AGENDA
Tulsa County Board of Adjustment
Regularly Scheduled Meeting
Tuesday, April 18, 2023, 1:30 p.m.
Tulsa City/County Central Library
400 Civic Center, Tulsa, OK 74103
Aaronson Auditorium
Meeting No. 518

## 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 March (Meeting No. 516).

## UNFINISHED BUSINESS

2. 3044-Steven Graves

Action Requested:
Use Variance to allow Warehousing (Use Unit 23) and Automotive Repair (Use Unit 17) in the RS District (310). Location: 5403 S. 113th W. Ave. (CD 2)

## NEW APPLICATIONS

3. 3046-Clifford R \& Elizabeth Honeycutt

## Action Requested:

Variance of the rear and side setbacks in the AG district to permit a lot split (Section 330- Table 3) Location: 12901 N. Memorial Dr. (CD 1)
4. 3047 - Randy Scott

Action Requested:
Special Exception to permit a fireworks stand (Use Unit 2) in an AG district (Section 310) Location: 14003 E 116th St N (CD 1)
5. 3054-Ryan Strode

Action Requested:
Variance to permit two dwelling units on a single lot of record in an RS district (Section 208). Location: 12813 S 128th E Ave (CD 3)
6. 3055-Mildred Williams

## Action Requested:

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

Location: 10881 W 61st St S (CD 2)
7. 3056 - Al Dennis WITHDRAWN BY APPLICANT

Action Requested:Variance of the required Side setback in the IM district from 75' to 14' (Section 930 Table 2) Location: 6518 N Yale Ave (CD 1)
8. 3057-Casey Allison

Action Requested:
Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330) Location: 17793 S Harvard Ave (CD 3)
9. 3058-Andres Vazquez

Action Requested:
Special Exception to permit a manufactured home in an RS district (Section 410).
Location: 6412 W. 60th St. (CD 2)
10.3059-Anna Raylynn Blue

## Action Requested:

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

Location: 6511 N Quincy Ave E (CD 1)
11.3060-Tony Atzbah

## Action Requested:

Use variance to permit Other Trades and Services ( Use Unit 15) on an AG zoned lot. Use Variance to permit Storage, (Use Unit 23) in an AG zoned lot. (Section 310).

## OTHER BUSINESS

## NEW BUSINESS

## BOARD MEMBER COMMENTS

## ADJOURNMENT

## Website: tulsaplanning.org E-mail: esubmit@incog.org

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

NOTE: Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained at the Tulsa Planning Office at INCOG. All electronic devices must be silenced during the Board of Adjustment meeting.
NOTE: This agenda is for informational purposes only and is not an official posting. Please contact the Tulsa Planning Office at 918-584-7526 if you require an official posted agenda.

| Board of <br> Adjustment | Case Number: CBOA-3044 <br> Hearing Date: 04/18/2023 1:30 PM <br> (Continued from 02/21/2023) |
| :--- | :--- |
| Case Report Prepared by: | Owner and Applicant Information: <br> Jay Hoyt |
|  | Applicant: Steven Graves |
| Property Owner: SGJCC PROPERTY LLC |  |

Action Requested: Use Variance to allow Warehousing (Use Unit 23) and Automotive Repair (Use Unit 17) in the RS District (310).


# TULSA COUNTY BOARD OF ADJUSTMENT CASE REPORT 

TRS: 9135
CASE NUMBER: CBOA-3044
CZM: 44
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 04/18/2023 1:30 PM

## APPLICANT: Steven Graves

ACTION REQUESTED: Use Variance to allow Warehousing (Use Unit 23) and Automotive Repair (Use Unit 17) in the RS District (310).

LOCATION: 5403 S 113 AV W
ZONED: RS
FENCELINE: Sand Springs
PRESENT USE: Vacant
TRACT SIZE: 1.38 acres

## LEGAL DESCRIPTION: N/2 LT 3 BLK 3; S/2 LT 3 BLK 3, 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 is currently vacant. It is surrounded by RS zoning to the North, South and East containing a combination of single-family residences and vacant land and to the West by Hwy 97, zoned AG with RM-2 and CG zoning to the West of 97 containing multi-family and commercial uses.

## STAFF COMMENTS:

The applicant is before the Board to request a Use Variance to allow Warehousing (Use Unit 23) and Automotive Repair (Use Unit 17) in the RS District (310).

The applicant is proposing to construct a metal building on the subject lot similar to the example they have provided for warehousing and automotive repair. The proposed uses would fall under Use Unit 23 Warehousing and Wholesaling and use Unit 17 - Automobile and Allied Activities, which are not allowable uses in the RS district. This would require a use variance allowing Use Units 17 \& 23 on the subject lot in order to permit the uses of the proposed building.

The applicant has stated that they the building is intended to be a $100 \times 100$ FT building divided into four sections, with office and warehouse space. The intended use is for the applicant to have one of the four sections for automotive repair and the other three sections rented out to other professionals such as residential or commercial contracting companies.

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 $\qquad$ (approve/deny) a Use Variance to allow Warehousing (Use Unit 23) and Automotive Repair (Use Unit 17) in the RS District (310).

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

Subject to the following conditions, if any: $\qquad$ .

Finding the hardship to be $\qquad$ .

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.

















## Noble

From:
Address
Phone:
To:
Phone:
Case Number

Jerry R. Sr. \& Gloria J. Noble
5235 South $113^{\text {th }}$ W. Ave Sand Springs, OK 74063-3360
918-313-1031
Tulsa County Adjustment Board
918-579-9476

To whom it may concern:
My name is Gloria J. Noble and I am writing this letter with the concern of the letter that we (Jerry Noble and Gloria Noble) received per mail on Saturday, February 4, 2023.

The concern is that Mr. Steven Graves is wanting to put a business in an residential area, which is next door to our property of 5235 South $113^{\text {th }}$ W. Avenue Sand Springs, OK 74063.

We are in our 80's and have been here at this residence since November 1977 and need much sleep and sometimes it has to be done during the day.

We highly object of the building a business next door to us for serval reasons.
I. Too much light adjacent to our property at night.
2. Too much noise during the day and or night, building and operative.
3. There will be a parking problem, on the street and blocking each driveways.
4. Too much traffic.
5. If we have to move, because of the change it would be a inconvenient for us at this age to pick up and start over somewhere else.
6. Property value will decrease because of the business.
7. Paint, gas or oil fumes will enhance the Asthma problem that my wife has.
8. With the 7" 6 " fence it will block any view, and we will be blocked in from both sides.

This is our concern for which we are putting in writing; and are opposing the building of a commercial building in


| Board of Adjustment | Case Number: CBOA-3046 <br> Hearing Date: 04/18/2023 1:30 PM |
| :---: | :---: |
| Case Report Prepared by: Jay Hoyt | Owner and Applicant Information: <br> Applicant: Elizabeth Honeycutt <br> Property Owner: HONEYCUTT, CLIFFORD \& ELIZABETH |
| Action Requested: Variance of the rear and side setbacks in the AG district to permit a lot split (Section 330-Table 3) |  |
| Location Map: | Additional Information: <br> Present Use: Residential <br> Tract Size: 4.66 acres <br> Location: 12901 N MEMORIAL DR E <br> Present Zoning: AG <br> Fenceline/Area: Collinsville <br> Land Use Designation: Residential |

# TULSA COUNTY BOARD OF ADJUSTMENT <br> CASE REPORT 

TRS: 2336
CASE NUMBER: CBOA-3046
CZM: 7
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 04/18/2023 1:30 PM
APPLICANT: Elizabeth Honeycutt
ACTION REQUESTED: Variance of the rear and side setbacks in the AG district to permit a lot split (Section 330-Table 3)

LOCATION: 12901 N MEMORIAL DR E
ZONED: AG
FENCELINE: Collinsville
PRESENT USE: Residential
TRACT SIZE: 4.66 acres
LEGAL DESCRIPTION: BEG 330N SWC NW SW TH E630.75 S330 W630.75 N330 POB LESS .314AC FOR RDS SEC 362213 4.686ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant
ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and is surrounded by AG zoned land with single-family residences and agricultural land.

## STAFF COMMENTS:

The applicant is before the Board to request a Variance of the rear and side setbacks in the AG district to permit a lot split (Section 330-Table 3).

The Tulsa County Zoning Code (Section 330) requires a 40 ft rear yard and 15 ft side yard for any lot in the AG district. The applicant is proposing to split the subject lot as illustrated on the material provided by the applicant. There are multiple buildings on the subject lot which encroach upon the required setbacks if the lot were to be split as illustrated.

The applicant provided the statement "There are buildings that we are requesting to remain on split property that are useful to the property. They have been there for several years with no problem of being near the fence 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 variance is compatible with and non-injurious to the surrounding area.

## Sample Motion:

"Move to $\qquad$ (approve/deny) a Variance of the rear and side setbacks in the AG district to permit a lot split (Section 330-Table 3).

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

Subject to the following conditions, if any: $\qquad$
Finding the hardship to be $\qquad$ .

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.



## PREPARED FOR RANDY HONEYCUTT

RANDY \& ELIZABETH HONEYCUTT
12901 N MEMORIAL DRIVE
COLLINSVILLE, OK 74021


## LEGAL DESCRIPTION



The West 255.75 feet of the S/2 and the West 375.00 feet of the N/2 of the following described tract:
A portion of the S/2 of the NW/4 of the SW/4 of Section 36, Township 22 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, more particularly described as follows, to-wit: Beginning at the West line of said Section 36, 330 feet North of the SW comer of the NW/4 SW/4; thence East a distance of 630.75 feet to a point; thence South a distance of 330 feet to a point; thence West a distance of 630.75 feet to a point; thence North a distance of 330 feet to the point of beginning. Less and Except an undivided one-half interest in and to all mineral rights thereunder which have been retained by prior owner...containing 2.4 acres, more or less

## TRACT 2

A portion of the S/2 of the NW/4 of the SW/4 of Section 36, Township 22 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, more particularty described as follows, to-wit: Beginning at the West line of said Section 36, 330 feet North of the SW comer of the NW/4 SW/4; thence East a distance of 630.75 feet to a point; thence South a distance of 330 feet to a point; thence West a distance of 630.75 feet to a point; thence North a distance of 330 feet to the point of beginning. Less and Except an undivided one-half interest in and to all mineral rights thereunder which have been retained by prior owner...LESS...The West 255.75 feet of the S/2 and the West 375.00 feet of the N/2 thereof...containing 2.4 acres, more or less.

## 12901 N Memorial Dr. Collinsville OK 74021



## Legal Description:

A portion of the $S / 2$ of the NW/4 of the SW/4 of Section 36, Township 22 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Govemment Survey thereof, more particularly described as follows, to-wit: Beginning at the West line of said Section 36 to a point 330 feet North of the SW corner of the NW/4 SW/4; thence East a distance of 630.75 feet to a point; thence South 330 feet to a point; thence West a distance of 630.75 feet to a point; thence North a distance of 330 feet to the point of beginning. Less and except an undivided one-half interest in and to all mineral rights thereunder which have been retained by prior owner.
12901 N Memorial, Collinsville, OK 74021

## Easements

16.5 feet Statutory County Right of Way, (shown above)

Right of Way recorded in Book 4607 at page 24 (shown above)
No additional easements per Title Commitment No, 2012-865, Commitment Date; August 9, 2012, as provided to surveyor.

| Board of Adjustment | Case Number: CBOA-3047 <br> Hearing Date: 04/18/2023 1:30 PM |
| :---: | :---: |
| Case Report Prepared by: Jay Hoyt | Owner and Applicant Information: <br> Applicant: Randy Scott <br> Property Owner: DESTINYLIFE CHURCH INC |
| Action Requested: Special Exception to permit a fireworks stand (Use Unit 2) in an AG district (Section 310) |  |
| Location Map: | Additional Information: <br> Present Use: Church <br> Tract Size: 6.06 acres <br> Location: 14003 E 116 ST N <br> Present Zoning: AG <br> Fenceline/Area: Owasso <br> Land Use Designation: Commercial/US169 Overlay |

# TULSA COUNTY BOARD OF ADJUSTMENT CASE REPORT 

TRS: 1404
CASE NUMBER: CBOA-3047
CZM: 12
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 04/18/2023 1:30 PM
APPLICANT: Randy Scott
ACTION REQUESTED: Special Exception to permit a fireworks stand (Use Unit 2) in an AG district (Section 310)

LOCATION: 14003 E 116 ST N
ZONED: AG
FENCELINE: Owasso
PRESENT USE: Church
TRACT SIZE: 6.06 acres
LEGAL DESCRIPTION: LT 1 LESS BEG SWC TH N100 CRV LF 336.22 NW57.57 E276.63 SE259.98 CRV LF 120.91 CRV RT 170.63 S9.42 NW414.61 POB BLK 1, CROSSROADS CHRISTIAN CENTER Tulsa County, State of Oklahoma

## RELEVANT PREVIOUS ACTIONS:

## Subject Lot:

CBOA-2597 September 2016: The Board approved a Special Exception to allow a fireworks stand in the AG district (Sec.310); subject to a 7 year time limit.

CBOA-2323 April 2009: The Board approved a Special Exception to allow a fireworks stand in the AG district (Sec.310); subject to a 7 year time limit.

CBOA-2094 April 2004: The Board approved a Special Exception to allow a fireworks tent sales in the AG district (Sec.310); subject to a 5 year time limit.

ANALYSIS OF SURROUNDING AREA: The subject tract is abutted by AG zoning on the north and east; US Hwy 169 on the west; E 116 St N and CS zoned commercial abuts the site on the south.

## STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to permit a fireworks stand (Use Unit 2) in an AG district (Section 310).

A special exception is required as the proposed fireworks stand is a use which is not permitted by right but by exception in the AG district because of potential adverse effects, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted. The proposed use must be found to be compatible with the surrounding neighborhood.

The site had been previously approved by the Board for a Special Exception to permit fireworks sales on the subject lot in 2004, 2009 and 2016.

Sample Motion:
${ }^{4}$ Move to $\qquad$ (approve/deny) a Special Exception to permit a fireworks stand (Use Unit 2) in an AG district (Section 310)

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

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.



| Adjustment | Case Number: CBOA-3054 <br> Hearing Date: 04/18/2023 1:30 PM |
| :---: | :---: |
| Case Report Prepared by: Jay Hoyt | Owner and Applicant Information: <br> Applicant: Ryan Strode <br> Property Owner: LANGGUTH, LEON \& SOMSAVATH |
| Action Requested: Variance to permit two dwelling units on a single lot of record in an RS district (Section 208). |  |
| Location Map: | Additional Information: <br> Present Use: Residence <br> Tract Size: 0.35 acres <br> Location: 12813 S 128 AV E <br> Present Zoning: RS <br> Fenceline/Area: Broken Arrow <br> Land Use Designation: Level 1 - Rural Residential |

# TULSA COUNTY BOARD OF ADJUSTMENT <br> CASE REPORT 

TRS: 7405
CASE NUMBER: CBOA-3054
CZM: 63
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 04/18/2023 1:30 PM
APPLICANT: Ryan Strode
ACTION REQUESTED: Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

LOCATION: 12813 S 128 AV E
ZONED: RS

FENCELINE: Broken Arrow
PRESENT USE: Residence
TRACT SIZE: 0.35 acres

LEGAL DESCRIPTION: LT 2 BLK 2, WILLOW SPRINGS PLAZA ADDN Tulsa County, State of Oklahoma

## RELEVANT PREVIOUS ACTIONS:

## Surrounding Property:

CBOA-2382 September 2010: Variance of the required yard abutting an arterial street as measured from the centerline from 85 ft to 67 ft (Section 430)

CBOA-1383 November 1995: Variance of the required setback from the centerline of $129^{\text {th }}$ E Ave from 85 ft to 67.5 ft to permit an addition to an existing house.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS zoned single-family residential to the north, south and west and AG zoned land and large lot residential to the east.

## STAFF COMMENTS:

The applicant is before the Board to request a Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

The RS district is limited to one dwelling unit per lot of record per Section 208 of the Tulsa County Zoning Code. The applicant is requesting that a second dwelling unit be allowed to permit family members to live on the site of the currently existing home.

The applicant is proposing to construct a 1,014 sf dwelling unit on the site and is requesting a variance to allow two dwelling units on a single lot of record due to the existing home currently located on the site. The applicant provided the statement that they are "In need of accessory dwelling unit, similar to adjacent properties, for family members.

Sample Motion:
"Move to $\qquad$ (approve/deny) a Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

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

Subject to the following conditions, if any: $\qquad$ .

Finding the hardship to be $\qquad$ .

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.




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517NOMO 300 nistax 3






# Tulsa County Application for Building Permit @ 12813 S 128 E AVE (Garage/Mother In Law Quarters) 

5 messages

Lucky Airehrour [lairehrour@tulsacounty.org](mailto:lairehrour@tulsacounty.org)
Fri, Jan 20, 2023 at 3:01 PM
To: "ryan@strodedesign.com" [ryan@strodedesign.com](mailto:ryan@strodedesign.com)
Cc: Teresa Tosh [ttosh@tulsacounty.org](mailto:ttosh@tulsacounty.org), Kerrick Edenborough [kedenborough@tulsacounty.org](mailto:kedenborough@tulsacounty.org), William Brunton [wbrunton@tulsacounty.org](mailto:wbrunton@tulsacounty.org), Sabrina Martin [sabrina.martin@tulsacounty.org](mailto:sabrina.martin@tulsacounty.org), Lisa Krebsbach
[lkrebsbach@tulsacounty.org](mailto:lkrebsbach@tulsacounty.org)

Good Afternoon,

I hope all is well! With regards to the application for building permit received by our office on or near 1/10/2023, a building \& zoning review was conducting on the construction documents. The review(s) were based on requirements of the International Residential Code (2015 Version), Tulsa County Zoning Code, OUBCC Emergency Rule Document and accepted construction and life safety practices. Review comments are listed below.

## Zoning Review Comments:

- Section 208 Of the Zoning Code states "Not more than one single-family dwelling or mobile home may be constructed or otherwise placed on a lot, except in the case of a lot which is within an approved Planned Unit Development, in an RMH district, or in an AG district, with the exception in the AG district that there be no more than two dwellings per lot. Provided construction plans indicate that this structure would be considered a dwelling unit according to the 2015 IRC


## Building Review Comments:

- Per our How to guide (Attached to this email for reference) Please provide ODEQ approved paperwork for the septic/aerobic system if planning on using a new one or connecting to an existing.
- Please provide a typical section or detail of the foundation plan.
- Please provide additional 911 registered address. To do this, you will need to reach out to Andrew with INCOG.
- An egress able window or door will be required for upstairs Theater Room.

Regarding the upstairs Theater room, Tulsa County passed a resolution amending the Building Code requiring all rooms upstairs (except bathrooms) have a window. I have included the portion of the resolution to this email for your information.

To seek relief from Section 208 of the Tulsa County Zoning Code, you will need to go through the Tulsa County Board of Adjustment. This will require you to file for a Board meeting with INCOG (www.incog.org). Their contact information (phone number) is on their website. Tell the first person that you need to file for a variance for the Tulsa County Board of Adjustment. Tell the person that they direct you to speak with what you intend on doing and that you need a variance of the above section(s). They will get you set up with an appointment with the Board.

Once the above mentioned/attached review comments are addressed, we can move forward with review and approval. I will get everything into our permitting system so that when review comments have been addressed we should be able to
quickly and efficiently move forward with permitting

In the meantime, we will place your permit in a pending status for up to thity days from today. After the thirty day period you will want to reapply for permitting.

If any questions, please feel free to contact our office.

Thank you,


Lucky Airehrour<br>Inspections-Plans Examiner<br>Tulsa County Ha<br>218 West 6th Street<br>Tulsa, OK 74103<br>(918) 596-8915<br>lairehrour@tulsacounty.org

[^0]residential-building-permit-requirements.pdf
170K

## Ryan Strode [ryan@strodedesign.com](mailto:ryan@strodedesign.com)

Thu, Jan 26, 2023 at 11:30 AM
To: Lucky Airehrour [lairehrour@tulsacounty.org](mailto:lairehrour@tulsacounty.org)
Cc: Teresa Tosh [ttosh@tulsacounty.org](mailto:ttosh@tulsacounty.org), Kerrick Edenborough [kedenborough@tulsacounty.org](mailto:kedenborough@tulsacounty.org), William Brunton [wbrunton@tulsacounty.org](mailto:wbrunton@tulsacounty.org), Sabrina Martin [sabrina.martin@tulsacounty.org](mailto:sabrina.martin@tulsacounty.org), Lisa Krebsbach
[lkrebsbach@tulsacounty.org](mailto:lkrebsbach@tulsacounty.org)
Thanks Lucky. I will get with the home owner and let them know we are ready to go to the BoA, as expected.
I'll let you know when we get on the agenda.
[Quoted text hidden]
Ryan Strode

| Case Report Prepared by: |  | Case Number: CBOA-3055 <br> Hearing Date: 04/18/2023 1:30 PM |
| :--- | :--- | :--- |
| Jay Hoyt | Owner and Applicant Information: <br> Adjustment |  |
| Applicant: Mildred Williams |  |  |
| Action Requested: Special Exception to permit a single-wide mobile home in an RS |  |  |

# TULSA COUNTY BOARD OF ADJUSTMENT <br> CASE REPORT 

TRS: 9135
CASE NUMBER: CBOA-3055
CZM: 44
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 04/18/2023 1:30 PM

## APPLICANT: Mildred Williams

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

LOCATION: 10881 W 61 ST S
ZONED: RS
FENCELINE: Sand Springs
PRESENT USE: Vacant
TRACT SIZE: 0.96 acres

LEGAL DESCRIPTION: LT 12 LESS N253 BLK 2, BUFORD-COLONY Tulsa County, State of Oklahoma
RELEVANT PREVIOUS ACTIONS: None Relevant
ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and abuts RS zoned properties to the north, east and west containing single-family residences and to the south by AG zoned property containing forested land.

## 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 tract contains an area of just under an acre ( 0.96 acres). A special exception is required as the proposed mobile home is a use which is not permitted by right but by exception in the RS district because of potential adverse effects, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted. The mobile home must be found to be compatible with the surrounding neighborhood.

If inclined to approve the request the Board may consider any condition it deems necessary in order to ensure that the proposed mobile home is compatible and non-injurious to the surrounding area.

## Sample Motion:

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

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

Subject to the following conditions, if any: $\qquad$ -

In granting a Special Exception, the Board must find that 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.




| Ain Board of <br> Aushinn  <br> Adjustment  | Case Number: CBOA-3057 <br> Hearing Date: 04/18/2023 1:30 PM |
| :---: | :---: |
| Case Report Prepared by: Jay Hoyt | Owner and Applicant Information: <br> Applicant: Casey Allison <br> Property Owner: ALLISON, CASEY \& KIMBERLEE |
| Action Requested: Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330) |  |
| Location Map: | Additional Information: <br> Present Use: Residence <br> Tract Size: 2.31 acres <br> Location: 17793 S HARVARD AV <br> Present Zoning: AG <br> Fenceline/Area: Bixby <br> Land Use Designation: Rural Residential |

# TULSA COUNTY BOARD OF ADJUSTMENT <br> CASE REPORT 

TRS: 7333
CASE NUMBER: CBOA-3057
CZM: 66
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 04/18/2023 1:30 PM

## APPLICANT: Casey Allison

ACTION REQUESTED: Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330)

LOCATION: 17793 S HARVARD AV

## FENCELINE:

PRESENT USE: Residence
TRACT SIZE: 2.31 acres
LEGAL DESCRIPTION: BEG 825.01N SWC SW TH N165 E660.71 S164.97 W660.69 LESS W50 THEREOF FOR RD SEC 331713 2.31ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant
ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and is surrounded by AG zoning to the north, south, east and west containing single-family residences and agricultural land.

## STAFF COMMENTS:

The applicant is before the Board to request a Variance of the minimum land area per dwelling unit requirement in an AG district (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 subject tract is 2.31 acres in area, which would allow for one dwelling, but does not allow for two. The applicant is proposing to build an accessory dwelling unit (ADU) on the lot to function as a pool house and possible as a mother-in-law home in the future.

The applicant provided the statement "Per zoning codes we are not allowed to have an ADU on our property as we only have 2.3 total acres as we are zoned AG. We are asking to build an ADU behind our current residence that will serve as a pool house and will, at some point, serve as a mother-in-law suite for when my mother-in-law is not able to take care of herself."

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 $\qquad$ (approve/deny) a Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330).

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

Subject to the following conditions, if any: $\qquad$

Finding the hardship to be $\qquad$ .

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.



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CBOA-3057


## Re: Special Exception Variance - Accessory Dwelling Unit

Per zoning codes we are not allowed to have an ADU on our property as we only have 2.3 total acres as we are zoned for AG. We are asking to build an ADU behind our current residence that will serve as a Pool house and will at some point serve as a mother-in-law suite for when my mother-in-law is not able to take care of herself. We want to give her a comfortable place to live and be secure in knowing that we are right there if anything arises. This will never be a renal property or someone living in it full time besides her whenever that time comes. My wife and I have talked to our neighbors on both sides of our property and they have not expressed any type of concern. We have decided to build this on the north side of our property as the Lewis family is further away to the north and won't be a hindrance to anyone. The building will match the color and materials of the primary home. It is set back approximately $40^{\prime}$ to the east of the primary home.

Thank you for your consideration,


Casey Allison

| ADN Board of <br> Adjustment  | Case Number: CBOA-3058 <br> Hearing Date: 04/18/2023 1:30 PM |
| :---: | :---: |
| Case Report Prepared by: Jay Hoyt | Owner and Applicant Information: <br> Applicant: Andres Vazquez <br>  |
| Action Requested: Special Exception to permit a manufactured home in an RS district (Section 410). |  |
| Location Map: | Additional Information: <br> Present Use: Vacant <br> Tract Size: 0.09 acres <br> Location: 6412 W 60 ST S <br> Present Zoning: RS <br> Fenceline/Area: West Central Tulsa County <br> Land Use Designation: Rural Residential/Agricultural |

# TULSA COUNTY BOARD OF ADJUSTMENT <br> CASE REPORT 

TRS: 9232
CASE NUMBER: CBOA-3058
CZM: 45
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 04/18/2023 1:30 PM
APPLICANT: Andres Vazquez
ACTION REQUESTED: Special Exception to permit a manufactured home in an RS district (Section 410).
LOCATION: 6412 W 60 ST S ZONED: RS
FENCELINE: West Central Tulsa County
PRESENT USE: Vacant
TRACT SIZE: 0.09 acres
LEGAL DESCRIPTION: LT 6 \& N7.5 VAC ALLEY ADJ ON S BLK 8, NEW TANEHA Tulsa County, State of Oklahoma

## RELEVANT PREVIOUS ACTIONS:

## Surrounding Property:

CBOA-2917 September 2021: Special Exception to permit a single-wide mobile home in an RS district (Section 410).

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and is surrounded by RS zoning containing single-family residences.

## STAFF COMMENTS:

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

The site contains 0.09 acres. There are several manufactured homes in the general vicinity of the subject tract, with most being located in AG zoned property to the south located in Creek County.

A special exception is required as the proposed mobile home is a use which is not permitted by right but by exception in the RS district because of potential adverse effects, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted. The mobile home must be found to be compatible with the surrounding neighborhood.

If inclined to approve the request the Board may consider any condition it deems necessary in order to ensure that the proposed mobile home is compatible and non-injurious to the surrounding area.

## Sample Motion:

$\qquad$ (approve/deny) a Special Exception to permit a manufactured home in an RS district (Section 410).

Subject to the following conditions, if any: $\qquad$
In granting a Special Exception, the Board must find that 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.




| Fins Board of <br> Adjustment  | Case Number: CBOA-3059 <br> Hearing Date: 04/18/2023 1:30 PM |
| :---: | :---: |
| Case Report Prepared by: Jay Hoyt | Owner and Applicant Information: <br> Applicant: Anna Blue <br> Property Owner: BLUE, ANNA RAYLYNN |
| Action Requested: special exception to permit a single-wide manufactured home in an RS District. |  |
| Location Map: | Additional Information: <br> Present Use: vacant <br> Tract Size: 0.16 acres <br> Location: 6511 N QUINCY AV E <br> Present Zoning: RS <br> Fenceline/Area: Turley <br> Land Use Designation: Rural Residential/Agricultural |

## TULSA COUNTY BOARD OF ADJUSTMENT CASE REPORT

TRS: 198
CASE NUMBER: CBOA-3059
CZM: 22
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 04/18/2023 1:30 PM

## APPLICANT: Anna Blue

ACTION REQUESTED: special exception to permit a single-wide manufactured home in an RS District.
LOCATION: 6511 N QUINCY AV E
ZONED: RS
FENCELINE: Turley
PRESENT USE: vacant
TRACT SIZE: 0.16 acres

LEGAL DESCRIPTION: LT 9 BLK 13, GOLDEN HILL SECOND ADDN Tulsa County, State of Oklahoma

## RELEVANT PREVIOUS ACTIONS:

## Subject Property:

CBOA-1555 March 1998: The Board approved a Special Exception for a mobile home in an RS district. Variance of the minimum lot width from 60 ft to 50 ft .

## Surrounding Property:

CBOA-1920 December 2001: The Board approved a Special Exception for a mobile home in an RS district.

CBOA-2093 April 2004: The Board approved a Variance of the allowable square footage for an accessory building from 1,200 sf previously approved (CBOA-1935) to 1,700 sf.

CBOA-1935 February 2002: The Board approved a Variance of the allowable square footage for an accessory building from 750 sf to 1,200 sf.

ANALYSIS OF SURROUNDING AREA: The subject tract is

## 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 tract contains 0.16 acres in area. The Board had previously approved a special exception (CBOA-1555) for a mobile home in an RS district on the subject lot as well as for additional locations near the subject tract. A special exception is required as the proposed mobile home is a use which is not permitted by right but by exception in the RS district because of potential adverse effects, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted. The mobile home must be found to be compatible with the surrounding neighborhood.

If inclined to approve the request the Board may consider any condition it deems necessary in order to ensure that the proposed mobile home is compatible and non-injurious to the surrounding area.

Sample Motion:
"Move to $\qquad$ (approve/deny) a Special Exception to permit a single-wide mobile home in an RS district (Section 410).

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

Subject to the following conditions, if any: $\qquad$ .

In granting a Special Exception, the Board must find that 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.





| Case Report Prepared by: <br> Cadind of <br> Adjustment | Case Number: CBOA-3060 <br> Hearing Date: 04/18/2023 1:30 PM |
| :--- | :--- |
| Jay Hoyt | Owner and Applicant Information: <br> Applicant: Tony Atzbach <br> Property Owner: COPPEDGE FAMILY REV <br> TRUST |

Action Requested: Use variance to permit Other Trades and Services (Use Unit 15) on an AG zoned lot. Use Variance to permit Storage (Use Unit 23) in an AG zoned lot. (Section 310)


## Additional Information:

Present Use: Vacant
Tract Size: 2.13 acres
Location: E of the NEC N 137th E Ave and E 156th St N

Present Zoning: AG
Fenceline/Area: Collinsville
Land Use Designation: Residential

# TULSA COUNTY BOARD OF ADJUSTMENT <br> CASE REPORT 

TRS: 2416
CASE NUMBER: CBOA-3060
CZM: 75,4
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 04/18/2023 1:30 PM

## APPLICANT: Tony Atzbach

ACTION REQUESTED: Use variance to permit Other Trades and Services (Use Unit 15) on an AG zoned lot. Use Variance to permit Storage (Use Unit 23) in an AG zoned lot (Section 310).

LOCATION: E of the NEC N 137th E Ave and E 156th St N

## ZONED: AG

FENCELINE: Collinsville
PRESENT USE: Vacant
TRACT SIZE: 2.13 acres
LEGAL DESCRIPTION: BEG 1988.41W SECR SEC 16 TH W281.59 N330 E281.59 S330 POB SEC 1622 14 2.133ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant
ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and abuts AG zoning to the north, south and east containing single-family residences and to the west by IL zoning containing a commercial business which is currently operated by the applicant.

## STAFF COMMENTS:

The applicant is before the Board to request a Use variance to permit Other Trades and Services (Use Unit 15) on an AG zoned lot. Use Variance to permit Storage (Use Unit 23) in an AG zoned lot (Section 310).

The applicant currently has a septic service business located on the lot immediately to the west of the sebject tract. The lot where the current business resides is located within the City of Collinsville. They are seeking the two requested use variances in order to expand the existing business onto the subject lot, which is located in unincorporated Tulsa County. They are wishing to add an office for staff and storage area for supplies and equipment.

The applicant has provided the statement "Our company needs to add a building to office our staff and add additional warehouse space. Our office staff is currently in a different county causing our employees additional miles to drive to work. Our current building/operation has no more room for office and warehouse space. Thank you for your consideration of this issue"

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 $\qquad$ (approve/deny) a Use variance to permit Other Trades and Services (Use Unit 15) on an AG zoned lot. Use Variance to permit Storage (Use Unit 23) in an AG zoned lot (Section 310).

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

Subject to the following conditions, if any: $\qquad$ .

Finding the hardship to be $\qquad$ .

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.






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