

**AGENDA**  
**Tulsa County Board of Adjustment**  
**Regularly Scheduled Meeting**  
**Tuesday September 20, 2022, 1:30 p.m.**  
**Williams Tower I**  
**1 West 3rd Street, St. Francis Room**

**Meeting No. 511**

**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 August 16, 2022 (Meeting No. 510)

**UNFINISHED BUSINESS**

2. **2983 – Esmerelda Duarte**

**Action Requested:**

Special Exception to permit a single-wide mobile home in an RS district (Section 410). **Location:** 6706 North Victor Avenue **(CD 1)**

3. **2987 - CRB Companies**

**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 71st E Ave **(CD 1)**

## NEW APPLICATIONS

**4. 2996 - Dustin Cripe**

**Action Requested:**

Variance to permit structure in side yard. Variance to permit a second dwelling unit on single lot. **Location:** 8250 N 72 Ave E. **(CD 1)**

**5. 2997 – Eric & Kimberly Loffer**

**Action Requested:** Variance of the minimum lot area and land area required in an AG district to permit a lot split (Sec 330) **Location:** 12802 N. 143rd E. Ave **(CD 1)**

**6. 2998 - Robert E. Parker**

**Action Requested:**

Variance to reduce the required street yard in the RS District (Sec. 430.1)  
**Location:** 7301 E. 89th Pl. N. **(CD 1)**

**7. 2999 - Roberta Noonkester**

**Action Requested:**

Variance of the minimum lot area and land area required in an AG district to permit a lot split (Sec 330) **Location:** 12307 N Sheridan Rd. **(CD 1)**

**8. 3000 - AAB Engineering, LLC**

**Action Requested:**

Variance of the parking required from 48 to 35 (Section 1214.4) **Location:** 8550 N Whirlpool Dr. **(CD 1)**

**9. 3002 - T Briggs Construction**

**Action Requested:**

Variance of the street frontage requirement in an RE district from 30 ft to 0 ft (Section 207) **Location:** 7309 N 140th Pl E **(CD 1)**

**10. 3003 - Jennifer Osborn**

**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:** 5311 S 107th W Ave. **(CD 2)**

**11. 3004 - Stan Kent**

**Action Requested:**

Special Exception to allow a mini storage in a CS district (Section 710) **Location:**  
4885 E 86th St N (CD 1)

**12. 3005 – Applicant Name Sealed**

**Action Requested:**

Special Exception to allow Use Unit 2 to permit a Heliport in AG district (Section 310) & a Use Variance for Trades and Services in AG zoned district (Section 310). **Location:** 9601 N. 89th Ave E (CD 1)

**OTHER BUSINESS**

**NEW BUSINESS**

**BOARD MEMBER COMMENTS**

**Website:** [tulsaplanning.org](http://tulsaplanning.org)

**E-mail:** [esubmit@incog.org](mailto:esubmit@incog.org)

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

**NOTE:** Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained at the Tulsa Planning Office at INCOG. *All electronic devices must be silenced* during the Board of Adjustment meeting.

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



**Case Number: CBOA-2983**

**Hearing Date: 09/20/2022 1:30 PM**  
(Continued from 07/09/2022)

**Case Report Prepared by:**

Jay Hoyt

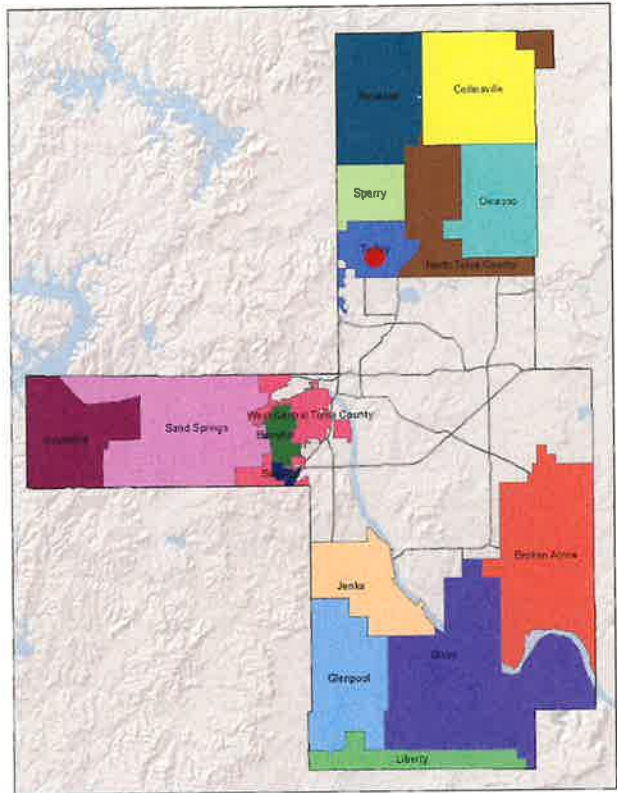
**Owner and Applicant Information:**

**Applicant: Esmeralda Duarte**

**Property Owner: MADRIGAL, JOSE A**

**Action Requested: Special Exception to permit a single-wide mobile home in an RS district (Section 410).**

**Location Map:**



Tulsa County Comprehensive Land Use Plan

**Additional Information:**

**Present Use: Vacant**

**Tract Size: 0.32 acres**

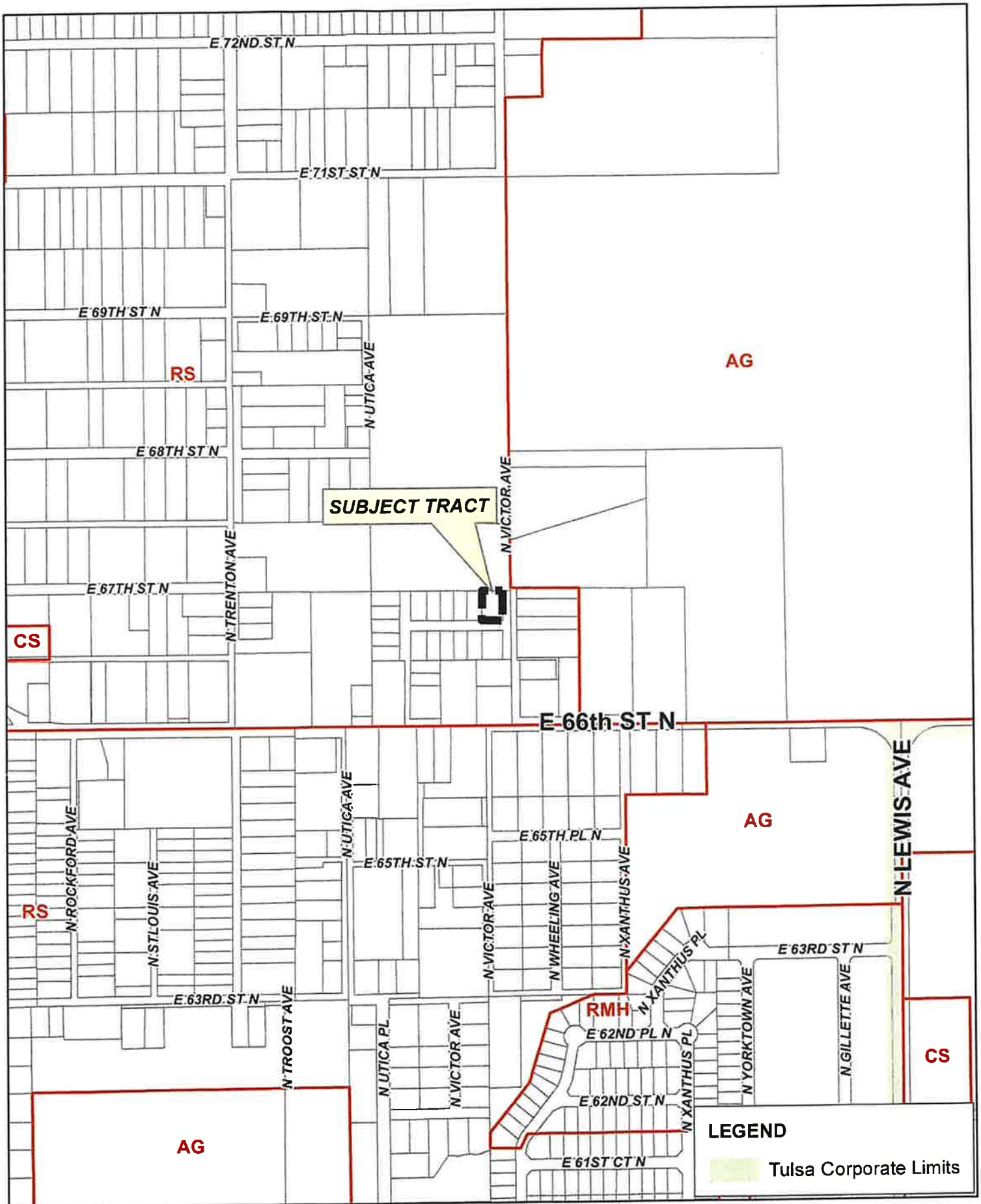
**Location: 6706 N Victor Ave**

**Present Zoning: RS**

**Fenceline/Area: Turley**

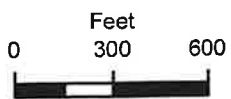
**Land Use Designation: Rural Residential/Agriculture**





**SUBJECT TRACT**

# CBOA-2983



21-13 31



**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 1331

**CZM:** 16

**CASE NUMBER:** CBOA-2983

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 09/20/2022 1:30 PM

**APPLICANT:** Esmeralda Duarte

**ACTION REQUESTED:** Special Exception to permit a single-wide mobile home in an RS district (Section 410).

**LOCATION:** 6706 N Victor Ave

**ZONED:** RS

**FENCELINE:** Turley

**PRESENT USE:** Vacant

**TRACT SIZE:** 0.32 acres

**LEGAL DESCRIPTION:** LT 6 BLK 3, TIBBS ADDN Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:** None Relevant

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RS with RS zoned lots to the north, south east and west. The sites to the north, south and west are vacant with the lots to the east containing single-family residences.

**STAFF COMMENTS:**

The applicant is before the Board to request a Special Exception to permit a single-wide mobile home in an RS district (Section 410).

The subject lot is currently vacant. The applicant proposes to allow a single-wide mobile home on the lot, as illustrated on the site plan provided by the applicant.

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

**Sample Motion:**

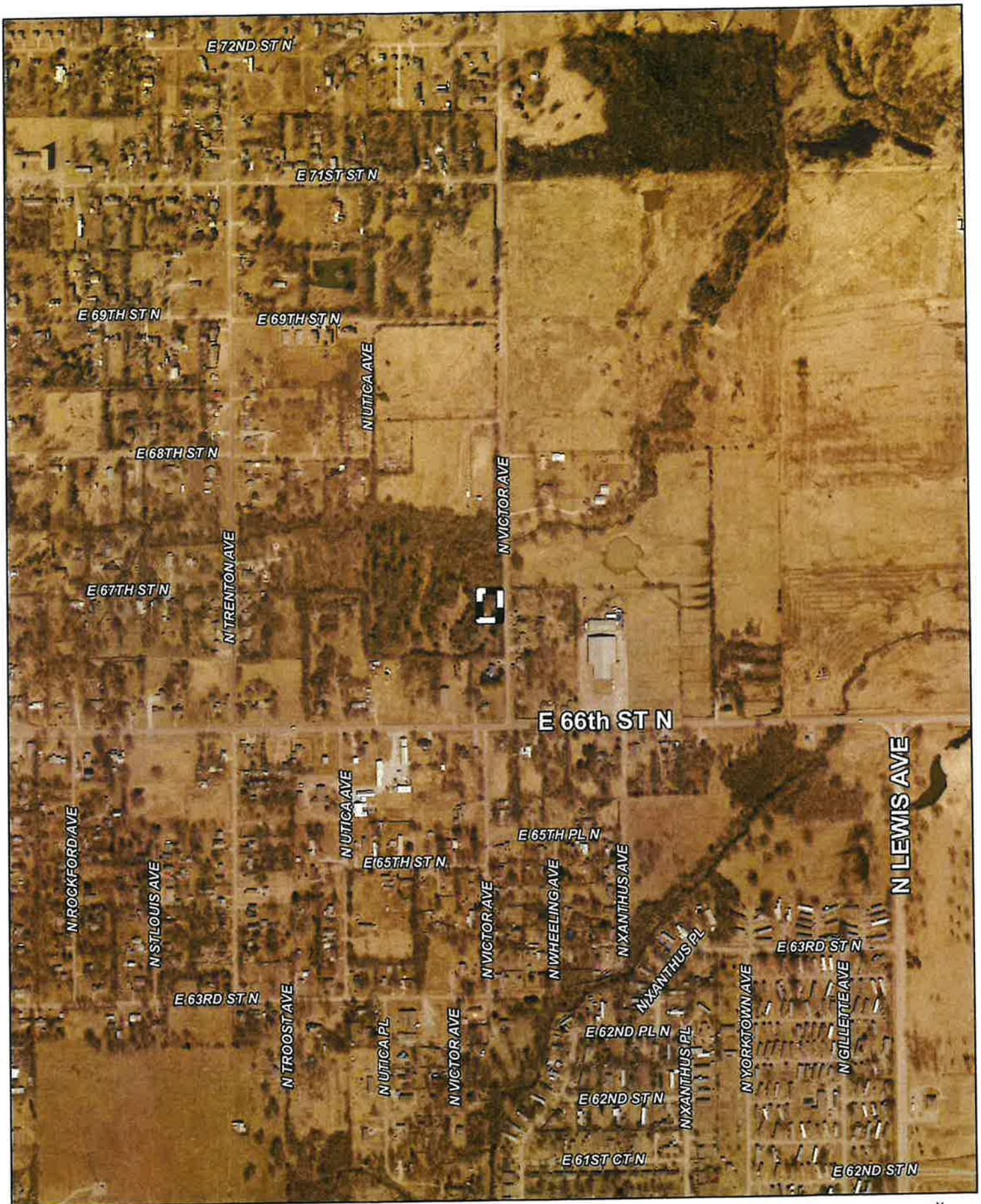
*“Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit a single-wide mobile home in an RS district (Section 410).*

*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.*





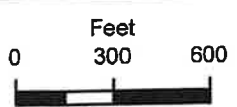
# CBOA-2983

21-13 31

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

Aerial Photo Date: 2020/2021

CBOA-2983 2.4



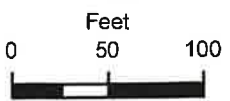
 Subject Tract







N VICTOR AVE



Subject Tract

**CBOA-2983**

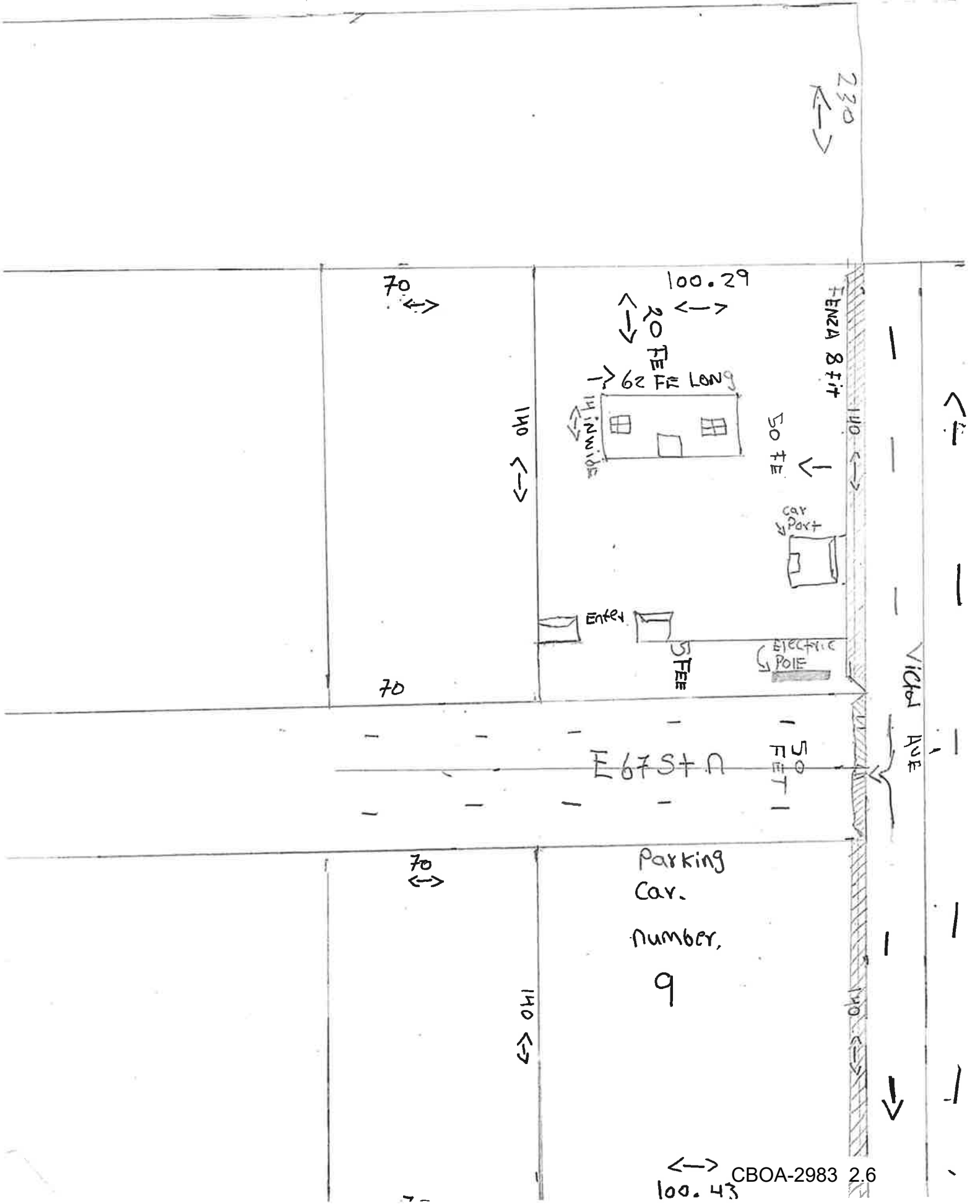
21-13 31

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

Aerial Photo Date: 2020/2021



CBOA-2983 2.5



230  
←→

70  
←→

100.29

20 FE  
←→



FENZA 8 ft

140 ←→

50 FE  
↓



140 ←→

Entry

5 FE

ELECTRIC POLE

70

EAST N

50 FEET

VICKI AVE

Parking Car.

number,

9

140 ←→

70  
←→

←→ CBOA-2983 2.6  
100.43





# Board of Adjustment

**Case Number: CBOA-2987**

**Hearing Date: 09/20/2022 1:30 PM**  
(Continued from 08/16/2022)

**Case Report Prepared by:**

Jay Hoyt

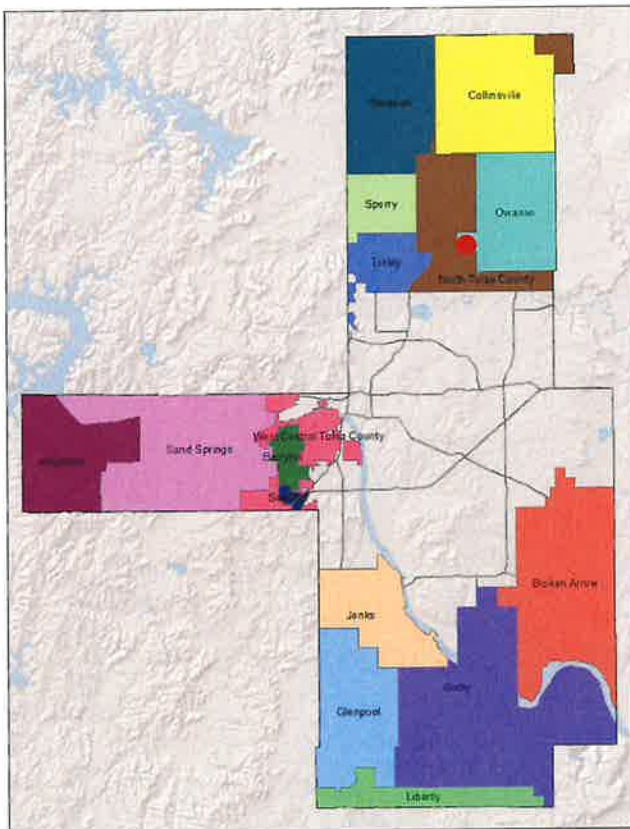
**Owner and Applicant Information:**

**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**

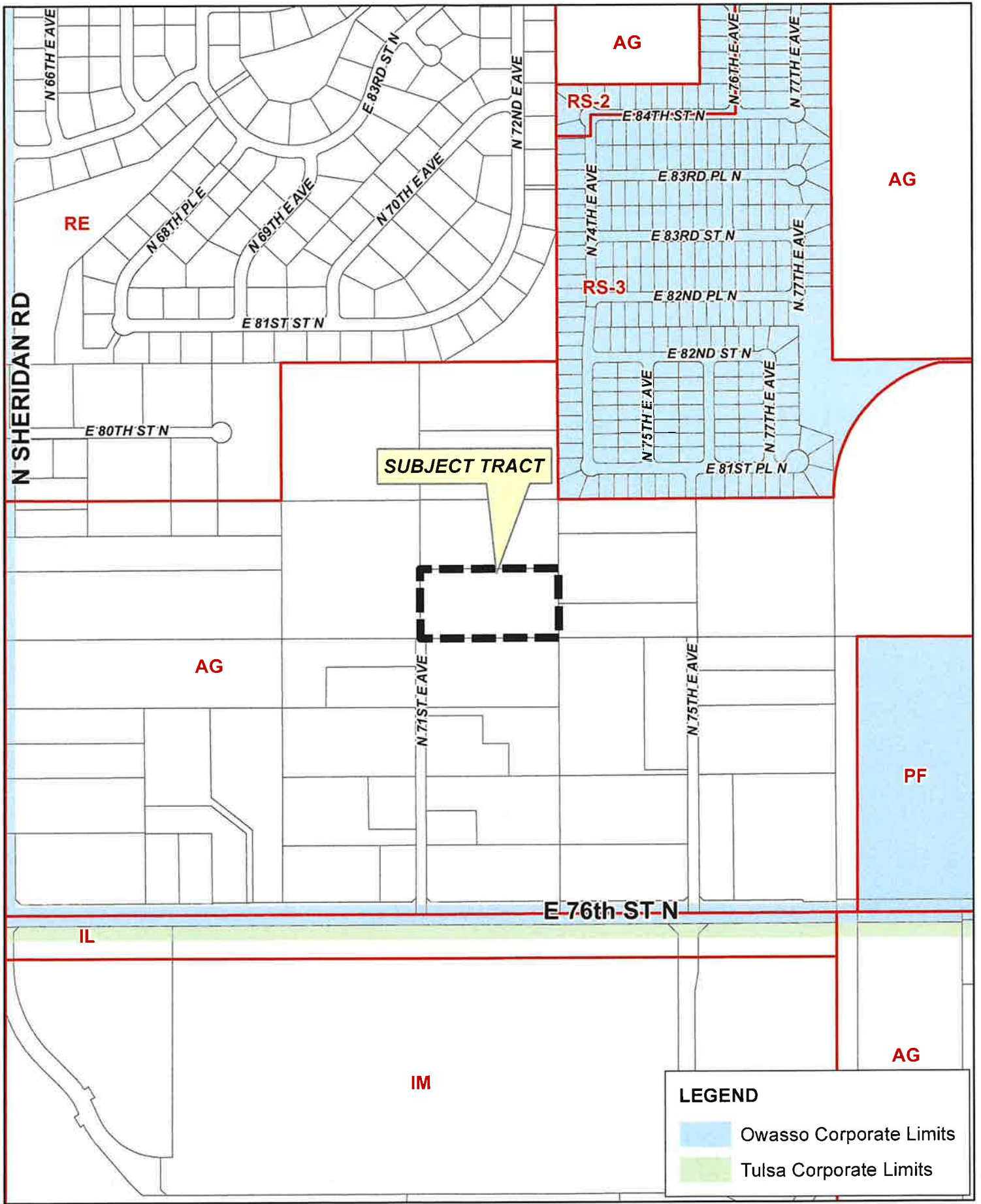
**Tract Size: 5 acres**

**Location: 7847 N 71 AV E**

**Present Zoning: AG**

**Fenceline/Area: Owasso**

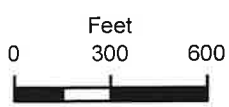
**Land Use Designation: Residential**



**SUBJECT TRACT**

**LEGEND**

- Owasso Corporate Limits
- Tulsa Corporate Limits



# 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:** 09/20/2022 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.*

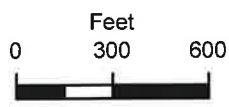


**Subject to the following conditions (including time limitation, if any): \_\_\_\_\_.**

**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.**



N SHERIDAN RD



 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 3.5







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 3.6



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

**PARCEL TRACT DESCRIPTION**

The South 1/4 of the Southwest Quarter of the Southwest Quarter of Section 26, Township 21 North, Range 13 East, W.L.M., Tulsa County, Oklahoma, containing 160.00 acres, more or less, as shown on the plat of the Survey of a Lease Site Lying in Part of the SW/4 Section 26, Township 21 North, Range 13 East, W.L.M., Tulsa County, Oklahoma, recorded in the Public Records of Tulsa County, Oklahoma, Book 100, Page 100.

**LEASE SITE DESCRIPTION**

A lease site consisting of 160.00 acres, more or less, as shown on the plat of the Survey of a Lease Site Lying in Part of the SW/4 Section 26, Township 21 North, Range 13 East, W.L.M., Tulsa County, Oklahoma, recorded in the Public Records of Tulsa County, Oklahoma, Book 100, Page 100.

**ADVERSE INTEREST DISCLOSURE**

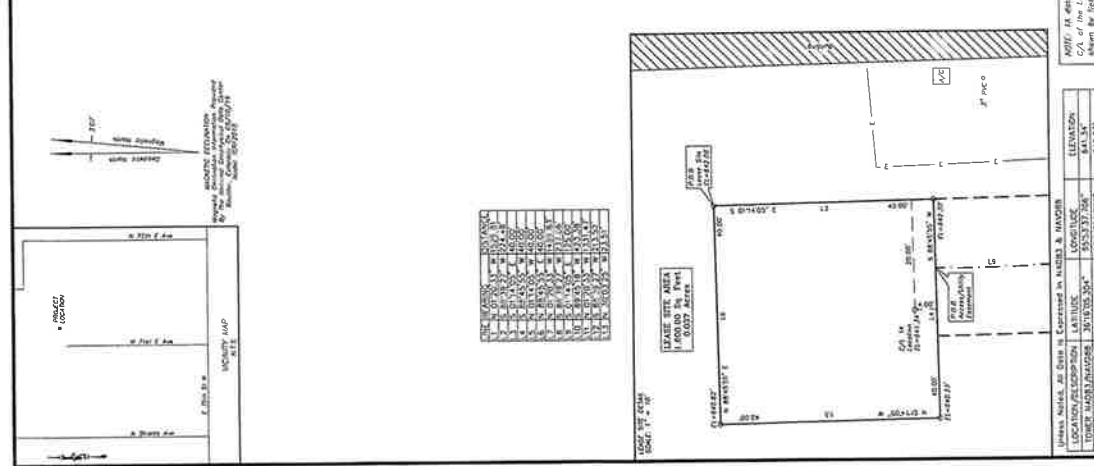
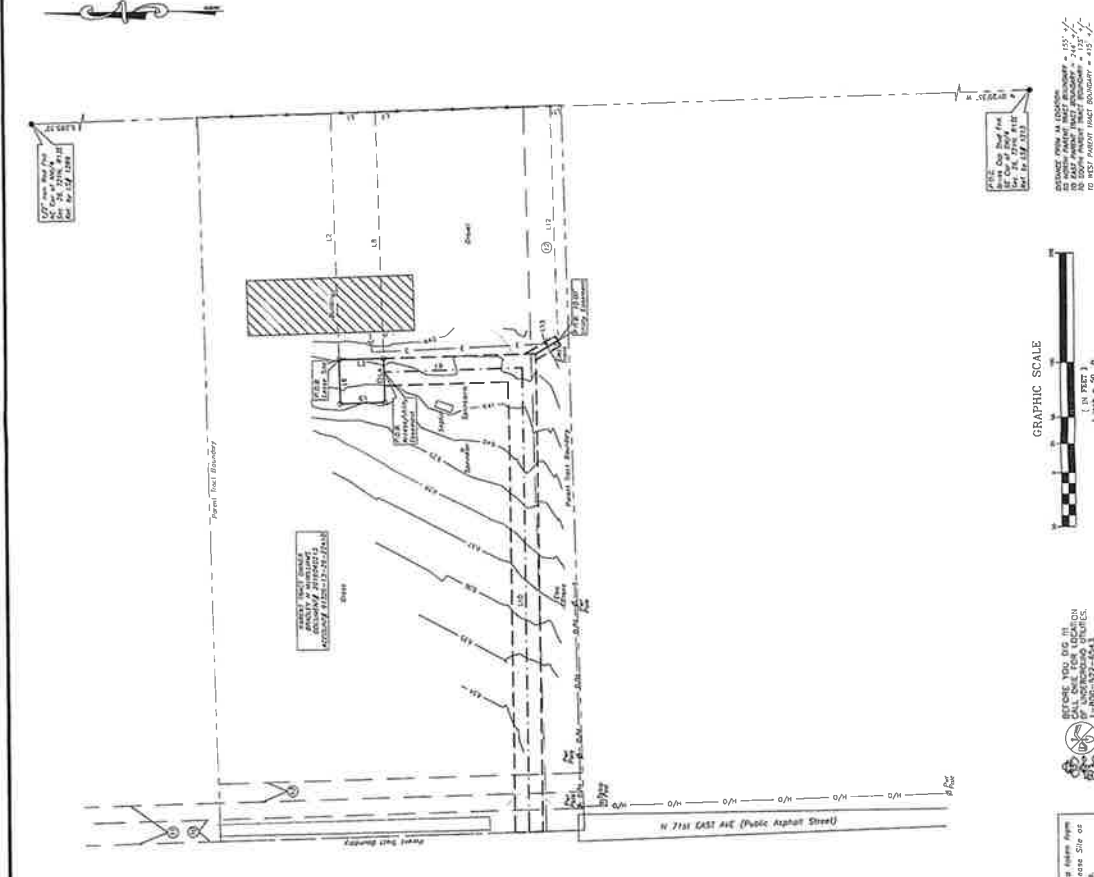
The undersigned hereby certifies that there are no adverse interests in the land described herein, and that the same are not being further encumbered in any way.

**UTILITY PLACEMENT DESCRIPTION**

The utility lines shown on this plat are shown for informational purposes only and do not constitute a warranty of any kind. The utility lines are shown as they appear on the ground and are not necessarily shown to scale.

**WARRANTY**

The undersigned warrants that the survey was made by or under the supervision of a duly licensed surveyor, and that the same is true and correct to the best of the surveyor's knowledge and belief.



**WARRANTY**

The undersigned warrants that the survey was made by or under the supervision of a duly licensed surveyor, and that the same is true and correct to the best of the surveyor's knowledge and belief.

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**WARRANTY**

The undersigned warrants that the survey was made by or under the supervision of a duly licensed surveyor, and that the same is true and correct to the best of the surveyor's knowledge and belief.

**WARRANTY**

The undersigned warrants that the survey was made by or under the supervision of a duly licensed surveyor, and that the same is true and correct to the best of the surveyor's knowledge and belief.

NO.	REVISION	DATE	BY	DATE SURVEYED	DATE DRAFTED	DATE PLOTTED	DATE CHECKED	DATE APPROVED
1		10/27/15		9/16/15	10/27/15			
2								
3								

**REVISION**

1. CORRECTED MATH ERRORS

2. ADDED UTILITY LINES

3. ADDED ADVERSE INTEREST DISCLOSURE

**SCALE: 1" = 50'**

**GRAPHIC SCALE**

0 10 20 30 40 50 60 70 80 90 100

**at&t**

**H&S SURVEYING, INC.**  
 Surveying and  
 Telercommunication Company  
 SERVING THE CENTRAL  
 AND SOUTHWESTERN STATES  
 P.O. BOX 10000 - OKLAHOMA CITY, OK 73108  
 PH: (405) 262-0500 - FAX: (405) 262-0107  
 WWW.HANDSURVEYING.COM

**PREPARED FOR:**

**OKL00453/76TH ST**

**SURVEY OF:**

**PART OF THE SW/4 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 13 EAST, TULSA COUNTY, OKLAHOMA**

**DRAWING NO. SV-1**

**SHEET 1 OF 1**

**Hoyt, Jay**

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**From:** Jennifer Wellman <kalicokittiekat@yahoo.com>  
**Sent:** Tuesday, September 13, 2022 12:35 PM  
**To:** esubmit  
**Subject:** Case Number : CBOA-2987

To whom it may concern:

I am a resident in Carrington Pointe neighborhood. Please deny this application for this cell tower to be placed so closely to our neighborhood. A large cell tower should not be placed so closely to a residential area and school when there are plenty of other locations further down 76th Street where industrial area is located at. This cell tower is not only unsightly but can also cause a list of health problems to residents that live near one. An elementary school is also near by and that would not be good for the health of the children to be exposed to the radiation that comes off the cell phone tower. We are not against progress it just needs to be done in a nonresidential area way from a neighborhood and school.

Best regards,

Jennifer Wellman  
8116 N 74th E Ave  
Owasso, OK 74055

**Hoyt, Jay**

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**From:** Bradleigh Hancock <LadyBug62287@hotmail.com>  
**Sent:** Tuesday, September 13, 2022 1:18 PM  
**To:** esubmit  
**Subject:** Case Number CBOA-2987

To whom it may concern,

I am writing to ask that you please do NOT allow Brad McWilliams and CRB Companies to place a cell phone tower on his land. This tower could be perfectly placed on the other side of 76th street by the industrial buildings. Or anywhere else that's not so close to my home. It does not belong in a residential area surrounded by peoples homes.

Currently the view out of my kitchen and living room window is a beautiful landscape of grassy fields and trees that support all kinds of wildlife. If this tower is built it will literally be the first thing you see when looking out my windows. It is also about 200 steps away from my children's swing set. Nobody wants something like this so close to their home, which is supposed to be their safe place for their family to relax and enjoy playing outdoors.

Please do not allow this tower to be built. This area is for peoples homes and families. Cell towers do not belong here.

Thank you for your time!

Bradleigh Riggs  
8102 N. 74th East Ave,  
Owasso, OK 74055  
Carrington Pointe Neighborhood



## Hoyt, Jay

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**From:** Angie Combs <thecombspartyof6@gmail.com>  
**Sent:** Monday, September 12, 2022 8:11 PM  
**To:** esubmit  
**Subject:** Re: CBOA-2987

Case: CBOA-2987

We are writing again about the proposed tower outside of the Carrington Pointe neighborhood. The citizens living in the proposed zone already stated our opposition to the location before, reducing the size by a laughable 5 feet will not some how gain our approval.

This will affect our property values negatively. It will take away from our beautiful neighborhood, not to mention the nuisance of its construction and maintenance. But the real concern is our's and our children's health for being so close to such a powerful source of radiation.

Our neighborhood is largely comprised of families with young children and senior adults. He purposely bought in an H O Way so that we could maintain our property values by taking pride in ownership. Installing this tower in this location is needless being that there is so much other spare land just down 76th St. This towertires would be welcome there and would not pose such a risk to such a large population

The adverse biological effects of Electromagnetic radiation from cellphone towers have been observed in birds, bees, and humans. It is a cancer risk in humans. -National Cancer Institute – National Institute of Health; 2016.

**Thanks! - Angie**

## Hoyt, Jay

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**From:** ANGIE COMBS <combspartyof6@aol.com>  
**Sent:** Monday, September 12, 2022 8:20 PM  
**To:** esubmit  
**Subject:** Re: CBOA-2987

Case: CBOA-2987

We are writing again about the proposed tower outside of the Carrington Pointe neighborhood. The citizens living in the proposed zone already stated our opposition to the location before leading to an overwhelming denial, reducing the size by 5 feet will not some how gain our approval.

This will affect our property values negatively. It will take away from our beautiful neighborhood, not to mention the nuisance of its construction and maintenance. But the real concern is our's and our children's health for being so close to such a powerful source of radiation.

Our neighborhood is largely comprised of families with young children and senior adults. He purposely bought in an H O A so that we could maintain our property values by taking pride in ownership. Installing this tower in this location is needless being that there is so much other spare land just down 76th St. This tower would be welcome there and would not pose such a risk to such a large population as it does here. We welcome modern advancement but when it can be installed at a safer distance elsewhere, I question why this particular location seems to be so crucial when there are so many other options on the table?

The Combs-Ennis family - house 7408, Carrington Pointe neighborhood

The adverse biological effects of Electromagnetic radiation from cellphone towers have been observed in birds, bees, and humans. It is a cancer risk in humans. -National Cancer Institute – National Institute of Health; 2016.

Microwave sickness syndrome was first identified in the 1950s by Soviet medical researchers. Symptoms included headache, fatigue, ocular dysfunction, dizziness, and sleep disorders. Clinically, dermatographism, tumors, blood changes, reproductive and cardiovascular abnormalities, depression, irritability, and memory impairment were reported. Although the syndrome is reversible in its early stages, it is considered to be lethal over time [8].

Later American researchers found symptoms to include eczema, psoriasis, and allergic and inflammatory reactions in staff stationed at the US Embassy in Moscow, which the Soviet government irradiated secretly over a period of approximately 20 years. It is of interest that the power densities of the microwaves employed by the Soviets were comparable to modern cellphone



base stations. They also observed neurological problems in males, reproductive problems in females, tumor increases (benign in men, malignant in women), hematological alterations, effects on mood and well-being, and eye problems. The average exposure time for each individual was between 2 and 4 years [9].

It should be noted that children may be more susceptible to damage from cellphone radiation since their bodies are still developing. There is epidemiological evidence to suggest that children are susceptible to leukemia from high power voltage (HPV) lines which emit low-frequency radio waves [25, 26].

**Hoyt, Jay**

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**From:** Tracye Crowder <jttjc@cox.net>  
**Sent:** Sunday, September 11, 2022 2:35 PM  
**To:** esubmit  
**Subject:** Ref Case: CBOA

Reference Case: CBOA-2987

We are concerned residents of a neighborhood adjacent to the proposed cell tower site as such, we are against the construction of a cell tower in direct line of sight of our back patio. The revised application reducing the tower height by 5 ft from 145 to 140 does nothing to alleviate the concerns we have already expressed.

The Crossing of 86th Street residential neighborhood has about 170 homes ranging in value from approximately \$400K-\$700K plus in value. Many of these homes will be directly in the line of sight of the proposed location of the tower. We are concerned that this cell tower will decrease the beauty and value of these properties and those values of our properties.

Our understanding is that the Tulsa County Zoning Code has 9 goals for the placements of communication towers. We believe that the proposed tower sight violates at least half of those. In addition, has the Board considered the numerous flight paths over which airplane traffic will pass near or directly over this sight on the way to and from the Tulsa airport creating potential hazard and safety concerns?

We strongly believe that there are numerous commercial or industrial zoned areas within a 5 mile radius that would keep the tower away from residential neighborhoods and are better suited for this type of construction. The financial benefit to a single local individual should not be detrimental to hundreds of tax paying home owners in this area.

Thank you for your consideration

Jeffrey and Tracye Crowder  
8125 N 72ND E Ave  
Owasso, OK 74055  
770-296-8751

Sent from my iPhone

## Hoyt, Jay

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**From:** Paul Dwyer <pmdwyer0613@gmail.com>  
**Sent:** Saturday, September 03, 2022 3:24 PM  
**To:** esubmit  
**Cc:** stopthetower2022@gmail.com  
**Subject:** Case Number CBOA-2987 - Cell Tower 7845 N 71st E. Ave

To Whom It May Concern:

It has come to my attention the cell tower proposed last Nov. 2021 for 7845 N. 71st E. Avenue was denied and the Owner has filed another permit to construct the tower.. The Owner is reducing the height by 5' and requesting approval again. Reducing the design of the tower from 145' to 140' does not change the safety issue involved with this tower. I would like to request the Zoning Board to deny this application again due to the huge safety issue this tower presents for our community.

I am a resident of Carrington Pointe subdivision with direct view of the proposed site. Because of the close proximity of the tower to our subdivision I am asking the County not to approve this application. While I fully understand we need more cell towers to handle the growing demand for cell phones these cell towers need to be placed in a non-residential area, as indicated in Tulsa County Zoning Code.

Quickly I would like to provide my bullet points of why this tower is not a safe addition to our community. These points are pulled directly from the Tulsa County Zoning Code.

1. Per the zoning code, section 1204.3 - Use Conditions, goal (1) protect residential areas and land uses from potentially adverse impacts of towers and antennas. There are huge structural issues with these towers as outline in point 4 below. Failure of this tower will have a huge impact on the immediate area of the community.
2. Per the zoning code, section 1204.3 - Use Conditions, goal (2), encourage the location of towers in non-residential areas. As you can see from the application submitted the surrounding plots are zoned AG with a land use designation for residential homes. Additionally, there is an elementary school down 76th St, Macy's distribution warehouse across 76th St., Milo Tea across 76th St., a new church currently under construction, Carrington Pointe subdivision, and 86th Street Crossing subdivision. All within fractions of a mile. This is a thriving community with buildings and subdivisions supporting residential areas.
3. Per the zoning code, section 1204.3 - Use Conditions, goal (5) encourages users of towers and antennas to locate them to the extent possible, in areas where the adverse impact on the community is minimal. As outline above with all the structures within a small distance, how is this location an adverse impact on the community? The tower has a major impact on the community.
4. Per the zoning code, section 1204.3 - Use Conditions goal (9) avoid potential damage to adjacent properties from tower failure through engineering and careful sitting of tower structure. The permit does not indicate the type of tower being constructed. If it has guy wires, towers with guy wires are prone to pulling the guy anchor out of the ground creating a failure of the tower. Additionally, Owners of cell towers are known for overloading the tower for financial gain. More antennas the more the company can collect in cash. Once these towers reach 125% - 150% of their design capacity an ice storm or heavy wind storm can easily buckle these towers causing the tower to collapse.

As residents of Owasso we understand the infrastructure must be expanded to accommodate the growth within Owasso. However, placing a cell tower within a heavy residential area is not the right answer. Placing this tower on the south side of 76th St would be a more acceptable answer. The land on the south side of 76th St. is industrial zone land which would be ideal for this tower.

It appears the Owner of 7845 N 71st E. Ave. wants this tower for financial gain. We all know the land owner receives a long term lease for the tower and is guaranteed monthly payments for many years to come. We in the surrounding area are concerned about our children and homes in the event of structural failure and not a lease payment. Please enforce the zoning code as it is currently written and do not allow a large structure that could fail and have a huge impact on the immediate area.

Sincerely,

Paul Dwyer  
8220 N. 74th East Ave.  
Owasso, OK 74055  
Carrington Pointe Resident

**Hoyt, Jay**

---

**From:** Travis zimney <tzimney@gmail.com>  
**Sent:** Saturday, September 03, 2022 5:33 PM  
**To:** esubmit  
**Subject:** REFERENCE CBOA-2987

> To Whom It May Concern,

>

> I'm writing today to express my concern on the case referenced in the subject line. CRB Companies seeks to construct a 145-foot tall communications tower at the address of 7845 N. 71st E. Ave in Owasso, OK 74055.

>

> I am a resident of Carrington Pointe and my backyard view is a beautiful view of the field in which this company is seeking special permission to erect this potential eye sore of a tower. My wife and I, both in our 30s, saved alot of our hard earned money to build on this particular lot because of this view only for our biggest investment to be potentially severely impacted by the construction of this tower.

>

> I am writing this letter to state the residents of 8106 N. 74th E. Ave. Owasso, Ok 74055 in Carrington Pointe are AGAINST the construction of this tower in the proposed area. The residents include myself, Travis Zimney, my wife Jessica Zimney, and my daughter Rori Zimney.

>

> I want it to be clear that we are not against progress and we are not simply saying NO to the tower. We know that improving infrastructure makes our community a better place to live. There is an industrial area to the South of Carrington Pointe, on 76th St. N. (Where Milo's Tea and Macy's Distribution Center are located), that would easily host this kind of equipment. It would place the tower away from residential areas while still providing the same coverage and services to the community.

>

> Section 1204.3 of the Tulsa County Zoning Code lists 9 goals for the placement of communications towers. The proposed tower site violates at least 4 of these goals including:

>

> -Protecting residential areas and land uses from potentially adverse  
> impacts -Encouraging users of towers to locate them where the adverse  
> impact to the community is minimal -Encourage the location of towers  
> in NON-RESIDENTIAL AREAS -Consider the public health and safety of  
> communication towers

>

> I implore, and kindly ask that county officials side with their residents on this matter.

>

> Attached is a picture from my backyard showing the currently beautiful view taken in the direction CRB plans to construct their tower.

>

> Thank you for your time and consideration,

>

> Travis Zimney  
> Carrington Pointe Resident  
> 8106 N. 74th E. Ave.  
> Owasso, Ok 74055  
> 918-636-9747

>

**Hoyt, Jay**

---

**From:** rob lim <rob\_lim@hotmail.com>  
**Sent:** Monday, August 15, 2022 11:09 PM  
**To:** esubmit  
**Subject:** CBOA-2987  
**Attachments:** BoardofAdjustmentCellTower2022.docx

To Whom It May Concern:

Please see my attached letter regarding CRB Companies, LLC, AT&T's, and Bradley McWilliams's request for a special exemption to place a 140-foot wireless communications tower in an AG district where several families, including mine, live in the town of Owasso.

In addition to violating several zoning codes, these parties offer no plans or attempts to comply with the current regulations. Furthermore, the placement of a high-volume, multi-directional radiofrequency tower is a proven health hazard. This application makes no attempt to address or even mitigate these risks after this exact same request was denied last year.

In summary, I respectfully urge the Board of Adjustment to deny this request.

Very respectfully,

Robert Lim  
owner, 7952 N 71st East Ave, Owasso, OK 74055



*The University of Oklahoma®*  
*College of Medicine, Tulsa*

DEPARTMENT OF SURGERY

RE: Board of Adjustment Case Number: CBOA-2987

Exception to permit the placement of 140- foot communications tower in an AG district

15AUG22

Dear Board of Adjustment

I am writing to strongly oppose the exception requested by AT&T to place a wireless communications tower in a residential area that will increase the radiofrequency radiation to levels that are dangerous to human health. My arguments against placing said tower have not changed since last year, however, they are augmented by the many zoning codes that this proposal will violate. A review of the data on the health risks of non-ionizing radiofrequency radiation shows that the published literature regarding the safety of such amounts of radiofrequency radiation has not changed over the past year. I, therefore, remain concerned about the health of my family and our neighbors due to the proven negative effects that high radiofrequency has on cognitive function, cardiovascular disease, and cancer development. One of my children is a special needs child with neurocognitive deficits and would thus be considered at the highest risk for this type of exposure. As a physician, I greatly value health and have dedicated my career to improving not only an individual's health but also that of entire health systems and communities.

There is a significant correlation of poor health the closer one lives to a cell tower. The United States' recommended standard for safe radiofrequency energy exposure is 1000 microwatts/m<sup>2</sup>. The recommendation is further defined by the average amount of exposure to the radiofrequency source which is estimated at 30 minutes. A cell phone, for instance, would have high frequency 3000 MHz (low frequency is considered less than 300 MHz) but very limited amount of exposure to the rest of the body and therefore, its effects, even if the cell phone is used for hours at a time, is minimal. However, nearby cell tower exposure would be continuous, from multiple directions, and effect one's entire body especially if they lived within 1000 feet of the cell tower. Moreover, people who live within 300 feet of a cell tower receive an estimated 10,000 – 10,000,000 times stronger signal than is needed for cell phone use.<sup>i</sup>

This type of exposure produces oxidative stress in humans via genetic disruption and DNA mutations. Specifically, the antioxidant genes MnSOD and CAT are altered such that there are lower levels of their enzyme activity. These antioxidant enzymes break down potentially harmful byproducts of metabolism. Without these antioxidants, there is more cell damage resulting in diseases like hypertension, Alzheimer's disease, cancer, neurodegenerative diseases, and diabetes.<sup>ii</sup> In school-aged children there is a notable cognitive decline in performance to include a decrease in testing scores, fine and gross motor skills, spatial working memory, and attention when they were exposed to the high radiofrequency emissions of a cell tower for a 2 year period.<sup>iii</sup> This last study is particularly important because it details the long-term effects of exposure to high radiofrequency emissions.

It is fair to note that there are several studies that do not show a direct link between radiofrequency and health risks; and these can be easily debated for their accuracy. More importantly,

however, there are no studies that conclude it is safe to live close to a cell tower. An accepted recommendation is to not live within 400 meters (about 1300 feet) of a cell tower. In addition to my home, there are two other homes on our street within this distance and a significant portion of a residential district that is also within that distance. Currently, my family of six and I live approximately 300 feet from where the tower is proposed to be placed.

This proposal is also asking for exceptions to several zoning codes and neither AT&T nor The Tulsa zoning regulations that this proposal violates include:

1. 40.420-F.2. a.2: Proximity of the tower to residential structures, residential district boundaries and existing towers.
  - a. More specifically 40.420-E.6.a - Towers must be set back a distance equal to at least 110% of the height of the tower from any adjoining lot line of an R-, O-, AG-, or AG-R- zoned lot, excluding R-zoned expressway rights-of-way. For the proposed 140-foot tower, this means that there can be no adjoining line within 154-feet of the proposed tower. There are currently 4 AG homes and 1 RS zoned lot within that distance.
2. 40.420-F.2. a.6: Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness. There are no plans in the application to provide this.
3. 40.420-F.2. a.10: the need for a tower within the immediate geographic area to provide an acceptable level of communications service to the area, I work from home on-call at times and have access to my patient's in-hospital electronic medical record that allows me to make important medical decisions. As such, I currently have satisfactory communications, specifically internet and cellular access, and have no need for an increased level of network access.
4. 40.420-F.4.a: Tower facilities must be landscaped with a continuously maintained buffer of plant materials that effectively screens the view of the tower compound from property within 300 feet used or zoned for residential purposes. The standard buffer requirement consists of a landscaped strip with a minimum width of 4 feet outside the perimeter of the compound. There are no plans in the proposal to provide this landscaping and currently there are no trees or foliage on that property that would satisfy this requirement.

The Tulsa County zoning codes are less specific regarding communication towers, but this proposal violates at least one code

1. Chapter 4.420.2.A.5.b: Structures other than a dwelling or customary accessory building which are used to support accessory antennas (including guy lines) shall: b) not exceed 65 feet in height; measured from the average ground elevation of the rear building wall of the residential dwelling to the highest horizontal point of the antenna supporting structure. This proposal includes a tower estimated to be 140 feet tall.

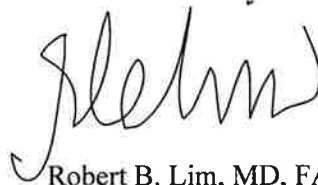
Finally, I am also greatly concerned about the negative impact the tower will have on my property's value. While there are many factors that determine a property's value, according to the 2004 Proximity Impact Study, homes within 1000 feet of a cell tower have a 15% reduction in value.<sup>iv</sup> For our property then that would mean almost \$100,000. I'm sure this sum is meager compared to the profits a company like AT&T makes annually, but this would be devastating even for a physician's income.

For these reasons, I implore the Board of Adjustment to deny this application. In order for a special exception to be granted, any proposal will not be injurious to the neighborhood nor detrimental to the public's welfare. It is clear that this proposal does not satisfy this requirement. If a cell tower is to be placed, I would be forced to move for the safety and health of my family and likely



have to sell my house for substantially less than I paid for it. I request that any future proposal that requires a wireless communications tower to be placed within 1300 feet of a neighboring house be disregarded upon submission. I thank you for your attention to this matter.

Very respectfully,



Robert B. Lim, MD, FACS, FASMBS  
George Kaiser Family Foundation Chair in Surgery  
Vice-Chair of Education  
Residency Program Director  
Professor of Surgery  
Oklahoma University School of Medicine Tulsa

MAILING ADDRESS: 4502 E. 41st Street • Tulsa, Oklahoma 74135-2512

CLINICAL LOCATION: 1919 S. Wheeling Avenue, Suite 600 • Tulsa, Oklahoma 74104-5638 • (918) 634-7500 • FAX: (918) 634-7560

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<sup>i</sup> Gulati S, Yadav A, Kumar, N, Priya K, Aggarwal NK, Gupta R. Phenotypic and genotypic characterization of antioxidant enzyme system in human population exposed to radiation from mobile towers. *Mol Cell Biochem.* 2018 Mar;440(1-2):1-9.

<sup>ii</sup> Younus H. Therapeutic potentials of superoxide dismutase. *Int J Health Sci* 2018 May-June;12(3):88-93.

<sup>iii</sup> Meo, SA, Almahmoud M, Alsultan Q, Alotaibi N, Alnajashi K, Hajjjar WM. Mobile phone base station tower settings adjacent to school buildings: impact on students' cognitive health. *Am J Mens Health.* 2019 Jan-Feb;13(1).

<sup>iv</sup> Bond, S. The effect of distance to cell phone towers on house prices in Florida. *The Appraisal Journal*, 2007 Fall; 362-70.

## Hoyt, Jay

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**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](mailto:kayla.kramer@branchcomm.net)



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

Hi there,



# Board of Adjustment

**Case Number:** CBOA-2996

**Hearing Date:** 09/20/2022 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

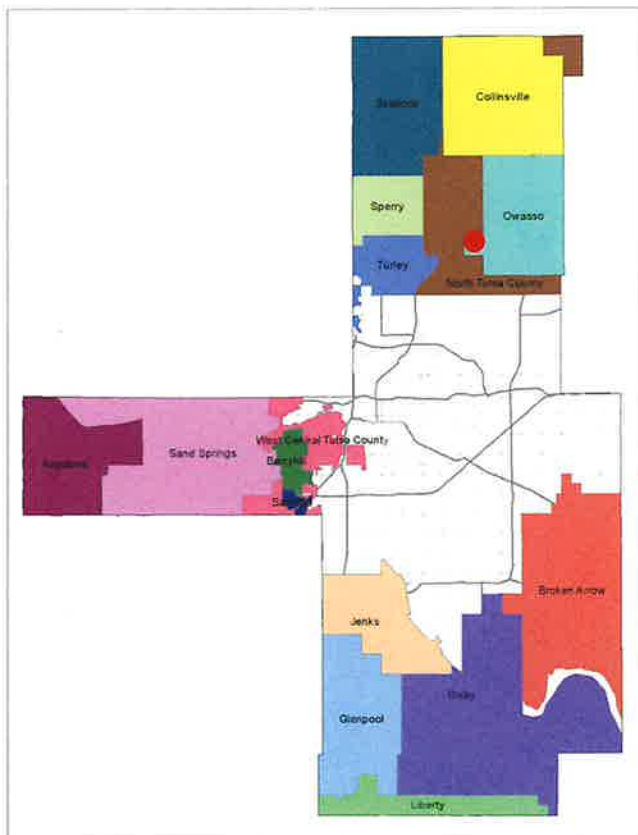
**Owner and Applicant Information:**

**Applicant:** Dustin Cripe

**Property Owner:** CRIPE, DUSTIN & LEIGH

**Action Requested:** Variance to permit structure in side yard. (Sec. 420.2.A) Variance to permit a second dwelling unit on single lot. (Sec. 207)

**Location Map:**



**Additional Information:**

**Present Use:** Residential

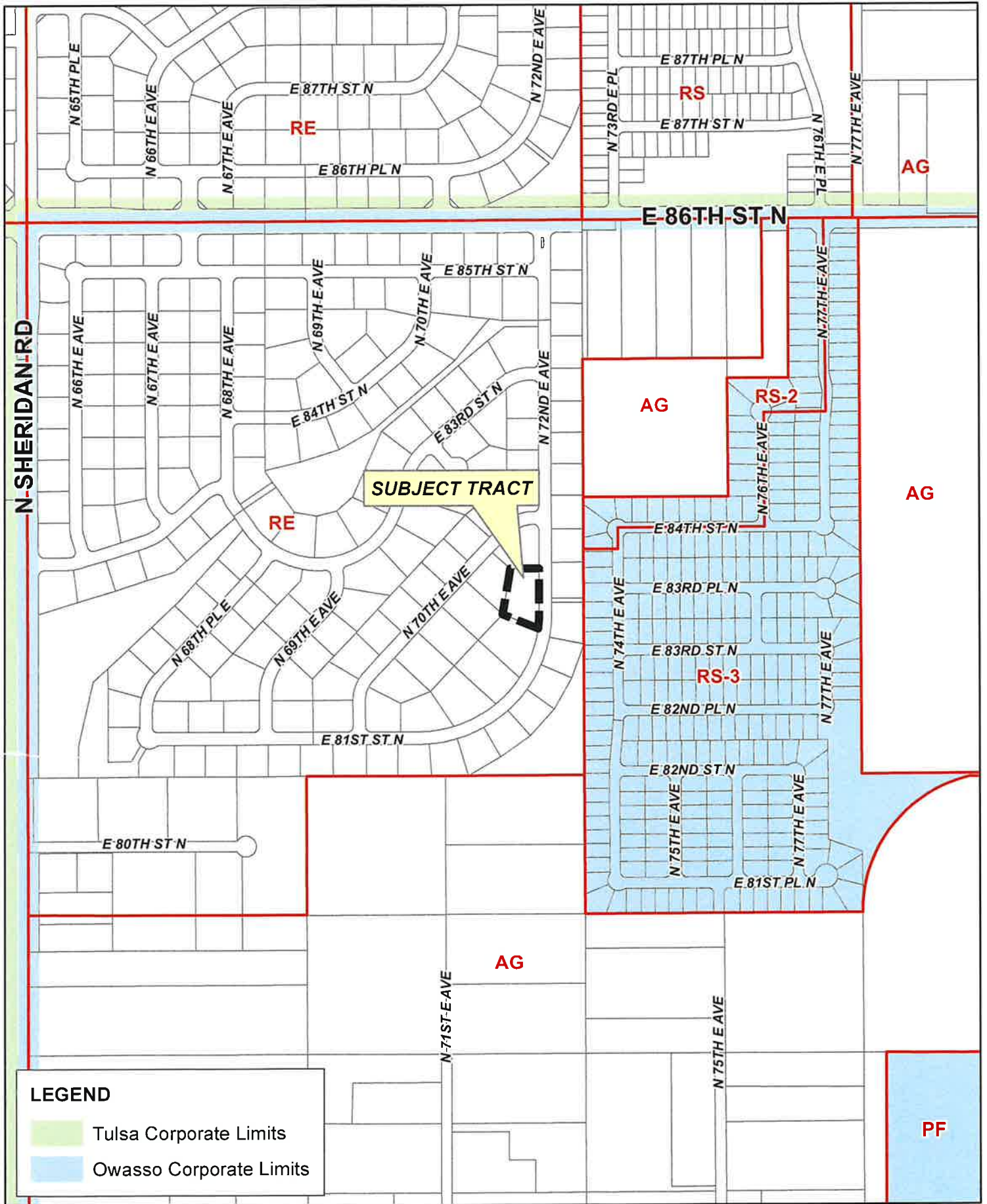
**Tract Size:** 0.91 acres

**Location:** 8250 N 72 AV E

**Present Zoning:** RE

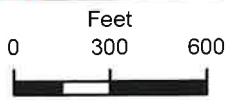
**Fenceline/Area:** Owasso

**Land Use Designation:** Residential



**LEGEND**

- Tulsa Corporate Limits
- Owasso Corporate Limits



**CBOA-2996**

21-13 26



**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 1326

**CZM:** 17

**CASE NUMBER:** CBOA-2996

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 09/20/2022 1:30 PM

**APPLICANT:** Dustin Cripe

**ACTION REQUESTED:** Variance to permit structure in side yard. (Sec. 420.2.A) Variance to permit a second dwelling unit on single lot. (Sec. 207)

**LOCATION:** 8250 N 72 AV E

**ZONED:** RE

**FENCELINE:** Owasso

**PRESENT USE:** Residential

**TRACT SIZE:** 0.91 acres

**LEGAL DESCRIPTION:** LOT 2 BLOCK 3, CROSSING AT 86TH STREET PHASE IV Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:** None Relevant

**Surrounding Property:**

CBOA-2318 April 2009: The Board approved a Variance to permit a detached accessory building in a side yard in the RE district (Section 420.2.A.2)

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

**STAFF COMMENTS:**

The applicant is before the Board to request a Variance to permit a structure in the side yard. (Sec. 420.2.A) and a Variance to permit a second dwelling unit on single lot. (Sec. 207).

The Tulsa County Zoning Code does not currently allow a detached accessory building to be located within the required side yard. In addition the Tulsa County Zoning Code does not allow more than one dwelling unit on a single lot. The applicant is proposing to construct an accessory building, adjacent to the existing home, within the side yard that will also contain a living space.

The applicant provided the statement "Moving the building to the rear of the existing structure will cause a great deal of dirt work. The rear yard runs up hill and that would have to be removed and reworked possibly causing water issue for the property and adjoining properties. Also the utilities for the property run through that area and would have to be moved. The property has a pool in the back yard and the structure being placed behind the home would affect the pool in a negative manner because of all of the dirt work. We would also like to use the upper level as a living space in the future."

*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 structure in the side yard. (Sec. 420.2.A) and a Variance to permit a second dwelling unit on single lot. (Sec. 207).*

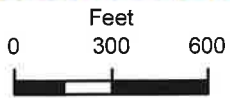
*Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.*

*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-2996**

21-13 26

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

Aerial Photo Date: 2020/2021







N 70TH EAVE

N 72ND EAVE



Subject Tract

**CBOA-2996**

21-13 26

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

Aerial Photo Date: 2020/2021





Dustin Cripe  
8250 N 72 E Ave.  
Owasso, Ok. 74055  
307-814-6083  
Cmcripe@yahoo.com

**Actions Requested:**

Current Zoning does not allow for a structure to be built on the side yard of the existing home without attaching the roof lines. We are requesting a variance to allow the structure without attaching the roofs. We are also requesting a variance to allow a future living space for the upper level of the structure.

**Please State our Hardships:**

Moving the building to the rear of the existing structure will cause a great deal of dirt work. The rear yard runs up hill and that hill would have to be removed and reworked possibly causing water issue for the property and adjoining properties. Also the utilities for the property do run through that area and would have to be moved. The property has a pool in the backyard and the structure being placed behind the home would affect the pool in a negative manner because of all the dirt work. We also would like to use the upper level as a living space in the future.

We do not believe we are asking for anything unusual. Other owners have requested and received variance changes for similar if not exact issues in our addition. We respectfully ask that you would approve our request.

**LEGEND**

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



**MORTGAGE INSPECTION REPORT**  
NOT A LAND OR BOUNDARY SURVEY



SCALE: 1"=50'

**SELLER:** Jonathan K. Brewer

**BUYER:** Dustin and Leigh Cripe

**CLIENT:** Apex Title & Closing Services, LLC

**FLOOD PLAIN STATEMENT:**

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



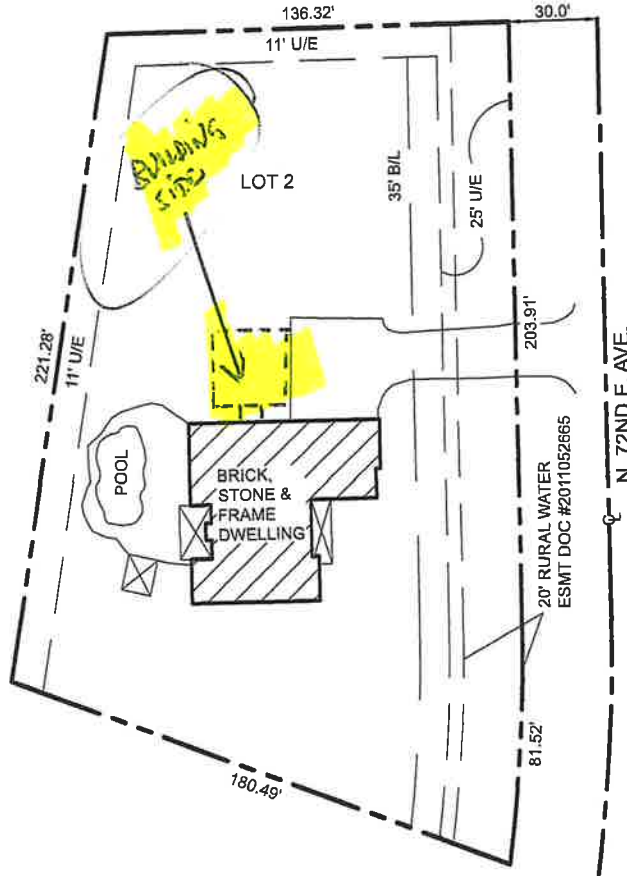
**SURVEYOR'S NOTE:**

THE FOLLOWING FOUND IN TITLE COMMITMENT #21145731, DATED 03/05/2021: DOES AFFECT THE PROPERTY:

- #5 ITEMS CONTAINED IN THE PLAT AND DEED OF DEDICATION/COVENANTS AND RESTRICTIONS, OF CROSSING AT 86TH PHASE IV, PLAT NO. 6250
- #10 DOC. #2011052665 (AS SHOWN)

DOES NOT AFFECT THE PROPERTY:

- #6 BK 2416 PG 339
- #7 BK 4180 PG 1010
- #8 DOC. #2008059033
- #9 DOC. #2008116854



**DATE OF FIELD INSPECTION:**

JUNE 19TH, 2021

**LEGAL DESCRIPTION:**

LOT TWO (2), BLOCK THREE (3), CROSSING AT 86TH STREET PHASE IV, AN ADDITION TO TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

ALSO KNOWN AS:  
8250 NORTH 72ND EAST AVENUE, OWASSO, OK 74055

**CERTIFICATION:**

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

WITNESS MY HAND AND SEAL THIS DATE: JUNE 22ND, 2021

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





**Case Number:** CBOA-2997

**Hearing Date:** 09/20/2022 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

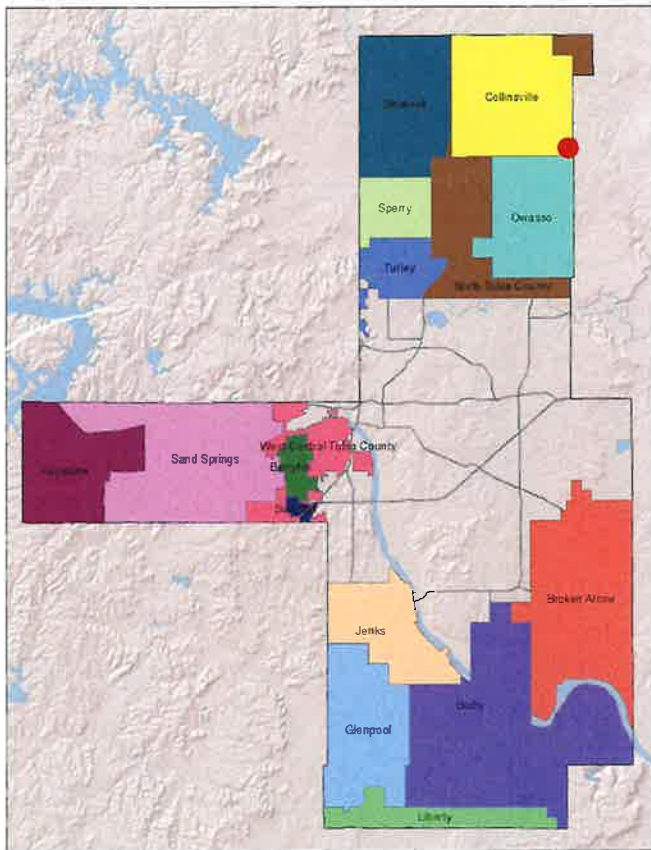
**Owner and Applicant Information:**

**Applicant:** Eric & Kimberly Loffer

**Property Owner:** LOFFER PROPERTIES LLC

**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:** Agriculture

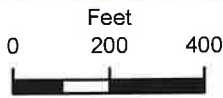
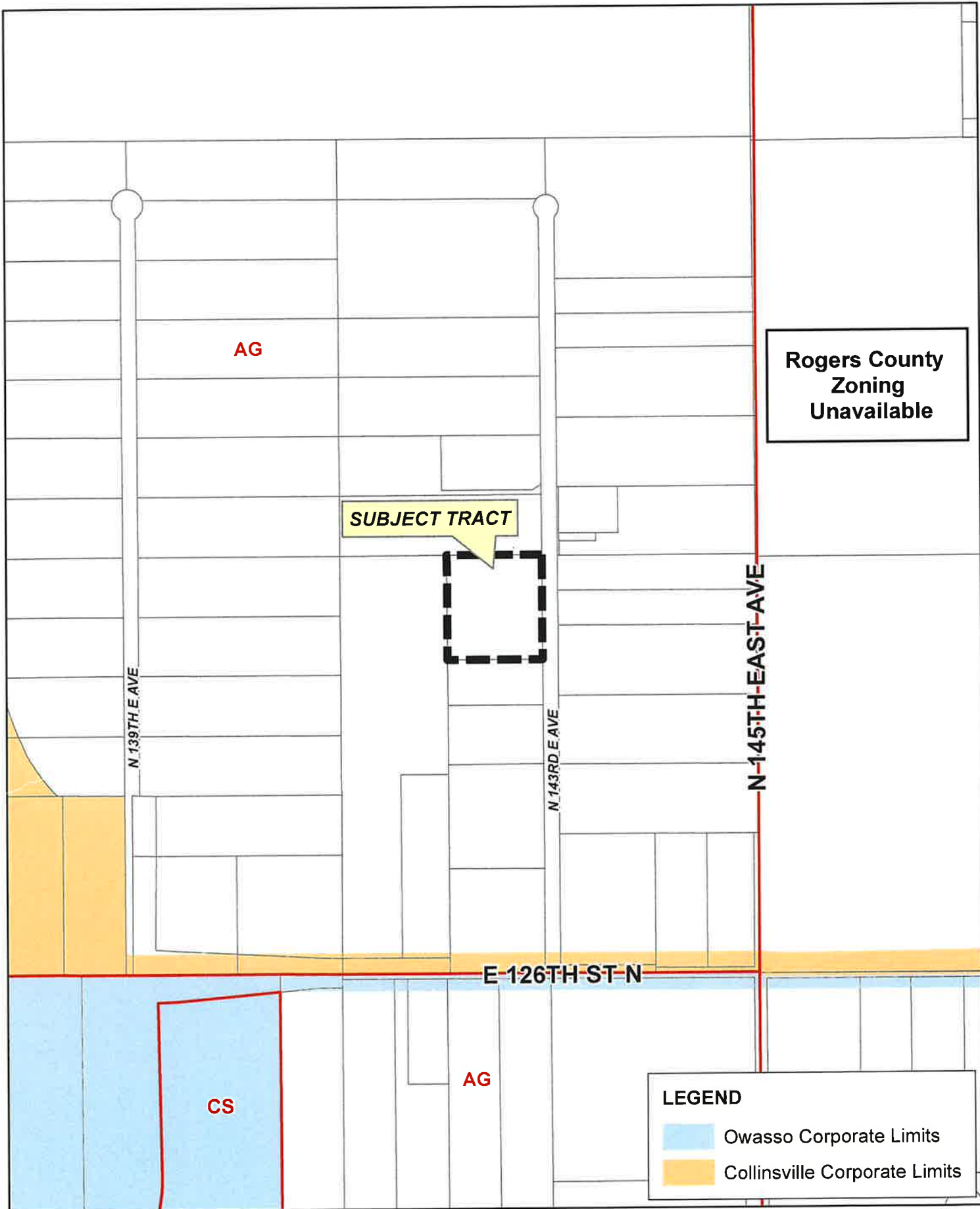
**Tract Size:** 2.31 acres

**Location:** 12802 N 143 AV E

**Present Zoning:** AG

**Fenceline/Area:** Collinsville

**Land Use Designation:** Residential



**CBOA-2997**

22-14 33



**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 2433  
**CZM:** 75

**CASE NUMBER: CBOA-2997**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 09/20/2022 1:30 PM

**APPLICANT:** Eric & Kimberly Loffer

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

**LOCATION:** 12802 N 143 AV E

**ZONED:** AG

**FENCELINE:** Collinsville

**PRESENT USE:** Agriculture

**TRACT SIZE:** 2.31 acres

**LEGAL DESCRIPTION:** N330.5 E/2 W/2 SE SE LESS E25 THEREOF FOR RD SEC 33 22 14 2.314ACS, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:** None Relevant

**Surrounding Property:**

**CBOA-2622 March 2017:** The Board approved a Variance of the lot area from 2 acres and land area per dwelling unit from 2.1 to 1.41 and 1.09 acres; and a Vairiance of the minimum lot width from 150' to 144' to permit a lot-split in the AG district. (Section 330, Table 3)

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned AG and contains a single-family home and associated accessory structures. The surrounding lots are zoned AG and contain single-family residences and agricultural uses.

**STAFF COMMENTS:**

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

The Tulsa County Zoning Code requires a minimum of 2 acres for each AG zoned lot and 2.1 acres per dwelling unit on an AG zoned lot. The applicant is proposing to split the existing subject lot into two lots of 1.159 acres each as illustrated in the Plat of Survey submitted by the applicant. A single-family home is proposed for each of the two resulting lots.

The applicant provided the statement "This is a unique parcel of 2.314 acres. It is a large lot with a lot of road frontage, over 330'. After a split, each lot will be over 50,000 sf. The existing house sits in the middle of the south proposed lot split. Each lot will have 165' of road frontage, giving an appearance of the frontage as it did for the neighbors property split to the immediate south of this property" (CBOA-2622)

*If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed lot-split 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).**

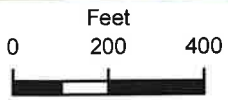
**Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.**

**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.**





Subject Tract

**CBOA-2997**

22-14 33

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

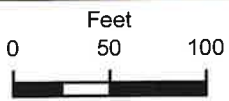
*Aerial Photo Date: 2020/2021*







N 143RD E AVE



Subject Tract

**CBOA-2997**

22-14 33

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

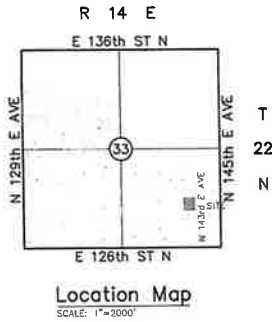
Aerial Photo Date: 2020/2021





# Plat of Survey Lot Split/Boundary

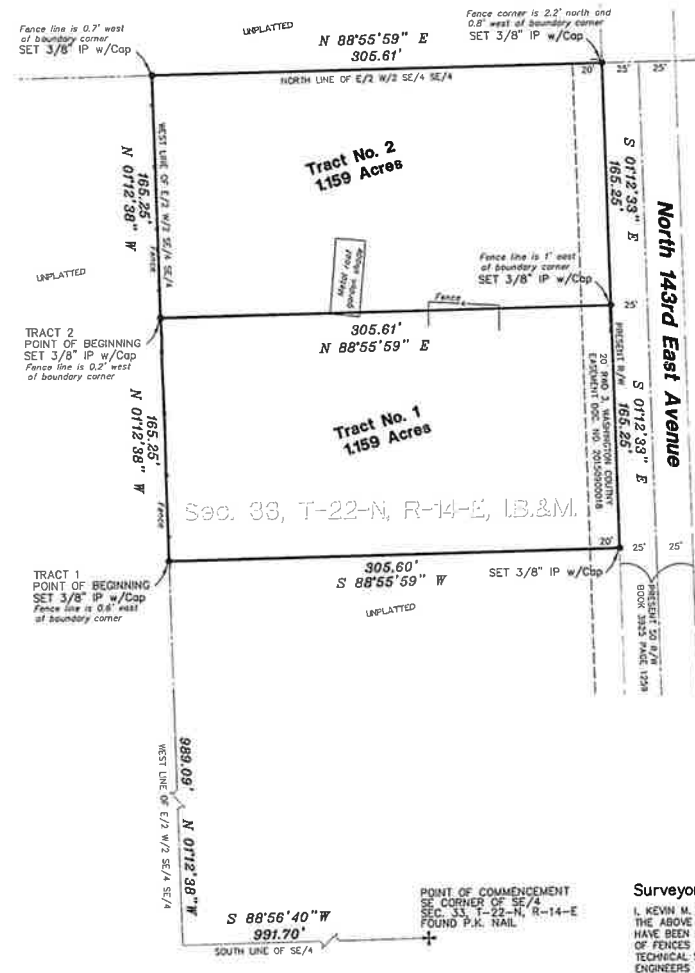
## of Part of E/2 W/2 SE/4 SE/4 Sec. 33, T-22-N, R-14-E Tulsa County, Oklahoma



Scale: 1"=50'



**Legend**  
IP IRON PIN  
R/W RIGHT OF WAY  
FENCE



### Tract No. 2 - 1.159 Acre Legal Description (north tract)

A tract of land located in the East Half of the West Half of the Southeast Quarter of the Southeast Quarter (E/2 W/2 SE/4 SE/4) of Section Thirty-three (33) in Township Twenty-two (22) North and Range Fourteen (14) East of the Indian Base and Meridian (I.B.&M.), according to the U.S. Government Survey, thereof, Tulsa County, State of Oklahoma; being more particularly described as follows:

COMMENCING at the SE corner of the SE/4 of Sec. 33, T-22-N, R-14-E, I.B.&M.; THENCE S 88°56'40"W along the south line of said SE/4 a distance of 991.70 feet to the SW corner of the E/2 W/2 SE/4 of said SE/4; THENCE N 01°12'38"W along the west line of said E/2 W/2 SE/4 SE/4 a distance of 1154.34 feet to the POINT OF BEGINNING; THENCE N 01°12'38"W along the west line of said E/2 W/2 SE/4 SE/4 a distance of 165.25 feet to the NW corner of said E/2 W/2 SE/4 SE/4; THENCE N 88°55'59"E along the north line of said E/2 W/2 SE/4 SE/4 a distance of 305.61 feet to the present right-of-way of North 143rd East Avenue; THENCE S 01°12'33"E along the present right-of-way of North 143rd East Avenue a distance of 165.25 feet; THENCE S 88°55'59"W a distance of 305.61 feet to the POINT OF BEGINNING, and containing 1.159 acres, more or less.

### Tract No. 1 - 1.159 Acre Legal Description (south tract)

A tract of land located in the East Half of the West Half of the Southeast Quarter of the Southeast Quarter (E/2 W/2 SE/4 SE/4) of Section Thirty-three (33) in Township Twenty-two (22) North and Range Fourteen (14) East of the Indian Base and Meridian (I.B.&M.), according to the U.S. Government Survey, thereof, Tulsa County, State of Oklahoma; being more particularly described as follows:

COMMENCING at the SE corner of the SE/4 of Sec. 33, T-22-N, R-14-E, I.B.&M.; THENCE S 88°56'40"W along the south line of said SE/4 a distance of 991.70 feet to the SW corner of the E/2 W/2 SE/4 of said SE/4; THENCE N 01°12'38"W along the west line of said E/2 W/2 SE/4 SE/4 a distance of 999.09 feet to the POINT OF BEGINNING; THENCE N 01°12'38"W along the west line of said E/2 W/2 SE/4 SE/4 a distance of 165.25 feet; THENCE N 88°55'59"E a distance of 305.61 feet to the present right-of-way of North 143rd East Avenue; THENCE S 01°12'33"E along the present right-of-way of North 143rd East Avenue a distance of 165.25 feet; THENCE S 88°55'59"W a distance of 305.60 feet to the POINT OF BEGINNING, and containing 1.159 acres, more or less.

### Surveyor's Statement

I, KEVIN M. NEWLUN, A REGISTERED LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS A BOUNDARY SURVEY. THE ABOVE PLAT REFLECTS ALL INSTRUMENTS THAT HAVE BEEN DISCLOSED AND FILED AT THE TIME OF SURVEY. NO OPINION IS VERSED AS TO THE OWNERSHIP OF FENCES OR ANY OTHER APPURTENANCES ON SAID PROPERTY. THIS PLAT OF SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.



BENCHMARK SURVEYING & LAND SERVICES, INC.  
 KEVIN M. NEWLUN RLS # 1289  
 JUNE 2, 2022  
 DATE OF CERTIFICATION

- Notes**
- THESE LEGAL DESCRIPTIONS WERE PREPARED BY KEVIN M. NEWLUN, OKLAHOMA LICENSED PROFESSIONAL SURVEYOR # 1289.
  - THE PROPERTIES DESCRIBED HEREON ARE WHOLLY CONTAINED WITHIN THE LEGAL DESCRIPTION IN THE WARRANTY DEED IN DOCUMENT No. 20118013083, TULSA COUNTY, OKLAHOMA, THAT WAS USED AS THE BASE DEED FOR THIS BOUNDARY SURVEY.
  - THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD. NO ATTEMPT TO RESEARCH THE COUNTY RECORDS OR OTHER RECORD OFFICES WAS PERFORMED BY THIS FIRM, THEREFORE EASEMENTS MAY AFFECT THE SUBJECT TRACT THAT ARE NOT REFLECTED BY THIS PLAT.
  - ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN.
  - THE BEARING BASE FOR THIS SURVEY IS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83(1983)

REVISIONS	BY	DATE	FILE	2214.3322	SURVEY BY:	CC	DATE:	06/02/2022
LAST FIELD VISIT	CC	6/2/22	ORDER:	32300	DRAWN BY:	TLG	SCALE:	1"=50'
			BOOK:	8/401	CHECKED BY:	KMN	SHEET	1 OF



# Board of Adjustment

**Case Number:** CBOA-2998

**Hearing Date:** 09/20/2022 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

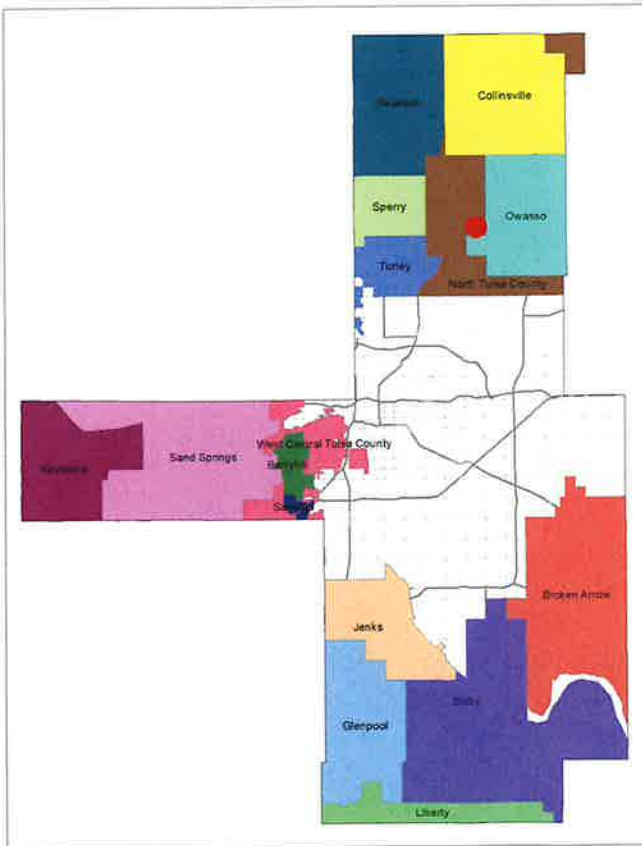
**Owner and Applicant Information:**

**Applicant:** Robert Parker

**Property Owner:** SIMMONS HOMES RESIDENTIAL GROUP LLC

**Action Requested:** Variance to reduce the required street yard in the RS District (Sec. 430.1)

**Location Map:**



**Additional Information:**

**Present Use:** Residential

**Tract Size:** 0.21 acres

**Location:** 7301 E 89 PL N

**Present Zoning:** RS

**Fenceline/Area:** North Tulsa County

**Land Use Designation:** Rural Residential/Agricultural

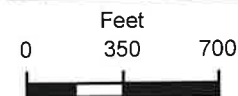
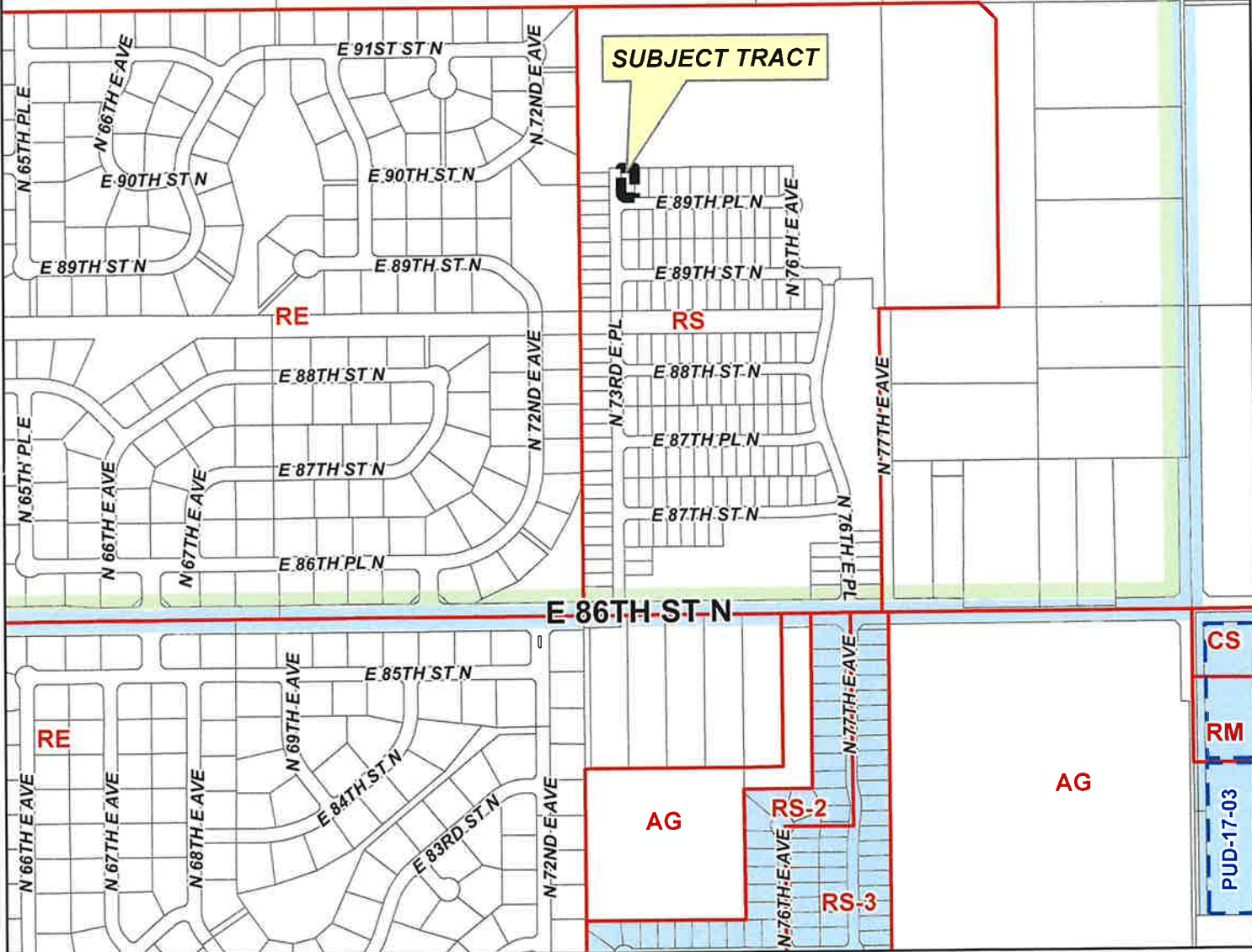
**LEGEND**

- Tulsa Corporate Limits
- Owasso Corporate Limits

AG

N MEMORIAL DR

SUBJECT TRACT



**CBOA-2998**

21-13 23



**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 1323

**CZM:** 17

**CASE NUMBER:** CBOA-2998

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 09/20/2022 1:30 PM

**APPLICANT:** Robert Parker

**ACTION REQUESTED:** Variance to reduce the required street yard in the RS District (Sec. 430.1)

**LOCATION:** 7301 E 89 PL N

**ZONED:** RS

**FENCELINE:** North Tulsa County

**PRESENT USE:** Residential

**TRACT SIZE:** 0.21 acres

**LEGAL DESCRIPTION:** LOT 1 BLOCK 2, MAGNOLIA RIDGE PHASE II Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:** None Relevant

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RS. The surrounding lots are zoned RS and contains single-family homes and a reserve area for the development.

**STAFF COMMENTS:**

The applicant is before the Board to request a Variance to reduce the required street yard in the RS District (Sec. 430.1).

Per the Tulsa County Zoning Code, street yards abutting a non-arterial street are required to be a minimum of 25 ft. Per the plan provided by the applicant, the single-family home has been built 7 ½ ft over the required street setback. (Please note that the applicant's site plan does not denote the required 25 ft street yard setback along N 73<sup>rd</sup> E Pl. Also the applicants site plan calls out N 73<sup>rd</sup> E Pl as E 134<sup>th</sup> Ct S.) The applicant would need a reduction of the required street yard along N 73<sup>rd</sup> E Pl from 25 ft to 17 ½ ft.

The applicant provided the statement that the "Existing home built over the building line."

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

**Sample Motion:**

"Move to \_\_\_\_\_ (approve/deny) a Variance to reduce the required street yard in the RS District (Sec. 430.1)

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

Subject to the following conditions, if any: \_\_\_\_\_.

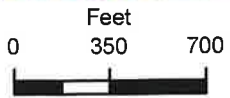
Finding the hardship to be \_\_\_\_\_.

*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.*





N MEMORIAL DR



Subject Tract

# CBOA-2998

21-13 23

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

Aerial Photo Date: 2020/2021







**N 73RD E PL**

**E 89TH PL N**

**E 89TH ST N**



**Subject Tract**

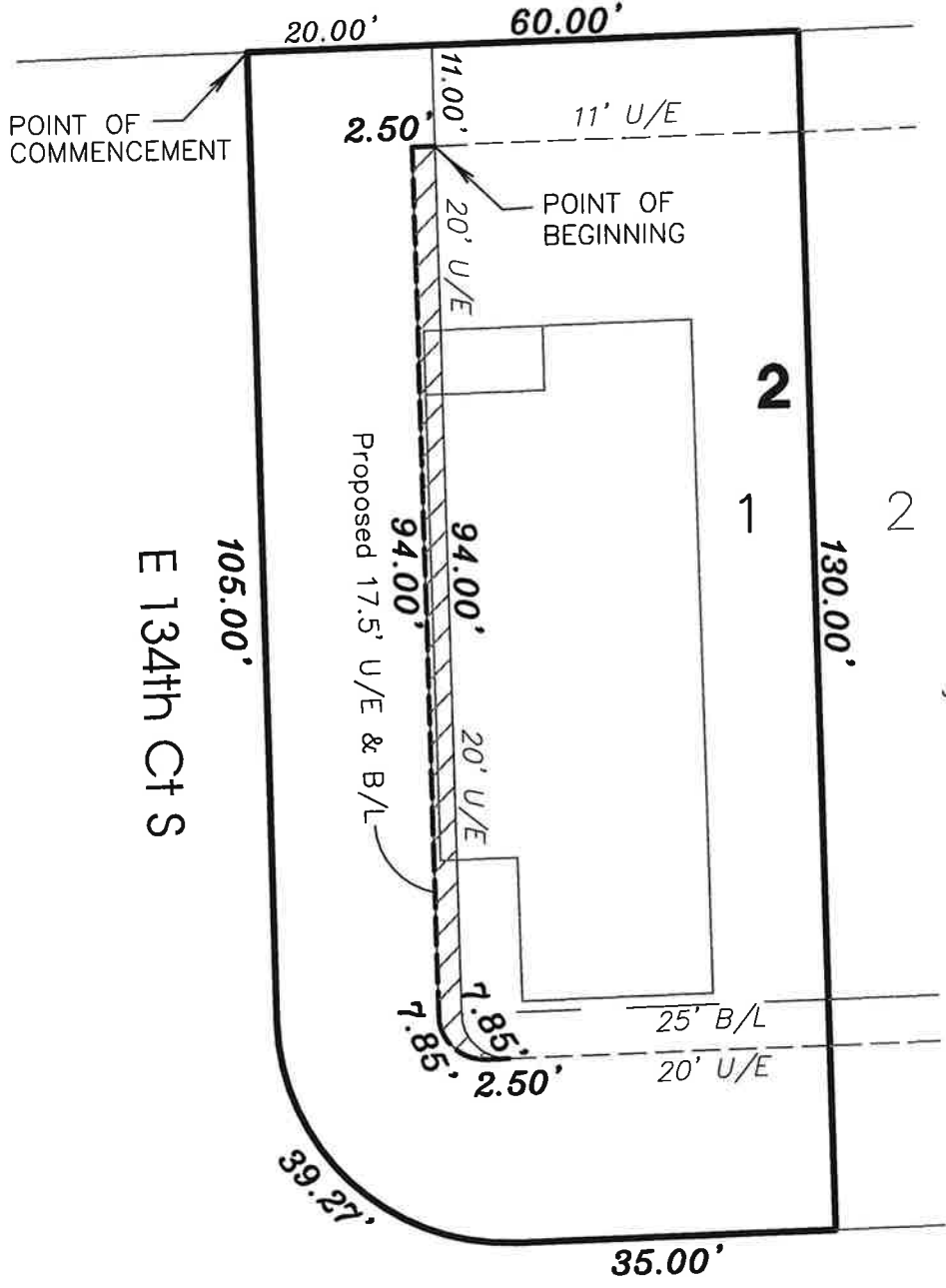
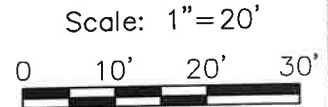
**CBOA-2998**  
21-13 23

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

*Aerial Photo Date: 2020/2021*



**Lot 1 of Block 2  
Magnolia Ridge Phase II  
Tulsa County, Oklahoma  
7301 E 89th Pl N**



E 134th Ct S

Magnolia Ridge  
Phase II

E 89th Pl N

**LEGAL DESCRIPTION EXHIBIT**

Benchmark Surveying and Land Services, Inc.

P. O. BOX 1078  
OWASSO, OK. 74056  
C.A. NO. 2235

PHONE: (918) 274-9081  
FAX: (918) 274-0807  
EXP. DATE 6/30/24



**Case Number:** CBOA-2999

**Hearing Date:** 09/20/2022 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

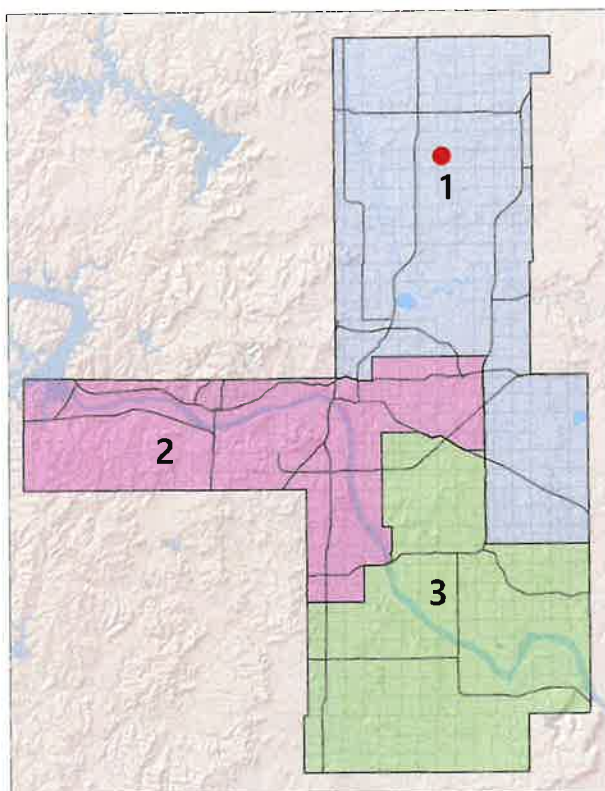
**Owner and Applicant Information:**

**Applicant:** Roberta Noonkester

**Property Owner:** NOONKESTER, RANDY G AND ROBERTA

**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:** 28.13 acres

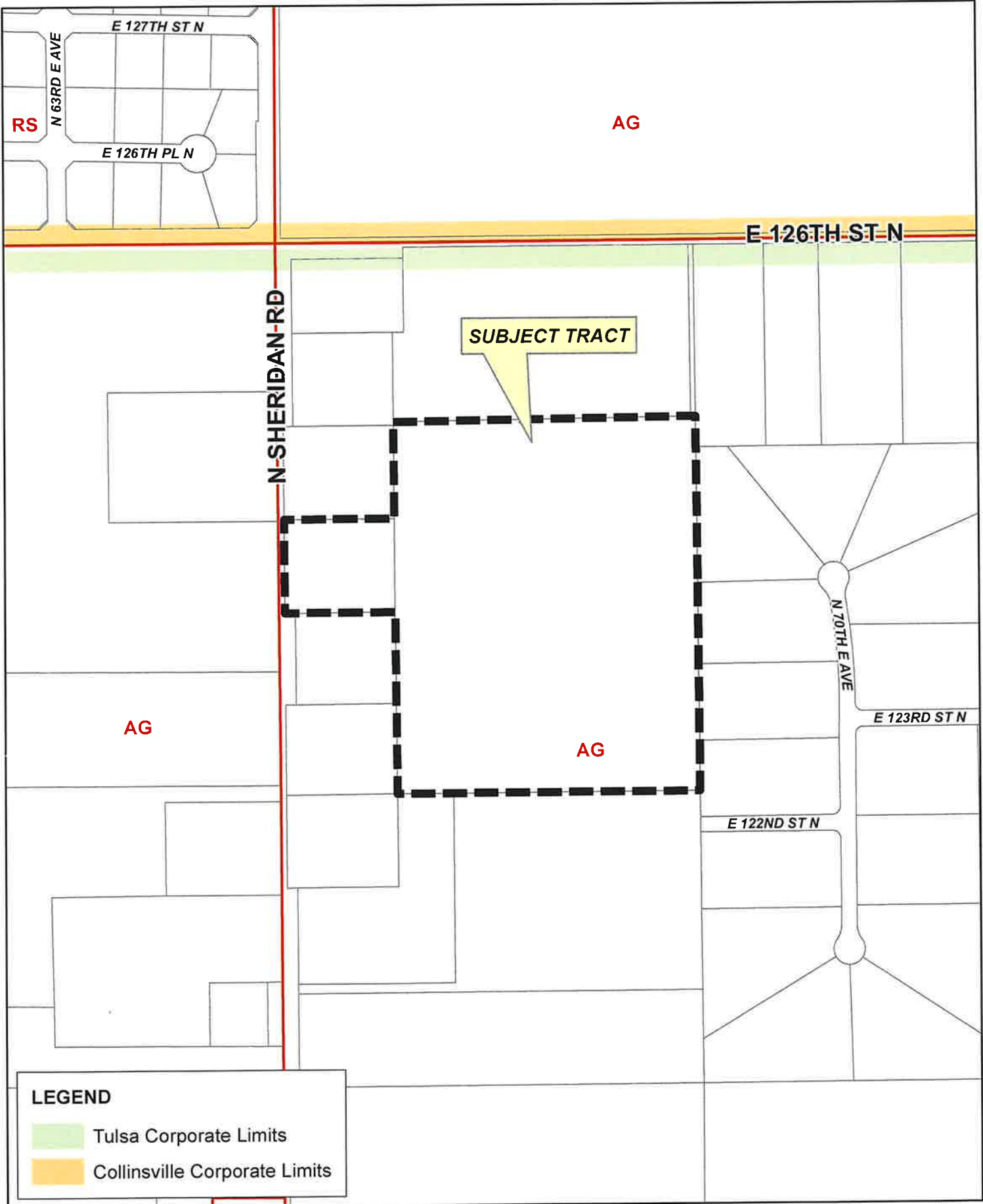
**Location:** 12307 N SHERIDAN RD E

**Present Zoning:** AG

**Fenceline/Area:** North Tulsa County

**Land Use Designation:** Rural Residential/Agricultural





SUBJECT TRACT

AG

E 126TH ST N

N-SHERIDAN-RD

AG



AG

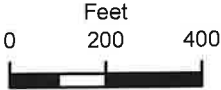
N 70TH E AVE

E 123RD ST N

E 122ND ST N

**LEGEND**

-  Tulsa Corporate Limits
-  Collinsville Corporate Limits



**CBOA-2999**

21-13 02





**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 1302

**CZM:** 11

**CASE NUMBER:** CBOA-2999

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 09/20/2022 1:30 PM

**APPLICANT:** Roberta Noonkester

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

**LOCATION:** 12307 N SHERIDAN RD E

**ZONED:** AG

**FENCELINE:** North Tulsa County

**PRESENT USE:** Residential

**TRACT SIZE:** 28.13 acres

**LEGAL DESCRIPTION:** N1180 S2106 E950 W/2 NW SEC 2 21 13 25.735ACS; W370 N295 S1811 W/2 NW LESS W16.5 THEREOF FOR RD SEC 2 21 13 2.394ACS, 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 agricultural uses. The surrounding lots are zoned AG and contain single-family residences and agricultural uses.

**STAFF COMMENTS:**

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

The Tulsa County Zoning Code requires 2.1 acres per dwelling unit in the AG district. The applicant is requesting a Variance that the lot area be reduced to permit a lot split. The parent tract contains approximately 28.13 acres. The applicant proposes to split off a 1.219 acre tract on the western side of the subject lot to permit a lot split so that the existing home and associated accessory buildings may be contained in the new, 1.219 acre tract and a new single-family home to be constructed on the remainder of the tract.

The applicant did not provide a statement of hardship for this case.

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

**Sample Motion:**

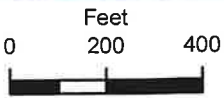
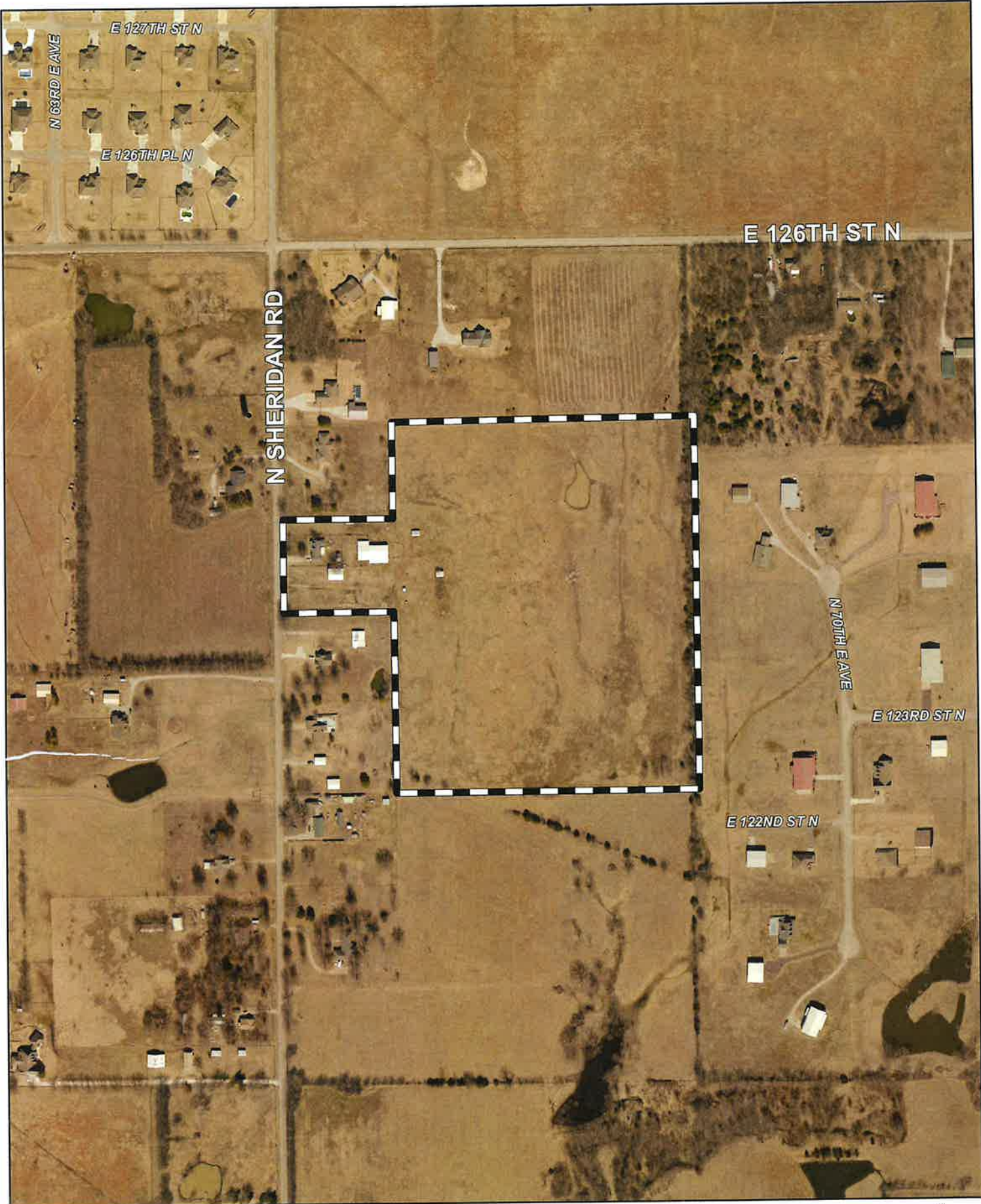
*"Move to \_\_\_\_\_ (approve/deny) a Variance of the minimum lot area and land area required in an AG district to permit a lot split (Sec 330).*

*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.*



Subject Tract

# CBOA-2999

21-13 02

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

Aerial Photo Date: 2020/2021





Scale: 1" = 80  
Legend:  
- - - - - ROAD  
--- --- --- F/W RIGHT-OF-WAY

# Lot Split Boundary Survey

## A Part of the W/2 NW/4 Sec. 2, T-21-N, R-13-E, I.B.&M. Tulsa County, Oklahoma

**Surveyor's Statement**  
I, the undersigned, have personally and physically examined the above described land and the original and true copies of the instruments thereon and am satisfied that the same are correct and true copies of the originals and that the same are in accordance with the original and true copies of the originals and that the same are in accordance with the original and true copies of the originals and that the same are in accordance with the original and true copies of the originals.

- Notes**
1. PROFESSIONAL SURVEYING DOCUMENT PREPARED BY KEVIN M. NEUMAN, OKLAHOMA LICENSED PROFESSIONAL SURVEYOR, NUMBER 01289.
  2. THE LEGAL DESCRIPTIONS SHOWN HEREON MANIPULATED ELECTRONICALLY.
  3. THIS DRAWING HAS BEEN CHECKED AGAINST THE ORIGINAL RECORDS AND FOUND TO BE A TRUE COPY OF THE ORIGINAL RECORDS AND THAT THE SAME ARE IN ACCORDANCE WITH THE ORIGINAL RECORDS.
  4. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN.
  5. THE SURVEY IS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.

**Ownership (Unplatted) Information**

OWNER: RANDY G. HOOVER, 27096 ACRES

LEGAL DESCRIPTIONS USED FOR THIS SURVEY ARE IN THE GENERAL WARRANTY DEED IN BOOK 3189 AT PAGE 1088 AND IN THE PERSONAL REPRESENTATIVE DEED IN BOOK 5300 AT PAGE 840

1. (3189 AC) AND PARCEL NO. 01289-13-02-2560 (25.60 AC)
2. (5300 AC) AND PARCEL NO. 01289-13-02-2560 (25.60 AC)

**Legal Description — 1,219 Acre Tract No.1**

A tract of land located in the West Half of the Northwest Quarter (NW/4) of Section Two (2) in Township Twenty-one (21) North and Range Thirteen (13) East of the Indian Base and Meridian (I.B.&M.), according to the original plat recorded in the public records of the State of Oklahoma, to-wit: the original plat recording said tract of land as a part of the W/2 NW/4 of Sec. 2, T-21-N, R-13-E, I.B.&M., THENCE N 01°27'54"W along the west line of said NW/4 a distance of 1565.00 feet to the POINT OF BEGINNING; THENCE S 88°37'46"W along the south line of said NW/4 a distance of 370.00 feet; THENCE N 88°37'46"W along the north line of said NW/4 a distance of 1565.00 feet to the POINT OF BEGINNING, THENCE S 88°37'46"W along the south line of said NW/4 a distance of 370.00 feet to the POINT OF BEGINNING, and containing 1,219 acres, more or less.

**Legal Description — 27,096 Acre Tract No.2**

A tract of land located in the West Half of the Northwest Quarter (NW/4) of Section Two (2) in Township Twenty-one (21) North and Range Thirteen (13) East of the Indian Base and Meridian (I.B.&M.), according to the original plat recorded in the public records of the State of Oklahoma, to-wit: the original plat recording said tract of land as a part of the W/2 NW/4 of Sec. 2, T-21-N, R-13-E, I.B.&M., THENCE N 01°27'54"W along the west line of said NW/4 a distance of 1565.00 feet to the POINT OF BEGINNING; THENCE S 88°37'46"W along the south line of said NW/4 a distance of 370.00 feet; THENCE N 88°37'46"W along the north line of said NW/4 a distance of 1565.00 feet to the POINT OF BEGINNING, THENCE S 88°37'46"W along the south line of said NW/4 a distance of 370.00 feet to the POINT OF BEGINNING, and containing 27,096 acres, more or less.



**Tract No. 1**  
**1,219 Acres**

**Tract No. 2**  
**27,096 Acres**

REVISED BY HAND AND SEAL THIS 7TH DAY OF JULY, 2022			
REVISIONS	BY	DATE	
1. LAYOUT AND DIMENSIONS	K.M.N.	7/7/22	
2. CORRECTED PROFESSIONAL LAND SURVEYOR			
3. OKLAHOMA NO. 1289			
REVISED BY HAND AND SEAL THIS 7TH DAY OF JULY, 2022			
REVISIONS	BY	DATE	
1. LAYOUT AND DIMENSIONS	K.M.N.	7/7/22	
2. CORRECTED PROFESSIONAL LAND SURVEYOR			
3. OKLAHOMA NO. 1289			

WATKINS SURVEYING and LAND SERVICES, INC.  
1111 S. UNIVERSITY AVENUE, SUITE 100  
TULSA, OKLAHOMA 74106  
PHONE: (918) 438-4444  
FAX: (918) 438-4445  
WWW.WATKINS-SURVEYING.COM

POINT OF COMMENCEMENT IS ON COURSE OF NW/4 SEC. 2, T-21-N, R-13-E FOUND 3/8" I.P.





# Board of Adjustment

**Case Number:** CBOA-3000

**Hearing Date:** 09/20/2022 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

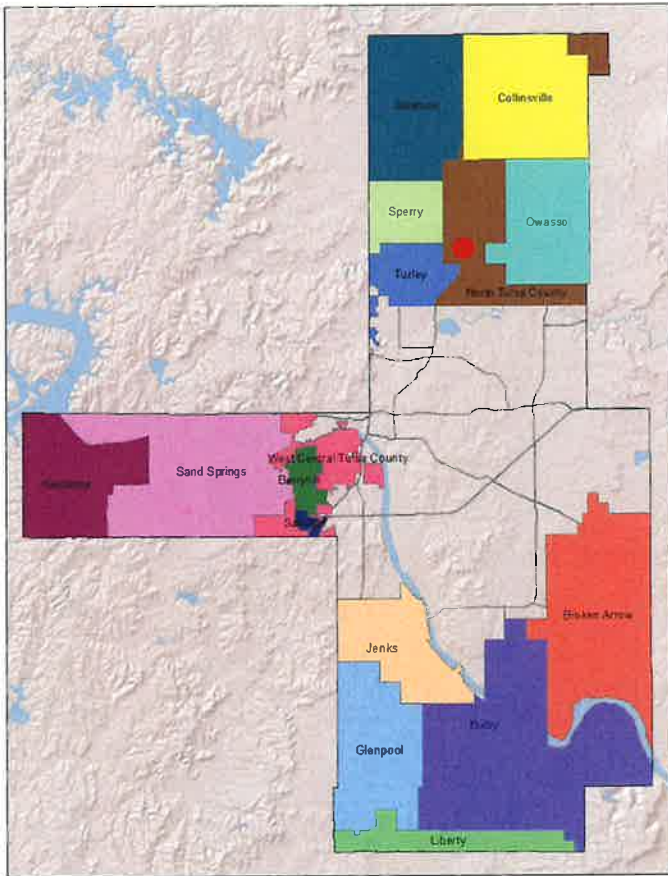
**Owner and Applicant Information:**

**Applicant:** AAB Engineering, LLC

**Property Owner:** OWASSO 86TH DEVELOPMENT LLC

**Action Requested:** Variance of the parking required from 48 to 35 (Section 1214.4)

**Location Map:**



**Additional Information:**

**Present Use:** Vacant

**Tract Size:** 25.75 acres

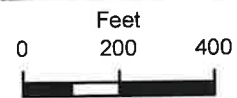
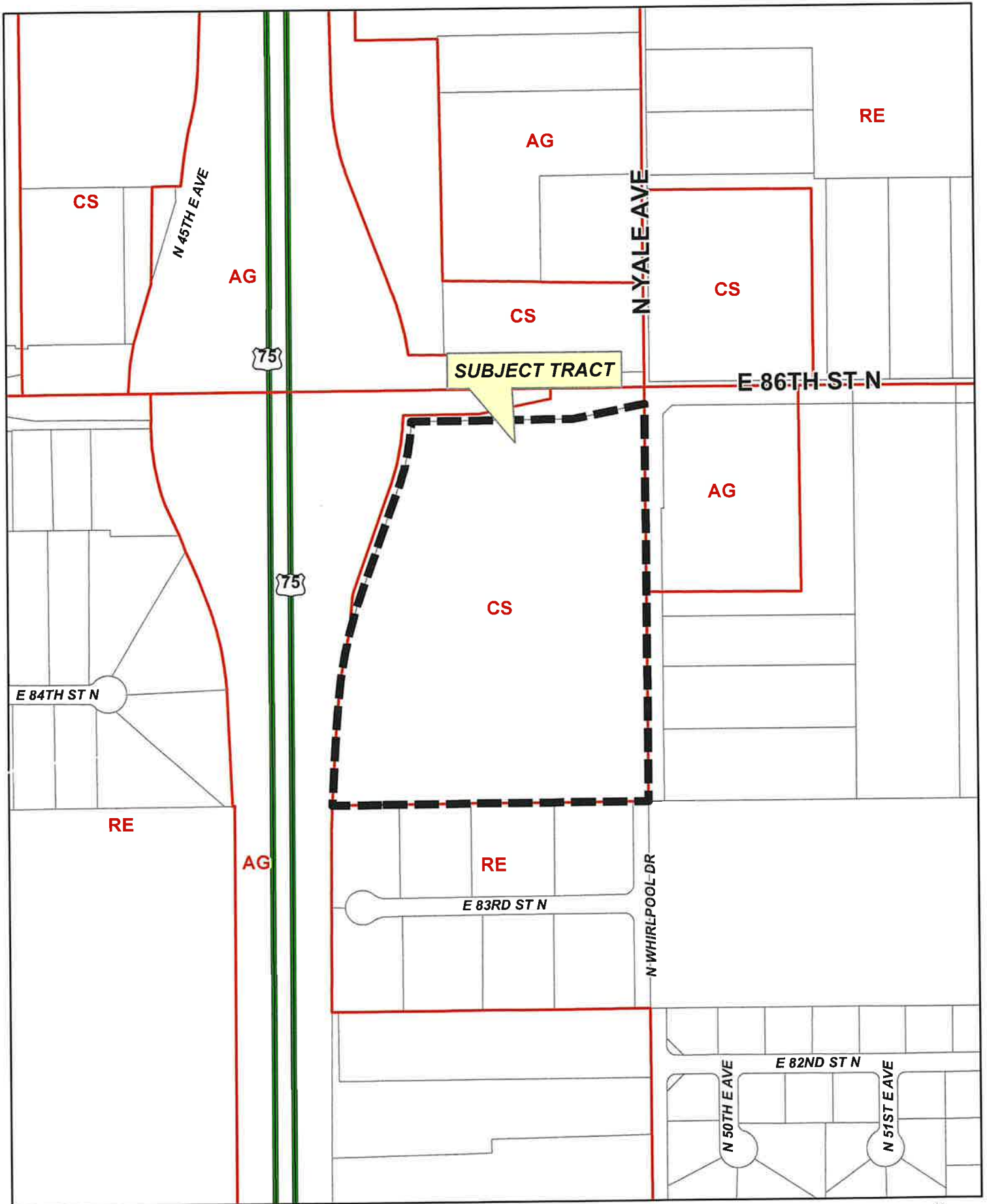
**Location:** 8416 N WHIRLPOOL DR E

**Present Zoning:** CS

**Fenceline/Area:** North Tulsa County

**Land Use Designation:** Rural Commercial

Tulsa County Comprehensive Land Use Plan



# CBOA-3000

21-13 28



**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 1328  
**CZM:** 16, 17

**CASE NUMBER: CBOA-3000**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 09/20/2022 1:30 PM

**APPLICANT:** AAB Engineering, LLC

**ACTION REQUESTED:** Variance of the parking required from 48 to 35 (Section 1214.4)

**LOCATION:** 8416 N WHIRLPOOL DR E

**ZONED:** CS,AG

**FENCELINE:** North Tulsa County

**PRESENT USE:** Vacant

**TRACT SIZE:** 25.75 acres

**LEGAL DESCRIPTION:** NE NE LESS 14.25ACS TO STATE FOR HWY SEC 28 21 13 25.75AC, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:** None Relevant

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned CS and contains vacant single-family homes. The adjacent tracts are zoned CS, AG and RE and contain single-family homes and a religious facility.

**STAFF COMMENTS:**

The applicant is before the Board requesting a Variance of the parking required from 48 to 35 (Section 1214.4)

The applicant is proposing to construct a Dollar General store on the subject lot as shown on the site plan provided by the applicant. Based on the floor area (approximately 10,640 sf) 48 parking spaces would be required by the Tulsa County Zoning Code. The applicant is requesting this requirement be reduced to 35 spaces due to the location of utilities and a needed septic service.

The applicant provided the statement "The access to the site is required to be separated from the intersection by the distance shown which requires the bulk of the green space to be along the north. The location of waterlines prevents this area from being used as a septic field and adding the required parking reduces the remaining area beyond what is needed for septic service."

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

**Sample Motion:**

"Move to \_\_\_\_\_ (approve/deny) a Variance of the parking required from 48 to 35 (Section 1214.4)

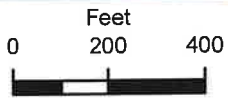
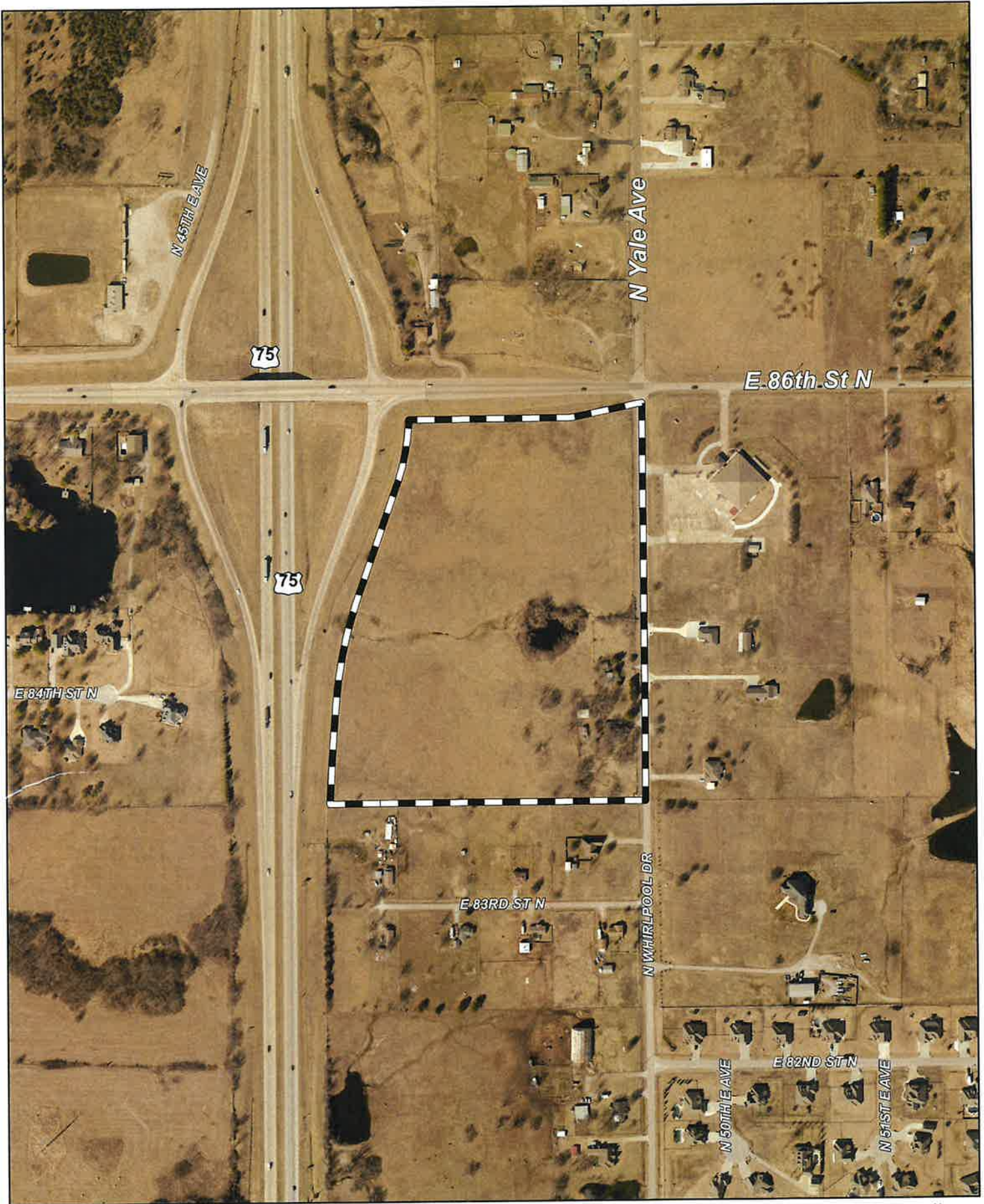


Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.

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

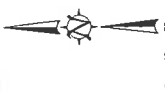
# CBOA-3000

21-13 28

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

Aerial Photo Date: 2020/2021



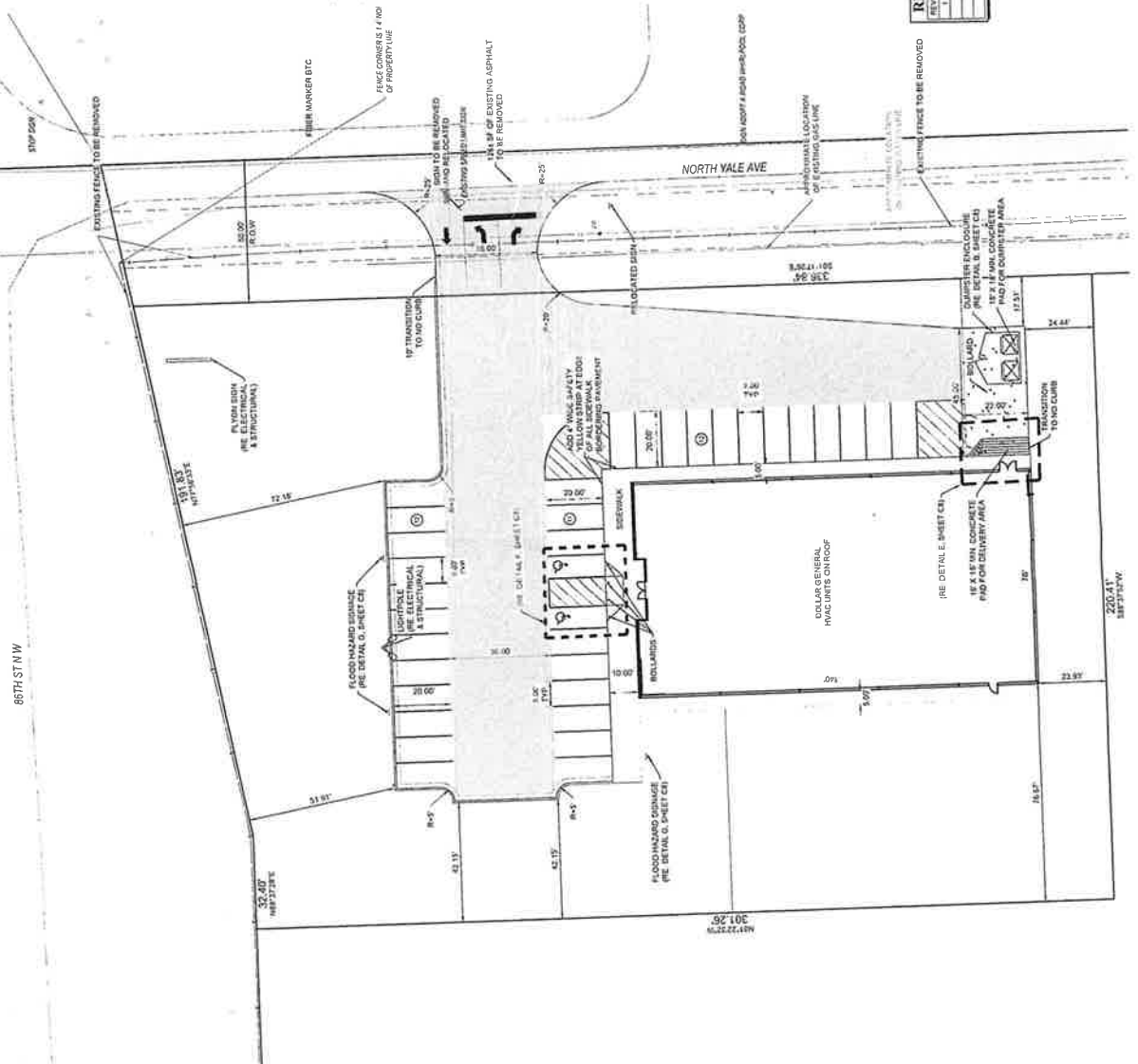


**OWNER/DEVELOPER**  
 OWASSO 24241, LLC  
 3114 S. EAST STREET  
 TULSA, OK 74137  
 PHONE 918.760.1896  
 ATH - JESSIE STOKER

**ENGINEER/SURVEYOR**  
 AAB ENGINEERING, LLC  
 SAND SPRINGS, OK 74063  
 PHONE 918.514.7493  
 FAX 918.514.4498

**SURVEY LEGEND**

- SANITARY SEWER SERVICE
- WATERLINE SERVICE
- NO ELECTRIC SERVICE
- GAS SERVICE
- UNDERGROUND COMMUNICATIONS SERVICE
- UNDERGROUND FIBER OPTIC SERVICE
- EXISTING FENCE
- MINOR CONT'D UR
- MAJOR CONT'D UR
- FIRE HYDRANT
- POWER POLE
- UTILITY POLE
- GAS METER
- LIGHT POLE
- SET MONUMENT
- FOUND MONUMENT
- SANITARY SEWER MANHOLE
- SANITARY SEWER LAMPHOLE
- STORM SEWER MANHOLE
- TRANSFORMER
- IRRIGATION CONTROL VALVE
- DECIDUOUS TREE (SIZE AS NOTED)
- BUSH
- PVC PIPE
- STREET SIGN
- AIR CONDITIONER PAD
- ELECTRIC TRANSFORMER
- 1% CHANGE FLOODPLAIN (100 YEAR)
- CONCRETE PAVEMENT
- ASPHALT PAVEMENT
- GRAVEL
- RIP RAP
- A/C
- 4-GRADE AREA INLET
- BUILDING SETBACK LINE
- BARBED WIRE FENCE
- BEYOND MARK
- CONCRETE CURB
- CABLETY PEDestal
- EXISTING GROUND
- EXISTING CONCRETE
- FENCE BASEMENT
- FLOWLINE
- FLAG POLE
- EXISTING SIDEWALK
- GROUND LIGHT
- GAS METER
- DOWN GUY
- HANDRAIL
- HIGH DENSITY POLYETHYLENE
- LIMITS OF NO ACCESS
- OVERHEAD ELECTRIC
- TREE DECIDUOUS
- TOP OF PAVEMENT
- CENTER LINE
- IRON PIN FOUND
- IRON PIN FOUND WITH CAP AND INDICATOR
- IRON PIN SET W/ CAP STAMPED DATE
- IRON PIN SET W/ CAP
- REINFORCED METAL PIPE
- REINFORCED CONCRETE PIPE



**IMPERVIOUS CALCULATIONS:**

TOTAL AREA	69,821 SF
EXISTING IMPERVIOUS AREA	6,575 SF
PROPOSED IMPERVIOUS AREA	34,755 SF
TOTAL IMPERVIOUS INCREASE	34,755 SF

**UTILITY CONTACTS**

**ELECTRIC**  
 CONTACT: BRYAN WILLIAMS  
 PHONE: 918-250-7716

**TELEPHONE**  
 PROVIDER: AT&T  
 CONTACT: JERRY GAMBAL  
 PHONE: 918-331-2255

**WATER**  
 PROVIDER: NATURAL GAS COMPANY  
 CONTACT: JERRY GAMBAL  
 PHONE: 918-331-2255

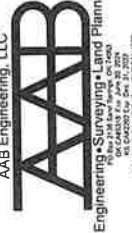
**GAS**  
 PROVIDER: ONEOK  
 CONTACT: CHRIS EVANS  
 PHONE: 1-800-551-4333

**SHEET LEGEND**

- HEAVY DUTY CONCRETE PAVEMENT
- STANDARD DUTY CONCRETE PAVEMENT
- CONCRETE SIDEWALK
- TRASH ENCLOSED DELIVERY PAD PAVEMENT
- IRRIGATED SEEDED AREA
- NON-IRRIGATED SEEDED AREA
- PARKING COUNT

**REVISION UPDATE LOG**

REV#	REVISIONS	DATE
REV 1	ISSUE FOR PERMITS & ADD SIZE	04/20/22







# Board of Adjustment

**Case Number:** CBOA-3002

**Hearing Date:** 09/20/2022 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

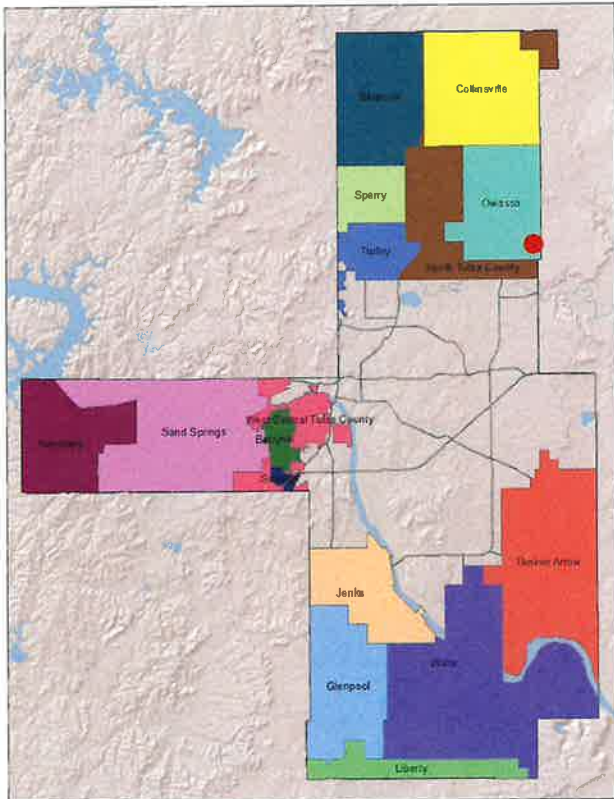
**Owner and Applicant Information:**

**Applicant:** T Briggs Construction

**Property Owner:** T BRIGGS CONSTRUCTION LLC

**Action Requested:** Variance of the street frontage requirement in an RE district from 30 ft to 0 ft (Section 207)

**Location Map:**



**Additional Information:**

**Present Use:** Vacant

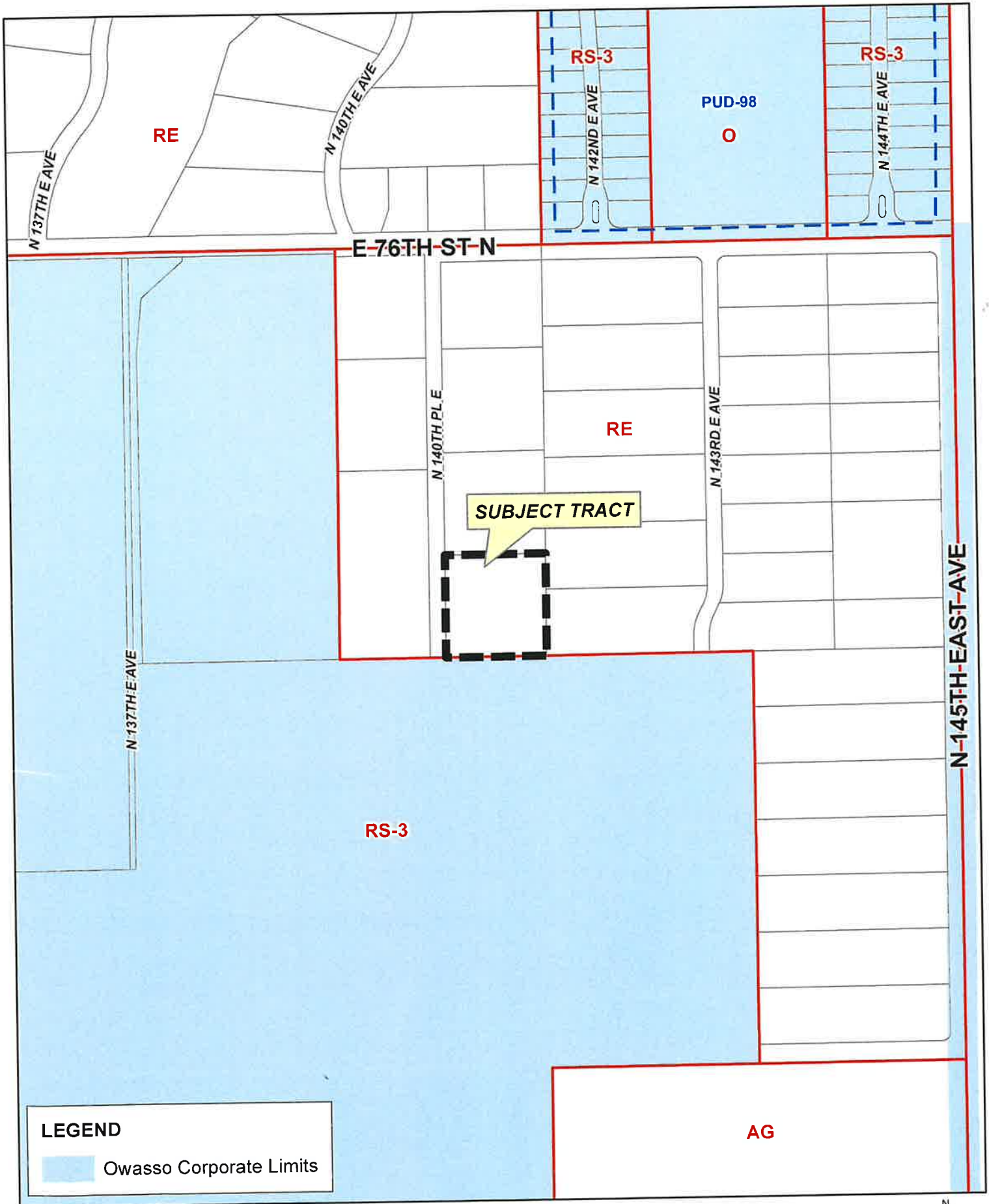
**Tract Size:** 2.42 acres

**Location:** 7309 N 140 PL E

**Present Zoning:** RE

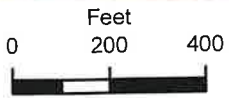
**Fenceline/Area:** Owsasso

**Land Use Designation:** Residential



**LEGEND**

 Owasso Corporate Limits



# CBOA-3002

21-14 33



**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 1433

**CZM:** 18

**CASE NUMBER:** CBOA-3002

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 09/20/2022 1:30 PM

**APPLICANT:** T Briggs Constructtion

**ACTION REQUESTED:** Variance of the street frontage requirement in an RE district from 30 ft to 0 ft (Section 207)

**LOCATION:** 7309 N 140 PL E

**ZONED:** RE

**FENCELINE:** Owasso

**PRESENT USE:** Vacant

**TRACT SIZE:** 2.42 acres

**LEGAL DESCRIPTION:** BEG 990S NEC E/2 NW NE TH W319 S330 E319 N330 TO BEG SEC 33 21 14, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:** None Relevant

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RE and is currently vacant. The surrounding tracts are zoned RE and RS-3 and contain single-family homes.

**STAFF COMMENTS:**

The applicant is before the Board requesting a Variance of the street frontage requirement in an RE district from 30 ft to 0 ft (Section 207).

The Tulsa County Zoning Code requires frontage on a public road at least a minimum of 30 ft in length. N 140<sup>th</sup> PI E has right-of-way dedicated in to the west of the subject lot but a road has not yet been constructed that the subject lot could use for the frontage requirement.

The applicant provided the statement "Due to the location of the lot and street not being completed, I am requesting a variance of the frontage requirement to build new construction."

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

**Sample Motion:**

"Move to \_\_\_\_\_ (approve/deny) a Variance of the street frontage requirement in an RE district from 30 ft to 0 ft (Section 207)

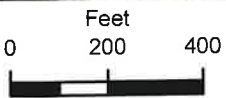
*Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.*

*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-3002**

21-14 33

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

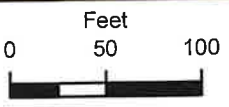
Aerial Photo Date: 2020/2021







N 140TH PLE



Subject Tract

**CBOA-3002**

21-14 33

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

Aerial Photo Date: 2020/2021







Parcel: 91433143320960 X

T BRIGGS CONSTRUCTION LLC  
7309 N 140 PL E OWASSO

S-T-R: 33-21-14  
Legal: BEG 990S NEC E/2 NW NE  
TH W319 S330 E319 N330 TO  
BEG SEC 33 21 14

Recorded Documents

No Documents Found

[View Assessor's Data](#)

[View Clerk's Data](#)

[View Treasurer's Data](#)

NOTES:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The design plan (Plan) has been prepared by the architect in accordance with the provisions of the Uniform Building Code, and the architect assumes no responsibility for the design of the building or for the construction of the building. The architect's responsibility is limited to the design of the building as shown on the design plan. The architect does not warrant the accuracy of the information provided to the architect by the client or the accuracy of the information provided to the architect by the client's representatives. The architect's design is based on the information provided to the architect by the client and the architect's design is not to be construed as a guarantee of performance or as a warranty of any kind. The architect's design is not to be construed as a guarantee of performance or as a warranty of any kind. The architect's design is not to be construed as a guarantee of performance or as a warranty of any kind.

**Bepp**  
 618) 845-9527

**PINNACLE**  
 ARCHITECTS

KEITH DAL BIANCO  
 113 S. Katerbach Ave.  
 Broken Arrow, OK 74012  
 keith@pinnaclearchitect.com  
 www.pinnaclearchitect.com

POOL # \_\_\_\_\_

WATERS RES. \_\_\_\_\_

**SQUARE FOOTAGE**

1st FLOOR \_\_\_\_\_

2nd FLOOR \_\_\_\_\_

TOTAL \_\_\_\_\_

Garage \_\_\_\_\_

Patio \_\_\_\_\_

Other \_\_\_\_\_

Living \_\_\_\_\_

Total \_\_\_\_\_

**ADDITIONAL DATA**

DATE: 07.13.2022

TIME: 07:22:22

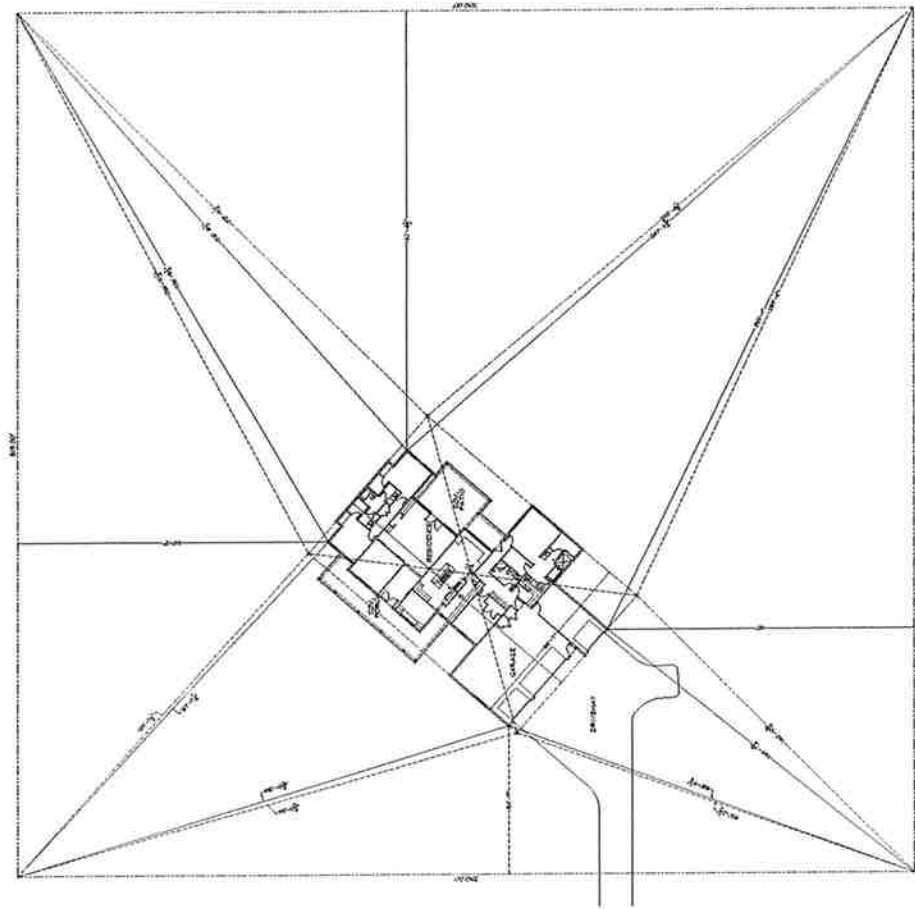
PROJECT NUMBER: 22-065

ADDRESS: \_\_\_\_\_

SITE PLAN

SCALE: 1"=50'

SHEET: C-1



— N 140th Pl. E. —





# Board of Adjustment

**Case Number:** CBOA-3003

**Hearing Date:** 09/20/2022 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

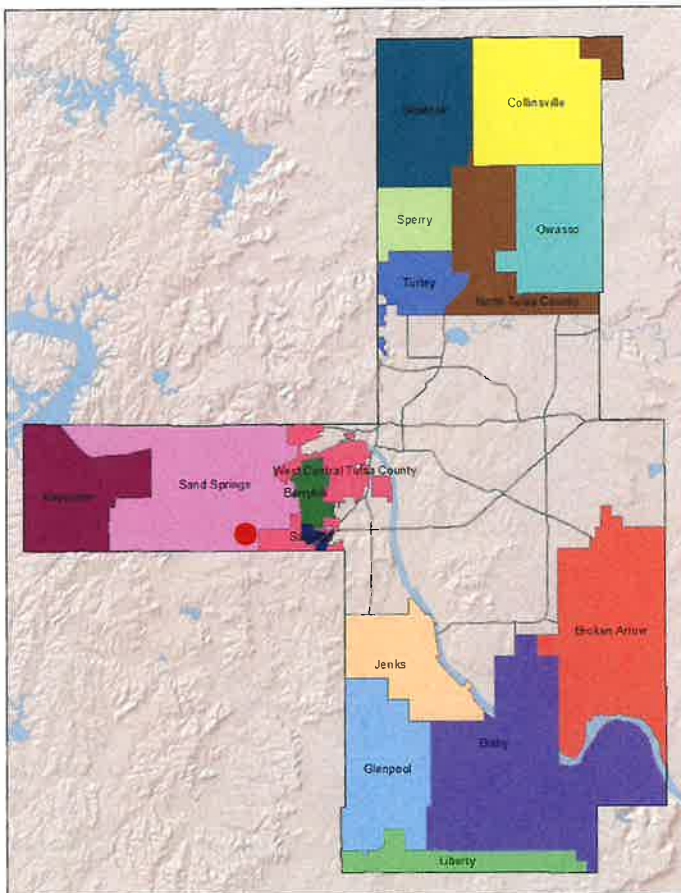
**Owner and Applicant Information:**

**Applicant:** Jennifer Osborn

**Property Owner:** Mathew & Jennifer Osborn

**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:** Single-Family

**Tract Size:** 5.8 acres

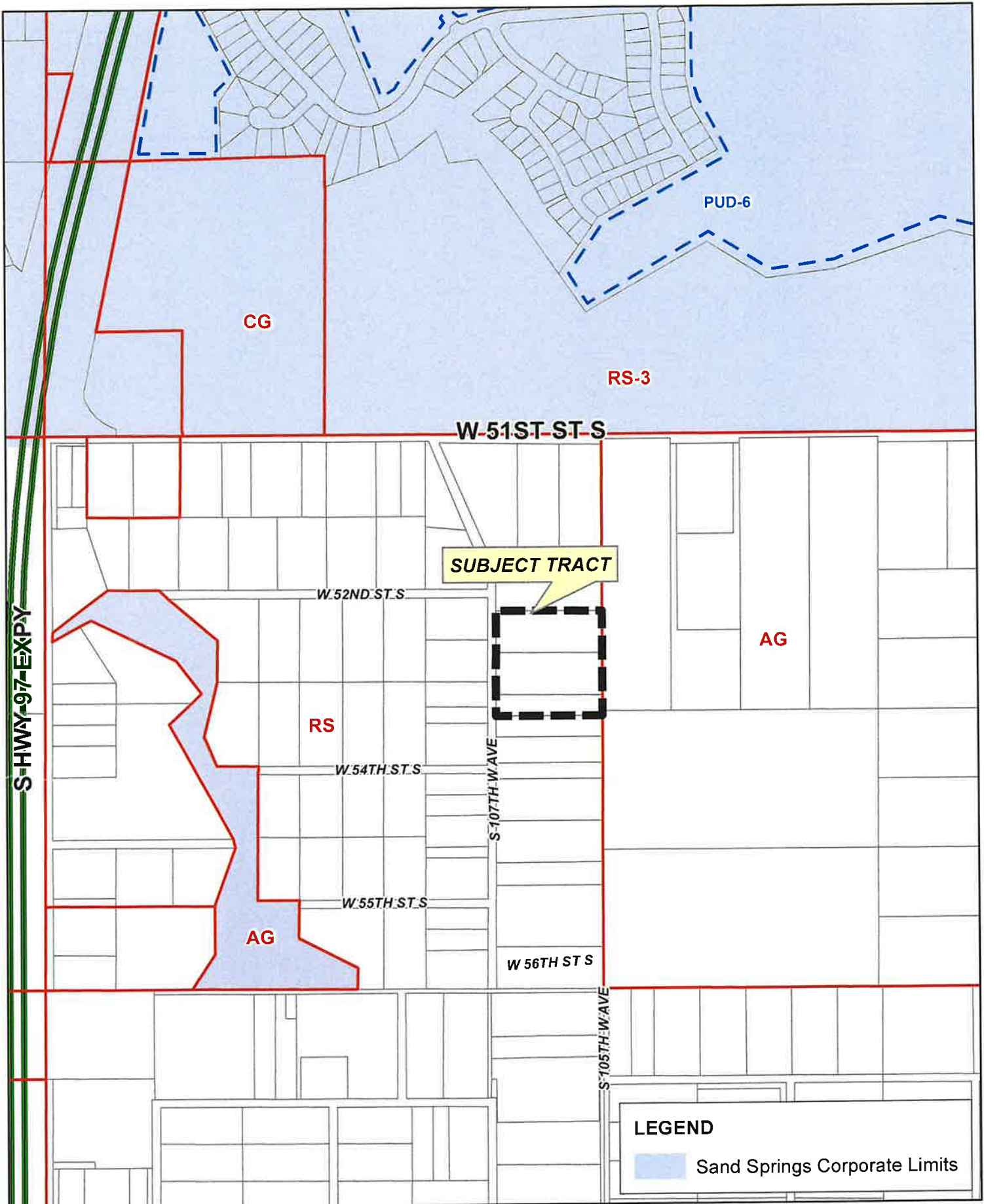
**Location:** 5311 S 107 AV W

**Present Zoning:** RS

**Fenceline/Area:** Sand Springs

**Land Use Designation:** Residential





**CBOA-3003**

19-11 35



**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 9135

**CZM:** 44

**CASE NUMBER:** CBOA-3003

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 09/20/2022 1:30 PM

**APPLICANT:** Jennifer Osborn

**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:** 5311 S 107 AV W

**ZONED:** RS

**FENCELINE:** Sand Springs

**PRESENT USE:** Single-Family

**TRACT SIZE:** 5.8 acres

**LEGAL DESCRIPTION:** LOT 6 BLK 1; LOT 5 BLK 1; N100 LT 7 BLK 1, BUFORD COLONY SECOND ADDN  
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 home. The surrounding lots are zoned RS and AG and contain single-family homes and vacant agricultural land.

**STAFF COMMENTS:**

The applicant is before the Board requesting 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)

The applicant is proposing to build an accessory building to the south of the existing home approximately 2,500 sf in area. The Tulsa County Zoning Code limits accessory buildings in the RS district to 750 sf. This proposal would be 1,750 sf over the code allowance for an accessory building.

The applicant provided the statement "We are looking for approval to build a metal shop/apartment for my in-laws so that we may care for them. We required the [Variance] so that we may acquire a building permit."

*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)*

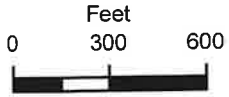
*Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.*

*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

**CBOA-3003**  
19-11 35

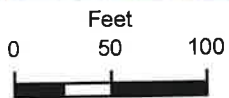
Note: Graphic overlays may not precisely align with physical features on the ground.  
Aerial Photo Date: 2020/2021







S 107TH WAVE



Subject Tract

**CBOA-3003**

19-11 35

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

*Aerial Photo Date: 2020/2021*



A0

5911 South 107th West Avenue  
Sand Springs, Oklahoma 74053

OSBORN HOUSE

DATE: 01/20/2010

A | SITE PLAN  
SCALE: 1/8" = 1'-0"



**NOTES:**

1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL FINISHES ARE TO BE DETERMINED BY THE ARCHITECT.
3. ALL UTILITIES ARE TO BE LOCATED AND DEPTH NOTED.
4. ALL EXISTING UTILITIES ARE TO BE PROTECTED.
5. ALL EXISTING UTILITIES ARE TO BE RELOCATED AS NOTED.
6. ALL EXISTING UTILITIES ARE TO BE REMOVED AS NOTED.
7. ALL EXISTING UTILITIES ARE TO BE INSTALLED AS NOTED.
8. ALL EXISTING UTILITIES ARE TO BE MAINTAINED AS NOTED.
9. ALL EXISTING UTILITIES ARE TO BE REPAIRED AS NOTED.
10. ALL EXISTING UTILITIES ARE TO BE REPLACED AS NOTED.
11. ALL EXISTING UTILITIES ARE TO BE UPGRADED AS NOTED.
12. ALL EXISTING UTILITIES ARE TO BE DEMOLISHED AS NOTED.
13. ALL EXISTING UTILITIES ARE TO BE CONSERVED AS NOTED.
14. ALL EXISTING UTILITIES ARE TO BE PRESERVED AS NOTED.
15. ALL EXISTING UTILITIES ARE TO BE RESTORED AS NOTED.
16. ALL EXISTING UTILITIES ARE TO BE RECONSTRUCTED AS NOTED.
17. ALL EXISTING UTILITIES ARE TO BE REFINISHED AS NOTED.
18. ALL EXISTING UTILITIES ARE TO BE REFINISHED AS NOTED.
19. ALL EXISTING UTILITIES ARE TO BE REFINISHED AS NOTED.
20. ALL EXISTING UTILITIES ARE TO BE REFINISHED AS NOTED.



GENERAL NOTES

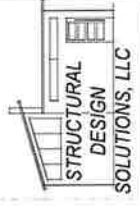
- 1) ALL DIMENSIONS ARE APPROXIMATED WINDOW AND DOOR PLACEMENT AS WELL AS SIZE ARE SUBJECT TO CHANGES PER THE CUSTOMER'S REQUEST.
- 2) THIS STRUCTURE WILL HAVE 18' CEILING HEIGHTS IN THE LIVING AND LEAN-TO SPACE, 12' SIDEWALLS IN THE GARAGE AREA.
- 3) THIS STRUCTURE WILL HAVE 8' CEILING HEIGHTS IN THE GARAGE AREA. THE CEILING HEIGHTS WILL BE DETERMINED BY THE CLIENT.
- 4) THIS STRUCTURE WILL CONTAIN THE FOLLOWING:
  - 1- 3'-0" X 9'-0" WINDOW
  - 8- 3'-0" X 5'-0" WINDOW
  - 2- 10'-0" X 10'-0" ENTRY DOORS
  - 2- 10'-0" X 10'-0" ENTRY DOORS
- 5) ROOM HEIGHTS ARE ROUNDED TO THE NEAREST HALF INCH.
- 6) FURNITURE IS PLACED STRICTLY FOR ILLUSTRATION PURPOSES ONLY.
- 7) ROOF PITCH WILL BE 4:12 IN THE GARAGE. THE LIVING AND LEAN-TO AREAS WILL HAVE 4:12.
- 8) MECHANICAL SPACE TO BE BUILT TO THE CODES SET FORTH BY TULSA COUNTY AND/OR THE CITY OF SAND SPRING. ALL WORK SHALL BE COORDINATED BETWEEN THE BUILDERS, CONTRACTOR AND HVAC/PLUMBING CONTRACTOR.

SOLO = SMOKE DETECTOR  
 AND CARBON MONOXIDE DETECTOR  
 COMB

DISCLAIMER  
 THESE PLANS ARE FOR GENERAL PLACEMENT PURPOSES ONLY. ALL MEASUREMENTS AND PLACEMENTS ARE AT THE INTERPRETATION OF THE BUILDERS.

LEGEND

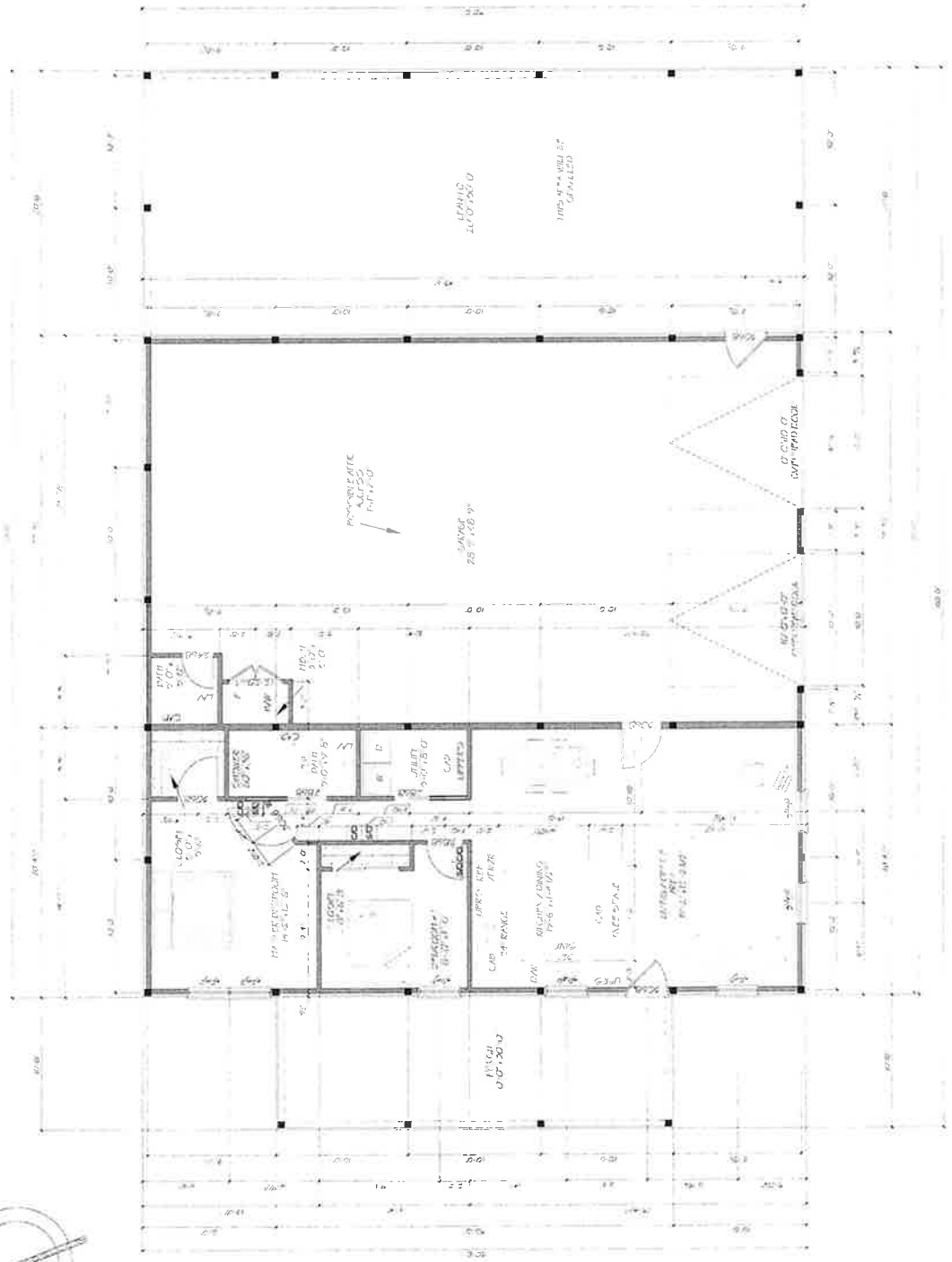
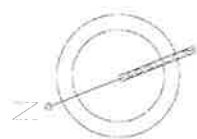
■	6" X 6" PRESSURE TREATED POST	
5	4/1	07/15
4	3/1	07/08
3	2/1	07/08
2	1/1	06/24
1	0/1	06/23
NO	REVISION/ISSUE	DATE



FLOOR PLAN

THE OSBORN'S	01
MCS 06/23/22	
1/4" = 1'-0"	

AREA  
 LIVING 1,437 SQ. FT.  
 GARAGE 1,437 SQ. FT.  
 PATIO 1,000 SQ. FT.  
 LEAN-TO 1,000 SQ. FT.



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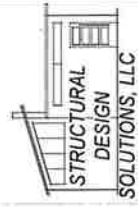
GENERAL NOTES

- 1) ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE. WINDOW AND DOOR PLACEMENTS AND SIZES ARE SUBJECT TO CHANGES PER THE CUSTOMER'S REQUEST.
- 2) THIS STRUCTURE WILL HAVE 10' SIDE WALLS IN THE LIVING AREA AND 12' SIDE WALLS IN THE GARAGE AREA.
- 3) THIS STRUCTURE WILL HAVE 8' CEILINGS. THE GARAGE WILL BE OPEN TO THE SIDE WALL HEIGHT OF 12'.
- 4) ROOF PITCH WILL BE AS NOTED.

DISCLAIMER

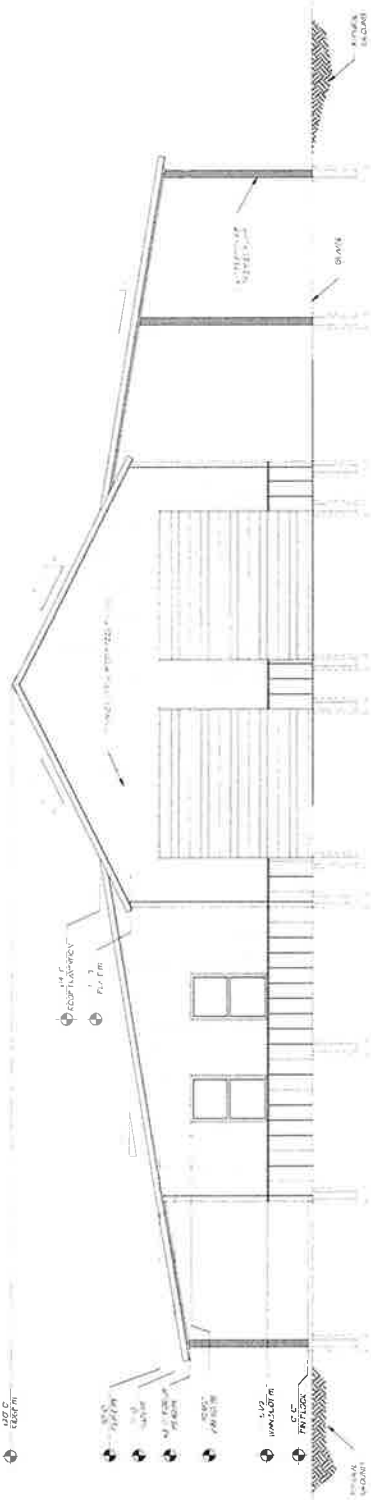
THESE PLANS ARE FOR GENERAL INFORMATION ONLY, AND ALL MEASUREMENTS AND PLACEMENTS ARE AT THE INTERPRETATION OF THE BUILDERS.

NO	REVISIONS	DATE
1	01	07/15

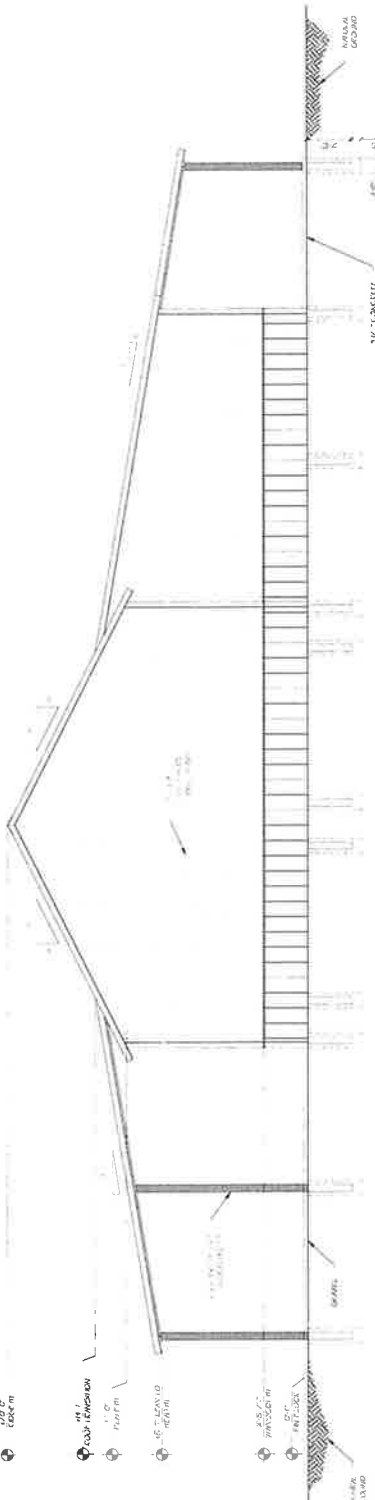


OSBORN  
MCS | 07/15/22  
1/4" = 1'-0"

ELEVATIONS #1



FRONT ELEVATION  
1/4" = 1'-0"



REAR ELEVATION  
1/4" = 1'-0"

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GENERAL NOTES

- 1) ALL DIMENSIONS ARE APPROXIMATE AND DOOR PLACEMENT AS WELL AS SIZE ARE SUBJECT TO CHANGE'S PER THE CUSTOMER'S REQUEST.
- 2) THIS STRUCTURE WILL HAVE 10 SIDE WALLS IN THE LIVING AREA AND AREA WALLS IN THE GARAGE AREA.
- 3) THIS STRUCTURE WILL HAVE 8' CEILINGS IN THE LIVING AREA. THE GARAGE WILL BE OPEN TO THE SIDE WALL HEIGHT OF 12'.
- 4) ROOF PITCHES WILL BE AS NOTED

DISCLAIMER

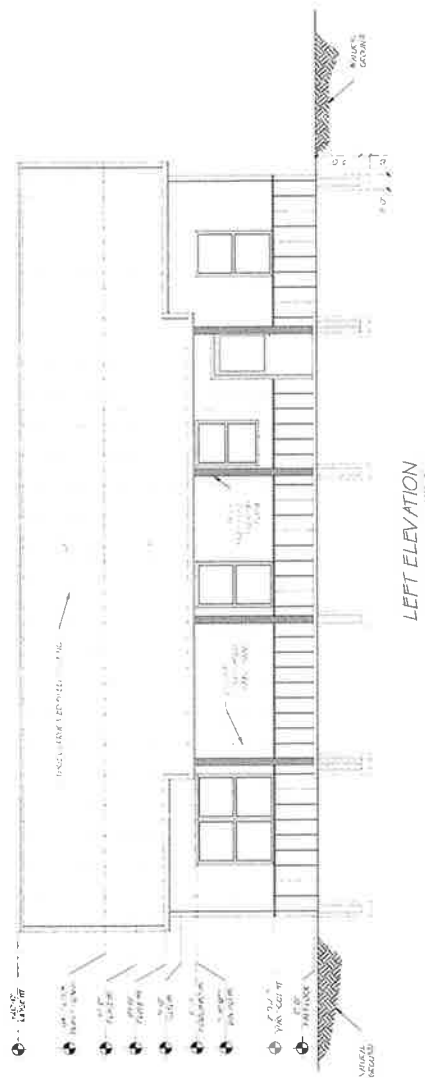
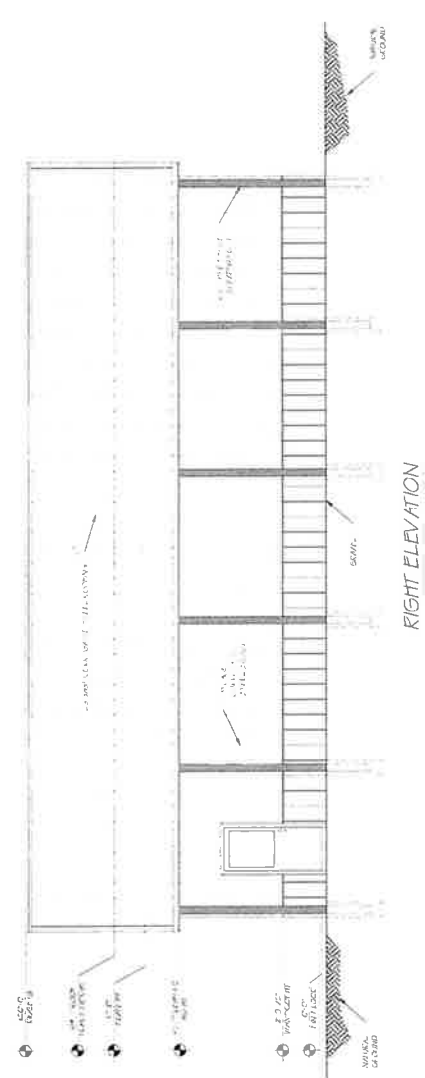
THESE PLANS ARE FOR GENERAL PLACEMENT PURPOSES ONLY, AND ALL MEASUREMENTS AND PLACEMENTS ARE AT THE INTERPRETATION OF THE BUILDERS.

NO	REVISION/ISSUE	DATE
1	01	07/15



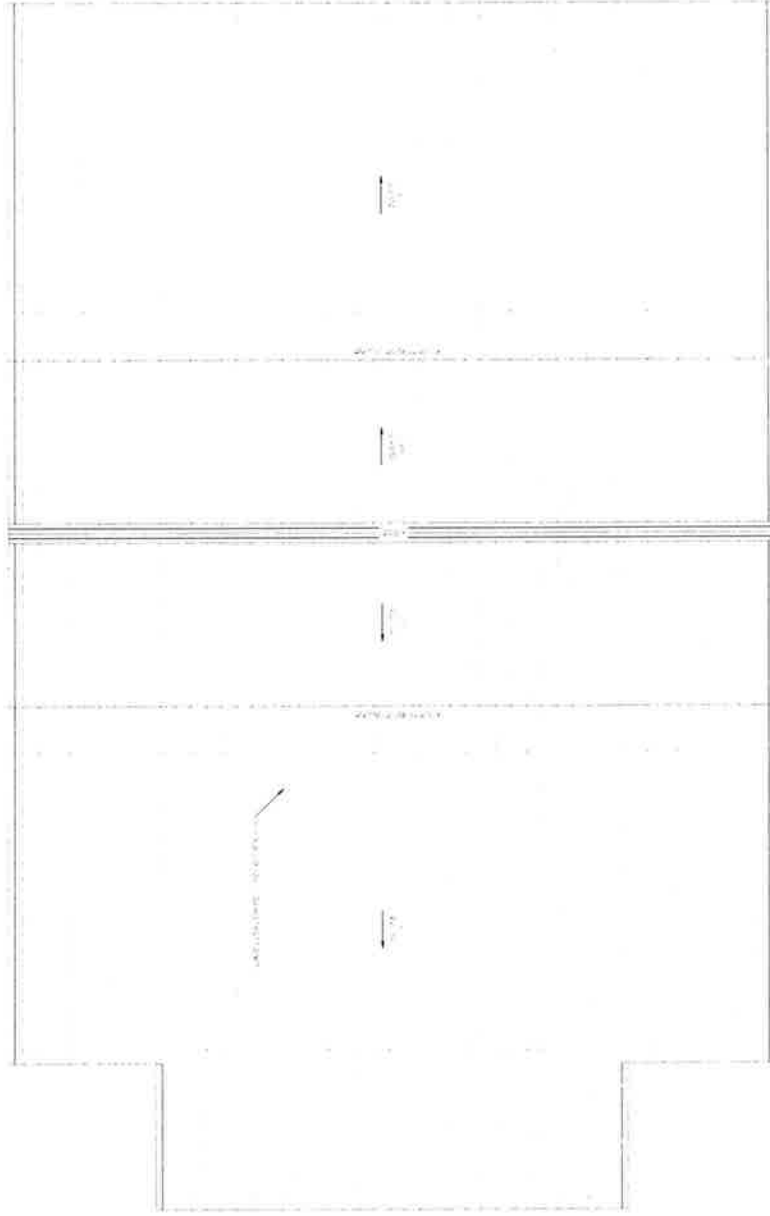
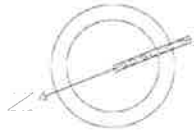
ELEVATIONS #2

OWNER	OSBORN
PROJECT	MCS 07/15/22
SCALE	1/4"=1'-0"
SHEET NO.	03



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ROOF LINE

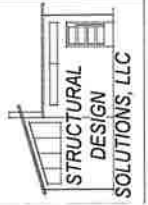
GENERAL NOTES

- 1.) ALL DIMENSIONS ARE APPROXIMATE. WINDOW AND DOOR SIZES AND PLACEMENTS ARE SUBJECT TO CHANGES PER THE CUSTOMER'S REQUEST.
- 2.) THIS STRUCTURE WILL HAVE 10' SIDE WALLS IN THE LIVING AREA AND 12' SIDE WALLS IN THE GARAGE AREA.
- 3.) THIS STRUCTURE WILL HAVE 8' CEILINGS IN THE LIVING AREA. THE GARAGE WILL BE OPEN TO THE SIDE WALL HEIGHT OF 12'.
- 4.) ROOF PITCHES WILL BE NOTED.

DISCLAIMER

THESE PLANS ARE FOR GENERAL PLACEMENT PURPOSES ONLY, AND ALL MEASUREMENTS AND PLACEMENTS ARE AT THE INTERPRETATION OF THE BUILDERS.

NO.	REVISION/ISSUE	DATE
1	01	07/15



ROOF LINE

OSBORN	04
MCS: 07/15/22	
1/4" = 1'-0"	

1) NO OVERLAP (TYP)  
 2) WALL LINE BELOW  
 3) IN CONFORMANCE (TYP)  
 4) FOUNDATION BELOW

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 STRUCTURAL DESIGN SOLUTIONS, LLC.



# Board of Adjustment

**Case Number:** CBOA-3004

**Hearing Date:** 09/20/2022 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

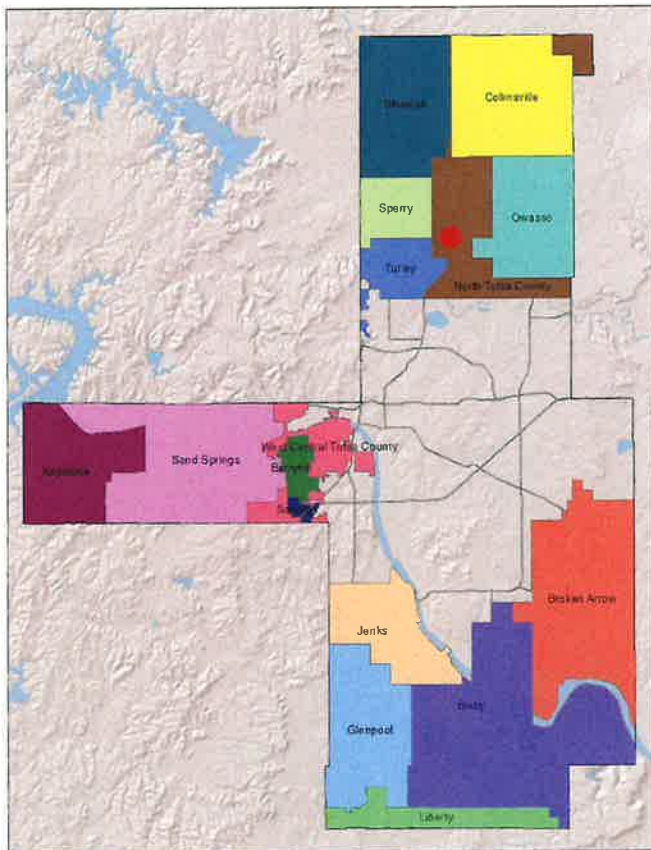
**Owner and Applicant Information:**

**Applicant:** Stan Kent

**Property Owner:** TUMLESON, KATHRYN ETAL

**Action Requested:** Special Exception to allow a mini-storage in a CS district (Section 710)

**Location Map:**



**Additional Information:**

**Present Use:** Vacant

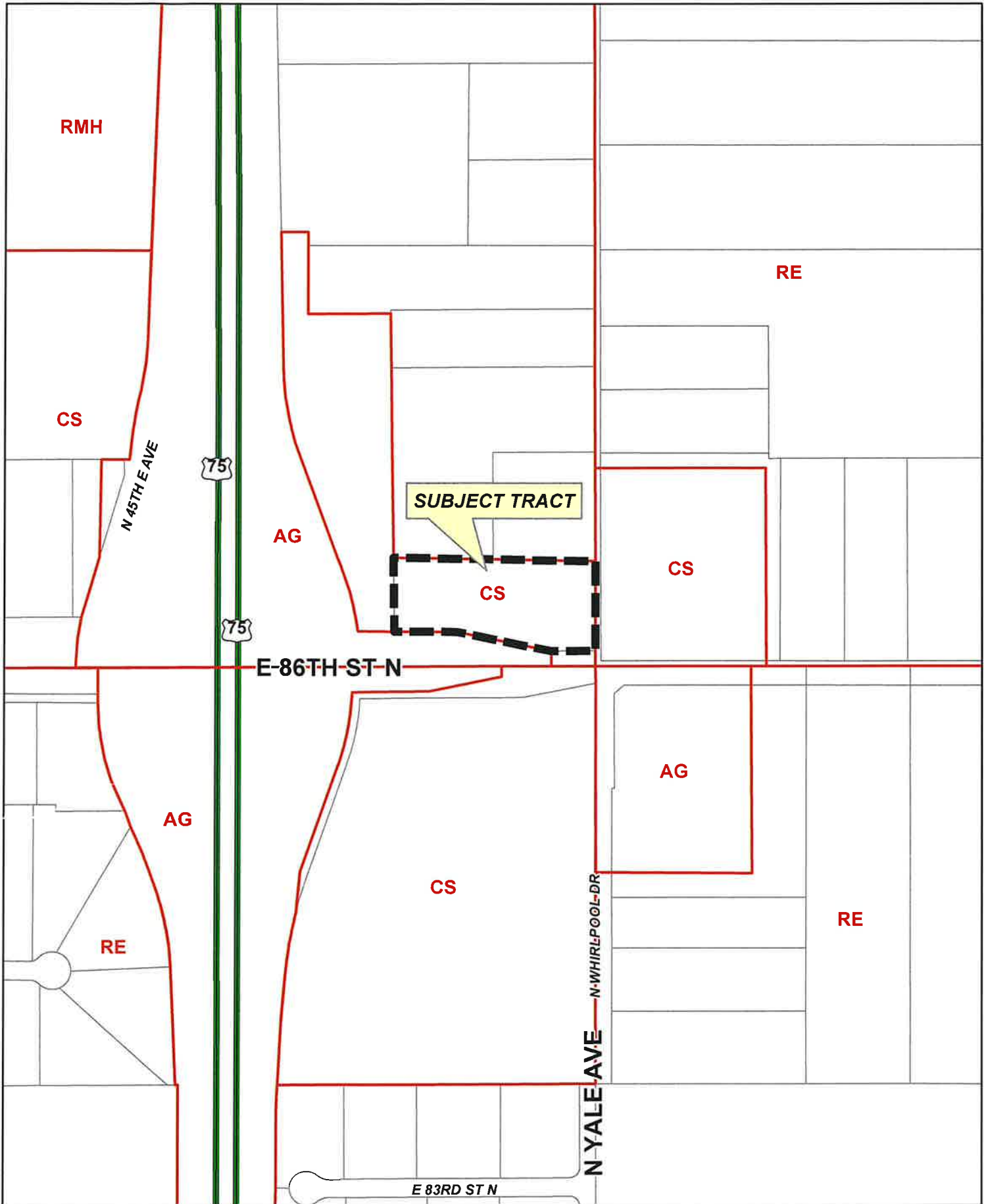
**Tract Size:** 3.71 acres

**Location:** 4885 E 86 ST N

**Present Zoning:** CS

**Fenceline/Area:** North Tulsa County

**Land Use Designation:** Rural Commercial

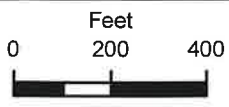


SUBJECT TRACT

CS

# CBOA-3004

21-13 21





**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 1321  
**CZM:** 16, 17

**CASE NUMBER: CBOA-3004**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 09/20/2022 1:30 PM

**APPLICANT:** Stan Kent

**ACTION REQUESTED:** Special Exception to allow a mini-storage in a CS district (Section 710)

**LOCATION:** 4885 E 86 ST N

**ZONED:** CS,AG

**FENCELINE:** North Tulsa County

**PRESENT USE:** Vacant

**TRACT SIZE:** 3.71 acres

**LEGAL DESCRIPTION:** TR IN E/2 SE BEG 50N SECR SE TH WLY138.67 NWLY305.94 WLY199.05 N239.10 E640.87 S283.73 POB SEC 21 21 13 3.817ACS, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:** None Relevant

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned CS and is currently vacant. The surrounding properties are zoned AG and CS and contain single-family homes and vacant land.

**STAFF COMMENTS:**

The applicant is before the Board to request a Special Exception to allow a mini-storage in a CS district (Section 710).

The applicant is proposing to construct a mini-storage facility on the subject lot, as shown on the site plan provided by the applicant. The Tulsa County Zoning Code requires Mini-Storage facilities to receive a Special Exception approval from the Tulsa County Board of Adjustment before a facility of this type can be constructed in a CS zoned district.

*If inclined to approve the Board may consider the following conditions:*

- *Limiting the day and hours of operation.*

**Sample Motion:**

*"Move to \_\_\_\_\_ (approve/deny) a Special Exception to allow a mini-storage in a CS district (Section 710).*

*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.*



N 45TH AVE

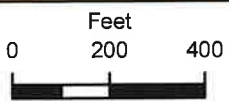
75

75

E 86TH ST N

N YALE AVE  
N WHIRLPOOL DR

E 83RD ST N



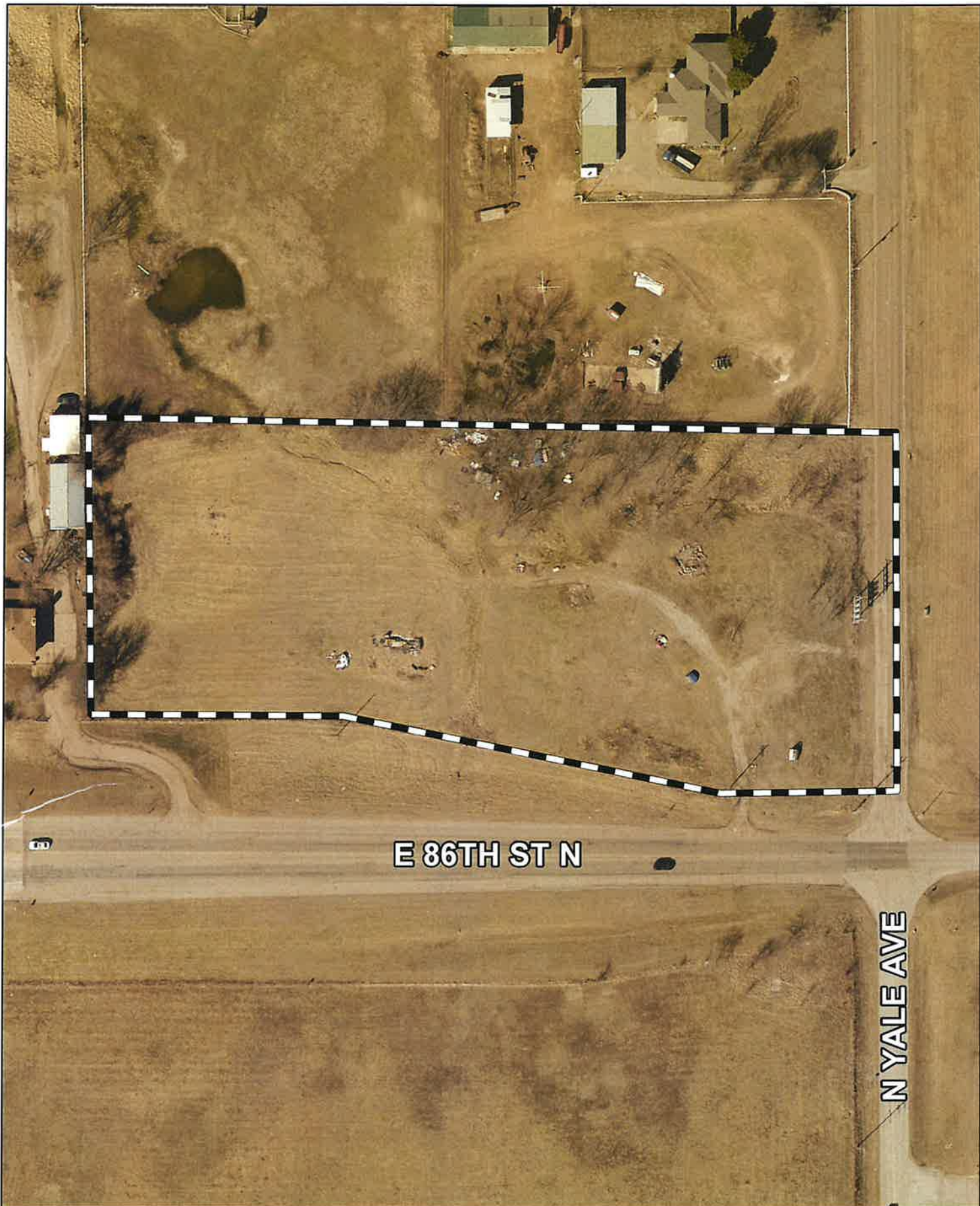
**CBOA-3004**

21-13 21



CBOA-3004 11.4





E 86TH ST N

N YALE AVE



Subject Tract

**CBOA-3004**

21-13 21

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

Aerial Photo Date: 2020/2021



CBOA-3004 11.5

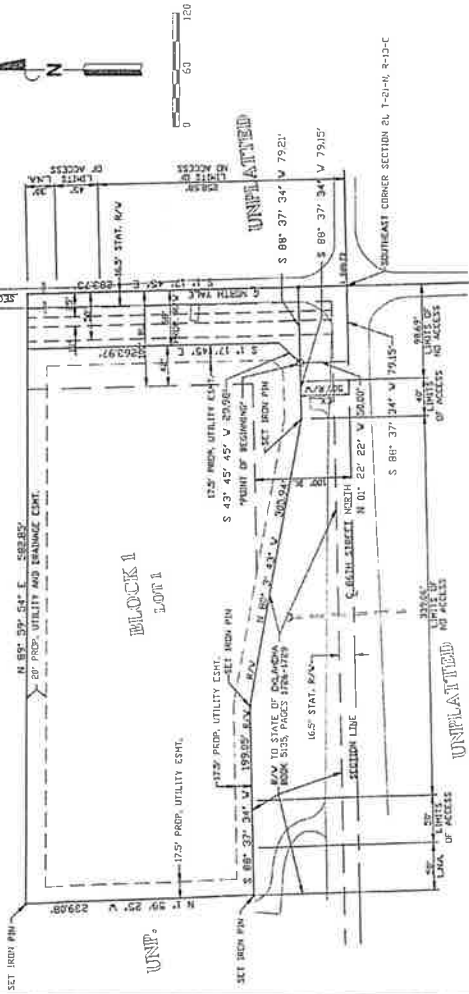


# Park Meadows Mini Storage LLC

## OLD WINDMILL STORAGE

PART OF THE SE 1/4 OF SE 1/4 OF SECTION TWENTY ONE (21), TOWNSHIP TWENTY DNE (21), RANGE THIRTEEN (13), EAST

UNPLATTED

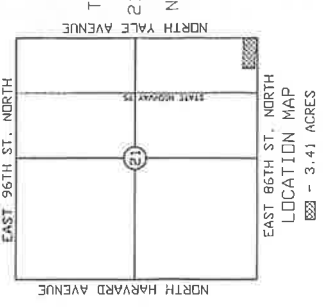


KNOWN ALL MEN BY THESE PRESENTS, that KATHRYN TUMLESON, OSCAR DARWIN TUMLESON, RAMON TUMLESON, GARY TUMLESON, KERRY TUMLESON, LADONNA TURNER, LADONNA TURNER, 9004 NORTH YALE AVENUE, TULSA, OKLAHOMA 74135, have set my hand and seal, the day and year last written above.

IN WITNESS WHEREOF, the Donors have executed the above described instrument, to wit: a plat of subdivision, this 15th day of October, 1995.

My commission expires: \_\_\_\_\_  
 Notary Public

R - 13 - E



IN WITNESS WHEREOF, the Donors have executed the above described instrument, to wit: a plat of subdivision, this 15th day of October, 1995.

My commission expires: \_\_\_\_\_  
 Notary Public

IN WITNESS WHEREOF, I have set my hand and seal, the day and year last written above.

My commission expires: \_\_\_\_\_  
 Notary Public

IN WITNESS WHEREOF, I have set my hand and seal, the day and year last written above.

My commission expires: \_\_\_\_\_  
 Notary Public

### OWNERS:

KATHRYN TUMLESON  
 OSCAR DARWIN TUMLESON  
 RAMON TUMLESON  
 GARY TUMLESON  
 KERRY TUMLESON  
 LADONNA TURNER  
 LADONNA TURNER  
 9004 NORTH YALE AVENUE  
 TULSA, OKLAHOMA 74135  
 PHONE: (918) 272-9054

### ENGINEER:

HORIZON ENGINEERING INC.  
 5350 EAST 46TH STREET, SUITE 111  
 TULSA, OKLAHOMA 74135  
 PHONE: (918) 563-0870

1. The Washington County No. 2 Rural Water District will be responsible for primary maintenance of public water mains, but the owners of said lot will pay for the cost of the water service to be installed at the lot.

2. The Washington County No. 2 Rural Water District, Tulsa, Oklahoma, or their successors, through their proper agents and attorneys shall at all times have the right to install, maintain, repair, replace, alter, relocate, or remove any water main, water service, or other utility facilities for the purposes of providing water service to the lot.

3. Payment of landscape water within restricted water line or utility easements as a result of any new installation or repairs shall be borne by the owners of the lot.

4. The foregoing covenants concerning water facilities shall be enforceable by the State of Oklahoma, Tulsa, Oklahoma, and the owners of the lot agree to be bound hereby.

5. The owners hereby relinquish all rights of ingress and egress to the above described property, within the bounds described as "Lots of No. 2 Rural Water District," to the City of Tulsa, Tulsa County, State of Oklahoma, for the purpose of installing, maintaining, repairing, replacing, altering, relocating, or removing any water main, water service, or other utility facilities for the purposes of providing water service to the lot.

6. The owners hereby relinquish all rights of ingress and egress to the above described property, within the bounds described as "Lots of No. 2 Rural Water District," to the City of Tulsa, Tulsa County, State of Oklahoma, for the purpose of installing, maintaining, repairing, replacing, altering, relocating, or removing any water main, water service, or other utility facilities for the purposes of providing water service to the lot.

SECTION I: **RESPONSIBILITY WITH REGARD TO UTILITIES AND EGRESS**

A. ELECTRIC SERVICE, UNDERGROUND OR OVERHEAD, TELEPHONE AND CABLE TELEVISION SERVICE, AND CABLE TELEVISION SERVICE, SHALL BE THE RESPONSIBILITY OF THE OWNERS OF THE LOT.

B. DISCREET PATHS FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICE MAY BE LOCATED ALONG THE FRONTIER OF THE SUBDIVISION, STREET LIGHT POLES, AND OTHER UTILITIES ALONG THE FRONTIER OF THE SUBDIVISION, THROUGHOUT THE LOT. ALL SUCH PATHS SHALL BE LOCATED UNDERGROUND, IN THE MANNER AND MANNER AS SPECIFIED IN THE ATTACHED PLAT. SERVICE POLES SHALL BE LOCATED AT THE FRONTIER OF THE SUBDIVISION, AND SHALL BE LOCATED AT THE FRONTIER OF THE SUBDIVISION.

C. ALL EXISTING AND FUTURE UTILITIES FOR ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICE, AND CABLE TELEVISION SERVICE, SHALL BE THE RESPONSIBILITY OF THE OWNERS OF THE LOT. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF TULSA, OKLAHOMA, AND THE OWNERS OF THE LOT SHALL BE RESPONSIBLE FOR THE COST OF SUCH UTILITIES.

D. THE OWNERS OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICE, THROUGHOUT THE LOT. THE OWNERS OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICE, THROUGHOUT THE LOT.

E. THE OWNERS OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICE, THROUGHOUT THE LOT.

F. THE OWNERS OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICE, THROUGHOUT THE LOT.

SECTION II: **RESTRICTIONS, DURATION AND AGREEMENT**

A. THE COVENANTS AND RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND, AND SHALL BE ENFORCEABLE BY THE STATE OF OKLAHOMA, TULSA COUNTY, OKLAHOMA, AND THE OWNERS OF THE LOT.

B. THESE COVENANTS AND RESTRICTIONS SHALL BE ENFORCEABLE BY THE STATE OF OKLAHOMA, TULSA COUNTY, OKLAHOMA, AND THE OWNERS OF THE LOT.

C. THESE COVENANTS AND RESTRICTIONS SHALL BE ENFORCEABLE BY THE STATE OF OKLAHOMA, TULSA COUNTY, OKLAHOMA, AND THE OWNERS OF THE LOT.

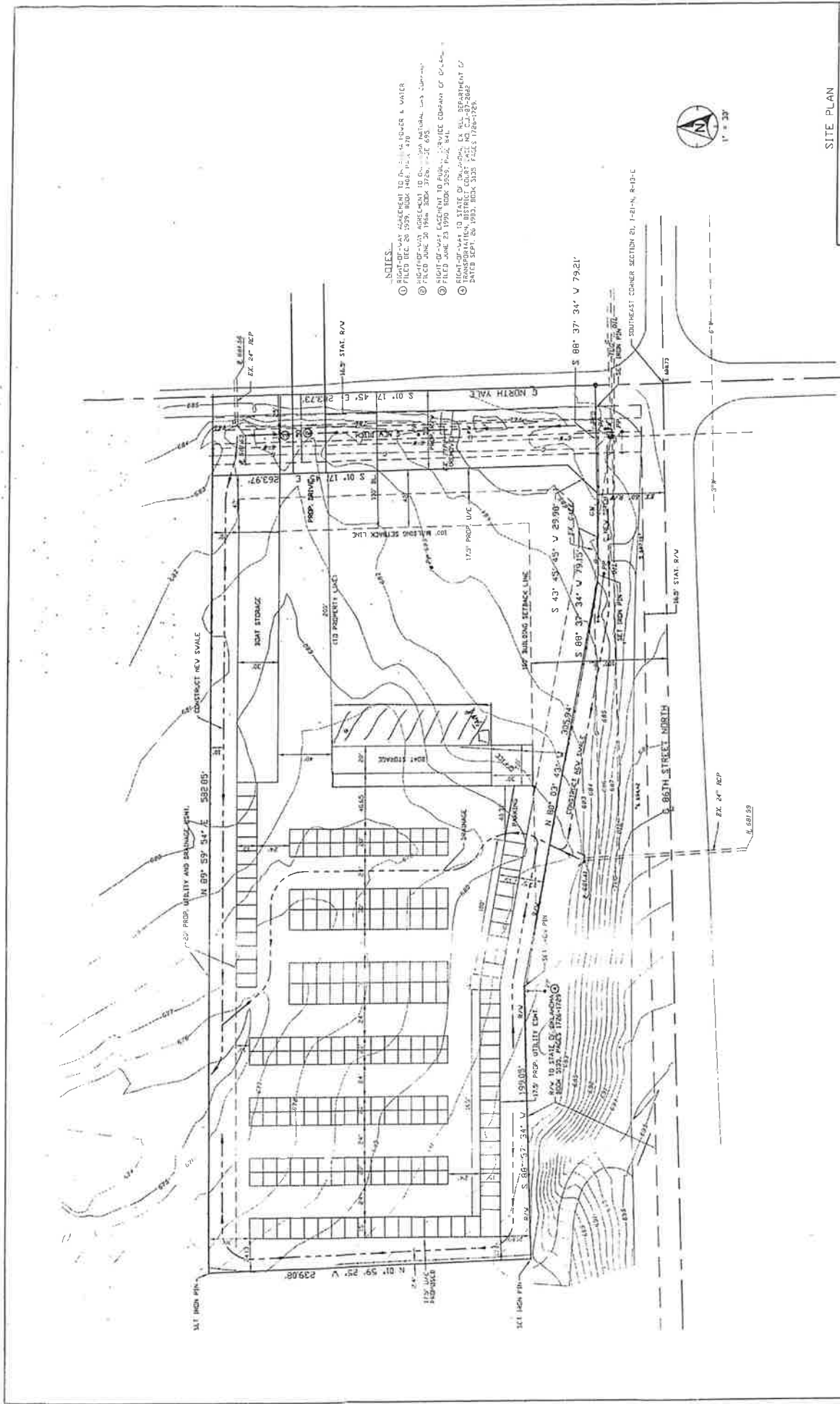
D. THESE COVENANTS AND RESTRICTIONS SHALL BE ENFORCEABLE BY THE STATE OF OKLAHOMA, TULSA COUNTY, OKLAHOMA, AND THE OWNERS OF THE LOT.

E. THESE COVENANTS AND RESTRICTIONS SHALL BE ENFORCEABLE BY THE STATE OF OKLAHOMA, TULSA COUNTY, OKLAHOMA, AND THE OWNERS OF THE LOT.

F. THESE COVENANTS AND RESTRICTIONS SHALL BE ENFORCEABLE BY THE STATE OF OKLAHOMA, TULSA COUNTY, OKLAHOMA, AND THE OWNERS OF THE LOT.

SECTION III: **SEVERABILITY**

A. IF ANY PROVISION OF THESE COVENANTS AND RESTRICTIONS IS HELD TO BE UNLAWFUL OR UNENFORCEABLE BY A COURT OF COMPETENT JURISDICTION, THE REMAINDER OF THESE COVENANTS AND RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT.



- NOTES**
- ① ALL DIMENSIONS TO FACE UNLESS INDICATED OTHERWISE
  - ② FILED DEC. 20 1998 BLDG. PER. 75-1-178
  - ③ HIGH-RISE-VOL. AGREEMENT TO COUNTY NATURAL LANDS DIVISION
  - ④ FILED JUNE 20 1996 BLDG. PER. 75-1-178
  - ⑤ RIGHT-OF-WAY EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO
  - ⑥ TO BE OBTAINED FROM PUBLIC SERVICE COMPANY OF COLORADO
  - ⑦ TRANSPORTATION DISTRICT DISTRICT 202, 1501 DEPARTMENT ST. DENVER, CO 80202
  - ⑧ DATED SEPT. 26 1993, BOOK 3328 PAGES 1788-1789



**SITE PLAN**  
**OLD WINDMILL STORAGE**  
**86TH ST. NORTH & NORTH YULE**

**HORIZON ENGINEERING INC.**  
 3032 W. HIGH STREET, SUITE 311  
 DENVER, COLORADO 80202

PROJECT NO.	DATE	BY	CHK
1000000000	JUNE 1998	JAN	JAN
PROJECT	SCALE	DATE	BY
OLD WINDMILL STORAGE	1/4\"/>		



**Case Number:** CBOA-3005

**Hearing Date:** 9/20/2022 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

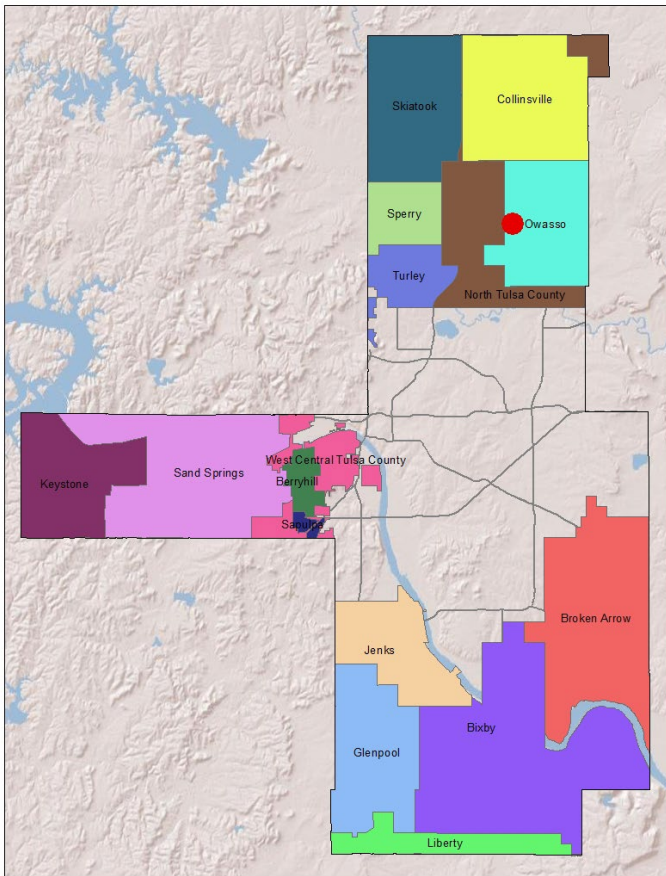
**Owner and Applicant Information:**

**Applicant:** Applicant Name Sealed

**Property Owner:** Property Owner Name Sealed

**Action Requested:** Special Exception to allow Use Unit 2 to permit a Heliport in AG district (Section 310) & a Use Variance for Trades and Services in AG zoned district (Section 310).

**Location Map:**



**Additional Information:**

**Present Use:** AG

**Tract Size:** 5.05 acres

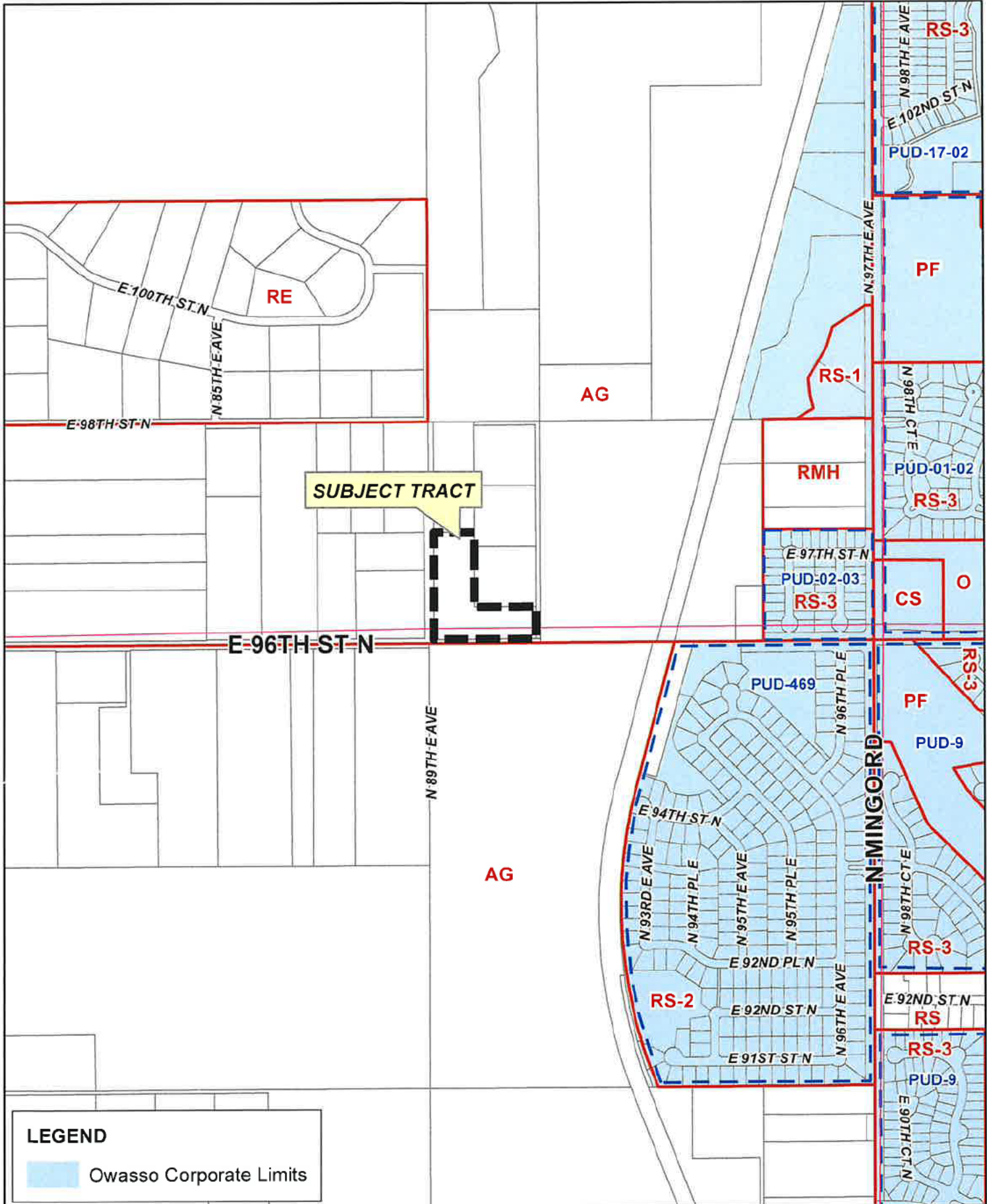
**Location:** 9601 N 89 AV E

**Present Zoning:** AG

**Fenceline/Area:** Owasso

**Land Use Designation:** Residential





**LEGEND**

 Owasso Corporate Limits



**CBOA-3005**

21-13 13



**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 1313

**CZM:** 11

**CASE NUMBER:** CBOA-3005

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 9/20/2022 1:30 PM

**APPLICANT:** Applicant Name Sealed

**ACTION REQUESTED:** Special Exception to allow Use Unit 2 to permit a Heliport in AG district (Section 310) & a Use Variance for Trades and Services in AG zoned district (Section 310).

**LOCATION:** 9601 N 89 AV E

**ZONED:** AG

**FENCELINE:** Owasso

**PRESENT USE:** AG

**TRACT SIZE:** 5.05 acres

**LEGAL DESCRIPTION:** BEG 30E & 16.5N SWC W/2 SW SE TH N642.42 E242.87 S442.34 E364.41 S200 W606.45 POB LESS S8.5 THEREOF FOR RD SEC 13 21 13 5.054 ACS, 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 accessory building. The surrounding lots are zoned AG and contain single-family residences and vacant agricultural land.

**STAFF COMMENTS:**

The applicant is before the Board to request a Special Exception to allow Use Unit 2 to permit a Heliport in AG district (Section 310) & a Use Variance for Trades and Services in AG zoned district (Section 310).

The proposed Heliport would require a special exception from the Board of Adjustment since it would fall under the (Use Unit 2) Area Wide Special Exception category of the Tulsa County Zoning Code. The applicant also intends to operate a Helicopter training school at this location which would fall under Use Unit 15 of the Tulsa County Zoning Code.

*Sample Motion:*

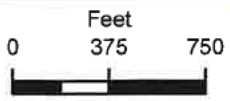
*“Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit a Heliport (UU 2) in the AG district. (Section 310) and a Variance for Trades and Services (UU 15) to allow a Helicopter training facility.*

*Approved per conceptual plan on page \_\_\_\_\_ of the agenda packet.*

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

*Finding the Special Exception / Variance 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-3005**

21-13 13

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

Aerial Photo Date: 2020/2021

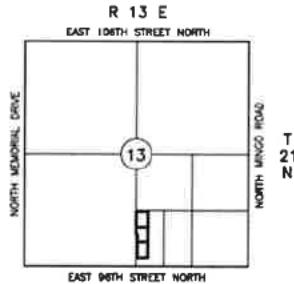


CBOA-3005 12.4



LOT LINE ADJUSTMENT

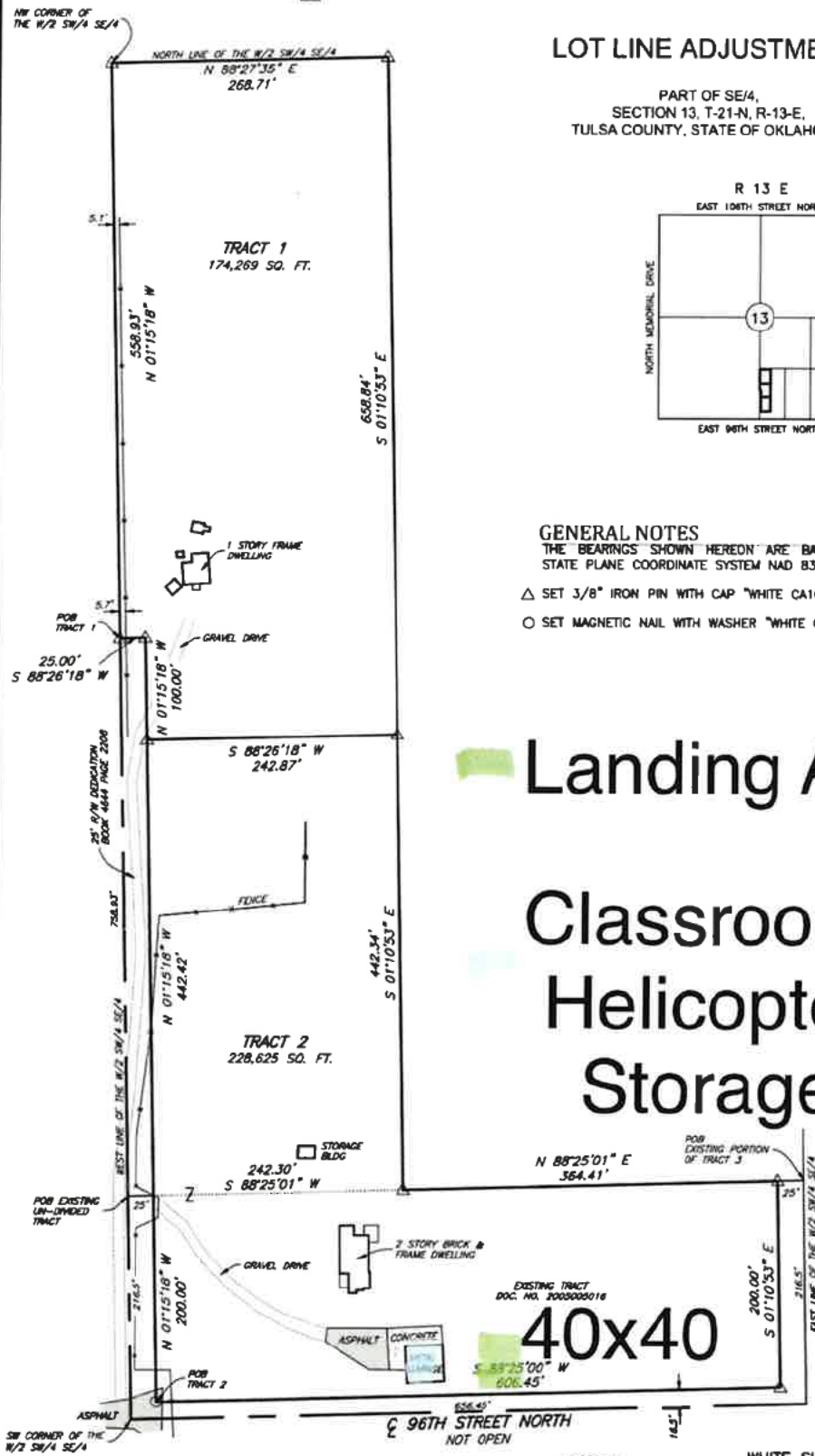
PART OF SE/4,  
 SECTION 13, T-21-N, R-13-E,  
 TULSA COUNTY, STATE OF OKLAHOMA



GENERAL NOTES

THE BEARINGS SHOWN HEREON ARE BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD 83 (2011).

- △ SET 3/8" IRON PIN WITH CAP "WHITE CA1098"
- SET MAGNETIC NAIL WITH WASHER "WHITE CA1098"



Landing Area  
 Classroom/  
 Helicopter  
 Storage

EXISTING TRACT  
 DOC. NO. 200800018  
**40x40**  
 S 88°25'00" W  
 606.45'



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

BY: *R. K. Shoefstall* DATE: 5/10/21  
 REGISTERED PROFESSIONAL LAND  
 SURVEYOR OKLAHOMA NO. 1676

Mr. Hoyt,

I received a phone call from a friend of mine. I live in New Brunswick neighborhood in Owasso and he lives on this property in Owasso close to where I live and he told me his property is not zoned for business either. This person who owns property behind New Brunswick is zoned for agriculture. All of us in this neighborhood do not want to live by a ministorage. So, if we object to him putting in the ministorage he has threatened to put in a pot farm and has given the homeowners the choice to live with the ministorage or have a pot farm. It guess in ways it would fit better because at least it is some kind of agriculture and not a storage business. It seems like a pot farm in this area would bring undesirables to our area around so many children and families.

Now my friend calls me and tells me on Sept. 20<sup>th</sup> the area he lives in where that is also zoned for agriculture has a meeting because someone who has recently bought a house is wanting to put a helicopter business in and teach people to fly helicopters. He is concerned about teaching people to fly helicopters so close to homes he said there is a house right across the street from this person and more close houses along a road in front of the house and houses along 96<sup>th</sup> street all the way to memorial.

Is that what is going to happen to this piece of property that is zoned for agriculture? I will bring this issue up also at my meeting when I attend it. Wanted to send in a letter after talking to my friend. Are we going to have to continually attend zoning meetings so businesses are not put in next to us or behind us or do we just end up with a pot farm or mini storage?

These owners of property will ask a high prices for their homes and land telling other people interested in putting in businesses they can file for zoning exemptions and probably get them or put in pot farms. Owasso could be put on the map for pot farms because of this piece of agriculture zoned property. My friend said that he fears from now on when someone moves into the area that the people are going to want to put businesses in and that they will get exemptions. We have talked about that in the end if you live close to this property regardless of what your property is zoned we will have to move away from living by businesses. These people are so stuck on wanting to make money they don't care about what happens to people who have lived there for years in these neighborhoods. Why do these people think they can put a business in this

agricultural area? This area seems to be a magnet for people who think they can go around the zoning

Mr. Hoyt Please give this information to the people who oversee the zoning meetings. This is the only contact information I got from my friend. I have a date and time and place for my meeting in my planner. Thank you Thomas Clark



## Hoyt, Jay

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**From:** Gary Hodson <garyhodson1969@gmail.com>  
**Sent:** Wednesday, September 14, 2022 9:59 AM  
**To:** Hoyt, Jay  
**Subject:** CBOA-3005

I am Gary Hodson. My wife and I live at 8810 E 98th N. We have been here since 1979. I was raised just south of here on 96th N. So, a long time.

I have spoken with the new neighbors about their plans. They stated that a small helicopter use would be very limited to one cycle a day. The use of the classroom would be temporary as they were in the process of securing permanent housing. They stated that they might be agreeable to restrictions along this line. I too would be agreeable to such restrictions. We and our neighbors' concern is that this business would evolve into a noisy and dangerous situation. We are directly under the flight path for Tulsa International. Directly across from the proposed heliport is a residence with four young children. Owasso is a suburb that is growing rapidly and soon there will be many houses with young children. A busy heliport and training classroom in this location is inappropriate without usage restrictions. I ask for accommodation for all by restricting to a small, two seater, helicopter usage at one cycle a day and restricting the training classroom to one year. My hope is that all can be satisfied and we can be good neighbors. Good luck.

Gary and Sherry Hodson.

**Hoyt, Jay**

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**From:** Lonnie Lamb <lambeieio@gmail.com>  
**Sent:** Tuesday, September 13, 2022 10:13 PM  
**To:** esubmit  
**Subject:** Case# CBOA-3005

My name is Lonnie Lamb. I own and reside at the property directly South of the [REDACTED] property. My address is 8910 E. 96th St N. I have no problem with, and support them getting, a Special Exception to allow Use Unit 2 to permit a Heliport in AG district & a Use Variance for Trades and Services in AG zoned district. If you have any questions you can call me at 918-625-9037.

Sincerely, Lonnie Lamb.