AGENDA
Regularly Scheduled Meeting
Tulsa County Board of Adjustment
Tuesday, January 15, 2019, 1:30 p.m.
Ray Jordan Tulsa County Administration Building
500 South Denver, Room 119

Meeting No. 464

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

UNFINISHED BUSINESS

1. 2721—Randy Herrington
Special Exception to permit a church (Use Unit 5) in an AG District (Section 310).
LOCATION: 15198 South 193rd Avenue East

NEW APPLICATIONS
None

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 electronic devices 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.
BOARD OF ADJUSTMENT  
CASE REPORT

STR:7424  
CZM:69  
PD:

Case Number: CBOA-2721

HEARING DATE: 01/15/2019 1:30 PM

APPLICANT: Randy Herrington

ACTION REQUESTED: Special Exception to permit a church (Use Unit 5) in an AG district (Section 310)

LOCATION: 15198 S 193 AV E  
ZONED: AG

PRESENT USE: Vacant  
TRACT SIZE: 8.07 acres

LEGAL DESCRIPTION: S266.87 N800.61 GOV LT 1 SEC 24 17 14 8.07ACS,

RELEVANT PREVIOUS ACTIONS:
None relevant.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by large AG zoned tracts to the north, south, and west; Wagoner county line abuts the property to the east.

STAFF COMMENTS:
The applicant is before the Board requesting a special exception to allow a church/religious use (Use Unit 5-Community Services & Similar Uses) within an AG district.

A Special Exception is required as the proposed church/religious use (UU 5) is a use which is not permitted by right in the AG district because of potential adverse affect, but which if controlled in the particular instance as to its relationship to the area and to the general welfare, may be permitted. The proposed use must be found to be compatible with the surrounding area.

The submitted site plan indicates that the site will contain a church/worship center and a fellowship hall. It appears that the proposed worship center will be within a modular building. As shown on the attached floodplain map the site is located within the Tulsa County 500- year floodplain.

If inclined to approve the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the current and future use of the subject lot is compatible with the surrounding area.
Sample Motion:

"Move to ________ (approve/deny) Special Exception to permit a church (Use Unit 5) in an 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.
TREATMENT:
☑ Septic Tank with 1000 gal. liquid capacity  □ Aerobic Treatment

DISPERsal:
☑ CSA: with 216 feet of subsurface absorption trenches. The trench bottom shall be no deeper than 20 inches

□ L: with bottom dimensions of ______ feet by ______ feet or with a diameter of ______ feet

□ ASI: with a _______ -gallon capacity pump tank and _______ square feet of spray irrigation area

LOCATION OF PERCOLATION TEST HOLES: (Skip this section if percolation test not performed)

Show the location of all percolation test holes in relation to two fixed reference points

REMARKS:

Perc holes marked with orange survey flags.
January 3, 2019

Tulsa County Board of Adjustment
Attention: RJones@INCOG.org

Re: **Case # CBOA-2721**

Tulsa CBOA:

I am the immediate neighbor to the south of property owner Randy Herrington, who has requested special exemption to his agricultural zoning in order to operate a church. I am gravely concerned about his request to put anything commercial on agriculturally zoned land, especially in this low lying river bottom area.

As a homeowner, one of my primary concerns is that the utility and storm water drainage infrastructures will not support a commercial operation. The Tulsa County homeowners along this road rely on wells for drinking water. My water well is only a short distance from the proposed commercial building. My neighbors and I are additionally concerned about pollution to the ground water from larger septic tanks and parking lot water runoff residue.

I am an elderly widowed woman who has lived on my property since 1981. Since my husband is deceased I want to sell my property so I can live in town and have a smaller place with smaller upkeep.

Mr. Herrington’s request has already affected the impending sale of my home. My potential buyer wants out of our contract if Mr. Herrington’s request is not denied; they do not want to live next to any kind of commercial enterprise. Furthermore, if his request goes through, we will be obligated to disclose this ruling to all future prospective buyers which will substantially cut my pool of interested people who wish to move to the country. Generally speaking, there are very few people who are attracted to living next door to a church or any other commercial type venue.

My fellow homeowners will also be affected by this proposed commercial operation. Additional reasons for concern include:

- Additional noise pollution
- Additional dust pollution
- Light pollution
- Negative impact on property values will be injurious to all neighbors

My neighbors and I have enjoyed living in a rural family setting in an agricultural environment and we would like to see that preserved.

If this special exemption request goes through this ruling will have a huge, detrimental impact on my ability to sell my property; I am dependent on the sale of this property for my future well-being. I respectfully request that you take this into consideration and that you deny the special exemption request.

Sincerely,

Christene Brown
918-455-3565
TULSA COUNTY BOARD OF ADJUSTMENT
CASE NO. 2721
OFFICIAL RECORD EXHIBIT
ENTERED IN THE
MINUTES OF THE TULSA COUNTY BOARD
OF ADJUSTMENT.
TULSA COUNTY BOARD OF ADJUSTMENT
CASE NO. 2021
OFFICIAL RECORD EXHIBIT
ENTERED IN THE
MINUTES OF THE TULSA COUNTY BOARD
OF ADJUSTMENT.
Hello Ms Jones,
I am the Realtor for Conchita Johnson Woodruff who is under contract to purchase the property next door the the property that Randy Herrington is requesting be rezoned for a church. Ms Woodruff is Not going to purchase the property next door if a Special Exception to permit a church is granted. Ms Woodruff and her husband desire to raise their children in a rural setting and if a church is allowed next door that will eliminate a rural setting. I request that the Special Exception Not be granted so that the Woodruff's and other neighbors can continue enjoying a rural setting.
Thank you for your kind attention to this matter.

Judy Mendez
Broker Associate
McGraw REALTORS
918-724-1263