

AGENDA
Tulsa County Board of Adjustment
Regularly Scheduled Meeting
Tuesday February 15, 1:30 p.m.
Tulsa County Headquarters
218 West 6th Street, First Floor Conference Room, Room 132
Tulsa, Oklahoma

Meeting No. 504

INTRODUCTION AND NOTICE TO THE PUBLIC

At this Meeting the Board of Adjustment, in accord with and pursuant to applicable Board of Adjustment Policies and Procedures, will review, consider, discuss, and may take action on, approve, amend, modify, approve with amendment(s) or modification(s), deny, reject, or defer any action on any item listed on this Agenda.

Review and possible approval, approval with modifications, denial or deferral of the following:

1. Approval of Minutes of December 21, 2021 (Meeting No. 502)
2. Approval of Minutes of January 18, 2022 (Meeting No. 503)

UNFINISHED BUSINESS

3. **2945- Ryan Strode**
Modification to a previously approved site plan (CBOA-2888) for a church (Use Unit 5) in an AG district (Section 310 Table 1). **LOCATION:** 12100 East 171 Street South
4. **2946-Jennifer Jefferson**
Special Exception to allow Use Unit 5, Community Services and Similar Uses, to allow a Youth Day Camp in an AG district (Section 1205); and a Variance from the all-weather parking surface requirement (Section 1340.D).
LOCATION: 14603 South Lewis Avenue East

NEW APPLICATIONS

Review and possible approval, approval with modifications, denial or deferral of the following:

5. **2947- Travis Dunn**

Variance of the minimum land area per dwelling unit in the AG district to permit two dwelling units on one lot of record in an AG district (Section 330); and a Variance from the all-weather parking surface requirement (Section 1340.D).

LOCATION: 16532 South 43rd Avenue East

6. **2948- Jasmine Williams**

Modification of a previously approved site plan (CBOA-2844) to increase the grow area of a Horticultural Nursery in an AG-R district (Section 310, Table 1).

LOCATION: 20813 West Coyote Trail South

7. **2949- Matt Blair**

Variance of the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet to 0 feet in the AG District (Section 207).

LOCATION: West of the southwest corner of West 51st Street South & South 65th West Ave

8. **2950- Matt Robbin**

Variance to allow a detached accessory building to be located in the side yard in an RE district. (Section 420.2.A-2)

LOCATION: 8468 North 67th East Avenue

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

Website: tulsaplanning.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 the Tulsa Planning Office at INCOG. *All electronic devices must be silenced* during the Board of Adjustment meeting.

NOTE: This agenda is for informational purposes only and is not an official posting. Please contact the Tulsa Planning Office at 918-584-7526 if you require an official posted agenda.



Case Number: CBOA-2945

Hearing Date: 02/15/2022 1:30 PM

Case Report Prepared by:

Robi Jones

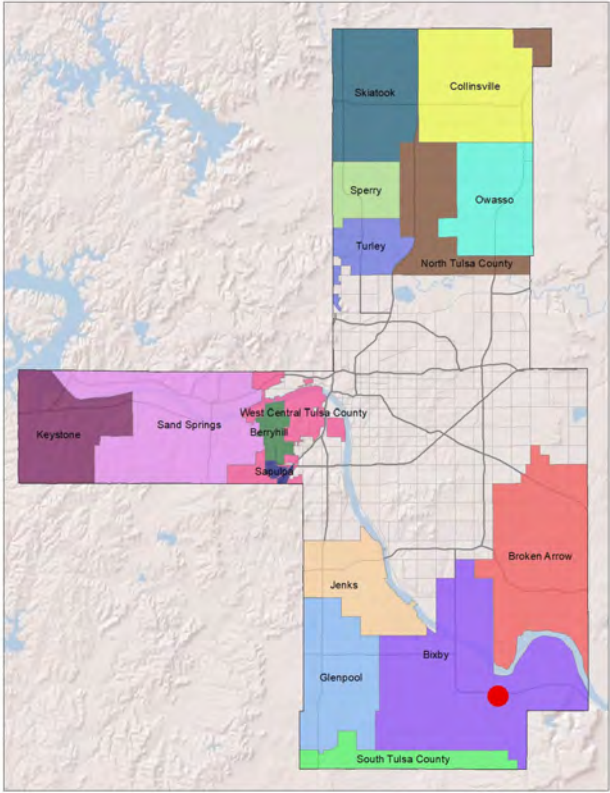
Owner and Applicant Information:

Applicant: Ryan Strode

Property Owner: BLUE FLAME 47 INC

Action Requested: Modification to a previously approved site plan (CBOA-2888) for a church (Use Unit 5) in an AG district (Section 310 Table 1).

Location Map:



Tulsa County Comprehensive Land Use Plan

Additional Information:

Present Use: Church

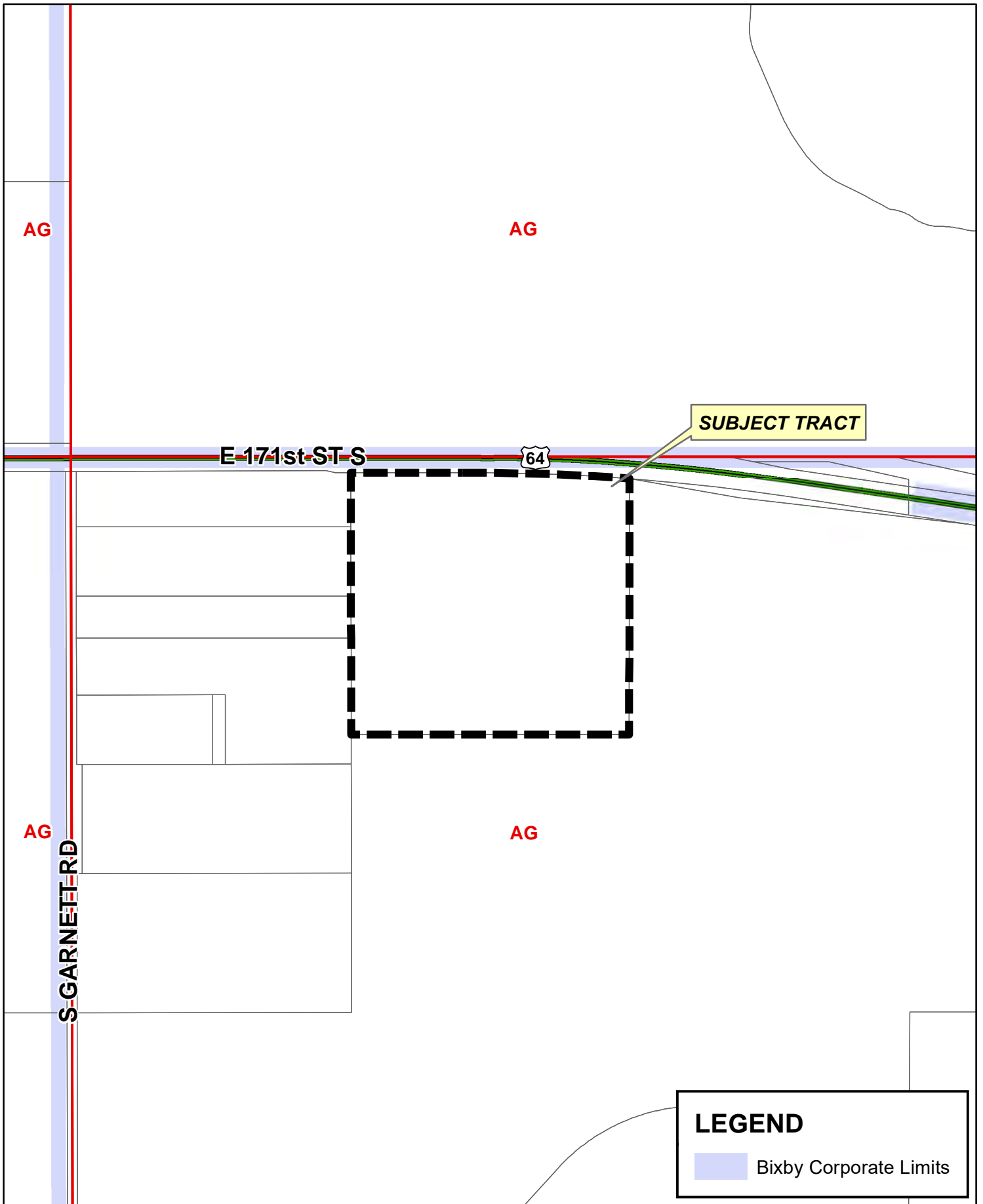
Tract Size: 37.95 acres

Location: 12100 E 171 ST S

Present Zoning: AG

Fenceline/Area: Bixby

Land Use Designation: Rural Agriculture



SUBJECT TRACT

E 171st St S

64

AG

AG

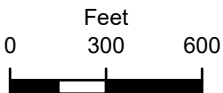
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S GARNETT RD

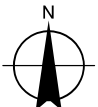
LEGEND

 Bixby Corporate Limits



CBOA-2945

17-14 32



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 7432

CZM: 68

CASE NUMBER: **CBOA-2945**

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 02/15/2022 1:30 PM

APPLICANT: Ryan Strode

ACTION REQUESTED: Modification to a previously approved site plan (CBOA-2888) for a church (Use Unit 5) in an AG district (Section 310 Table 1).

LOCATION: 12100 E 171 ST S

ZONED: AG

FENCELINE: Bixby

PRESENT USE: Church

TRACT SIZE: 37.95 acres

LEGAL DESCRIPTION: LOT 1 BLOCK 1, BLUEFLAME47 ADDITION

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2888 April 2014: The Board **approved** a Modification to a previously approved site plan (CBOA-2497) for a church in an AG district, subject to conceptual plan. The building is to be 20,680 square feet, at property located at 12100 East 171st Street North.

CBOA-2497 April 2014: The Board **approved** a *Special Exception* to allow a church with accessory uses (Use Unit 5) in an AG district. This approval will allow up to three buildings in an AG District as designated on a submitted site plan, subject to conceptual plans on pages 6.5 and 6.6. Construction is to be in accordance with the general conceptual site plan that has been provided the Board. The larger gathering building would be for church offices and the church ministries and is to be used no more than twice a year, up to four or five days at a time, on property located south of Highway 64/East 171st St. S. between S. Garnett Road & South 129th East Avenue.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by AG zoning with what appears to be used for agriculture with a smattering of residential uses.

STAFF COMMENTS:

The applicant is requesting a Modification to a previously approved site plan (CBOA-2888) for a church (Use Unit 5) in an AG district (Section 310 Table 1).

In 2014, the Board approved a request for a *special exception* to allow a Church with accessory uses (Use Unit 5) in an AG District (Section 310, Table 1) per the conceptual plan. In 2021, the applicant came back before to Board to request a modification of the previously approved conceptual site plan to include an additional building. The new site plan with modifications was approved.

The applicant is now requesting that the Board modify the site plan approved in 2021 to include a new 60' x 46' Pavilion (2,760 sq. ft.) to the south of the existing building.

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

Sample Motion for Modification:

“Move to _____ (approve/deny) a Modification to a previously approved site plan (CBOA-2888) for a church (Use Unit 5) in an AG district (Section 310 Table 1).

Subject to the following conditions (if any): _____.

Finding 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.”

2887—Natalie Jackson

Action Requested:

Use Variance to allow Use Unit 25, Light Manufacturing Industry, to permit a medical marijuana processing facility in a CS District (Section 1225). **LOCATION:** 7425 North Peoria Avenue East

Presentation:

The applicant was not present.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 3-0-0 (Charney, Johnston, Tisdale “aye”; no “nays”; no “abstentions”; Crall, Hutchinson “absent”) to **CONTINUE** the request for a Use Variance to allow Use Unit 25, Light Manufacturing Industry, to permit a medical marijuana processing facility in a CS District (Section 1225) to the June 15, 2021 Board of Adjustment meeting; for the following property:

LOT 6 BLK 3, GOLDEN HILL ADDN, OF TULSA COUNTY, STATE OF OKLAHOMA

2888—Ryan Strode

FILE COPY

Action Requested:

Modification to a previously approved site plan (CBOA-2497) for a church (Use Unit 5) in an AG District (Section 310, Table 1). **LOCATION:** 12100 East 171st Street North

Presentation:

Ryan Strode, Strode Design, 4329 East 56th Place, Tulsa, OK; stated he is part of the architectural team hired by the church to design a concept for building on the subject property. The church has outgrown the building that was erected three years ago and they want to be able to grow the congregation and have gatherings. There is an existing 7,400 square foot one-story building and there are 65 existing parking spaces. The church owns 36 acres on the subject parcel and own 302 acres in the contiguous area. What is proposed is to build a new building about 20,000 square feet and the parking lot would need an additional 220 spaces. The last hearing granted the church an exception to have less parking spaces and the church would like to receive that same exception this time because the subject building will be at capacity only once or twice a year. The first building, by Code, required about 90 parking spaces and it was

agreed to have 65 parking spaces, and this building would be comfortable with 160 parking spaces out of the 220 parking spaces required.

Interested Parties:

Loren Webber, 15225 South Peoria Avenue, Bixby, OK; stated the parking the church has now has never been a problem for the congregation. The church has about 150 people that attend services on a weekly basis, but twice a year the church has a ministry twice a year with about 250 people that visit the church; the church has capped that attendance because of the space. The church would like to be able have about 650 attendees in the sanctuary at the separate ministry those two times a year. At the previous meeting there were plans presented that showed three buildings which would be what the church is attempting to do now, one of those buildings being for storage, but the church only built one of the three.

Comments and Questions:

None.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 3-0-0 (Charney, Johnston, Tisdale "aye"; no "nays"; no "abstentions"; Crall, Hutchinson "absent") to **APPROVE** the request for a **Modification** to a previously approved site plan (CBOA-2497) for a church (Use Unit 5) in an AG District (Section 310, Table 1), subject to conceptual plan. The building is to be 20,680 square feet. The parking lot can be reduced by 75% of the parking requirements allowed by Code. Finding 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; for the following property:

LOT 1 BLOCK 1, BLUEFLAME 47 ADDITION, OF TULSA COUNTY, STATE OF OKLAHOMA

2889—Mary Huckabee

Action Requested:

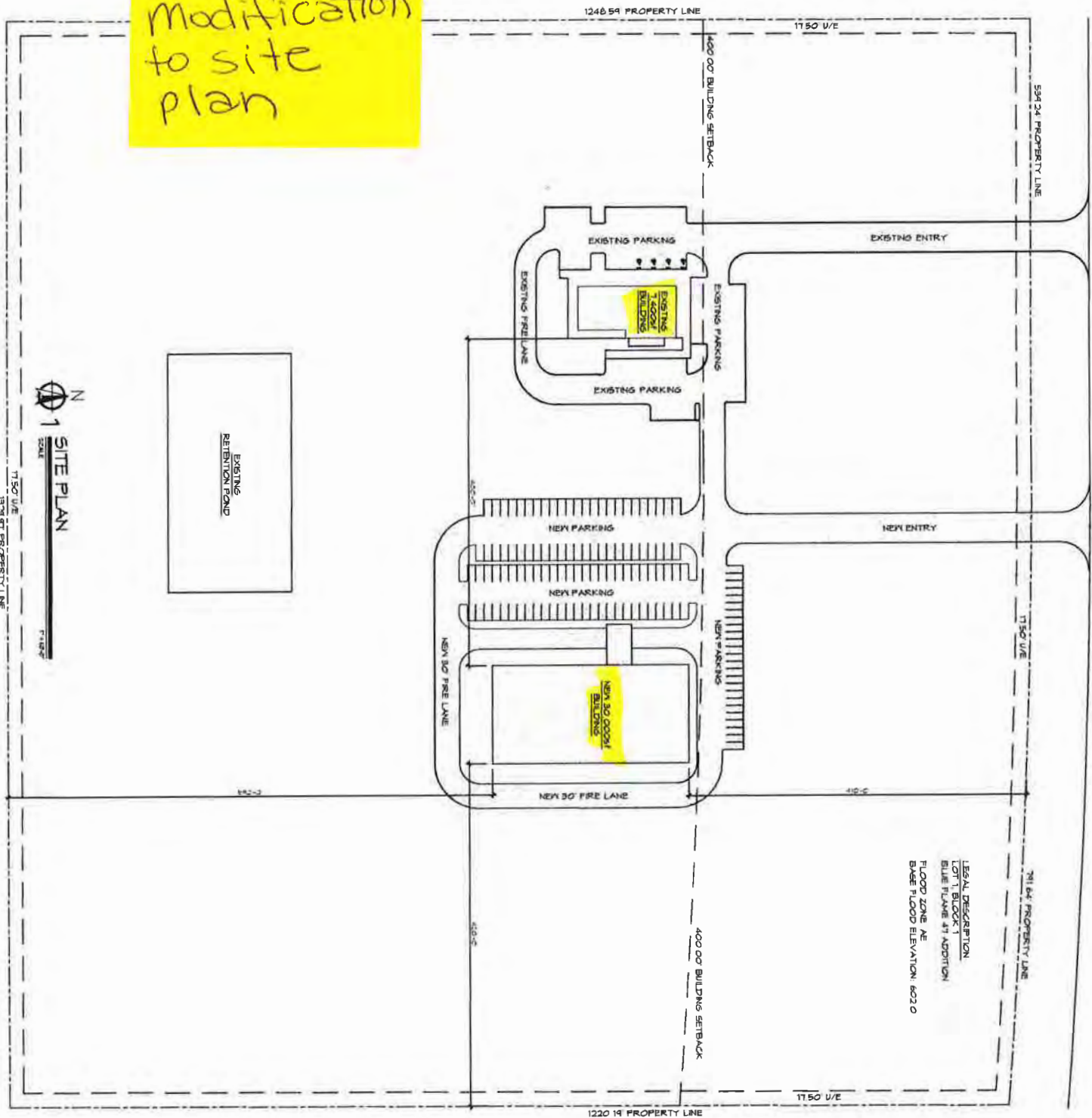
Variance of the minimum frontage requirement on a public street from 30 feet to 0 feet in an AG District (Section 207). **LOCATION:** 14644 South Lewis Avenue East

Presentation:

Mary Huckabee, 4100 First Place Tower, 15 East 5th Street, Tulsa, OK; stated the Variance request is to allow the placement of a mobile home on the subject property, situated immediately south of the indoor arena on the property. There is an existing single family house on the property, and because of the shape of the lot it does not have frontage. It is accessed by a private access easement with a neighboring property owner. The mobile will be situated about 73 feet from the southern property line and placed on a concrete pad. There have been no negative comments from the neighbors.

CBOA-2888 Conceptual Plan 6.10

Proposed modification to site plan



LEGAL DESCRIPTION:
 LOT 17
 BLUE FLAME #1 ADDITION
 FLOOD ZONE AE
 BASE FLOOD ELEVATION: 602.0

N
 1" = 11.50' U/E
 SCALE
 1220 19' PROPERTY LINE



BLUE FLAME 47
 THE PORT BUILDING
 12100 E. 171st ST.

STROBE DESIGN & PLAN
 RYAN STROBE
 918.607.4...
 NO DATE REVISION

SCALE: AS NC
 15 APRIL, 20
 PROPOSED SITE PLAN
 SHEET
 SP1.1

Modification of a previously approved plan for a church in an RE District to add a porch that extends 5'-3" from building and to replace the green belt with a screening fence along the west property line; for the following property:

BEG 660W SECR SE TH W330 N360 E330 S360 TO POB LESS S50 E/2 SW SE SE FOR RD SEC 21 19 11 2.348ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

2497—Morton Building, Inc.

FILE COPY

Action Requested:

Special Exception to allow a Church with accessory uses (Use Unit 5) in an AG District (Section 310, Table 1). **LOCATION:** South of Highway 64/East 171st Street South between South Garnett Road & South 129th East Avenue

Presentation:

Scott Norvell, 7509 East 65th Street, Tulsa, OK; stated he is the Chairman and CEO of Blue Flame 47, Inc. and Pastor of the church. This is a small church which consists of about 75 people including many small children. The primary function of the church is that it is a ministry, and the ministry is provided throughout the world. The church purchased the land in December 2013, and plan to build a church with offices for the church. The congregation meets every Tuesday for services and hold prayer appointments on Friday and Saturday. They would like to have a gathering place where conferences twice per year. The average attendance of the conferences has been about 200 people. The conference are usually four days twice per year. These conferences have been held in the Garnett Road Church of Christ Green Country Event Center for the past four years. The church has been meeting on the subject property in a tent since the purchase. The church chose a design that would match the environment, so instead of a traditional church building it would be similar to a barn with a smaller building for the administrative offices and the prayer appointments. The smaller building would also be able to seat 150 people for dinner which would be used about twice a year.

Mr. Charney asked Mr. Norvell to elaborate about the proposed parking. Mr. Norvell deferred to Mr. Jeff Bonebrake.

Interested Parties:

Jeff Bonebrake, Morton Buildings, Inc., P. O. Box 1388, Muskogee, OK; stated that one of the desing goals is to make the church look like it fit into the area. The church requested that the buildings look like a farm house with a barn behind it. The parking is an issue that has yet to be determined. If it is possible a gravel surface would be preferable because the subject property is in a nonregulatory flood plain. It is proposed to have the front be have a concrete paved area for the handicapped with a paved entry way.

04/15/2014/#407 (16)

6.4
CBOA-2945 3.8

CBOA - 02497

Mr. Charney asked Mr. Bonebrake about a third building that is on the proposed site plan. Mr. Bonebrake stated that the building is under consideration but it would be a building that is allowed by right because it would just be a parking garage.

Mr. Walker asked Mr. Norvell about the church membership and how many vehicles are typically at a service. Mr. Norvell stated the membership is about 75 and typically there is about 30 cars.

Mr. Hutchinson asked about the size of the property. Mr. Norvell stated the subject property is 302 acres. The church has people that have been cleaning up the property because there are about 1,200 pecan trees on the property.

Mr. West confirmed that about 200 acres of the subject property is a flood way, and if the applicant were to apply for a Variance on the parking the County would be happy.

Mr. Charney asked Mr. Norvell if had any problems setting the building back on the subject property to comply with the setbacks. Mr. Norvell stated he understood about the setbacks and had not problems with them.

Garvin Henderson, 1730 Highway 62 East, Ft. Gibson, OK; stated he owns property south and west adjacent to the subject property; 131 acres on the south side and 40 acres on the north side. He wants to know what the use will be for the area, not the building portion, because he does not want a cult to be allowed to move in.

Dr. James Derby, P. O. Box 178, Leonard, OK; stated he owns the land south of Highway 64 and east of 129th East Avenue, which is east of the subject property. This property has been in his wife's family before statehood. He is a retired geologist and an area farmer. He wishes the best to the Pastor and the church. He has seen families and children on the subject property, and they seem to be a nice group. He is concerned about this application because there seems to be something that does not ring true. Why would a small church need 300 acres to build on for which an exorbitant amount was paid?

Mr. Charney appreciates the doctor's concerns, but the Board tries to focus on whether the use itself, a church use, conforms.

Dr. Derby asked what accessory use is intended for the 300 acres. He has no problem with a church or the Morton Building plan, because it appears to be with tone of the neighborhood. There have been too many examples of things being done under the name of a church that become a public nuisance and a public hazard. The area is a wonderful community and he would hate to see anything happen to the community. Dr. Derby would urge the Board to place restrictions on what is being approved, that the application is being approved for exactly what the Pastor has described. There is no need for 300 acres for a twice year meeting of 200 people. Dr. Derby also questions the appropriateness of the site. According to the survey map the south portion of the

acreage is a designated flood plain, and the north portion is Flood Zone AE. He has twice seen the subject property under water higher than his waist.

Mr. Charney stated that the northwest corner of the subject property, about 400 feet, is not within the designated flood way according to the site plan provided. There are other bodies that speak to the appropriateness of granting building permits. This Board is focused upon the appropriateness of a use, yes or no. Whether a building permit is actually permitted on a given site is another professional's function, but not this Board. Mr. West confirmed Mr. Charney's statement.

Dr. Derby stated that he knows the portion of the land that is raised has been approved as a building site and there is a building on it. That area does not flood so why not build on that portion?

Rebuttal:

Mr. Scott Norvell came forward and stated that there is a fancy wood shed on the subject property, which is a temporary building and not a house. The shed is being used by he and his wife as a retreat prayer room. The only true plans the church has currently are the plans for the meeting place and the offices, which are in the proposal.

Mr. Charney asked Mr. Norvell if anyone was residing or spending the night in the shed. Mr. Norvell stated that no one is living on the subject property, nor are there any plans to have anyone living on the property.

Mr. Charney asked Mr. Bonebrake to confirm that all that is being sought today is the allowance of three church buildings to be located in the northwest portion of the property and seeking nothing other than the standard agricultural uses in the southwest corner of the property. Mr. Bonebrake answered affirmatively.

Mr. Norvell stated that he and his church members are Christians. He made an attempt to meet with the neighbors but there is no easy way to contact them. He used a realtor with McGraw to get the names, addresses and numbers of all the neighbors so contact could be made. He made contact with many of them, and they all wanted to know if the group were Christians. He feels that he responded to those questions effectively. The church is not out to control anyone and it is not out to build a commune. The use intentions are really for a church. For the large amount of land, traditionally the church trains internationally how to pray over land and a blessing of nations. He asked McGraw for a large tract of land with timber and water, and they found it. The church wants to be a good neighbor and take good care of the land.

Mr. Walker asked Mr. Norvell if the two conferences a year would take place within the church's buildings. Mr. Norvell answered affirmatively. Mr. Walker asked there would be any temporary structures installed during the conference times. Mr. Norvell stated that at this time the church does not see a need for temporary buildings once the permanent buildings are erected.

CBOA-02497

FILE COPY

W/2 NE & E/2 NW & W/2 SW LESS APROX 7.10 ACRES FOR ROW & NE SW & NW SE LESS THAT PART LYING S & E CL SNAKE CREEK & NE NE LESS TR LYING E CL SNAKE CREEK & LESS APROX 7.253 ACS FOR RD SEC 32 17 14 302.09ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

The next item was continued from the beginning of the agenda.

2495—Robert Myers

Action Requested:

Special Exception to allow for a Mining operation (Use Unit 24) in an AG District (Section 310). **LOCATION:** West of NW/c of Highway 11 and East 176th Street North

Presentation:

Robert Myers, R & V Trucking, 15360 State Highway 20, Skiatook, OK; he apologized to the Board but he had been waiting in Room 119 because his notice cited that room number. Mr. Charney extended the Board's apologies.

Mr. Myers stated that he has applied to the Board of Adjustment and to the Mining Commission to be able have a dirt mining operation on his property to sell the dirt. The Mining Commission has approved his application to them, and it should be received this week. He keeps a well maintained site with sloped banks, keep the roads maintained, and keep the dust factor down. Before he started on the subject property he checked with the adjoining land owners and there was only one person that actually lived in the area and no one stated they had any concerns over his proposal. Mr. Myers presented

Mr. Charney asked if the dirt was loaded on site with third party haulers. Mr. Myers stated the dirt was loaded on site onto his trucks.

Mr. Charney asked if the dirt would be sold to independent third parties. Mr. Myers answered affirmatively.

Mr. Osborne asked Mr. Myers if he had already began his operation. Mr. Myers stated that he started digging in June 2013 under a one year permit received from the Mining Commission. When he filed for his permanent mining permit he was informed by Mr. West that he needed to file for a Special Exception.

Ms. Miller left the meeting at 4:36 P.M.

04/15/2014/#407 (20)

CBOA-2945 ^{6.7} 3.11

CBOA-02497

Mr. Charney asked Mr. Norvell if today's request is approved per site plan, and then it is decided there is a superior site for the site plan, then will he be prepared to reappear before the Board? Mr. Norvell stated that he understands all of that because Mr. West was very helpful, and that is why the site was chosen.

Mr. Charney asked Mr. Norvell if he would have any problems with a condition limiting the conference meetings to only twice a year with only about 200 attendees. Mr. Norvell stated that he does not have any problems with that.

Ms. Back stated that in regards to the graveled parking area the applicant will need to come back before the Board with a Variance application if the applicant wants to change from an all weather surface, or they could request a continuance today to cover this thus allowing for the proper notifications.

Mr. Bonebrake asked Mr. West if a building permit would be approved with the parking issues not being decided. Mr. West stated the parking will be based on one parking space for every 40 square feet of sanctuary area. So the size of the sanctuary will dictate how many parking spaces are required. Mr. Bonebrake asked if the Permit Office must know whether it is pervious or impervious before construction can proceed. Mr. West stated that per code the parking area must be impervious at this time, unless a Variance is sought. Ms. Back stated that Mr. West's office would issue the permit under the assumption that the parking area is an all weather surface. Mr. Bonebrake asked, that with the understanding that it may be six months before the parking lot is started, if a Variance can be granted in the mean time. Mr. West answered affirmatively. Ms. Back stated the Mr. Norvell can make that application in that time span.

Mr. Charney asked Mr. Norvell what the church means when they say they are praying over the land, and what type of activities does that entail? Mr. Norvell stated there would be no noise other than maybe a very quiet whispering. There would be no chemicals or anything else that would be disposed. He cannot think of anything that in any way would be harmful. It is an assembly of or dispersing of people.

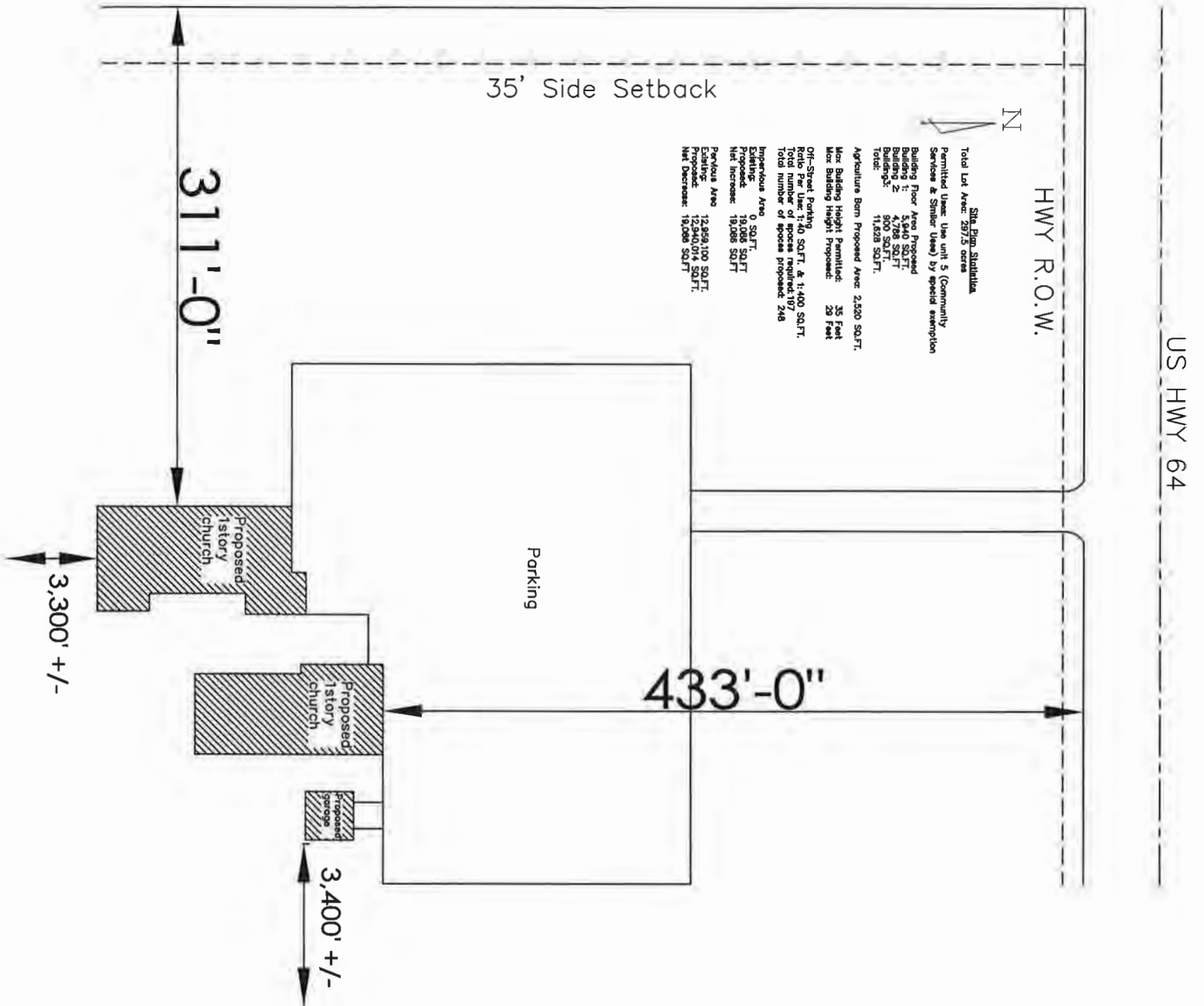
Comments and Questions:

None.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Dillard, Hutchinson, Osborne, Walker "aye"; no "nays"; no "abstentions"; Charney "absent") to **APPROVE** the request for a Special Exception to allow a Church with accessory uses (Use Unit 5) in an AG District (Section 310, Table 1). This approval will allow up to three buildings in an AG District as designated on a submitted site plan, subject to conceptual plans on pages 6.5 and 6.6. Construction is to be in accordance with the general conceptual site plan that has been provided the Board. The larger gathering building would be for church offices and the church ministries, and is to be used no more than twice a year, up to four or five days at a time. Finding that the Special Exception is not injurious to the neighborhood or otherwise detrimental to the public welfare; for the following property:

04/15/2014/#407 (19)



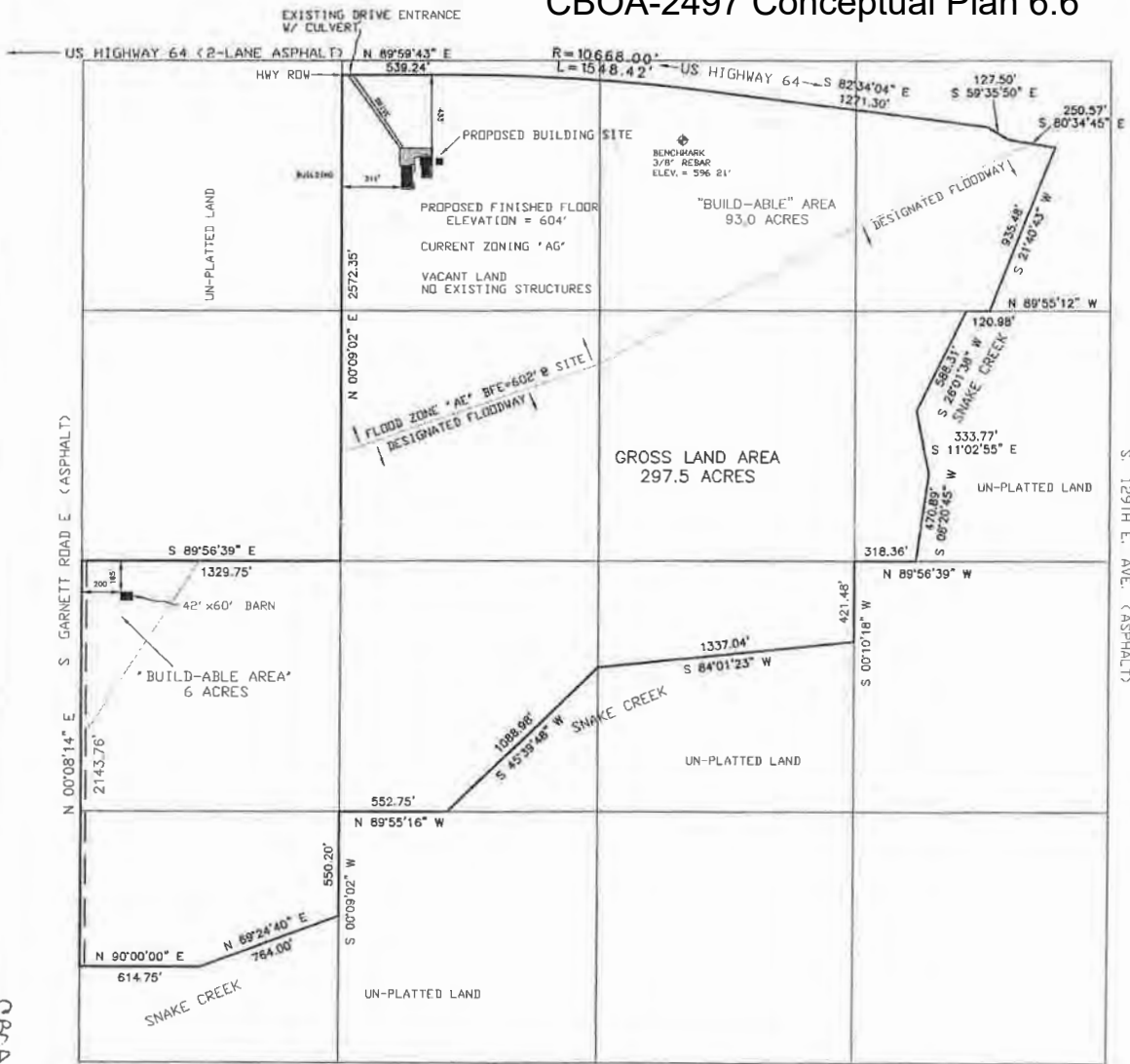
SITE PLAN EXHIBIT

PROPERTY ADDRESS: TBD, BIXBY, OK

SURVEYOR'S CLIENT: BLUEFLAME 47, INC. / MORTON BUILDINGS, INC.

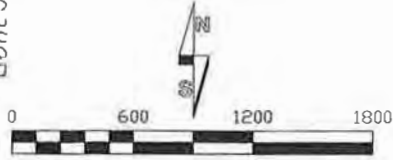
LEGAL DESCRIPTION: A TRACT OF LAND SITUATED IN SECTION THIRTY-TWO (32), TOWNSHIP SEVEN (7) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NW/4 OF SAID SECTION 32; THENCE SOUTH 89°56'39" EAST ALONG THE SOUTH LINE OF SAID NW/4 A DISTANCE OF 1329.75 FEET TO THE SOUTHWEST CORNER OF THE WEST HALF OF THE NW/4; THENCE NORTH 00°09'02" EAST ALONG THE WEST LINE OF THE W/2 OF THE NW/4 A DISTANCE OF 2572.35 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 64; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY THE FOLLOWING CALLS, NORTH 89°59'43" EAST 539.24 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 10,668 FEET FOR AN ARC DISTANCE OF 1548.42 FEET WITH A CHORD BEARING OF SOUTH 85°46'22" EAST AND A CHORD DISTANCE OF 1547.06 FEET; THENCE 82°34'04" EAST 1271.30 FEET; THENCE SOUTH 59°35'50" EAST 127.50 FEET; THENCE SOUTH 80°34'45" EAST 250.57 FEET TO THE CENTERLINE OF SNAKE CREEK; THENCE LEAVING SAID RIGHT OF WAY AND ALONG THE CENTERLINE OF SNAKE CREEK SOUTH 21°40'43" WEST 935.48 FEET; THENCE LEAVING SAID CENTERLINE NORTH 89°55'12" WEST 120.98 FEET TO THE MEANDERING WEST BANK OF SNAKE CREEK; THENCE SOUTH 11°02'55" EAST 333.77 FEET; THENCE SOUTH 08°20'45" WEST 470.89 FEET TO A POINT ON THE SOUTH LINE OF THE NE/4. SAID POINT BEING 1011.07 FEET WEST OF THE SOUTHEAST CORNER OF THE NE/4 OF SAID SECTION 32; THENCE NORTH 89°56'39" WEST ALONG SAID SOUTH LINE OF THE NE/4 A DISTANCE OF 318.36 FEET TO THE SOUTHEAST CORNER OF THE SW/4 OF THE NE/4; THENCE SOUTH 00°10'18" WEST 421.48 FEET TO THE CENTERLINE OF SNAKE CREEK; THENCE ALONG SAID CENTERLINE SOUTH 84°01'23" WEST 1337.04 FEET TO THE EAST LINE OF THE SW/4; THENCE CONTINUING ALONG SAID CENTERLINE SOUTH 45°39'48" WEST 1088.98 FEET TO A POINT ON THE SOUTH LINE OF THE NE/4 OF THE SW/4; THENCE ALONG SAID SOUTH LINE NORTH 89°55'16" WEST 552.75 FEET TO THE NORTHEAST CORNER OF SW/4 OF THE SW/4; THENCE SOUTH 00°09'02" WEST 550.20 FEET; THENCE SOUTH 69°24'40" WEST 764.00 FEET; THENCE SOUTH 90°00'00" WEST 614.75 FEET TO A POINT ON THE WEST LINE OF THE SW/4 OF SECTION 32, SAID POINT BEING 503.19 FEET NORTH OF THE SOUTHWEST CORNER OF SECTION 32; THENCE NORTH 00°08'14" EAST ALONG THE WEST LINE OF SAID SW/4 A DISTANCE OF 2143.76 FEET TO THE POINT OF BEGINNING SAID TRACT OF LAND CONTAINS 297.5 ACRES AS SURVEYED.

CBOA-2497 Conceptual Plan 6.6



SURVEYOR'S NOTES
 THIS PRELIMINARY SITE PLAN EXHIBIT IS INTENDED TO PORTRAY THE INTENT OF THE OWNERS AND THEIR REPRESENTATIVES TO OBTAIN SPECIAL PERMISSION FROM THE TULSA COUNTY B.O.A. TO PROCEED WITH THE PROJECT AS SHOWN DEPENDANT UPON RECOMMENDATIONS AND REQUIREMENTS AS SET FORTH BY THE B.O.A.

CBOA-2497



PREPARED BY:
FRITZ LAND SURVEYING, LLC
 PO BOX 54372
 TULSA, OK 74155
 PH: 918.231.0575
 FRITZPLS@YAHOO.COM
 FLS# 14018 BLUEFLAME 47 SITE PLAN



WITNESS MY HAND AND SEAL
 THIS 13TH DAY OF MARCH, 2014.



6.6

Jones, Robi

From: Carolyn Back <CBack@BixbyOK.gov>
Sent: Friday, January 14, 2022 1:40 PM
To: Jones, Robi
Subject: Item #3 Tulsa County Board of Adjustment Agenda for 1.18.2022

Robi,

Thank you for the opportunity to comment on this application.

City of Bixby
Police Comments:

Please ensure all overflow parking for large events is contained on site and no parking allowed along Highway ROW.

Planning Comments:

All overflow parking for large events prefer be on hard, all-weather surface

Engineering Comments:

The revised site plan shows a second access drive to US64. No spacing dimension was shown between the driveways. They need to ensure this spacing isn't going to cause any issues pulling out onto that highway.

Carolyn Back | Development Services Director | City Planner

City of Bixby
116 West Needles Avenue, P.O. Box 70
Bixby, OK 74008
T: 918-366-4430
D: 918-366-0444
C: 918-955-3277
E: cback@bixbyok.gov
W: BixbyOK.gov

From: Jones, Robi [<mailto:rjones@incog.org>]
Sent: Wednesday, January 12, 2022 10:51 AM
To: Brad Bates <btbates@sandspringsok.org>; Brandon Macy <bmacy@jenksok.org>; Carl Prescott <cprescott@cityofglenpool.com>; Carolyn Back <CBack@BixbyOK.gov>; planner@creekcountyonline.com; Gerald Gilbert <ggilbert@cityofglenpool.com>; Karl Fritchen <kfritschen@cityofowasso.com>; Michael Davis <mdavis@cityofskiatook.com>; Michael Spurgeon <mspurgeon@brokenarrowok.gov>
Cc: Kelvington, Sandra <skelvington@incog.org>
Subject: Tulsa County Board of Adjustment Agenda for 1.18.2022

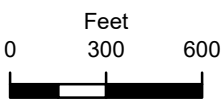
The agenda for the upcoming meeting is online at <http://tulsaplanning.org/cboaagenda>



E 171st ST S

64

S GARNEIT RD



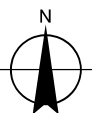
Subject Tract

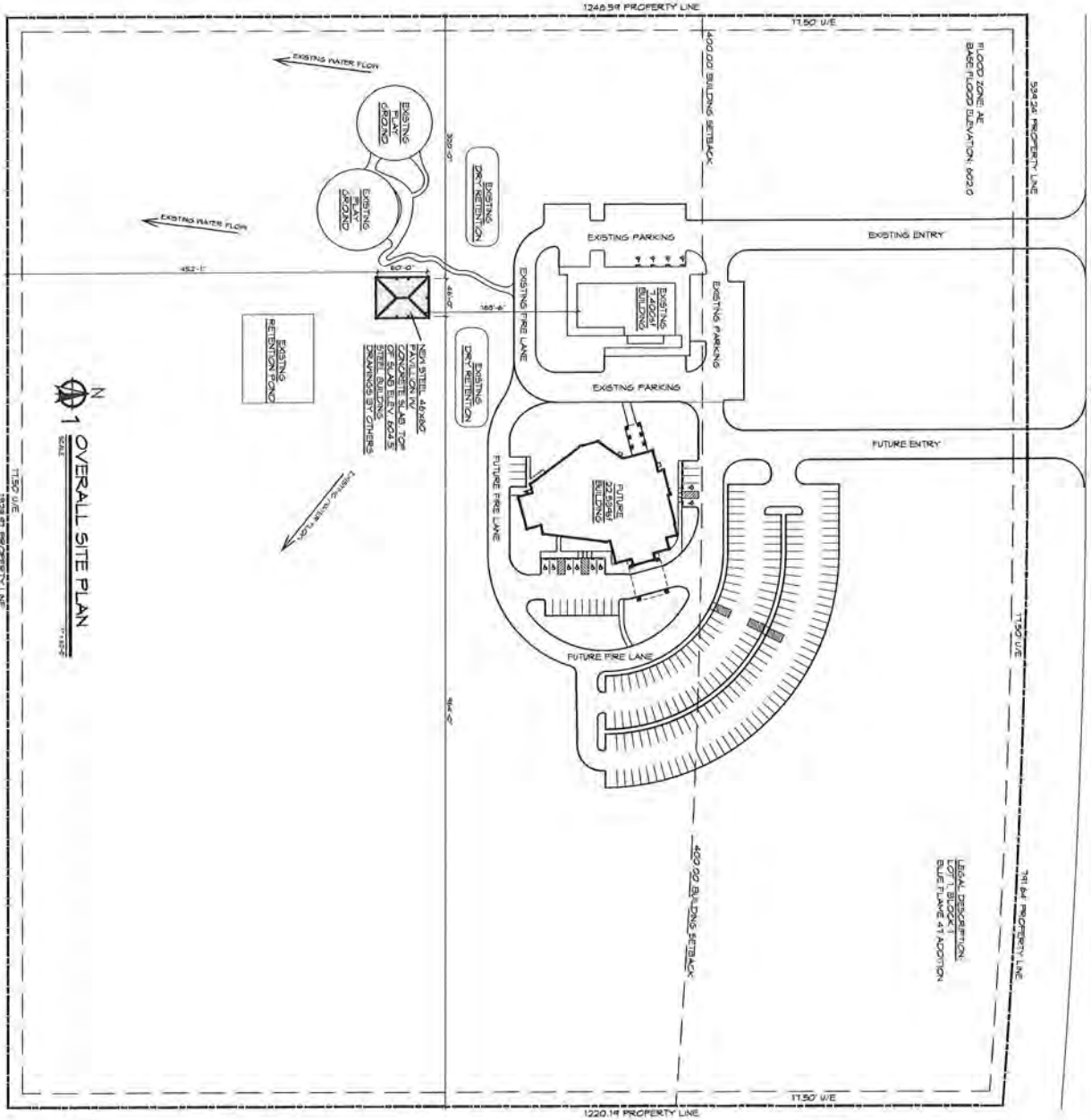
CBOA-2945

17-14 32

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

Aerial Photo Date: 2020/2021





N
1
OVERALL SITE PLAN

SP1.0

OVERALL SITE PLAN

SCALE: AS NOTED

31 OCTOBER, 2021

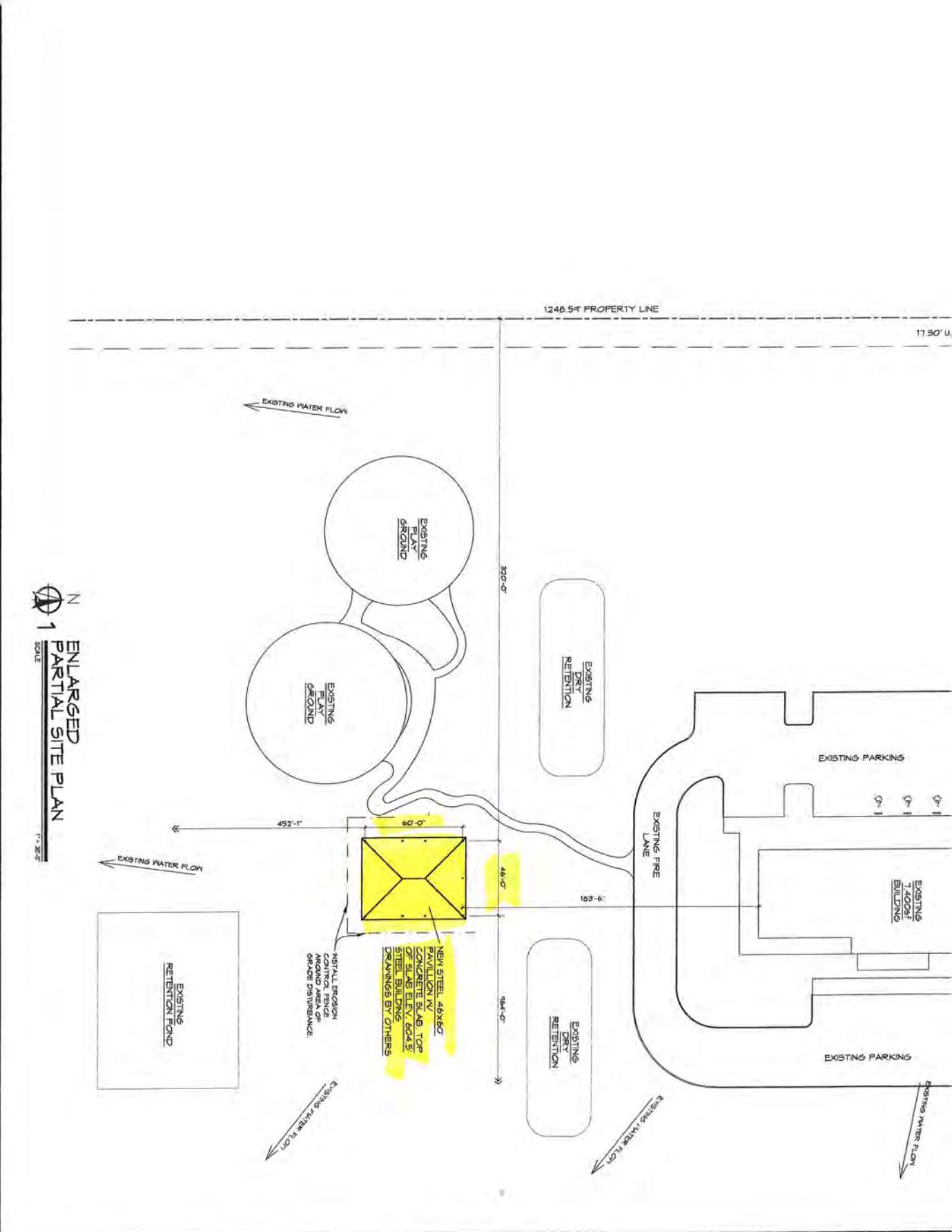
BLUE FLAME 47
NEW PAVILLION
12100 E. 171st ST.
BIXBY, OK 74008

© 2021 STRODE DESIGN LLC

STRODE DESIGN
DESIGN & PLANNING

RYAN STRODE
918.607.4192

NO.	DATE	REVISION



N
1
ENLARGED
PARTIAL SITE PLAN
SCALE: 1" = 30'-0"

SHEET:	ENLARGED PARTIAL SITE PLAN	SCALE: AS NOTED	31 OCTOBER, 2021	BLUE FLAME 47 NEW PAVILLION 12100 E. 171st ST. BIXBY, OK 74008	NO LATE REVISION
					SP1.1



Case Number: CBOA-2946

Hearing Date: 02/15/2022 1:30 PM

Case Report Prepared by:

Robi Jones

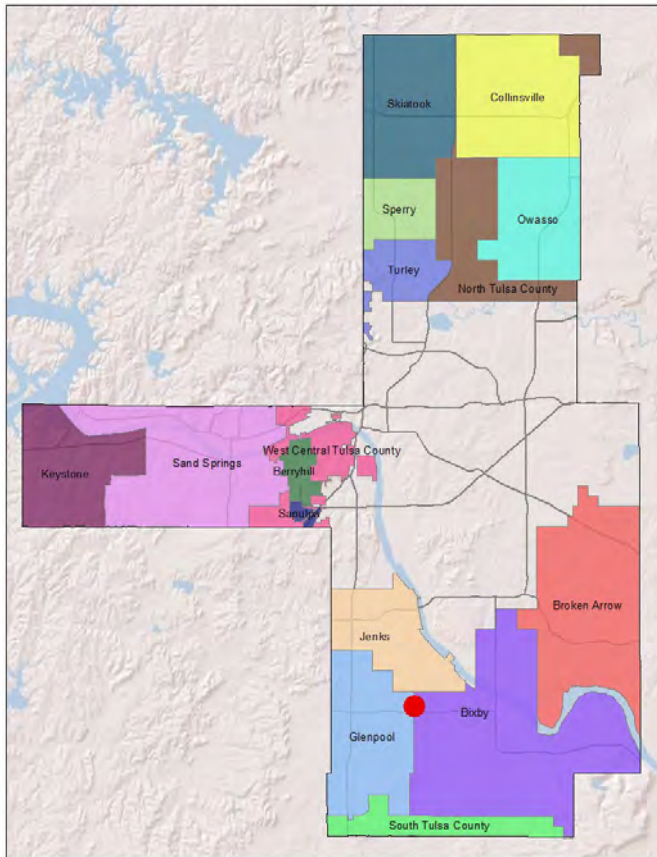
Owner and Applicant Information:

Applicant: Jennifer Jefferson

Property Owner: LIVINGSTON, CHERYL JANE

Action Requested: Special Exception to allow Use Unit 5, Community Services and Similar Uses, to allow a Youth Day Camp in an AG district (Section 1205); and a Variance from the all-weather parking surface requirement (Section 1340.D).

Location Map:



Tulsa County Comprehensive Land Use Map

Additional Information:

Present Use: Residential

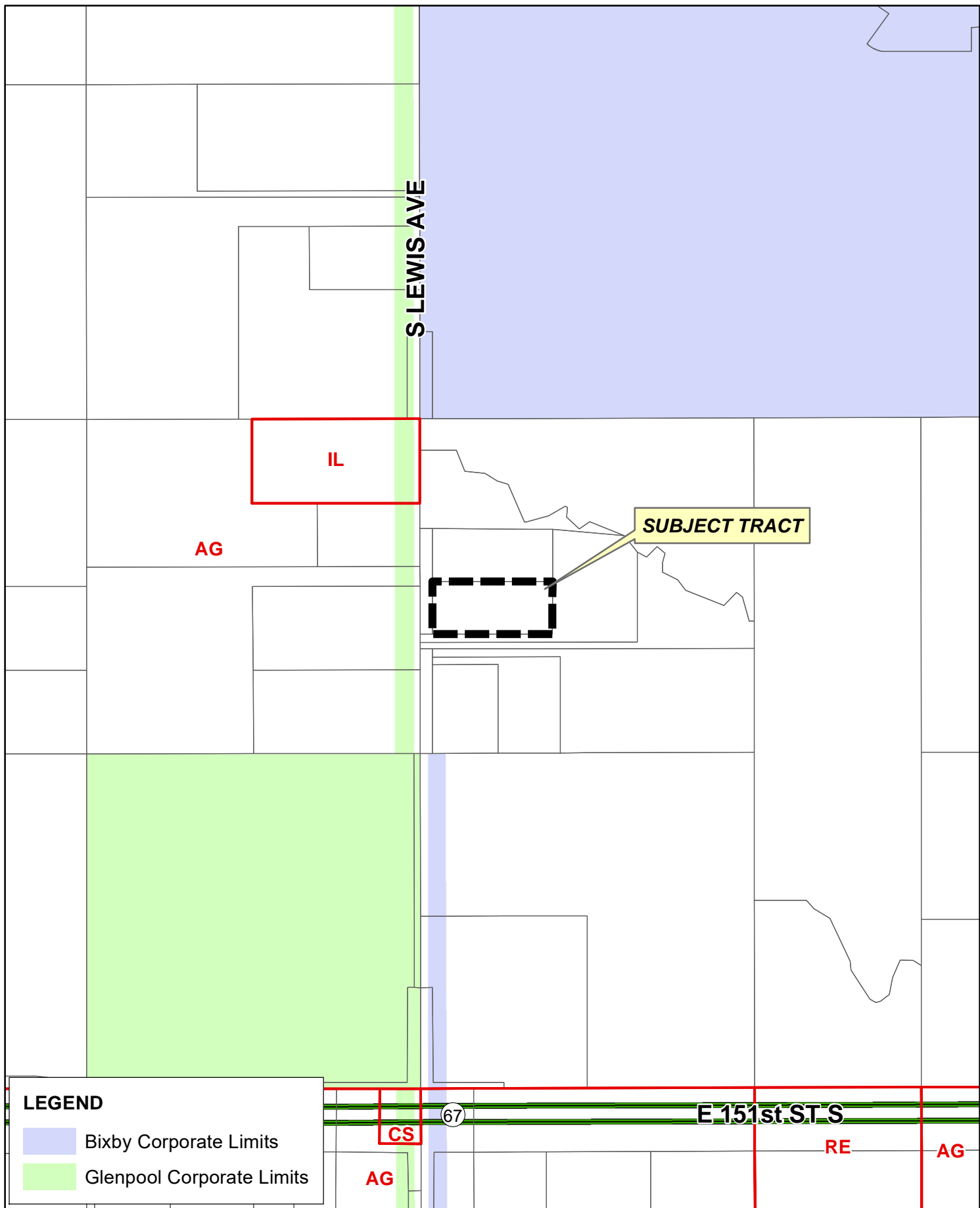
Tract Size: 2.26 acres

Location: 14603 S LEWIS AV E

Present Zoning: AG

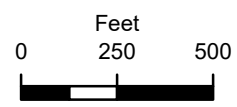
Fenceline/Area: Bixby

Land Use Designation: Medium Density Residential



LEGEND

- Bixby Corporate Limits
- Glenpool Corporate Limits



CBOA-2946

17-13 17



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 7317

CZM: 61

CASE NUMBER: CBOA-2946

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 02/15/2022 1:30 PM

APPLICANT: Jennifer Jefferson

ACTION REQUESTED: Special Exception to allow Use Unit 5, Community Services and Similar Uses, to allow a Youth Day Camp in an AG district (Section 1205); and a Variance from the all-weather parking surface requirement (Section 1340.D).

LOCATION: 14603 S LEWIS AV E

ZONED: AG

FENCELINE: Bixby

PRESENT USE: Residential

TRACT SIZE: 2.26 acres

LEGAL DESCRIPTION: PRT NW SW BEG 433.84S NWC NW SW TH S415 E525 N415 W525 POB LESS W50 & LESS N207.5 THEREOF SEC 17 17 13 2.26AC,

RELEVANT PREVIOUS ACTIONS:

Subject Property: None Relevant

Surrounding Property:

CBOA-2897 July 2021: The Board approved a *Special Exception* to allow Use Unit 5, Community Services and Similar Uses, to allow a youth day camp in an AG District; and a *Variance* from the all-weather parking surface requirement with conditions, on property located at 14601 South Lewis Avenue East & 14775 South Lewis East.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by AG zoning. There is IL zoning located nearby to the northwest. Surrounding uses appear to be a mix of residential, agricultural, and the related youth day camp to the north and south.

STAFF COMMENTS:

The applicant is before the Board requesting a Special Exception to allow Use Unit 5, Community Services and Similar Uses, to allow a Youth Day Camp in an AG district (Section 1205); and a Variance from the all-weather parking surface requirement (Section 1340.D).

A Special Exception is required as the proposed Youth Day Camp (Use Unit 5) is a use which is not permitted by right in the AG district because of potential adverse affects, 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 applicant submitted site plans indicating that there is a home with a detached garage located on the property and the applicant is proposing to construct a 65' x 42' barn east of the home to be

used in connection with the youth day camp located on properties to the north and south (Approved in July 2021 – CBOA-2891).

The proposed parking lot will have a gravel surface. The Code requires all parking areas be paved with an all-weather material to maintain a minimum level of aesthetics, and to control air-borne particulates like dust. The applicant has requested a variance to allow a gravel parking area on the site.

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) a Special Exception to allow Use Unit 5, Community Services and Similar Uses, to allow a Youth Day Camp in an AG district (Section 1205).

*Subject to the following conditions (including time limitation & hours of operation, if any):
_____.*

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.

Move to _____ (approve/deny) a Variance from the all-weather parking surface requirement (Section 1340.D).

Subject to the following conditions (if any): _____.

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.”

Mr. Hutchinson asked Mr. Thomas if his pre-rolls had the plastic tip. Mr. Thomas answered affirmatively.

Mr. Hutchinson asked Mr. Thomas if he was going to do any other type of light manufacturing. Mr. Thomas answered no.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION of HUTCHINSON**, the Board voted 5-0-0 (Charney, Crall, Hutchinson, Johnston, Tisdale "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the request for a Use Variance to allow Use Unit 25, Light Manufacturing Industry, to permit a medical marijuana processing facility in a CS District (Section 1225), subject to conceptual plan 2.11 of the agenda packet. The manufacturing is to be limited to the pre-rolls only. The Board has found the hardship to be that it is a very quiet operation. Finding that 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:

LOT 6 BLK 3, GOLDEN HILL ADDN, OF TULSA COUNTY, STATE OF OKLAHOMA

2891—Jennifer Jefferson

FILE COPY

Action Requested:

Special Exception to allow Use Unit 5, Community Services and Similar Uses, to allow a youth day camp in an AG District (Section 1205); Variance from the all-weather parking surface requirement (Section 1340.D). **LOCATION:** 14601 South Lewis Avenue East & 14775 South Lewis Avenue East

Presentation:

Jennifer Jefferson, 14775 South Lewis Avenue, Bixby, OK; stated she owns and directs Eight Acre Summer Camp and it is the camp's 20th year. The program is outdoor based and is for elementary aged children. She has teachers and teacher assistants that work with her when the camp is open. She would like to expand the indoor area as an additional space for lunch and snack time or when it is raining.

06/15/2021 / #495 (5)

CBOA-2891

Mr. Charney asked Ms. Jefferson if there were two parcels involved in this request. Ms. Jefferson stated that 14775 is her home address and there is an additional lot that is not mentioned and she does not use, and the 14601 is her daughter's house.

Mr. Charney asked Ms. Jefferson where the increased activity is going to occur. Ms. Jefferson stated that it will take place at 14601.

Mr. Charney asked Ms. Jefferson if she had heard from any of the neighbors about her request. Ms. Jefferson stated that everyone is supportive. She has two neighbors that the children and staff walk across their driveway, and their concern was liability if a child is hurt. Ms. Jefferson stated she is adding an insurance rider naming those neighbors as insured to protect them.

Mr. Hutchinson asked Ms. Jefferson if she ran the camp only during the summer. Ms. Jefferson answered affirmatively stating that she is licensed through DHS for up to 120 children a day. She is also open during spring break, fall break and Christmas break. She averages about 80 to 100 children a day during the summer. She also has a cookout one night a year at the end summer for the families. She does not want to increase the number of children but she does want more space for them. During the school year, camps are larger than ever before and there were 30 to 40 children a day.

Mr. Hutchinson asked Ms. Jefferson about her operating hours. Ms. Jefferson stated that her operating hours are 7:00 A.M. to 6:00 P.M. and those hours do not change.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Crall, Hutchinson, Johnston, Tisdale "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the request for a Special Exception to allow Use Unit 5, Community Services and Similar Uses, to allow a youth day camp in an AG District (Section 1205); Variance from the all-weather parking surface requirement (Section 1340.D). The camp use will be during the summer and during school breaks when the children are out of school. The hours of operation will be 7:00 A.M. to 6:00 P.M with one evening allowed during the summer for a school event. The Board finds the hardship to be the large nature of the tract and temporary use of the parking areas, primarily in the summer months. 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

06/15/2021 / #495 (6)

CBOA-2391

FILE COPY

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 NW SW BEG 908.84S & 50E NWC SW TH E1270 S411.16 W765 N381.16 W505 N30 TO POB SEC 17 17 13 7.569ACS; PRT SW BEG 938.84S & 50E NWC SW TH E505 S381.16 W244.50 N351.46 W260.50 N30 TO POB SEC 17 17 13 2.318ACS; S207.50 N641.34 W525 NW SW LESS W50 FOR RD SEC 17 17 13 2.262ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

2893—Kenneth Johnson

Action Requested:

Use Variance to allow Use Unit 13, Convenience Goods and Services, to permit a medical marijuana dispensary in the AG District (Section 1213). **LOCATION:**
7703 West 7th Street South

Presentation:

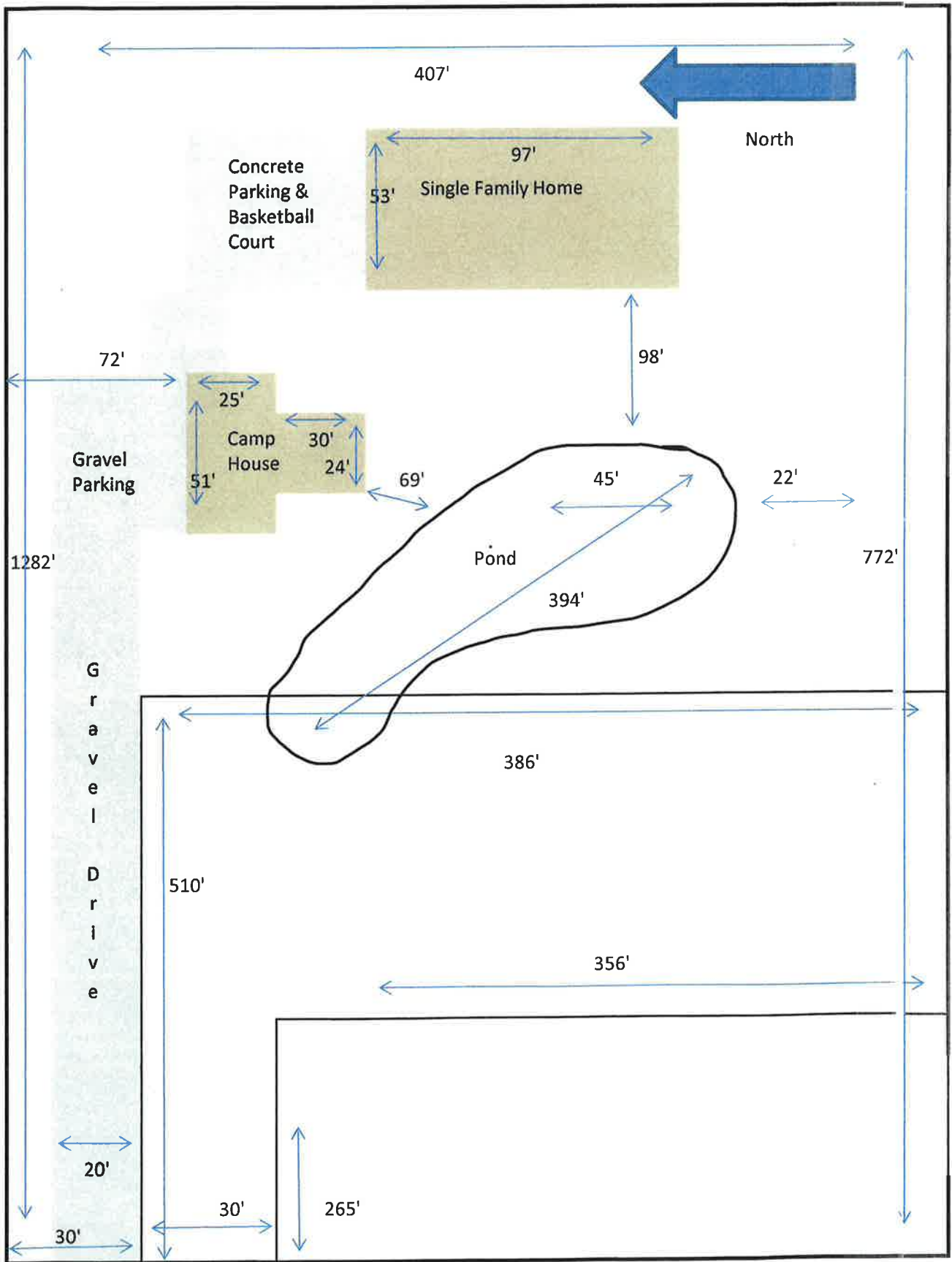
Kenneth Johnson, 7703 West 7th Street, Tulsa, OK; stated he owns 52 acres and he started his business three years ago with the outdoor grow. He has enlarged the business and was before the Board last year to receive approval for processing. At the last meeting there were a couple of neighbors protesting the request but they are not in attendance today. He would like to enlarge his business again and would like to have a medical dispensary on the subject property. In the year since the Board approved the processing, the Sheriff's Department has never been called, there have been no ambulance runs, and there have not been any Fire Department runs. The medical dispensary would be in a 8'-0" x 40'-0" Conex building and he would like to be able to sell wholesale to the patients.

Mr. Charney asked Mr. Johnson if he currently grows and processes then takes that product to a different location to sell. Mr. Johnson stated that he has some dispensary customers that come to him; about 25 sales a week and he also delivers the products to dispensaries.

Mr. Charney stated that sometimes when he is reviewing a case in the rural area for possible approval the Board may feel that when the public is invited onto a site with a lot of ingress and egress traffic there are different thoughts about that because it is straying away from the AG use. Mr. Johnson stated that across the street there is a DVIS shelter and, if anything, some of the businesses that exist in the area have affected the rural area. The DVIS shelter has 3-4 police calls a week, there are ambulances and fire trucks that come to that site, there are 35-40 cars in the parking lot every day. Toward the west the City of Sand Springs stops at 10th Street, Tulsa County picks up at 7th Street and there is a new four-way stop at that corner because there are about 8,000 vehicles that go through that intersection daily; the rural area is not rural any longer and it is growing. The rural community is disappearing.

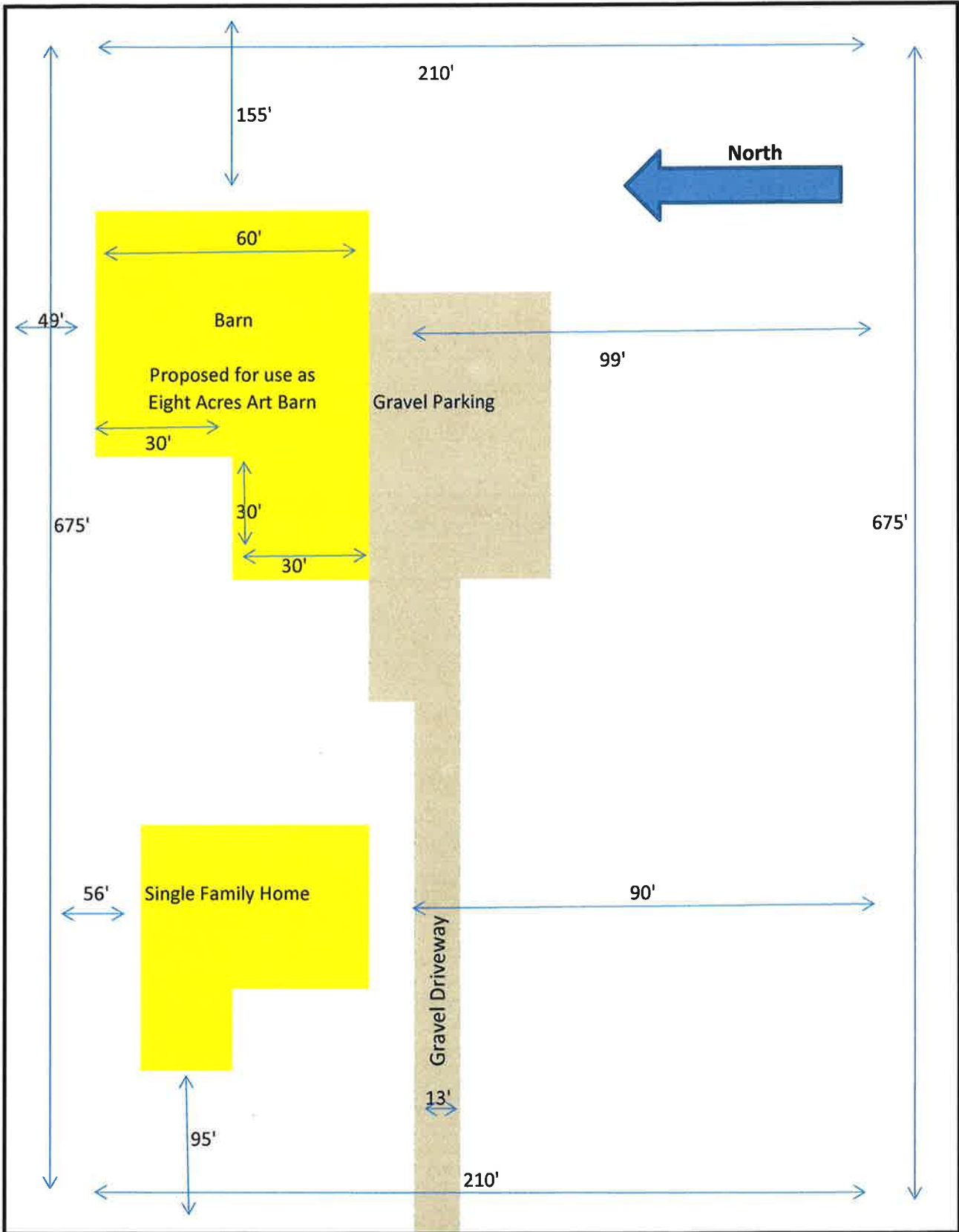
06/15/2021 / #495 (7)

CBOA-2891 Conceptual Site Plan 4.15



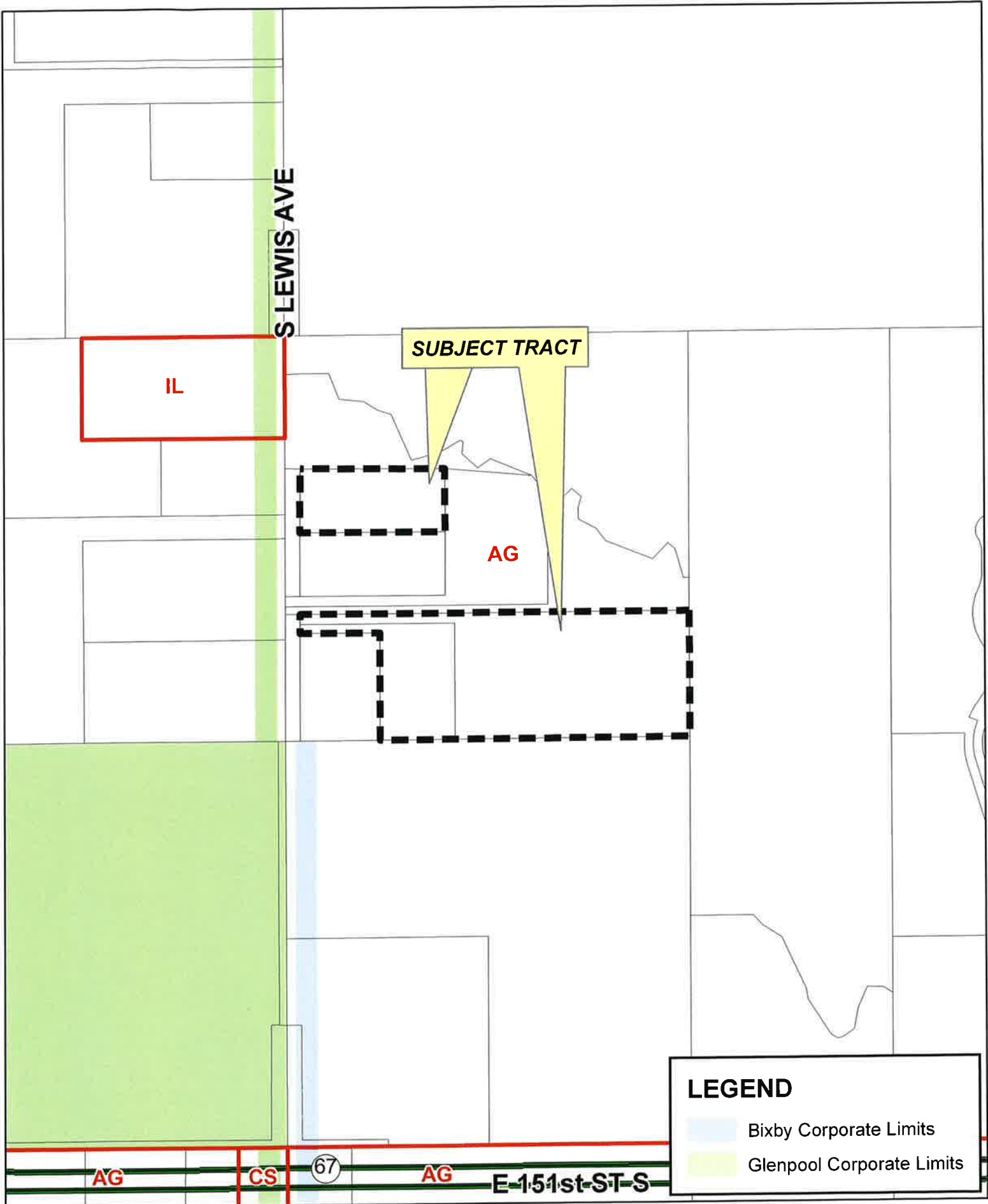
14775 S. Lewis Ave.

CBOA-2891 Conceptual Site Plan 4.16



14601 S Lewis Ave, Bixby, OK 74008

NOT to Scale



SUBJECT TRACT

IL

AG

LEGEND

- Bixby Corporate Limits
- Glenpool Corporate Limits

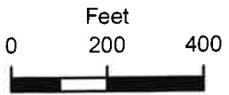
AG

CS

67

AG

E-151st-ST-S



CBOA-2891

4.1



17-13 17

Case Map for CBOA-2891

CBOA-2946

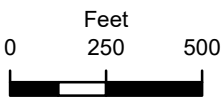
4.10



S LEWIS AVE

67

E 151st ST S



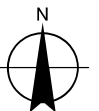
Subject Tract

CBOA-2946

17-13 17

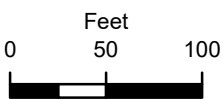
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021





S LEWIS AVE



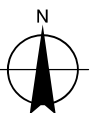
Subject Tract

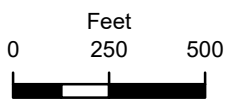
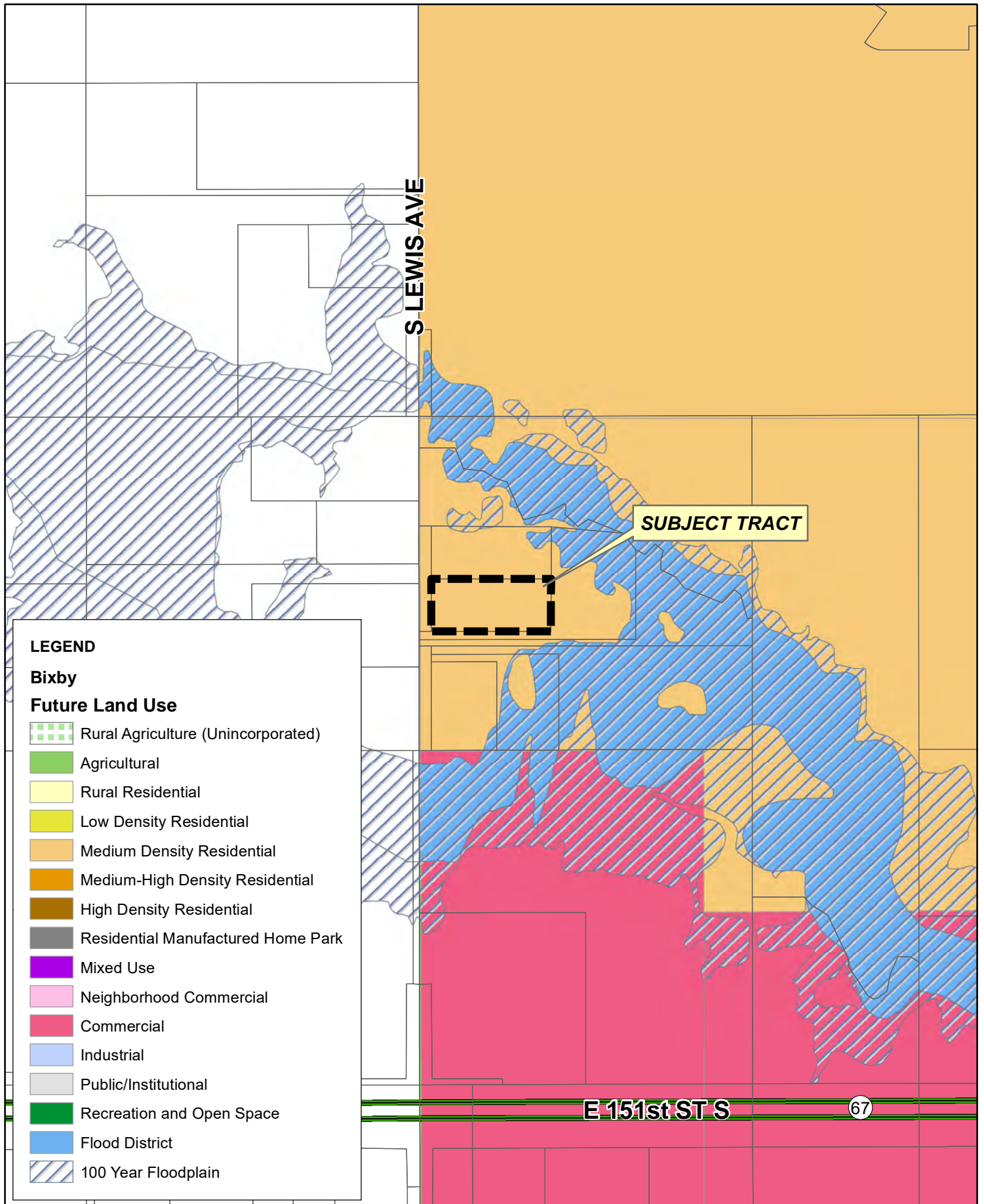
CBOA-2946

17-13 17

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

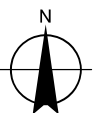
Aerial Photo Date: 2020/2021





CBOA-2946

17-13 17



Jones, Robi

CBOA-2946

From: Jennifer Jefferson <jennifer@eightacres.com>
Sent: Tuesday, January 18, 2022 9:51 AM
To: Jones, Robi
Subject: Continuance Request

Hi Robi,

I would like to request a continuance until the February board meeting due to my inability to be at the meeting today after testing positive for COVID.

Please let me know if you need any other information from me.

Thank you!
Jennifer

Jennifer Jefferson - Director
Eight Acres
918-366-6977
Cell: 918-640-2493
Fax: 918-364-3072
EightAcres.com

Jones, Robi

From: Stacy King <stacyreneeking@gmail.com>
Sent: Tuesday, January 18, 2022 9:50 AM
To: esubmit
Subject: Case Number CBOA-2946

To Whom it May Concern

I am writing today concerning the request from **Eight Acres Camp - Case Number CBOA-2946**.

Allowing this new space to be used for camp activities would be amazing for the kids and staff of Eight Acres.

Please consider approving this request.

Stacy King

Parent of Student who attends Eight Acres

~
Stacy King

Jones, Robi

From: Keith D. Robertson <kdr@kdrobertsonarchitects.com>
Sent: Tuesday, January 18, 2022 9:05 AM
To: Jones, Robi
Subject: case CBOA-2946
Attachments: BOA Case CBOA-2946 REV 01182022.pdf

Robi,
Please see attached letter for the Case CBOA-2946 Hearing today.
Respectfully,
Keith D. Robertson

KEITH D. ROBERTSON ARCHITECT A.I.A., PLLC

COMMERCIAL CHURCHES RESIDENTIAL INSTITUTIONAL SPACE PLANNING ADA CONSULTING 3D RENDERING

January 18, 2022

To: INCOG/Board of Adjustments
Tulsa County, Oklahoma
Attn: Robi Jones

RE: Case Number CBOA-2946
14603 S Lewis Ave.

Robi Jones, Board of Adjustment Members,

My name is Keith Robertson. My wife, Melissa Robertson, and I are owners of the property 14573 S. Lewis Ave. Bixby, OK 74008. We purchased the 2.5 acres in 2018 with the understanding this was zoned **AG/Residential Use**.

It is our understanding that Case Number CBOA-2946, located to the south of our property is asking for "**Special Exception**" for the planning and use of this property for a "Youth Day Camp Use". By most standards this would be considered a Commercial Use Type Facility/Activity. **RE: Section 300 Purposes of Agriculture District and Table 1 Single Family Dwelling AG/AG-R "X" Use by Right.**

Case Number CBOA-2946 likewise is asking for a "**Variance**" from all-weather requirement parking surface requirement. **Section 1340.D.** The purpose of all-weather surfacing is to eliminate excessive dust and wear and tear maintenance on the County roads due to loosen gravel fines materials stuck in tires as the access the onto Lewis Avenue, now a newly paved road. If this business type use were to be allowed, a multiple of cars will be in and out daily accessing S. Lewis Ave. in either direction, thus additional traffic.

On a similar note, there are old Commercial buses currently parked and are visible from the street.

Additionally, Melissa and I are concerned that our adjacent neighbor may be allowing the large red barn for the storage of the Buses/Youth Day Camp Business Storage/Art Barn. This too we are in opposition of. We were told information was sent out on that matter but was not received at our residence. Neither here nor there, we are still opposed. As previously mentioned, Melissa and I bought this property to be in a semi-rural country setting.

We are very much concerned that allowing this type of Special Exception business use adjacent to us will have a negative impact on our property values and as we are soon to begin the building our new home. We have invested not only in the purchase of the property itself but the cost of planning and permitting, additional upgrades to the property and partial cost for the southerly adjacent neighboring fence.

We, in concert with our surrounding neighbors, are in strong opposition for this "**Special Exception**" Use Activity **NOT** be considered/nor granted at this location and the "**Variance**" **NOT** be allowed from not doing all-weather parking surface.

Thank you for your consideration.
Respectfully,
Keith and Melissa Robertson

Jones, Robi

From: Johnson, Jeremy <JJohnson@bokf.com>
Sent: Monday, January 17, 2022 9:17 PM
To: Jones, Robi
Cc: Kdr@kdrobertsonarchitects.com; esubmit; Drtlhicks@yahoo.com
Subject: CBOA-2946

Robi Jones,

I write this email in regards to case number CBOA-2946

My name is Jeremy Johnson. My wife, Sarah Johnson, and I own the property at:

14753 S Lewis Ave.
Bixby, OK 74008

Our property directly connects to Ms. Jefferson's property at 14603 S Lewis Ave.

While I would like to be at tomorrow's hearing, I am unable to due to work conflicts. My wife will not be in attendance due to schooling conflicts for our children.

I ask that you consider the following in this case:

- We purchased this property in 2009 knowing that it was zoned for Agriculture and Residential Use - **not commercial**.
- We desire that the County continue with this zoning and not allow a daycare/parking lot be put in directly west of our property.
- This type of use would mean cars parking directly next (west) of our house, increased traffic, dust from gravel, additional noise, etc. We bought this property so we would not have these issues.
- We are **very concerned about how this would effect the value of our property for resale** if the property to our south (existing use) and west were being used for commercial rather than agriculture and residential use.

If the board of adjustments has any questions, please contact me at 918-232-0192.

Thank you for your consideration.

Regards,

Jeremy and Sarah Johnson

The company reserves the right to amend statements made herein in the event of a mistake. Unless expressly stated herein to the contrary, only agreements in writing signed by an authorized officer of the Company may

be enforced against it.

Jones, Robi

From: Lee Ann Liska <leeann1005@gmail.com>
Sent: Monday, January 17, 2022 1:01 PM
To: esubmit
Subject: Eight Acres Case Number CBOA-2946

Hello Tulsa County Board of Adjustment-

I am a parent who's twin boys have attend Eight Acres for the last 4 years. Our boys look forward to attending Eight Acres for a variety of reasons. Here are just a few to get started: staff attention, social interaction, areas to roam outdoors - kids being able to be kids again, scheduled activities, etc.

I am such a supporter of this camp we have recommended several families to send their children to Eight Acres over the past few years. In turn, they have recommended other families.

It is my understanding Eight Acres is looking to expand the property/yellow barn to the north of Eight Acres for their camp. This expansion will allow all campers the opportunity to do more activities during the day and have a new place to explore.

I, as a parent, am in favor of this expansion. This will also accommodate the growth and expansion Eight Acres is experiencing.

Please allow this expansion to take place.

My Best-
Lee Ann Wilbers

CBOA-2946

Jones, Robi

From: Cyndi Jacobs <designcyndi@yahoo.com>
Sent: Saturday, January 15, 2022 8:18 PM
To: esubmit
Subject: Eight acres camp

Regarding the above reference property. We r enthusiastic for the renovation. This camp supplies many children great memories and activities for their school vacation time.

This camp is a 5 star operation with a great teaching staff. We look forward to sending our grandchildren to the newly expanded camp.

Best regards ,

Cyndi Jacobs

Sent from Yahoo Mail on Android

Jones, Robi

From: Nicole Emmel <nicole@lacourselaw.com>
Sent: Friday, January 14, 2022 8:45 AM
To: esubmit
Cc: camp@eightacres.com
Subject: Eight Acres Camp

Hello,

I think Eight Acres Camp would total benefit adding more space for the camp.. The kids love going there. They can use all the extra space they can get. It would be awesome for these kids to have more space to explore.

Nicole Emmel
LaCourse Law Firm, PLLC
715 S. Elgin Ave.
Tulsa, Oklahoma 74120
T: 918.744.7100
F: 918.477.2299

Jones, Robi

From: Kathryn Lahey <kathryn@wdesignsite.com>
Sent: Friday, January 14, 2022 5:05 PM
To: esubmit
Subject: Eight Acres Camp - Case No. CBOA-2946

I would like to voice my support in the expansion of Eight Acres Camp into the barn space that is currently off-property from the main camp. My son will be going into his third summer at Eight Acres and this camp has been a wonderful experience for him. The campers enjoy classic summer camp activities all day and the added space will allow them even more fun experiences like pottery and STEM activities.

My family and I appreciate your consideration in allowing a special exception and parking variance for Eight Acres Camp.

Best regards,

Kathryn Lahey AIA, NCARB, LEED AP
Architectural Project Coordinator

W Design | Architecture and Interiors
608 East 3rd Street | Tulsa, OK 74120
p 918.794.6616 | f 918.794.6602 | d 539.430.0204

Jones, Robi

From: Janna Cotner <janna@cotnertransport.com>
Sent: Thursday, January 13, 2022 10:42 PM
To: esubmit
Subject: Case Number CBOA-2946

I fully support the expansion of Eight Acres Camp. Eight Acres is a huge asset to our community and a wonderful facility for our children. With the shortage of available child care in our area, this expansion is greatly needed.

Thank you,
Janna Cotner

Jones, Robi

From: Jane Livingston <janelivingston@cox.net>
Sent: Thursday, January 13, 2022 5:18 PM
To: esubmit
Subject: eight Acres Camp

To Whom It May Concern:

I am so excited to hear that Eight Acres Camp is continuing to expand for the benefit of our children. The spots fill very quickly after registration opens, and the children love playing outside with friends and selecting a variety of activities. In addition to all of the outside activities, they can also sign up for art class, Bible School class, swimming lessons, and a variety of field trips.

Ms Jefferson and her staff are amazing, and they always see positive behavior and respect from the students. Thank you for supporting such a fabulous program for our children.

Respectfully,

Jane Livingston

Jones, Robi

From: Megan Scheinkoenig <mscheinkoenig@bixbyps.org>
Sent: Thursday, January 13, 2022 3:43 PM
To: ~~esubmit~~
Subject: CBOA-2946

Hello.

We love eight acres summer camp and are so excited at the prospect of them expanding the services and learning experiences they offer. We would love for them to be able to utilize more buildings on their property.

With thanks,

Megan Scheinkoenig
414.840.1322

--



Megan Scheinkoenig
Special Education
Bixby West Elementary
918.366.1762 x4020
14901 S Harvard Ave.
Bixby, Ok 74008

Jones, Robi

From: Miranda Doorn <msmith009@hotmail.com>
Sent: Thursday, January 13, 2022 11:05 AM
To: esubmit
Subject: Case Number CBOA-2946

Hi! I am writing this letter of recommendation on behalf of Eight Acres. My kids go there for the summer and love it. It would be great for them to have additional in door facilities for arts and crafts or just when the weather is not cooperating. Please approve their request to turn the additional barn into a facility for the children to utilize.

Thank you.
Miranda Doorn

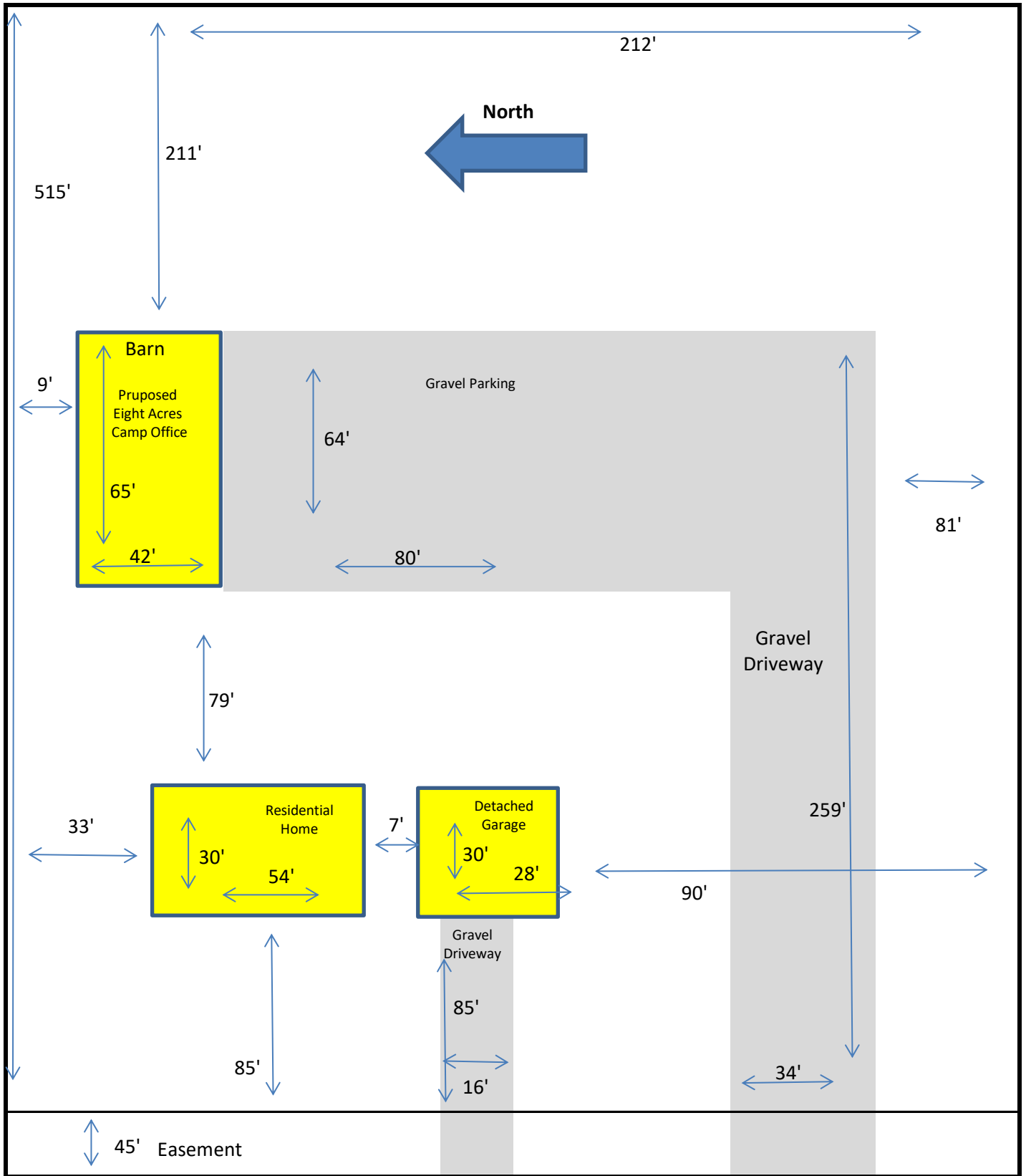
CBOA-2946

Jones, Robi

From: Paul Hodgson <paulhodgson3@aol.com>
Sent: Thursday, January 13, 2022 10:09 AM
To: esubmit
Subject: support

A great big thank you to 8 acres. They have provided my son for six years the love, care, and role model needed for two working parents. Please know how important they are to our community.

Sent from my iPhone



14603 S Lewis Ave, Bixby, OK 74008

NOT to Scale



Case Number: CBOA-2947

Hearing Date: 02/15/2022 1:30 PM

Case Report Prepared by:

Robi Jones

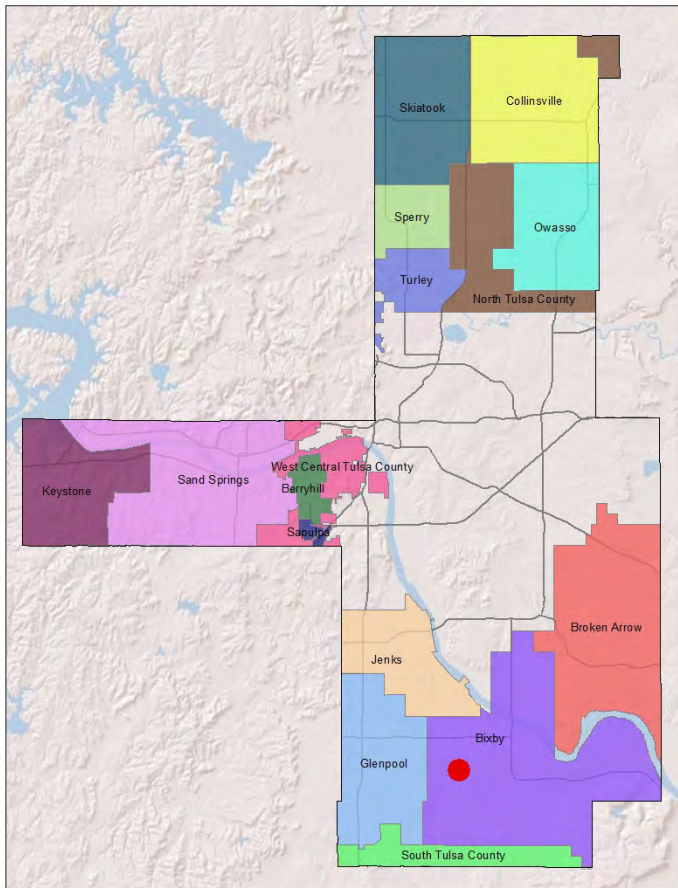
Owner and Applicant Information:

Applicant: Travis Dunn

Property Owner: DUNN, TRAVIS MARTIN

Action Requested: Variance of the minimum land area per dwelling unit in the AG district to permit two dwelling units on one lot of record in an AG district (Section 330); and a Variance from the all-weather parking surface requirement (Section 1340.D).

Location Map:



Tulsa County Comprehensive Land Use Plan

Additional Information:

Present Use: Residential

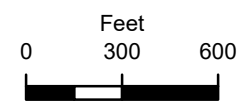
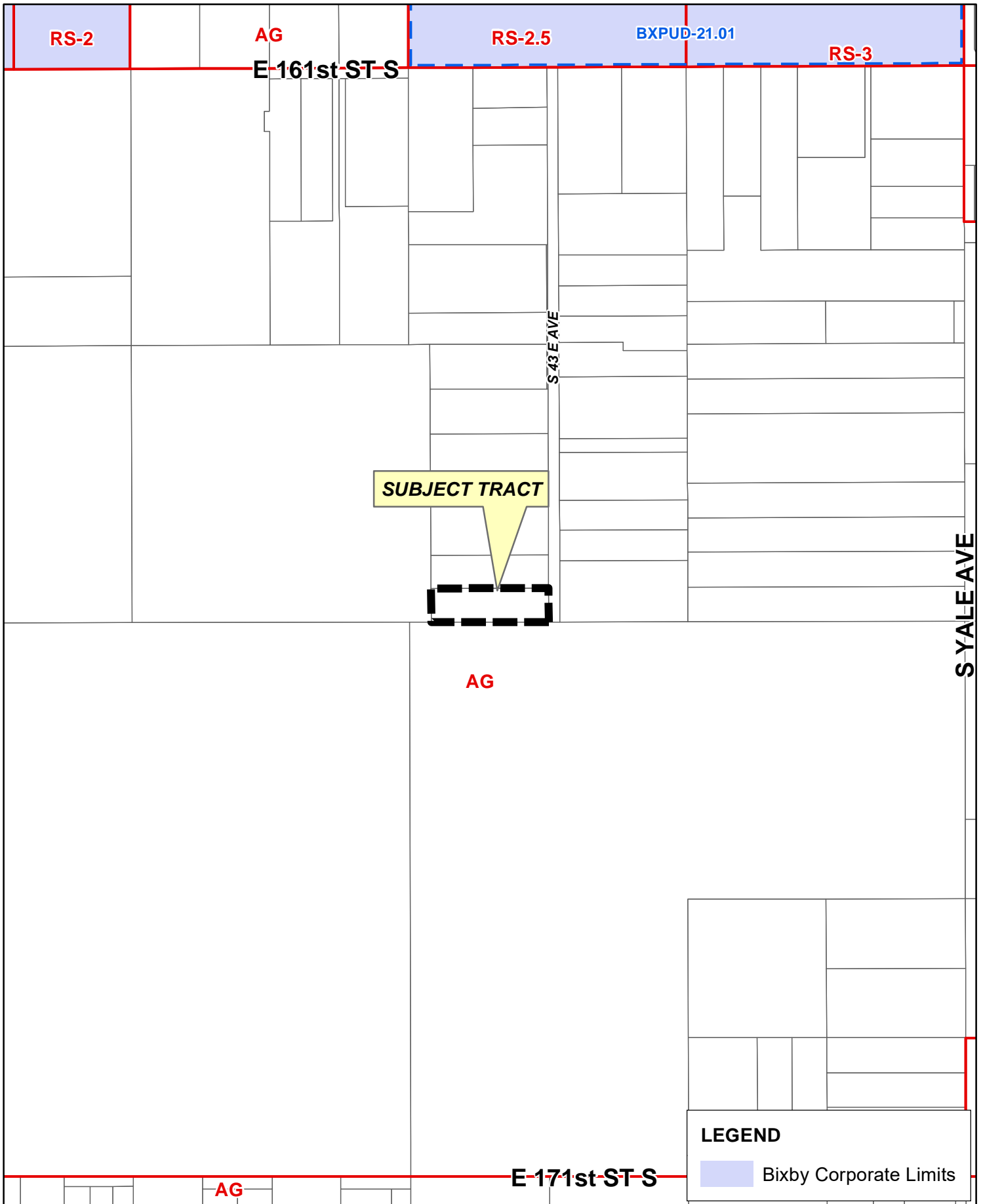
Tract Size: 2.04 acres

Location: 16532 S 43 AV E

Present Zoning: AG

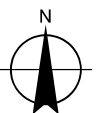
Fenceline/Area: Bixby

Land Use Designation: Low Density Residential



CBOA-2947

17-13 28



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 7328

CZM: 66

CASE NUMBER: **CBOA-2947**

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 02/15/2022 1:30 PM

APPLICANT: Travis Dunn

ACTION REQUESTED: Variance of the minimum land area per dwelling unit in the AG district to permit two dwelling units on one lot of record in an AG district (Section 330); and a Variance from the all-weather parking surface requirement (Section 1340.D).

LOCATION: 16532 S 43 AV E

ZONED: AG

FENCELINE: Bixby

PRESENT USE: Residential

TRACT SIZE: 2.04 acres

LEGAL DESCRIPTION: S158.75 E560 SW SW NE SEC 28 17 13 2.04ACS,

RELEVANT PREVIOUS ACTIONS: None relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is

STAFF COMMENTS:

The applicant is before the Board requesting a Variance of the minimum land area per dwelling unit in the AG district to permit two dwelling units on one lot of record in an AG district (Section 330); and a Variance from the all-weather parking surface requirement (Section 1340.D). As shown on the attached site plan, the applicant has an existing single-family residence on the lot and is proposing to add a manufactured housing unit in the rear yard located southwest of the existing home.

The applicant provided the following statement: *“Our daughter will need housing at the end of February 2022; adding a manufactured home to our lot will be quicker than remodeling our current home to add space. After our daughter obtains her own housing, we would move my mother into the house to be nearer to us.”*

Section 208 states: No more than one single-family dwelling or mobile home may be constructed or otherwise placed on a lot, except in the case of a lot which is within an approved PUD, in an RMH district, or in an **AG district**, with the exception in the AG district that there be no more than two dwellings per lot.

Section 330, Table 3 of the Code requires a minimum lot area of 2 acres and a land area per dwelling unit requirement of 2.1 acres in the AG district. The applicant is proposing to have two dwellings on the 2.04-acre subject lot. The applicant meets the minimum lot size but does not meet the minimum land area per dwelling unit.

The parking area has a gravel surface. The Code requires all parking areas be paved with an all-weather material to maintain a minimum level of aesthetics, and to control air-borne particulates like dust. The applicant has requested a variance to allow a gravel parking area on the site.

If inclined to approve, the Board may consider any conditions it deems necessary and reasonably related to the request to ensure that the additional dwelling is not injurious to the surrounding agricultural district.

Sample Motion:

“Move to _____ (approve/deny) a Variance of the minimum land area per dwelling unit in the AG district to permit two dwelling units on one lot of record in an AG district (Section 330); and a Variance from the all-weather parking surface requirement (Section 1340.D).

- *Subject to the following conditions (if any - it could include “Per the Conceptual Plan(s) shown on page(s) ___ of the agenda packet”): _____.*
- *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”

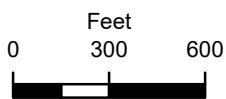


E 161st ST S

S 43 E AVE

S YALE AVE

E 171st ST S



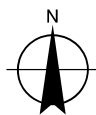
Subject Tract

CBOA-2947

17-13 28

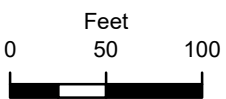
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021





S 43 E AVE



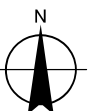
Subject Tract

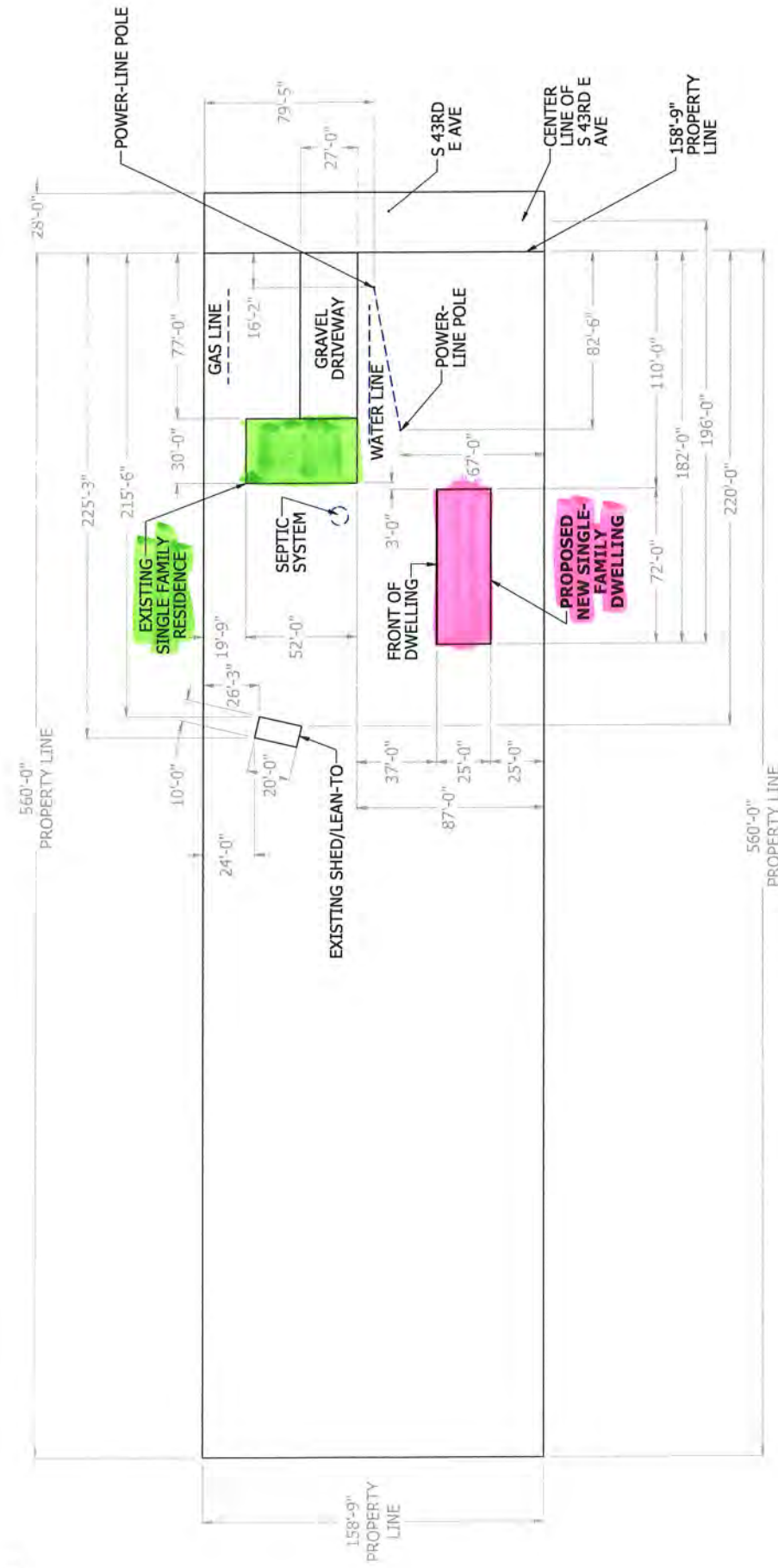
CBOA-2947

17-13 28

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

Aerial Photo Date: 2020/2021





SITE PLAN

LEGAL DESCRIPTION:
 SUBDIVISION: UNPLATTED
 LEGAL: S158.75 E560 SW NE SEC 28 17 13 2.04ACS
 SECTION: 28 TOWNSHIP: 17 RANGE: 3
 SITUS ADDRESS: 16532 S 43 AV E BIXBY 74008

DWN BY: TD
 SCALE: 1/4" = 1'



Case Number: CBOA-2948

Hearing Date: 02/15/2022 1:30 PM

Case Report Prepared by:

Robi Jones

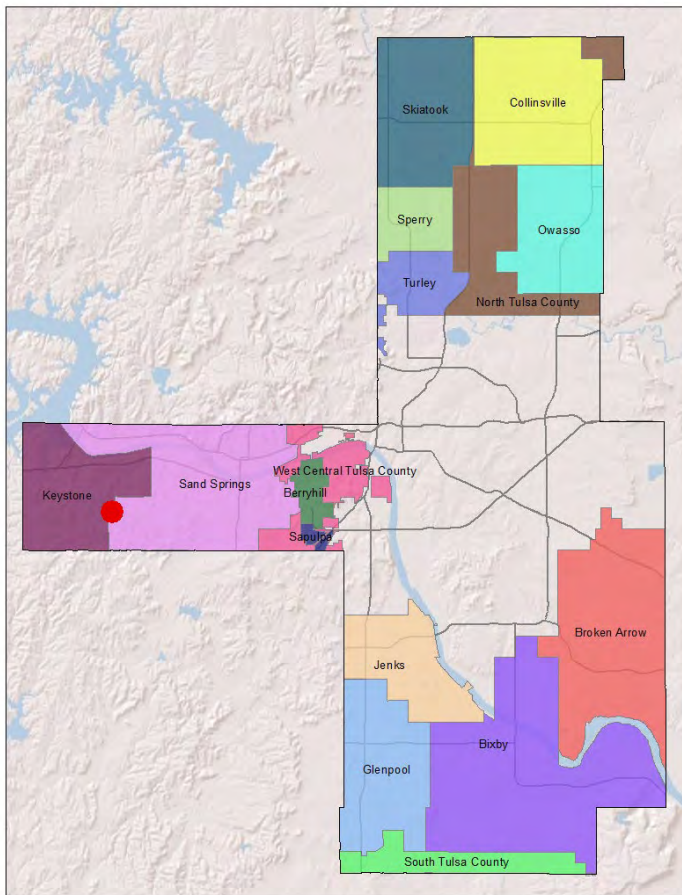
Owner and Applicant Information:

Applicant: Jasmine Williams

Property Owner: UMBA INVESTMENT LLC

Action Requested: Modification of a previously approved site plan (CBOA-2844) to increase the grow area of a Horticultural Nursery in an AG-R district (Section 310, Table 1).

Location Map:



Tulsa County Comprehensive Land Use Plan

Additional Information:

Present Use: Horticultural Nursery

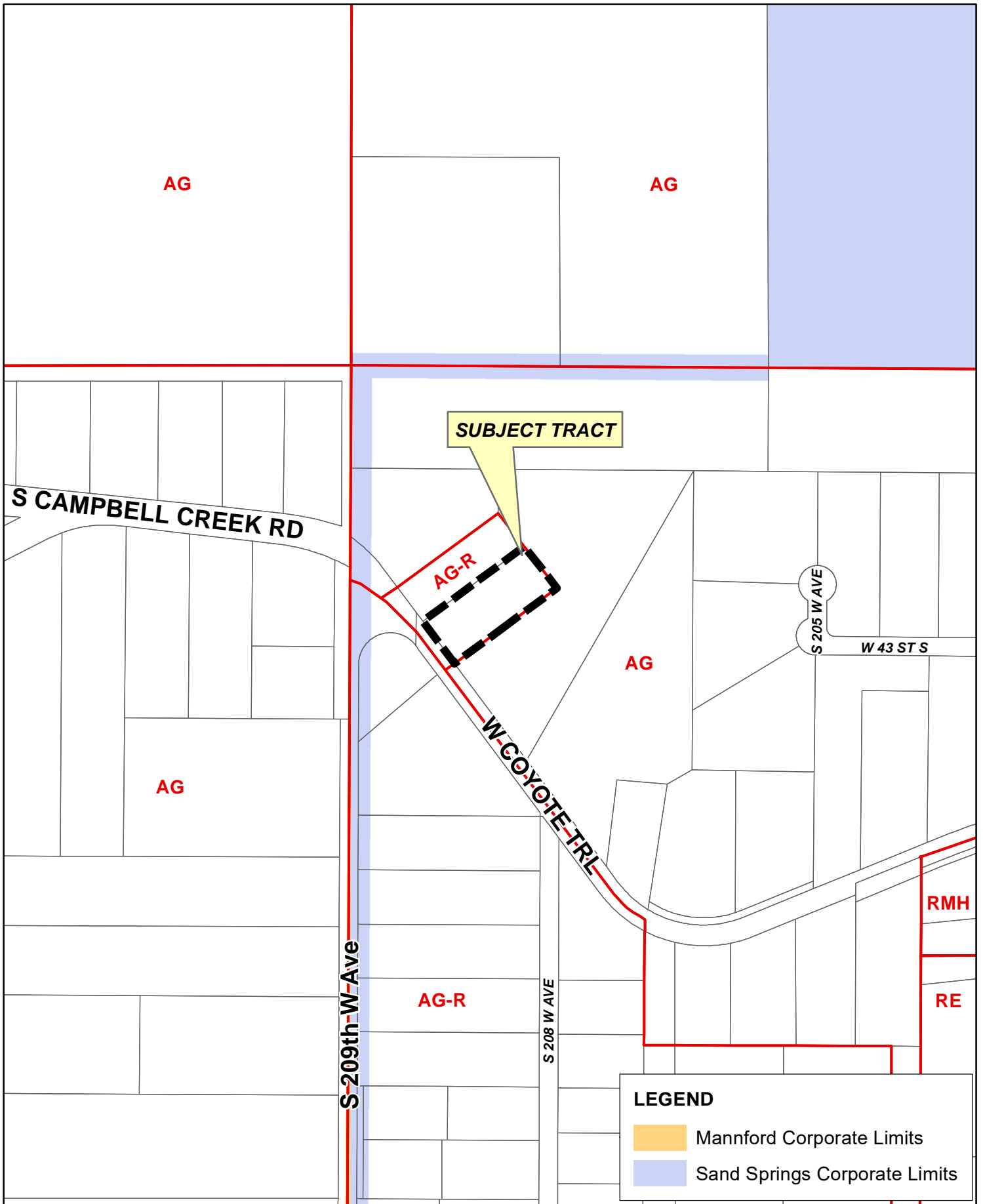
Tract Size: 1.53 acres

Location: 20813 W COYOTE TL S

Present Zoning: AG-R

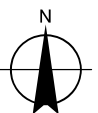
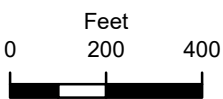
Fenceline/Area: Sand Springs

Land Use Designation: Residential



CBOA-2948

19-10 26



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9026

CZM: 42

CASE NUMBER: **CBOA-2948**

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 02/15/2022 1:30 PM

APPLICANT: Jasmine Williams

ACTION REQUESTED: Modification of a previously approved site plan (CBOA-2844) to increase the grow area of a Horticultural Nursery in an AG-R district (Section 310, Table 1).

LOCATION: 20813 W COYOTE TL S

ZONED: AG-R

FENCELINE: Sand Springs

PRESENT USE: Horticultural Nursery

TRACT SIZE: 1.53 acres

LEGAL DESCRIPTION: PRT NW NW BEG 548.96S & 137.97SELY & 221.17SE NWC NW NW TH NE404.52 SE165.24 SW404.52 NW165.24 POB SEC 26 19 10 1.535ACS,

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2844 September 2020: The Board APPROVED the request for a Special Exception to permit Use Unit 3, Agriculture, for a Horticulture Nursery in an (AG-R) Agriculture - Residential District (Section 310, Table 1), subject to conceptual plan 3.11 in the agenda packet. The grow facility is to be limited to the 3,000 square foot building currently located on the subject property. The building is to comply with all regulations by Tulsa County and the OMMA., on property located at.

CZ-438 December 2014: All concurred in approval of a request for rezoning a 2.81+ acre tract of land from AG to AG-R on property located North of West Coyote Trail and east of South 209th West Avenue.

ANALYSIS OF SURROUNDING AREA: The subject tract is located in a rural residential area. It abuts AG-R parcels to the northwest and south. It abuts AG properties to the north and east. The surrounding area appears to be vacant agricultural properties with some residential uses.

STAFF COMMENTS:

The applicant is before the Board requesting a Modification of a previously approved site plan (CBOA-2844) to increase the grow area of a Horticultural Nursery in an AG-R district (Section 310, Table 1).

CBOA-2844 was approved in September 2020 and was subject to the conceptual site plan on 3.11 in the agenda packet. An additional condition limited the grow facility to the 3,000 square foot building located on the property. The applicant is now requesting a modification to that approval to include an additional outdoor grow area with a square footage of 44,555 square feet.

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

Sample Motion:

“Move to _____ (approve/deny) a Modification of a previously approved site plan (CBOA-2844) to increase the grow area of a Horticultural Nursery in an AG-R district (Section 310, Table 1).

Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.

Finding 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.

needed to store equipment, mulch piles, etc. His grow will be on the very far southeast corner of 5 acres. When going west there is a creek and another 10 acres to the corner of 137th. When going north his friend lives about 10 acres away. Mr. Bales stated that his house sits so that there is nothing north or south of him and the wind blows predominately northward or southward. If the wind blows eastward his neighbors also grow and they don't mind the smell.

Mr. Crall asked Mr. Bales how many buildings he plans to have if they are 20 x 24 in size, because there could be a total of 20 buildings. Mr. Bales stated that he plans no more than six hoop houses.

Mr. Charney asked Mr. Bales what the building would be wrapped in. Mr. Bales stated that it is a very thick plastic similar to Visqueen.

Comments and Questions:

Mr. Hutchinson asked staff if the previous case that was approved next door to the subject property, if they choose to have an outside grow operation will they need to come before the Board? Ms. Jones answered affirmatively. Mr. Hutchinson stated he has an issue with this request because the grow will be outdoor. The request is for 10,000 square feet and the smell that is associated with growing sometimes has a tendency to hurt a resale value of neighbors.

Board Action:

On **MOTION** of **HUTCHINSON**, the Board voted 2-2-0 (Charney, Hutchinson, "aye"; Crall, Johnston "nays"; no "abstentions"; Dillard "absent") to **DENY** the request for a **Use Variance** to permit Use Unit 3, Agriculture, for a Horticulture Nursery in a Residential District (Section 410, Table 1) finding that the proposed grow operation is located within a residential district; for the following property:

BEG 2310W SECR SE TH W330 N660 E330 S660 POB & S25 VAC ST ADJ ON N SEC 21 19 11 5.189ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

MOTION FAILED

2844—Mark Bales

Action Requested:

Special Exception to permit Use Unit 3, Agriculture, for a Horticulture Nursery in an (AG-R) Agriculture - Residential District (Section 310, Table 1). **LOCATION:** 20813 West Coyote Trail South

Presentation:

Mark Bales, 13609 West 41st Street South, Tulsa, OK; stated the subject property building has been in existence for several years and used as a commercial business.

This request is for an indoor grow facility. Mr. Bales stated he has two partners and the traffic will be less than what was there before because the building housed a former Port-A-Potty business so there were trucks coming and going constantly.

Mr. Charney asked Mr. Bales if there would be active selling, marketing or cultivation requiring third party employees from the facility. Mr. Bales answered no.

Mr. Hutchinson asked Mr. Bales about the square footage of the existing building. Mr. Bales stated the building is 3,000 square feet.

Mr. Hutchinson asked Mr. Bales how many plants did he anticipate having in the building? Mr. Bales stated there would be about 300 plants.

Mr. Hutchinson asked staff to explain the difference in the zoning, AG, AG-R and RE. Ms. Jones stated the R is residential and this property is zoned AG-R, which is an agricultural use with a residential bind, so the applicant must ask for a Special Exception for this use as opposed to a Use Variance.

Mr. Crall stated that the staff report says the hardship is because the zoning prevents relocation of the business; is this an existing business that is being relocated to the subject property? Mr. Bales answered affirmatively; there is an existing business located in Cherokee County currently.

Mr. Hutchinson asked Mr. Bales about the traffic after the plants are processed. Mr. Bales stated there would be no other traffic other than him and his two partners that come to the subject property.

Mr. Johnston asked Mr. Bales about the ventilation of the building. Mr. Bales stated there will be filters in the building, there will be no smell outside. Mr. Hutchinson asked if the County required ventilation for the building. Ms. Tosh stated the County requires ventilation and filtration for the building.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **HUTCHINSON**, the Board voted 4-0-0 (Charney, Crall, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; Dillard "absent") to **APPROVE** the request for a Special Exception to permit Use Unit 3, Agriculture, for a Horticulture Nursery in an (AG-R) Agriculture - Residential District (Section 310, Table 1), subject to conceptual plan 3.11 in the agenda packet. The grow facility is to be limited to the 3,000 square foot building currently located on the subject property. The building is to comply with all regulations by Tulsa County and the OMMA. Finding the Special Exception will be in

CBOA-2844

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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:

PRT NW NW BEG 548.96S & 137.97SELY & 221.17SE NWC NW NW TH NE404.52 SE165.24 SW404.52 NW165.24 POB SEC 26 19 10 1.535ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

2845—Sean Parchman

Action Requested:

Use Variance to permit Use Unit 3, Agriculture, for a Horticulture Nursery in a Residential District (Section 410, Table 1). **LOCATION:** 1372 South 220th Avenue West

Presentation:

The applicant requests a continuance to October 20, 2020.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **JOHNSTON**, the Board voted 4-0-0 (Charney, Crall, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; Dillard “absent”) to **CONTINUE** the request for a Use Variance to permit Use Unit 3, Agriculture, for a Horticulture Nursery in a Residential District (Section 410, Table 1) to the October 20, 2020 Board of Adjustment meeting; for the following property:

LT 12 & BEG SWC LT 12 TH SLY50.65 E APROX 206.30 N50 WLY206 BLK 8, CANDLESTICK BEACH, CANDLESTICK BEACH THIRD ADDN, OF TULSA COUNTY, STATE OF OKLAHOMA.

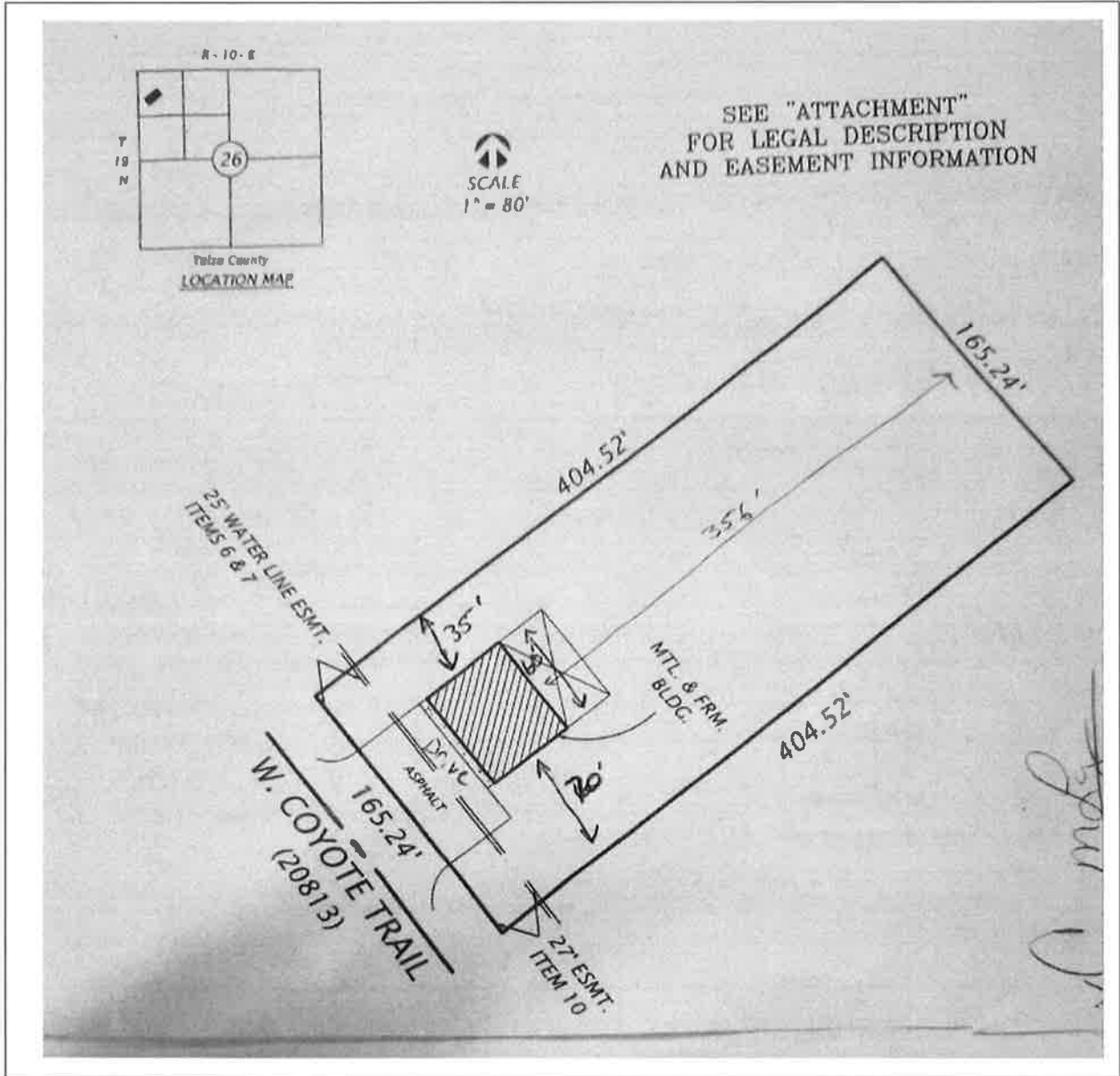
2846—DSK Investments, LLC

Action Requested:

Use Variance to allow outdoor storage (Use Unit 23 – Warehousing and Wholesaling) in an RE District (Section 1223); Use Variance to allow for an office use (Use unit 11 – Offices and Studios) to permit an office in an RE District (Section 1211). **LOCATION:** 11505 East 68th Street North

Presentation:

The applicant was not present.



3.11

powerful repetitive image of a storage place, which are flat on top. Mr. Reeds agreed that the Planning Commission needs to see a rendering or an example of one that has been installed in order to make a more informed decision.

Mr. Dix moved to deny this application. Seconded by Mr. Fretz.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, TMAPC voted **5-5-0** (Carnes, Dix, Fretz, Liotta, Walker "aye"; Covey, Millikin, Reeds, Shivel, Stirling "nays"; none "abstaining"; Midget "absent") to recommend **DENIAL** of the CG zoning for CZ-436 and PUD-821.

Motion is tied and therefore CZ-436 and PUD-821 move onto the Board of County Commission without a recommendation from the Planning Commission.

Legal Description for CZ-436/PUD-821:

A tract of land situated in the east half of Section 33, Township 22 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the U.S. Government survey thereof; Beginning 2809.3 feet South of the Northeast corner of said Section 33; thence West 744 feet to the eastern right of way of U.S. Highway 75; thence southwesterly along the Eastern right of way of U.S. Highway 75 a distance of 555.60 feet; thence East a distance of 860 feet; thence North a distance of 542.00 feet to the point of beginning, less the East 30 feet thereof, Tulsa County, State of Oklahoma

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33. **CZ-438 – Chance Furr**, Location: North of West Coyote Trail, east of South 209th West Avenue, requesting a rezoning from **AG to AG-R**, (County)

STAFF RECOMMENDATION:

The applicant did not submit a concept statement however the intended use is for residential redevelopment of the property.

DETAILED STAFF RECOMMENDATION:

CZ-438 is consistent with the existing surrounding property and;

The request for rezoning from AG to AG-R is consistent with the anticipated future development of this area and;

The request for rezoning from AG to AG-R is consistent with the anticipated future development of this area and;

There is no comprehensive plan vision for this area therefore;

Staff recommends **APPROVAL** of CZ-438 to rezone property from AG to AG-R.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This site is not inside the City of Tulsa Comprehensive plan and is outside of any known comprehensive plan area. This site is contained within the City of Sand Springs fence line.

Land Use Vision: None

Land Use Plan map designation: n/a

Areas of Stability and Growth designation: n/a

Transportation Vision:

Major Street and Highway Plan: None except that Coyote Trail is considered a secondary arterial street on the Tulsa Metropolitan Area Major Street and Highway Plan.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing property has one single family residence and a large shop building.

Environmental Considerations: There are no known environmental concerns that would affect development of this site with single family residential homes.

12:17:2688(37)

3.5

CBOA-2948 6.10

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West Coyote Trail South	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water available. A private septic system will be required to meet ODEQ standards when a new home is constructed.

Surrounding Properties: The subject tract is surrounded large lot single family residential property and by rural wooded and largely undeveloped property, zoned AG except south across West Coyote Trail the area is zoned AG-R.

SECTION III: Relevant Zoning History

ZONING RESOLUTION: Resolution number 98254 dated September 15, 1980, established zoning for the subject property.

There is no relevant history.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to recommend **APPROVAL** of the AG-R zoning for CZ-438 per staff recommendation.

Legal Description for CZ-438:

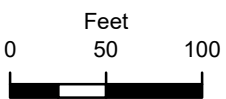
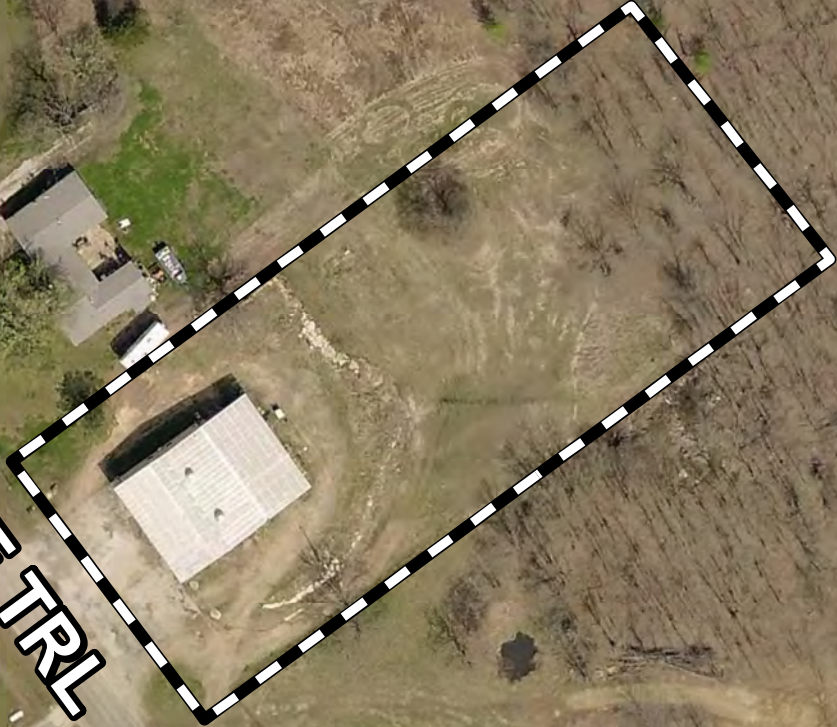
BEG 548.98S & 137.97 SELY CRV RT & 84.33SE NWC NW NW TH NE404.52 SE302.09 SW404.52 NW302.09 POB SEC 26 19 10 2.805ACS, City of Tulsa, Tulsa County, State of Oklahoma.

12:17:2688(38)

3.6



W COYOTE TRL



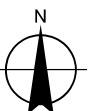
 Subject Tract

CBOA-2948

19-10 26

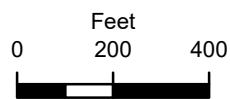
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021



CBOA-2948

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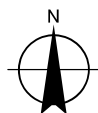
Subject Tract

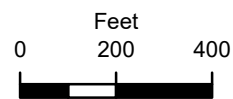
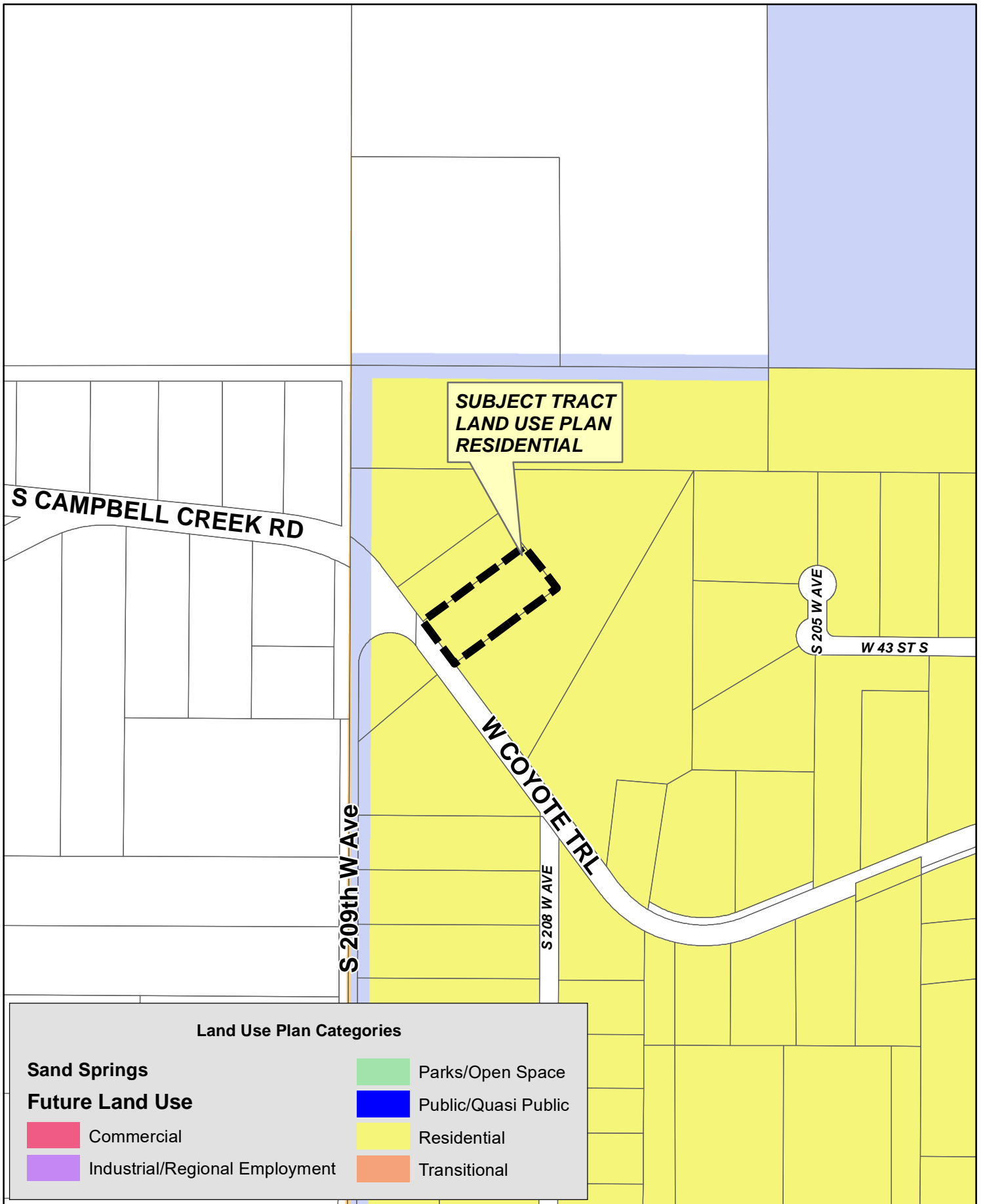
CBOA-2948

19-10 26

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

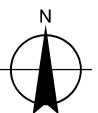
Aerial Photo Date: 2020/2021





CBOA-2948

19-10 26





Looking northeast from W. Coyote Trail South



Looking east from W. Coyote Trail South

ROB COOAY ARCHITECT ARCHITECT LLC
 P.O. BOX 333
 KEETKA, OK 74051
 918.636.2014
 rcooay@robcooay.com

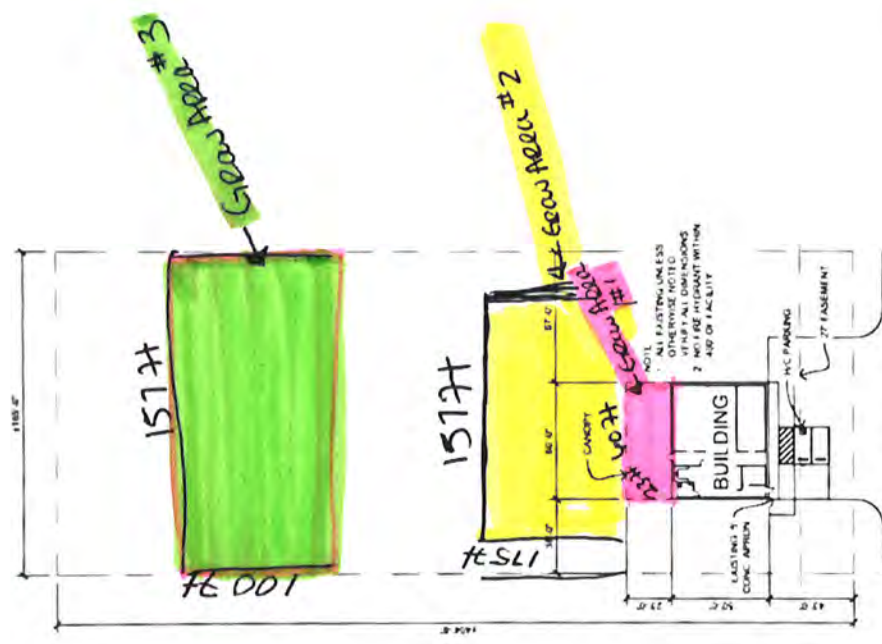
STATE OF OKLAHOMA ARCHITECT
 REGISTERED ARCHITECT
 NO. 10077

General Contractor
Jasmine Williams
 20813 W. Coyote Trail
 Sand Springs, OK 74063
 Tulsa County

DRAWN BY: SLO
 CHECKED BY: RAC
 REVISION AND DATE: 0 10/01/2021
 SCALE:

ORIGINAL RELEASE DATE: 10/01/2021
 PROJECT TITLE: Building Occupancy Change
 DRAWING TITLE: SITE PLAN

FILE NAME: Jasmine Grow.dwg
 SHEET NO: A100
 SHEET: 4 OF 6



Grow Area #1 - 60' x 23' (1,380 sq. ft.)
Grow Area #2 - 157' x 175' (27,475 sq. ft.)
Grow Area #3 - 157' x 100' (15,700 sq. ft.)
Total = 44,555 sq. ft. of outdoor grow area

LEGAL DESCRIPTION
 SEE PROJECT DATA

1 SITE PLAN
 A100 1"=60'-0"





Case Number: CBOA-2949

Hearing Date: 02/15/2022 1:30 PM

Case Report Prepared by:

Robi Jones

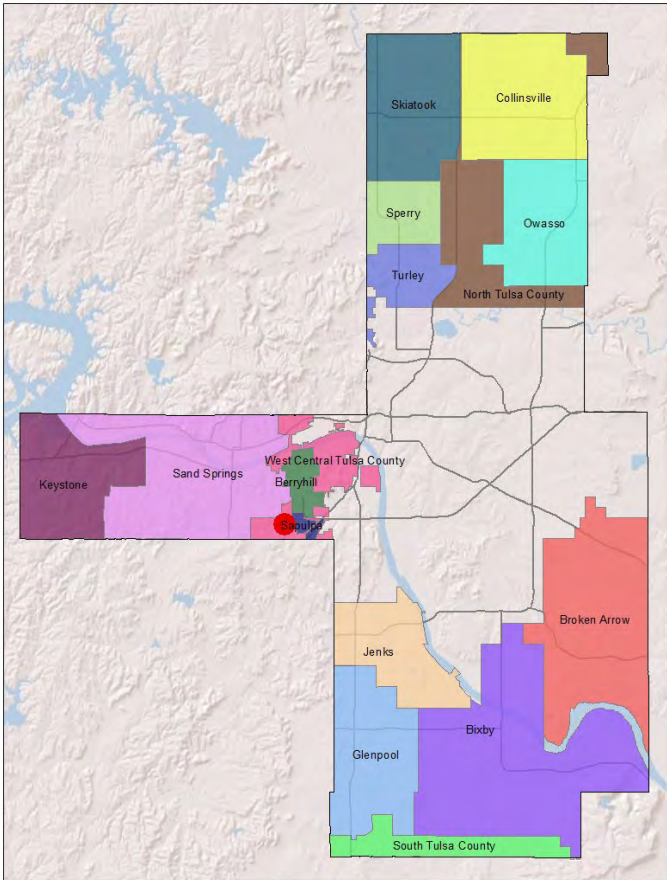
Owner and Applicant Information:

Applicant: Matt Blair

Property Owner: SQUARE ONE CONSTRUCTION LLC

Action Requested: Variance of the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet to 0 feet in the AG District (Section 207).

Location Map:



Additional Information:

Present Use: Agricultural

Tract Size: 15.81 acres

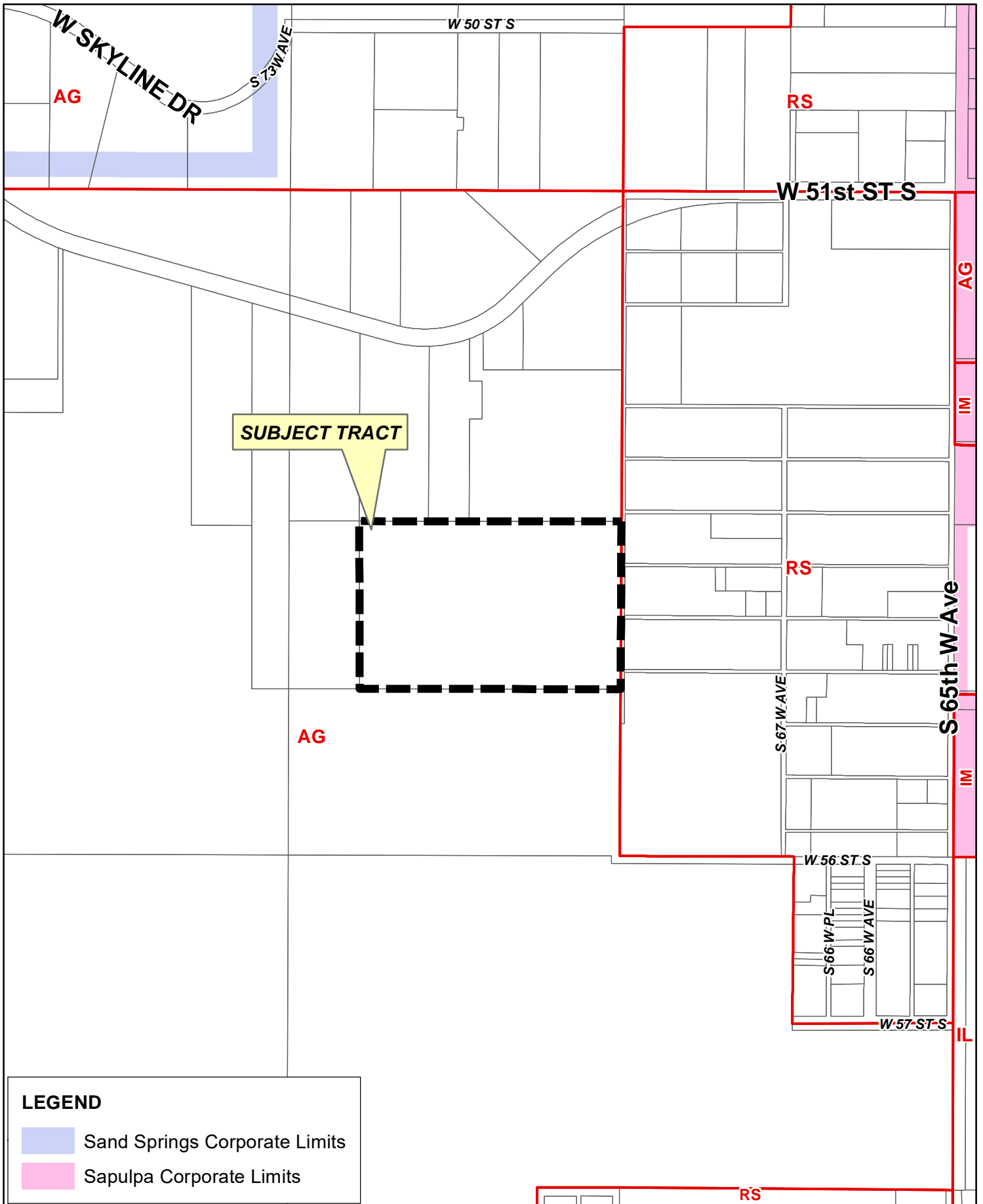
Location: West of the southwest corner of West 51st Street South & South 65th West Ave.

Present Zoning: AG

Fenceline/Area: West Central Tulsa

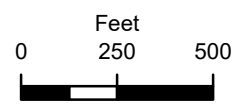
Land Use Designation: Rural Residential /Agricultural

Tulsa County Comprehensive Land Use Plan



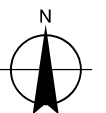
LEGEND

- Sand Springs Corporate Limits
- Sapulpa Corporate Limits



CBOA-2949

19-12 31



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9231

CZM: 45

CASE NUMBER: **CBOA-2949**

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 02/15/2022 1:30 PM

APPLICANT: Matt Blair

ACTION REQUESTED: Variance of the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet to 0 feet in the AG District (Section 207).

LOCATION: West of the southwest corner of West 51st St S & South 65th West Ave **ZONED:** AG

FENCELINE: West Central Tulsa

PRESENT USE: Agricultural

TRACT SIZE: 15.81 acres

LEGAL DESCRIPTION: BEG 277.64E NWC SW NE TH S659.30 E1043.52 TO SECR N/2 SW NE TH N660.04 TO NEC N/2 SW NE TH W1043.04 POB SEC 31 19 12 15.81ACS,

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract abuts AG zoning to the north, west, and south. It abuts RS zoning to the east. There is a church to the north, a smattering of residential uses, and the remainder appears to be agricultural or vacant.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance of the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet to 0 feet in the AG District (Section 207).

The applicant provided the following statement: *“When land was purchased, land was landlocked and required a road & utility easement for access. 30 feet of road frontage was not available for purchase.”*

The Code requires owners of land utilized for residential purposes to maintain 30 feet of frontage on a public street or dedicated right-of-way. The submitted site plan indicates that the subject lot has 0 feet of frontage onto West 51st Street South. The applicant intends to build a single-family home on the property with the plan to submit a lot split and build a second family home in the future. See the attached Easement Agreement.

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

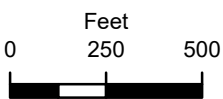
Sample Motion:

“Move to _____ (approve/deny) a Variance of the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet to 0 feet in the AG District (Section 207).”

Finding the hardship to be _____.

Subject to the following conditions (if any) _____.

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.”



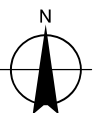
 Subject Tract

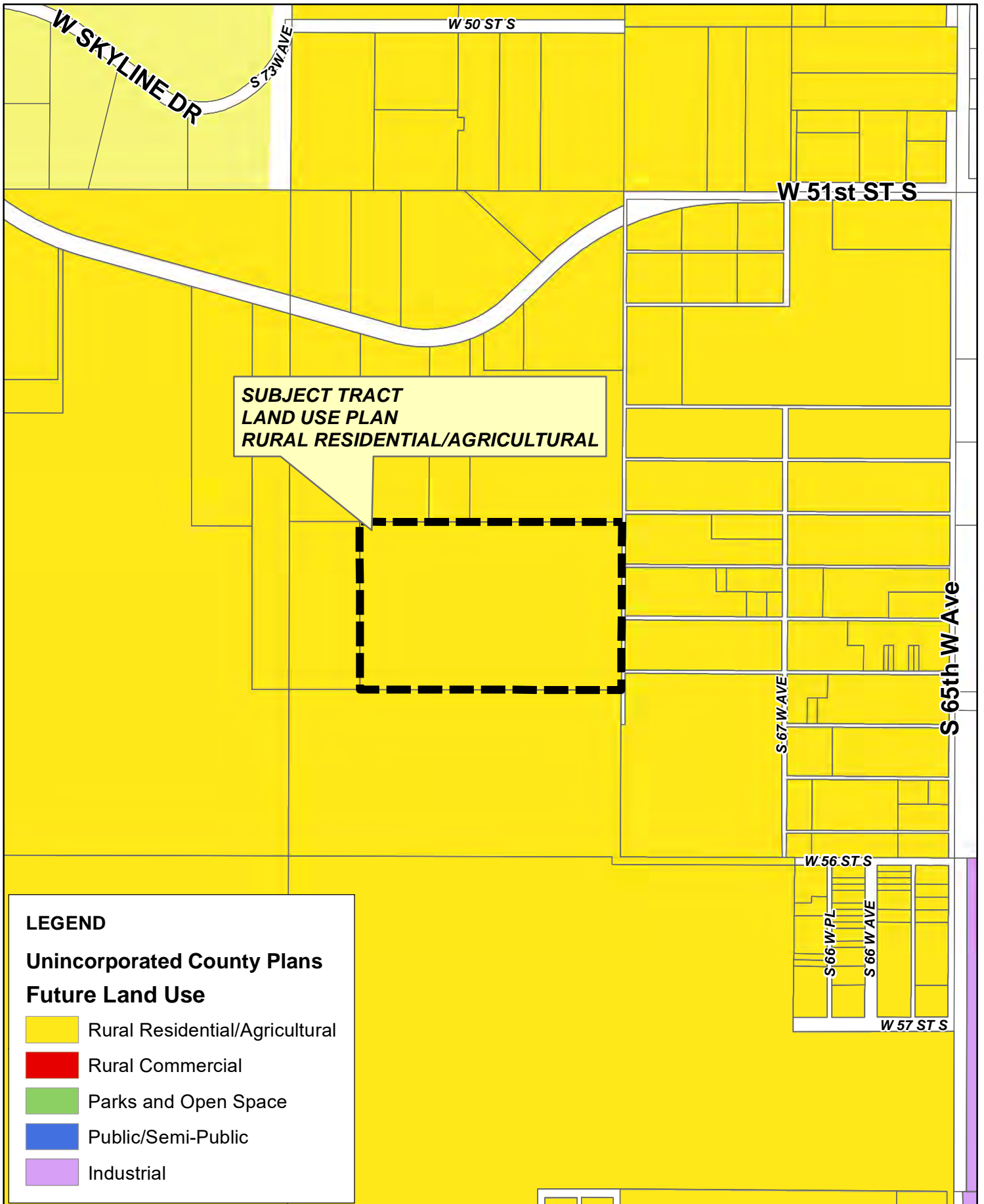
CBOA-2949

19-12 31

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

Aerial Photo Date: 2020/2021





**SUBJECT TRACT
LAND USE PLAN
RURAL RESIDENTIAL/AGRICULTURAL**

LEGEND

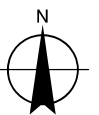
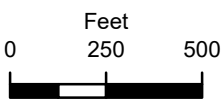
Unincorporated County Plans

Future Land Use

- Rural Residential/Agricultural
- Rural Commercial
- Parks and Open Space
- Public/Semi-Public
- Industrial

CBOA-2949

19-12 31





15.81 acres
SquareOne Construction

8.4 acres
Rowlett



15.81 acres
SquareOne Construction

8.4 acres
Rowlett



ACCESS AND UTILITY EASEMENT

THIS INDENTURE, made this 16 day of December, 2020, between **Stephen Rowlett and Denise Rowlett, husband and wife**, parties of the first part, hereinafter called "Grantors" and **Tonya Marie Tomecek and Frank Joseph Tomecek, Trustees of the Tonya Marie Tomecek Living Trust, dated 9-5-2007, and any amendments thereto**, party of the second part, hereinafter called "Grantee".

That the Grantors are owners of the legal and equitable title to land in the Northwest Quarter (NW/4) of the Northeast Quarter (NW/4 NE/4), Section Thirty-one (31), Township 19 North, Range 12 East, situated in Tulsa County, Oklahoma, being described as follows:

See attached Exhibit "A".

This is the servient estate.

The Grantee is the owner of the legal and equitable title to land in the Southwest Quarter of the Northeast Quarter (SW/4 NE/4) and the North half of the Southwest Quarter of the Northeast Quarter (N/2 SW/4 NE/4) all in Section 31, Township 19 North, Range 12 East and more particularly described as follows:

See attached Exhibit "B".

This is the dominant estate.

1. For and in consideration of value received, the receipt of which is hereby acknowledged, Grantors do hereby grant and convey to Grantee, its assigns and beneficiaries, an access and utility easement over the above described servient property (Exhibit "A") situated in Tulsa County, Oklahoma and described as follows:

The easement area shall be the west thirty (30) feet of the servient estate. Said west thirty (30) feet of the servient estate shall include any part of the said western boundary which runs in an easterly-westerly direction. This easement is for the purpose of permitting a roadway access (a private driveway) and for the maintenance of said private driveway, and for the installation of any public or private utilities through, over, and across said easement roadway, together with all necessary and convenient appurtenances thereto; and to use and maintain the same, and affording the aforesaid Grantee, its beneficiaries, assigns, officers, agents, employees, and /or all persons under contract with the Grantee, the right to enter upon said premises (to include access to the servient estate as necessary) and easement strip of land for the purpose of

9. In the event of litigation relating to this easement agreement, the prevailing party shall be entitled to receive from the other party its reasonable attorneys' fees and costs.

10. This easement shall be amended only by a written and recorded instrument signed by the parties or the then current owner of the property and the easement.

11. TO HAVE AND TO HOLD such access easement and utility easement to Grantee forever.

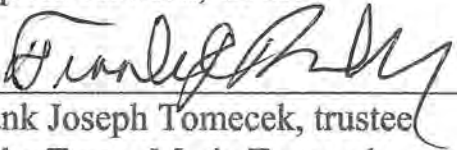
IN WITNESS WHEREOF, the said Grantors and Grantee, have hereunto set their hands the day and year above written.



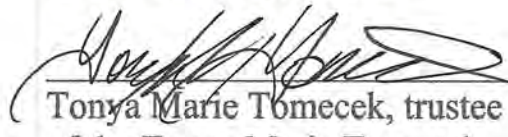
Stephen Rowlett, Grantor



Denise Rowlett, Grantor



Frank Joseph Tomecek, trustee
of the Tonya Marie Tomecek
Living Trust, dated 9-5-2007,
Grantee



Tonya Marie Tomecek, trustee
of the Tonya Marie Tomecek
Living Trust, dated 9-5-2007,
Grantee

STATE OF OKLAHOMA)
)
COUNTY OF TULSA)

This instrument was acknowledged before me on this 11 day of December, 2020, by Stephen Rowlett and Denise Rowlett.



Notary Public

My Commission Expires: May 15, 2024

Notary continues on following page



STATE OF OKLAHOMA)
)
COUNTY OF TULSA)

This instrument was acknowledged before me on this 16 day of December, 2021, at Frank, Oklahoma by Joseph Tomecek and Tonya Marie Tomecek, Trustees of the Tonya Marie Tomecek Living Trust, dated 9-5-2007.



Ney Lynn Frank
Notary Public

My Commission Expires: 3/28/2022

surveying, excavating for, constructing, operating, and maintaining such private driveway, or any public or private utility.

2. Provided, however, that the Grantors, and their heirs, assigns and successors reserve the right to use the subject easement for mutual access and utility purposes on the north 300 feet of the easement. In the event Grantors utilize said easement, Grantors shall share equally in the cost of the maintenance of the portion of the easement which Grantors utilize.

3. Access to the roadway easement from a public road may only be gated and/or locked by mutual written agreement of the parties. Access from the dominant estate to the servient estate (southern access point) may be gated or locked at the discretion of the Grantee. However, Grantors may construct an unlocked gate at said southern access point for the purpose of preventing livestock from exiting the servient estate.

4. Grantee shall give Grantors reasonable notice of their intent to enter upon the servient estate for the purpose of building, or maintaining this easement. The Grantee shall promptly restore, to the same or similar condition, any part of the servient estate disturbed during the construction or maintenance of said road easement and/or the maintenance or installation of any public or private utilities, or shall be responsible to pay Grantors the reasonable cost to repair same.

5. Utilities, which may be placed upon said easement strip of land, shall include but not be limited to gas, water, sewer, electric, and cable/internet service.

6. The access road easement shall be maintained as a gravel road.

7. This easement shall run with the land.

8. Grantee, as described above, is hereby given and granted possession of the above describe easement premises for the purposes aforesaid, and the undersigned Grantors, and for their heirs, assigns and successors, covenant and agree that no building, structure, or other above or below ground obstruction that will interfere with the purposes aforesaid, will be placed, erected, installed, or permitted upon the above described easement premises, except as noted; and Grantors further covenant and agree that in the event the terms of this paragraph are violated by the undersigned Grantors, or any person in privy with the Grantors, such violation will be corrected and eliminated immediately upon receipt of notice from the Grantee or that Grantee shall have the right to correct and eliminate such violation, and the Grantors, their heirs, administrators, successors and assigns, shall promptly pay the actual costs thereof.

600 ft

303 ft

Tract 1

House 1



House 2



Proposed Road

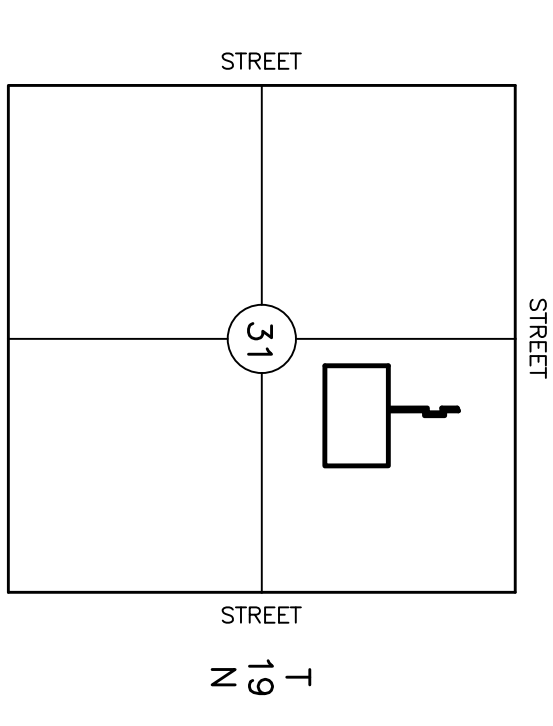
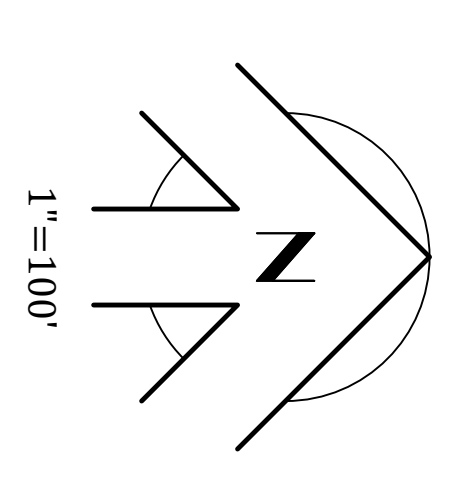
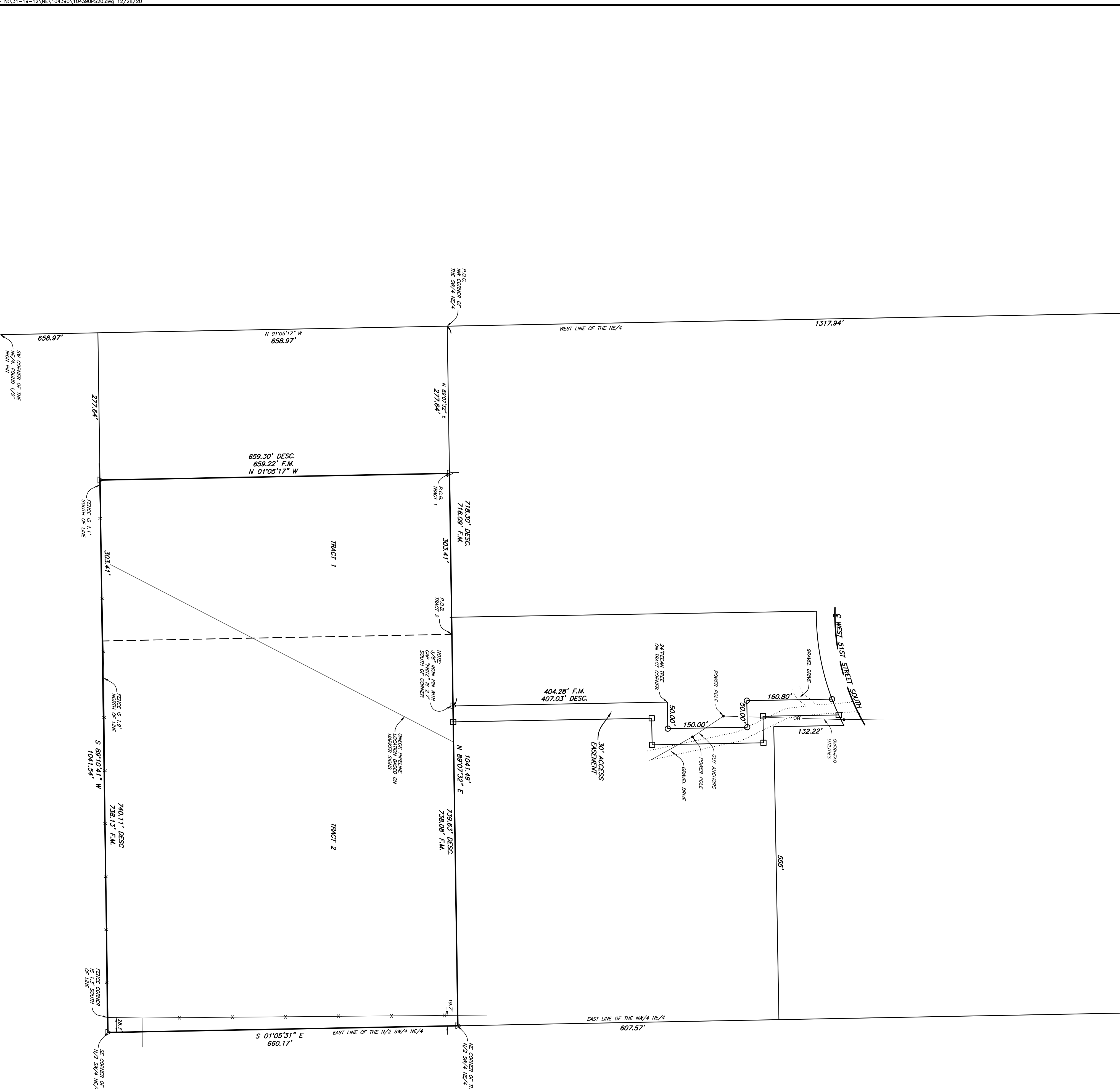


Tract 2

1041 ft



NW CORNER OF SECTION 31, RANGE 12 NORTH, MERIDIAN 19 WEST, TULSA COUNTY, OKLAHOMA
 S 2633.70' W
 2633.70'
 NW CORNER OF THE NW/4 OF NE/4, RANGE 12 NORTH, MERIDIAN 19 WEST, TULSA COUNTY, OKLAHOMA
 N 89°10'41" E
 1317.94'
 NW CORNER OF THE NW/4 OF NE/4, RANGE 12 NORTH, MERIDIAN 19 WEST, TULSA COUNTY, OKLAHOMA
 N 89°10'41" E
 1317.94'



LOCATION MAP
 SCALE: 1"=2000'

- LEGEND**
- FENCE
 - M/P METRING POINT
 - CB CHORD BEARING
 - B/E BURIED ELECTRIC & TELEPHONE CABLE
 - E/ASMT EASEMENT (APPROXIMATE LOCATION)
 - U/E UTILITY EASEMENT
 - D/E DRAINAGE EASEMENT
 - CONCRETE
 - ASPHALT
- BEFORE YOU GO, CALL ONE FOR LOCATION OF UNDERGROUND UTILITIES. D.M.L. 511

GENERAL NOTES

THE BEARINGS SHOWN HEREON ARE BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD 83 (2011).
 THE PROPERTY DESCRIBED HEREON CONTAINS 15.77 ACRES, MORE OR LESS.
 FIELD WORK COMPLETED DECEMBER 31, 2020.
 FM = FIELD MEASURED COURSE.
 DESC = DESCRIBED COURSE.
 NO CURRENT TITLE OPINION OR COMMENT FOR TITLE INSURANCE WAS FURNISHED AT THE TIME OF SURVEY. THEREFORE, NO CERTIFICATION IS MADE THAT ALL EASEMENTS AND DEDICATIONS OR OTHER ENCUMBRANCES ARE SHOWN HEREON.

- △ SET 3/8" IRON PIN WITH CAP WHITE CA1098*
- ROUND 3/8" IRON PIN WITH CAP TRITZ*
- SET 800 NAIL ON EASEMENT LINE

BOUNDARY SURVEY

INVOICE NO.: STK 20-104390
 CLIENT: WANT BLANK
 LEGAL DESCRIPTION:

A part of the Southwest Quarter of the Northeast Quarter (SW/4 NE/4) of Section 31, Township 19 North, Range 12 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, being more particularly described as follows, to-wit:
 Beginning at a point South 89°45' East a distance of 277.64 feet from the Northwest Corner of said SW/4 NE/4; Thence South parallel to the West line of said SW/4 NE/4 a distance of 659.30 feet; Thence South 89°47'28" East a distance of 303.41 feet; Thence North a distance of 659.52 feet; Thence North 89°45' East a distance of 303.41 feet to the Point of Beginning. (Tract 1*)
 AND
 A tract of land located in the North Half of Southwest Quarter of the Northeast Quarter (N/2 SW/4 NE/4) of Section 31, Township 19 North, Range 12 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, more particularly described as follows, to-wit:
 Commencing at the Northwest Corner of said N/2 SW/4 NE/4; Thence South 89°45' East along the North line of N/2 SW/4 NE/4 a distance of 581.05 feet to the true point of beginning; Thence South 89°45' East along said North line a distance of 739.63 feet to the Northeast Corner of said N/2 SW/4 NE/4; Thence South 07°02'30" East along the East line of said N/2 SW/4 NE/4 a distance of 660.04 feet to the Southeast Corner of said N/2 SW/4 NE/4; Thence North 89°47'28" West along the South line of said N/2 SW/4 NE/4 a distance of 659.52 feet; Thence Due North a distance of 659.52 feet to the Point of Beginning. (Tract 2*)

SURVEYOR'S STATEMENT

WHITE SURVEYING COMPANY, AN OKLAHOMA CORPORATION, AND THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT WE HAVE PERSONALLY CONDUCTED THE SURVEY AND THE BEARINGS AND DISTANCES SHOWN ON THE ATTACHED MAP WERE MEASURED BY US OR UNDER OUR CLOSE PERSONAL SUPERVISION AND THAT THE BEARINGS AND DISTANCES WERE MEASURED BY MEANS OF THEODOLITE, TRANSIT, OR OTHER SURVEYING INSTRUMENTS OF PROPER ACCURACY AND THAT THE BEARINGS AND DISTANCES WERE MEASURED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, TULSA COUNTY, OKLAHOMA, AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, STATE OF OKLAHOMA. WE HEREBY CERTIFY THAT THE BEARINGS AND DISTANCES WERE MEASURED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, TULSA COUNTY, OKLAHOMA, AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, STATE OF OKLAHOMA.

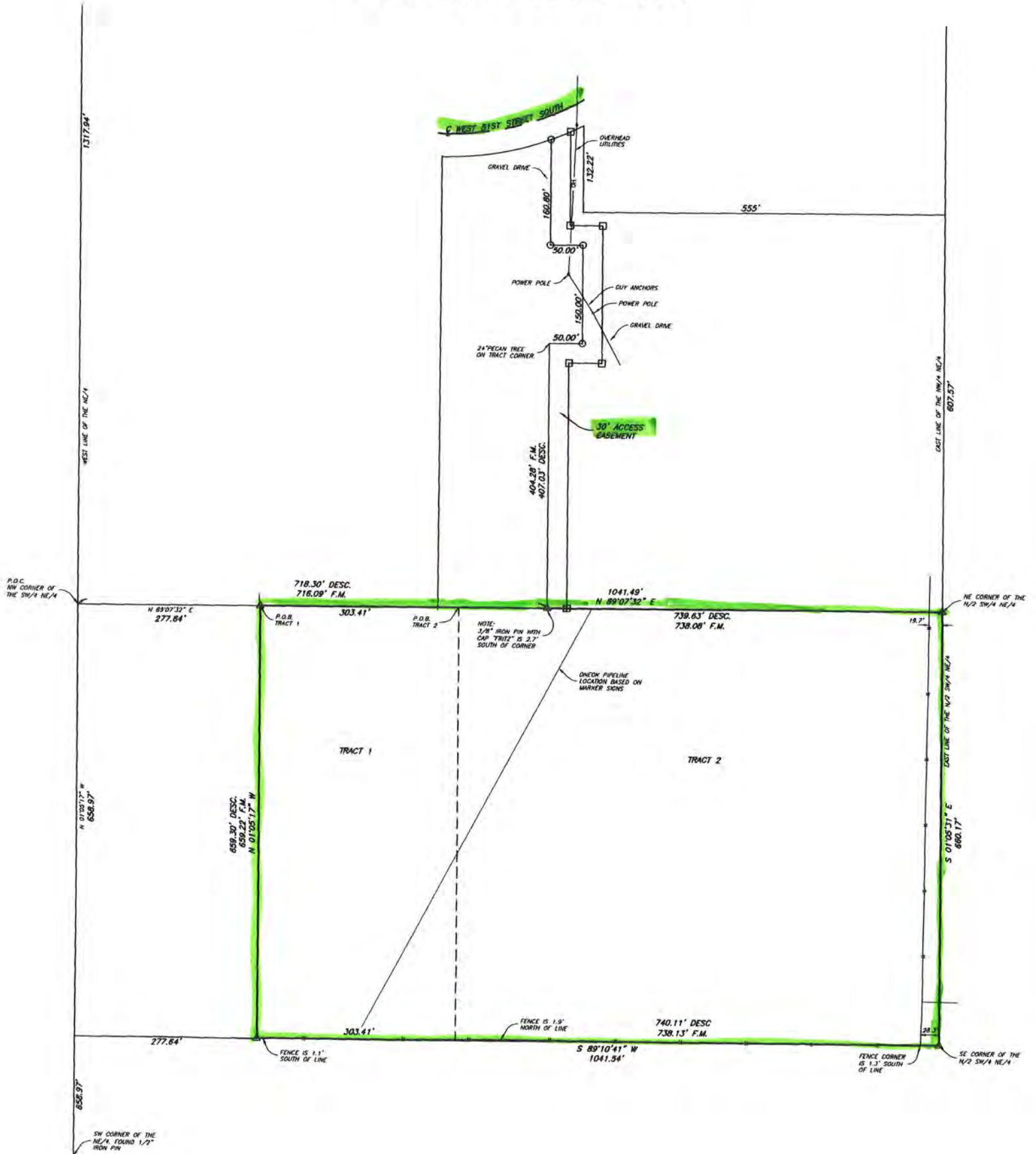


WHITE SURVEYING COMPANY
 CERTIFICATE OF AUTHORIZATION NO. CA1098
 (RENEWAL 6/30/2021)

BY: *[Signature]* DATE: 1/4/21
 REGISTERED PROFESSIONAL LAND SURVEYOR OKLAHOMA NO. 1676

WHITE SURVEYING COMPANY
providing land surveying services since 1940
 9936 E. 56th Place • Tulsa, OK 74146 • 918.663.8924 • 918.664.8366 fax

CBOA-2949 Enlarged Site Plan





Case Number: CBOA-2950

Hearing Date: 02/15/2022 1:30 PM

Case Report Prepared by:

Robi Jones

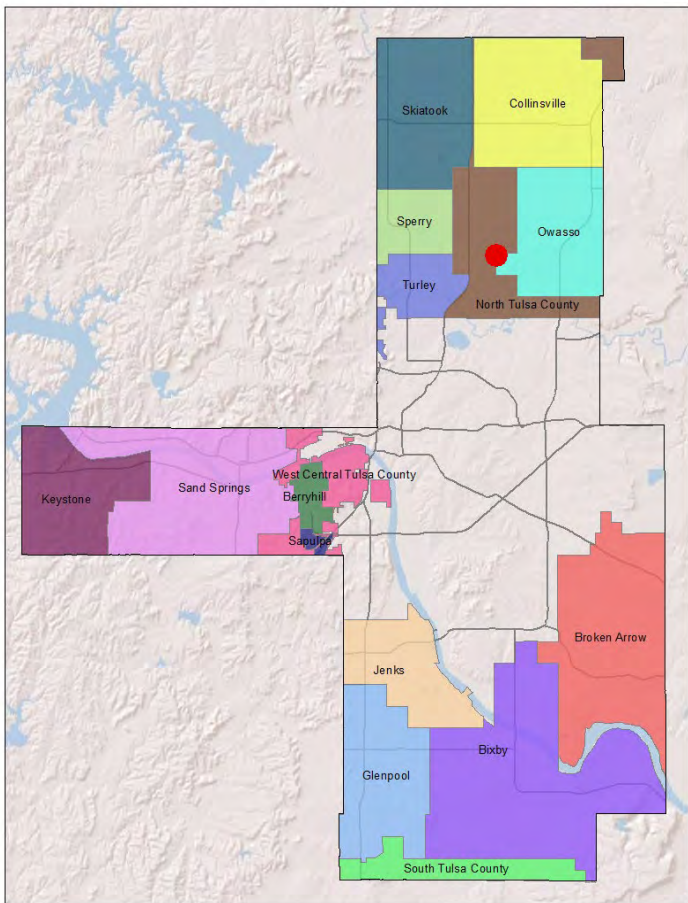
Owner and Applicant Information:

Applicant: Matt Robbins

Property Owner: ROBBINS, MATTHEW & STACY

Action Requested: Variance to allow a detached accessory building to be located in the side yard in an RE district. (Section 420.2.A-2)

Location Map:



Tulsa County Comprehensive Land Use Plan

Additional Information:

Present Use: Residential

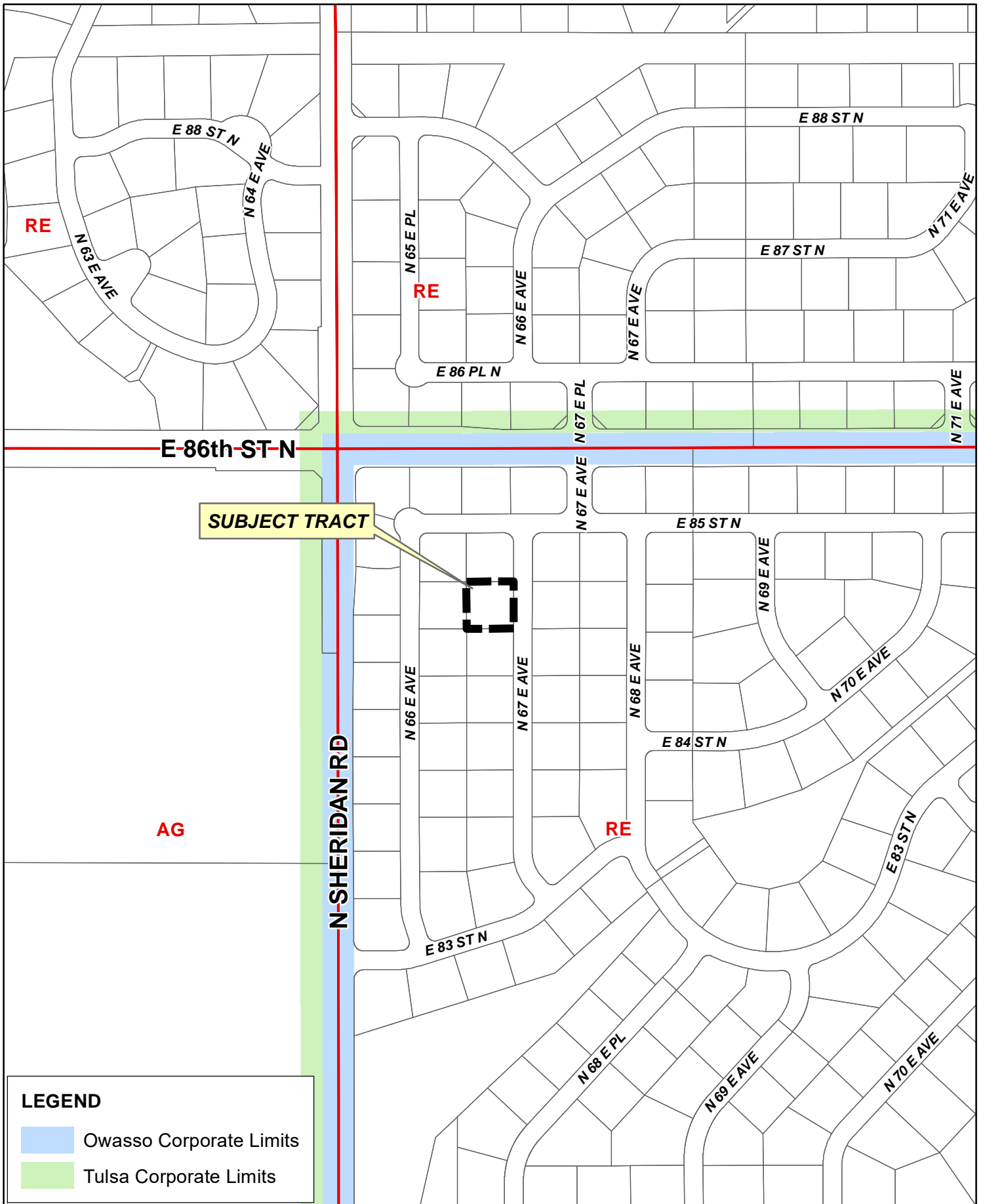
Tract Size: 0.52 acres

Location: 8468 N 67 AV E

Present Zoning: RE

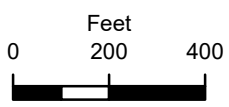
Fenceline/Area: Owasso

Land Use Designation: Residential



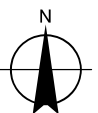
LEGEND

- Owasso Corporate Limits
- Tulsa Corporate Limits



CBOA-2950

21-13 26



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1326

CZM: 17

CASE NUMBER: **CBOA-2950**

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 02/15/2022 1:30 PM

APPLICANT: Matt Robbins

ACTION REQUESTED: Variance to allow a detached accessory building to be located in the side yard in an RE district. (Section 420.2.A-2)

LOCATION: 8468 N 67 AV E

ZONED: RE

FENCELINE: Owasso

PRESENT USE: Residential

TRACT SIZE: 0.52 acres

LEGAL DESCRIPTION: LT 10 BLK 6, CROSSING AT 86TH STREET PHASE I

RELEVANT PREVIOUS ACTIONS:

Subject Property: None relevant

Surrounding Property:

CBOA-2880 April 2021: The Board approved a Variance to permit a detached accessory building in the side yard in a RE district, on property located at 9017 North 67th East Avenue.

CBOA-2860 December 2020: The Board approved a Variance to permit a detached accessory building in the side yard in a RE district, on property located at 8279 North 72nd Avenue East.

CBOA-2819 June 2020: The Board approved a Variance to permit a detached accessory building in the side yard in a RE district, on property located at 9015 North 65th East Place.

CBOA-2318 April 2009: The Board approved a Variance to permit a detached accessory building in the side yard in a RE district, on property located at 8251 North 70th East Avenue.

ANALYSIS OF SURROUNDING AREA: The subject tract is located in a residential neighborhood with RE zoning.

STAFF COMMENTS:

The applicant is before the Board to request a Variance to allow a detached accessory building to be located in the side yard in an RE district. (Section 420.2.A-2)

According to the site plan, the applicant intends to construct a 24' x 20' (480 sq. ft.) accessory building (detached garage) in the side yard, north of the existing house on the site. Section 420.2 states that a detached accessory building shall not be located in the front or side yard or encroach

upon a minimum building setback line. The minimum building side setback line in an RE district is 15 feet and according to the site plan, the accessory building meets the required 15 feet.

The applicant provided the statement: *“Size of rear yard did not allow for detached accessory building to be set behind the house. Please see attached HOA approval.”*

Sample Motion:

“Move to _____ (approve/deny) a Variance to allow a detached accessory building to be located in the side yard in an RE district. (Section 420.2.A-2)

Conditions (if any): _____.

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.”

Action Requested:

Variance to permit a detached accessory building in the side yard in an RE District (Section 420.2-A.2). **LOCATION:** 9017 North 67th East Avenue

Presentation:

Brian and Sheila Hopper, 9017 North 67th East Avenue, Owasso, OK; stated he would like to build a detached garage or an accessory building. Mr. Hopper stated he needs the Variance because his backyard is not deep enough due to a damage easement on the back of the property plus there is a utility easement. He would like to place the garage in his side yard because he does not want to block his neighbor's view of the pond because when the lots were sold there was a premium for the lots near the pond.

Mr. Charney asked Mr. Hopper if his neighbor was aware of his plans for the garage. Mr. Hopper answered affirmatively stating that he has spoken with them.

Mr. Hutchinson asked Mr. Hopper if he was going to build the new garage with the same materials as the house. Mr. Hopper answered affirmatively stating that he has asked the builder to match the house materials and the garage has received the HOA approval.

Mr. Hutchinson asked Mr. Hopper how large the new building would be. Mr. Hopper stated that it will be 24 x 36 so he can store his RV.

Mr. Charney asked Mr. Hopper if there would be a bedroom or cooking area or a dwelling area in the garage. Mr. Hopper answered no stating the building will only have electric hooked up to it.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **HUTCHINSON**, the Board voted 4-0-0 (Charney, Crall, Hutchinson, Tisdale "aye"; no "nays"; no "abstentions"; Johnston "absent") to **APPROVE** the request for a Variance to permit a detached accessory building in the side yard in an RE District (Section 420.2-A.2), subject to the garage being built from similar materials as the house. The Board has found the hardship to be the topography of the subject property as well as the utility easement in the rear. 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:

Lot 4 Block 4, SHERIDAN CROSSING PHASE III, OF TULSA COUNTY, STATE OF OKLAHOMA

2882—Jackie Dodgin

Action Requested:

Variance of the minimum land area per dwelling unit in the AG District to permit two dwelling units on one lot of record (Section 330). **LOCATION:** 4327 West 26th Street South

Presentation:

Jackie Dodgin, 4327 West 26th Street, Tulsa, OK; stated he would like to be able to build a mother-in-law dwelling and he has four acres. His mother-in-law has already sold her house and moved in with him because she can no longer maintain a house on her own. If he is allowed to build the accessory dwelling unit, he would be able to move his autistic son into it in the future.

Mr. Charney asked if the house and the accessory dwelling unit would be served by the same driveway. Mr. Dodgin answered affirmatively.

Mr. Charney asked Mr. Dodgin if he understands that the accessory dwelling unit would never be able to be severed from the mother tract by virtue of a deed. Mr. Dodgin stated that he understands and he is trying to stay away from the process because he does not want to split the property.

Mr. Hutchinson asked Mr. Dodgin if the new structure would have its own utilities and septic system. Mr. Dodgin stated that he has been told by the builder that he has to install a separate septic system for the new structure but he would like to be able to tie the utilities together.

Mr. Tisdale asked Mr. Dodgin what the distance is between the main house and the new structure. Mr. Dodgin stated that it is about 35 feet.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

and a box blade. Mr. Rogers stated he has customers that walk the lot, and in the winter, if the surface were concrete or asphalt, he would worry about them slipping and falling on ice.

Mr. Hutchinson asked Mr. Rogers if there would be a concrete parking pad around the proposed building. Mr. Rogers answered affirmatively.

Mr. Hutchinson asked Mr. Rogers if he would be placing an under layment under the gravel. Mr. Rogers answered affirmatively.

Mr. Hutchinson asked Mr. Rogers if he had any dust issues at his current location. Mr. Rogers answered no, stating that currently the lot is a mixture of crusher run and asphalt millings.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **CRALL**, the Board voted 4-0-0 (Crall, Hutchinson, Johnston, Tisdale "aye"; no "nays"; no "abstentions"; Charney "absent") to **APPROVE** the request for a **Variance** from the all-weather parking surface requirement (Section 1340.D), subject to conceptual plans 3.7 and 3.8 of the agenda packet. The Board finds the hardship to be the concrete or asphalt surface is not practical for the business. 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:

**LT 1 BLK 1, PRATTVILLE INDUSTRIAL PARK SOUTH, OF TULSA COUNTY,
STATE OF OKLAHOMA**

2860—Kyle Smalygo

FILE COPY

Action Requested:

Variance to permit a detached accessory building in the side yard in an RE District (Section 420.2-A.2). **LOCATION:** 8279 North 72nd Avenue East

CBOA-2860

FILE COPY

Presentation:

Marty Hersch, 8279 North 72nd East Avenue, Tulsa, OK; stated he would like to have an accessory building that is not attached to the house. The building would sit behind a portion of the house because of drainage issues and an aerobic septic system that prevents placing the proposed building any place else. The building will match the house, it will be 100% brick and the roof will be the same pitch with the same type of shingles.

Mr. Crall asked Mr. Hersch what the distance between the proposed building and the house is. Mr. Hersch stated that it is about ten feet.

Interested Parties:

Kyle Smalygo, Smalygo Properties, 123 North 7th Street, Collinsville, OK; stated he is the builder/contractor for this structure and for the development. This is an item that he thinks will continually be brought to the Board due to the fact that years ago building requirements went through the Engineering Department, and this was oversight. Over the last few years the Building Department became its own department and it is something that has become a housekeeping item. This particular house probably has more to do with the topography.

Comments and Questions:

None.

Board Action:

On **MOTION** of **HUTCHINSON**, the Board voted 4-0-0 (Crall, Hutchinson, Johnston, Tisdale "aye"; no "nays"; no "abstentions"; Charney "absent") to **APPROVE** the request for a **Variance** to permit a detached accessory building in the side yard in an RE District (Section 420.2-A.2), subject to conceptual plan 4.7 of the agenda packet. The Board has found the hardship to be the topography of the subject property. 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:

Lot 4 Block 3, SHERIDAN CROSSING PHASE II, OF TULSA COUNTY, STATE OF OKLAHOMA

finding that the request does not fit with the Master Plan and it would be detrimental to the neighborhood; for the following property:

E1/2SESWSESE SEC. 13-21-13, OF TULSA COUNTY, STATE OF OKLAHOMA

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; none “absent”) to **DENY** the request for a Special Exception to exceed the fence height in the required yard (Section 240.2); for the following property:

E1/2SESWSESE SEC. 13-21-13, OF TULSA COUNTY, STATE OF OKLAHOMA

NEW APPLICATIONS

FILE COPY

2819—Smalygo Properties, LLC

Action Requested:

Variance to permit a detached accessory building in the side yard in a RE District (Section 420.2-A.2). LOCATION: 9015 North 65th East Place

Presentation:

Kyle Smalygo, Smalygo Properties, 123 North 7th Street, Collinsville, OK; stated the subject property is a RE subdivision with ½ acre lots and he was contracted to build a replica of other detached accessory buildings in the same addition. Over the last couple of years with the Planning Department, Tulsa County being its own department, along with the new subdivision regulations there was an item in the new sub regs that stated any accessory building would be beyond the back corner of the house. This particular structure is somewhat half as far back as the house, beyond the front edge of the house. Mr. Smalygo believes this is just a housekeeping item that is required per the sub regs of the Zoning Code for the RE subdivision. The accessory building on the subject property is on the side of the house with all the air conditioning units, the electric meter, the gas meter, as well as there is no auxiliary door to access the building. Due to the topography of the adjacent lot behind it, which is also is a bigger lot, there is about eight feet in elevation change and the water does shed flowing from the east to the west. Any other placement of this building would adversely affect the drainage.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

06/16/2020/#483 (5)

4.4

CBOA-2819

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** the request for a **Variance** to permit a detached accessory building in the side yard in a RE District (Section 420.2-A.2). The Board has found the hardship to be the location of this particular accessory building needs to be where it is placed on the property by virtue of the topography of the lot and the drainage plan of the subdivision. The Board finds that this will not be detrimental to the neighborhood and is consistent with other structures in the neighborhood; for the following property:

Lot 2 Block 7, SHERIDAN CROSSING PHASE III, OF TULSA COUNTY, STATE OF OKLAHOMA

2820—American Promotional Events

Action Requested:

Special Exception to permit a fireworks stand (Use Unit 2); **Variance** from the all-weather parking surface requirement (Section 1340.D) for a period of 10 years.

LOCATION: 526 South 209th Avenue West, Sand Springs

Presentation:

Lonnie Basse, TNT Fireworks, 5401 West Skelly Drive, Tulsa, OK; stated this request is for a fireworks stand. This is a new location for TNT and that is why he is before the Board today.

Mr. Charney asked Mr. Basse if he had spoken with any of the neighbors on either side of the subject property. Mr. Basse answered no because most of the area is commercial or vacant.

Mr. Charney asked Mr. Basse what the hours of operation would be for this stand. Mr. Basse stated that normally the stand would open on June 15th but this year the stand will start selling fireworks around June 22nd. On opening day, the hours would be 10:00 A.M. to 10:00 P.M. until July 3rd, and on that day and on July 4th the hours would be 10:00 A.M. to 12:00 midnight; on July 5th the hours would be 10:00 A.M. to 10:00 P.M.

Mr. Charney asked Mr. Basse if there was an existing gravel parking lot. Mr. Basse answered affirmatively. Mr. Basse stated the stand would be placed at the north end of the Western Market Trading parking lot and the lot is well maintained.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 347
Tuesday, April 21, 2009, 1:30 p.m.
County Commission Room
Room 119
County Administration Building

MEMBERS PRESENT MEMBERS ABSENT STAFF PRESENT OTHERS PRESENT

Charney, Vice Chair	Hutson, Chair	Alberty	West, Co. Inspector
Dillard, Secretary	Tyndall	Butler	
Walker		Cuthbertson	

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, Wednesday, April 15, 2009 at 4:43 p.m., as well as in the Office of INCOG, 201 W. 5th St., Suite 600.

After declaring a quorum present, Chair Hutson called the meeting to order at 1:30 p.m.

MINUTES

On **MOTION** of Walker, the Board voted 3-0-0 (Charney, Walker, Dillard, "aye"; no "nays"; "abstained"; Tyndall, Hutson "absent") to **APPROVE** the Minutes of February 17, 2008 (No. 345).

Mr. Charney offered the applicants to request a continuance, as only three Board members were present for this meeting. No applicants chose that option.

Mr. Cuthbertson read the rules and procedures for the County Board of Adjustment Public Hearing.

NEW APPLICATIONS

Case No. 2318

Action Requested:

Variance to permit a detached accessory building in a side yard in the RE district (Section 420.2.A.2), located: 8251 North 70th East Avenue.

FILE COPY

04:21:09:347(1)

Presentation:

Taylor Hutchings, 8350 North 72nd East Avenue, Owasso, Oklahoma, 74055, stated he has a permit to build a home on a corner lot (Exhibits A-1 and A-2). The plans include a detached garage, which has electricity, heat/air, and water. It is connected to the house by a roof, concrete structure (wall) and two six-foot automatic gates. He pointed out the unique shape of the lot.

Comments and Questions:

Mr. Cuthbertson interjected that the zoning code does not permit a detached accessory building in the front or side yard in a residential district. It is designed to coordinates with the house but it is detached in the side yard. He noted that a roof does not constitute an attached garage. The space between the house and garage are not heated and cooled and is not a natural extension of the house.

Interested Parties:

There were no interested parties who wished to speak.

FILE COPY

Board Action:

On Motion of Dillard, the Board voted 3-0-0 (Walker, Dillard, Hutson, "aye"; no "nays"; no "abstentions"; Charney, Tyndall, "absent") to **APPROVE** Variance to permit a detached accessory building in a side yard in the RE district (Section 420.2.A.2), finding the hardship is the unusual configuration of the lot, with streets on three sides of the lot; and finding this is not injurious to the community, per the architectural drawings (Exhibits A-1 and A-2), on the following described property:

Lot 1, Block 3, CROSSING AT 86TH STREET PHASE IV, Tulsa County, State of Oklahoma

Case No. 2319

Action Requested:

Variance of land area per dwelling unit to permit a second dwelling in a AG district; and a Variance of the minimum required seperation between dwellings from 30 ft. (Section 330), located: 17515 South Peoria Avenue.

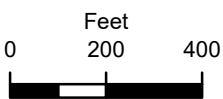
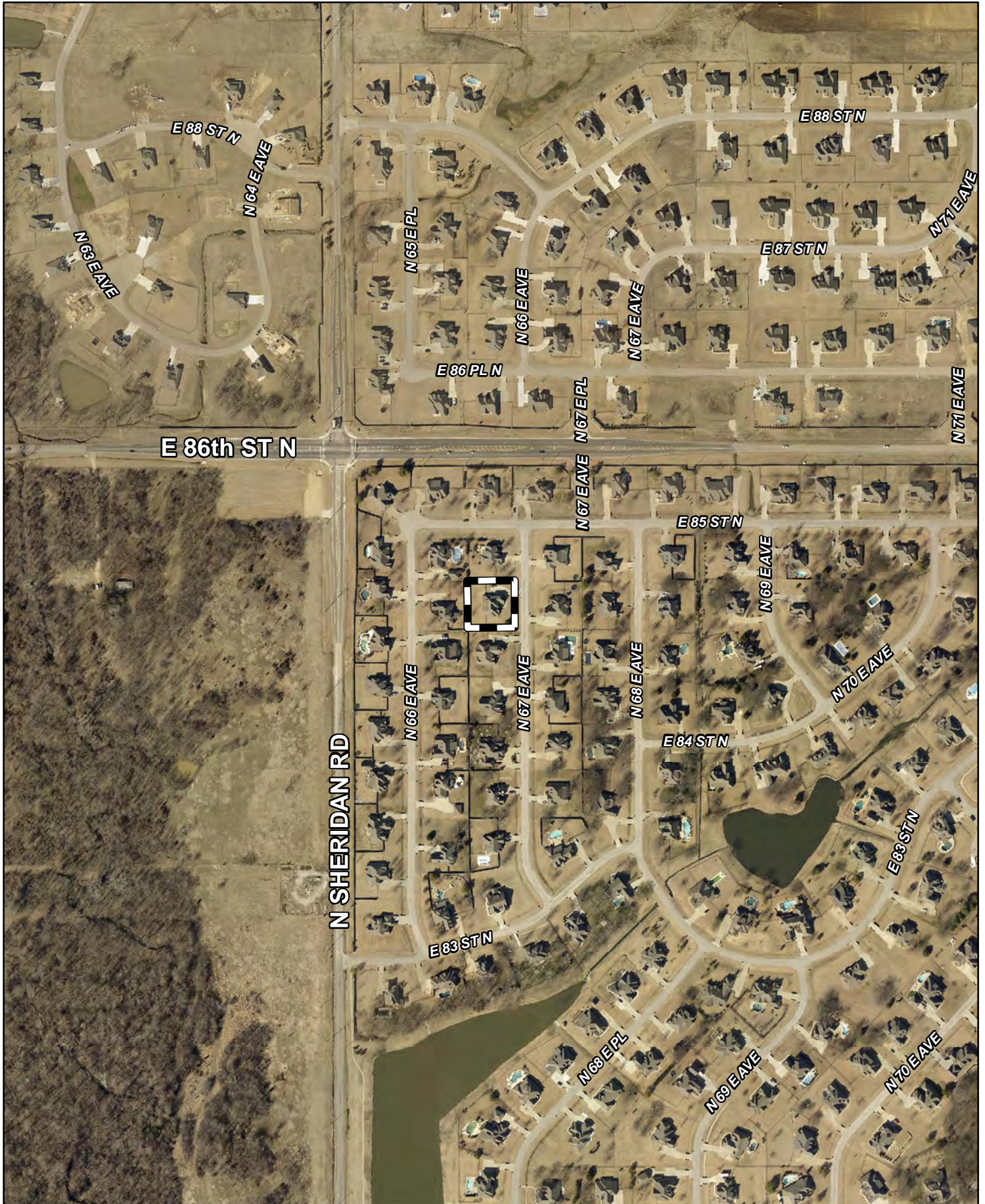
Presentation:

Gary Anderson, 17515 South Peoria, Mounds, Oklahoma, stated the construction was permitted as one house. He was not sure why the request is for a second dwelling.

Comments and Questions:

Mr. Charney asked if both living quarters use the same front door. Mr. Anderson replied they use a common entry from the garage. The Board members and the applicant discussed that both quarters each have a kitchen and separate utility meters. Mr. West noted the original plan was for one home and has since applied

04:21:09:347(2)



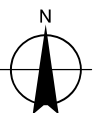
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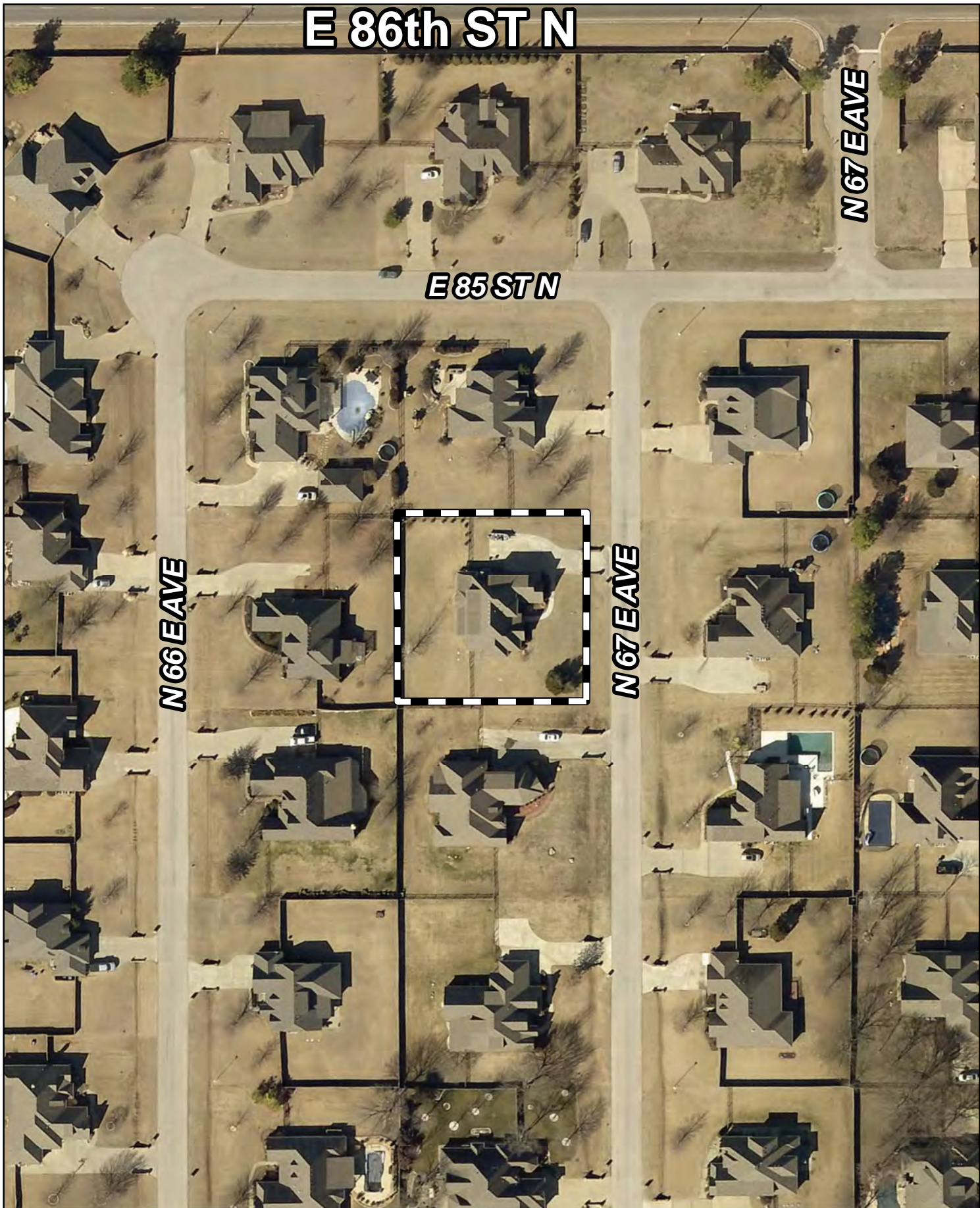
CBOA-2950

21-13 26

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

Aerial Photo Date: 2020/2021





E 86th ST N

N 67 EAVE

E 85 ST N

N 66 EAVE

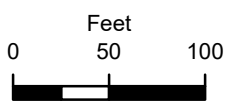
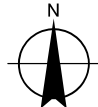
N 67 EAVE

CBOA-2950

21-13 26

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

Aerial Photo Date: 2020/2021





Matt Robbins <matt8obbins@gmail.com>

Re: 2 Car Garage - 8468 67Th East Avenue

1 message

Brenda Shupe <bjshupe99@hotmail.com>

Mon, Dec 20, 2021 at 7:47 PM

To: Stan Kent <skent9731@yahoo.com>, Matt Robbins <matt8obbins@gmail.com>

Cc: "Board@crossingat86th.com" <Board@crossingat86th.com>

Mr Robbins,

Please consider this email as an approval of your arc form submission to build a 2 car garage.

Get [Outlook for iOS](#)

From: Stan Kent <skent9731@yahoo.com>**Sent:** Friday, December 17, 2021 8:05:18 AM**To:** Matt Robbins <matt8obbins@gmail.com>**Cc:** [Board@crossingat86th.com](#) <[Board@crossingat86th.com](#)>**Subject:** Re: 2 Car Garage - 8468 67Th East Avenue

Mr Robbins,

Thank you for your recent request. Would you include an elevation drawing/sketch for the garage and plot with setback lines please.

Park Meadows Storage
Kent Properties

> On Dec 16, 2021, at 9:26 PM, Matt Robbins <matt8obbins@gmail.com> wrote:

>

LEGEND

- CL - CENTERLINE
- B/L - BUILDING LINE
- U/E - UTILITY EASEMENT
- S/E - SERVICE ENTRANCE
- R/W - RIGHT-OF-WAY
- MAE - MUTUAL ACCESS ESMT
- B/E - BURIED ELEC. ESMT
- L/E - LANDSCAPE ESMT
- D/E - DRAINAGE ESMT
- W/E - WATERLINE ESMT
- TRNSFRMR - TRANSFORMER



MORTGAGE INSPECTION REPORT
NOT A LAND OR BOUNDARY SURVEY



SCALE: 1"=40'

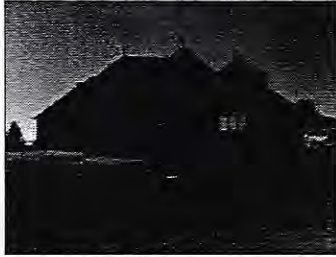
SELLER: Altair Global

FLOOD PLAIN STATEMENT:

THIS PROPERTY IS LOCATED IN ZONE X (UNSHADED AREAS) PER FLOOD INSURANCE RATE MAP 40143C0120L EFFECTIVE OCTOBER 16, 2012. ZONE X (UNSHADED) DEFINED AS AREA OF MINIMAL CHANCE OF FLOOD HAZARD.

BUYER: Matt Robbins

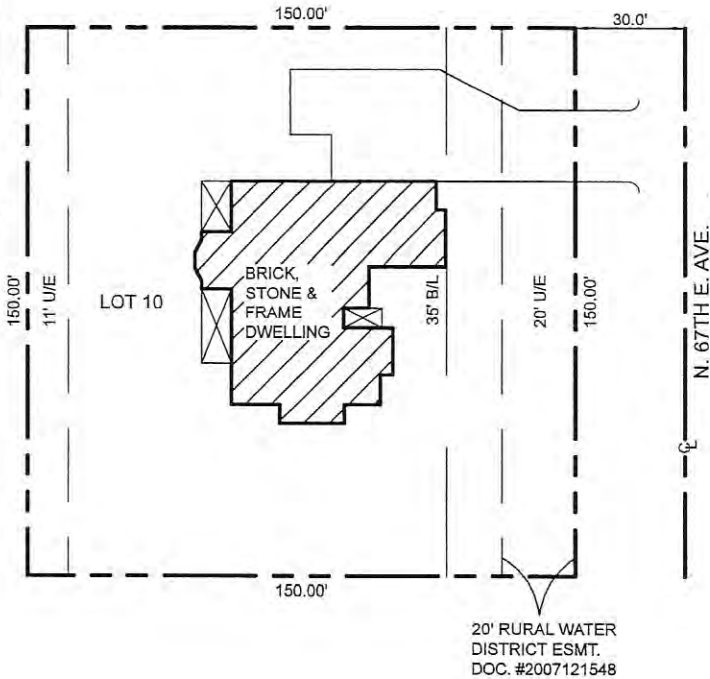
CLIENT: Apex Title & Closing Services, LLC



SURVEYOR'S NOTE:

THE FOLLOWING FOUND IN TITLE COMMITMENT #21152280, DATED 07/12/2021: DOES AFFECT THE PROPERTY:

- #5 ITEMS CONTAINED IN THE PLAT AND DEED OF DEDICATION/COVENANTS AND RESTRICTIONS, OF CROSSING AT 86TH STREET PHASE I, PLAT NO. 5953
- #6 DOC. #2006022399
- #7 DOC. #2007121548 (AS SHOWN)
- #8 DOC. #2013097208



mrc

sl

DATE OF FIELD INSPECTION:
OCTOBER 29TH, 2021

LEGAL DESCRIPTION:

LOT TEN (10), BLOCK SIX (6), CROSSING AT 86TH STREET PHASE I, AN ADDITION TO TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.
ALSO KNOWN AS:
8468 NORTH 67TH EAST AVENUE, OWASSO, OK 74055

CERTIFICATION:

THIS MORTGAGE INSPECTION REPORT WAS PREPARED FOR APEX TITLE & CLOSING SERVICES, LLC. IT IS NOT A LAND OR BOUNDARY SURVEY PLAT, AND IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. THIS INSPECTION PLAT WAS PREPARED SOLELY FOR THE CLIENT LISTED HEREON AND MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFINANCE, OR OTHER TRANSACTION; AND THAT NO RESPONSIBILITY OR LIABILITIES ASSUMED HEREIN OR HEREBY TO THE PRESENT OR FUTURE LAND OWNER OR OCCUPANT. THE ACCOMPANYING SKETCH IS A TRUE REPRESENTATION OF THE CONDITIONS THAT WERE FOUND AT THE TIME OF THE INSPECTION, AND THE LINEAR AND ANGULAR VALUES SHOWN ON THE SKETCH, IF ANY, ARE BASED ON RECORD OR DEED INFORMATION AND HAVE NOT BEEN VERIFIED UNLESS NOTED. THE DWELLING LIES WHOLLY WITHIN THE BOUNDARIES OF THE DESCRIBED LOT UNLESS OTHERWISE NOTED. NO PROPERTY CORNERS WERE SET BY BAKER SURVEYING. UNDERGROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS INSPECTION PLAT UNLESS SPECIFICALLY REQUESTED BY THE CLIENT. BURIED SERVICE CABLE LOCATIONS ARE APPROXIMATE.

WITNESS MY HAND AND SEAL THIS DATE: NOVEMBER 1ST, 2021

BAKER SURVEYING, LLC
4677 SOUTH 83RD EAST AVENUE
TULSA, OKLAHOMA 74145
OKLAHOMA CA #5816 EXPIRES 6/30/2022
(918) 271-5793

