



2:30 pm, Feb 06, 2024

**AGENDA**  
**Tulsa County Board of Adjustment**  
**Regularly Scheduled Meeting**  
**Tuesday February 20, 2024, 1:30 p.m.**  
**Williams Tower I**  
**1 West 3rd Street, St. Francis Room**

**Meeting No. 528**

**Consider, Discuss and/or Take Action On:**

1. Approval of **Minutes** of January 16, 2024 (Meeting No. 527).

**UNFINISHED BUSINESS**

2. **CBOA – 3130 Marlene Brown** **WITHDRAWN BY APPLICANT**  
**Action Requested:**  
Special Exception to permit Use Unit 5 - Community Service and Similar Uses to permit a school (Section 310) **Location:** 8050 W Old North Road

**NEW APPLICATIONS**

3. **CBOA – 3132 Jakes Fireworks - Jason Marietta**  
**Action Requested:**  
Special Exception to allow a fireworks stand (Use Unit 2) in an AG zoned district. (Sec. 310); Variance of the all-weather surface material requirement for parking (Section 1340.D). **Location:** 17734 E 121st St S
4. **CBOA – 3133 Bob Lomax**  
**Action Requested:**  
Variance of the street frontage from 30' to 0' in an AG district to permit a lot split (Section 207). **Location:** 16404 S Yale Ave
5. **CBOA – 3134 Billy Conley**  
**Action Requested:**  
Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330). **Location:** 15105 N Peoria Ave

**6. CBOA – 3135 Letty Vazquez**

**Action Requested:**

Variance of the street frontage from 30' to 0' in an RS district to permit a lot split (Section 207). **Location:** 5912 W 2nd St S

**7. CBOA – 3136 Andrew Wilson**

**Action Requested:**

Special Exception to permit a manufactured home (Use Unit 9) in the RS district (Section 410). **Location:** West of the NWC E 168th St S & S 195th E Ave

**OTHER BUSINESS**

**NEW BUSINESS**

**BOARD MEMBER COMMENTS**

**ADJOURNMENT**

**Website:** [https://www.incog.org/Land\\_Development/land\\_main.html](https://www.incog.org/Land_Development/land_main.html)

**E-mail:** [esubmit@incog.org](mailto: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.



# Board of Adjustment

**Case Number:** CBOA-3132

**Hearing Date:** 02/20/2024 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

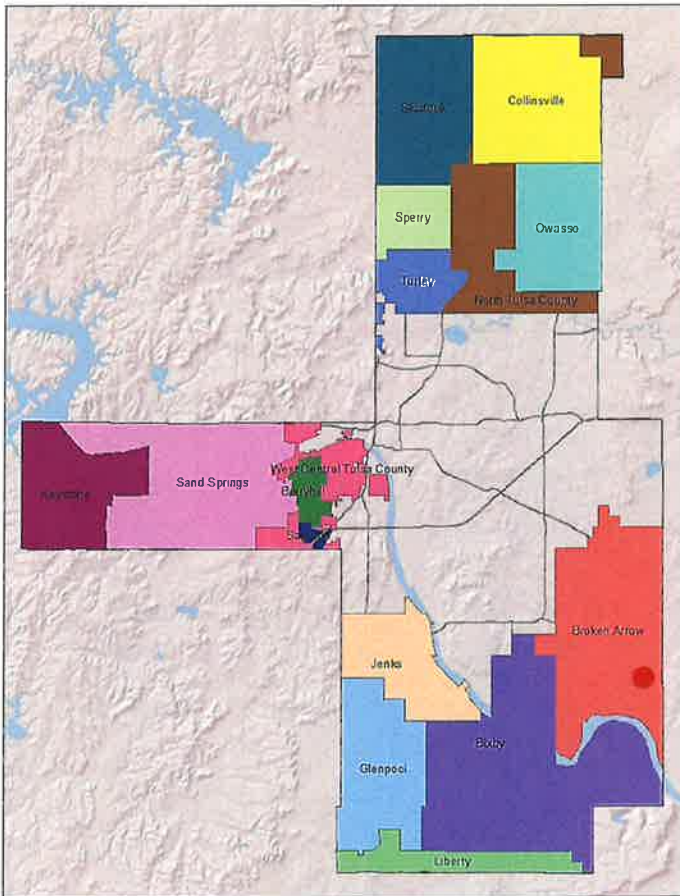
**Owner and Applicant Information:**

**Applicant:** Jason Marietta

**Property Owner:** MATHEWS, BILLY JOE

**Action Requested:** Special Exception to allow a fireworks stand (Use Unit 2) in an AG zoned district. (Sec. 310); Variance of the all-weather surface material requirement for parking (Section 1340.D).

**Location Map:**



**Additional Information:**

**Present Use:** Residence

**Tract Size:** 6.22 acres

**Location:** 17734 E 121 ST S

**Present Zoning:** AG

**Fenceline/Area:** Broken Arrow

**Land Use Designation:** Level 2 – Urban Residential

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 7401  
**CZM:** 59, 64

**CASE NUMBER:** **CBOA-3132**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 02/20/2024 1:30 PM

**APPLICANT:** Jason Marietta

**ACTION REQUESTED:** Special Exception to allow a fireworks stand (Use Unit 2) in an AG zoned district. (Sec. 310); Variance of the all-weather surface material requirement for parking (Section 1340.D).

**LOCATION:** 17734 E 121 ST S

**ZONED:** AG

**FENCELINE:** Broken Arrow

**PRESENT USE:** Residence

**TRACT SIZE:** 6.22 acres

**LEGAL DESCRIPTION:** N273.58 W990.15 LT 4 SEC 1 17 14 6.219ACS

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:**

**CBOA-2714 August 2018:** The Board approved a Special Exception to permit a fireworks stand in an AG district and a Variance of the all-weather surface requirement for parking (Section 1340.D) with a 5 year time limit.

**CBOA-2515 November 2014:** The Board approved a Special Exception to permit a fireworks stand in an AG district and a Variance of the all-weather surface requirement for parking (Section 1340.D) with a 5 year time limit.

**CBOA-2321-A September 2009:** The Board approved an amendment to a previously approved Special Exception for a fireworks stand in the AG district, to extend the time limit for 5 years from September 15, 2009 with the condition that hours of operation from 6/22 to 7/1 be 9AM to 9PM and from 7/2 to 7/4 from 9AM to 10PM, trash be kept clear, grass mowed and no use of fireworks within a 500 ft radius.

**CBOA-2321 September 2018:** The Board approved a Special Exception to permit a fireworks stand in an AG district and a Variance of the all-weather surface requirement for parking (Section 1340.D) for one year from June 22, 2009.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned AG and contains a single-family residence. The tract abuts AG zoning to the east and south and R-2 (Broken Arrow) zoning to the west containing single-family residences. The tract abuts A-1 (Broken Arrow) zoning to the north containing a dog boarding and training facility.

**STAFF COMMENTS:**

The applicant is before the Board to request a Special Exception to allow a fireworks stand (Use Unit 2) in an AG zoned district. (Sec. 310); Variance of the all-weather surface material requirement for parking (Section 1340.D).

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

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

The applicant provided the statement "This will be a temporary use of this area. Seasonal only from June 15<sup>th</sup> – July 15<sup>th</sup> of each year. We will not compromise or change the land owner's property in any way that would be a permanent change."

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

**Sample Motion:**

*"Move to \_\_\_\_\_ (approve/deny) a Special Exception to allow a fireworks stand (Use Unit 2) in an AG zoned district. (Sec. 310) and Variance of the all-weather surface material requirement for parking (Section 1340.D).*

*Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.*

*Subject to the following conditions, if any: \_\_\_\_\_.*

*Finding the hardship to be \_\_\_\_\_.*

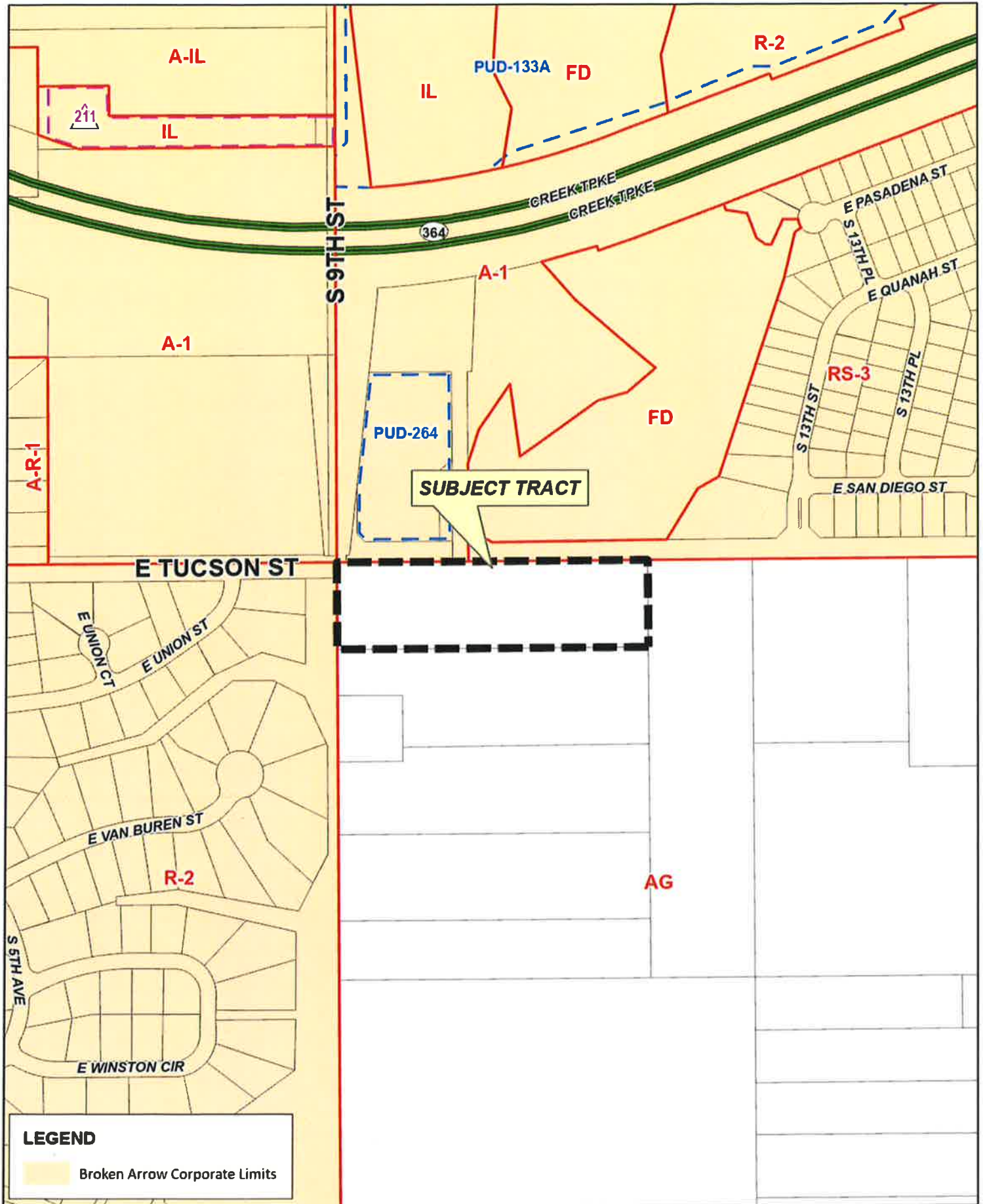
*Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not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



Subject tract looking Southeast from E 121<sup>st</sup> St S (E Tucson St)



Subject tract looking Southwest from E 121<sup>st</sup> St S (E Tucson St)

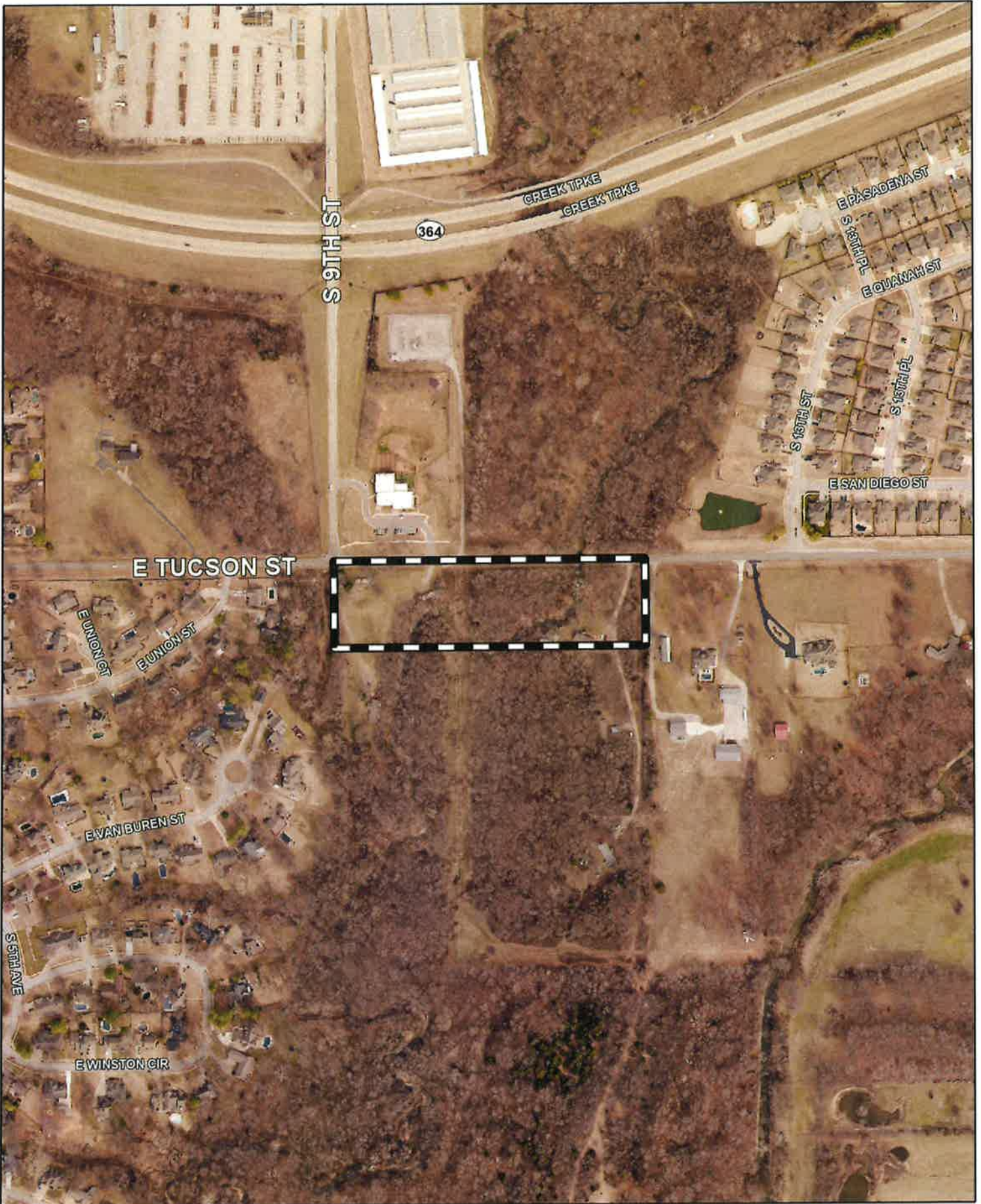


# CBOA-3132

17-14 01

CBOA-3132 4.5





Subject Tract

**CBOA-3132**

17-14 01

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

Aerial Photo Date: 2023

CBOA-3132 4.6







# Board of Adjustment

**Case Number:** CBOA-3133

**Hearing Date:** 02/20/2024 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

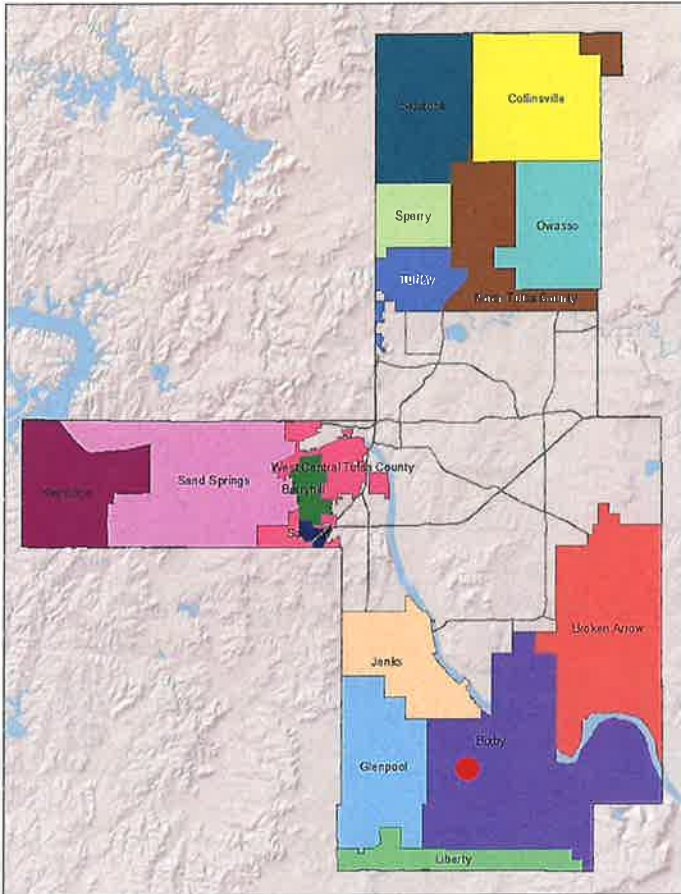
**Owner and Applicant Information:**

**Applicant:** Bob Lomax

**Property Owner:** Same

**Action Requested:** Variance of the street frontage from 30' to 0' in an AG district to permit a lot split (Section 207).

**Location Map:**



**Additional Information:**

**Present Use:** Residence

**Tract Size:** 5.03 acres

**Location:** 16404 S YALE AV E

**Present Zoning:** AG

**Fenceline/Area:** Bixby

**Land Use Designation:** Rural Residential

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 7328  
**CZM:** 67, 66

**CASE NUMBER: CBOA-3133**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 02/20/2024 1:30 PM

**APPLICANT:** Bob Lomax

**ACTION REQUESTED:** Variance of the street frontage from 30' to 0' in an AG district to permit a lot split (Section 207).

**LOCATION:** 16404 S YALE AV E

**ZONED:** AG

**FENCELINE:** Bixby

**PRESENT USE:** Residence

**TRACT SIZE:** 5.03 acres

**LEGAL DESCRIPTION:** N/2 N/2 N/2 SE NE SEC 28 17 13 5.03AC

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:**

**CBOA-824 June 1988:** The Board approved a Variance of frontage requirement to zero to permit creation of separate lot for mobile home.

**Surrounding Property:**

**CBOA-2013 November 2002:** The Board denied a Variance of land area per dwelling unit from 2.1 to 1.47 acres to permit two dwellings in an AG district.

**CBOA-1330 February 1995:** The Board approved a Variance of the street frontage from 30' to 0' in an AG district.

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

**STAFF COMMENTS:**

The applicant is before the Board to request a Variance of the street frontage from 30' to 0' in an AG district to permit a lot split (Section 207).

The applicant intends to split the subject tract into two tracts as shown on the plat for lot split exhibit provided by the applicant. After the lot split there will be an eastern lot containing 2.5 acres with access to South Yale Avenue and a western lot containing 2.5 acres with access being per a proposed 30 ft easement along the northern edge of the eastern lot connecting to South Yale Avenue.

The applicant provided the statement "I am trying to split this lot for my son and daughter to each own half."

***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 of the street frontage from 30' to 0' in an AG district to permit a lot split (Section 207).***

***Subject to the following conditions, if any: \_\_\_\_\_.***

***Finding the hardship to be \_\_\_\_\_.***

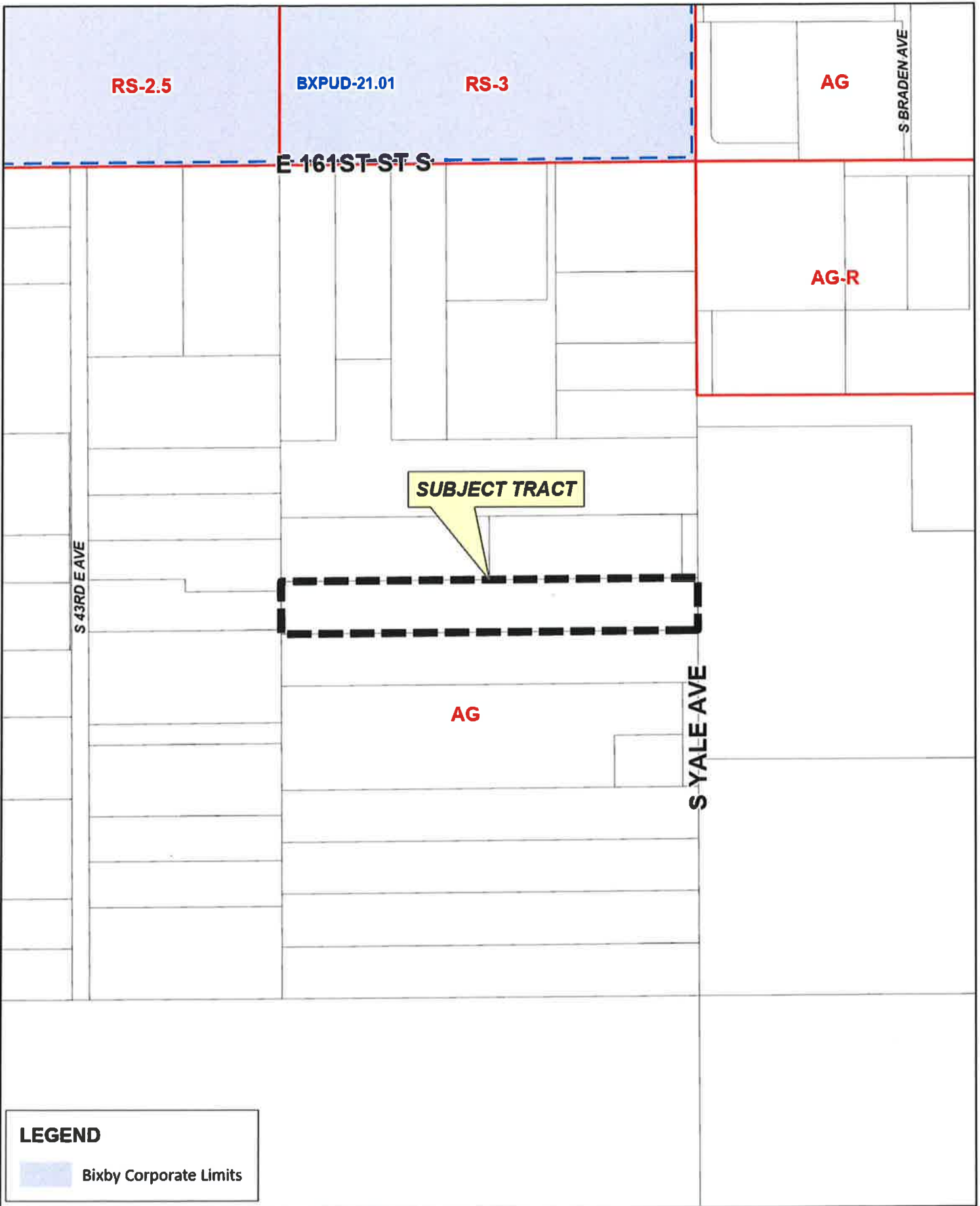
***Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do 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 Southwest from S Yale Ave

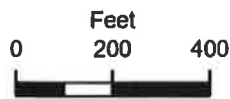


Subject tract looking West from S Yale Ave



**LEGEND**

 Bixby Corporate Limits



**CBOA-3133**

17-13 28



CBOA-3133 5.5



E 161ST ST S

S BRADEN AVE

S 43RD AVE

S YALE AVE



**Subject Tract**

**CBOA-3133**

17-13 28

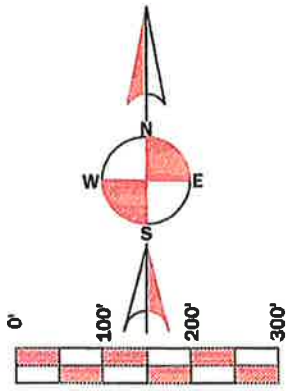
*Note: Graphic overlays may not precisely align with physical features on the ground.*

Aerial Photo Date: 2023

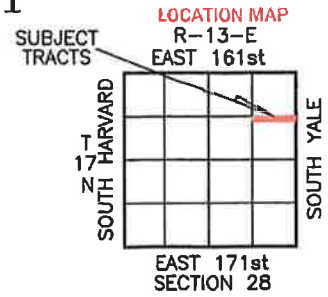
CBOA-3133 5.6



# PLAT FOR LOT SPLIT

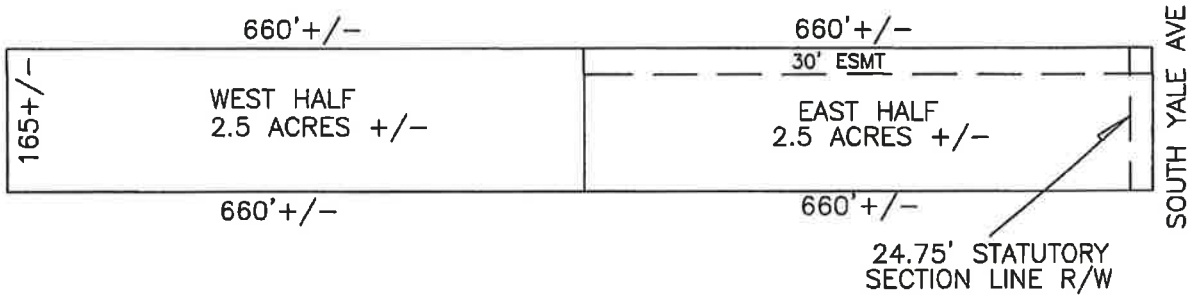


- LEGEND**
- IRON PIN FOUND
  - IRON PIN SET
  - FENCE
  - EASEMENT LINE
  - POWER LINE
  - GAS LINE
- (ALL FACILITIES IN LEGEND MAY NOT APPEAR ON PLAT)



PLAT AND DESCRIPTIONS PREPARED FOR :

MR BOBBY RAY LOMAX, TRUSTEE OF LOMAX FAMILY TRUST DATED AUGUST 31, 2033  
 16404 SOUTH YALE AVE  
 BIXBY, OKLAHOMA 74008



**DESCRIPTION (PARENT TRACT TO BE SPLIT)**

THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (N/2 N/2 N/2 N/2 SE/4 NE/4 OF SECTION 28, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

**DESCRIPTION (WEST HALF)**

THE WEST HALF OF THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (W/2 N/2 N/2 N/2 SE/4 NE/4 OF SECTION 28, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF WITH INGRESS AND EGRESS OVER A 30 EASEMENT OVER THE NORTH 30 FEET OF THE E/2 N/2 N/2 N/2 SE/4 NE/4 OF SECTION 28. CONTAINING 2.5 ACRES MORE OR LESS.

**DESCRIPTION (EAST HALF)**

THE EAST HALF OF THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (W/2 N/2 N/2 N/2 SE/4 NE/4 OF SECTION 28, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF SUBJECT TO AN INGRESS AND EGRESS EASEMENT OVER THE NORTH 30 FEET THEREOF CONTAINING 2.5 ACRES MORE OR LESS.

NOTE : NO BOUNDARY CORNERS SET ON THESE TRACTS BY THIS FIRM AT THIS TIME

**SURVEYOR'S STATEMENT**

I, JACK D RAMSEY, OKLAHOMA LAND SURVEYOR #387, A SOLE PROPRIETOR DOING BUSINESS AS RAMSEY SURVEYING SERVICE AND THE UNDERSIGNED, DO HEREBY STATE THAT IN MY PROFESSIONAL OPINION THE ABOVE PLAT OF SURVEY IS AN ACCURATE REPRESENTATION OF A CAREFUL BOUNDARY SURVEY OF THE PROPERTY DESCRIBED HEREON, AND MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION. I DO FURTHER STATE THAT THE ABOVE AND FOREGOING PLAT OF SURVEY ACCURATELY SHOWS THE LOCATION OF THE BOUNDARY CORNERS AND THEIR MONUMENTATION, THE DIMENSIONS OF THE PROPERTY, THE LOCATIONS OF ALL BUILDINGS ON PERMANENT FOUNDATIONS, ALL RECORDED PLAT EASEMENTS AND BUILDING SETBACK LINES (IF APPLICABLE), AND ALL OTHER SUCH EASEMENTS WHICH HAVE BEEN DISCLOSED BY A CURRENT TITLE OPINION OR COMMITMENT FOR TITLE INSURANCE AND COPIES THEREOF PROVIDED TO ME PRIOR TO THE TIME OF THIS SURVEY; THAT THE UNDERGROUND OR ABOVE GROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS PLAT OF SURVEY UNLESS SPECIFICALLY REQUESTED PRIOR TO THE TIME OF THIS SURVEY; THAT EXCEPT AS SHOWN, THERE ARE NO ENCROACHMENTS FROM ADJOINING PREMISES ONTO THE PROPERTY DESCRIBED HEREON AND ONTO ADJOINING PREMISES FROM THE PROPERTY DESCRIBED HEREON BY VISIBLE PERMANENT IMPROVEMENTS; AND THAT THIS PLAT OF SURVEY IS PREPARED SOLELY FOR THE PARTIES LISTED HEREON AS OF THE LAST DATE STATED HEREON AND MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFINANCE, OR OTHER TRANSACTION OR CONVEYANCE.

WITNESS MY HAND AND SEAL THIS 11th DAY OF JANUARY 2024

*Jack D. Ramsey*  
 JACK D. RAMSEY R.L.S. 387

THIS PLAT REVISED 1/11/2024



**RAMSEY SURVEYING SERVICE**  
 P.O. BOX 388 BIXBY, OKLAHOMA 74008  
 918 740 1124  
 OKLAHOMA CERTIFICATE OF AUTHORIZATION  
 NUMBER 2112 EXPIRES JUNE 30, 2025  
 ramseysurvey6666@gmail.com







# Board of Adjustment

**Case Number:** CBOA-3134

**Hearing Date:** 02/20/2024 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

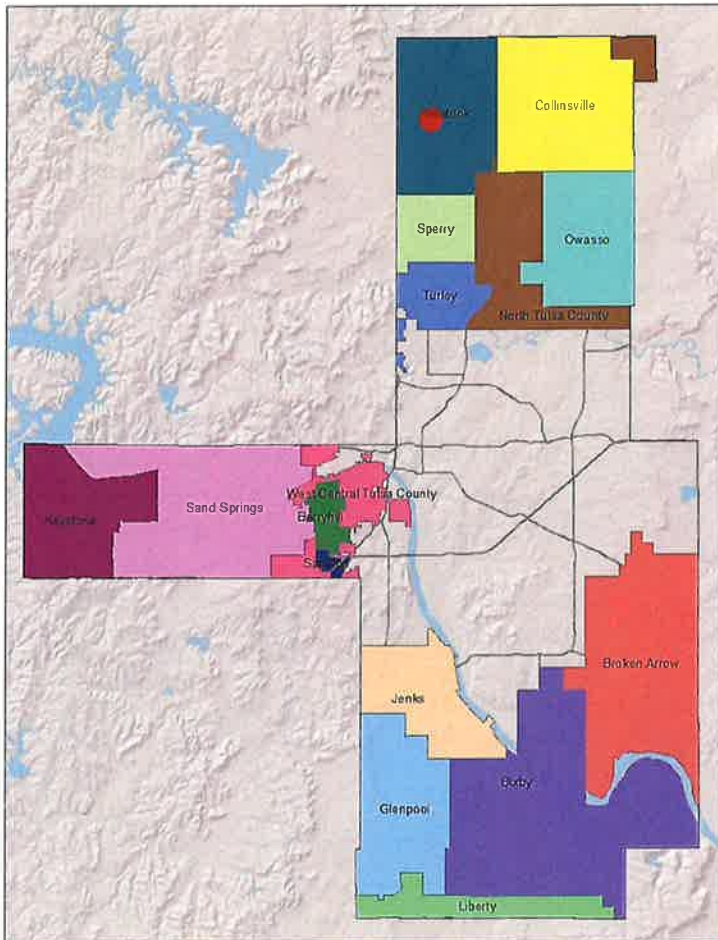
**Owner and Applicant Information:**

**Applicant:** Billy Conley

**Property Owner:** HUNT, LORNA AND JAMES F AND

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

**Location Map:**



**Additional Information:**

**Present Use:** Vacant

**Tract Size:** 2.03 acres

**Location:** 15105 N PEORIA AV E

**Present Zoning:** AG

**Fenceline/Area:** Skiatook

**Land Use Designation:** Urban Residential

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 2319

**CZM:** 6

**CASE NUMBER:** CBOA-3134

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 02/20/2024 1:30 PM

**APPLICANT:** Billy Conley

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

**LOCATION:** 15105 N PEORIA AV E

**ZONED:** AG

**FENCELINE:** Skiatook

**PRESENT USE:** Vacant

**TRACT SIZE:** 2.03 acres

**LEGAL DESCRIPTION:** TR BEG NWC GOV LT 3 OR NW SW TH E303 S192 SW232 W116 N336 POB SEC 19 22 13 2.028ACS, 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 no longer in use. The tract is surrounded by AG zoning 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 Tulsa County zoning code requires 2.1 acres of land area per dwelling in the AG district. The applicant is proposing to move a home onto the lot. The lot contains 2.03 acres, which is just under the required land area for a lot containing a dwelling.

The applicant provided the statement "Lot is just under the are required to move a home onto the property. The lot is 0.07 acres under."

*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 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 \_\_\_\_\_.**

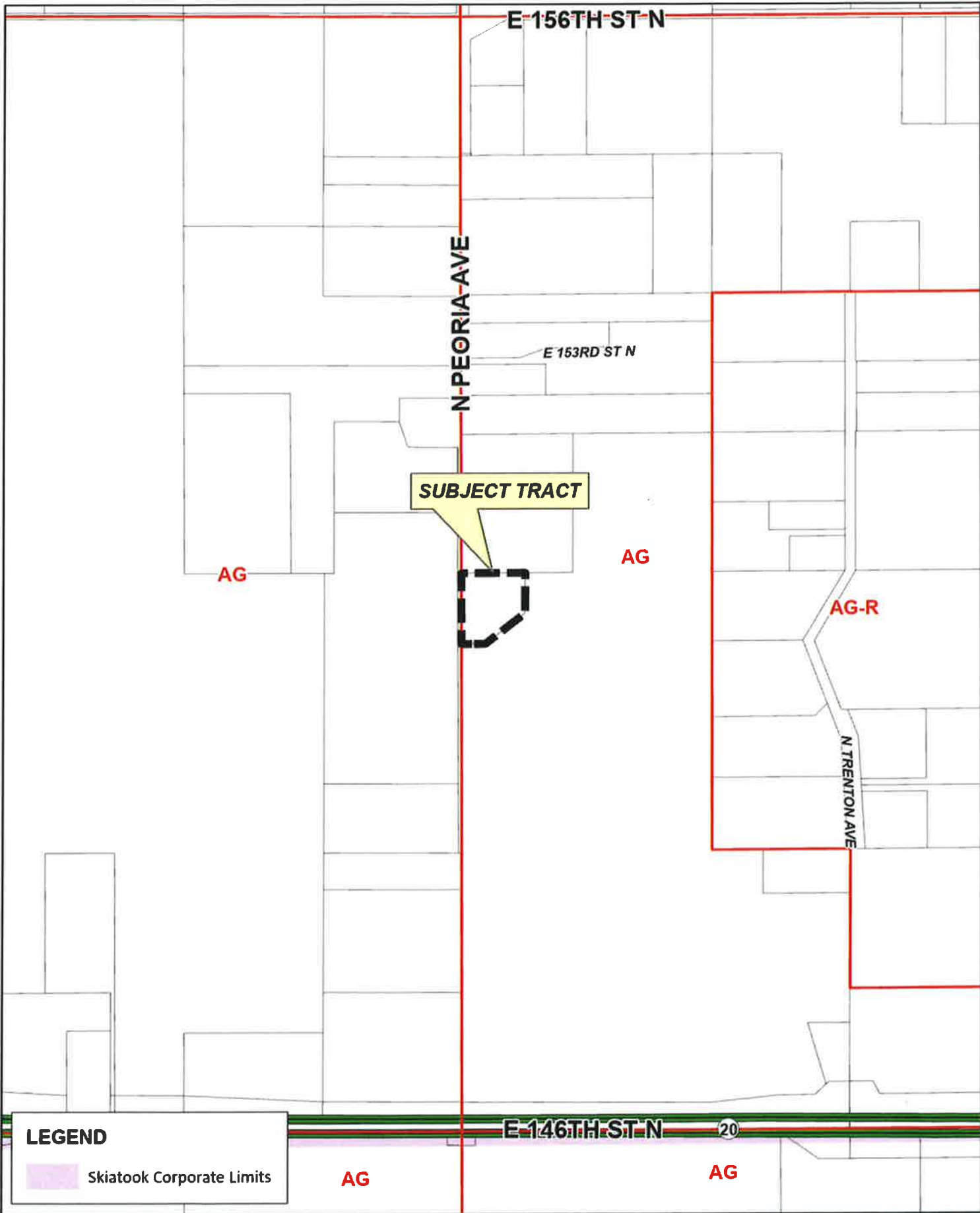
***Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do 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 Northeast from N Peoria Ave



Subject tract looking Southeast from N Peoria Ave



**LEGEND**

 Skiatook Corporate Limits



**CBOA-3134**

22-13 19



CBOA-3134 6.5



 Subject Tract

**CBOA-3134**

22-13 19

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

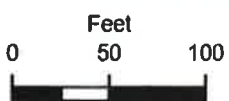
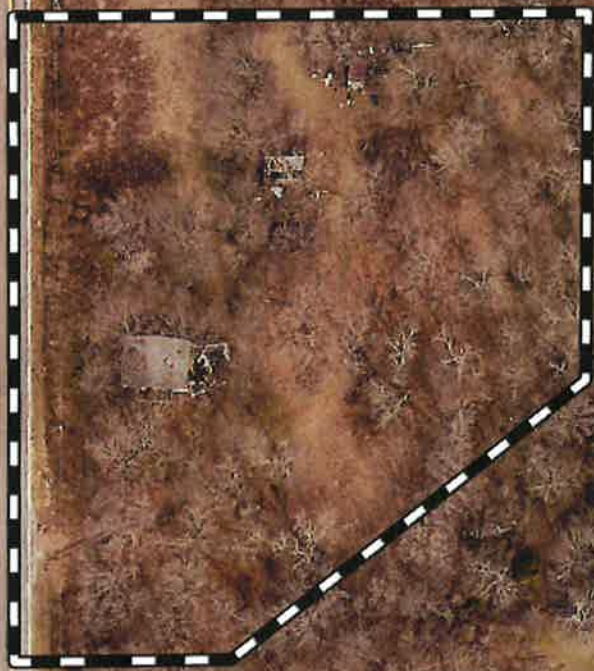
Aerial Photo Date: 2023

CBOA-3134 6.6





N PEORIA AVE



Subject Tract

**CBOA-3134**

22-13 19

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

Aerial Photo Date: 2023

CBOA-3134 6.7









# Board of Adjustment

**Case Number:** CBOA-3135

**Hearing Date:** 02/20/2024 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

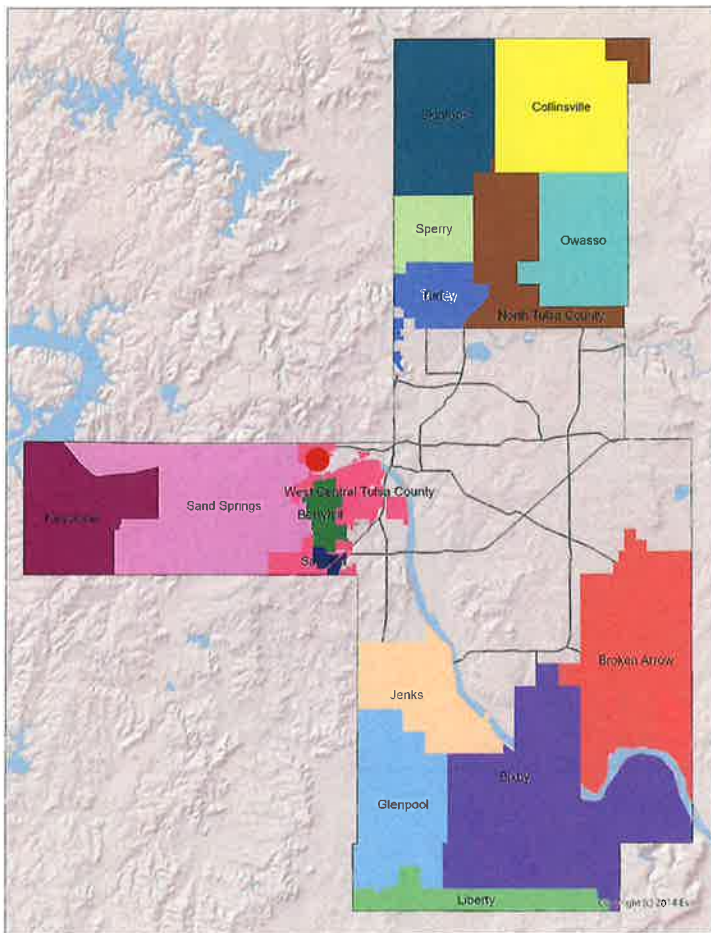
**Owner and Applicant Information:**

**Applicant:** Letty Vazquez

**Property Owner:** WILLIAMS, KYLE & LETTY VASQUEZ

**Action Requested:** Variance of the street frontage from 30' to 0' in an RS district to permit a lot split (Section 207).

**Location Map:**



**Additional Information:**

**Present Use:** Residence

**Tract Size:** 5.98 acres

**Location:** 5912 W 2 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:** 9205

**CZM:** 35

**CASE NUMBER:** CBOA-3135

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 02/20/2024 1:30 PM

**APPLICANT:** Letty Vazquez

**ACTION REQUESTED:** Variance of the street frontage from 30' to 0' in an RS district to permit a lot split (Section 207).

**LOCATION:** 5912 W 2 ST S

**ZONED:** RS

**FENCELINE:**

**PRESENT USE:** Residence

**TRACT SIZE:** 5.98 acres

**LEGAL DESCRIPTION:** BEG NWC OF SE SW TH W714.08 NE244.63 NW208 NE451.03 E63.01 SE166 NE70.65 S TO POB SEC 5 19 12 5.98 ACS, BLUE RIDGE SUB Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:**

**CBOA-3121 December 2023:** The Board approved a Special Exception to permit a manufactured home (Use Unit 9) in the RS district (Section 410).

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RS and contains a single-family residence. The site is surrounded by RS zoning containing single-family residences with the exception of abutting Highway 412 to the north

**STAFF COMMENTS:**

The applicant is before the Board to request a Variance of the street frontage from 30' to 0' in an RS district to permit a lot split (Section 207).

The applicant recently received approval for a manufactured home (Use Unit 9, CBOA-3121) to be placed on the lot. The applicant is now requesting a variance of the requirement of the Tulsa County Zoning code (Section 410) that requires 30 ft of frontage on a publicly maintained road so that she may split the lot with one lot containing the home and, at a minimum, the required lot area for a single-family dwelling with the remainder of the land being undeveloped. Access to the current lot is from West 2<sup>nd</sup> Street. An access easement would be required to provide access to the proposed land locked portion of the tract.

The applicant provided the statement "Requesting for lot split due to mortgage for new manufactured home. There is no desire to move or sell and the remaining property would not need a frontage."

*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.*

CBOA-3135 7.2

REVISED 2/12/2024

**Sample Motion:**

**"Move to \_\_\_\_\_ (approve/deny) a Variance of the street frontage from 30' to 0' in an RS district to permit a lot split (Section 207).**

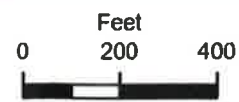
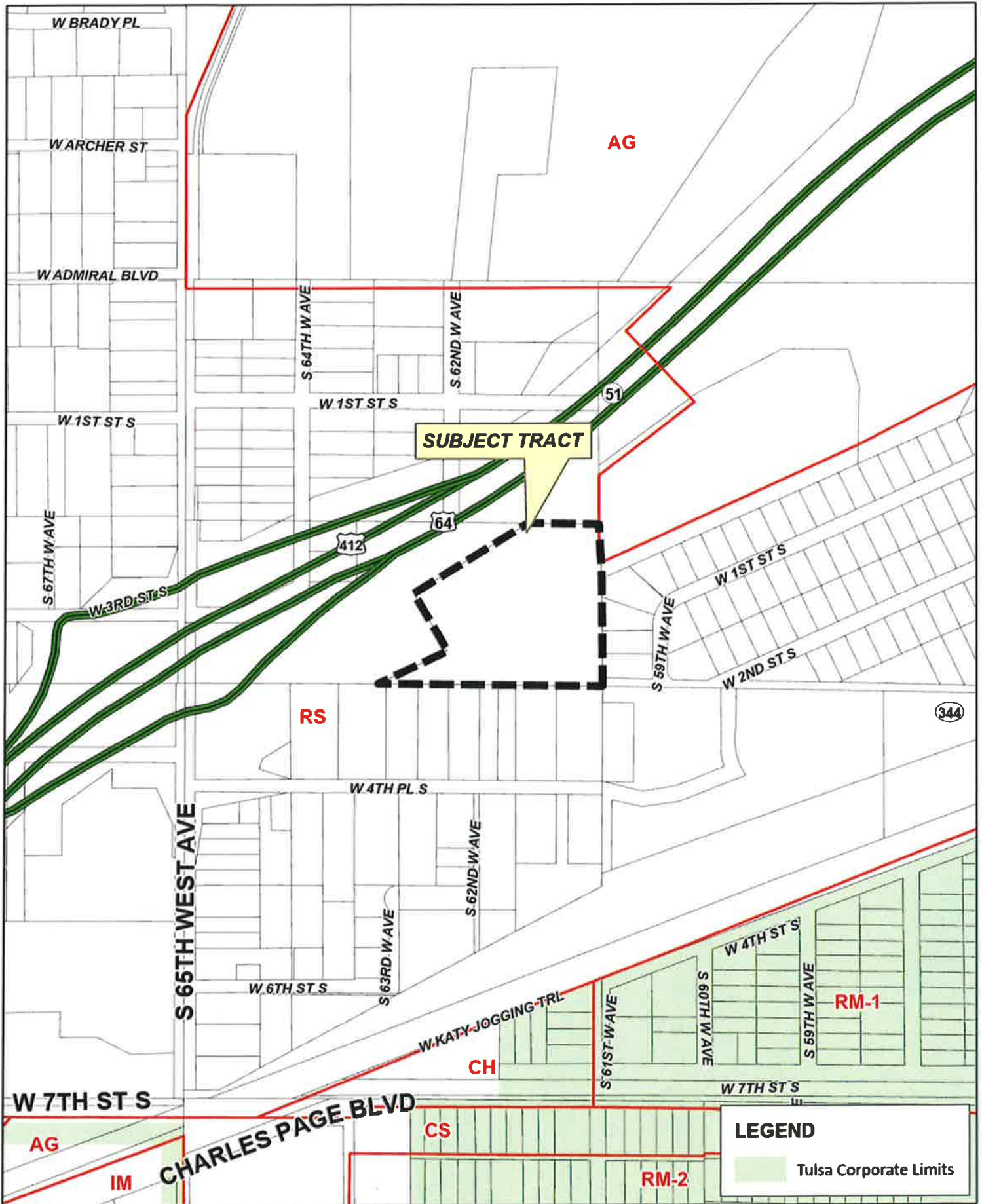
**Subject to the following conditions, if any: \_\_\_\_\_.**

**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 W 2<sup>nd</sup> St S (Note: Items in foreground are located on an adjacent tract and not on subject tract. Existing home shown is near property line. This home is being replaced with a manufactured home approved by CBOA-3121.)**

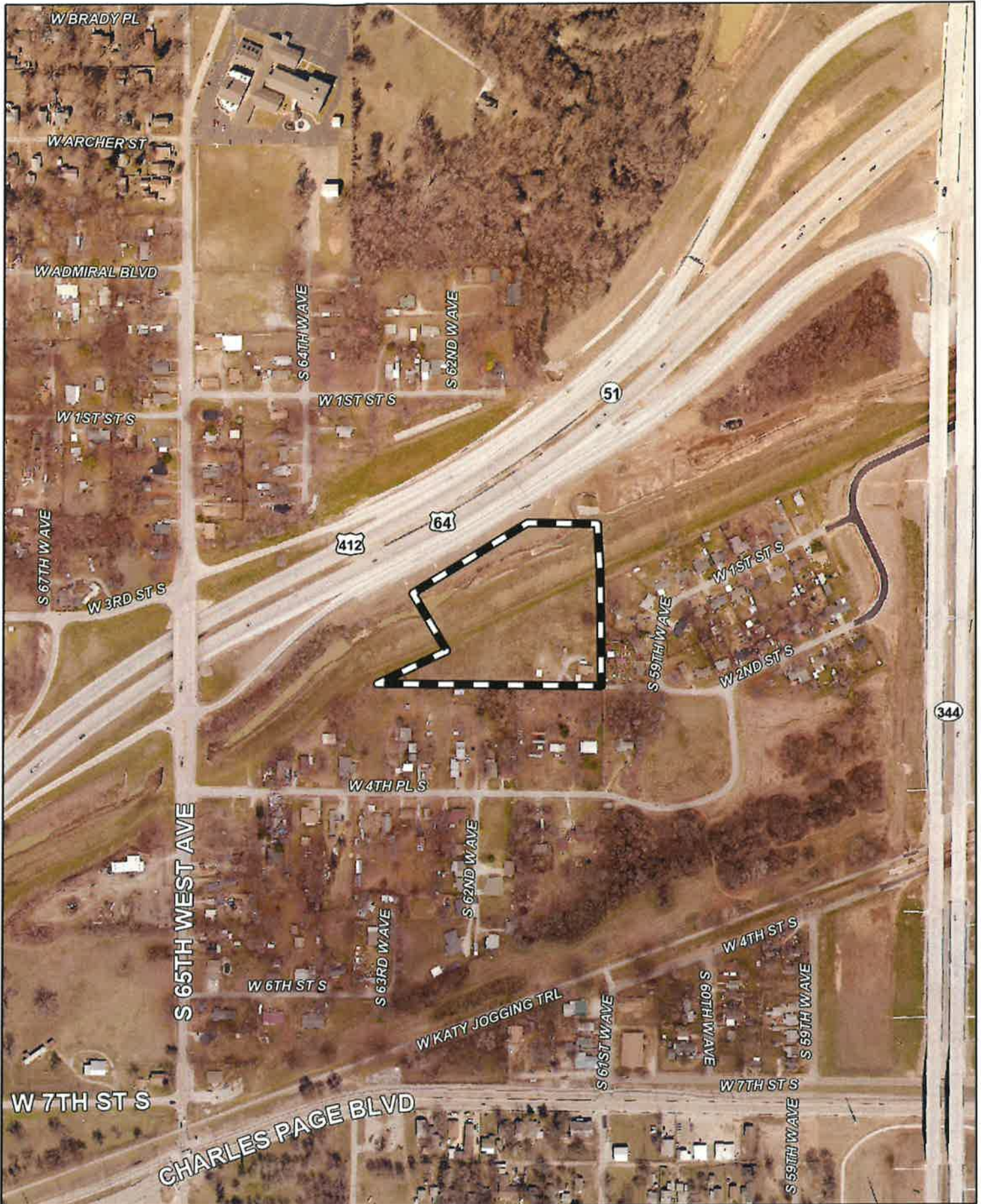


# CBOA-3135

19-12 05

CBOA-3135 7.5





W BRADY PL

W ARCHER ST

W ADMIRAL BLVD

S 64TH WAVE

S 62ND WAVE

W 1ST ST S

51

W 1ST ST S

64

412

S 67TH WAVE

W 3RD ST S

S 59TH WAVE

W 1ST ST S

W 2ND ST S

344

W 4TH PL S

S 65TH WEST AVE

S 62ND WAVE

S 63RD WAVE

W 6TH ST S

W KATY JOGGING TRL

S 61ST WAVE

S 60TH WAVE

W 4TH ST S

S 59TH WAVE

W 7TH ST S

CHARLES PAGE BLVD

W 7TH ST S

S 59TH WAVE



Subject Tract

**CBOA-3135**

19-12 05

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

Aerial Photo Date: 2023

CBOA-3135 7.6





# Board of Adjustment

**Case Number:** CBOA-3136

**Hearing Date:** 02/20/2024 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

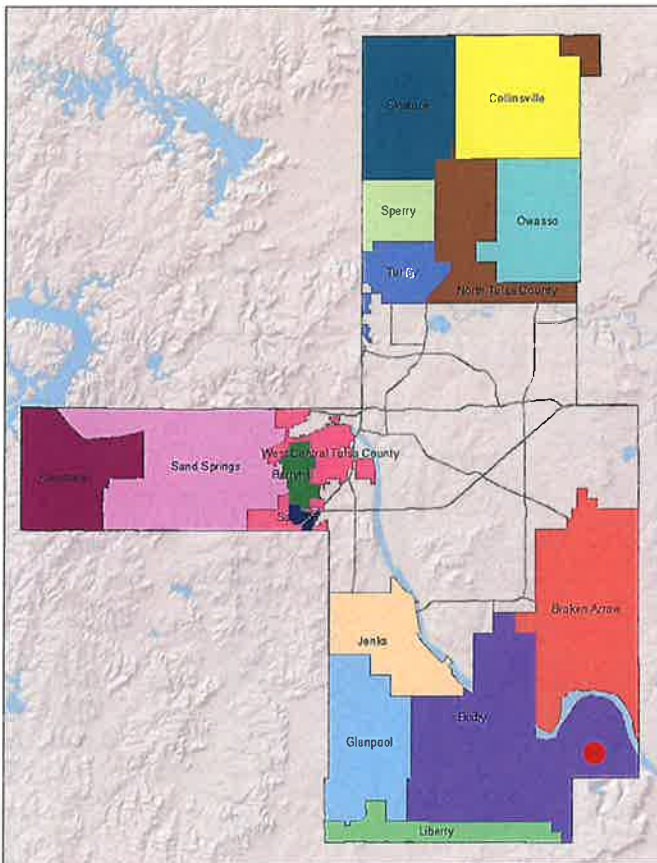
**Owner and Applicant Information:**

**Applicant:** Andrew Wilson

**Property Owner:** T-TOWN HOMES & LAND LLC

**Action Requested:** Special Exception to permit a manufactured home (Use Unit 9) in the RS district (Section 410).

**Location Map:**



**Additional Information:**

**Present Use:** Vacant

**Tract Size:** 0.2 acres

**Location:** West of the NWC E 168th St S & S 195th E Ave

**Present Zoning:** RS

**Fenceline/Area:** Bixby

**Land Use Designation:** Rural Residential

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 7427

**CZM:** 69

**CASE NUMBER: CBOA-3136**

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 02/20/2024 1:30 PM

**APPLICANT:** Andrew Wilson

**ACTION REQUESTED:** Special Exception to permit a manufactured home (Use Unit 9) in the RS district (Section 410).

**LOCATION:** West of the NWC E 168th St S & S 195th E Ave

**ZONED:** RS

**FENCELINE:** Bixby

**PRESENT USE:** Vacant

**TRACT SIZE:** 0.2 acres

**LEGAL DESCRIPTION:** LTS 15 THRU 18 LESS N19.5 THEREOF BLK 30, LEONARD 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 is surrounded by RS zoning containing single-family residences and a church.

**STAFF COMMENTS:**

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

The site contains 0.2 acres (8,712 sf). The minimum lot size in the RS district is 8,400 sf, so the lot has enough area to support one dwelling, per the Tulsa County Zoning Code. The lot is currently vacant. The applicant intends to place a 15x40 single wide manufactured home on the lot as well as construct a 24x30 shop/garage as shown on the drawing provided by the applicant.

A special exception is required as the proposed manufactured home (Use Unit 9) 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 manufactured 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 (Use Unit 9) in the RS district (Section 410).**

**Subject to the following conditions, if any: \_\_\_\_\_.**

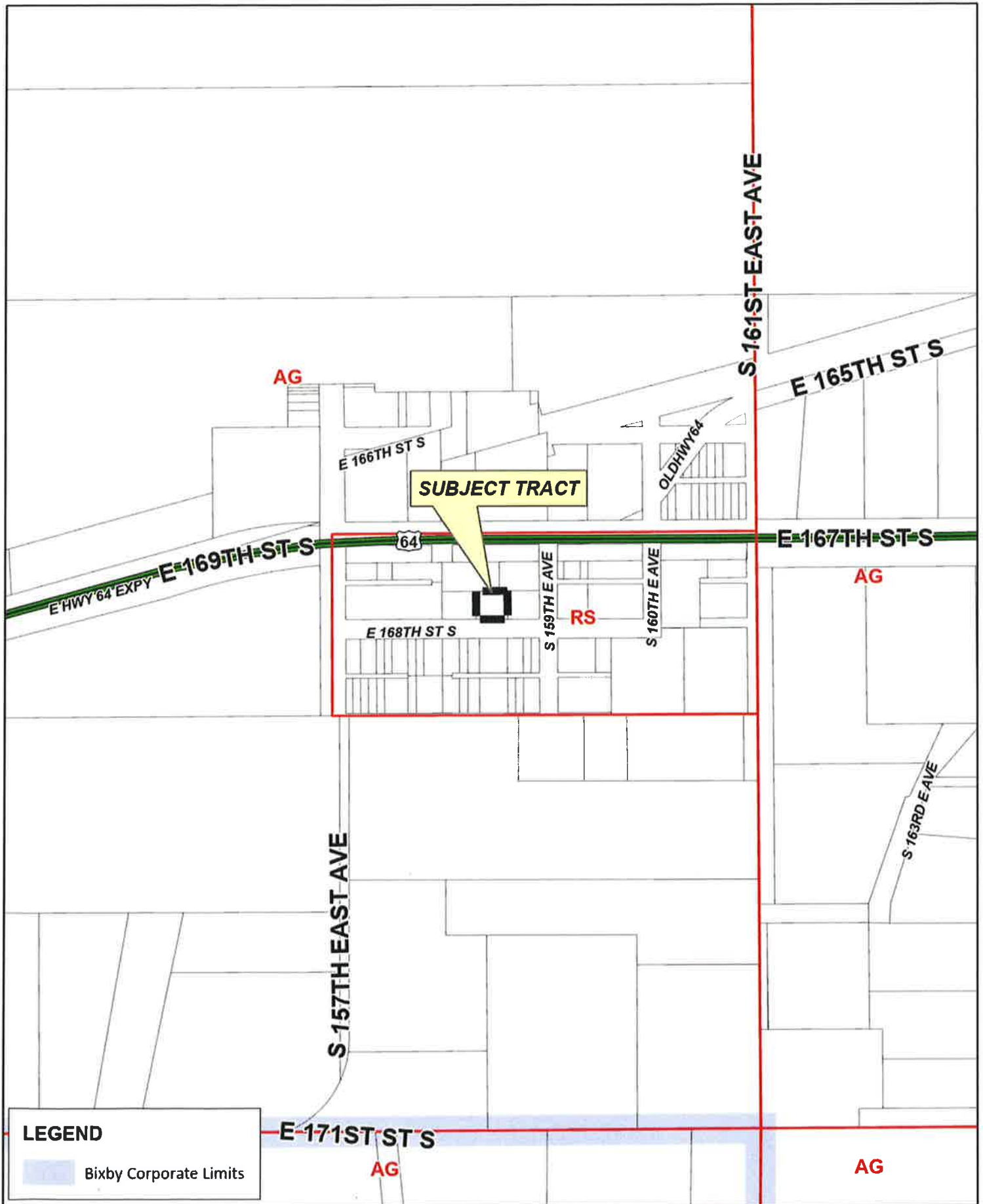
**In granting a Special Exception, the Board must find that the Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.**



Subject tract looking Northeast from intersection of S 157<sup>th</sup> E Ave & E 168<sup>th</sup> St S (Single-Family home shown is on adjacent tract to the east of subject tract. Small shed shown is in the NW corner of subject tract.)



Subject tract looking Southwest from intersection of S 159<sup>th</sup> E Ave & E 168<sup>th</sup> St S



**SUBJECT TRACT**

**LEGEND**

 Bixby Corporate Limits

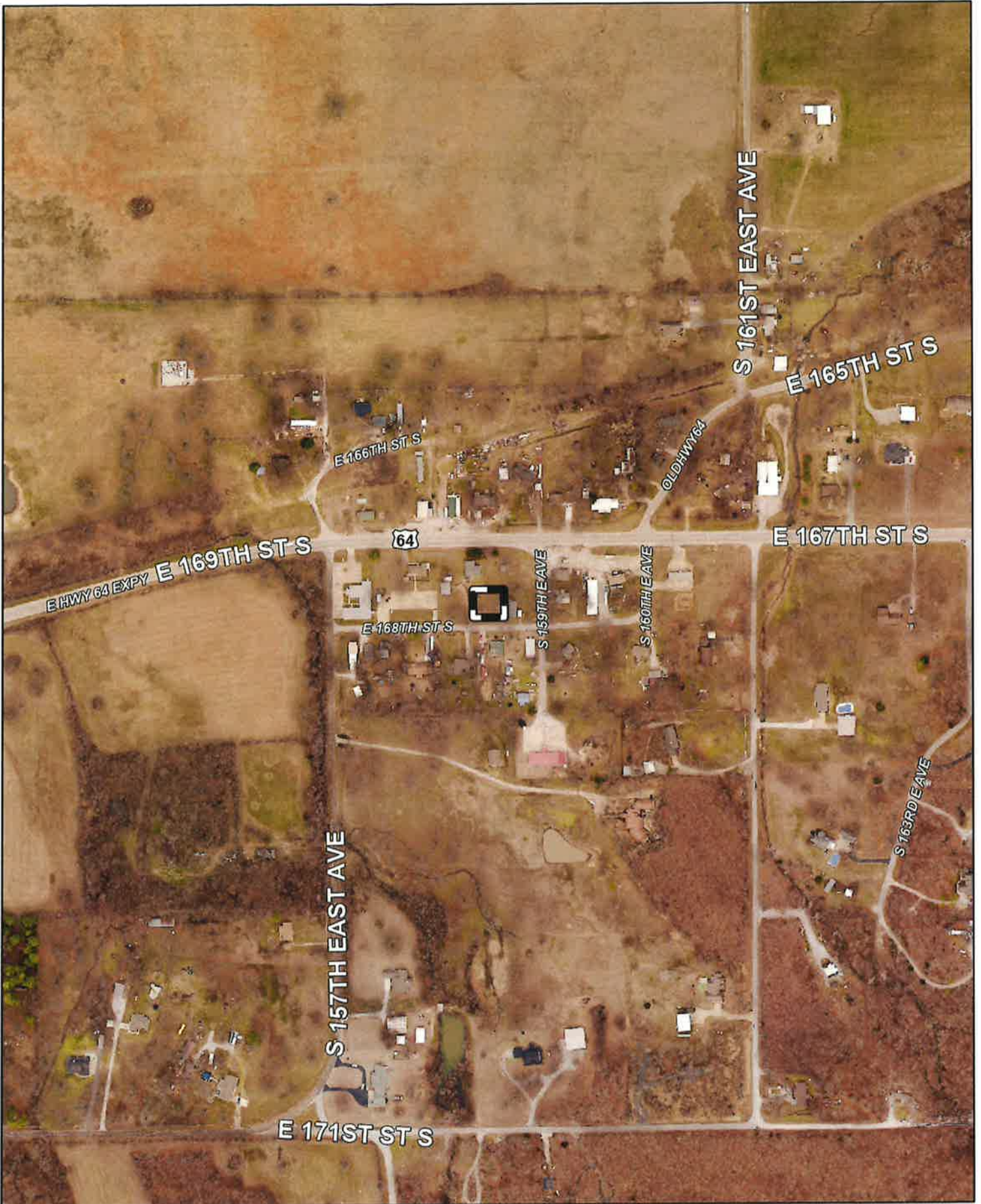


**CBOA-3136**

17-14 27



CBOA-3136 8.5



Subject  
Tract

**CBOA-3136**

17-14 27

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

Aerial Photo Date: 2023

CBOA-3136 8.6

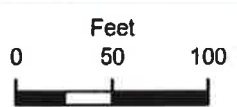




64

S 159TH E AVE

E 168TH ST S



Subject Tract

**CBOA-3136**

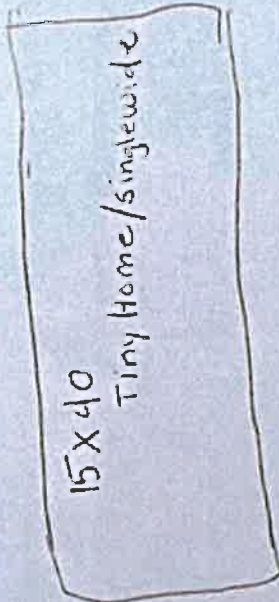
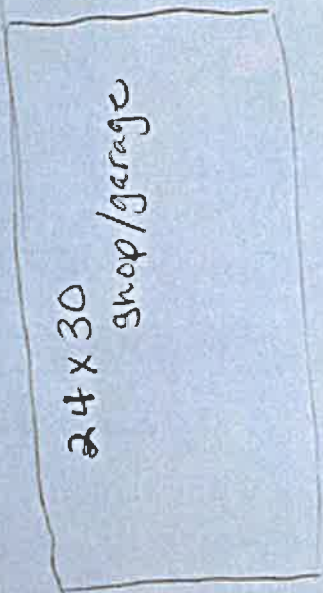
17-14 27

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

Aerial Photo Date: 2023

CBOA-3136 8.7



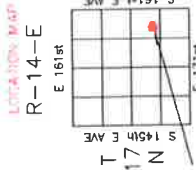


• 6' wood privacy fence  
around entire perimeter  
with electric gate

168<sup>th</sup> Street  
✓

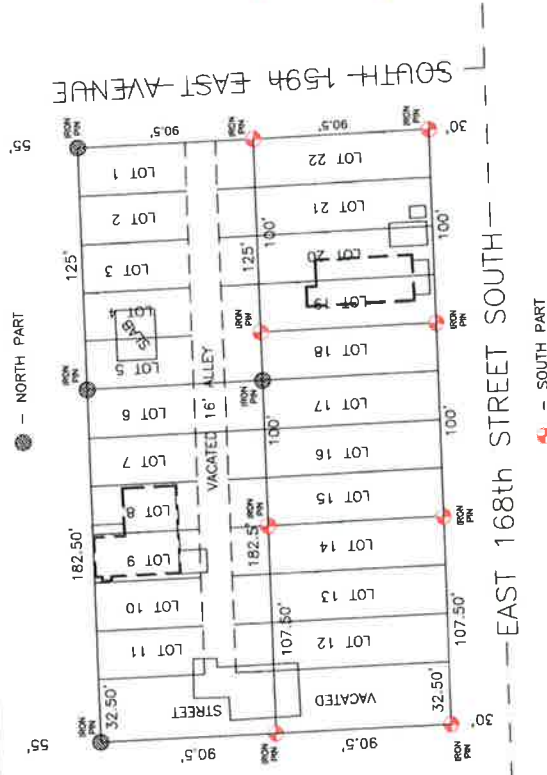
# PLAT OF SURVEY

IRON PIN FOUND ● UNDERGROUND LINE - - - - -  
 IRON PIN SET ○ OVERHEAD LINE - - - - -  
 FENCE - - - - -  
 EASEMENT OR BLDG LINE - - - - -  
 NOTE: NOT ALL ITEMS IN LEGEND  
 MAY APPEAR ON THIS PLAT



SECTION 27

SUBJECT TRACT  
 EAST 167th STREET SOUTH (U.S. HWY 64)



LOT SPLITS BLOCK 30 AND VACATED ALLEY AND STREET O.T. LEONARD, TULSA COUNTY, STATE OF OKLAHOMA

**DESCRIPTION**

LOTS 1,2,3,4, AND 5, OF BLOCK 30, OF THE ORIGINAL TOWN OF LEONARD, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, LESS AND EXCEPT THE NORTH 55 FEET THEREOF AND INCLUDING THE NORTH 16 FOOT ALLEY, ADJACENT THERETO AND INCLUDING THE NORTH 19.5 FEET OF LOTS 12, 13, 14, 15, 16, AND 17 OF SAID BLOCK 30.

**DESCRIPTION**

LOTS 6,7,8,9,10, AND 11, OF BLOCK 30, OF THE ORIGINAL TOWN OF LEONARD, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, LESS AND EXCEPT THE NORTH 55 FEET THEREOF AND INCLUDING THE VACATED 16 FOOT ALLEY, ADJACENT THERETO AND INCLUDING THE NORTH 19.5 FEET OF LOTS 12, 13, 14, 15, 16, AND 17 OF SAID BLOCK 30, AND THE EAST HALF OF THE VACATED STREET WEST OF AND ADJACENT THERETO.

**DESCRIPTION**

LOTS 12,13,14, OF BLOCK 30, OF THE ORIGINAL TOWN OF LEONARD, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, LESS AND EXCEPT THE NORTH 19.5 FEET THEREOF AND INCLUDING THE EAST HALF OF THE VACATED STREET, WEST OF AND ADJACENT THERETO.

**DESCRIPTION**

LOTS 15,16,17, AND 18, OF BLOCK 30, OF THE ORIGINAL TOWN OF LEONARD, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, LESS AND EXCEPT THE NORTH 19.5 FEET THEREOF.

**DESCRIPTION**

LOTS 19,20,21, AND 22, OF BLOCK 30, OF THE ORIGINAL TOWN OF LEONARD, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, LESS AND EXCEPT THE NORTH 19.5 FEET THEREOF.

**SURVEYOR'S STATEMENT**

I, JACK D. RAMSEY, OKLAHOMA LAND SURVEYOR #287, A SOLE PROPRIETOR DOING BUSINESS AS RAMSEY SURVEYING SERVICE AND THE UNDERSIGNED, DO HEREBY STATE THAT IN MY PROFESSIONAL OPINION THE ABOVE PLAT OF SURVEY IS AN ACCURATE REPRESENTATION OF A CAREFUL BOUNDARY SURVEY OF THE PROPERTY DESCRIBED AND MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE BOARD OF SURVEYING AND MAPPING, STATE OF OKLAHOMA. THE ABOVE AND FOREGOING PLAT OF SURVEY ACCURATELY SHOWS THE LOCATIONS OF THE BUILDINGS, THEIR MONUMENTS, AND THEIR DIMENSIONS OF THE PROPERTY, THE LOCATIONS OF ALL BUILDINGS OR OTHER STRUCTURES, EASEMENTS, AND BUILDING SETBACK LINES (IF APPLICABLE), AND ALL OTHER SUCH EASEMENTS WHICH ARE SHOWN ON THIS PLAT OF SURVEY. I HAVE PERSONALLY EXAMINED THE PROPERTY AND THE RECORDS OF THE PUBLIC RECORDS TO VERIFY THE ACCURACY OF THE UNDERGROUND OR ABOVE GROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS PLAT OF SURVEY UNLESS SPECIFICALLY REQUESTED PRIOR TO THE TIME OF THIS SURVEY. THAT EXCEPT AS SHOWN, THERE ARE NO ENCROACHMENTS FROM ADJACENT PREMISES ONTO THE PROPERTY DESCRIBED HEREON AND NO OTHER ENCROACHMENTS FROM THE PROPERTY DESCRIBED HEREON. I HAVE ADVISED ALL ADJACENT PARTIES LISTED HEREON AS OF THE LAST DATE STATED HEREON AND MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFINANCE, OR OTHER TRANSACTION OR CONVEYANCE.

WITNESS MY HAND AND SEAL THIS 10th DAY OF NOVEMBER 2023

*(Signature)*  
 JACK D. RAMSEY - LS 287

LAST ON SITE 11/10/2023



**RAMSEY SURVEYING SERVICE**  
 P.O. BOX 366 BIXBY, OKLAHOMA 74008  
 OKLAHOMA CERTIFICATE OF AUTHORIZATION  
 NUMBER 2112 EXPIRES JUNE 30,2025  
 ramseysurveying666@gmail.com

# To Board of Adjustments Tulsa County

## Case # CBOA -3136

Our first concern about the upcoming special exemption you are asking for of Lts.15 thru 18 Less N 19.5 There of Blk 30 Leonard, Tulsa County.

We are not in favor of this. Let us begin by saying this type of home (a single or double wide trailer-Mobile Home) devaluates the adjacent properties.

The request for a privacy fence and a permanent structure (Lg 24x30 shop/garage) leads me to believe in the future this may become a business property instead of a single home dwelling.

The families in this neighborhood have a history. My family alone in this neighborhood have been here for 5 generations and 3 of us still live here.

We are not on a city sewer system and I do not believe this property is big enough for a septic system.

Thank You

2-7-2024

Cher Edmonson  
Peggy Edmonson

15930 E 168<sup>th</sup> St. S.  
Bixby, OK. 74008

Case # CBOA-3136



# To Board of Adjustments Tulsa County

## Case # CBOA – 3136

Out first concern about the upcoming special exemption you are asking for on Lts. 15 thru 18 Less N 19.5 There of Blk 30 Leonard, Tulsa County.

We are not in favor of this. Let us begin by saying this type of home devaluates the adjacent properties.

The request for a privacy fence and a permanent structure (Lg 24x30 shop/garage) leads me to believe in the future this may become a business property instead of a single home dwelling.

The families in this neighborhood have a history. My family alone in this neighborhood have been here for 5 generations and 3 of us still live here.

We are not on a city sewer system and I do not believe this lot is big enough for a septic system.

Thank YOU

*Michael Smith*

15808 E 168<sup>th</sup>  
Leonard, OK  
74043