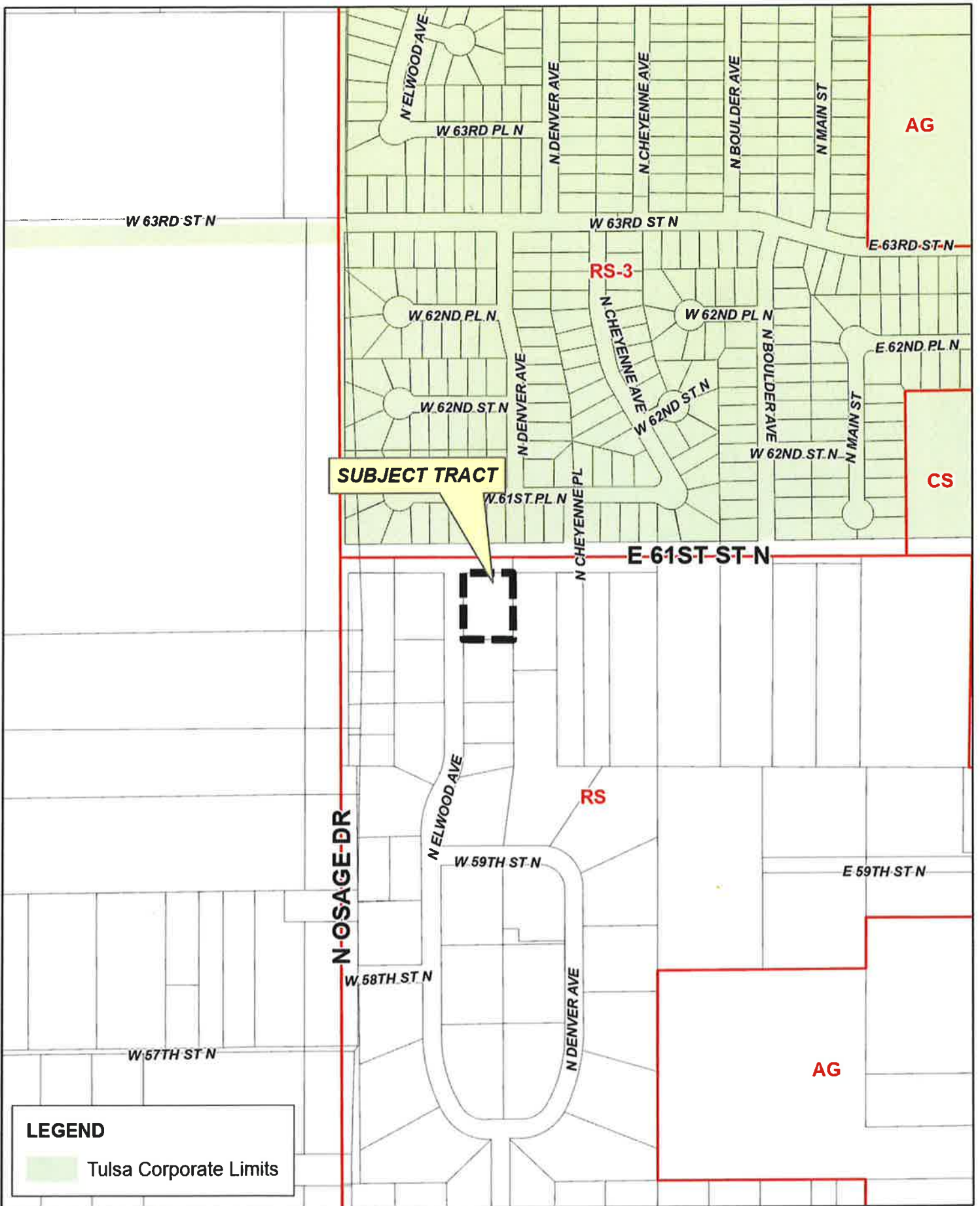
Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not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



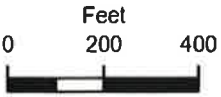
Subject tract looking South from E 61st St N



Subject tract looking Southeast from E 61st St N



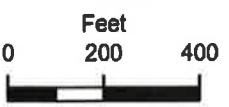
LEGEND
 Tulsa Corporate Limits



CBOA-3095

20-12 02





 Subject Tract

CBOA-3095
20-12 02

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

Aerial Photo Date: 2023

CBOA-3095 5.6





W 61ST PL N

N CHEYENNE PL

E 61ST ST N

N ELWOOD AVE



Subject Tract

CBOA-3095

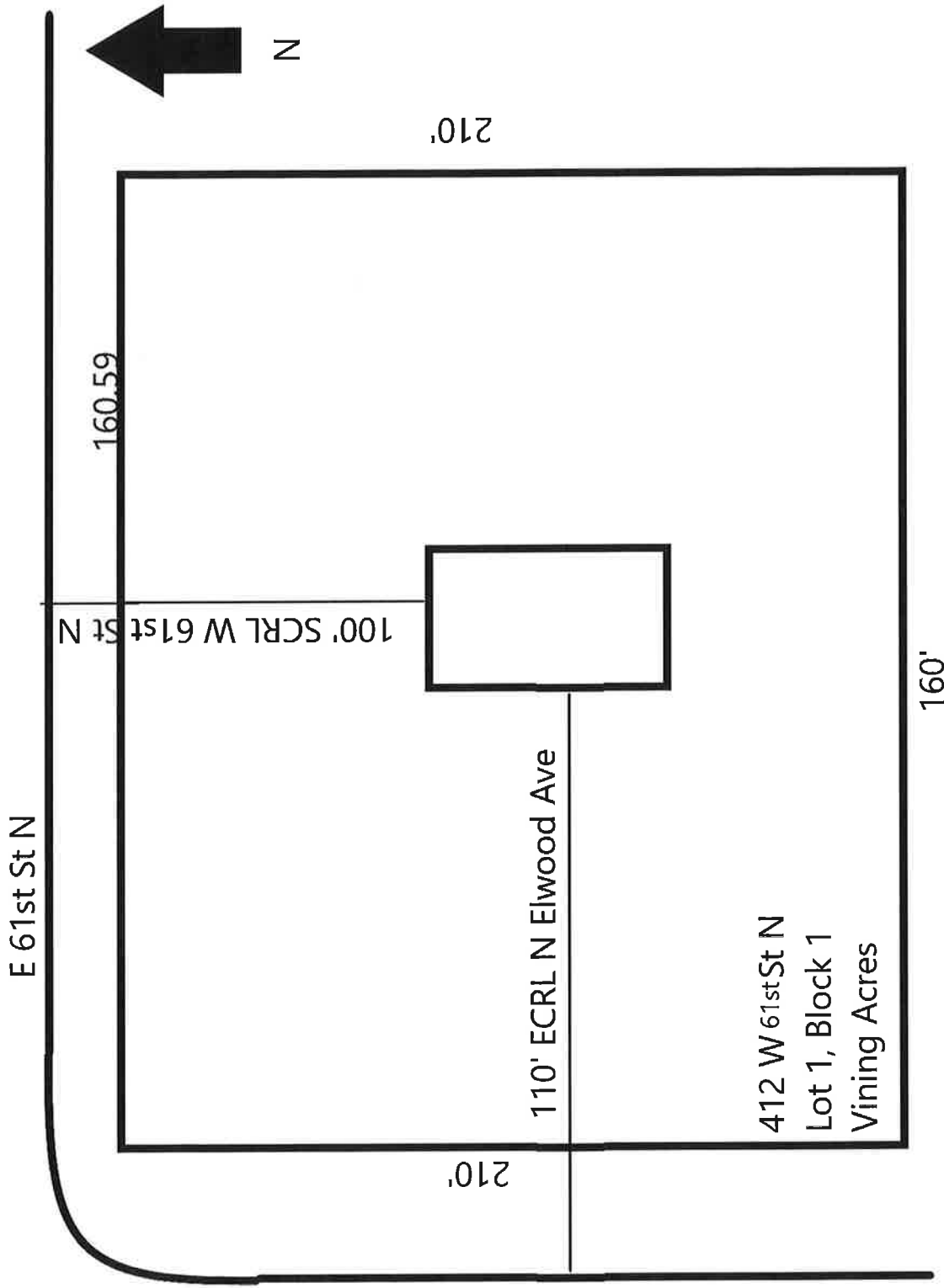
20-12 02

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

Aerial Photo Date: 2023

CBOA-3095 5.7





N Elwood Ave



Case Number: CBOA-3096

Hearing Date: 09/19/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

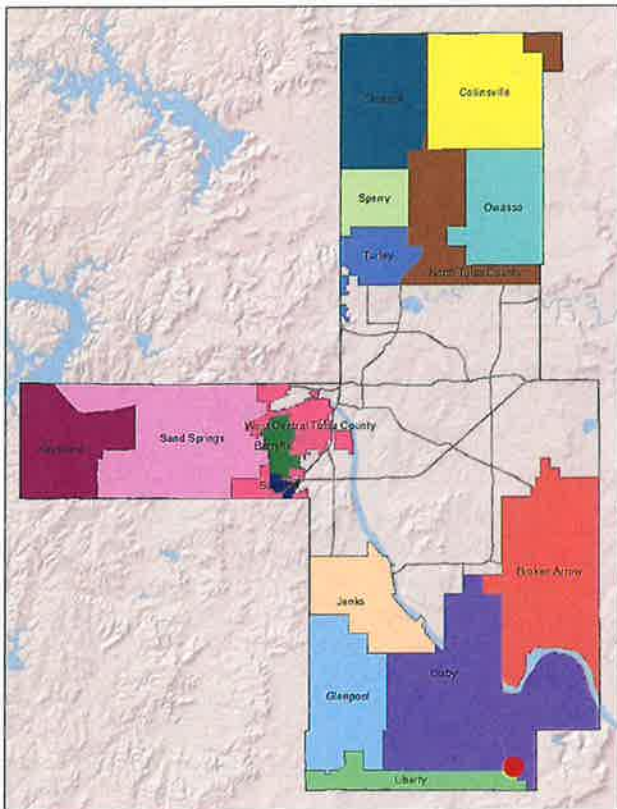
Owner and Applicant Information:

Applicant: Tillman Infrastructure & AT&T Wireless

Property Owner: SEFCIK, CHRIS M REV LIVING TRUST

Action Requested: Special Exception to permit a 273 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3); and a Special Exception to reduce the required tower setback (110% of the tower height) from 300 ft to 129 ft (Section 1204.3).

Location Map:



Additional Information:

Present Use: Agricultural

Tract Size: 70.5 acres

Location: 20014 S 129th East Avenue

Present Zoning: AG

Fenceline/Area: Bixby

Land Use Designation: Rural Agriculture

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 6408

CZM: 73

CASE NUMBER: CBOA-3096

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 09/19/2023 1:30 PM

APPLICANT: Tillman Infrastructure & AT&T Wireless

ACTION REQUESTED: Special Exception to permit a 273 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3); and a Special Exception to reduce the required tower setback (110% of the tower height) from 300 ft to 129 ft (Section 1204.3).

LOCATION: 20014 S 129th East Avenue

ZONED: AG

FENCELINE: Bixby

PRESENT USE: Agricultural

TRACT SIZE: 70.5 acres

LEGAL DESCRIPTION: S/2 SE LESS N200 E544 THEREOF & LESS BEG 200S NEC S/2 SE TH W544 N200 W906 S380 E400 N130 E1050 N50 TO POB SEC 8 16 14 70.5ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Property:

CBOA-1282 September 1994: The Board approved a Variance of the spacing requirement of 200 ft from oil and gas wells to 100 ft to permit the construction of a new dwelling unit.

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and currently contains a single-family home and vacant forested land. The tract is surrounded by AG zoning containing single-family homes and vacant land.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to permit a 273 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3) and a Special Exception to reduce the required tower setback (110% of the tower height) from 300 ft to 129 ft (Section 1204.3).

Communications towers are classified under Use Unit 4, Public Protection and Utility Facilities, and are permitted in the AG district by Special Exception. A *Special Exception* is required as the proposed cell tower is a use which is not permitted by right in the AG district because of potential adverse effect, but if controlled in the particular instance as to its relationship to the area, may be permitted.

The applicant has included a site plan. The proposed tower has a height of 273 feet. The Tulsa County Zoning Code requires towers to be set back a distance equal to at least on hundred ten percent (110%) of the height of the tower from any adjoining lot line of a residential, office or agricultural zoned lot. For the proposed tower, that would be a 300 ft setback. The applicant is requesting a Special Exception to allow the tower setback to be reduced to 129 ft.

Additionally, Section 1204.3.E provides the following:

1. ***Factors to be considered in granting a special exception. In addition to any other requirement of this section, the following factors shall be considered in the determination to grant or deny a special exception for an antenna or tower:***
 - a. *Height of the proposed tower;*
 - b. *Proximity of the tower to residential structures, residential district boundaries and existing towers;*
 - c. *Nature of uses on adjacent and nearby properties;*
 - d. *Surrounding topography;*
 - e. *Surrounding tree coverage and foliage;*
 - f. *Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;*
 - g. *The total number and size of antennas proposed and the ability of the proposed tower to accommodate collocation;*
 - h. *Architectural design of utility buildings and accessory structures to blend with the surrounding environment;*
 - i. *Proposed ingress and egress;*
 - j. *The need of the applicant for a communications tower within the immediate geographic area to provide an acceptable level of communications service to the area;*
 - k. *The size of the tract and the most likely future development as indicated by the Comprehensive Plan, planned infrastructure, topography and other physical facts.*
 - l. *Landscaping*
2. ***Collocation. Collocation of facilities should be encouraged wherever practical by allowing reasonable extra height or tower diameter necessary to support multiple antennas.***
3. ***The findings of the Board of Adjustment as to each of these factors shall be made on the record and contained in the written minutes of the meeting.***

If inclined to approve the Board may consider any condition it deems necessary and reasonably related to the request to ensure the proposed communications tower will be non-injurious to the surrounding area.

Sample Motion:

“Move to _____ (approve/deny) a Special Exception to permit a 273 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3); and a Special Exception to reduce the required tower setback (110% of the tower height) from 300 ft to 129 ft (Section 1204.3).

The Board considered each of the stated factors in Section 1204.3.E.1&2 of the Code and finds that the application complies with those requirements to the Boards satisfaction.

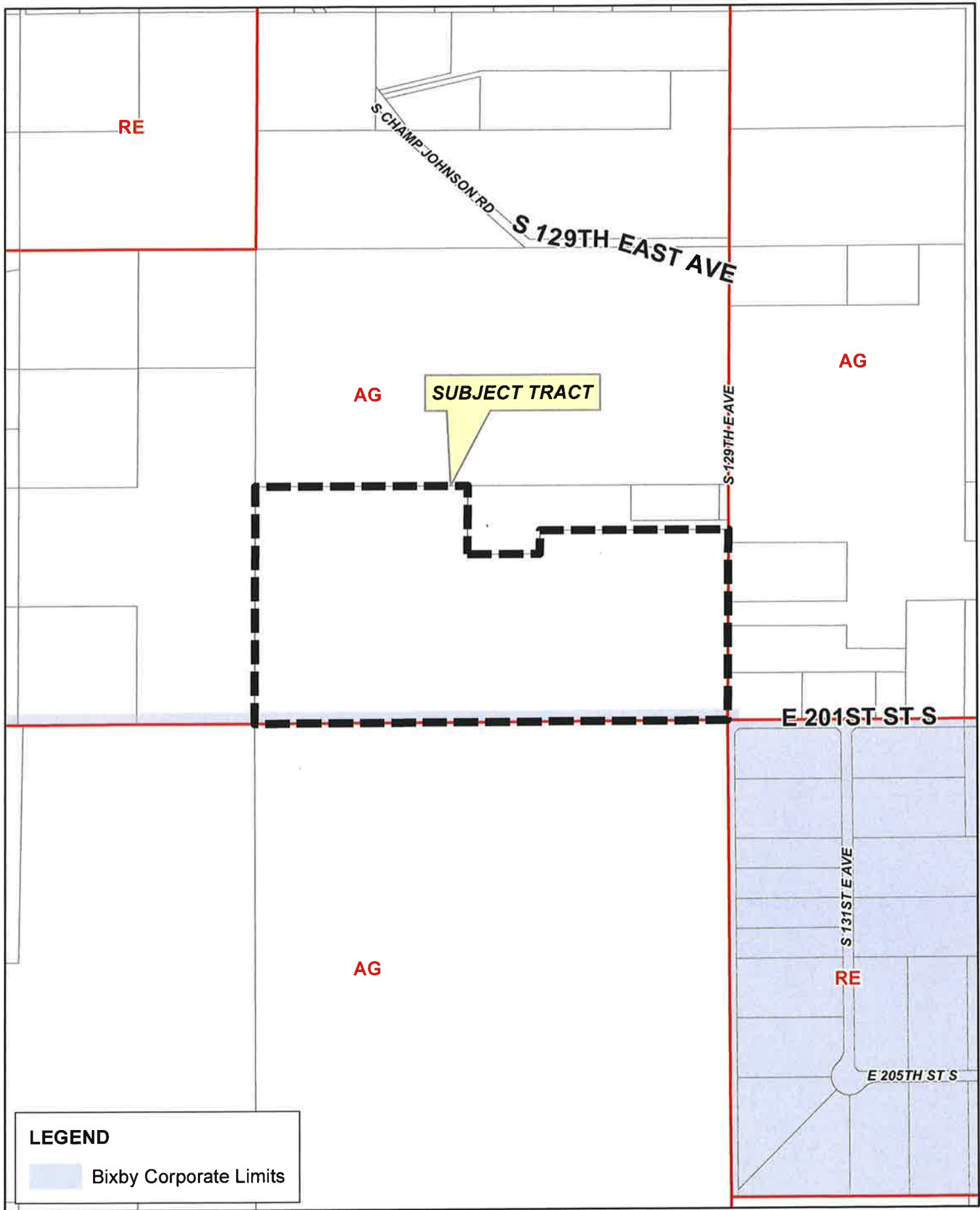
Finding the Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Subject tract looking Northwest from S 129th E Ave



Subject tract looking Southwest from S 129th E Ave



LEGEND

 Bixby Corporate Limits



CBOA-3096

16-14 08



CBOA-3096 6.5



 Subject Tract

CBOA-3096

16-14 08

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

Aerial Photo Date: 2023



CBOA-3096 6.6

DRAWN BY: _____
CHECKED BY: _____

REV	DATE	DESCRIPTION
0	08/21/2023	ZONING EXHIBIT

TITLE SHEET

T-OPP
23279-A
FA #
15923560
SITE NAME
SEFCIK
SITE ADDRESS:
20014 S 129th AVE
BIXBY, OK 74008

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1

DRAWING INDEX

1-0 TITLE SHEET
SURVEY
Z-1 OVERALL SITE PLAN
Z-2 ENLARGED SITE PLAN & TOWER ELEVATION

DRAWING SCALE

THESE DRAWINGS ARE SCALED TO FULL SIZE AT 22"x34" AND HALF SIZE AT 11"x17". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME. CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICE TO PREVENT STORM WATER POLLUTION DURING CONSTRUCTION.

SCOPE OF WORK

THIS PROJECT CONSISTS OF:

- CONSTRUCTION OF A NEW UNMANNED TELECOMMUNICATIONS FACILITY
- SITE WORK NEW TOWER UNMANNED EQUIPMENT BASE Riser ON PLATFORM ON CONCRETE PFD AND UTILITY INSTALLATIONS.

811
Know what's below.
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www.811.org

VICINITY MAP

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERMITTED AND TESTED IN ACCORDANCE WITH THE APPLICABLE EDITIONS OF THE FOLLOWING CODES:

- 2015 INTERNATIONAL BUILDING CODE - CURRENT EDITION
- AS ADOPTED BY LOCAL JURISDICTION
- 2018 NATIONAL ELECTRIC CODE - CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- 2017 INTERNATIONAL MECHANICAL CODE - CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- AS ADOPTED BY LOCAL JURISDICTION
- 2015 INTERNATIONAL FIRE CODE - CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- AS ADOPTED BY LOCAL JURISDICTION
- 2015 INTERNATIONAL FIRE CODE - CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- AS ADOPTED BY LOCAL JURISDICTION
- AMERICAN CONCRETE INSTITUTE

INSTITUTES FOR ELECTRICAL & ELECTRONICS ENGINEERING
TELECOMMUNICATIONS AND NETWORKING SAFETY CODE LATEST EDITION
ANSI/J11
MANUAL OF STEEL CONSTRUCTION 13TH EDITION

SITE INFORMATION

SITE ADDRESS
20014 S 129th AVE
BIXBY, OK 74008

LATITUDE (NAD 83)
35.52 21.652 (35.472459 J)

LONGITUDE (NAD 83)
-95.50 15.452 (95.501514 I)

TIER (AMSL)
748 (AMSL)

JURISDICTION
TULSA COUNTY

JURISDICTION CONTACT
TULLMAN ENGINEERING ARCHITECTS
2 WEST 2ND STREET, 8TH FLOOR
TULSA, OK 74103
JAY.HOYTS@tullmaneng.com

LAND OWNER
CHRIS SECK
1800 W. 12TH ST
BIXBY, OK 74008
cseck@seckgroup.com

ZONING
NA

PERMIT/APP NUMBER
R54-085-058586

TOWER OWNER
TILLMAN INFRASTRUCTURE LLC
10000 W. 12TH ST, 27TH FLOOR
NEW YORK, NY 10019

STRUCTURE TYPE
SELF-SUPPORT

STRUCTURE HEIGHT
265 (AGL)

POWER SUPPLIER
AEP

TELECO SUPPLIER
948 716 5233
IRRM/TILLMAN COMPANY
518 365 7000

PROJECT TEAM

APPLICANT
TILLMAN INFRASTRUCTURE LLC
10000 W. 12TH ST, 27TH FLOOR
NEW YORK, NY 10019

PROJECT MANAGEMENT FIRM
SCI WIRELESS
487 RIDGE POINT DRIVE
HEATH, TX 75126
(940) 374-2081
steve.watson@sciwireless.com
dickson@sciwireless.com

ENGINEERING FIRM
TULLMAN ENGINEERING ARCHITECTS
602 CONSTITUTION DR, SUITE C
FORT WAYNE, IN 46804
WILLIAM TULLMAN
WILLIAM HICKS
william@tullman.com

TOWER INFO

CENTER OF TOWER

LATITUDE: 35°52'20.852" NORTH
 LONGITUDE: 95°50'15.095" WEST
 (NAD 83)
 ABOVE MEAN SEA LEVEL (NAVD88)
 SITE ADDRESS:
 519 S 129TH E
 BIRNEY, OKLAHOMA 74008

VICINITY MAP

NOT TO SCALE
 OKLAHOMA NORTH
 GRID TO TRUE NORTH
 CONVERGENCE
 1°16'34.03359"
 TRUE NORTH TO MAGNETIC
 DECLINATION
 2°11' E
 COMBINED SCALE FACTOR
 0.999595687

LEGEND

- = 5/8" REBAR SET
- = 1" IRON ROD FOUND
- ◆ = 1/2" REBAR FOUND
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- POE = POINT OF ENDING
- = CALCULATED POINT
- = GAS LINE MARKER
- = POWER POLE
- = TEMPORARY BENCHMARK
- 600' INAL IN POWER POLE
ELEVATION 772.80

FLOOD NOTE

By graphic plotting only, the subject property appears to lie in Zone "X". The Flood Insurance Rate Map (FIRM) for the subject property is 401430050K, which bears an effective date of August 03, 2009 and is NOT in a special flood hazard area. Zone "X": Areas of 0.2% annual chance flood; areas of 1% annual chance flood; areas of 1% annual chance flood or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

LEONARD
 T-OPP-23279-A
 TULSA COUNTY, OKLAHOMA
 SE 1/4, SEC. 8, T-16N, R-14-E, IM

PARENT TRACT (FROM TITLE)

Quarter (S 1/2 SE 1/4) of Section (16), Township (16N), Range (14E), East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey hereof, LESS: The North 200 feet of the East 544 feet of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4), LESS the East 50 feet thereof for road, AND LESS: Commencing at the Northeast Corner of said S 1/2 SE 1/4; thence South along the East line of said S 1/2 SE 1/4 a distance of 200.00 feet to the Point of Beginning; thence West along the North line of said S 1/2 SE 1/4 a distance of 100.00 feet to the Point of Beginning; thence North along the West line of said S 1/2 SE 1/4 a distance of 100.00 feet to the Point of Beginning; thence East along the East line of said S 1/2 SE 1/4 a distance of 100.00 feet to the Point of Beginning; thence South along the South line of said S 1/2 SE 1/4 a distance of 100.00 feet to the Point of Beginning; thence North along the North line of said S 1/2 SE 1/4 a distance of 100.00 feet to the Point of Beginning; thence East along the East line of said S 1/2 SE 1/4 a distance of 100.00 feet to the Point of Beginning; thence North along the North line of said S 1/2 SE 1/4 a distance of 100.00 feet to the Point of Beginning.

75' X 75' LEASE AREA (AS-SURVEYED)

Being a portion of that certain tract of land described and recorded in instrument No. 2011083718 in the Office of the County Clerk, Tulsa County, Oklahoma, lying in the Southeast Quarter of Section 8, Township 16 North, Range 14 East, said Tulsa County and being more particularly described as follows: Commencing at the southeast corner of said Section 8 bears S 0°21'46" E a distance of 7,694.88 feet; thence S 0°21'46" E along the east line of said Section 8 a distance of 201.69 feet to a point; thence S 89°38'14" W leaving said east line a distance of 68.21 feet to said Section 8 a distance of 201.69 feet to a point; thence S 89°38'14" W a distance of 75.00 feet to a point; thence N 01°27'14" W a distance of 75.00 feet to a point; thence S 01°27'14" E a distance of 75.00 feet to the Point of Beginning. Said above described Lease Area contains 5,625.0 square feet or 0.12 acres, more or less.

30" INGRESS/EGRESS & UTILITY EASEMENT (AS-SURVEYED)

Being a portion of that certain tract of land described and recorded in instrument No. 2011083718 in the Office of the County Clerk, Tulsa County, Oklahoma, lying in the Southeast Quarter of Section 8, Township 16 North, Range 14 East, said Tulsa County and being more particularly described as follows: Commencing at a 1" iron rod found at the northeast corner of the Southeast 1/4 of said Section 8, a 1/2" rebar found at the southeast corner of said Section 8 bears S 0°21'46" E a distance of 2,624.88 feet; thence S 0°21'46" E along the east line of said Section 8 a distance of 201.69 feet to a point; thence S 89°38'14" W a distance of 68.21 feet to said Section 8 a distance of 201.69 feet to a point; thence S 89°38'14" W a distance of 75.00 feet to a point; thence N 01°27'14" W a distance of 75.00 feet to a point; thence S 01°27'14" E a distance of 75.00 feet to the Point of Beginning; thence N 89°02'59" E a distance of 39.92 feet; more or less, to a point on the westerly right-of-way line of said S 129th E Avenue and the Point of Ending. Said above described Easement contains 1,191.6 square feet of 0.03 acres, more or less.

SURVEYOR'S CERTIFICATION

I certify that this survey and drawing have been completed in accordance with the Minimum Standards for the Practice of Land Surveying in the State of Oklahoma to the best of my knowledge, information, and belief.

Timothy L. Fish
 03-09-2023
 DATE

NOT TO SCALE

PARENT TRACT: 6640864085360
 SEFCIK, CHRISTOPHER MICHAEL & DENISHA LYNN
 INSTRUMENT NUMBER: 2011083718
 PARCEL NUMBER: R98408640856010
 SEFCIK, CHRISTOPHER MICHAEL
 INSTRUMENT NUMBER: 2017078252
 PARCEL NUMBER: R98408640848010
 FELDMAN, HELEN C ET AL
 INSTRUMENT NUMBER: 2004129155
 PARCEL NUMBER: R98408640832010
 OWENS FAMILY TRUST
 INSTRUMENT NUMBER: 2013027010
 PARCEL NUMBER: R98417641732010
 HIBBARD, HERSCHEL T JR & STACEY
 INSTRUMENT NUMBER: 2013025354
 PARCEL NUMBER: R98417641700010
 POST OAK LLC
 INSTRUMENT NUMBER: 2000294507

POB (AS-SURVEYED) 30" INGRESS/EGRESS & UTILITY EASEMENT

0.03 ACRES ±

POE (AS-SURVEYED) 30" INGRESS/EGRESS & UTILITY EASEMENT

0.12 ACRES ±

75' X 75' LEASE AREA

5,625.0 SQ. FT. ±
0.13 ACRES ±

POB (AS-SURVEYED) 50" EASEMENT

BK. 4570, PG. 1347

POE (AS-SURVEYED) 50" EASEMENT

BK. 4570, PG. 1347

EXCEPTION (3)

30" EASEMENT BK. 4594, PG. 672

EXCEPTION (1)

75' X 75' LEASE AREA

EXCEPTION (2)

50" EASEMENT BK. 4570, PG. 1347

POC (AS-SURVEYED)

670' ± TO NEAREST INTERSECTION E 201ST STREET

SURVEYOR'S NOTES

- Date of field survey is January 4, 2023.
- Supportive surveying instruments were used at time of field visit: Topcon DMS5 Total Station, Retractable and Riper SR RX Network Rover with field capability.
- Bearings are based on Oklahoma North State Plane Coordinates NAD 83 by GPS observation, the Section line bearing is S 0°21'46" E, as measured.
- No underground utilities, underground encroachments or building foundations were measured or located as a part of this survey, unless shown on a map or in text and refer to MMD 88.
- This survey was conducted for the purpose of a Rawland Tower Survey only, and is not intended to delineate the regulatory jurisdiction of any governmental agency.
- Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. This should be taken into consideration when obtaining scaled data.
- This survey was conducted in reference to a Commitment for Title Insurance prepared by American Security Title Insurance Company, Commitment No. 2209754, dated November 30, 2022 at 7:30 a.m.
- The survey shows hereon conforms to the Minimum Requirements as set forth by the State Board for a Class "X" Survey.
- Field data upon which this map or plan is based has a closure precision of not less than one-foot in 15,000 feet (1:15,000) and an angular error that does not exceed 10 seconds times the square root of the number of angles turned. Field traverse was not adjusted.
- This survey is not valid without the original signature and the original seal of a state licensed surveyor.
- This survey does not constitute a boundary survey of the Parent Tract. Any parent tract property lines shown hereon are from supplied information and may not be field verified.
- Per supplied information the site is not subject to Zoning regulations.

FLOTTABLE EXCEPTIONS

American Security Title Insurance Company,
 Commitment for Title Insurance, Commitment No. 2209754
 Date November 30, 2022 at 7:30 am

Exception No.	Instrument	Comment
1-8		Standard exceptions. Contain no survey matters.
9	Bk. 134, Pg. 96	Supportive document contains insufficient information.
10	Bk. 1327, Pg. 413	Does affect, blanket in nature. (Terms may be expired)
11	Bk. 381.3, Pg. 1695	Does affect, blanket in nature.
12	Bk. 4570, Pg. 1347	Does affect the easement as shown hereon.
13	Bk. 4594, Pg. 672	Does affect the easement as shown hereon.
14	Bk. 5927, Pg. 2171	Standard exceptions. Contain no survey matters.

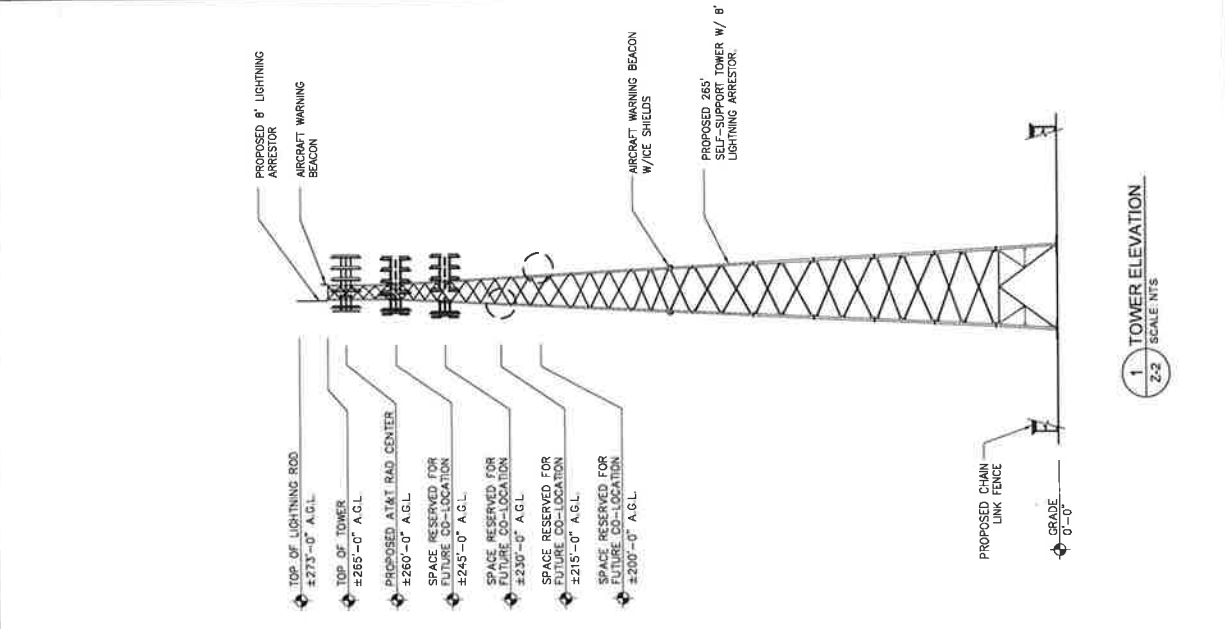
DRAWN BY:	DK
CHECKED BY:	DK

REV	DATE	DESCRIPTION
0	8/17/2023	ISSUING EXHIBIT

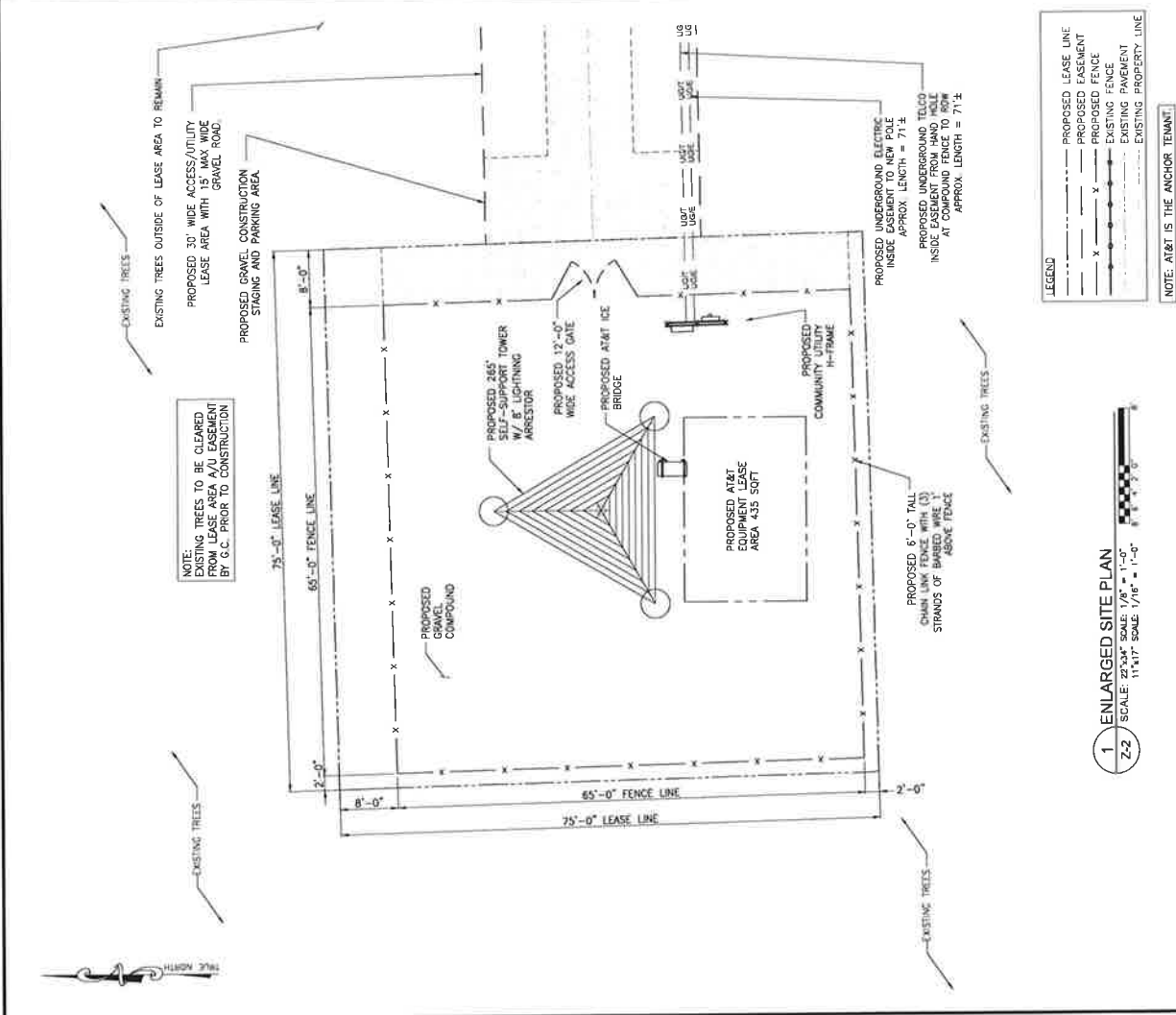
TOWER #
23278-A
FA #
15623560
SITE NAME
SEFCOK
SITE ADDRESS:
20014 S 129th AVE
BIXBY, OK 74008

SHEET TITLE
ENLARGED SITE PLAN & ELEVATION

SHEET NUMBER
Z-2



1 TOWER ELEVATION
2-3 SCALE NTS

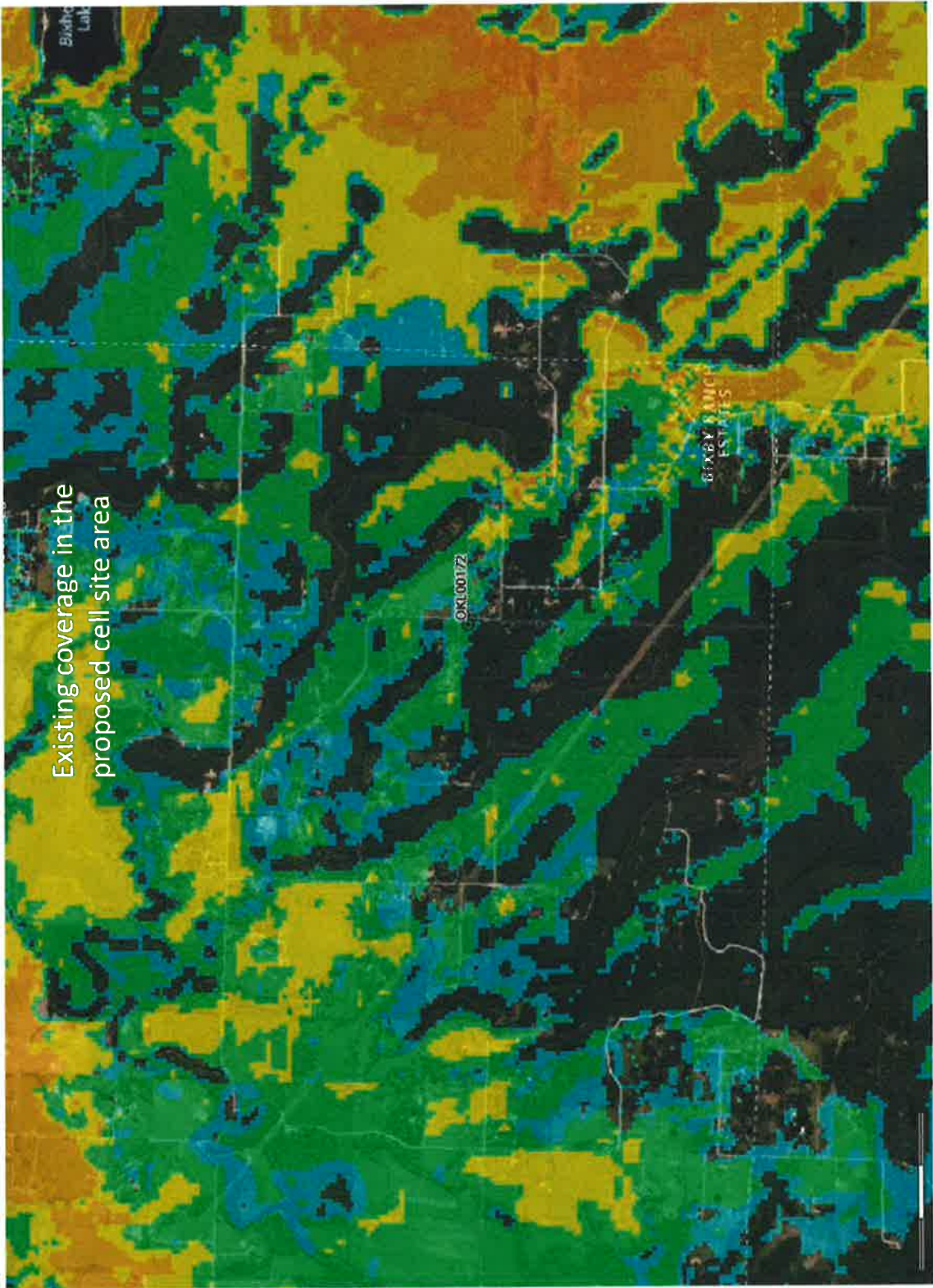


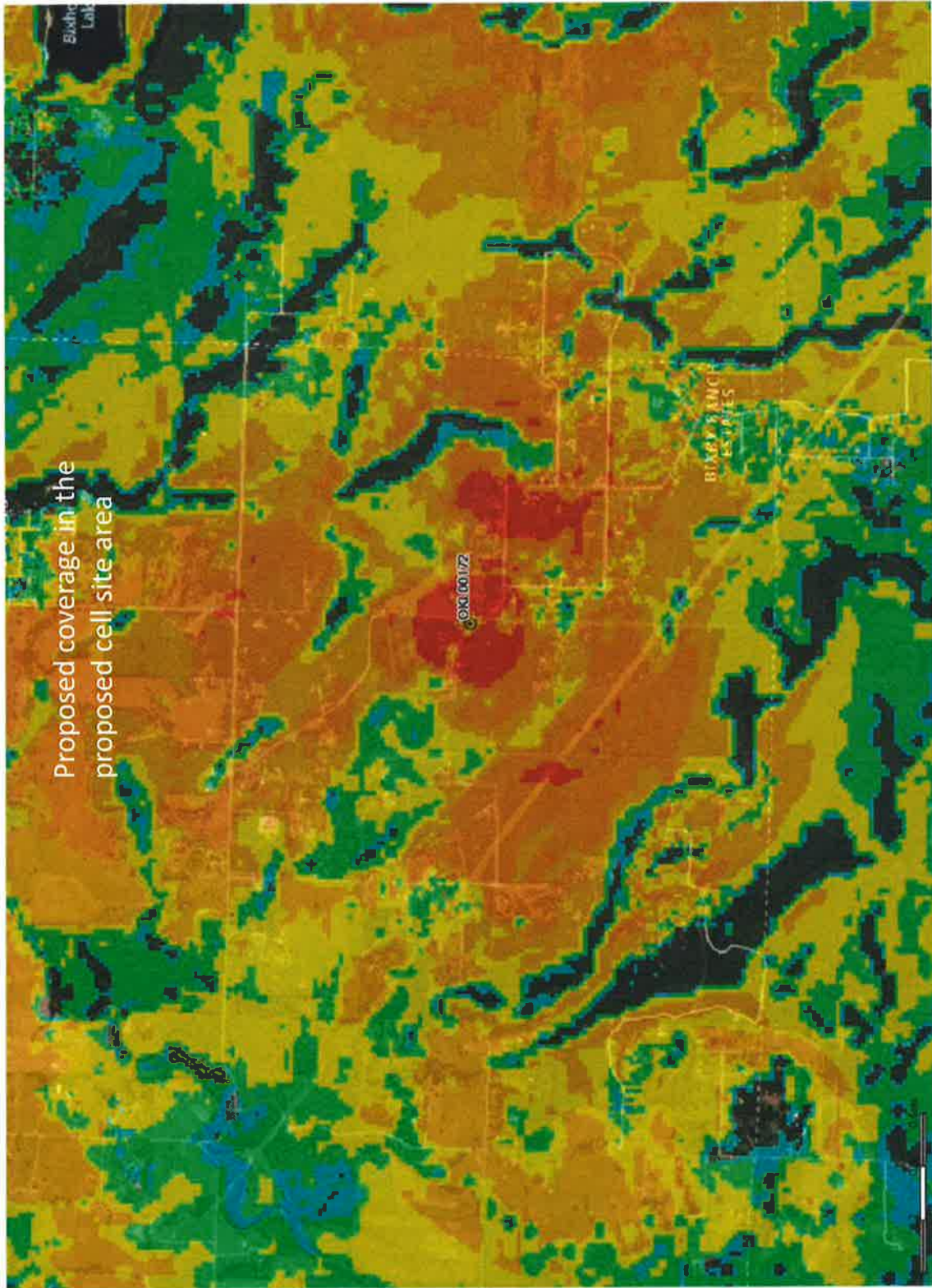
LEGEND

- PROPOSED LEASE LINE
- PROPOSED EASEMENT
- PROPOSED FENCE
- EXISTING FENCE
- EXISTING EASEMENT
- EXISTING PROPERTY LINE

NOTE: AT&T IS THE ANCHOR TENANT

1 ENLARGED SITE PLAN
2-2 SCALE: 23'x34' SCALE: 1/8" = 1'-0"
11'x17' SCALE: 1/16" = 1'-0"





e, Gregory Your subscription is active. Zoom in to view parcels.

Cavell, Mertz & Associates

Leonard

64

64

64

1050780 1009960

3 Miles to Nearest Tower

1250569

1236233

1065373

1019804

1052354

23279 Tulsa Co Sefcik

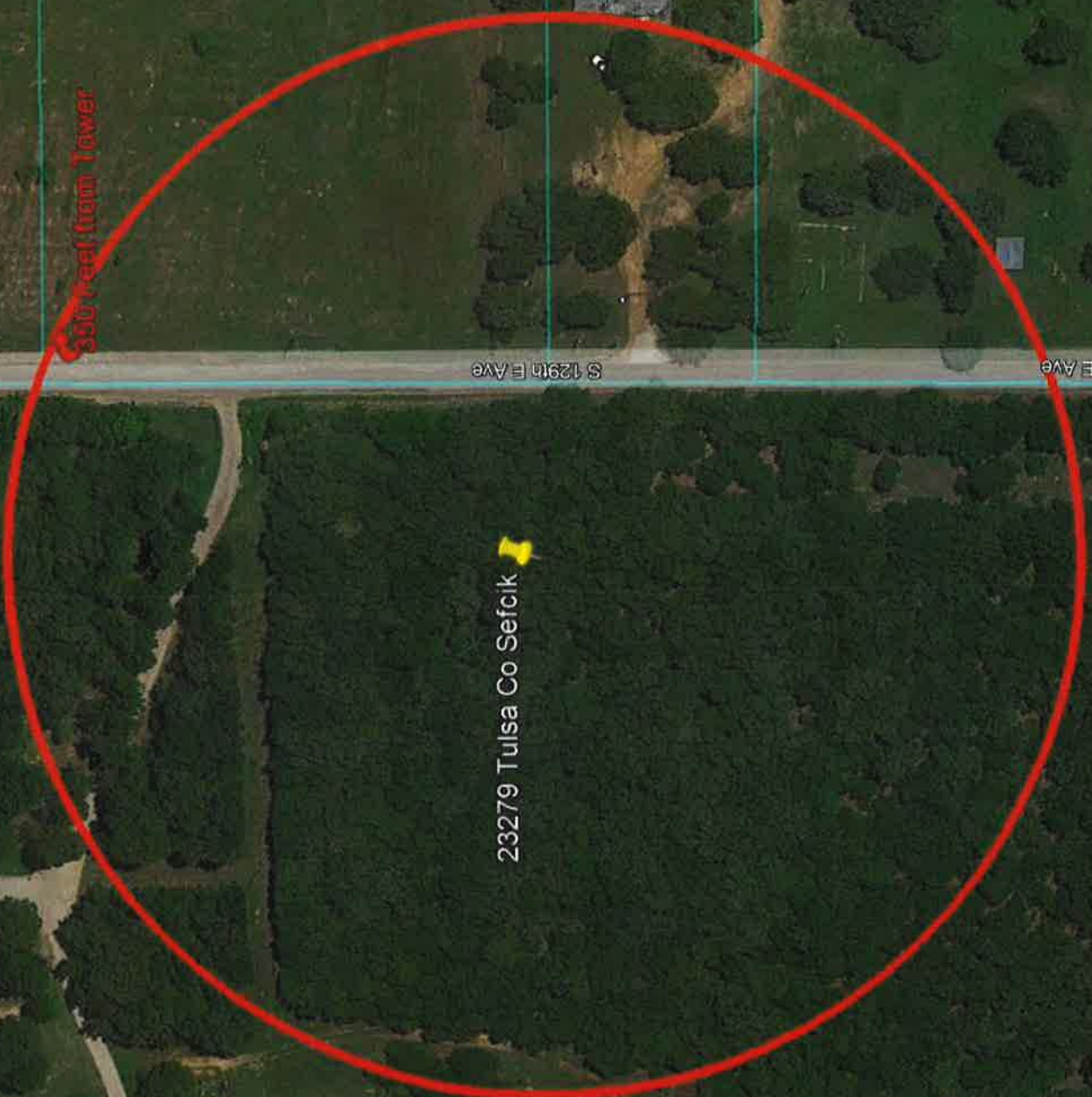
360 Feet from Tower

500 feet from Tower

S 129th E Ave

S 129th E Ave

23279 Tulsa Co Sefcik



June 16, 2023

Ms. Chelsea Reeves
Project Controls Coordinator Sr.
Tillman Infrastructure, LLC
299 Market St, Suite 350
Saddle Brook, NJ 07663

RE: Proposed 265' Sabre Self-Supporting Tower for TI-OPP-23279 – Sefcik, OK

Dear Ms. Reeves,

Upon receipt of order, we propose to design a tower for the above referenced project for a Basic Wind Speed of 108 mph and 30 mph + 2" radial ice, Risk Category II, Exposure Category B, and Topographic Category 1 in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-H, "Structural Standard for Antenna Supporting Structures and Antennas".

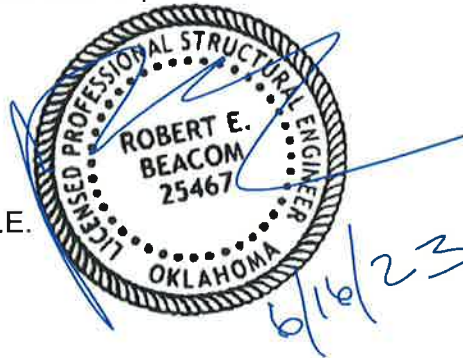
When designed according to this standard, the wind pressures and steel strength capacities include several safety factors. Therefore, it is highly unlikely that the tower will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within one or more of the tower members in the upper portion. This would result in a buckling failure mode, where the loaded member would bend beyond its elastic limit (beyond the point where the member would return to its original shape upon removal of the wind load).

Therefore, it is likely that the overall effect of such an extreme wind event would be localized buckling of a tower section. Assuming that the wind pressure profile is similar to that used to design the tower, the tower is most likely to buckle at the location of the highest combined stress ratio in the upper portion of the tower. This would result in the portion of the tower above the failure location "folding over" onto the portion of the tower below the failure location. *Please note that this letter only applies to the above referenced tower designed and manufactured by Sabre Towers & Poles.* In the unlikely event of total separation, this would result in a fall radius within the 75' x 75' lease area.

Sincerely,

Robert E. Beacom, P.E., S.E.
Engineering Manager





Tulsa County Oklahoma
INCOG for the Tulsa County Board of Adjustment

Narrative for a Special Exception to allow a Wireless Communication Tower and Antennas

Applicant: SCI Wireless and Tillman Infrastructure
497 Ridge Point Drive
Heath, TX 75126

Tenant: AT&T Wireless
308 S. Akard St., 19th Floor
Dallas, TX 75202

Landowner: Christopher M. Sefcik Revocable Living Trust & Denisha Lynn Sefcik
19822 S 129th East
Bixby, OK 74008

Rep.: Greg Ferris, SCI Wireless
PO Box 573
Wichita, KS 67201
Ph. 316-516-0808, Email: ferrisco@aol.com

Location: 20014 S. 129 Ave, Bixby, OK 74008, PIN. 96408640859360

Project Description

Tillman Infrastructure LLC and AT&T are requesting a Special Exception from the Tulsa Country Board of Adjustment for a on the property located at the new location on 20014 S. 129 Ave, Bixby, OK 74008. The parcel is Zoned AG. AT&T is seeking a new 273-foot Communication Tower, the ("Tower"). It will consist of a 265-foot self-support tower, with an 8-foot lightning rod, and utility cabinets within a 65' x 65' fenced enclosure with access gates. Tulsa County allows a wireless communication tower and antennas in AG Zoning as a right by use if certain factors are met. However, the proposed tower does not meet the 110% setback requirement. Therefore, a Special Exception from the Tulsa Board of Adjustment is required.

AT&T Wireless ("AT&T") will collocate their panel antennas, remote radio units, antenna mounting frame and mounting poles, fiber optic cables and equipment, a GPS antenna, surge protector, generator, radio equipment cabinets, utility connections on the Facility. AT&T will

20014 S. 129 Ave, Bixby, OK 74008

locate their antennas at a RAD Center of 260 feet. The tower will be constructed to allow at least three antenna arrays.

Location

The Facility will be located on a large tract of land in the south part of Tulsa County. The properties abutting the parcel are zoned AG. The nearest residential zoning is over 725 feet southeast of the parcel and is zoned RM. The area is a mix of large lot residential and agricultural uses. The proposed tower site meets the required 110% setback from AG property line to the north, south and west. However, the AG parcel to the east is 130 feet from the tower. The tower will be located in the middle of the existing trees set back over 110 feet from the roadway of S. 129th East. There are no existing towers within three miles of the proposed location.

Objective

The tower will provide an antenna platform for AT&T to locate their antennas. The area has no coverage at the present time. The tower height is needed to cover the area required by AT&T. Included with this application are propagation plots showing the needed coverage for AT&T. 5G coverage cannot be provided to the area from towers three miles from the proposed area to be covered. Allowing the tower to be this height will lessen the need for another tower in the area. The tower will also be available for collocation. The height of the tower makes it favorable for other carriers to collocate on the tower.

Coverage

The Facility will augment the coverage and capacity of AT&T's wireless telecommunications network in the surrounding area including the addition of FirstNet, the national first responders' emergency network, equipment. With the increase in demand for AT&T services in the area, the existing network of sites cannot provide satisfactory and reliable service to users of the network. The lack of signal strength and network capacity in the area constitutes a gap in coverage that will be minimized by the proposed project. The Facility will ensure that AT&T can meet the high demand for their services in the immediate area surrounding the site. This demand is generated by the increasing number of people that use wireless telecommunications services not only for phone calls but for texting, emailing, teleconferencing, video streaming and surfing the web. Wireless phones and devices have replaced "traditional" landline phones and have become the primary device and service used for communication including contacting emergency services in the form of 911 calls. AT&T is committed to providing quality and reliable service to meet this user demand. In addition to facilitating the public's access to E-911, ATT will be adding FirstNet equipment which allows dedicated frequencies and services to first responders to allow them to coordinate efforts in the event of emergencies such as fires, active shooters, or weather emergencies.

About AT&T

As a licensee authorized by the Federal Communications Commission to provide wireless

20014 S. 129 Ave, Bixby, OK 74008

services in this region, AT&T must establish a network of wireless telecommunications facilities in the Jonesboro area and beyond. Each wireless telecommunications facility, or base station, consists of transmitting and receiving antennas mounted on a communication tower or other suitable structure and electronic equipment cabinets. It will also consist of radios for receiving and transmitting wireless communications and complex electronic equipment to operate the radios, interface with other cellular sites, provide connections to the landline telephone network, and link the facility with the main switching center.

AT&T will operate this facility in full compliance with the regulations and licensing requirements of the FCC and FAA as governed by the Telecommunications Act of 1996 and other applicable laws.

In order to meet the basic level of operational radio signal coverage, radio frequency (RF) engineers have designed a network of wireless telecommunications facilities for the area and routinely maintains and modifies the facilities to ensure they use the most up to date equipment and technology to provide the most reliable and high-quality service possible. Due to increases in demand for wireless telecommunications services modifying the existing facilities does not always fix network coverage and capacity issues resulting in the need for the development of new wireless telecommunications facilities.

The applicant's engineers choose specific sites after lengthy analysis. Selection criteria include limitations imposed by surrounding topography, the intended service area of the site, and the ability of the new site to "see" other sites in the network from its proposed location. Other selection factors include suitable access, availability of electrical and telephone service, and a willing property lessor. The antennas and equipment are screened or integrated with the building whenever possible. Only after careful analysis of many candidates and successful lease negotiations have been completed is a land use application such as this one submitted.

The cellular site is a passive use and will have no impact on other properties in the surrounding area. The facility is unstaffed. After an initial construction period of 30 to 45 days, the only traffic generated will be for routine maintenance visits, typically once or twice a month. There are no activities that will produce airborne emissions, odor, vibration, heat, glare, or noxious and toxic materials. All equipment and materials needed to operate the site are located in the equipment cabinets. The cellular site does not require water or sanitary facilities and therefore will generate no wastewater.

County Zoning Code Requirements

Communication towers and antennas are considered part of Use Unit 4, Public Protection and Utilities in the Tulsa County Zoning Code. AG zoning allows Use Unit 4 by right if certain conditions are met. However, because the proposed tower does not meet the required 110% setback from the AG zoning to the east, the Code allows communication towers and antennas in AG zoning with a Special Exception from the Tulsa County Board of Adjustment (BOA).

SECTION 1204.3 – Use Conditions

C. General Requirements for Antennas and Towers:

1. Principal or Accessory Use. Towers may be considered either principal or accessory uses. A different existing use on the same lot shall not preclude the installation of a tower on such lot.

Applicant's comment: The proposed tower will be a principal use on this lot. It is not an accessory use to the existing agricultural use.

2. Towers and antennas shall meet the following requirements:

(a) Towers and antennas shall be designed to blend into the surrounding environment through the use of color, galvanizing, or camouflaging architectural treatment, except in instances where the color is dictated by federal or state authorities such as the Federal Aviation Administration.

Applicant's comment: The proposed tower will be galvanized steel. It will be located inside the wooded area west of the roadway.

(b) Communication towers if located within an R District or if located within 300 feet of an R District boundary line shall be of a monopole design, unless the Board of Adjustment determines by special exception that an alternative design would adequately blend into the surrounding environment, or that the required antennas cannot be supported by a monopole.

Applicant's comment: The proposed tower is not within 300 feet of an R District boundary line.

(c) If an antenna is installed on a structure other than a tower, the antenna mechanical equipment must be of a color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

Applicant's comment: This does not apply.

3. Not Essential Services. Towers and antennas shall be regulated and permitted pursuant to this ordinance and shall not be regulated or permitted as essential services, public utilities, or private utilities.

Applicant's comment: Applicant understands that this tower is not considered an essential service.

4. Tower Lighting. Towers shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other federal or state authority for a particular tower. When incorporated into the approved design of the tower, light fixtures used to illuminate ball fields, parking lots, or similar areas may be attached to the tower.

Applicant's comment: The FAA will require the tower to be lit. The applicant will comply with the minimum requirements of the FAA for tower lighting.

5. Signs and Advertising. The use of any portion of a tower for signs other than warning or equipment information signs is prohibited.

Applicant's comment: There will be no signs other than warning and information signs used.

6. Accessory Utility Buildings. All utility buildings and structures accessory to a tower shall meet all the requirements of the underlying zoning district. Exterior ground mounted equipment occupying more than 50 square feet shall be screened from view from property within 150 feet used for residential purposes.

Applicant's comment: No utility buildings are proposed. The ground equipment will be screened by the existing trees from the roadway as well as the property to the east.

7. The following setback requirements shall apply to all towers; provided, however, that the Board of Adjustment may modify the requirements by special exception;

- (a) Towers must be set back a distance equal to at least one hundred ten percent (110%) of the height of the tower from any adjoining lot line of a residential, office or agricultural zoned lot, excluding expressway rights-of-way zoned residential.

Applicant's comment: The tower setback exceeds the required setback on the north, south, and west. However, it does not meet the required setback from the property to the west agricultural zoned lot. Sheet Z-1 of the attached drawings shows the dimensions to all property lines. The applicant is requesting that this requirement be modified by the BOA by special exception. A letter from an Oklahoma certified engineer stating the tower will fall within the lease area of the tower is provided with this application.

- (b) Guys and accessory buildings must satisfy the minimum zoning district setback requirement.

Applicant's comment: There are no guys or accessory buildings proposed.

8. Security Fencing. Towers shall be enclosed by security fencing not less than six (6) feet in height or shall be equipped with an appropriate anti-climbing device; provided, however, that the Board of Adjustment may modify or waive such requirements by special exception.

Applicant's comment: A six-foot fence is proposed. The fence will have barbed wire, which is allowed in AG zoning, to further discourage access to the site. The tower will have an appropriate anti-climbing device.

E. Antenna and Towers Requiring Special Exceptions. If a tower or antenna is not permitted pursuant to Section 1204.3.D. of this chapter, a special exception shall be required for the construction of a tower in all zoning districts:

1. Factors to be considered in granting a special exception. In addition to any other requirements of this section, the following factors shall be considered in the determination to grant or deny a special exception for an antenna or tower:

- (a) Height of the proposed tower.
Applicant's comment: The tower will be 265 feet, not including the lightning rod. This is the minimum height that AT&T RF engineers have determined is suitable to provide adequate coverage in the area. Propagation maps from AT&T are included with this application. These demonstrate the need for a tower of this height. If a shorter tower was used, one or two additional towers would likely be required to provide adequate coverage to the area.
- (b) Proximity of the tower to residential structures, residential district boundaries and existing towers.
Applicant's comment: The proposed tower over 725 feet from a residential district boundary. While the tower does not meet the 110% setback to the east, there is no residential structure within 350 feet of the tower. This would exceed the required setback. The nearest tower is three miles from the proposed tower. This is well outside the search ring for this tower. Two aerials showing a 350 ft. ring and 3-mile ring are included with this application. A letter from an Oklahoma certified engineer stating the tower will fall within the lease area of the tower is provided with this application.
- (c) Nature of uses on adjacent and nearby properties.
Applicant's comment: The area is large lot residential and agricultural.
- (d) Surrounding topography.
Applicant's comment: The area has slight elevation changes. However, it is not distinctive enough to impact the tower.
- (e) Surrounding tree coverage and foliage.
Applicant's comment: There is extensive tree and foliage both in the area and on the proposed parcel.
- (f) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
Applicant's comment: The tower height does not lend itself to a camouflaged or monopole tower. However, the tower will not have guyed wires which helps to eliminate some of the visual obtrusiveness.
- (g) The total number and size of antennas proposed and the ability of the proposed and the ability of the proposed tower to accommodate collocation.
Applicant's comment: AT&T will locate the standard 10-foot antennas on the tower. They usually have 6 to 9 of these antennas at the outset of their use. The tower will be designed to accommodate at least two other carriers. Tillman Infrastructure is a vertical real estate company and has master lease agreements with acceptable lease terms with all major carriers. This ensures that this tower will accommodate collocation.
- (h) Architectural design of utility buildings and accessory structures to blend with the surrounding environment.
Applicant's comment: No utility buildings are proposed. The accessory structures, which will be the equipment cabinets, will be hidden by the existing trees and foliage.
- (i) Proposed ingress and egress.

Applicant's comment: The equipment compound will have access to S. 129th Ave. It will be a gravel access road. Once constructed, the site will generate less than three trips per month.

- (j) The need of the applicant for a communications tower within the immediate geographic area to provide an acceptable level of communications service to the area.

Applicant's comment: Propagation maps demonstrating the need for the proposed tower are provided with this application. The area is drastically underserved as there are no towers within three miles of this site. The propagation maps show the before and after scenarios. These show that there currently is little or no service before; and strong coverage after the tower is built.

- (k) The size of the tract and the most likely future development as indicated by the Comprehensive Plan, planned infrastructure, topography and other physical facts.

Applicant's comment: The tract is 70 acres. This would allow development of this parcel with the tower. This area is not likely to have major development for a few years. The tower will not have an impact on that development when it occurs.

- (l) Landscaping.

Applicant's comment: The applicant does not plan any landscaping. It is planned to save as many of the existing trees as possible. The mature trees provide more landscape buffer than any new landscaping could provide.

2. Collocation. Collocation of facilities should be encouraged wherever practical by allowing reasonable extra height or tower diameter necessary to support multiple antennas.

Applicant's comment: The planned height of the tower should allow other carriers the needed height without any needed extension of the tower. The attached elevation drawing shows available heights of 245 and 230 feet. Tillman will make this tower, at the needed heights, available to all carriers.



Board of Adjustment

Case Number: CBOA-3097

Hearing Date: 09/19/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

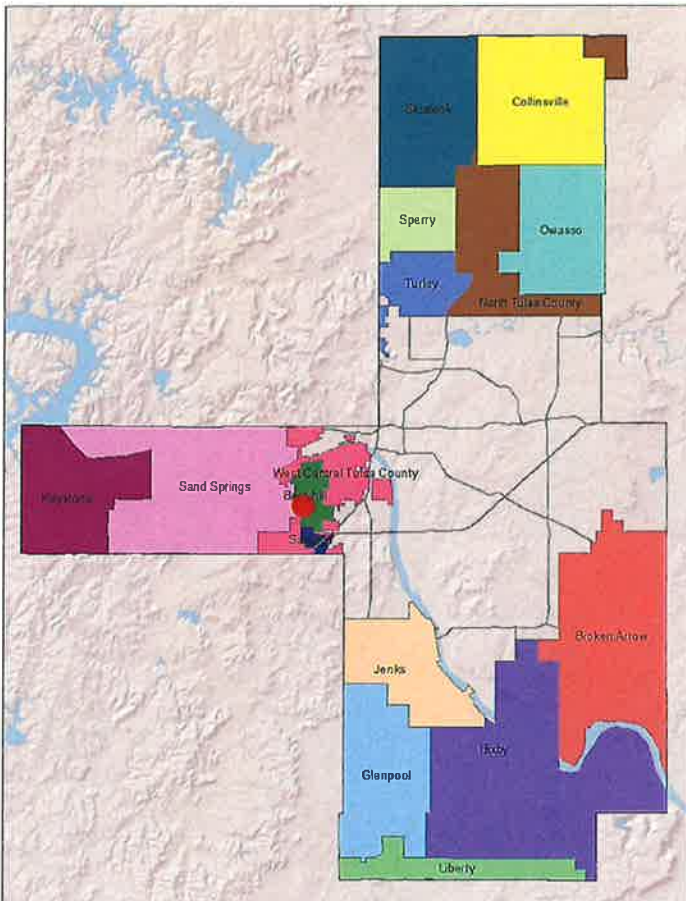
Owner and Applicant Information:

Applicant: Christina Rybacki

Property Owner: RYBACKI, CHRISTINA C & JORDAN F STEWART

Action Requested: Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 0.63 acres

Location: 3744 S 63 AV W

Present Zoning: RS

Fenceline/Area: Berryhill

Land Use Designation: Existing Neighborhood

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9220

CZM: 45

CASE NUMBER: CBOA-3097

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 09/19/2023 1:30 PM

APPLICANT: Christina Rybacki

ACTION REQUESTED: Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

LOCATION: 3744 S 63 AV W

ZONED: RS

FENCELINE: Berryhill

PRESENT USE: Residential

TRACT SIZE: 0.63 acres

LEGAL DESCRIPTION: LT 6 BLK 1, PLEASURE ACREAGE Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Property:

CBOA-1296 September 1994: The Board approved a Special Exception to permit a home occupation in an RS district (Section 440.B).

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and contains a single-family home. The tract is surrounded by RS zoning containing single-family residences.

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 RS district (Section 208).

The RS district is limited to one dwelling unit per lot of record per Section 208 of the Tulsa County Zoning Code. The Tulsa County Zoning Code requires 6,900 sf of land area per dwelling unit. The subject tract contains 0.63 acres in area, so has enough land area to support two dwelling units.

The applicant did not provide a statement, but did provide a floor plan of the proposed additional dwelling.

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 two dwelling units on a single lot of record in an RS district (Section 208).”

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

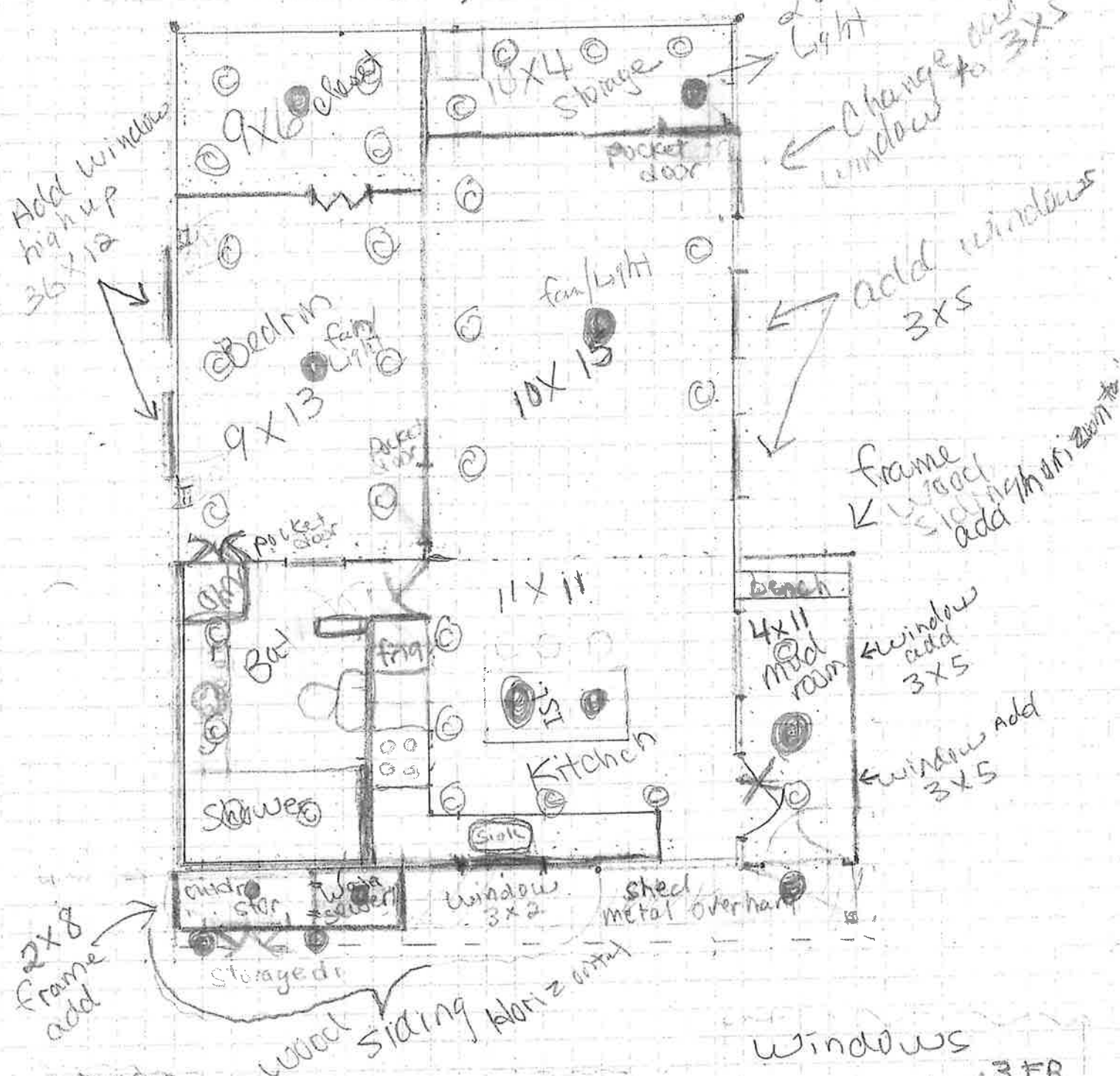
Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not 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 tract looking West from S 63rd W Ave

20X30
Metal bldg

drop down
attic stairs

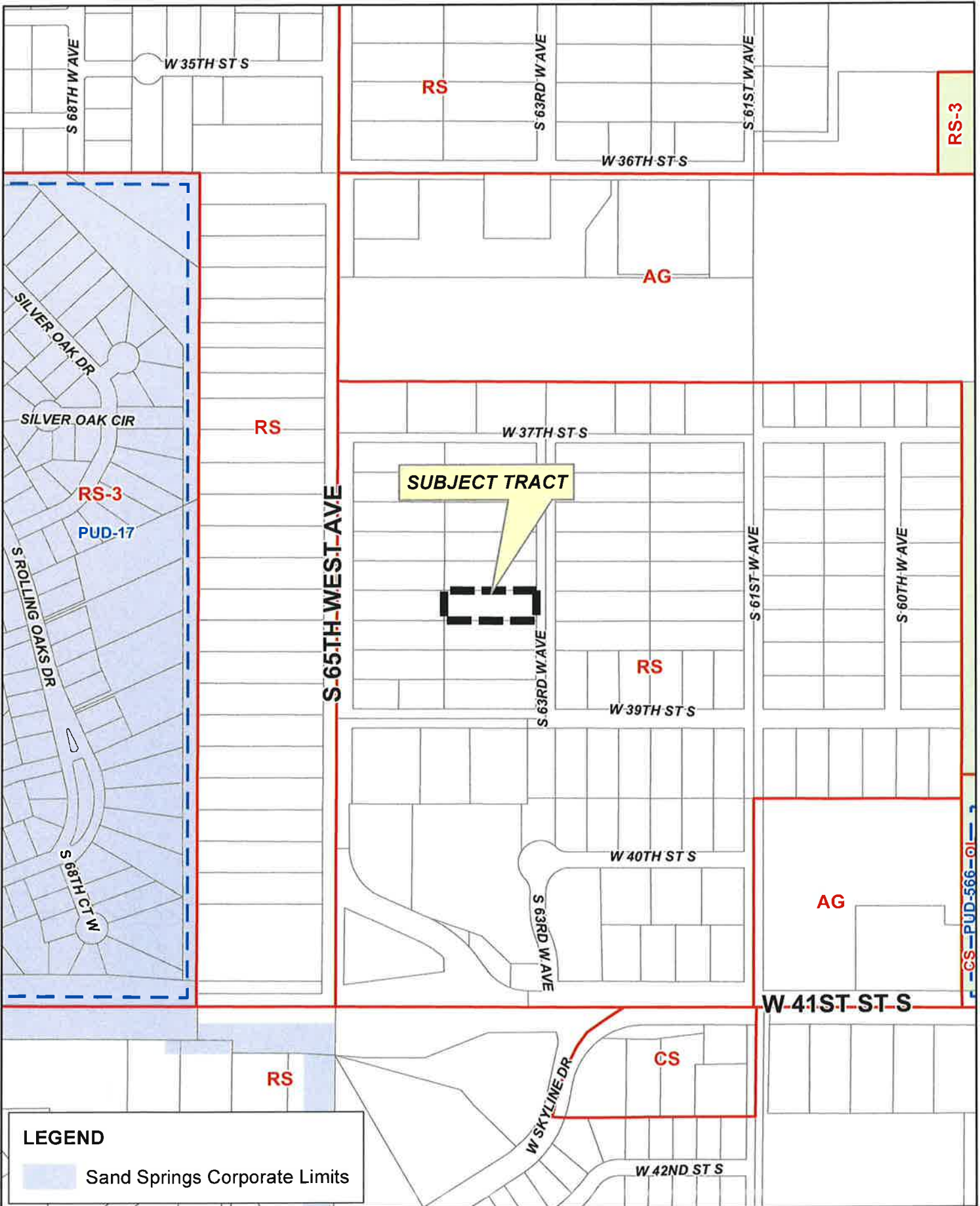


Doors


- 1 passage drs (ext) 9 lite
- 1 inter Passage doors 24"
- 3 pocket doors 2-36"
1-24"
- 1 set bifold doors
- 1 set storage door (ext.)

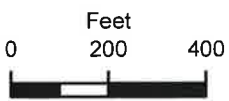
Windows

- 5- 3X5 ← 3 FR
2 mudrm
- 2 3X1 - Balrm
- 1 3X2 Kitchen



LEGEND

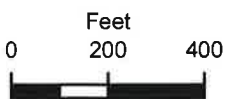
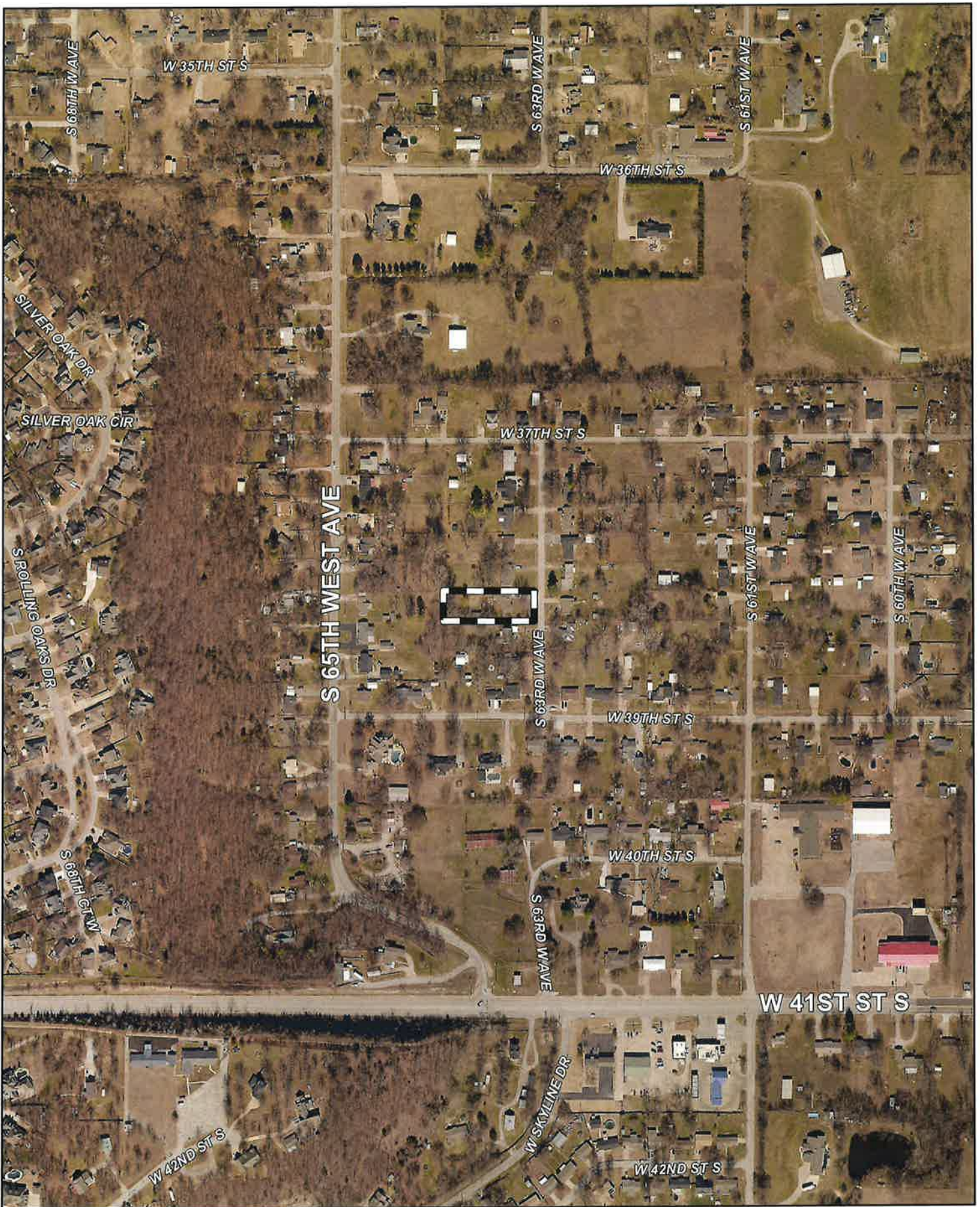
 Sand Springs Corporate Limits



CBOA-3097

19-12 20





Subject Tract

CBOA-3097

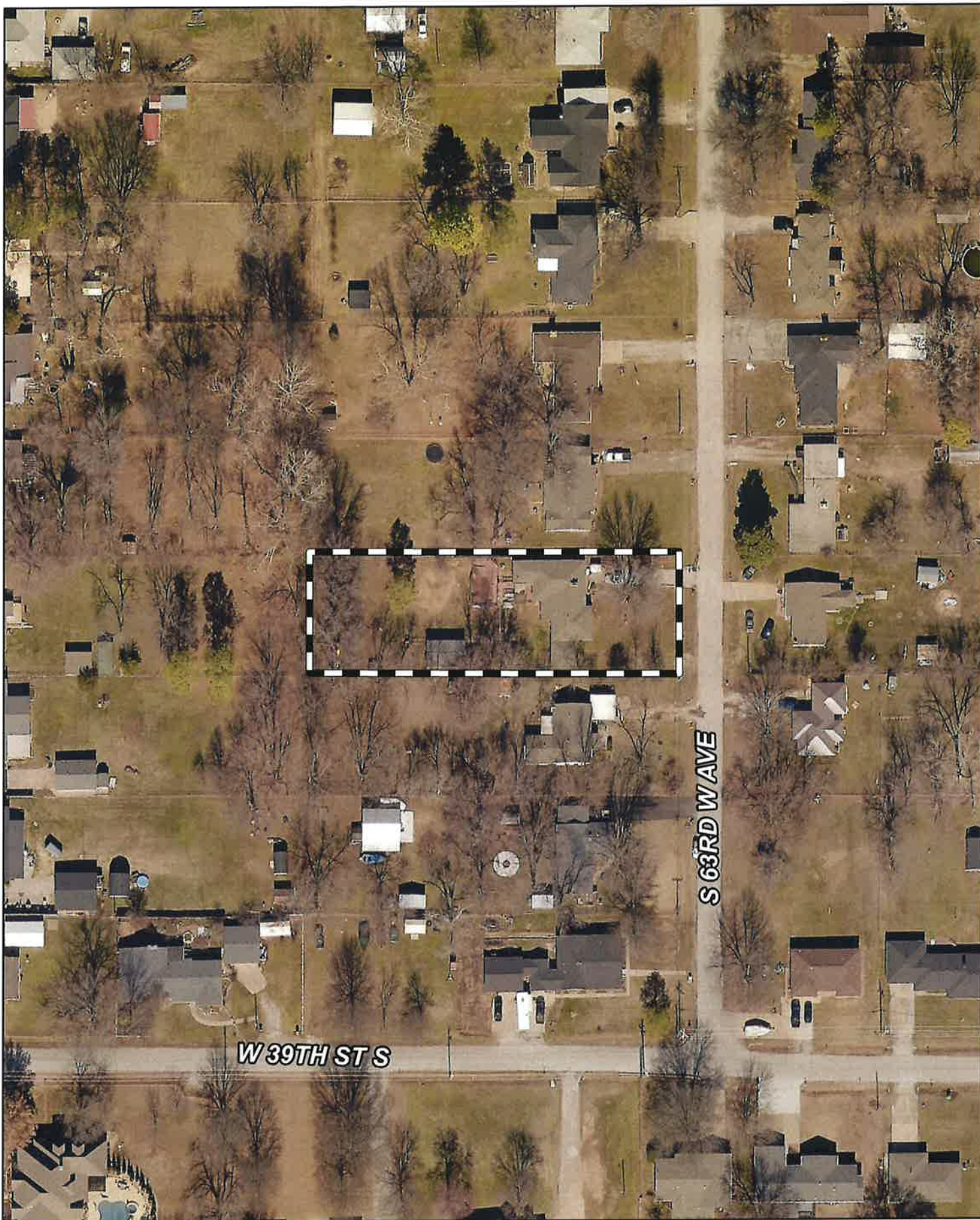
19-12 20

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

Aerial Photo Date: 2023

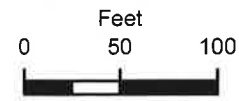


CBOA-3097 7.7



W 39TH ST S

S 63RD WAVE



Subject Tract

CBOA-3097

19-12 20

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

Aerial Photo Date: 2023

CBOA-3097 7.8





Case Number: CBOA-3098

Hearing Date: 09/19/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

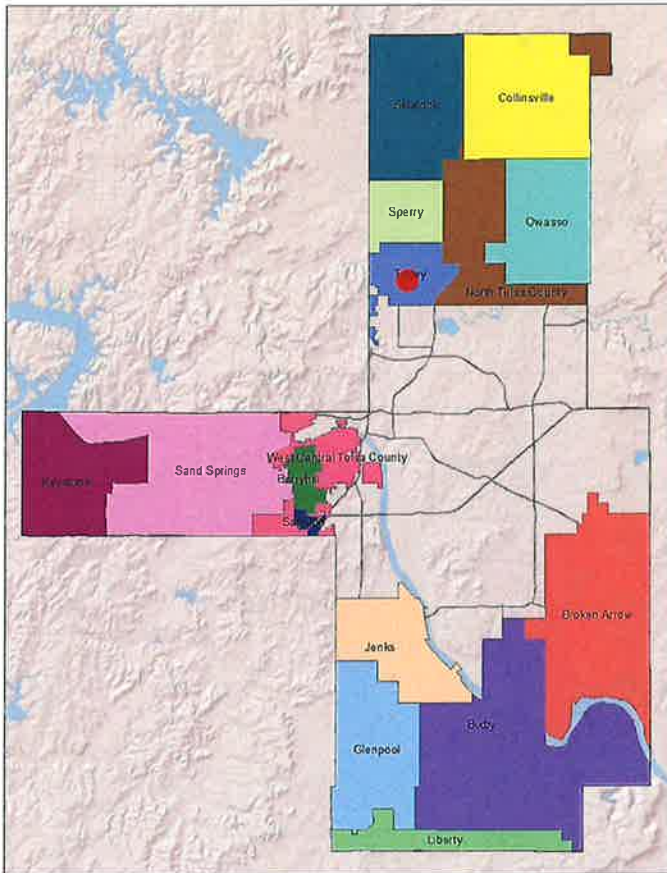
Owner and Applicant Information:

Applicant: Cristina Bejar

Property Owner: BEJAR, CRISTINA

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

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 1.51 acres

Location: 1700 E 71 ST N

Present Zoning: RS

Fenceline/Area: Turley

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1331

CZM: 16

CASE NUMBER: **CBOA-3098**

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 09/19/2023 1:30 PM

APPLICANT: Cristina Bejar

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

LOCATION: 1700 E 71 ST N

ZONED: RS

FENCELINE: Turley

PRESENT USE: Vacant

TRACT SIZE: 1.51 acres

LEGAL DESCRIPTION: TR 100 X 660 ON W SIDE NE NE SW SEC 31-21-13, GOLDEN HILL ADDN Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Property:

CBOA-2936 November 2021: 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.

STAFF COMMENTS:

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

The site contains 1.51 acres. There are other manufactured homes in the general vicinity of the subject tract.

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 manufactured home in the RS district (Section 410).

Subject to the following conditions, if any: _____.

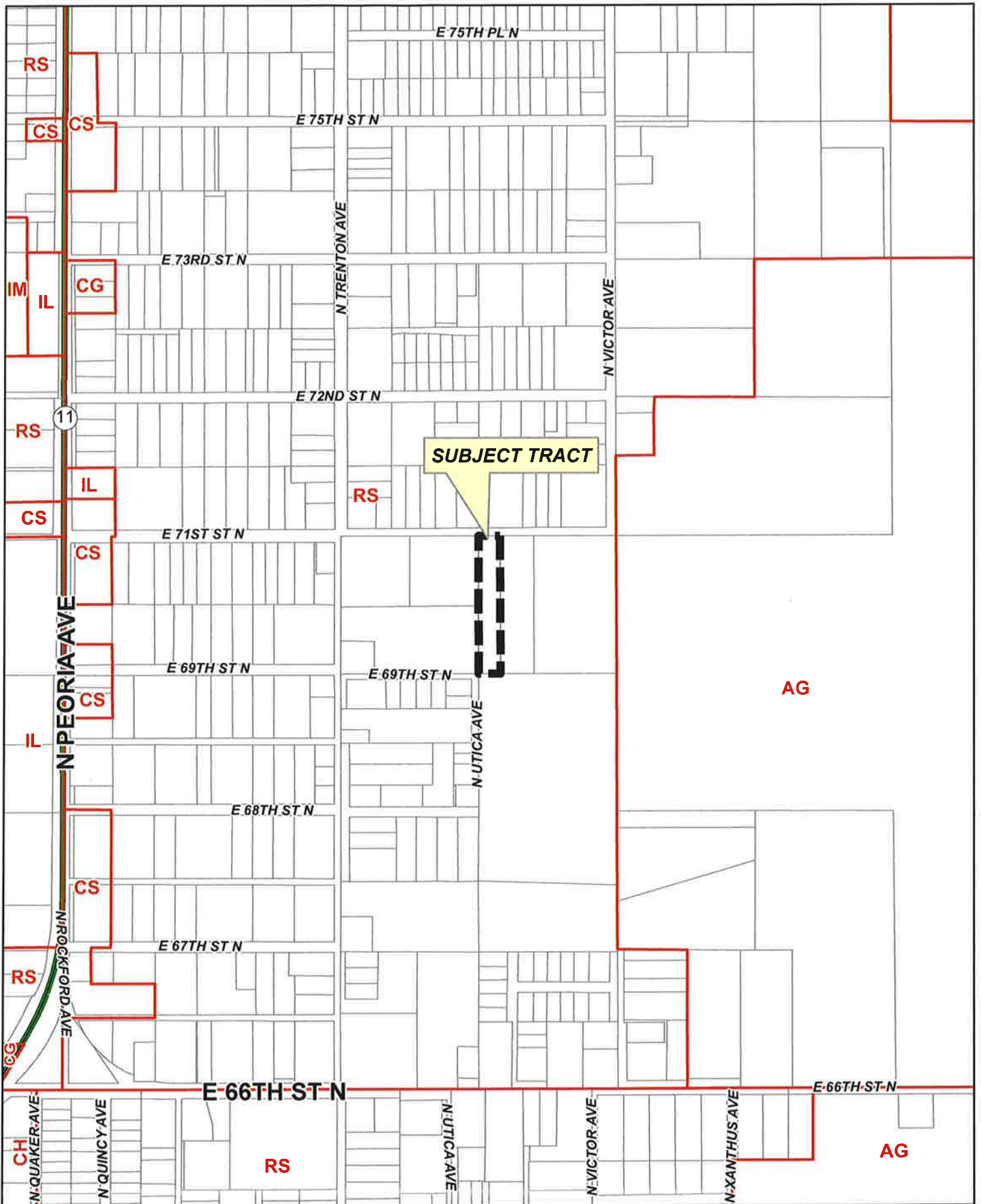
In granting a Special Exception, the Board must find that the Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Subject tract looking Southeast from E 71st St N



Subject tract looking South from E 71st St N



CBOA-3098

21-13 31

CBOA-3098 8.5



Subject
Tract

CBOA-3098

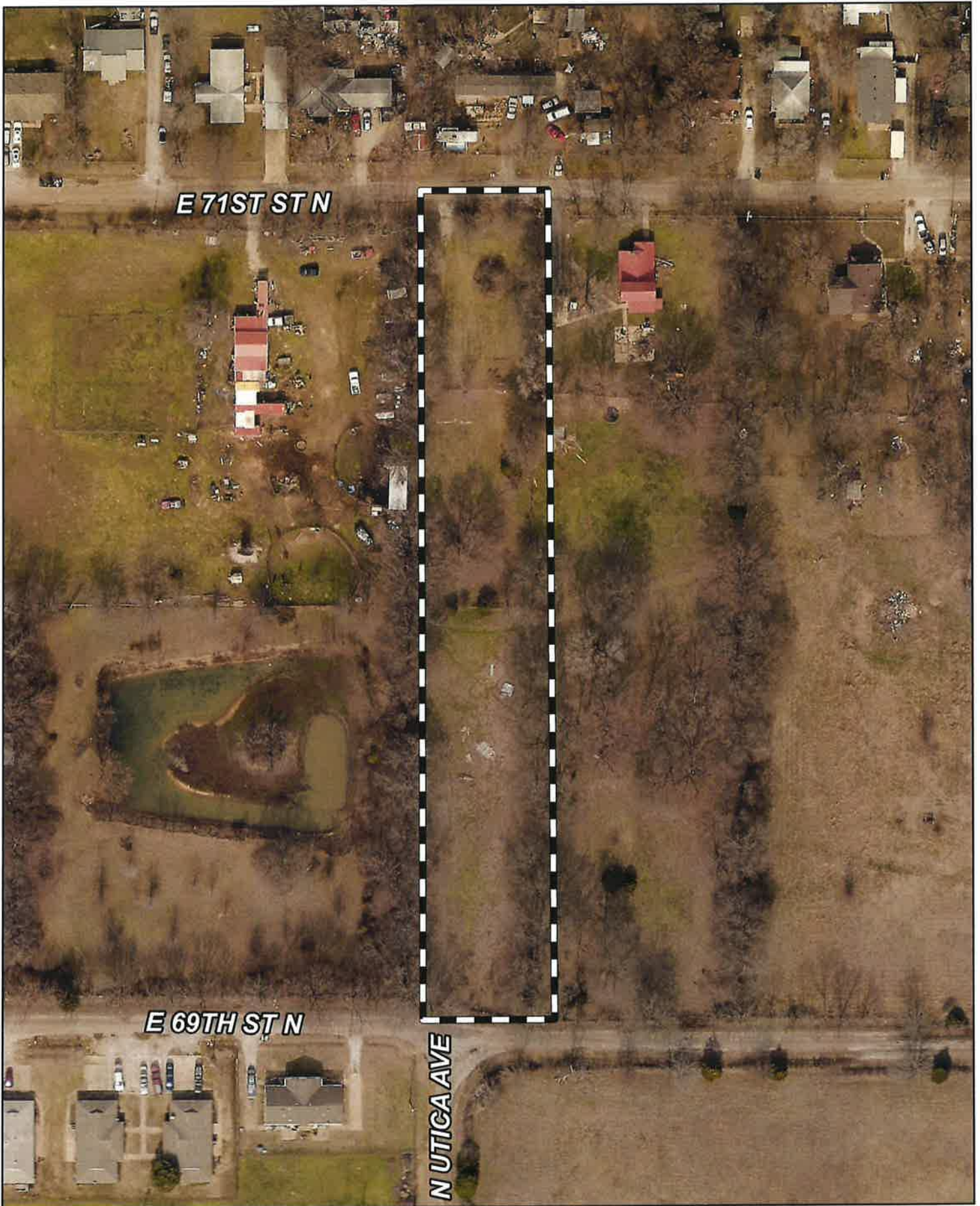
21-13 31

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

Aerial Photo Date: 2023



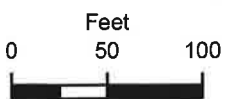
CBOA-3098 8.6



E 71ST ST N

E 69TH ST N

N UTICA AVE



Subject Tract

CBOA-3098

21-13 31

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

Aerial Photo Date: 2023

CBOA-3098 8.7





Board of Adjustment

Case Number: CBOA-3099

Hearing Date: 09/19/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

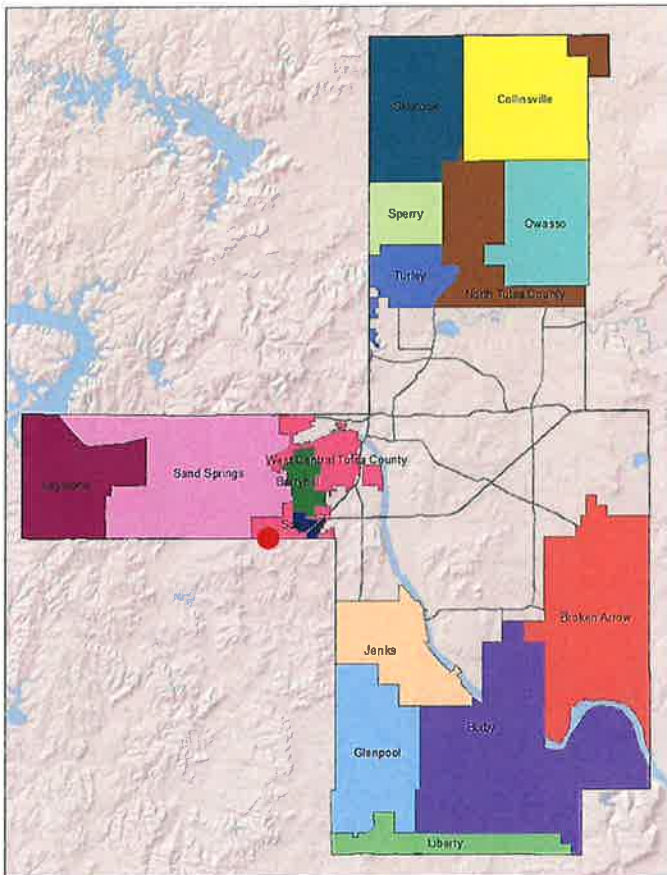
Owner and Applicant Information:

Applicant: Anna Owens

Property Owner: PATTERSON, ANNA JEAN

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

Location Map:



Additional Information:

Present Use: Residence

Tract Size: 0.8 acres

Location: 5846 S 81 AV W

Present Zoning: RS

Fenceline/Area: West Central Tulsa County

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9136

CZM: 44

CASE NUMBER: CBOA-3099

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 09/19/2023 1:30 PM

APPLICANT: Anna Owens

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

LOCATION: 5846 S 81 AV W

ZONED: RS

FENCELINE: West Central Tulsa County

PRESENT USE: Residence

TRACT SIZE: 0.8 acres

LEGAL DESCRIPTION: W211.10 E236.20 S/2 S/2 NE SE SE SEC 36 19 11 .80AC, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Property:

CBOA-994 October 1990: The Board approved a Special Exception to permit a manufactured home in the RS district (Section 410).

CBOA-2433 June 2012: The Board approved a Variance to allow a second dwelling on one lot of record (Section 208) and a Special Exception to permit an existing mobile home in the RS district (Section 410).

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and contains a single-family residence. The tract abuts RS zoning to the North, West and South containing single-family residences and to the East by AG zoning containing single-family residences.

STAFF COMMENTS:

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

The site contains 0.8 acres. There are other manufactured homes in the general vicinity of the subject tract. The existing home on the tract is intended to be removed prior to the manufactured home being placed on the lot.

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 manufactured home in the RS district (Section 410).

Subject to the following conditions, if any: _____.

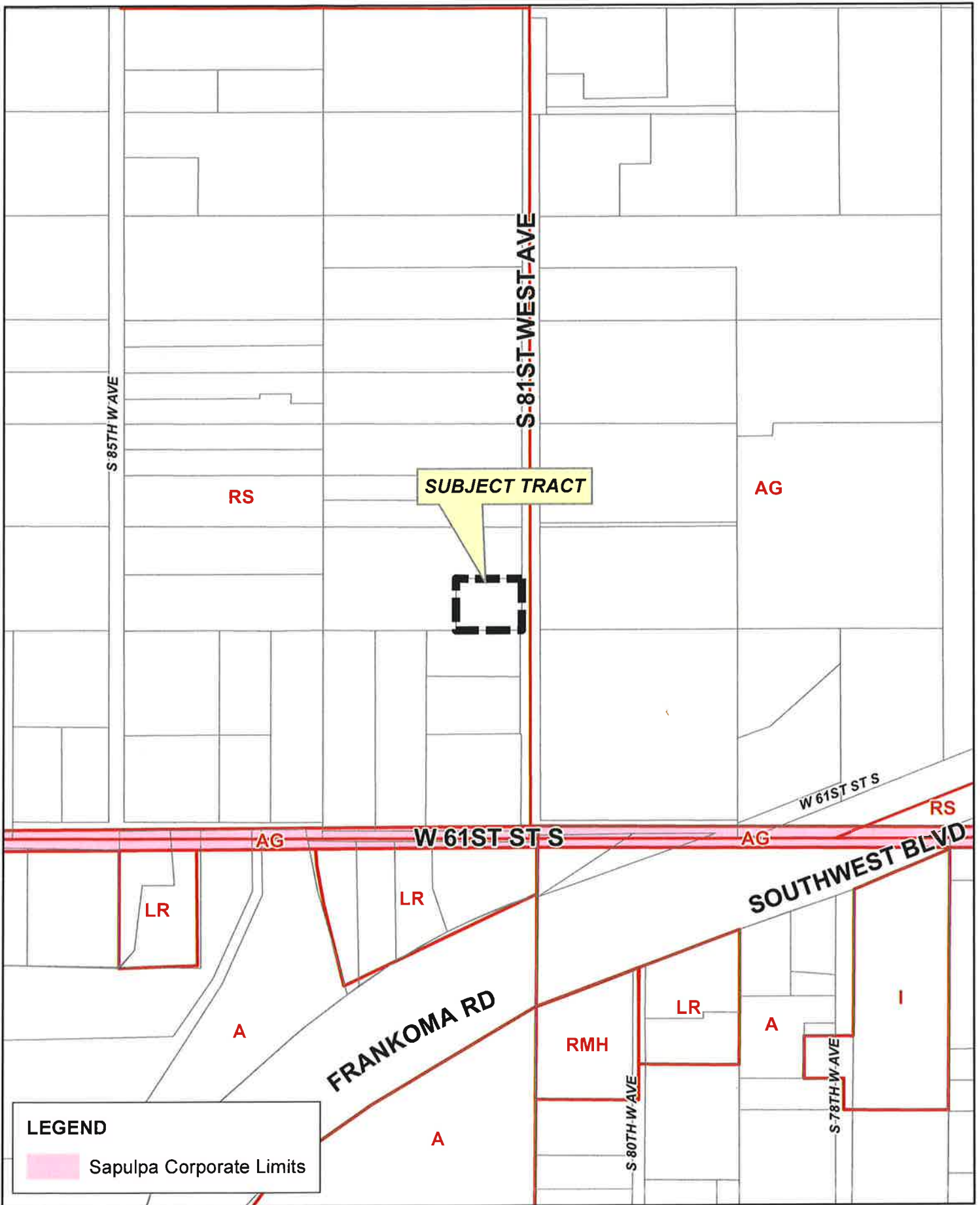
In granting a Special Exception, the Board must find that the Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



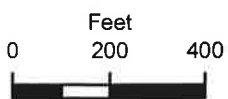
Subject tract looking Northwest from S 81st W Ave



Subject tract looking Southwest from S 81st W Ave



CBOA-3099



19-11 36





S 85TH W AVE

S 81ST WEST AVE

W 61ST ST S

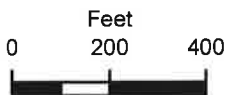
W 61ST ST S

SOUTHWEST BLVD

FRANKOMA RD

S 80TH W AVE

S 78TH W AVE



Subject Tract

CBOA-3099

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

19-11 36

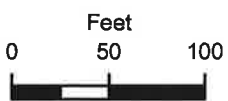
Aerial Photo Date: 2023



CBOA-3099 9.6



S 81ST WEST AVE



Subject Tract

CBOA-3099

19-11 36

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

Aerial Photo Date: 2023



CBOA-3099 9.7

Site Plan

5846 S 81st West Ave
Tulsa OK 74107

West





Board of Adjustment

Case Number: CBOA-3100

Hearing Date: 09/19/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

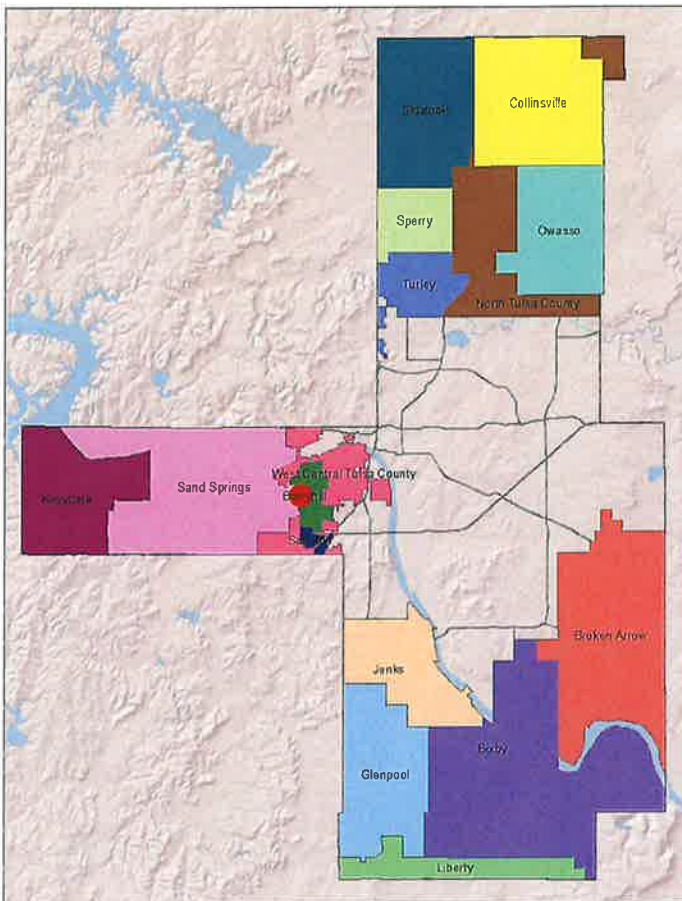
Owner and Applicant Information:

Applicant: Edward Kempf Jr.

Property Owner: KEMPF, EDWARD L JR AND MARY T

Action Requested: Variance to permit a detached accessory building in the RS district to be greater than 750 sf of floor area (Section 240.2.E)

Location Map:



Additional Information:

Present Use: Residence

Tract Size: 1.06 acres

Location: 6512 W 34 ST S

Present Zoning: RS

Fenceline/Area: Berryhill

Land Use Designation: Existing Neighborhood

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9219

CZM: 45

CASE NUMBER: CBOA-3100

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 09/19/2023 1:30 PM

APPLICANT: Edward Kempf Jr.

ACTION REQUESTED: Variance to permit a detached accessory building in the RS district to be greater than 750 sf of floor area (Section 240.2.E)

LOCATION: 6512 W 34 ST S

ZONED: RS

FENCELINE: Berryhill

PRESENT USE: Residence

TRACT SIZE: 1.06 acres

LEGAL DESCRIPTION: E/2 N/2 S/2 NE SE NE LESS N25 FOR ST SEC 19 19 12 1.06ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Property:

CBOA-1238 March 1994: The Board approved a Variance of the maximum permitted square footage for a detached accessory building in an RS district from 750 sf to 2,020 sf (Section 240.2E)

CBOA-2233 November 2006: The Board approved a Variance of the maximum permitted square footage for a detached accessory building in an RS district to permit an 1,800 sf building (Section 240.2.E)

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

STAFF COMMENTS:

The applicant is before the Board to request a Variance to permit a detached accessory building in the RS district to be greater than 750 sf of floor area (Section 240.2.E)

The Tulsa County Zoning Code limits accessory buildings in the RS district to 750 sf. The applicant is proposing to construct an approximately 720 sf accessory building. There are existing accessory structures on the lot that total approximately 630 sf in area. This proposal would bring that total to approximately 1,350 sf which is 600 sf over the total zoning code allowance for an accessory building of 750 sf.

The applicant stated that the reason behind seeking a variance is to add an additional storage building for their own personal use.

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 Variance to permit a detached accessory building in the RS district to be greater than 750 sf of floor area (Section 240.2.E)

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

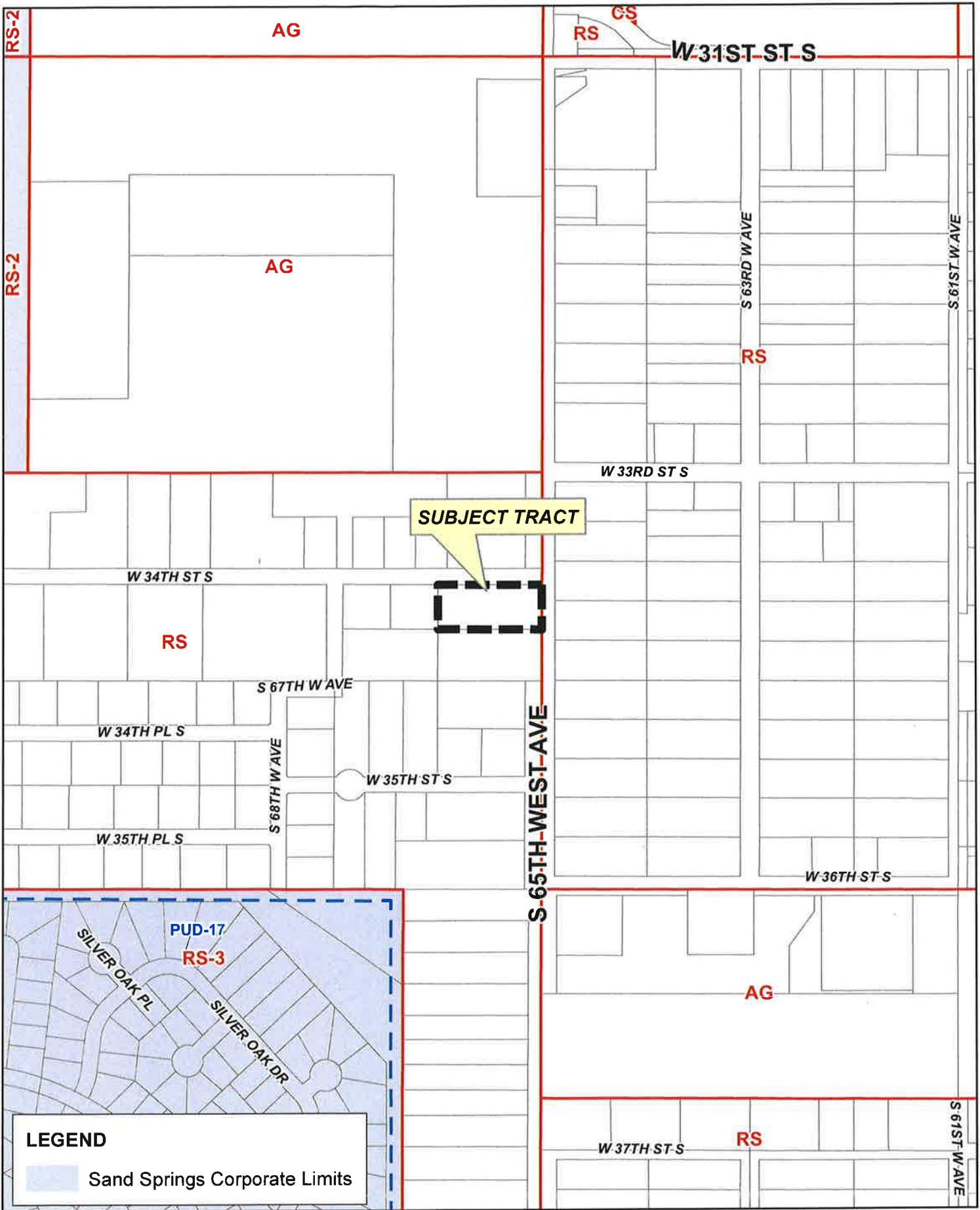
Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not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



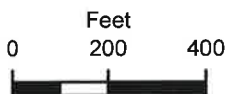
Subject tract looking South from W 34th St S



Subject tract looking Southeast from W 34th St S



CBOA-3100



19-12 19





Subject Tract

CBOA-3100

19-12 19

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

Aerial Photo Date: 2023



CBOA-3100 10.6



W 33RD ST S

W 34TH ST S

S 65TH WEST AVE



Subject Tract

CBOA-3100

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

19-12 19

Aerial Photo Date: 2023



CBOA-3100 10.7



Board of Adjustment

Case Number: CBOA-3101

Hearing Date: 09/19/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

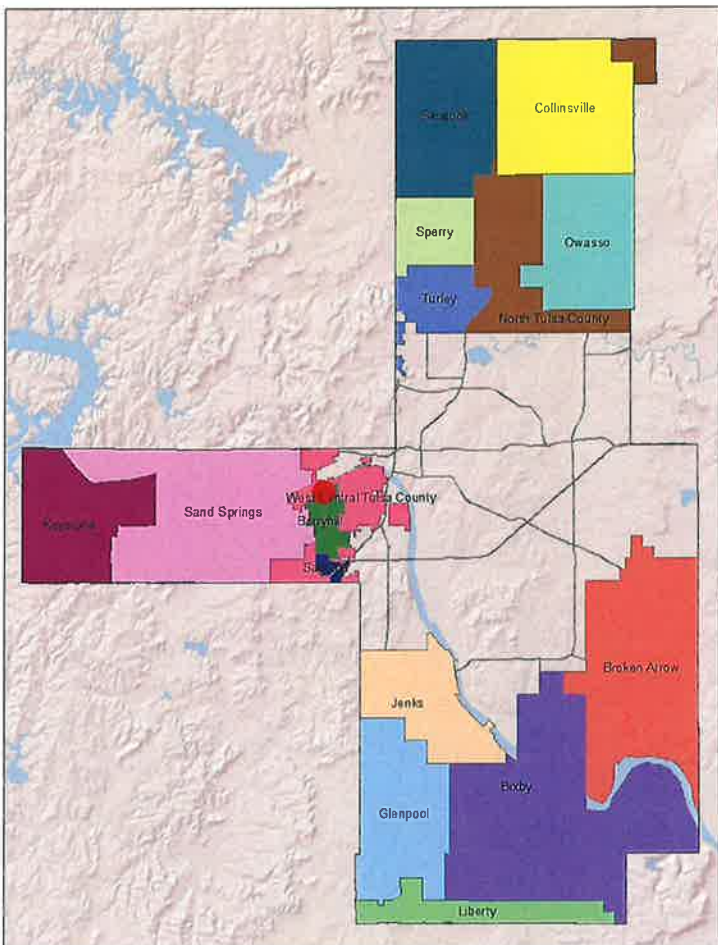
Owner and Applicant Information:

Applicant: Yandy Marino

Property Owner: MORDHORST, CLIFFORD REV TRUST

Action Requested: Special Exception to permit Use Unit 17, Automobile and Allied Activities in a CS zone (Section 710).

Location Map:



Additional Information:

Present Use: Vacant building

Tract Size: 0.59 acres

Location: 6004 W 21 PL S

Present Zoning: CS

Fenceline/Area: Berryhill

Land Use Designation: Neighborhood Center

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9217

CZM: 35

CASE NUMBER: **CBOA-3101**

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 09/19/2023 1:30 PM

APPLICANT: Yandy Marino

ACTION REQUESTED: Special Exception to permit Use Unit 17, Automobile and Allied Activities in a CS zone (Section 710).

LOCATION: 6004 W 21 PL S

ZONED: CS

FENCELINE: Berryhill

PRESENT USE: Vacant building

TRACT SIZE: 0.59 acres

LEGAL DESCRIPTION: LT 3 BLK 8, SECOND WEST TULSA VIEW ACRES SUB Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Property:

CBOA-2965 May 2022: The Board approved a Use Variance to permit a heavy construction contract service (Use Unit 25) in the CS district (Section 710), a Variance to permit gravel unenclosed off-street parking (Section 1340) and a Variance to permit gravel loading areas (Section 1350).

ANALYSIS OF SURROUNDING AREA: The subject tract is zone CS and contains a vacant commercial building and abuts CS zoning to the east containing a commercial building, to the west containing vacant land and to the north containing the intersection of W 21st St S, Avery Dr and the southbound off-ramp of the Gilcrease Expressway. The tract abuts RS zoning to the south containing a single-family residence.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to permit Use Unit 17, Automobile and Allied Activities in a CS zone (Section 710).

The applicant intends to utilize the existing commercial building and lot as an automotive sales facility, and has stated that its location and visibility provided by being adjacent to the intersection of W 21st St S, Avery Dr and the southbound off-ramp of the Gilcrease Expressway is a key factor in choosing the subject lot.

A special exception is required as the proposed Use Unit 17 is a use which is not permitted by right but by exception in the CS 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 request the Board may consider any condition it deems necessary in order to ensure that the proposed automotive facility is compatible and non-injurious to the surrounding area.

Sample Motion:

“Move to _____ (approve/deny) a Special Exception to permit Use Unit 17, Automobile and Allied Activities in a CS zone (Section 710).

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.



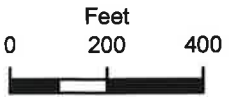
Subject tract looking Southeast from W 21st Pl



Subject tract looking South from W 21st Pl



Subject tract looking Southwest from W 21st PI



Subject Tract

CBOA-3101

19-12 17

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

Aerial Photo Date: 2023



CBOA-3101 11.7



Subject
Tract

CBOA-3101

19-12 17

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

Aerial Photo Date: 2023



CBOA-3101 11.8





Board of Adjustment

Case Number: CBOA-3102

Hearing Date: 09/19/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

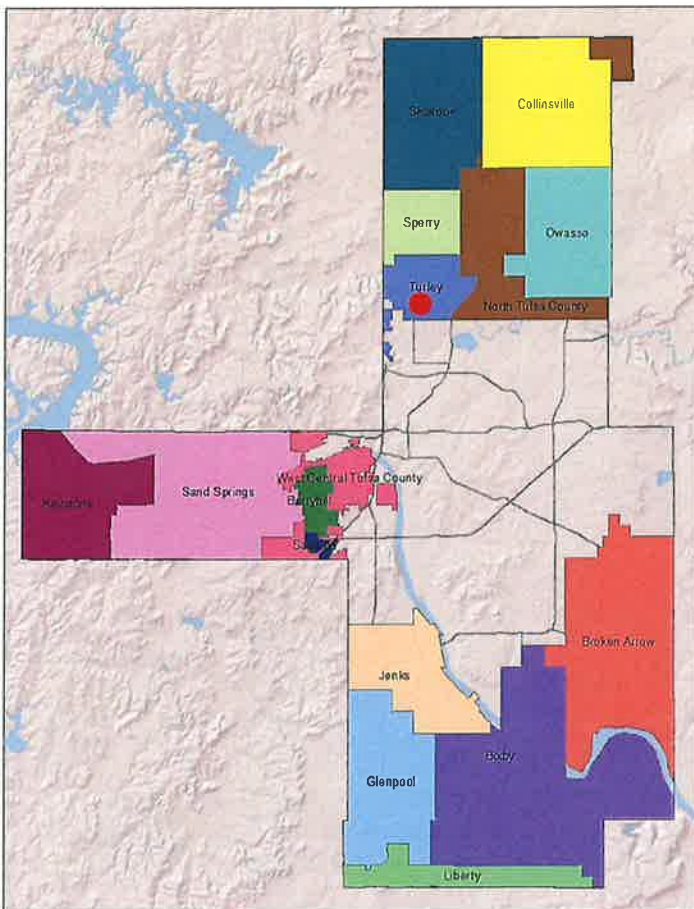
Owner and Applicant Information:

Applicant: Luis Raul Hernandez Galindo

Property Owner: ANKA REAL ESTATE & HOLDINGS LLC

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

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 0.22 acres

Location: 6314 N TRENTON AV E

Present Zoning: RS

Fenceline/Area: Turley

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 0306

CZM: 22

CASE NUMBER: **CBOA-3102**

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 09/19/2023 1:30 PM

APPLICANT: Luis Raul Hernandez Galindo

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

LOCATION: 6314 N TRENTON AV E

ZONED: RS

FENCELINE: Turley

PRESENT USE: Vacant

TRACT SIZE: 0.22 acres

LEGAL DESCRIPTION: LT 13 BLK 3, PHILLIPS FARMS ADDN Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Property:

CBOA-526 January 1985: The Board approved a Special Exception to permit a manufactured home in the RS district (Section 410).

CBOA-2065 October 2003: The Board approved a Special Exception to permit a manufactured home in the RS district (Section 410).

CBOA-2596 September 2003: 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.

STAFF COMMENTS:

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

The site contains 0.22 acres. There are several manufactured homes in the general vicinity of the subject tract.

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 manufactured home in the RS district (Section 410).

Subject to the following conditions, if any: _____.

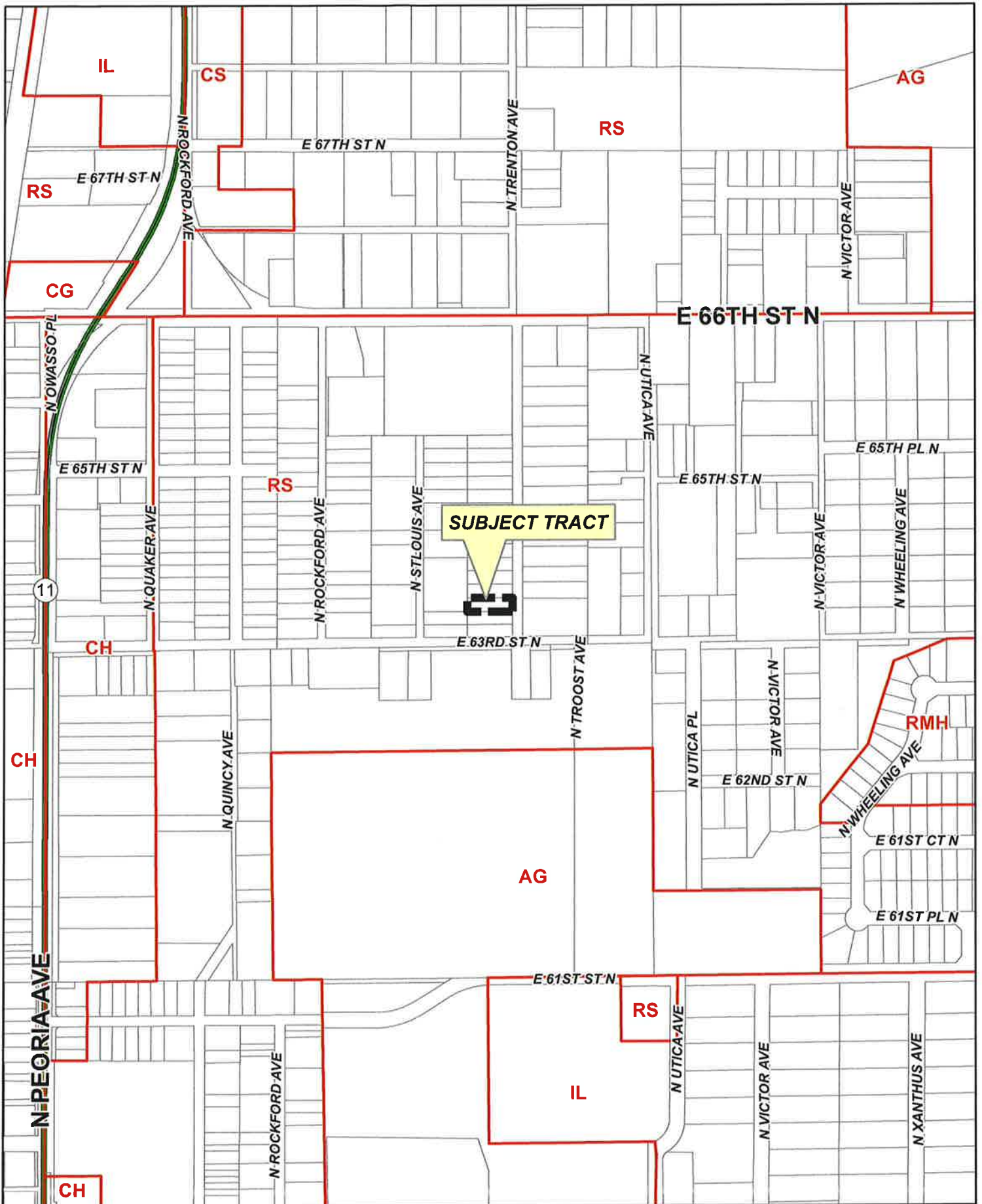
In granting a Special Exception, the Board must find that the Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Subject tract looking Northwest from N Trenton Ave



Subject tract looking Southwest from N Trenton Ave

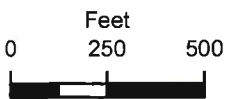
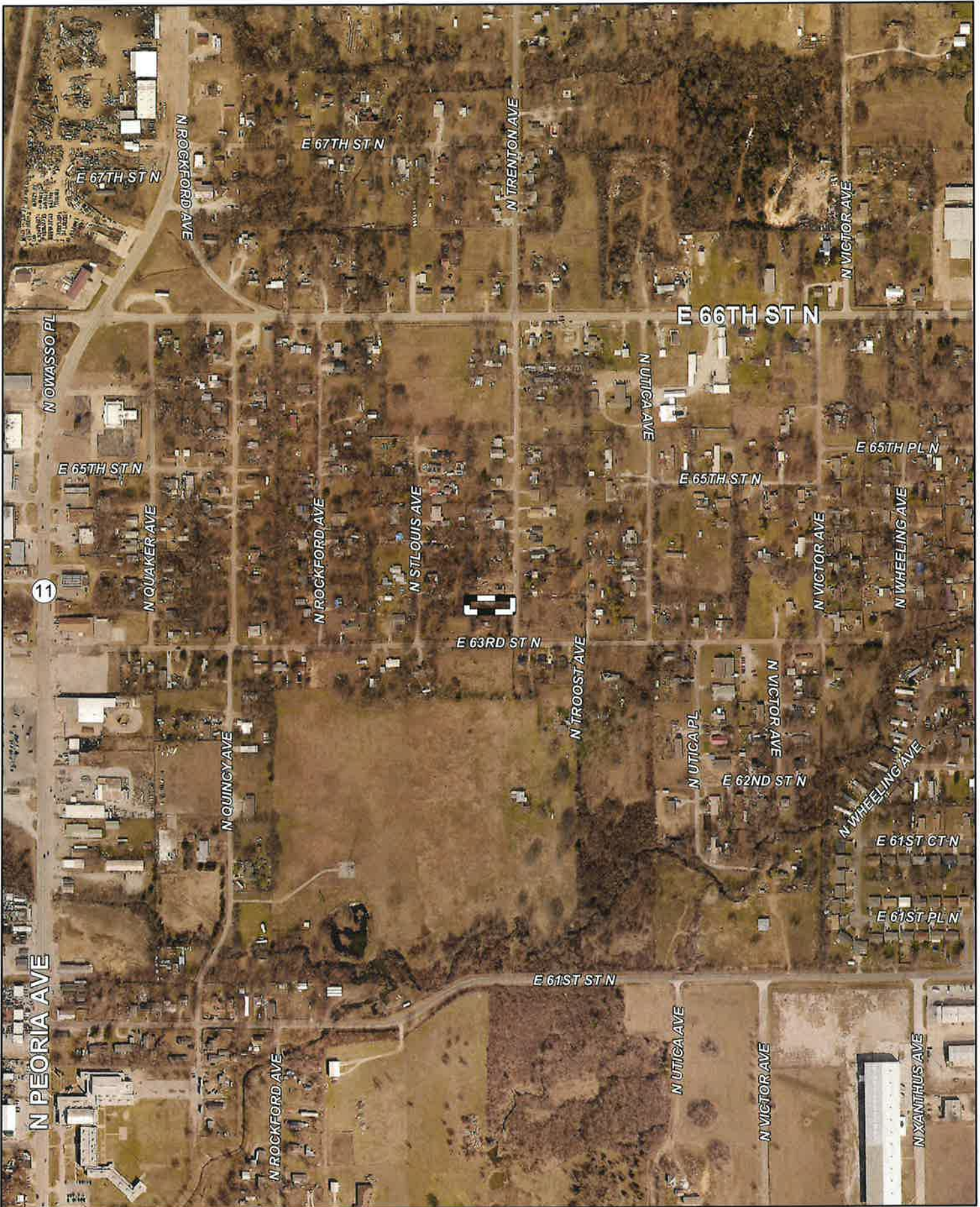


SUBJECT TRACT

CBOA-3102

20-13 06





 Subject Tract

CBOA-3102

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

20-13 06

Aerial Photo Date: 2023



CBOA-3102 12.6

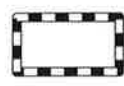
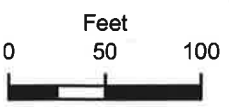


N ST LOUIS AVE

N TRENTON AVE

E 63RD ST N

N TROOST AVE



Subject Tract

CBOA-3102

20-13 06

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

Aerial Photo Date: 2023

CBOA-3102 12.7





Board of Adjustment

Case Number: CBOA-3103

Hearing Date: 09/19/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

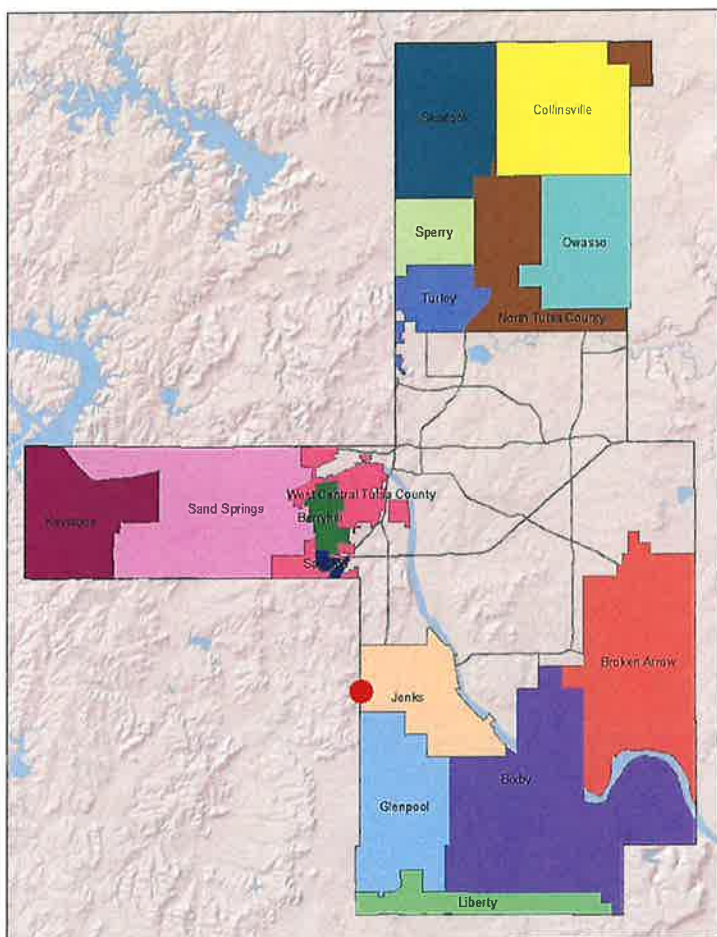
Owner and Applicant Information:

Applicant: Brent Properties

Property Owner: BRENT PROPERTIES LLC

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

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 1.15 acres

Location: 3345 W 111 ST S

Present Zoning: AG

Fenceline/Area: Jenks

Land Use Designation: Medium Intensity Single-Family

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 8227

CZM: 55

CASE NUMBER: CBOA-3103

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 09/19/2023 1:30 PM

APPLICANT: Brent Properties

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

LOCATION: 3345 W 111 ST S

ZONED: AG

FENCELINE: Jenks

PRESENT USE: Residential

TRACT SIZE: 1.15 acres

LEGAL DESCRIPTION: 2 ACRES IN SW COR SW LESS W 125 SEC 27- 18-12, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Property:

CBOA-1227 February 1994: The Board approved a Variance of lot area from 2 acres to 1.74 acres to permit a lot split in an AG district (Section 330)

CBOA-2958 April 2022: The Board approved a Variance of the minimum lot area and land area per dwelling unit in the AG district to permit two dwelling units on one lot of record (Section 330).

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

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 1.15 acres in size and contains an existing single-family home. The applicant intends to replace the existing home with a new home, which necessitates the need for a variance of the lot area per dwelling unit.

The applicant provided the statement that "most homes in the area are zoned residential." There are RE zoned lots nearby to the east and to the west, which required lots to be a minimum of 22,500 sf of area per dwelling. The subject lot contains 1.15 acres, so would be greater than the lot area required for RE zoned lots.

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).

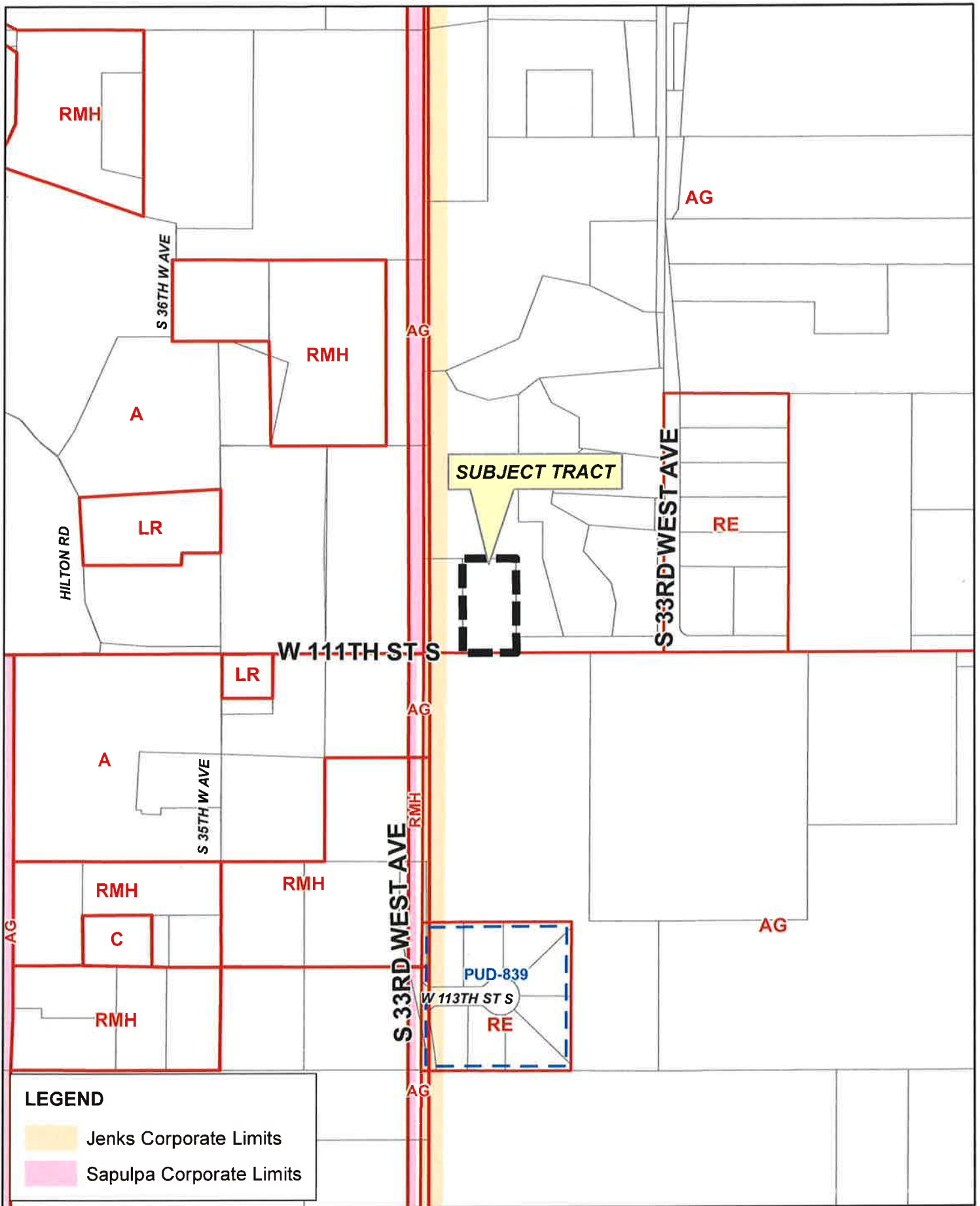
Subject to the following conditions, if any: _____.

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.

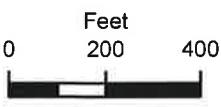


Subject tract looking North from W 111th St S



LEGEND

- Jenks Corporate Limits
- Sapulpa Corporate Limits



CBOA-3103

18-12 27





Subject Tract

CBOA-3103

18-12 27

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

Aerial Photo Date: 2023

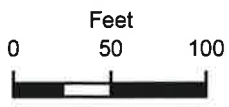


CBOA-3103 13.6



S 33RD WEST AVE

W 111TH ST S



 Subject Tract

CBOA-3103

18-12 27

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

Aerial Photo Date: 2023



CBOA-3103 13.7



Board of Adjustment

Case Number: CBOA-3104

Hearing Date: 09/19/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

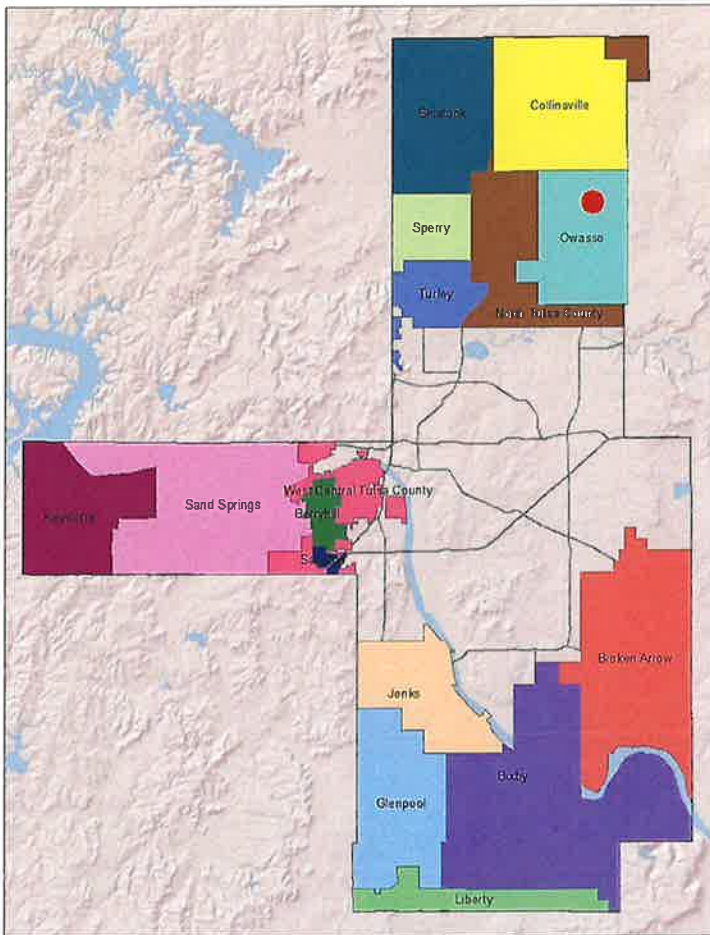
Owner and Applicant Information:

Applicant: Paula McGuire

Property Owner: ALEXANDER, GARY

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

Location Map:



Additional Information:

Present Use: AG

Tract Size: 3.7 acres

Location: 12025 E 111 ST N

Present Zoning: AG

Fenceline/Area: Owasso

Land Use Designation: Residential

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1408

CZM: 12

CASE NUMBER: CBOA-3104

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 09/19/2023 1:30 PM

APPLICANT: Paula McGuire

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

LOCATION: 12025 E 111 ST N

ZONED: AG

FENCELINE: Owasso

PRESENT USE: AG

TRACT SIZE: 3.7 acres

LEGAL DESCRIPTION: N/2 SE SE NW LESS W175 THEREOF SEC 8 21 14 3.698ACS, REMINGTON PLACE II Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and contains a single-family residence. The tract abuts AG zoning to the east containing a single-family residence and RS-3 zoning to the north, west and south 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 3.7 acres in size and contains an existing single-family home. The applicant is proposing to split the existing lot into two lots with the western proposed lot being 1.13 acres in size and the remaining eastern lot being 2.57 acres in size.

The applicant provided the statement that "This property is a large tract that is still in the county. It is surrounded by smaller tracts that are in the city (Owasso). Comprehensive plan for this area is for smaller tracts." The applicant provided a lot split survey, included with this report, to illustrate the proposed lot configuration.

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).

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

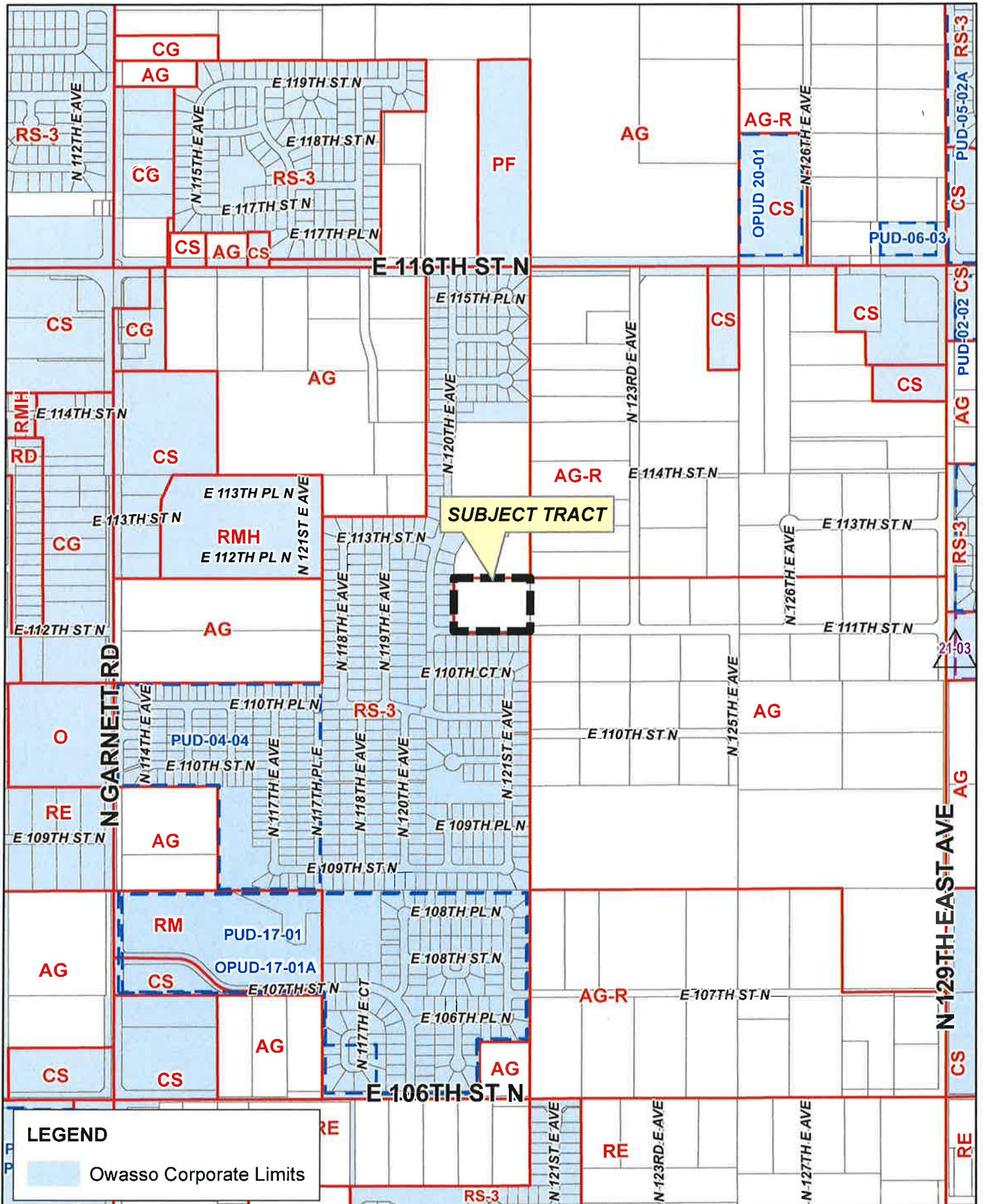
Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not 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 tract looking Northwest from E 111th St N

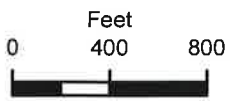


Subject tract looking North from E 111th St N



LEGEND

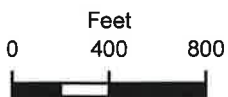
Owasso Corporate Limits



CBOA-3104

21-14 08





 Subject Tract

CBOA-3104

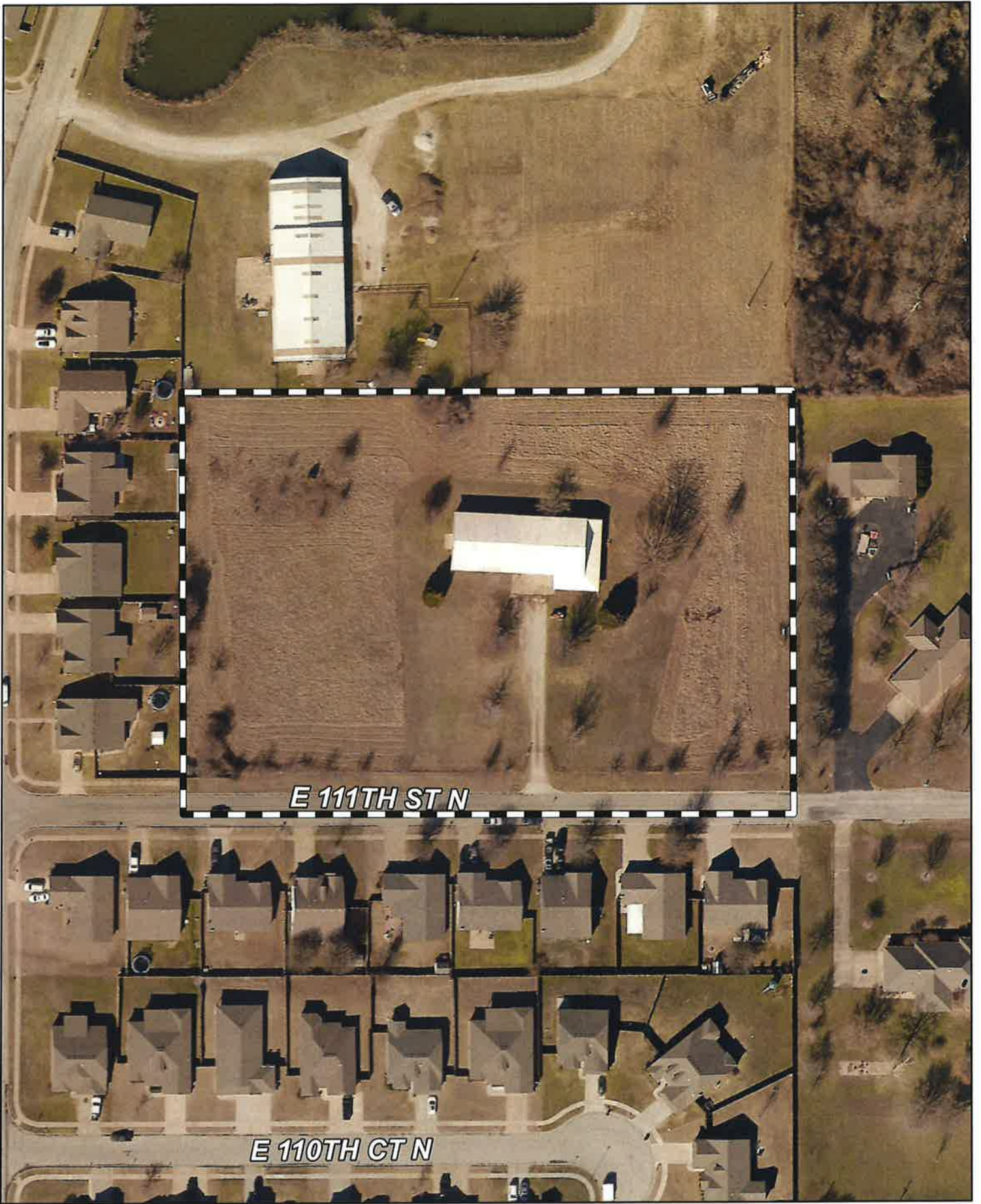
21-14 08

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

Aerial Photo Date: 2023

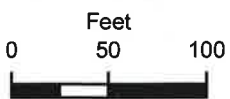


CBOA-3104 14.6



E 111TH ST N

E 110TH CT N



**Subject
Tract**

CBOA-3104

21-14 08

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

Aerial Photo Date: 2023



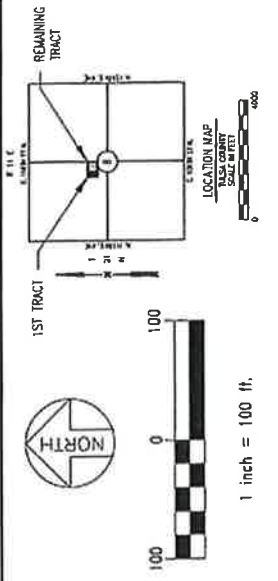
CBOA-3104 14.7

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NO. 99	1
NO. 100	1

SCHEMMER

Design with Purpose. Build with Confidence.

LOT SPLIT
GARY ALEXANDER
1205 E. 111TH ST NORTH
OWASSO, OK, 74055
JOB NO. 09190001
SHEET 1 of 1



PROPERTY DESCRIPTION (FOR RECORD)
(PER OUR CLAW DEED FILED IN BOOK 6300, PAGE 2449 IN THE OFFICE OF THE TULSA COUNTY CLERK)
THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (N/2 S/4 SE/4 NW/4) OF SECTION EIGHT (8), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, COUNTY OF TULSA, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

LESS
(PER GENERAL WARRANTY DEED FILED IN BOOK 7225, PAGES 514-515 IN THE OFFICE OF THE TULSA COUNTY CLERK)
THE WEST 75 FEET OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 S/4 SE/4 NW/4) OF SECTION EIGHT (8), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, COUNTY OF TULSA, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

FIRST TRACT
THE WEST 150 FEET OF THE FOLLOWING DESCRIBED PROPERTY, THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (N/2 SE/4 NW/4) LESS THE WEST 175 FEET THEREOF, OF SECTION EIGHT (8), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, COUNTY OF TULSA, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

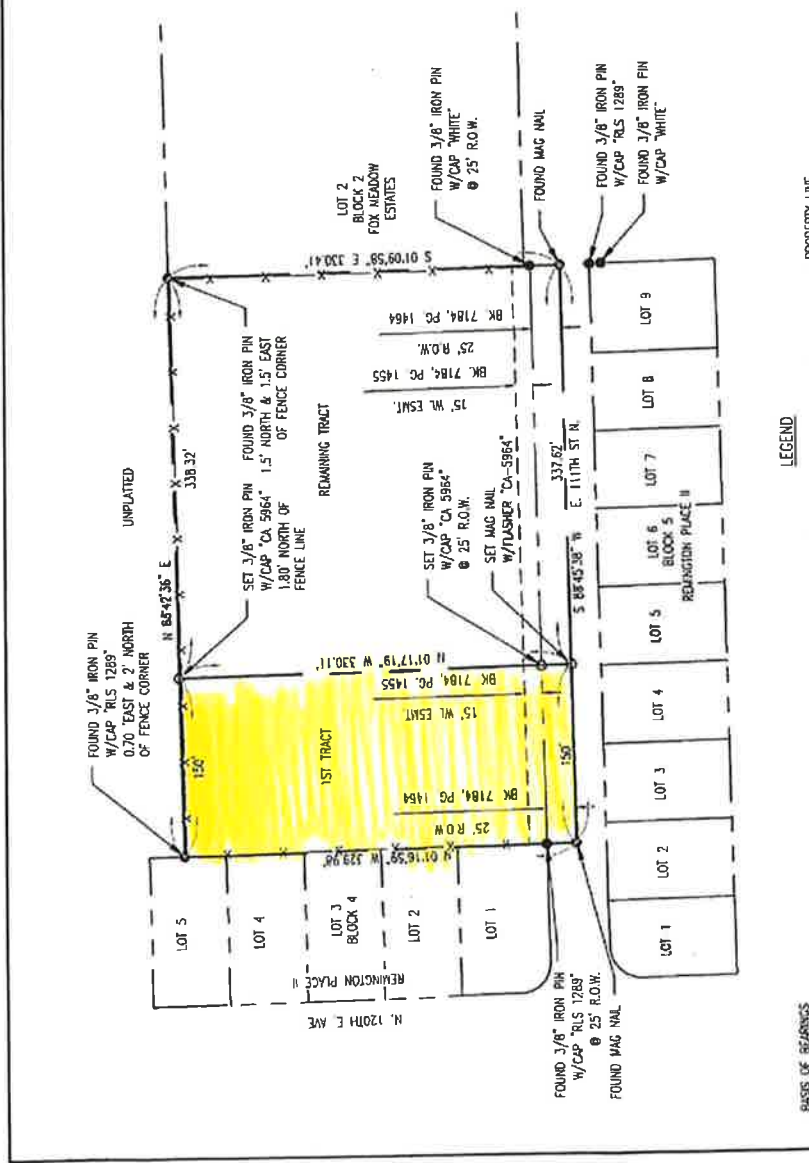
REMAINING TRACT
THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (N/2 SE/4 NW/4) LESS THE WEST 175 FEET OF SECTION EIGHT (8), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, COUNTY OF TULSA, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

SURVEYOR'S CERTIFICATION
I, A.B. WATSON, JR., A DUTY REGISTERED LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT THE ACCOMPANYING PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY MADE ON THE GROUND, UNDER MY SUPERVISION, TO THE BEST OF MY KNOWLEDGE AND ABILITY.

WITNESS MY HAND AND SEAL THIS 7TH DAY OF JULY, 2023

THE SCHEMMER ASSOCIATES INC.
BY A.B. WATSON, JR. (AGSM)

Internet: abw@scschemmer.com
10870 E. 45TH STREET, SUITE 307
TULSA, OK, 74146
PHONE: 918-394-1505
FAX: 918-358-6876
CA5964 EXP. 06/30/2025
www.schemmer.net



BASES OF BEARINGS
THE OKLAHOMA STATE PLANE COORDINATE SYSTEM
OKLAHOMA NORTH ZONE: 3501

BEACHMARK
KERNAL DATA SERVICE MONUMENT: 132
3" C.O.E. BRASS CAP, SET IN A CONCRETE POST, FLUSH,
STAMPED "132", S.E. OF 126TH ST. N. AND GARRETT ROAD

HORIZONTAL DATUM: NAD 83
NORTHING: 493493.012
EASTING: 2602392.820
VERTICAL DATUM: MVD 88
ELEV. 652.31



Board of Adjustment

Case Number: CBOA-3105

Hearing Date: 09/19/2023 1:30 PM

Case Report Prepared by:

Jay Hoyt

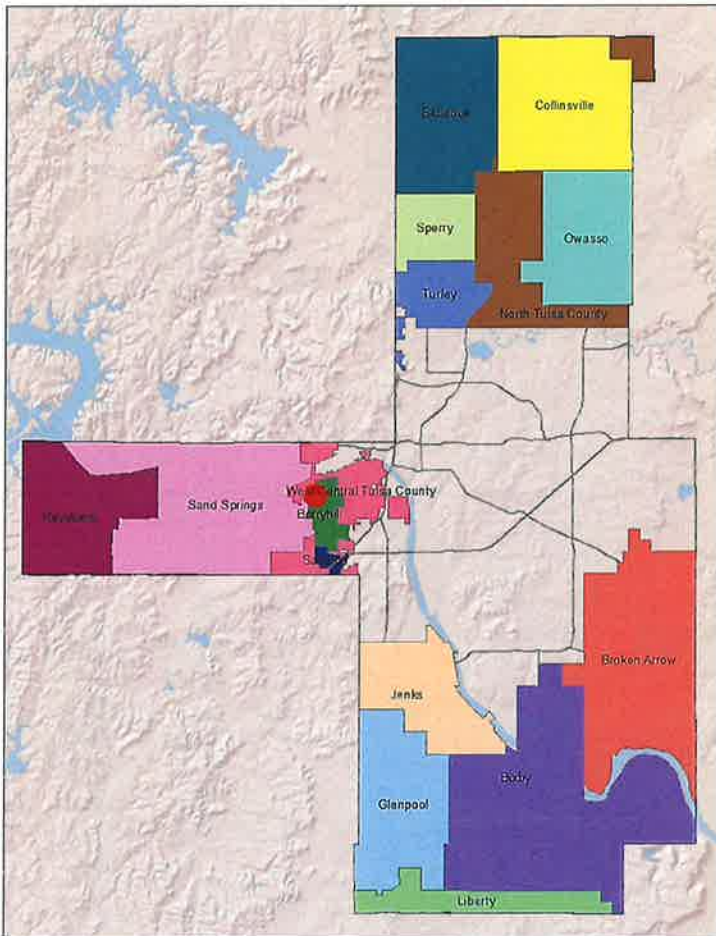
Owner and Applicant Information:

Applicant: Peter Gilstrap

Property Owner: GILSTRAP, CANDACE M & PETER A

Action Requested: Special Exception to permit a Church (Use Unit 5) with accessory Cemetery (Use Unit 2) in the AG district (Section 310).

Location Map:



Additional Information:

Present Use: Agriculture

Tract Size: 8.97 acres

Location: N of NWC S 67th W Ave & W 25th St S

Present Zoning: AG

Fenceline/Area: West Central Tulsa County

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9218

CZM: 35

CASE NUMBER: **CBOA-3105**

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 09/19/2023 1:30 PM

APPLICANT: Peter Gilstrap

ACTION REQUESTED: Special Exception to permit a Church (Use Unit 5) with accessory Cemetery (Use Unit 2) in the AG district (Section 310).

LOCATION: N of NWC S 67th W Ave & W 25th St S

ZONED: AG

FENCELINE: West Central Tulsa County

PRESENT USE: Agriculture

TRACT SIZE: 8.97 acres

LEGAL DESCRIPTION: W/2 W/2 E/2 SE NE & E/2 W/2 SE NE LESS BEG SWC E/2 W/2 SE NE TH E250 N100 W250 S100 POB & LESS BEG 495W NEC SE NE TH W496.38 S453.50 E497.46 N489 POB & LESS BEG 250E SWC E/2 W/2 SE NE TH E40 N100 W40 S100 POB SEC 18 19 12 8.968ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-1995 August 2002: The Board approved a Variance of Section 207 requiring a minimum of 30 ft of frontage on a public street to permit a lot split for two existing dwellings with 0 ft of frontage.

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and is currently vacant. The tract abuts AG zoned tracts to the north and west containing single-family residences and vacant land as well as RS zoned lots to the west, south and east containing single-family residences.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to permit a Church (Use Unit 5) with accessory Cemetery (Use Unit 2) in the AG district (Section 310).

The applicant is proposing to construct a church, along with accessory buildings associated with the proposed church, which falls within Use Unit 5 – Community Service and Similar Uses and requires a special exceptin within the AG district. They also propose to locate a cemetery, accessory to the church, on the subject tract, which falls within Use Unit 2 – Area Wide Special Exception.

A special exception is required as the proposed church and cemetery are uses which are 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 church and cemetery 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 church and cemetery are compatible and non-injurious to the surrounding area.

Sample Motion:

“Move to _____ (approve/deny) a Special Exception to permit a Church (Use Unit 5) with accessory Cemetery (Use Unit 2) in the AG district (Section 310).

Subject to the following conditions, if any: _____.

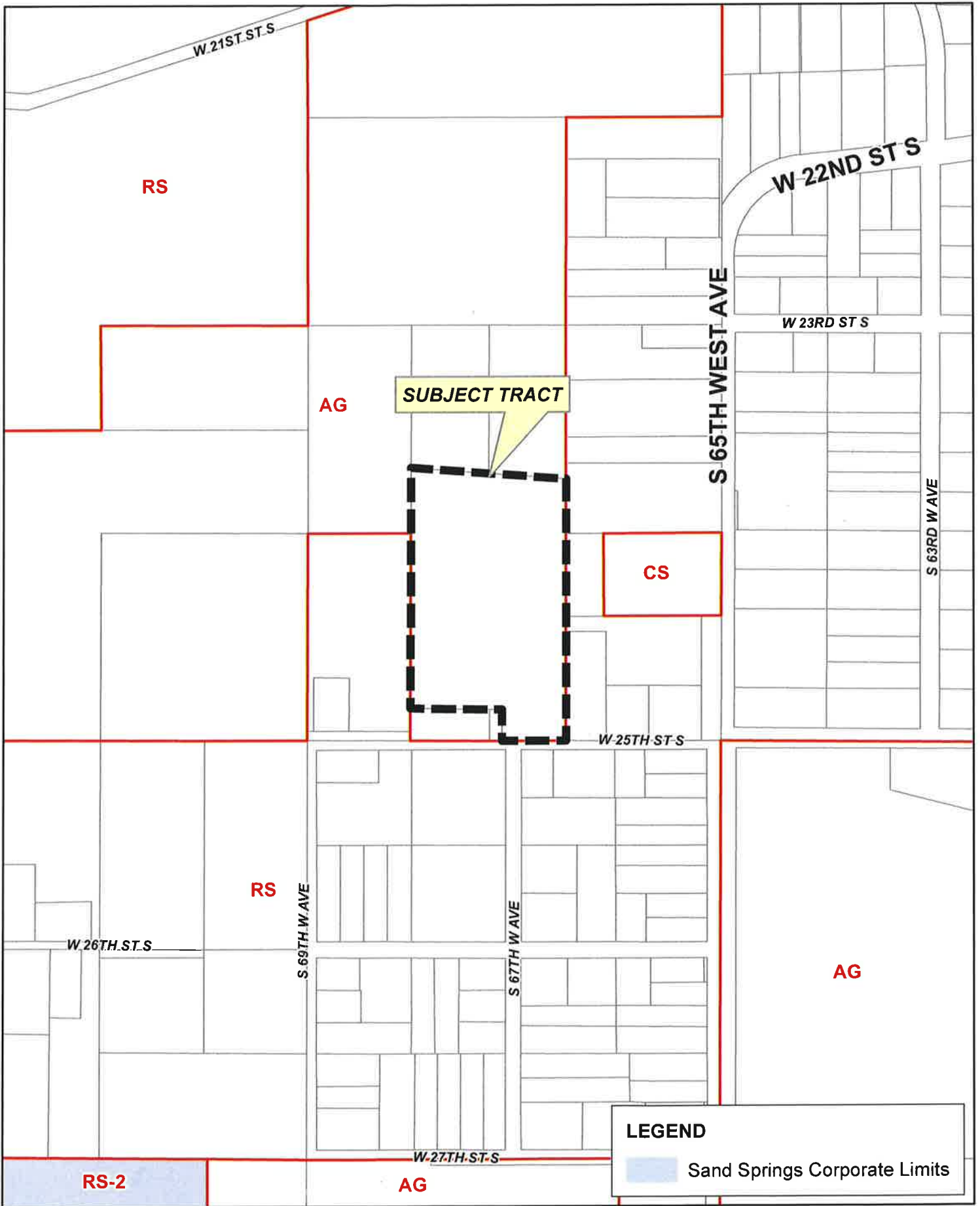
In granting a Special Exception, the Board must find that the Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Subject tract looking Northwest from W 25th St S



Subject tract looking Northeast from W 25th St S



CBOA-3105

19-12 18



CBOA-3105 15.5



Subject Tract

CBOA-3105

19-12 18

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

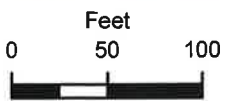
Aerial Photo Date: 2023



CBOA-3105 15.6



W 25TH ST S



Subject Tract

CBOA-3105

19-12 18

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

Aerial Photo Date: 2023



CBOA-3105 15.7

