

**AGENDA**  
**Tulsa County Board of Adjustment**  
**Regularly Scheduled Meeting**  
**Tuesday August 15, 1:30 p.m.**  
**Williams Tower I**  
**1 West 3rd Street, St. Francis Room**

**Meeting No.522**

Consider, Discuss and/or Take Action On:

1. Approval of **Minutes** of June 26, 2023 (Meeting No. 52).
2. Approval of **Minutes** of June 26, 2023 (Meeting No. 522).

**UNFINISHED BUSINESS**

3. **CBOA 2694-A - William Vernon Bearden Jr.**  
**Action Requested:**  
Modification to a previously approved Special Exception (CBOA-2694) for a firework stand (Use Unit 2) to extend the time limit (Section 310). Location: 17137 S Mingo Rd.

**NEW APPLICATIONS**

4. **CBOA 3085 - Elizabeth Kaiser**  
**Action Requested:**  
Special Exception to permit a manufactured home in the RS district (Section 410); Variance to permit two dwelling units on a single lot of record in an RS district (Section 208). Location: 4649 S 65th Ave W
5. **CBOA 3086 - Valorey Totten**  
**Action Requested:**  
Special Exception to permit mining and dirt removal (Use Unit 24) in an AG district (Section 310) Location: 3274 E 66 ST N
6. **CBOA 3087 - Yesenia Hernandez**  
**Action Requested:**  
Variance to permit two dwelling units on a single lot of record in an RS district (Section 208). Location: 3274 E 66 ST N

7. **CBOA 3088 - Ervin Walker**

**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) 6253 N Garrison Av E

8. **CBOA 3089 - Elvajean Hope**

**Action Requested:**

Special Exception to permit a single-wide manufactured home in an RS district (Section 410). Location: 5944 N Rockford Ave

9. **CBOA 3090 - Earth Property Management LLC**

**Action Requested:**

Special Exception to permit mining and dirt removal (Use Unit 24) in an AG district (Section 310) Location: 3404 E 66th St N

10. **CBOA 3091 - Timothy Merrill**

**Action Requested:**

Use Variance to allow Use Unit 15, Other Trades and Services to permit a personal shop building as the primary use (Section 410). Variance of the street frontage from 30' to 0' (Section 207). Variance for size of an accessory building in an RS district from 750 sf (Section 410). Location: 4315 W 46th St S

11. **CBOA 3092 - Patrick Starkey**

**Action Requested:**

Special Exception to permit a manufactured home in the RS district (Section 410) Location: 737 E 63rd St N

12. **CBOA 3093 - Doug Morrison**

**Action Requested:**

Special Exception to permit Use Unit 17, Automobile and Allied Activities in a CS zone (Section 710). Location: 4300 S 65th W Ave

13. **CBOA 3094 - Michaela Givens**

**Action Requested:**

Variance of the side setback from 15' to 5' (Section 330). Location: 2686 E 116th St N



**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.



**Case Number:** CBOA-2694-A

**Hearing Date:** 08/15/2023 1:30 PM  
(Continued from 07/18/2023)

**Case Report Prepared by:**

Jay Hoyt

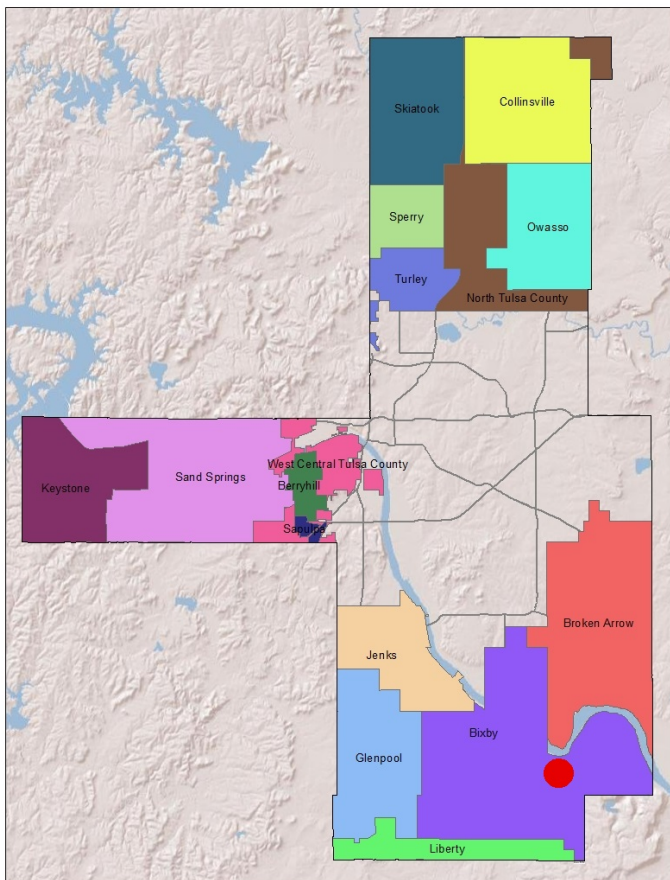
**Owner and Applicant Information:**

**Applicant:** William Vernon Bearden Jr.

**Property Owner:** CARMICHAEL, CHESTER DON & JOYCE ANN

**Action Requested:** Modification to a previously approved Special Exception (CBOA-2694) for a firework stand (Use Unit 2) to extend the time limit (Section 310).

**Location Map:**



**Additional Information:**

**Present Use:** Firework stand

**Tract Size:** 116.38 acres

**Location:** 17137 S MINGO RD E

**Present Zoning:** AG

**Fenceline/Area:** Bixby

**Land Use Designation:** Rural Agriculture/Flood District

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 7431

**CZM:** 68

**CASE NUMBER:** **CBOA-2694-A**

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 08/15/2023 1:30 PM (Continued from 07/18/2023)

**APPLICANT:** William Vernon Bearden Jr.

**ACTION REQUESTED:** Modification to a previously approved Special Exception (CBOA-2694) for a firework stand (Use Unit 2) to extend the time limit (Section 310).

**LOCATION:** 17137 S MINGO RD E

**ZONED:** AG

**FENCELINE:** Bixby

**PRESENT USE:** Firework stand

**TRACT SIZE:** 116.38 acres

**LEGAL DESCRIPTION:** W/2 NW & SE NW LESS BEG NWC NW TH S65 E1155.3 SE20.6 E130 N70 W TO POB & LESS W24.75 FOR RD SEC 31 17 14 116.380ACS, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:**

**CBOA-2694 July 2018:** The Board approved a Special Exception to allow a fireworks stand (Use Unit 2) in an AG zoned district. (Sec. 310) with a time limit of 5 years.

**CBOA-2001 September 2002:** The Board approved a Use Variance to allow retail sales of produce on an AG tract (Sec. 310).

**Surrounding Properties:**

**CBOA-2814 May 2020:** The Board approved a Use Variance to allow Use Unit 25, Light Manufacturing and Industry, to permit processing in an AG district (Section 1225).

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zone AG and contains an agricultural produce establishment. The tract is abuts AG zoned lots to the North, East and South containing Agricultural land and to the West by CS/RS/RE zoning (within Bixby Corporate limits) containing Single-Family residences and a Religious Facility.

**STAFF COMMENTS:**

The applicant is before the Board to request a Modification to a previously approved Special Exception (CBOA-2694) for a firework stand (Use Unit 2) to extend the time limit (Section 310).

Previously, CBOA-2694 was approved by the Board granting a Special Exception to allow a fireworks stand with a five year time limit, which expires in July of this year (2023). The applicant wishes to extend this time limit so that they may continue to utilize the subject lot for fireworks sales.

A special exception was required as the proposed fireworks sales 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 fireworks sales must be found to be compatible with the surrounding neighborhood.

*If inclined to approve the Board may consider the following conditions or others as deemed appropriate to the request:*

- *Limiting the day and hours of operation.*
- *Placing a time limit for approval of the modification request.*

*“Move to \_\_\_\_\_ (approve/deny) a Modification to a previously approved Special Exception (CBOA-2694) for a firework stand (Use Unit 2) to extend the time limit (Section 310).*

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

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





Subject Property looking South from E 171<sup>st</sup> St S



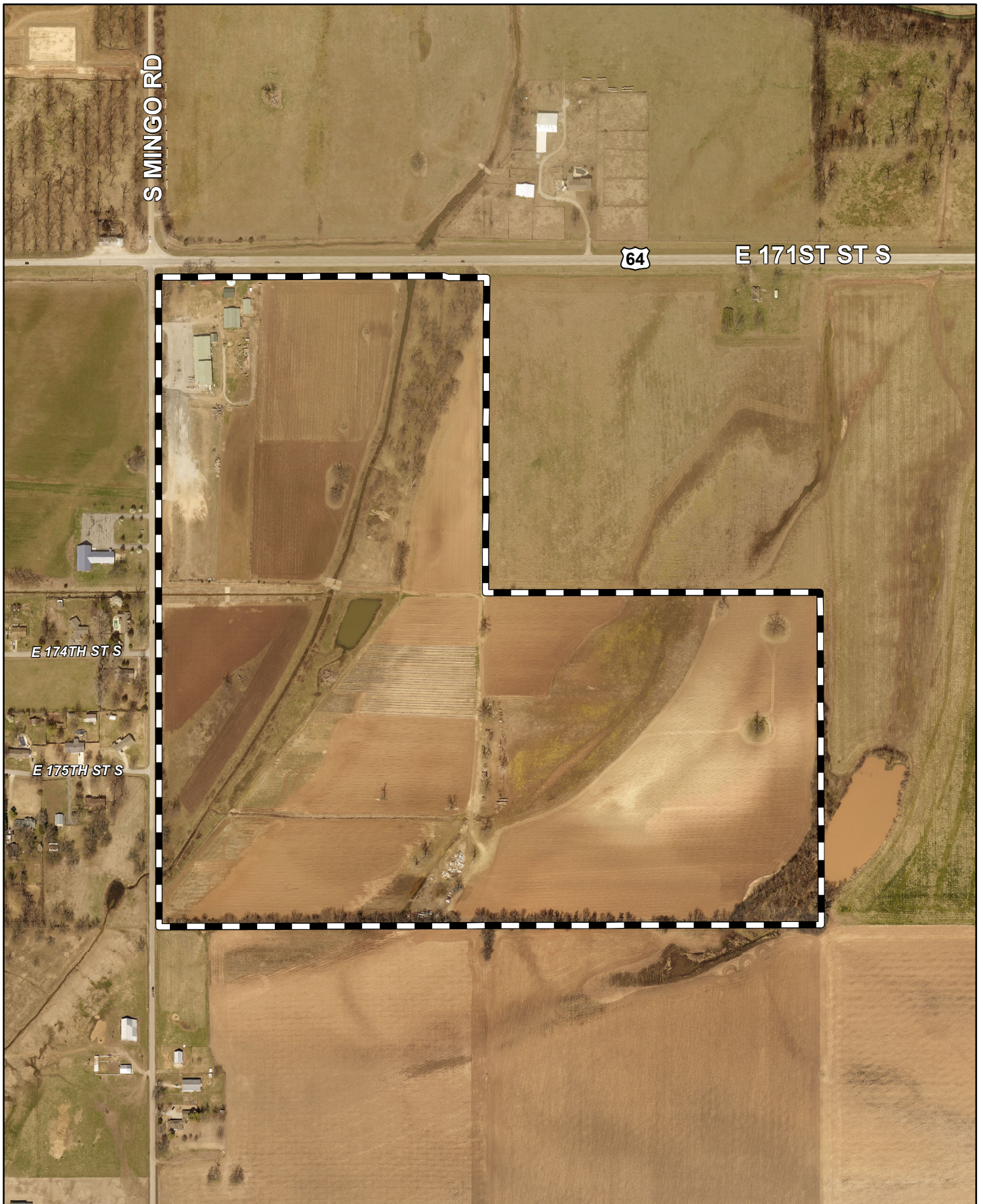
Subject Property looking East from S Mingo Rd



Subject Property looking Northeast from S Mingo Rd







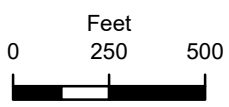
S MINGO RD

64

E 171ST ST S

E 174TH ST S

E 175TH ST S



 Subject Tract

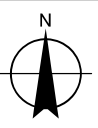
# CBOA-2694-A

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

17-14 31

Aerial Photo Date: 2021

CBOA-2694-A 3.6





E. 171st St. S.

Fireworks  
Stands

parking

S. Mingo Rd.







**Case Number:** CBOA-3085

**Hearing Date:** 08/15/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

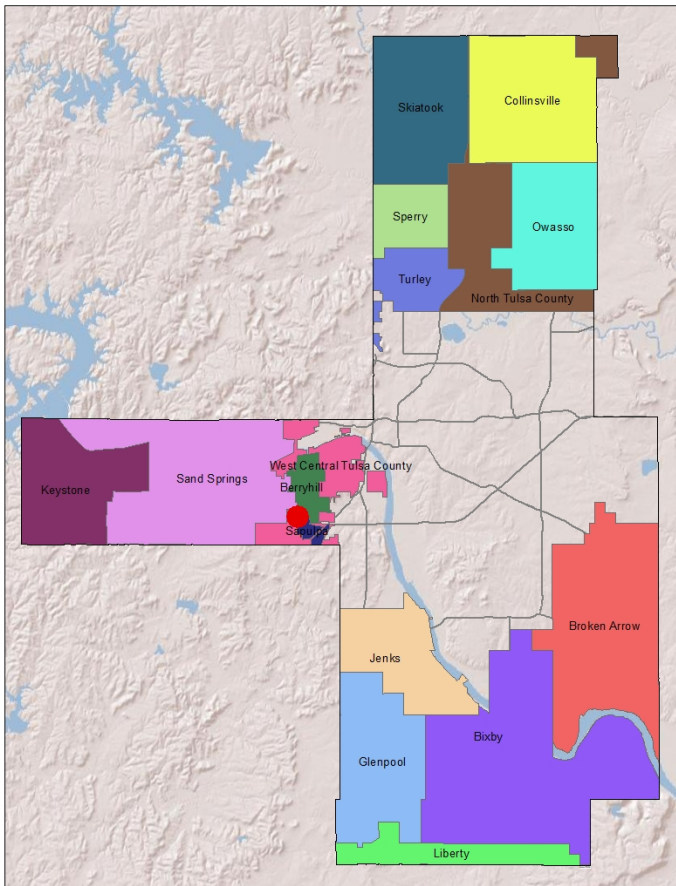
**Owner and Applicant Information:**

**Applicant:** Elizabeth Kaiser

**Property Owner:** HARRISON, RUSSELL & REBECCA

**Action Requested:** Special Exception to permit a manufactured home in the RS district (Section 410); 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:** 1.2 acres

**Location:** 4649 S 65 W Ave

**Present Zoning:** RS

**Fenceline/Area:** Berryhill

**Land Use Designation:** Existing Neighborhood

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 9229

**CZM:** 45

**CASE NUMBER:** **CBOA-3085**

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 08/15/2023 1:30 PM

**APPLICANT:** Elizabeth Kaiser

**ACTION REQUESTED:** Special Exception to permit a manufactured home in the RS district (Section 410); Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

**LOCATION:** 4649 S 65 W AVE

**ZONED:** RS

**FENCELINE:** Berryhill

**PRESENT USE:** Residential

**TRACT SIZE:** 1.2 acres

**LEGAL DESCRIPTION:** LTS 3-62 LESS W50 THEREOF BLK 49, NORTH TANEHA Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Property:**

**CBOA-1563 April 1998:** The Board approved a Variance of the allowable square footage for an accessory building from 750 sf to 3,200 sf and a Variance to allow two dwelling units on one lot of record in an RS district.

**CBOA-1468 December 1996:** The Board approved a Special Exception to permit a manufactured home in the RS district (Section 410) and Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RS and contains a single-family residence and is abutted to the West, South and East by RS zoned tracts containing single-family residences and to the North by RE zoning containing a single-family residence.

**STAFF COMMENTS:**

The applicant is before the Board to request a Special Exception to permit a manufactured home in the RS district (Section 410) and a Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

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.

The RS district is limited to one dwelling unit per lot of record per Section 208 of the Tulsa County Zoning Code. The minimum lot area per dwelling unit in the Rs district is 6,900 sf. The subject tract is 1.2 acres in area, so has the required lot area to permit two dwelling units.

The applicant provided the statement that they would be “Adding a second dwelling unit to bring their mother/mother-in-law, Beth Williams, age 81 onto the property.”

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

**Sample Motion:**

*“Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit a manufactured home in the RS district (Section 410) and 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 Property looking Northeast from S 65<sup>th</sup> W Ave

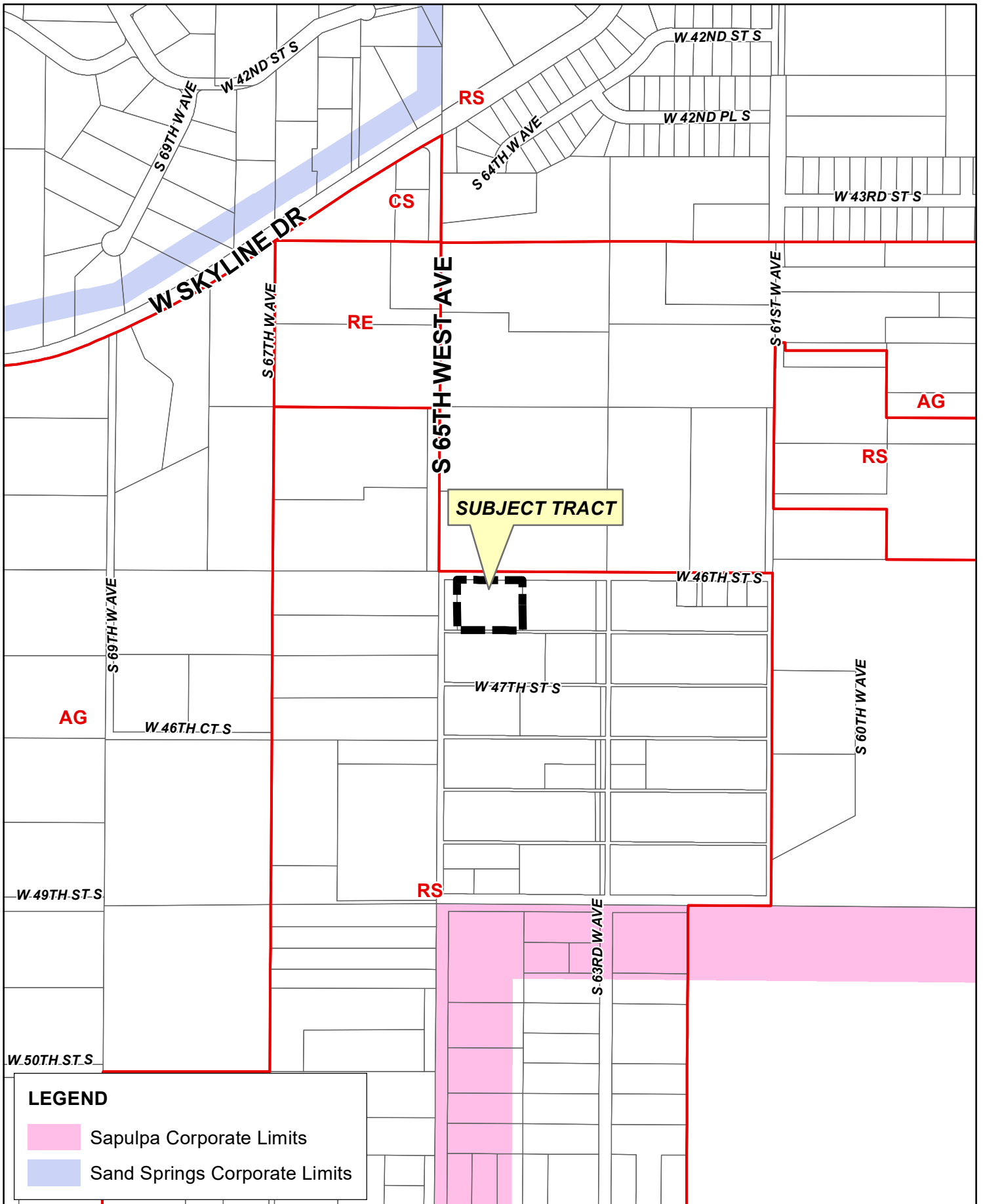


Subject Property looking East from S 65<sup>th</sup> W Ave



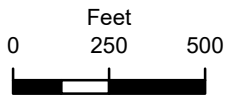
Subject Property looking Southeast from S 65<sup>th</sup> W Ave





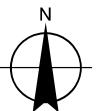
**LEGEND**

- Sapulpa Corporate Limits
- Sand Springs Corporate Limits

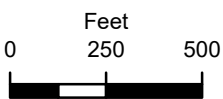


**CBOA-3085**

19-12 29







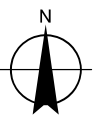
 Subject Tract

**CBOA-3085**

19-12 29

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

Aerial Photo Date: 2023



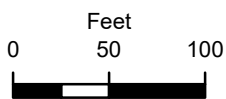
CBOA-3085 4.7





**S 65TH WEST AVE**

**W 47TH ST S**



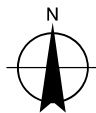
 **Subject Tract**

**CBOA-3085**

19-12 29

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

Aerial Photo Date: 2023



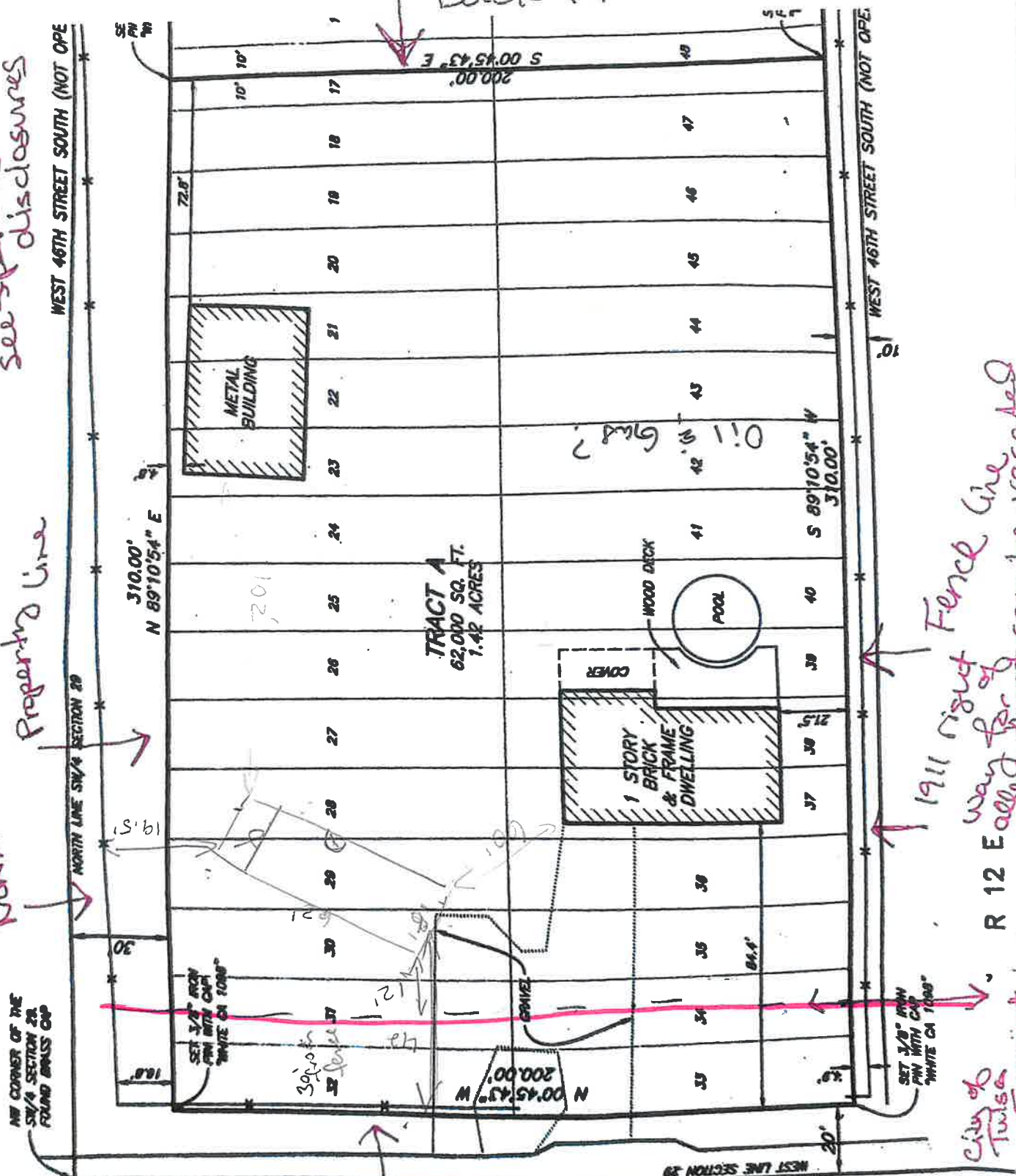
**CBOA-3085 4.8**



Using right of way  
from 1911  
see separate sheets from  
disclosures

North fence line  
Property line

Back fence line

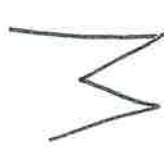


Front property line / fence line

1911 right of way for  
Fence line  
can be vacated

City of  
Twiss  
Easement

Manufactured  
18x62





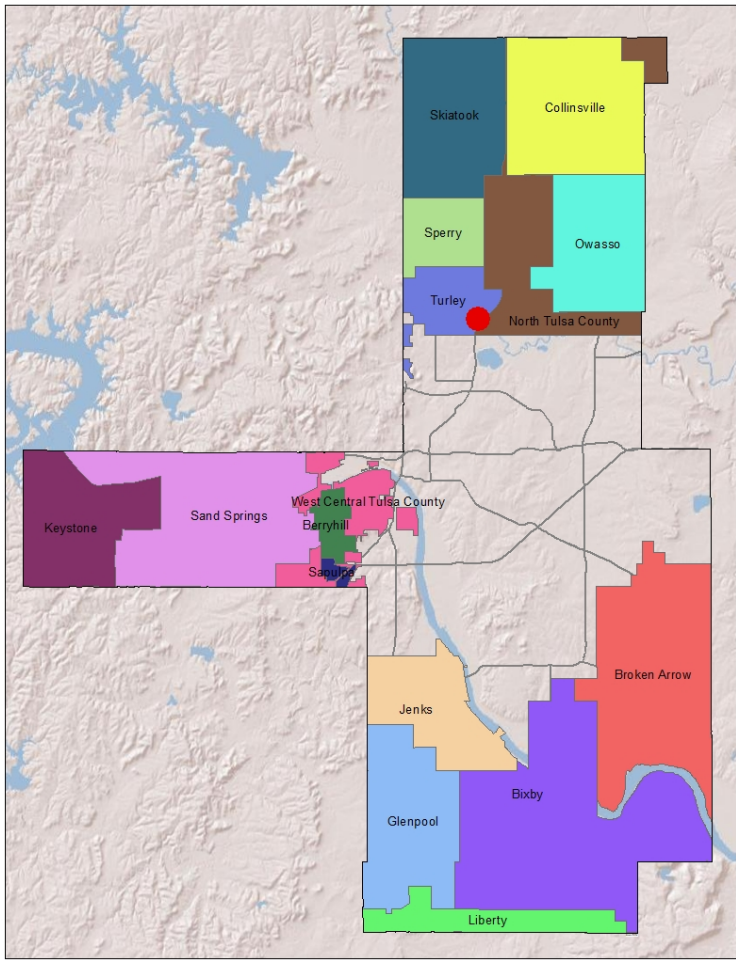
**Case Number:** CBOA-3086  
**Hearing Date:** 08/15/2023 1:30 PM

**Case Report Prepared by:**  
  
Jay Hoyt

**Owner and Applicant Information:**  
  
**Applicant:** VALOREY TOTTEN  
  
**Property Owner:** TOTTEN, VALOREY L

**Action Requested:** Special Exception to permit mining and dirt removal (Use Unit 24) in an AG district (Section 310)

**Location Map:**



**Additional Information:**  
  
**Present Use:** Vacant/agricultural  
  
**Tract Size:** 6.45 acres  
  
**Location:** 3274 E 66th Street North  
  
**Present Zoning:** AG  
  
**Fenceline/Area:** Turley  
  
**Land Use Designation:** Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 0305  
**CZM:** 16, 22

**CASE NUMBER: CBOA-3086**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 08/15/2023 1:30 PM

**APPLICANT:** VALOREY TOTTEN

**ACTION REQUESTED:** Special Exception to permit mining and dirt removal (Use Unit 24) in an AG district (Section 310)

**LOCATION:** 3274 E 66th Street North

**ZONED:** AG

**FENCELINE:** Turley

**PRESENT USE:** Vacant/agricultural

**TRACT SIZE:** 6.45 acres

**LEGAL DESCRIPTION:** BG.NE COR.NE TH.W.730'TO CENTER BIRD CRK TH.SELY.TO PT.ON E.L. OF NENE TH. N.740'TO BG. SEC. 5-20-13, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Property:**

**CBOA-1497 April 1997:** The Board approved a Special Exception to the 60-foot height limit for a proposed 100-foot PCS monopole antenna.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned AG and is currently vacant. The tract is surrounded by AG zoning containing vacant land with one single-family residence on the far side of the large parcel to the East.

**STAFF COMMENTS:**

The applicant is before the Board to request a Special Exception to permit mining and dirt removal (Use Unit 24) in an AG district (Section 310).

A special exception is required as the proposed mining and dirt removal 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 applicant has stated that they have received an Oklahoma Department of Mines permit to operate, for a 12 month period, beginning November 21, 2022 on the subject tract. The site is located in the floodplain associated with nearby Bird Creek.

The subject property is located within the floodplain (Regulatory Floodway). The applicant will need to work with Tulsa County for work within the floodplain and to mitigate any flooding issues.

*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 mining and dirt removal (Use Unit 24) in an AG district (Section 310).*

*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.*

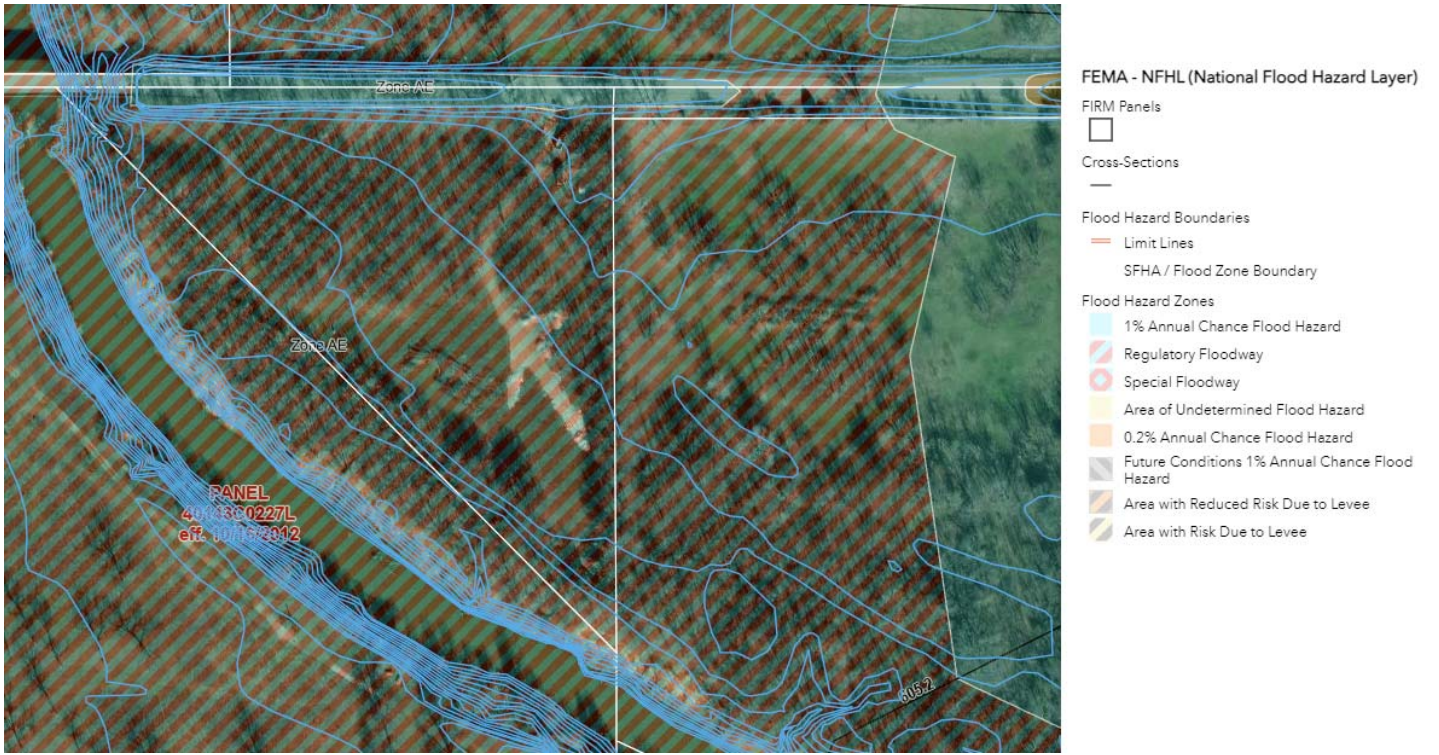




Subject Property looking Southeast from E 66<sup>th</sup> St N

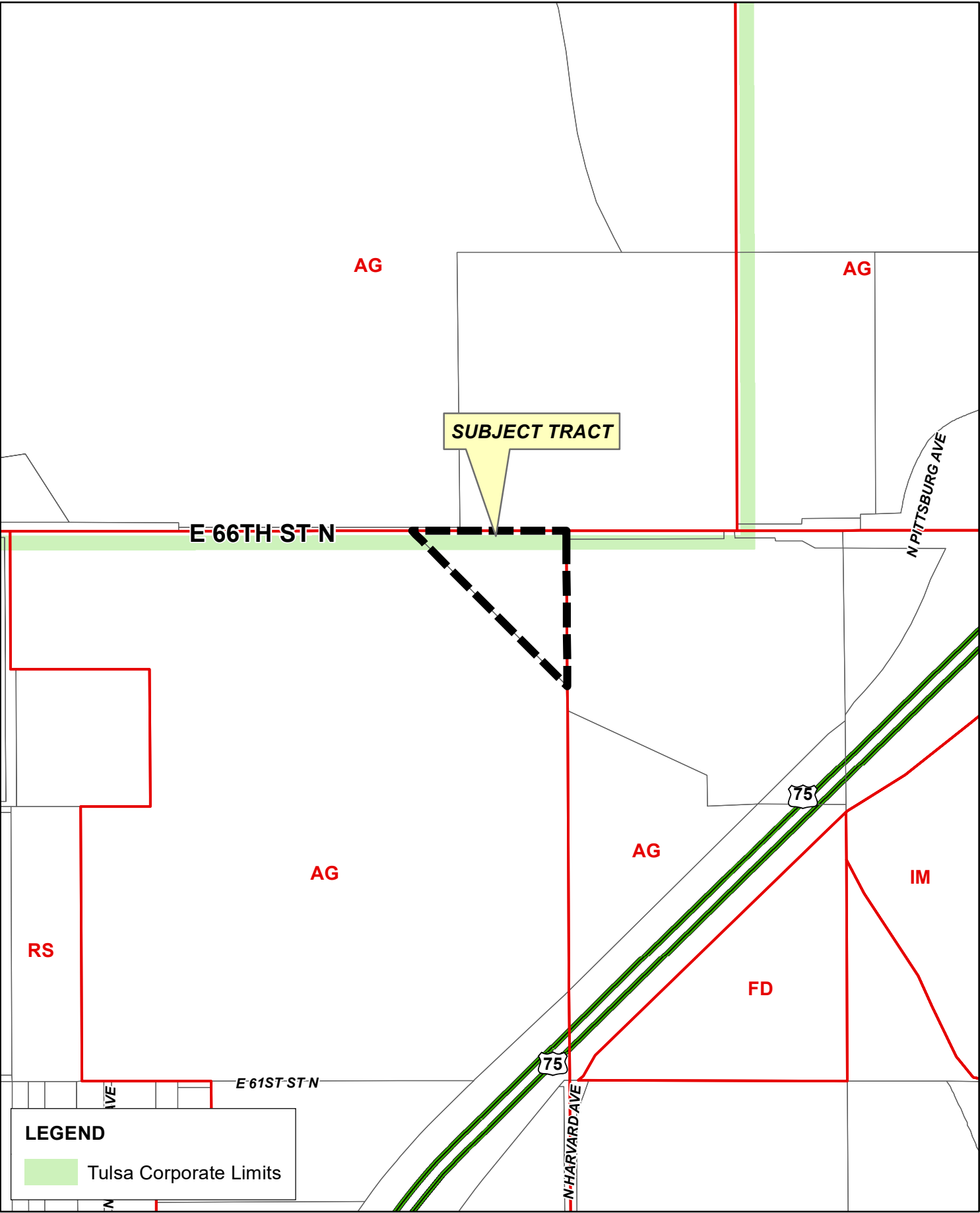


Subject Property looking Southwest from E 66<sup>th</sup> St N



Floodplain Map of the subject property





SUBJECT TRACT

E 66TH ST N

N PITTSBURG AVE

AG

AG

IM

RS

FD

E 61ST ST N

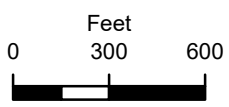
75

75

N HARVARD AVE

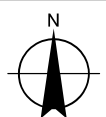
**LEGEND**

 Tulsa Corporate Limits



**CBOA-3086**

20-13 05



CBOA-3086 5.6





E 66TH ST N

N PITTSBURG AVE

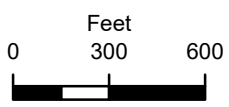
75

75

E 61ST ST N

N EVANSTON AVE

N HARVARD AVE



Subject Tract

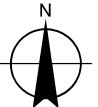
**CBOA-3086**

20-13 05

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

Aerial Photo Date: 2023

CBOA-3086 5.7





## Scope of Work

### 3274 E 66<sup>th</sup> St North

Tulsa Topsoil Inc obtained the property in October 2022 and got an Oklahoma Department of Mines permit to operate a 2 acre topsoil stripping operation effective Nov 21, 2022. This permit is for a 12 month period.

We have cleared trees as the property was heavily wooded and been careful not to disturb any areas close to the creek banks. The temporary roads were built but will be removed eventually as part of the reclamation plan. We started actual excavation on April 27, 2023 and have only exposed one pit area.

We have transported the material (topsoil) out of the mine area to the processing site on my brother's property as the mine regulations require that processing not be done within the mining site. The material is then screened and delivered to customers. The majority of our product is delivered rather than picked up.

Our main customer base is the City of Tulsa and other municipal customers. We do sell retail to the public in our Catoosa location but we anticipate the 66<sup>th</sup> St location to be a bulk supply location that is for the municipal orders and occasional independent dump truck company order. We maintain sales tax permits for both locations.

We keep an accurate daily record of all material that is removed from the mined area and will refill with an equal amount in order to not add any fill material to the existing property that is in the flood plain areas. We are aware that this type of mining operation is already in process with other topsoil operations on the Bird Creek flood plain areas.

Once the mine permit expires, we will refill the mined area with concrete and rock, with a topsoil layer in order to reclaim the land and return this property to pasture and wooded area.

We do intend to have a 2<sup>nd</sup> mine permit on this 6 acre parcel in the future after the first permit has expired and the reclamation process has been completed, if that would be acceptable to Tulsa County and FEMA regulations. We would be glad to answer any questions.

  
Valorey Totten

918-344-8776

\* My brother owns the adjoining 31 acres and he envisions a much broader development plan as a portion of his property is not in the flood plain areas. He will be in Oklahoma within two weeks and he will visit with Tulsa County Permitting Department in order to get his project properly permitted as well.



0 150 300 Feet



Current Time: 6/29/2023 3:42 PM  
Map Prepared by INCOG  
Source: Tulsa County Assessor Parcel data, May 2023





Tulsa Topsoil



Google  
 Parental Controls  
 Free Support

Read 4:36 PM

Monday, September 19, 2022

N 36.14.869

W 095.56.440

Anchor

11:54 AM

N 36.14.931

W 095.56.439

11:59 AM

N 36.14.921

W 095.56.519

12:03 PM



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OUTFLL_ID: Bird Creek	4
Pollution Prevention Plan	5
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Processing Steps	5
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# NOI for Industrial Stormwater Discharges under OKR05

version 1.3

(Submission #: HPV-RTT6-YW94Y, version 1)

## Details

---

**Submitted** 6/29/2023 (0 days ago) by valorey totten  
**Alternate Identifier** Tulsa Topsoil Inc - New  
**Submission ID** HPV-RTT6-YW94Y  
**Status** In Review  
**Active Steps** Review Submission

## Fees

---


**Fee** \$447.71  
**Payments/Adjustments** \$0.00  
**Balance Due** \$447.71 (Due)

## Form Input

---

### Operator

**Authorization Number**  
NONE PROVIDED

 There is no authorization number to enter for a NEW application.

**Application Type**  
New

**Operator Name**  
Tulsa Topsoil Inc

#### **Operator Details**

##### Operator

Phone Type	Number	Extension
Mobile	9183448776	

##### Mailing Address

431 S 193RD EAST AVE  
Tulsa, OK 74108

**Responsible Official**

**First Name** Valorey **Last Name** Totten

**Title**  
Vice President

**Phone Type** **Number** **Extension**  
Mobile 9183448776

**Email**  
valoreytotten@yahoo.com

**Is the Responsible Official also the regular Operator Contact**  
Yes

**Consultant**

**First Name** NONE PROVIDED **Last Name** NONE PROVIDED

**Title**  
NONE PROVIDED

**Consultant Business Name**  
NONE PROVIDED

**Phone Type** **Number** **Extension**  
NONE PROVIDED

**Email**  
NONE PROVIDED

**Registered and in good standing with Secretary of State?**  
Yes

For more information visit the Oklahoma Secretary of State website  
[Oklahoma Secretary of State - Home](#)

**Fee**  
447.71

**Facility Information**

**Facility Details**

**Facility Name**  
66th St North Topsoil Mine Permit

**Phone Type** **Number** **Extension**  
Business 9183448776

**Facility Physical Address**  
3274 E 66th St North  
Tulsa, OK 74117

**Web Address**  
NONE PROVIDED

**County**  
Tulsa (72)

**Primary SIC Code**  
1481-Nonmetallic Minerals Services Except Fuels

**Primary SIC Sector**  
NONE PROVIDED

**Secondary SIC Code**

NONE PROVIDED

**Secondary SIC Sector**

NONE PROVIDED

**Is the facility contact the same as the operator contact?**

Yes

**Facility Location (Entrance)**

36.2492836,-95.9406719

**General location map and site maps**

[IMG\\_1911\\_approx\\_size.pdf - 06/29/2023 02:37 PM](#)

**Comment**

NONE PROVIDED

**Type of Facility Ownership**

Privately Owned Facility

**Acreage Affected**

Total Area (Acres)	Total Impervious (Acres)	Exposed to Stormwater (Acres)
6.45	0.00	6.45

**Discharges to an MS4? (New)**

No

**Endangered Species Eligibility**

a. My site is NOT located in or draining into Federal and State sensitive waters and watersheds.

**Seperate Individual or General Permit**

No

**Is the facility's stormwater discharge subject to impaired water monitoring?**

No

**DMR Required Indicator**

No

**Discharge Information (New) (1 of 1)**

`OUTFLL\_ID`:Bird Creek

**Outfall Location**

36.2492836,-95.9406719

**Receiving Waterbody**

Bird Creek

**Unknown Tributary**

NONE PROVIDED

**Is the waterbody impaired?**

Yes

**Impairments**

Enterococcus

Turbidity

**Is there a TMDL for the impairment?**

Yes



## Pollution Prevention Plan

### SWP3 Prepared and Available

Yes

### Did you post your current SWP3 on your Company/Business's website?

No

### Proposed BMP to control pollution in stormwater discharges

Employee Training

Vegetated Buffer

Good Housekeeping

Spill Prevention Plans

## Attachments

---

Date	Attachment Name	Context	User
6/29/2023 2:37 PM	IMG_1911 approx size.pdf	Attachment	valorey totten

## Status History

---

	User	Processing Status
6/29/2023 2:25:11 PM	valorey totten	Draft
6/29/2023 2:50:18 PM	valorey totten	Signing
6/29/2023 2:50:19 PM	valorey totten	Submitting
6/29/2023 2:50:45 PM	valorey totten	Submitted
6/29/2023 2:50:46 PM	valorey totten	In Review

## Processing Steps

---

Step Name	Assigned To/Completed By	Date Completed
Form Submitted	valorey totten	6/29/2023 2:50:45 PM
Review Submission		
Accept Submission		
Push to Central Records		

## Agreements and Signature(s)

---

### SUBMISSION AGREEMENTS

- I am the owner of the account used to perform the electronic submission and signature.
- I have the authority to submit the data on behalf of the facility I am representing.
- I agree that providing the account credentials to sign the submission document constitutes an electronic signature equivalent to my written signature.
- I have reviewed the electronic form being submitted in its entirety, and agree to the validity and accuracy of the information contained within it to the best of my knowledge.

*I certify under penalty of law that I have read and understand Part 1 of the permit eligibility requirements for coverages under the Stormwater Multi-Sector Industrial General Permit OKR05, including those requirements relating to the protection of endangered or threatened species or critical habitat in Appendix A.*

*Furthermore, this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.*

*Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.*

*I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

*I understand that continued coverage under the Stormwater Multi-Sector Industrial General Permit OKR05 is contingent upon maintaining eligibility as provided for in Part 1 of the Permit.*

**Signed** valorey totten on 06/29/2023 at 2:50 PM  
**By**

**Payment Receipt Confirmation**

Your payment was successfully processed.

**Transaction Summary**

Description	Order ID	Receipt Confirmation
		Amount
NOI for Construction Stormwater Discharges under OKR10 (HPV-PGC5-K3HZT)		\$447.71
<b>TOTAL</b>	<b>112336264</b>	<b>\$447.71</b>

Description	Order ID	Amount
Service Fee	112336266	\$12.12

**Transaction Detail**

SKU	Description	Unit Price	Quantity	Amount
59037	100175-Construction Application	\$347.71	1	\$347.71
59037	100994-Construction New	\$100.00	1	\$100.00
	Service Fee	\$12.12		\$12.12
<b>Total</b>				<b>\$459.83</b>

**Customer Information**

Customer Name	valorey totten	Receipt Date	6/26/2023
Company Name	Tulsa Topsoil Inc	Receipt Time	09:16:46 PM CDT
Local Reference ID	35478af1694d4251a690d359131bacbc		

**Payment Information**

Payment Type	Credit Card	Credit Card Number	*****4400
Credit Card Type	VISA		

**Billing Information**

Billing Address	17217 E Marshall St	Phone Number	19183448776
Billing City, State	Tulsa, OK	This receipt has been emailed to the address below.	
ZIP/Postal Code	74116	Email Address	valoreytotten@yahoo.com
Country	US		

# Submission Received

---

## NOI for Construction Stormwater Discharges under OKR10

AWAITING PAYMENT

Alternate Identifier **Tulsa Topsoil Inc - New** Submission **HPV-PGC5-K3HZT**  
Revision 1 Form Version 1.4



### Payment Required to Complete Submission

Pay Online

Payment must be received before your submission can be processed.

#### Submission Fees

Pay by Mail

Fee

\$447.71

---

**Total Due \$447.71**

*No thanks, I'll pay later.*

# NOI for Construction Stormwater Discharges under OKR10

version 1.4

(Submission #: HPV-PGC5-K3HZT, version 1)

## Details

---

**Submitted** 6/26/2023 (0 days ago) by valorey totten  
**Alternate Identifier** Tulsa Topsoil Inc - New  
**Submission ID** HPV-PGC5-K3HZT  
**Status** In Review  
**Active Steps** Review Submission

## Fees

---

**Fee** \$447.71  
**Payments/Adjustments** (\$447.71)  
**Balance Due** \$0.00 (Paid)

## Form Input

---

### Operator

**Authorization Number**  
NONE PROVIDED

**Application Type**  
New

**Operator Name**  
Tulsa Topsoil Inc



**Operator Details**

**Operator**

Phone Type	Number	Extension
Mobile	9183448776	

**Mailing Address**

431 S 193RD EAST AVE  
TULSA, OK 74108

**Responsible Official**

First Name	Last Name
Valorey	Totten

**Title**  
*Owner*

Phone Type	Number	Extension
Mobile	9183448776	

**Email**  
valoreytotten@yahoo.com

**Is the Responsible Official also the regular Operator Contact**  
Yes

**Consultant**

First Name	Last Name
NONE PROVIDED	NONE PROVIDED

**Title**  
*NONE PROVIDED*

**Consultant Business Name**  
*NONE PROVIDED*

Phone Type	Number	Extension
NONE PROVIDED		

**Email**  
NONE PROVIDED

**Registered and in good standing with Secretary of State?**  
Yes

For more information visit the Oklahoma Secretary of State website  
[Oklahoma Secretary of State - Home](#)

**Operator control over**  
Day-to-day operational control  
Plans and specifications

**Are there other operators associated with this site/project?**  
No

**Fee**  
447.71

## **Site / Project Information**

### **Site / Project Details**

**Site / Project Name**  
66th St North Topsoil Mine Permit

**Site/Project Address**

3274 E 66TH ST N  
Tulsa, OK 74117

**County**  
Tulsa (72)

**SIC Code**  
1542-Nonresidential Construction

**Is the site contact the same as the operator contact?**  
Yes

**Description of activity (short)**  
Excavation of non-coal minerals

**Site Location**  
36.24818593982183,-95.94047673977859

### **Site Map**

[Tulsa County Assesors.jpg - 06/26/2023 06:30 PM](#)  
[3274 E 66th St North Mine Permit06262023\\_00000.pdf - 06/26/2023 09:09 PM](#)

**Comment**  
NONE PROVIDED

<b>Estimated Construction Start Date</b>	<b>Estimated Construction End Date</b>
06/27/2023	8/1/2024

**Type of Site Ownership**  
Privately Owned Facility

**Acreage Affected**

Total Area (Acres)	Disturbed (Acres)	Current Impervious (Acres)	Post Impervious (Acres)
6.45	2.50	0.00	0.00

**Post-construction runoff coefficient of the site**  
0.10

Stormwater Runoff Coefficients of the OKR10 General Permit at provides a table of typical coefficients

Stormwater Runoff Coefficients

**Soil and Fill Description**

Sandy / Silty loam due to past flooding of Bird Creek.

**Common plan of development or sales?**

Yes

**Authorization Number**

NONE PROVIDED

**Discharges to an MS4?**

No

**Endangered Species Eligibility**

a. My site is NOT located within any of the corridors of Federal and State Areas of Concern (ARC).

**Discharge Information (New) (1 of 1)**

**Bird Creek**

**Receiving Waterbody**

Bird Creek

**Unknown Tributary**

NONE PROVIDED

**Is the waterbody impaired?**

Yes

**Impairments**

Enterococcus

Turbidity

**Is there a TMDL for the impairment?**

Yes



## Pollution Prevention Plan

### **SWP3 Prepared and Available**

Yes

### **Support Activities**

No

### **Proposed BMP to control pollution in stormwater discharges**

Site Inspection

Spill Prevention/Cleanup

Employee Training

Construction Sequencing

Construction Entrances

Construction Phased

### **Post construction BMP for construction activities**

Protected Natural Features

## **Attachments**

---

<b>Date</b>	<b>Attachment Name</b>	<b>Context</b>	<b>User</b>
6/26/2023 9:09 PM	3274 E 66th St North Mine Permit06262023_00000.pdf	Attachment	valorey totten
6/26/2023 6:30 PM	Tulsa County Assesors.jpg	Attachment	valorey totten

## **Status History**

---

	<b>User</b>	<b>Processing Status</b>
6/26/2023 3:22:21 PM	valorey totten	Draft
6/26/2023 9:13:29 PM	valorey totten	Signing
6/26/2023 9:13:30 PM	valorey totten	Submitting
6/26/2023 9:14:01 PM	valorey totten	Submitted
6/26/2023 9:14:01 PM	valorey totten	In Review

## **Processing Steps**

---

<b>Step Name</b>	<b>Assigned To/Completed By</b>	<b>Date Completed</b>
Form Submitted	valorey totten	6/26/2023 9:14:01 PM
Review Submission		
Accept Submission		
Push to Central Records		

## Agreements and Signature(s)

---

### SUBMISSION AGREEMENTS

- I am the owner of the account used to perform the electronic submission and signature.
- I have the authority to submit the data on behalf of the facility I am representing.
- I agree that providing the account credentials to sign the submission document constitutes an electronic signature equivalent to my written signature.
- I have reviewed the electronic form being submitted in its entirety, and agree to the validity and accuracy of the information contained within it to the best of my knowledge.

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.*

*Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.*

*I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

**Signed**      valorey totten on 06/26/2023 at 9:13 PM  
**By**





# Board of Adjustment

**Case Number:** CBOA-3087

**Hearing Date:** 08/15/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

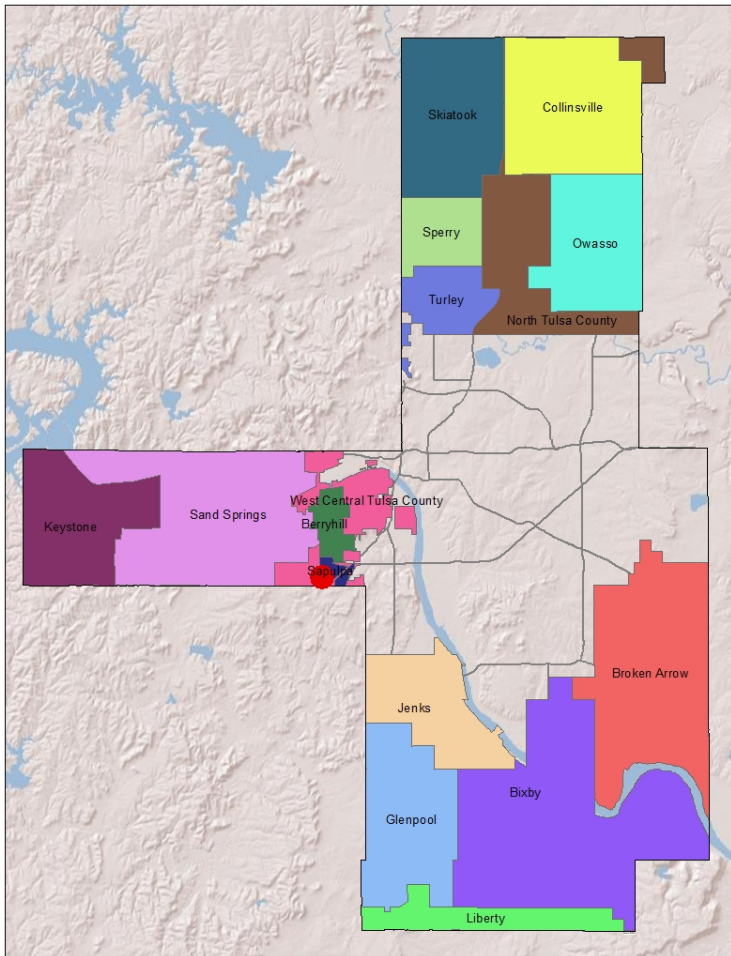
**Owner and Applicant Information:**

**Applicant:** Yesenia Hernandez

**Property Owner:** HERNANDEZ, CESAR

**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:** 0.48 acres

**Location:** 6509 W 59 ST S

**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-3087**

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 08/15/2023 1:30 PM

**APPLICANT:** Yesenia Hernandez

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

**LOCATION:** 6509 W 59 ST S

**ZONED:** RS

**FENCELINE:** West Central Tulsa County

**PRESENT USE:** Residential

**TRACT SIZE:** 0.48 acres

**LEGAL DESCRIPTION:** LTS 3 THRU 8 INCL BLK 49, TANEHA Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Property:**

**CBOA-2527 March 2015:** The Board approved a Special Exception to allow a manufactured home in the RS district (Section 410 Table 1).

**CBOA-1218 December 1993:** The Board approved a Special Exception to allow a manufactured home in the RS district (Section 410 Table 1).

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

**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 Tulsa County Zoning Code requires 6,900 sf of land area per dwelling unit. The subject tract contains 0.48 acres in area, so has enough land area to support two dwelling units.

The applicant did not provide a statement.

*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).**

**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 Property looking Southwest from S 65<sup>th</sup> West Ave



Subject Property looking West from S 65<sup>th</sup> West Ave

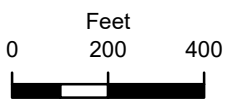


Subject Property looking Northwest from S 65<sup>th</sup> West Ave









 Subject Tract

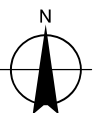
**CBOA-3087**

19-12 31

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

Aerial Photo Date: 2023

CBOA-3087 6.7







W 58TH ST S

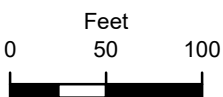
SOUTHWEST BLVD

S 66TH W AVE

W 59TH ST S

S 65TH WEST AVE

W 60TH ST S



Subject Tract

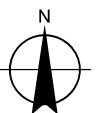
**CBOA-3087**

19-12 31

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

Aerial Photo Date: 2023

CBOA-3087 6.8







**Case Number:** CBOA-3088

**Hearing Date:** 08/15/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

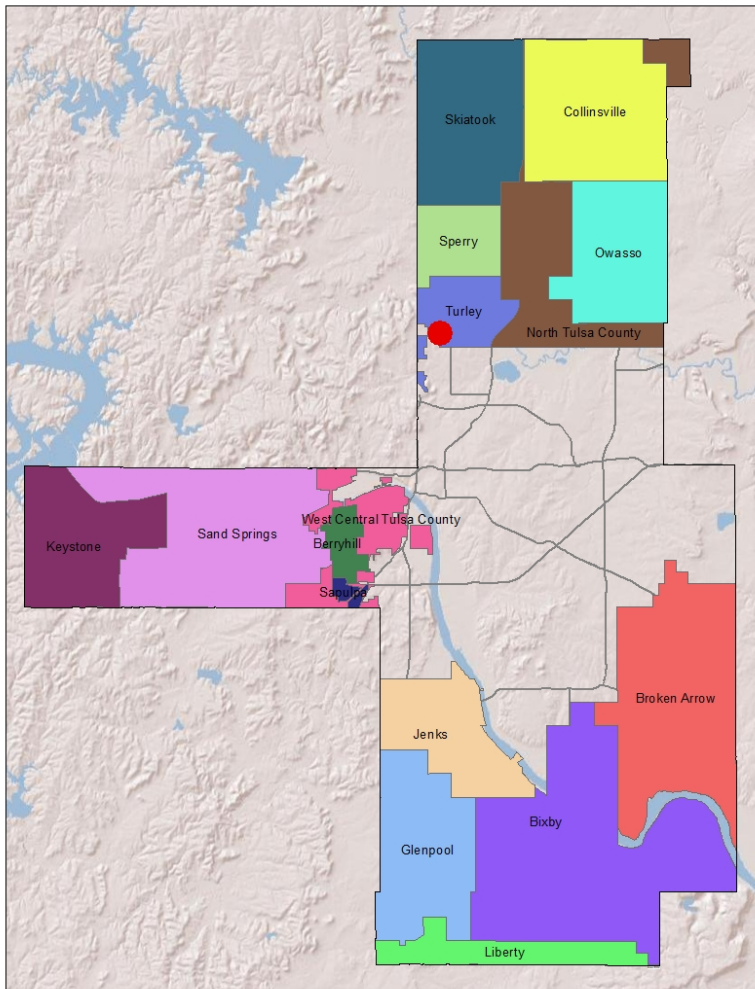
**Owner and Applicant Information:**

**Applicant:** Ervin Walker

**Property Owner:** WALKER, ERVIN JR

**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:** 1.38 acres

**Location:** 6253 N GARRISON AV E

**Present Zoning:** RS

**Fenceline/Area:** Turley

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



**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 0201

**CZM:** 21

**CASE NUMBER: CBOA-3088**

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 08/15/2023 1:30 PM

**APPLICANT:** Ervin Walker

**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:** 6253 N GARRISON AV E

**ZONED:** RS

**FENCELINE:** Turley

**PRESENT USE:** Residence

**TRACT SIZE:** 1.38 acres

**LEGAL DESCRIPTION:** LOT 2 BLK 1, FAIRVIEW HGTS ADDN Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Property:**

**CBOA-421 February 1984:** The Board approved a Special Exception to permit a mobile home in the RS district.

**CBOA-2798 May 2020:** The Board approved a Use Variance to permit Use Unit 3, Agriculture, for a Horticulture Nursery, in a Residential District (Section 410, Table 1).

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RS and contains a single-family residence. The tract abuts RS zoning to the North, South and West containing single-family residences and to the East by AG zoning containing vacant land.

**STAFF COMMENTS:**

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

The Tulsa County Zoning Code limits accessory buildings in the RS district to 750 sf. The applicant is proposing to construct a 960 sf accessory building as shown on the illustrations provided by the applicant. This proposal would be 210 sf over the zoning code allowance for an accessory building.

The applicant stated that the reason behind seeking a variance is so that he may construct the accessory building in order to store his classic cars.

*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.**

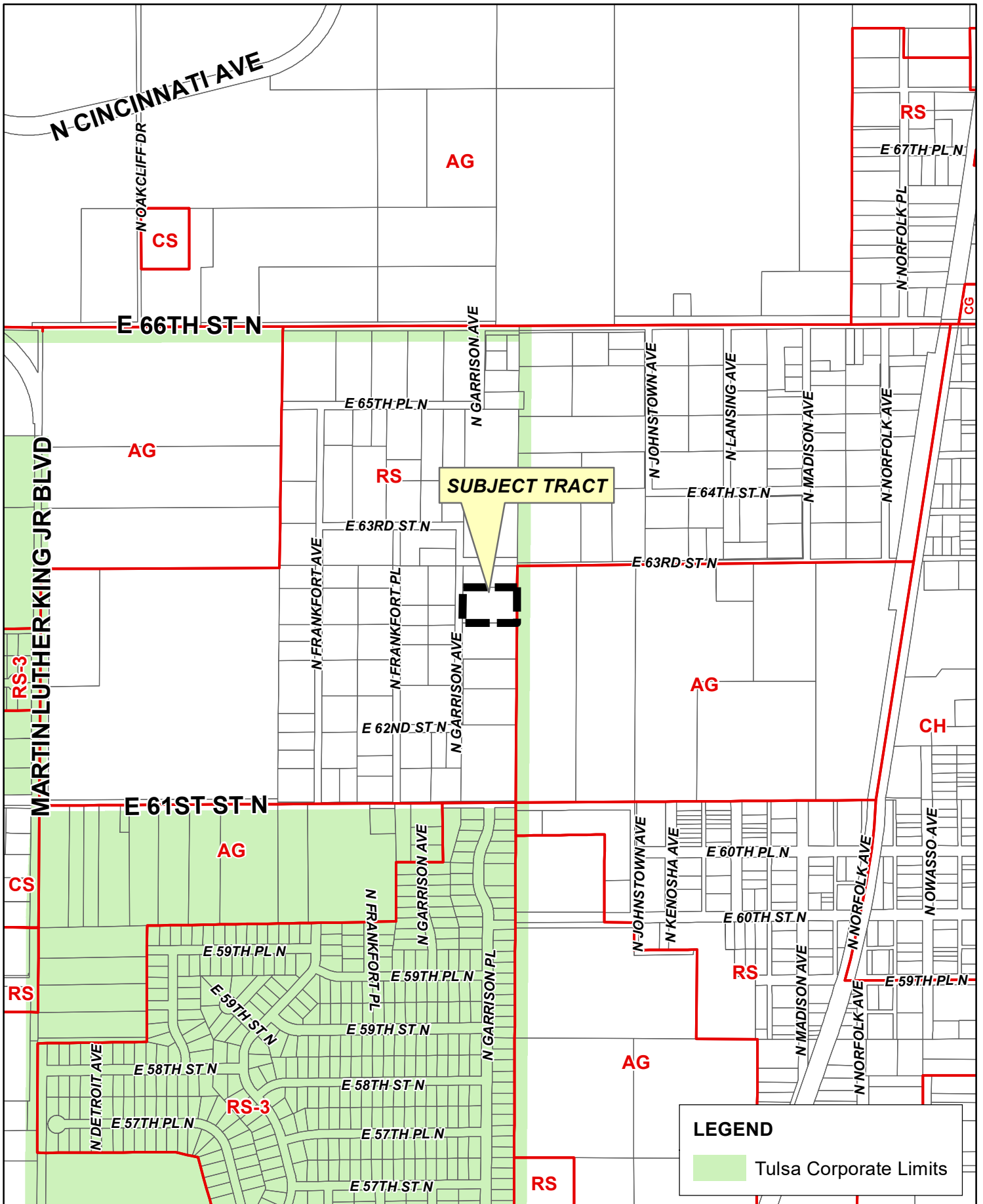


Subject Property looking Northeast from N Garrison Ave



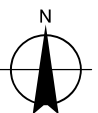
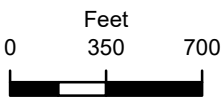
Subject Property looking Southeast from N Garrison Ave





# CBOA-3088

20-12 01



CBOA-3088 7.5





MARTIN LUTHER KING JR BLVD

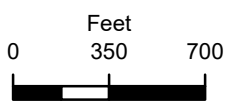
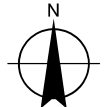
N CINCINNATI AVE

E 66TH ST N

E 61ST ST N

**CBOA-3088**

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



Subject Tract

20-12 01

Aerial Photo Date: 2023

CBOA-3088 7.6

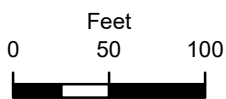




**E 63RD ST N**

**E 63RD ST N**

**N GARRISON AVE**



**Subject Tract**

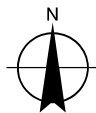
**CBOA-3088**

20-12 01

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

Aerial Photo Date: 2023

CBOA-3088 7.7

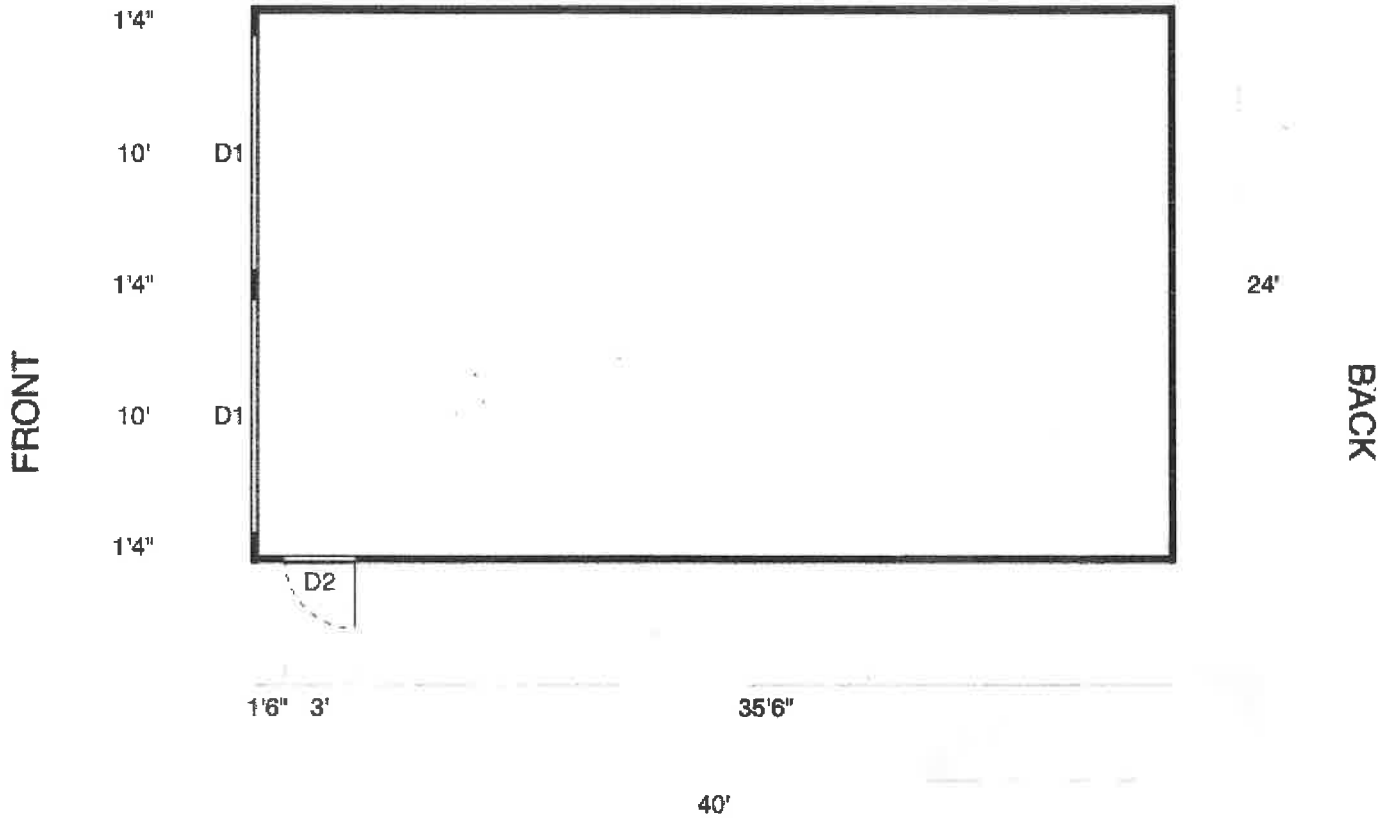




Invoice: 1686-8609-2644-8114, Jun 15, 2023, CDT

Texwin  
800-636-4700

LEFT SIDE

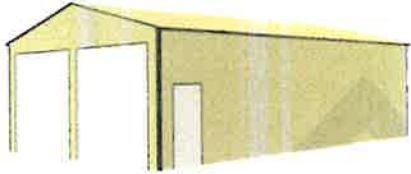


RIGHT SIDE

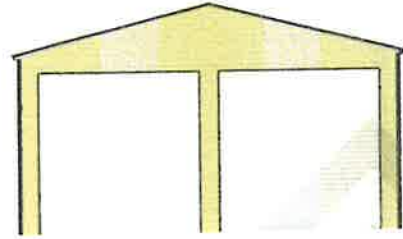
SYMBOL LEGEND	
	D1 10'x10' Rollup Door
	D2 Walk-In Door (36x80)
	Closed Wall

#1686860926448114

**BUILDING IMAGES**



Perspective View



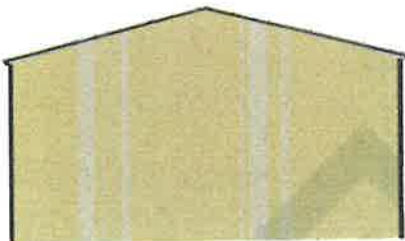
Front



Left Side



Right Side



Back

#1686860926448114



**Case Number:** CBOA-3089

**Hearing Date:** 08/15/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

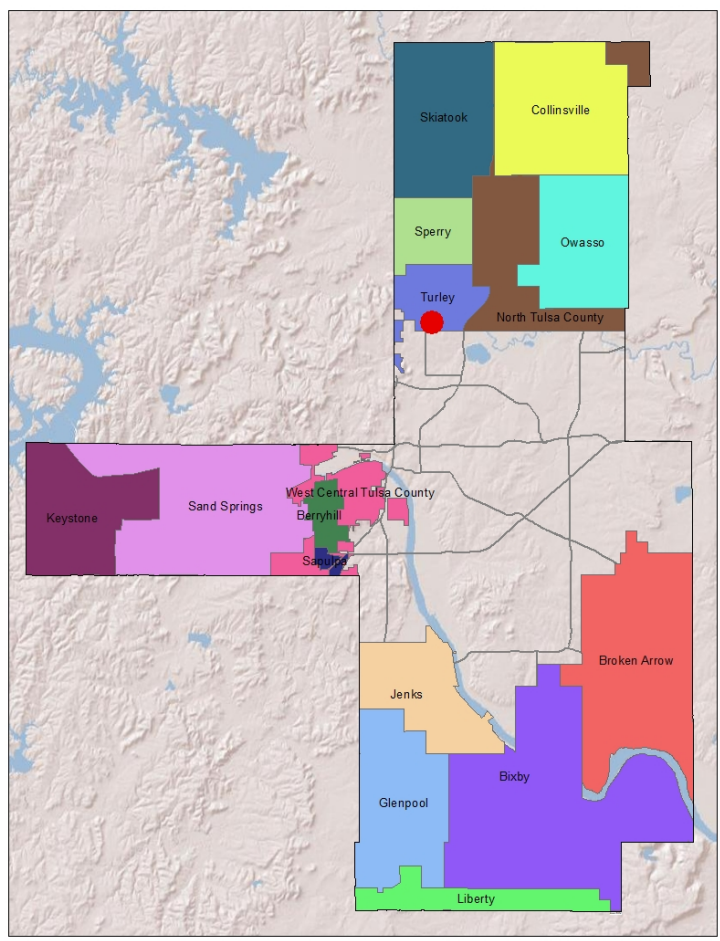
**Owner and Applicant Information:**

**Applicant:** Elvajeon Hope

**Property Owner:** HOPPER, DANIELLE

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

**Location Map:**



**Additional Information:**

**Present Use:** Residential

**Tract Size:** 0.32 acres

**Location:** 5944 N ROCKFORD AV E

**Present Zoning:** RS

**Fenceline/Area:** Turley

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



**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 0306

**CZM:** 22

**CASE NUMBER:** CBOA-3089

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 08/15/2023 1:30 PM

**APPLICANT:** Elvajeon Hope

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

**LOCATION:** 5944 N ROCKFORD AV E

**ZONED:** RS

**FENCELINE:** Turley

**PRESENT USE:** Residential

**TRACT SIZE:** 0.32 acres

**LEGAL DESCRIPTION:** LTS 23 THRU 26 BLK 4, EAST TURLEY ADDN AMD B1&4-5&8 Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Properties:**

**CBOA-446 April 1984:** The Board denied a Special Exception to permit a mobile home in an RS district.

**CBOA-2230 September 2006:** The Board approved a Special Exception to permit a mobile home in an RS district (Section 410).

**CBOA-2492 March 2014:** The Board approved a Special Exception to permit a manufactured home in an RS district (Section 410) and a Variance to allow 2 dwellings on one lot of record (Section 208).

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RS and is currently vacant. An existing home was recently removed from the lot. The tract 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 single-wide manufactured home in an RS district (Section 410).

The site contains 0.32 acres. There are several manufactured homes in the general vicinity of 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.

CBOA-3089 8.2

REVISED 8/8/2023

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

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

*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.*



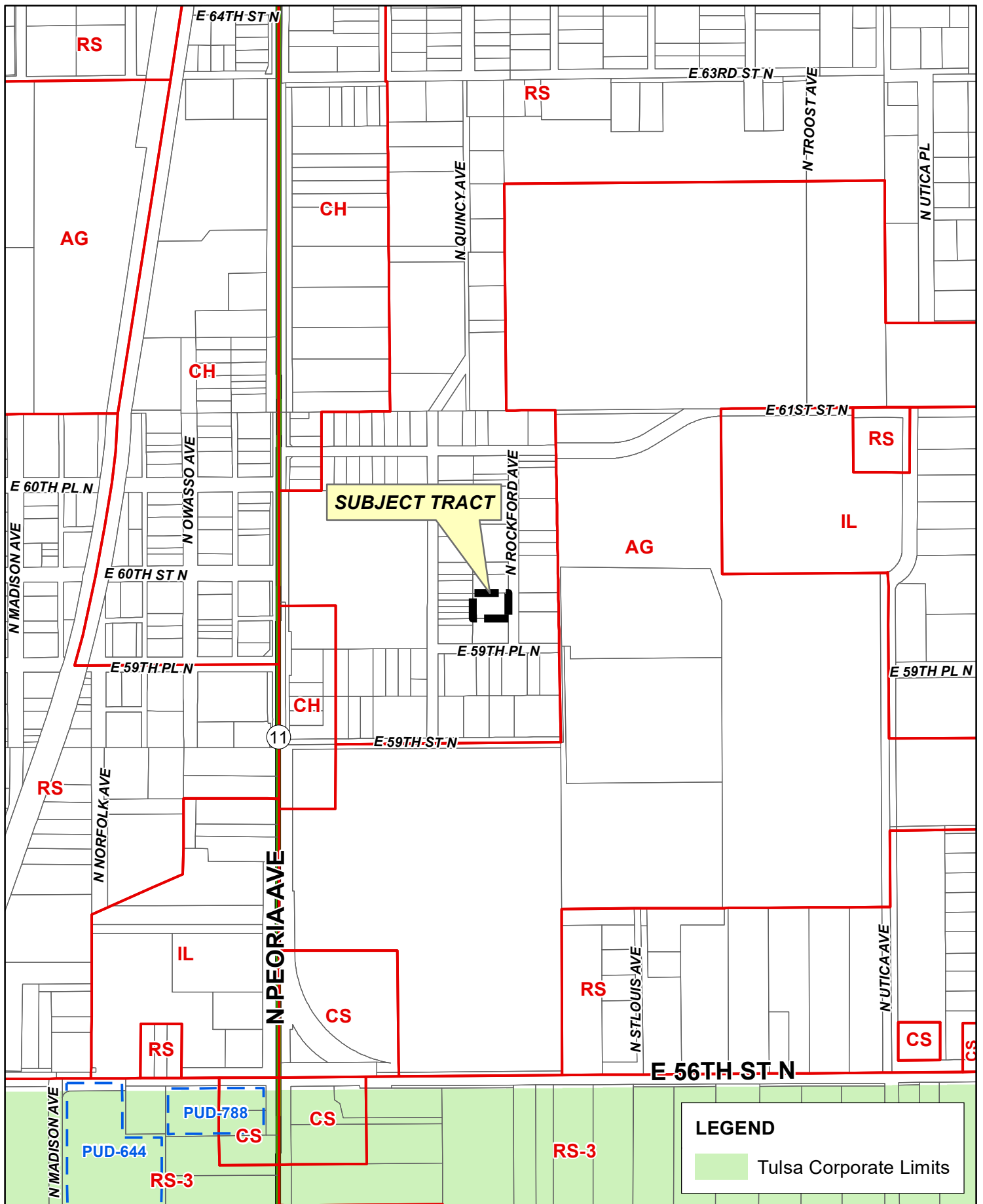


**Subject Property looking Northwest from N Rockford Ave (Home shown has been removed and lot is now vacant)**



**Subject Property looking Southwest from N Rockford Ave (Home shown has been removed and lot is now vacant)**

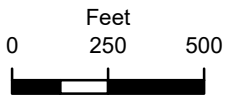




**SUBJECT TRACT**

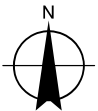
**LEGEND**

Tulsa Corporate Limits



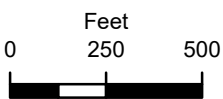
**CBOA-3089**

20-13 06



CBOA-3089 8.5





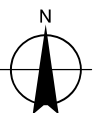
Subject  
Tract

**CBOA-3089**

20-13 06

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

Aerial Photo Date: 2023



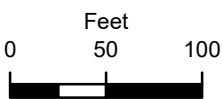
CBOA-3089 8.6





**N ROCKFORD AVE**

**E 59TH PL N**



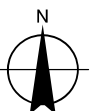
**Subject Tract**

**CBOA-3089**

20-13 06

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

Aerial Photo Date: 2023



CBOA-3089 8.7





# Board of Adjustment

**Case Number:** CBOA-3090

**Hearing Date:** 08/15/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

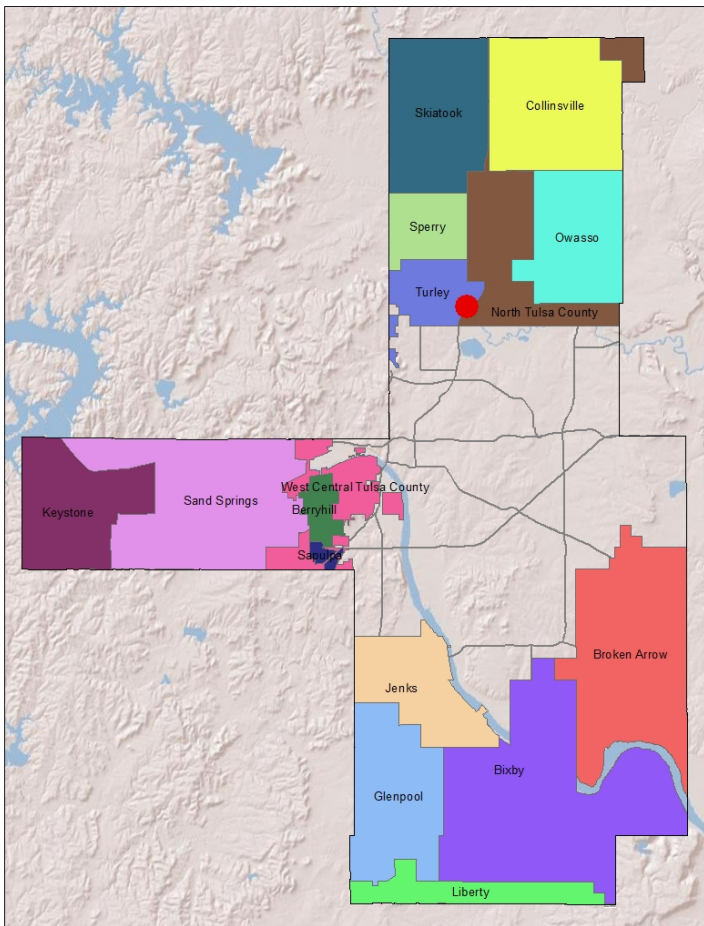
**Owner and Applicant Information:**

**Applicant:** Earth Property Management, LLC

**Property Owner:** EARTH PROPERTY MANAGEMENT LLC

**Action Requested:** Special Exception to permit mining and dirt removal (Use Unit 24) in an AG district (Section 310)

**Location Map:**



**Additional Information:**

**Present Use:** Vacant

**Tract Size:** 31.36 acres

**Location:** 3404 E 66 ST N

**Present Zoning:** AG

**Fenceline/Area:** Turley

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

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 0304  
**CZM:** 16, 22

**CASE NUMBER: CBOA-3090**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 08/15/2023 1:30 PM

**APPLICANT:** Earth Property Management, LLC

**ACTION REQUESTED:** Special Exception to permit mining and dirt removal (Use Unit 24) in an AG district (Section 310)

**LOCATION:** 3404 E 66 ST N

**ZONED:** AG

**FENCELINE:** Turley

**PRESENT USE:** Vacant

**TRACT SIZE:** 31.36 acres

**LEGAL DESCRIPTION:** GOV LT 4 LESS BEG SWC SW NW NW TH N456 SE TO EL SW NW NW S144 W660 POB & LESS BEG SECR NW NW TH W408.04 NE474.2 NE109.8 S420 POB & LESS W756 N40 FOR RD & LESS BEG NEC NW NW TH W513.4 S33 ELY191.92 S17 ELY125 SE74.32 ELY129.17 TO EL NW NW N80 POB SEC, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:**

**CBOA-1497 April 1997:** The Board approved a Special Exception to the 60-foot height limit for a proposed 100-foot PCS monopole antenna.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned AG and is currently mostly vacant with the exception of a home with accessory buildings and a monopole cell tower. The tract is surrounded by AG zoning containing vacant land to the West, South and East, Highway 75 to the Southeast and a single-family residence to the North..

**STAFF COMMENTS:**

The applicant is before the Board to request a Special Exception to permit mining and dirt removal (Use Unit 24) in an AG district (Section 310).

A special exception is required as the proposed mining and dirt removal 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 subject property has significant portions which are located within the floodplain. The applicant will need to work with Tulsa County for work within the floodplain and to mitigate any flooding issues.

The applicant has stated that the site was formerly used for Highway 75 construction with two borrow pit ponds on the property, which they intend to fill in.



*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 mining and dirt removal (Use Unit 24) in an AG district (Section 310).*

*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 Property looking Southeast from E 66<sup>th</sup> St N

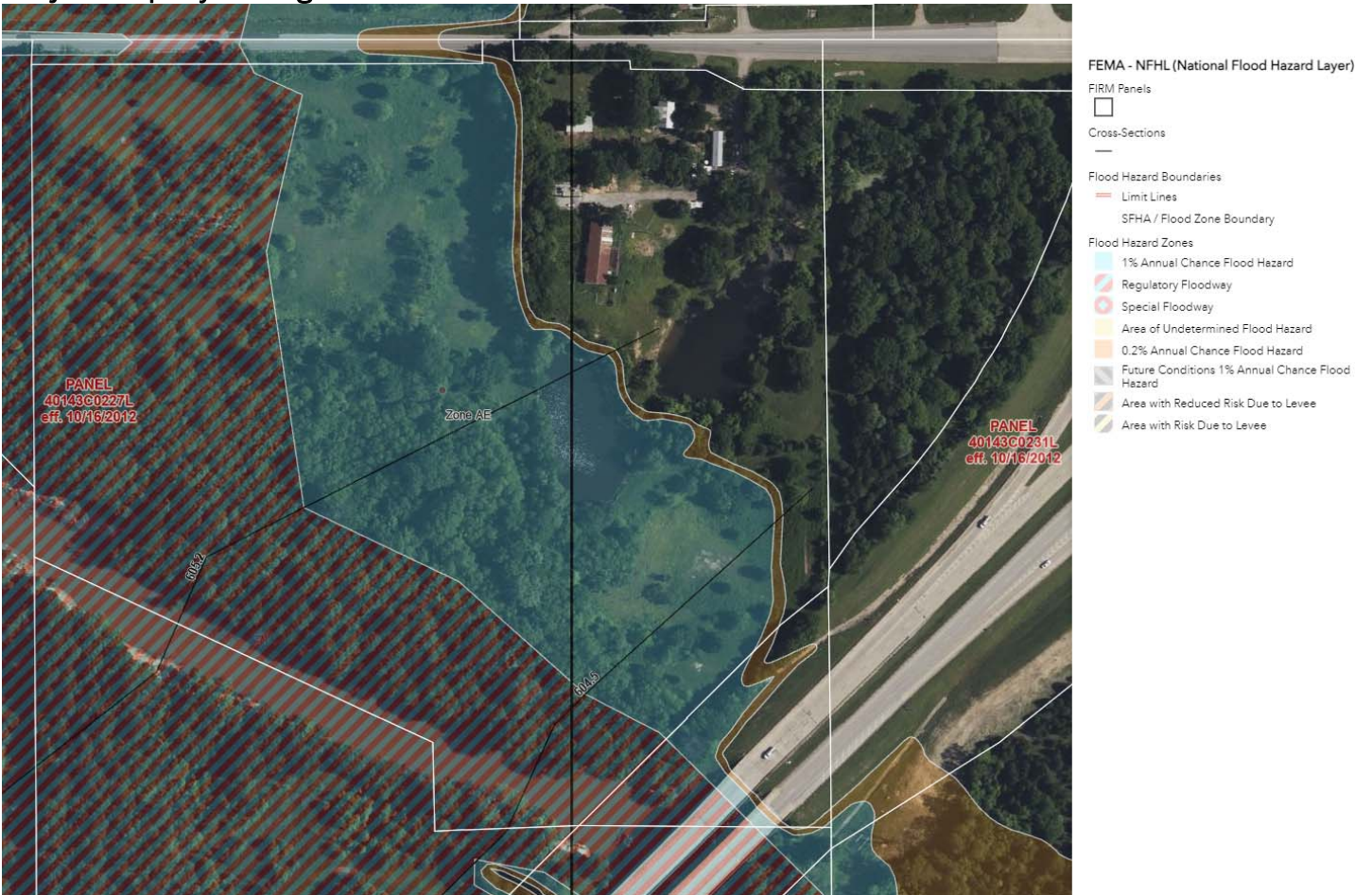


Subject Property looking South from E 66<sup>th</sup> St N



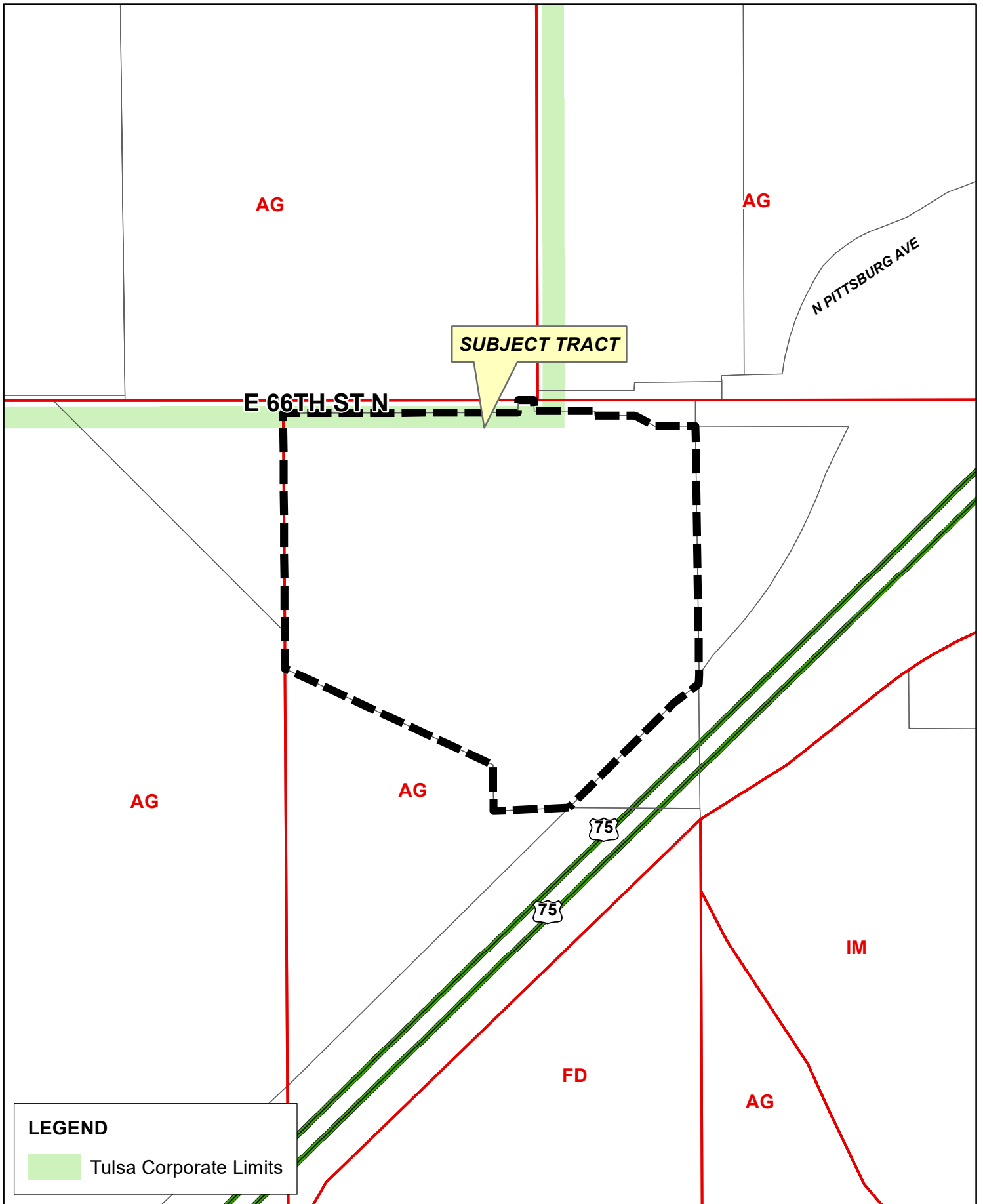


Subject Property looking Southwest from E 66<sup>th</sup> St N



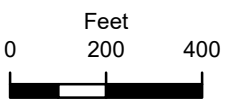
Floodplain Map of the subject property





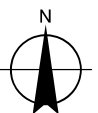
**LEGEND**

 Tulsa Corporate Limits



**CBOA-3090**

20-13 04



CBOA-3090 9.6



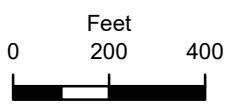


E 66TH ST N

N PITTSBURG AVE

75

75



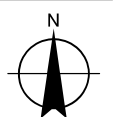
 Subject Tract

**CBOA-3090**

20-13 04

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

Aerial Photo Date: 2023



CBOA-3090 9.7



## Scope of Work

We purchased this 31 acre parcel in April 2023 with a vision to develop this property that has close proximity to Highway 75. We feel the Owasso and the North Tulsa plans for further growth and expansion will make the 66<sup>th</sup> St property ideal for commercial and mixed use future development.

We recognize that the majority of this property is located with a regulatory floodplain and is therefore unbuildable. However approximately 8.5 acres of this property is not within the flood zone and we wish to maximize the buildable area of that portion of the property.

There are two borrow pond remnant areas that were initially utilized for Highway 75 ODOT construction. These areas have silted in over the years and we wish to drain and fill in with DEQ acceptable fill. This would consist of concrete without rebar, rock bed material and excess material from creeks and roadways. There would not be any asphalt, building materials, household trash or metal of any kind. Once filled and properly compacted, we have future plans to erect a 60'x80' commercial shop building on the northeast corner of the property. (see attached drawing of approximate fill site areas)

The temporary roads have been built to access the proposed dump sites. This also improved the access to the southern barn and cell tower site. The approximate fill site is 84,000 sq ft with the depth of 25' ft would hold an estimated volume of 60,000 cubic yards as the depth is variable.

We will keep an accurate daily record of all material and quantity that is placed in the fill sites.

Please call me or Anthony Totten at 541-490-4895 if you have any questions or need additional information.

Cordially,

Morgan Totten

Earth Property Management LLC

541-399-6945







# Board of Adjustment

**Case Number:** CBOA-3091

**Hearing Date:** 08/15/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

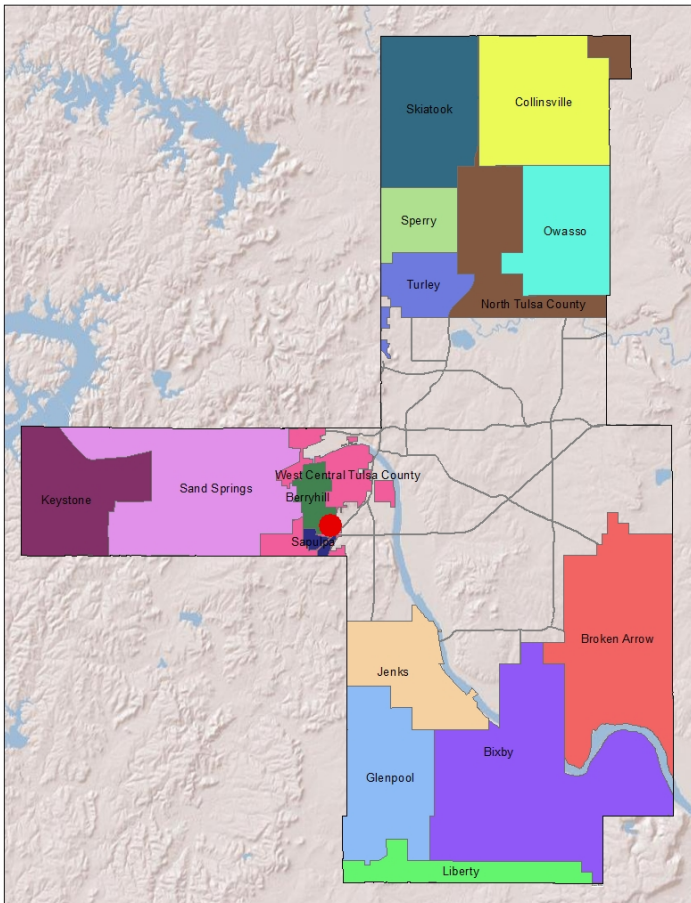
**Owner and Applicant Information:**

**Applicant:** Timothy Merrill

**Property Owner:** MERRILL, TIMOTHY JOEL

**Action Requested:** Use Variance to allow Use Unit 15, Other Trades and Services to permit a personal shop building as the primary use (Section 410). Variance of the street frontage from 30' to 0' (Section 207). Variance for size of an accessory building in an RS district from 750 sf (Section 410).

**Location Map:**



**Additional Information:**

**Present Use:** Vacant

**Tract Size:** 2.14 acres

**Location:** 4315 W 46 ST S

**Present Zoning:** 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-3091

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 08/15/2023 1:30 PM

**APPLICANT:** Timothy Merrill

**ACTION REQUESTED:** Use Variance to allow Use Unit 15, Other Trades and Services to permit a personal shop building as the primary use (Section 410). Variance of the street frontage from 30' to 0' (Section 207). Variance for size of an accessory building in an RS district from 750 sf (Section 410).

**LOCATION:** 4315 W 46 ST S

**ZONED:** RS

**FENCELINE:** West Central Tulsa County

**PRESENT USE:** Vacant

**TRACT SIZE:** 2.14 acres

**LEGAL DESCRIPTION:** LT 2 BLK 2, YARGEE HOMESITE ADDN Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Property:**

**CBOA-2919 September 2021:** The Board approved a 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 currently vacant. The site abuts RS zoning to the North containing single-family residences, RS zoning to the East containing vacant land, to the West by IL zoning containing vacant land and to the South by IM zoning containing vacant land.

**STAFF COMMENTS:**

The applicant is before the Board to request a Use Variance to allow Use Unit 15, Other Trades and Services to permit a personal shop building as the primary use (Section 410), a Variance of the street frontage from 30' to 0' (Section 207) and a Variance for size of an accessory building in an RS district from 750 sf (Section 410).

The applicant intends to build a shop on the subject property for their own personal use. The zoning code requires accessory buildings in the RS district to be associated with a residence. No residence currently exists there, so the proposed shop would be considered the primary use of the lot. As a primary use, a shop would fall under Use Unit 15, which is not permitted in the RS district, therefore a Use Variance would be required for the shop to be located on the lot, without a residence. Additionally, the floor area of the proposed shop is approximately 2,970 sf. The zoning code limits accessory buildings in an RS district to 750 sf.



The subject property does not have frontage onto a public street, as required by the zoning code, which requires a minimum of 30 ft of frontage. The site is currently accessed via a dirt road that comes off of S 45<sup>th</sup> W Ave.

*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 allow Use Unit 15, Other Trades and Services to permit a personal shop building as the primary use (Section 410), a Variance of the street frontage from 30' to 0' (Section 207) and a Variance for size of an accessory building in an RS district from 750 sf (Section 410).*

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

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

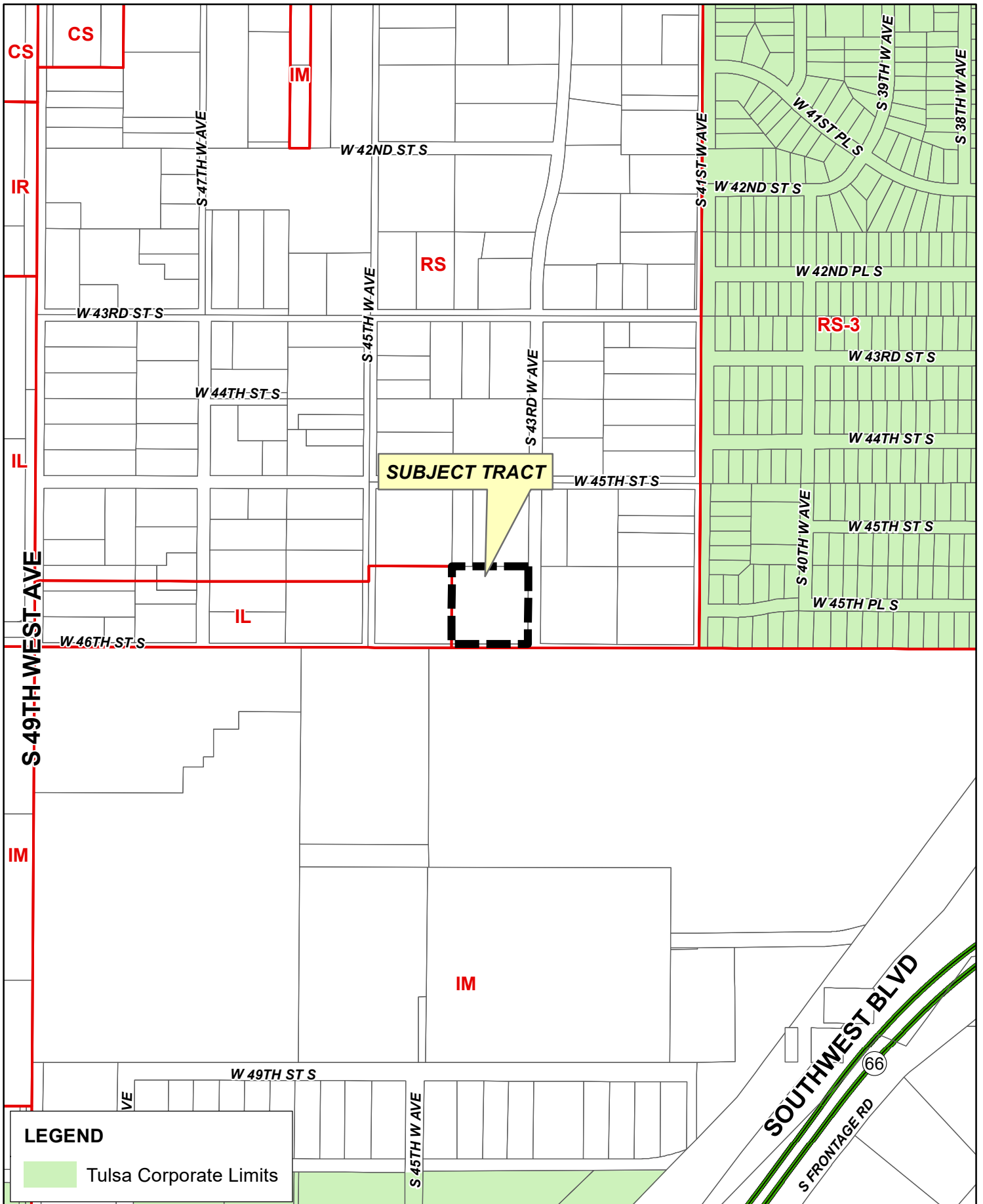
*Finding the hardship to be \_\_\_\_\_.*

*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*

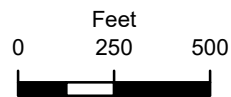


View of current access to subject lot looking East from S 45<sup>th</sup> W Ave

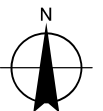




# CBOA-3091



19-12 28



CBOA-3091 10.5





S 49TH WEST AVE

W 43RD ST S

W 44TH ST S

W 46TH ST S

W 49TH ST S

S 48TH W AVE

S 45TH W AVE

W 42ND ST S

S 45TH W AVE

S 43RD W AVE

W 45TH ST S

S 41ST W AVE

W 42ND ST S

W 41ST PLS

W 42ND PL S

W 43RD ST S

W 44TH ST S

W 45TH ST S

W 45TH PL S

S 40TH W AVE

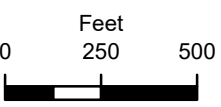
SOUTHWEST BLVD

66

S FRONTAGE RD

S 38TH W AVE

S 39TH W AVE



Subject Tract

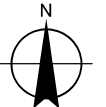
**CBOA-3091**

19-12 28

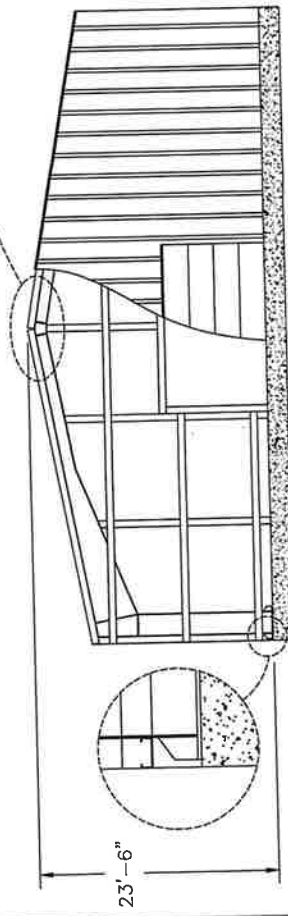
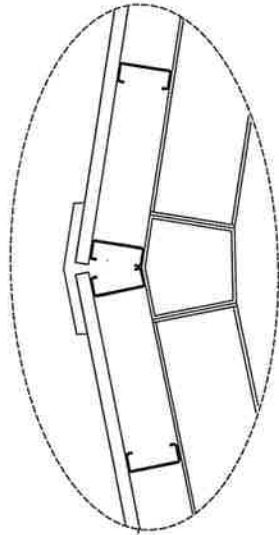
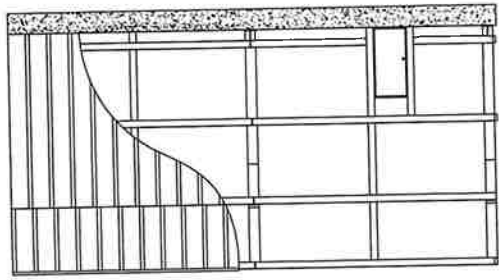
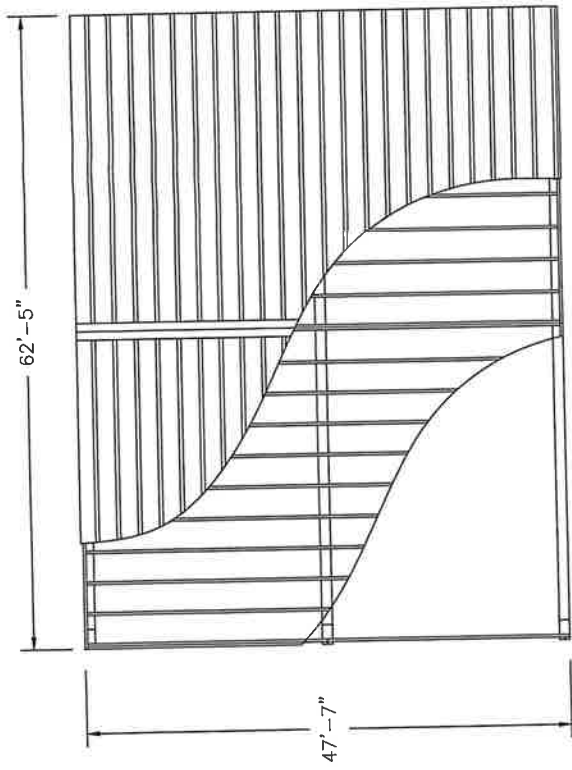
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2023

CBOA-3091 10.6





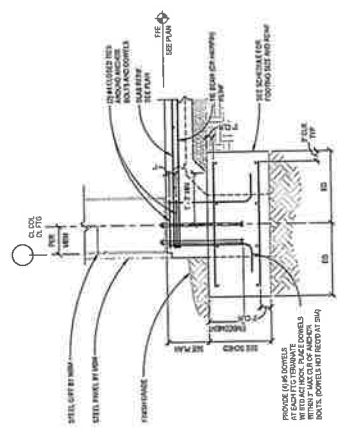


MERRILL WORKSHOP  
 1/8/23 Sheet 1 of 2

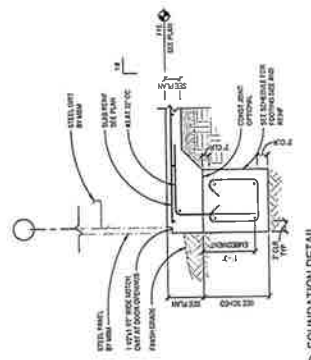




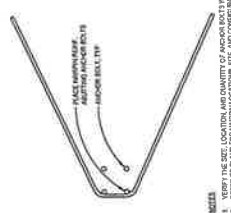




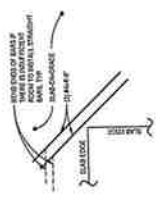
8 FOUNDATION DETAIL  
 3/4" x 1/2"



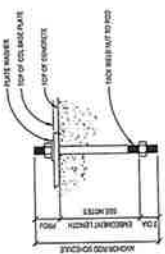
7 FOUNDATION DETAIL  
 3/4" x 1/2"



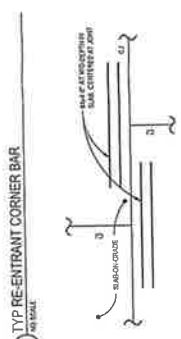
6 ANCHOR ROD AT HAIRPIN  
 1/2" x 1/2"



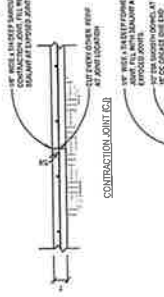
4 TYP RE-ENTRANT CORNER BAR  
 1/2" x 1/2"



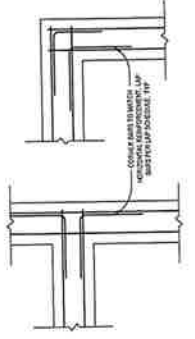
5 ANCHOR RODS  
 1/2" x 1/2"



3 REINFORCING AT SLAB JOINT  
 1/2" x 1/2"



2 SLAB JOINTS  
 1/2" x 1/2"



1 CORNER BAR REINFORCING  
 1/2" x 1/2"

NOTES:  
 1. ALL ANCHOR RODS SHALL MEET THE REQUIREMENTS OF ASTM A36 UNLESS OTHERWISE SPECIFIED.  
 2. ALL ANCHOR RODS SHALL BE 1/2" DIA. UNLESS OTHERWISE SPECIFIED.  
 3. ALL ANCHOR RODS SHALL BE 1/2" DIA. UNLESS OTHERWISE SPECIFIED.  
 4. ALL ANCHOR RODS SHALL BE 1/2" DIA. UNLESS OTHERWISE SPECIFIED.  
 5. ALL ANCHOR RODS SHALL BE 1/2" DIA. UNLESS OTHERWISE SPECIFIED.

NOTES:  
 1. SEE PLAN FOR LOCATION OF ANCHOR RODS.  
 2. SEE PLAN FOR LOCATION OF ANCHOR RODS.  
 3. SEE PLAN FOR LOCATION OF ANCHOR RODS.  
 4. SEE PLAN FOR LOCATION OF ANCHOR RODS.  
 5. SEE PLAN FOR LOCATION OF ANCHOR RODS.

NOTES:  
 1. SEE PLAN FOR LOCATION OF ANCHOR RODS.  
 2. SEE PLAN FOR LOCATION OF ANCHOR RODS.  
 3. SEE PLAN FOR LOCATION OF ANCHOR RODS.  
 4. SEE PLAN FOR LOCATION OF ANCHOR RODS.  
 5. SEE PLAN FOR LOCATION OF ANCHOR RODS.



W 45th St W 45th St W 45th St W 45th St W 45th St W 45th St W 45th St

5275

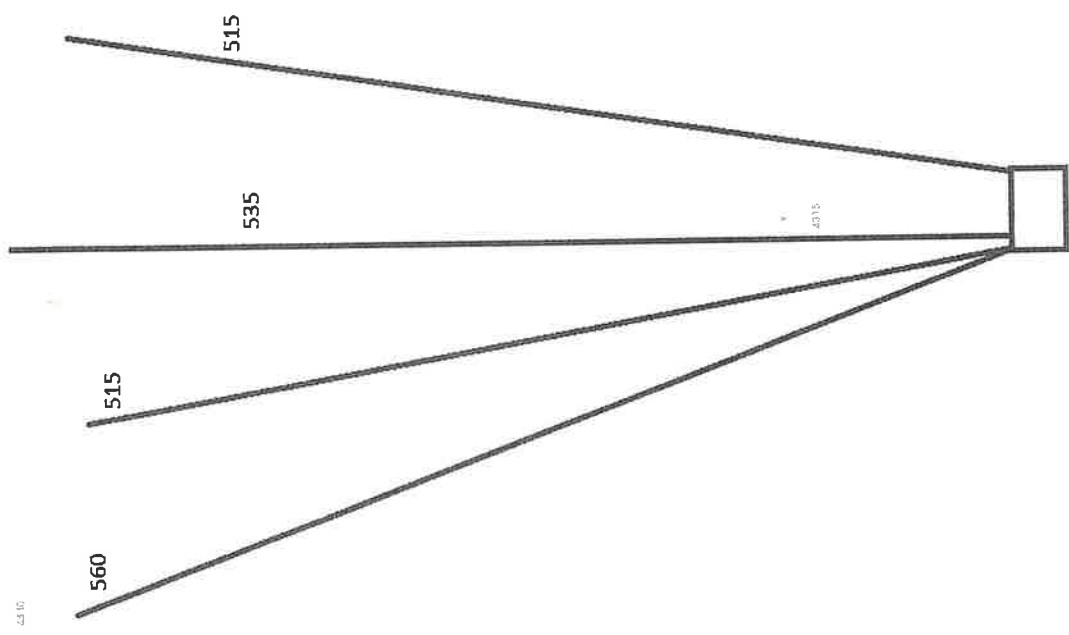
5275

5284



5275

5286



*Distance To Nearest Residence*



**Case Number:** CBOA-3092

**Hearing Date:** 08/15/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

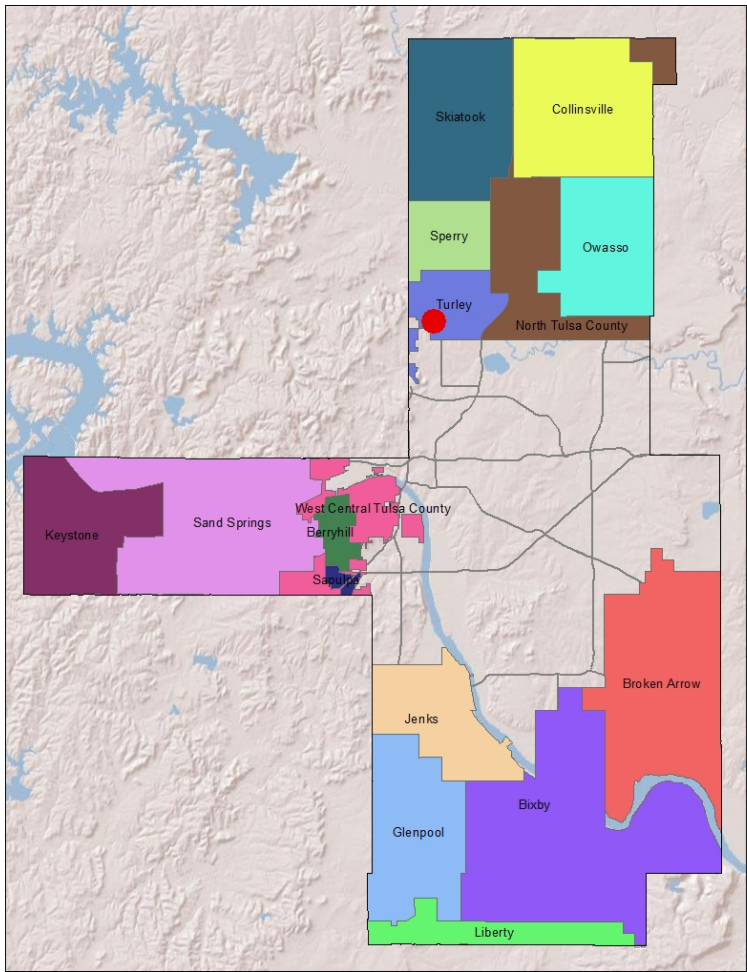
**Owner and Applicant Information:**

**Applicant:** Patrick Starkey

**Property Owner:** STARKEY, PATRICK J AND CAROL J

**Action Requested:** Special Exception to permit a manufactured home in the RS district (Section 410)

**Location Map:**



**Additional Information:**

**Present Use:** Vacant

**Tract Size:** 4.86 acres

**Location:** 737 E 63 ST N

**Present Zoning:** RS

**Fenceline/Area:** Turley

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

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 0201

**CZM:** 21

**CASE NUMBER:** **CBOA-3092**

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 08/15/2023 1:30 PM

**APPLICANT:** Patrick Starkey

**ACTION REQUESTED:** Special Exception to permit a manufactured home in the RS district (Section 410)

**LOCATION:** 737 E 63 ST N

**ZONED:** RS

**FENCELINE:** Turley

**PRESENT USE:** Vacant

**TRACT SIZE:** 4.86 acres

**LEGAL DESCRIPTION:** W/2 LT 8 & ALL LTS 9 & 10 BLK 9, NORTH TURLEY ADDN, NORTH TURLEY 2ND ADDN Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Property:**

**CBOA-1113 October 1992:** The Board approved a 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 currently vacant. The tract abuts RS zoning to the North, East and West containing single-family residences and to the South by AG zoning containing vacant land.

**STAFF COMMENTS:**

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

The site contains 4.86 acres. There are several manufactured homes in the general vicinity of 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 \_\_\_\_\_ (approve/deny) a Special Exception to permit a manufactured home in the RS district (Section 410).”*



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

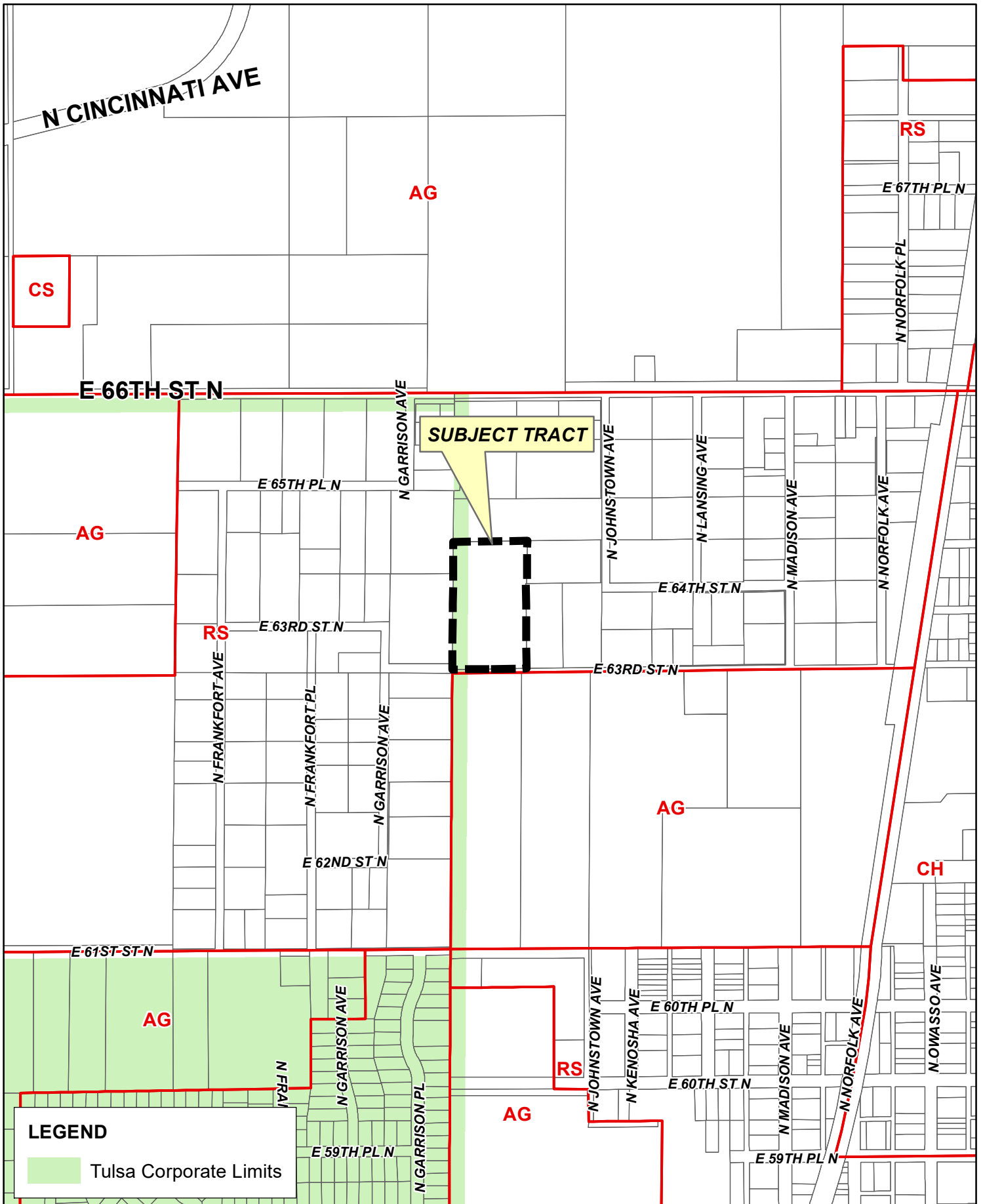
***In granting a Special Exception, the Board must find that the Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.***



Subject Property looking Northeast from E 63<sup>rd</sup> St N

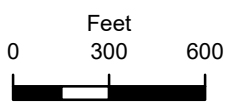


Subject Property looking Northwest from E 63<sup>rd</sup> St N



**LEGEND**

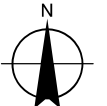
 Tulsa Corporate Limits



# CBOA-3092

20-12 01

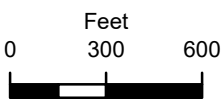
CBOA-3092 11.5







**SUBJECT TRACT**



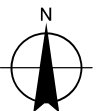
Subject Tract

**CBOA-3092**

20-12 01

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

Aerial Photo Date: 2023



CBOA-3092 11.6





# Board of Adjustment

**Case Number:** CBOA-3093

**Hearing Date:** 08/15/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

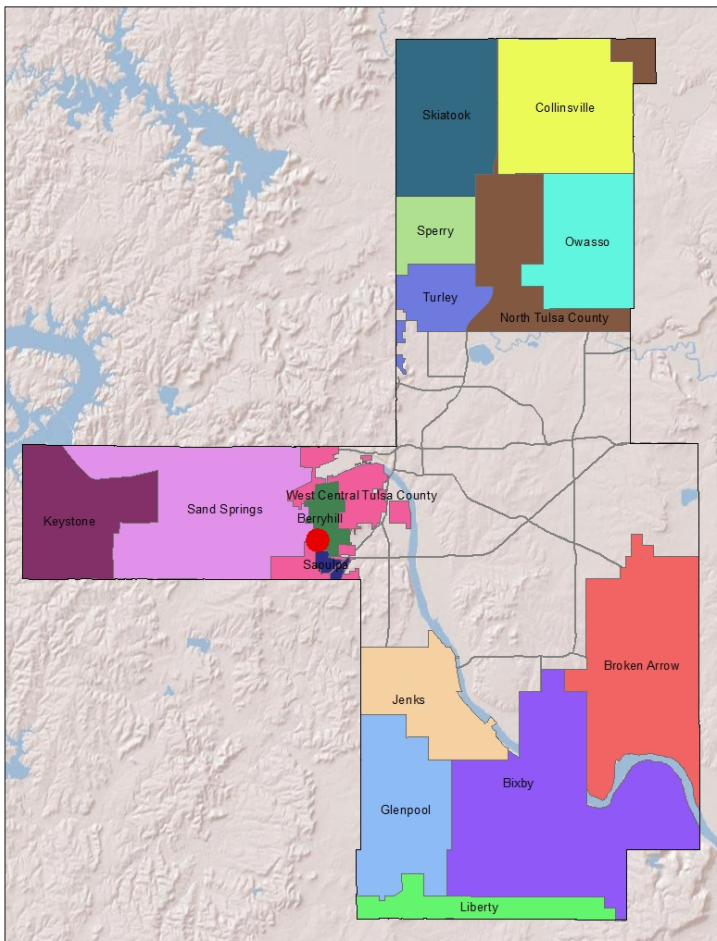
**Owner and Applicant Information:**

**Applicant:** Doug Morrison

**Property Owner:** SAM PATTON CONSTRUCTION INC

**Action Requested:** Special Exception to permit Use Unit 17, Automobile and Allied Activities in a CS zone (Section 710).

**Location Map:**



**Additional Information:**

**Present Use:** Vacant

**Tract Size:** 0.35 acres

**Location:** 4300 S 65 AV W

**Present Zoning:** CS

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

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

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 9230

**CZM:** 45

**CASE NUMBER:** **CBOA-3093**

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 08/15/2023 1:30 PM

**APPLICANT:** Doug Morrison

**ACTION REQUESTED:** Special Exception to permit Use Unit 17, Automobile and Allied Activities in a CS zone (Section 710).

**LOCATION:** 4300 S 65 AV W

**ZONED:** CS

**FENCELINE:** West Central Tulsa County

**PRESENT USE:** Vacant

**TRACT SIZE:** 0.35 acres

**LEGAL DESCRIPTION:** LT 1 LESS S208 BLK 1, COUNTRY CORNER CENTER Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Property:**

**CBOA-2189 January 2006:** The Board approved a Special Exception to permit a single-family residential use in a CS district.

**CBOA-2239 December 2006:** The Board approved a Variance of required 2.1 acres per dwelling unit to permit two dwellings on a tract of 3.38 acres (Section 330).

**CBOA-2853 October 2020:** The Board approved a Variance to permit a detached accessory building to exceed 750 sf in an RS district (Section 240.2-E).

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned CS and is currently vacant. It abuts CS zoning to the South containing a single-family residence, to the West by CS zoning containing a commercial establishment and to the North and East by RS zoning containing single-family residences.

**STAFF COMMENTS:**

The applicant is before the Board to request a Special Exception to permit Use Unit 17, Automobile and Allied Activities in a CS zone (Section 710).

The applicant has indicated that this will be an automotive shop for their personal use and not a commercial establishment.

A special exception is required as the proposed Automotive use is a use which is not permitted by right but by exception in the CS 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 automotive use 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 automotive use is compatible and non-injurious to the surrounding area.*

**Sample Motion:**

*“Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit Use Unit 17, Automobile and Allied Activities in a CS zone (Section 710).*

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

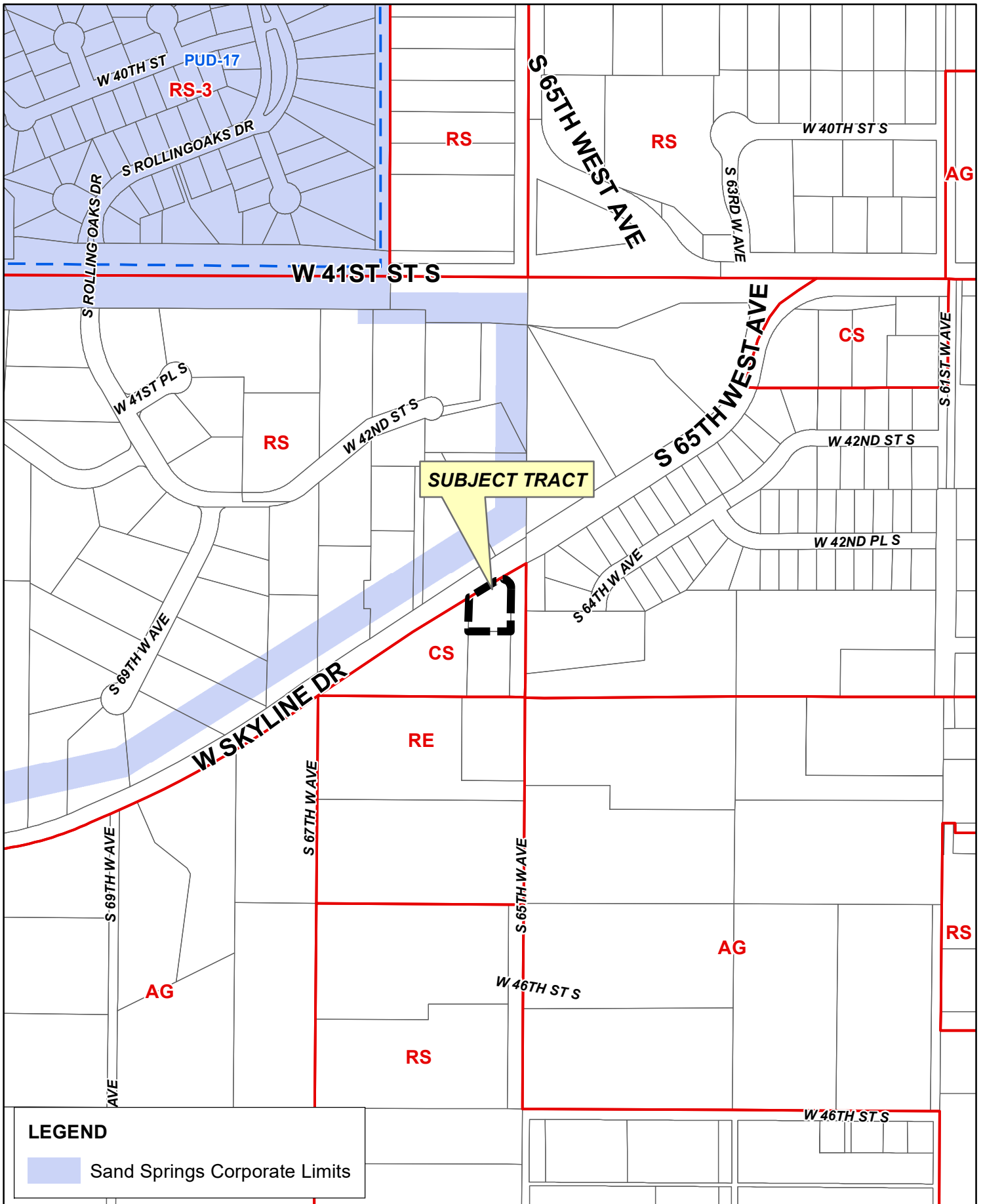
*In granting a Special Exception, the Board must find that the Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*



Subject Property looking Southwest from W Skyline Dr



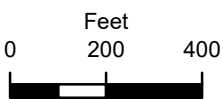
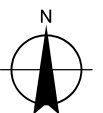
Subject Property looking Southeast from W Skyline Dr



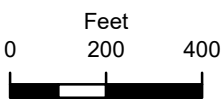
# CBOA-3093

19-12 30

CBOA-3093 12.5







Subject Tract

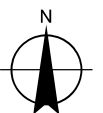
**CBOA-3093**

19-12 30

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

Aerial Photo Date: 2023

CBOA-3093 12.6



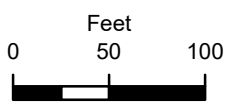




W SKYLINE DR

S 65TH WAVE

S 64TH WAVE



Subject Tract

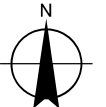
**CBOA-3093**

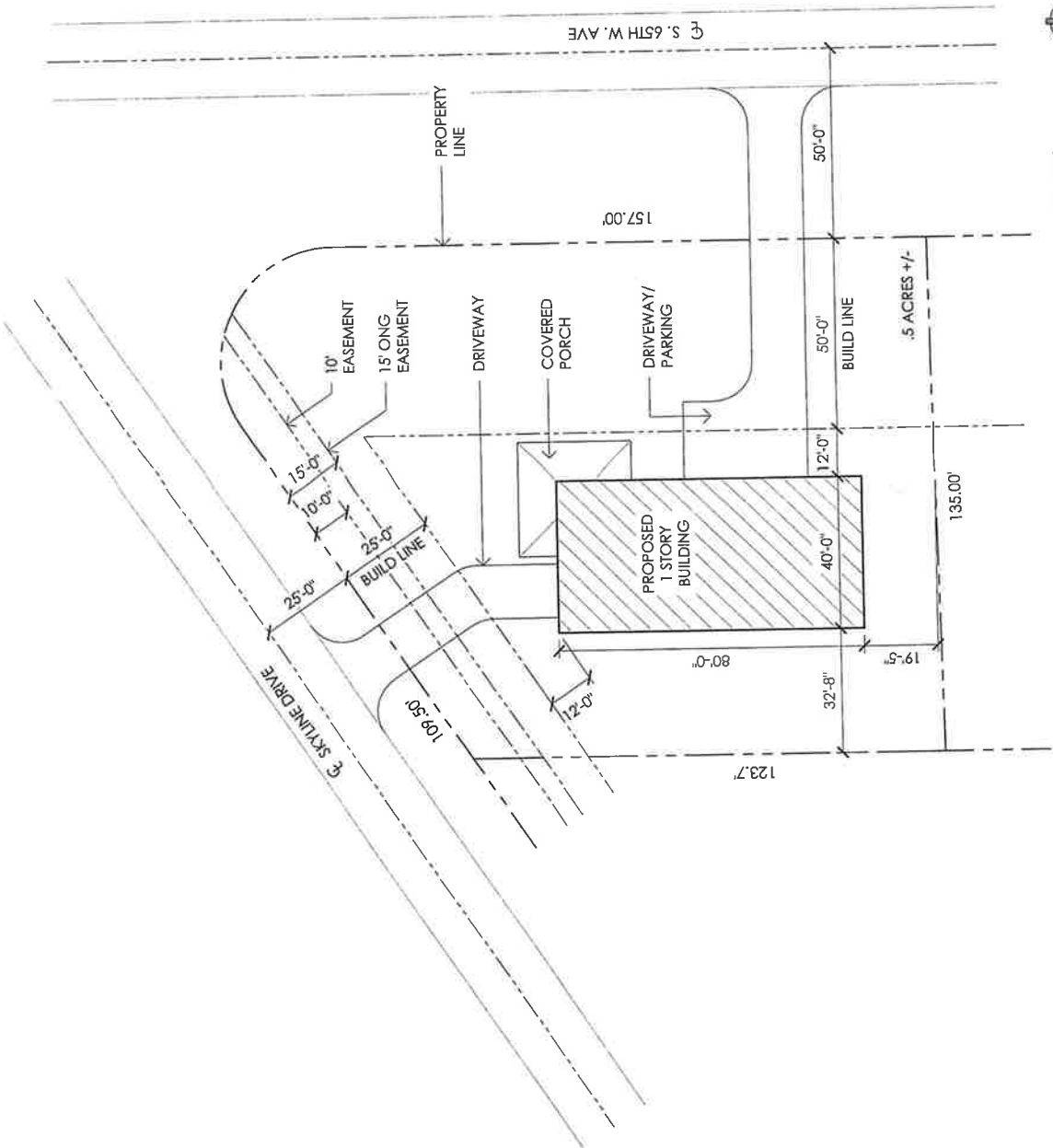
19-12 30

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

Aerial Photo Date: 2023

CBOA-3093 12.7





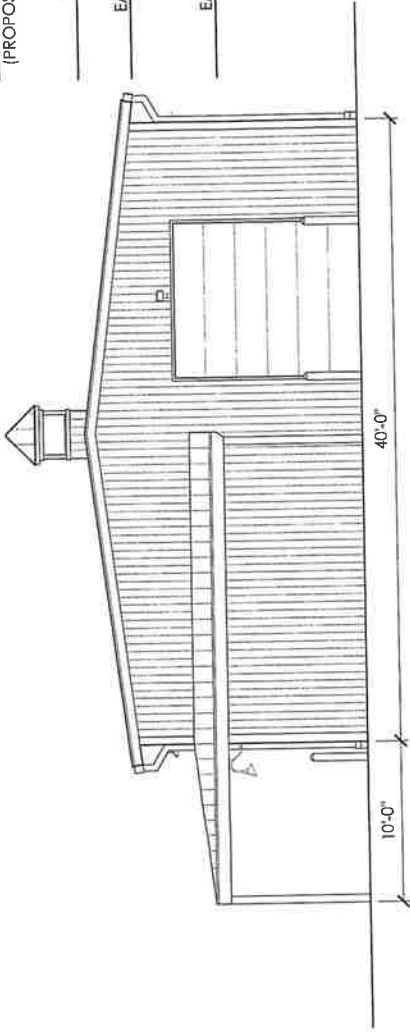
ADDRESS: 4300 S 65 AV W TULSA 74107  
 LEGAL DESCRIPTION:  
 SUBDIVISION: COUNTY CORNER CENTER (56690)  
 LEGAL: LT 1 LESS S208 BLK 1  
 SECTION: 30 TOWNSHIP: 19 RANGE: 12  
 CURRENTLY ZONED: CS-COMMERCIAL

**1** SITE PLAN  
 SCALE: 1" = 30'  
 07.12.23



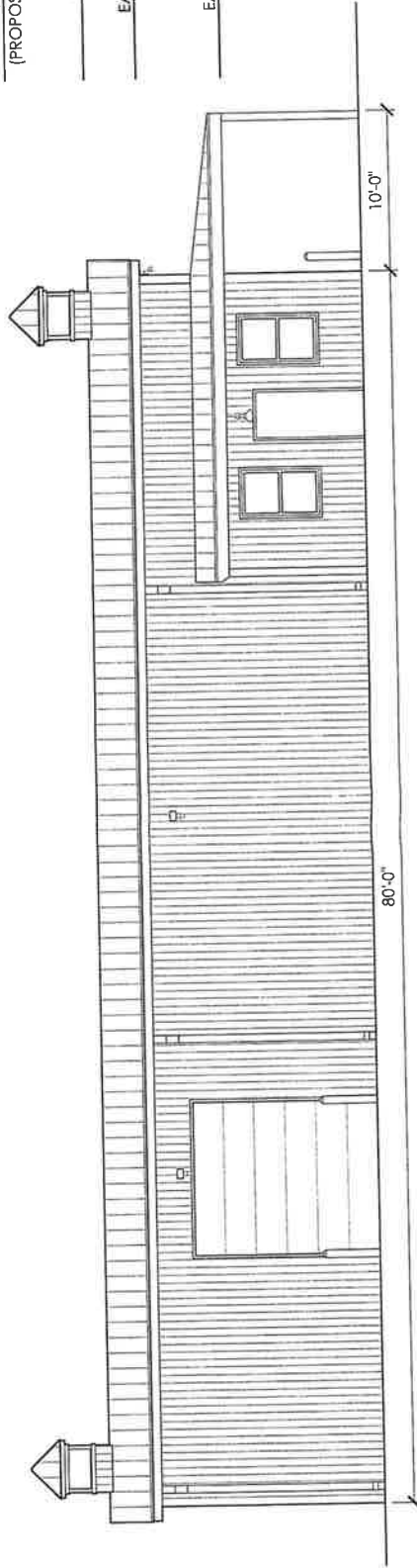


- T.O. CUPOLA  
(PROPOSED) 22'-11"
- T.O. ROOF  
17'-10"
- EAVE HEIGHT  
14'-5"
- EAVE HEIGHT  
9'-0"



**2** NORTH ELEVATION  
SCALE: 1/8" = 1'-0"

- T.O. CUPOLA  
(PROPOSED) 22'-11"
- T.O. ROOF  
17'-10"
- EAVE HEIGHT  
14'-5"
- EAVE HEIGHT  
9'-0"



**1** EAST ELEVATION  
SCALE: 1/8" = 1'-0"

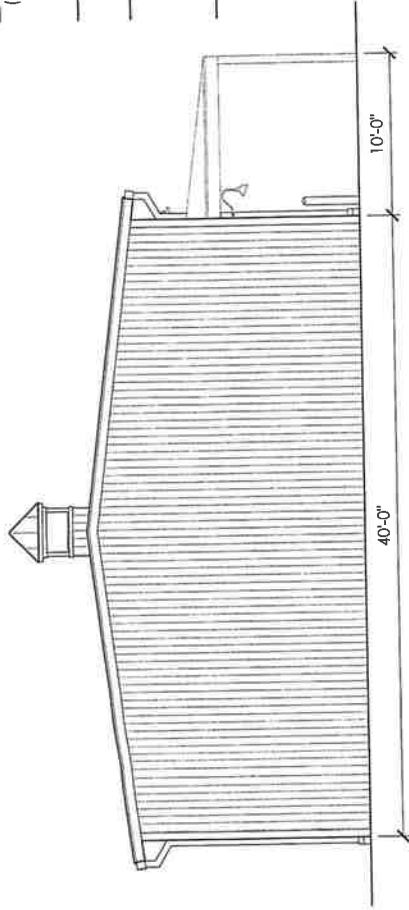


T.O. CUPOLA  
(PROPOSED) 22'-11"

T.O. ROOF  
17'-10"

EAVE HEIGHT  
14'-5"

EAVE HEIGHT  
9'-0"

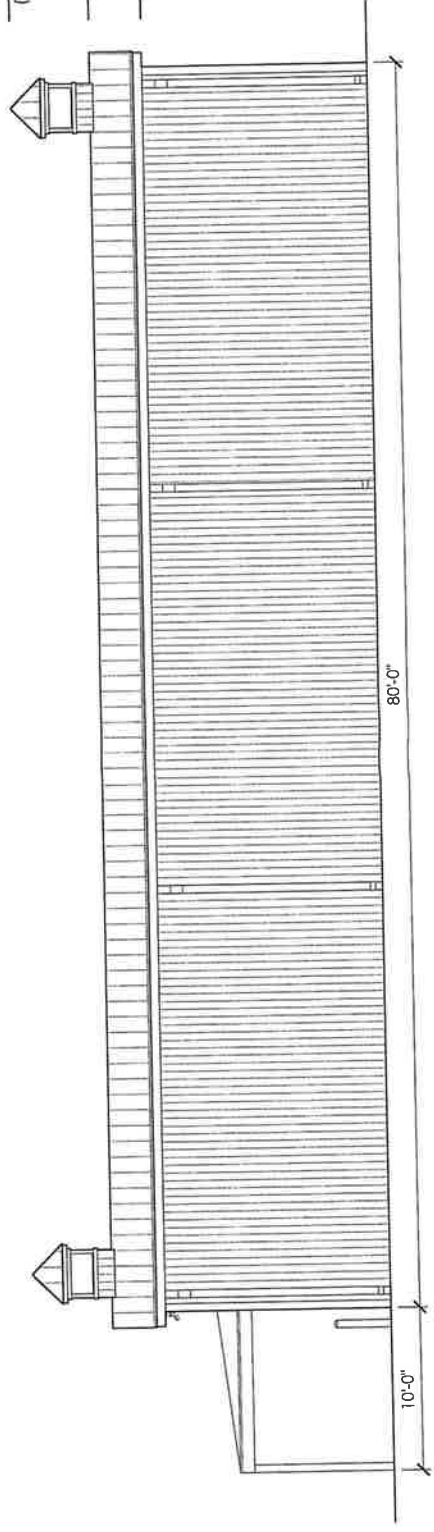


**4** SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"

T.O. CUPOLA  
(PROPOSED) 22'-11"

T.O. ROOF  
17'-10"

EAVE HEIGHT  
14'-5"



**3** WEST ELEVATION  
SCALE: 1/8" = 1'-0"



**Case Number:** CBOA-3094

**Hearing Date:** 08/15/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

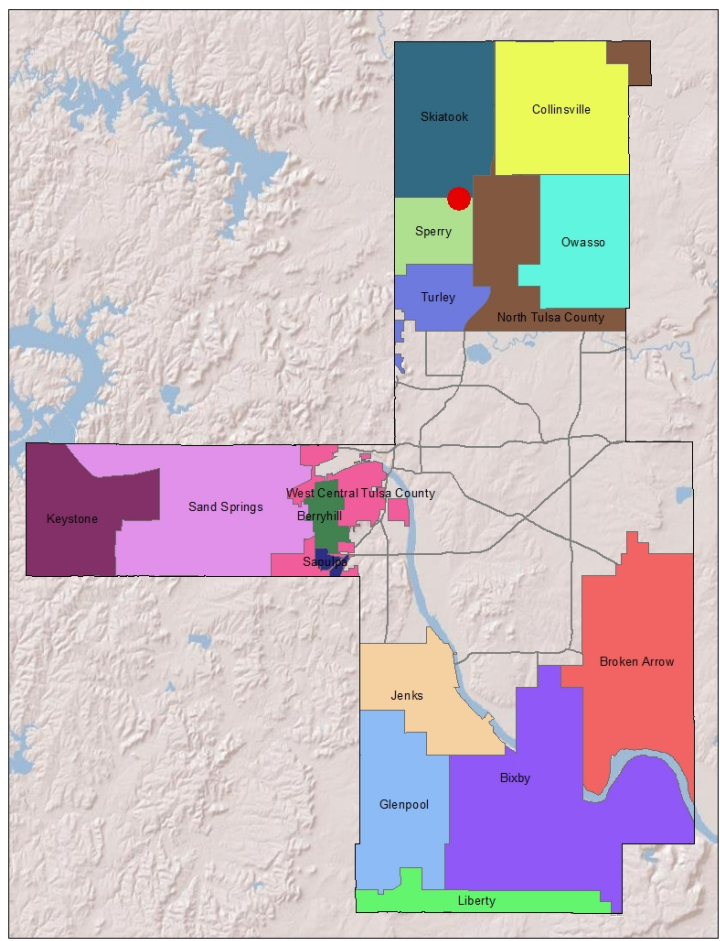
**Owner and Applicant Information:**

**Applicant:** Michaela Givens

**Property Owner:** ROTT, MICHAELA RAE

**Action Requested:** Variance of the side setback from 15' to 5' in an AG district (Section 330).

**Location Map:**



**Additional Information:**

**Present Use:** Residence

**Tract Size:** 6.18 acres

**Location:** 2686 E 116 ST N

**Present Zoning:** AG

**Fenceline/Area:** Sperry

**Land Use Designation:** AG Residential



**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 1308  
**CZM:** 10

**CASE NUMBER: CBOA-3094**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 08/15/2023 1:30 PM

**APPLICANT:** Michaela Givens

**ACTION REQUESTED:** Variance of the side setback from 15' to 5' in an AG district (Section 330).

**LOCATION:** 2686 E 116 ST N

**ZONED:** AG

**FENCELINE:** Sperry

**PRESENT USE:** Residence

**TRACT SIZE:** 6.18 acres

**LEGAL DESCRIPTION:** BEG 742.10W NEC NE NW TH S1321.53 W206.52 N1321.56 E206.22 POB LESS N16.5 THEREOF FOR RD SEC 8 21 13 6.183ACS, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Properties:**

**CBOA-2605 November 2016:** The Board denied a Special Exception to allow for a rodeo facility (Use Unit 20) in an AG District (Section 310); and a Variance of the all-weather material for surface parking (Section 1340.D)

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned AG and contains a single-family residence. The tract is abuts AG zoning to the North, West and East containing single-family residences and to the South by AG zoning containing vacant land.

**STAFF COMMENTS:**

The applicant is before the Board to request a Variance of the side setback from 15' to 5' in an AG district (Section 330).

The applicant is proposing to construct a garage 2,100 sf in area, as illustrated on the site plan provided by the applicant. The Tulsa County Zoning Code (Section 330) requires a 15 foot side yard for properties within the AG district. Due to space limitations on the subject tract, the proposed garage would fall within 5 feet of the Western side yard. The location has been selected so as to not block the current access to the southern portions of the property that are accessed through a 16 foot wide gate at the rear of the occupied portion of the lot and while keeping the proposed garage in close proximity to the existing residence.

The applicant provided the statement they are "Requesting to build 5 feet from the property line due to space issues." And that they have "Spoken to the neighbors who are in support."

*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 side setback from 15' to 5' in an AG district (Section 330).**

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

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

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

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





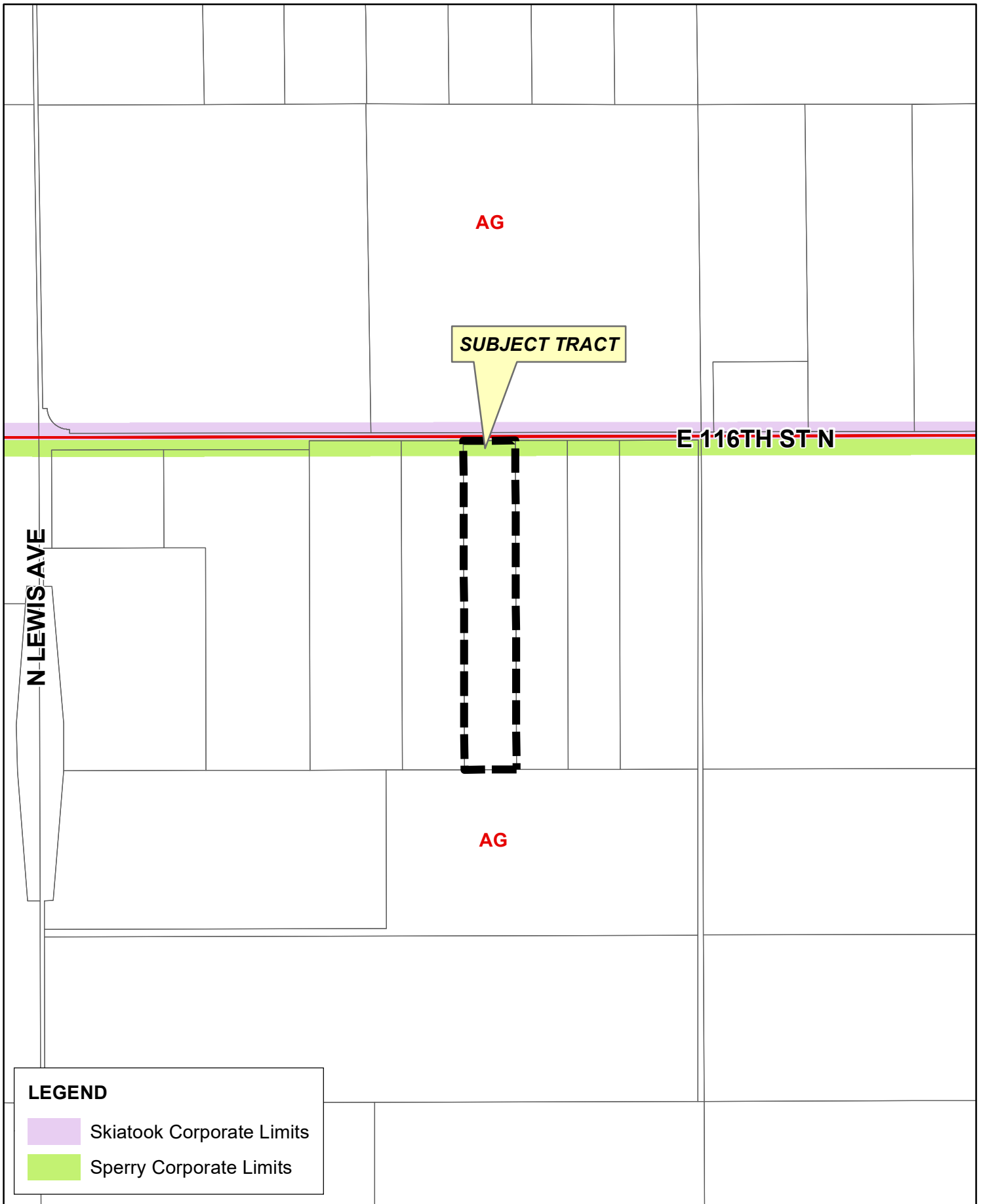
Subject Property looking Southwest from E 116<sup>th</sup> St N





Subject Property looking South from E 116<sup>th</sup> St N

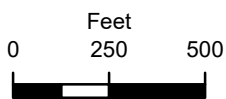


Subject Property looking Southeast from E 116<sup>th</sup> St N



**LEGEND**

-  Skiatook Corporate Limits
-  Sperry Corporate Limits



**CBOA-3094**

21-13 08



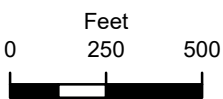
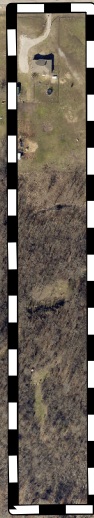
CBOA-3094 13.6





N LEWIS AVE

E 116TH ST N



Subject Tract

**CBOA-3094**

21-13 08

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

Aerial Photo Date: 2023

CBOA-3094 13.7

