AGENDA
Regularly Scheduled Meeting
Tulsa County Board of Adjustment
Tuesday, February 20, 2018, 1:30 p.m.
Ray Jordan Tulsa County Administration Building
500 South Denver, Room 338

Meeting No. 453

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Approval of Minutes of January 16, 2017 (Meeting No. 452).

UNFINISHED BUSINESS

2. 2658—Steve Arterberry
   Variance to permit more than one dwelling unit on a single RE zoned lot (Section 208); Special Exception to permit three manufactured housing units in a Residential Estate District (Section 410, Table 1). LOCATION: South of the intersection of South 179th West Avenue and West 41st Street South

   The application was withdrawn by the applicant.

NEW APPLICATIONS

3. 2661—Brad Sherrill
   Variance to permit a detached accessory building (pole barn) to exceed 750 square feet (Section 240). LOCATION: 16918 West 58th Place South

4. 2662—Greg Guerro
   Special Exception to allow an Agritourism Facility (Use Units 5 and 20) in an AG District; Variance from the all-weather parking surface requirement (Sections 310 and 1340.D). LOCATION: North of 33rd West Avenue and East 36th Place South

5. 2663—Robin Winter
   Variance to allow a detached accessory building (pole barn) to extend into the side and front yard area (Section 420.2). LOCATION: 18700 East 93rd Street South

6. 2664—Benjamin Krasnyuk
   Variance from the all-weather parking surface requirement (Section 1340.D). LOCATION: South and East of the SW/c of West 56th Street South and South 45th West Avenue
7. **2665—Bill Basore**  
Special Exception to allow a Dirt Pit (Use Unit 24 - Mining and Mineral Processing) in an AG District (Section 310). **LOCATION:** East of the SE/c of East 86th Street North and North Lewis Avenue East

8. **2666—Signature Series Homes**  
Variance to allow a detached accessory building (pole barn) to be built in the side yard (Section 420.2). **LOCATION:** 6108 East 127th Place North

**OTHER BUSINESS**

**NEW BUSINESS**

**BOARD MEMBER COMMENTS**

**ADJOURNMENT**

Website: www.countyoftulsa-boa.org  
E-mail: esubmit@incog.org

If you require special accommodations pursuant to the Americans with Disabilities Act, please call (918) 584-7526.

**NOTE:** Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained at Land Development Services, INCOG. Ringing/sound on all cell phones and pagers must be turned off during the Board of Adjustment meeting.

**NOTE:** This agenda is for informational purposes only and is not an official posting. Please contact the INCOG Office at (918) 584-7526, if you require an official posted agenda.
CBOA-2658 – STEVE ARTERBERRY

THE APPLICATION WAS WITHDRAWN BY THE APPLICANT
BOARD OF ADJUSTMENT
CASE REPORT

Case Number: CBOA-2661

STR:9131
CZM:43
PD:

HEARING DATE: 02/20/2018 1:30 PM

APPLICANT: Brad Sherrill

ACTION REQUESTED: Variance to increase the permitted size of a detached accessory building from 750 sq. ft. to 1200 sq. ft. (Sec 240).

LOCATION: 16918 W 58 PL S
ZONED: RS

PRESENT USE: Residential
TRACT SIZE: 1 acres

LEGAL DESCRIPTION: LT 1 BLK 1, PLEASANT OAKS III, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:
CBOA 2354: on 02.16.10 the Board denied a variance of the maximum permitted floor area for a detached accessory building in an RS district from 750 sq. ft. to 2,100 sq. ft. Located at immediately north of the subject lot.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS zoned single family residential.

STAFF COMMENTS:
The Code states that detached accessory buildings in the RS district are limited to a floor area of 750 sq. ft. The applicant is before the Board requesting a Variance to increase the permitted size of accessory storage buildings on the lot from 750 sq. ft. to 1200 sq. ft. to permit the storage building as proposed on the attached site plan.

As the writing of this case report staff has not received any comments from the surrounding property owners or neighbors.

Sample Motion:

"Move to ________ (approve/deny) a Variance to increase the permitted size of a detached storage building on the lot from 750 sq. ft. to 1200 sq. ft. (Sec 240)

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.”
Case No. 2362
Action Requested: Variance of the minimum required lot width in an AG district from 150 ft. (Section 330), located at 13031 N. Sheridan Rd.

Presentation:
Mike Marrara, 2001 S. 114th E. Ave., Tulsa, Oklahoma, stated his client would like to cutoff/purchase a two and one-half acre track at the rear of this property. During zoning, it was discovered that the minimum lot width is 150 ft. This piece of property is long and narrow its 330 feet wide by a quarter mile deep. The metal building and current house prevent splitting the property so as to achieve the minimum lot width. There is also a proposed 50' wide roadway easement for county for right away.

Comments and Questions:
Mr. Cuthbertson commented that if it splits this way, Tract No. 1 that can still be split if the house is removed.

Interested Parties:
There were no interested parties.

Board Action:
On Motion of Osborne, the Board voted 3-0-0 (Walker, Tyndall, Osborne, "aye"; no "nays"; no "abstentions"; two "absences") to APPROVE a variance of the minimum required lot width in an AG district from 150 ft. (Section 330), on following described property: 13031 N. Sheridan Rd. Finding: the hardship being the narrowness of the lot along with the existing structure on the property and the natural ravine and tree line; as presented, per lot-split plan page 4.5.

N/2 N/2 NW SW LESS W16.5 FOR RD SEC 35 22 13, Tulsa County, State of Oklahoma

********
UNFINISHED BUSINESS

Case No. - 2354
Action Requested:
A Variance of the maximum permitted floor area for a detached accessory building in an RS district from 750 sq. ft. to 2,100 sq. ft. (Section 240.2.E), located: 5823 S. 170th W. Ave.

Presentation:
The applicant was not present.

Comments and Questions:
Mr. Cuthbertson recommended that this case be denied. He provided even with the denial the applicant can still build a 750 sq. ft., building.

02/16/2010/357(3)
Interested Parties:
Dan Schweitzer, 16907 W. 58th Pl. S. Tulsa, Oklahoma, asked if this recommendation is given would the applicant be required to take down the poles that are already up. The Board informed Mr. Schweitzer that the existing building would have to be brought down to the permitted size.

Board Action:
On Motion of Tyndall, the Board voted 3-0-0 (Walker, Tyndall, Osborne, "aye"; no "nays"; no "abstentions"; two "absences") to Deny a variance of the maximum permitted floor area for a detached accessory building in an RS district from 750 sq. ft. to 2,100 sq. ft. (Section 240.2.E), on the following described property: 5823 S. 170th W. Ave. Finding the applicant has made no attempt or communicated no attempt to comply.

LT 5 BLK 1, HIDDEN OAKS, Tulsa County, State of Oklahoma

**********
NEW BUSINESS

Introduction: Venda Zezulka as the new Recording Secretary.

**********

There being no further business, the meeting adjourned at 1:52 p.m.

Date approved: 3-16-2010

Chair
Subject Site - Looking East

Subject lot — Looking South
30x40 Detached Garage
(Brads Garages)

- 4/12 gable roof pitch
- Shingled roof (Matching house)
- 2x6 12ft walls on 16" centers
- Treated wood on bottom wall plates
- Engineered trusses
- Exterior wrapped in OSB for complete wall bracing
- LP smart lap siding on exterior

4x8 OSB sheathing on the roof
LP paint grade smart lap siding on exterior

4/12 Gable roof pitch

30ft

12ft

10x10 Garage doors

40ft Side wall

10x10 Garage door 10x10 Garage door 10x10 Garage door

30ft

40ft
Brads 30x40 Detached Garage

- 4" Concrete slab
- 16" wide x 18" deep footing
- Treated bottom wall plates anchor bolted to the concrete slab
- Anchor bolts spaced 5ft apart all the way around the Garage
- Footing reinforced with rebar 4.5" rebar
- Concrete slab reinforced with 3.5" rebar
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BOARD OF ADJUSTMENT  
CASE REPORT

STR:9222  
CZM:36, 35, 46, 45  
PD:

HEARING DATE: 02/20/2018 1:30 PM

APPLICANT: RFM Enterprises, Inc.

ACTION REQUESTED: Special Exception to allow a Agritourism Facility (Use Units 5 and 20) in an AG district; and Variance from the all-weather parking surface requirement (Sections 310 and 1340.D).

LOCATION: North of 33rd W. Ave. and E. 36th Pl S.

PRESENT USE: AG  
ZONED: AG, IM  
TRACT SIZE: 445 acres

LEGAL DESCRIPTION: S/2 NW NE SEC 22 19 12 20ACS; SE NW & ALL THAT PART SW NE & W/2 SE NE LYING W OF LINE BEG 330.8W SECR SW NE TH NELY615.1 NELY2159.1 TO PT 304W NEC W/2 NE SEC 22 19 12 79,272ACS; E/2 NE NW SEC 22 19 12; W/2 NW NW & PRT SW NW BG NWC NW TH E660.62 S1319.21 TO SECR W/2 NW NW TH E367.43 TO CL RD TH ALG CL SWLY CRV RT 246.51 SWLY CRV LF 294.42 SW547.27 SWLY & SL Y CRV LF 81.05 TH W111.50 N678.30 TO NWC SW NW TH N1318.47 POB LESS ELY25 ADJ CL FOR RD SEC 22; E/2 NE LESS SW SE NE SEC 21 19 12 70ACS; SW SE SEC 16-19-12; N1/2 SE SW LESS W. 165' & LESS E.700' OF W. 865' OF S. 15' FOR RD. SEC-16-19-12; S1/2 SE SW LESS W. 165' & LESS N. 292' E. 745.89' W. 910.89' SEC 16-19-12; NW NE & NE NW LESS S.363'W. 330 SW NE NWSEC 21 19 12; SE NW LESS E30 N990 THEREOF FOR RD SEC 21 19 12 39.32ACS; N/2 SW NE LESS W/2 N/2 SW NE & LESS W30 W/2 SW NE FOR ST SEC 21 19 12. 14.773ACS; N/2 S/2 SW NE LESS BEG SWC N/2 S/2 SW NE TH N330 E30 S171.5 TH ON LF CRV 149.35 SE72.02 W164.53 POB SEC 21 19 12. 9.53ACS; BEG SECR SW NW TH W175.34 TO CL RD TH ALG CL NLY129.5 NLY & NWLY CV LF 355.40 NW128.77 NWLY & WLY CV LF 493.12 SW306.64 SWLY NLY & NELY CRV RT 249.13 NE547.27 NELY CRV RT 294.42 NELY CRV LF 246.51 TO NL SW NW TH E253.26 TH S POB LESS WLY25 ADJ CL FOR,RED FORK, INSPIRATION HGTS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None relevant.

ANALYSIS OF SURROUNDING AREA: The subject tract is abutted by IM and AG zoning on the north; AG zoning on the east. AG and RS-3 abuts the site on the south; AG and RS zoning abuts the site on the west.

STAFF COMMENTS: The applicant is proposing to operate outdoor recreational activities such as horse and wagon rides, nature trails, lectures and demonstrations an event center for weddings, and parties and archery exhibitions. The applicant has submitted additional comments and documents for the Boards consideration; those comments are attached for the Boards review. A Special Exception is required as Commercial Recreation activities (Use Unit 20) and Community Cultural events (Use Unit 5) are uses not permitted by right in the AG district because of potential adverse effect, but which if controlled as to its relationship to the surrounding area and to the general welfare, may be permitted. The applicant has submitted additional comments and documents for the Boards consideration; those comments are attached for the Boards review.

4.2

REVISED2/13/2018
The applicant has submitted a conceptual plan indicating that the site will contain a gravel off-street parking area. To permit the parking area as proposed the applicant has requested a Variance to allow non-all-weather surface material for parking.

Sample Motion:

"Move to ________ (approve/deny) a Special Exception to allow a Agritourism Facility (Use Units 5 and 20) in an AG district; and Variance from the all-weather parking surface requirement (Sections 310 and 1340.D).

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

*Finding the hardship to be ________.

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.

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."
Possible Future Event Center, Outdoor Activities or Overnight Lodging Areas

Seasonal Outdoor Festivals & Events Area (e.g., Pumpkin Patch)

Parking area
Boundary lines follow the topographical contour of the land, so from the angle of this rendering, the boundary lines often appear curved or bent rather than straight.
RFM & TTW Development Plan

West Tulsa is arguably the most historic place in the City of Tulsa and in Tulsa County, Oklahoma.

RFM Enterprises, LLC ("RFM"), is the owner of the RFM Ranch in Historic West Tulsa. The RFM Ranch comprises 445 acres, extending from Red Fork Mountain ("RFM") on the east boundary, to the ridge approximately 1.5 miles to the west. It is 1.5 miles long and ½ to ⅔ of a mile wide.

The terrain is highly diverse. From hilltops to valleys there can be a 300' change in elevation. Some areas are heavily wooded and others are covered by native grasses. There are large rock outcroppings, cliffs, deep ravines, dense forests, grassy plateaus, scenic vistas and beautiful meadows. Most interesting, this location is only 3 miles SW from downtown Tulsa.

From the forced relocation of the Muskogee Creek Nation to this area in the 1830’s, to the modern day, this land in the vicinity of Red Fork Mountain has been witness to the major historical events resulting in the creation and growth of the City of Tulsa.

Because of its historically significant location, we believe the RFM Ranch is an ideal locale for the agro-tourism activities proposed by Tulsa Trails West, LLC ("TTW"), which will be the non-exclusive lessee of much of the RFM Ranch.

The agro-tourism activities proposed by TTW are as follows:
1. Tractor and Horse drawn wagon rides;
2. Horseback riding;
3. Tulsa Outdoor Historium;
4. Nature trails, lectures & demonstrations;
5. Outdoor recreational & sporting activities such as hiking, mountain biking, rock climbing, archery tag, paintball and obstacle courses, etc.;
6. Petting zoo;
7. Seasonal outdoor festival events, such as a pumpkin patch, and concerts;
8. Archery exhibitions and participation;
9. Event Center for weddings, reunions, retreats, parties, etc:
10. Cabin, cottage, self-enclosed wagon & tent overnight lodging;
11. Fishing & camping;
12. Food & drink service facilities, to support other activities; and
13. Old west re-enactments, skills demonstrations & crafts.

Tulsa Trails Mission Statement

- To help rejuvenate enthusiasm for SW Tulsa;
- To provide an engaging venue and format for learning about the history of Tulsa, and NE Oklahoma;
- To create a wonderful outdoor experience for Tulsans and our visitors, that will be well and fondly remembered;
- To be good caretakers of the land and animals entrusted to our care; and
- To render a bountiful return for all those who help make this possible.
Boundary lines follow the topographical contour of the land, so from the angle of this rendering, the boundary lines often appear curved or bent rather than straight.
January 12, 2018

INCOG
c/o Nakita Moye, Board of Adjustment Administrator
2 West Second Street, Suite 800
Tulsa, Oklahoma 74103
918-584-7526
nmoye@incog.org
www.incog.org

Ref: Support of Agro Tourism Application
RFM Enterprises, LLC, d/b/a the RFM Ranch
Case # CBQA 2662
Lookout Mountain in Tulsa

Dear Ms Moye,

I am writing in enthusiastic support of the RFM Enterprises, LLC application to conduct activities on their properties located on what is known to younger local residents as “Lookout Mountain”, senior residents at “Red Fork Mountain”.

My wife and I have lived in the area for over 30 years and have been very active in community development projects the length of that time. Prior to moving here I was assigned often as a Tulsa Police Officer beginning in 1970. We personally have supported organizations and businesses in development and re-development.

On July 9, 1992 we helped found the Southwest Tulsa Historical Society to collect and share history of the areas west of the Arkansas River, which includes the properties that RFM Enterprises has requested the agro tourism activity. We have been re-elected as president, secretary and treasurer for over 25 years and continue to actively hold those positions with monthly meetings.

Our members have been following the activity on the Red Fork Mountain and are excited to see it becoming a very positive area. The members had a presentation on the development plans and toured it recently. They were very impressed with the plans and expressed support for the developer. We are excited to see our opportunity for an agro tourism site right here in Tulsa. It is located on property that has very limited potential.

Sincerely,

Roy Heim

Roy Heim

Cc: Rich Briere, INCOG
Greg Guerrero, RFM Enterprises
Jeannie Cue, Tulsa City Council
Karen Keith, Tulsa County Commission
January 16, 2018

Ms. Nakita Moye
Board of Adjustment Administrator
INCOG
2 West 2nd Street, Suite 800
Tulsa, OK  74103

Re:  RFM Enterprises, LLC
     Case #CBOA 2662

Dear Ms. Moye:

This letter of support pertains to RFM Enterprises, LLC (RFM), Case #CBOA 2662. I have toured the area and am familiar with RFM’s plans promoting agro-tourism. The development’s activities would provide entertainment to all ages promoting jobs and revenue in this section of our County. The west side is capitalizing on Route 66 and the Silo Event Center and Bed and Breakfast. Agro-tourism would create more tourist density that will be good for everyone. It would also provide an entertainment destination to be enjoyed by not only Tulsa County residents but potentially bringing in tourism revenue outside northeastern Oklahoma residents.

Please do not hesitate to contact me if you have any questions at 918-596-5015.

Sincerely,

Karen Keith
Tulsa County Commissioner, District 2
BOARD OF ADJUSTMENT
CASE REPORT

Case Number: CBOA-2663

STR: 8424
CZM: 59
PD:

HEARING DATE: 02/20/2018 1:30 PM

APPLICANT: Robin Winter

ACTION REQUESTED: Variance to allow a detached accessory building to extend into the side and front yard area. (Section 420.2)

LOCATION: 18700 E 93 ST S
ZONED: RE

PRESENT USE: Residential
TRACT SIZE: 1.22 acres

LEGAL DESCRIPTION: LT 4 BLK 1, WASHINGTON LANE V, WASHINGTON LANE IV, SCHNEIDER'S ACRES, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:
None Relevant.

ANALYSIS OF SURROUNDING AREA: The subject tract is abutted by RE zoned residences on the north, east and south; the Broken Arrow city limits abut the site on the west.

STAFF COMMENTS:
According to the site plan the applicant intends to construct a 22' x 50' or 1000 sq. ft. storage/garage building in the side and front yard of the site. Section 420.2 states that a detached accessory building shall not be in the front or side yard or encroach upon a minimum setback line. To permit the storage/garage building as proposed the applicant has requested Variance to permit a detached accessory building to extend into the front yard and side yard area. The applicant provided the statement: "I plan on using this building for equipment storage of vehicles and I would have to add additional gravel or cement to my yard if the storage building was placed in the rear yard."

Sample Motion:

"Move to ________ (approve/deny) Variance to allow a detached accessory building to extend into the side and front yard area. (Section 420.2)

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.”
MORTGAGE IN
LEGAL DESCRIP
LOT FOUR (4), SCHNEIDER'S ACRES,
OF OKLAHOMA, ACCORDING TO THE R
18700 EAST 93rd STREET.

PROJECT NO: 155411-634
MORTGAGOR: Robin Winter
CLIENT:

This property is located in flood zone
"X-UNSHADED" as per FIRM Community
Panel No. 400462 C394L, as last revised
October 16, 2012.

20' x 50' Pole Barn Bldgs

Zoned RE
was to be behind
furthest near corner
of house 584-7526
Indian
Nation

PLAT NO. 2996
BOARD OF ADJUSTMENT
CASE REPORT

STR:9233
CZM:45
PD:

HEARING DATE: 02/20/2018 1:30 PM

APPLICANT: Benjamin Krasnyuk

ACTION REQUESTED: Variance from the all-weather parking surface requirement (Section 1340.D).

LOCATION: S. and E. of the SE/c of W. 56th St. S. and S. 45th W. Ave. ZONED: IL

PRESENT USE: Office/Light Industrial

TRACT SIZE: 2.34 acres

LEGAL DESCRIPTION: LT 5 6 BLK 3; LT 4 BLK 3; LT 3 BLK 3; LT 7 BLK 3; LT 8 BLK 3; LT 9 BLK 3; LT 10 BLK 3; LT 11 BLK 3; LT 1 BLK 4, DOCTOR CARVER, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:
None relevant.

ANALYSIS OF SURROUNDING AREA: The subject tract is abutted by IL zoning on the north; IL and RS zoning abuts the site on the west; RS zoning abuts the site on the south and east.

STAFF COMMENTS:
The site is currently occupied by a construction office building; the applicant has stated that the site will be used to store cars and equipment for his construction business. The applicant has submitted a site plan indicating that the site will contain 8-inches of gravel and 3-inch top asphalt millings. To permit the parking area as proposed the applicant has requested a Variance to allow non-all-weather surface material for parking.

Sample Motion:

"Move to _________ (approve/deny) Variance from the all-weather parking surface requirement (Section 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."

REVISED2/9/2018
Note: Graphic overlays may not precisely align with physical features on the ground.
MORTGAGE INSPECTION REPORT

THIS PROPERTY LIES IN ZONE "X-UNSHADED" FLOOD HAZARD AREA PER F.I.R.M. NUMBER 4014300333L, AS LAST REVISED 10/16/12.

LEGAL DESCRIPTION AS PROVIDED:
LOTS NINE (9), TEN (10) AND ELEVEN (11), BLOCK THREE (3), AND LOT ONE (1), BLOCK FOUR (4), DOCTOR GAVNH ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 1331, AND KNOWN AS 4405 WEST 56TH PLACE.

SURVEYOR'S STATEMENT
WHITE SURVEYING COMPANY, AN OKLAHOMA CORPORATION, AND THE UNDERSTOY LICENSED PROFESSIONAL LAND SURVEYOR, UNDER CERTIFICATE OF AUTHORIZATION #15989 (TENTATIVE DATE: JUNE 30, 2017) DO HEREBY STATE THAT IN OUR PROFESSIONAL OPINION THE ABOVE INSPECTION PLAT SHOWS THE FOLLOWING AS LOCATED ON THE PRINTED DESCRIPTORS THAT IF IS EXACTLY WITHIN THE DESCRIBED TRACT BOUNDARIES, AND THERE ARE NO ENCROACHMENTS THEREON BY VEERAGE, PERMANENT IMPROVEMENTS, EXCEPT AS INDICATED. THAT THE ABOVE INSPECTION PLAT SHOWS ALL RECORDED PLAN EASEMENTS AND OTHER SUCH EASEMENTS WHICH HAVE BEEN EVIDENCED BY A CURRENT TITLE OPINION OR BY COMMENT FOR TITLE INSURANCE AND COPIES HERETO PROMPTED TO 9% THAT THIS INSPECTION PLAT IS PREPARED FOR IDENTIFICATION PURPOSES ONLY FOR THE MORTGAGEE AND IS NOT A LAND OR SURVEYING LAND SURVEY. THAT NO PROPERTY CURRENTLY SET OR BE INFERRED OR INDICATED UPON THE PLAT, EGRESS, EASEMENT, OR OTHER IMPROVEMENTS, THAT ALL ENCROACHMENTS OR USED EXACTLY WHICH ARE NOT FIND VOLUME OR IMPROVEMENTS WHICH ARE NOT FIND VOLUME OR IMPROVEMENTS. THAT ACCORDING TO THE LEGEND, SHOWN ON THE PLAT, ARE NOT OF THE PROPERTY AND THAT RESPONSIBILITY OR LIABILITY IS ASSUMED HEREBY OR HERETO TO THE PREPARE OR USE OR MAKE ANY APPEAR EXISTING.

WITNESS MY HAND AND SEAL THIS DATE

WARNING: If the seal on this document is not RED, it is an unauthorized copy which may have been altered or modified, and cannot be used for any purpose without the written permission of White Surveying Company.

Copyright 2015 by White Surveying Company. All rights reserved. No part of this plot may be reproduced, stored in a retrieval system, or transmitted in any manner for any purpose without the written permission of White Surveying Company.
THE FOLLOWING Recorded DOCUMENT CONTAINS INSUFFICIENT INFORMATION TO ASCERTAIN ITS AFFECT UPON SUBJECT PROPERTY:

6. EASEMENT DEED CASE NO. CIV-1101475-W RECORDED IN DOCUMENT NO.2013063011.

LEGAL DESCRIPTION AS PROVIDED:

LOTS NINE (9), TEN (10) AND ELEVEN (11), BLOCK THREE (3), AND LOT ONE (1), BLOCK FOUR (4), DOCTOR CARVE OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 1331, AND KNOWN AS 4405 WEST 56TH PLACE.
HEARING DATE: 02/20/2018 1:30 PM

APPLICANT: Bill Basore

ACTION REQUESTED: Special Exception to allow a Dirt Pit (Use Unit 24) in the AG district (Section 310).

LOCATION: E. of the SE/c of E. 86th St. N. and N. Lewis Ave. ZONED: AG

TRACT SIZE: 76.13 acres

PRESENT USE: Vacant

LEGAL DESCRIPTION: NW NW NW & SW NW NW ALL LYING N & W OF BIRD CREEK LESS N 130 NW NW NW LYING WEST OF BIRD CREEK FOR RD. SEC 29-21-13; W/2 NW LESS NW NW LYING W OF BIRD CREEK & LESS BEG NWC NW TH E1708.61 S60 W350 SW APPROX211.99 W1158.60 N130 POB FOR RD SEC 29 21 13 67.63ACS, 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 Special Exception to allow surface mining for topsoil and fill dirt in the AG district. A special exception is required as the proposed dirt pit (Use Unit 24) is a use which is not permitted by right in the AG district because of potential adverse effect, but if controlled as to its relationship to the surrounding area and to the general welfare, may be permitted.

The Board of Adjustment, in granting a mining and mineral processing use by Special Exception, should consider potential environment influences, such as dust and vibration. If inclined to approve, the Board may consider establishing in the instance, appropriate protective conditions such as setbacks, screening, and hours of operation, as will mitigate the adverse effect on proximate land uses.

The applicant will be required to obtain all relevant permits including those from the Tulsa County Inspectors Office/Building Permits Department, a surface mining permit from the Oklahoma Department of Mines, and an ODEQ Stormwater Permit for construction activity.

If inclined to approve the Board may consider any condition it deems necessary and reasonably related to the request to ensure the proposed dirt mining operation is compatible with and non-injurious to the surrounding area.
Sample motion:

"Move to _______ (approve/deny) a Special Exception to allow a Dirt Pit (Use Unit 24) in the AG district (Section 310)."

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

Aerial Photo Date: February 2016
Purpose: Mine Area

For: Bill Basore

Skiatook

Detailed Location map with Bonded Area

Future Mine Area - 12.82 acres
Phase 1 Mine Area - 5.35 acres

Legal:

Legend:
0 = Steel pin
A = Ed. pin
x = Fence

This plat of survey meets the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors.

Enoch Cox, P.L.S. #286

Date: 1/28/02
BOARD OF ADJUSTMENT
CASE REPORT

STR:2334
CZM:7
PD:

HEARING DATE: 02/20/2018 1:30 PM

APPLICANT: Signature Series Homes

ACTION REQUESTED: Variance to allow an accessory building to be built in the side yard. (Section 420.2)

LOCATION: 6108 E 127 PL N

ZONED: RS

PRESENT USE: residential

TRACT SIZE: 25,949 Acres

LEGAL DESCRIPTION: LOT 5 BLOCK 3, CARRIAGE PARK, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:
None relevant.

ANALYSIS OF SURROUNDING AREA: The subject tract is abutted by RS zoning on the north, south and east; AG zoning abuts the site on the west.

STAFF COMMENTS:
According to the site plan the applicant intends to construct a 24' x 30' or 720 sq. ft. storage/garage building in the side yard of the existing house on the site. Section 420.2 states that a detached accessory building shall not be in the front or side yard or encroach upon a minimum setback line. To permit the storage/garage building as proposed the applicant has requested Variance to permit a detached accessory building to be located side yard area, east of the existing house. The applicant provided the statement: "The slope of the lot will not allow for the garage to be placed in the rear yard."

Sample Motion:

"Move to _______ (approve/deny) a Variance to allow an accessory building to be built in the side yard. (Section 420.2)

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."
Note: Graphic overlays may not precisely align with physical features on the ground.
Subject Site - Looking South