

**NOTICE AND AGENDA**  
**Tulsa County Board of Adjustment**  
**\*SPECIAL MEETING\***  
**Monday June 26, 2023, 1:30 p.m.**  
**Williams Tower I**  
**1 West 3rd Street, St. Francis Room**

**Meeting No. 520**

**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 May 16, 2023 (Meeting No. 519).

**UNFINISHED BUSINESS**

2. **3065 - Robin Mayhugh**

**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:** 5654 S 167th W Ave **(CD 2)**

**NEW APPLICATIONS**

3. **3068 - Michael Grim**

**Action Requested:**

Special Exception to permit fireworks stand (Use Unit 2) in an RE district (Section 410) and a Variance from the all-weather parking surface requirement (Section 1340.D) **Location:** 9924 N Garnett Rd **(CD 1)**

**4. 3069 - Robin Hausner**

**Action Requested:**

Use Variance to permit an RV Park (Use Unit 17) in an AG district (Section 310).

**Location:** 128 W 91st St N **(CD 2)**

**5. 3070 - Eric & Jaci Gillette**

**Action Requested:**

Modification of a previously approved conceptual site plan (CBOA-2631) to permit a lot-split in an AG District. **Location:** 17219 S. Harvard Ave **(CD 3)**

**6. 3071 - Joshua & Brittany Reese**

**Action Requested:**

Variance to permit two dwelling units on a single lot of record in an RS district (Section 208). **Location:** 12303 E 136th St S **(CD 3)**

**7. 3072 - James Kent**

**Action Requested:**

Special Exception to allow a fireworks stand (Use Unit 2) in an RS zoned district. (Sec. 410); Variance of the all-weather surface material requirement for parking (Section 1340.D). **Location:** 4503 South 49 Avenue West **(CD 2)**

**8. 3073 - Randy Scott**

**Action Requested:**

Special Exception to permit fireworks stand (Use Unit 2) in an RS district (Section 410) **Location:** 1035 W 4 ST N **(CD 1)**

**9. 3074 - Kyle Butterworth**

**Action Requested:**

Variance of the street frontage from 30' to 0' in an RS district (Section 207)

**Location:** 6003 S 70th W Ave **(CD 3)**

**10. 3075 - Shirley & Jerry West**

**Action Requested:**

Variance of the minimum lot area in an AG-R district to permit a lot split (Section 330 Table 3). **Location:** 13090 N. 91st Ave & 13070 N. 91st Ave **(CD 1)**

**11. 3077 - Heath Timmerman**

**Action Requested:**

Variance to reduce the required 15-foot side setback in the AG District to permit a lot split (Sec. 330, Table 3) **Location:** 16140 S. Elwood Ave. **(CD 3)**

**12.3078 - Chris Garr**

**Action Requested:**

Variance to allow a third dwelling unit in an AG district (Section 208) **Location:**  
13952 N Memorial Dr **(CD 1)**

**OTHER BUSINESS**

**NEW BUSINESS**

**BOARD MEMBER COMMENTS**

**ADJOURNMENT**

**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.



# Board of Adjustment

**Case Number:** CBOA-3065  
**Hearing Date:** 06/26/2023 1:30 PM  
(Continued from 05/16/2023 and 6/20/2023)

**Case Report Prepared by:**

Jay Hoyt

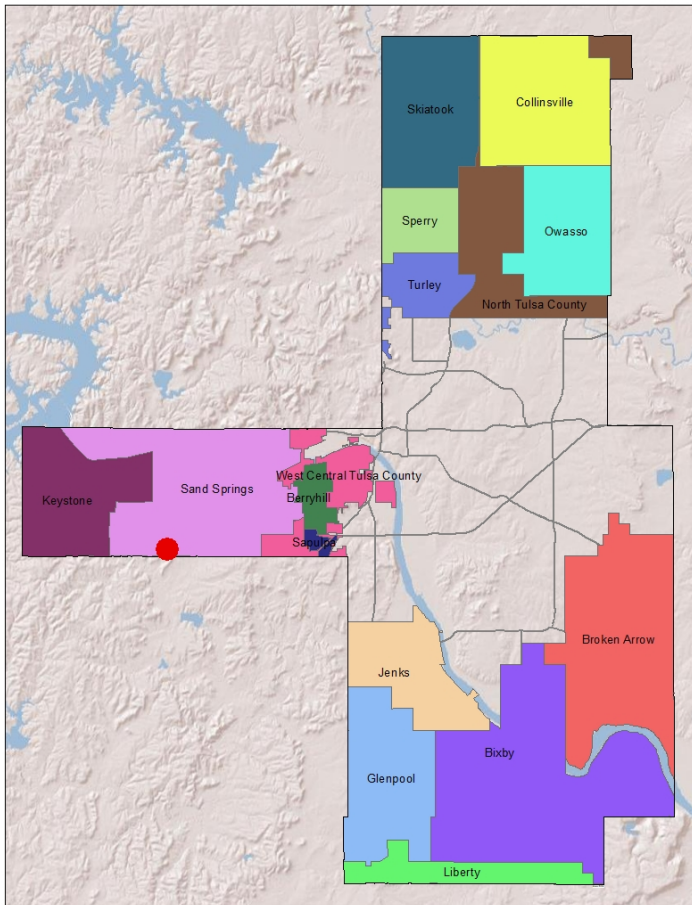
**Owner and Applicant Information:**

**Applicant:** Robin Mayhugh

**Property Owner:** MAYHUGH, ROBIN LEE

**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:** Residence

**Tract Size:** 1.07 acres

**Location:** 5654 S 167 AV W

**Present Zoning:** RS

**Fenceline/Area:** Sand Springs

**Land Use Designation:** Residential

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 9131

**CZM:** 43

**CASE NUMBER:** **CBOA-3065**

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 06/26/2023 1:30 PM (Continued from 05/16/2023 and 06/20/2023)

**APPLICANT:** Robin Mayhugh

**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:** 5654 S 167 AV W

**ZONED:** RS

**FENCELINE:** Sand Springs

**PRESENT USE:** Residence

**TRACT SIZE:** 1.07 acres

**LEGAL DESCRIPTION:** LT 7 BLK 2, OAK HAVEN II Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Properties:**

**CBOA-2074 November 2003:** The Board approved a Variance of the allowable 750 sf for an accessory building in the RS district (Section 240.2.E).

**CBOA-2298 June 2008:** The Board approved a Variance of the maximum permitted floor area for a detached accessory building in the RS district (Section 240.2.E).

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RS and is surrounded by RS zoned lots containing single-family residential homes.

**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 west of the existing home approximately 1,050 sf in area. The Tulsa County Zoning Code limits accessory buildings in the RS district to 750 sf. This proposal would be 300 sf over the code allowance for an accessory building.

The applicant provided the statement "A Variance would allow a building large enough to store RV and additional car plus storage. RV currently sitting outside and would improve overall appearance of the home. Several homes in the neighborhood have large building for this purpose."

*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:**

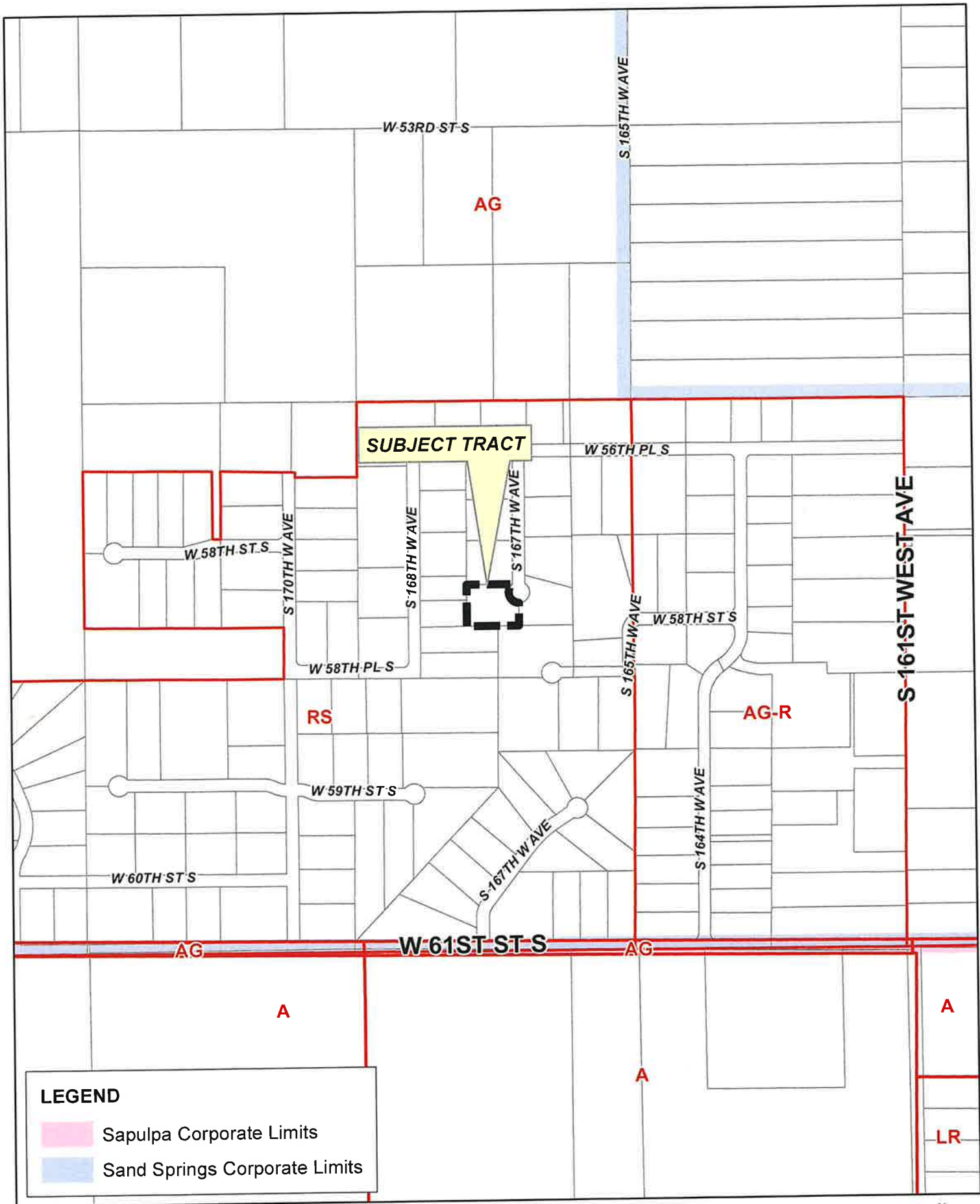
*“Move to \_\_\_\_\_ (approve/deny) a Variance to permit a detached accessory building in the RS district to be greater than 750 sf of floor area (Section 240.2.E)*

*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**

**LEGEND**

- Sapulpa Corporate Limits
- Sand Springs Corporate Limits



**CBOA-3065**

19-11 31



CBOA-3065 2.4



Subject  
Tract

**CBOA-3065**

19-11 31

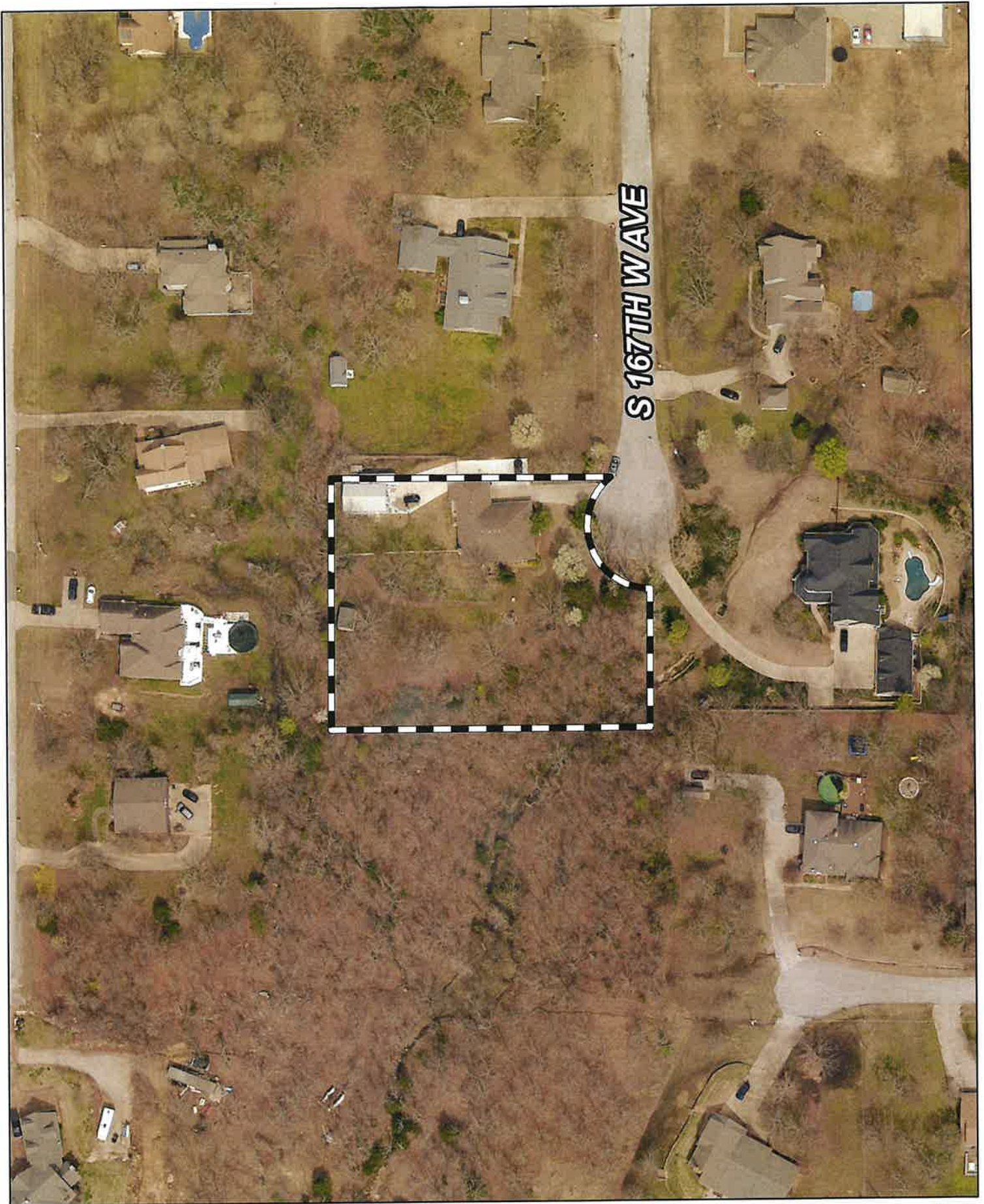
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021



CBOA-3065 2.5





S 167TH W AVE



 Subject Tract

**CBOA-3065**

19-11 31

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

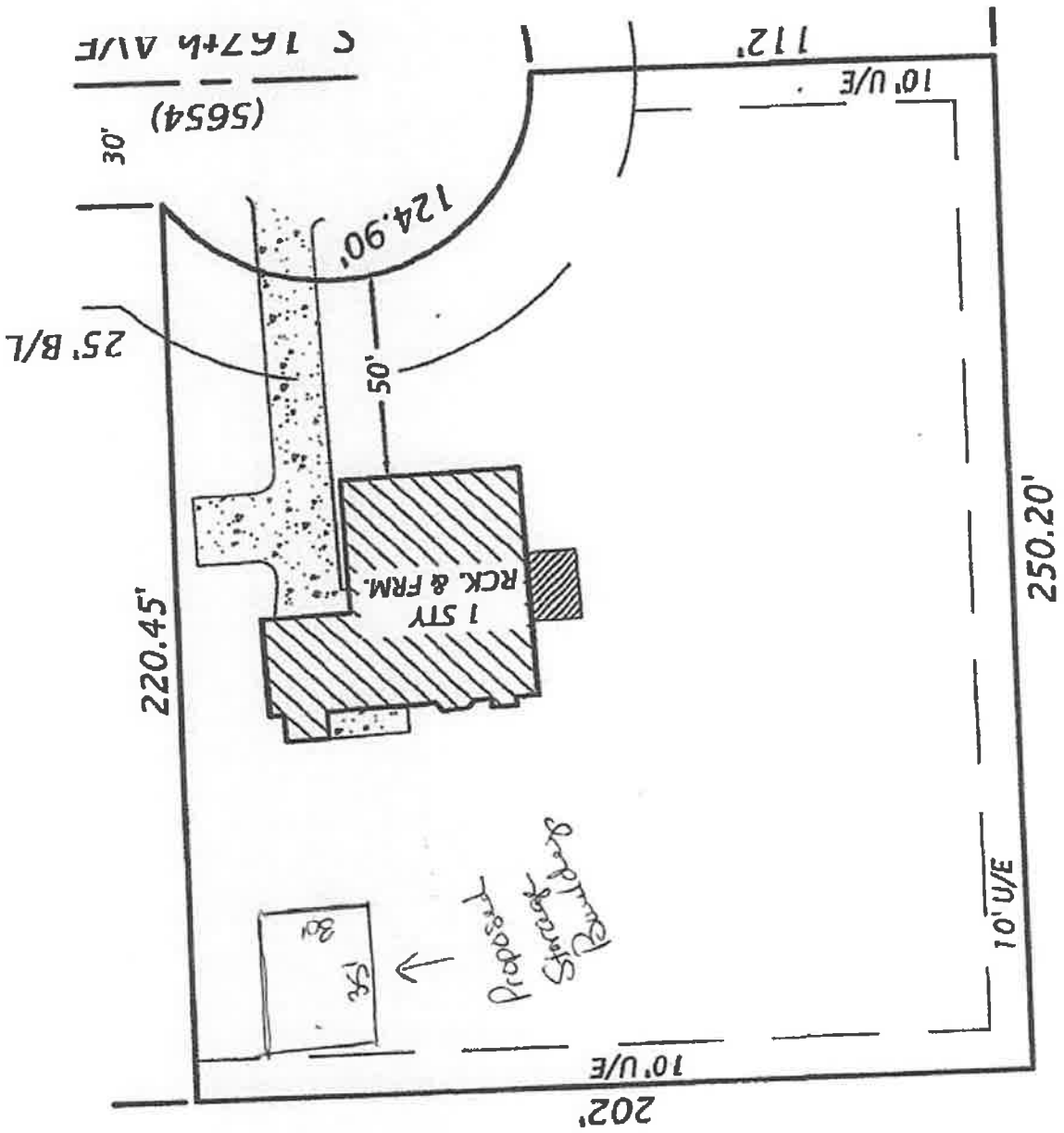
Aerial Photo Date: 2020/2021



CBOA-3065 2.6

Lot Seven (7), Block Two (2), OAK HAVEN II,  
 Tulsa County, State of Oklahoma,  
 according to the Recorded Plat No. 4304.

SCALE  
 1" = 50'





# Board of Adjustment

**Case Number: CBOA-3068**

**Hearing Date: 06/26/2023 1:30 PM**  
(Continued from 06/20/2023)

**Case Report Prepared by:**

Jay Hoyt

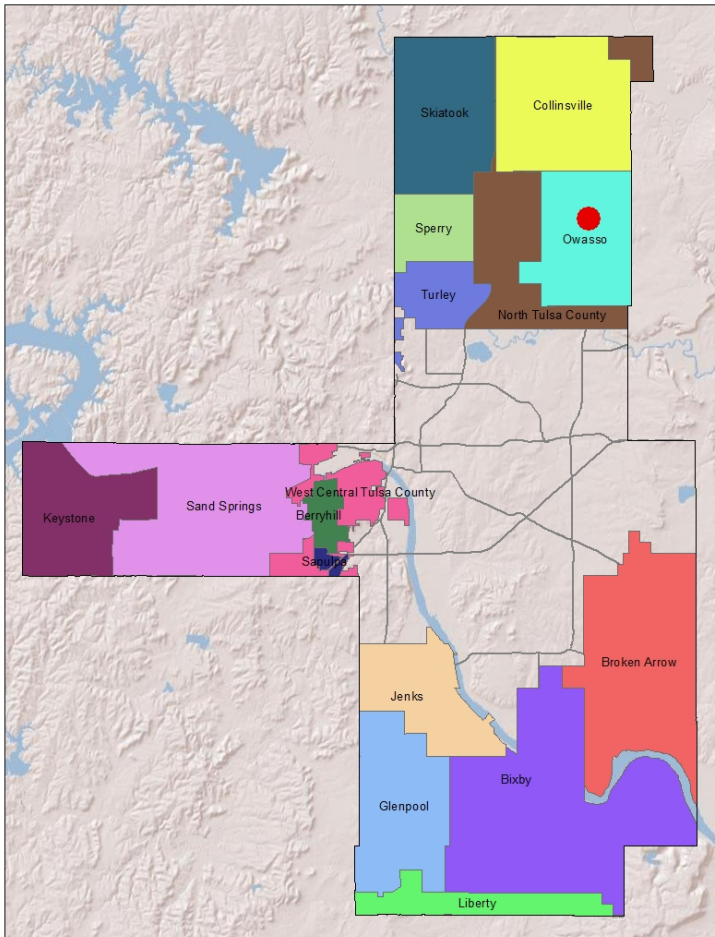
**Owner and Applicant Information:**

**Applicant: Michael Grim**

**Property Owner: FELKINS ENTERPRISES LLC**

**Action Requested:** Special Exception to permit a fireworks stand (Use Unit 2) in an RE district (Section 410) and a Variance from the all-weather parking surface requirement (Section 1340.D).

**Location Map:**



**Additional Information:**

**Present Use: Printing Service**

**Tract Size: 0.59 acres**

**Location: 9924 N GARNETT RD E**

**Present Zoning: RE**

**Fenceline/Area: Owasso**

**Land Use Designation: Transitional**

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 1418

**CZM:** 12

**CASE NUMBER:** **CBOA-3068**

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 06/26/2023 1:30 PM (Continued from 06/20/2023)

**APPLICANT:** Michael Grim

**ACTION REQUESTED:** Special Exception to permit a fireworks stand (Use Unit 2) in an RE district (Section 410) and a Variance from the all-weather parking surface requirement (Section 1340.D).

**LOCATION:** 9924 N GARNETT RD E

**ZONED:** RE

**FENCELINE:** Owasso

**PRESENT USE:** Printing Service

**TRACT SIZE:** 0.59 acres

**LEGAL DESCRIPTION:** PRT NE SE BEG 347N SECR SE TH W190 S24 W90 N127 E280 S TO POB LESS E50 THEREOF FOR RD SEC 18 21 14 .593ACS, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:** None Relevant

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RE and currently contains a printing service. To the north is a vacant lot zoned CS. To the south and west is RE zoning containing single-family residences. To the east are RS-3 zoned lots containing single-family residences.

**STAFF COMMENTS:**

The applicant is before the Board to request a Special Exception to permit a fireworks stand (Use Unit 2) in an RE district (Section 410) and a Variance from the all-weather parking surface requirement (Section 1340.D).

A special exception is required as the proposed fireworks stand is a use which is not permitted by right but by exception in the RE 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.

Section 1340.D of the Tulsa County Zoning Code requires that unenclosed off-street parking areas be surfaced with an all-weather material. The applicant is requesting a variance of that requirement so that the existing gravel parking area may be used.

The applicant provided the statement "Because a firework stand is seasonal and temporary, we don't want to asphalt or concrete in the drive/parking area. The drive and parking area is currently gravel.

*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:**

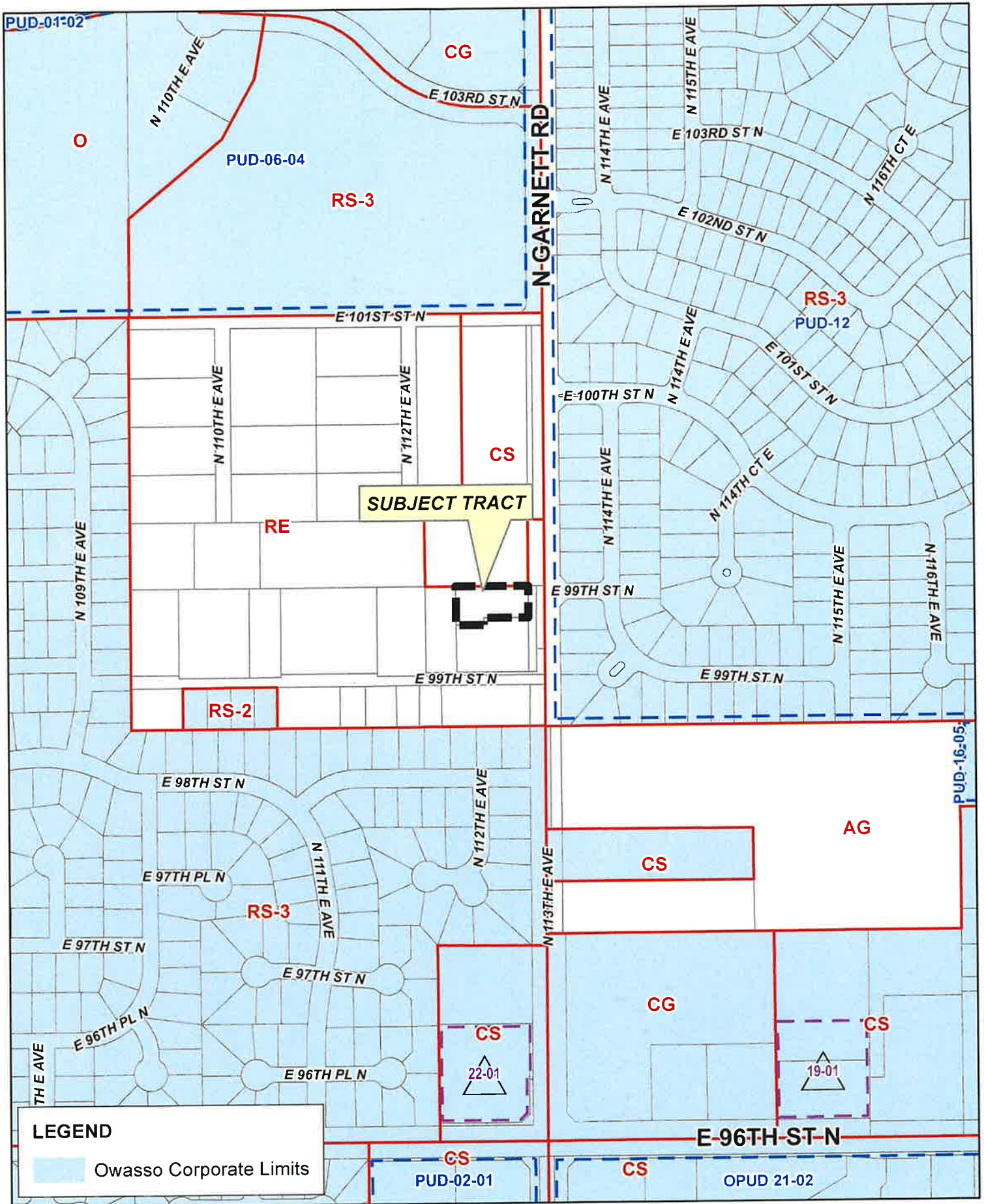
**“Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit a fireworks stand (Use Unit 2) in an RE district (Section 410) and a Variance from the all-weather parking surface requirement (Section 1340.D).**

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

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

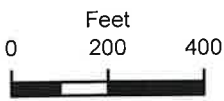
**Finding the hardship to be \_\_\_\_\_.**

**Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan**



**LEGEND**

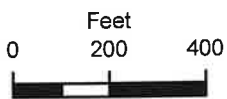
Owasso Corporate Limits



**CBOA-3068**

21-14 18





Subject  
Tract

**CBOA-3068**

21-14 18

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

Aerial Photo Date: 2020/2021



CBOA-3068 3.5



N 112TH E AVE

N 114TH E AVE

N GARNETT RD

E 99TH ST N

E 99TH ST N



Subject Tract

**CBOA-3068**

21-14 18

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

Aerial Photo Date: 2020/2021



CBOA-3068 3.6







**Case Number: CBOA-3069**

**Hearing Date: 06/26/2023 1:30 PM**  
**(Continued from 06/20/2023)**

**Case Report Prepared by:**

**Jay Hoyt**

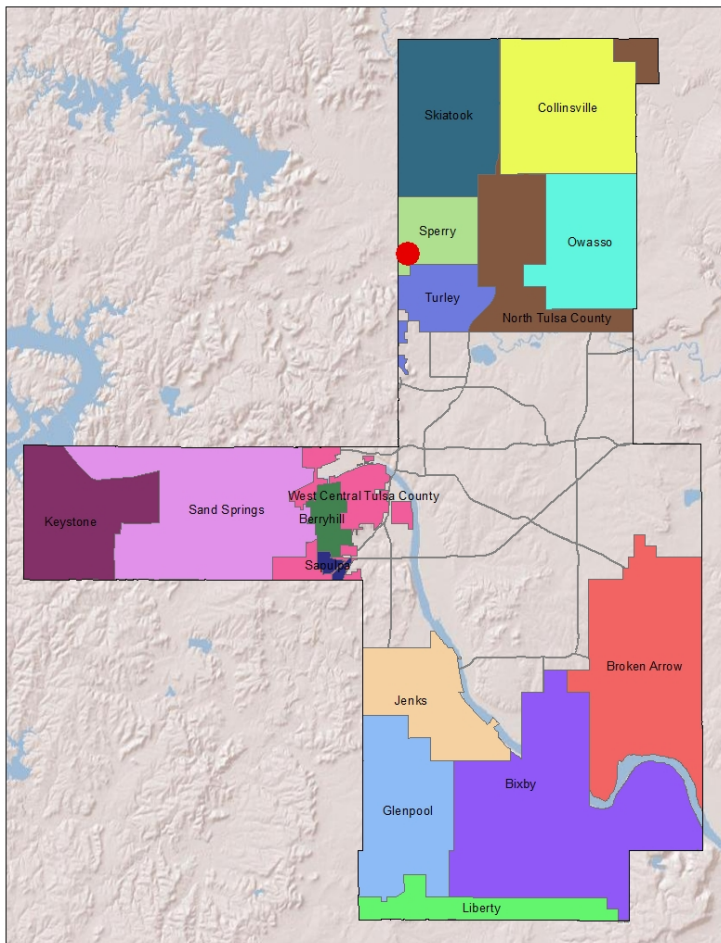
**Owner and Applicant Information:**

**Applicant: Robin Hausner**

**Property Owner: HAUSNER REV TRUST**

**Action Requested: Use Variance to permit an RV Park (Use Unit 17) in an AG district (Section 310).**

**Location Map:**



**Additional Information:**

**Present Use: Vacant**

**Tract Size: 8.06 acres**

**Location: 128 W 91<sup>st</sup> St N**

**Present Zoning: AG**

**Fenceline/Area: Sperry**

**Land Use Designation: AG-Residential**

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 1223  
**CZM:** 15

**CASE NUMBER: CBOA-3069**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 06/26/2023 1:30 PM (Continued from 06/20/2023)

**APPLICANT:** Robin Hausner

**ACTION REQUESTED:** Use Variance to permit an RV Park (Use Unit 17) in an AG district (Section 310).

**LOCATION:** 128 W 91<sup>st</sup> St N

**ZONED:** AG

**FENCELINE:** Sperry

**PRESENT USE:** Vacant

**TRACT SIZE:** 8.06 acres

**LEGAL DESCRIPTION:** PRT N/2 SE BEG 66S & 600W NEC NE SE TH S250 W175 S344.88 W516.50 N595.03 E691.50 POB SEC 23 21 12 8.058ACS, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:**

**BOA-11061 June 1980:** The Board approved a Special Exception to permit a home beauty shop and maintain a 2' x 3' sign in an AG district.

**Surrounding Properties:** None Relevant

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned AG and is currently vacant. The tract is surrounded by AG zoning containing single-family residences and agricultural land to the north, east and south and containing a mobile home park to the west.

**STAFF COMMENTS:**

The applicant is before the Board to request a Use Variance to permit an RV Park (Use Unit 17) in an AG district (Section 310).

The applicant is proposing to place an RV Park on the subject lot. The proposed use would fall under Use Unit 17 – Automotive and Allied Activities, which is not an allowable use in the AG district. This would require a use variance allowing Use Unit 17 on the subject lot in order to permit the proposed RV Park. There is currently a mobile home park immediately to the east of the subject tract. This mobile home park lies within the jurisdiction of the City of Sperry

The applicant did not provide a hardship, but stated “The City of Sperry has already sold us the necessary sewer taps and water taps for approximately 60 RV hookups, however we plan to install 10 RV hookups (already installed) to see how effective it works and then instal 20 more later.”

*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:**

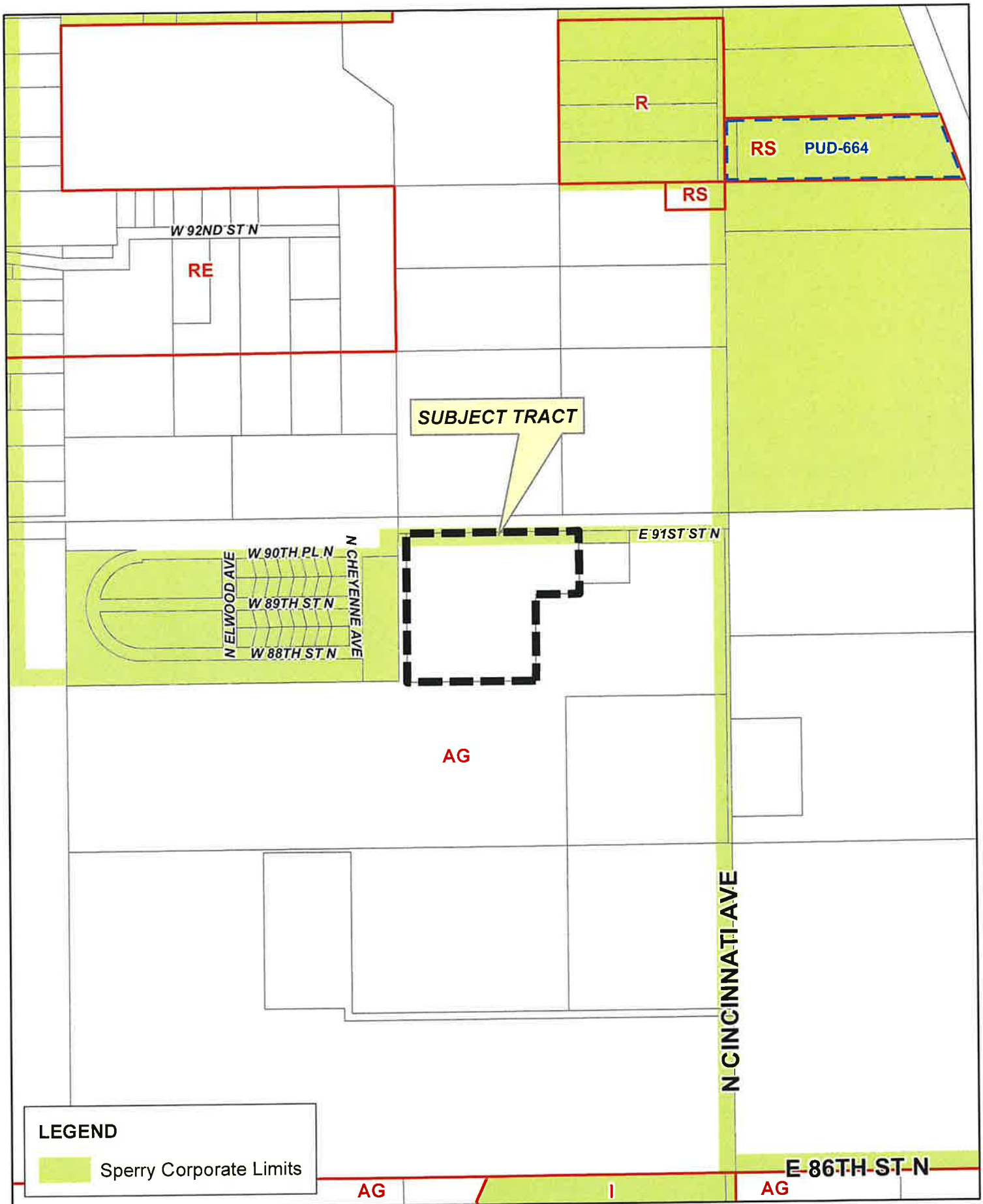
**"Move to \_\_\_\_\_ (approve/deny) a Use Variance to permit an RV Park (Use Unit 17) in an AG district (Section 310).**

**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**

**RS PUD-664**

**RE**

**R**

**RS**

**AG**

**LEGEND**

 Sperry Corporate Limits

**AG**

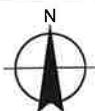
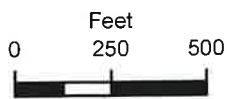
**I**

**AG**

**CBOA-3069**

21-12 23

CBOA-3069 4.4





W 92ND ST N

E 91ST ST N

N ELWOOD AVE  
W 90TH PL N  
W 89TH ST N  
W 88TH ST N  
N CINCINNATI AVE

N CINCINNATI AVE

E 86TH ST N



 Subject Tract

**CBOA-3069**

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

21-12 23

Aerial Photo Date: 2020/2021



CBOA-3069 4.5

# EXHIBIT "A"

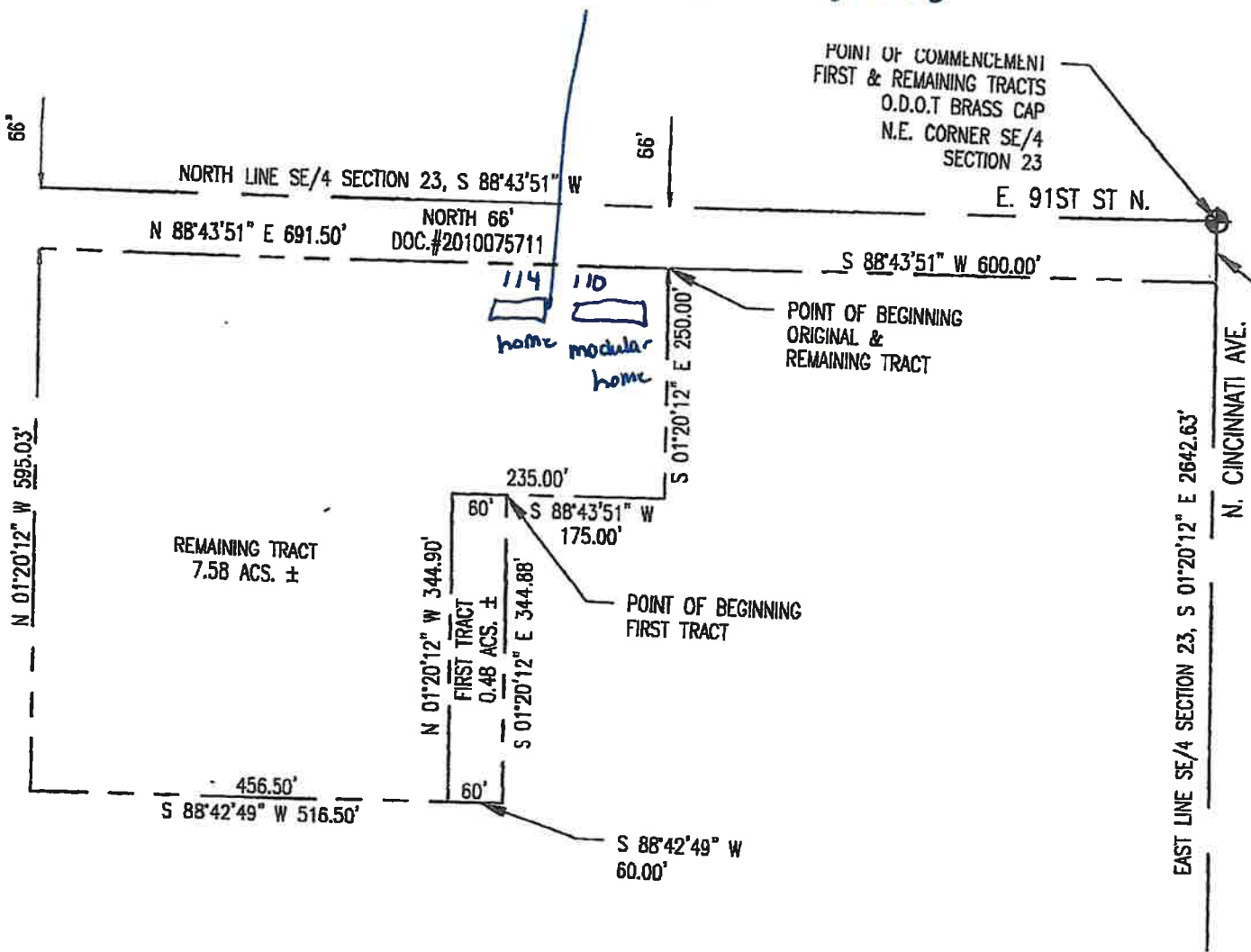
## LEGAL DESCRIPTION

A TRACT OF LAND IN THE NORTH HALF OF THE SOUTHEAST QUARTER (N/2 SE/4) OF SECTION 23, TOWNSHIP 21 NORTH, RANGE 12 EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHEAST CORNER OF THE SE/4 OF SAID SECTION 23; THENCE SOUTH 01 DEGREE 20' 12" EAST ALONG THE EAST LINE OF THE NE/4 OF THE SE/4 OF SAID SECTION 23 FOR 66.00 FEET; THENCE SOUTH 88 DEGREES 43' 51" WEST PARALLEL WITH AND 66.00 FEET SOUTH OF THE NORTH LINE OF THE SE/4 FOR 600.00 FEET TO THE POINT OF BEGINNING OF THE SAID TRACT OF LAND; THENCE SOUTH 01 DEGREE 20' 12" EAST FOR 250.00 FEET; THENCE SOUTH 88 DEGREES 43' 51" WEST FOR 175 FEET; THENCE NORTH PARALLEL WITH SAID EAST BOUNDARY LINE A DISTANCE OF 250.00 FEET THENCE NORTH 88 DEGREES 43' 51" EAST PARALLEL WITH AND 66.00 FEET SOUTH OF THE NORTH LINE OF THE SE/4 FOR 175 .00 FEET TO EAST TO POINT OF BEGINNING.

N

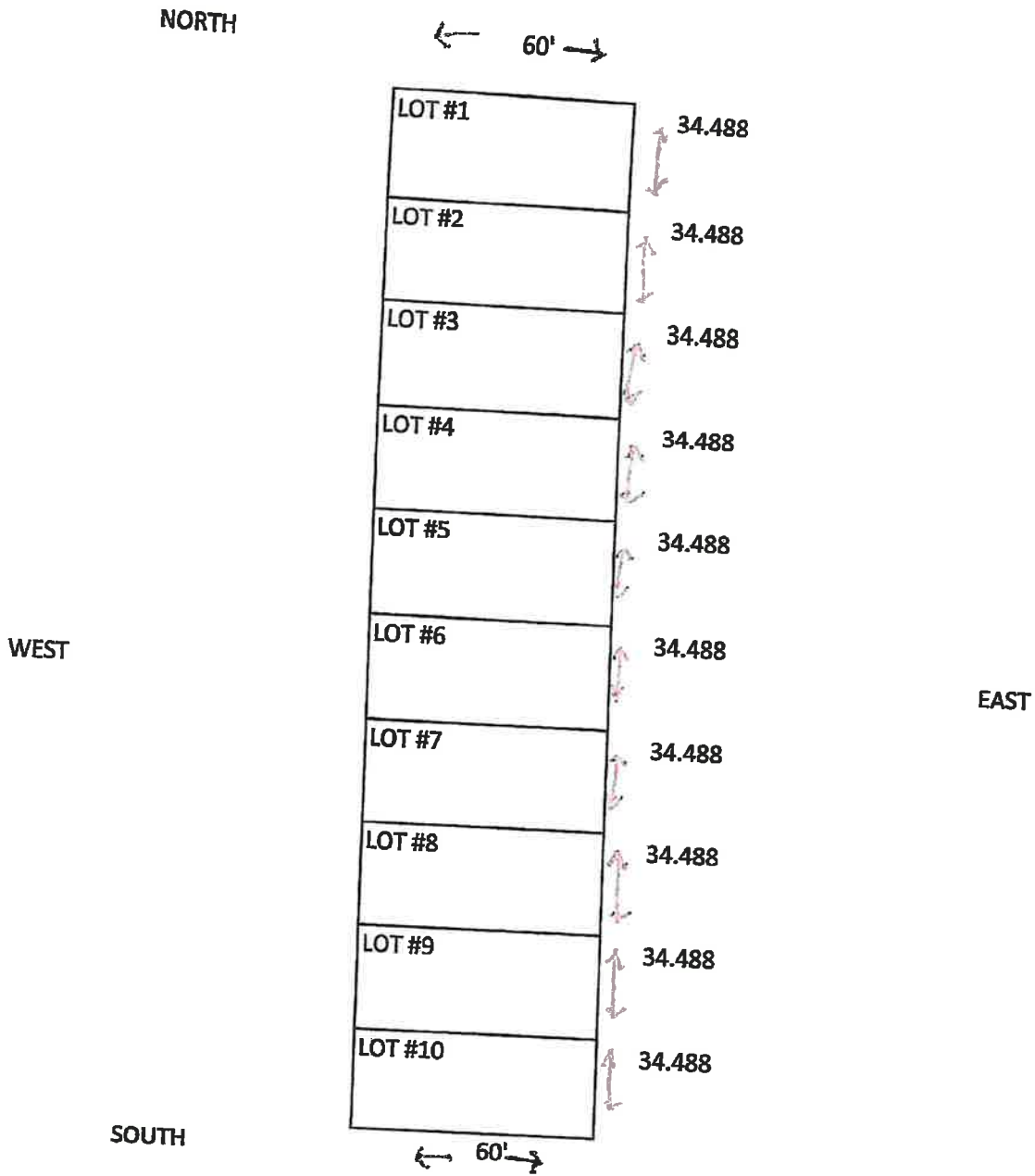
Already existing homes

POINT OF COMMENCEMENT  
FIRST & REMAINING TRACTS  
O.D.O.T BRASS CAP  
N.E. CORNER SE/4  
SECTION 23



S





RV lots  
 each lot is 60' X 34.488'  
 Pink highlight on Plan

These are the first 10 lots of 40 expected in the future



# Board of Adjustment

**Case Number:** CBOA-3070

**Hearing Date:** 06/26/2023 1:30 PM  
(Continued from 06/20/2023)

**Case Report Prepared by:**

Jay Hoyt

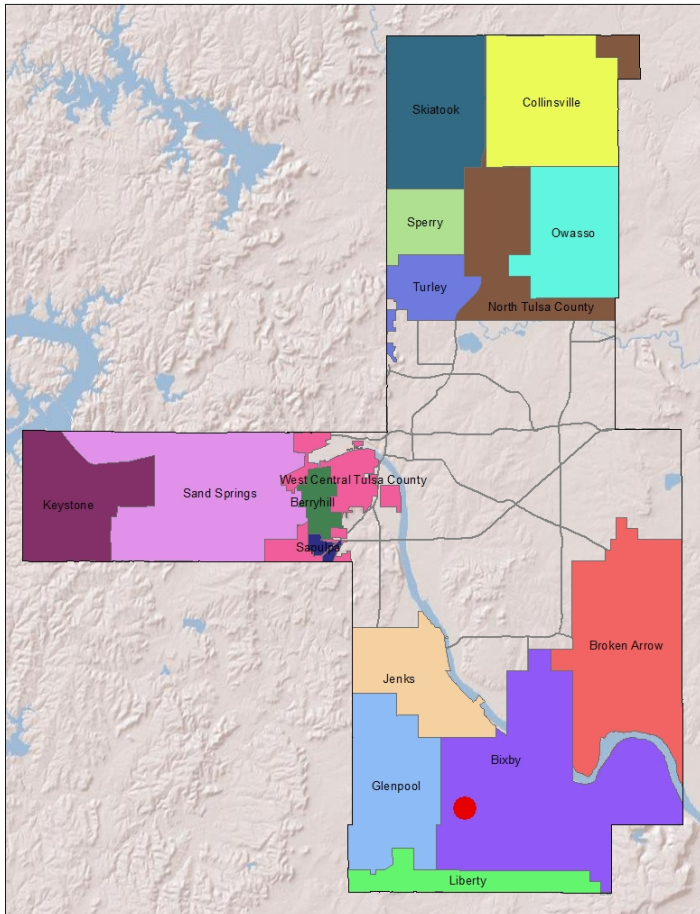
**Owner and Applicant Information:**

**Applicant:** Eric & Jaci Gillette

**Property Owner:** GILLETTE, ERIC & JACI

**Action Requested:** Modification of a previously approved conceptual site plan (CBOA-2631) to permit a lot-split in a AG District.

**Location Map:**



**Additional Information:**

**Present Use:** Agricultural

**Tract Size:** 2.25 acres

**Location:** 17219 S HARVARD AV E

**Present Zoning:** AG

**Fenceline/Area:** Bixby

**Land Use Designation:** Neighborhood Commercial

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 7333

**CZM:** 66

**CASE NUMBER:** **CBOA-3070**

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 06/26/2023 1:30 PM (Continued from 06/20/2023)

**APPLICANT:** Eric & Jaci Gillette

**ACTION REQUESTED:** Modification of a previously approved conceptual site plan (CBOA-2631) to permit a lot-split in a AG District.

**LOCATION:** 17219 S HARVARD AV E

**ZONED:** AG

**FENCELINE:** Bixby

**PRESENT USE:** Agricultural

**TRACT SIZE:** 2.25 acres

**LEGAL DESCRIPTION:** BEG 495S NWC NW NW TH E440 S281 W100 N13 W142 N52.23 W198 N POB LESS W50 THEREOF SEC 33 17 13 2.252AC, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:**

**CBOA-2631 May 2017:** The Board approved a Variance of the lot area and land area per dwelling unit and a Variance of the minimum lot width to permit a lot-split in an AG district. (Section 330 Table 3)

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

**STAFF COMMENTS:**

The applicant is requesting a Modification to a previously approved site plan (CBOA-2631) to permit a lot-split in a AG District.

In 2017, the Board approved a request for a Variance of the lot area and land area per dwelling unit and a Variance of the minimum lot width to permit a lot-split in an AG district. (Section 330 Table 3), per plan. The approved plan has been included with this report for reference. This previous approved plan had shown two proposed tracts. One tract was to be 0.97 acres and the other 1.29 acres.

The applicant has revised the configuration of the proposed lot split as illustrated on the Lot Split Exhibit provided by the applicant and included with this report. The revised proposed lot split also contains two tracts, with Tract A, as shown on the exhibit being 1.47 acres and Tract B being 0.78 acres.

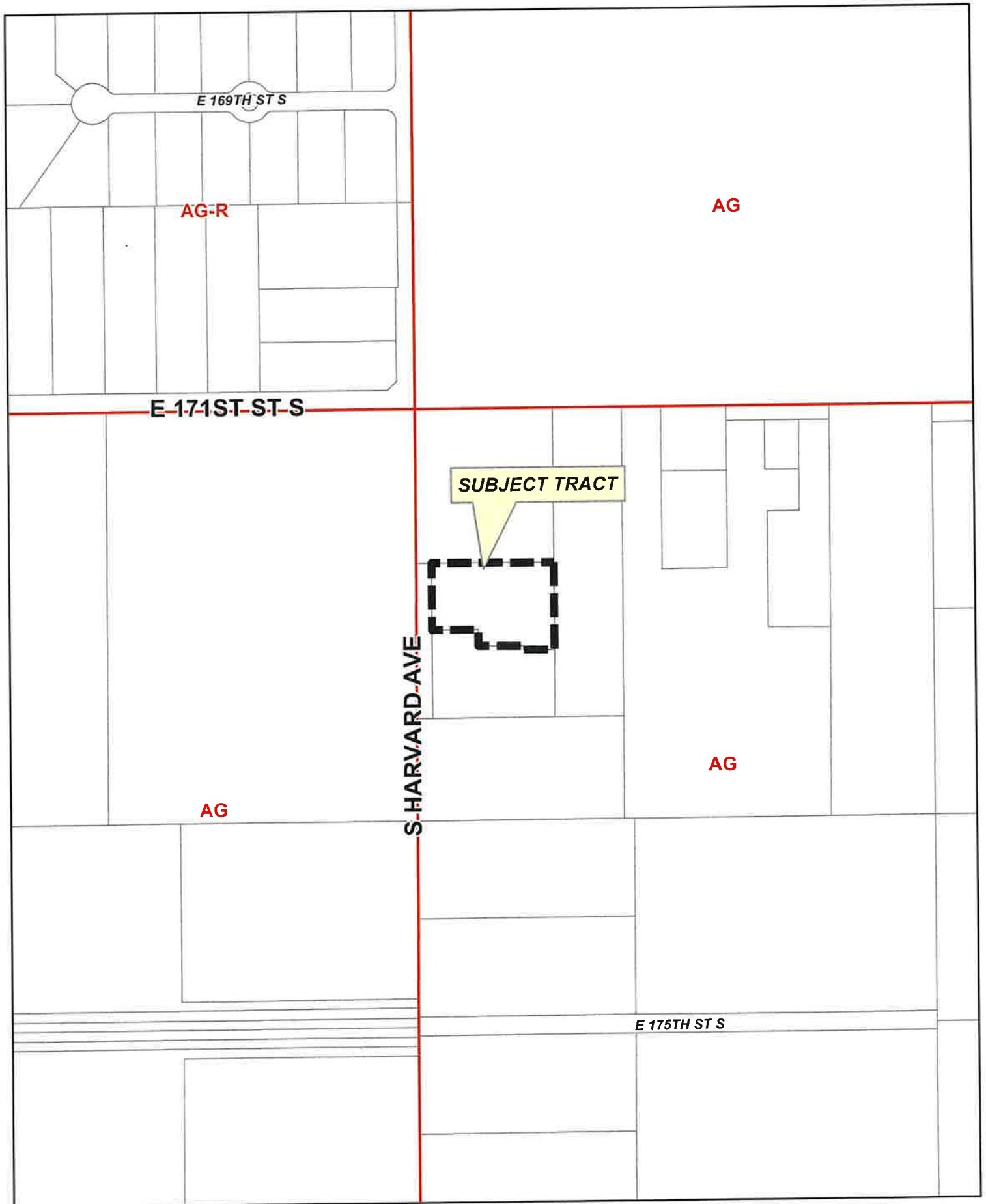
If inclined to approve the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed use is compatible with the surrounding area.

**Sample Motion for Modification:**

“Move to \_\_\_\_\_ (approve/deny) a Modification of a previously approved conceptual site plan (CBOA-2631) to permit a lot-split in a AG District

Subject to the following conditions (if any): \_\_\_\_\_.

Finding the proposed modification is compatible with and non-injurious to the surrounding area and meets the previously granted Board relief or meets the zoning requirements, per code.”



AG-R

AG

E 171ST ST S

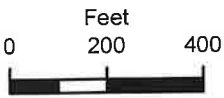
SUBJECT TRACT

S HARVARD AVE

AG

AG

E 175TH ST S



**CBOA-3070**

17-13 33



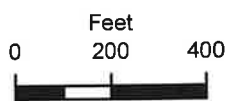
CBOA-3070 5.4



E 171ST ST S

S HARVARD AVE

E 175TH ST S



 Subject Tract

**CBOA-3070**

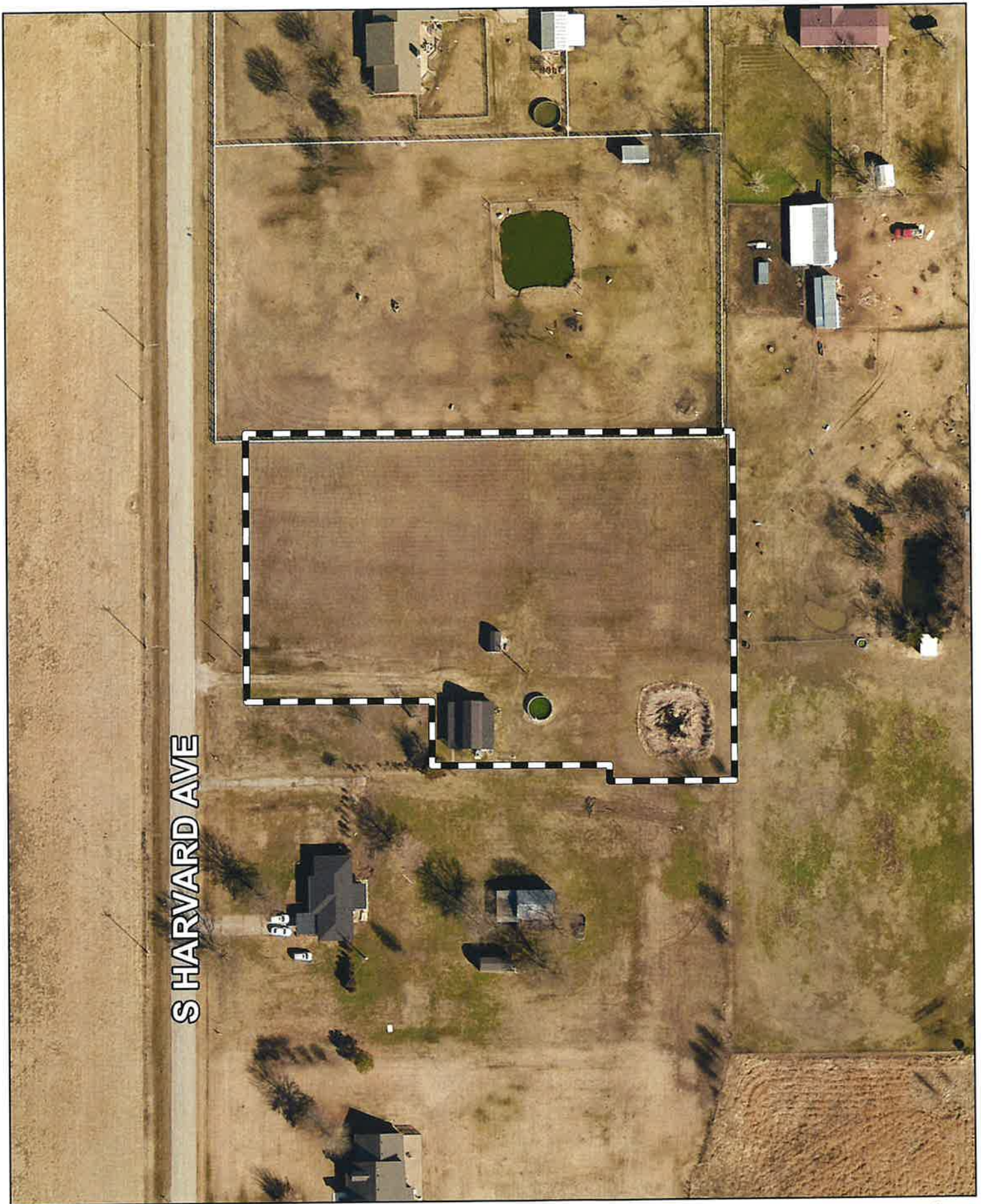
17-13 33

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

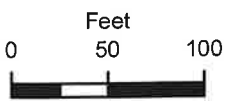
Aerial Photo Date: 2020/2021



CBOA-3070 5.5



S HARVARD AVE



Subject Tract

**CBOA-3070**

17-13 33

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

Aerial Photo Date: 2020/2021



CBOA-3070 5.6



Scale 1"=60'

DRAWING: K:\19281\9281 lot split exhibit.dwg SISEMORE & ASSOCIATES, INC., 2023

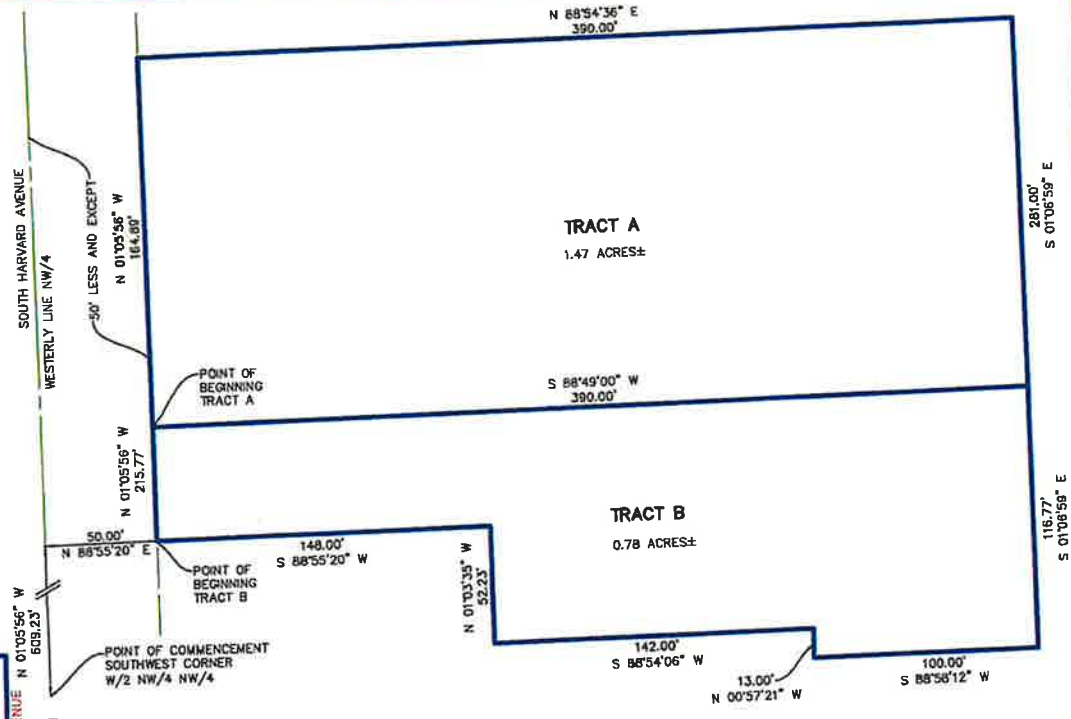


BASIS OF BEARINGS:

DATE: 4/4/2023

ORDER #: 19281

FILE #: 1713.3300



## Lot-Split Exhibit

Part of the W/2 NW/4 NW/4  
Section 33, T-17-N, R-13-E  
Tulsa County, State Oklahoma



**SISEMORE & ASSOCIATES**

Surveying - Civil Engineering - Land Planning

8880 South Sheridan Road Phone: (918) 665-3600  
 Suite 210 - Tulsa, Oklahoma 74133 Fax: (918) 665-8688  
 C.A. No. 2421 Exp. Date 6/30/23  
 (www.sisemoreandassociates.com)



# CBOA-2631 Survey for reference

## PLAT of SURVEY

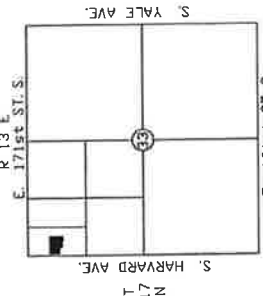
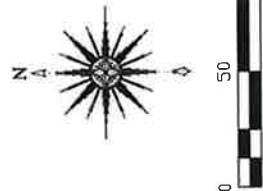
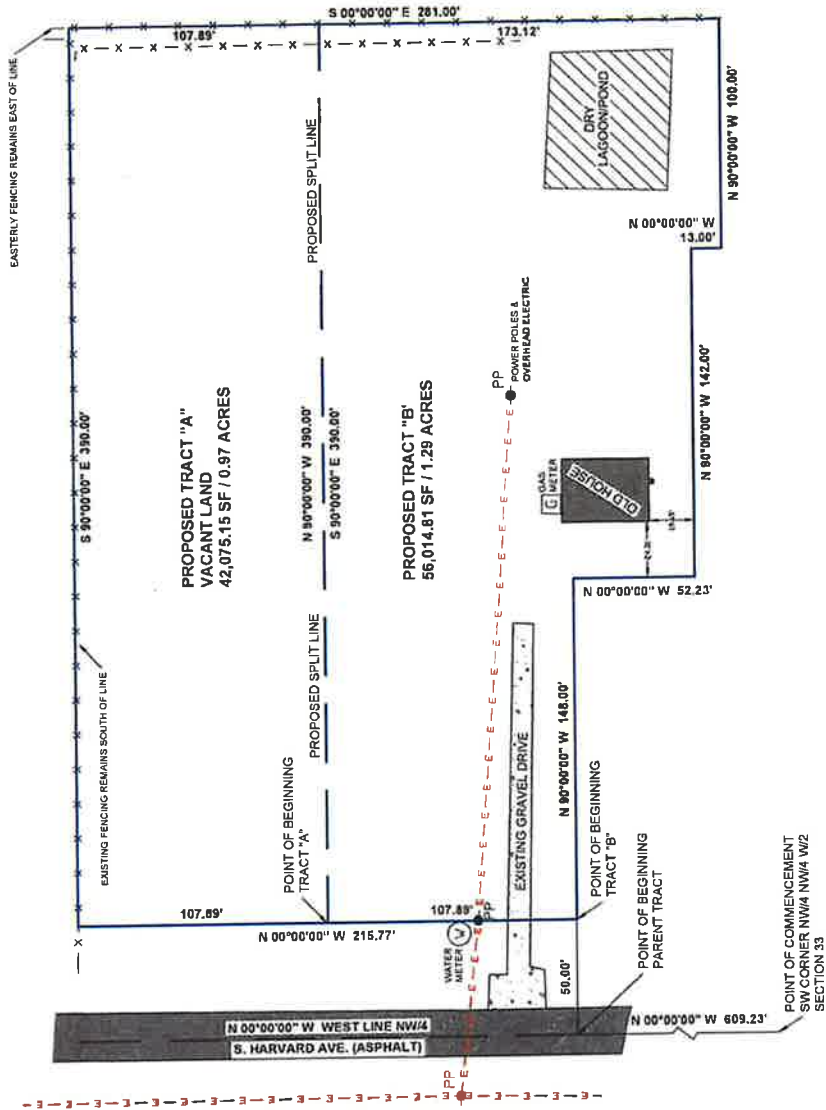
PROPERTY ADDRESS: 17219 S. HARVARD AVENUE, MOUNDS, OK 74047

SURVEYOR'S CLIENT: JUDY EMBERT

**PARENT TRACT LEGAL DESCRIPTION AS PROVIDED IN DEED FILED AS DOC. #2015092915:** A TRACT OF LAND IN THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (W/2 NW/4 NW/4) OF SECTION THIRTY-THREE (33), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO-WIT: BEGINNING AT A POINT ON THE WEST LINE OF SAID W/2 OF THE NW/4 OF THE NW/4, 609.23 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE DUE NORTH ALONG THE WEST LINE OF SAID W/2 OF THE NW/4 OF THE NW/4, 215.77 FEET; THENCE DUE EAST 440 FEET; THENCE DUE SOUTH 281 FEET; THENCE DUE WEST 100 FEET; THENCE DUE NORTH 13 FEET; THENCE DUE WEST 142 FEET; THENCE DUE NORTH 32.23 FEET; THENCE DUE WEST FOR 198 FEET TO THE POINT OF BEGINNING, LESS THE WEST 50 FEET.

**PROPOSED TRACT "A" LEGAL DESCRIPTION:** A TRACT OF LAND THAT IS PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (W/2 NW/4 NW/4) OF SECTION THIRTY-THREE (33), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE W/2 NW/4 NW/4 OF SAID SECTION 33; THENCE NORTH 00°00'00" WEST ALONG THE WEST LINE THEREOF 609.23 FEET; THENCE SOUTH 90°00'00" EAST 50.00 FEET; THENCE NORTH 00°00'00" WEST 107.89 FEET TO THE SOUTHWEST CORNER OF SAID TRACT AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°00'00" WEST 107.89 FEET; THENCE NORTH 90°00'00" WEST 390.00 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 42,075.15 SQUARE FEET OR 0.97 ACRES

**PROPOSED TRACT "B" LEGAL DESCRIPTION:** A TRACT OF LAND THAT IS PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (W/2 NW/4 NW/4) OF SECTION THIRTY-THREE (33), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE W/2 NW/4 NW/4 OF SAID SECTION 33; THENCE NORTH 00°00'00" WEST ALONG THE WEST LINE THEREOF 609.23 FEET; THENCE SOUTH 90°00'00" EAST 50.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°00'00" WEST 107.89 FEET; THENCE NORTH 90°00'00" WEST 100.00 FEET; THENCE NORTH 00°00'00" WEST 13.00 FEET; THENCE NORTH 90°00'00" WEST 142.00 FEET; THENCE NORTH 00°00'00" WEST 52.23 FEET; THENCE NORTH 90°00'00" WEST 148.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 56,014.81 SQUARE FEET OR 1.29 ACRES



**SURVEYOR'S NOTES:**

- DATE OF LAST SITE VISIT WAS APRIL 12, 2017.
- BASIS FOR BEARINGS ARE PER THE RECORDED DEED USING THE WEST LINE OF THE NW/4 AS NORTH 00°00'00" WEST.
- ALL UTILITIES MAY NOT BE FIELD LOCATED - CALL OKIE (1-800-522-6543)
- SURVEYOR WAS NOT CONTRACTED TO PERFORM A RECORDS SEARCH NOR WAS HE PROVIDED WITH ANY ADDITIONAL DOCUMENTATION TO CONSIDER OR NOTE. DOCUMENTS OF RECORD MAY EXIST THAT AFFECT THE SUBJECT PROPERTY.
- SET 3/8" IRON PINS WITH GREEN "FRITZ CA 5848" CAPS AT ALL LOT CORNERS SHOWN HEREON

0 50 100

PREPARED BY:  
**FRITZ LAND SURVEYING, LLC**  
 2017 W. 91st STREET  
 TULSA, OK 74132  
 PH: 918.231.0575  
 FRITZLANDSURVEYING@GMAIL.COM  
 FLS# 17194



*Andy Fritz*

ANDY FRITZ, PLS  
 OK LIC. 1694

WITNESS MY HAND AND SEAL THIS  
 13TH DAY OF APRIL, 2017.



# Board of Adjustment

**Case Number:** CBOA-3071

**Hearing Date:** 06/26/2023 1:30 PM  
(Continued from 06/20/2023)

**Case Report Prepared by:**

Jay Hoyt

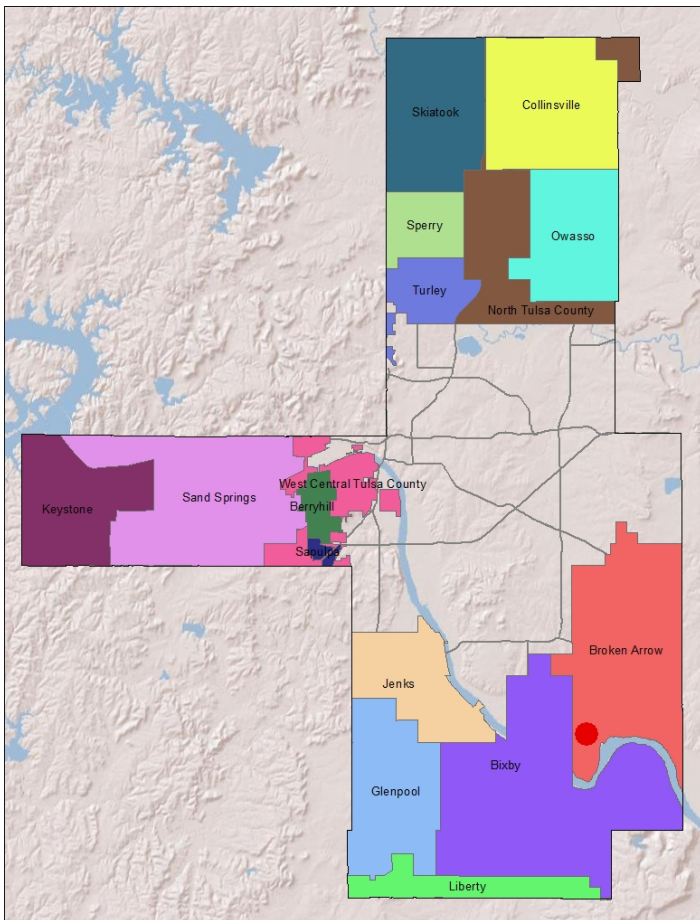
**Owner and Applicant Information:**

**Applicant:** Joshua & Brittany Reese

**Property Owner:** REESE, JOSHUA & BRITTANY

**Action Requested:** Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

**Location Map:**



**Additional Information:**

**Present Use:** Residential

**Tract Size:** 1.6 acres

**Location:** 12303 E 136 ST S

**Present Zoning:** RS

**Fenceline/Area:** Broken Arrow

**Land Use Designation:** Level 1 – Rural Residential

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 7408

**CZM:** 63

**CASE NUMBER: CBOA-3071**

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 06/26/2023 1:30 PM (Continued from 06/20/2023)

**APPLICANT:** Joshua & Brittany Reese

**ACTION REQUESTED:** Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

**LOCATION:** 12303 E 136 ST S

**ZONED:** RS

**FENCELINE:** Broken Arrow

**PRESENT USE:** Residential

**TRACT SIZE:** 1.6 acres

**LEGAL DESCRIPTION:** LT 5 BLK 2, HICKORY HILLS 3RD ADDN Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Properties:**

**CBOA-2592 August 2016:** The Board approved a Variance to allow a Detached accessory building to be 1540 sq feet (Section 240.2.E) and Variance to allow a Detached accessory building in the side yard (Sec. 420.2.A.2)

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RS and is bounded to the east and south by RS zoning containing single-family residences and to the north and west by AG zoning containing vacant land.

**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 so that they can convert the existing shop into a "mother-in-law suite". The shop is approximately 587 sf in area and lies 8 feet directly behind the existing dwelling.

The applicant is did not provide a statement of hardship.

*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:**

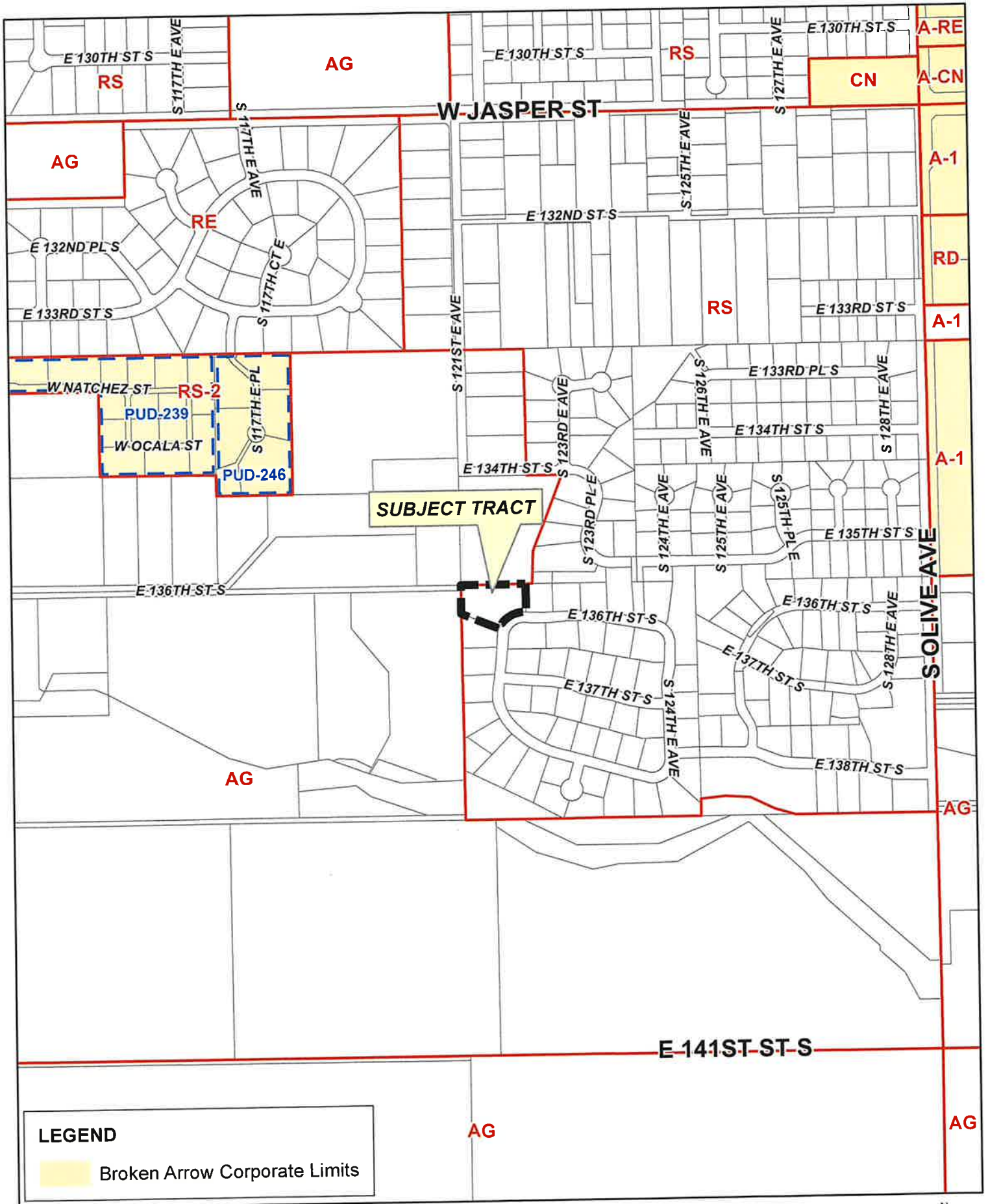
**"Move to \_\_\_\_\_ (approve/deny) a Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).**

**Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ 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**

**LEGEND**

 Broken Arrow Corporate Limits



**CBOA-3071**

17-14 08



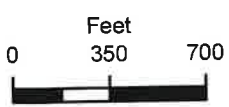


W JASPER ST

**CBOA-3071**

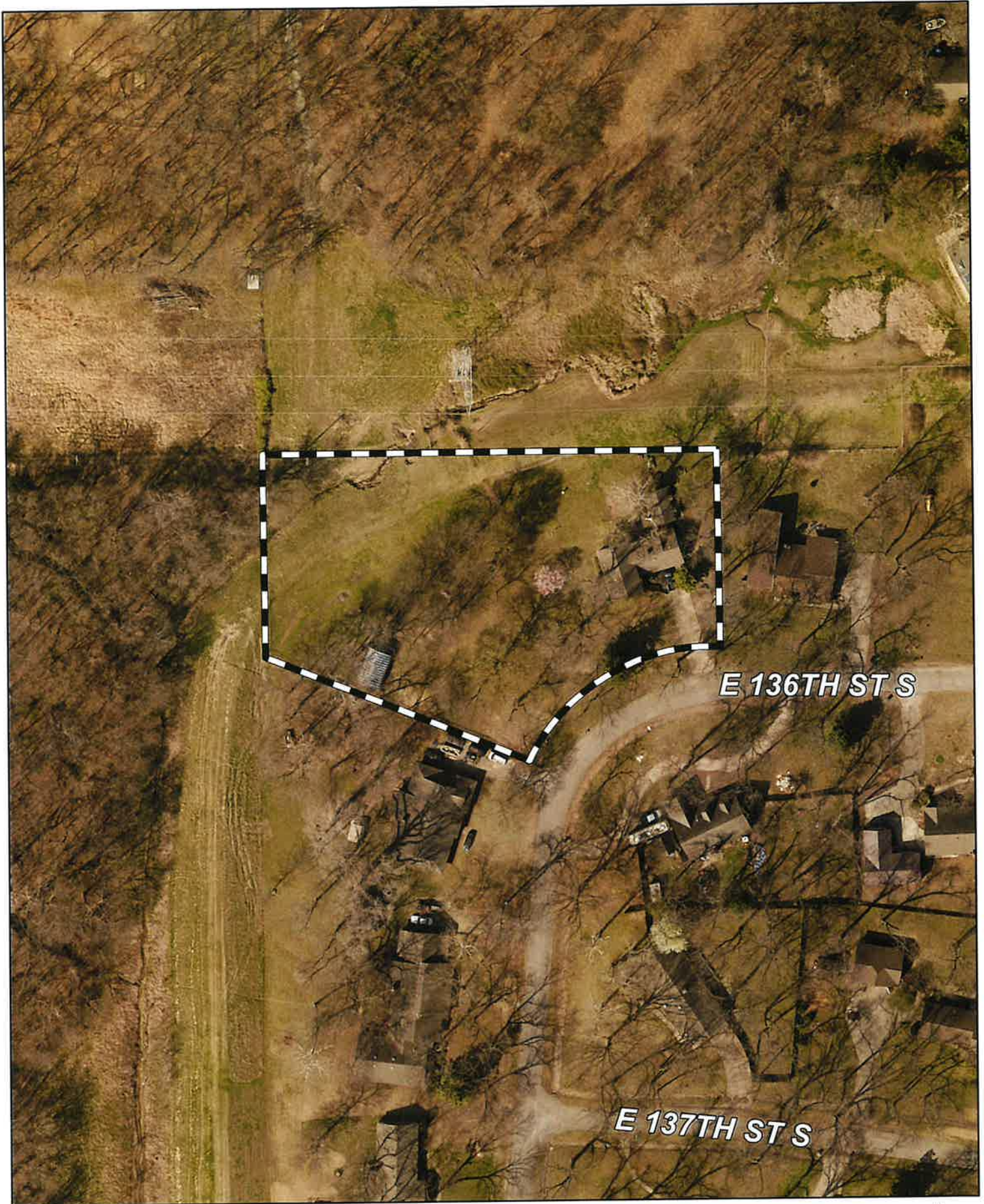
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021



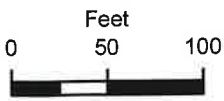
17-14 08

CBOA-3071 6.5



**E 136TH ST S**

**E 137TH ST S**



**Subject Tract**

**CBOA-3071**

17-14 08

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

*Aerial Photo Date: 2020/2021*



Joshua + Brittany Reese

12303 E 136th St S  
Broken Arrow, OK 74011



print-graph-paper.com

Not to scale





**Case Number:** CBOA-3072  
**Hearing Date:** 06/26/2023 1:30 PM  
(Continued from 06/20/2023)

**Case Report Prepared by:**

Jay Hoyt

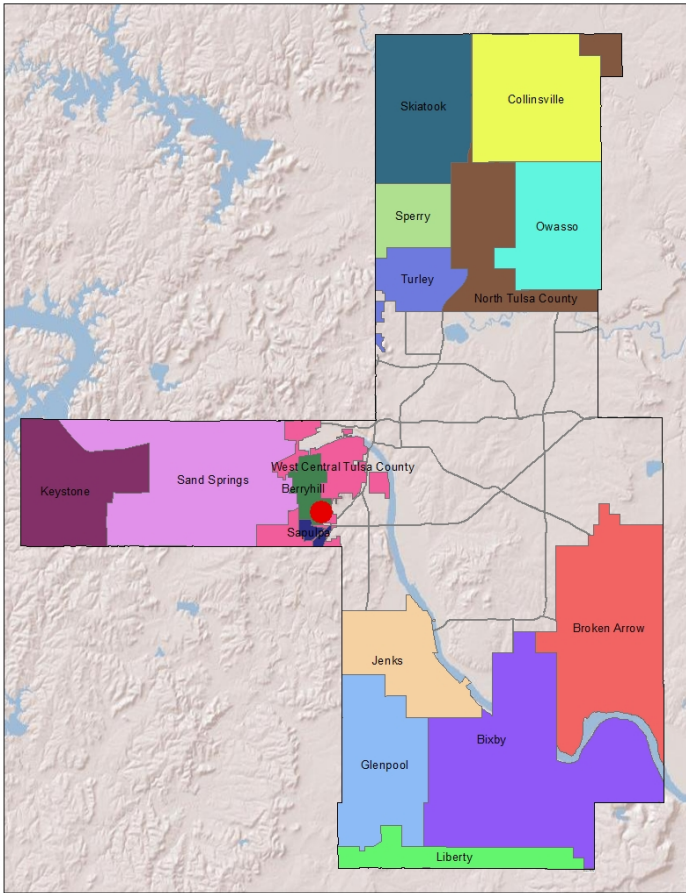
**Owner and Applicant Information:**

**Applicant:** James Kent

**Property Owner:** KENT, JAMES A & LINDA D REVOCABLE TRUST

**Action Requested:** Special Exception to allow a fireworks stand (Use Unit 2) in an RS zoned district. (Sec. 410); Variance of the all-weather surface material requirement for parking (Section 1340.D).

**Location Map:**



**Additional Information:**

**Present Use:** Renewal of firework stand

**Tract Size:** 0.86 acres

**Location:** 4503 S 49th W Ave

**Present Zoning:** IL,RS

**Fenceline/Area:** West Central Tulsa County

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

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 9228  
**CZM:** 45

**CASE NUMBER: CBOA-3072**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 06/20/2023 1:30 PM (Continued from 06/20/2023)

**APPLICANT:** James Kent

**ACTION REQUESTED:** Special Exception to allow a fireworks stand (Use Unit 2) in an RS zoned district. (Sec. 410); Variance of the all-weather surface material requirement for parking (Section 1340.D).

**LOCATION:** 4503 South 49 Avenue West

**ZONED:** IL,RS

**FENCELINE:** West Central Tulsa County

**PRESENT USE:** Renewal of firework stand

**TRACT SIZE:** 0.86 acres

**LEGAL DESCRIPTION:** LT 24 BLK 1, BRIDGES THIRD SUB Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:**

**CBOA-2707 August 2018:** The Board approved a Special Exception to allow a fireworks stand (Use Unit 2) in a RS district and IL district; Variance of the all-weather surface material requirement for parking (Section 1340.D). Granted a 5 year time limit on approvals.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RS and is currently vacant. It is bounded to the north by RS and to the east by RS/IL containing single-family residences and to the south and west by IL zoning containing Industrial uses.

**STAFF COMMENTS:**

The applicant is before the Board to request a Special Exception to allow a fireworks stand (Use Unit 2) in an RS zoned district. (Sec. 410); Variance of the all-weather surface material requirement for parking (Section 1340.D).

A special exception is required as the proposed fireworks stand is a use which is not permitted by right but by exception in the RE 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.

Section 1340.D of the Tulsa County Zoning Code requires that unenclosed off-street parking areas be surfaced with an all-weather material. The applicant is requesting a variance of that requirement so that the existing gravel parking area may be used.

The applicant provided the statement that they are requesting the variance due to the temporary nature of parking for a firework stand.

*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:**

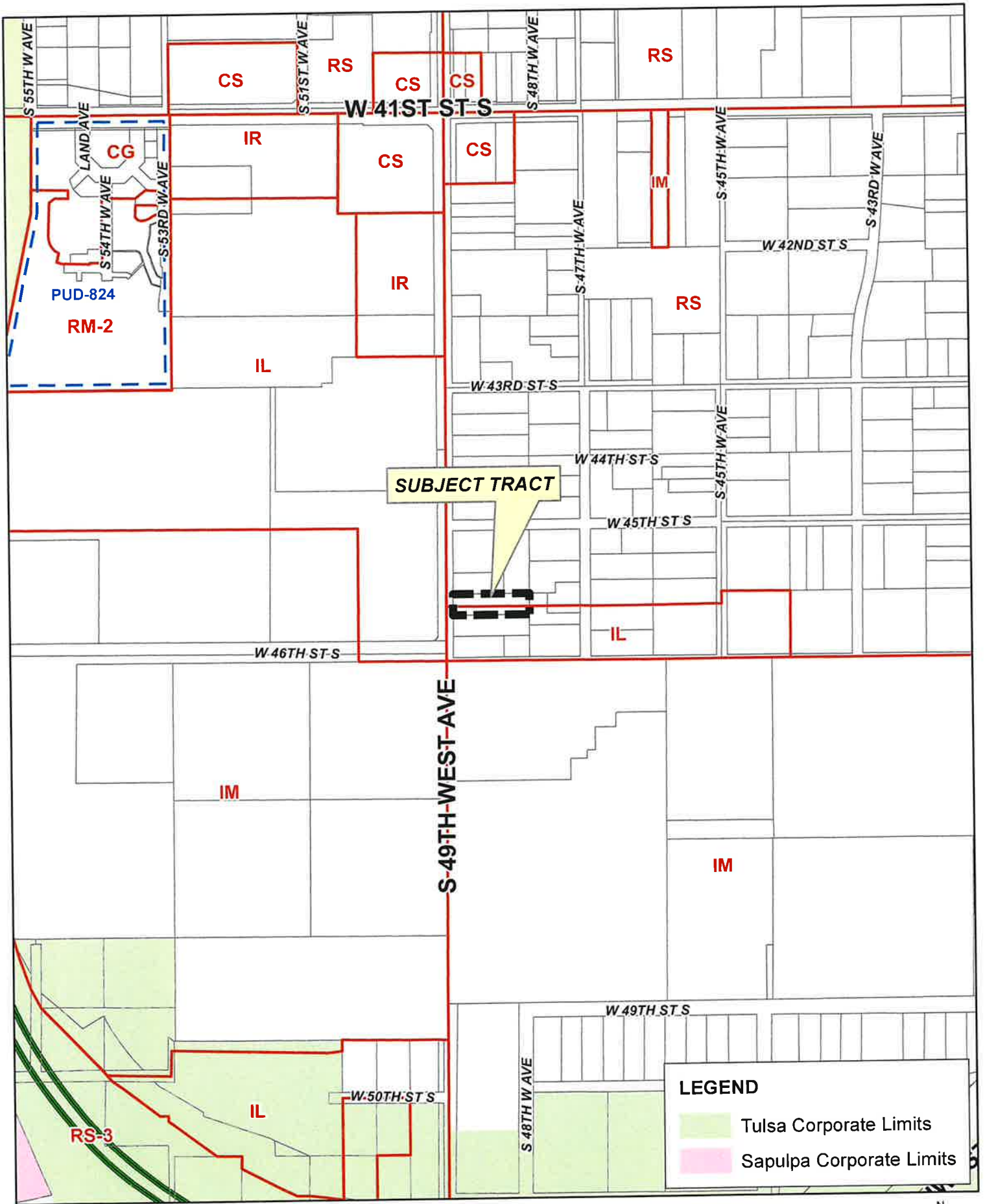
*“Move to \_\_\_\_\_ (approve/deny) a Special Exception to allow a fireworks stand (Use Unit 2) in an RS zoned district. (Sec. 410); Variance of the all-weather surface material requirement for parking (Section 1340.D).*

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

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

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

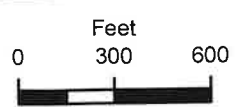
*Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan*



**SUBJECT TRACT**

**LEGEND**

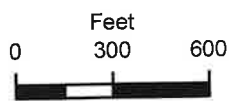
- Tulsa Corporate Limits
- Sapulpa Corporate Limits



**CBOA-3072**

19-12 28





 Subject Tract

**CBOA-3072**

19-12-28

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

Aerial Photo Date: 2020/2021



CBOA-3072 7.5

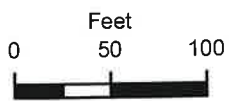


W 45TH ST S

S 49TH WEST AVE



W 46TH ST S



Subject Tract

**CBOA-3072**

19-12 28

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

Aerial Photo Date: 2020/2021



CBOA-3072 7.6

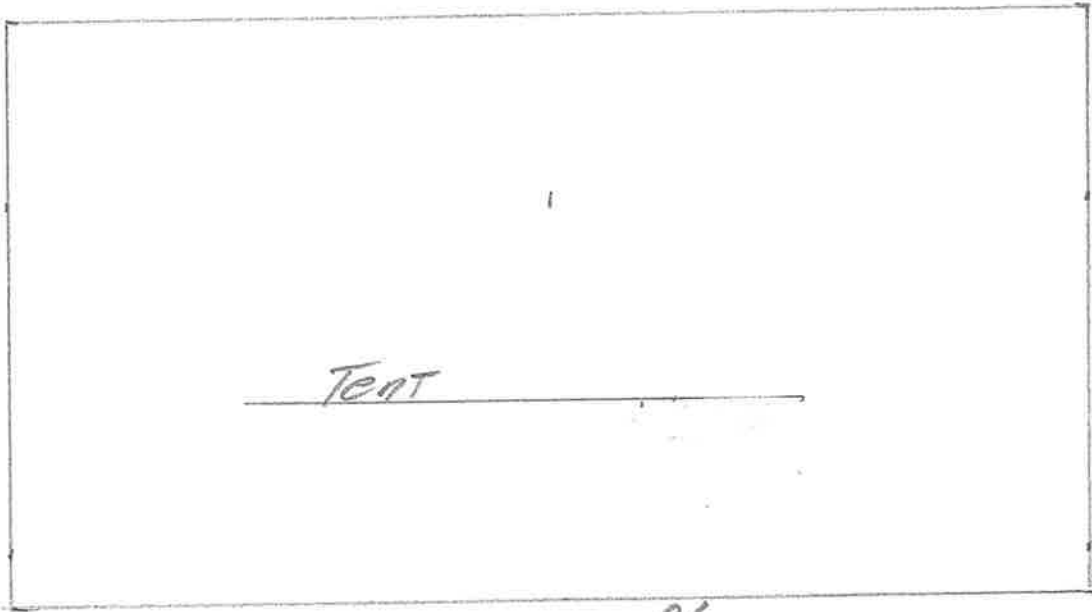
W

S 49 West Ave

4503 So 49<sup>th</sup> W. Ave.  
TULSA, OK 74107

GRAVEL PARKING

60' APX



30'

70'

TENT

300' N↑

103' E

CBOA-3072 7.7

S



# Board of Adjustment

**Case Number: CBOA-3073**

**Hearing Date: 06/26/2023 1:30 PM**  
(Continued from 06/20/2023)

**Case Report Prepared by:**

Jay Hoyt

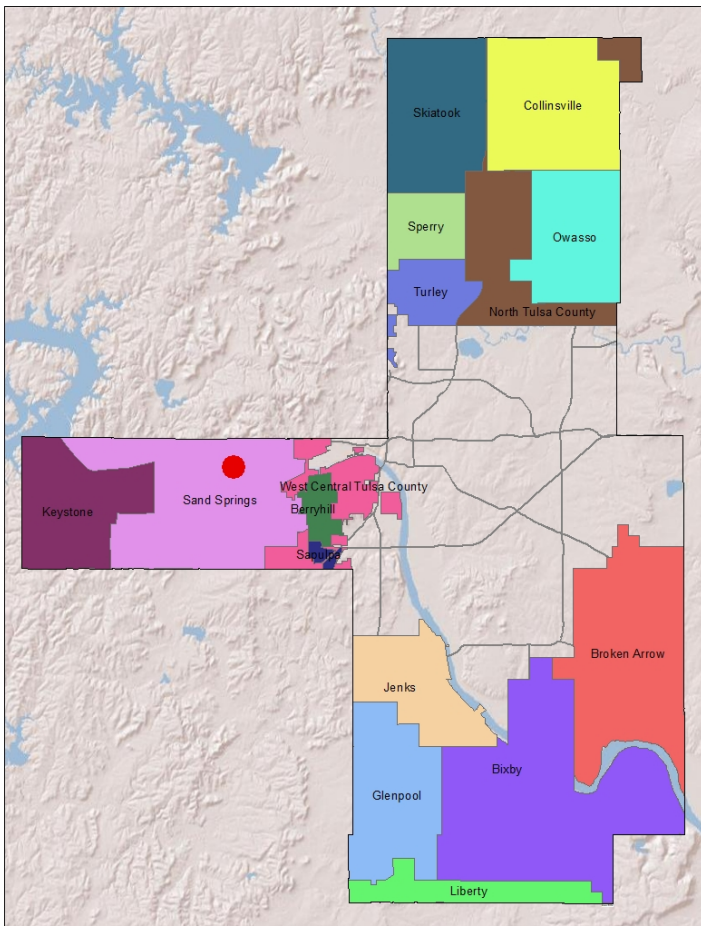
**Owner and Applicant Information:**

**Applicant: Randy Scott**

**Property Owner: SHIPMAN, ALAN & CURTIS**

**Action Requested: Special Exception to permit a fireworks stand (Use Unit 2) in an RS district (Section 410).**

**Location Map:**



**Additional Information:**

**Present Use: Vacant**

**Tract Size: 0.81 acres**

**Location: 1035 W 4 ST N**

**Present Zoning: RS**

**Fenceline/Area: Sand Springs**

**Land Use Designation: Residential**



**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 9110

**CZM:** 76

**CASE NUMBER: CBOA-3073**

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 06/26/2023 1:30 PM (Continued from 06/20/2023)

**APPLICANT:** Randy Scott

**ACTION REQUESTED:** Special Exception to permit a fireworks stand (Use Unit 2) in an RS district (Section 410).

**LOCATION:** 1035 W 4 ST N

**ZONED:** RS

**FENCELINE:** Sand Springs

**PRESENT USE:** Vacant

**TRACT SIZE:** 0.81 acres

**LEGAL DESCRIPTION:** LOT-9-LESS A TRACT BG. SW-COR. N. 9.10' SE 178.8' S.10.4 MW 179.6'TO BG. BLK-21, CHARLES PAGE HOME ACRES NO 2 & RESUB PRT B10-12, VALLEY VIEW ESTATES Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Properties:**

**CBOA-2699 July 2018:** The Board approved a Special Exception to allow a fireworks stand (Use Unit 2) in an RS zoned district. (Sec. 410) and a variance of the all weather surface requirement for parking.

**CBOA-3051 March 2023:** The Board approved a Modification of a previously approved Special Exception (CBOA-2699) to extend the time limitation (Section 310).

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RS and contains a single-family residence and is abutted by RS zoning to the North, East and West containing single family residences and to the south by RS zoning containing Highway 412 as well as OM zoning to the east containing a commercial business.

**STAFF COMMENTS:**

The applicant is before the Board to request a Special Exception to permit a fireworks stand (Use Unit 2) in an RS district (Section 410).

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.

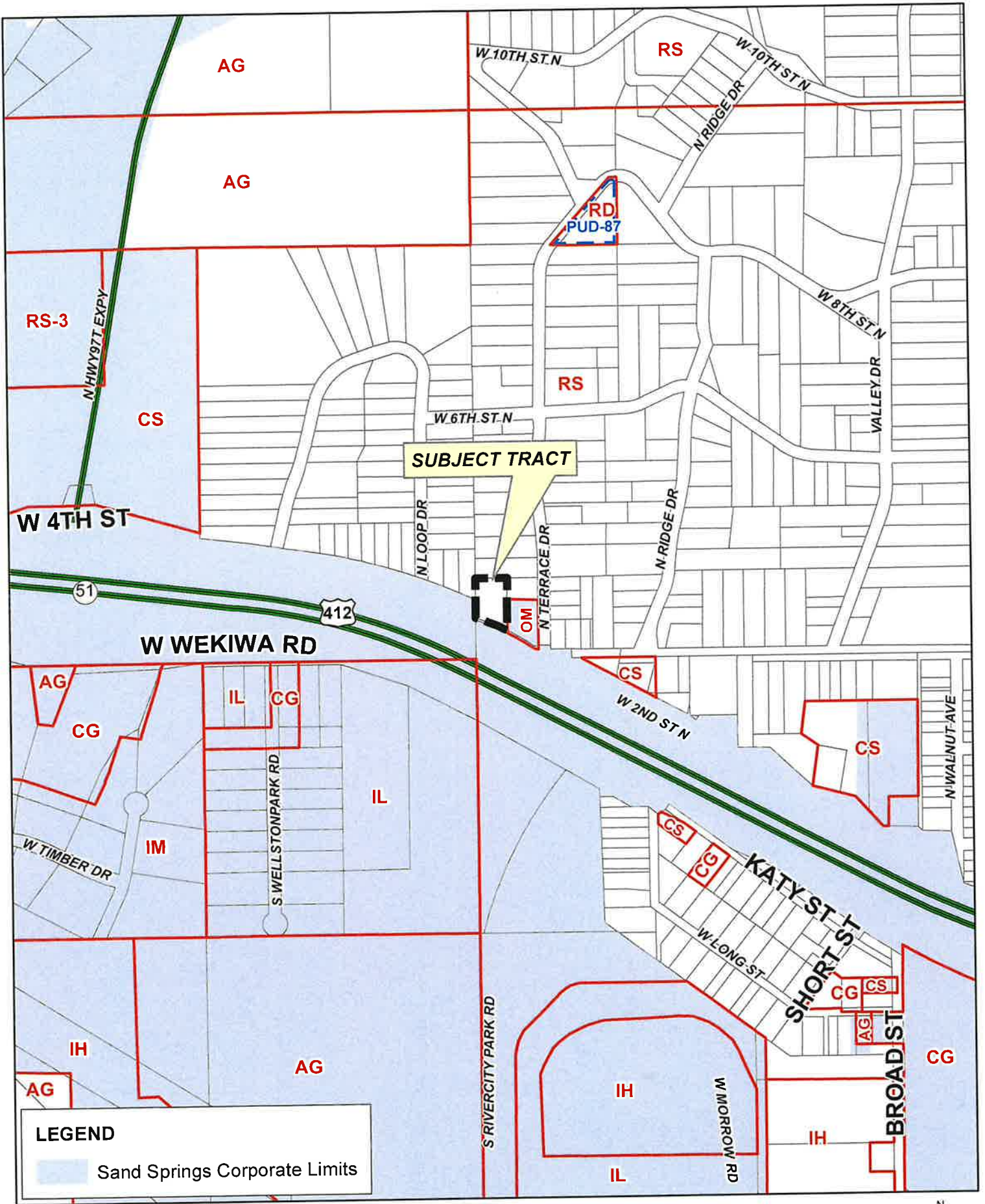
*If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed Special Exception is compatible with and non-injurious to the surrounding area.*

**Sample Motion:**

*“Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit a fireworks stand (Use Unit 2) in an RS district (Section 410).*

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

*Finding the Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*



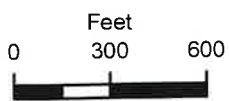
**SUBJECT TRACT**

**RD  
PUD-87**

**OM**

**LEGEND**

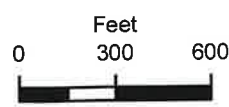
Sand Springs Corporate Limits



**CBOA-3073**

19-11 10





 Subject Tract

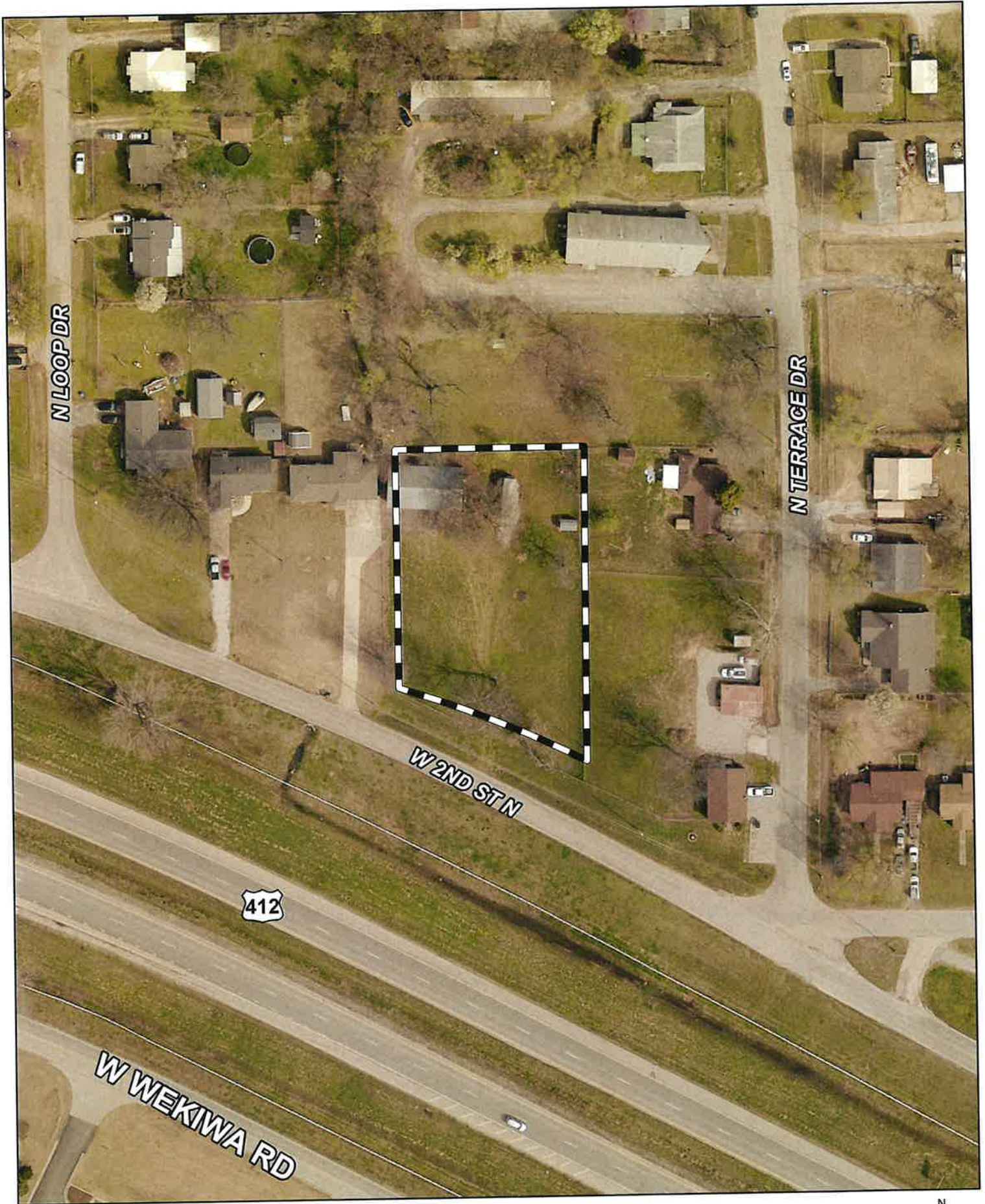
# CBOA-3073

19-11 10

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

Aerial Photo Date: 2020/2021





N LOOP DR

N TERRACE DR

W 2ND ST N

412

W WEKIWA RD



Subject Tract

**CBOA-3073**

19-11 10

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

Aerial Photo Date: 2020/2021



CBOA-3073 8.6



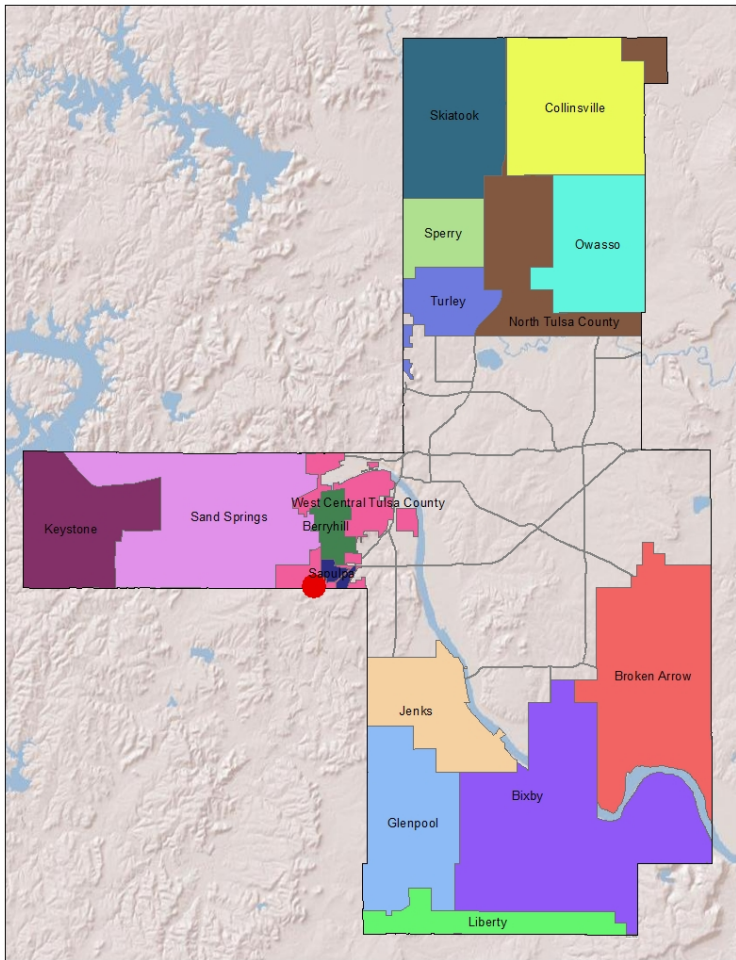
**Case Number:** CBOA-3074  
**Hearing Date:** 06/26/2023 1:30 PM  
(Continued from 06/20/2023)

**Case Report Prepared by:**  
  
Jay Hoyt

**Owner and Applicant Information:**  
  
**Applicant:** Kyle Butterworth  
  
**Property Owner:** MARLOW, RICK AND BEATRICE

**Action Requested:** Variance of the street frontage from 30' to 0' (Section 207)

**Location Map:**



**Additional Information:**  
  
**Present Use:** Vacant  
  
**Tract Size:** 0.75 acres  
  
**Location:** 6003 S 70th W Ave  
  
**Present Zoning:** RS  
  
**Fenceline/Area:** West Central Tulsa County  
  
**Land Use Designation:** Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 9231

**CZM:** 45

**CASE NUMBER:** CBOA-3074

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 06/26/2023 1:30 PM (Continued from 06/20/2023)

**APPLICANT:** Kyle Butterworth

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

**LOCATION:** 6003 S 70th W Ave

**ZONED:** RS

**FENCELINE:** West Central Tulsa County

**PRESENT USE:** Vacant

**TRACT SIZE:** 0.75 acres

**LEGAL DESCRIPTION:** LTS 1-10 BLK 56, TANEHA Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:** None Relevant

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RS and is currently vacant. The tract is surrounded by RS zoned lots containing single-family residences and vacant land.

**STAFF COMMENTS:**

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

The applicant proposes to utilize the subject lot for a single-family residence. The site is currently accessed via a dirt drive that extends from S 70<sup>th</sup> West Ave. It appears that Right-Of-Way exists for S 70<sup>th</sup> West Ave long the western boundary of the subject tract and for W 60<sup>th</sup> St S, but no county maintained road has been constructed within these rights of way adjacent to the subject tract.

The applicant has provided the statement that the reason they are seeking a variance is due to not being able to place a home on the subject tract due to the 30' frontage requirement in the Tulsa County Zoning Code.

*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:**

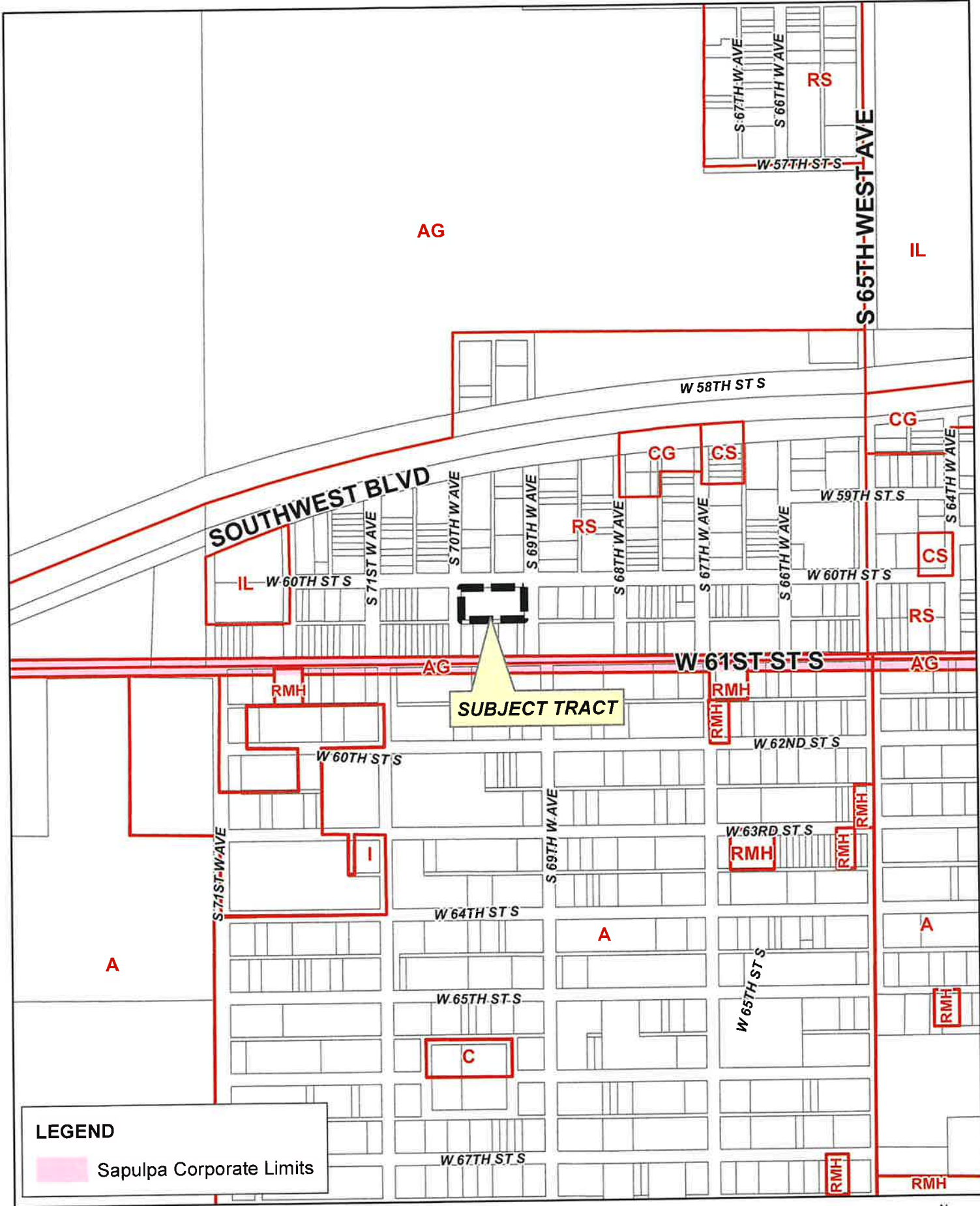
*“Move to \_\_\_\_\_ (approve/deny) a Variance of the street frontage requirement in an RS district from 30 ft to 0 ft (Section 207)*

*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**

**LEGEND**

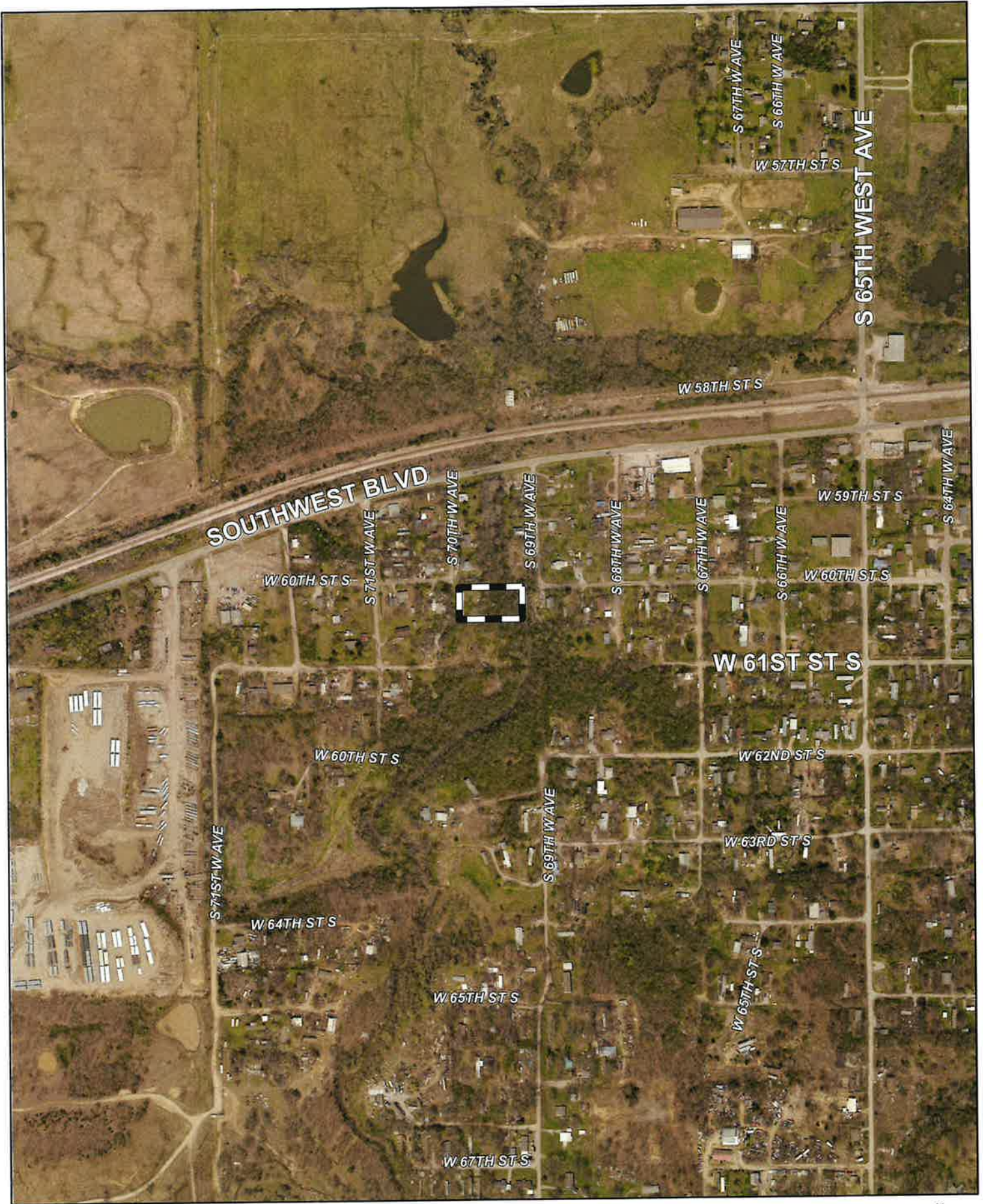
 Sapulpa Corporate Limits



**CBOA-3074**

19-12 31





 Subject Tract

**CBOA-3074**

19-12 31

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

Aerial Photo Date: 2020/2021



CBOA-3074 9.5



W 60TH ST S

S 70TH W AVE

S 69TH W AVE

W 60TH ST S

W 61ST ST S



Subject Tract

**CBOA-3074**

19-12 31

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

Aerial Photo Date: 2020/2021



6003 S 70th W Ave  
Butterworth/Marlow

Google Maps



Imagery ©2023 Maxar Technologies, Map data ©2023 20 ft



**Case Number:** CBOA-3075  
**Hearing Date:** 06/26/2023 1:30 PM  
(Continued from 06/20/2023)

**Case Report Prepared by:**

Jay Hoyt

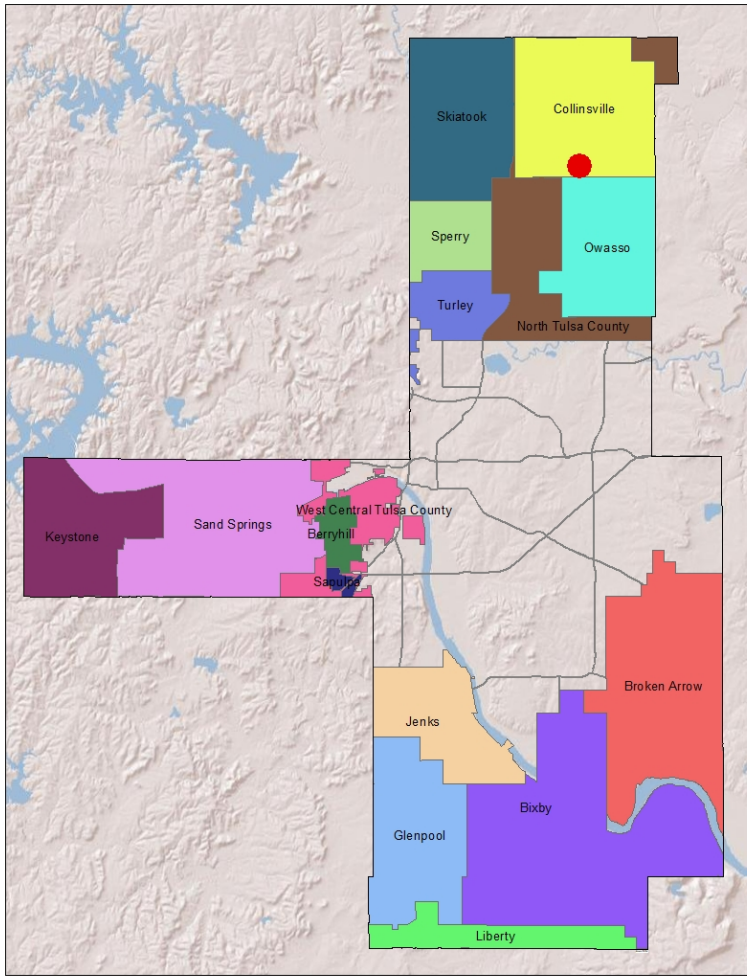
**Owner and Applicant Information:**

**Applicant:** Shirley & Jerry West

**Property Owner:** WEST, JAMES

**Action Requested:** Variance of the minimum lot area in an AG-R district to permit a lot split (Section 330 Table 3).

**Location Map:**



**Additional Information:**

**Present Use:** AG/R

**Tract Size:** 2.11 acres

**Location:** 13090 N 91 AV E; 13070 N 91 AV E

**Present Zoning:** AG-R

**Fenceline/Area:** Collinsville

**Land Use Designation:** Residential

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 2336

**CZM:** 7

**CASE NUMBER:** CBOA-3075

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 06/26/2023 1:30 PM (Continued from 06/20/2023)

**APPLICANT:** Shirley & Jerry West

**ACTION REQUESTED:** Variance of the minimum lot area in an AG-R district to permit a lot split (Section 330 Table 3).

**LOCATION:** 13090 N 91 AV E; 13070 N 91 AV E

**ZONED:** AG-R

**FENCELINE:** Collinsville

**PRESENT USE:** AG/R

**TRACT SIZE:** 2.11 acres

**LEGAL DESCRIPTION:** N/2 LT 1 BLK 6; S/2 LT 1 BLK 6, NORTH-DALE ACRES Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:** None Relevant

**ANALYSIS OF SURROUNDING AREA:** The subject tracts are zoned AG-R and contain single-family residences and are surrounded by AG-R zoned lots containing single-family residences.

**STAFF COMMENTS:**

The applicant is before the Board to request a Variance of the minimum lot area in an AG-R district to permit a lot split (Section 330 Table 3).

The Tulsa County Zoning Code requires a minimum of 1.1 acres for a lot in the AG-R district containing a single-family dwelling. The applicant is proposing to reconfigure the two existing lots into three lots as illustrated on the materials provided by the applicant. One lot is proposed to be approximately 0.9 acres in area and the other two are approximately 0.6 acres each. A single-family home is currently located on the two 0.6 acre proposed tracts, while a new home is proposed to be constructed on the 0.9 acre tract.

The applicant provided the statement "The end result will be 3 lots. 2 just over ½ acre with existing houses, one on each lot and the third lot will include the existing shop and a new house construction, which is 1 acre, more or less. We're not allowed three houses on the existing land, therefore a variance is required. This split and new home build is well planned and will improve the neighborhood"

*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 in an AG-R district to permit a lot split (Section 330 Table 3).*

*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.*

RE PUD-864

AG

AG-R

AG

AG

E 136TH ST N

N 88TH E AVE

N 90TH E AVE

N 83RD E AVE

N 87TH E AVE

N 91ST E AVE

N 95TH E AVE

N MINGO RD

AG-R

SUBJECT TRACT

E 132ND ST N

E 131ST ST N

AG

AG

E 130TH ST N

E 130TH ST N

E 128TH ST N

N 93RD E AVE

N 95TH E AVE

N 97TH EAST AVE

N 83RD E AVE

N 87TH E AVE

E 126TH ST N

AG

AG-R

AG

LEGEND



Collinsville Corporate Limits



Owasso Corporate Limits

0 350 700



CBOA-3075

22-13 36







 Subject Tract

**CBOA-3075**

22-13 36

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

Aerial Photo Date: 2020/2021





Subject  
Tract

**CBOA-3075**

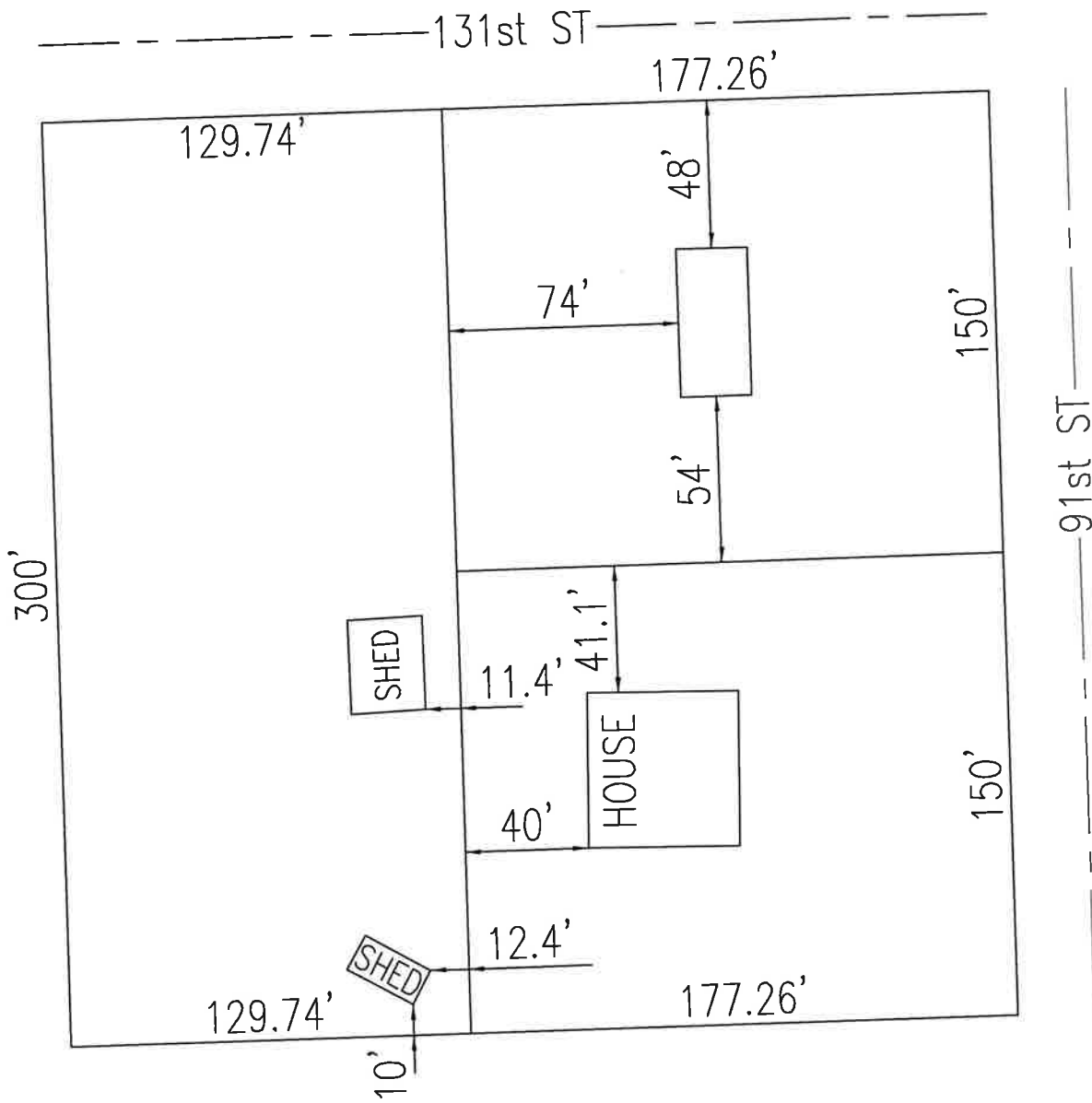
22-13 36

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

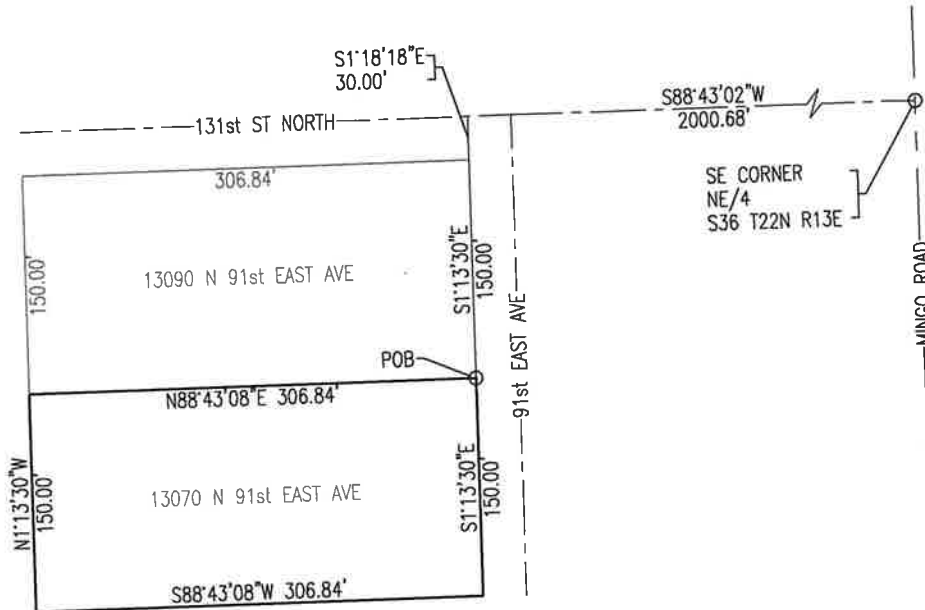
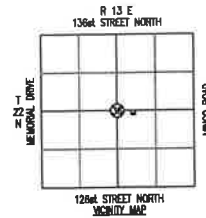
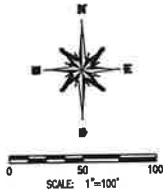
*Aerial Photo Date: 2020/2021*



CBOA-3075 10.6



# PLAT OF SURVEY



## DESCRIPTION

A PARCEL OF LAND IN THE SOUTH QUARTER (SE/4) OF SECTION THIRTY-SIX (36), TOWNSHIP TWENTY-TWO (22), RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE US GOVERNMENT SURVEY THEREOF. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST (SE) CORNER OF THE NORTHEAST QUARTER (NE/4) OF SAID SECTION 36 THENCE S88°43'02"W A DISTANCE OF 2000.68 FEET; THENCE S1°18'18"E A DISTANCE OF 30.00 FEET; THENCE S1°13'30"E A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING; THENCE S1°13'30"E A DISTANCE OF 150.00 FEET; THENCE S88°43'08"W A DISTANCE OF 306.84 FEET; THENCE N1°13'30"W A DISTANCE OF 150.00 FEET; THENCE N88°43'08"E A DISTANCE OF 306.84 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 46,026.00 SQUARE FEET OR 1.06 ACRES MORE OR LESS.

## CERTIFICATION

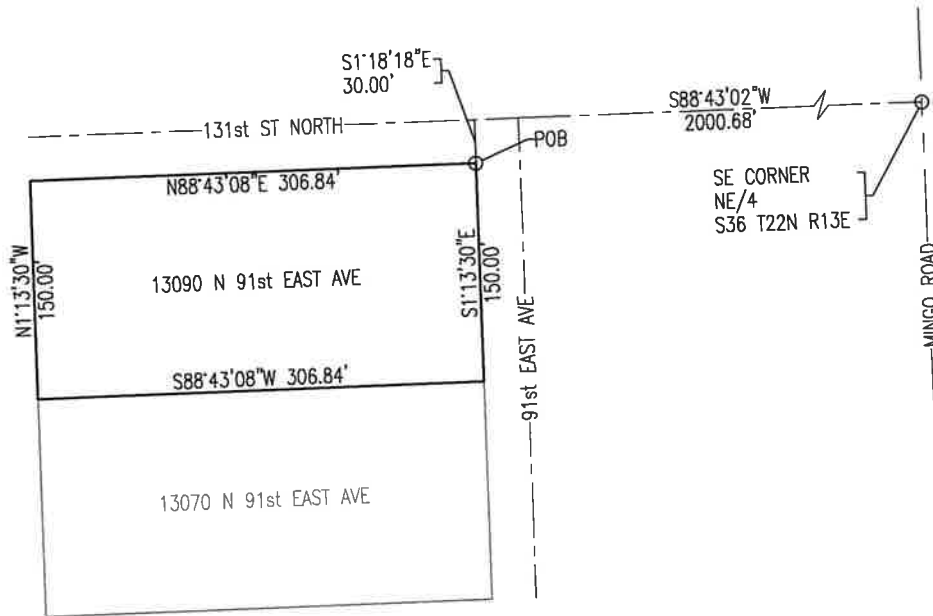
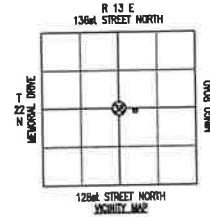
I, ROBERT E. BIRD, A REGISTERED LAND SURVEYOR IN THE STATE OF OKLAHOMA DO HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND A CORRECT REPRESENTATION OF THE SURVEY OF THE ABOVE DESCRIBED PROPERTY AND THAT THIS SURVEY MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS. WITNESS MY HAND AND SEAL ON THIS \*\*th DAY OF , 2023.

DATE OF LAST SITE VISIT \*\*\*\* \*\*, 2023.

BIRD SURVEYING & DESIGN, PLLC  
9020 NORTH 175TH EAST AVENUE  
OWASSO, OK 74055  
(918) 645-8392  
\*\*\*\*\* \*\*, 2023

ROBERT E. BIRD, PE, PLS  
OK PLS 1558  
\*\*\*\*\* \*\*, 201\*

# PLAT OF SURVEY



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### CERTIFICATION

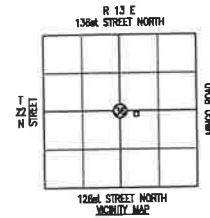
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 \*\*\*\*\* \*\*, 2023

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### CERTIFICATION

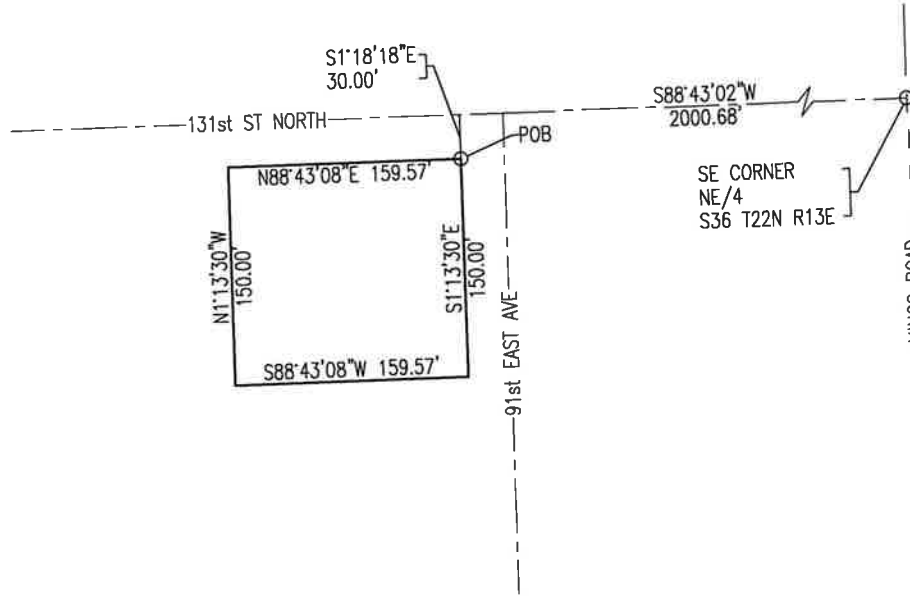
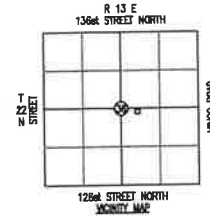
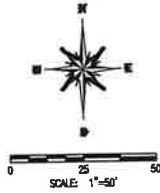
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DATE OF LAST SITE VISIT \*\*\*\* \*\*, 2023.

BIRD SURVEYING & DESIGN, PLLC  
 9020 NORTH 175TH EAST AVENUE  
 OWASSO, OK 74055  
 (918) 645-8392  
 CA 4454 EXP 6/30/2024

ROBERT E. BIRD, PE, PLS  
 OK PLS 1558  
 \*\*\*\*\* \*\*, 2023

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### CERTIFICATION

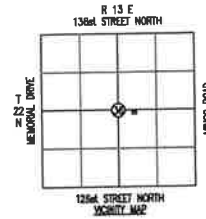
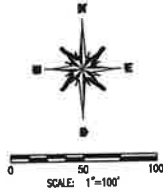
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 CA 4454 EXP 6/30/2024

ROBERT E. BIRD, PE, PLS  
 OK PLS 1558  
 \*\*\*\*\* \*\*, 2023

# PLAT OF SURVEY



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### CERTIFICATION

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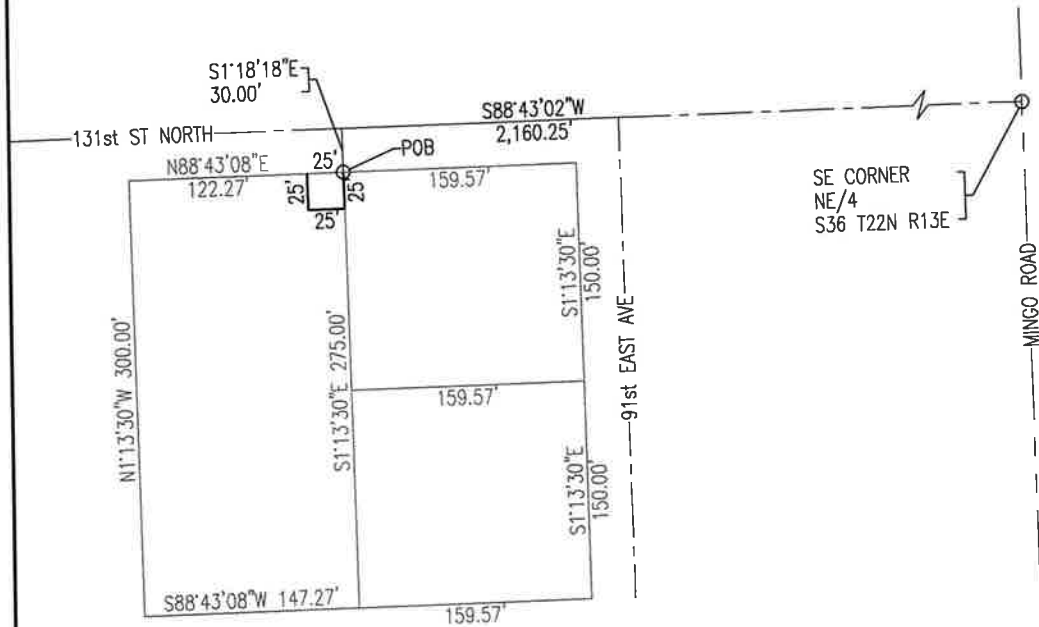
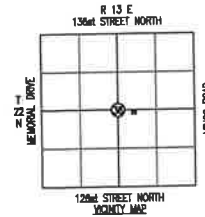
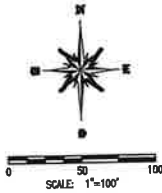
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 OWASSO, OK 74055  
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ROBERT E. BIRD, PE, PLS  
 OK PLS 1558  
 \*\*\*\*\* \*\*, 201\*



# PLAT OF SURVEY



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## CERTIFICATION

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OWASSO, OK 74055  
(918) 645-8392  
\*\*\*\*\* \*\*, 2023

ROBERT E. BIRD, PE, PLS  
OK PLS 1558  
\*\*\*\*\* \*\*, 201\*



**Case Number:** CBOA-3077  
**Hearing Date:** 06/26/2023 1:30 PM  
(Continued from 06/20/2023)

**Case Report Prepared by:**

Jay Hoyt

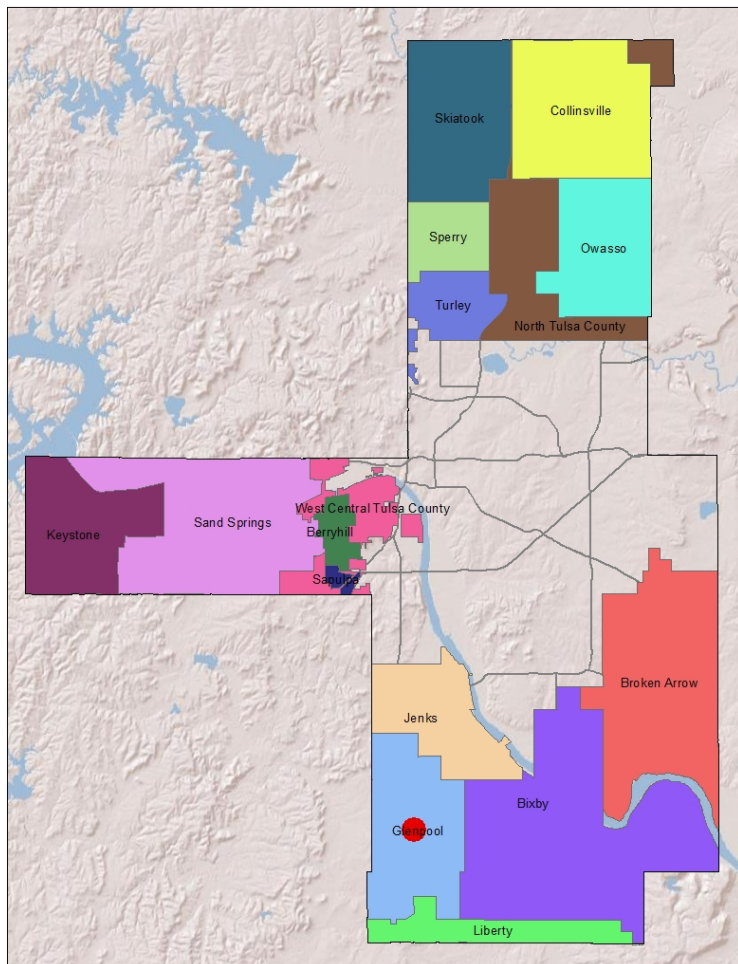
**Owner and Applicant Information:**

**Applicant:** Heath Timmerman

**Property Owner:** TIMMERMAN, HEATH G & STEPHANIE

**Action Requested:** Variance to reduce the required 15-foot side setback in the AG District to permit a lot split (Sec. 330, Table 3)

**Location Map:**



**Additional Information:**

**Present Use:** Residential

**Tract Size:** 9.43 acres

**Location:** 16140 S ELWOOD AV W

**Present Zoning:** AG

**Fenceline/Area:** Glenpool

**Land Use Designation:** Estate Residential

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 7226

**CZM:** 65

**CASE NUMBER:** **CBOA-3077**

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 06/26/2023 1:30 PM (Continued from 06/20/2023)

**APPLICANT:** Heath Timmerman

**ACTION REQUESTED:** Variance to reduce the required 15-foot side setback in the AG District to permit a lot split (Sec. 330, Table 3)

**LOCATION:** 16140 S ELWOOD AV W

**ZONED:** AG

**FENCELINE:** Glenpool

**PRESENT USE:** Residential

**TRACT SIZE:** 9.43 acres

**LEGAL DESCRIPTION:** BEG 24.75W & 1699.28N SECR NE TH N282 W1298.24 S387.75 E423 N105.75 E875.27 TO POB SEC 26 17 12 9.430ACS, 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 is abutted to the north, south and east by AG zoning containing single-family residences and to the west by RE zoning that is currently vacant.

**STAFF COMMENTS:**

The applicant is before the Board to request a Variance to reduce the required 15-foot side setback in the AG District to permit a lot split (Sec. 330, Table 3).

The applicant is proposing to split the subject tract into two tracts as illustrated on the materials provided by the applicant. Currently the subject tract is approximately 9.43 acres in area. After the proposed split, Tract 1, as shown on the applicant materials, will contain 2.46 acres and an existing home and shop/barn building. Tract 2 will contain 6.97 acres and will be accessed via a 30 ft wide strip along the norther edge of the subject tract.

The Tulsa County Zoning Code requires a side setback in the AG district of 15 ft. Based on the proposed lot split configuration, the existing shop/bard would fall within that required setback. It would lie 10.1 ft from the 30 ft strip that is proposed to be used as access to Tract 2.

The applicant has provided the statement that the reason they are seeking a variance is to avoid leaving an awkward shap of land near the existing shop/barn.

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

**Sample Motion:**

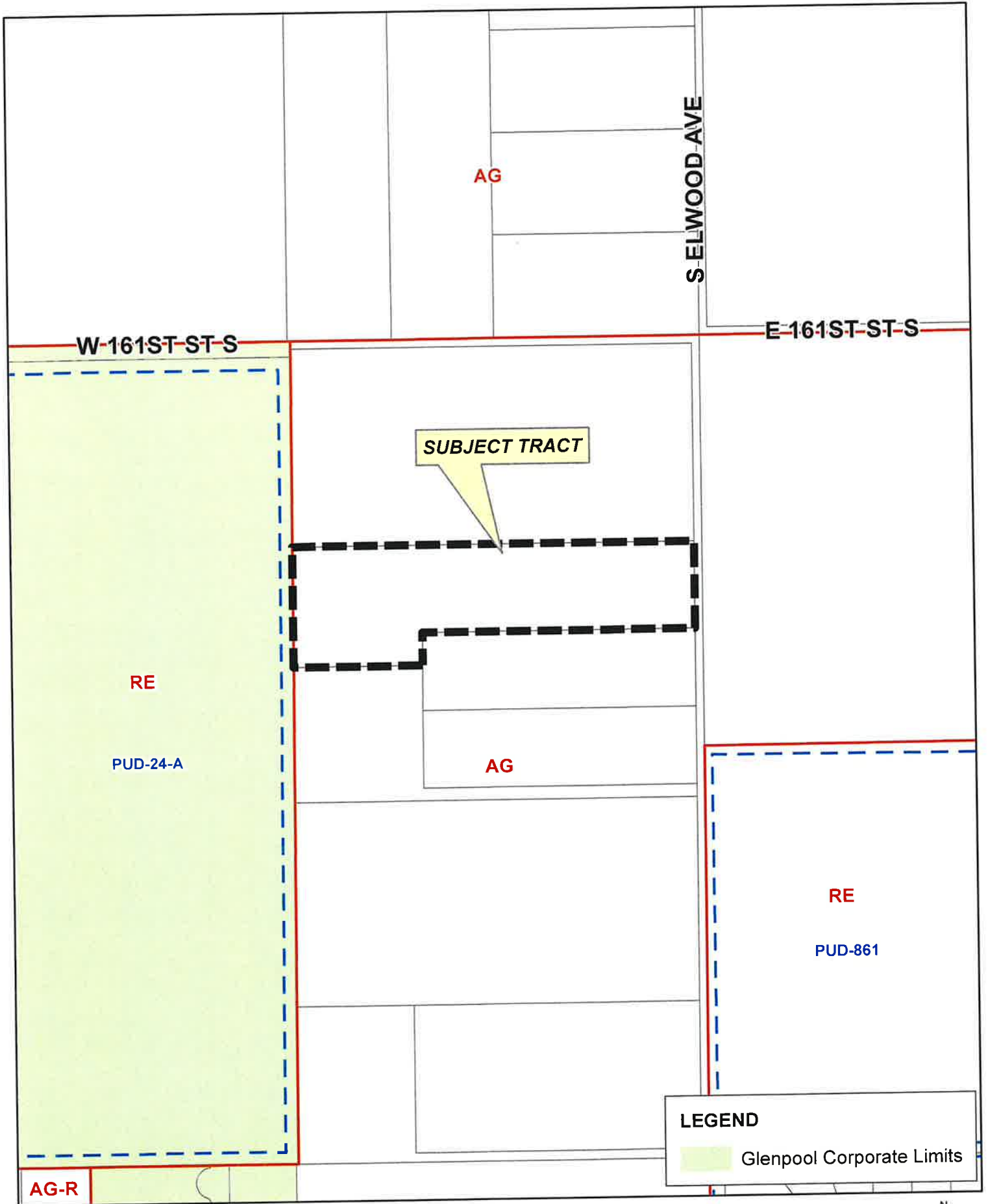
**“Move to \_\_\_\_\_ (approve/deny) a Variance to reduce the required 15-foot side setback in the AG District to permit a lot split (Sec. 330, Table 3).**

**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.**



AG-R



**CBOA-3077**

17-12 26





W 161ST ST S

S ELWOOD AVE

E 161ST ST S



Subject Tract

**CBOA-3077**

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

Aerial Photo Date: 2020/2021

17-12 26

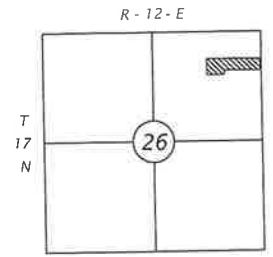


CBOA-3077 11.5

Legal Description (Tract 1)

A tract of land located in the East Half of the Northeast Quarter (E/2 NE/4) of Section Twenty-six (26), Township Seventeen (17) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows; to-wit:

Commencing at the Southeast Corner of the NE $\frac{1}{4}$  of said Section 26; THENCE South 89° 57' 06" West along the South line of said NE/4 a distance of 24.75 feet to a point on the West Right-of-Way line of South Elwood Avenue; THENCE North 00° 02' 25" East along said West Right-of-Way line a distance of 1699.28 feet to the Point of Beginning; Thence S89°57'39"W a distance of 426.00 feet; thence N00°02'25"E a distance of 252.00 feet; thence N89°57'39"E a distance of 426.00 feet; thence S00°02'25"E a distance of 252.00 feet to the Point of Beginning. Containing 2.46 acres more or less.

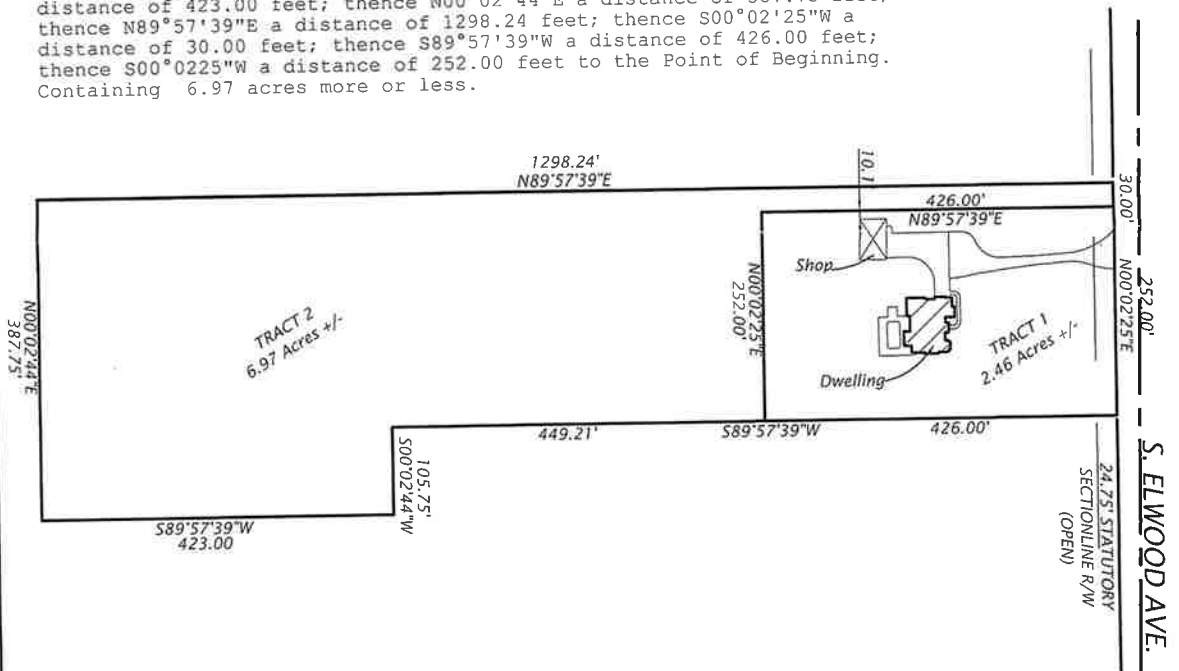


Tulsa County  
 LOCATION MAP

Legal Description (Tract 2)

A tract of land located in the East Half of the Northeast Quarter (E/2 NE/4) of Section Twenty-six (26), Township Seventeen (17) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows; to-wit:

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COLLINS LAND SURVEYING, INC.  
 3340 W. 151st ST. S. - P.O. Box 250  
 KIEFER, OK. 74041  
 OFFICE (918)321-9400 FAX (918)321-9404  
 CA#2656 EXPIRES: 06/30/2024

Sketch of Proposed Lot Split  
 Performed For:  
**Heath Timmerman**  
 J.O. NO. 23-05-046 DATE: 05/11/2023

**COLLINS LAND SURVEYING, INC.**  
**3340 West 151<sup>st</sup> Street South**  
**P.O. Box 250**  
**Kiefer, Ok 74041**  
**Ph. 918-321-9400 Fax 321-9404**

REF. NO. 23-05-046

LEGAL DESCRIPTION (Tract 1)

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REF. NO. 23-05-046

LEGAL DESCRIPTION ( Tract 2)

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**Case Number: CBOA-3078**

**Hearing Date: 06/26/2023 1:30 PM**  
**(Continued from 06/20/2023)**

**Case Report Prepared by:**

**Jay Hoyt**

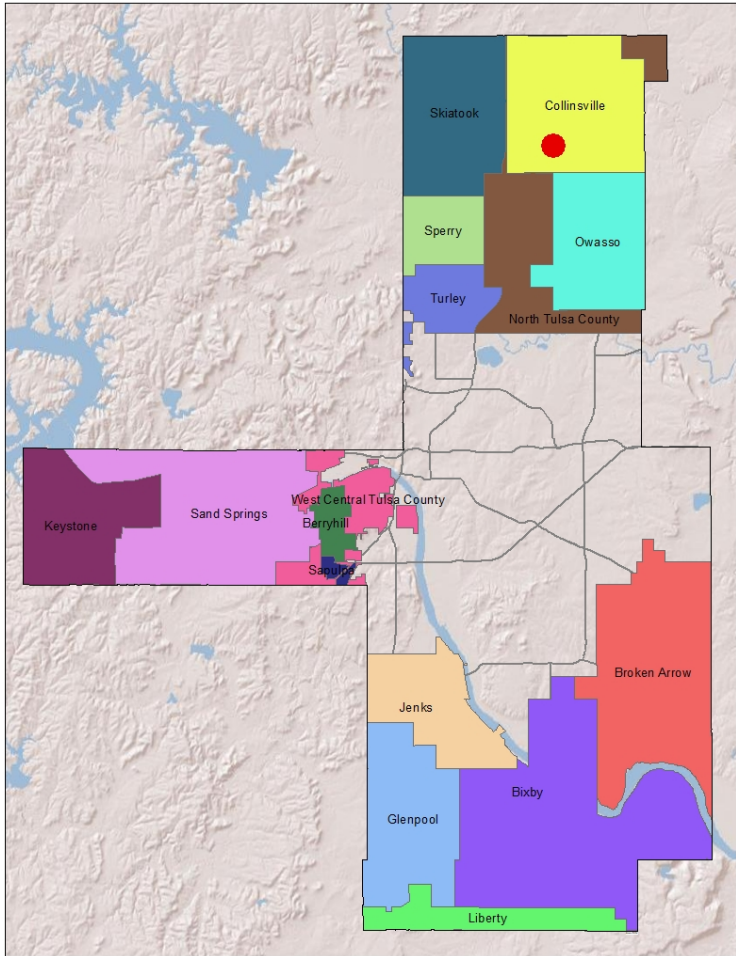
**Owner and Applicant Information:**

**Applicant: Chris Garr**

**Property Owner: 918 WRECKER SERVICE INC**

**Action Requested: Variance to allow a third dwelling unit in and AG district (Section 208)**

**Location Map:**



**Additional Information:**

**Present Use: AG**

**Tract Size: 7.19 acres**

**Location: 13952 N Memorial Dr**

**Present Zoning: AG**

**Fenceline/Area: Collinsville**

**Land Use Designation: Residential**

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 2326  
**CZM:** 7

**CASE NUMBER: CBOA-3078**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 06/26/2023 1:30 PM (Continued from 06/20/2023)

**APPLICANT:** Chris Garr

**ACTION REQUESTED:** Variance to allow a third dwelling unit in an AG district (Section 208).

**LOCATION:** 13952 N Memorial Dr

**ZONED:** AG

**FENCELINE:** Collinsville

**PRESENT USE:** AG

**TRACT SIZE:** 7.19 acres

**LEGAL DESCRIPTION:** BEG SECR NE SE TH N486.42 W660 S486.55 E660 POB LESS E16.5 THEREOF FOR RD SEC 26 22 13 7.186ACS, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:** None Relevant

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned AG and currently contains a mobile home. The tract is abutted to the north, south and west by AG zoned tracts containing single-family residences and agricultural land and to the east by RE zoned land that is intended to be developed as a single-family subdivision.

**STAFF COMMENTS:**

The applicant is before the Board to request a Variance to allow a third dwelling unit in an AG district (Section 208).

The subject tract currently contains on mobile home residence. The applicant proposes to place two more mobile homes as illustrated by the site plan provided by the applicant. Section 208 limits AG zoned parcels to a maximum of two dwelling units. In order to permit a third dwelling unit, a variance is required due to this limitation. AG zoned lots area required to have 2.1 acres per dwelling unit. With 7.19 acres, the subject tract has adequate land area to support three dwelling units on the subject tract.

The applicant has provided the statement that they are “moving family in to take care of elderly grandparents of neighboring property. Will install brick wainscoting and new siding to make mobile homes have a clean appearance from the road.”

*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:**

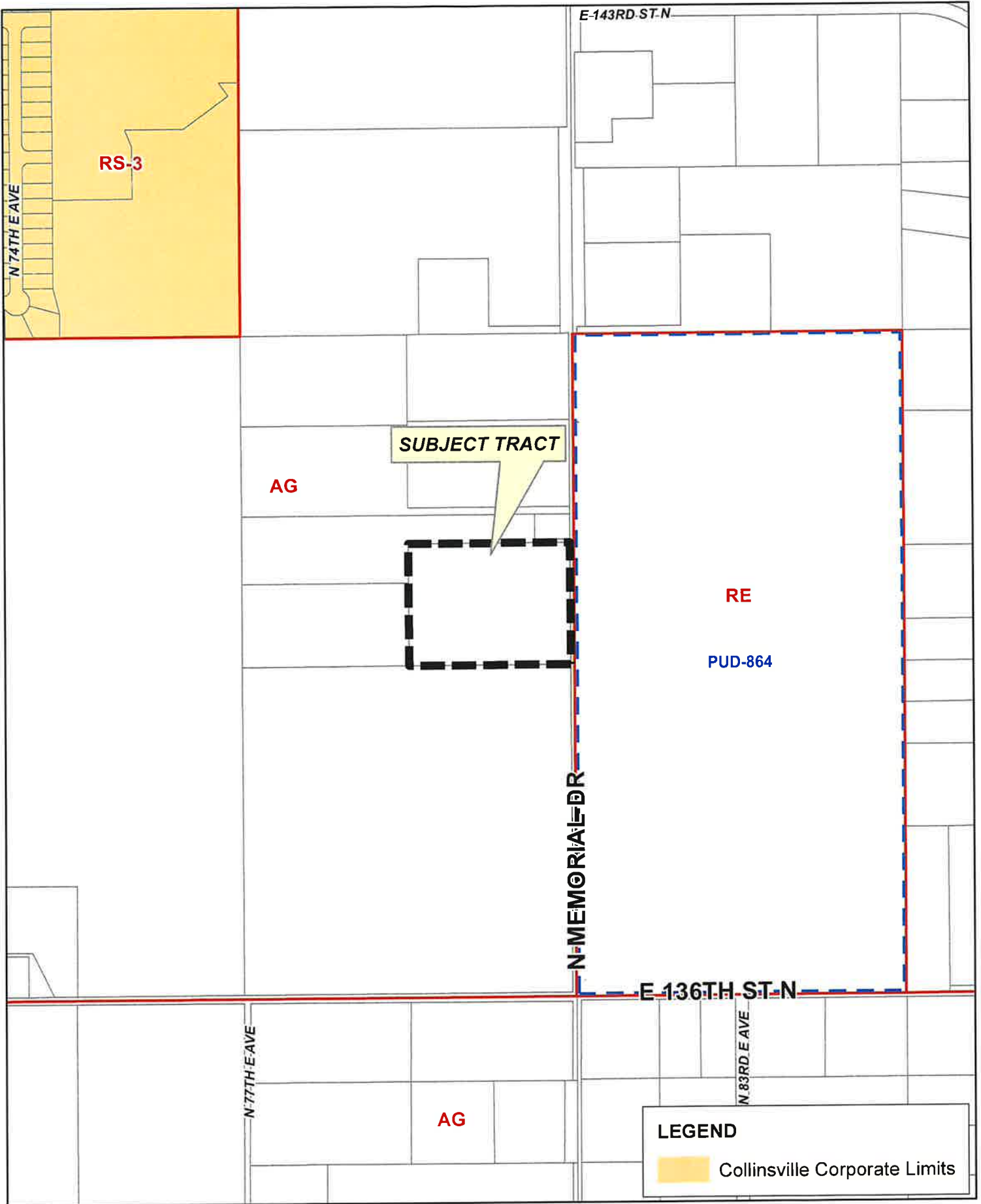
“Move to \_\_\_\_\_ (approve/deny) a Variance to allow a third dwelling unit in an AG district (Section 208).”

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

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

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

*Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan.*



# CBOA-3078

22-13 26

CBOA-3078 12.4



**LEGEND**

 Collinsville Corporate Limits



 Subject Tract

**CBOA-3078**

22-13 26

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

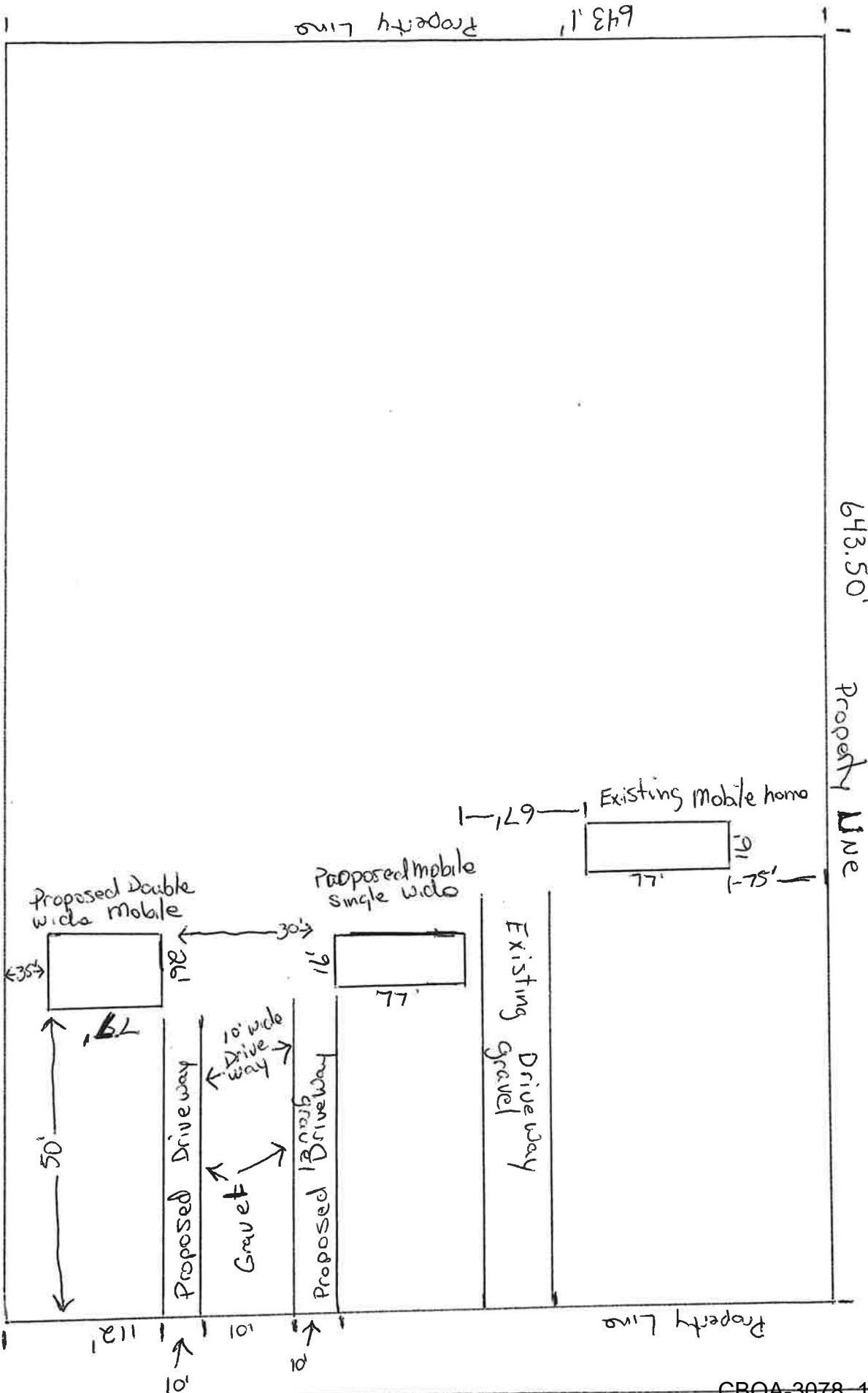
Aerial Photo Date: 2020/2021

CBOA-3078 12.5



All Mobile Homes will Have Brick Wainscoting

Property Line



North Memorial Drive North →

CBOA-3078 12.6