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

   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 E-mail: esubmit@incog.org

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

NOTE: Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained at the Tulsa Planning Office at INCOG. All electronic devices must be silenced during the Board of Adjustment meeting.
**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                        CASE NUMBER: CBOA-2694-A
CZM: 68                           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 171st St S

Subject Property looking East from S Mingo Rd

Subject Property looking Northeast from S Mingo Rd
Note: Graphic overlays may not precisely align with physical features on the ground.
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

FENCENAME: 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 65th W Ave

Subject Property looking East from S 65th W Ave
Subject Property looking Southeast from S 65th W Ave
Note: Graphic overlays may not precisely align with physical features on the ground.
**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.
Floodplain Map of the subject property
Scope of Work

3274 E 66th 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 66th 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 2nd 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.
# Table of Contents

- NOI for Industrial Stormwater Discharges under OKR05
  - (Submission #: HPV-RTT6-YW94Y, version 1)
    - Details
    - Fees
    - Form Input
    - Operator
  - Facility Information
    - Discharge Information (New) (1 of 1)
      - "OUTFLL_ID": Bird Creek
    - Pollution Prevention Plan
  - Attachments
  - Status History
  - Processing Steps
  - Agreements and Signature(s)
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 toten
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

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valorey</td>
<td>Totten</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vice President</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phone Type</th>
<th>Number</th>
<th>Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobile</td>
<td>9183448776</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="mailto:valoreytotten@yahoo.com">valoreytotten@yahoo.com</a></td>
</tr>
</tbody>
</table>

Is the Responsible Official also the regular Operator Contact
Yes

Consultant

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>NONE PROVIDED</td>
<td>NONE PROVIDED</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>NONE PROVIDED</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consultant Business Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>NONE PROVIDED</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phone Type</th>
<th>Number</th>
<th>Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>NONE PROVIDED</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>NONE PROVIDED</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Facility Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>66th St North Topsoil Mine Permit</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phone Type</th>
<th>Number</th>
<th>Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business</td>
<td>9183448776</td>
<td></td>
</tr>
</tbody>
</table>

Facility Physical Address

<table>
<thead>
<tr>
<th>Physical Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>3274 E 66th St North</td>
</tr>
<tr>
<td>Tulsa, OK 74117</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Total Area (Acres)</th>
<th>Total Impervious (Acres)</th>
<th>Exposed to Stormwater (Acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.45</td>
<td>0.00</td>
<td>6.45</td>
</tr>
</tbody>
</table>

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.

Separate 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)

'OUTFL_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

<table>
<thead>
<tr>
<th>Date</th>
<th>Attachment Name</th>
<th>Context</th>
<th>User</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/29/2023 2:37 PM</td>
<td>IMG_1911 approx size.pdf</td>
<td>Attachment</td>
<td>valorey totten</td>
</tr>
</tbody>
</table>

Status History

<table>
<thead>
<tr>
<th>Date</th>
<th>User</th>
<th>Processing Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/29/2023 2:25:11 PM</td>
<td>valorey totten</td>
<td>Draft</td>
</tr>
<tr>
<td>6/29/2023 2:50:18 PM</td>
<td>valorey totten</td>
<td>Signing</td>
</tr>
<tr>
<td>6/29/2023 2:50:19 PM</td>
<td>valorey totten</td>
<td>Submitting</td>
</tr>
<tr>
<td>6/29/2023 2:50:45 PM</td>
<td>valorey totten</td>
<td>Submitted</td>
</tr>
<tr>
<td>6/29/2023 2:50:46 PM</td>
<td>valorey totten</td>
<td>In Review</td>
</tr>
</tbody>
</table>

Processing Steps

<table>
<thead>
<tr>
<th>Step Name</th>
<th>Assigned To/Completed By</th>
<th>Date Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form Submitted</td>
<td>valorey totten</td>
<td>6/29/2023 2:50:45 PM</td>
</tr>
<tr>
<td>Review Submission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accept Submission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Push to Central Records</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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 By

valorey totten on 06/29/2023 at 2:50 PM
Payment Receipt Confirmation

Your payment was successfully processed.

Transaction Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>Order ID</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>NOI for Construction Stormwater Discharges under OKR10 (HPV-PGC5-K3HZT)</td>
<td>112336264</td>
<td>$447.71</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>$447.71</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Order ID</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Fee</td>
<td>112336266</td>
<td>$12.12</td>
</tr>
</tbody>
</table>

Transaction Detail

<table>
<thead>
<tr>
<th>SKU</th>
<th>Description</th>
<th>Unit Price</th>
<th>Quantity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>59037</td>
<td>100175-Construction Application</td>
<td>$347.71</td>
<td>1</td>
<td>$347.71</td>
</tr>
<tr>
<td>59037</td>
<td>100994-Construction New</td>
<td>$100.00</td>
<td>1</td>
<td>$100.00</td>
</tr>
<tr>
<td></td>
<td>Service Fee</td>
<td>$12.12</td>
<td>1</td>
<td>$12.12</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
<td></td>
<td>$459.83</td>
</tr>
</tbody>
</table>

Customer Information

| Customer Name   | valoray totten           | Receipt Date | 6/25/2023 |
| Company Name    | Tulsa Topsoil Inc        | Receipt Time | 09:16:46 PM CDT |
| Local Reference ID | 35478af1684d4251a690d35 |             | 9131bacbc |

Payment Information

<table>
<thead>
<tr>
<th>Payment Type</th>
<th>Credit Card</th>
<th>Credit Card Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>VISA</td>
<td>*****4400</td>
</tr>
</tbody>
</table>

Billing Information

<table>
<thead>
<tr>
<th>Billing Address</th>
<th>Phone Number</th>
<th>19183448776</th>
</tr>
</thead>
<tbody>
<tr>
<td>17217 E Marshall St</td>
<td>This receipt has been emailed to the address below.</td>
<td></td>
</tr>
<tr>
<td>Tulsa, OK</td>
<td>Email Address</td>
<td><a href="mailto:valoreytotten@yahoo.com">valoreytotten@yahoo.com</a></td>
</tr>
<tr>
<td>74116</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Country</td>
<td></td>
<td>US</td>
</tr>
</tbody>
</table>
Submission Received

NOI for Construction Stormwater Discharges under OKR10
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

<table>
<thead>
<tr>
<th>Fee</th>
<th>$447.71</th>
</tr>
</thead>
</table>

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 valoreyotten
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**

<table>
<thead>
<tr>
<th>Phone Type</th>
<th>Number</th>
<th>Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobile</td>
<td>9183448776</td>
<td></td>
</tr>
</tbody>
</table>

**Mailing Address**

431 S 193RD EAST AVE
TULSA, OK 74108

Responsible Official

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Title</th>
<th>Phone Type</th>
<th>Number</th>
<th>Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valorey</td>
<td>Totten</td>
<td>Owner</td>
<td>Mobile</td>
<td>9183448776</td>
<td></td>
</tr>
</tbody>
</table>

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

Consultant

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Title</th>
<th>Consultant Business Name</th>
<th>Phone Type</th>
<th>Number</th>
<th>Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>NONE PROVIDED</td>
<td>NONE PROVIDED</td>
<td>NONE PROVIDED</td>
<td>NONE PROVIDED</td>
<td>NONE PROVIDED</td>
<td>NONE PROVIDED</td>
<td>NONE PROVIDED</td>
</tr>
</tbody>
</table>

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 Assessors.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

<table>
<thead>
<tr>
<th>Estimated Construction Start Date</th>
<th>Estimated Construction End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>06/27/2023</td>
<td>8/1/2024</td>
</tr>
</tbody>
</table>

Type of Site Ownership
Privately Owned Facility

Acreage Affected
<table>
<thead>
<tr>
<th>Total Area (Acres)</th>
<th>Disturbed (Acres)</th>
<th>Current Impervious (Acres)</th>
<th>Post Impervious (Acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.45</td>
<td>2.50</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

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

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

Status History

<table>
<thead>
<tr>
<th>Date</th>
<th>User</th>
<th>Processing Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/26/2023 9:13:29 PM</td>
<td>valorey totten</td>
<td>Signing</td>
</tr>
<tr>
<td>6/26/2023 9:13:30 PM</td>
<td>valorey totten</td>
<td>Submitting</td>
</tr>
<tr>
<td>6/26/2023 9:14:01 PM</td>
<td>valorey totten</td>
<td>Submitted</td>
</tr>
<tr>
<td>6/26/2023 9:14:01 PM</td>
<td>valorey totten</td>
<td>In Review</td>
</tr>
</tbody>
</table>

Processing Steps
<table>
<thead>
<tr>
<th>Step Name</th>
<th>Assigned To/Completed By</th>
<th>Date Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form Submitted</td>
<td>valorey totten</td>
<td>6/26/2023 9:14:01 PM</td>
</tr>
<tr>
<td>Review Submission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accept Submission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Push to Central Records</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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  valorey totten on 06/26/2023 at 9:13 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).

**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                               CASE NUMBER: CBOA-3087
CZM: 45                                 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 Northwest from S 65th West Ave
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2023

Subject Tract

CBOA-3087

19-12 31

CBOA-3087 6.8
**Board of Adjustment**

**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 CASE NUMBER: CBOA-3088
CZM: 21 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
BUILDING IMAGES

Perspective View

Front

Left Side

Right Side

Back

#1686860926448114

https://carportview.texwincarports.com/#cfsbdada388495d4466001d3cf60728c
**Case Number:** CBOA-3089  
**Hearing Date:** 08/15/2023 1:30 PM

**Owner and Applicant Information:**

**Applicant:** Elvajean 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                              CASE NUMBER: CBOA-3089
CZM: 22                                      CASE REPORT PREPARED BY: Jay Hoyt

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

APPLICANT: Elvajean 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.
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)
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

FENCETLINE: 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 SEC SW 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 66th St N

Subject Property looking South from E 66th St N
Subject Property looking Southwest from E 66th St N

Floodplain Map of the subject property
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 66th 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
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).

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 45th 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 45th W Ave
**Board of Adjustment**

**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 63rd St N

Subject Property looking Northwest from E 63rd St N
Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2023
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                                             CASE NUMBER: CBOA-3093
CZM: 45                                             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
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2023

CBOA-3093 12.7
**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.

CBOA-3094 13.2
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 Southeast from E 116th St N