

AG

SUBJECT TRACT

**WAGONER COUNTY
ZONING
NOT AVAILABLE**

E 155 ST S

S 193rd E AVE

E 161st ST S

AG



CBOA-2660

7.1



BOARD OF ADJUSTMENT CASE REPORT

STR:7424

Case Number: CBOA-2660

CZM:69

PD:

HEARING DATE: 01/16/2018 1:30 PM

APPLICANT: Jeani Jackson

ACTION REQUESTED: **Use Variance** to allow a General Contractor/Construction business (Use Unit 15) in an AG district; and **Variance** from the all-weather parking surface requirement (Sections 310 and 1340.D)

LOCATION: 15800 S 193 AV E

ZONED: AG

PRESENT USE: Residential/Commercial

TRACT SIZE: 16.87 acres

LEGAL DESCRIPTION: BEG 189S NEC GOV LOT 6 TH S635 W1092.15 NW833.10 E270.07 S295 E374.89 N106 E570 TO POB SEC 24 17 14 16.866 ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

None Relevant.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by AG zoning.

STAFF COMMENTS:

The applicant is before the Board requesting a **Use Variance** to allow a General Contractor/Construction business (Use Unit 15) in an AG district. The applicant provided the following statement: *"We have applied for an SBA Business Loan. The requirements for approval is to re-zone our business office. In a meeting between us, the inspector and the bank, it was determined the best zoning would be "use variance" as applied for."*

A Use Variance is required because a General Contractor/Construction business (Use Unit 15) is not permitted in a AG zoning district due to potential adverse effect. The applicant has stated that the property will be used for clerical purposes to run the company. It does not appear equipment or materials associated with the business will be stored outside.

The applicant has also requested a **Variance** of the all-weather parking surface requirement to permit parking of cars on a gravel surface.

The Board may consider any conditions it deems necessary and reasonably related to the request to ensure that the proposed use is compatible with the surrounding neighborhood. If inclined to approve the Board may consider the following conditions:

- Outside storage of materials and equipment associated with the commercial business on the lot is prohibited.
- The property is to be used for clerical purposes only.

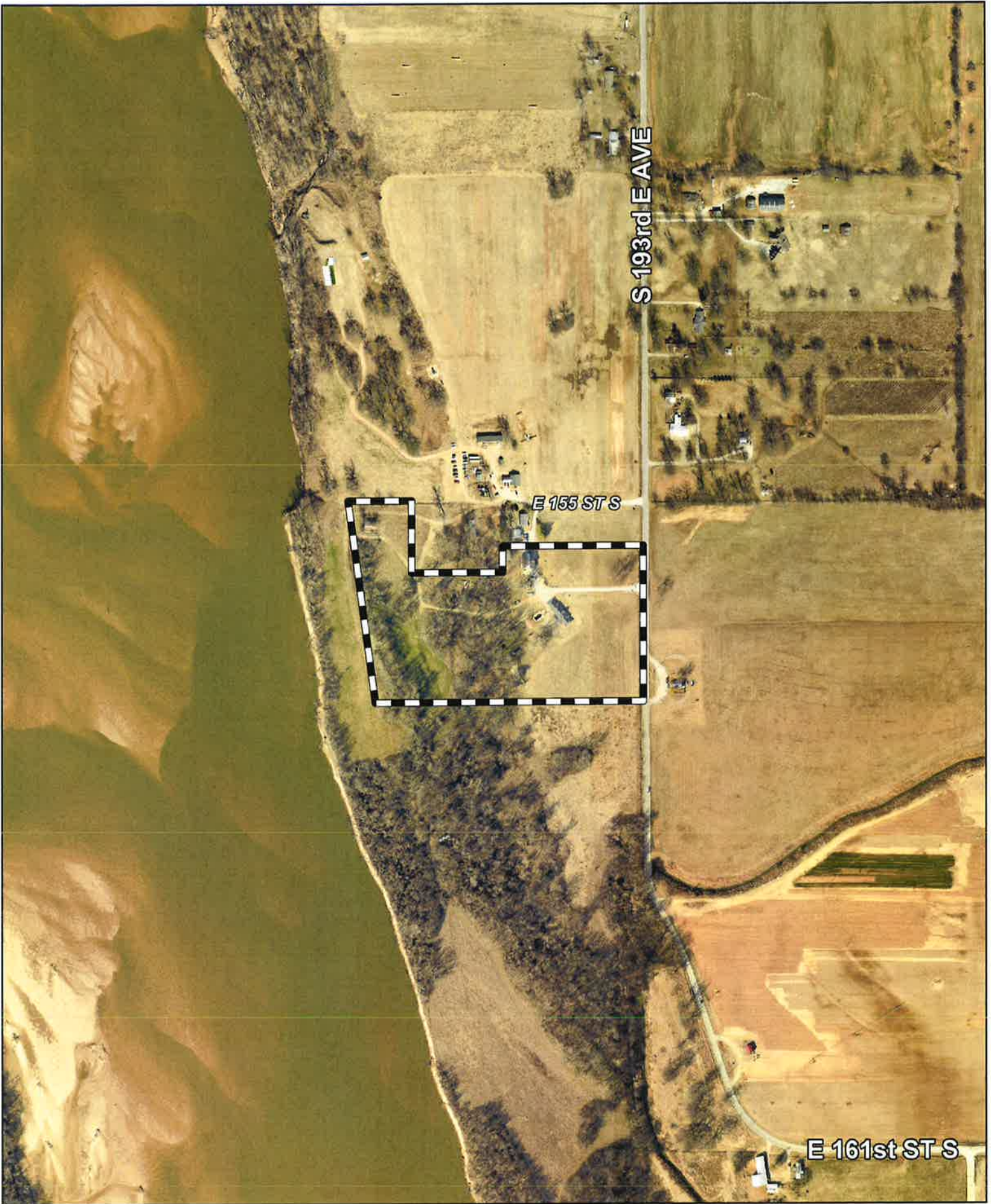
7.2

Sample Motion:

“Move to _____ (approve/deny) a Use Variance to allow a General Contractor/Construction business (Use Unit 15) in an AG district; and Variance from the all-weather parking surface requirement (Sections 310 and 1340.D)

- 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.”



S 193rd E AVE

E 155 ST S

E 161st ST S



 Subject Tract

CBOA-2660

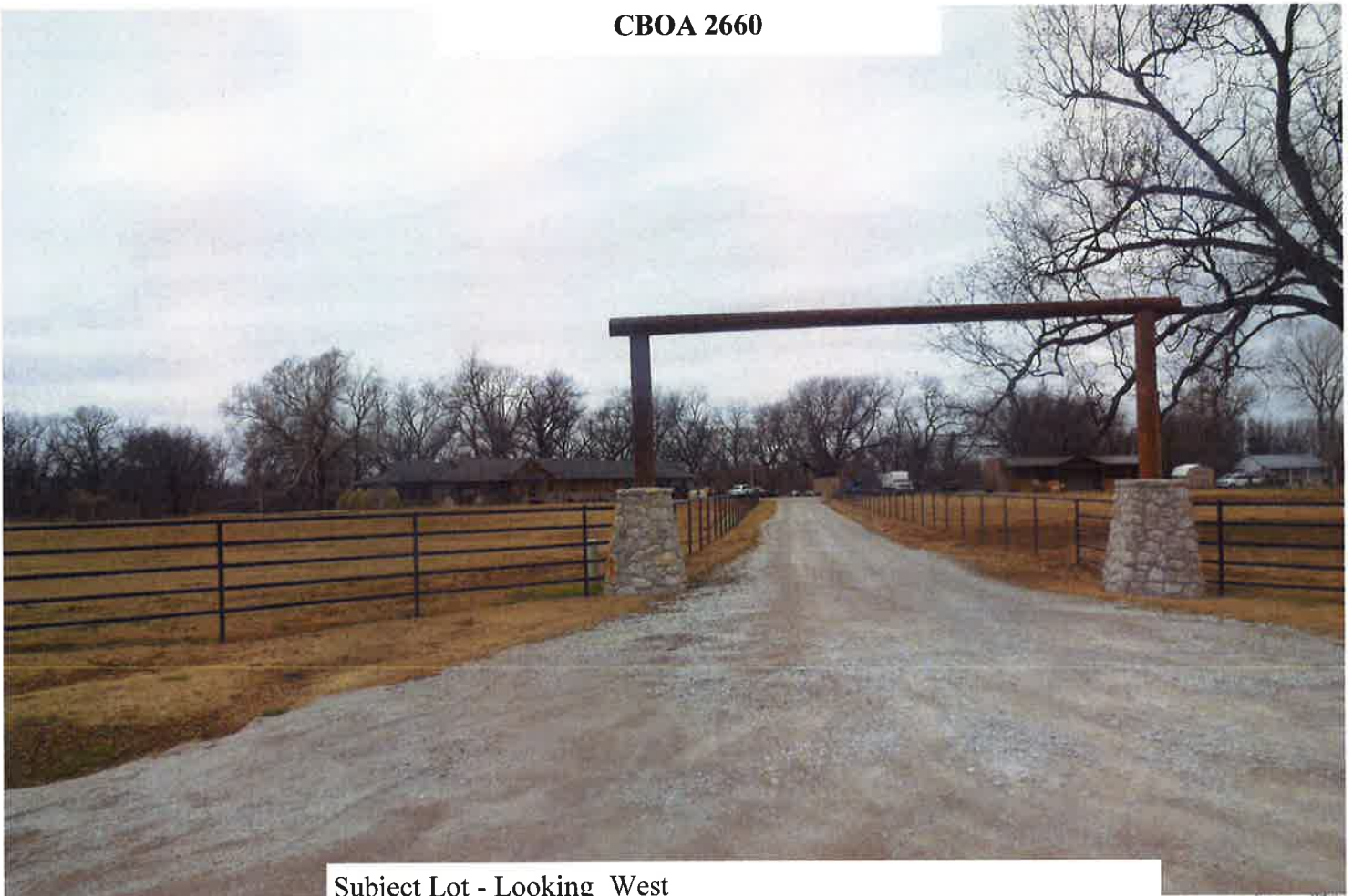
17-14 24

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

Aerial Photo Date: February 2016

7.4





Subject Lot - Looking West



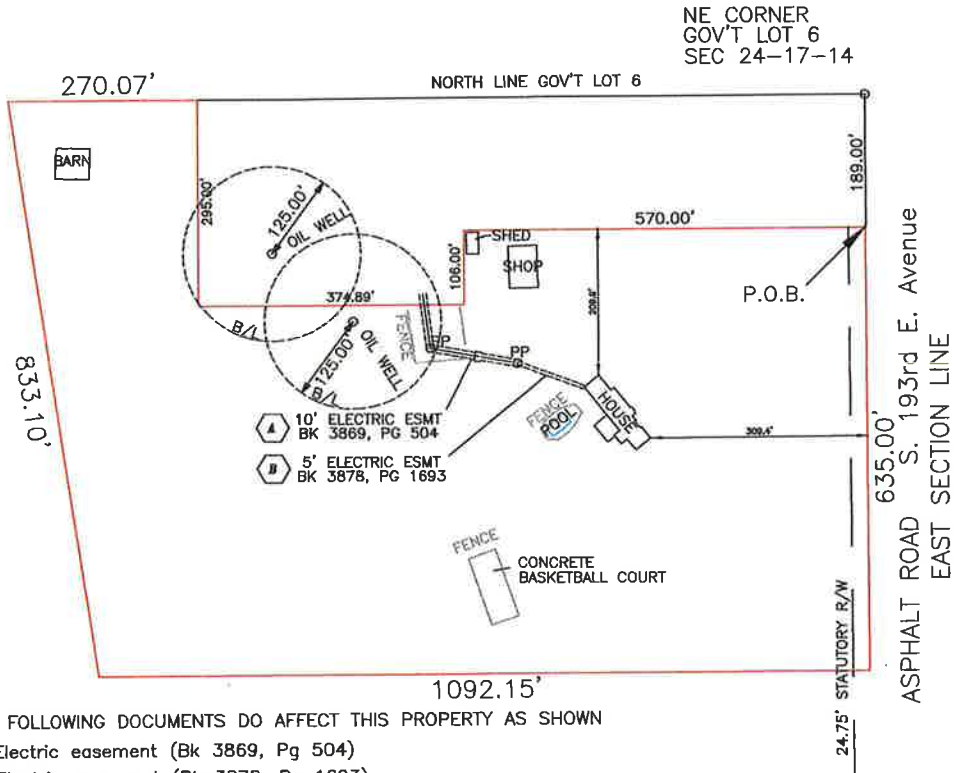
12 29 2017 13:09

7.5

MORTGAGE INSPECTION REPORT

PREPARED FOR:
 BRONZE OAK LLC
 RESIDENTIAL TITLE & ESCROW SERVICES
 FIRST OKLAHOMA BANK

B/L = BUILDING LINE
 EPED = ELECTRIC PEDESTAL
 M/B = METER BOX
 E = OVERHEAD ELECTRIC
 PP = POWER POLE
 U/E = UTILITY EASEMENT
 UGE = UNDERGROUND ELECTRIC
 XFER = ELECT. TRANSFORMER



* THE FOLLOWING DOCUMENTS DO AFFECT THIS PROPERTY AS SHOWN
 A) Electric easement (Bk 3869, Pg 504)
 B) Electric easement (Bk 3878, Pg 1693)

LEGAL DESCRIPTION

A tract of land situated in Government Lot 6 of Section 24, T17N, R14E, Tulsa County, Oklahoma, described as follows: Commencing at the NE Corner of said Lot 6; thence S00°20'13"E along the East line of said Lot a distance of 189.00 feet to the POINT OF BEGINNING; thence continuing S00°20'13"E along said East line a distance of 635.00 feet; thence S89°55'06"W a distance of 1092.15 feet; thence N08°43'23"W a distance of 833.10 feet to the North line of said Lot; thence N89°50'43"E along said North line a distance of 270.07 feet; thence S00°04'54"E a distance of 295.00 feet; thence N89°55'06"E a distance of 374.89 feet; thence N00°20'13"W a distance of 106.00 feet; thence N89°55'06"E a distance of 570.00 feet to the POINT OF BEGINNING, Containing 16.81 acres, more or less...Basis of Bearings: Per Geodetic North...(Legal Description prepared by Daniel S. Goss, PLS #1316)

CERTIFICATE

I, DANIEL S. GOSS, A REGISTERED SURVEYOR BY THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT THE ABOVE INSPECTION PLAT SHOWS ALL IMPROVEMENTS AS LOCATED ON THE DESCRIBED PROPERTY, AND THAT THERE ARE NO BUILDING ENCROACHMENTS THEREON EXCEPT AS INDICATED, AND THAT ALL RECORDED PLAT EASEMENTS ARE SHOWN, AND THAT NO EFFORT WAS MADE TO RESEARCH FOR ANY OTHER EASEMENTS AT THE COUNTY CLERK OR OTHER RECORDS OFFICE.

THIS PLAT WAS PREPARED FOR MORTGAGE LOAN PURPOSES ONLY AND IS NOT INTENDED AS A LAND OR PROPERTY SURVEY; THAT PROPERTY CORNERS WERE SET AND IS NOT TO BE USED FOR CONSTRUCTION OF FENCES, BUILDINGS, OR OTHER IMPROVEMENTS.

WITNESS MY HAND AND SEAL THIS 16 DAY OF MARCH, 2015

DANIEL S. GOSS P.L.S. NO. 1316



NORTH

D. GOSS & ASSOCIATES

P.O. BOX 216

COLLINSVILLE, OK 74021

PH. (918)371-0096 FAX (918)371-7750

Scale: NONE

DATE: 03/16/15

DRAWN BY: DG

REVISED:

JOB NO. 10130

REVISED:

7.6