

AGENDA
Tulsa County Board of Adjustment
Regularly Scheduled Meeting
Tuesday August 16, 2022, 1:30 p.m.
Williams Tower I
1 West 3rd Street, St. Francis Room

Meeting No. 510

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 July 19, 2022 (Meeting No. 509)

UNFINISHED BUSINESS

2. 2978 - Vadim Balev

Variance of the minimum land area per dwelling unit requirement from 2.1 acres and the minimum lot area requirement from 2 acres in an AG district; and a Variance of the rear and side setbacks in an AG district to permit a lot split (Section 330). **Location:** 1406 East 163rd Place South
(Applicant requests a Continuance to 10-18-22)

3. 2984 - Brian Brady

Variance to permit a detached accessory building in the RS district to be greater than 750 sf of floor area (Section 240.2.E), Use Variance to allow Use Unit 23 in an RS district to permit outdoor storage (Section 410), a Variance from the all-weather parking surface requirement (Section 1340.D)
Location: 5723 S 35th West Ave

NEW APPLICATIONS

4. 2986 - Charles Stewart

Variance to permit a 5ft fence in the front yard of subject property (Section 250.1)
Location: 703-705 N Willow Rd

5. 2987 - CRB Companies

Special Exception to permit a 140 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3)
Location: 7847 N 71st E Ave
(Applicant requests a continuance to 9-20-22)

6. 2988 - Tradition Homes LLC

Variance of the minimum land area per dwelling unit requirement from 2.1 acres to allow for 2 dwelling units on a 3.17-acre lot (Sec. 330) **Location:** 11974 S 121st E Ave

7. 2989 - Tradition Homes LLC

Variance to allow two dwelling units on a single lot of record in an AG-R district (Section 208) **Location:** 17010 S Harvard Ave

8. 2990 - Nathan Hardage

Special Exception to permit a permanent mobile home in an AG district (Sec 310) **Location:** 15061 E 181st South

9. 2991 - John Patrick Watkins

Variance to permit a detached accessory building in the RS district to be greater than 750 sf of floor area (Section 240.2.E) **Location:** 1341 South 271st W Ave

10. 2992 - Liliana Garcia

Variance to reduce the required side yard in the RMH District from 5-feet to 2-feet (Sec. 430.2.A) **Location:** 1910 E. 62nd St. N.

11. 2993 - Kevin White

Variance from the all-weather parking surface requirement (Section 1340.D).
Location: 11418 W 59th St S

12. 2994 - Alissa Browning

Variance of the minimum lot area and land area required in an AG district to permit a lot split (Sec 330) **Location:** 17950 N Peoria Ave

13. 2995 – Joseph Farris

Special Exception to permit Use Unit 24, Mining and Mineral Processing, for the continued use of a mining and mineral processing business (Section 1224) in an AG district (Sec. 310, Table 1). **Location:** NW/c of North 145th E. Ave. & E. 66th Street North

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

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.

Hoyt, Jay

Subject: FW: 1406 E 163rd PI S Variance
Attachments: image001.png; image002.png; image003.png

From: Hoyt, Jay
Sent: Monday, August 01, 2022 4:34 PM
To: Tauber, Sherri <stauber@incog.org>
Subject: FW: 1406 E 163rd PI S Variance

Sherri,

The applicant for CBOA-2978, which was continued by the Board to 8/16 has requested an additional continuance to 10/18.

Thank you,

Jay Hoyt

From: Vadim Balev <vadim.balev@gmail.com>
Sent: Monday, August 01, 2022 4:26 PM
To: Hoyt, Jay <JHoyt@incog.org>
Subject: Re: 1406 E 163rd PI S Variance

Hi Jay, 10/18/22 would be great.

On Mon, Aug 1, 2022, 7:09 AM Hoyt, Jay <JHoyt@incog.org> wrote:

Vadim,

You can request a continuance for your case. The next Board of Adjustment meeting after the 9/20 meeting your case is currently scheduled for would be 10/18. Would you like to request a continuance to the 10/18 Board of Adjustment meeting or to a later date?

Thank you,



Board of Adjustment

Case Number: CBOA-2978
Continued from 06/21/2022
Hearing Date: 08/16/2022 1:30 PM

Case Report Prepared by:

Jay Hoyt

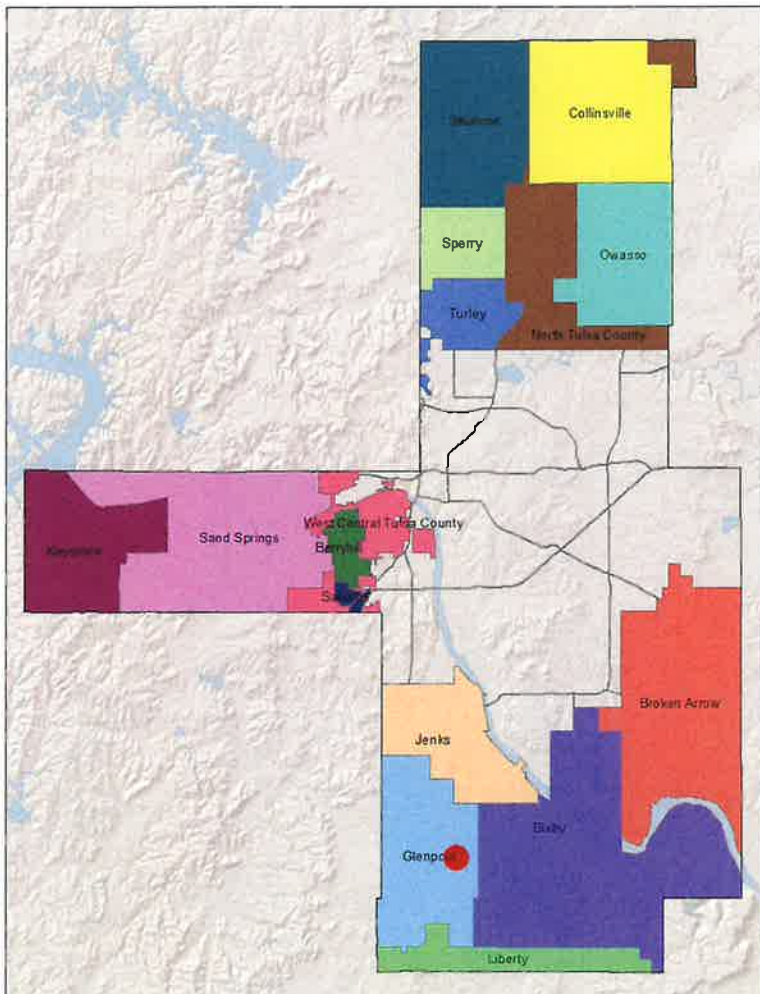
Owner and Applicant Information:

Applicant: Vadim Balev

Property Owner: BALEV, VADIM

Action Requested: Variance of the minimum land area per dwelling unit requirement from 2.1 acres and the minimum lot area requirement from 2 acres in an AG district; and a Variance of the rear and side setbacks in an AG district to permit a lot split (Section 330).

Location Map:



Additional Information:

Present Use: Residential

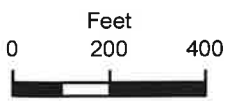
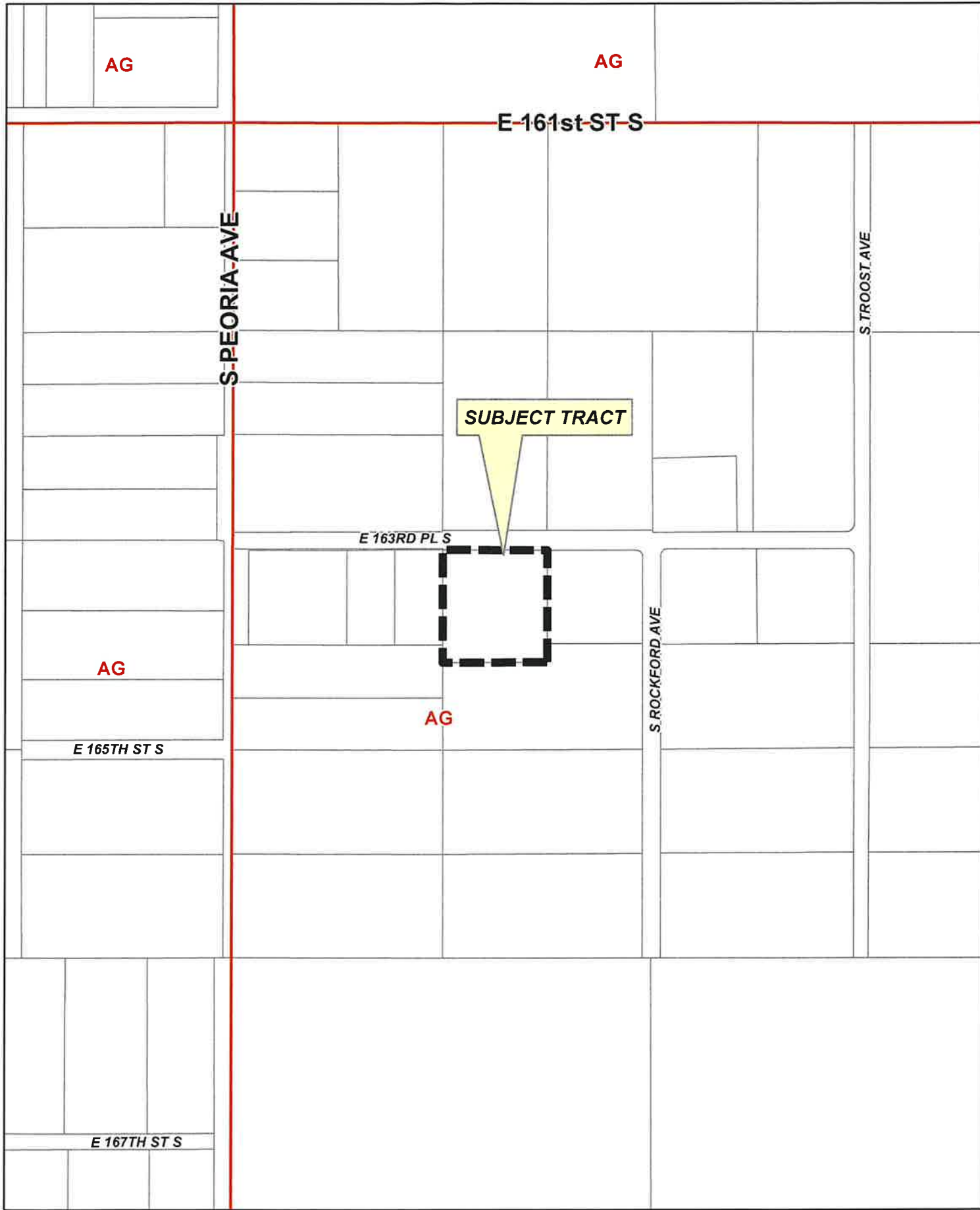
Tract Size: 2.69 acres

Location: 1406 E 163 PL S

Present Zoning: AG

Fenceline/Area: Glenpool

Land Use Designation: Rural



CBOA-2978

17-13 30



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 7330

CASE NUMBER: **CBOA-2978**

CZM: 66

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 08/16/2022 1:30 PM (Continued from 06/21/2022)

APPLICANT: Vadim Balev

ACTION REQUESTED: Variance of the minimum land area per dwelling unit requirement from 2.1 acres and the minimum lot area requirement from 2 acres in an AG district; and a Variance of the rear and side setbacks in an AG district to permit a lot split (Section 330).

LOCATION: 1406 E 163 PL S

ZONED: AG

FENCELINE: Glenpool

PRESENT USE: Residential

TRACT SIZE: 2.69 acres

LEGAL DESCRIPTION: LT 1 LESS S277.20 THEREOF BLK 2, FAULKENBERRY ESTATES Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Property: None Relevant

Surrounding Property:

CBOA-2744 April 2019: The Board approved a Variance of the minimum lot area in the AG district and a Variance of the minimum land area per dwelling unit to permit a lot split.

ANALYSIS OF SURROUNDING AREA: The subject tract is currently zoned AG with AG zoning to the north, south, east and west, primarily used for single-family residential.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance of the Minimum Lot Area requirement and a Variance of the minimum Land Area Per Dwelling Unit requirement to 1 acre on Tract 1 and Tract 2 as well as a Variance to reduce the rear and side setbacks to allow a lot-split as shown on the attached site plan.

The applicant provided the following statement: *"I would like to build my mother a house in the upcoming future. This way my mother can be in close proximity in order for me to help her as my father passed away."*

The applicant is attempting to split 2.8± acres of land from the existing AG zoned parcel into a 1.8 acre and 1 acre tract. Per Section 330 of the Code, the AG district requires a minimum lot area of 2 acres and a minimum land area per dwelling unit of 2.1 acres. The proposal will create two lots.

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 to reduce the minimum lot area per dwelling unit in an AG district to 1 acre; and a Variance to reduce the minimum land area per dwelling unit requirement in an AG district to 1 acre and a Variance to reduce the rear setback to 10 ft and the side setback to 5 ft (Sec.330) to permit a lot split.

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 PEORIA AVE

S STROOST AVE

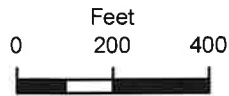
E 163RD PL S



S ROCKFORD AVE

E 165TH ST S

E 167TH ST S



Subject Tract

CBOA-2978

17-13 30

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

Aerial Photo Date: 2020/2021



CBOA-2978 2.6



E 163RD PLS



Subject Tract

CBOA-2978

17-13 30

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

Aerial Photo Date: 2020/2021



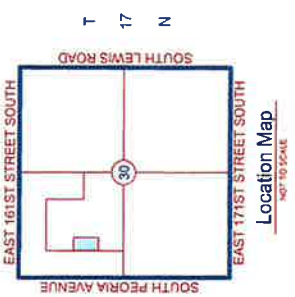
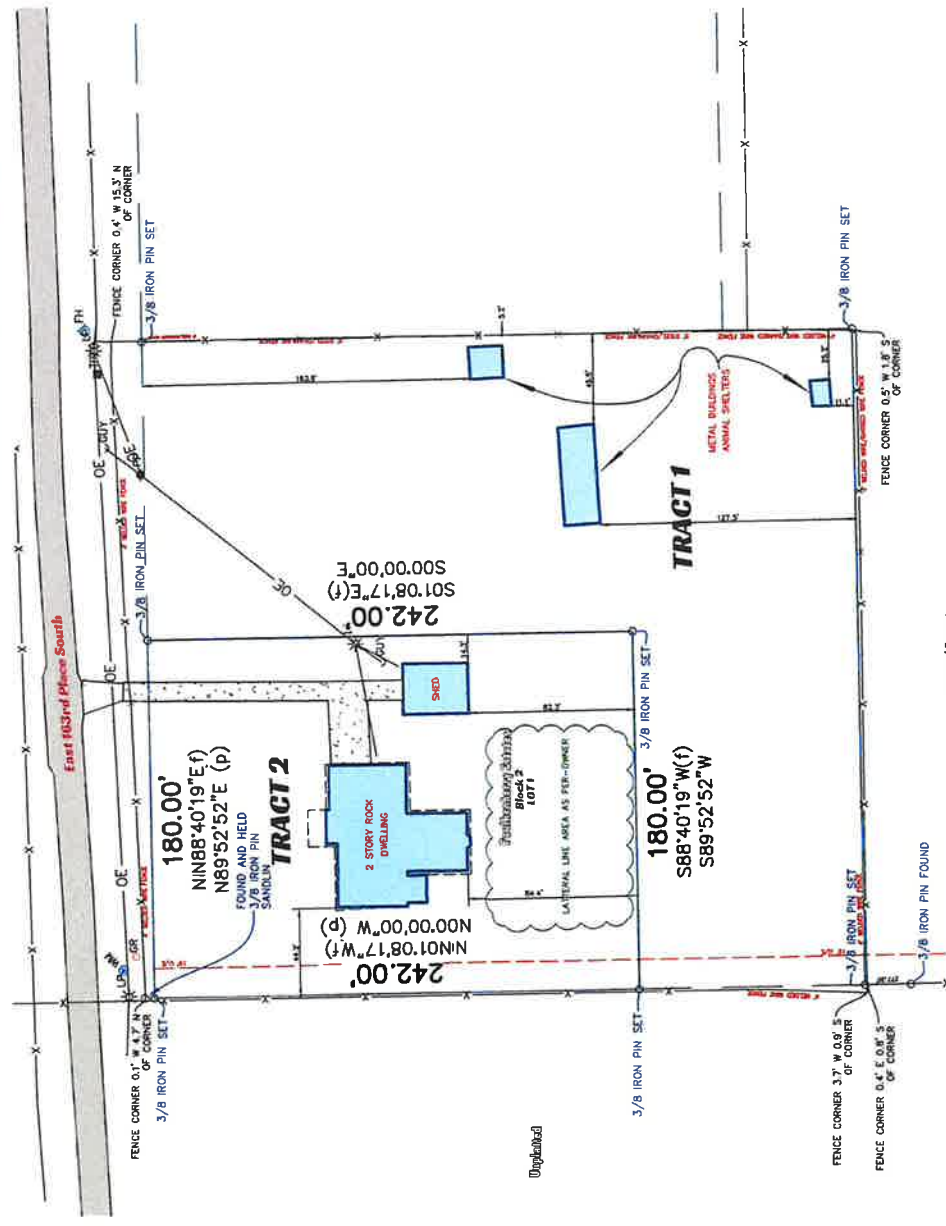
CBOA-2978 2.7

Lot Split Exhibit Tract 2

A Part of Lot 1 Block 2

Faulkenberry Estates

Tulsa County, Oklahoma



Scale 1"=60'

Legal Description Tract 2

A PART LOT ONE (1) BLOCK TWO (2) FAULKENBERRY ESTATES LOCATED IN SECTION 16, TOWNSHIP 17 N, RANGE 13 E, COUNTY OF TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 2, FAULKENBERRY ESTATES A SURVEY IN TULSA COUNTY, STATE OF OKLAHOMA, THENCE EAST ALONG THE NORTH LINE OF LOT 1 A DISTANCE OF 180.00 FEET, THENCE SOUTH PARALLEL TO THE WEST LINE OF LOT 1 A DISTANCE OF 180.00 FEET, THENCE WEST ALONG THE WEST LINE OF LOT 1 A DISTANCE OF 242.00 FEET TO A POINT ON THE NORTH LINE OF LOT 1, THENCE NORTH ALONG THE WEST LINE OF LOT 1 A DISTANCE OF 180.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES MORE OR LESS.

Surveyor's Certification

WE, SISEMORE & ASSOCIATES, INC. HEREBY CERTIFY THAT THE ABOVE REPRESENTS A SURVEY PERFORMED UNDER OUR DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AS OF THIS DATE.
 THIS PLAT OF SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS, AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.
 DATE OF LAST FIELD WORK: JANUARY 31, 2022.
 WITNESS MY HAND AND SEAL THIS 14TH DAY OF APRIL, 2022.



SISEMORE & ASSOCIATES, INC.
 1840
 PROFESSIONAL LAND SURVEYOR
 EXPIRES 12/31/2023
 DALLAS, TEXAS 75201

SISEMORE & ASSOCIATES
 Surveying ~ Civil Engineering ~ Land Planning
 8660 South Sheridan Road Phone (918) 665-3600
 Suite 210 Tulsa, Oklahoma 74139 Fax: (918) 665-8668
 C.A. No. 2421 (www.sisemoreandassociates.com) Date 07/30/23

DATE: 02/14/2022 WORK ORDER # 18488 FILE # 1793000

Hoyt, Jay

From: Judy Evers <judy.mccallumandsons@gmail.com>
Sent: Monday, June 20, 2022 5:21 PM
To: esubmit; Jones, Robi
Subject: OBJECTION TO APPROVAL OF CBOA-2978 LOT SPLIT REQUEST
Attachments: Photos-001.zip

We are James & Judy Evers. We own 4.4 acres with our home at 16418 S Rockford Ave, Bixby 74008. Mr. Balev's property backs up to ours. We, as his adjoining neighbor have MANY objections to a lot split or anything else he might request at this time. I did speak to him on the phone and asked him to get a dumpster for the trash along our fence line or at least put up a privacy fence. HE HAS DONE NOTHING!!!

If you observe our area and neighboring area you will see that whether small or large, new or old, EVERYONE keeps their property in suitable condition. Except for his, we have a very nicely kept and well valued neighborhood. There are 3 newly built homes next to him in which owners are appalled by the condition of his property.

We would like to attend the meeting, however we work and can not do so. It's unfortunate that the County does not better serve the community by having these meetings after 4pm so people can better attend, or at least first thing in the morning so they don't miss extended time from work.

OBJECTIONS...

1. If they split that lot there is no way to even build a separate drive or road to access the property. There is nowhere to put access to get back there.
2. The house is in total disarray inside and out and not liveable for anyone.

3. He has offered multiple stories to you and neighbors regarding what he intends to do with the back lot if split. He told me he had no idea what they were going to do with it actually and not for years if anything. He told you that he wants to build a house for his mother. **They live in California and are only here trying to settle Ivan's estate which contains the house and land.** The multiple stories of the land split purpose do not add up.

4. It is obvious they intend to put a dumpy old trailer on that back property to live in since the house is not suitable to live in. **PLEASE SAY NO!!!**

5. Has anyone even checked to verify he owns this property? This property belonged to his father, Ivan who recently died. There is no way they could have settled his estate this quickly.

6. **How would they even get utilities and sewer back there?** Would Creek County RWD even approve a water tap and meter for there?

7. They can't maintain the trash and debris they throw outside now. **How are they going to maintain any new construction debris and trash for building another house?** Despite requests, he refuses to rent trash dumpsters for the trash in front nor for the trash up against our fence. **I CAN NOT BELIEVE THE COUNTY DOES NOT REQUIRE HE DO THIS!!**

8. **LAST BUT NOT LEAST THEY DEPRECIATE THE VALUE OF OUR PROPERTY!!** We are trying to sell and move this summer, however 2 realtors told us if we can not get them to remove their trash and debris from our fenceline (which is in a very visible area) we should wait and hope the County will require them to contain the trash properly in a dumpster. **THAT'S HOW BAD IT IS!!**

9. CAN YOU NOT TELL HIM NO TO THE SPLIT REQUEST UNTIL HE GETS HIS PROPERTY IN PROPER CONDITION AND NO LONGER INTRUDES UPON HIS NEIGHBORS LIVING CONDITIONS? There has got to be some kind of code which requires him to at least put the trash on our property line into a dumpster, surely so??

I am attaching pics to demonstrate how these people live. You will see trash backed up **against our fence line** and their frontal property always contains trash and debris. I have tried to contact the Tulsa County Code Violation Dept but they never call me back. Other neighbors have had the same result, no return call.

Until recently they had dozens of sheep and goats. They fed them by throwing their full bags of garbage out in the yard for them to eat and scatter all over everyone else's property as well. This was their option to not paying for trash service like everyone else does. They had a huge Bull which broke thru our fence, damaged our property, chased our mini horses trying to horn spear them. You will see there are Sheriffs notes on having to come out multiple times about the unsanitary garbage trash everywhere, having too many sheep & goats for the property size, and their animals breaking our fence and coming onto our property. Their goats ate half of our round bale of hay which we purchased for our horses.

Current and past history proves that they do not value their property, nor have respect for anyone else's. If you allow them to split that lot it is only going to get worse!! Living in an AG area should not mean that people have no rules and can live in such a way. Neighbors who have paid much and worked hard for their property should not be depreciated and disrespected in this way! **WOULD YOU WANT HIM LIVING NEXT TO YOUR PROPERTY??**

James and Judy Evers
16418 S Rockford Ave
Bixby, OK 74008
918-857-5197











Hoyt, Jay

From: Judy Evers <judy.mccallumandsons@gmail.com>
Sent: Wednesday, July 20, 2022 11:59 AM
To: Jones, Robi; esubmit
Subject: RE: Case Number: CBOA-2978 Applicant: Vadim Balev
Attachments: (no subject).eml; (no subject).eml; (no subject).eml; (no subject).eml; (no subject).eml

Hello, my name is Judy Evers and our property adjoins 1406 E 163rd PI S property in the above case. We live at 16418 S Rockford Ave. I have attached some up to date photos to illustrate the current situation.

In June 2022 I emailed copies of the trash and debris surrounding this property with details about the conflicting information we know to be true. I, and neighbors, are pleased to hear that you continued the application until August rather than approving it. Thank you for listening.

However, a month later the property is worse than ever. The trash and debris along his back fence line which adjoins ours has much more trash and debris piled against our fence. The additional trash appeared shortly after the June meeting. NOTHING has been removed or cleaned up, only more piled up there. Not a single trash dumpster has been there! If he wants to store trash, garbage, and debris on his property he should be required to contain it in trash containers or dumpsters. The trash and debris are encroaching our fence line worse than ever and the front of their house is worse than ever.

I, being in the construction industry for many years, understand the property renovation process is long and gruelling, but my neighbors and I do not understand why he is not required to contain it in dumpsters like any other construction project is required to avoid a fine. We have left messages for Tulsa County property inspection and enforcement and never received one return phone call. Furthermore, he does not even use a regular trash service to pick up his regular garbage weekly. So, where

do you think his food, toxic items, and regular household trash goes? It goes in the huge piles in front of his house and the enormous pile on our fence line. It often blows out into the street and onto neighbors property.

If you were to inspect the inside of the house you would likely condemn it. I wish an inspector would just go there and look inside it. The house has been repo'd multiple times and out of the 3 people who have lived there, none of them have been able to renovate the house to suitable living conditions.

He, being from out of state, may not realize that the land itself in the entire 4+ acres is worth much more than the house. His most financially sound action would be to not invest any money in the house and just sell for the land value without splitting it.

End result; he is depreciating our property value and our sale value. We had hoped to move and downsize this summer but were advised to wait until hopefully the county requires him to use dumpsters or clean it all up. If you look at the homes on his street they are fairly newly built homes and well kept up. If you look at the properties on our street you will see older homes but they are all well maintained and certainly do not have trash everywhere outside.

When we had our home re-roofed and new siding we were required to rent dumpsters for the construction debris both times. When the neighbors Hess family renovated their 2 properties on our street they had multiple dumpsters there. Never once did anyone experience visible trash or debris. **Why is he not required to do so?**

Thank you for your assistance to date, and I apologize for "running on" in this letter. We have just worked so hard to maintain our property

properly and it is so painful to see it depreciate in value due to someone else's visibly abnormal way of living.

Sincerely,

Judy Evers

918-857-5197 cell phone

16418 S Rockford Ave, Bixby 74008



Judy Evers

Office Manager, McCallum and Son's Drywall & Construction Inc.

[918.512.8100](tel:918.512.8100) | judy.mccallumandsons@gmail.com

www.drywall918.com

608 E Line Ave. Sapulpa, OK 74066

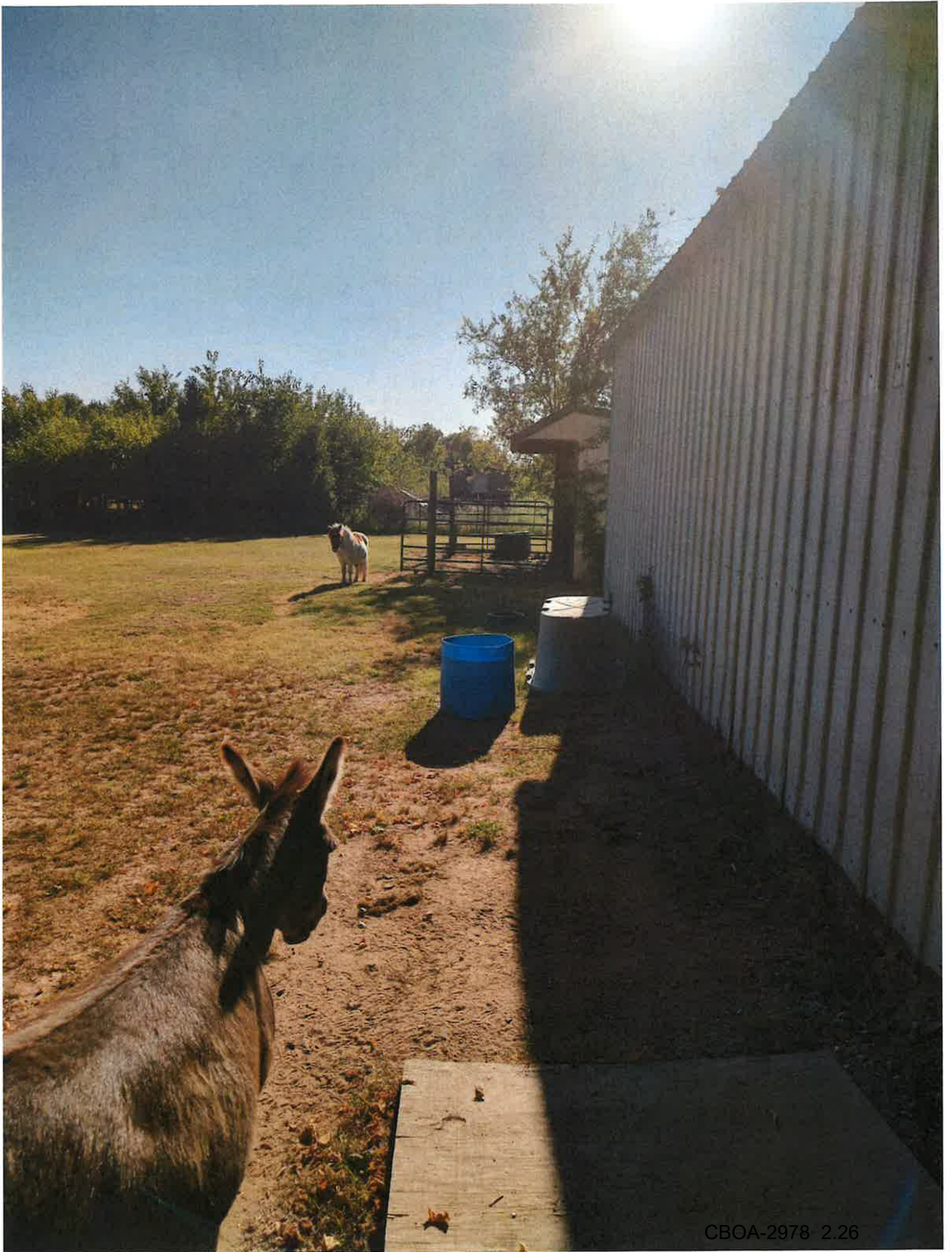














Board of Adjustment

Case Number: CBOA-2984
Continued from 07/19/2022
Hearing Date: 08/16/2022 1:30 PM

Case Report Prepared by:

Jay Hoyt

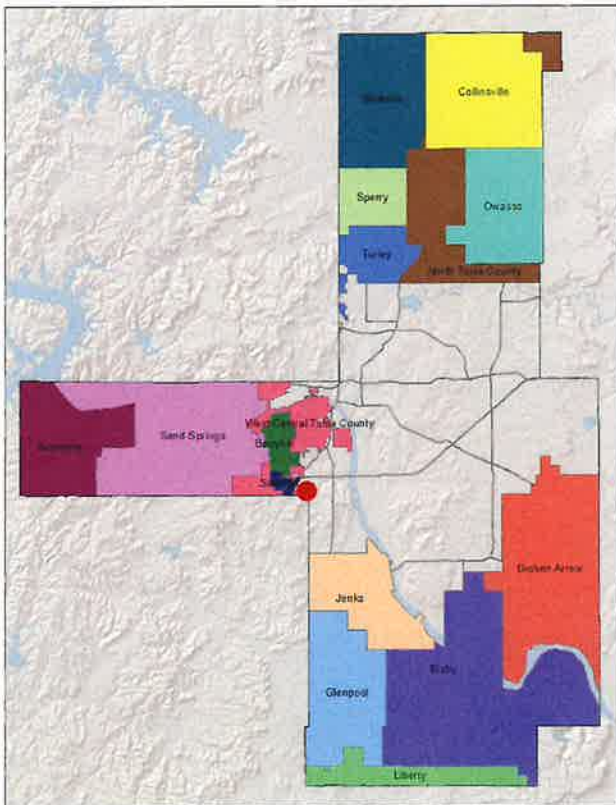
Owner and Applicant Information:

Applicant: Brian Brady

Property Owner: BRADY, PATRICK BRIAN

Action Requested: Variance to permit a detached accessory building in an RS district to be greater than 750 sf of floor area (Section 240.2.E) , Use Variance to allow Use Unit 23 in an RS district to permit outdoor storage (Section 410), 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

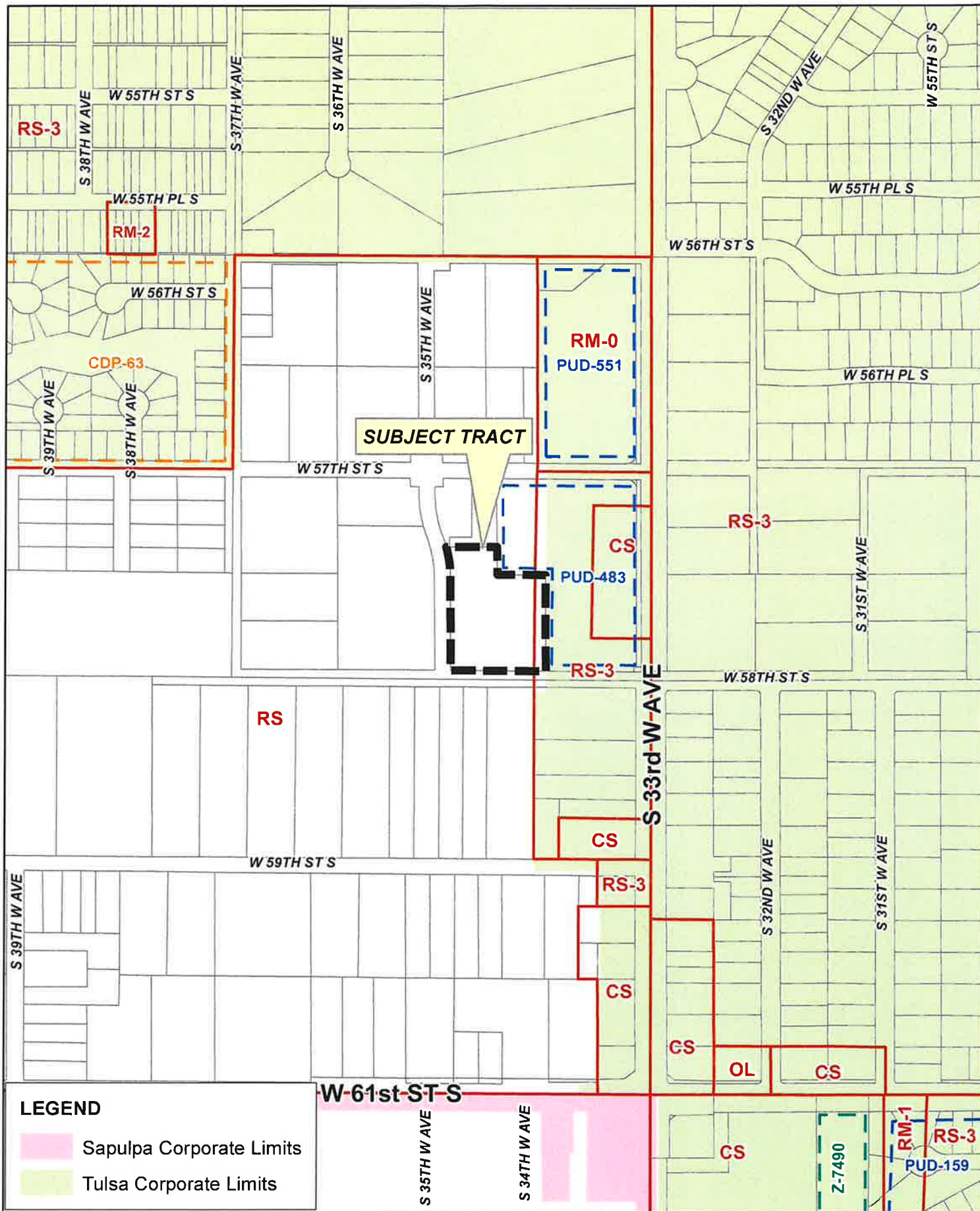
Tract Size: 2.49 acres

Location: 5723 S 35 AV W

Present Zoning: RS,RS-3

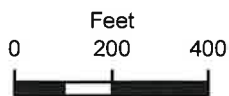
Fenceline/Area: N/A

Land Use Designation: Rural Residential/Agricultural



LEGEND

- Sapulpa Corporate Limits
- Tulsa Corporate Limits



CBOA-2984

19-12 33



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9233

CZM: 45

CASE NUMBER: CBOA-2984

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 08/16/2022 1:30 PM

APPLICANT: Brian Brady

ACTION REQUESTED: Variance of to permit a detached accessory building in an RS district to be greater than 750 sf of floor area (Section 240.2.E) , Use Variance to allow Use Unit 23 in an RS district to permit outdoor storage (Section 410), a Variance from the all-weather parking surface requirement (Section 1340.D)

LOCATION: 5723 S 35 AV W

ZONED: RS,RS-3

FENCELINE: N/A

PRESENT USE: Residential

TRACT SIZE: 2.49 acres

LEGAL DESCRIPTION: S90 W/2 LT 11 & ALL LT 14, CAMPBELL HILLS

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2270 June 2007: The Board denied a Use Variance to permit an existing trucking establishment in an RS district (Section 410) and a Variance of the paving requirement to permit the existing gravel parking and loading surfaces (Section 1340 and 1350).

Surrounding Property: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract has been used as a trucking facility and is surrounded by RS to the north, south and west, which contain single-family residences and RS-3/PUD-483 to the east (City of Tulsa) containing a self-storage facility.

STAFF COMMENTS:

The applicant is before the Board to request a Variance of to permit a detached accessory building in an RS district to be greater than 750 sf of floor area (Section 240.2.E), a Use Variance to allow Use Unit 23 in an RS district to permit outdoor storage (Section 410), and a Variance from the all-weather parking surface requirement (Section 1340.D).

This case was continued from 07/19/2022 to add the Use Variance to allow Use Unit 23 in an RS district to permit outdoor storage and the Variance from the all-weather parking surface requirement to the original request to permit the detached accessory building.

The applicant has stated that the proposed accessory building would be used for storage of personal equipment and vehicles and will not be used for commercial purposes. For commercial uses, the site would need to be rezoned to an appropriate commercial zoning district.

The applicant provided the statement: "Allowed detached accessory building square footage needs to be bigger to allow for a 40'X60' (2,400 sf) pole barn.

Sample Motions:

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

"Move to _____ (approve/deny) a Variance of to permit a detached accessory building in an RS district to be greater than 750 sf of floor area (Section 240.2.E)

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

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.

Sample Motion:

"Move to _____ (approve/deny) Use Variance to allow Use Unit 23 in an RS district to permit outdoor storage (Section 410)

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."

Sample Motion:

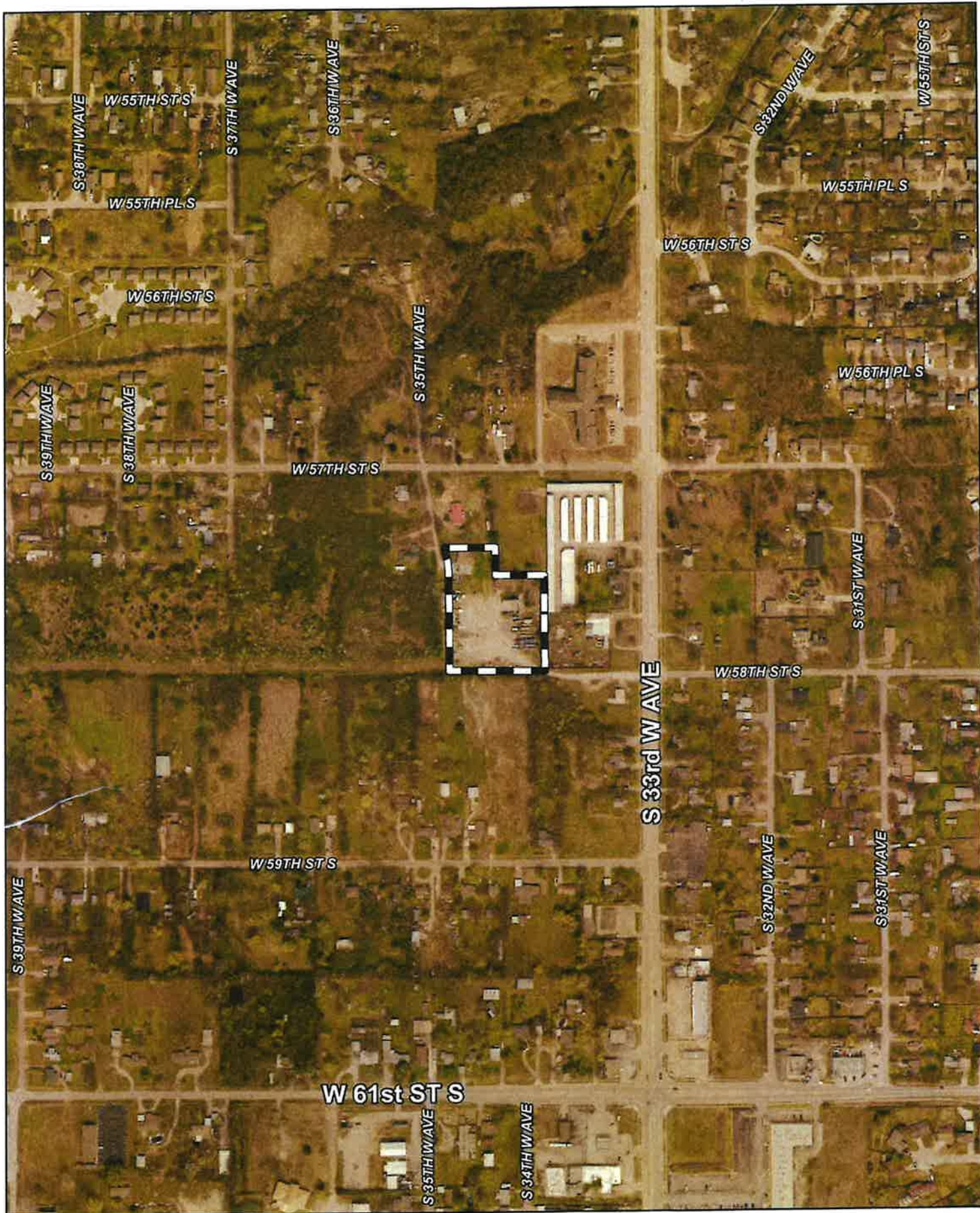
"Move to _____ (approve/deny) a Variance of the paving requirement to permit the existing gravel parking and loading surfaces (Section 1340 and 1350).

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

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.



Subject Tract

CBOA-2984

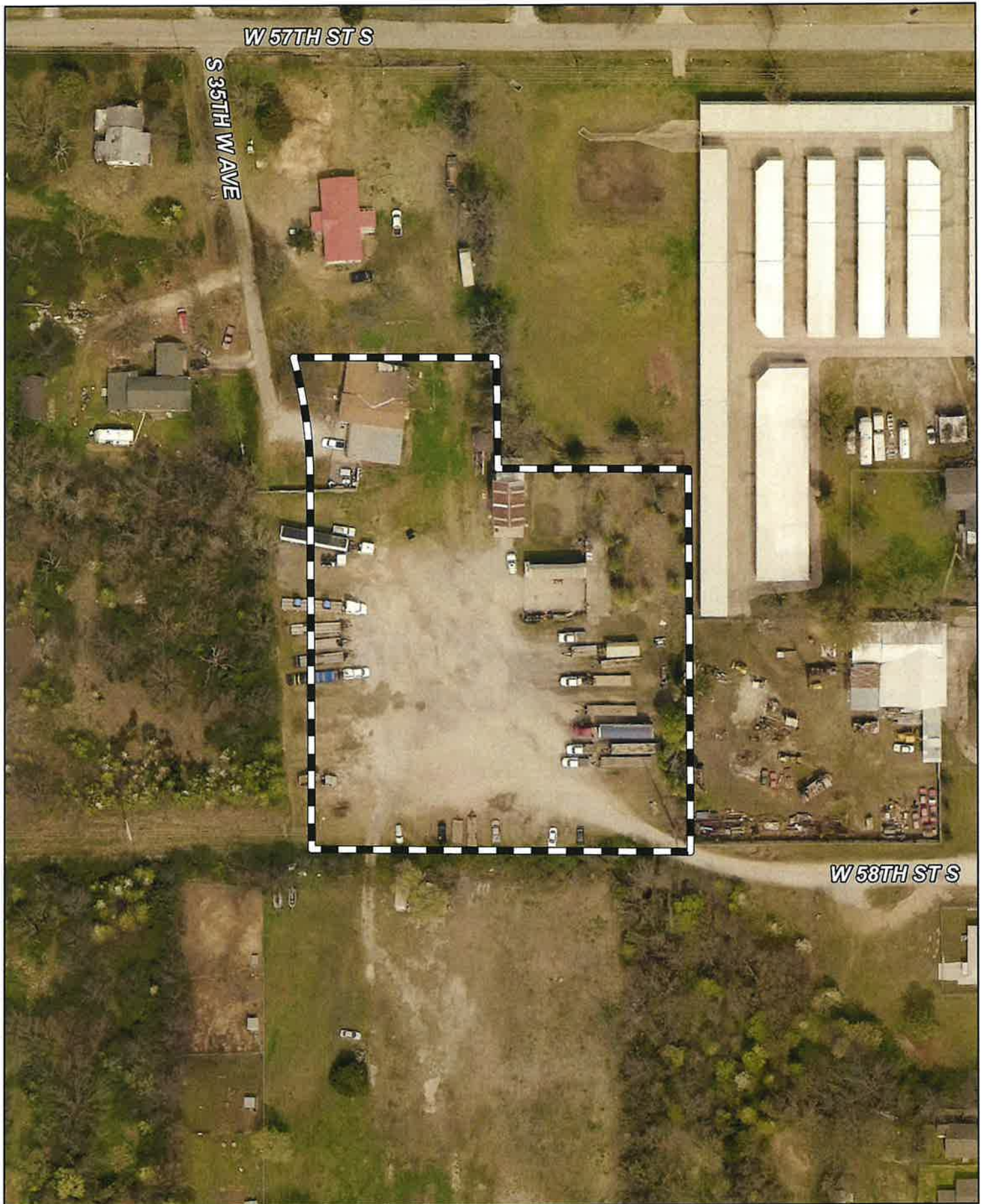
19-12 33

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

Aerial Photo Date: 2020/2021



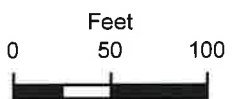
CBOA-2984 3.6



W 57TH ST S

S 35TH W AVE

W 58TH ST S



Subject Tract

CBOA-2984

19-12 33

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

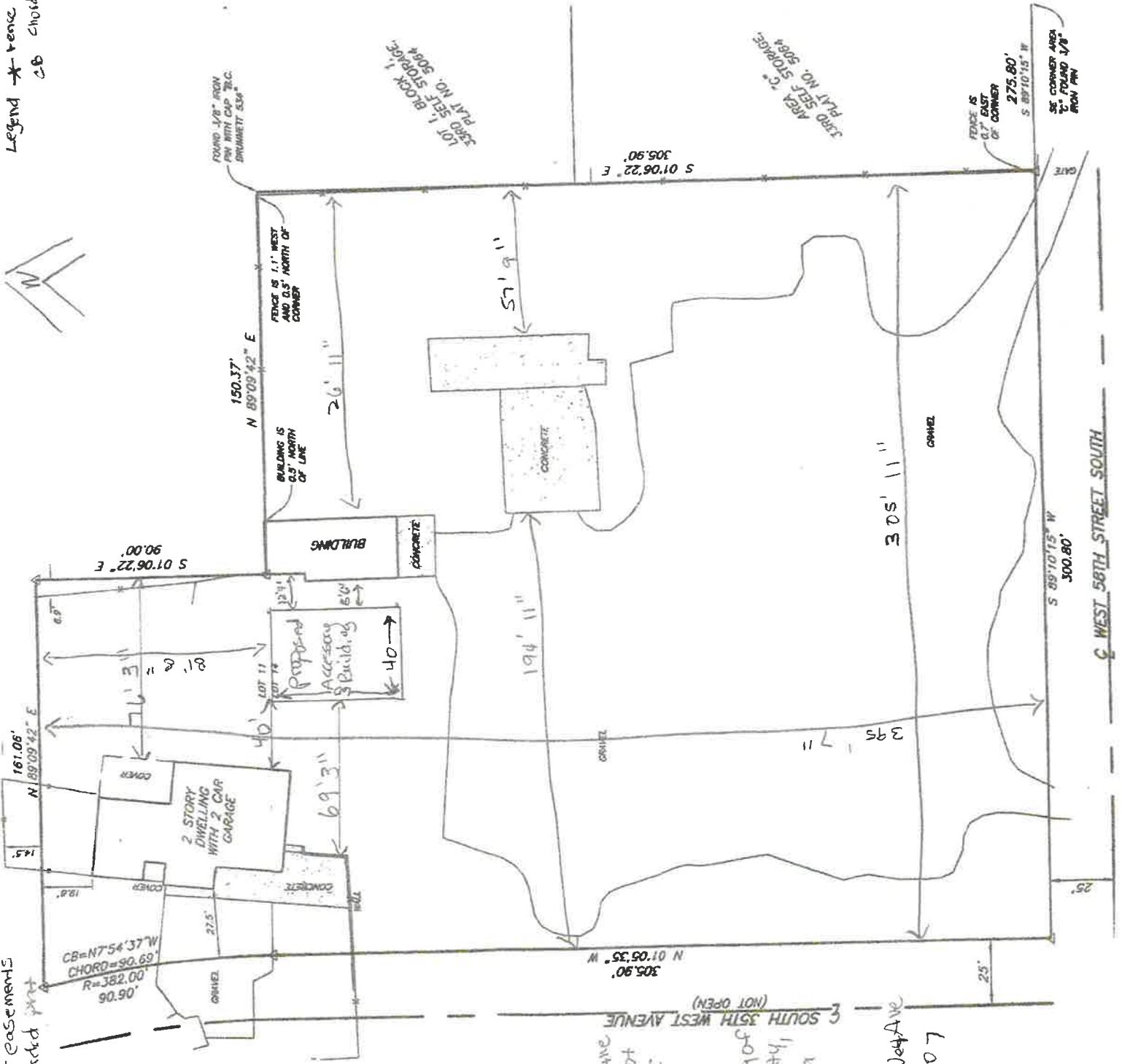
Aerial Photo Date: 2020/2021



CBOA-2984 3.7

No building lines or easements are shown on recorded plat Campbell Hills.

Legend * fence
CB choid bearing



33rd West Ave

Legal:

The South 90 Feet of the West Half (1/2) of Lot Eleven (11) and all of Lot Fourteen (14) Campbell Hills, an addition to the City of Tulsa, Tulsa County, State of Oklahoma

CBOA-2984 3.8

Address:
5723 S 35th West Ave
Tulsa, OK 74107

Hoyt, Jay

From: Leslie Davis <rdavis153@cox.net>
Sent: Saturday, July 09, 2022 11:28 AM
To: KKeith@tulsacounty.org; dist2@tulsacouncil.org; Hoyt, Jay
Cc: Leslie Davis; bcreagle@att.net
Subject: FW: Board of Adjustment Case Number CBOA-2984 meeting Tuesday7-19-2022 1:30 p.m.
Attachments: Scan_20220709 (4).pdf

Subject: Board of Adjustment Case Number CBOA-2984 meeting Tuesday7-19-2022 1:30 p.m.

Karen Keith – District 2 Tulsa County Commissioner
Jennie Richardson Cue – District 2 Tulsa City Councilor

I would like to invite our Commissioner and Councilor to come to the Board of Adjustment meeting.

Please see email dated 7-8-22 below to Mr. Hoyt and attached mailing from the Tulsa County Board of Adjustments. This applicant has ignored the order in 2007 where the board ruled against the applicant that they could not operate a business in an RS district. The previous Tulsa County Commissioner (Randi Miller) was present at that meeting. Now the business seems to be expanding. They have already built the building they are seeking a variance for and has already removed the house referenced on his plans from the property. On this parcel of land there is no longer a residential house on it, only numerous large Semi trucks. The person seeking the variance lives in Jenks.

Thank you in advance for your help or guidance.
The meeting is on July 19 at 1:30 p.m.

Leslie Davis
918-519-7641
Rdavis153@cox.net

From: [Leslie Davis](#)
Sent: Friday, July 8, 2022 5:30 PM
To: jhoyt@incog.org
Cc: bcreagle@att.net; [Leslie Davis](#)
Subject: Board of Adjustment Case Number CBOA-2984 meeting Tuesday7-19-2022 1:30 p.m.

Hello Mr. Hoyt.

We received a copy of a letter - Case number CBOA-2984 with reference to Mr. Brady seeking a variance for a detached accessory building in an RS district to be greater than 750 of the floor area. Mr. Brady's hand written plans are a little misleading. They show a 2 story dwelling with 2 car garage and no building as requested before the board. The house has been demolished from the property and there is a building approximately 40 by 60 already built on the property.

We ask what this building is going to be used for?

The person requesting this variance lives in Jenks and does not live on the property. I don't see a residential dwelling at all on this property. Randi Miller the former Tulsa County Commissioner before Karren Keith, had issued an order in 2007 ruled that no business could be permitted at this address.

The picture provided does not reflect the missing house or the increased number of trucks or the already constructed building.

Can you help me get answers to these questions.

What is the building going to be used for?

How is he allowed to operate a business in an RS District even trying to expand when he was ordered to stop in 2007 when this was brought before the board?

I would call or email Mr. Brady direct but I don't know how it would be received since the 2007 ruling was against him and for the neighbors. (Thank goodness for Randi Miller on this one for looking out for the neighbors in an RS district.) My phone number is 918-519-7641

I will look forward to you call or email.

Email: Rdavis153@cox.net

Email: BcReagle@att.net

Thank you

Leslie Davis, Milford and Bonnie Reagle

Hoyt, Jay

From: Scott Beowulf Kaine <beowulfkaine@me.com>
Sent: Wednesday, July 13, 2022 9:49 PM
To: Hoyt, Jay
Subject: REFERENCE NUMBER CBOA-2984

Hello my name is Scott Kaine, I own the house located at 3411 W 59th St. In regards to the variance request by my neighbor for a building I can attest to the fact that I have wanted to file a noise complaint for almost a decade because of all the Semi Truck traffic at all hours of the night but I always figured it was a zoned commercial property so I had no recourse.

I was surprised to find out that it is a residential zone, I can tell you, that is a fully run and operational business with trucks coming in and out at all times. I have a clear view from my bedroom window as they have lot lights usually but not always on full blast in their parking lot.

There is no way this has ever been used as a residential home in the 10 years I have been here. This is a business property based on the traffic and construction equipment that often comes through there.

..... "When you do things right, people won't be sure you've done anything at all." Scott Kaine The Bonnie Box <http://www.TheBonnieBox.com>



Board of Adjustment

Case Number: CBOA-2986

Hearing Date: 08/16/2022 1:30 PM

Case Report Prepared by:

Jay Hoyt

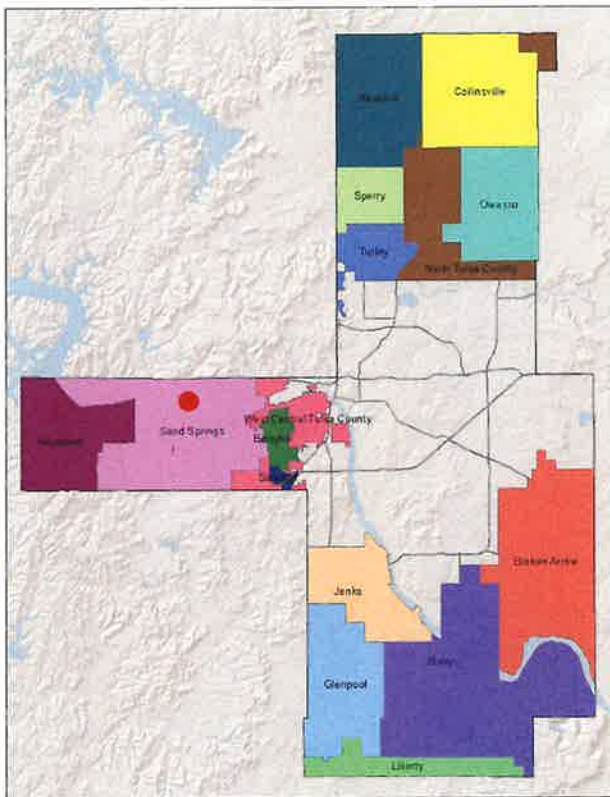
Owner and Applicant Information:

Applicant: Charles Stewart

Property Owner: STEWART, CHARLES R

Action Requested: Variance to permit a 5 ft fence in the front yard of the subject property (Section 250.1)

Location Map:



Additional Information:

Present Use: Residential

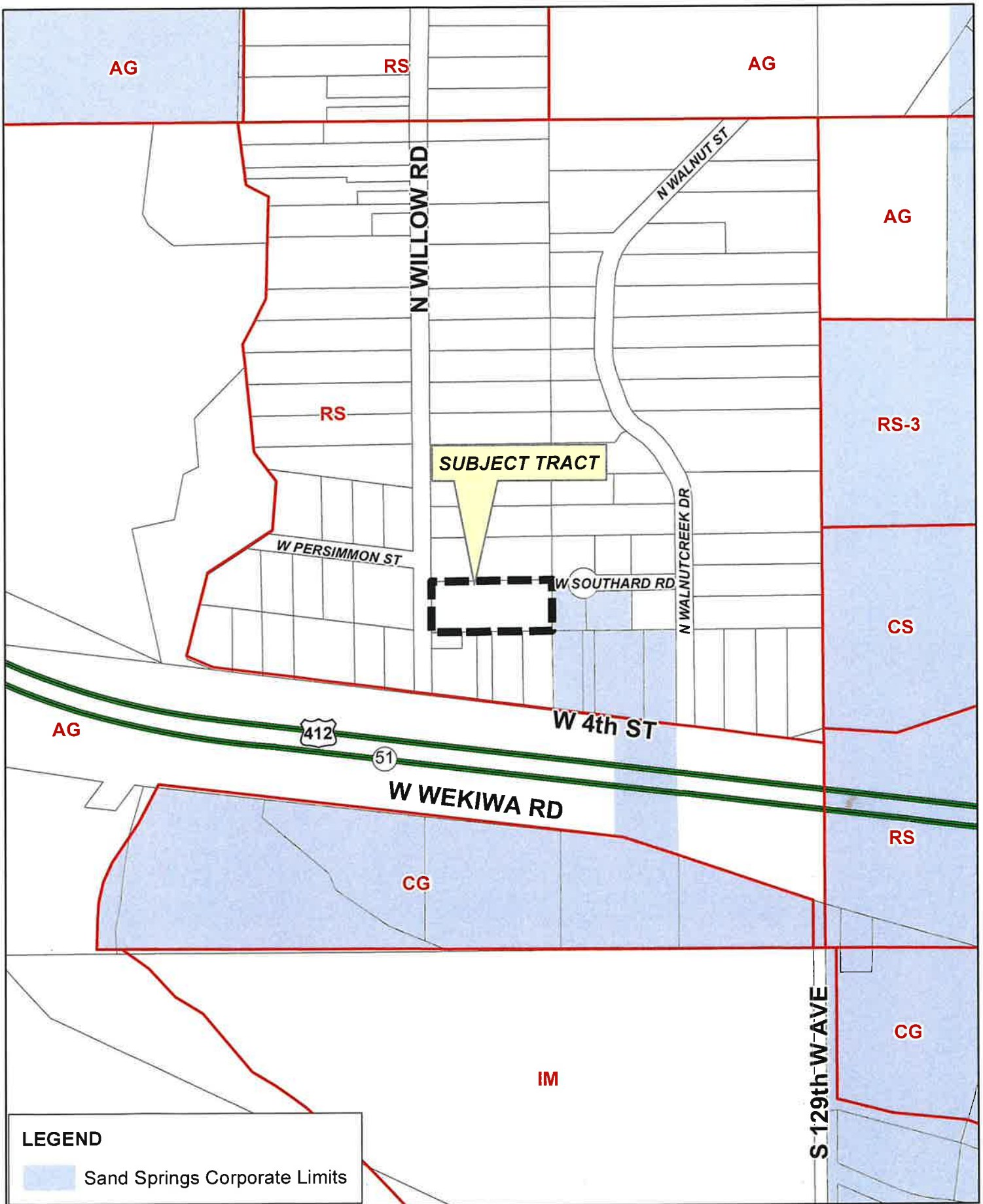
Tract Size: 1.47 acres

Location: 703-705 N WILLOW RD W


Present Zoning: RS

Fenceline/Area: Sand Springs

Land Use Designation: Residential



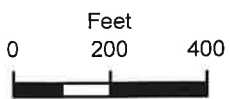
LEGEND

 Sand Springs Corporate Limits

CBOA-2986

11-19 09

CBOA-2986 4.2



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9109

CZM: 34

CASE NUMBER: CBOA-2986

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 08/16/2022 1:30 PM

APPLICANT: Charles Stewart

ACTION REQUESTED: Variance to permit a 5 ft fence in the front yard of the subject property (Section 250.1)

LOCATION: 703-705 N WILLOW RD W

ZONED: RS

FENCELINE: Sand Springs

PRESENT USE: Residential

TRACT SIZE: 1.47 acres

LEGAL DESCRIPTION: LT 21 & S60 LT 22 BLK 7, CHARLES PAGE HOME ACRES SUB NO 1 Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and contains a single-family residence. The site is surrounded to the north, south, east and west by RS zoning containing single-family residences to the north, south and west and a church to the east.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance to permit a 5 ft fence in the front yard of the subject property (Section 250.1).

The Tulsa County Zoning Code limits the height of fences located in the required front-yard setback to 4 ft in height. The applicant is proposing to exceed this limitation by 1 foot.

The applicant submitted the following statement: "I have had many problems with my neighbor to the north, Ronald Dean Minton, who is currently in Tulsa County Jail for violating the protective order that my daughter has against him. I need the fence in front to keep him off of my property and I need the 5 ft for my large dog breeds."

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

Sample Motion:

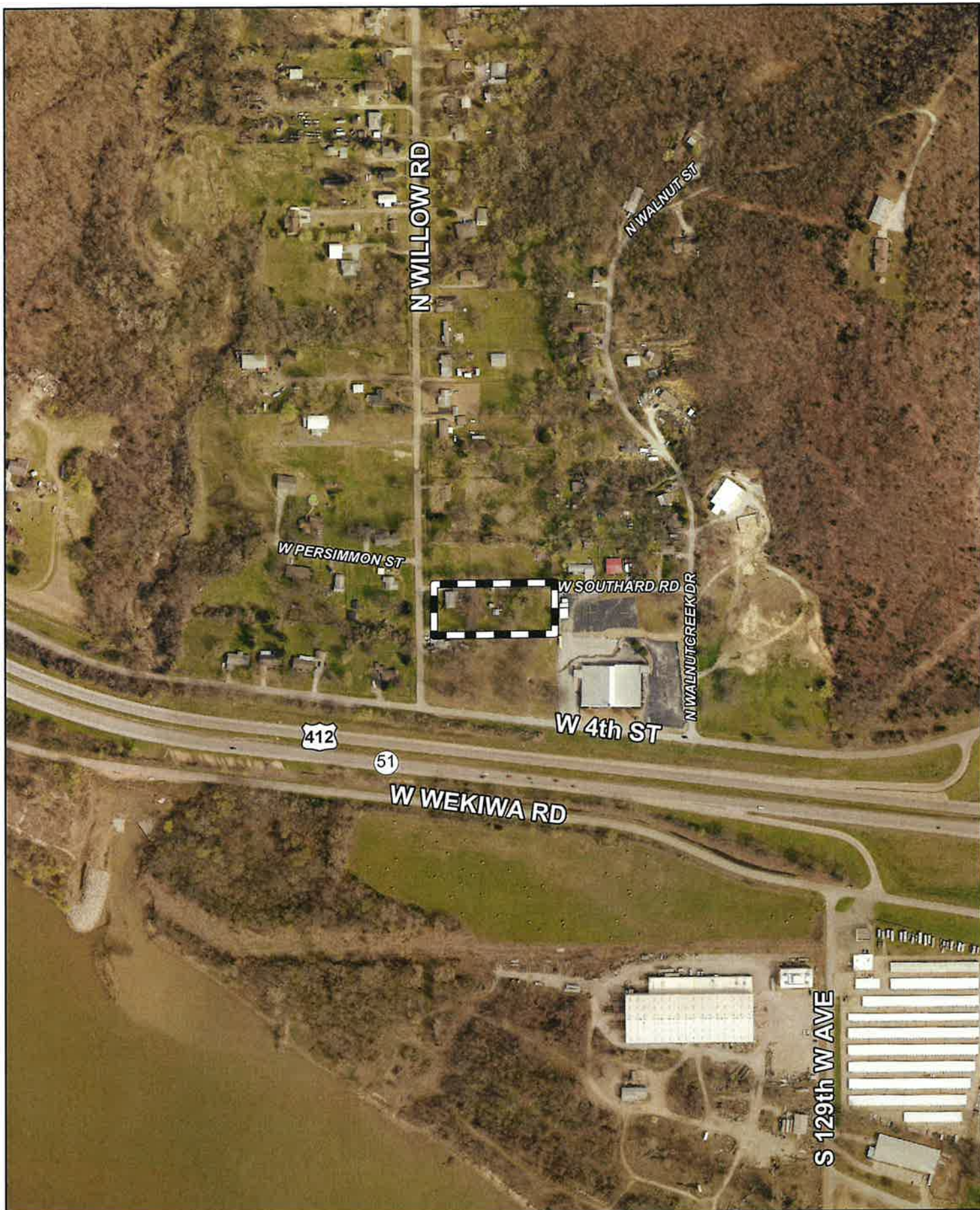
"Move to _____ (approve/deny) a Variance to permit a 5 ft fence in the front yard of the subject property (Section 250.1)

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

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.



CBOA-2986

11-19 09

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

Aerial Photo Date: 2020/2021

CBOA-2986 4.5



 Subject Tract





 Subject Tract

CBOA-2986

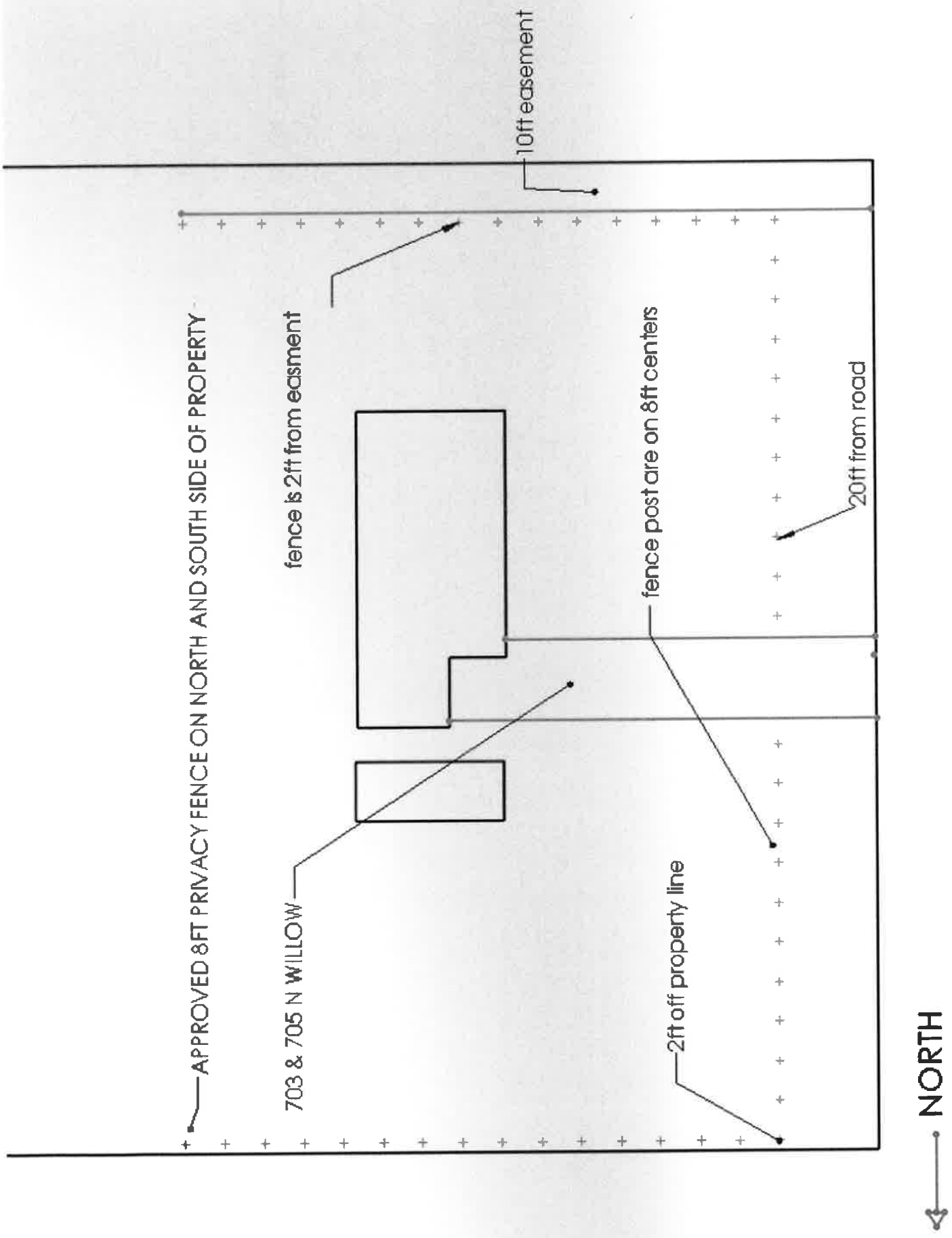
11-19 09

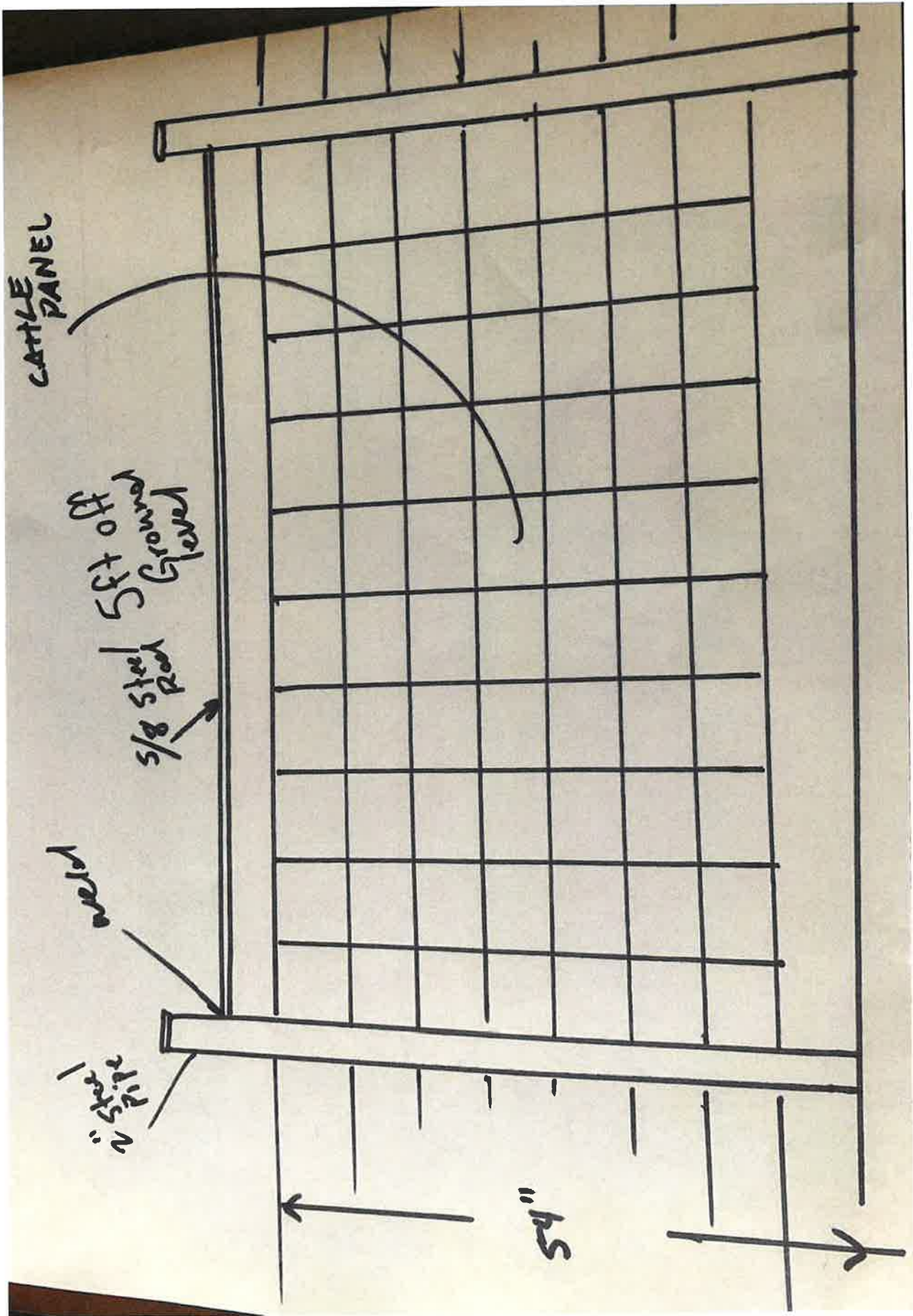
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021

CBOA-2986 4.6







Hoyt, Jay

From: Kayla Kramer <kayla.kramer@branchcomm.net>
Sent: Wednesday, June 29, 2022 1:11 PM
To: Hoyt, Jay
Subject: RE: AT&T Communications Tower OKL00453 / Owasso 76th BOA submittal

Hi Jay,

Due to scheduling conflicts within our team, we would like to request our application for Special Exception for a 140 ft wireless communications tower, CBOA-2987, be continued to the 9/20/22 BOA meeting.

Thank you,

Kayla Kramer
CRB  COMPANIES LLC
7335 S Lewis Ave Ste 300
Tulsa OK 74136
918.851.9102 mobile
918.949.4557 fax
kayla.kramer@branchcomm.net



From: Hoyt, Jay <JHoyt@incog.org>
Sent: Tuesday, June 21, 2022 11:16 AM
To: Kayla Kramer <kayla.kramer@branchcomm.net>
Subject: RE: AT&T Communications Tower OKL00453 / Owasso 76th BOA submittal

OUTSIDE SOURCE

Kayla,

Sorry about that. I've corrected the application to reflect a height of 140'. Attached is the revised application.

Thank you,

Jay Hoyt

From: Kayla Kramer <kayla.kramer@branchcomm.net>
Sent: Tuesday, June 21, 2022 11:05 AM
To: Hoyt, Jay <JHoyt@incog.org>
Subject: RE: AT&T Communications Tower OKL00453 / Owasso 76th BOA submittal

Hi there,



Board of Adjustment

Case Number: CBOA-2987

Hearing Date: 08/16/2022 1:30 PM

Case Report Prepared by:

Jay Hoyt

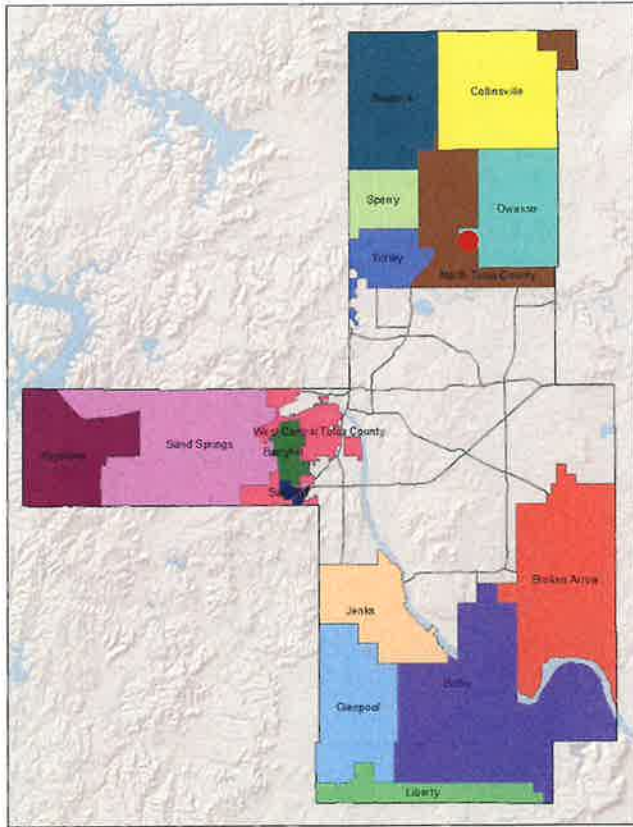
Owner and Applicant Information:

Applicant: CRB Companies LLC

Property Owner: MCWILLIAMS, BRADLEY H

Action Requested: Special Exception to permit a 140 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3)

Location Map:



Additional Information:

Present Use: Vacant

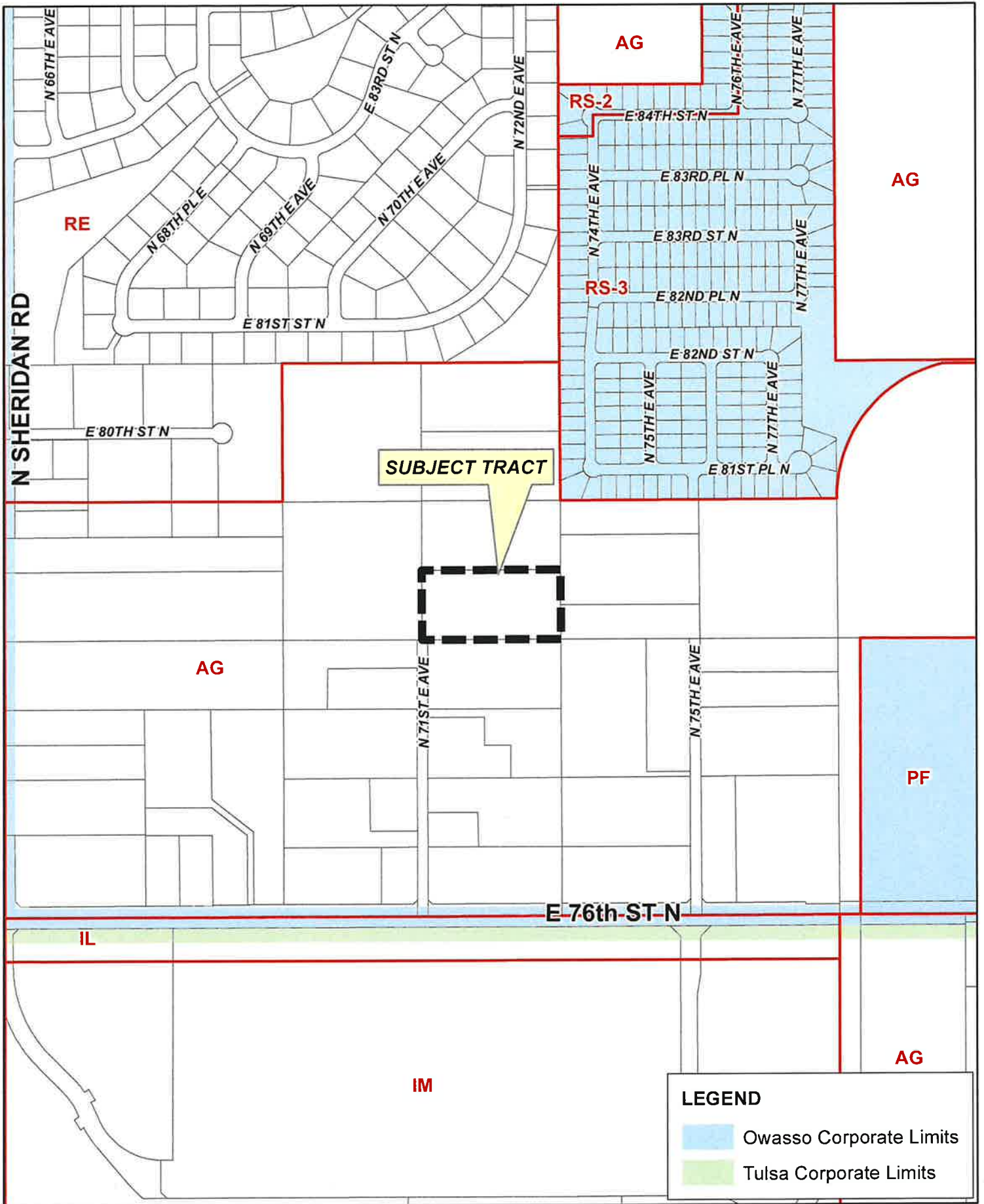
Tract Size: 5 acres

Location: 7847 N 71 AV E

Present Zoning: AG

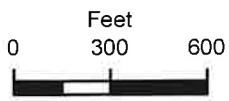
Fenceline/Area: Owasso

Land Use Designation: Residential



CBOA-2987

21-13 26



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1326

CZM: 17

CASE NUMBER: **CBOA-2987**

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 08/16/2022 1:30 PM

APPLICANT: CRB Companies LLC

ACTION REQUESTED: Special Exception to permit a 140 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3)

LOCATION: 7847 N 71 AV E

ZONED: AG

FENCELINE: Owasso

PRESENT USE: Vacant

TRACT SIZE: 5 acres

LEGAL DESCRIPTION: S/2 SE NE SW SEC 26 21 13 5ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2935 November 2021: The Board denied a Special Exception to permit a 145 ft. Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 310 and Section 1204.3); and a Special Exception to reduce the required tower setback (110% of the tower height) from the adjoining AG zoned lots (Section 1204.3)

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG with AG zoned properties to the north, south, east and west of the subject lot, with each utilized for single-family residences.

STAFF COMMENTS:

The applicant is before the Board requesting a Special Exception to permit a 140 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3).

The Board had previously denied a Special Exception request for the subject lot in November of 2021 to permit a 145 ft tower and a Special Exception to reduce the required tower setback from the adjoining AG zoned lots (CBOA-2935). The applicant is now requesting a Special Exception for a 140 ft tower and is not seeking a Special Exception for the tower setback.

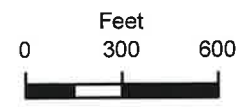
Sample Motion:

“Move to _____ (approve/deny) a Special Exception to permit a 140 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3)

Approved per conceptual plan on page _____ of the agenda packet.

Subject to the following conditions (including time limitation, 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.



 Subject Tract

CBOA-2987

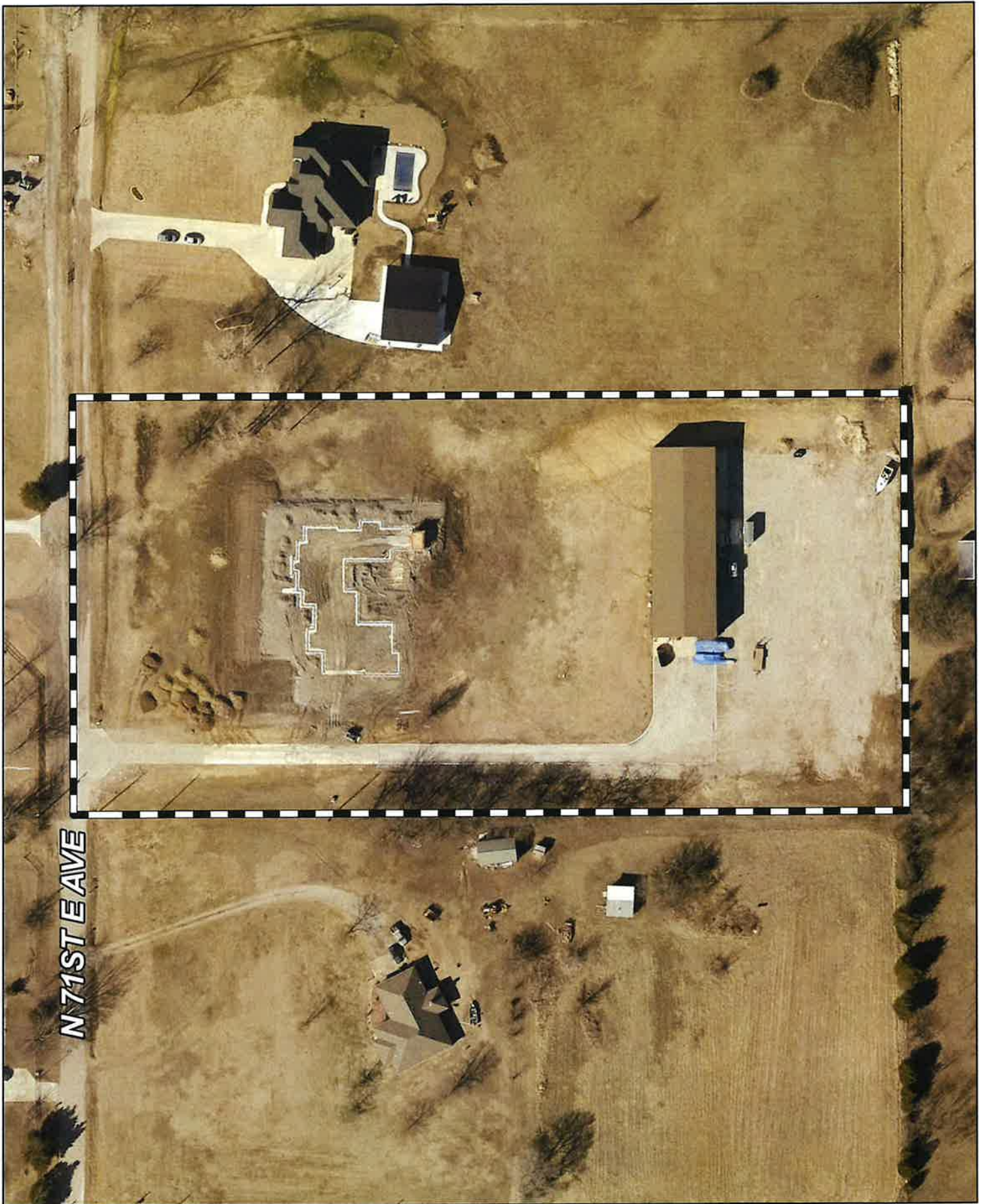
21-13 26

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

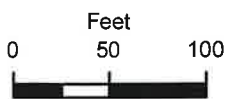
Aerial Photo Date: 2020/2021

CBOA-2987 5.6





N 71ST AVE



Subject Tract

CBOA-2987

21-13 26

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

Aerial Photo Date: 2020/2021

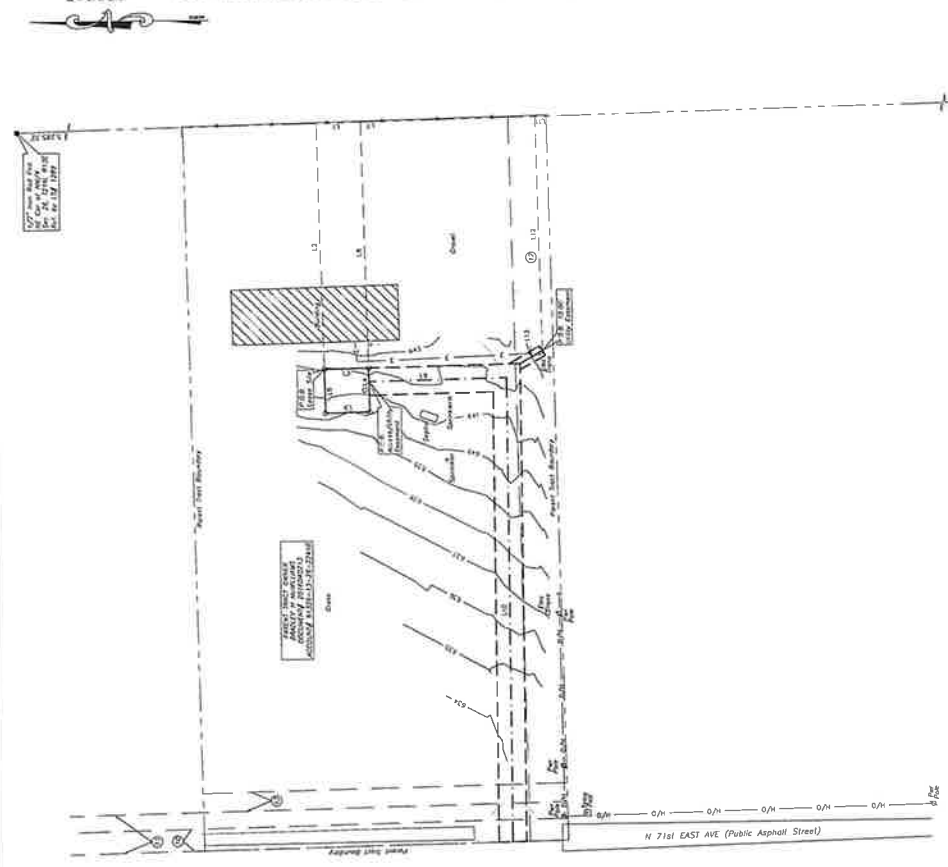
CBOA-2987 5.7



SURVEY OF A LEASE SITE LYING IN PART OF THE SW/4 SECTION 26, TOWNSHIP 21 NORTH, RANGE 13 EAST, W.J.M., TULSA COUNTY, OKLAHOMA

PROPERTY DESCRIPTION PER PREVIOUSLY RECORDED LEGAL

SURVEY OF A LEASE SITE LYING IN PART OF THE SW/4 SECTION 26, TOWNSHIP 21 NORTH, RANGE 13 EAST, W.J.M., TULSA COUNTY, OKLAHOMA



1. The plat shows a survey of a lease site lying in part of the SW/4 of Section 26, Township 21 North, Range 13 East, W.J.M., Tulsa County, Oklahoma, as shown on the plat.

2. The lease site is bounded on the north by N 7161 East Ave, on the east by the right-of-way line of N 7161 East Ave, on the south by the right-of-way line of N 7161 East Ave, and on the west by the right-of-way line of N 7161 East Ave.

3. The lease site is shown on the plat with bearings and distances to the corners and to the points of intersection of the lines.

4. The lease site is shown on the plat with bearings and distances to the corners and to the points of intersection of the lines.

5. The lease site is shown on the plat with bearings and distances to the corners and to the points of intersection of the lines.

NOTICE CONCERNING SURVEY: This report is prepared by the Surveyor based on the information provided by the client and is based on the information provided by the client. The Surveyor does not warrant the accuracy of the information provided by the client. The Surveyor does not warrant the accuracy of the information provided by the client.

1. This is NOT A BOUNDARY SURVEY OF THE LEASE SITE.
2. This is NOT A BOUNDARY SURVEY OF THE LEASE SITE.

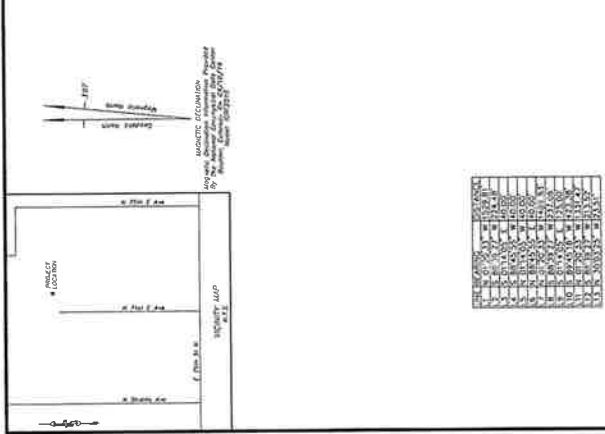
1. The plat shows a survey of a lease site lying in part of the SW/4 of Section 26, Township 21 North, Range 13 East, W.J.M., Tulsa County, Oklahoma, as shown on the plat.

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3. The lease site is shown on the plat with bearings and distances to the corners and to the points of intersection of the lines.

4. The lease site is shown on the plat with bearings and distances to the corners and to the points of intersection of the lines.

5. The lease site is shown on the plat with bearings and distances to the corners and to the points of intersection of the lines.



NOTE: This survey was made in accordance with the provisions of the Oklahoma Statutes, Title 20, Section 226, and the Oklahoma Rules of Practice and Procedure, Title 10, Section 10-1-1. The survey was made in accordance with the provisions of the Oklahoma Statutes, Title 20, Section 226, and the Oklahoma Rules of Practice and Procedure, Title 10, Section 10-1-1.

1. The plat shows a survey of a lease site lying in part of the SW/4 of Section 26, Township 21 North, Range 13 East, W.J.M., Tulsa County, Oklahoma, as shown on the plat.

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3. The lease site is shown on the plat with bearings and distances to the corners and to the points of intersection of the lines.

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2. The lease site is bounded on the north by N 7161 East Ave, on the east by the right-of-way line of N 7161 East Ave, on the south by the right-of-way line of N 7161 East Ave, and on the west by the right-of-way line of N 7161 East Ave.

3. The lease site is shown on the plat with bearings and distances to the corners and to the points of intersection of the lines.

4. The lease site is shown on the plat with bearings and distances to the corners and to the points of intersection of the lines.

5. The lease site is shown on the plat with bearings and distances to the corners and to the points of intersection of the lines.



Case Number: CBOA-2988

Hearing Date: 08/16/2022 1:30 PM

Case Report Prepared by:

Jay Hoyt

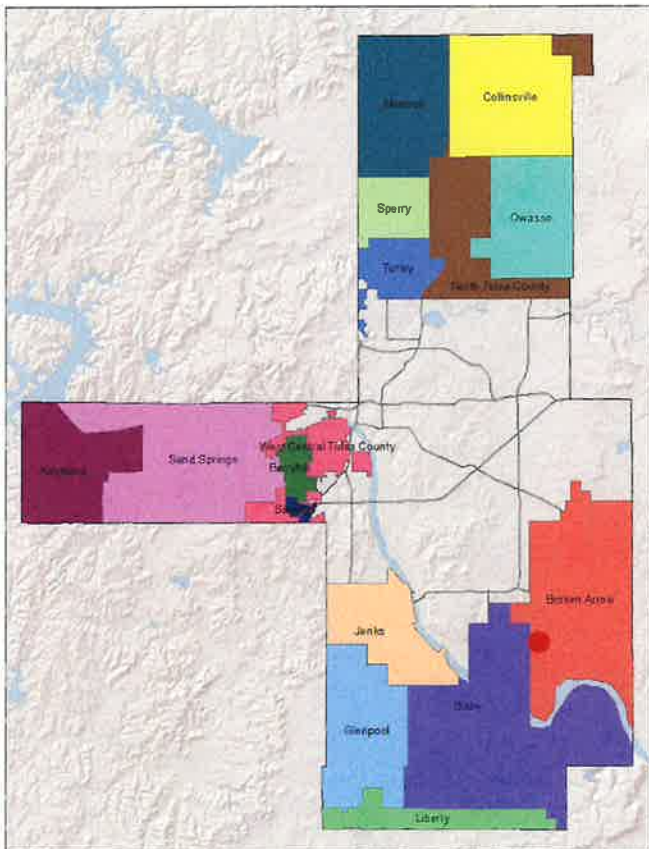
Owner and Applicant Information:

Applicant: Tradition Homes LLC

Property Owner: SMITH, CORBIN D

Action Requested: Variance of the minimum land area per dwelling unit requirement from 2.1 acres to allow for 2 dwelling units on a 3.17 acre lot (Sec. 330)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 3.17 acres

Location: 11974 S 121 AV E

Present Zoning: AG

Fenceline/Area: Broken Arrow

Land Use Designation: Urban Residential

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 8432

CZM: 58

CASE NUMBER: CBOA-2988

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 08/16/2022 1:30 PM

APPLICANT: Tradition Homes LLC

ACTION REQUESTED: Variance of the minimum land area per dwelling unit requirement from 2.1 acres to allow for 2 dwelling units on a 3.17 acre lot (Sec. 330)

LOCATION: 11974 S 121 AV E

ZONED: AG

FENCELINE: Broken Arrow

PRESENT USE: Residential

TRACT SIZE: 3.17 acres

LEGAL DESCRIPTION: PRT SE SW 2637.44E & 606.87N SW TH W577.50 N240 E577.50 S240 POB LESS E33 FOR RD SEC 32 18 14 3.17ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG with AG zoned properties to the north, south, east and west of the subject lot, with each utilized for single-family residences.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance of the minimum land area per dwelling unit requirement from 2.1 acres to allow for 2 dwelling units on a 3.17 acre lot (Sec. 330).

Per the site plan provided by the applicant, an existing home on the lot will be utilized as a study/shop and a new home is proposed to be constructed on the lot.

The applicant provided the statement "One of the structures was a temporary residence while we built and is to be used as a study and shop after the home is built."

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

Sample Motion:

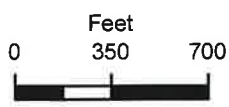
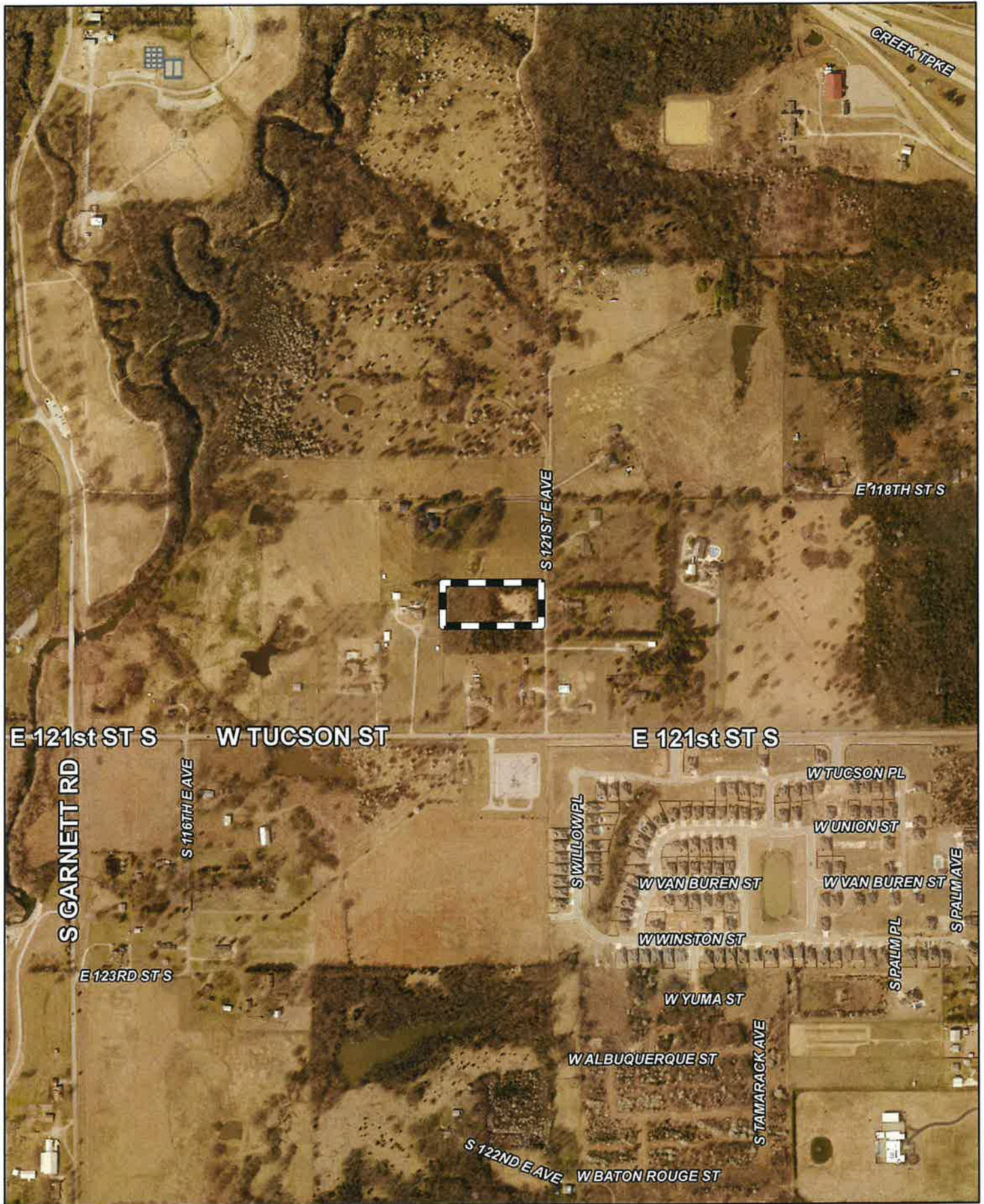
"Move to _____ (approve/deny) a Variance of the minimum land area per dwelling unit requirement from 2.1 acres to allow for 2 dwelling units on a 3.17 acre lot (Sec. 330).

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

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.



 Subject Tract

CBOA-2988

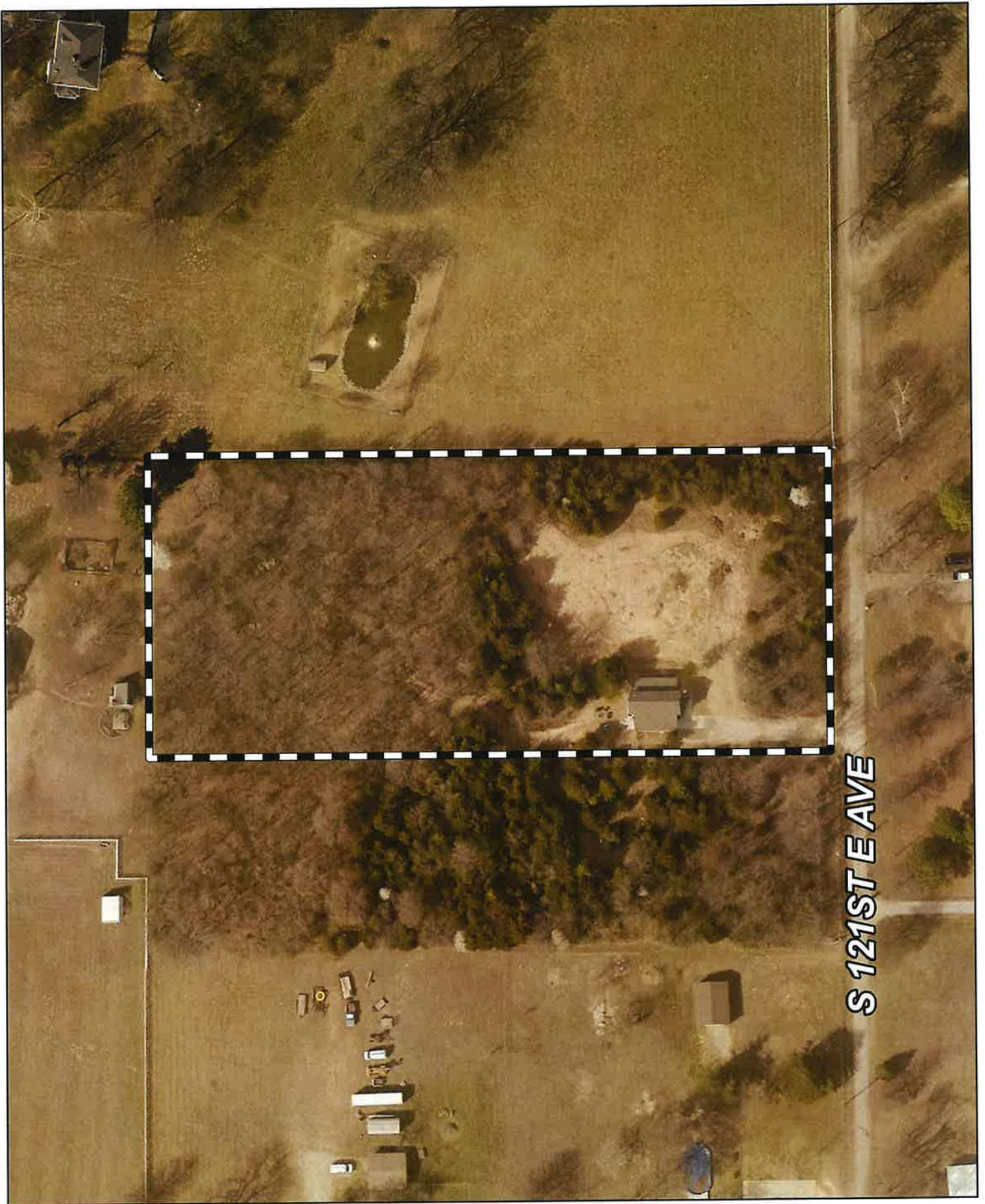
18-14 32

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

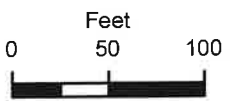
Aerial Photo Date: 2020/2021

CBOA-2988 6.5





S 121ST E AVE



Subject Tract

CBOA-2988

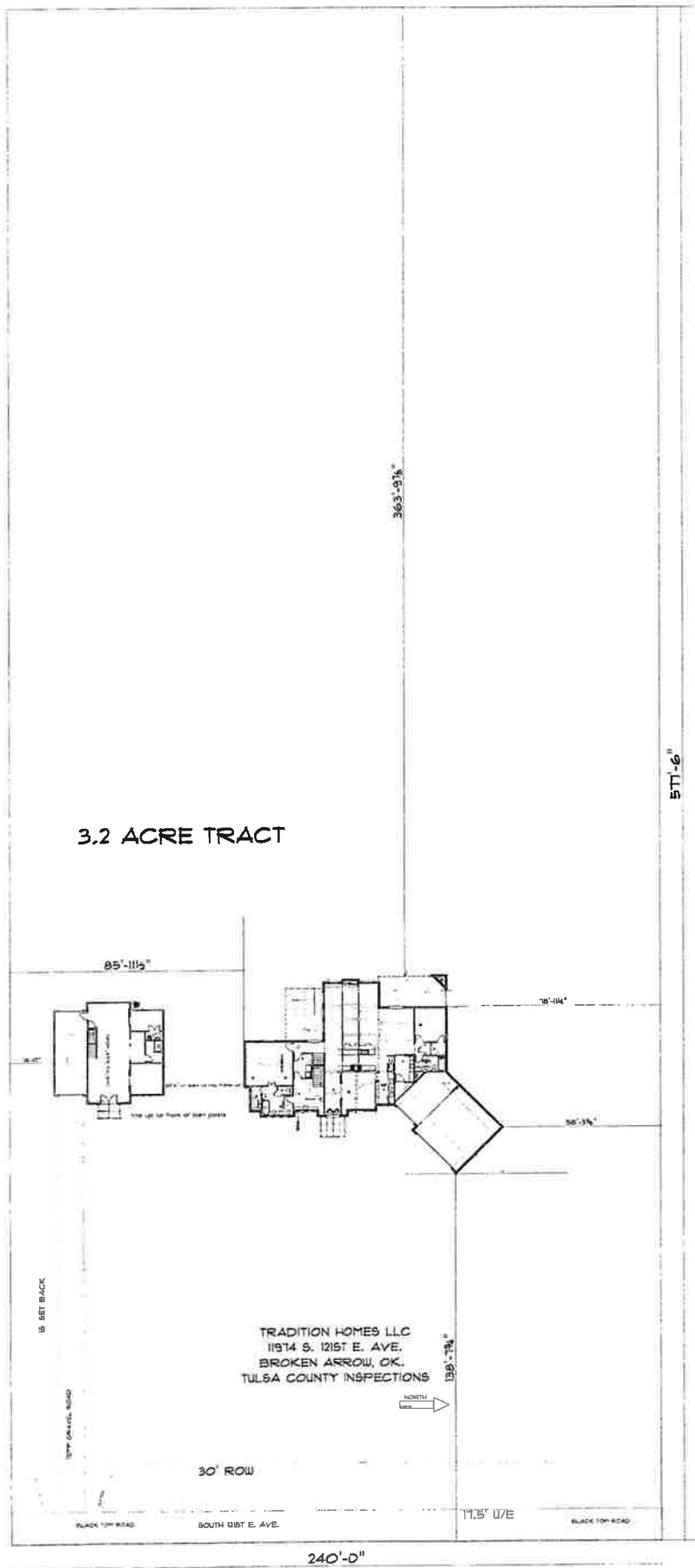
18-14 32

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

Aerial Photo Date: 2020/2021

CBOA-2988 6.6







Board of Adjustment

Case Number: CBOA-2989

Hearing Date: 08/16/2022 1:30 PM

Case Report Prepared by:

Jay Hoyt

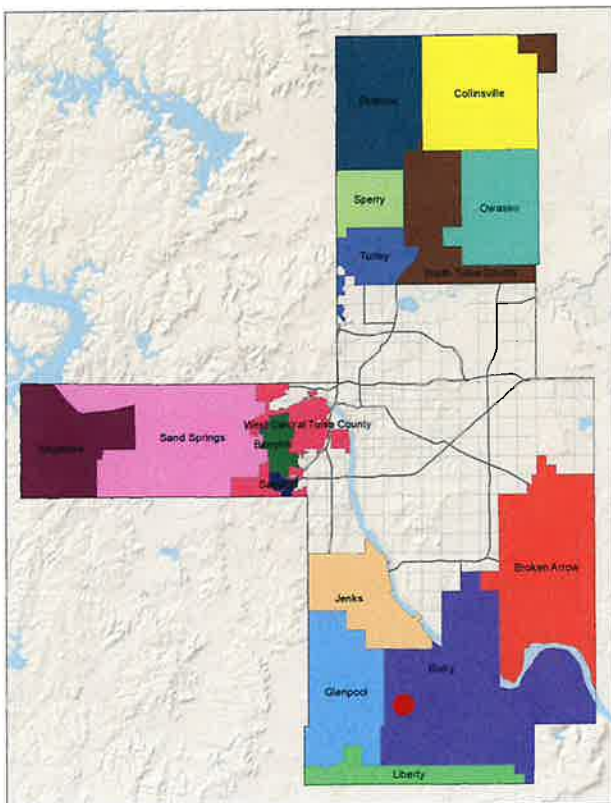
Owner and Applicant Information:

Applicant: Tradition Homes LLC

Property Owner: BALLARD, CHRISTOPHER & KEELEY

Action Requested: Variance to allow two dwelling units on a single lot of record in an AG-R district (Section 208)

Location Map:



Additional Information:

Present Use: Residential

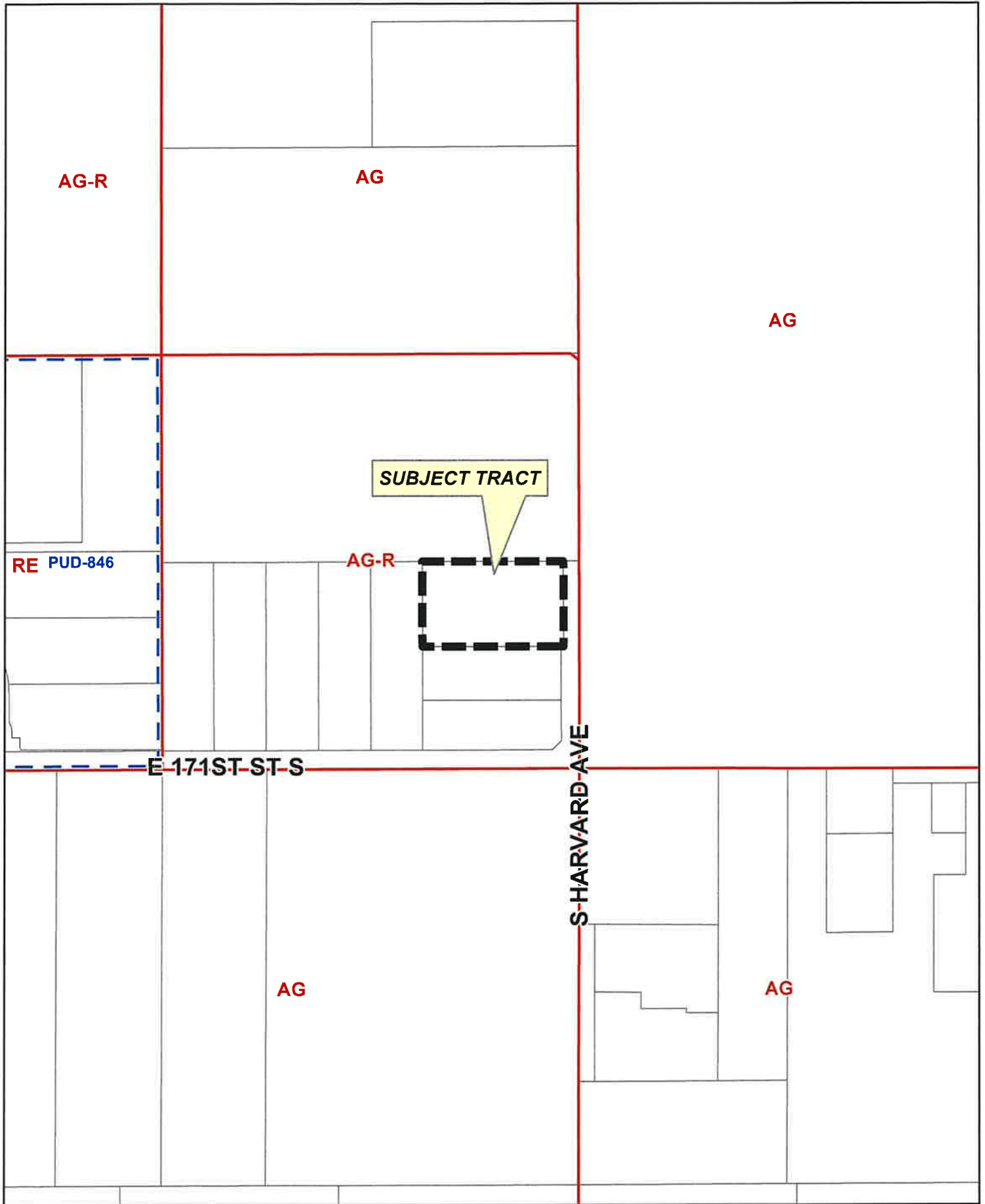
Tract Size: 2.78 acres

Location: 17010 S HARVARD AV E

Present Zoning: AG-R

Fenceline/Area: Bixby

Land Use Designation: Neighborhood Commercial



AG-R

AG

AG

SUBJECT TRACT

RE PUD-846

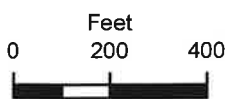
AG-R

E 171ST ST S

S HARVARD AVE

AG

AG



CBOA-2989

17-13 29



CBOA-2989 7.2

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 7329

CZM: 66

CASE NUMBER: **CBOA-2989**

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 08/16/2022 1:30 PM

APPLICANT: Tradition Homes LLC

ACTION REQUESTED: Variance to allow two dwelling units on a single lot of record in an AG-R district (Section 208)

LOCATION: 17010 S HARVARD AV E

ZONED: AG-R

FENCELINE: Bixby

PRESENT USE: Residential

TRACT SIZE: 2.78 acres

LEGAL DESCRIPTION: LOT 8 BLOCK 1, WOODWARD ACRES Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CZ-502 June 2020: The Board of County Commissioners approved a zoning change from AG to AG-R for the subject lot and surrounding properties to the north, south and west. The property to the south contains a single-family residence. The properties to the north, west and east are vacant agricultural parcels.

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG-R with AG-R zoned properties to the north, south and west of the subject lot and AG zoned parcels to the east, with each utilized for single-family residences.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance to allow two dwelling units on a single lot of record in an AG-R district (Section 208).

The subject lot is approximately 2.78 acres in size. The minimum land area per dwelling unit in the AG-R district is 1.1 acres, so the subject lot would contain enough land area to support the request for two dwelling units on the subject lot.

The applicant provided the following statement "Accessory building was just a temporary residence until the main home was constructed. Will be used as a shop and study going forward."

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

Sample Motion:

“Move to _____ (approve/deny) a Variance to allow two dwelling units on a single lot of record in an AG-R district (Section 208).

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

Subject to the following conditions, if any: _____.

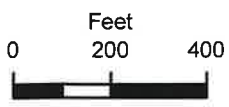
Finding the hardship to be _____.

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.



S HARVARD AVE

E 171ST ST S



 Subject Tract

CBOA-2989

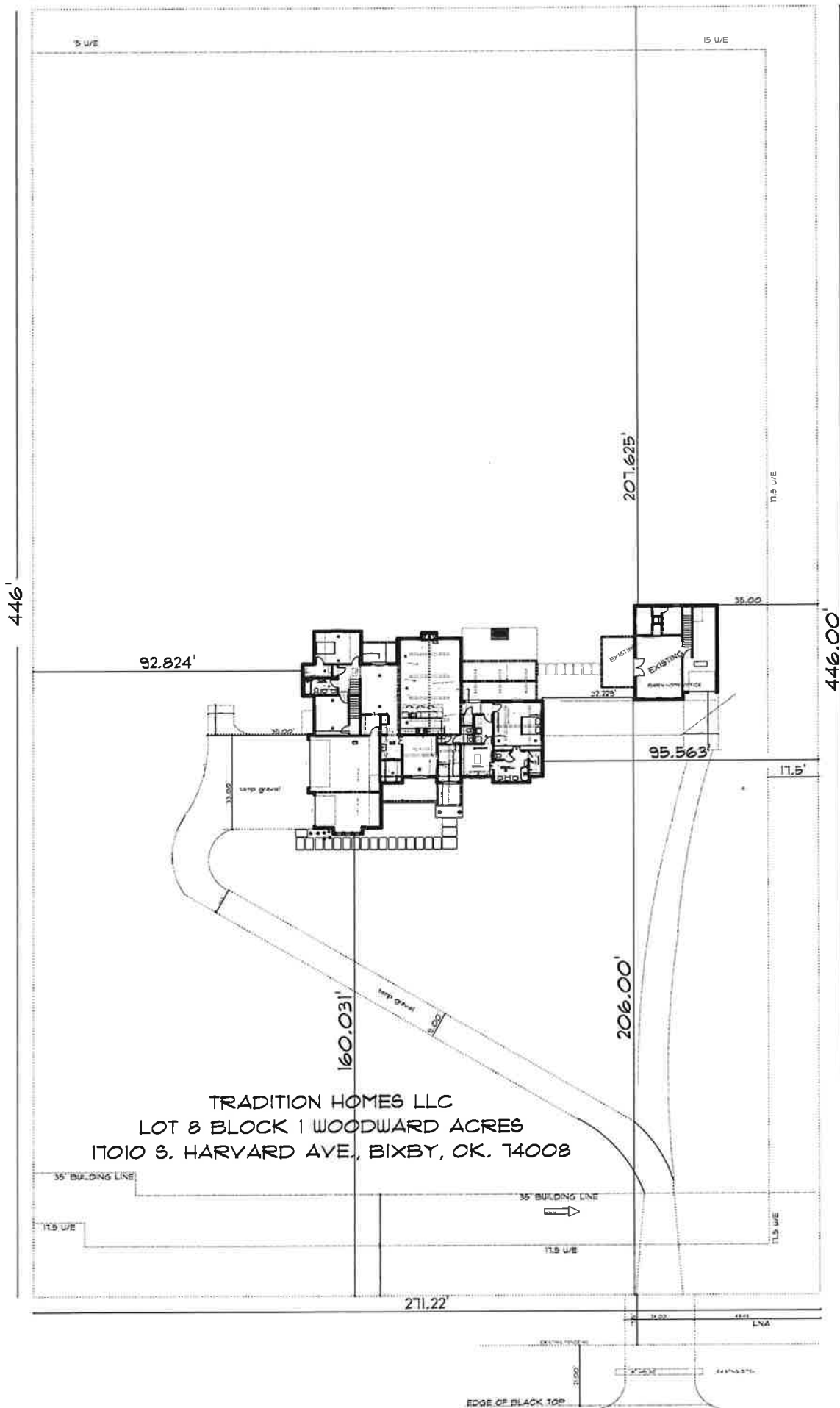
17-13 29

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

Aerial Photo Date: 2020/2021



CBOA-2989 7.5



TRADITION HOMES LLC
 LOT 8 BLOCK 1 WOODWARD ACRES
 17010 S. HARVARD AVE., BIXBY, OK. 74008

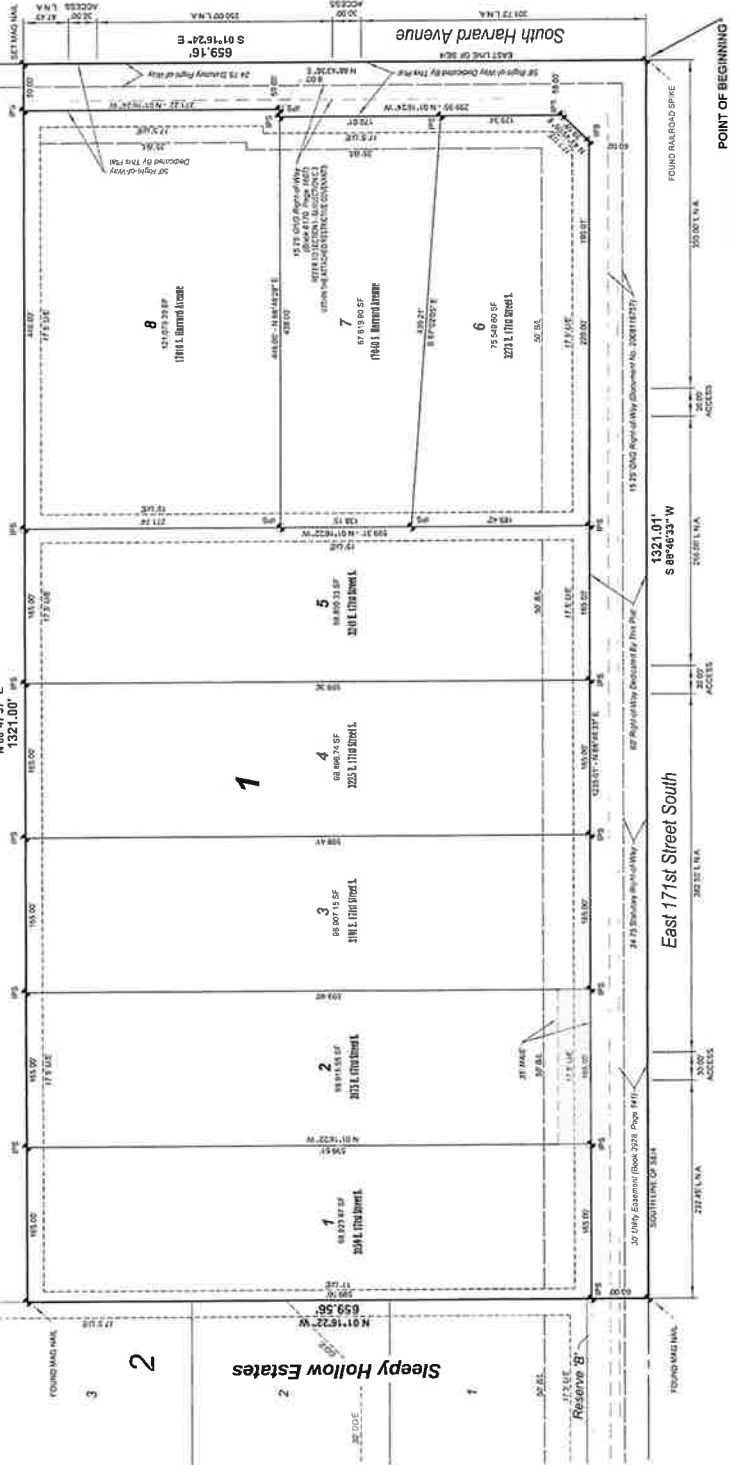
PRIVATE SUBDIVISION Woodward Acres

THIS SUBDIVISION IS DESIGNED IN ACCORDANCE WITH THE OIL AND GAS ACT OF OKLAHOMA AND THE ENVIRONMENTAL QUALITY IMPROVEMENT ACT (EQIA) (JOBS) REQUIREMENTS FOR MINIMUM LOT SIZE FOR INDIVIDUAL SEPTIC SYSTEMS FOR EACH LOT

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE SOUTH HALF (S/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-NINE (29), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

Unplatted

- Legend**
- BL. BUILDING SETBACK LINE
 - PS. PROPERTY SURVEY
 - IND. INDIVIDUAL SEPTIC SYSTEM
 - INSTR. INSTRUMENTATION NOTES
 - L.N.A. LIMITS OF NO ACCESS
 - MAE. MUTUAL ACCESS EASEMENT
 - UR. UTILITY EASEMENT
 - USN. STREET FRONTAGE



Sleepy Hollow Estates

Driveway Summary Table

DRIVEWAY LOCATION	MINIMUM PIPE SIZE
1	24" RCP OR HP
2	24" RCP OR HP
3	24" RCP OR HP
4	18" RCP OR HP
5	18" RCP OR HP
6	18" RCP OR HP
7	30" RCP OR HP
8	30" RCP OR HP

NOTE: MINIMUM PIPE SLOPE = 0.75%

FINAL PLAT
 CERTIFICATE OF APPROVAL
 I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE BOARD OF SURVEYORS AND PLANNING COMMISSION ON [Date].
 [Signature]
 TULSA COUNTY CLERK

CERTIFICATE
 I HEREBY CERTIFY THAT ALL real estate taxes levied in this plat have been paid or provided for in the amount of \$11,200.00 per acre to be paid to the Tulsa County Treasurer on or before the date of the next tax sale. This amount shall be held in trust for the benefit of the Tulsa County Treasurer. \$200.00 per acre shall be held in trust for the benefit of the Tulsa County Treasurer.
 [Signature]
 TULSA COUNTY CLERK

Owner / Developer
 DOAR PROPERTIES, LLC
 5718 WEST CHARLESTON STREET
 BROOKERHURST, OK 73151
 [Phone]
 [Email]

Surveyor
 FRITZLAND SURVEYING, LLC
 2017 WEST 181ST STREET
 TULSA, OKLAHOMA 74132
 [Phone]
 [Email]

Engineer
 ENGINEERED BY DESIGN, PLLC
 P.O. BOX 15557
 DALLAS, OKLAHOMA 73155
 [Phone]
 [Email]

Subdivision Statistics
 PRIVATE SUBDIVISION CONTAINS EIGHT (8) LOTS IN ONE (1) BLOCK
 GROSS SUBDIVISION AREA: 871,019.9 SF / 20.00 ACRES

Basis of Bearings
 BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (SSM) OKLA. NORTH AMERICAN DATUM (NAD 83) USING THE SOUTHLINE OF THE SEA OF SECTION 29 AS S 88°47'37\"/>

Monumentation
 SET 3/4\"/>

Benchmark
 ON-SITE NGS OPUS SOLUTIONS REPORT (NAD 83)

Address
 ADDRESS SHOWN ON THIS PLAT IS ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESS IS SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.

Floodplain Data
 WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 48143C001A, DATED OCTOBER 16, 2012, WHICH INDICATES THE SUBJECT PROPERTY TO BE WITHIN UNSHADED ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).



Case Number: CBOA-2990

Hearing Date: 08/16/2022 1:30 PM

Case Report Prepared by:

Jay Hoyt

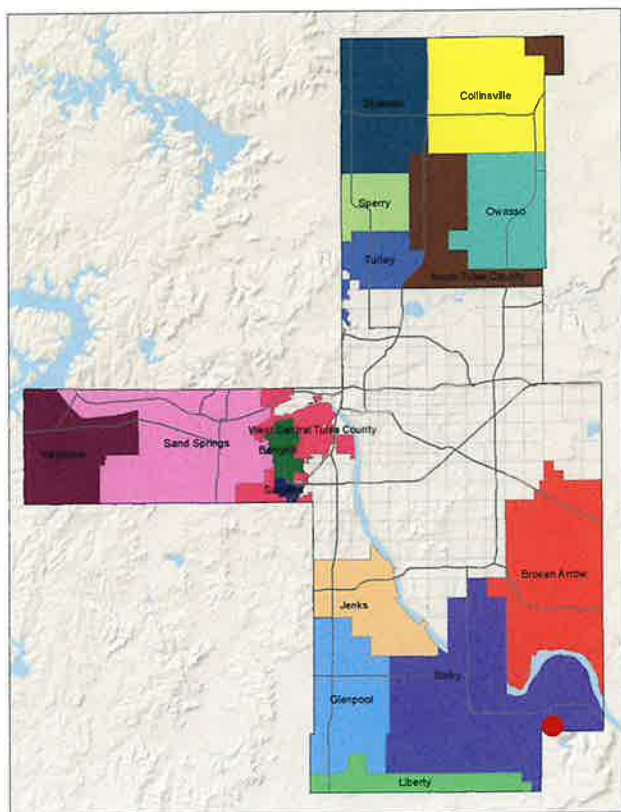
Owner and Applicant Information:

Applicant: Nathan Hardage

Property Owner: HARDAGE, MALCOLM GENE AND

Action Requested: Special Exception to permit a permanent mobile home in an AG district (Sec 310)

Location Map:



Additional Information:

Present Use: Residential

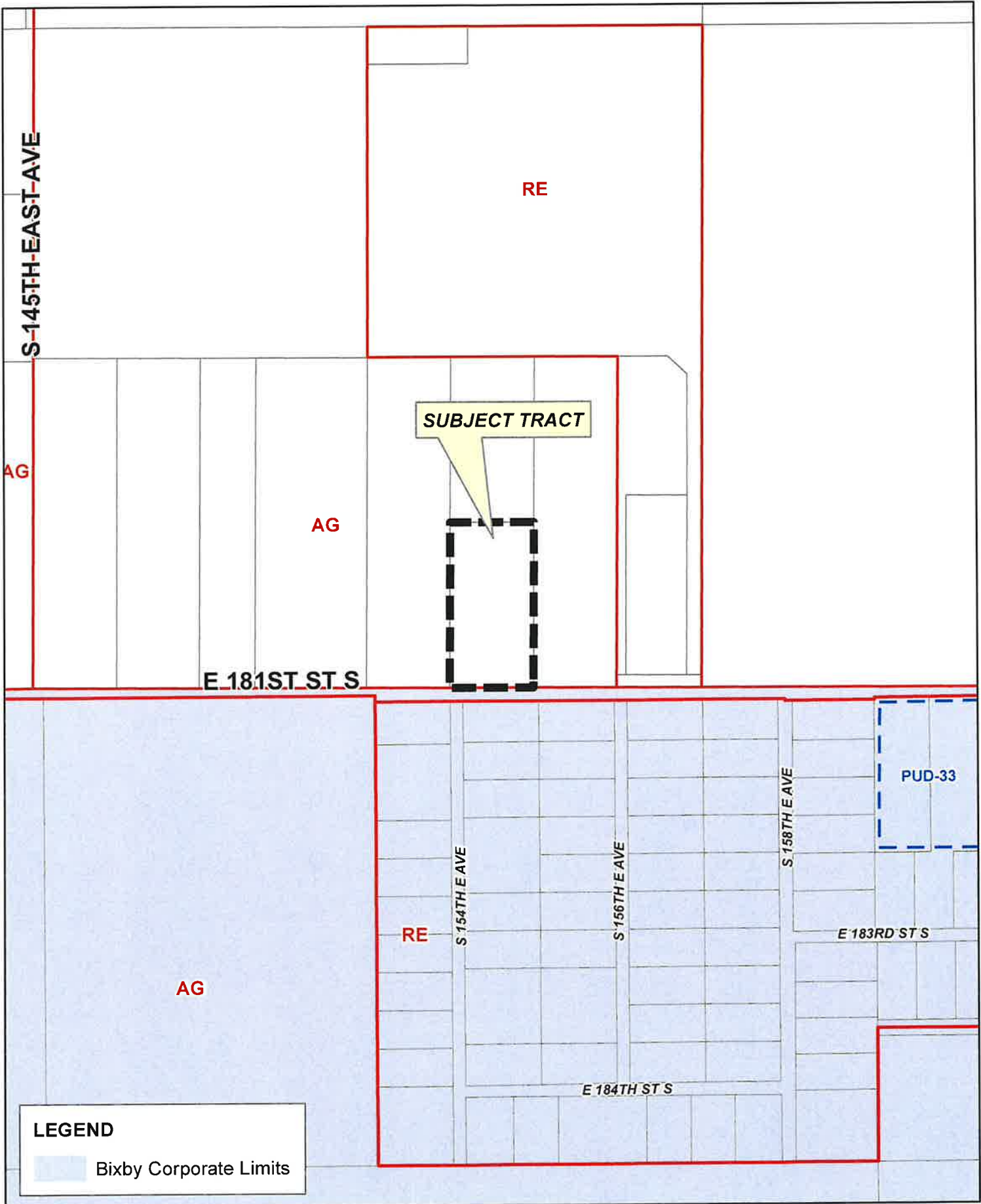
Tract Size: 5.01 acres

Location: 15061 E 181 ST S

Present Zoning: AG

Fenceline/Area: Bixby

Land Use Designation: Rural Agriculture

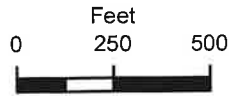


LEGEND

 Bixby Corporate Limits

CBOA-2990

17-14 34



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 7434

CZM: 69

CASE NUMBER: CBOA-2990

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 08/16/2022 1:30 PM

APPLICANT: Nathan Hardage

ACTION REQUESTED: Special Exception to permit a permanent mobile home in an AG district (Sec 310)

LOCATION: 15061 E 181 ST S

ZONED: AG

FENCELINE: Bixby

PRESENT USE: Residential

TRACT SIZE: 5.01 acres

LEGAL DESCRIPTION: PRT E/2 SW BEG 661.55W SECR SW TH W331.53 N657.93 E331.74 S658.21 TO POB SEC 34 17 14 5.010ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and contains a single-family residence. The properties to the north and west are zoned AG and are vacant agricultural land. The property to the east is zoned AG and contains an existing barn structure. The properties to the south are zoned RE and contain single-family residences.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to permit a permanent mobile home in an AG district (Sec 310).

Per the site plan provided by the applicant, the proposed mobile home will be located on the subject lot immediately to the south of the existing home on the property and is intended to be permanently placed on the lot.

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

Sample Motion:

“Move to _____ (approve/deny) a Special Exception to permit a permanent mobile home in an AG district (Sec 310)

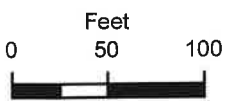
Approved per conceptual plan on page _____ of the agenda packet.

Subject to the following conditions (including time limitation, 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.



E 181ST ST S



 **Subject Tract**

CBOA-2990
17-14 34

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

Aerial Photo Date: 2020/2021



CBOA-2990 8.4



S 145TH EAST AVE

E 181ST ST S

S 164TH AVE

S 166TH AVE

S 188TH AVE

E 183RD ST S

E 184TH ST S



Subject Tract

CBOA-2990

17-14 34

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

Aerial Photo Date: 2020/2021



CBOA-2990 8.5

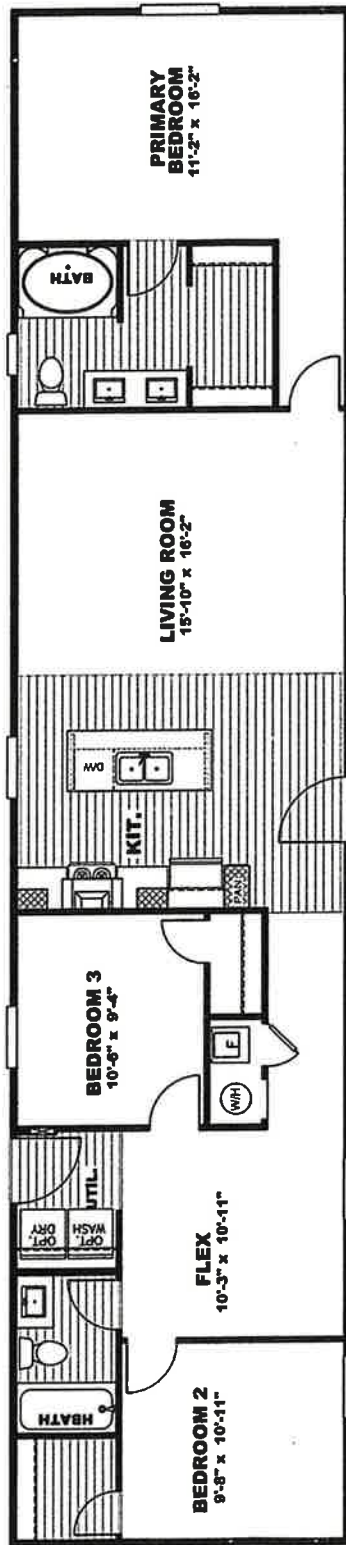


Perime
210 ft
Area
205.7



Best Home, Best Price

We offer a variety of options to make any house your own.



The Balance

HOME FEATURES

Large Primary Bedroom
Spacious Living Room
Large Closets

Energy Smart
Super Wide 18'
Open Concept

1368 Sq/Ft
3 BED/2 BATH
Flex Space

The home series and floor plans shown all have starting prices within the price range indicated. Your local Home Center can quote you specific prices and terms of purchase for specific home. Clayton invests in continuous product and process improvement. All home series, floor plans, specifications, dimensions, features, materials, availability and starting prices are subject to change without notice and are subject to change without notice. Starting prices include the lot only, plus typical delivery and installation. Starting prices do not include other items such as the lot, optional hardware, installation services, woods and waxes, community or homeowners association fees, or any other items not shown on your Retailer Closing Agreement and related documents (your RCA). Your RCA will show the details of your purchase. 2022 Clayton. All rights reserved.



Case Number: CBOA-2991

Hearing Date: 08/16/2022 1:30 PM

Case Report Prepared by:

Jay Hoyt

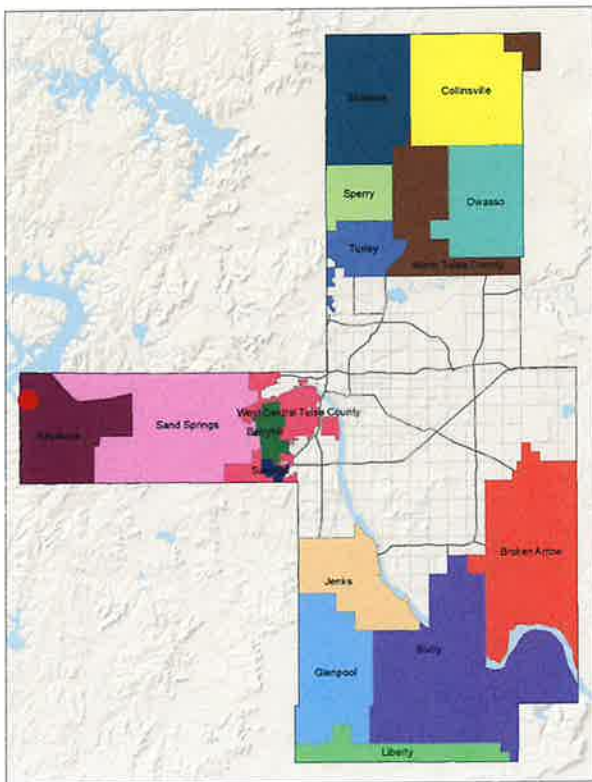
Owner and Applicant Information:

Applicant: John Watkins

Property Owner: WATKINS, JOHN P

Action Requested: Variance to permit a detached accessory building in the RS district to be greater than 750 sf of floor area (Section 240.2.E)

Location Map:



Additional Information:

Present Use: Residential

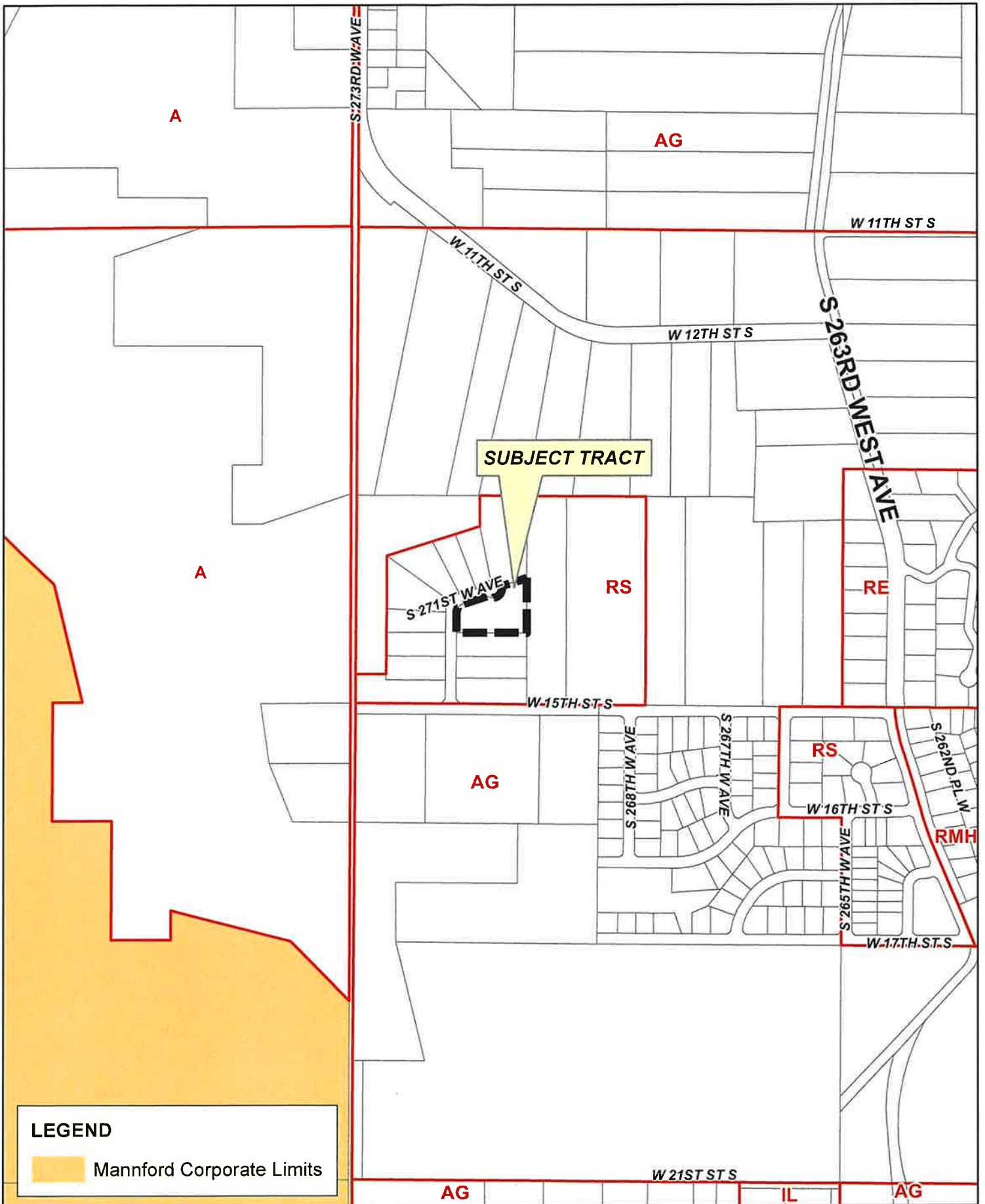
Tract Size: 1.96 acres

Location: 1341 S 271 AV W

Present Zoning: RS

Fenceline/Area: Keystone

Land Use Designation: Residential



LEGEND

 Mannford Corporate Limits

CBOA-2991

19-10 07



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9007

CZM: 32

CASE NUMBER: CBOA-2991

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 08/16/2022 1:30 PM

APPLICANT: John Watkins

ACTION REQUESTED: Variance to permit a detached accessory building in the RS district to be greater than 750 sf of floor area (Section 240.2.E)

LOCATION: 1341 S 271 AV W

ZONED: RS

FENCELINE: Keystone

PRESENT USE: Residential

TRACT SIZE: 1.96 acres

LEGAL DESCRIPTION: LT 10 BLK 1, BLACKJACK COVE ESTATES Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Property: None Relevant

Surrounding Property:

CBOA-2377 May 2017: The Board approved a variance of the maximum permitted floor area for a detached accessory building in an RS district from 750 sf to 1,020 sf (Section 240.2.E)

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and contains a single-family residence. The lots to the north, south, east and west are zoned RS and contain single-family residences.

STAFF COMMENTS:

The applicant is before the Board to request a Variance to permit a detached accessory building in the RS district to be greater than 750 sf of floor area (Section 240.2.E).

Per the site plan provided by the applicant, they intend to build a 30 ft x 40 ft pole barn (1,200 sf) on the subject lot. There currently exists another accessory building on the site, a portable boat shelter measuring 12 ft x 30 ft (360 sf).

The applicant provided that statement that reason they are seeking the Variance is they "Want to build a bigger pole barn."

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

Sample Motion:

"Move to _____ (approve/deny) a Variance to permit a detached accessory building in the RS district to be greater than 750 sf of floor area (Section 240.2.E).

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

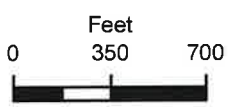
Subject to the following conditions, if any: _____.

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.



SUBJECT TRACT



 Subject Tract

CBOA-2991

19-10 07

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

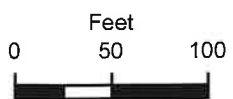
Aerial Photo Date: 2021

CBOA-2991 9.5





S 271ST W AVE



Subject Tract

CBOA-2991

19-10 07

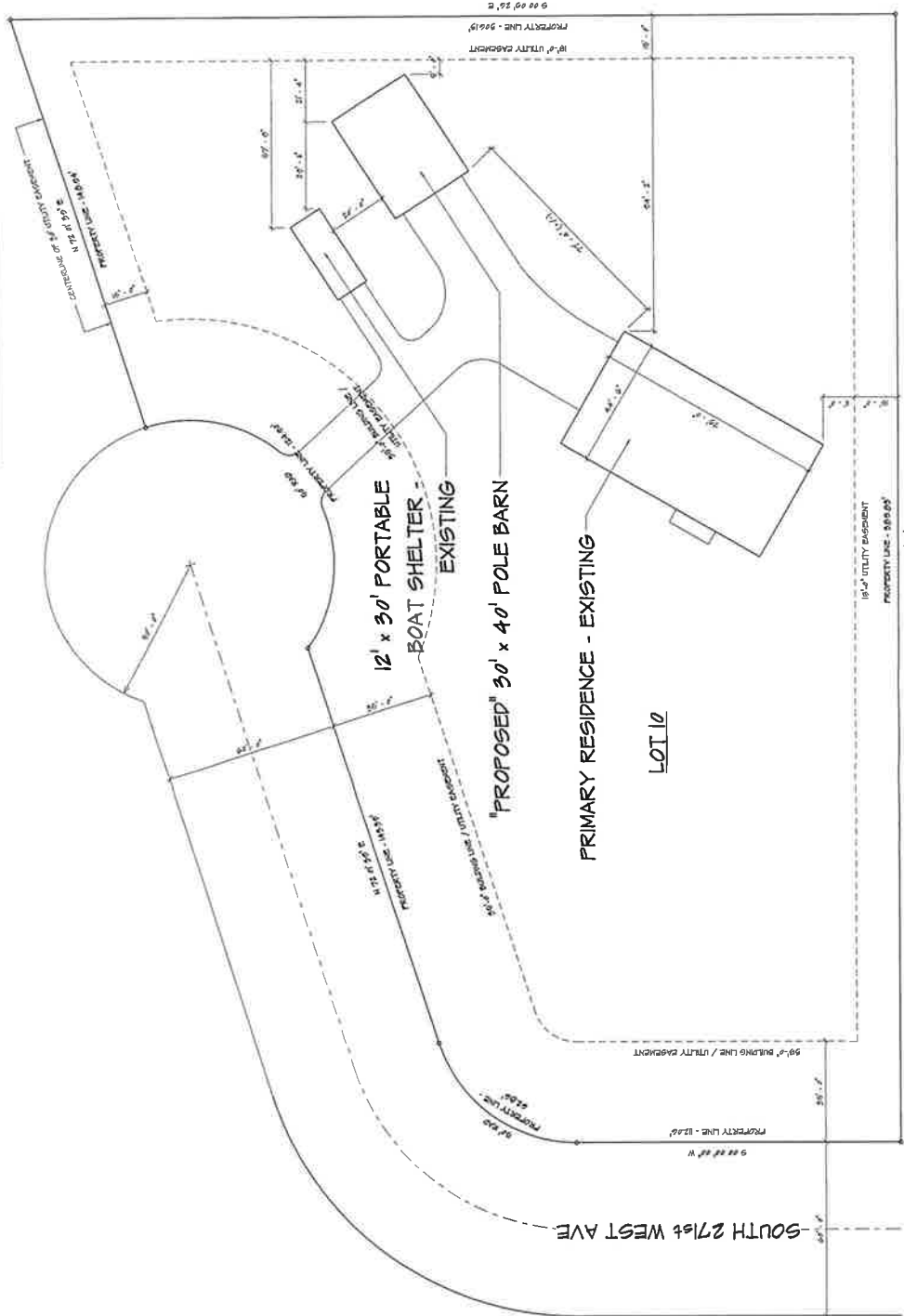
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021

CBOA-2991 9.6



LEGAL DESCRIPTION
 BLACKJACK COVE ESTATES - LOT 10 IS A TRACT OF LAND BEING A SUBDIVISION OF PART OF THE 2 1/2 OF THE NW/4 OF SECTION 7, T30N, R14E, T30S, OKLAHOMA COUNTY, OKLAHOMA, ALSO KNOWN AS: 1341 S 27th W. AVE., SAND SPRINGS, OKLAHOMA 74465



① SITE PLAN
 1" = 25'-0"
 MAGNETIC

DATE: JANUARY 2022
 WATKINS SITE PLAN
 AS-101

OVERALL SITE PLAN
 JOHN P. WATKINS SITE PLAN
 1341 South 27th West Avenue, Sand Springs, Oklahoma 74063



Case Number: CBOA-2992

Hearing Date: 08/16/2022 1:30 PM

Case Report Prepared by:

Jay Hoyt

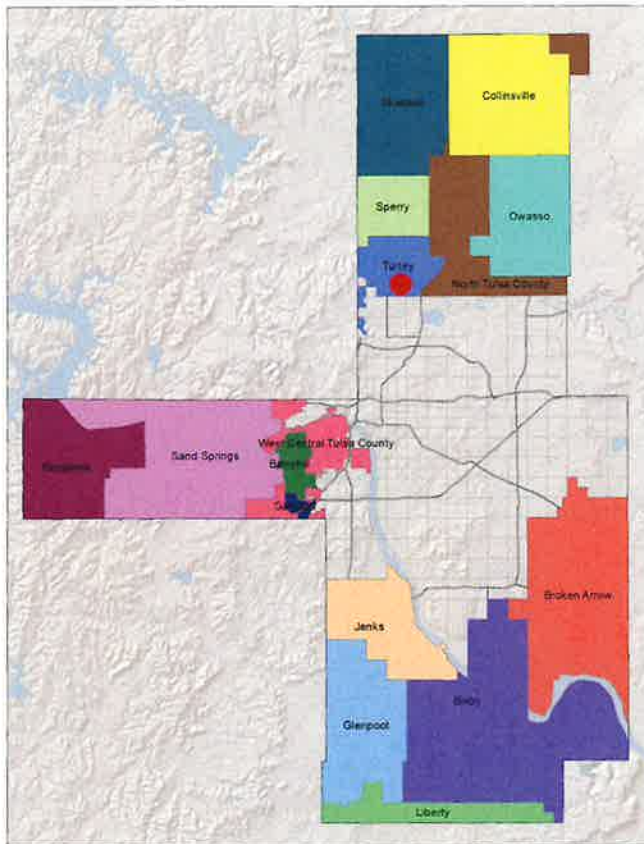
Owner and Applicant Information:

Applicant: Liliana Garcia

Property Owner: ESPINOSA, JOSE LUIS ESPINOSA & LILIANA

Action Requested: Variance to reduce the required side yard in the RMH District from 5-feet to 2-feet (Sec. 430.2.A)

Location Map:



Additional Information:

Present Use: Residential

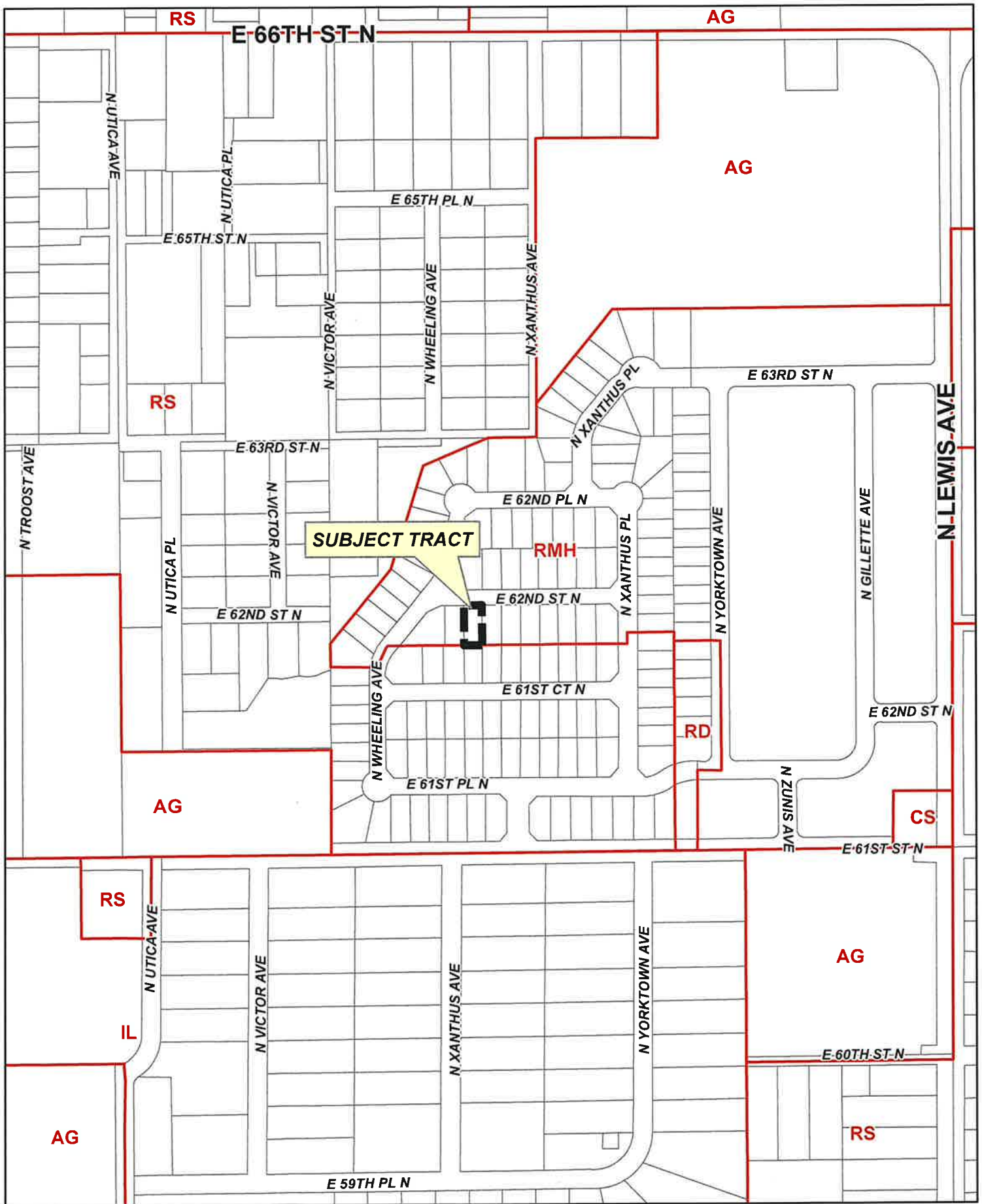
Tract Size: 0.17 acres

Location: 1910 E 62 ST N

Present Zoning: RMH

Fenceline/Area: Turley

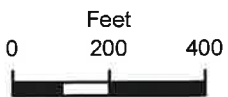
Land Use Designation: Rural Residential/Agricultural



SUBJECT TRACT

CBOA-2992

20-13 06



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 0306

CZM: 22

CASE NUMBER: CBOA-2992

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 08/16/2022 1:30 PM

APPLICANT: Liliana Garcia

ACTION REQUESTED: Variance to reduce the required side yard in the RMH District from 5-feet to 2-feet (Sec. 430.2.A)

LOCATION: 1910 E 62 ST N

ZONED: RMH

FENCELINE: Turley

PRESENT USE: Residential

TRACT SIZE: 0.17 acres

LEGAL DESCRIPTION: LT 8 BLK 5, SCOTTSDALE ADDN Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RMH and is utilized for a single-family residence. The lots to the north, east and west are zoned RMH and contain single-family residences. The lots to the south are zoned RS and contain single-family residences.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance to reduce the required side yard in the RMH District from 5-feet to 2-feet (Sec. 430.2.A).

According to the applicant, a mobile home was placed on the property, but was placed so that it encroached 3 feet into the required side yard setback. The applicant is seeking to reduce the side yard to 2 feet in order to bring the mobile home into compliance.

The applicant provided the statement "Didn't know at the time we needed permits. Mobile home was parked by a company and we can't move the trailer again, so we added additional space towards the west side."

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

Sample Motion:

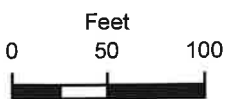
"Move to _____ (approve/deny) a Variance to reduce the required side yard in the RMH District from 5-feet to 2-feet (Sec. 430.2.A).

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

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.



 Subject Tract

CBOA-2992

20-13 06

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

Aerial Photo Date: 2020/2021



CBOA-2992 10.5



E 66TH ST N

N UTICA AVE

N UTICA PL

E 65TH PL N

E 65TH ST N

N VICTOR AVE

N WHEELING AVE

N XANTHUS AVE

E 63RD ST N

E 63RD ST N

N VICTOR AVE

E 62ND PL N

N XANTHUS PL

N LEWIS AVE

N UTICA PL

E 62ND ST N

E 62ND ST N

N XANTHUS PL

N YORKTOWN AVE

N GILLETTE AVE

E 62ND ST N

N WHEELING AVE

E 61ST CT N

E 61ST PL N

N ZUNIS AVE

E 61ST ST N

N UTICA AVE

N VICTOR AVE

N XANTHUS AVE

N YORKTOWN AVE

E 60TH ST N

E 59TH PL N



Subject Tract

CBOA-2992

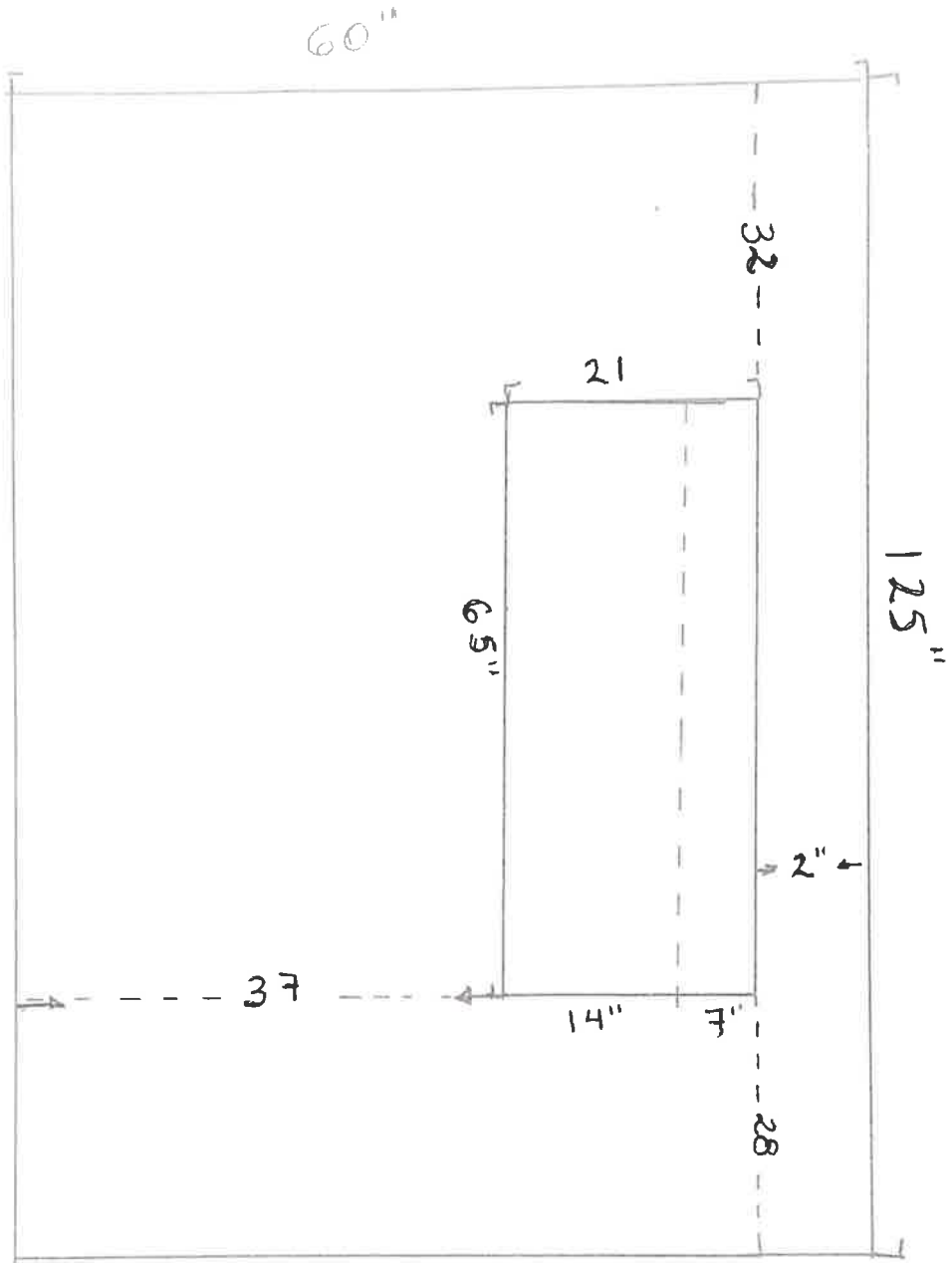
20-13 06

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

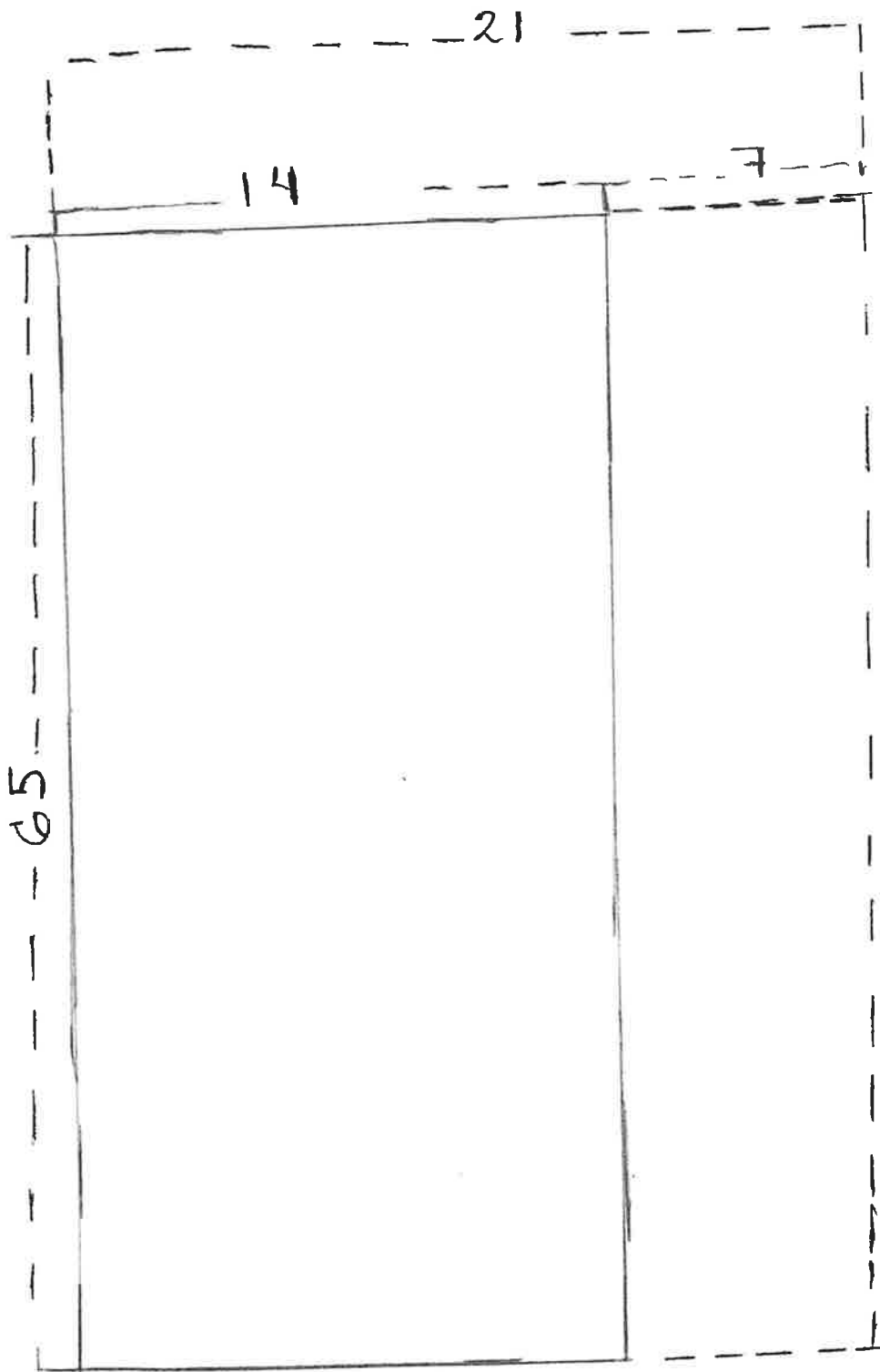
Aerial Photo Date: 2020/2021

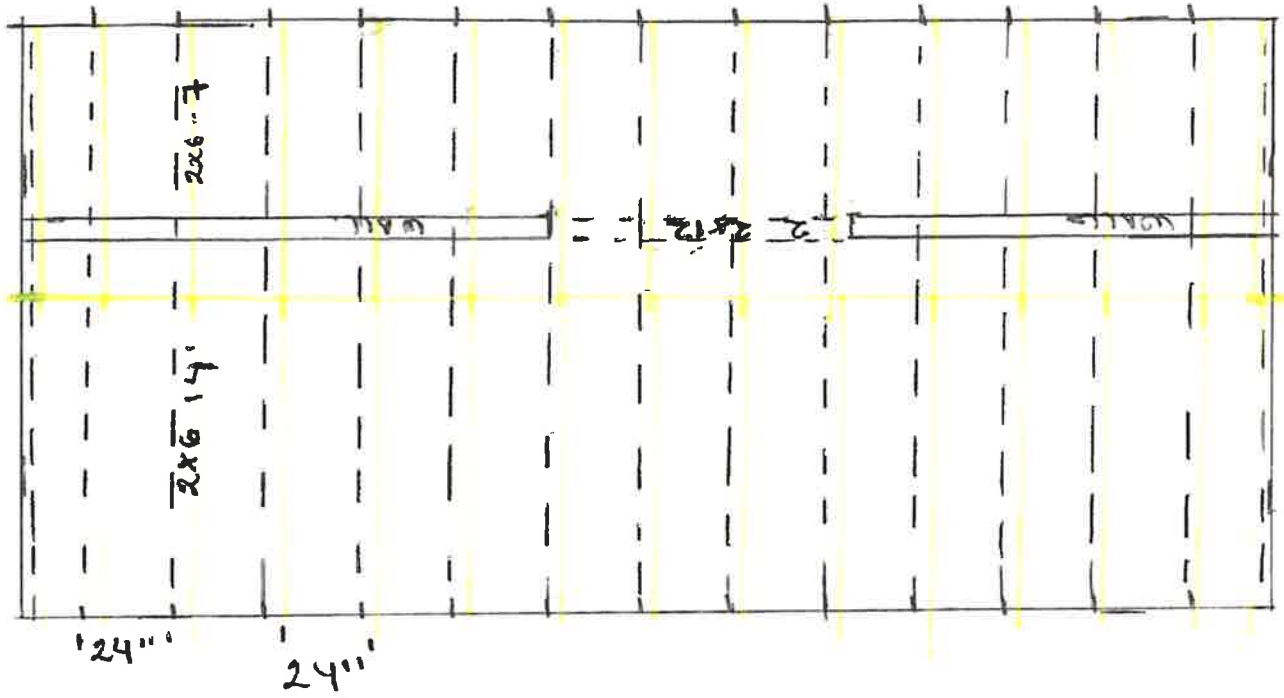


CBOA-2992 10.6

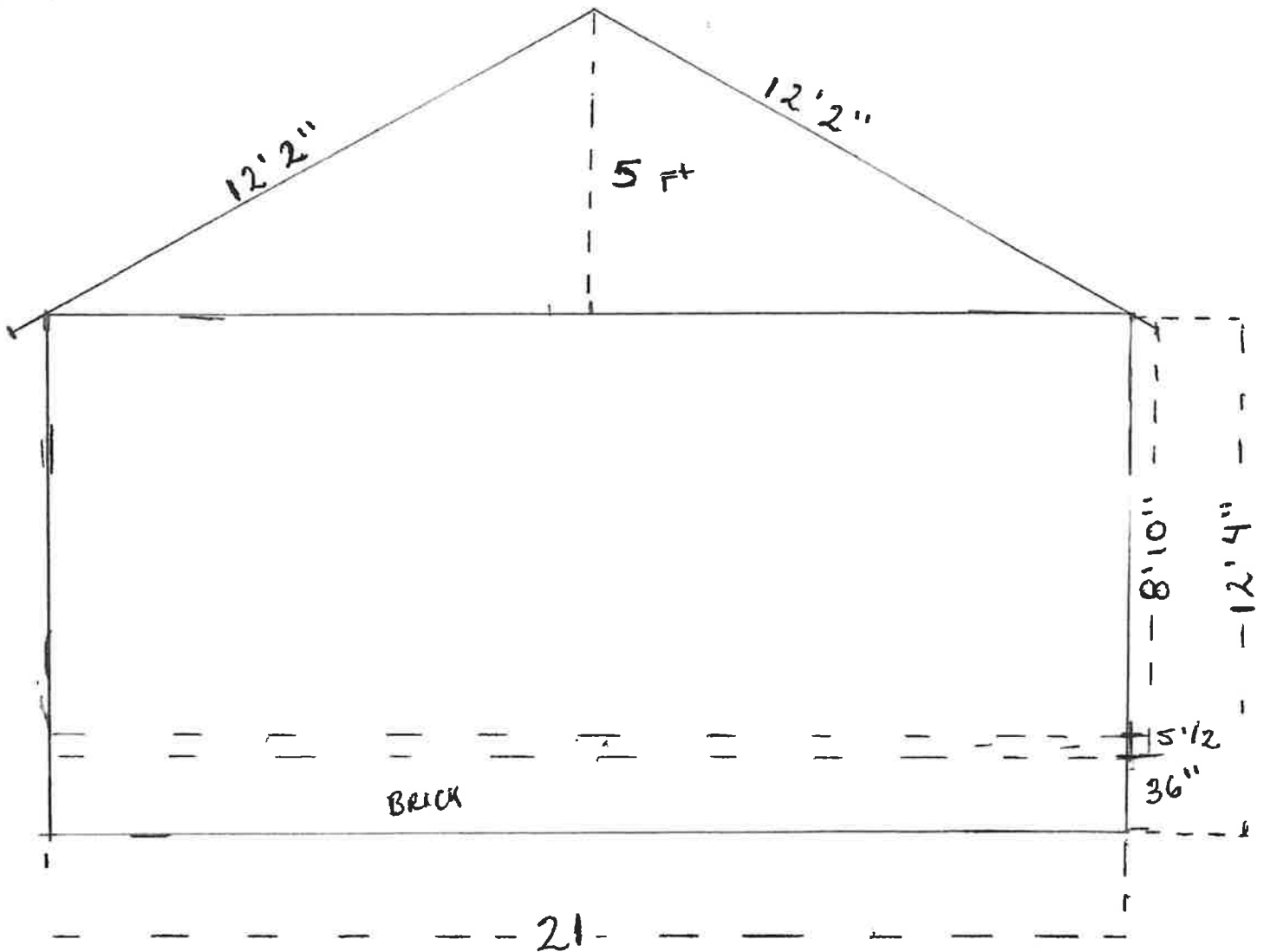


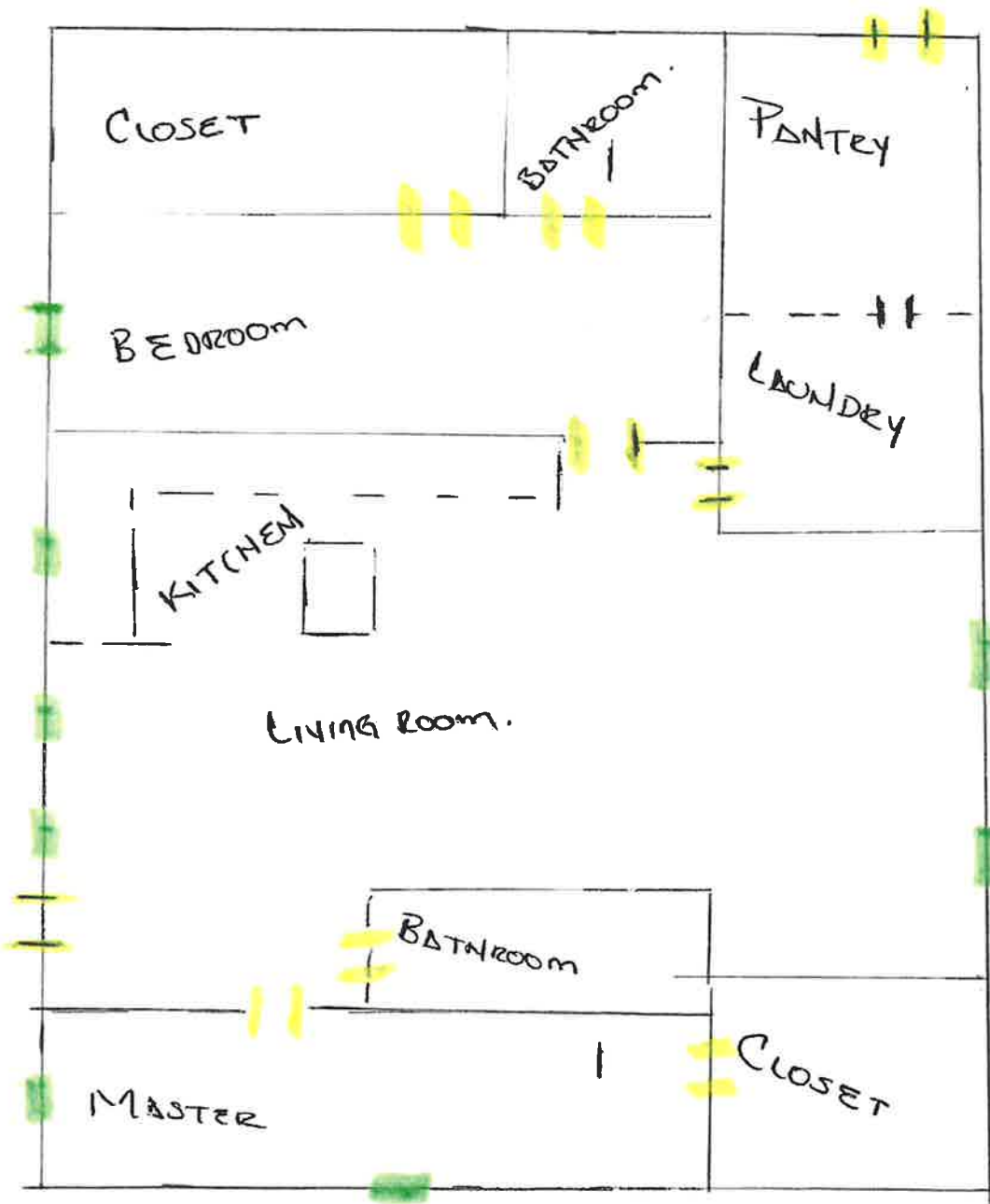
62 NO







RAFTER





 DOORS
 WINDOWS



Board of Adjustment

Case Number: CBOA-2993

Hearing Date: 08/16/2022 1:30 PM

Case Report Prepared by:

Jay Hoyt

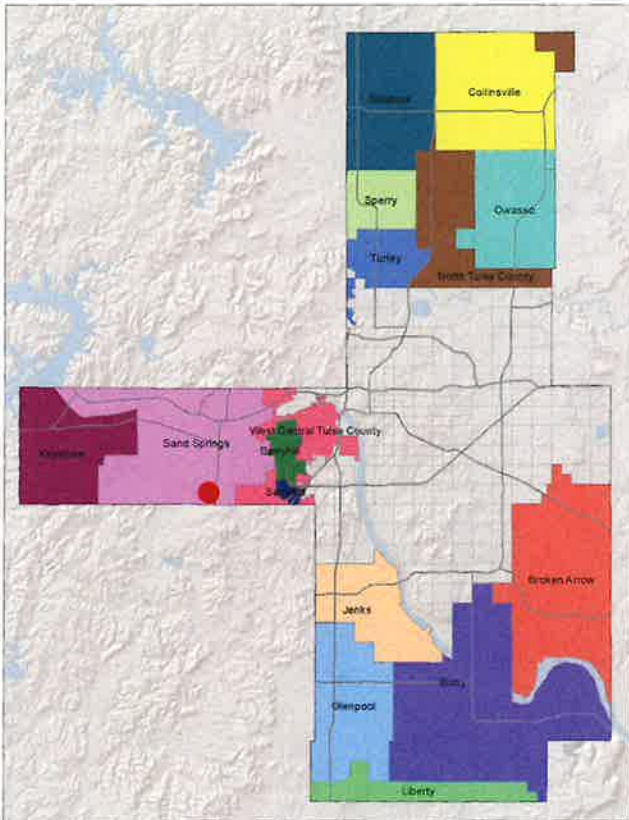
Owner and Applicant Information:

Applicant: Kevin White

Property Owner: CANADY TRAILERS LLC

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

Location Map:



Additional Information:

Present Use: Vacant

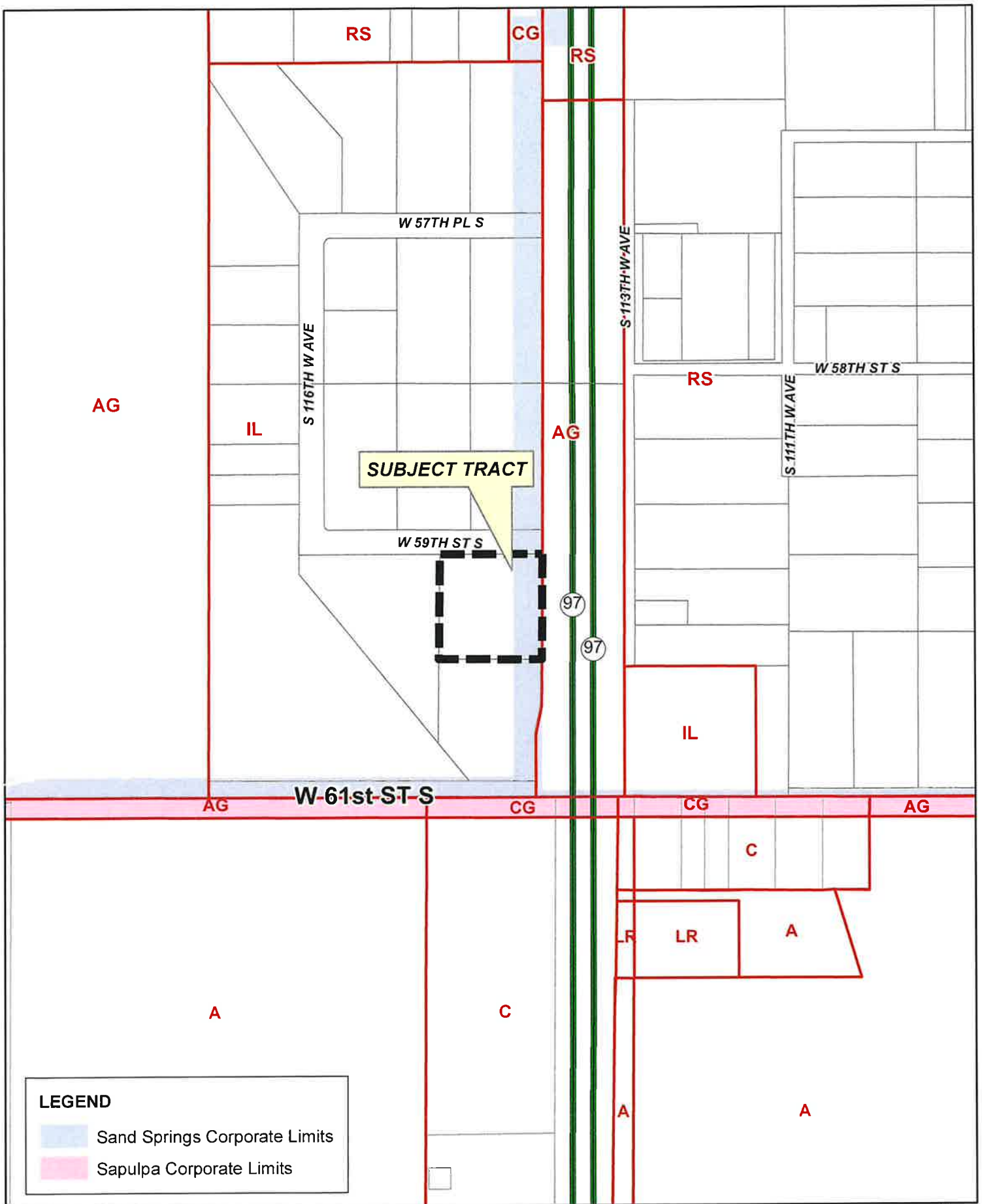
Tract Size: 2.52 acres

Location: 11418 W 59 ST S

Present Zoning: IL

Fenceline/Area: Sand Springs

**Land Use Designation:
Industrial/Regional Employment**

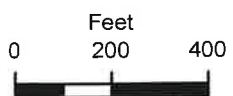


LEGEND

- Sand Springs Corporate Limits
- Sapulpa Corporate Limits

CBOA-2993

19-11 34



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9134

CZM: 44

CASE NUMBER: CBOA-2993

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 08/16/2022 1:30 PM

APPLICANT: Kevin White

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

LOCATION: 11418 W 59 ST S

ZONED: IL

FENCELINE: Sand Springs

PRESENT USE: Vacant

TRACT SIZE: 2.52 acres

LEGAL DESCRIPTION: LT 2 BLK 1, PRATTVILLE INDUSTRIAL PARK SOUTH Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Property: None Relevant

Surrounding Property:

CBOA-2859 December 2020: The Board approved a Variance from the all-weather surface requirement (Section 1340.D) for the lot immediately to the south of the subject lot.

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned IL and is currently vacant. The properties to the north, south and west are zoned IL and contain self-storage, industrial and other commercial uses. State Highway 97 lies immediately to the east and is zoned AG.

STAFF COMMENTS:

The applicant is before the Board to request a Variance from the all-weather parking surface requirement (Section 1340.D).

The Tulsa County Zoning Code requires all parking surfaces be paved with an all-weather surface so as to maintain a minimum level of aesthetics but more importantly to control air-borne particulates like dust and to control the tracking of dirt and mud onto public streets. The applicant has requested a variance to permit a gravel parking area.

The applicant provided the statement that they "Need road for storage on property." Referring to the need for gravel drives to permit storage on the property.

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 and non-injurious to the surrounding area.

Sample Motion:

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

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

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.



W 57TH PL S

S 116TH W AVE

W 59TH ST S

W 61st ST S

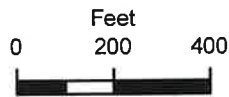
S 113TH W AVE

S 114TH W AVE

W 58TH ST S

97

97



 Subject Tract

CBOA-2993

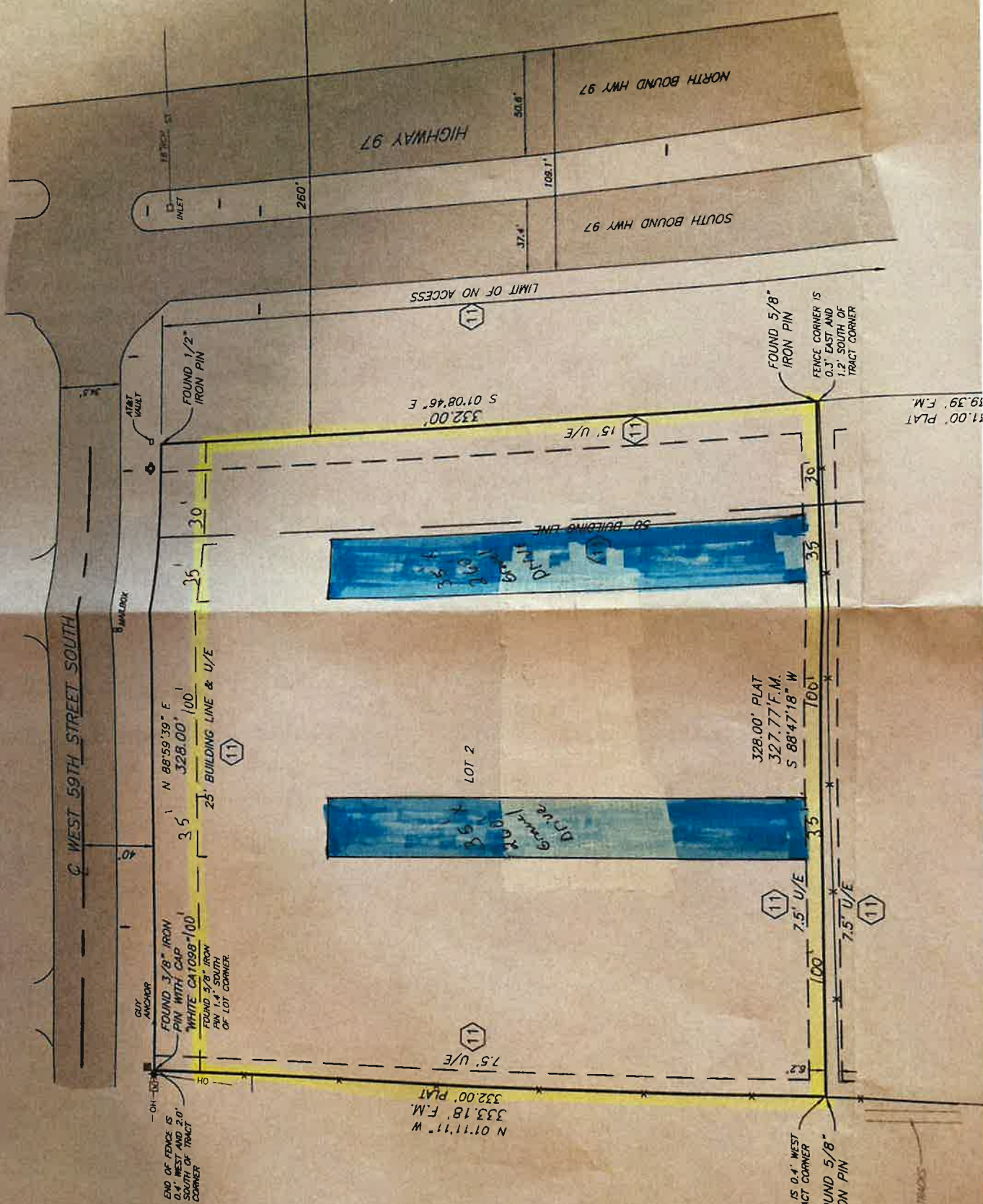
19-11 34

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

Aerial Photo Date: 2020/2021

CBOA-2993 11.5





6 ft Chain link Fence
 Gravel Drive



Board of Adjustment

Case Number: CBOA-2994

Hearing Date: 08/16/2022 1:30 PM

Case Report Prepared by:

Jay Hoyt

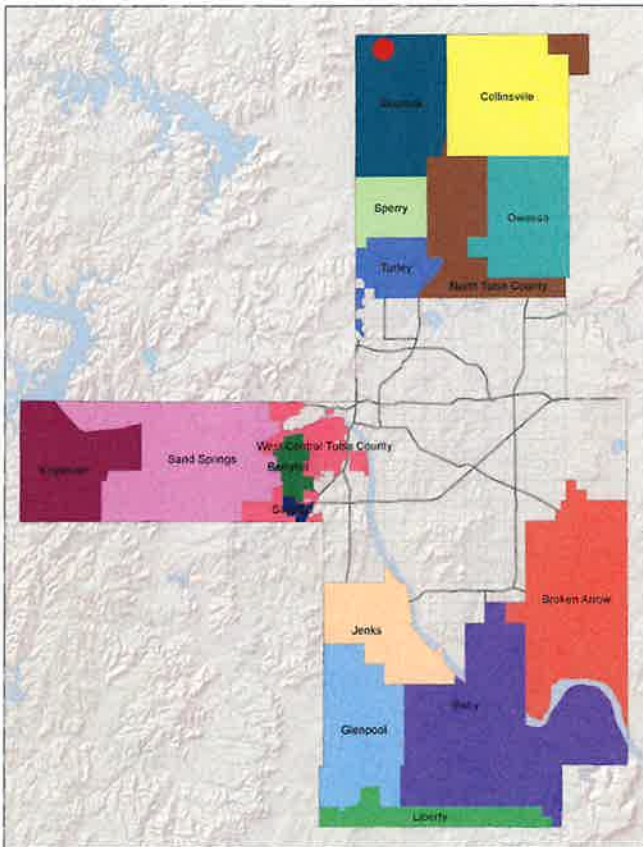
Owner and Applicant Information:

Applicant: Alissa Browning

Property Owner: MANGOLD, BILLY J

Action Requested: Variance of the minimum lot area and land area required in an AG district to permit a lot split (Sec 330)

Location Map:



Additional Information:

Present Use: Residential

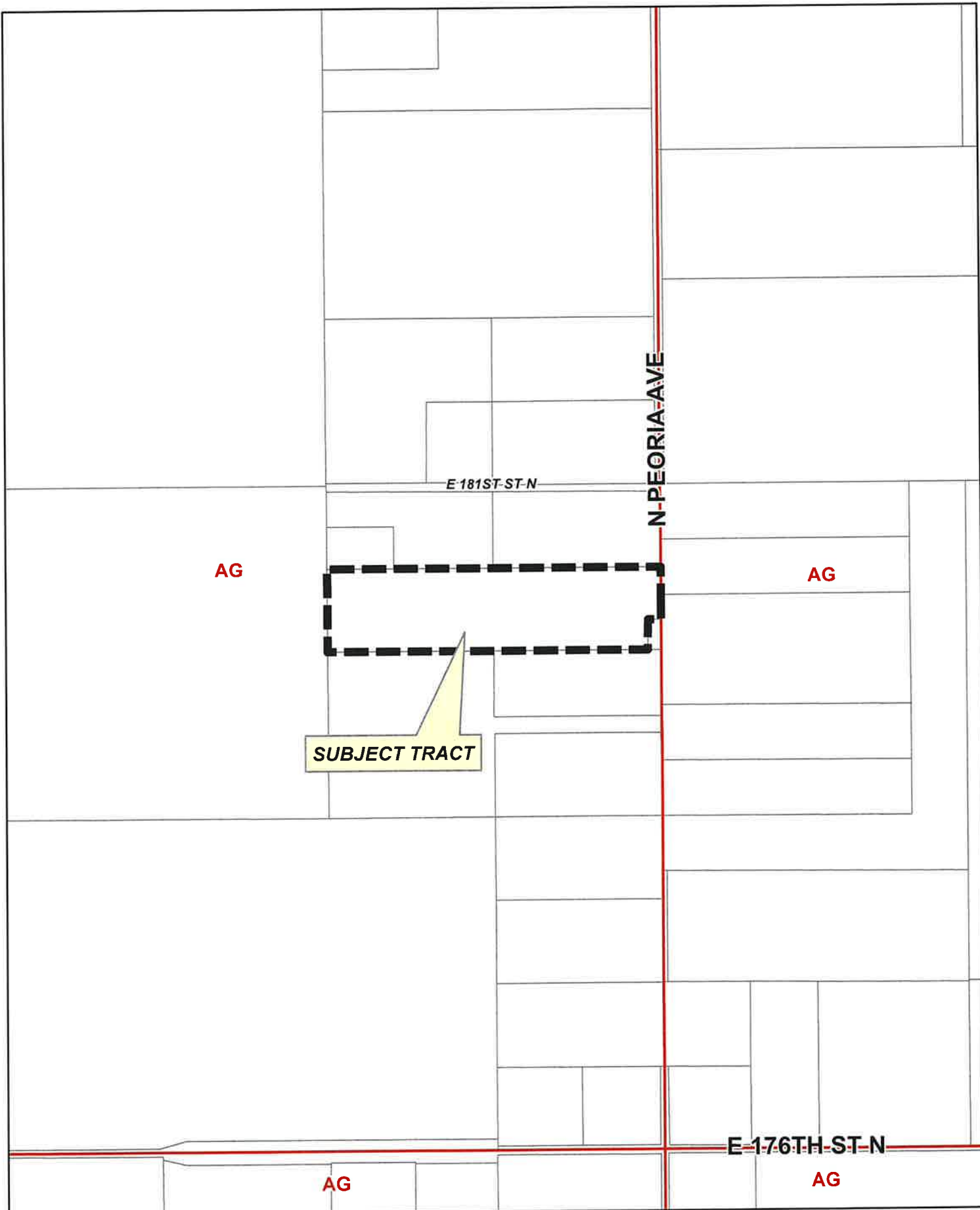
Tract Size: 9.87 acres

Location: 17950 N PEORIA AV E

Present Zoning: AG

Fenceline/Area: Skiatook

Land Use Designation: Rural Residential



AG

AG

SUBJECT TRACT

E 181ST ST N

N PEORIA AVE

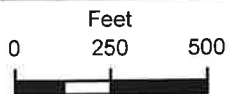
E 176TH ST N

AG

AG

CBOA-2994

22-12 01



CBOA-2994 12.2

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 2201

CZM: 1

CASE NUMBER: CBOA-2994

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 08/16/2022 1:30 PM

APPLICANT: Alissa Browning

ACTION REQUESTED: Variance of the minimum lot area and land area required in an AG district to permit a lot split (Sec 330)

LOCATION: 17950 N PEORIA AV E

ZONED: AG

FENCELINE: Skiatook

PRESENT USE: Residential

TRACT SIZE: 9.87 acres

LEGAL DESCRIPTION: S/2 NE NE SE & S/2 NW NE SE LESS BEG SECR S/2 NE NE SE TH W50 N120 E50 S120 POB SEC 1 22 12 9.87ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and contains a single-family residence and associated accessory buildings. The lots to the north, south, east and west are zoned AG and contain single-family residences and agricultural land.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance of the minimum lot area and land area required in an AG district to permit a lot split (Sec 330).

Per the plan provided by the applicant, they intend to split off a portion of the subject lot in the northeast corner with an approximate area of 0.59 acres in order to place a single-family home on the proposed lot. This would leave the parent tract with approximately 9.38 acres in area.

The applicant provided the statement "This is the only usable piece of land we can purchase and the only size acreage we can afford currently."

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

Sample Motion:

"Move to _____ (approve/deny) a Variance of the minimum lot area and land area required in an AG district to permit a lot split (Sec 330).

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

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

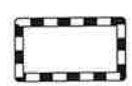
Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not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



N PEORIA AVE

E 181ST ST N

E 176TH ST N



Subject Tract

CBOA-2994

22-12 01

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

Aerial Photo Date: 2020/2021

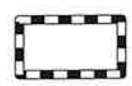
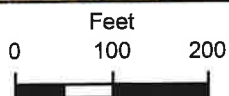


CBOA-2994 12.5



E 181ST ST N

N PEORIA AVE



Subject Tract

CBOA-2994

22-12 01

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

Aerial Photo Date: 2020/2021



CBOA-2994 12.6

SURVEYOR'S CERTIFICATION
 I, A.B. WATSON, JR., A DULY REGISTERED LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT THE ACCOMPANYING PLAN IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY MADE ON THE GROUND, UNDER MY SUPERVISION, TO THE BEST OF MY KNOWLEDGE AND ABILITY.

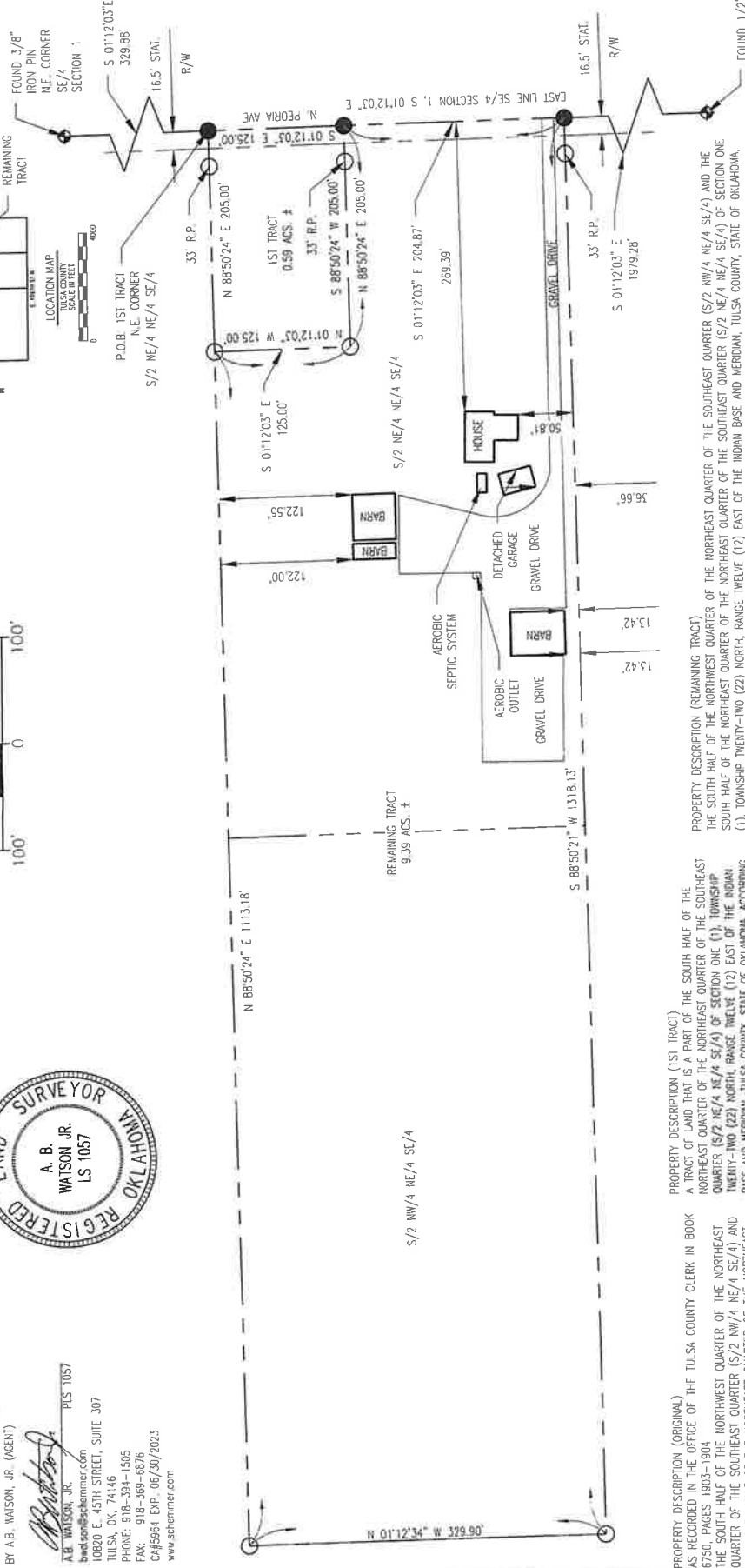
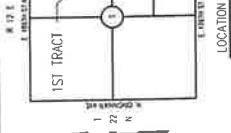
WITNESS MY HAND AND SEAL THIS 9TH DAY OF JUNE, 2022

THE SCHEMMER ASSOCIATES INC.
 BY A.B. WATSON, JR. (AGENT)

A.B. Watson, Jr.
 A.B. WATSON, JR. PLS 1057
 bsellon@schemmer.com
 10820 E. 45TH STREET, SUITE 307
 TULSA, OK. 74146
 PHONE: 918-394-1505
 FAX: 918-369-6876
 CA5964 Exp. 06/30/2023
 www.schemmer.com



GRAPHIC SCALE IN FEET



PROPERTY DESCRIPTION (ORIGINAL)
 AS RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK IN BOOK 6750, PAGES 1903-1904
 THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (S/2 NW/4 NE/4 SE/4) AND THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (S/2 SW/4 NE/4 SE/4) OF SECTION ONE (1), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES SURVEY THEREOF.

LEGEND
 ○ - SET 3/8" IRON PIN W/YELLOW CAP STAMPED "CA-5964"
 ● - SET MAG NAIL W/FLASHER STAMPED "CA-5964"
 ⊕ - SECTION CORNER (AS NOTED)
 ○ - POINT OF BEGINNING
 ● - REFERENCE POINT
 ⊕ - STATUTORY
 R/W - RIGHT-OF-WAY

PROPERTY DESCRIPTION (1ST TRACT)
 A TRACT OF LAND THAT IS A PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION ONE (1), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
 BEGINNING AT THE NORTHEAST CORNER OF SAID S/2 NE/4 NE/4 SE/4; THENCE S 01°12'03" E ALONG THE EAST LINE OF SAID S/2 NE/4 NE/4 SE/4 A DISTANCE OF 125.00 FEET; THENCE S 88°50'24" W AND PARALLEL WITH THE NORTH LINE OF SAID S/2 NE/4 NE/4 SE/4 A DISTANCE OF 205.00 FEET; THENCE N 01°12'03" W AND PARALLEL WITH THE EAST LINE OF SAID S/2 NE/4 NE/4 SE/4 A DISTANCE OF 125.00 FEET TO A POINT ON THE NORTH LINE OF SAID S/2 NE/4 NE/4 SE/4; THENCE N 88°50'24" E ALONG SAID NORTH LINE OF SAID S/2 NE/4 NE/4 SE/4 A DISTANCE OF 205.00 FEET TO THE POINT OF BEGINNING.
 SAID TRACT IS SUBJECT TO ANY EASEMENT AND/OR RIGHT-OF-WAYS OF RECORD.

PROPERTY DESCRIPTION (REMAINING TRACT)
 THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION ONE (1), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES SURVEY THEREOF.
LESS AND EXCEPT
 A TRACT OF LAND THAT IS A PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION ONE (1), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
 BEGINNING AT THE NORTHEAST CORNER OF SAID S/2 NE/4 NE/4 SE/4; THENCE S 01°12'03" E ALONG THE EAST LINE OF SAID S/2 NE/4 NE/4 SE/4 A DISTANCE OF 125.00 FEET; THENCE S 88°50'24" W AND PARALLEL WITH THE NORTH LINE OF SAID S/2 NE/4 NE/4 SE/4 A DISTANCE OF 205.00 FEET; THENCE N 01°12'03" W AND PARALLEL WITH THE EAST LINE OF SAID S/2 NE/4 NE/4 SE/4 A DISTANCE OF 125.00 FEET TO A POINT ON THE NORTH LINE OF SAID S/2 NE/4 NE/4 SE/4; THENCE N 88°50'24" E ALONG SAID NORTH LINE OF SAID S/2 NE/4 NE/4 SE/4 A DISTANCE OF 205.00 FEET TO THE POINT OF BEGINNING.

PROPERTY DESCRIPTION (REMAINING TRACT)
 THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION ONE (1), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES SURVEY THEREOF.
LESS AND EXCEPT
 A TRACT OF LAND THAT IS A PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION ONE (1), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
 BEGINNING AT THE NORTHEAST CORNER OF SAID S/2 NE/4 NE/4 SE/4; THENCE S 01°12'03" E ALONG THE EAST LINE OF SAID S/2 NE/4 NE/4 SE/4 A DISTANCE OF 125.00 FEET; THENCE S 88°50'24" W AND PARALLEL WITH THE NORTH LINE OF SAID S/2 NE/4 NE/4 SE/4 A DISTANCE OF 205.00 FEET; THENCE N 01°12'03" W AND PARALLEL WITH THE EAST LINE OF SAID S/2 NE/4 NE/4 SE/4 A DISTANCE OF 125.00 FEET TO A POINT ON THE NORTH LINE OF SAID S/2 NE/4 NE/4 SE/4; THENCE N 88°50'24" E ALONG SAID NORTH LINE OF SAID S/2 NE/4 NE/4 SE/4 A DISTANCE OF 205.00 FEET TO THE POINT OF BEGINNING.

DATE	10/11/2022
BY	A.B. WATSON, JR.
CHECKED	AWM
DESIGNED	AWM



Board of Adjustment

Case Number: CBOA-2995

Hearing Date: 08/16/2022 1:30 PM

Case Report Prepared by:

Jay Hoyt

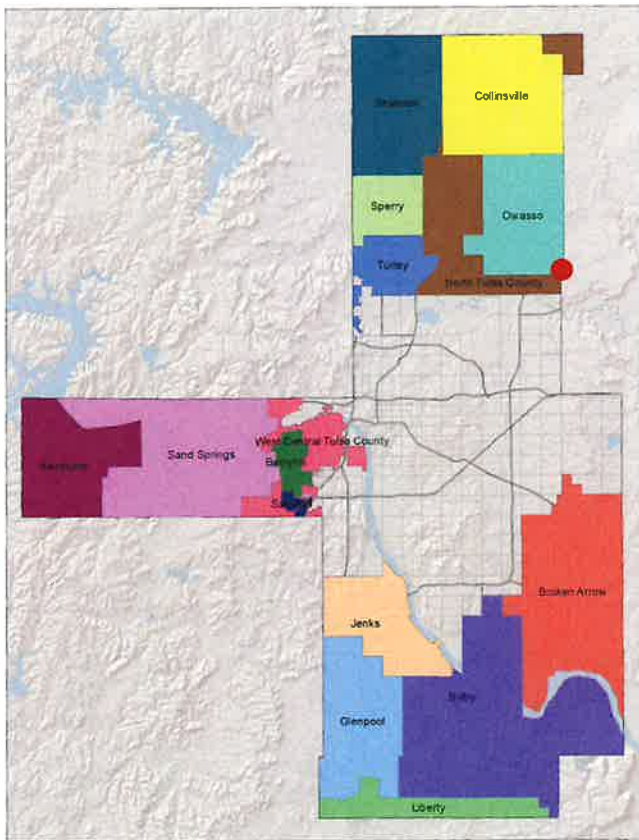
Owner and Applicant Information:

Applicant: Joseph Farris

Property Owner: ANCHOR STONE CO

Action Requested: Special Exception to permit Use Unit 24, Mining and Mineral Processing, for the continued use of a mining and mineral processing business (Section 1224) in an AG district (Sec. 310, Table 1).

Location Map:



Additional Information:

Present Use: Agricultural/ Residential

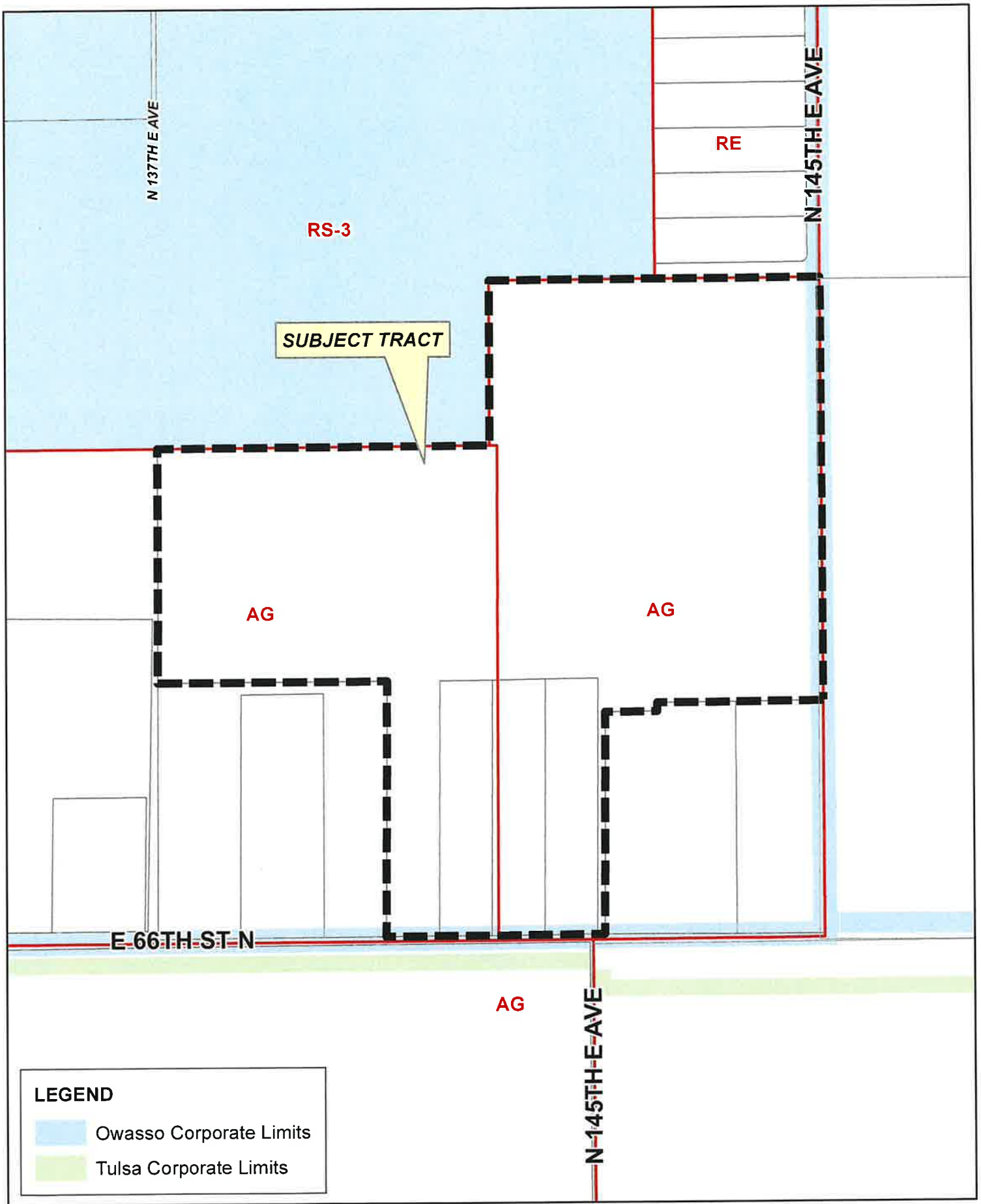
Tract Size: 51.93 acres

Location: NW/c of North 145th E. Ave. and E. 66th Street North

Present Zoning: AG

Fenceline/Area: Owasso

Land Use Designation: Residential



CBOA-2995

21-14 33



**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1433
CZM: 24, 18

CASE NUMBER: CBOA-2995
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 08/16/2022 1:30 PM

APPLICANT: Joseph Farris

ACTION REQUESTED: Special Exception to permit Use Unit 24, Mining and Mineral Processing, for the continued use of a mining and mineral processing business (Section 1224) in an AG district (Sec. 310, Table 1).

LOCATION: NW/c of North 145th E. Ave. and E. 66th Street North **ZONED:** AG

FENCELINE: Owasso

PRESENT USE: Agricultural/ Residential

TRACT SIZE: +/- 51.93 acres

LEGAL DESCRIPTION: A tract of land in the Southeast Quarter (SE/4) of Section Thirty-three (33), Township Twenty- one (21) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows: commencing at the Southeast corner of said Southeast Quarter; thence S 89°54'45"W along the South line of said Southeast Quarter a distance of 1,108.07 feet to the point of beginning; Thence continuing S 89°54'45"W a distance of 210.00 feet; thence N 0°02'05" E a distance of 1,039.97 feet; Thence N 89°55'00"E a distance of 210 feet; Thence S 0°02'05"E a distance of 1,039.93 feet to the point of beginning.

AND

A tract of land in the Southeast Quarter (SE/4) of Section Thirty-three (33), Township Twenty- one (21) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, being more particularly described as follows: Commencing at the Southeast corner of said SE/4; Thence S 89°54'45" W along the South line of said SE/4 a distance of 1,318.07 feet to the point of beginning; Thence continuing S 89°54'45" W a distance of 210.00 feet; Thence N 0°02'05" E a distance of 1,039.98 feet; Thence N 89°55'00" E a distance of 210.00 feet; Thence S 0°02'05" E a distance of 1,039.97 feet to the Point of Beginning.

AND

A tract of land in the Southeast Quarter (SE/4) of Section 33, Township 21 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows: Commencing at the Southeast corner of said SE/4; thence S 89°54'45" W along the South line of said SE/4 a distance of 898.07 feet to the point of beginning; thence S 89°54'45" W a distance of 210.0 feet; thence N 00°02'05" E a distance of 1,039.95 feet; thence N 89°55'00" E a distance of 210.0 feet; Thence S 00°02'05" E a distance of 1,039.93 feet to the point of beginning, according to the Recorded Plat thereof.

AND

A tract of land in the Southeast Quarter (SE/4) of Section Thirty-Three (33), Township Twenty- One (21) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State

of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows to-wit: Commencing at the South East corner of said Section 33: Thence S 88°39'38" W a distance of 867.26 feet to the point of beginning; thence S 88°39'38" W a distance of 30.00 feet; thence N 01°12'47" W a distance of 1,039.93 feet; thence S 88°40'08" W a distance of 1,752.65 feet; thence N 01°11'27" W a distance of 937.75 feet; thence N 88°38'00" E a distance of 1,323.32 feet; thence N 01°14'57" W a distance of 659.51 feet; thence N 88°37'30" E a distance of 1,322.65 feet; thence S 01°19'02" E a distance of 1,696.75 feet; thence S 88°54'16" W a distance of 669.31 feet; thence S 01°11'45" E a distance of 34.24 feet; thence S 88°39'51" W a distance of

197.03 feet; thence S 01°12'46" E a distance of 910.77 feet; said tract containing 3,478,925.45 square feet or 79.87 acres more or less.

AND

A tract of land in the Southeast Quarter (SE/4) of Section Thirty-Three (33), Township Twenty- one (21) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence S 89°54'45" W along the South line of said Southeast Quarter a distance of 1,528.07 feet to the point of beginning; thence continuing S 89°54'45" W a distance of 210.00 feet; thence N 0°02'05" E a distance of 1,040.00 feet; thence N 89°55'00" E a distance of 210.00 feet; thence S 0°02'05" E a distance of 1,039.98 feet to the point of beginning.

LESS & EXCEPT: (Tract described in that certain original Mining Agreement between Cummins Land & Cattle Co., L.L.C. and Anchor Stone Co. dated May 14, 2013):

A tract of land that is part of the Southeast Quarter (SE/4) of Section 33, Township 21 North, Range 14 East, of the Indian Base and Meridian in Tulsa County, Oklahoma, and more particularly described as follows:

Beginning at the Northeast corner of said Southeast Quarter (SE/4); Thence S 00°00'30" E and along the East line of said Southeast Quarter (SE/4) a distance of 1172.47 feet; thence N 89°29'52" W a distance of 1035.24 feet; thence S 00°34'19" W a distance of 407.68 feet; thence N 89°50'50" W a distance of 99.79 feet; thence S 01°21'52" W a distance of 28.51 feet; thence N 89°59'13" W a distance of 596.09 feet; thence N 00°23'28" E a distance of 937.68 feet to a point on the north line of the South Half of the Northwest Quarter of the Southeast Quarter (S/2 NW/4 SE/4); thence N 89°56'07" E and along said North line a distance of 405.85 feet to a point on the West line of the East Half of the Southeast Quarter (E/2 SE/4); thence N 00°02'37" E and along said West line a distance of 659.67 feet to a point on the North line of the Southeast Quarter (SE/4); thence N 89°55'04" E and along said North line a distance of 1322.90 feet to the point of beginning. Said tract contains 2,048,703.32 square feet / 47.032 acres.

The bearing base for said tract is S 00°00'30" E along the East line of the Southeast Quarter (SE/4) of Section 33, Township 21 north, Range 14 East of the Indian Base and Meridian in Tulsa County, Oklahoma.

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2651 November 2017: The Board denied a Special Exception to permit Mining and Mineral Processing (Use Unit 24) in an AG zoned district. This decision was appealed to District Court which reversed the denial October 2019 (CV-2017-1399, *Cummings Land & Cattle Co., LLC v. Tulsa County Board of Adjustment, et al.*) The Board read and accepted the Court's decision November 2019 and approved the Special Exception.

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and currently contains a mining operation on the eastern portions of the subject area, vacant agricultural land in the west and single-family residences in the southern portion. The surrounding lots are zoned AG. The lot to the east contains a mining operation. The lots to the north and west contain single-family residences and agricultural land. The lots to the south contain commercial/industrial uses as well as single-family residences.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to permit Use Unit 24, Mining and Mineral Processing, for the continued use of a mining and mineral processing business (Section 1224) in an AG district (Sec. 310, Table 1).

The applicant has indicated that they intend to continue the use of the subject area for a mining and mineral processing business.

A Special Exception is required as the proposed mining and quarrying of limestone is not permitted by right in an AG district due to potential adverse effect, but which if controlled in the instance as to its relationship to the neighborhood and to the general welfare, may be permitted. The proposed mining (dredging) and quarrying of sand use must be found to be compatible with the surrounding neighborhood.

Section 1224.3 states that the Board, in granting a mining and mineral processing use by Special Exception, shall consider potential environment influences, such as dust and vibration, and shall establish in the instance, appropriate protective conditions such as setbacks, screening, and method of operation, as will mitigate the adverse effect on proximate land uses.

Sample Motion:

“Move to _____ (approve/deny) a Special Exception to permit Use Unit 24, Mining and Mineral Processing, for the continued use of a mining and mineral processing business (Section 1224) in an AG district (Sec. 310, Table 1).

Subject to the following conditions (including time limitation, 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.



N 137TH E AVE

N 145TH E AVE

E 66TH ST N

N 145TH E AVE



Subject Tract

CBOA-2995

21-14 33

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

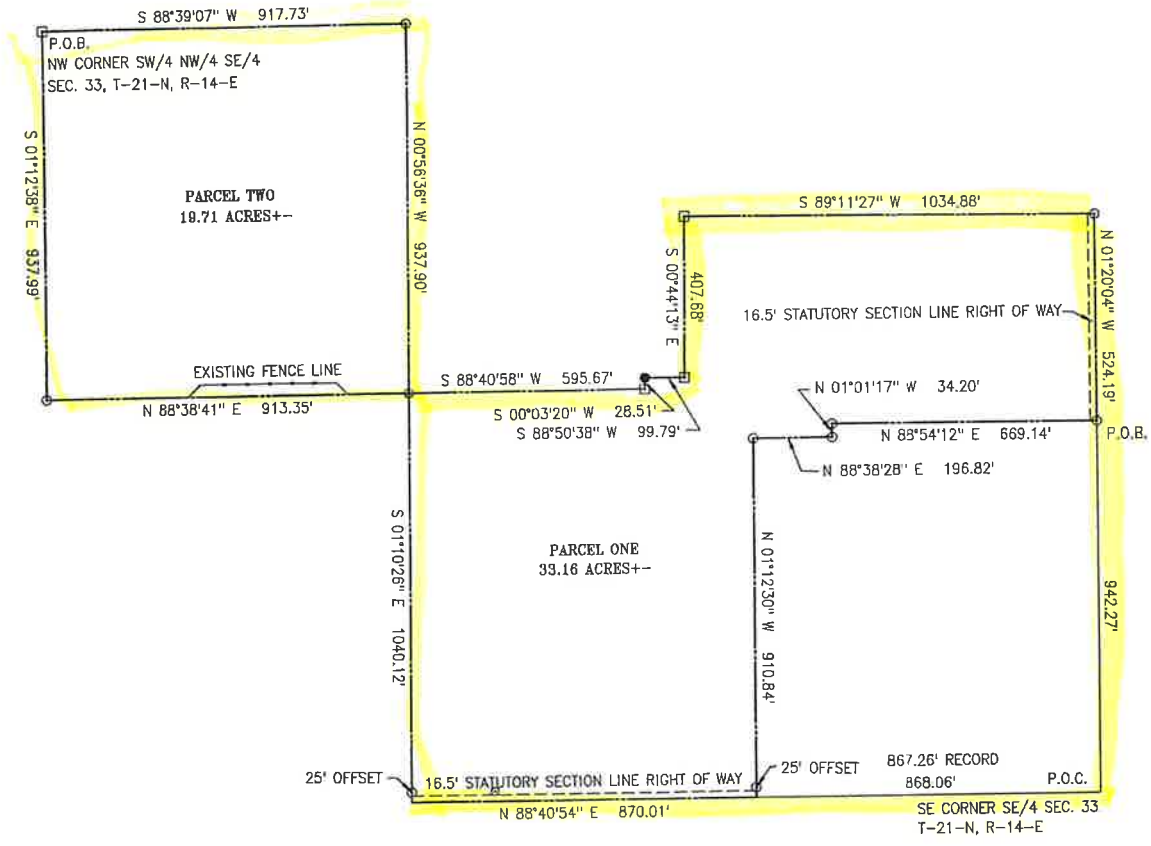
Aerial Photo Date: 2020/2021



CBOA-2995 13.6

THIS PLAT OF SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

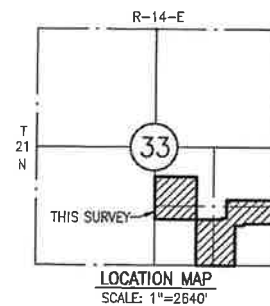
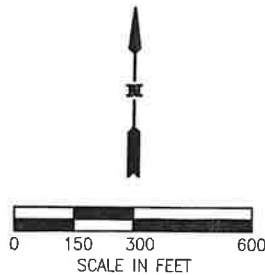
SURVEY PLAT



BASIS OF BEARINGS: OKLAHOMA STATE PLANE

- DENOTES EXISTING FENCE CORNER
- ⊙ DENOTES FOUND MAG NAIL
- ⊠ DENOTES SET 1/2" IRON PIN W/CAP
- ⊙ DENOTES FOUND IRON PIN

THE WORD CERTIFY OR CERTIFICATE AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.



CERTIFICATE

I, Brett King, the undersigned, a Registered Professional Land Surveyor L.S. 1533, in the State of Oklahoma, of Landmark Surveying, C.A. 4572 6-30-23, of 245 South Taylor, P.O. Box 1328, Pryor, Oklahoma (918-825-2804) do hereby certify that a careful survey of the following described property was made under my supervision:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTIONS

Witness my hand and seal this 28th day of April, 2022.

Legal descriptions were prepared by L.S. 1533 on April 28, 2022.



Brett King--Land Surveyor

Copyright April, 2022.