

**AGENDA**  
**Tulsa County Board of Adjustment**  
**Regularly Scheduled Meeting**  
**Tuesday December 19, 2023, 1:30 p.m.**  
**Williams Tower I**  
**1 West 3rd Street, St. Francis Room**

**Meeting No. 526**

**Consider, Discuss and/or Take Action On:**

1. Approval of **Minutes** of November 21, 2023 (Meeting 525).

**UNFINISHED BUSINESS**

2. **CBOA – 3095 Wendell Brewer**

**Action Requested:**

Use Variance to permit Use Unit 23, Warehousing and Wholesaling in an RS District (Section 410). **Location:** 412 W 61st St N

3. **CBOA - 3096 Tillman Infrastructure**

**Action Requested:**

Special Exception to permit a 273 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3); and a Special Exception to reduce the required tower setback (110% of the tower height) from 300 ft to 129 ft (Section 1204.3). **Location:** 20014 S 129th E Ave

4. **CBOA – 3102 Luis Raul Hernandez Galindo**

**Action Requested:**

Special Exception to permit a manufactured home in the RS district (Section 410)  
**Location:** 6314 N Trenton Ave

5. **CBOA – 3113 Linda C. Morton**

**Action Requested:**

Variance of the street frontage from 30' to 0' in an AG district to permit a lot split (Section 207). **Location:** 2652 E 171st St S **Applicant requests a CONTINUANCE to January 16, 2024.**

## NEW APPLICATIONS

**6. CBOA - 3120 Mark Fleming**

**Action Requested:**

Variance of the minimum land area per dwelling unit requirement in an AG-R district (Sec. 330) and a Variance to permit two dwelling units on one lot of record in the AG-R district (Sec. 208). **Location:** 9489 E 126th St N

**7. CBOA - 2866-A Robert Hopper**

**Action Requested:**

Modification of a previously approved Special Exception (CBOA-2866) to extend the time limitation to permit a horticulture nursery (Use Unit 3) in an AG-R district (Section 310 Table 1). **Location:** 13818 N 92nd E Ave

**8. CBOA – 3121 Letty Vazquez**

**Action Requested:**

Special Exception to permit a manufactured home (Use Unit 9) in the RS district (Section 410)

**Location:** 5912 W 2nd St S

**9. CBOA - 2150-B Mark Simpson**

**Action Requested:**

Modification of the previously approved site plan (CBOA-2150, CBOA-2150-A)

**Location:** 5161 E 171st St S

**10. CBOA – 3122 Crystal River Asset Management, Inc.**

**Action Requested:**

Use Variance to allow for recreational vehicles (Use Unit 17) in an RM-2 district (Section 410). **Location:** 810 S 65th W Ave

**11. CBOA – 3123 Russell & Rebecca Harrison**

**Action Requested:**

Use Variance to allow for recreational vehicles (Use Unit 17) in an RS district (Section 410). **Location:** 4606 S 63rd W Ave

**12. CBOA – 3124 Brenda Mendenhall**

**Action Requested:**

Special Exception to permit a manufactured home (Use Unit 9) in the RS district (Section 410)

**Location:** 5712 N Norfolk Ave

**13. CBOA – 3125 City of Tulsa c/o Max Wells**

**Action Requested:**

Special Exception to permit a Heliport (Use Unit 2) in the IM district (Section 910) for use at the Tulsa Police Academy. **Location:** 6066 E 66th St N

**OTHER BUSINESS**

**NEW BUSINESS**

**BOARD MEMBER COMMENTS**

**ADJOURNMENT**

**Website:** [https://www.incog.org/Land\\_Development/land\\_main.html](https://www.incog.org/Land_Development/land_main.html)

**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.



# Board of Adjustment

**Case Number:** CBOA-3095

**Hearing Date:** 12/19/2023 1:30 PM  
(Continued from 09/19/2023 & 10/17/2023)

**Case Report Prepared by:**

Jay Hoyt

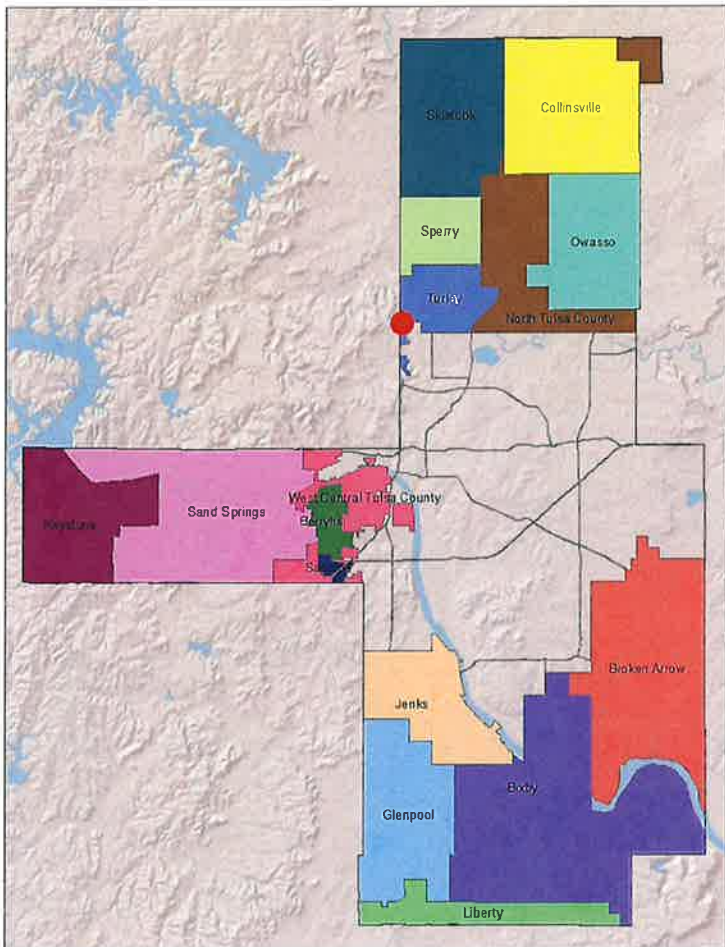
**Owner and Applicant Information:**

**Applicant:** Wendell Brewer

**Property Owner:** BREWER, DOROTHY A

**Action Requested:** Use Variance to permit Use Unit 23, Warehousing and Wholesaling in an RS District (Section 410).

**Location Map:**



**Additional Information:**

**Present Use:** Vacant

**Tract Size:** 0.77 acres

**Location:** 412 W 61 ST N

**Present Zoning:** RS

**Fenceline/Area:** Turley

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

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 0202

**CZM:** 21

**CASE NUMBER:** CBOA-3095

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 12/19/2023 1:30 PM (Continued from 09/19/2023 & 10/17/2023)

**APPLICANT:** Wendell Brewer

**ACTION REQUESTED:** Use Variance to permit Use Unit 23, Warehousing and Wholesaling in an RS District (Section 410).

**LOCATION:** 412 W 61 ST N

**ZONED:** RS

**FENCELINE:** Turley

**PRESENT USE:** Vacant

**TRACT SIZE:** 0.77 acres

**LEGAL DESCRIPTION:** LT 1 BLK 1, VINING ACRES Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:** None Relevant

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RS and is currently vacant. The tract abuts RS zoning to the east, west and south, containing single-family residences and to the north by RS-3 zoning containing single-family residences.

**STAFF COMMENTS:**

The applicant is before the Board to request a Use Variance to permit Use Unit 23, Warehousing and Wholesaling in an RS District (Section 410).

The applicant proposes to construct a storage structure on the subject lot. The lot does not currently contain a home, which would normally permit an accessory structure to be associated with the home, however the applicant wishes to build the storage structure before a home is build on the lot, meaning that it would not be associated with an existing home and would be considered the primary use of the lot until a home is constructed. The applicant has requested a Use Variance for Use Unit 23, Warehousing and Wholesaling in order to be able to construct the storage structure and utilize it before a home is built.

The applicant provided the statement, "Currently the lot is vacant and the owner wants to build a storage structure first before building the primary residence. The current zoning does not allow for development to commence in that sequence. The owner requests that the Board allow him to build his accessory structure first."

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

**Sample Motion:**

*"Move to \_\_\_\_\_ (approve/deny) a Use Variance to permit Use Unit 23, Warehousing and Wholesaling in an RS District (Section 410).*

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

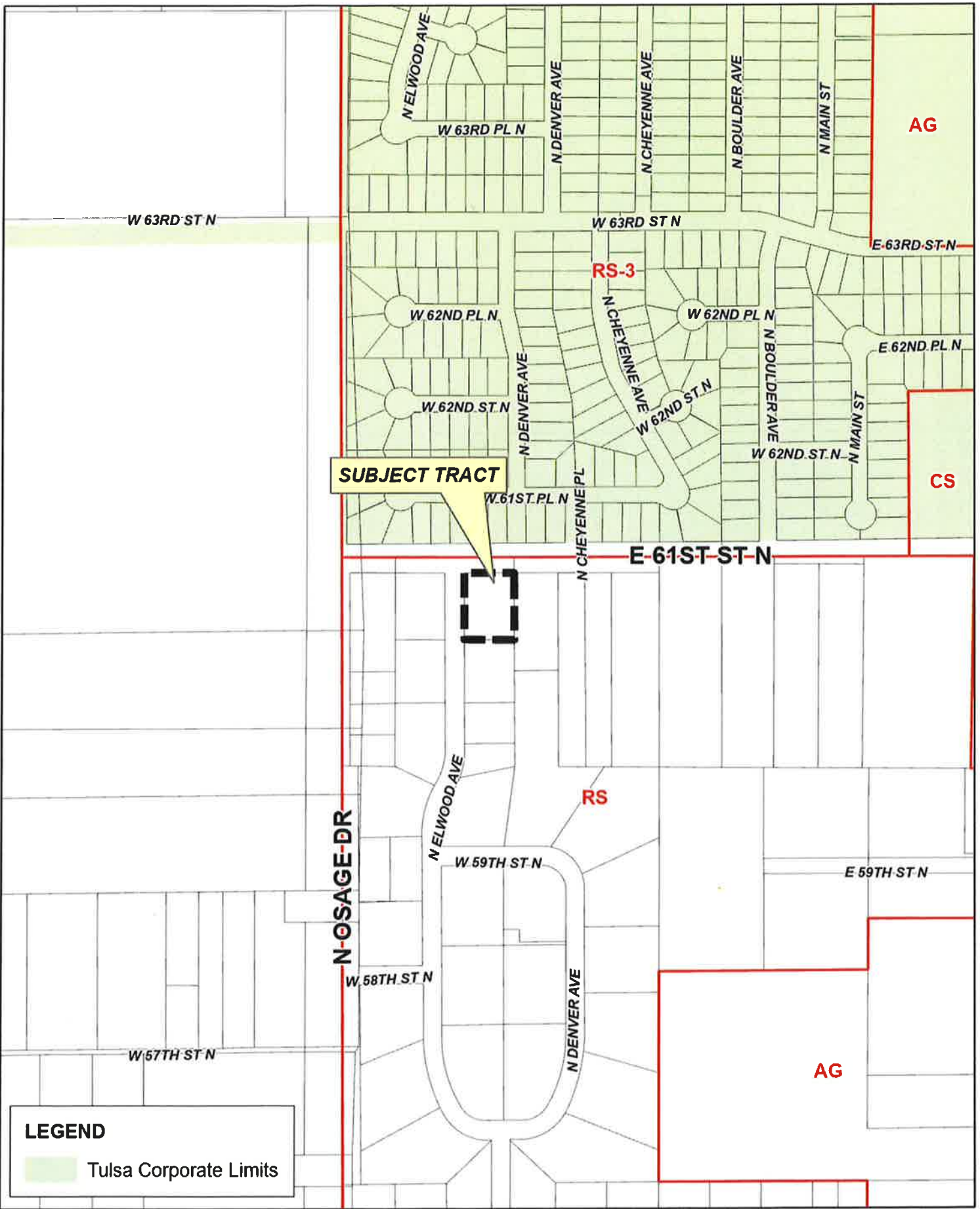
***Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do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



Subject tract looking South from E 61<sup>st</sup> St N



Subject tract looking Southeast from E 61<sup>st</sup> St N



**SUBJECT TRACT**

**LEGEND**

 Tulsa Corporate Limits



**CBOA-3095**

20-12 02



CBOA-3095 2.5





 Subject Tract

**CBOA-3095**

20-12 02

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

Aerial Photo Date: 2023

CBOA-3095 2.6





W 61ST PL N

N CHEYENNE PL

E 61ST ST N

N ELWOOD AVE



Subject Tract

**CBOA-3095**

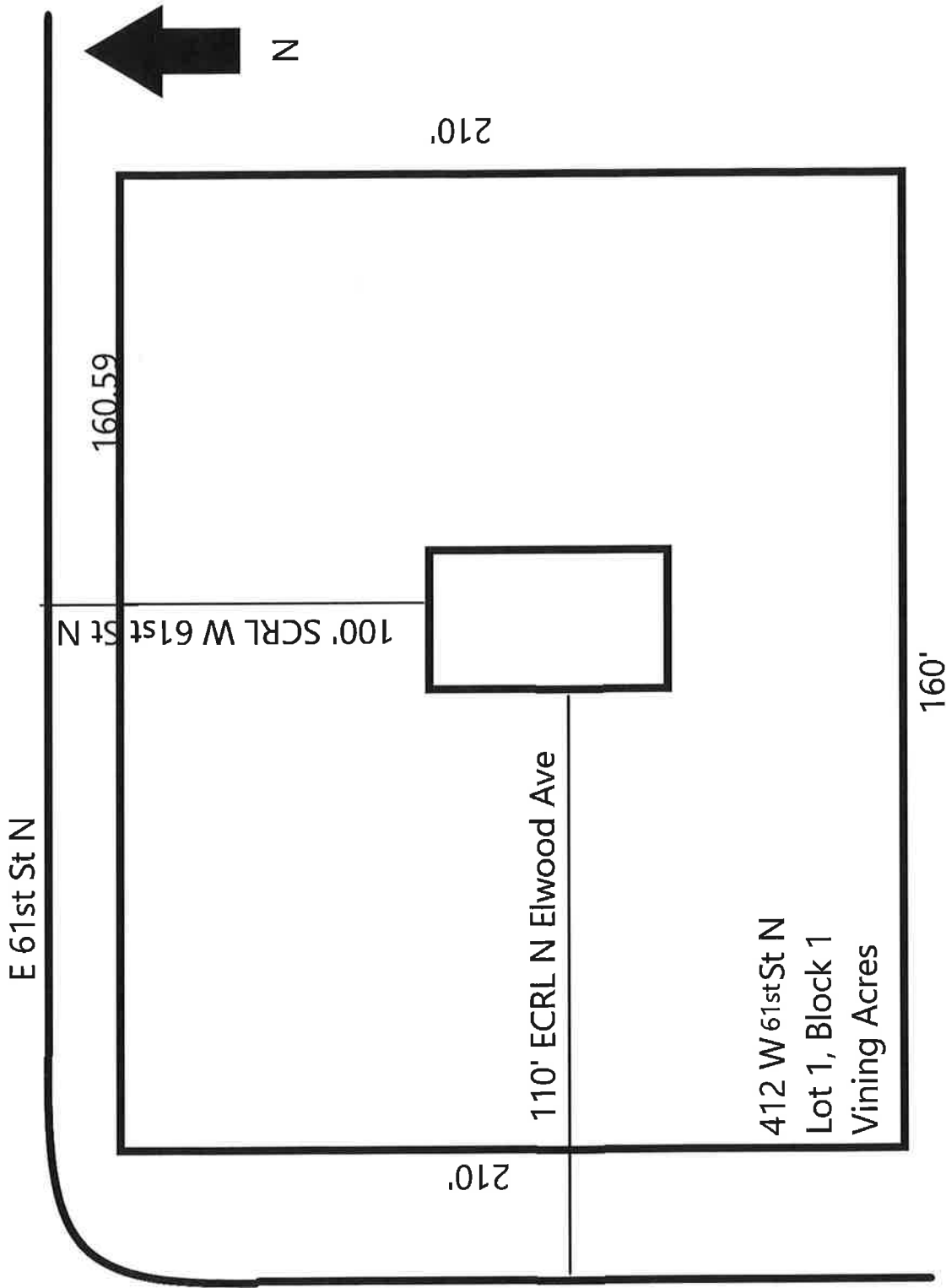
20-12 02

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

Aerial Photo Date: 2023

CBOA-3095 2.7





N Elwood Ave



**Case Number:** CBOA-3096

**Hearing Date:** 12/19/2023 1:30 PM  
(Continued from 09/19/2023 & 10/17/2023)

**Case Report Prepared by:**

Jay Hoyt

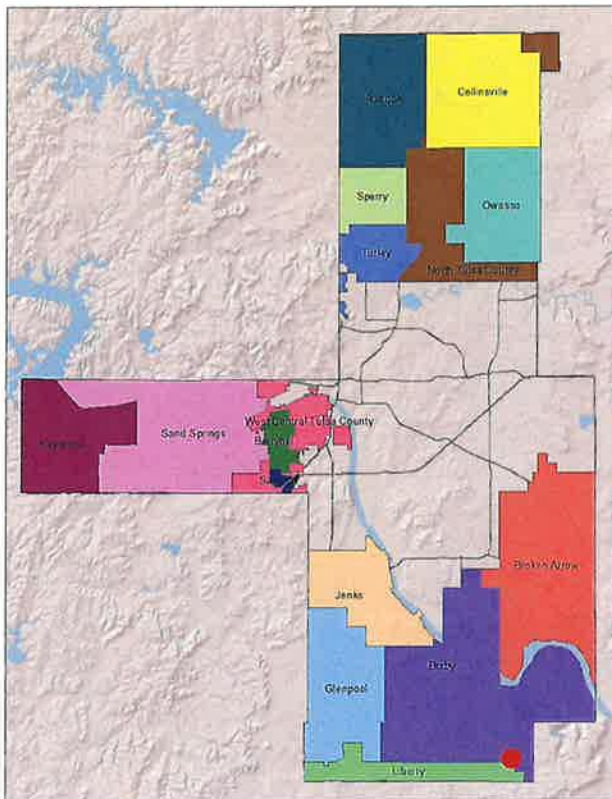
**Owner and Applicant Information:**

**Applicant:** Tillman Infrastructure & AT&T Wireless

**Property Owner:** SEFCIK, CHRIS M REV LIVING TRUST

**Action Requested:** Special Exception to permit a 273 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3); and a Special Exception to reduce the required tower setback (110% of the tower height) from 300 ft to 129 ft (Section 1204.3).

**Location Map:**



**Additional Information:**

**Present Use:** Agricultural

**Tract Size:** 70.5 acres

**Location:** 20014 S 129th East Avenue

**Present Zoning:** AG

**Fenceline/Area:** Bixby

**Land Use Designation:** Rural Agriculture

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 6408

**CZM:** 73

**CASE NUMBER:** CBOA-3096

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 12/19/2023 1:30 PM (Continued from 09/19/2023 & 10/17/2023)

**APPLICANT:** Tillman Infrastructure & AT&T Wireless

**ACTION REQUESTED:** Special Exception to permit a 273 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3); and a Special Exception to reduce the required tower setback (110% of the tower height) from 300 ft to 129 ft (Section 1204.3).

**LOCATION:** 20014 S 129th East Avenue

**ZONED:** AG

**FENCELINE:** Bixby

**PRESENT USE:** Agricultural

**TRACT SIZE:** 70.5 acres

**LEGAL DESCRIPTION:** S/2 SE LESS N200 E544 THEREOF & LESS BEG 200S NEC S/2 SE TH W544 N200 W906 S380 E400 N130 E1050 N50 TO POB SEC 8 16 14 70.5ACS, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Property:**

**CBOA-1282 September 1994:** The Board approved a Variance of the spacing requirement of 200 ft from oil and gas wells to 100 ft to permit the construction of a new dwelling unit.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned AG and currently contains a single-family home and vacant forested land. The tract is surrounded by AG zoning containing single-family homes and vacant land.

**STAFF COMMENTS:**

**Updated Comments for 12/19/2023:**

In the time since the previous hearing, the applicant has revised their drawings to show that the tower is now a minimum of 300 ft from the nearest property line, meaning that the Special Exception for the tower setback is no longer required.

**Original Comments:**

The applicant is before the Board to request a Special Exception to permit a 273 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3) and a Special Exception to reduce the required tower setback (110% of the tower height) from 300 ft to 129 ft (Section 1204.3).

Communications towers are classified under Use Unit 4, Public Protection and Utility Facilities, and are permitted in the AG district by Special Exception. A *Special Exception* is required as the proposed cell tower is a use which is not permitted by right in the AG district because of potential adverse effect, but if controlled in the particular instance as to its relationship to the area, may be permitted.

CBOA-3096 3.2

REVISED 12/8/2023

The applicant has included a site plan. The proposed tower has a height of 273 feet. The Tulsa County Zoning Code requires towers to be set back a distance equal to at least on hundred ten percent (110%) of the height of the tower from any adjoining lot line of a residential, office or agricultural zoned lot. For the proposed tower, that would be a 300 ft setback. The applicant is requesting a Special Exception to allow the tower setback to be reduced to 129 ft.

Additionally, Section 1204.3.E provides the following:

- 1. Factors to be considered in granting a special exception. In addition to any other requirement of this section, the following factors shall be considered in the determination to grant or deny a special exception for an antenna or tower:**
  - a. Height of the proposed tower;
  - b. Proximity of the tower to residential structures, residential district boundaries and existing towers;
  - c. Nature of uses on adjacent and nearby properties;
  - d. Surrounding topography;
  - e. Surrounding tree coverage and foliage;
  - f. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
  - g. The total number and size of antennas proposed and the ability of the proposed tower to accommodate collocation;
  - h. Architectural design of utility buildings and accessory structures to blend with the surrounding environment;
  - i. Proposed ingress and egress;
  - j. The need of the applicant for a communications tower within the immediate geographic area to provide an acceptable level of communications service to the area;
  - k. The size of the tract and the most likely future development as indicated by the Comprehensive Plan, planned infrastructure, topography and other physical facts.
  - l. Landscaping
- 2. Collocation.** Collocation of facilities should be encouraged wherever practical by allowing reasonable extra height or tower diameter necessary to support multiple antennas.
- 3. The findings of the Board of Adjustment as to each of these factors shall be made on the record and contained in the written minutes of the meeting.**

*If inclined to approve the Board may consider any condition it deems necessary and reasonably related to the request to ensure the proposed communications tower will be non-injurious to the surrounding area.*

**Sample Motion:**

***“Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit a 273 ft. Wireless Communications Tower (Use Unit 4 - Public Protection and Utility Facilities) in an AG district (Section 1204.3); and a Special Exception to reduce the required tower setback (110% of the tower height) from 300 ft to 129 ft (Section 1204.3).”***

**The Board considered each of the stated factors in Section 1204.3.E.1&2 of the Code and finds that the application complies with those requirements to the Boards satisfaction.**

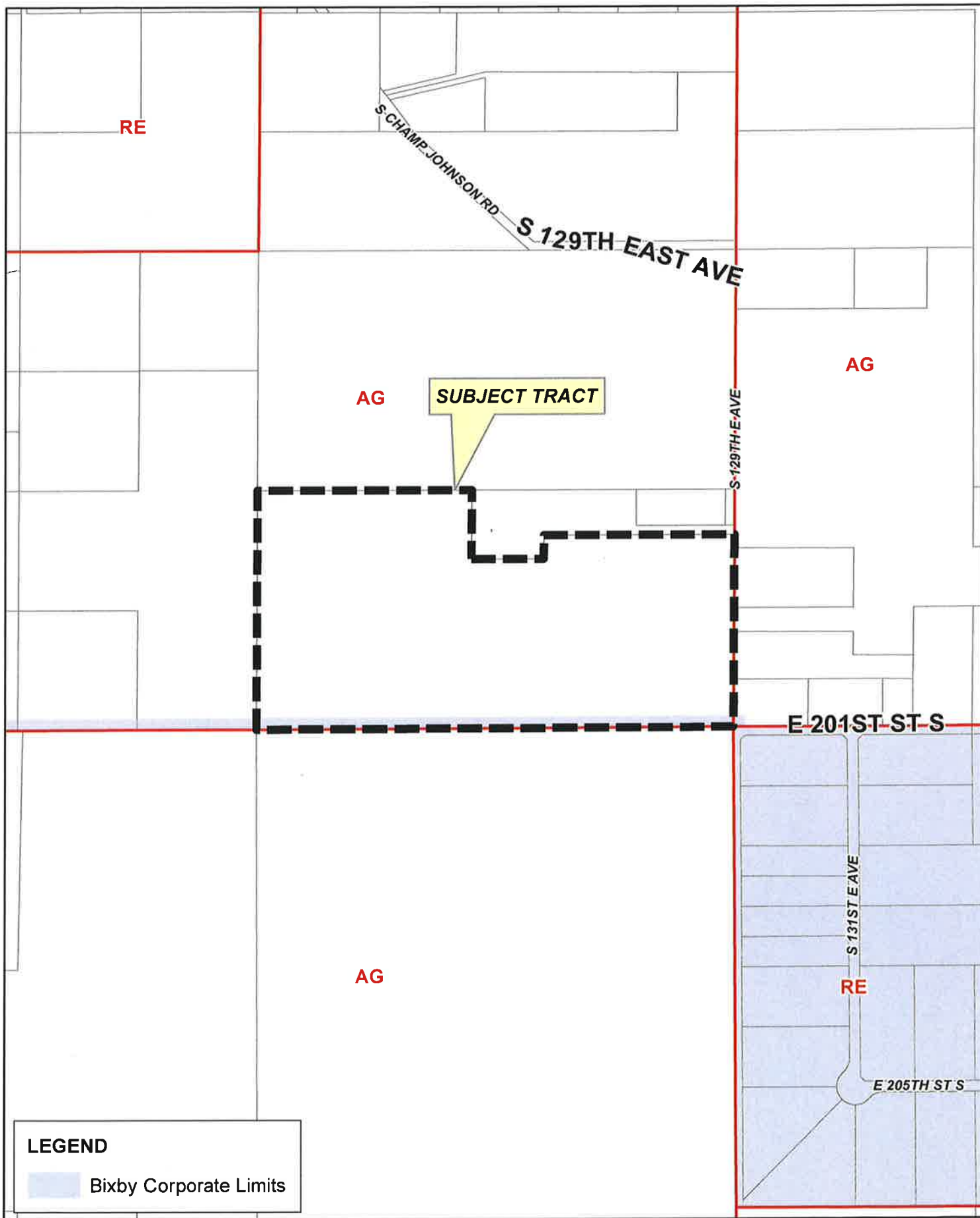
*Finding the Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*



**Subject tract looking Northwest from S 129<sup>th</sup> E Ave**



**Subject tract looking Southwest from S 129<sup>th</sup> E Ave**

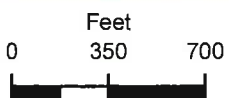
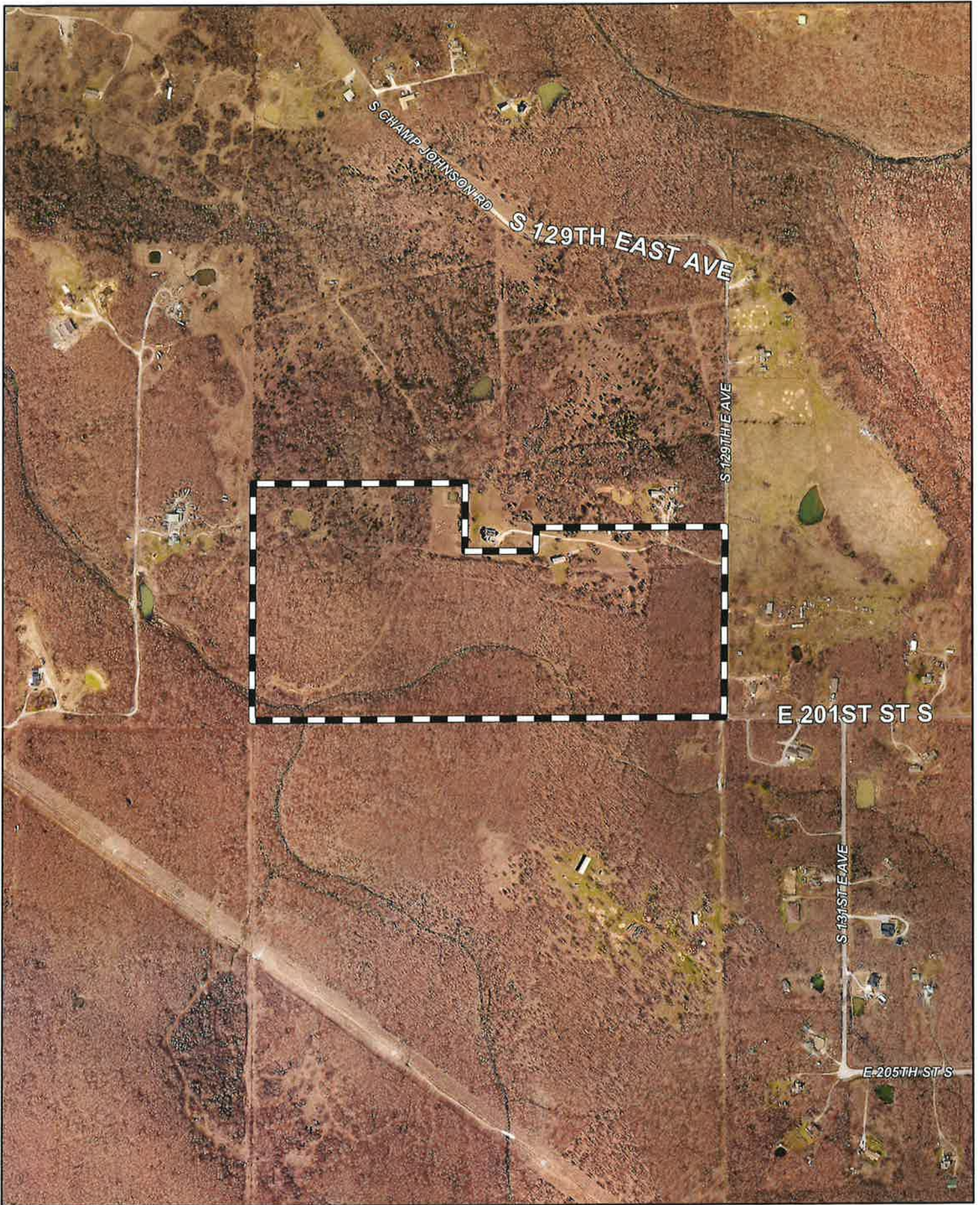


**CBOA-3096**

16-14 08

CBOA-3096 3.5





 Subject Tract

**CBOA-3096**

16-14 08

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

Aerial Photo Date: 2023



CBOA-3096 3.6



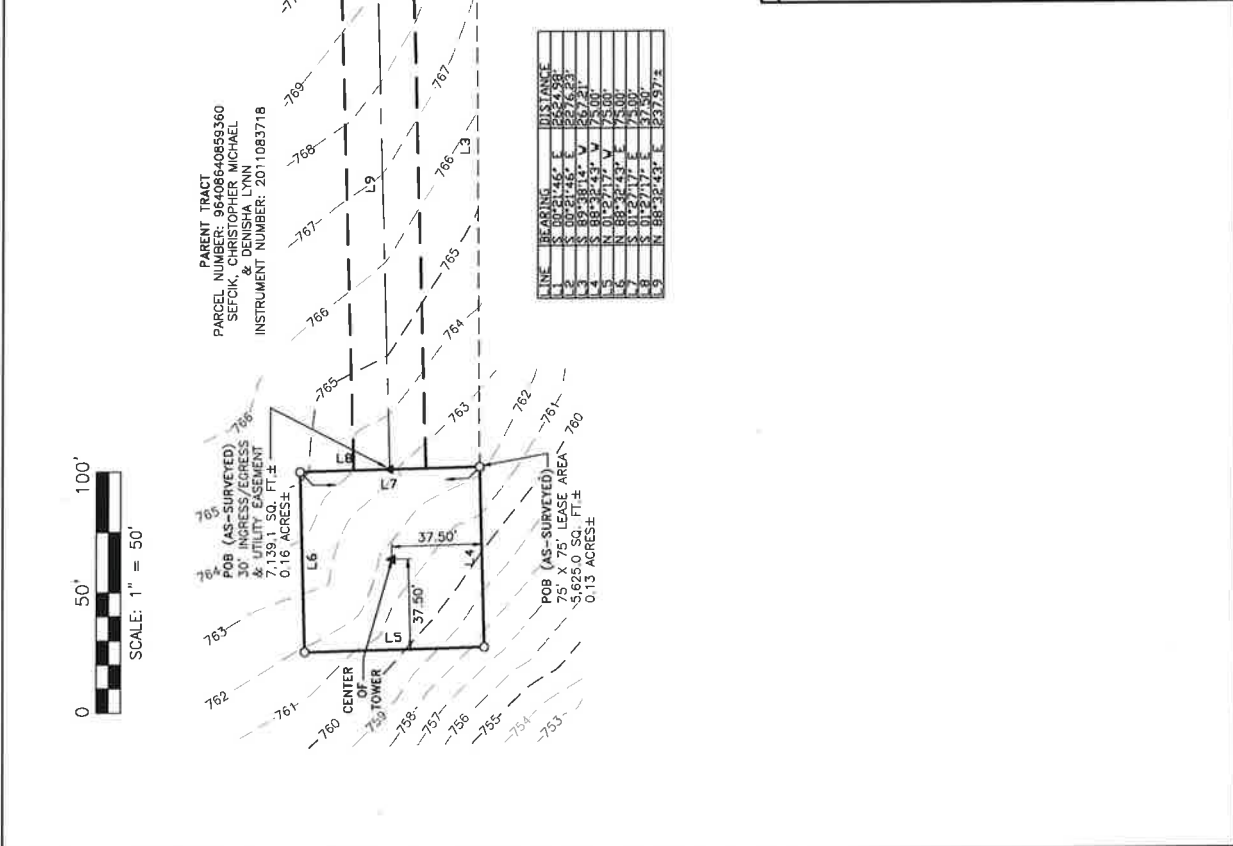
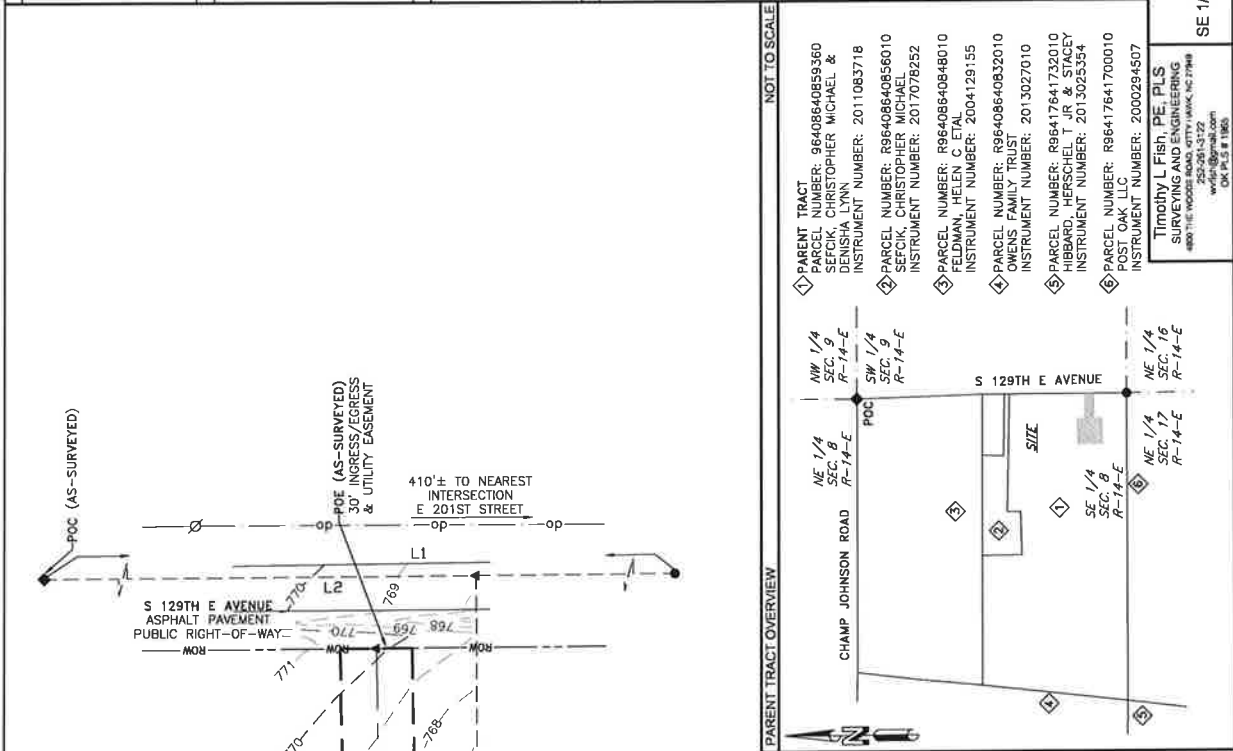
**TOWER INFO**  
 CENTER OF TOWER  
 LATITUDE: 35°52'19.268" NORTH  
 LONGITUDE: 95°50'17.865" WEST  
 ELEVATION: 752'  
 GROUND ELEVATION: 762'  
 ABOVE MEAN SEA LEVEL (NAVD88)  
 SITE ADDRESS:  
 3129 E AVENUE  
 BIKEY, OKLAHOMA 74008

**VICINITY MAP**  
 R-14-E

**NOT TO SCALE**  
 OKLAHOMA NORTH  
 GRID TO TRUE NORTH  
 CONVERSION  
 1°16'34.05359"  
 TRUE NORTH TO MAGNETIC  
 DECLINATION  
 2°11' E  
 COMBINED SCALE FACTOR  
 0.995958587

**LEGEND**  
 ○ = 5/8" REBAR SET  
 ● = 1" IRON ROD FOUND  
 ○ = 1/2" REBAR FOUND  
 ● = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT  
 POE = POINT OF ENDING  
 ▲ = CALCULATED POINT  
 □ = GAS LINE MARKER  
 ⊕ = POWER POLE  
 ⊕ = TEMPORARY BENCHMARK  
 600 MAIL IN POWER POLE  
 ELEVATION 772.80

**FLOOD NOTE**  
 By graphic plotting only, the subject property is shown to be in Flood Zone X1. Areas of 0.2% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.



**PARENT TRACT (FROM TITLE)**

The South half of the Southeast Quarter (S 1/2 SE 1/4) of Section Eight (8), Township Sixteen (16), North, Range Fourteen (14), East of the line line and the North half of the Southeast Quarter (SE 1/4 SE 1/4) of Section Nine (9), Township Sixteen (16), North, Range Fourteen (14), East of the line of the East 544 of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4). LESS the East 50 therefor for road AND LESS: Commencing at the Northeast Corner of said S/2 SE/4; thence South along the East line of said S/2 SE/4 a distance of 200.00 feet to the Point of Beginning; thence West and parallel to the North line of said S/2 SE/4 a distance of 544.00 feet; thence North and parallel to the East line of said S/2 SE/4 a distance of 200.00 feet to a point on the North line of said S/2 SE/4; thence West and parallel to the East line of said S/2 SE/4 a distance of 988.00 feet; thence South and parallel to the East line of said S/2 SE/4 a distance of 200.00 feet to the Point of Beginning. LESS the East 50 therefor for road AND LESS: Commencing at the Northeast Corner of said S/2 SE/4; thence South along the East line of said S/2 SE/4 a distance of 200.00 feet to the Point of Beginning; thence West and parallel to the North line of said S/2 SE/4 a distance of 544.00 feet; thence North and parallel to the East line of said S/2 SE/4 a distance of 200.00 feet to a point on the North line of said S/2 SE/4; thence West and parallel to the East line of said S/2 SE/4 a distance of 988.00 feet; thence South and parallel to the East line of said S/2 SE/4 a distance of 200.00 feet to the Point of Beginning.

**75' X 75' LEASE AREA (AS-SURVEYED)**

Being a portion of that certain tract of land described and recorded in Instrument No. 2011083718 in the Office of the County Clerk, Tulsa County, Oklahoma lying in the South half of the Southeast Quarter of Section 8, Township 16 North, Range 14 East, said Tulsa County and being more particularly described as follows: Commencing at a 1" iron rod found at the northeast corner of the Southeast 1/4 of said Section 8, a 1/2" rebar found at the southeast corner of said Section 8 bears S 00°21'45" E a distance of 2,624.98 feet; thence S 00°21'45" E a distance of 2,624.98 feet; thence S 89°28'14" W leaving said east line a distance of 267.21 feet to a 5/8" rebar set; thence N 01°27'17" W a distance of 37.50 feet to the Point of Beginning of an ingress/egress & Utility Easement being 50 feet in width lying 15 feet each side of the following described centerline; thence N 88°32'43" E a distance of 237.97 feet, more or less, to a point on the East line of said S/2 SE/4; thence North along the East line of said S/2 SE/4 a distance of 50.00 feet to the Point of Beginning. Said above described Lease Area contains 5,623.0 square feet or 0.12 acres, more or less.

**30' INGRESS/EGRESS & UTILITY EASEMENT (AS-SURVEYED)**

Being a portion of that certain tract of land described and recorded in Instrument No. 2011083718 in the Office of the County Clerk, Tulsa County, Oklahoma lying in the South half of the Southeast Quarter of Section 8, Township 16 North, Range 14 East, said Tulsa County and being more particularly described as follows: Commencing at a 1" iron rod found at the northeast corner of the Southeast 1/4 of said Section 8, a 1/2" rebar found at the southeast corner of said Section 8 bears S 00°21'45" E a distance of 2,624.98 feet; thence S 00°21'45" E a distance of 2,624.98 feet; thence S 89°28'14" W leaving said east line a distance of 267.21 feet to a 5/8" rebar set; thence N 01°27'17" W a distance of 37.50 feet to the Point of Beginning of an ingress/egress & Utility Easement being 50 feet in width lying 15 feet each side of the following described centerline; thence N 88°32'43" E a distance of 237.97 feet, more or less, to a point on the East line of said S/2 SE/4; thence North along the East line of said S/2 SE/4 a distance of 50.00 feet to the Point of Beginning. Said above described Lease Area contains 5,623.0 square feet or 0.12 acres, more or less.

**SURVEYOR'S NOTES**

1. Date of field survey is January 4, 2023.
2. The following surveying instruments were used at time of field visit: Topcon DM55 Total Station, Reflectless and Hipar SR RIK 3000, Leica TS16 Total Station, Leica TS162 Total Station, Leica TS162 Total Station, Leica TS162 Total Station, Leica TS162 Total Station.
3. Bearings are based on Oklahoma North State Plane Coordinates NAD 83 by GPS observation, the Section line bearing is S 00°21'45" E, as measured.
4. No underground utilities, underground encroachments or building foundations were measured or located as a part of this survey, unless otherwise shown and shown on this map.
5. Benchmarks used are: GPS Control Station, PD 435526; Onsite benchmark is as shown hereon.
6. This survey was conducted for the purpose of a Rawland Tower Survey only, and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other similar entity.
7. The survey was conducted in accordance with the Oklahoma Surveying and Mapping Act, Chapter 10, Title 17, Oklahoma Statutes, and should be taken into consideration when obtaining scaled data.
8. This Survey was conducted in reference to a Commitment for Title Insurance prepared by American Security Title Insurance Company, Commitment No. 2209754, dated November 30, 2022 @ 7:30 a.m.
9. Surveyor hereby states the Geobetic Coordinates and the elevation shown for the proposed centerline of the tower are based on datum of 2011.000 meters (Mean Sea Level) and the datum for the proposed centerline of the tower are based on datum of 2011.000 meters (Mean Sea Level).
10. Survey was done in accordance with the Minimum Requirements set forth by the State Board for Class "A" Survey (1:15,000') and an angular error that does not exceed 10 seconds times the square root of the number of angles turned. Field traverse was not adjusted.
11. This survey was conducted in accordance with the Oklahoma Surveying and Mapping Act, Chapter 10, Title 17, Oklahoma Statutes, and should be taken into consideration when obtaining scaled data.
12. This survey was conducted in accordance with the Oklahoma Surveying and Mapping Act, Chapter 10, Title 17, Oklahoma Statutes, and should be taken into consideration when obtaining scaled data.

**SURVEYOR'S CERTIFICATION**

I certify that this survey and drawing have been completed in accordance with the Minimum Standards for the Practice of Land Surveying in the State of Oklahoma to the best of my knowledge, information, and belief.

TIMOTHY L. FISH \_\_\_\_\_ DATE \_\_\_\_\_

NO	REVISION	DATE
01/23/23	01/23/23	05
02/21/23	TITLE	02
02/21/23	CURRENT COMMENT/LEASE AREA	01
02/21/23	CURRENT COMMENT/LEASE AREA	02
02/21/23	CURRENT COMMENT/LEASE AREA	03
02/21/23	CURRENT COMMENT/LEASE AREA	04
02/21/23	CURRENT COMMENT/LEASE AREA	05

PROJECT NO.	22-07076
DRAWN BY:	DS
CHECKED BY:	SS
DATE:	01/17/23
APPROVED BY:	WMS
SHEET 2 OF 2	

RAWLAND TOWER SURVEY  
 SCI WIRELESS  
 49 HEATH, TX 75126  
 SCI WIRELESS  
 ENGINEERING GROUP, INC.

SMW Engineering Group, Inc.  
 158 Business Center Drive  
 Birmingham, Alabama 35244  
 P.O. Box 262-6985  
 Birmingham, Alabama 35244  
 www.smweng.com

**PLOTTABLE EXCEPTIONS**  
 American Security Title Insurance Company,  
 Commitment for Title Insurance, Commitment No. 2209754  
 Date November 30, 2022 @ 7:30 a.m.

Exception No.	Instrument	Comment
1-8		
9	Bk. 134, Pg. 96	Standard exceptions. Contain no survey matters.
10	Bk. 1327, Pg. 413	Standard exceptions. Contain no survey matters.
11	Bk. 3613, Pg. 1695	Terms may have expired.
12	Bk. 4570, Pg. 1347	Standard exceptions. Contain no survey matters.
13	Bk. 4594, Pg. 672	Does not affect the lease area or easement.
14	Bk. 5827, Pg. 2171	Does not affect the lease area or easement.

TIMOTHY L. FISH, PE, PLS  
 SURVEYING AND ENGINEERING  
 4800 THE WOODS ROAD, KITTY HAWK, NC 27549  
 252-281-3122  
 timothy.fish@smweng.com  
 OK 035 & 1986

LEONARD  
 TI-OPP-23279-A  
 SE 1/4, SEC. 8, T-16-N, R-14-E I.M.  
 TULSA COUNTY, OKLAHOMA

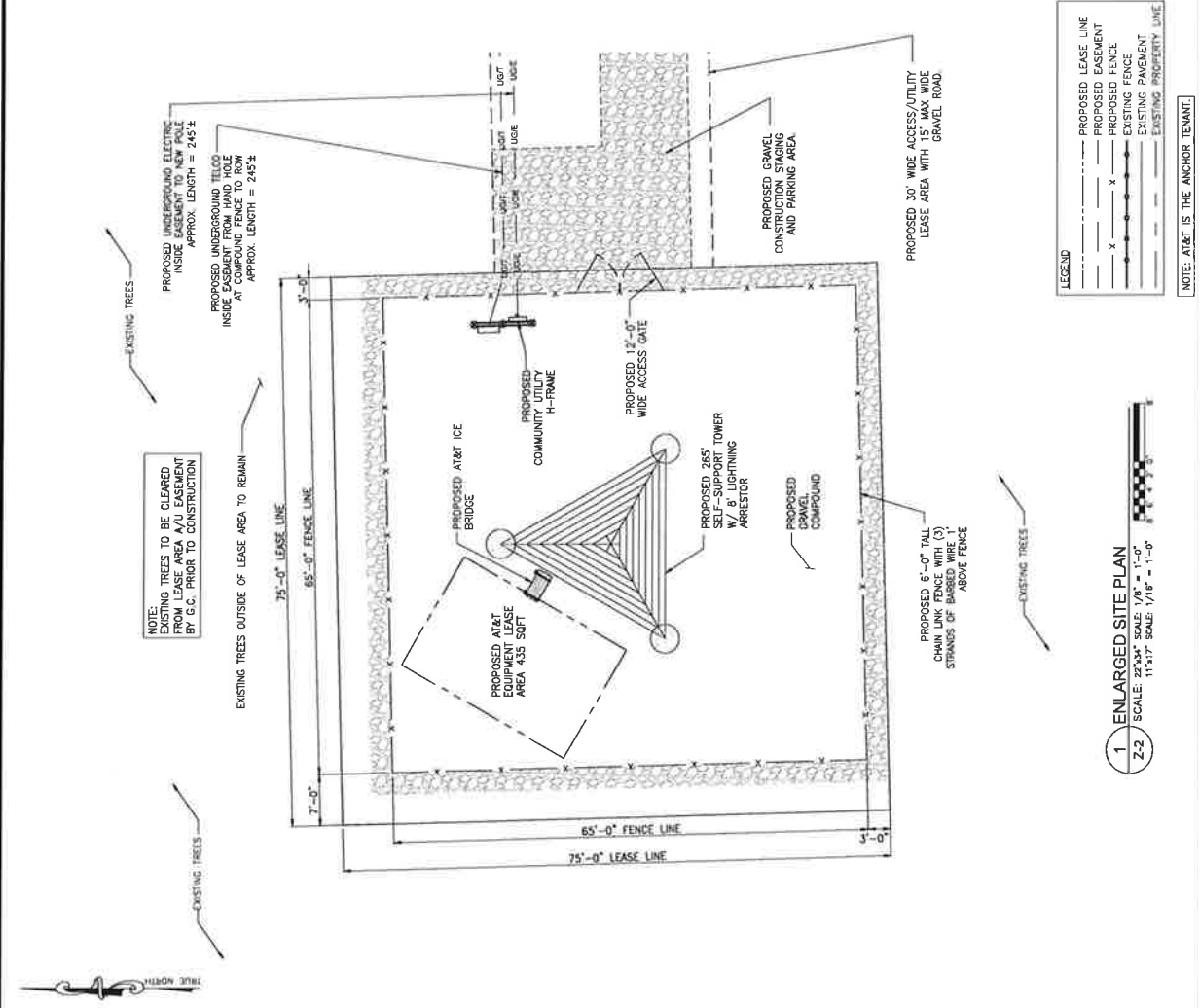
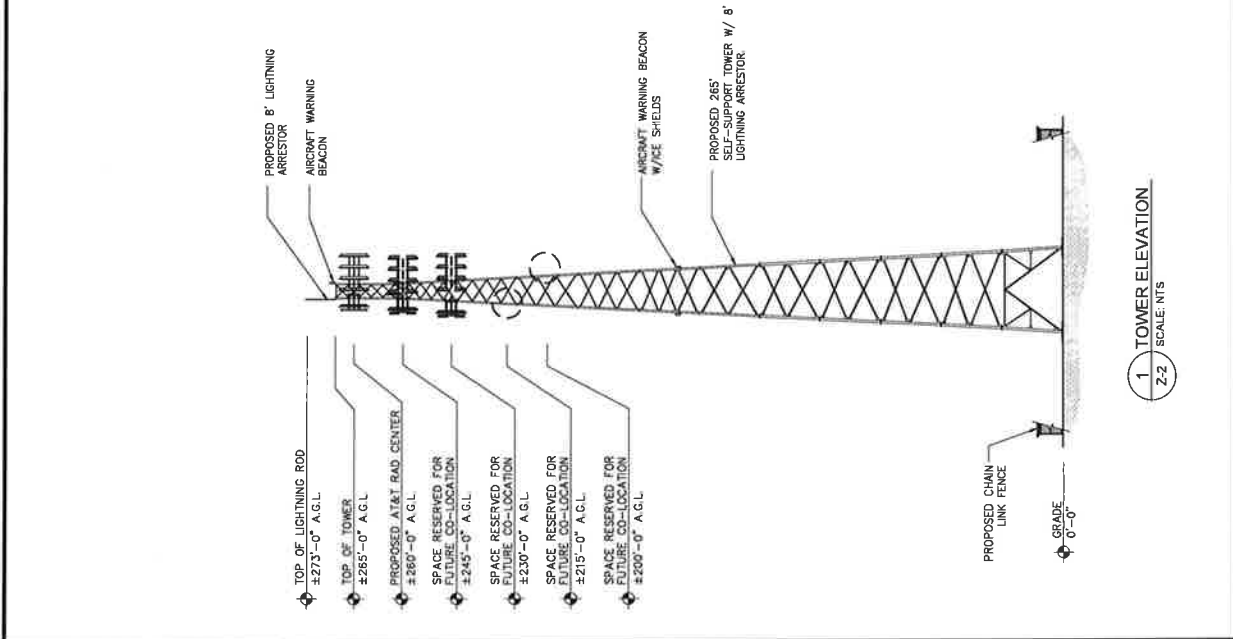


DESIGNED BY:	D.
CHECKED BY:	D.
DATE:	11/25/2022
DESCRIPTION:	ZONING EXHIBIT

TOWER #  
23279  
SITE NAME  
SEFCOK  
SITE ADDRESS  
19824 S 128TH AVE  
BIXBY, OK 74008

SHEET TITLE  
**ENLARGED SITE PLAN & ELEVATION**

SHEET NUMBER  
**Z-2**

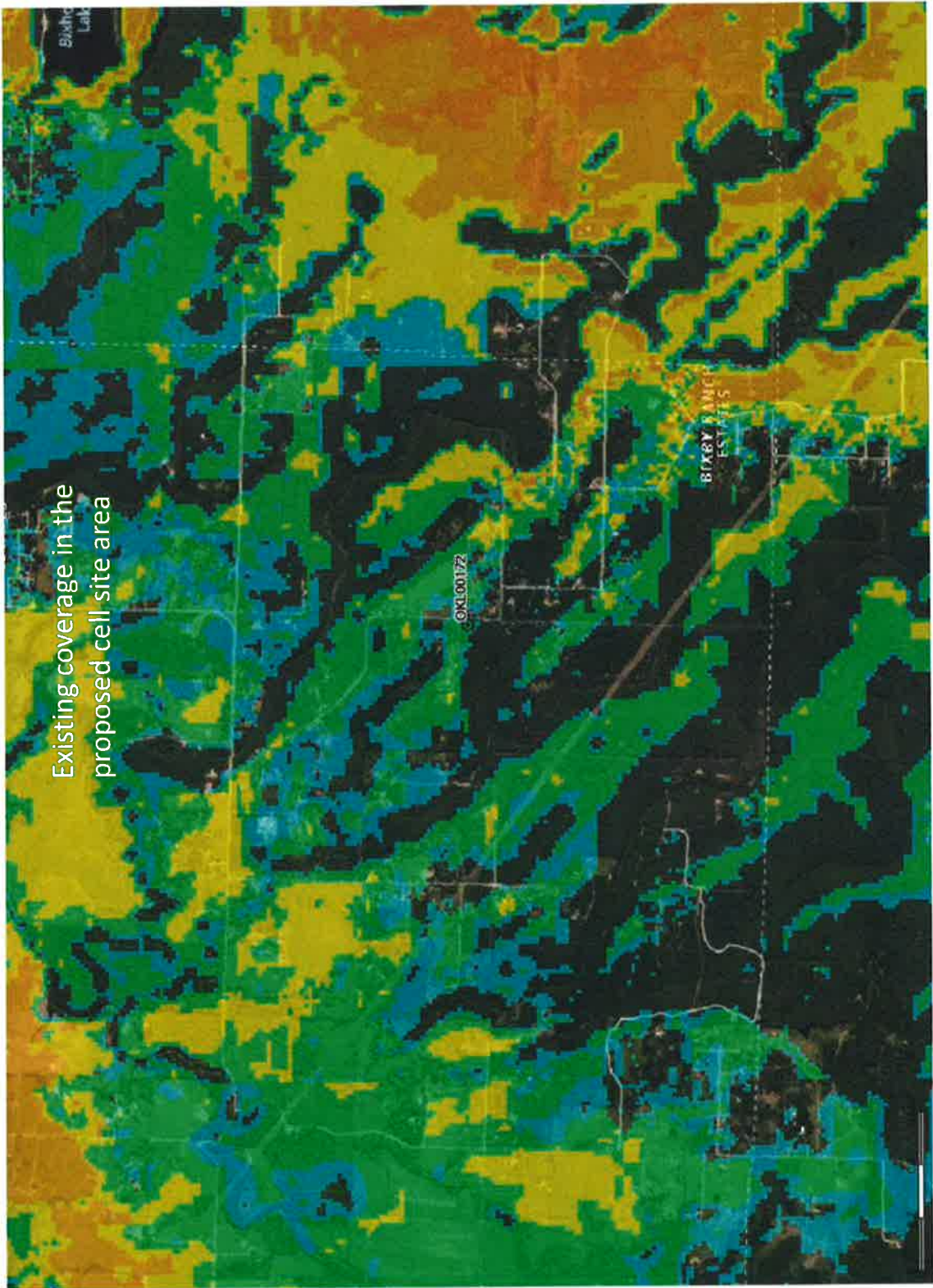


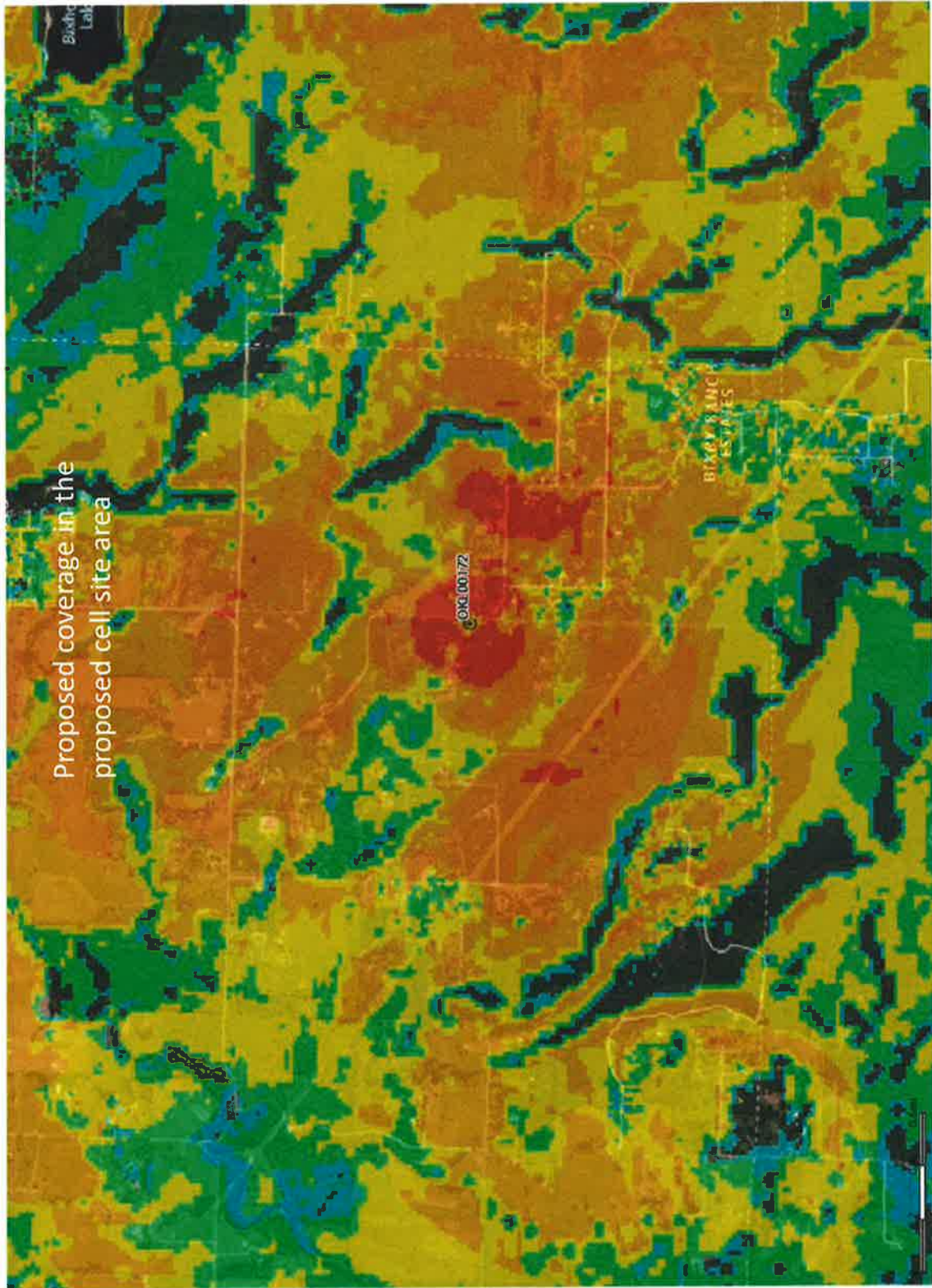
LEGEND

---	PROPOSED LEASE LINE
- - -	PROPOSED EASEMENT
x	PROPOSED FENCE
---	EXISTING FENCE
---	EXISTING PAVEMENT
---	EXISTING PROPERTY LINE

NOTE: AT&T IS THE ANCHOR TENANT.

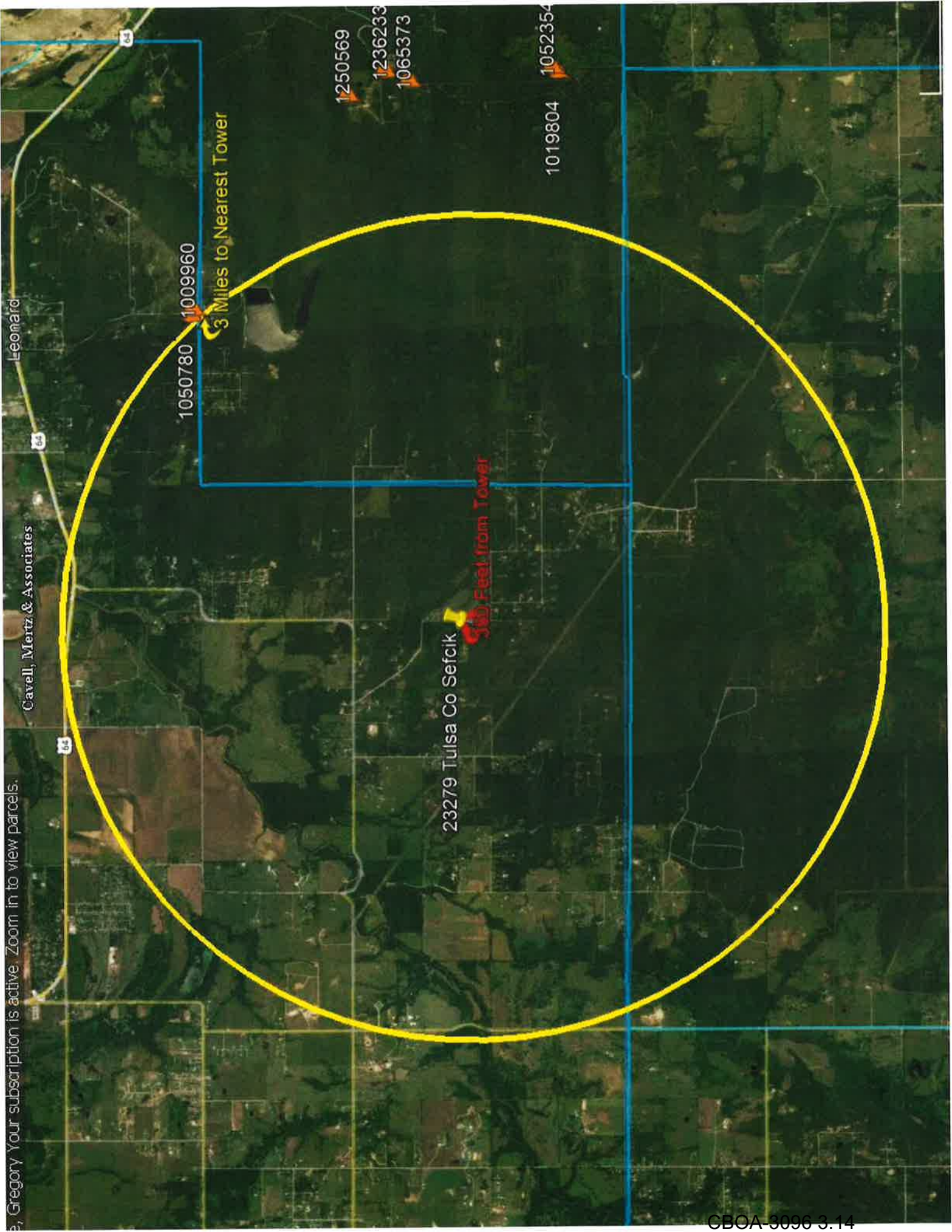
**1** ENLARGED SITE PLAN  
SCALE: 1/8" = 1'-0"  
1/16" = 1'-0"







e, Gregory Your subscription is active. Zoom in to view parcels.



550 Feet from Power

S 129th E Ave

S 129th E Ave

23279 Tulsa Co Sefcik



June 16, 2023

Ms. Chelsea Reeves  
Project Controls Coordinator Sr.  
Tillman Infrastructure, LLC  
299 Market St, Suite 350  
Saddle Brook, NJ 07663

RE: Proposed 265' Sabre Self-Supporting Tower for TI-OPP-23279 – Sefcik, OK

Dear Ms. Reeves,

Upon receipt of order, we propose to design a tower for the above referenced project for a Basic Wind Speed of 108 mph and 30 mph + 2" radial ice, Risk Category II, Exposure Category B, and Topographic Category 1 in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-H, "Structural Standard for Antenna Supporting Structures and Antennas".

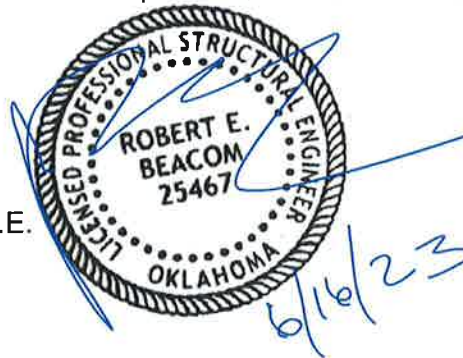
When designed according to this standard, the wind pressures and steel strength capacities include several safety factors. Therefore, it is highly unlikely that the tower will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within one or more of the tower members in the upper portion. This would result in a buckling failure mode, where the loaded member would bend beyond its elastic limit (beyond the point where the member would return to its original shape upon removal of the wind load).

Therefore, it is likely that the overall effect of such an extreme wind event would be localized buckling of a tower section. Assuming that the wind pressure profile is similar to that used to design the tower, the tower is most likely to buckle at the location of the highest combined stress ratio in the upper portion of the tower. This would result in the portion of the tower above the failure location "folding over" onto the portion of the tower below the failure location. *Please note that this letter only applies to the above referenced tower designed and manufactured by Sabre Towers & Poles.* In the unlikely event of total separation, this would result in a fall radius within the 75' x 75' lease area.

Sincerely,

Robert E. Beacom, P.E., S.E.  
Engineering Manager





Tulsa County Oklahoma  
INCOG for the Tulsa County Board of Adjustment

Narrative for a Special Exception to allow a Wireless Communication Tower and Antennas

**Applicant:** SCI Wireless and Tillman Infrastructure  
497 Ridge Point Drive  
Heath, TX 75126

**Tenant:** AT&T Wireless  
308 S. Akard St., 19<sup>th</sup> Floor  
Dallas, TX 75202

**Landowner:** Christopher M. Sefcik Revocable Living Trust & Denisha Lynn Sefcik  
19822 S 129th East  
Bixby, OK 74008

**Rep.:** Greg Ferris, SCI Wireless  
PO Box 573  
Wichita, KS 67201  
Ph. 316-516-0808, Email: ferrisco@aol.com

**Location:** 20014 S. 129 Ave, Bixby, OK 74008, PIN. 96408640859360

Project Description

Tillman Infrastructure LLC and AT&T are requesting a Special Exception from the Tulsa Country Board of Adjustment for a on the property located at the new location on 20014 S. 129 Ave, Bixby, OK 74008. The parcel is Zoned AG. AT&T is seeking a new 273-foot Communication Tower, the ("Tower"). It will consist of a 265-foot self-support tower, with an 8-foot lightning rod, and utility cabinets within a 65' x 65' fenced enclosure with access gates. Tulsa County allows a wireless communication tower and antennas in AG Zoning as a right by use if certain factors are met. However, the proposed tower does not meet the 110% setback requirement. Therefore, a Special Exception from the Tulsa Board of Adjustment is required.

AT&T Wireless ("AT&T") will collocate their panel antennas, remote radio units, antenna mounting frame and mounting poles, fiber optic cables and equipment, a GPS antenna, surge protector, generator, radio equipment cabinets, utility connections on the Facility. AT&T will

20014 S. 129 Ave, Bixby, OK 74008

locate their antennas at a RAD Center of 260 feet. The tower will be constructed to allow at least three antenna arrays.

#### Location

The Facility will be located on a large tract of land in the south part of Tulsa County. The properties abutting the parcel are zoned AG. The nearest residential zoning is over 725 feet southeast of the parcel and is zoned RM. The area is a mix of large lot residential and agricultural uses. The proposed tower site meets the required 110% setback from AG property line to the north, south and west. However, the AG parcel to the east is 130 feet from the tower. The tower will be located in the middle of the existing trees set back over 110 feet from the roadway of S. 129<sup>th</sup> East. There are no existing towers within three miles of the proposed location.

#### Objective

The tower will provide an antenna platform for AT&T to locate their antennas. The area has no coverage at the present time. The tower height is needed to cover the area required by AT&T. Included with this application are propagation plots showing the needed coverage for AT&T. 5G coverage cannot be provided to the area from towers three miles from the proposed area to be covered. Allowing the tower to be this height will lessen the need for another tower in the area. The tower will also be available for collocation. The height of the tower makes it favorable for other carriers to collocate on the tower.

#### Coverage

The Facility will augment the coverage and capacity of AT&T's wireless telecommunications network in the surrounding area including the addition of FirstNet, the national first responders' emergency network, equipment. With the increase in demand for AT&T services in the area, the existing network of sites cannot provide satisfactory and reliable service to users of the network. The lack of signal strength and network capacity in the area constitutes a gap in coverage that will be minimized by the proposed project. The Facility will ensure that AT&T can meet the high demand for their services in the immediate area surrounding the site. This demand is generated by the increasing number of people that use wireless telecommunications services not only for phone calls but for texting, emailing, teleconferencing, video streaming and surfing the web. Wireless phones and devices have replaced "traditional" landline phones and have become the primary device and service used for communication including contacting emergency services in the form of 911 calls. AT&T is committed to providing quality and reliable service to meet this user demand. In addition to facilitating the public's access to E-911, ATT will be adding FirstNet equipment which allows dedicated frequencies and services to first responders to allow them to coordinate efforts in the event of emergencies such as fires, active shooters, or weather emergencies.

#### About AT&T

As a licensee authorized by the Federal Communications Commission to provide wireless

20014 S. 129 Ave, Bixby, OK 74008

services in this region, AT&T must establish a network of wireless telecommunications facilities in the Jonesboro area and beyond. Each wireless telecommunications facility, or base station, consists of transmitting and receiving antennas mounted on a communication tower or other suitable structure and electronic equipment cabinets. It will also consist of radios for receiving and transmitting wireless communications and complex electronic equipment to operate the radios, interface with other cellular sites, provide connections to the landline telephone network, and link the facility with the main switching center.

AT&T will operate this facility in full compliance with the regulations and licensing requirements of the FCC and FAA as governed by the Telecommunications Act of 1996 and other applicable laws.

In order to meet the basic level of operational radio signal coverage, radio frequency (RF) engineers have designed a network of wireless telecommunications facilities for the area and routinely maintains and modifies the facilities to ensure they use the most up to date equipment and technology to provide the most reliable and high-quality service possible. Due to increases in demand for wireless telecommunications services modifying the existing facilities does not always fix network coverage and capacity issues resulting in the need for the development of new wireless telecommunications facilities.

The applicant's engineers choose specific sites after lengthy analysis. Selection criteria include limitations imposed by surrounding topography, the intended service area of the site, and the ability of the new site to "see" other sites in the network from its proposed location. Other selection factors include suitable access, availability of electrical and telephone service, and a willing property lessor. The antennas and equipment are screened or integrated with the building whenever possible. Only after careful analysis of many candidates and successful lease negotiations have been completed is a land use application such as this one submitted.

The cellular site is a passive use and will have no impact on other properties in the surrounding area. The facility is unstaffed. After an initial construction period of 30 to 45 days, the only traffic generated will be for routine maintenance visits, typically once or twice a month. There are no activities that will produce airborne emissions, odor, vibration, heat, glare, or noxious and toxic materials. All equipment and materials needed to operate the site are located in the equipment cabinets. The cellular site does not require water or sanitary facilities and therefore will generate no wastewater.

### **County Zoning Code Requirements**

Communication towers and antennas are considered part of Use Unit 4, Public Protection and Utilities in the Tulsa County Zoning Code. AG zoning allows Use Unit 4 by right if certain conditions are met. However, because the proposed tower does not meet the required 110% setback from the AG zoning to the east, the Code allows communication towers and antennas in AG zoning with a Special Exception from the Tulsa County Board of Adjustment (BOA).

## SECTION 1204.3 – Use Conditions

### C. General Requirements for Antennas and Towers:

1. Principal or Accessory Use. Towers may be considered either principal or accessory uses. A different existing use on the same lot shall not preclude the installation of a tower on such lot.

*Applicant's comment: The proposed tower will be a principal use on this lot. It is not an accessory use to the existing agricultural use.*

2. Towers and antennas shall meet the following requirements:

(a) Towers and antennas shall be designed to blend into the surrounding environment through the use of color, galvanizing, or camouflaging architectural treatment, except in instances where the color is dictated by federal or state authorities such as the Federal Aviation Administration.

*Applicant's comment: The proposed tower will be galvanized steel. It will be located inside the wooded area west of the roadway.*

(b) Communication towers if located within an R District or if located within 300 feet of an R District boundary line shall be of a monopole design, unless the Board of Adjustment determines by special exception that an alternative design would adequately blend into the surrounding environment, or that the required antennas cannot be supported by a monopole.

*Applicant's comment: The proposed tower is not within 300 feet of an R District boundary line.*

(c) If an antenna is installed on a structure other than a tower, the antenna mechanical equipment must be of a color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

*Applicant's comment: This does not apply.*

3. Not Essential Services. Towers and antennas shall be regulated and permitted pursuant to this ordinance and shall not be regulated or permitted as essential services, public utilities, or private utilities.

*Applicant's comment: Applicant understands that this tower is not considered an essential service.*

4. Tower Lighting. Towers shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other federal or state authority for a particular tower. When incorporated into the approved design of the tower, light fixtures used to illuminate ball fields, parking lots, or similar areas may be attached to the tower.

*Applicant's comment: The FAA will require the tower to be lit. The applicant will comply with the minimum requirements of the FAA for tower lighting.*

5. Signs and Advertising. The use of any portion of a tower for signs other than warning or equipment information signs is prohibited.

*Applicant's comment: There will be no signs other than warning and information signs used.*

6. Accessory Utility Buildings. All utility buildings and structures accessory to a tower shall meet all the requirements of the underlying zoning district. Exterior ground mounted equipment occupying more than 50 square feet shall be screened from view from property within 150 feet used for residential purposes.

*Applicant's comment: No utility buildings are proposed. The ground equipment will be screened by the existing trees from the roadway as well as the property to the east.*

7. The following setback requirements shall apply to all towers; provided, however, that the Board of Adjustment may modify the requirements by special exception;

(a) Towers must be set back a distance equal to at least one hundred ten percent (110%) of the height of the tower from any adjoining lot line of a residential, office or agricultural zoned lot, excluding expressway rights-of-way zoned residential.

*Applicant's comment: The tower setback exceeds the required setback on the north, south, and west. However, it does not meet the required setback from the property to the west agricultural zoned lot. Sheet Z-1 of the attached drawings shows the dimensions to all property lines. The applicant is requesting that this requirement be modified by the BOA by special exception. A letter from an Oklahoma certified engineer stating the tower will fall within the lease area of the tower is provided with this application.*

(b) Guys and accessory buildings must satisfy the minimum zoning district setback requirement.

*Applicant's comment: There are no guys or accessory buildings proposed.*

8. Security Fencing. Towers shall be enclosed by security fencing not less than six (6) feet in height or shall be equipped with an appropriate anti-climbing device; provided, however, that the Board of Adjustment may modify or waive such requirements by special exception.

*Applicant's comment: A six-foot fence is proposed. The fence will have barbed wire, which is allowed in AG zoning, to further discourage access to the site. The tower will have an appropriate anti-climbing device.*

**E. Antenna and Towers Requiring Special Exceptions. If a tower or antenna is not permitted pursuant to Section 1204.3.D. of this chapter, a special exception shall be required for the construction of a tower in all zoning districts:**

1. Factors to be considered in granting a special exception. In addition to any other requirements of this section, the following factors shall be considered in the determination to grant or deny a special exception for an antenna or tower:



- (a) Height of the proposed tower.  
*Applicant's comment: The tower will be 265 feet, not including the lightning rod. This is the minimum height that AT&T RF engineers have determined is suitable to provide adequate coverage in the area. Propagation maps from AT&T are included with this application. These demonstrate the need for a tower of this height. If a shorter tower was used, one or two additional towers would likely be required to provide adequate coverage to the area.*
- (b) Proximity of the tower to residential structures, residential district boundaries and existing towers.  
*Applicant's comment: The proposed tower over 725 feet from a residential district boundary. While the tower does not meet the 110% setback to the east, there is no residential structure within 350 feet of the tower. This would exceed the required setback. The nearest tower is three miles from the proposed tower. This is well outside the search ring for this tower. Two aerials showing a 350 ft. ring and 3-mile ring are included with this application. A letter from an Oklahoma certified engineer stating the tower will fall within the lease area of the tower is provided with this application.*
- (c) Nature of uses on adjacent and nearby properties.  
*Applicant's comment: The area is large lot residential and agricultural.*
- (d) Surrounding topography.  
*Applicant's comment: The area has slight elevation changes. However, it is not distinctive enough to impact the tower.*
- (e) Surrounding tree coverage and foliage.  
*Applicant's comment: There is extensive tree and foliage both in the area and on the proposed parcel.*
- (f) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.  
*Applicant's comment: The tower height does not lend itself to a camouflaged or monopole tower. However, the tower will not have guyed wires which helps to eliminate some of the visual obtrusiveness.*
- (g) The total number and size of antennas proposed and the ability of the proposed and the ability of the proposed tower to accommodate collocation.  
*Applicant's comment: AT&T will locate the standard 10-foot antennas on the tower. They usually have 6 to 9 of these antennas at the outset of their use. The tower will be designed to accommodate at least two other carriers. Tillman Infrastructure is a vertical real estate company and has master lease agreements with acceptable lease terms with all major carriers. This ensures that this tower will accommodate collocation.*
- (h) Architectural design of utility buildings and accessory structures to blend with the surrounding environment.  
*Applicant's comment: No utility buildings are proposed. The accessory structures, which will be the equipment cabinets, will be hidden by the existing trees and foliage.*
- (i) Proposed ingress and egress.

*Applicant's comment: The equipment compound will have access to S. 129<sup>th</sup> Ave. It will be a gravel access road. Once constructed, the site will generate less than three trips per month.*

- (j) The need of the applicant for a communications tower within the immediate geographic area to provide an acceptable level of communications service to the area.

*Applicant's comment: Propagation maps demonstrating the need for the proposed tower are provided with this application. The area is drastically underserved as there are no towers within three miles of this site. The propagation maps show the before and after scenarios. These show that there currently is little or no service before; and strong coverage after the tower is built.*

- (k) The size of the tract and the most likely future development as indicated by the Comprehensive Plan, planned infrastructure, topography and other physical facts.

*Applicant's comment: The tract is 70 acres. This would allow development of this parcel with the tower. This area is not likely to have major development for a few years. The tower will not have an impact on that development when it occurs.*

- (l) Landscaping.

*Applicant's comment: The applicant does not plan any landscaping. It is planned to save as many of the existing trees as possible. The mature trees provide more landscape buffer than any new landscaping could provide.*

2. Collocation. Collocation of facilities should be encouraged wherever practical by allowing reasonable extra height or tower diameter necessary to support multiple antennas.

*Applicant's comment: The planned height of the tower should allow other carriers the needed height without any needed extension of the tower. The attached elevation drawing shows available heights of 245 and 230 feet. Tillman will make this tower, at the needed heights, available to all carriers.*



**Case Number:** CBOA-3102

**Hearing Date:** 12/19/2023 1:30 PM  
(Continued from 09/19/2023,  
10/17/2023 & 11/21/2023)

**Case Report Prepared by:**

Jay Hoyt

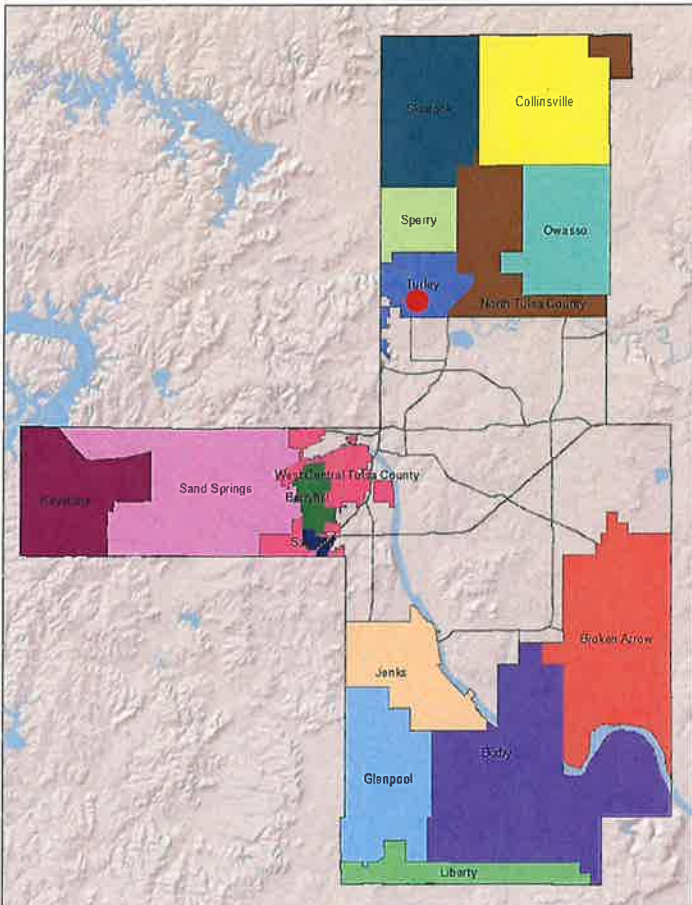
**Owner and Applicant Information:**

**Applicant:** Luis Raul Hernandez Galindo

**Property Owner:** ANKA REAL ESTATE &  
HOLDINGS LLC

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

**Location Map:**



**Additional Information:**

**Present Use:** Vacant

**Tract Size:** 0.22 acres

**Location:** 6314 N TRENTON 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-3102**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 12/19/2023 1:30 PM (Continued from 09/19/2023, 10/17/2023 & 11/21/2023)

**APPLICANT:** Luis Raul Hernandez Galindo

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

**LOCATION:** 6314 N TRENTON AV E

**ZONED:** RS

**FENCELINE:** Turley

**PRESENT USE:** Vacant

**TRACT SIZE:** 0.22 acres

**LEGAL DESCRIPTION:** LT 13 BLK 3, PHILLIPS FARMS ADDN Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Property:**

**CBOA-526 January 1985:** The Board approved a Special Exception to permit a manufactured home in the RS district (Section 410).

**CBOA-2065 October 2003:** The Board approved a Special Exception to permit a manufactured home in the RS district (Section 410).

**CBOA-2596 September 2003:** The Board approved a Special Exception to permit a manufactured home in the RS district (Section 410).

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RS and is currently vacant. 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 manufactured home in the RS district (Section 410).

The site contains 0.22 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: \_\_\_\_\_.**

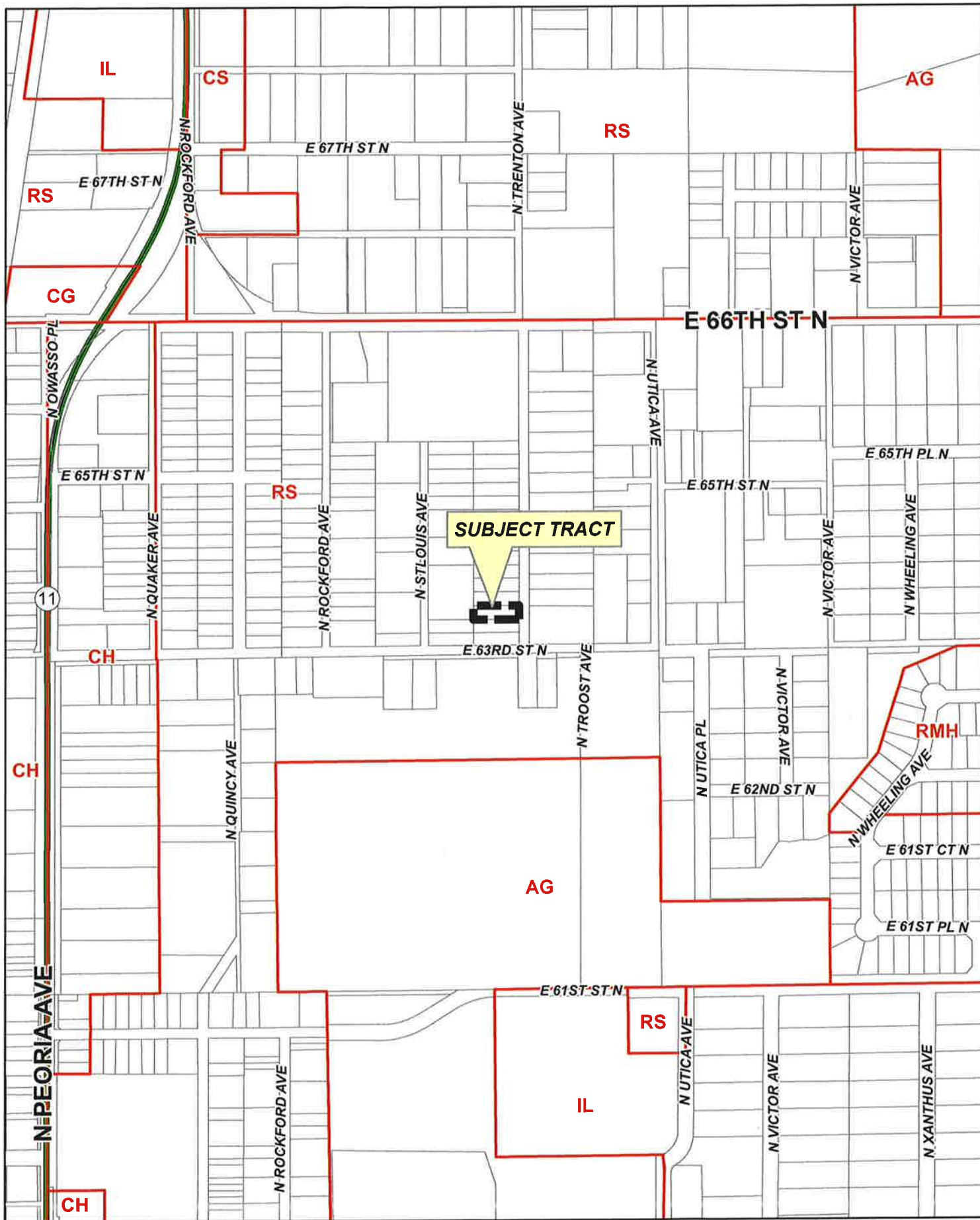
**In granting a Special Exception, the Board must find that the Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.**



Subject tract looking Northwest from N Trenton Ave



Subject tract looking Southwest from N Trenton Ave

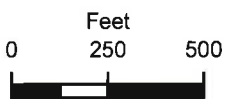
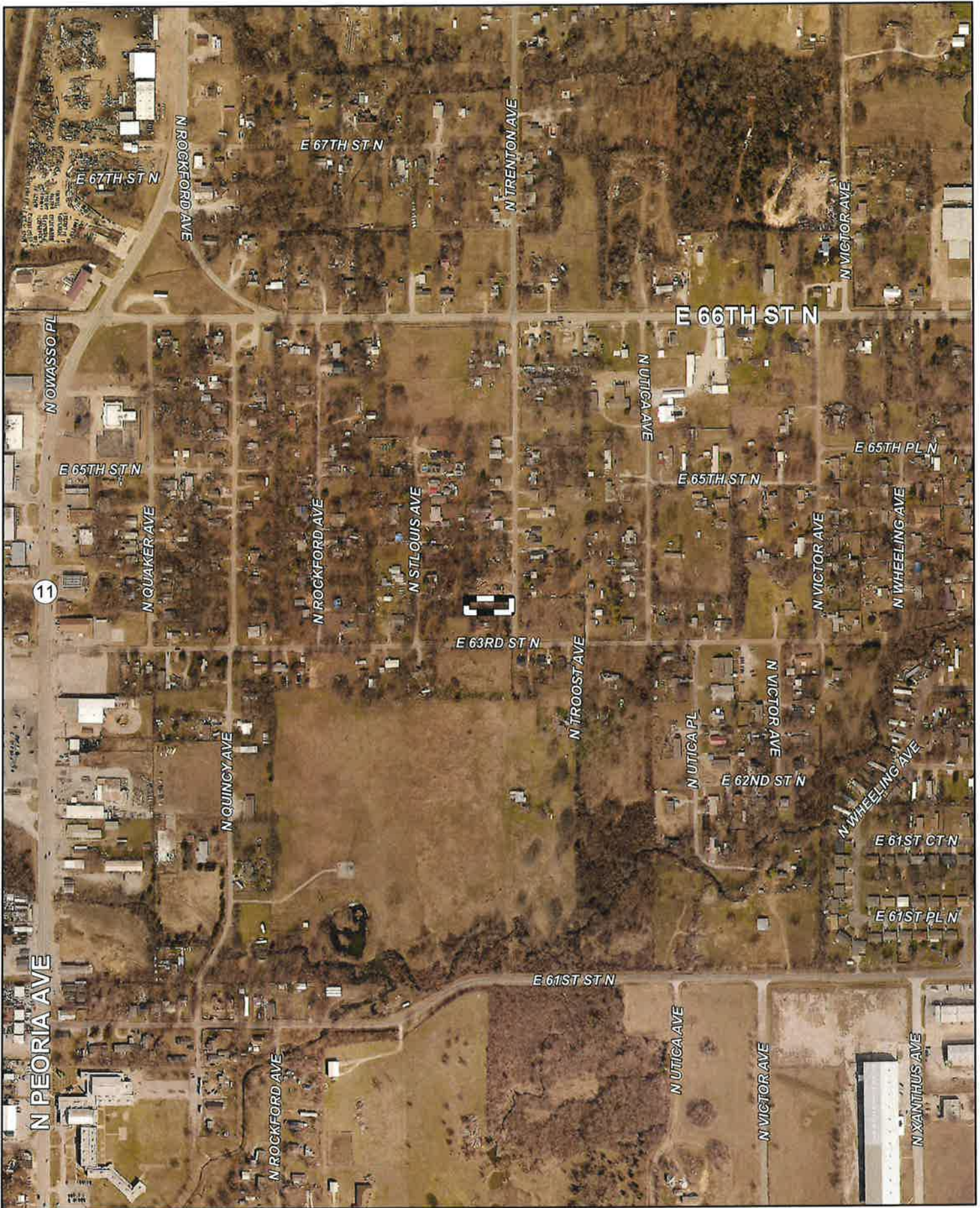


**SUBJECT TRACT**

**CBOA-3102**

20-13 06





Subject Tract

**CBOA-3102**

20-13 06

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

Aerial Photo Date: 2023



CBOA-3102 4.6



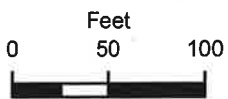


**N ST LOUIS AVE**

**N TRENTON AVE**

**E 63RD ST N**

**N TROOST AVE**



*Subject Tract*

**CBOA-3102**

20-13 06

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

*Aerial Photo Date: 2023*

CBOA-3102 4.7





# Board of Adjustment

**Case Number:** CBOA-3113

**Hearing Date:** 12/19/2023 1:30 PM  
(Continued from 11/21/2023)

**Case Report Prepared by:**

Jay Hoyt

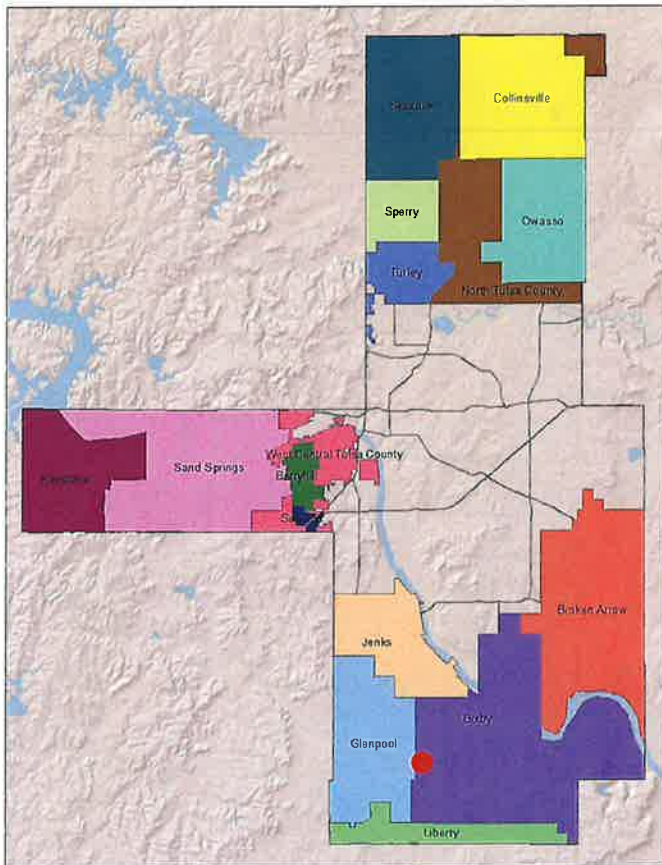
**Owner and Applicant Information:**

**Applicant:** Linda C. Morton

**Property Owner:** MORTON, LINDA C & ANTHONY L

**Action Requested:** Variance of the street frontage from 30' to 0' in an AG district to permit a lot split (Section 207).

**Location Map:**



**Additional Information:**

**Present Use:** Residential/AG

**Tract Size:** 15.61 acres

**Location:** 2652 E 171st St S

**Present Zoning:** AG

**Fenceline/Area:** Bixby

**Land Use Designation:** Rural Residential

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 7332  
**CZM:** 66

**CASE NUMBER:** CBOA-3113  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 12/19/2023 1:30 PM (Continued from 11/21/2023)

**APPLICANT:** Linda C. Morton

**ACTION REQUESTED:** Variance of the street frontage from 30' to 0' in an AG district to permit a lot split (Section 207).

**LOCATION:** 2652 E 171st St S

**ZONED:** AG

**FENCELINE:** Rural Residential

**PRESENT USE:** Residential/AG

**TRACT SIZE:** 15.61 acres

**LEGAL DESCRIPTION:** E/2 NE SW NW & NW SE NW LESS E40 THEREOF & W40 E80 SW NE NW & W40 E80 NW NE NW SEC 31 17 13 15.606ACS, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:** None Relevant

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

**STAFF COMMENTS:**

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

The applicant intends to split the subject tract into two tracts as shown on the lot split exhibit provided by the applicant. After the lot split, the resulting Tract 2 will have access to E 171<sup>st</sup> St S via 40 ft wide portion of the lot. The resulting Tract 1 will not have access to E 171<sup>st</sup> St S. Lots are required to have a minimum of 30 feet of frontage on a publicly maintained road. The applicant intends to provide an access and utility easement along the 40 ft wide portion of Tract 2 that connects to 171<sup>st</sup> to provide access for Tract 1.

The applicant provided the statement "We are splitting the original tract into two (2) tracts and therefore are needing to provide an easement to Tract 1 on the 40 ft wide access land to 171<sup>st</sup> St S, Mounds, OK."

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

**Sample Motion:**

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

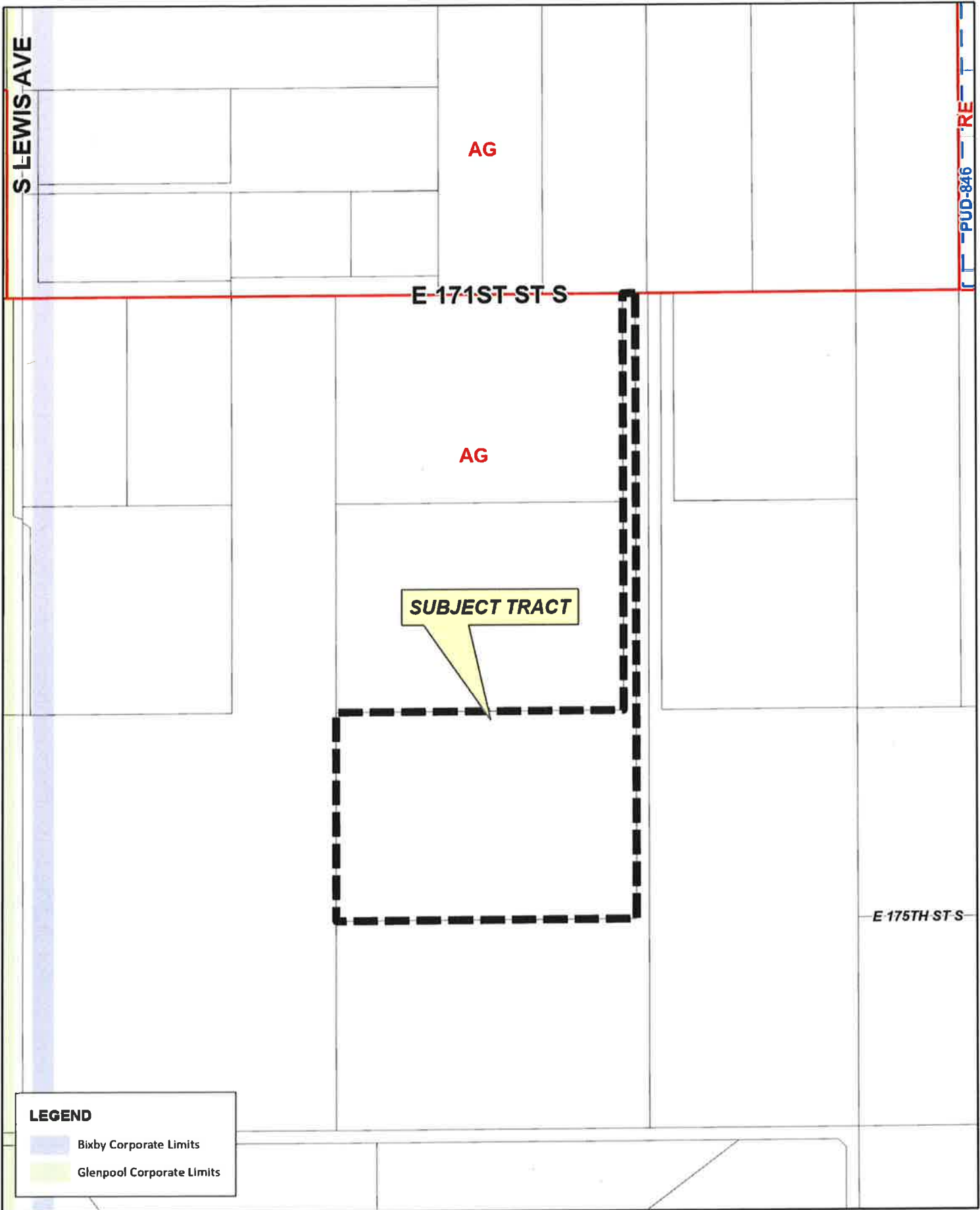
Subject to the following conditions, if any: \_\_\_\_\_.

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

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



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

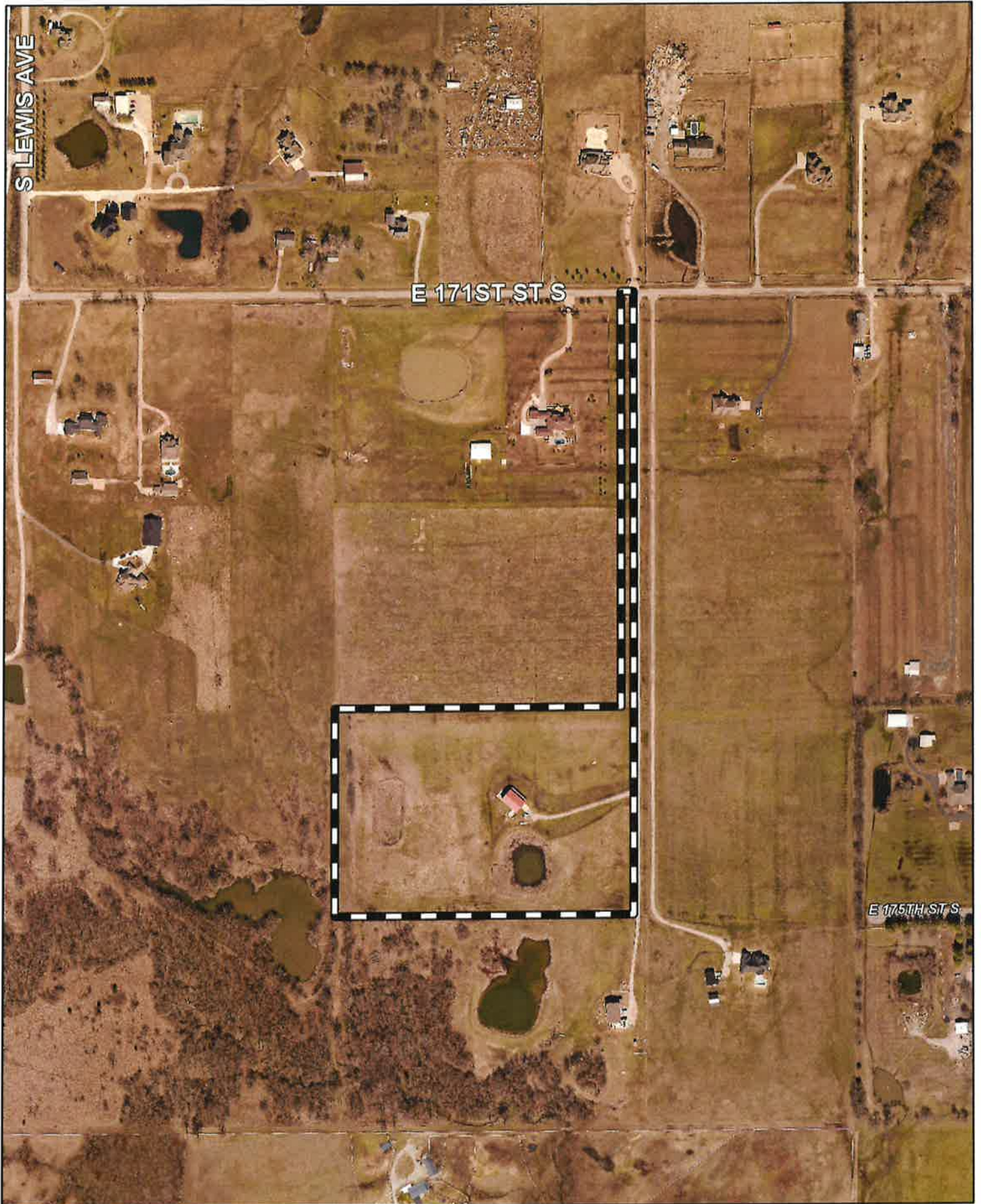


**CBOA-3113**

17-13 32

CBOA-3113 5.5

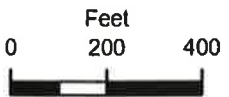




S LEWIS AVE

E 171ST ST S

E 175TH ST S



Subject Tract

**CBOA-3113**

17-13 32

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

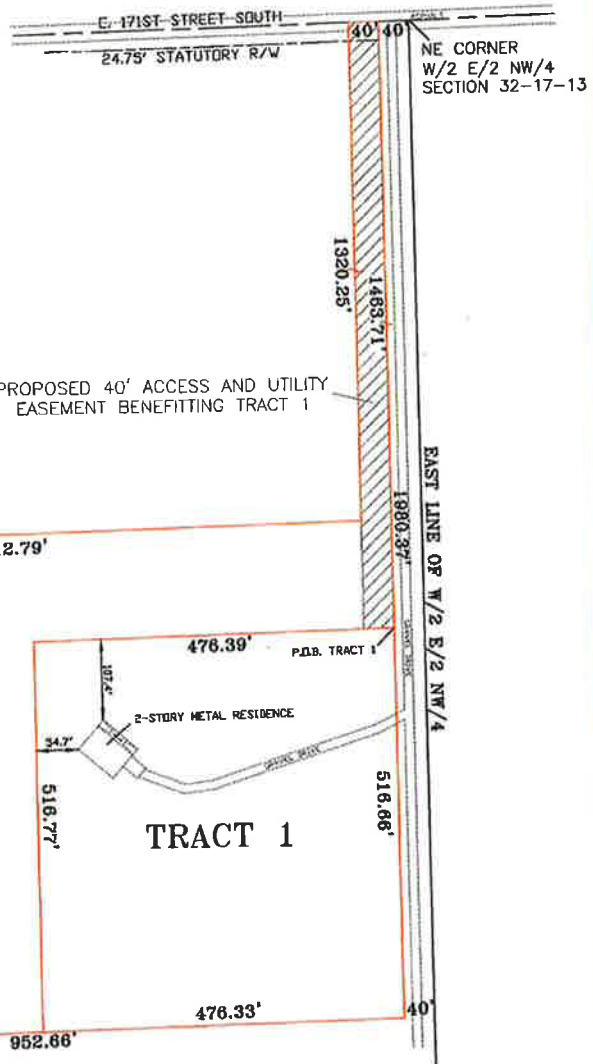
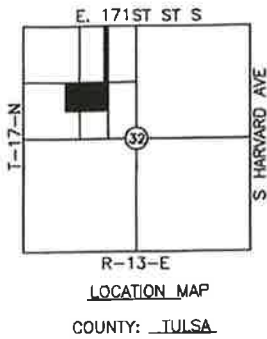
Aerial Photo Date: 2023



CBOA-3113 5.6

# LOT SPLIT PLAT

PREPARED FOR LINDA & ANTHONY MORTON  
 PROPERTY ADDRESS: 2652 E. 171ST ST. S.,  
 MOUNDS, OK 74047



FOR LEGAL DESCRIPTIONS  
 "SEE ATTACHMENT"

### CERTIFICATE

I, DANIEL S. GOSS, A REGISTERED SURVEYOR BY THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT THIS IS NOT A LAND OR BOUNDARY SURVEY AND THAT NO EFFORT WAS MADE TO RESEARCH FOR ANY OTHER EASEMENTS AT THE COUNTY CLERK OR OTHER RECORDS OFFICE AND FENCING IS NOT SHOWN.

THIS PLAT WAS PREPARED FOR LOT SPLIT PURPOSES ONLY, AS REQUIRED.

WITNESS MY HAND AND SEAL THIS 20TH DAY OF SEPTEMBER, 2023

*D. S. Goss*  
 DANIEL S. GOSS P.L.S. NO. 1316



**D. GOSS & ASSOCIATES**  
 12347 HEYWOOD HILL RD  
 SAPULPA, OK 74066  
 PH (918) 771-0096 FAX (918) 771-7750

Scale: NONE	DATE: 9/20/23
MORTON	DRAWN BY: DG
JOB # 13826	REVISED:



**Hoyt, Jay**

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**From:** Stephanie Bradley <sbradley@olp.net>  
**Sent:** Thursday, November 09, 2023 12:28 PM  
**To:** esubmit  
**Subject:** Comments to Case number CBOA-3113

To Whom It May Concern,

We disagree with the lot split as well as the additional easement request. We purchased our land with the expectation that all lots would remain the same as sold at the original identified acre lots allocated at the time of the land auction. By allowing this lot split; it allows the potential for other lots to be split into small acreages which in our opinions hurts the value of our property.

So far, with only the two "driveways" currently built...the water run off issue creates pools of water onto the adjoining properties and damages the roads.

Having two "houses" share one driveway (approximately 0.4 mile long) which will have to be maintained by the 10 acre lot but driven on by the 5.6 acre lot will only lead to conflict. As that long of a driveway is costly to maintain. We just don't understand how this arrangement is going to work with an easement only arrangement.

We request the lot split be denied as to keep the lot size as purchased at the auction in 2012. And therefore request the easement be denied.

Thank you for your consideration to our comments,

Mike & Stephanie Bradley  
2720 E. 171<sup>st</sup> St. S.  
Mounds, OK 74047



**Case Number:** CBOA-3120

**Hearing Date:** 12/19/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

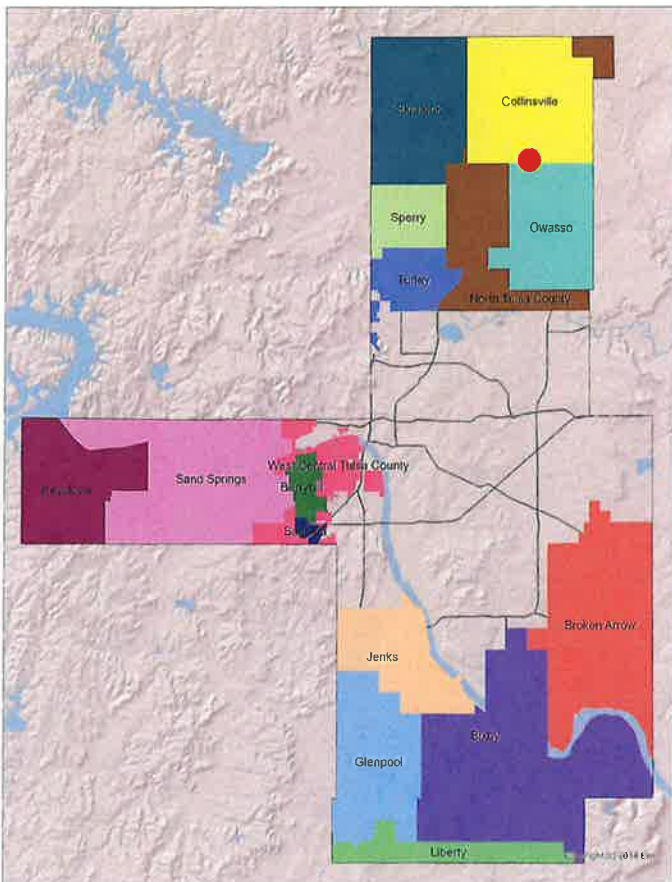
**Owner and Applicant Information:**

**Applicant:** Mark Fleming

**Property Owner:** FLEMING, MARK D & LAURA J

**Action Requested:** Variance of the minimum land area per dwelling unit requirement in an AG-R district (Sec. 330) and a Variance to permit two dwelling units on one lot of record in the AG-R district (Sec. 208).

**Location Map:**



**Additional Information:**

**Present Use:** Residential

**Tract Size:** 1.94 acres

**Location:** 9489 E 126 ST N

**Present Zoning:** AG-R

**Fenceline/Area:** Collinsville

**Land Use Designation:** Residential

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 2336

**CZM:** 7

**CASE NUMBER:** CBOA-3120

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 12/19/2023 1:30 PM

**APPLICANT:** Mark Fleming

**ACTION REQUESTED:** Variance of the minimum land area per dwelling unit requirement in an AG-R district (Sec. 330) and a Variance to permit two dwelling units on one lot of record in the AG-R district (Sec. 208).

**LOCATION:** 9489 E 126 ST N

**ZONED:** AG-R

**FENCELINE:** Collinsville

**PRESENT USE:** Residential

**TRACT SIZE:** 1.94 acres

**LEGAL DESCRIPTION:** E/2 LT 3 BLK 3, NORTH-DALE ACRES Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:** None Relevant

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

**STAFF COMMENTS:**

The applicant is before the Board to request a Variance of the minimum land area per dwelling unit requirement in an AG-R district (Sec. 330) and a Variance to permit two dwelling units on one lot of record in the AG-R district (Sec. 208).

The AG-R district requires minimum of 1.1 acres per dwelling unit. The subject tract is 1.94 acres in size and contains a single-family residence. In addition, only one dwelling is allowed on a lot of record in the AG-R zone. The applicant intends to construct a second dwelling on the lot, which would require 2.2 acres total in area to comply with the minimum land area requirement. Two variances would be required since more than one dwelling on a lot of record in an AG-R zone is being requested and the total land area is under the 2.2 acres that would be required for two dwellings.

The applicant provided the statement that the intention is for the second dwelling is to serve as living quarters for their son for now and possibly for the applicant at some point in the future.

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

**Sample Motion:**

*“Move to \_\_\_\_\_ (approve/deny) a Variance of the minimum land area per dwelling unit requirement in an AG-R district (Sec. 330) and a Variance to permit two dwelling units on one lot of record in the AG-R district (Sec. 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 variances to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan.*



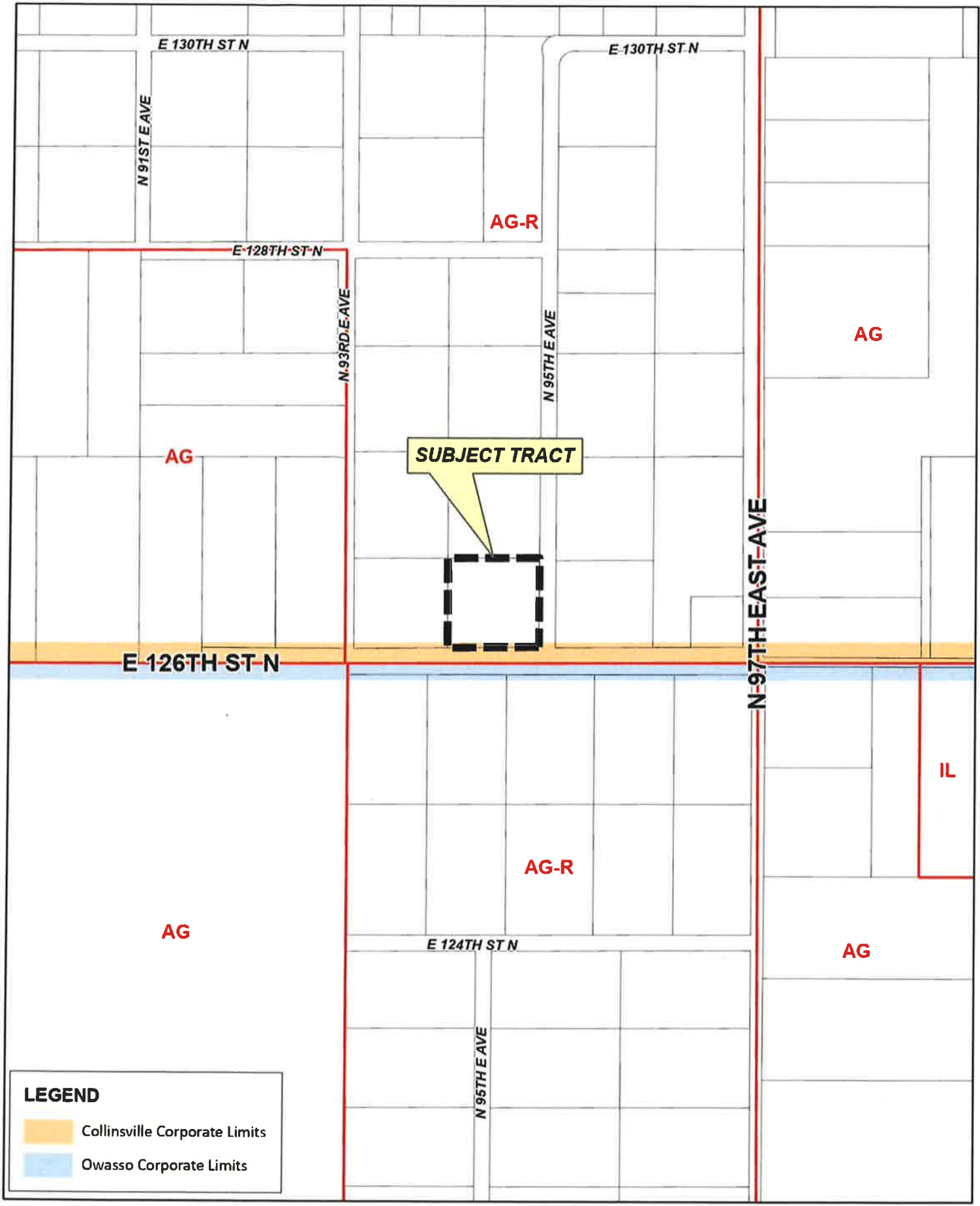
Subject tract looking Northwest from E 128<sup>th</sup> St N



Subject tract looking North from E 128<sup>th</sup> St N



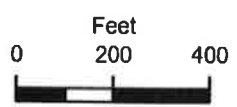
Subject tract looking Northeast from E 128<sup>th</sup> St N



**SUBJECT TRACT**

**LEGEND**

- Collinsville Corporate Limits
- Owasso Corporate Limits



**CBOA-3120**

22-13 36

CBOA-3120 6.6





E 130th St N

E 130th St N

N 91st Ave

E 128th St N

N 93rd Ave

N 95th Ave

E 126th St N

N 97th East Ave

E 124th St N

N 95th Ave



Subject Tract

**CBOA-3120**

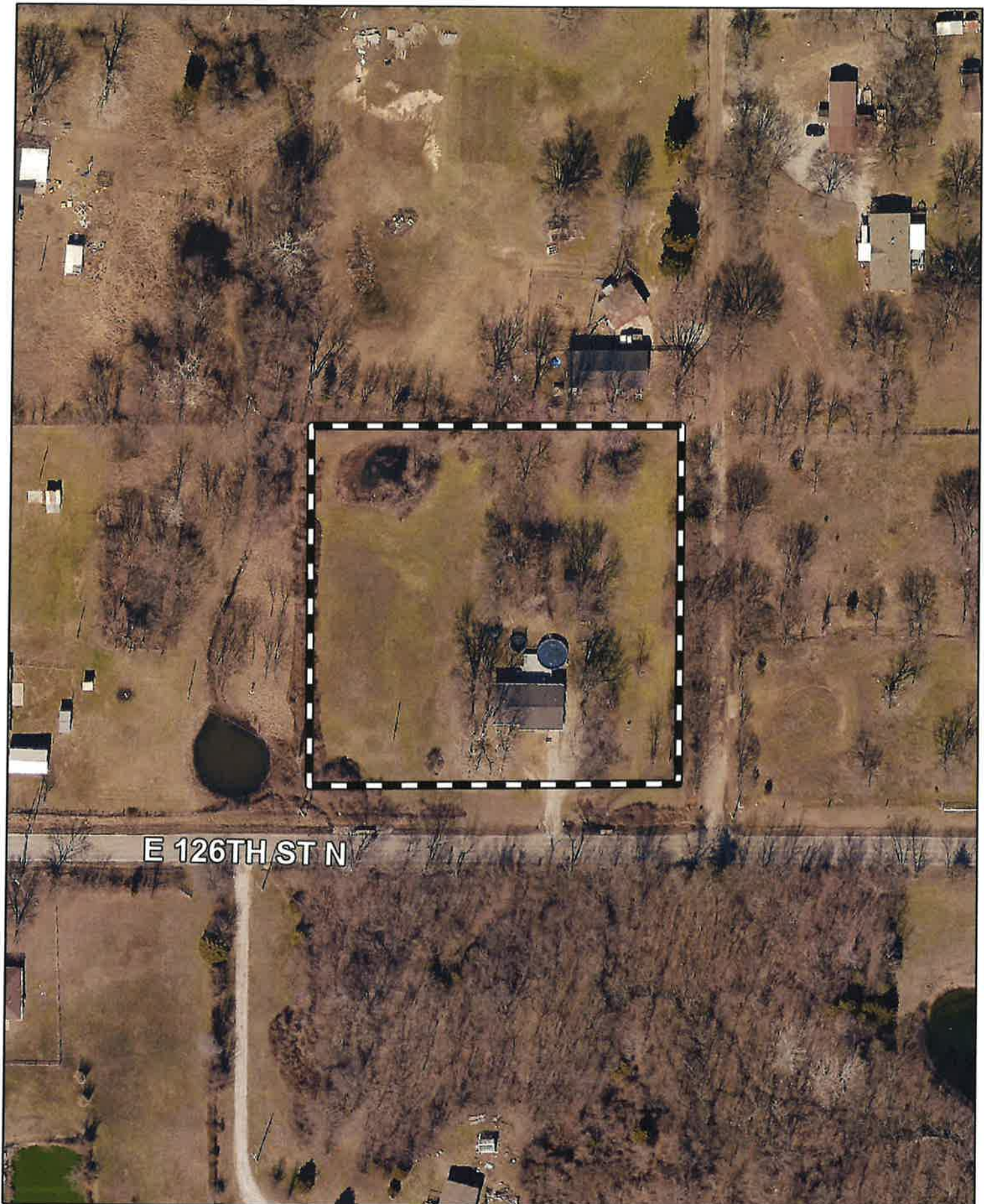
Note: Graphic overlays may not precisely align with physical features on the ground.

22-13 36

Aerial Photo CBOA-3120 6.7







E 126TH ST N



Subject Tract

**CBOA-3120**

22-13 36

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

Aerial Photo 08/2013 CBOA-3120 6.8





# Board of Adjustment

**Case Number:** CBOA-2866-A

**Hearing Date:** 12/19/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

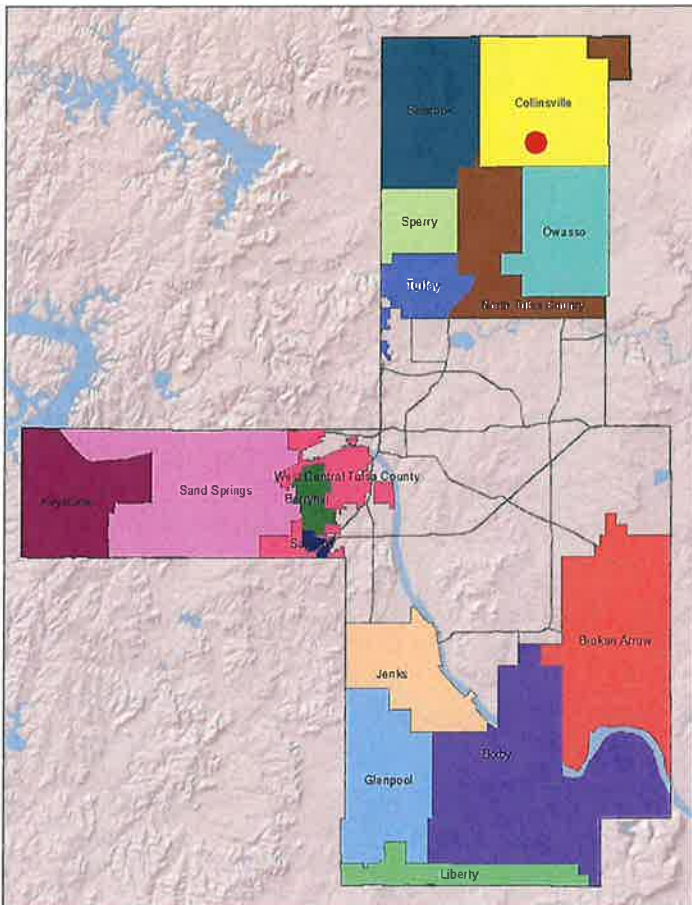
**Owner and Applicant Information:**

**Applicant:** Robert Hopper

**Property Owner:** VERMILLION, MCKENZIE K

**Action Requested:** Modification of a previously approved Special Exception (CBOA-2866) to extend the time limitation to permit a horticulture nursery (Use Unit 3) in an AG-R district (Section 310 Table 1).

**Location Map:**



**Additional Information:**

**Present Use:** AG/Residential

**Tract Size:** 2.28 acres

**Location:** 13818 N 92 AV E

**Present Zoning:** AG-R

**Fenceline/Area:** Collinsville

**Land Use Designation:** Residential

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 2325  
**CZM:** 7

**CASE NUMBER: CBOA-2866-A**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 12/19/2023 1:30 PM

**APPLICANT:** Robert Hopper

**ACTION REQUESTED:** Modification of a previously approved Special Exception (CBOA-2866) to extend the time limitation to permit a horticulture nursery (Use Unit 3) in an AG-R district (Section 310 Table 1).

**LOCATION:** 13818 N 92 AV E

**ZONED:** AG-R

**FENCELINE:** Collinsville

**PRESENT USE:** AG/Residential

**TRACT SIZE:** 2.28 acres

**LEGAL DESCRIPTION:** BEG 1160.63N & 329.71W SECR W/2 SE TH W659.41 N165.81 E659.4 S165.81 POB LESS W30 & E30 THEREOF FOR RD SEC 25 22 13 2.282ACS, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:**

**CBOA-2866 March 2021:** The Board approved a Special Exception to permit a Horticulture Nursery in an AG-R district (Section 310 Table 1) with a time limit of two years.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned AG-R and contains a single-family residence and agricultural uses. The tract is surrounded by AG-R zoning containing a mix of single-family residences and agricultural uses.

**STAFF COMMENTS:**

The applicant is before the Board to request a Modification to a previously approved Special Exception (CBOA-2866) for a horticulture nursery (Use Unit 3) to extend the time limit (Section 310 Table 1)).

Previously, CBOA-2866 was approved by the Board granting a Special Exception to allow a horticulture nursery with a two year time limit, which expired in March of this year (2023). The applicant wishes to extend this time limit so that they may continue to utilize the subject lot for a horticulture nursery. The site has been used and is proposed to continue to be used for a medical cannabis cultivation business.

A special exception was required as the proposed horticulture nursery is a use which is not permitted by right but by exception in the AG-R 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 horticulture nursery 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:*

- *Placing a time limit for approval of the modification request.*

*“Move to \_\_\_\_\_ (approve/deny) a Modification of a previously approved Special Exception (CBOA-2866) to extend the time limitation to permit a horticulture nursery (Use Unit 3) in an AG-R district (Section 310 Table 1).*

*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 tract looking Southwest from N 92<sup>nd</sup> E Ave



Subject tract looking Northwest from N 92<sup>nd</sup> E Ave



**CBOA-2866-A**

22-13 25

CBOA-2866-A 7.5





 Subject Tract

**CBOA-2866-A**

22-13 25

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

Aerial Photo Date: 2023

CBOA-2866-A 7.6





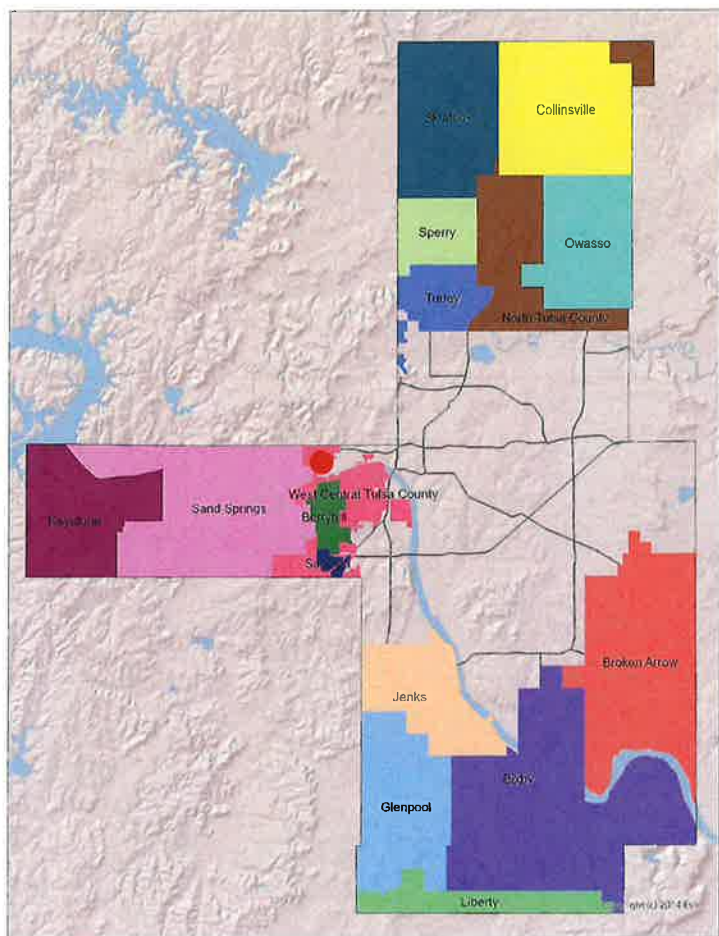
**Case Number:** CBOA-3121  
**Hearing Date:** 12/19/2023 1:30 PM

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
**Applicant:** Letty Vazquez  
**Property Owner:** WILLIAMS, KYLE &

**Action Requested:** Special Exception to permit a manufactured home (Use Unit 9) in the RS district (Section 410)

**Location Map:**



**Additional Information:**

**Present Use:** Residence  
**Tract Size:** 5.98 acres  
**Location:** 5912 W 2 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:** 9205  
**CZM:** 35

**CASE NUMBER: CBOA-3121**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 12/19/2023 1:30 PM

**APPLICANT:** Letty Vazquez

**ACTION REQUESTED:** Special Exception to permit a manufactured home (Use Unit 9) in the RS district (Section 410)

**LOCATION:** 5912 W 2 ST S

**ZONED:** RS

**FENCELINE:** West Central Tulsa County

**PRESENT USE:** Residence

**TRACT SIZE:** 5.98 acres

**LEGAL DESCRIPTION:** BEG NWC OF SE SW TH W714.08 NE244.63 NW208 NE451.03 E63.01 SE166 NE70.65 S TO POB SEC 5 19 12 5.98 ACS, BLUE RIDGE SUB Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:** None Relevant

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RS and contains a single-family residence. The site is surrounded by RS zoning containing single-family residences with the exception of abutting Highway 412 to the north.

**STAFF COMMENTS:**

The applicant is before the Board to request a Special Exception to permit a manufactured home (Use Unit 9) in the RS district (Section 410).

The site contains 5.98 acres. The existing home on the tract is intended to be removed prior to the manufactured home being placed on the lot.

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 (Use Unit 9) 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 tract looking West from W 2<sup>nd</sup> St S (Note: Items in foreground are located on an adjacent tract and not on subject tract. Existing home shown is near property line.)





Subject Tract

**CBOA-3121**

19-12 05

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

Aerial Photo Date: 2023  
CBOA-3121 8.6





# Board of Adjustment

**Case Number:** CBOA-2150-B

**Hearing Date:** 12/19/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

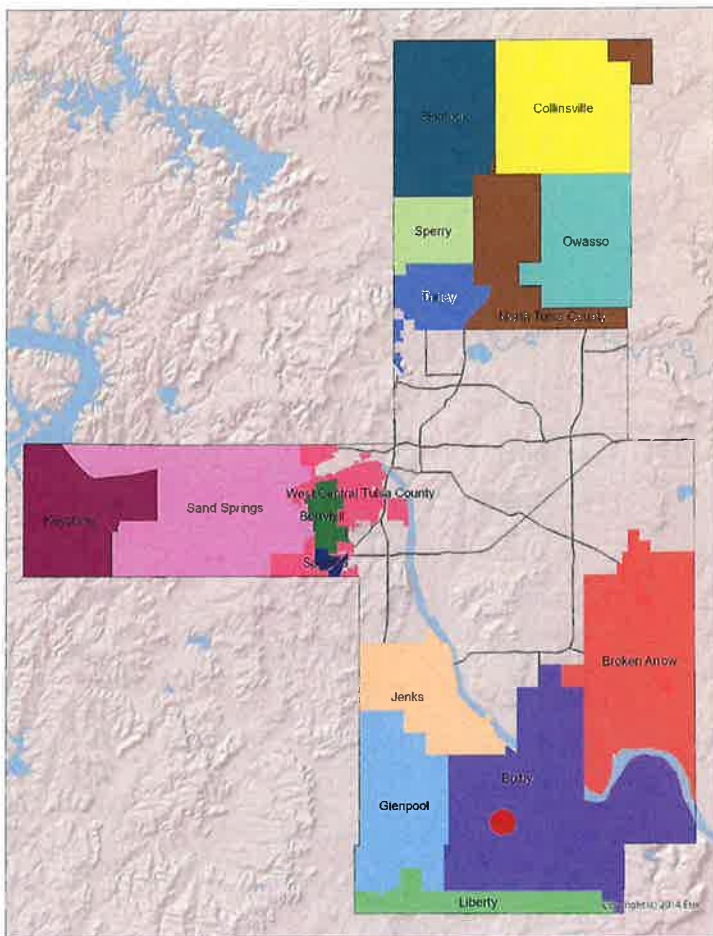
**Owner and Applicant Information:**

**Applicant:** Mark Simpson

**Property Owner:** SOUTH COMMUNITY CHURCH INC

**Action Requested:** Modification of the previously approved site plan (CBOA-2150,CBOA-2150-A)

**Location Map:**



**Additional Information:**

**Present Use:** Church

**Tract Size:** 19.15 acres

**Location:** 5161 E 171 ST S

**Present Zoning:** OL, AG

**Fenceline/Area:** Bixby

**Land Use Designation:** Rural Residential

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 7327

**CZM:** 67

**CASE NUMBER:** CBOA-2150-B

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 12/19/2023 1:30 PM

**APPLICANT:** Mark Simpson

**ACTION REQUESTED:** Modification of the previously approved site plan (CBOA-2150,CBOA-2150-A)

**LOCATION:** 5161 E 171 ST S

**ZONED:** OL, AG

**FENCELINE:** Bixby

**PRESENT USE:** Church

**TRACT SIZE:** 19.15 acres

**LEGAL DESCRIPTION:** LT 1 & RESERVE A & B BLK 1, SOUTH TULSA COUNTY MAINTENANCE CENTER, MIDWEST AGAPE CHAPEL ADDN PRT RESUB QUAD CENTER Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:**

**CBOA-2150-A May 2011:** The Board approved an amended site plan for a day care center accessory to a church use of the property.

**CBOA-2150 March 2005:** The Board approved an amended site plan as approved by CBOA-1484 for expansion for a children's church facility.

**CBOA-1484 March 1997:** The Board approved a Special Exception to permit church use in an OL and AG zoned district; subject to the plan submitted being approved in concept only; subject to the first phase building location be approved as submitted and the applicant return to the Board with any future development to seek approval of compliance with the conceptual plan; subject to the maximum height of any building within this development being 26' maximum (heights defined in the County Zoning Code).

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zone OL/AG and contains a church facility. The tract is abutted to the North, South, East and West by AG zoning containing agricultural uses. The tract is also abutted to the west by IL zoning containing a Tulsa County Highway Maintenance facility.

**STAFF COMMENTS:**

The applicant is requesting a Modification to a previously approved site plan (CBOA-2150-A, CBOA-2934, CBOA 1690) to allow an additional building (Use Unit 5) community market in the AG district.

In 1997, the Board approved a request for a Special Exception to allow a (Use Unit 5) church in the OL and AG district subject to the following condition:

- Per site plan as presented

In 2005, the Board approved a request for a modification to a previously approved site plan to add an additional building to be used as a children's church facility.

In 2011, the Board approved a request for a modification to a previously approved site plan to add an additional building to be used as a day care facility.

The applicant is proposing to relocate an existing metal building on the site to serve as a children's educational facility.

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

Sample Motion for Modification:

"Move to \_\_\_\_\_ (approve/deny) a Modification to a previously approved site plan (CBOA-2150-A, CBOA-2150, CBOA-1484) to allow the relocation of an existing building to serve as a children's educational facility.

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

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

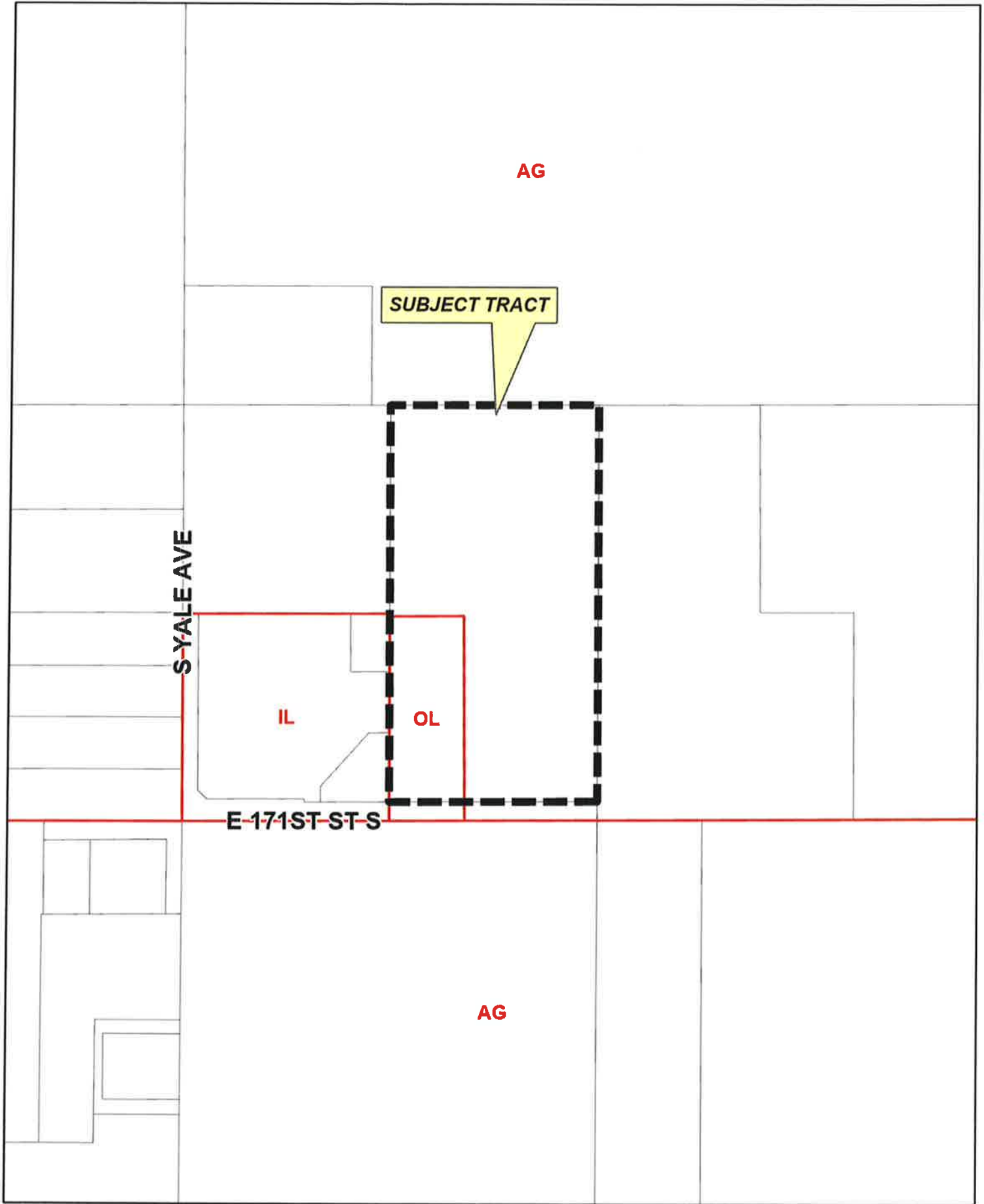




Subject tract looking Northeast from E 171<sup>st</sup> St S



Subject tract looking Northwest from E 171<sup>st</sup> St S



AG

SUBJECT TRACT

S-YALE AVE

IL

OL

E-171ST-ST-S

AG



**CBOA-2150-B**

17-13 27

CBOA-2150-B 9.5





S YALE AVE

E 171ST ST S



Subject Tract

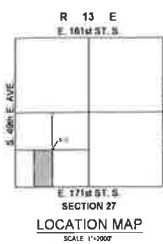
**CBOA-2150-B**

17-13 27

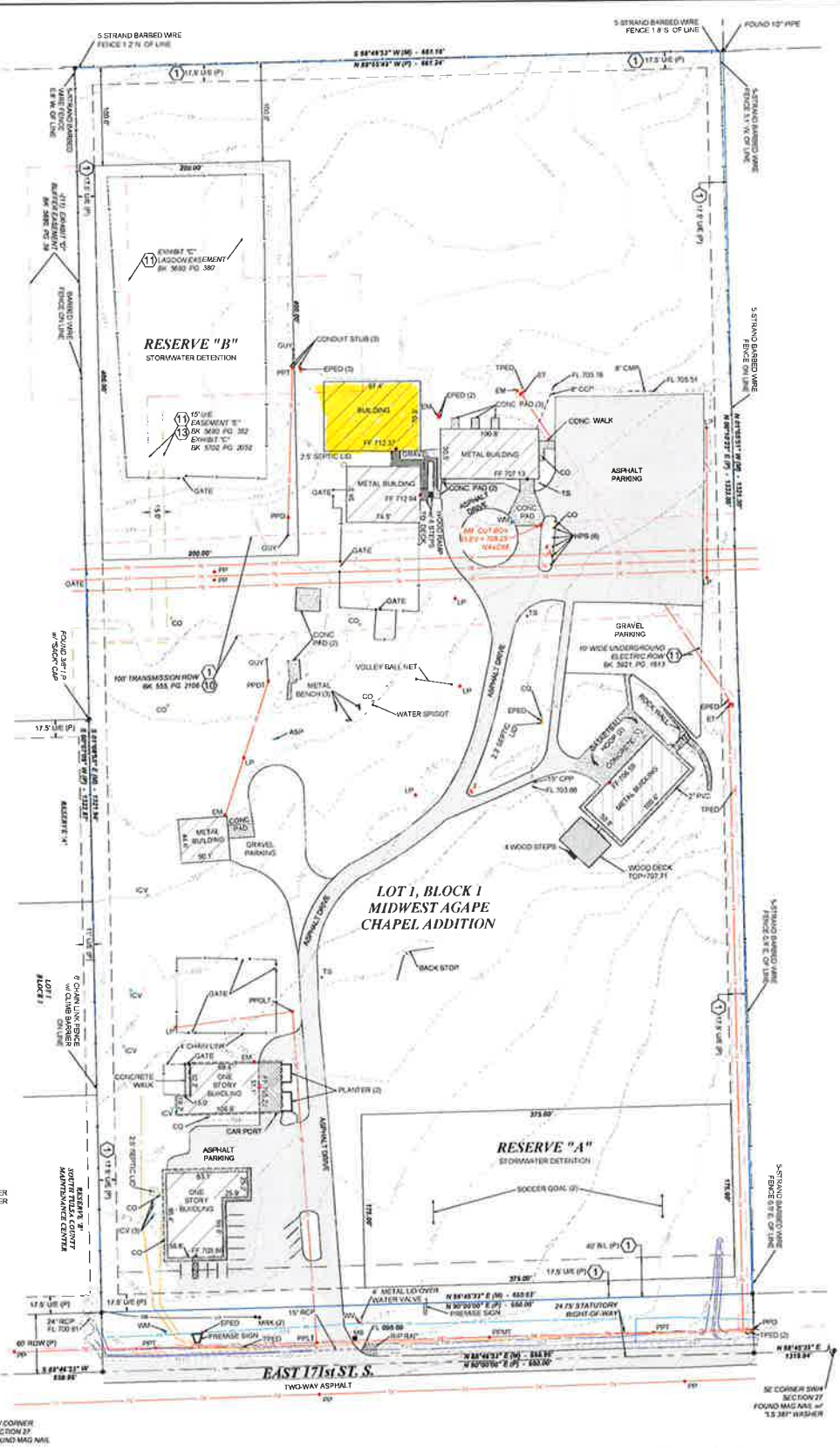
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2023  
CBOA-2150-B 9.6





- LEGEND**
- AC = AIR CONDITIONER
  - AG = AREA INLET
  - ASB = AUTO SPRINKLER
  - BC = BOTTOM OF CURB
  - BL = BUILDING LINE
  - BM = BENCHMARK
  - BWF = BARBED WIRE FENCE
  - CAVY = CABLE TV PREWIRE
  - CL = CENTERLINE
  - CLB = CHAIN LINK BARRIER
  - CLF = CHAIN LINK FENCE
  - CO = CLEAN OUT
  - CPS = COLD POWER SUPPLY
  - CMP = CORRUGATED METAL PIPE
  - CPW = CORRUGATED PLASTIC PIPE
  - DGR = DOUBLE GATE DROP INLET
  - DIP = DUCTILE IRON PIPE
  - EM = ELECTRIC METER
  - EO = ELECTRIC OUTLET
  - EPED = ELECTRIC PREWIRE
  - ET = ELECTRIC TRANSFORMER
  - FF = FINISH FLOOR
  - FG = FINISH GRADE
  - FH = FIRE HYDRANT
  - FP = FLAG POLE
  - FL = FLOW LINE
  - GM = GAS METER
  - GR = GAS REGULATOR
  - GV = GAS VALVE
  - GL = GROUND LIGHT
  - GP = GUARD POST
  - GP = GUY ANCHOR
  - HDWL = HEADWALL
  - HDP = HIGH DRAIN POLE
  - HPS = HANGING PARKING SIGN
  - HWF = HOOD WIRE FENCE
  - ICV = IRRIGATION CONTROL VALVE
  - IP = IRON PIPE
  - (L) = PER LEGAL DESCRIPTION
  - LP = LIGHT POLE
  - (M) = MEASURED DATA
  - MAJ = MAJOR
  - MRK = UTILITY MARKER
  - MW = MONITORING WELL
  - PI = PERIMETER
  - PE = PIPELINE EASEMENT
  - PF = PUMP FENCE
  - PM = PARKING METER
  - PP = POWER POLE
  - PPD = POWER POLE W/ DRAIN SERVICE
  - PPD3 = POWER POLE W/ DROP & TRANSFORMER
  - PPDCT = POWER POLE W/ DRAIN & TRANSFORMER
  - PPM = POWER POLE W/ ELECTRIC METER
  - PPMS = POWER POLE W/ NO SERVICE
  - PPS = POWER POLE W/ TRANSFORMER
  - RCCB = REINFORCED CONCRETE BOX
  - RCP = REINFORCED CONCRETE PIPE
  - RD = ROOF DRAIN
  - ROW = RIGHT OF WAY
  - SSH = SANITARY SEWER LAMP-HOLE
  - SSMH = SANITARY SEWER MAN-HOLE
  - STR = STRUT
  - SGD = SINGLE GATE DROP INLET
  - SH = SPRINGHEAD
  - SP = SIGN POST
  - STMH = STORM SEWER MANHOLE
  - STMS = STORM SEWER MANHOLE
  - STMSB = STORM SEWER MANHOLE
  - TM = TELEPHONE MANHOLE
  - TPED = TELEPHONE PEDESTAL
  - TC = TOP OF CURB
  - TD = TOP OF DECK
  - TG = TOP OF GATE
  - TH = THRESHOLD
  - TR = TOP OF RIM
  - TS = TRAFFIC SIGN
  - TSPL = TRAFFIC SIGNAL LIGHT POLE
  - TSPO = TRAFFIC SIGNAL POLE
  - TSMH = TRAFFIC SIGNAL MANHOLE
  - TW = TELEPHONE VAULT
  - TW = TOP OF WALL
  - USE = UTILITY EASEMENT
  - UM = UTILITY MARKER
  - VF = VENT PIPE
  - WF = WATER FACET
  - WM = WATER METER
  - WSE = WATER SURFACE ELEVATION
  - WV = WATER VALVE
  - WDF = WOOD FENCE
  - WJ = JOINT
  - CL = CENTERLINE
  - F = FENCE LINE
  - OC = OVERHEAD COMMUNICATION
  - EE = OVERHEAD ELECTRIC
  - SE = SANITARY SEWER
  - SE = STORM SEWER
  - TO = TOP OF GROUND BLOPS
  - UC = UNDERGROUND COMMUNICATION
  - UE = UNDERGROUND ELECTRIC
  - UG = UNDERGROUND GAS
  - UT = UNDERGROUND TELEPHONE
  - WL = WATERLINE



**LEGAL DESCRIPTION - BWD DOC NO. 2014102466**

ALL OF MIDWEST AGAPE CHAPEL ADDITION A REPLAT OF QUAD CENTER AND PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (E/2SW4 SW/4) OF SECTION 17 NORTH, RANGE 17N, TOWNSHIP 17N, RANGE 17N (13) EAST OF THE 10TH MERIDIAN, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

POINT	1281750.00	1281750.00	1281750.00	1281750.00	ELEVATION	DESCRIPTION
1	1281750.00	1281750.00	1281750.00	1281750.00	896.96	1" 3" ALUMINUM CAP
2	1281750.00	1281750.00	1281750.00	1281750.00	725.30	BUT BK IRON PIPE W/ GREEN TRITZ CASING CAP
3	1281750.00	1281750.00	1281750.00	1281750.00	725.30	BUT BK IRON PIPE W/ GREEN TRITZ CASING CAP
4	1281750.00	1281750.00	1281750.00	1281750.00	725.30	BUT BK IRON PIPE W/ GREEN TRITZ CASING CAP
5	1281750.00	1281750.00	1281750.00	1281750.00	725.30	CUT BOOK

**CERTIFICATE OF SURVEY**

FRITZ LAND SURVEYING, LLC AND THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR, UNDER CERTIFICATE OF AUTHORIZATION CA #5685, DO HEREBY STATE THAT THIS PLAT OF SURVEY IS A TRUE AND ACCURATE REPRESENTATION OF THE SURVEY MADE ON THE GROUND AND OF THE FACTS AS FOUND AT THE TIME OF THE SURVEY AND THAT THIS PLAT MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

WITNESS MY HAND AND SEAL THIS 2ND DAY OF OCTOBER, 2023.

ANDY FRITZ, PLS  
OCL LIC. 1984  
CA #5685



**PLAT OF SURVEY w/ TOPO**

MIDWEST AGAPE CHAPEL ADDITION  
S1/4 E 17th St. S, Bk 3021 PG 881

SURVEY NO. DATE 09-19-2023 PREPARED BY FRITZ LAND SURVEYING, LLC  
DRAFT 09-19 DATE 10-23-2023 SURVEYOR ANDY FRITZ, PLS  
APPROVED BY DATE 10-23-2023 PROFESSIONAL ENGINEER AND LAND SURVEYOR  
SHEET NO. 1 OF 1

**CBOA-2150-B-9.7**

THE FOLLOWING RECORDED DOCUMENTS THAT HAVE BEEN PROVIDED IN CLAIMENT REPORT EFFECTIVE DATE, AUGUST 29, 2023 AT 7:59 AM BY SMITH BROTHERS ABSTRACT & TITLE CO., LLC AFFECT THE SUBJECT PROPERTY AS NOTED:

1. PLAT OF REDUCTION OF MIDWEST AGAPE CHAPEL ADDITION, PLAT NO. 4307. VARIOUS EASEMENTS AND BUILDING SETBACK LINES AFFECT THE SURVEYED PROPERTY AS SHOWN HEREON; THE SUBJECT PROPERTY IS WHOLLY CONTAINED WITHIN THE DEDICATION.
2. PLAT OF DEDICATION OF ROAD CENTER PLAT NO. 4028.
3. RIGHT-OF-WAY GRANT IN FAVOR OF PHILLIPS PETROLEUM COMPANY, RECORDED IN BOOK 4118, PAGE 249.
4. PIPELINE EASEMENT AFFECTS THE SURVEYED PROPERTY IN A BLANKET MANNER, NO DIMENSIONS SHOWN.
5. ASSIGNMENT AND ASSUMPTION AGREEMENT IN FAVOR OF SINCED PARTNERS REAL ESTATE ACQUISITION LLC, RECORDED AS DOCUMENT NO. 201208040. PIPELINE EASEMENT AFFECTS THE SURVEYED PROPERTY IN A BLANKET MANNER, NO DIMENSIONS SHOWN.
6. UTILITY EASEMENT AFFECTS THE SURVEYED PROPERTY IN A BLANKET MANNER, NO DIMENSIONS SHOWN.
7. RIGHT-OF-WAY GRANT IN FAVOR OF PHILLIPS PETROLEUM COMPANY, RECORDED IN BOOK 4200, PAGE 1472.
8. ASSIGNMENT AND ASSUMPTION AGREEMENT IN FAVOR OF SINCED PARTNERS REAL ESTATE ACQUISITION LLC, RECORDED AS DOCUMENT #201919072.
9. PIPELINE EASEMENT AFFECTS THE SURVEYED PROPERTY IN A BLANKET MANNER, NO DIMENSIONS SHOWN.
10. RIGHT-OF-WAY EASEMENT IN FAVOR OF AMERICAN TELEPHONE AND TELEGRAPH COMPANY, RECORDED IN BOOK 578, PAGE 1214.
11. "AT-LY" PERPETUAL RIGHT-OF-WAY AFFECTS THE SURVEYED PROPERTY IN A BLANKET MANNER, RECORDED IN BOOK 578, PAGE 1218.
12. RIGHT-OF-WAY EASEMENT IN FAVOR OF AMERICAN TELEPHONE AND TELEGRAPH COMPANY, RECORDED IN BOOK 561, PAGE 218. DOES NOT AFFECT THE SURVEYED PROPERTY.
13. ASSIGNMENT AND ASSUMPTION AGREEMENT IN FAVOR OF SINCED PARTNERS REAL ESTATE ACQUISITION LLC, RECORDED IN BOOK 561, PAGE 218.
14. "AT-LY" PERPETUAL RIGHT-OF-WAY AFFECTS THE SURVEYED PROPERTY IN A BLANKET MANNER, RECORDED IN BOOK 561, PAGE 218. DOES NOT AFFECT THE SURVEYED PROPERTY.
15. WIDE LAGOON PIPELINE AND ELECTRICAL SERVICE EASEMENT AFFECTS THE SURVEYED PROPERTY AS SHOWN HEREON.
16. WIDE LAGOON PIPELINE AND ELECTRICAL SERVICE EASEMENT AFFECTS THE SURVEYED PROPERTY AS SHOWN HEREON.
17. WIDE LAGOON PIPELINE AND ELECTRICAL SERVICE EASEMENT AFFECTS THE SURVEYED PROPERTY AS SHOWN HEREON.
18. WIDE LAGOON PIPELINE AND ELECTRICAL SERVICE EASEMENT AFFECTS THE SURVEYED PROPERTY AS SHOWN HEREON.
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23. WIDE LAGOON PIPELINE AND ELECTRICAL SERVICE EASEMENT AFFECTS THE SURVEYED PROPERTY AS SHOWN HEREON.
24. UNDERGROUND RIGHT-OF-WAY EASEMENT FROM MIDWEST AGAPE CHAPEL, INC. TO EAST CENTRAL OKLAHOMA ELECTRIC COOPERATIVE, INC. RECORDED IN BOOK 381, PAGE 10. IS WIDE UNDERGROUND RIGHT-OF-WAY AFFECTS THE SURVEYED PROPERTY AS SHOWN HEREON.

**SURVEYOR'S NOTES**  
 PREPARED FOR RUDIMENT ARCHITECTURE  
 PHYSICAL ADDRESS 1941 E 1741 ST. S. BERRY TULSA COUNTY, OKLAHOMA 74209  
 BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM  
 (SPT ON U.S. NORTH AMERICAN DATUM 1983) (NAD83)  
 TOPOGRAPHIC INFORMATION SHOWN HEREON IS RELATIVE TO NAVD 1983 DATUM  
 USING A CONTROL STATION WGS 84 ELEVATION 186.056 AS THE BENCHMARK  
 BENCHMARK IS 186.056 METERS ABOVE MEAN SEA LEVEL (MSL) IS 1  
 EASEMENT AND BUILDING SETBACK LINES SHOWN ON THE RECORDED PLAT ARE  
 TITLE & ABSTRACT COMPANY ARE SHOWN OR NOTED HEREON. EASEMENTS MAY  
 LIST THAT ARE NOT SHOWN.

REFER TO CLAIMANT ZONING FOR ANY CONSTRUCTION GUIDELINES  
 ALL UTILITIES SHOWN ON THIS SURVEY ARE BASED ON THE LATEST AVAILABLE  
 RECORDS. ALL UTILITIES SHOWN ARE NOT TO BE CONSIDERED AS A GUARANTEE  
 OF LOCATION OR DEPTH. ALL UTILITIES SHOWN ARE NOT TO BE CONSIDERED AS A  
 GUARANTEE OF LOCATION OR DEPTH. ALL UTILITIES SHOWN ARE NOT TO BE  
 CONSIDERED AS A GUARANTEE OF LOCATION OR DEPTH.

CROSS-ROAD AREA IS 124.113 90 FEET OR 19.13 ACRES  
 WE HAVE EXAMINED MAPS BY THE FEDERAL BUREAU OF SURVEY, U.S. GEOLOGICAL SURVEY,  
 AND INSURANCE MAPS OF THE CITY OF BERRY, OKLAHOMA, COMMUNITY MAPS, AND  
 AERIAL PHOTOGRAPHS OF THE SURVEYED PROPERTY TO BE SURE THAT THE  
 CHANGE FLOODPLAIN.

LAST SITE VISIT: SEPTEMBER 28, 2023  
 ALL UTILITIES MAY NOT BE SHOWN. CALL ONE, 1-800-323-8340  
 UNDERGROUND UTILITIES SHOWN HEREON WERE DERIVED FROM OBSERVABLE FIELD  
 EVIDENCE AND ONE (1) TICKET #20230708215

**CERTIFICATE OF SURVEY**

FRITZ LAND SURVEYING, LLC AND THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR  
 HAVE BEEN EMPLOYED BY THE SURVEYOR TO CONDUCT A SURVEY OF THE  
 STATE OF OKLAHOMA. THIS PLAT OF SURVEY IS A TRUE AND ACCURATE  
 REPRESENTATION OF THE SURVEY MADE ON THE GROUND AND OF THE  
 INFORMATION RECEIVED FROM THE SURVEYOR. THE SURVEYOR HAS  
 CONDUCTED THE SURVEY IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS  
 ADOPTED BY THE BOARD OF SURVEYING ENGINEERS OF THE STATE OF OKLAHOMA  
 AND HAS ADVISED THE BOARD OF SURVEYING ENGINEERS OF THE STATE OF OKLAHOMA  
 OF ANY VIOLATIONS OF THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE  
 BOARD OF SURVEYING ENGINEERS OF THE STATE OF OKLAHOMA.

WITNESSED BY HAND AND SEAL THE 24 DAY OF OCTOBER, 2023  
 ANDREW FRITZ, PLS  
 SURVEYOR  
 OKLAHOMA  
 1984

**PLAT OF SURVEY W/ TOPO**  
 MIDWEST AGAPE CHAPEL ADDITION  
 PREPARED BY FRITZ LAND SURVEYING, LLC  
 OKLAHOMA  
 1984



SURVEY NO.	DATE	SCALE
1	10/24/23	AS SHOWN
2	10/24/23	AS SHOWN
3	10/24/23	AS SHOWN
4	10/24/23	AS SHOWN
5	10/24/23	AS SHOWN
6	10/24/23	AS SHOWN
7	10/24/23	AS SHOWN
8	10/24/23	AS SHOWN
9	10/24/23	AS SHOWN
10	10/24/23	AS SHOWN
11	10/24/23	AS SHOWN
12	10/24/23	AS SHOWN
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14	10/24/23	AS SHOWN
15	10/24/23	AS SHOWN
16	10/24/23	AS SHOWN
17	10/24/23	AS SHOWN
18	10/24/23	AS SHOWN
19	10/24/23	AS SHOWN
20	10/24/23	AS SHOWN
21	10/24/23	AS SHOWN
22	10/24/23	AS SHOWN
23	10/24/23	AS SHOWN
24	10/24/23	AS SHOWN



# Board of Adjustment

**Case Number:** CBOA-3122

**Hearing Date:** 12/19/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

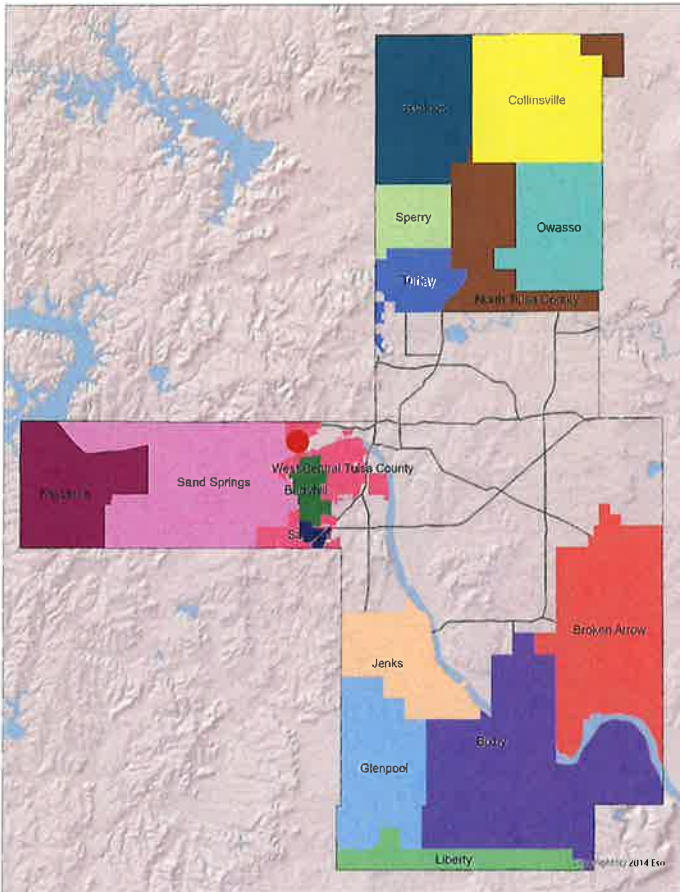
**Owner and Applicant Information:**

**Applicant:** Crystal River Asset Management, Inc.

**Property Owner:** TERHORST, MARK A

**Action Requested:** Use Variance to allow for recreational vehicles (Use Unit 17) in an RM-2 district (Secion 410).

**Location Map:**



**Additional Information:**

**Present Use:** Vacant

**Tract Size:** 13.6 acres

**Location:** 810 S 65 AV W

**Present Zoning:** RM-2,IM

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

**Land Use Designation:** Rural Residential/Agricultural & Parks and Open Space

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 9207

**CZM:** 35

**CASE NUMBER:** **CBOA-3122**

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 12/19/2023 1:30 PM

**APPLICANT:** Crystal River Asset Management, Inc.

**ACTION REQUESTED:** Use Variance to allow for recreational vehicles (Use Unit 17) in an RM-2 district (Section 410).

**LOCATION:** 810 S 65 AV W

**ZONED:** RM-2,IM

**FENCELINE:** West Central Tulsa County

**PRESENT USE:** Vacant

**TRACT SIZE:** 13.6 acres

**LEGAL DESCRIPTION:** NE NE LYING S OF US HWY 64 LESS W569.11 & LESS TR BEG 279.73S & 26.46SW NEC NE TH SW519.63 SE150.12 NE278.90 SE54.84 NE84.30 E75.50 N POB SEC 7 19 12 13.601ACS, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:**

**CBOA-2206 April 2006:** The Board approved a Special Exception to permit a cell tower in an RM-2 district and a Special Exception of the required 110 percent distance from an R district.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned RM-2 and IM and contains the remnants of a vacated mobile home park in the RM-2 portion and a levee and a drainage channel in the IM zoned portion. The tract is surrounded by IM zoned commercial uses to the north, industrial uses to the south and undeveloped land and drainage channel to the west. To the east is RM-2 zoning containing single-family residences.

**STAFF COMMENTS:**

The applicant is before the Board requesting a Use Variance to allow for recreational vehicles (Use Unit 17) in an RM-2 district (Section 410).

The subject lot is zoned both RM-2 and IM. The applicant is proposing an RV park in the RM-2 portion of the subject lot. A Use Variance is required as the proposed RV Park (Use Unit 17) is a use which is not permitted by right in the RM-2 district because of the potential adverse affects, but which if controlled in the particular instance as to its relationship to the surrounding area and to the general welfare, may be permitted. The proposed use must be found to be compatible with and non-injurious to the surrounding area. The applicant provided the following statement:

*"The property is multi-zoned, part allowing the use and part not allowing the use of RVs. The proper infrastructure is complete for an RV park as it was once a single wide manufactured home park."*

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

Sample Motion:

*"I Move to \_\_\_\_\_ (approve/deny) a Use Variance to allow for recreational vehicles (Use Unit 17) in an RM-2 district (Secion 410).*

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

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

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





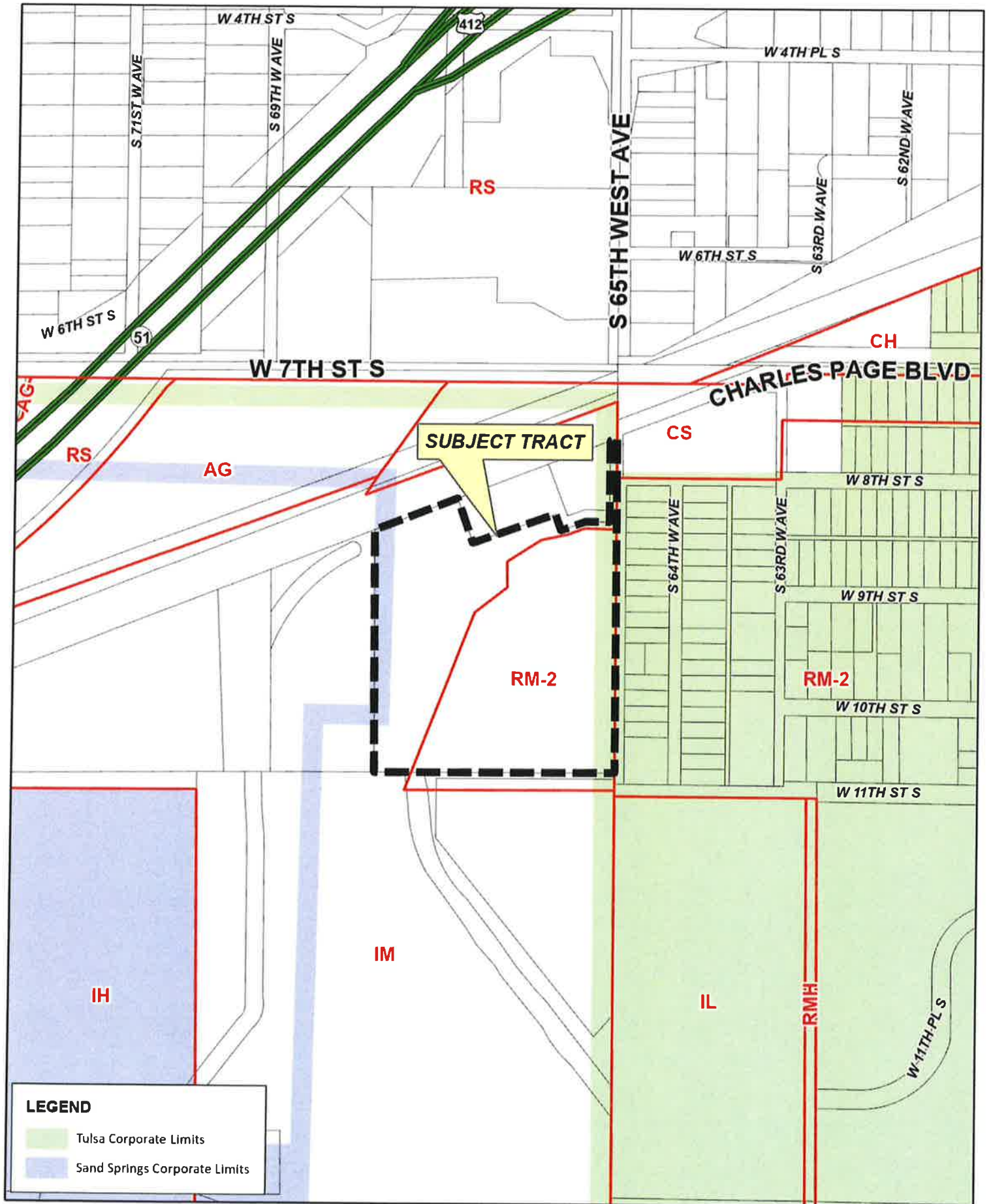
Subject tract looking South from W 8<sup>th</sup> PI S



Subject tract looking Southeast from W 8<sup>th</sup> PI S



Subject tract looking Northwest from S 65<sup>th</sup> W Ave



SUBJECT TRACT

**LEGEND**

- Tulsa Corporate Limits
- Sand Springs Corporate Limits

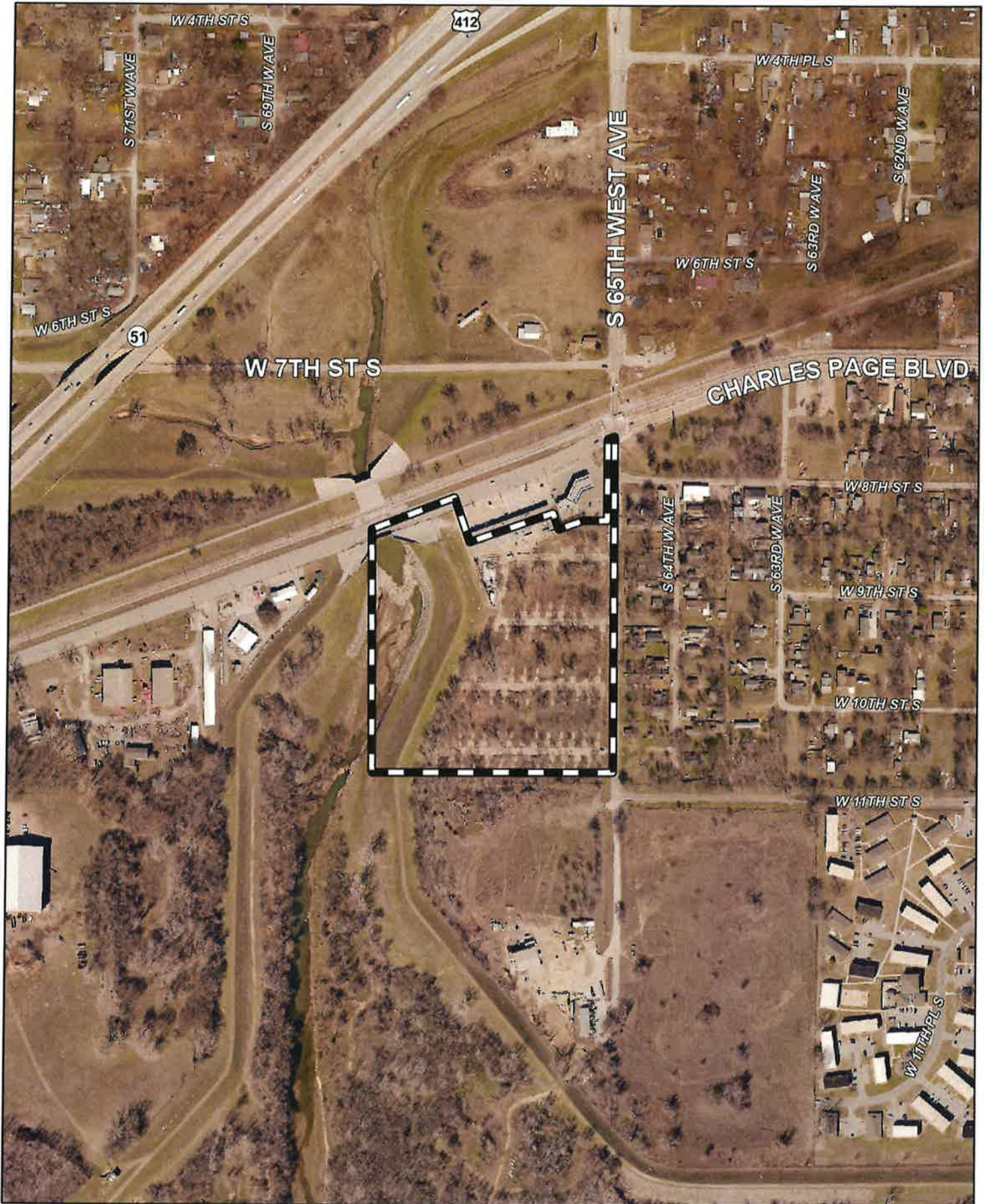


**CBOA-3122**

19-12 07

CBOA-3122 10.6





 Subject Tract

**CBOA-3122**

19-12 07

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

Aerial Photo Date: 2023  
CBOA-3122 10.7







# Board of Adjustment

**Case Number:** CBOA-3123

**Hearing Date:** 12/19/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

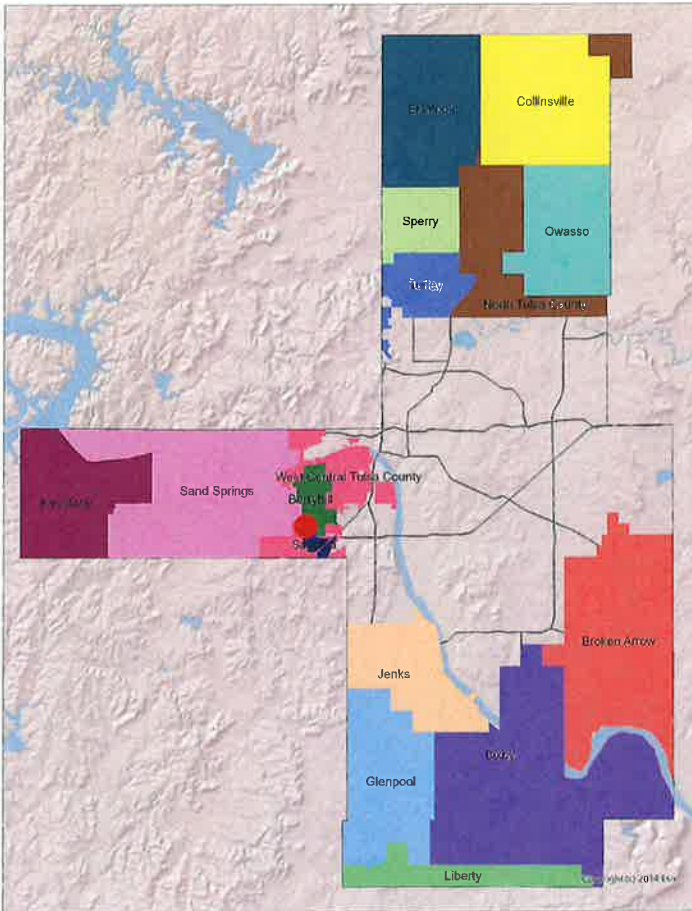
**Owner and Applicant Information:**

**Applicant:** Russell & Rebecca Harrison

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

**Action Requested:** Use Variance to allow for recreational vehicles (Use Unit 17) in an RS district (Secion 410).

**Location Map:**



**Additional Information:**

**Present Use:** Vacant

**Tract Size:** 1.33 acres

**Location:** 4606 S 63 AV W

**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-3123

**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 12/19/2023 1:30 PM

**APPLICANT:** Russell & Rebecca Harrison

**ACTION REQUESTED:** Use Variance to allow for recreational vehicles (Use Unit 17) in an RS district (Section 410).

**LOCATION:** 4606 S 63 AV W

**ZONED:** RS

**FENCELINE:** Berryhill

**PRESENT USE:** Vacant

**TRACT SIZE:** 1.33 acres

**LEGAL DESCRIPTION:** E/2 LTS 17 & 48 & ALL LTS 3 - 16 & ALL LTS 49 - 62 BLK 49, NORTH TANEHA Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Properties:**

**CBOA-3085 August 2023:** The Board approved 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).

**CBOA-1468 December 1996:** The Board approved 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).

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

**STAFF COMMENTS:**

The applicant is before the Board to request a Use Variance to allow for recreational vehicles (Use Unit 17) in an RS district (Section 410).

Use Unit 17 – Automotive and Allied Activities is not a use that is permitted by right or exception in the RS district, which parking of a recreational vehicle would fall under, necessitating the need for a Use Variance if one is intended to be parked and used on the subject tract. A Use Variance is required as the proposed use is not permitted by right in the RS district because of the potential adverse effects, but which if controlled in the particular instance as to its relationship to the surrounding area and to the general welfare, may be permitted. The proposed use must be found to be compatible with and non-injurious to the surrounding area.

The applicant provided a list of statements included with this report that outlines their reasons for requesting the use variance. They intend to park the RV on the lot, temporarily, while a home is being built on the lot. They also feel that the presence of the RV on the lot will help to prevent theft or damage on the lot while the home is being constructed.

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

Sample Motion:

*"I Move to \_\_\_\_\_ (approve/deny) a Use Variance to allow for recreational vehicles (Use Unit 17) in an RS district (Secion 410).*

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

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

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

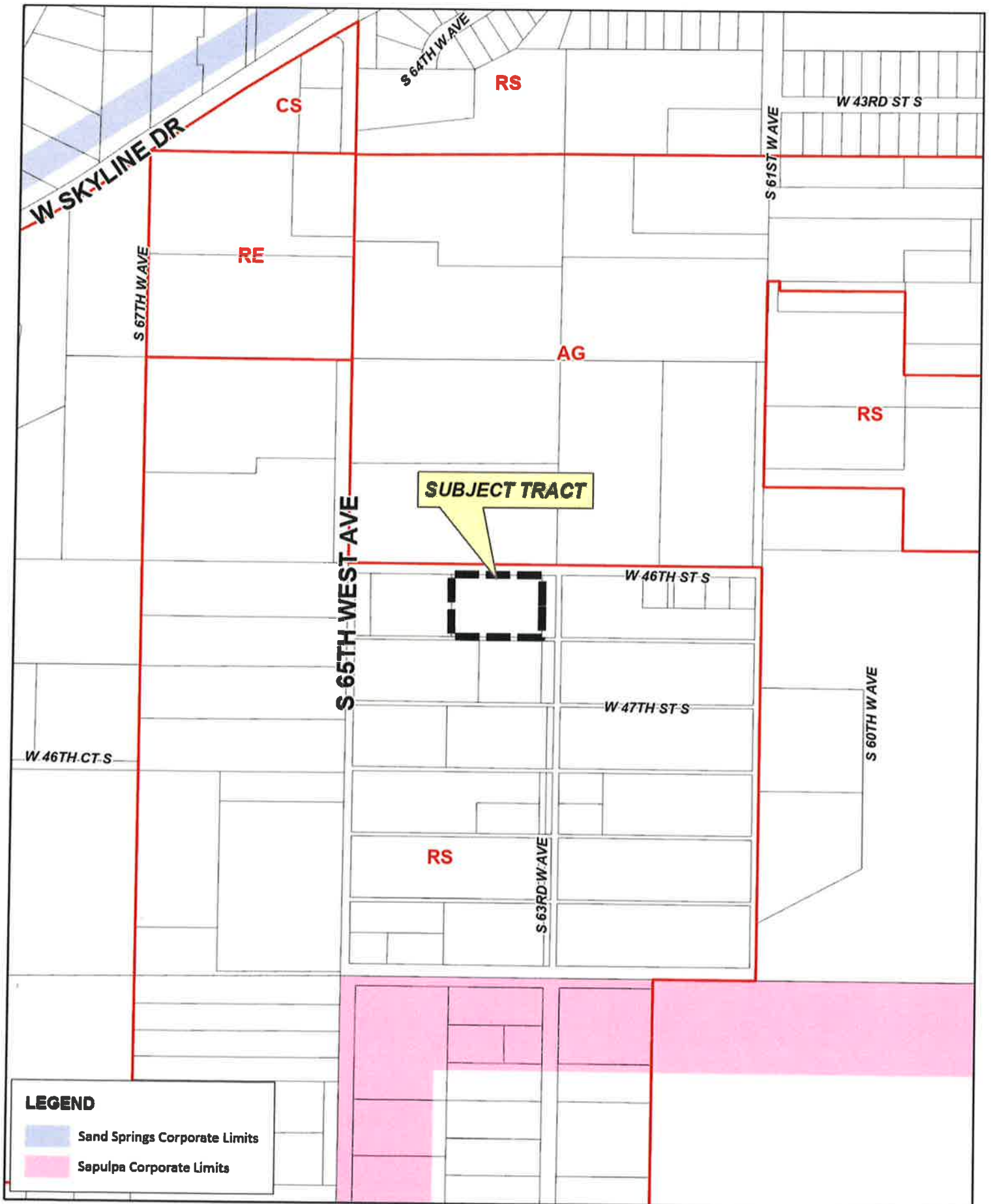




**Subject tract looking Southwest from S 63<sup>rd</sup> W Ave**



**Subject tract looking Northwest from S 63<sup>rd</sup> W Ave**



**LEGEND**

- Sand Springs Corporate Limits
- Sapulpa Corporate Limits



**CBOA-3123**

19-12 29

CBOA-3123 11.5





 Subject Tract

**CBOA-3123**

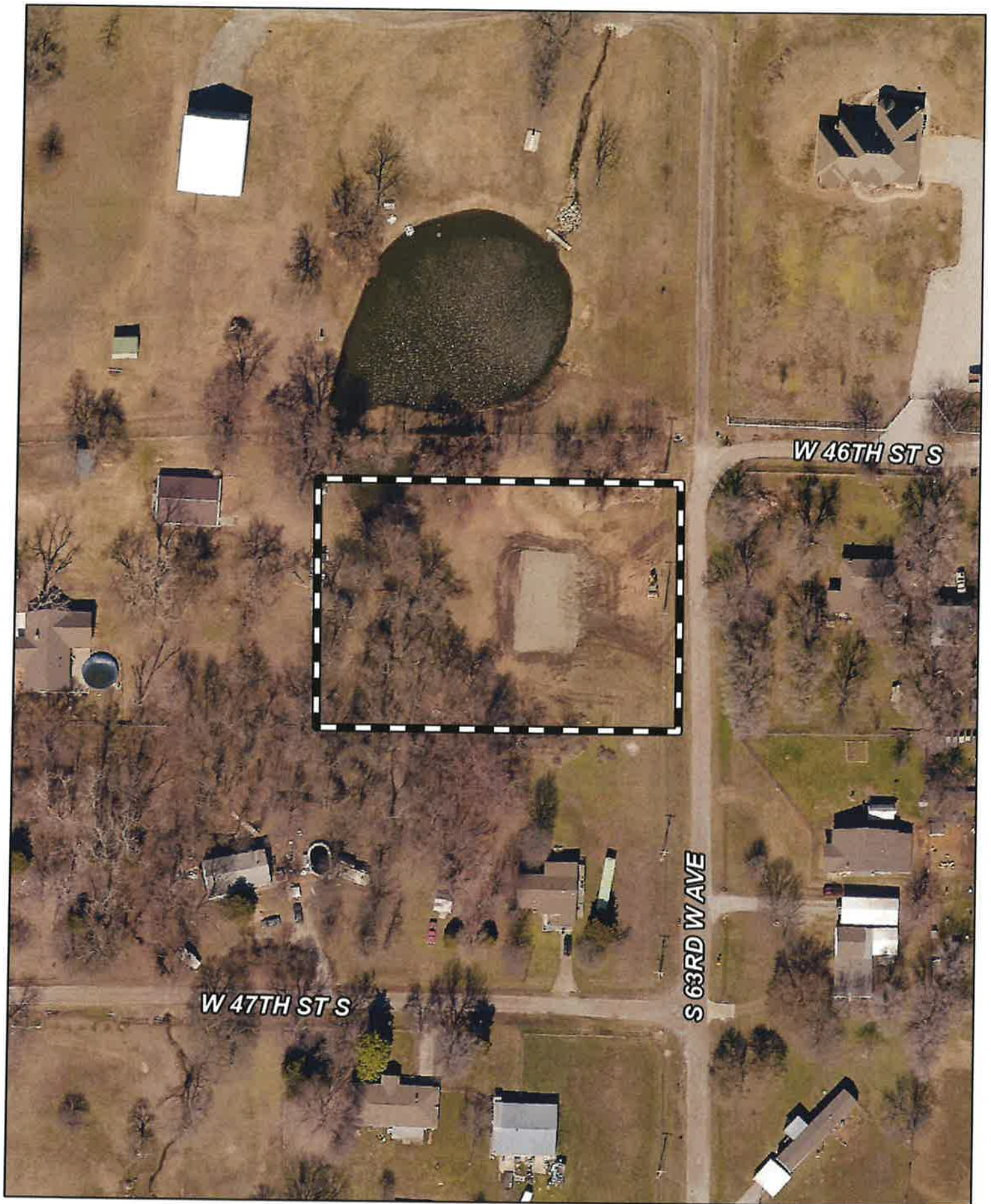
19-12 29

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

Aerial Photo Date: 2023

CBOA-3123 11.6

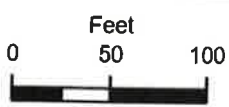




W 46TH ST S

S 63RD WAVE

W 47TH ST S



 Subject Tract

**CBOA-3123**

19-12 29

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

Aerial Photo Date: 2023

CBOA-3123 11.7



## Variances:

- 1.) Application of the zoning ordinance requirements to this particular piece of property create a hardship by allowing the property to be left vacant with no signs of anyone staying at the property. Allowing our property to potentially be vandalized and materials stolen. In addition it prevents us from allowing our special needs children from having a place to stay out of the weather when we need to work at the property over the course of the construction period.
- 2.) The conditions present that are peculiar to this piece of property is that to the north and north/east of this property that border this property are all AG zoned and this would be allowed on the properties that border to the north of us.
- 3.) The variance will not cause substantial detriment to the public good or impair the purpose of the intent of the zoning ordinance because we have the support of the neighbors and it will be temporary. In addition, it will provide security and deter those who have ill intent and may otherwise be tempted to enter the property with the attempt of theft or doing damage assuming it is vacant during construction. This helps the public good by not only securing our own property but keeping the neighboring properties safe as well. Without this approval our property will be exposed to potential damage and theft.



# Board of Adjustment

**Case Number:** CBOA-3124

**Hearing Date:** 12/19/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

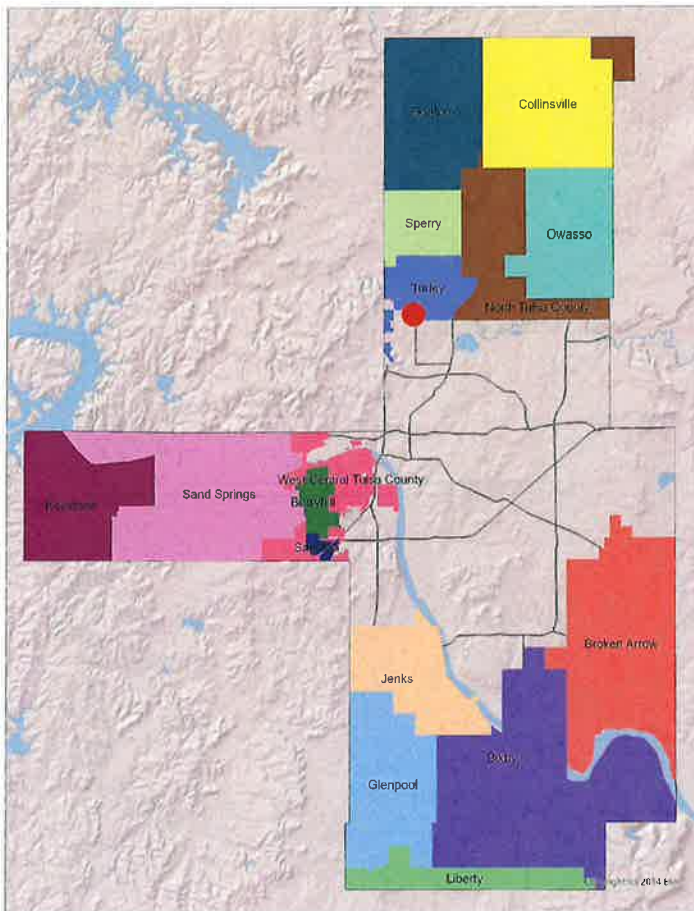
**Owner and Applicant Information:**

**Applicant:** Brenda Mendenhall

**Property Owner:** BURRIS, ELMER & VIRGINIA

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

**Location Map:**



**Additional Information:**

**Present Use:** Residential

**Tract Size:** 0.83 acres

**Location:** 5712 N NORFOLK 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-3124**  
**CASE REPORT PREPARED BY:** Jay Hoyt

**HEARING DATE:** 12/19/2023 1:30 PM

**APPLICANT:** Brenda Mendenhall

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

**LOCATION:** 5712 N NORFOLK AV E

**ZONED:** RS

**FENCELINE:** Turley

**PRESENT USE:** Residential

**TRACT SIZE:** 0.83 acres

**LEGAL DESCRIPTION:** N120 OF TR BEG 753W & 468.7N OF SECR SE SE TH W430.3 TO RY NELY ON R/W TO PT E285 S POB SEC 1 20 12, Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Surrounding Properties:**

**CBOA-3080 July 2023:** The Board approved a Special Exception to permit a single-wide manufactured home in an RS district (Section 410).

**CBOA-2591 September 2016:** The Board approved a Special Exception to permit a manufactured home (Use Unit 9) in an RS district (Section 410).

**CBOA-1907 October 2001:** The Board approved a Special Exception to permit a single-wide manufactured home in an RS district (Section 410).

**CBOA-1643 May 1999:** The Board approved a Variance to allow two dwelling units per lot of record (Section 208) and a Special Exception to allow a mobile home on an RS zoned lot (Section 410).

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

**STAFF COMMENTS:**

The applicant is before the Board to request a Special Exception to permit a manufactured home (Use Unit 9) in the RS district (Section 410).

The site contains 0.83 acres. The existing home on the tract is intended to be removed prior to the manufactured home being placed on the lot. There are several other 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 (Use Unit 9) 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.*

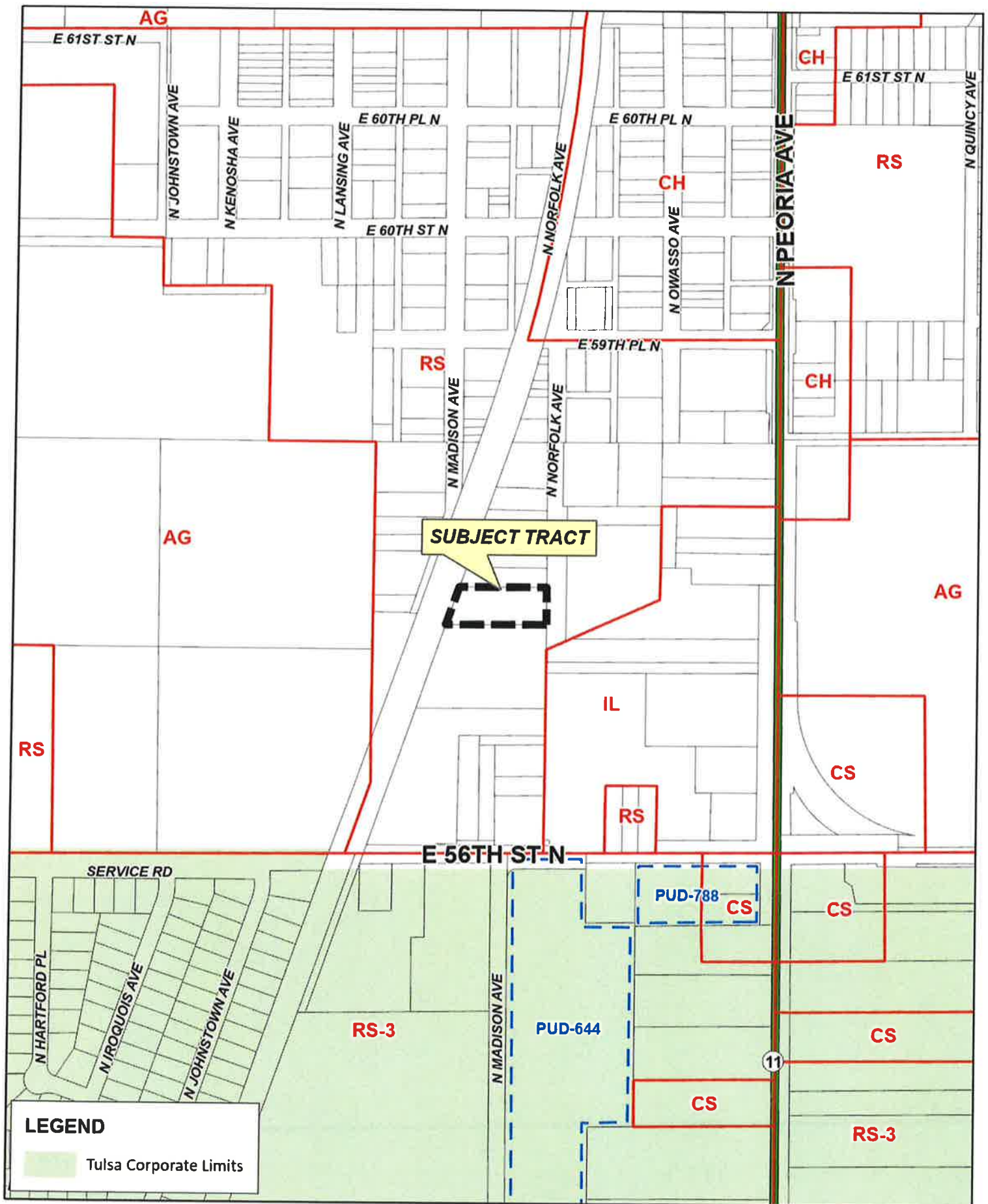




Subject tract looking Southwest from N Norfolk Ave



Subject tract looking Northwest from N Norfolk Ave



**SUBJECT TRACT**

**LEGEND**

Tulsa Corporate Limits

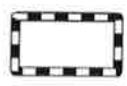


**CBOA-3124**

20-12 01

CBOA-3124 12.5





Subject Tract

**CBOA-3124**

20-12 01

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

Aerial Photo Date: 2023

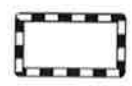
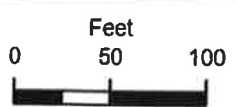
CBOA-3124 12.6





N MADISON AVE

N NORFOLK AVE



Subject Tract

**CBOA-3124**

20-12 01

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

Aerial Photo Date: 2023

CBOA-3124 12.7





# Board of Adjustment

**Case Number:** CBOA-3125

**Hearing Date:** 12/19/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

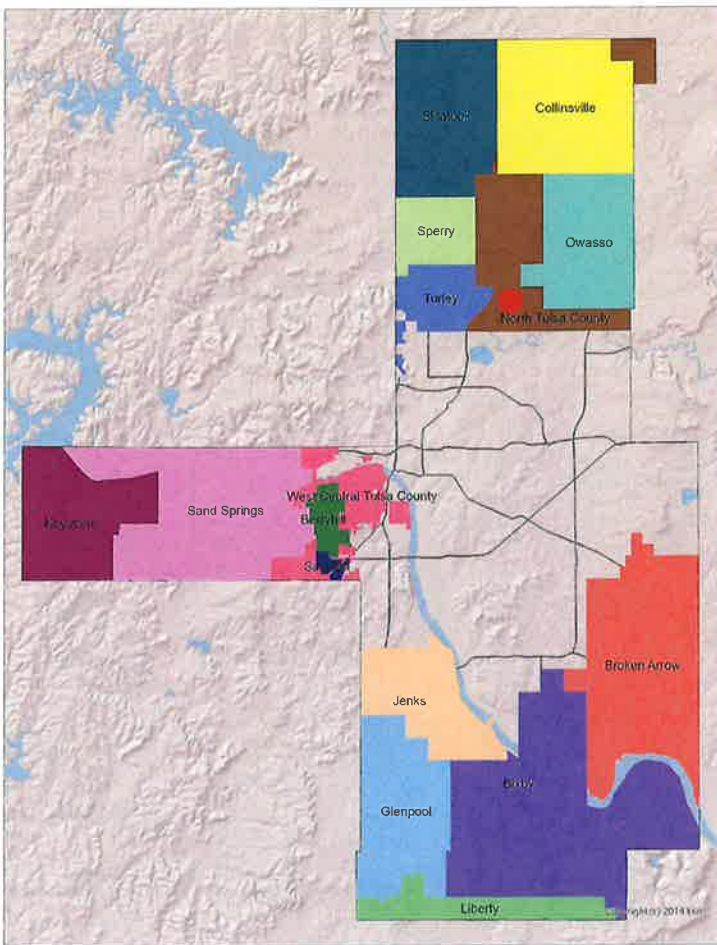
**Owner and Applicant Information:**

**Applicant:** Max Wells

**Property Owner:** CITY OF TULSA

**Action Requested:** Special Exception to permit a Heliport (Use Unit 2) in the IM district (Section 910) for use at the Tulsa Police Academy.

**Location Map:**



**Additional Information:**

**Present Use:** Tulsa Police Academy

**Tract Size:** 48.73 acres

**Location:** 6066 E 66 ST N

**Present Zoning:** IM

**Fenceline/Area:** North Tulsa County

**Land Use Designation:** Industrial

**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 0303

**CZM:** 23

**HEARING DATE:** 12/19/2023 1:30 PM

**CASE NUMBER:** CBOA-3125

**CASE REPORT PREPARED BY:** Jay Hoyt

**APPLICANT:** Max Wells

**ACTION REQUESTED:** Special Exception to permit a Heliport (Use Unit 2) in the IM district (Section 910) for use at the Tulsa Police Academy.

**LOCATION:** 6066 E 66 ST N

**ZONED:** IM

**FENCELINE:** North Tulsa County

**PRESENT USE:** Tulsa Police Academy

**TRACT SIZE:** 48.73 acres

**LEGAL DESCRIPTION:** PRT LT 4 BEG 50S & 50W NEC TH S1202.84 W50 S100 E100 S604.64 W1984.14 N369.16 TH ON CRV LF 897.33 E858.15 N914.03 E530 POB BLK 5, CHEROKEE EXPRESSWAY IND DISTRICT Tulsa County, State of Oklahoma

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:**

**CBOA-1460 October 1996:** The Board approved a Special Exception to 150 ft monopole tower in an IM zoned district.

**CBOA-667 August 1986:** The Board approved a Special Exception to permit Use Unit 2, Fire Range, for the City of Tulsa in an IL district.

**Surrounding Properties:**

**CBOA-2176 September 2005:** The Board approved a Special Exception to permit a private gun club, training academy and competition center in an AG zoned district – Section 1202 – Use Unit 2.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is zoned IM and currently contains the Tulsa Police Academy. The tract abuts IM zoning to the north and west containing industrial uses and AG zoning to the east containing a private gun club and AG zoning to the south containing vacant land.

**STAFF COMMENTS:**

The applicant is before the Board to request a Special Exception to permit a Heliport (Use Unit 2) in the IM district (Section 910) for use at the Tulsa Police Academy.

The applicant is proposing to construct a Heliport (Use Unit 2) for use at the Tulsa Police Academy. The proposed Heliport would include a landing pad, hanger and fuel tank as shown on the plans provided by the applicant.

A special exception is required as the Heliport is a use which is not permitted by right but by exception in the IM 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 Heliport 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 heliport is compatible and non-injurious to the surrounding area.*

**Sample Motion:**

*"Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit a Heliport (Use Unit 2) in the IM district (Section 910) for use at the Tulsa Police Academy.*

*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.*

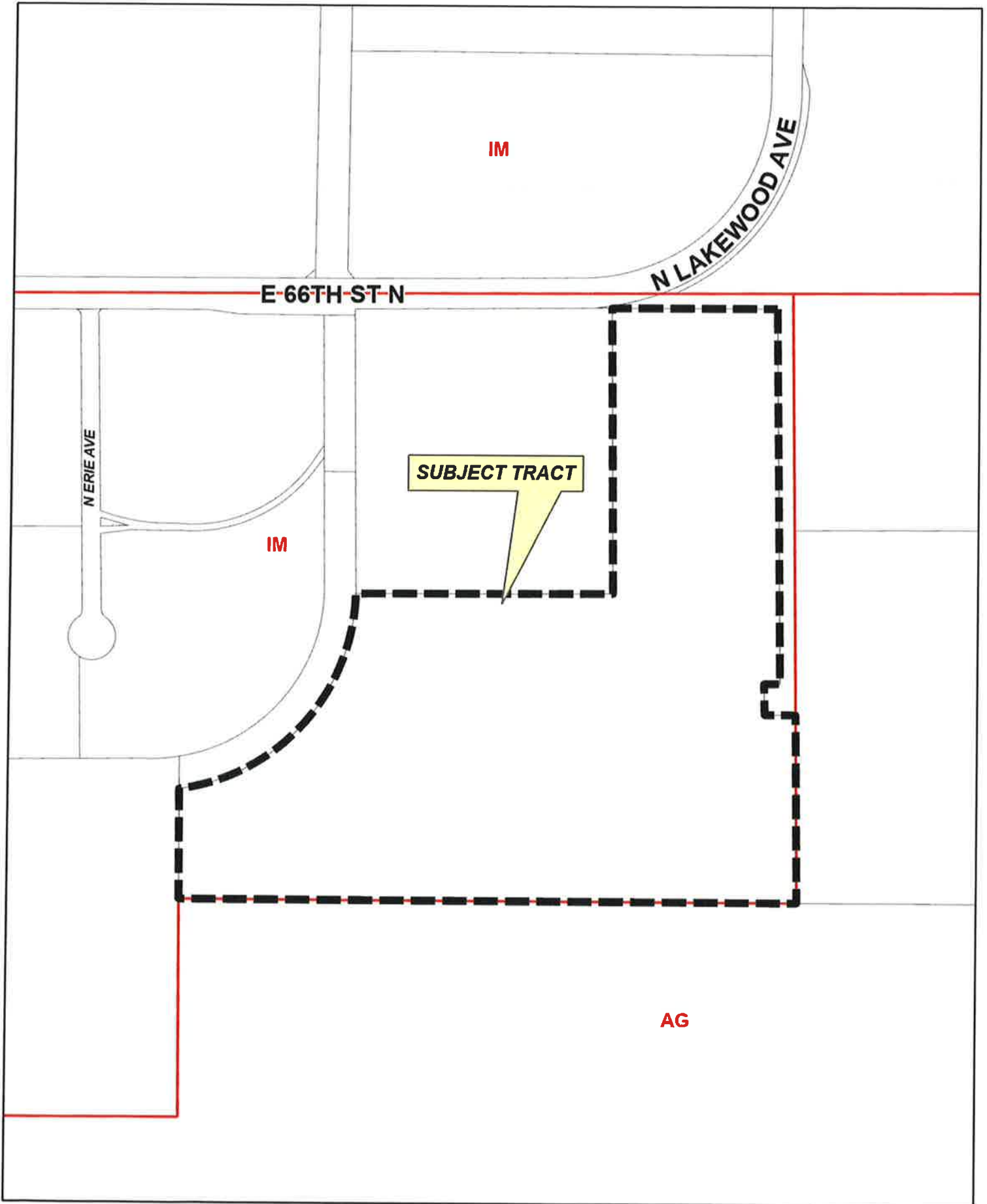


Approximate location of proposed Heliport on the Tulsa Police Academy grounds, looking north



Approximate location of proposed Heliport on the Tulsa Police Academy grounds, looking west





SUBJECT TRACT

E 66TH ST N

N LAKEWOOD AVE

ERIE AVE

IM

IM

AG

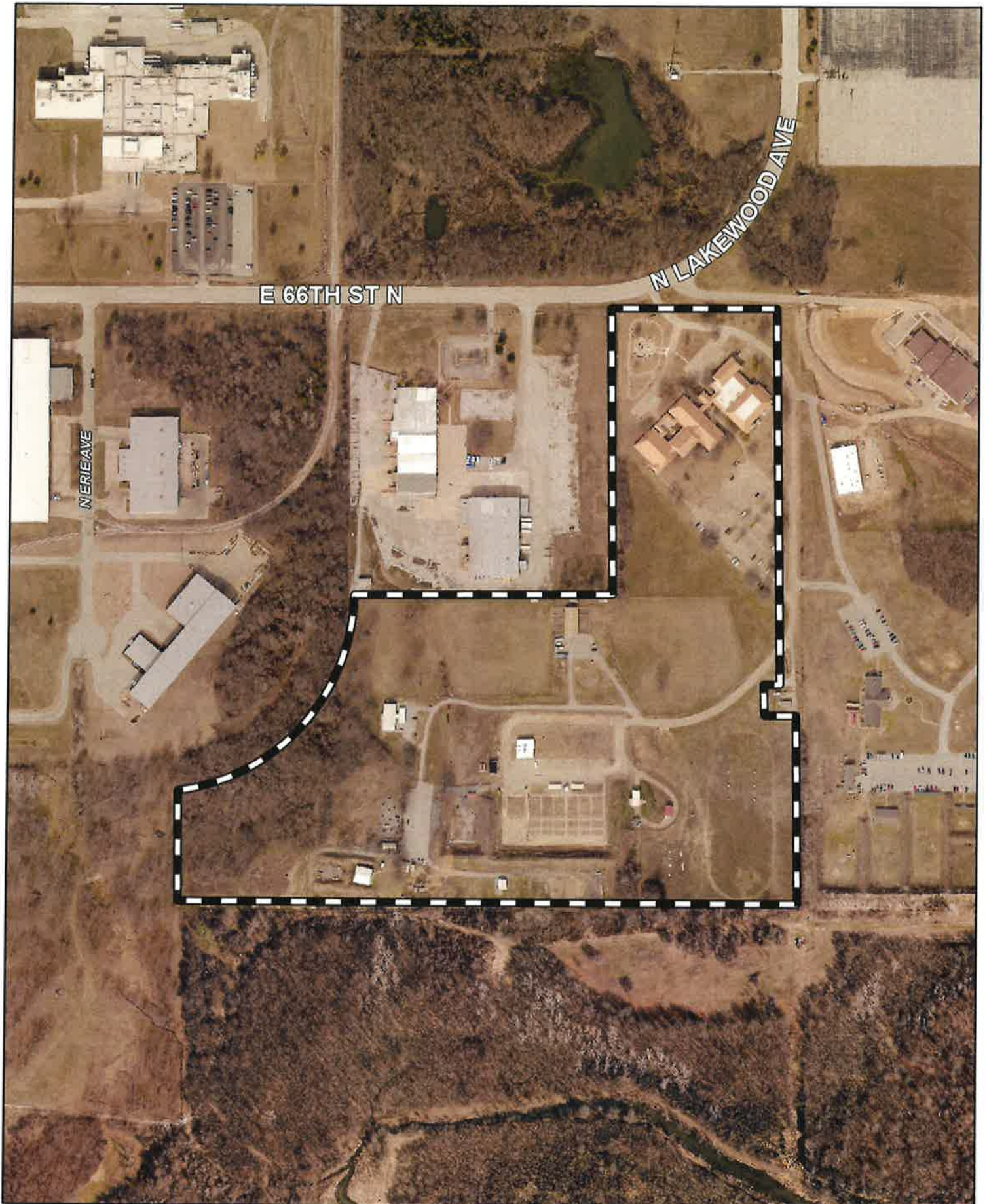


**CBOA-3125**

20-13 03

CBOA-3125 13.5





E 66TH ST N

N LAKEWOOD AVE

NERIE AVE



Subject Tract

**CBOA-3125**

20-13 03

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

Aerial Photo Date: 2023

CBOA-3125 13.6



# CONSTRUCTION PLANS FOR:

## TULSA POLICE DEPARTMENT HELIPORT

PROJECT NUMBER: SP 22-7  
ACCOUNT NO.: 2159FR0283 BUILDINGS.3001  
CITY OF TULSA, OKLAHOMA  
ENGINEERING SERVICES  
DEPARTMENT



ARCHITECT:  
ARCHITECTURE | CIVIL | STRUCTURAL  
C.A. 0049 (ARCH) RENEWAL DATE: 06-30-2025  
C.A. 00262 (PE) RENEWAL DATE: 06-30-2024  
1629 E. 17th ST.  
TULSA, OK 74120  
918.835.6388  
hammod@bklinc.com



PREPARED BY:  
JENNIFER HAMMOCK  
PROJECT MANAGER  
BKL, INCORPORATED  
CITY OF TULSA



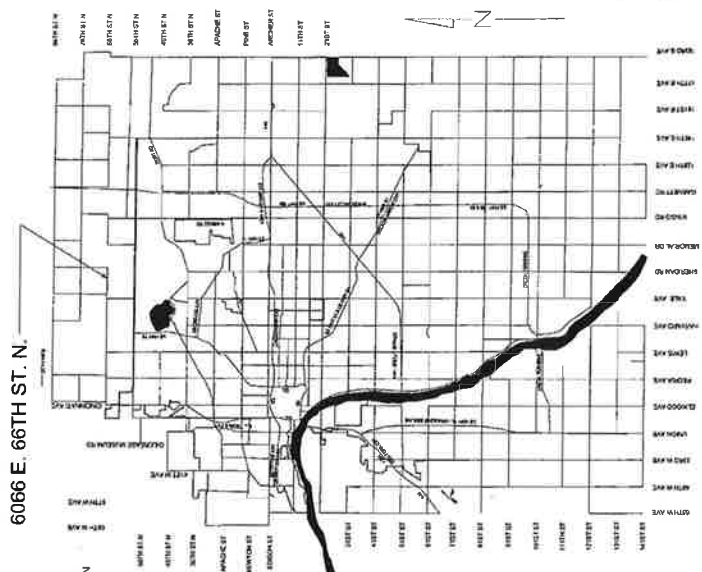
CONSULTANTS:  
MECHANICAL | ELECTRICAL | PLUMBING  
C.A. 8292 RENEWAL DATE: 06-30-2024  
1820 S SOULDER AVE STE 4500  
TULSA, OK 74119  
918.628.0291  
info@greenacorninc.com



CITY ENGINEER: *Reddy* DATE: 05.22.23  
**BID DOCUMENTS**  
04/26/23

### SHEET LIST:

PAGE	SHEET	SHEET NAME	PAGE	SHEET	SHEET NAME
GENERAL	GA-01	PROJECT NOTES	A5-10	GA-01	CASEWORK DETAILS
	GA-02	FINISH LENDING AND SCHEDULE	A7-01	GA-02	FINISH TRANSITION DETAILS
	GA-03	PAY QUANTITIES AND NOTES (1 OF 2)	A7-02	GA-03	SHOULDER DETAILS
	GA-04	PAY QUANTITIES AND NOTES (2 OF 2)	AB-01	GA-04	PE PLAN
	GA-05	LIFE SAFETY			
CIVIL	C1-00	GENERAL NOTES	PD-01	C1-00	PLUMBING NOTES AND SCHEDULES
	C1-01	SMARTEY	PH-01	C1-01	OVERALL DOMESTIC WATER PLUMBING PLAN
	C1-02	PROPOSED DRAINAGE AREA MAP	PH-02	C1-02	OVERALL WATER PLUMBING PLAN - OFFICE
	C1-03	EROSION CONTROL PLAN	PS-01	C1-03	OVERALL SANITARY PLUMBING PLAN
	C1-04	SITE PLAN	PS-02	C1-04	OVERALL PLUMBING PLAN - OFFICE
	C1-05	GRADING PLAN (1 OF 2)	PS-03	C1-05	PLUMBING RISERS AND RACKS
	C1-06	GRADING PLAN (2 OF 2)	PS-04	C1-06	PLUMBING SCHEDULES
	C1-07	PAVING PLAN			
	C1-08	PAVING PLAN	MECHANICAL		
	C1-09	PAVING PLAN	MB-01	C1-09	MECHANICAL SYMBOLS, LEGENDS, & NOTES
	C1-10	PARKING LOT LAYOUT	MB-02	C1-10	OVERALL HVAC PLAN
	C1-11	HELIPAD LAYOUT	MB-03	C1-11	OVERALL HVAC ROOF PLAN
	C1-12	HELIPAD JOINT LAYOUT	MB-04	C1-12	MECHANICAL DETAILS
	C1-13	WATERLINE "A"	MB-05	C1-13	MECHANICAL SCHEDULES
	C2-01	DETAILS	MB-06	C2-01	OFFICE DUCTWORK ISOMETRIC
	C2-02	DETAILS			
STRUCTURAL	S1-01	FOUNDATION PLAN	ELECTRICAL		
	S1-02	SLAB PLAN	ED-01	S1-01	ELECTRICAL SYMBOLS, LEGENDS, & ABBREVIATIONS
	S1-03	FRAMING PLAN	ED-02	S1-02	ELECTRICAL SCHEDULES
	S2-01	STRUCTURAL DETAILS	E1-01	S1-03	OVERALL ELECTRICAL LIGHTING PLAN
	S2-02	STRUCTURAL DETAILS	E1-02	S2-01	ELECTRICAL LIGHTING PLAN - OFFICE
	S2-03	HANGAR DOOR DETAILS	E2-01	S2-02	OVERALL ELECTRICAL POWER PLAN
	S2-04	FRAMING SECTIONS	E2-02	S2-03	ELECTRICAL POWER PLAN - OFFICE
ARCHITECTURAL	A1-01	FLOOR PLAN	E4-01	A1-01	ELECTRICAL ROOF PLAN
	A1-02	OFFICE AREA FLOOR PLAN	E4-02	A1-02	ELECTRICAL LIGHTING PROTECTION
	A1-03	REFLECTED CEILING PLAN	E5-01	A1-03	ELECTRICAL LIGHTING SCHEDULES
	A1-04	ENLARGED PLANS	E6-01	A1-04	ELECTRICAL SCHEDULES
	A2-01	DOOR AND WINDOW ELEVATIONS	FA-1-01		
	A2-02	EXTERIOR ELEVATIONS	FA-1-02		
	A2-03	EXTERIOR ELEVATIONS			
	A2-04	BUILDING SECTIONS			
	A2-05	BUILDING SECTIONS			
	A2-06	WALL SECTIONS			
	A2-07	WALL SECTIONS			
	A2-08	DOOR NUMBER PLAN AND SCHEDULE			
	A3-01	INTERIOR ELEVATIONS			
	A3-02	INTERIOR ELEVATIONS			
	A3-03	INTERIOR ELEVATIONS			
	A3-04	DOOR AND WINDOW DETAILS			
	A4-01	ENLARGED PLAN DETAILS			
	A4-02	DETAILS			
	A4-03	DETAILS			
	A4-04	DETAILS			
	A4-05	PARKING ROOM ELEV. & ALTERNATE			
	A5-01	INTERIOR ELEVATIONS			
	A5-02	INTERIOR ELEVATIONS			
	A5-03	INTERIOR RESTROOM ELEVATIONS			
	A5-04	INTERIOR RESTROOM ELEVATIONS			
	A5-05	CASEWORK DETAILS			



**72 HOURS BEFORE YOU DIG...**  
CALL OK! 1-800-522-6543  
LOCATIONS OF UNDERGROUND UTILITY LINES WERE OBTAINED FROM THE CITY OF TULSA. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY EXCAVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY OF TULSA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY OF TULSA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY OF TULSA.

### UTILITY COORDINATION:

NUMBER	NOTIFIED
CITY OF TULSA UTILITY COORDINATOR	918-566-9949
WATER DESIGN	918-566-8996
WASTEWATER DESIGN	918-566-8996
SEWER DESIGN	918-566-8996
TRAFFIC ENGINEERING DESIGN	918-566-8996
STORMWATER DESIGN	918-566-8996
PS&M	918-254-6227
OKLAHOMA NATURAL GAS COMPANY	918-431-4701
AT&T	918-576-2142
BOC	918-576-2142
COX COMMUNICATIONS	918-256-4716
PARIS COMMUNICATIONS	918-566-8996
PARIS DEPARTMENT	918-566-8996
BUILDING MAINTENANCE & OPERATIONS	918-566-8996
PERMITTING	918-566-8996
SPECIAL PROJECTS DESIGN	918-566-8996







# STORM WATER MANAGEMENT PLAN

## EROSION AND SEDIMENT CONTROLS

### SITE DESCRIPTION

PROJECT LIMITS: SOUTH OF THE POLICE ACADEMY ONE 68TH ST. N. AND NORTHWEST OF THE POLICE ACADEMY ROAD IN TULSA, OKLAHOMA.

PROJECT DESCRIPTION: TULSA POLICE DEPARTMENT HELIPAD.

SUGGESTED SEQUENCE OF EROSION CONTROL ACTIVITIES:  
 PRIOR TO INITIATING SOIL DISTURBING ACTIVITIES, THE CONTRACTOR WILL INSTALL ALL PERIMETER TEMPORARY SEDIMENT CONTROLS SPECIFIED, STORMWATER AND STABILIZE TOPSOIL, CLEAR AND GRUB ONLY IN NECESSARY AREAS, PRESERVE AS MUCH NATIVE VEGETATION AS POSSIBLE, INSTALL, MAINTAIN AND/OR MOVE TEMPORARY SEDIMENT ITEMS WITH CONSTRUCTION OPERATIONS AS PRACTICAL. IF DIRECTED BY THE ENGINEER, PLANT TEMPORARY SEEDING, REPLACE SALVAGED TOPSOIL AND DEVICES WHEN AN ACCEPTABLE VEGETATIVE COVER (AT LEAST 70%) HAS BEEN ATTAINED. AS SITE CONDITIONS WARRANT, THE CONTRACTOR MAY TO CHOOSE TO MODIFY THE TYPE OR ARRANGEMENT OF SPECIFIED PRACTICES TO IMPROVE THEIR EFFECTIVENESS AS APPROVED BY THE ENGINEER. THE CONTRACTOR WILL MAINTAIN A LOG OF THE DATES OF MAJOR SOIL DISTURBANCE ACTIVITIES, AND ALSO THE DATE OF INSTALLATION OF EROSION CONTROL MEASURES.

SOIL TYPE: DENNIS SILT LOAM

TOTAL AREA OF THE CONSTRUCTION SITE: 4.06 ACRES

ESTIMATED AREA TO BE DISTURBED: 3.26 ACRES

OFFSITE AREA TO BE DISTURBED (FOR CONTRACTOR USE)

TOTAL IMPERVIOUS AREA PRE-CONSTRUCTION: 0.11 ACRES

TOTAL IMPERVIOUS AREA POST-CONSTRUCTION: 0.97 ACRES

POST-CONSTRUCTION RUNOFF COEFFICIENT OF THE SITE: 0.39

LATITUDE & LONGITUDE OF CENTER OF PROJECT: 39°14'47" N, 95°54'31" W

PROJECT WILL DISCHARGE TO: UNNAMED TRIBUTARY CREEK

NAME OF RECEIVING WATERS: UNNAMED TRIBUTARY CREEK

SENSITIVE WATERS OR WATERSHEDS: YES  NO

303 (g) IMPAIRED WATERS: YES  NO

IF YES, LIST IMPAIRMENT: YES  NO

LAKE THUNDERBIRD TMDL: YES  NO

MS4 ENTITY: YES  NO

IF YES, LOCATION:

REVISED 10-15-2020

NOTE: THIS SHEET SHOULD BE USED IN CONJUNCTION WITH A DRAINAGE MAP THAT ILLUSTRATES THE DRAINAGE PATTERNS/PATHWAYS AND RECEIVING WATERS FOR THIS PROJECT. THIS SHEET SHOULD ALSO BE USED WITH THE EROSION CONTROL SUMMARIES, PAY ITEMS, & NOTES.

### SOIL STABILIZATION PRACTICES:

- TEMPORARY SEEDING
- PERMANENT SODDING, SPRIGGING OR SEEDING
- VEGETATIVE MULCHING
- SOIL RETENTION BLANKET
- PRESERVATION OF EXISTING VEGETATION

NOTE: TEMPORARY EROSION CONTROL METHODS MUST BE USED ON ALL DISTURBED AREAS WHERE CONSTRUCTION ACTIVITIES HAVE CEASED FOR OVER 14 DAYS. METHODS USED WILL BE AS SHOWN ON PLANS, OR AS DIRECTED BY THE ENGINEER.

### STRUCTURAL PRACTICES:

- STABILIZED CONSTRUCTION EXIT
- TEMPORARY SILT FENCE
- TEMPORARY SILT DIKES
- TEMPORARY FIBER LOG
- DIVERSION, INTERCEPTOR OR PERIMETER DIKES
- DIVERSION, INTERCEPTOR OR PERIMETER SWALES
- ROCK FILTER DAMS
- TEMPORARY SLOPE DRAIN
- PAVED DITCH W/ DITCH LINER PROTECTION
- TEMPORARY DIVERSION CHANNELS
- TEMPORARY SEDIMENT BASINS
- TEMPORARY SEDIMENT TRAPS
- TEMPORARY SEDIMENT FILTERS
- TEMPORARY SEDIMENT REMOVAL
- RIP RAP
- INLET SEDIMENT FILTER
- TEMPORARY BRUSH SEDIMENT BARRIERS
- SANDBAG BERMS
- TEMPORARY STREAM CROSSINGS

### OFFSITE VEHICLE TRACKING:

- HAUL ROADS DAMPENED FOR DUST CONTROL
- LOADED HAUL TRUCKS TO BE COVERED WITH TARPULLIN
- EXCESS DIRT ON ROAD REMOVED DAILY

### NOTES:

THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR THE FOLLOWING:

**MAINTENANCE AND INSPECTION:**  
 ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. THE EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. THE EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. THE EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

**HAZARDOUS MATERIALS:**  
 PROPER MANAGEMENT AND DISPOSAL OF CONSTRUCTION WASTE MATERIAL IS REQUIRED BY THE CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND REGULATIONS TO ENSURE CORRECT HANDLING, STORAGE, SPILL PREVENTION AND CLEANUP MEASURES. THE CONTRACTOR SHALL MAINTAIN RECORDS OF ALL HAZARDOUS MATERIALS HANDLING, STORAGE, SPILL PREVENTION AND CLEANUP MEASURES. CONTROLS AND PRACTICES SHALL MEET THE REQUIREMENTS OF ALL FEDERAL, STATE AND LOCAL AGENCIES.

**GENERAL NOTES:**  
 A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) IS REQUIRED TO COMPLY WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION ACT (NPDES) REGULATIONS. THIS PLAN IS TO BE SUBMITTED TO THE TULSA POLICE DEPARTMENT FOR REVIEW AND APPROVAL PRIOR TO THE START OF CONSTRUCTION. THE PLAN MUST BE IN ACCORDANCE WITH THE TULSA POLICE DEPARTMENT'S SWPPP MANUAL. THE PLAN MUST BE IN ACCORDANCE WITH THE TULSA POLICE DEPARTMENT'S SWPPP MANUAL. THE PLAN MUST BE IN ACCORDANCE WITH THE TULSA POLICE DEPARTMENT'S SWPPP MANUAL.

THE FOLLOWING SECTIONS OF THE 2019 ODOT STANDARD SPECIFICATIONS SHOULD BE NOTED:

- 100.05 BONDING REQUIREMENTS
- 104.10 FINAL CLEANING UP
- 104.13 CONTRACTOR'S RESPONSIBILITY FOR WORK
- 106.13 ENVIRONMENTAL PROTECTION
- 106.08 STORAGE AND HANDLING OF MATERIAL
- 107.01 LAWS, RULES AND REGULATIONS TO BE OBSERVED
- 107.70 STORM WATER MANAGEMENT
- 220 MANAGEMENT OF EROSION, SEDIMENTATION AND STORM WATER POLLUTION PREVENTION
- 231 TEMPORARY SEDIMENT CONTROL

### IN ADDITION:

ODOT GENERAL PERMIT (GWP19) FOR STORM WATER POLLUTION PREVENTION PLAN (SWPPP) FOR THE STATE OF OKLAHOMA, CODED, WATER QUALITY DIVISION, SEPTEMBER 15, 2017.



TULSA POLICE DEPARTMENT HELIPORT	
PROJECT NO. SP 22-07	
CITY OF TULSA, OKLAHOMA ENGINEERING SERVICES DEPARTMENT	
BKL INCORPORATED ENGINEERS & ARCHITECTS	
GREEN ACORN MECHANICAL, ELECTRICAL & PLUMBING	
DATE: 10/15/2020	DRAWN BY: J.P.P.
CHECKED BY: [Signature]	SCALE: AS SHOWN
SHEET NO. C1-02	TOTAL SHEETS: 02





