

TULSA COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 529
Tuesday, March 19, 2024, 1:30 p.m.
Williams Tower 1
1 West 3rd Street, St. Francis Room

Members Present	Members Absent	Staff Present	Others Present
Charney, Chair	Hutchinson, Vice	S. Tauber	Edinburgh-
Hicks	Chair	J. Hoyt	County
Houston		C. Pate	
Tisdale			

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, March 13, 2024, at 10:15 a.m. as well as in the Office of INCOG, 2 West Second Street, Suite 800.

Mr. Hoyt read the rules and regulations.

After declaring a quorum present, Vice Chairperson Charney called the meeting to order at 1:30 p.m.

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all "aye"; no "nays"; no "abstentions", and Hutchinson "absent") to **APPROVE** the Minutes of December 19, 2023 (Meeting No. 526). Correction noted in attendance of that meeting. Correction was made.

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all "aye"; no "nays"; no "abstentions" and Hutchinson "absent") to **APPROVE** the Minutes of February 20, 2024 (Meeting No. 528).

UNFINISHED BUSINESS

CBOA – 3113 Linda C. Morton

Action Requested:

Variance of the street frontage from 30' to 0' in an AG district to permit a lot split (Section 207). **Location:** 2652 E 171st St S

Presentation:

The applicant has asked to **CONTINUE** her case to April 16, 2024, due to surgery. Previously **continued** from November 19, 2023, December 19, 2023, and March 19, 2024.

Interested Parties:

None

Comments and Questions:

None.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all “ayes”; no “nays”; no “abstention”, and Hutchinson “absent”, to **CONTINUE** the Variance of the street frontage from 30' to 0' in an AG district to permit a lot split (Section 207) to April 16, 2024.

E/2 NE SW NW & NW SE NW LESS E40 THEREOF & W40 E80 SW NE NW & W40 E80 NW NE NW SEC 31 17 13 15.606ACS, Tulsa County, State of Oklahoma

NEW APPLICATIONS

CBOA – 3137 Melisha Wallace

Action Requested:

Special Exception to permit a home occupation (hair salon) in an RS district (Section 440) **Location:** 6537 N Rockford Av E

Presentation:

Melisha Wallace, 6537 North Rockford Avenue, Tulsa, Oklahoma, 74106, stated that she wanted to open a beauty salon in her home. She would not be open past 7:00 p.m., she would not have any employees, and she would have only one customer at a time. Her neighbors on each side of her have been positive about her doing this. Her shop will be inside her house in her garage. She would begin her day at about 9:00 a.m.

Interested Parties:

No interested parties were present.

Comments and Questions:

Mr. Tisdale, Mr. Hicks, and Mr. Charney were all in support of this request.

Board Action:

On **MOTION** of **TISDALE**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all “ayes”; no “nays”; no “abstention”, and Hutchinson “absent”), to **APPROVE** the Special Exception to permit a home occupation (hair salon) in an RS district (Section 440), subject to the following conditions: 1. The salon’s hours will begin at 5:00 p.m. to 7:00 p.m. Monday through Friday, Saturday from 9:00 a.m. to 5:00 p.m. and Sunday from 10:00 a.m. to 2:00 p.m. The plan is to increase the hours to a normal work week transitioning to a full-time salon business in the future. 2. Solo business with no other employees. 3. Offering individual appointments, one guest at a time in one room with wash station chair and one barber chair. 4. Owner will have one designated parking space in the driveway for clients closest to the gate entrance to salon. 5. No deliveries will be made with supplies. 6. No signage.

The Board finds that the requested 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, for the following property:

LT 34 & PRT LT 33 BEG NWC THEREOF TH S200 E36 N74 NW TO POB BLK 2, PHILLIPS FARMS ADDN, Tulsa County, State of Oklahoma

CBOA – 3138 Tom Neal

Action Requested:

Variance to permit two dwelling units on a single lot of record in an RS district (Section 208). **Location:** 4147 W 59th St S

Presentation:

Ken Ackley, 4345 West 59th Street, Tulsa, Oklahoma, 74107, stated that the two dwelling units already exist on the property. The home that he wants to renovate is the original homestead and was in a very dilapidated condition. The son of the original owner built the other home and left the original home to fall apart. Mr. Ackley bought the property, and the original home is listed as an existing ADU being renovated. The newer home has a newer septic system, and the original has its own septic system. It will meet all the DEQ regulations and requirements.

Interested Parties:

No interested parties were present.

Comments and Questions:

Mr. Charney stated that this was a public service to renovate this house that was pre-existing and dilapidated, improving the neighborhood.

Board Action:

On **MOTION** of **HICKS**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all “ayes”; no “nays”; no “abstention”, and Hutchinson “absent”), to **APPROVE** the Variance to permit two dwelling units on a single lot of record in an RS district (Section 208) subject to the conditions of the DEQ requirements are met.

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; for the following property:

BEG 3070W NEC SE SE TH W300 S408.5 E120 S160 E180 N568.5 TO BEG SEC 33-19-12

CBOA – 3139 Adam Wheat

Action Requested:

Variance of the required side yard setback in an AG district (Section 330).

Location: 4215 S 78th W Ave

Presentation:

Adam Wheat, 4215 South 78th West Avenue, Tulsa, Oklahoma, 74107, stated that he bought a thirty feet x fifty feet shop so he can work on his vehicles out of the weather. His land slopes downhill and he wants to put this on the top of the slope. This building will put him eight feet away from the property line and further than that would put the building into the driveway of his house. He wants a Variance to change the setback from fifteen feet to at least eight feet from the property line. The neighbors stated that they did not have any problems with the Variance change. The stem wall will be approximately six feet from the property line. It is a carport commander buildings/metal building. It will be an enclosed building with three garage doors and with a concrete floor.

Interested Parties:

No interested parties were present.

Comments and Questions:

Mr. Charney stated that given the arrangement of his lot, the slope, and conditions this is something he could support. Mr. Tisdale agreed.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all “ayes”; no “nays”; no “abstention”, and Hutchinson “absent”), to **APPROVE** the Variance of the required side yard setback in an AG district (Section 330) from the 15’ to 6’ from the property line. The hardship being that the lot slopes in a way that would not make it feasible to move the building further away onto a different portion of the lot that is indicated on the site plan.

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; for the following property:

W310 N330 S990 E640 NW NW SEC 30 19 12 2.35ACS

CBOA -3141 TNT Fireworks

Action Requested:

Modification of a previously approved Special Exception (CBOA-2737) to extend the time limitation and the Variance from the all-weather parking requirement for a fireworks stand (Use Unit 2) (Section 1340.D) to expire 7-10-29. **Location:**
701 W 41st St S

Presentation:

Lonnie Basse, 5401 West Skelly Drive, Tulsa, Oklahoma, 74107, thanked the Board for their volunteer service and stated that he wanted to extend his existing operation for an additional five-year period. He stated that he had not had any issues with neighbor or any operating issues about any of his firework stands.

Interested Parties:

No interested parties were present.

Comments and Questions:

The Board agreed that extending the fireworks stand for a five-year period would be acceptable.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all “ayes”; no “nays”; no “abstention”, and Hutchinson “absent”), to **APPROVE** the Modification of a previously approved Special Exception (CBOA-2737) to extend the time limitation and the Variance from the all-weather parking requirement for a fireworks stand (Use Unit 2) (Section 1340.D) to expire 7-10-29. Given the temporary nature of the fireworks stand and the use of them for a temporary time throughout the year all-weather parking would impose a hardship to the site.

The Board finds that the requested 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.

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; for the following property:

**SW SW SW LESS S50 & W50 N280 S330 FOR STS SEC 22 19 10 8.921ACS,
SOONER MINI STORAGE, SOONER MINI STORGE EXT, TIMBERLING HOLLOW,
COUNTY OF TULSA, STATE OF OKLAHOMA.**

CBOA – 3142 TNT Fireworks

Action Requested:

Modification of a previously approved Special Exception (CBOA-2736) to extend the time limitation and the Variance from the all-weather parking requirement for fireworks stands (Use Unit 2) (Section 1340.D) to expire 7-10-29. **Location:**
4801 E Pine St

Presentation:

Lonnie Basse, 5401 West Skelly Drive, Tulsa, Oklahoma, 74107, stated that he wanted to extend his existing operation for an additional five-year period. He stated that he had not had any issues with neighbor or any operating issues about any of his firework stands.

Interested Parties:

No interested parties were present.

Comments and Questions:

The Board agreed that extending the fireworks stand for a five-year period would be acceptable.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all “ayes”; no “nays”; no “abstention”, and Hutchinson “absent”), to **APPROVE** the Modification of a previously approved Special Exception (CBOA-2736) to extend the time limitation and the Variance from the all-weather parking requirement for a fireworks stand (Use Unit 2) (Section 1340.D) to expire 7-10-29. Given the temporary nature of the fireworks stand and the use of them for a temporary time throughout the year all-weather parking would impose a hardship to the site.

The Board finds that the requested 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.

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; for the following property:

BEG 348.16W & 50N SECR SE TH N175 E123.19 S175 W123.16 POB SEC 28 20 13 .495AC, WEE RANCHO ADDN, COUNTY OF TULSA, STATE OF OKLAHOMA.

CBOA – 3143 TNT Fireworks

Action Requested:

Modification of a previously approved Special Exception (CBOA-2735) to extend the time limitation and the Variance from the all-weather parking requirement for a fireworks stand (Use Unit 2) (Section 1340.D) to expire 7-10-29. **Location:**
4221 E Pine St

Presentation:

Lonnie Basse, 5401 West Skelly Drive, Tulsa, Oklahoma, 74107, stated that he wanted to extend his existing operation for an additional five-year period. He stated that he had not had any issues with neighbor or any operating issues about any of his firework stands.

Interested Parties:

No interested parties were present.

Comments and Questions:

The Board agreed that extending the fireworks stand for a five-year period would be acceptable.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all “ayes”; no “nays”; no “abstention”, and Hutchinson “absent”), to **APPROVE** the Modification of a previously approved Special Exception (CBOA-2735) to extend the time limitation and the Variance from the all-weather parking requirement for a fireworks stand (Use Unit 2) (Section 1340.D) to expire 7-10-29. Given the temporary nature of the fireworks stand and the use of them for a temporary time throughout the year all-weather parking would impose a hardship to the site.

The Board finds that the requested 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.

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; for the following property:

**PRT SW SE BEG 35N SWC SW SE TH N97.35 TO A PT NO SELY R/W OF SL & SF
RR TH NE684.63 TH ON CRV RT274.77 SW568.49 W638.69 POB SEC 28 20 13
4.8928ACS, COUNTY OF TULSA, STATE OF OKLAHOMA.**

CBOA – 3144 TNT Fireworks

Action Requested:

Modification of a previously approved Special Exception (CBOA-2739) to extend the time limitation and the Variance from the all-weather parking requirement for a fireworks stand (Use Unit 2) (Section 1340.D) to expire 7-10-29. **Location:**
19214 E 91st St S

Presentation:

Lonnie Basse, 5401 West Skelly Drive, Tulsa, Oklahoma, 74107, thanked the Board for their volunteer service and stated that he wanted to extend his existing operation for an additional five-year period. He stated that he had not had any issues with neighbor or any operating issues about any of his firework stands.

Interested Parties:

No interested parties were present.

Comments and Questions:

The Board agreed that extending the fireworks stand for a five-year period would be acceptable.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all “ayes”; no “nays”; no “abstention”, and Hutchinson “absent”), to **APPROVE** the Modification of a previously approved Special Exception (CBOA-2739) to extend the time limitation and the Variance from the all-weather parking requirement for a fireworks stand (Use Unit 2) (Section 1340.D) to expire 7-10-29. Given the temporary nature of the fireworks stand and the use of them for a temporary time throughout the year all-weather parking would impose a hardship to the site.

The Board finds that the requested 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.

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; for the following property:

E317.5 N343 NE NE LESS N60 & E50 THEREOF SEC 24 18 14 1.737AC, COUNTY OF TULSA, STATE OF OKLAHOMA.

CBOA- 3145 – TNT Fireworks

Action Requested:

Modification of a previously approved Special Exception (CBOA-2740) to extend the time limitation and the Variance from the all-weather parking requirement for fireworks stand (Use Unit 2) (Section 1340.D) to expire 7-10-29. **Location:**
SW/c 101st St S & 129th E Ave

Presentation:

Lonnie Basse, 5401 West Skelly Drive, Tulsa, Oklahoma, 74107, stated that he wanted to extend his existing operation for an additional five-year period. He stated that he had not had any issues with neighbor or any operating issues about any of his firework stands.

Interested Parties:

No interested parties were present.

Comments and Questions:

The Board agreed that extending the fireworks stand for a five-year period would be acceptable.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all “ayes”; no “nays”; no “abstention”, and Hutchinson “absent”), to **APPROVE** the Modification of a previously approved Special Exception (CBOA-2740) to extend the time limitation and the Variance from the all-weather parking requirement for a fireworks stand (Use Unit 2) (Section 1340.D) to expire 7-10-29. Given the temporary nature of the fireworks stand and the use of them for a temporary time throughout the year all-weather parking would impose a hardship to the site.

The Board finds that the requested 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.

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; for the following property:

NE NE LESS N24.75 & W24.75 THEREOF & LESS BEG 24.75S & 24.75E NEC NE
TH S419.19 N140.83 N178.89 NW105.91 W273.88 WLY201.59 E564.21 TO POB&
LESS PRT NE NE BEG 659.77W NEC NE TH W659.77 S1321.49 E1319.87 N409.03
W448 N252 W211.85 N660.89 TO POB LESS N2, COUNTY OF TULSA, STATE OF
OKLAHOMA.

CBOA- 3146 Holly Watkins - WITHDRAWN

Action Requested:

Use Variance to permit Use Unit 23, Warehousing and Wholesaling in an AG District (Section 310). **Location:** 6903 E 181st St S

CBOA- 3147 TNT Fireworks WITHDRAWN

Action Requested:

Special Exception to allow a fireworks stand (Use Unit 2) in a CG zoned district. (Sec. 710); Variance of the all-weather surface material requirement for parking (Section 1340.D) to expire 7-10-29. **Location:** 410 S 209th W Ave

CBOA- 3148 Scott and Donna Williams

Action Requested:

Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330). **Location:** 8775 E 86th St N

Presentation:

Scott Williams, 8775 East 86th Street North, Owasso, Oklahoma 74055, stated he and his wife want to place a house on their land for their son which will be about two hundred feet behind their house. We will be using the same access point off 86th Street. The neighbors do not have any problem with this. There will be separate electricity, septic system, and utilities per dwelling unit. It is a modular double wide home that will be moved in which is by right in an AG district.

Interested Parties:

No interested parties were present.

Comments and Questions:

Mr. Charney stated that he is comfortable with the general idea of the plan.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all “ayes”; no “nays”; no “abstention”, and Hutchinson “absent”), to **APPROVE** the Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330) is subject to the following conditions that the second dwelling unit have its own property approved by DEQ sanitary system. Finding the hardship to be the narrow and long configuration of the tract would lend itself to one dwelling unit to be significantly behind the front dwelling unit.

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; for the following property:

**W100 S1100 E/3 SE SW LESS S50 THEREOF FOR RD SEC 24 21 13 2.410ACS,
COUNTY OF TULSA, STATE OF OKLAHOMA.**

CBOA- 3149 TP Wrecker, LLC/Daniel Pollet WITHDRAWN

Action Requested:

Use Variance to permit Use Unit 27 for a commercial wrecker service storage facility in an AG district limited to southern portion of property. **Location:** 18227 S Elwood Ave

CBOA- 3150 Public Service Co. of Oklahoma

Action Requested:

Variance of the minimum lot area requirement in an AG district (Sec. 330).
Location: 14763 N Memorial Dr.

Presentation:

Kyle Smalygo, Smalygo Ranch, 123 North 7th Street, Collinsville, Oklahoma 74021, stated that the Public Service Company of Oklahoma approached them to put in a switch gear of sorts. The existing line that runs along Memorial is a transfer line that runs from close to American Airlines to Ramona. Anytime that line is interrupted, it puts out about seventeen miles worth of electrical use along Memorial. He did not want to speak for PSO, it was his understanding that they would be attending the meeting that day. This is a sort of electrical apparatus that will allow them to terminate electric and back feed from one direction to another. PSO requested an acre that is long, deep, and narrow. It will be about two hundred feet off the road and will not be visible from the road. PSO have met the requirements that Mr. Smalygo has requested as far as fencing, landscaping, and maintenance. He stated that he was the fourth choice for this site.

Interested Parties:

No interested parties were present.

Comments and Questions:

Mr. Tisdale asked if PSO was not required to be at the meeting since they were the applicant. Mr. Hoyt stated that the actual applicant did not have to be present, but someone representing and familiar with the case had to attend.

Board Action:

On **MOTION of CHARNEY**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all "ayes"; no "nays"; no "abstention", and Hutchinson "absent"), to **APPROVE** a Variance of the minimum lot area requirement in an AG district (Sec. 330) as shown per the conceptual plan on page 16.7 of the Agenda packet to allow a minimum lot area of that conformity. Finding the hardship to be the unique nature of the topography of this part of land coupled with use unique use being suggested on this tract of land would not trigger some of the normal the lot area requirement that would be needed for other uses.

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; for the following property:

SW NW & N/2 SE NW & SW SE NW & N/2 SW & NW SW SW LESS 2.5 FOR RD SEC 24 22 13, County of Tulsa, State of Oklahoma.

CBOA- 3151 Anchor Stone

Action Requested:

Special Exception to permit Use Unit 24 - Mining and Mineral Processing in an AG district (Section 310, Table 1). **Location:** S & E of E 151st St S & S Garnett Rd

Presentation:

The applicant has asked to **CONTINUE** their case to the next County Board of Adjustment of April 16, 2024.

Interested Parties:

None

Comments and Questions:

None

Board Action:

On **MOTION** of **HICKS**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all “ayes”; no “nays”; no “abstention”, and Hutchinson “absent”), to **CONTINUE** the Special Exception to permit Use Unit 24 - Mining and Mineral Processing in an AG district (Section 310, Table 1) to April 16, 2024. Notice will be sent out to include a larger range of homes until fifteen homeowners are notified.

LT 5 OR PART SW SE SEC 20-17-14; LTS 2 3 4 & W30 E/2 NE SEC 20 17 14 84.87AC; LT 6- OR PART SE SW SEC-20-17-14; E/2 NE LESS W30 THEREOF & LESS BEG 2418.22S NEC NE TH SW292.73 W1122.42 N443.26 NELY1469.75 S871.88 POB SEC 20 17 14 53.8ACS, Tulsa County, State of Oklahoma

CBOA- 3152 Jashima DeBerry

Action Requested:

Special Exception to allow fireworks stands (Use Unit 2) in a CS zoned district and IL zoned district; Variance of the all-weather surface material requirement for parking (Section 1340.D). **Location:** 1510 N Vandalia Ave

Presentation:

Jashima DeBerry, 9217 North 143rd East Avenue, Tulsa, Oklahoma, 74055, stated that he wanted to extend his Variance for another five years. There is one entrance and another exit, so there is not a lot of congestion. He followed the hours of operation set by the State Requirements and this only for the 4th of July period.

Interested Parties:

No interested parties were present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **HICKS**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all “ayes”; no “nays”; no “abstention”, and Hutchinson “absent”), to **APPROVE** the Special Exception to allow fireworks stands (Use Unit 2) in a CS zoned district and IL zoned district; Variance of the all-weather surface material requirement for parking (Section 1340.D) per the information found in the Agenda packet. Subject to the following conditions to meet the state requirements for operation and period for use of the fireworks stand and to be used during the 4th of July period.

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; for the following property:

E 125 W 495 S 240 SW SE SE LESS S 50 FOR ST. SEC 28-20-13, Tulsa County, State of Oklahoma.

CBOA- 3153 Charles Harlan

Action Requested:

Special Exception to permit a fireworks stand (Use Unit 2) in an AG district (Section 310, Table 1). **Location:** 12019 N Yale Ave

Presentation:

Charles Harlan, 12019 North Yale Avenue, Sperry, Oklahoma 74037, stated this is a new application and this is to sell fireworks for a youth church group for fund raising. Customers will park behind the stand on their property. He has put gravel down to widen the parking area. This will be operational during the 4th of July period. He plans to abide by the rules and regulations of the state.

Interested Parties:

No interested parties were present.

Comments and Questions:

None

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all “ayes”; no “nays”; no “abstention”, and Hutchinson “absent”), to **APPROVE** a Special Exception to permit a fireworks stand (Use Unit 2) in an AG district (Section 310, Table 1) as per the Agenda packet and subject to the conditions that it be operated in accordance with any and all State, Federal, and Local regulations regarding the operation hour.

The Board finds that the requested 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, for the following property:

N/2 NW NW SW SEC 3 21 13 5ACS, County of Tulsa, State of Oklahoma.

CBOA- 3155 Donald Cason

Action Requested:

Modification to a previously approved site plan (CBOA-2091). **Location:** 11400 E
116th St N

Presentation:

Don Cason, P.O. Box 735, Owasso, Oklahoma, 74055, stated that the church had a fire 25 years ago and they moved a modular building onto the site. They want to put another modular building on the site to store their lawn equipment. The contract is signed, the building is ordered, the pad work is completed. It is platted.

Mr. Hoyt stated that the original was approved per the conceptual plan, not an absolute plan. With a building being replaced, the potential future building, and parking lot extension, the conceptual plan has now been revised. All the zoning setbacks will be honored.

Interested Parties:

No interested parties were present.

Comments and Questions:

None

Board Action:

On **MOTION** of **TISDALE**, the Board voted 4-0-0 (Charney, Houston, Hicks, and Tisdale all “ayes”; no “nays”; no “abstention”, and Hutchinson “absent”), to **APPROVE** a Modification to a previously approved site plan (CBOA-2091) subject to the information provided in the Agenda packet.

Finding that 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.

LT 1 BLK 1, BURLINGAME CENTER, HOPE CHAPEL, Tulsa County, State of Oklahoma

NEW BUSINESS

OTHER BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

There being no further business, the meeting adjourned at 2:53 p.m.

Date approved: _____

4/16/24
Dorel E. Berg Chair