

SUBJECT TRACT

AG

CS

AG

CG

W 201st ST S

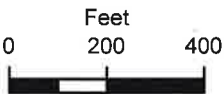
75

75

AG

CG

LEGEND
Glenpool Corporate Limits



CBOA-2686

16-12 10

11.1



**BOARD OF ADJUSTMENT
CASE REPORT**

STR:6210
CZM:70
PD:

Case Number: CBOA-2686

HEARING DATE: 06/19/2018 1:30 PM

APPLICANT: Nathan Cross

ACTION REQUESTED: Use variance to allow a warehousing use (Use Unit 23) in an AG District (Section 310).

LOCATION: 2409 W 201 ST S

ZONED: AG

PRESENT USE: Materials Storage

TRACT SIZE: 134.14 acres

LEGAL DESCRIPTION: SE LESS 4.83AC E/2 E/2 SE FOR RD & LESS TR BEG 275E SWC SE TH N957 E957 S957 W957 TO POB SEC 10 16 12 134.14ACS (overall parcel legal description)

RELEVANT PREVIOUS ACTIONS:

None Relevant.

ANALYSIS OF SURROUNDING AREA: The subject tract is abutted by AG zoned lots on the north, west and south; AG and CG zoned parcels abut the subject lot on the east.

STAFF COMMENTS:

The applicant is requesting a Use Variance to allow a Warehousing (Use Unit 23) in the AG district (Section 310, Table 1). The applicant submitted a document describing a hardship statement, the history of the property, and the use that is attached to this case report.

According to the submitted survey the applicant is proposing to use \pm 16.86 acres on the subject lot for warehousing/ storage of steel that is held for future transport. The request is limited to the area depicted on the survey submitted by the applicant. A Use Variance is required as warehousing (Use Unit 23) is not a use permitted in the AG district due to potential adverse effects.

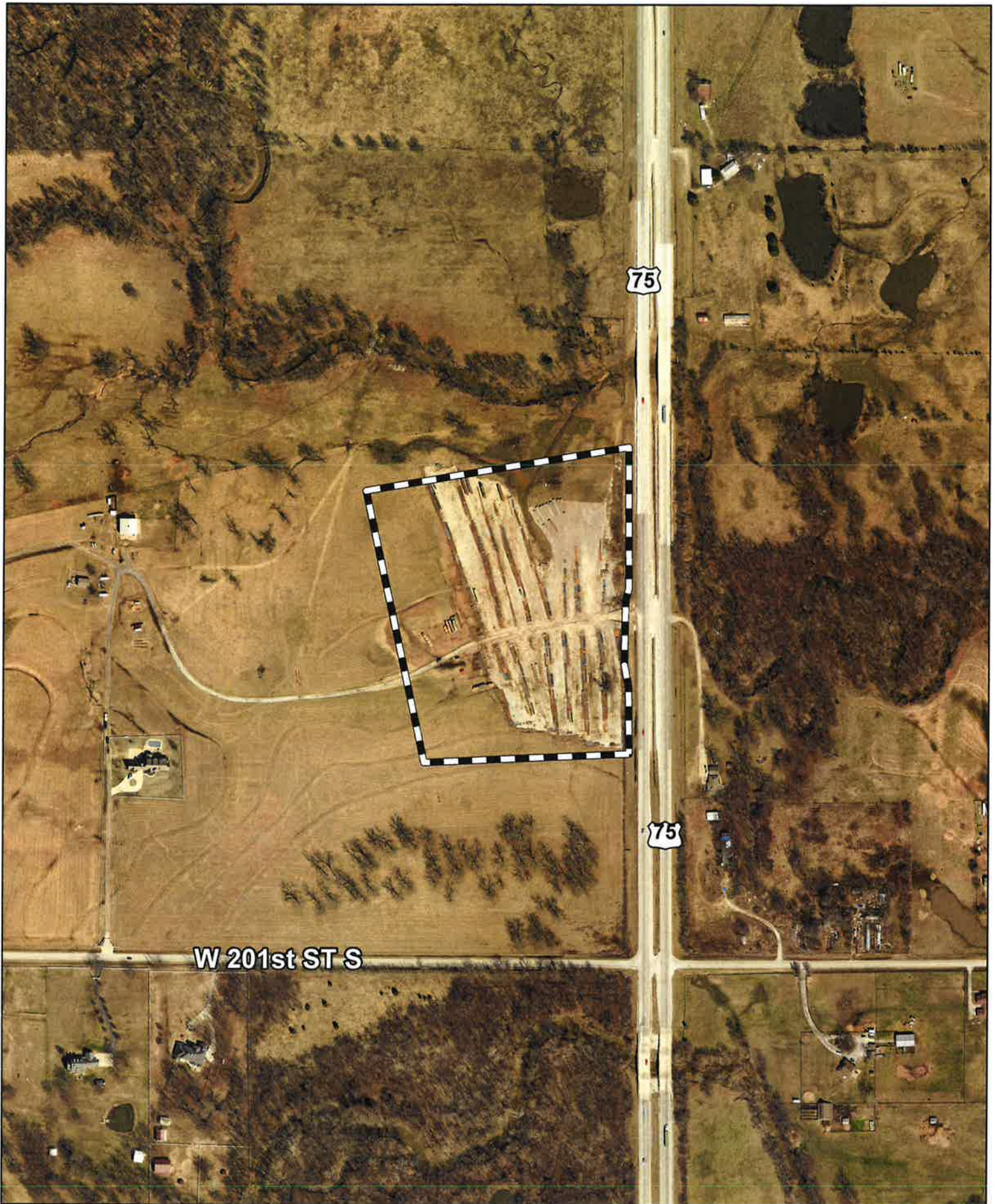
If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure the proposed use of the land is compatible with and non-injurious to the surrounding area.

Sample Motion:

***“Move to _____ (approve/deny) a Use variance to allow a warehousing use (Use Unit 23) in an AG District (Section 310).*”**

Finding the hardship to be _____.

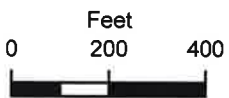
Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not 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.”



W 201st ST S

75

75



 Subject Tract

CBOA-2686

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

16-12 10

Aerial Photo Date: February 2018

11.4



EXHIBIT "B"

HISTORY OF THE PROPERTY

The Property Owners purchased a large piece of land at Northwest corner of Highway 75 and W 201st Street South in 1994 for the purpose of constructing a single-family home for themselves. Subsequently, the Property Owners constructed a home on the the parcel and moved to the property. Following construction of the home, the Property Owners began using some vacant space on the on the property (the "Subject Property") as a storage area for material that is held for future transport for their business, JD Specialized Transport. The Property Owner's current primary facility is located in Creek County and they have elected to move part of that facility to this location because of the ease of access to I-75. As a result of that decision, the Property Owners have improved the Subject Property and began conducting operations on the Subject Property in or around 2014. From and since that time, the Property Owners have utilized the Subject Property for storage of steel to be shipped to all parts of the country on behalf of the Applicant's clients.

SITE USE

The Subject Property is currently used for storage only of steel with no manufacturing, fabrication, repair, customization or direct sales. The Property Owner has already improved the property and has no plans to make further improvements. As such, there are no plans to construct any structures on the Subject Property. The Property Owner's development concept is to continue to operate its facility on the Subject Property as it has done since at least 2014. The Property Owner's use is consistent with other uses along this corridor of I-75 including multiple industrial and high density commercial uses. This Subject Property is a portion of existing property owned by the Property Owners and, as such, the Subject Property is bounded on three sides by property owned by the Property Owners and by I-75 on the East side.

VARIANCE REQUEST

The Applicant is requesting a Use Variance to allow the warehousing use that has been in place on the property since at least 2014. The request is limited to the area depicted on the survey submitted with the Application. The unique location of the Subject Property and its connection to Highway 75 make it a candidate for uses similar to the Property Owner's use. It is bounded on three sides by the Property Owner's own property and has direct access to the highway. Concerns have been raised, however, about rezoning the property as a rezoning would open up the site to a wide range of uses. The Property Owners have no intent to use the site as anything except the current use and are happy to accept a use variance restricting the use on the Subject Property to the current use and preventing other future uses. The Applicant requests that a Use Variance be granted allowing solely the Warehousing, NEC classification of use and restricting said use the area depicted on the survey attached to the Application.

Plat of Survey
of Part of
The SE/4 of Sec 10, T-16-N, R-12-E
Tulsa County, State of Oklahoma

Notes

1. ABSTRACT OF TITLE OR ATTORNEY'S TITLE OPINION NOT AVAILABLE TO SURVEYOR AT DATE OF SURVEY.
2. THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD. NO ATTEMPT TO RESEARCH THE COUNTY RECORDS OR OTHER RECORD OFFICES WAS PERFORMED BY THIS FIRM, THEREFORE EASEMENTS MAY AFFECT THE SUBJECT TRACT THAT ARE NOT REFLECTED BY THIS PLAT.
3. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN. (CALL "OKIE" BEFORE DIGGING!!)
4. THE BASIS OF BEARING FOR THIS SURVEY IS ASSUMED.

Legal Description

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, T-16-N, R-12-E, TULSA COUNTY, STATE OF OKLAHOMA, SAID TRACT OF LAND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER; THENCE N89°31'55"W ALONG THE SOUTH LINE OF SAID SECTION 10, FOR A DISTANCE OF 100.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF HIGHWAY 75; THENCE FOLLOWING THE WESTERLY RIGHT-OF-WAY LINE N00°23'45"W, FOR A DISTANCE OF 663.47 FEET TO THE POINT OF BEGINNING; THENCE S86°56'01"W, FOR A DISTANCE OF 667.57 FEET; THENCE N13°44'16"W, FOR A DISTANCE OF 907.03 FEET; THENCE N79°45'39"E, FOR A DISTANCE OF 889.24 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 75; THENCE FOLLOWING THE WESTERLY RIGHT-OF-WAY LINE S00°23'45"E, FOR A DISTANCE OF 459.12 FEET; THENCE S13°38'25"W, FOR A DISTANCE OF 41.23 FEET; THENCE S00°23'45"E, FOR A DISTANCE OF 210.00 FEET; THENCE S11°42'21"E, FOR A DISTANCE OF 50.99 FEET; THENCE S00°23'45"E, FOR A DISTANCE OF 244.34 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 734,554 SQUARE FEET, OR 16.86 ACRES, MORE OR LESS.

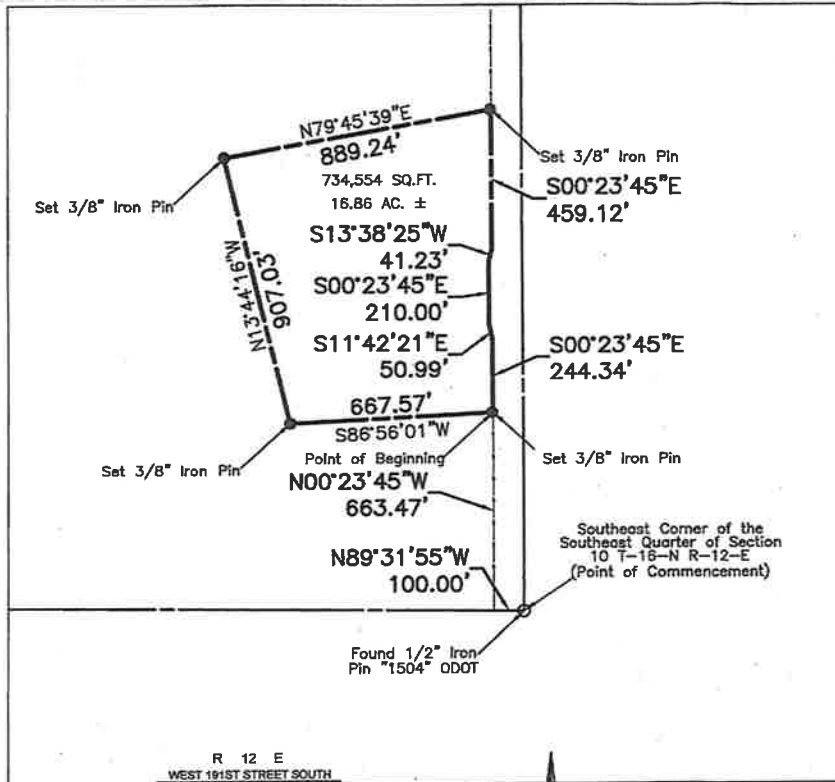
LEGAL DESCRIPTION WAS PREPARED ON FEBRUARY 15TH, 2018 BY R. WADE BENNETT, PLS #1556.

Surveyor's Statement

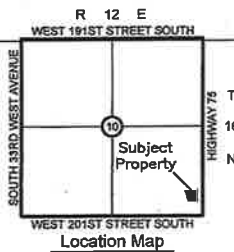
I, R. WADE BENNETT HEREBY CERTIFY THAT THE ABOVE REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THIS DATE. THIS PLAT OF SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS, AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 18TH DAY OF MARCH, 2013.

BY: *R. Wade Bennett*
R. WADE BENNETT, R.P.L.S. No.1556
FEBRUARY 15, 2018
DATE OF STATEMENT



- Legend**
- AC ACRE
 - COR. CORNER
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - PROP. PROPERTY
 - SEC. SECTION
 - N NORTH
 - E EAST
 - S SOUTH
 - W WEST
 - FOUND SURVEY MONUMENT
 - SET SURVEY MONUMENT



Scale: 1"=400'

No.	REVISION	DATE	BY
-	-	-	-
SURVEY BY: GQI			
BOOK: PAGE:			
SURVEY DATE: 2/14/18			

BENNETT SURVEYING, INC.
P.O. BOX 848, CHOCTEAU, OK 74337
PHONE: (918) 476-7484 FAX: (918) 476-7485
C.A. No: 4502 EXP. DATE: 6/30/2018

SCALE:	1"=400'
DRAWN BY:	CAH
DRAWING:	180830PS.dwg
JOB:	180830 FILE: 1612.10
PREPARED FOR RICK CRENSHAW	

9.11

EXHIBIT "A"

LEGAL DESCRIPTION

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