



4:24 pm, Nov 12, 2024

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

Meeting No. 537

Consider, Discuss and/or Take Action On:

1. Approval of **Minutes** of October 15, 2024 (Meeting No. 536).

NEW APPLICATIONS

2. **CBOA 3213 – Amanda Avey**

Action Requested:

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

Location: 22254 W 22nd St S

3. **CBOA 3221 - Terry Cooper**

Action Requested:

Use Variance to allow for recreational vehicles (Use Unit 17) in an AG district (Section 310). **Location:** 19305 S Harvard Ave

4. **CBOA 3222 - Frederick Collinsworth**

Action Requested:

Variance of the lot area per dwelling unit in an AG district (Section 2.040, Table 2-3)

Location: 18304 N Lewis Ave

5. **CBOA 3223 - Roberta Hall**

Action Requested:

Variance of the lot area per dwelling unit in an AG district (Section 2.040, Table 2-3)

Location: 12460 N Peoria Ave

6. **CBOA 3224 - Guadalupe Juan/Adiel Garcia-Juan**

Action Requested:

Use Variance to permit a food truck in an RS District (Section 6.010, Table 6-1)

Location: 1648 E 66th St N

7. **CBOA 3225 - Jeffrey S Smith**

Action Requested:

Variance of the required 40 ft rear yard setback in the AG district (Section 2.040, Table 2-

3) **Location:** 13975 N Yale Ave

8. CBOA 3226 - Raul Cisneros

Action Requested:

Variance of the lot area per dwelling unit in an AG district (Section 2.040, Table 2-3)

Location: 10535 N Sheridan Rd

9. CBOA 3227 - Brent & Rachel Pringle

Action Requested:

Special Exception to permit a single-wide manufactured home in the RS district (Section 3.030, Table 3-2). **Location:** 1540 E 72nd St N

10. CBOA 3228 - John & Julia Fugate

Action Requested:

Variance of the street frontage from 30' to 0' in an AG district (Section 2.050, Table 2-3).

Location: SWC E 86th St N & N Lewis Ave

11. CBOA 3229 - John & Julia Fugate

Action Requested:

Variance of the street frontage from 30' to 0' in an AG district (Section 2.050, Table 2-3).

Location: South of the SWC E 86th St N & N Lewis Ave

12. CBOA 3230 - Branch Communications

Action Requested:

Special Exception to permit a 160' freestanding tower (Section 6.010) and a Special Exception to allow less than 110% setback in an AG district (Section 7.190.E.6)

Location: 8301 N Memorial Dr

13. CBOA 3231 - Tina R Baker

Action Requested:

Variance to permit 3 dwellings on one lot of record in the AG district (Section 2.030, Table 2-2) **Location:** 21517 W 41st St S

14. CBOA 3232 - Donna Savant

Action Requested:

Variance of the side yard setback in the AG district to permit a carport (Section 2.050, Table 2-3) **Location:** 4617 E 171st St S

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

Website: https://www.incog.org/Land_Development/land_main.html

E-mail: esubmit@incog.org

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

NOTE: Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained at the Tulsa Planning Office at INCOG. *All electronic devices must be silenced* during the Board of Adjustment meeting.



Board of Adjustment

Case Number: CBOA-3213

Hearing Date: 11/19/2024 1:30 PM

Case Report Prepared by:

Jay Hoyt

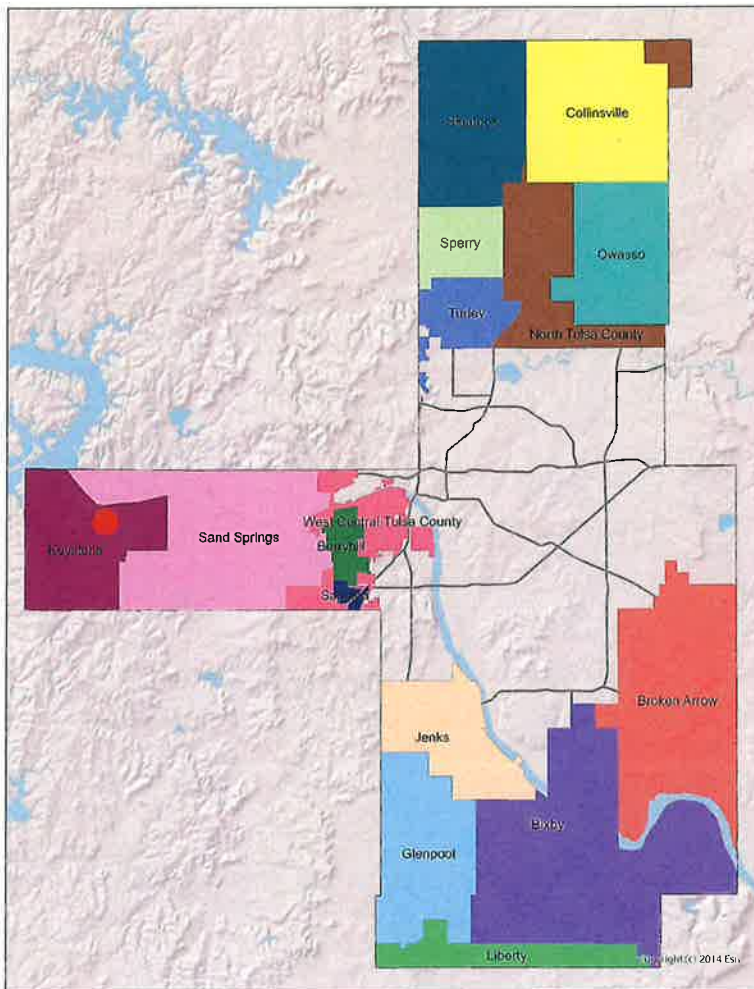
Owner and Applicant Information:

Applicant: Amanda Avey

Property Owner: Same

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

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 21.25 acres

Location: 22254 W 22nd St S

Present Zoning: AG

Fenceline/Area: Keystone

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9015

CASE NUMBER: **CBOA-3213**

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 11/19/2024 1:30 PM

APPLICANT: Amanda Avey

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

LOCATION: 22254 W 22nd St S

ZONED: AG

FENCELINE: Keystone

PRESENT USE: Vacant

TRACT SIZE: 21.25 acres

LEGAL DESCRIPTION: N/2 N/2 SE NW & S495 E990 NE NW SEC 15 19 10 21.25ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and is currently vacant. The tract is surrounded by AG zoning containing primarily vacant land with a cell tower located to the northwest of the tract.

STAFF COMMENTS:

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

The applicant would like to place a home onto their land, but the tract does not have frontage on a publicly maintained road, as required by the Tulsa County Zoning Code. The applicant would need to obtain an access easement through a neighboring property in order to provide access to the subject tract.

The applicant provided the statement "Because my property is landlocked, I cannot get a permit to put my home on my land or get utilities set up."

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.

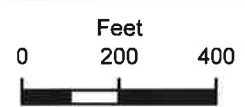
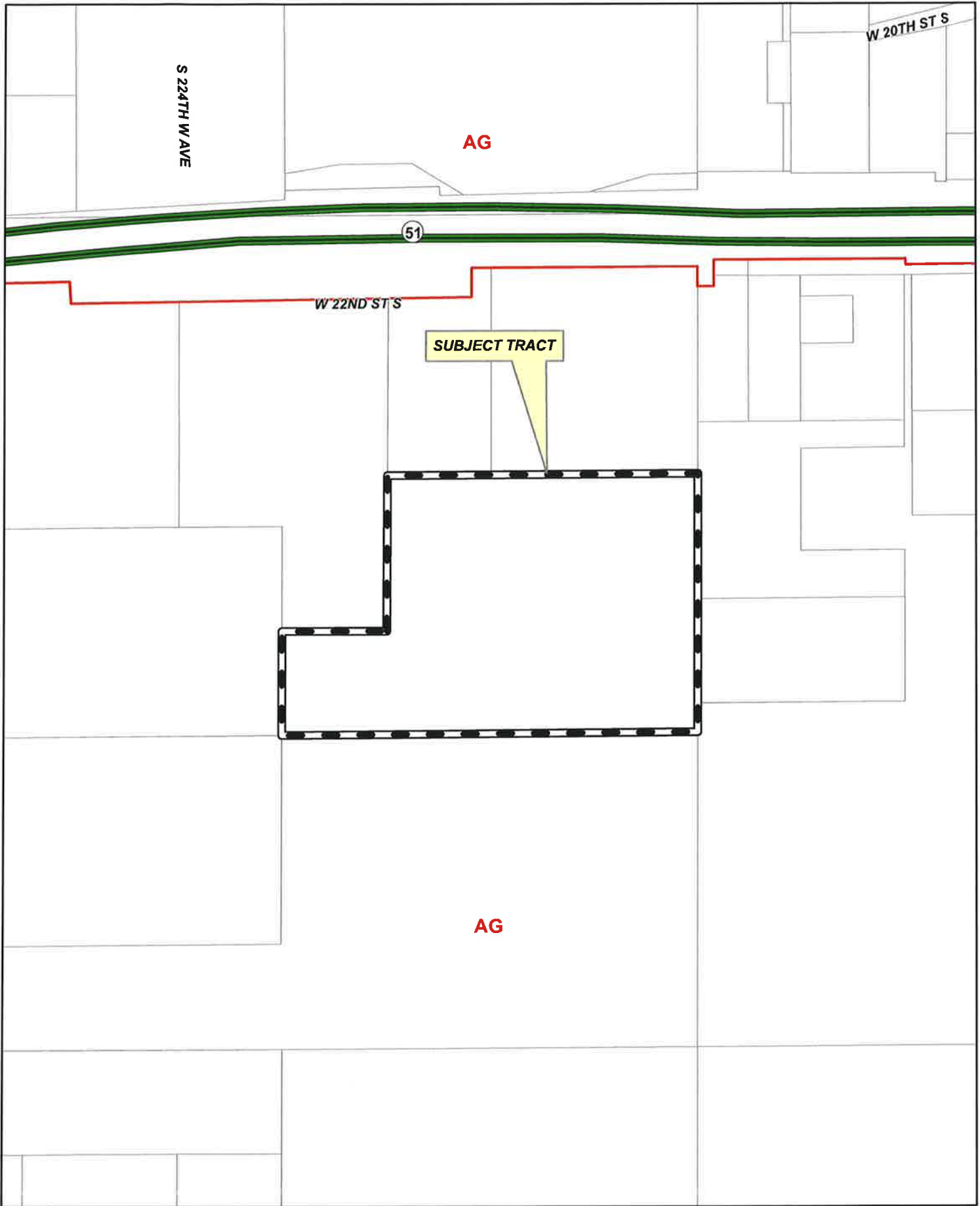
Sample Motion:

"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: _____.

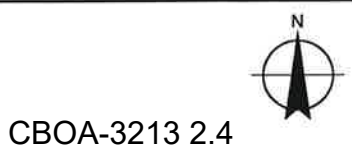
Finding the hardship to be _____.

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.



CBOA-3213

15-19 10





0 Feet 200 400



Subject
Tract

CBOA-3213

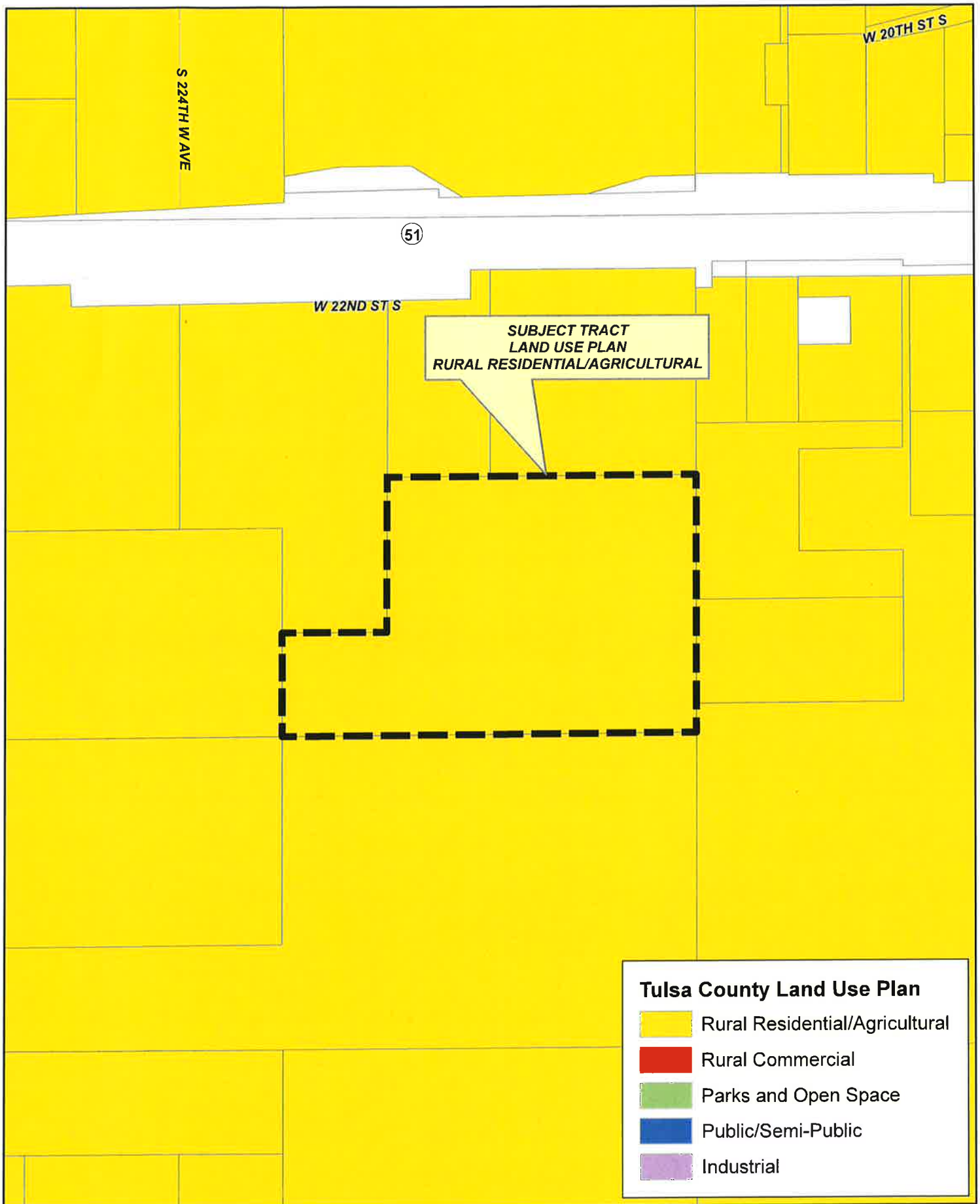
15-19 10

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

Aerial Photo Date: 2023

CBOA-3213 2.5





CBOA-3213

15-19 10

CBOA-3213 2.6



Board of Adjustment

Case Number: CBOA-3221

Hearing Date: 11/19/2024 1:30 PM

Case Report Prepared by:

Jay Hoyt

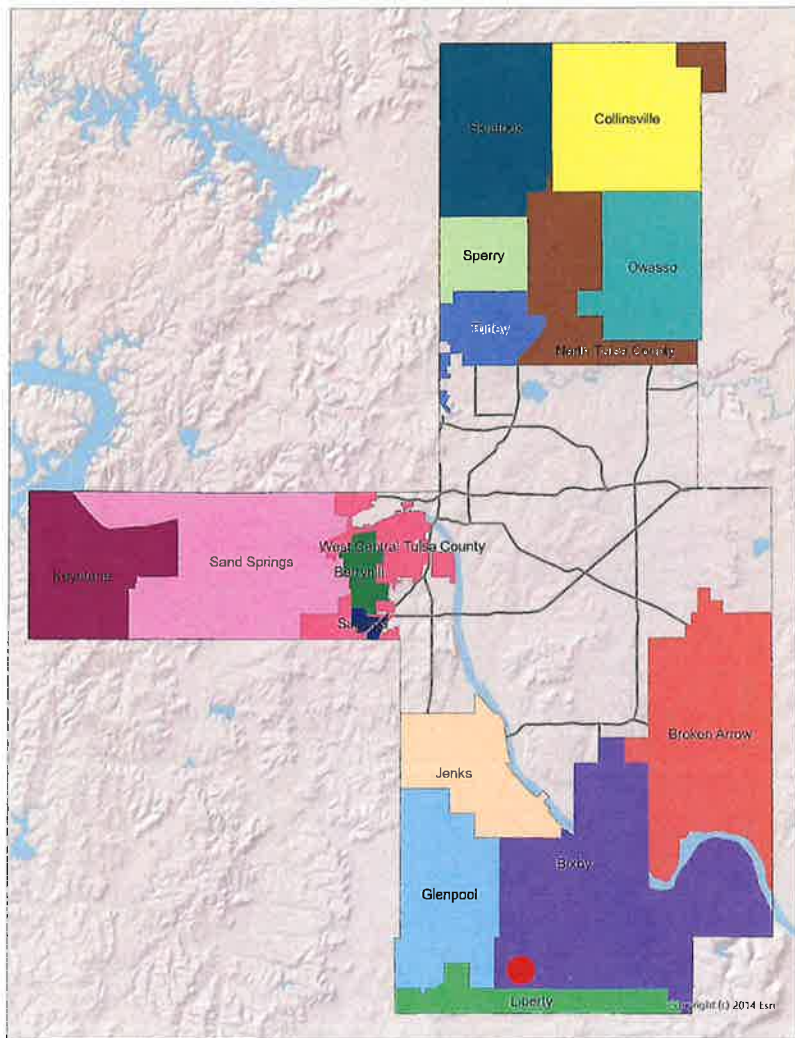
Owner and Applicant Information:

Applicant: Terry D Cooper

Property Owner: Same

Action Requested: Use Variance to allow for recreational vehicles (Use Unit 17) in an AG district (Section 310).

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 4.93 acres

Location: 19305 S Harvard Ave

Present Zoning: AG

Fenceline/Area: Bixby

Land Use Designation: Rural Agriculture

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1331

CASE NUMBER: CBOA-3221

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 11/19/2024 1:30 PM

APPLICANT: Terry D Cooper

ACTION REQUESTED: Use Variance to allow for recreational vehicles (Use Unit 17) in an AG district (Section 310).

LOCATION: 19305 S Harvard Ave

ZONED: AG

FENCELINE: Bixby

PRESENT USE: Residence

TRACT SIZE: 4.93 acres

LEGAL DESCRIPTION: S/2 S/2 S/2 NW NW LESS W50 FOR RD & S4 OF N/2 S/2 S/2 NW NW SEC 9 16 13 4.927 ACS

RELEVANT PREVIOUS ACTIONS: None Relevant

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

STAFF COMMENTS:

The applicant is before the Board to request a Use Variance to allow for recreational vehicles (Use Unit 17) in an AG district (Section 310).

Use Unit 17 – Automotive and Allied Activities is not a use that is permitted by right or exception in the AG 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 AG 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 the statement “I need a place for our daughter to put her travel trailer to live in.”

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 AG district (Section 310).

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

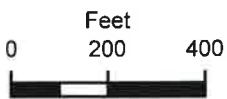
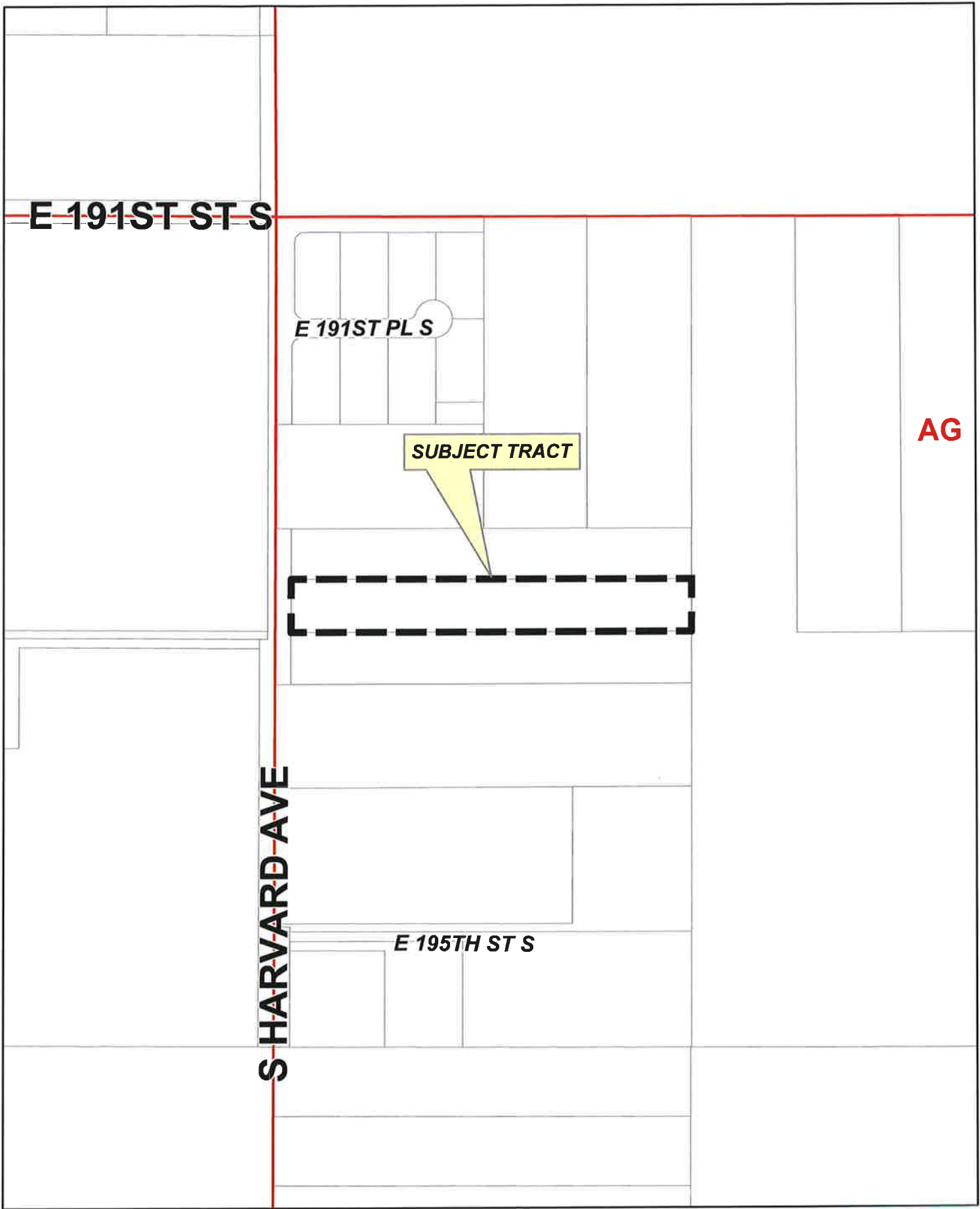
Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not 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 East from S Harvard Ave



Subject tract looking Southeast from S Harvard Ave



CBOA-3221

09-10 13

CBOA-3221 3.5





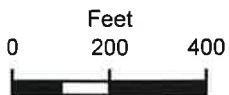
E 191ST ST S

E 191ST PL S

SUBJECT TRACT

S HARVARD AVE

E 195TH ST S



Subject
Tract

CBOA-3221

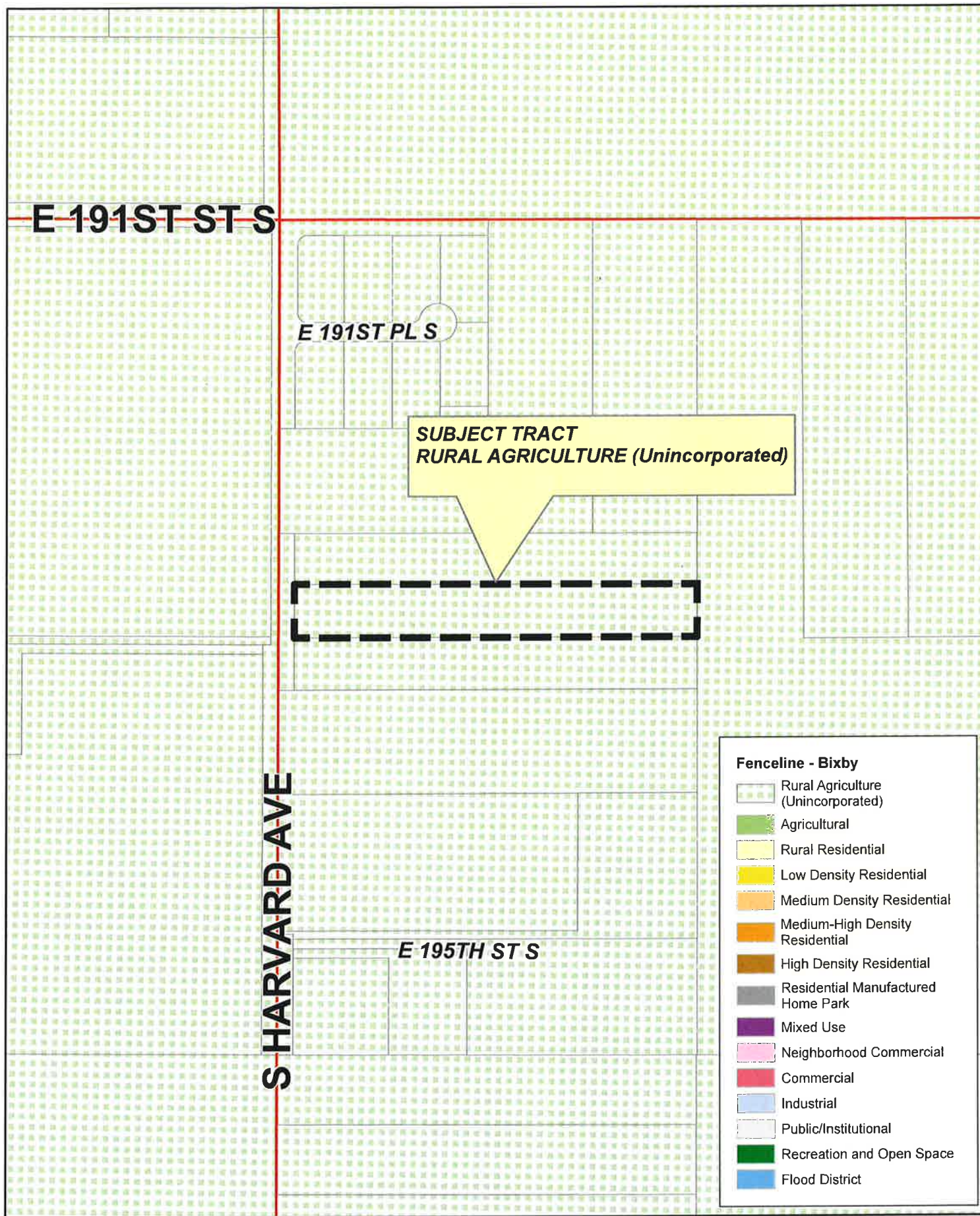
09-10 13

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

Aerial Photo Date: 2023

CBOA-3221 3.6





CBOA-3221

09-10 13

CBOA-3221 3.7





Case Number: CBOA-3222

Hearing Date: 11/19/2024 1:30 PM

Case Report Prepared by:

Jay Hoyt

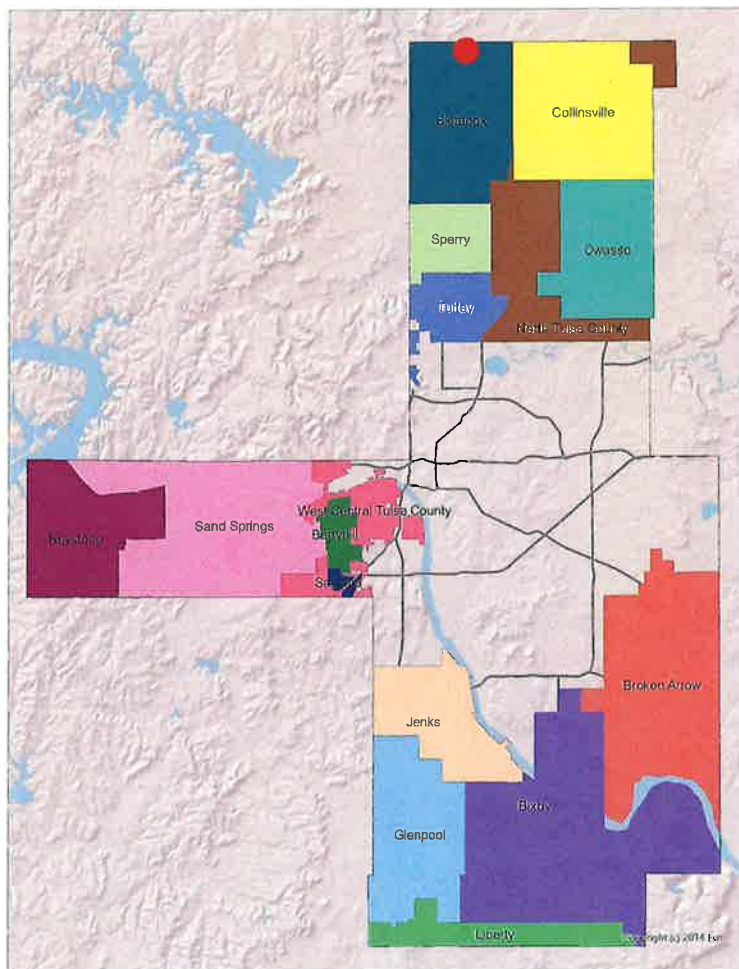
Owner and Applicant Information:

Applicant: Fredrick Collinsworth

Property Owner: Russell Collinsworth

Action Requested: Variance of the lot area per dwelling unit in the AG district (Section 2.040, Table 2-3)

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 3.11 acres

Location: 18304 N Lewis Ave

Present Zoning: AG

Fenceline/Area: Skiatook

Land Use Designation: Rural Residential

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 2306

CASE NUMBER: CBOA-3222

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 11/19/2024 1:30 PM

APPLICANT: Fredrick Collinsworth

ACTION REQUESTED: Variance of the lot area per dwelling unit in the AG district (Section 2.040, Table 2-3)

LOCATION: 18304 N Lewis Ave

ZONED: AG

FENCELINE: Skiatook

PRESENT USE: Vacant

TRACT SIZE: 3.11 acres

LEGAL DESCRIPTION: TR IN SE NE BEG 360S NEC SE NE TH W394 S360 E394 N360 POB LESS .14AC
FOR RD SEC 6 22 13 3.11ACS

RELEVANT PREVIOUS ACTIONS: None Relevant

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

STAFF COMMENTS:

The applicant is before the Board to request a Variance of the lot area per dwelling unit in the AG district (Section 2.040, Table 2-3)

The Tulsa County zoning code requires 2 acres of land area per dwelling per Section 2.040, Table 2-3 of the Tulsa County Zoning Code. The subject tract currently contains one single-family dwelling. The applicant is proposing to place a second home on the tract. The tract is 3.11 acres in size, which is below the 4 acres that would be required for two dwellings on one lot of record in the AG district.

The applicant did not provide a statement but did note that the variance is being requested due to a recent death in the family and wanting to have family member together on the subject tract.

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 lot area per dwelling unit in the AG district (Section 2.040, Table 2-3).

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 Northwest from N Lewis Ave

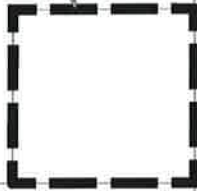


Subject tract looking Southwest from N Lewis Ave

E 186TH ST N

N 3960 RD

SUBJECT TRACT



AG

N LEWIS AVE

LEGEND



Skiatook Corporate Limits

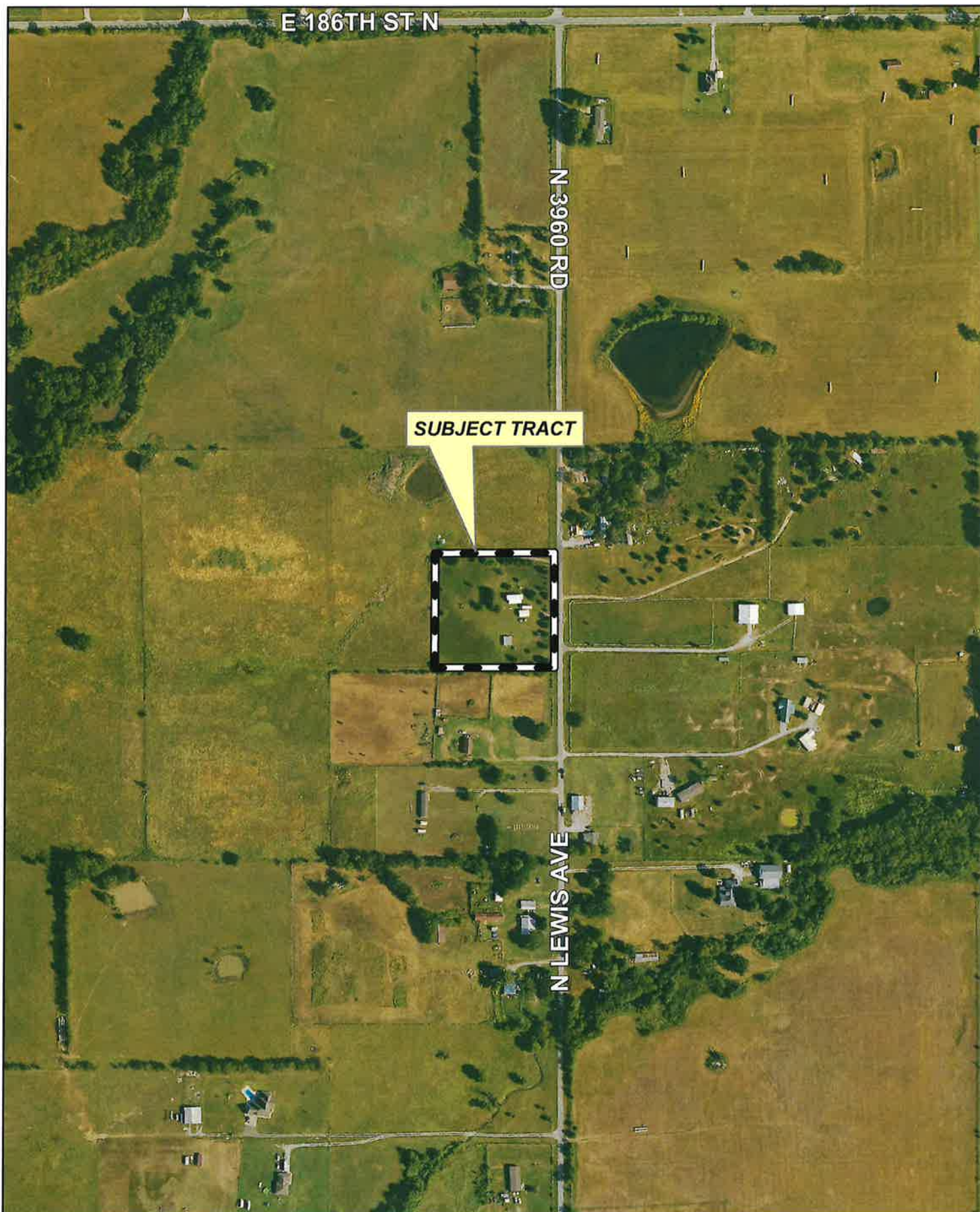


CBOA-3222

06 22-13



CBOA-3222 4.5



E 186TH ST N

N 3960 RD

SUBJECT TRACT

N LEWIS AVE

0 Feet 200 400



Subject Tract

CBOA-3222

06 22-13

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

Aerial Photo Date: 2023

CBOA-3222 4.6











E 186TH ST N

N 3960 RD

**SUBJECT TRACT
LAND USE PLAN
RURAL RESIDENTIAL**

N LEWIS AVE

Skiatook Fenceline

-  Rural Residential
-  Urban Residential
-  Transitional
-  Commercial
-  Industrial/Regional Employment*
-  Public/Institutional/Quasi-Public
-  Parks/Recreation
-  US-75/SH-20 Planning Area



CBOA-3222

06 22-13

CBOA-3222 4.7





Board of Adjustment

Case Number: CBOA-3223

Hearing Date: 11/19/2024 1:30 PM

Case Report Prepared by:

Jay Hoyt

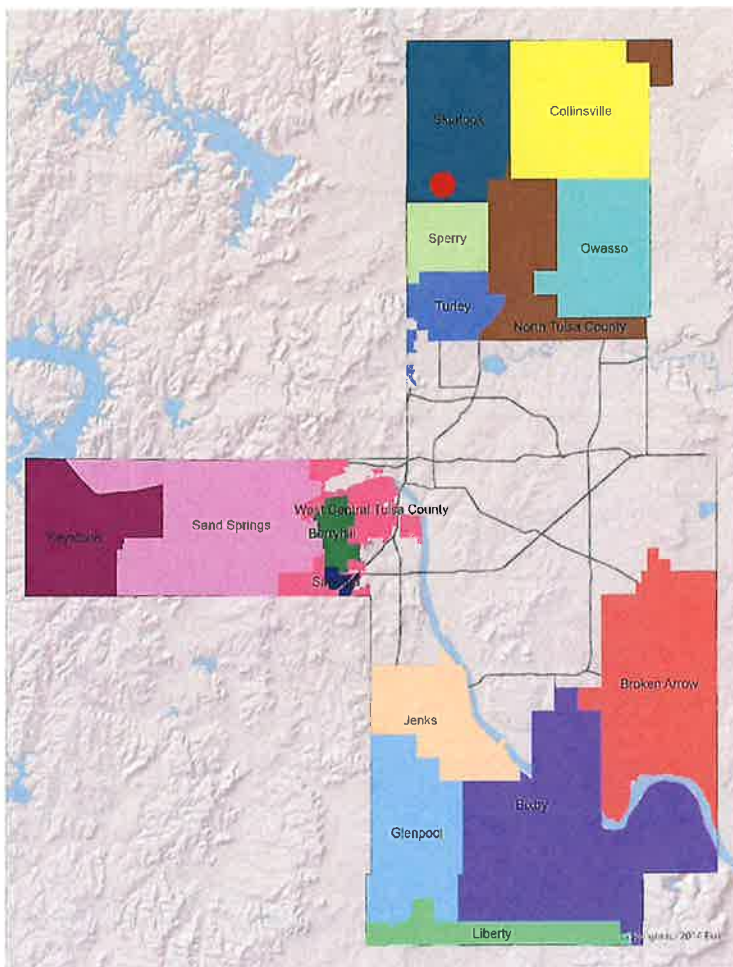
Owner and Applicant Information:

Applicant: Roberta Hall

Property Owner: James & Tonya Cody

Action Requested: Variance of the lot area per dwelling unit in the AG district (Section 2.040, Table 2-3)

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 0.5 acres

Location: 12460 N Peoria Ave

Present Zoning: AG

Fenceline/Area: Skiatook

Land Use Designation: Rural Residential

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1201

CASE NUMBER: CBOA-3223

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 11/19/2024 1:30 PM

APPLICANT: Roberta Hall

ACTION REQUESTED: Variance of the lot area per dwelling unit in the AG district (Section 2.040, Table 2-3)

LOCATION: 12460 N Peoria Ave

ZONED: AG

FENCELINE: Skiatook

PRESENT USE: Vacant

TRACT SIZE: 0.5 acres

LEGAL DESCRIPTION: SE NE NE NE LESS BEG NEC THEREOF TH W330 S331 E165 N132.4 E165 N198.6
POB SEC 1 21 12 .502ACS

RELEVANT PREVIOUS ACTIONS: None Relevant

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

STAFF COMMENTS:

The applicant is before the Board to request a Variance of the lot area per dwelling unit in the AG district (Section 2.040, Table 2-3)

The Tulsa County zoning code requires 2 acres of land area per dwelling per Section 2.040, Table 2-3 of the Tulsa County Zoning Code. The subject tract is currently vacant. The applicant is proposing to place a home on the tract. The tract is 0.5 acres in size, which is below the 2 acres that would be required for a dwelling in the AG district. The proposed home will be a 16' X 76' single-wide manufactured home.

The applicant provided the statement that the "Preexisting property is small than the requirement."

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 lot area per dwelling unit in the AG district (Section 2.040, Table 2-3).

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

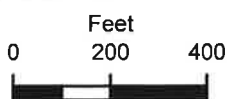
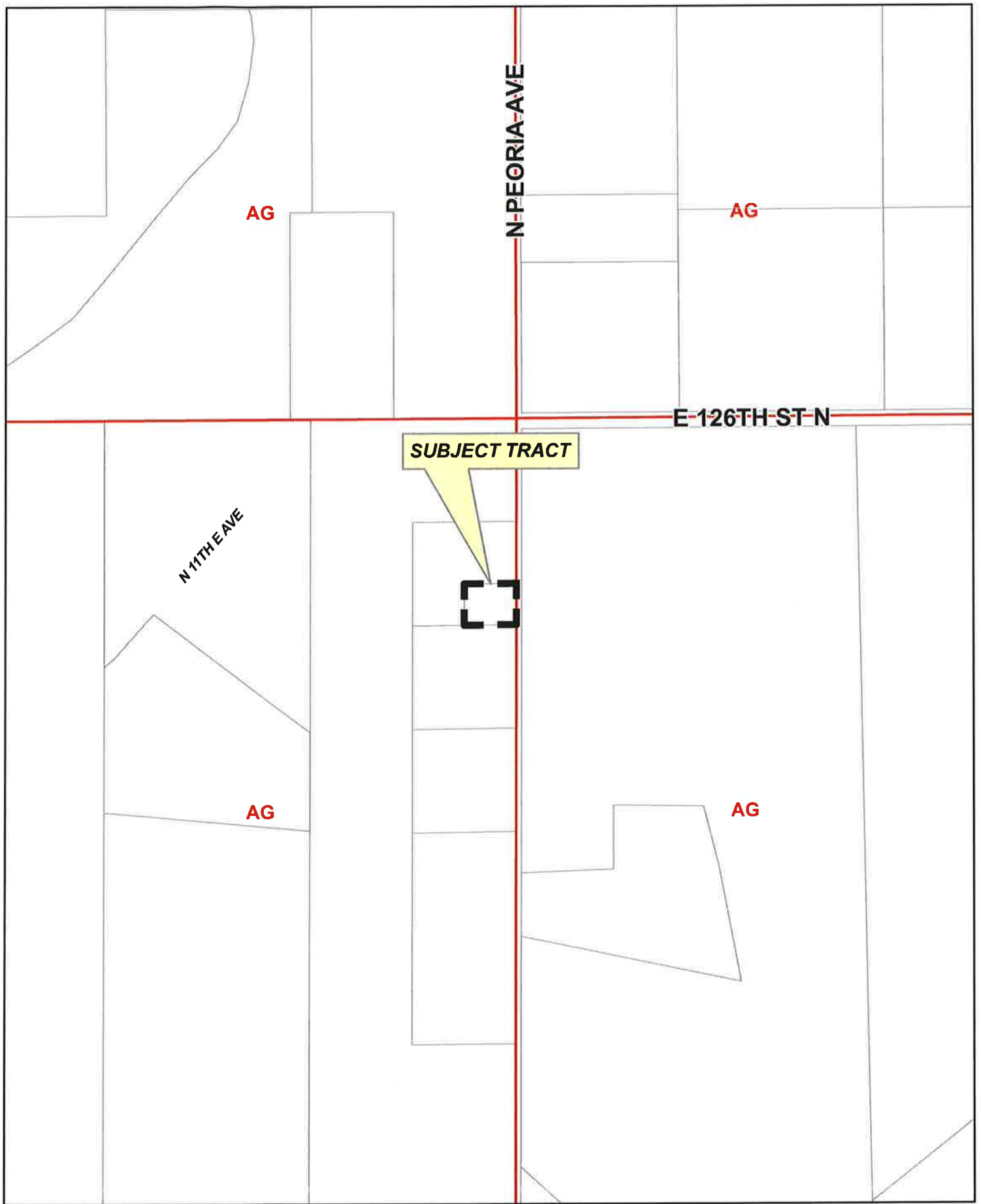
unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan.



Subject tract looking West from N Peoria Ave



Subject tract looking Southwest from N Peoria Ave



CBOA-3223

21-12 01

CBOA-3223 5.5



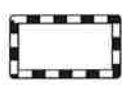
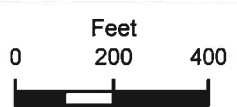


N PEORIA AVE

E 126TH ST N

SUBJECT TRACT

N 147TH AVE



Subject Tract

CBOA-3223

21-12 01

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

Aerial Photo Date: 2023

CBOA-3223 5.6





Board of Adjustment

Case Number: CBOA-3224

Hearing Date: 11/19/2024 1:30 PM

Case Report Prepared by:

Jay Hoyt

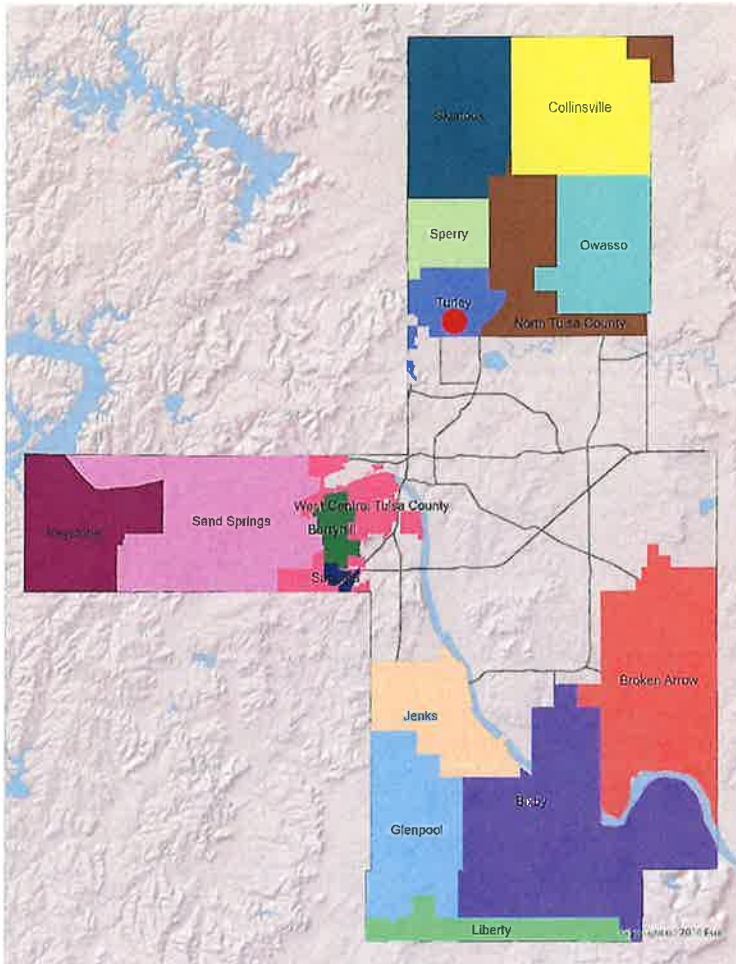
Owner and Applicant Information:

Applicant: Guadalupe Juan/Adiel Garcia-Juan

Property Owner: Same

Action Requested: Use Variance to permit a food truck in an RS District (Section 6.010, Table 6-1)

Location Map:



Additional Information:

Present Use: Storage / Mobile Food Eatery

Tract Size: 1.83 acres

Location: 1648 E 66th St N

Present Zoning: RS

Fenceline/Area: Turley

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 0306

CASE NUMBER: CBOA-3224

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 11/19/2024 1:30 PM

APPLICANT: Guadalupe Juan/Adiel Garcia-Juan

ACTION REQUESTED: Use Variance to permit a food truck in an RS District (Section 6.010, Table 6-1)

LOCATION: 1648 E 66th St N

ZONED: RS

FENCELINE: Turley

PRESENT USE: Storage / Mobile Food Eatery

TRACT SIZE: 1.83 acres

LEGAL DESCRIPTION: W/2 N/2 W19.68ACS LOT 2 LESS W155 & LESS S205 THEREOF SEC 6 20 13 1.828ACS

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-3018 January 2023: The Board approved a Use Variance to allow for a food truck (Use Unit 12) in an RS district (Section 410).

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and contains a commercial storage area. 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 Use Variance to permit a food truck in an RS District (Section 6.010, Table 6-1)

A food truck is classified as the use subcategory of Restaurant in the Tulsa County Zoning Code which is not a use that is allowed within the RS district. The applicant wishes to be able to park their food truck on the RS zoned subject lot and operate at this location. The subject tract has been used for a commercial business for the past several decades, per the previous property owner and is currently used for storage.

The applicant provided the statement: "This property was acquired by a known business, which was Orcut Painting. They were operational for decades. This building was originally commercially operated by said business. Prior to them, it was owned by their father who had much more land, which was sold off and converted to residential homes. The previous owner didn't want to continue with the business so they decided to retire. We are simply trying to make an honest living. We don't mean to disrupt our current neighbors. We weren't even aware that this building was not properly zoned. As stated, it was in business for decades before we acquired it. We just want to make things right and continue with trying to operate it justly"

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

Sample Motion:

"Move to _____ (approve/deny) a Use Variance to permit a food truck in an RS District (Section 6.010, Table 6-1).

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

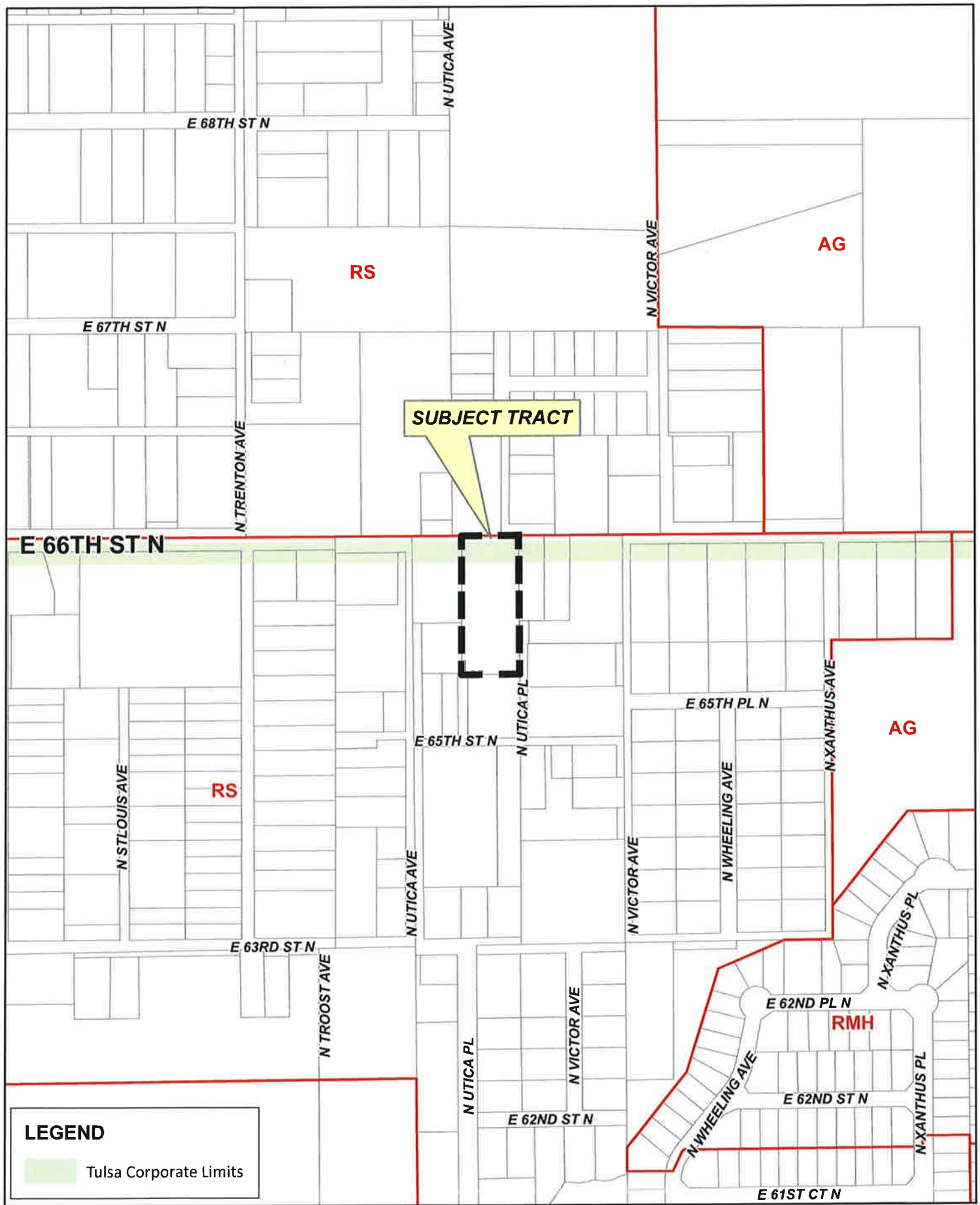
Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not 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 E 66th St N



Subject tract looking Southeast from E 66th St N




LEGEND

 Tulsa Corporate Limits



CBOA-3224

20-13 06



CBOA-3224 6.5



0 Feet 200 400



Subject Tract

CBOA-3224

20-13 06

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

Aerial Photo Date: 2023

CBOA-3224 6.6



Hoyt, Jay

From: Dennis Vaughn <dvaughn36@gmail.com>
Sent: Monday, November 04, 2024 7:48 PM
To: esubmit
Subject: CBOA-3224

I, Dennis Vaughn residing at 1723 E. 65th St N, Tulsa OK 74130 (918)902-4953 have no objections to allow a food truck to operate as stated in the application. I hope they do well and prosper as well as serving our community. Please feel free to contact me if a need arises.

Thank you,
Dennis Vaughn

Hoyt, Jay

From: Jo Burk <jo_d_bo@yahoo.com>
Sent: Monday, November 04, 2024 4:15 PM
To: esubmit
Subject: Case #CBOA-3224

Dear Board Members,

I am writing concerning the variance to permit a food truck at 1648 E. 66th St. North.

I would like to have been at the hearing but have a dr. appointment in OKC that morning that prevents us from being present.

We are in favor of allowing this food truck in our area. The options for good food here in Turley are few and far between. I've eaten food from this truck several times and I highly recommend it.

So, in short, please allow the permit to operate in this location for these fine folks and for our little community.

Thankyou!

**Juanita Burk
6416 N. Victor
Tulsa, Oklahoma
74130
918-605-5523**



Board of Adjustment

Case Number: CBOA-3225

Hearing Date: 11/19/2024 1:30 PM

Case Report Prepared by:

Jay Hoyt

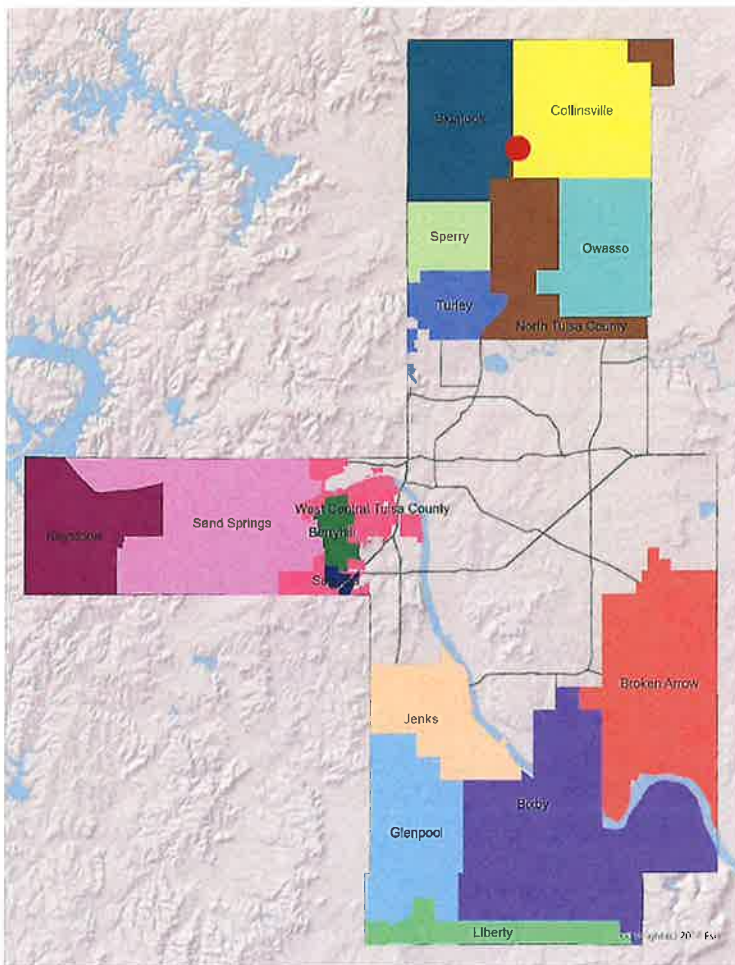
Owner and Applicant Information:

Applicant: Jeffrey S Smith

Property Owner: Same

Action Requested: Variance of the required 40 ft rear yard setback in the AG district (Section 2.040, Table 2-3)

Location Map:



Additional Information:

Present Use: Residence

Tract Size: 15.10 acres

Location: 13975 N Yale Ave

Present Zoning: AG

Fenceline/Area: Collinsville

Land Use Designation: Residential

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 2327

CASE NUMBER: CBOA-3225

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 11/19/2024 1:30 PM

APPLICANT: Jeffrey S Smith

ACTION REQUESTED: Variance of the required 40 ft rear yard setback in the AG district (Section 2.040, Table 2-3)

LOCATION: 13975 N Yale Ave

ZONED: AG

FENCELINE: Collinsville

PRESENT USE: Residence

TRACT SIZE: 15.10 acres

LEGAL DESCRIPTION: BEG 878.26S NWC SE TH E1319.85 S518.06 W1319.53 N517.91 POB LESS W50 THEREOF FOR RD SEC 27 22 13 15.098 ACS

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-2625 May 2017: The Board approved a Variance to permit more than two dwelling units in an AG district (Section 208).

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and contains a single-family residence. The tract is abuts AG zoning to the north containing a single-family residence and south containing vacant land and west containing Highway 75, and RE zoning to the east containing single-family residences.

STAFF COMMENTS:

The applicant is before the Board to request a Variance of the required 40 ft rear yard setback in the AG district (Section 2.040, Table 2-3)

The Tulsa County zoning code requires a rear yard setback of 40 feet in the AG district. The subject tract contains an existing barn that is located 17 feet from the rear property line which is closer to the rear property line than the 40 feet required by the zoning code necessitating the need for a variance.

The applicant provided the statement that this is a "pre-existing hay barn and we are needing clearance from the zoning commission."

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 required 40 ft rear yard setback in the AG district (Section 2.040, Table 2-3).

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

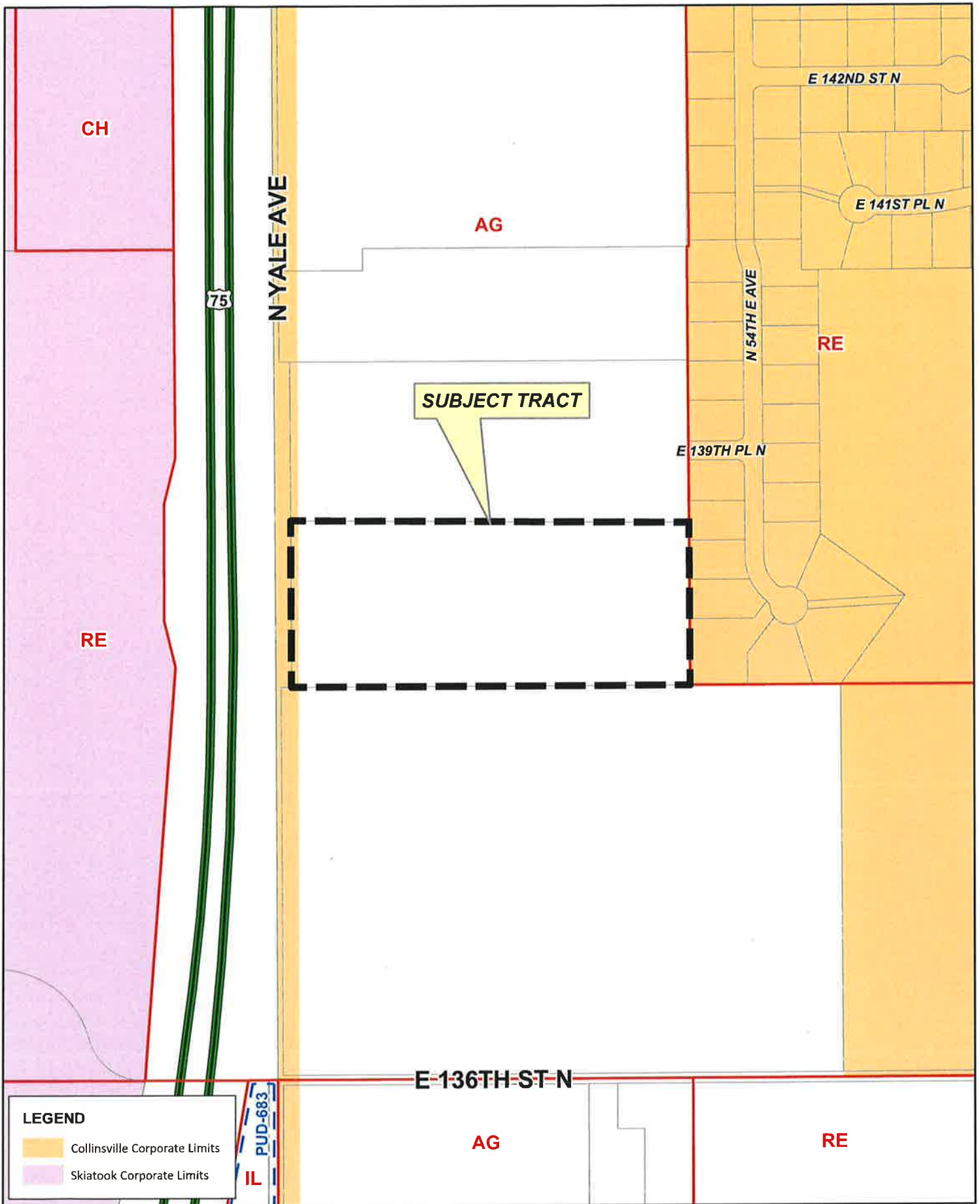
Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not 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 East from N Yale Ave



Subject tract looking Northeast from N Yale Ave





0 Feet 200 400



Subject
Tract

CBOA-3225

22-13 27

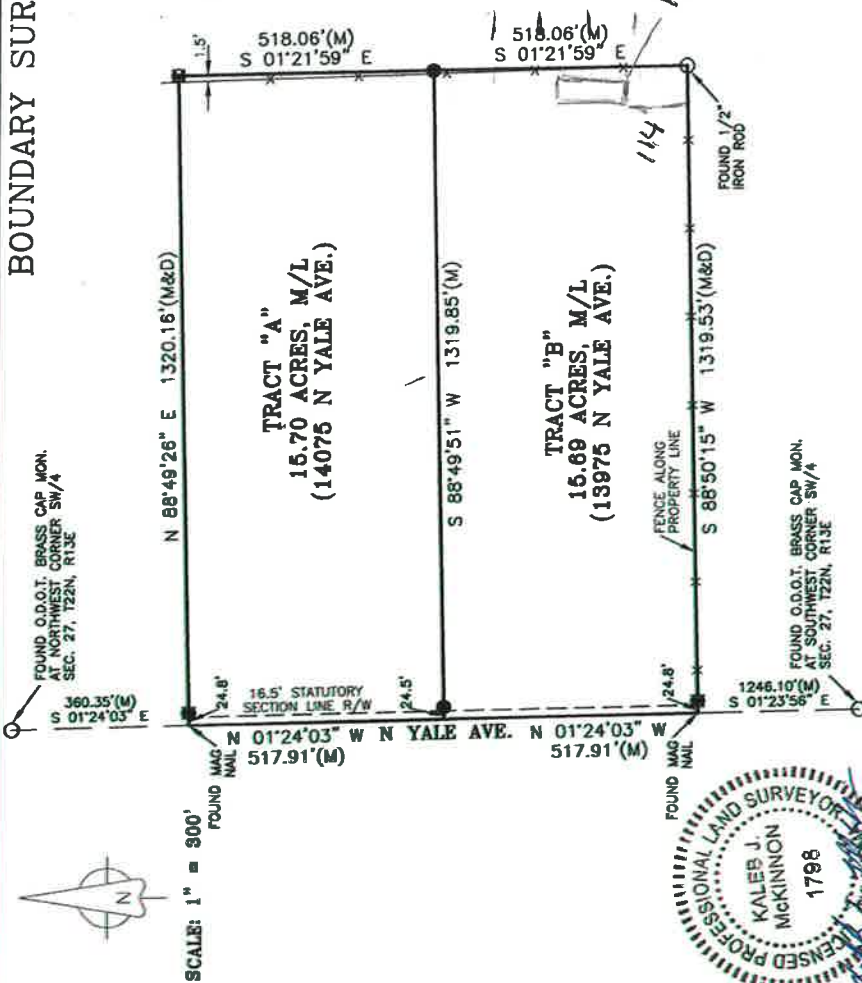
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2023

CBOA-3225 7.6



BOUNDARY SURVEY



GENERAL NOTES:
1. THE BASIS OF BEARING FOR THIS SURVEY IS OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD 83, NORTH ZONE.
2. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR PRESENT

MCKINNON LAND SURVEYING, LLC.
HC 62 BOX 110-7, NOWATA, OK 74048
(918) 230-3927
EMAIL: MCKINNONLANDSURVEYING@GMAIL.COM
C.A. NO. 8511 EXP. 6/30/2023

I, KALEB J. MCKINNON, LICENSED PROFESSIONAL LAND SURVEYOR NO. 1798, IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY: (1) THAT THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SURVEY DONE UNDER MY DIRECTION, AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, (2) THAT AN INDEPENDENT SEARCH OF THE ABSTRACT OR RECORDED DOCUMENTS TO DETERMINE EASEMENTS, ENCUMBRANCES OR RESTRICTIONS, WAS NOT MADE, (3) THIS PLAT OF SURVEY MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING
DATED THIS 3RD DAY OF AUGUST, 2021



- LEGEND:
(M) MEASUREMENT PER THIS SURVEY
(D) MEASUREMENT PER DESCRIPTION PROVIDED TO SURVEYOR BY CLIENT
● 3/8" IRON ROD FOUND
● 1/2" IRON ROD SET



Board of Adjustment

Case Number: CBOA-3226

Hearing Date: 11/19/2024 1:30 PM

Case Report Prepared by:

Jay Hoyt

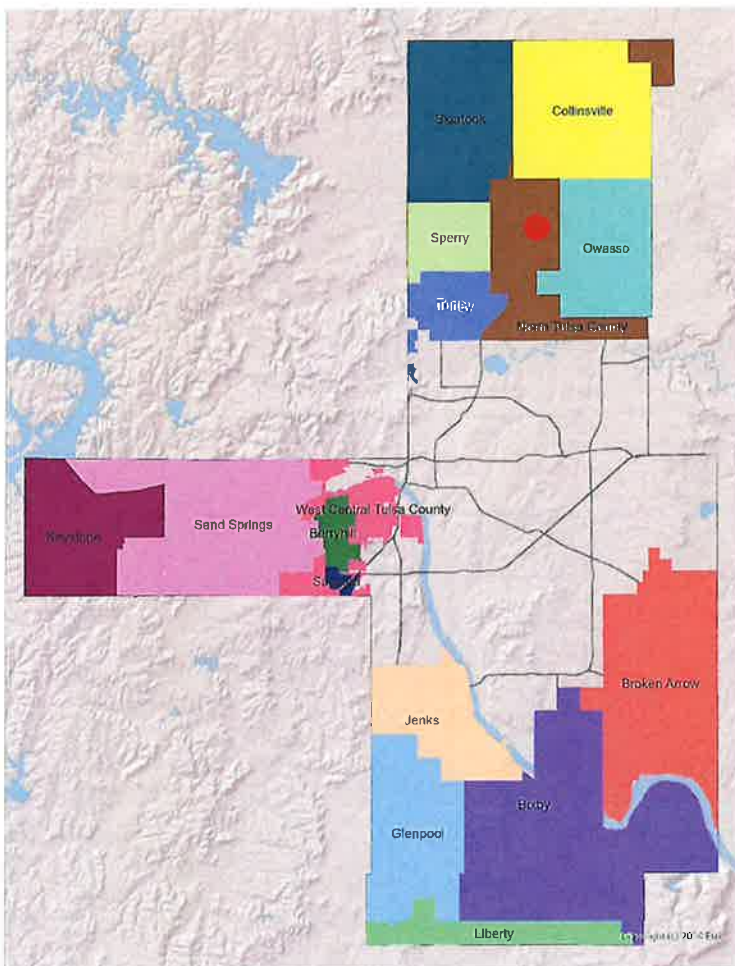
Owner and Applicant Information:

Applicant: Raul Cisneros

Property Owner: Francisco Molina

Action Requested: Variance of the lot area and lot area per dwelling unit in the AG district (Section 2.040, Table 2-3)

Location Map:



Additional Information:

Present Use: Residence

Tract Size: 2.18 acres

Location: 10535 N Sheridan Rd

Present Zoning: AG

Fenceline/Area: North Tulsa County

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1331

CASE NUMBER: CBOA-3226

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 11/19/2024 1:30 PM

APPLICANT: Raul Cisneros

ACTION REQUESTED: Variance of the lot area and lot area per dwelling unit in the AG district (Section 2.040, Table 2-3)

LOCATION: 10535 N Sheridan Rd

ZONED: AG

FENCELINE: North Tulsa County

PRESENT USE: Residence

TRACT SIZE: 2.18 acres

LEGAL DESCRIPTION: W/2 NW NW NW LESS S278 THEREOF & LESS N16.5 THEREOF & LESS BEG 16.5S & 16.5E NWC NW TH E312.61 S13.5 W240.79 CRV LF 47.44 S327.70 W8 S271.25 W33.5 N643.3 POB SEC 14 21 13 2.184ACS

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-2568 March 2016: The Board approved a Variance of the minimum lot area from 2 acres to 1.81 acres in the AG district (Section 330, Table 3) and a Variance of the minimum land area per dwelling unit (Section 330, Table 3) to permit a lot split.

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

STAFF COMMENTS:

The applicant is before the Board to request a Variance of the lot area and lot area per dwelling unit in the AG district (Section 2.040, Table 2-3)

The Tulsa County zoning code requires 2 acres minimum for a lot in the AG district as well as 2 acres of land area per dwelling per Section 2.040, Table 2-3 of the Tulsa County Zoning Code. The subject tract contains a single-family residence which will b. The applicant is proposing to split the current 2.18 acre tract into two tracts of approximately 1.09 acres each. They intend to have a single-family residence on each of the lots.

The applicant provided the statement "In our community, the demand for affordable housing has reached a critical level. Many families struggle to find safe and suitable places to live, leading to overcrowded conditions and increased homelessness. By splitting my lot, I aim to build two modest homes."

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 lot area and lot area per dwelling unit in the AG district (Section 2.040, Table 2-3).

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.



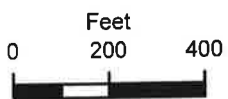
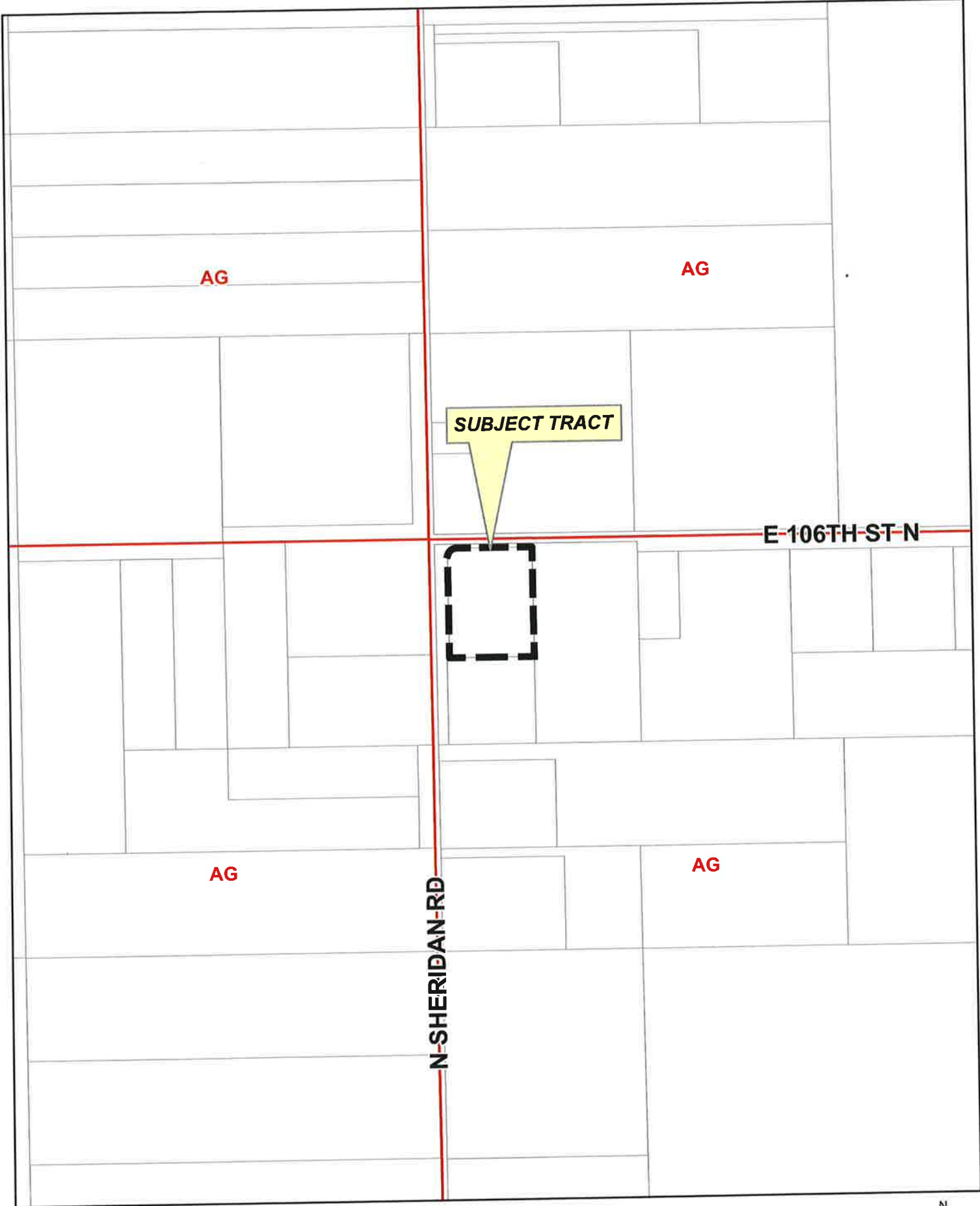
Subject tract looking East from N Sheridan Rd



Subject tract looking Northeast from N Sheridan Rd



Subject tract looking Southwest from E 106th St N



CBOA-3226

21-13 14



CBOA-3226 8.6



SUBJECT TRACT

E 106TH ST N

N SHERIDAN RD

0 Feet
200
400



Subject
Tract

CBOA-3226

21-13 14

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

Aerial Photo Date: 2023



CBOA-3226 8.7

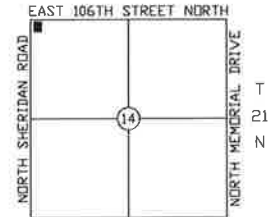


SCALE 1"=70'

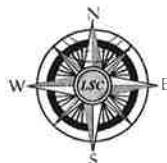
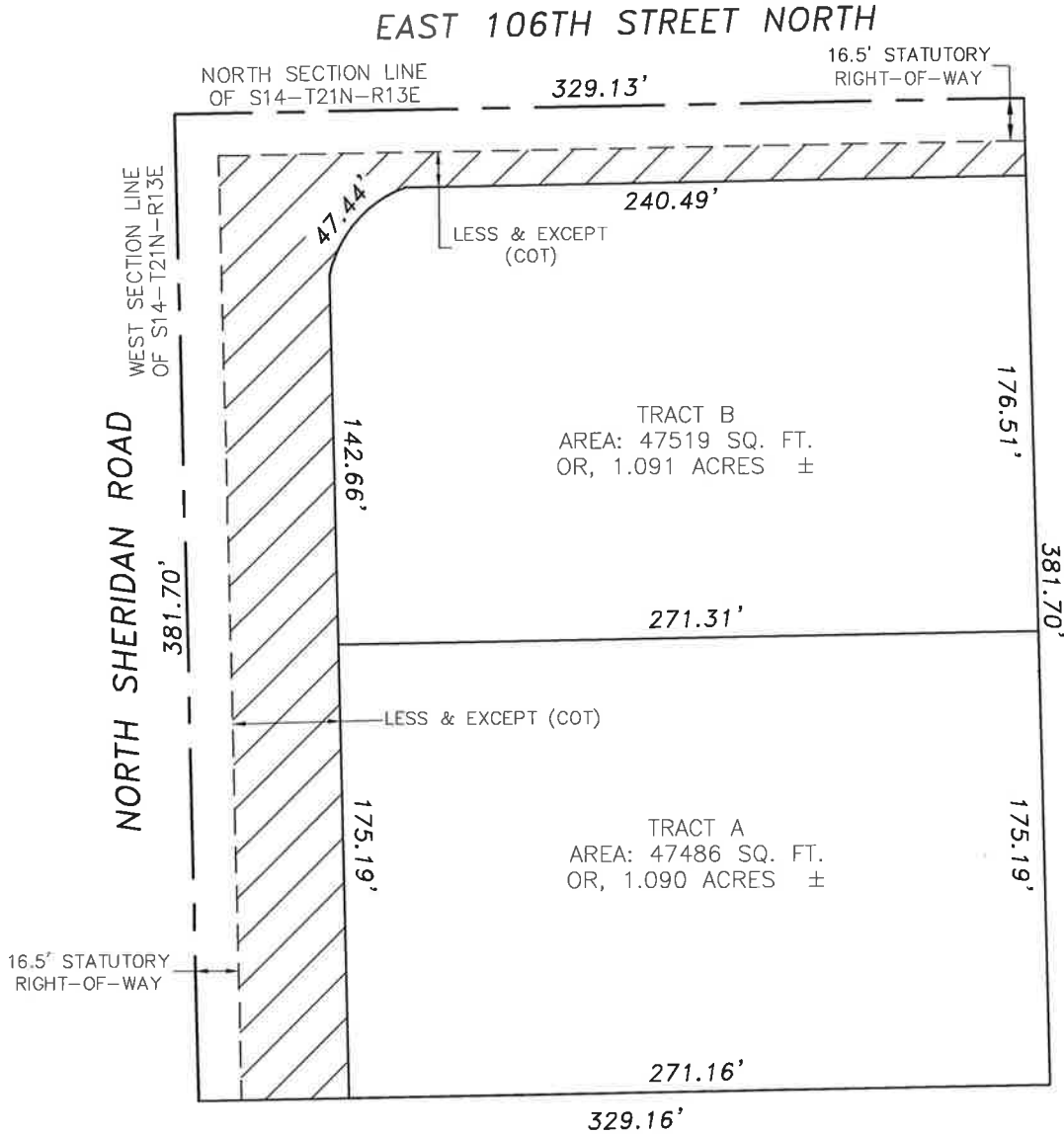
REGISTERED LAND SURVEYOR'S REAL PROPERTY EXHIBIT

LEGEND	
U/E	- UTILITY EASEMENT
B/L	- BUILDING LINE
D/E	- DRAINAGE EASEMENT
ELEC	- ELECTRIC
COV'D	- COVERED
M/P	- METERING POINT

R 13 E



(CLOSED ROAD)
LOCATION MAP
NOT TO SCALE



DAVID D. LACY

PO BOX 471211, Tulsa OK 74147
Phone: 918.519.1873
Email: pls4air@gmail.com



Board of Adjustment

Case Number: CBOA-3227

Hearing Date: 11/19/2024 1:30 PM

Case Report Prepared by:

Jay Hoyt

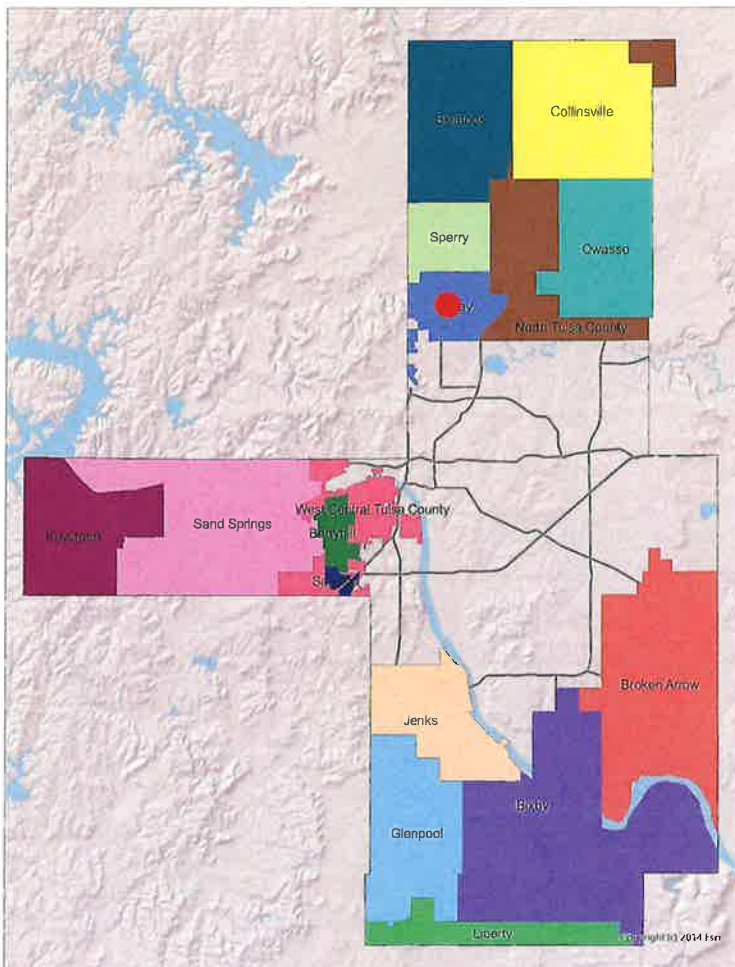
Owner and Applicant Information:

Applicant: Brent & Rachel Pringle

Property Owner: Same

Action Requested: Special Exception to permit a single-wide manufactured home in the RS district (Section 3.030, Table 3-2).

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 0.74 acres

Location: 1540 E 72nd St N

Present Zoning: RS

Fenceline/Area: Turley

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1331

CASE NUMBER: **CBOA-3227**

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 11/19/2024 1:30 PM

APPLICANT: Brent & Rachel Pringle

ACTION REQUESTED: Special Exception to permit a single-wide manufactured home in the RS district (Section 3.030, Table 3-2).

LOCATION: 1540 E 72nd St N

ZONED: RS

FENCELINE: Turley

PRESENT USE: Vacant

TRACT SIZE: 0.25 acres

LEGAL DESCRIPTION: E 105 LOT 2 BLK 7, GOLDEN HILL ADDN Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-1360 June 1995: The Board approved a Special Exception to permit a mobile home in an RS district and a variance to permit 2 dwellings on one lot of record.

CBOA-2294 May 2008: The Board approved a Special Exception to permit a mobile home in an RS district.

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 single-wide manufactured home in the RS district (Section 3.030, Table 3-2).

A special exception is required as the proposed manufactured 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 manufactured home must be found to be compatible with the surrounding neighborhood.

There are several other single-wide mobile homes within the immediate vicinity of the subject tract.

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

Sample Motion:

"Move to _____ (approve/deny) a Special Exception to permit a single-wide manufactured home in the RS district (Section 3.030, Table 3-2).

Subject to the following conditions, if any: _____.

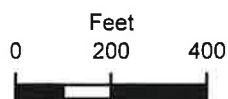
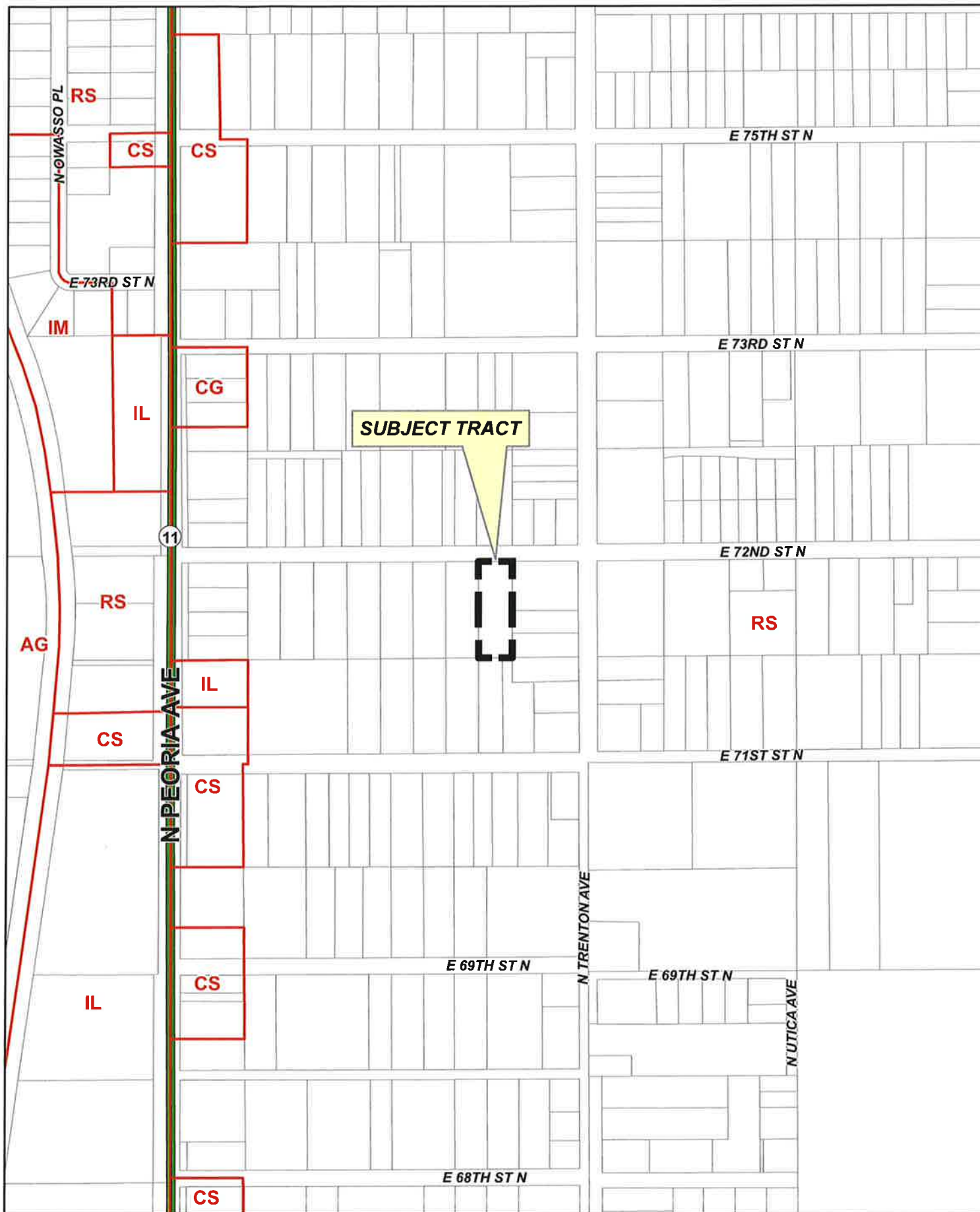
In granting a Special Exception, the Board must find that the Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Subject tract looking South from E 72nd St N



Subject tract looking Southeast from E 72nd St N



CBOA-3227

31 21-13

CBOA-3227 9.5





0 200 400
Feet



Subject
Tract

CBOA-3227

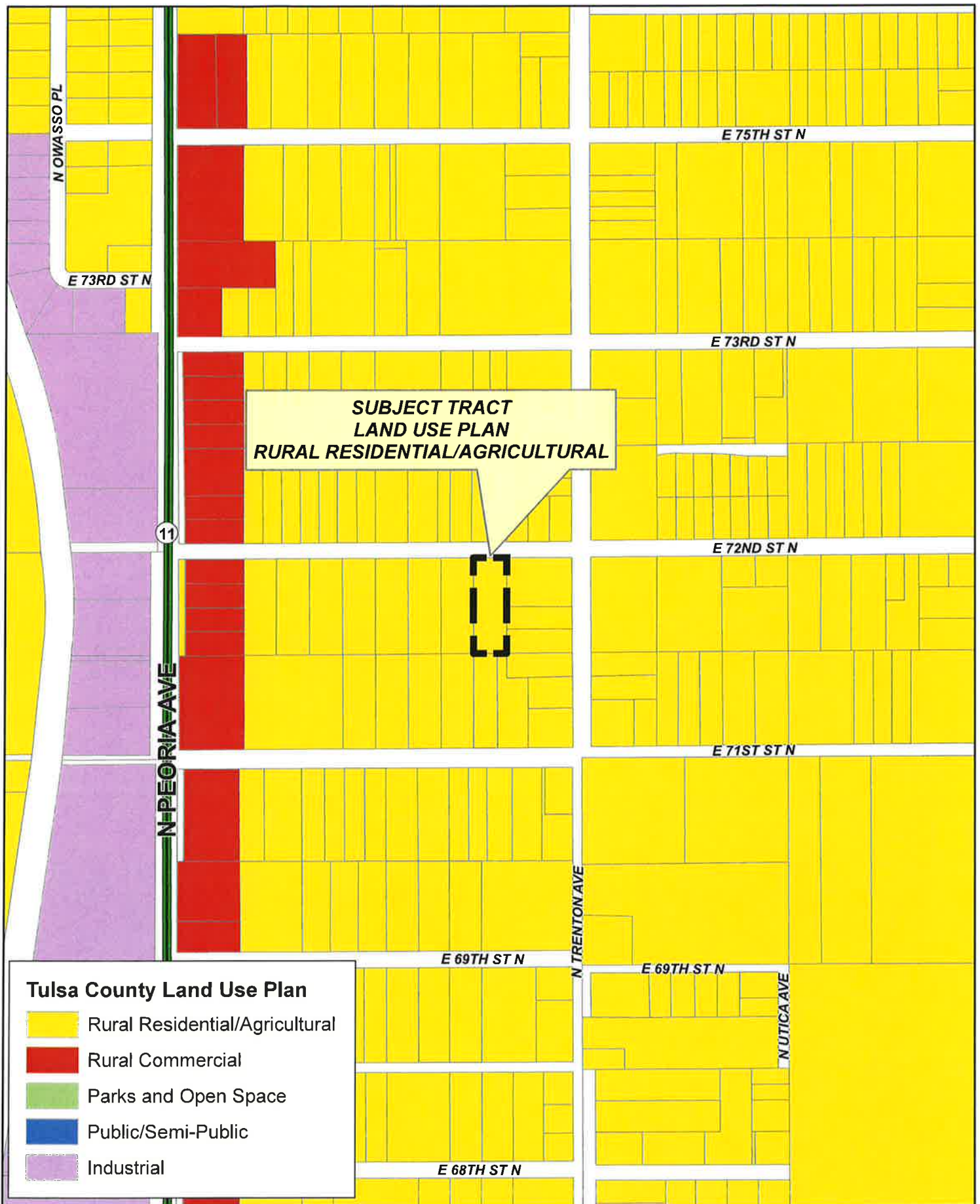
31 21-13

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

Aerial Photo Date: 2023

CBOA-3227 9.6







Board of Adjustment

Case Number: CBOA-3228

Hearing Date: 11/19/2024 1:30 PM

Case Report Prepared by:

Jay Hoyt

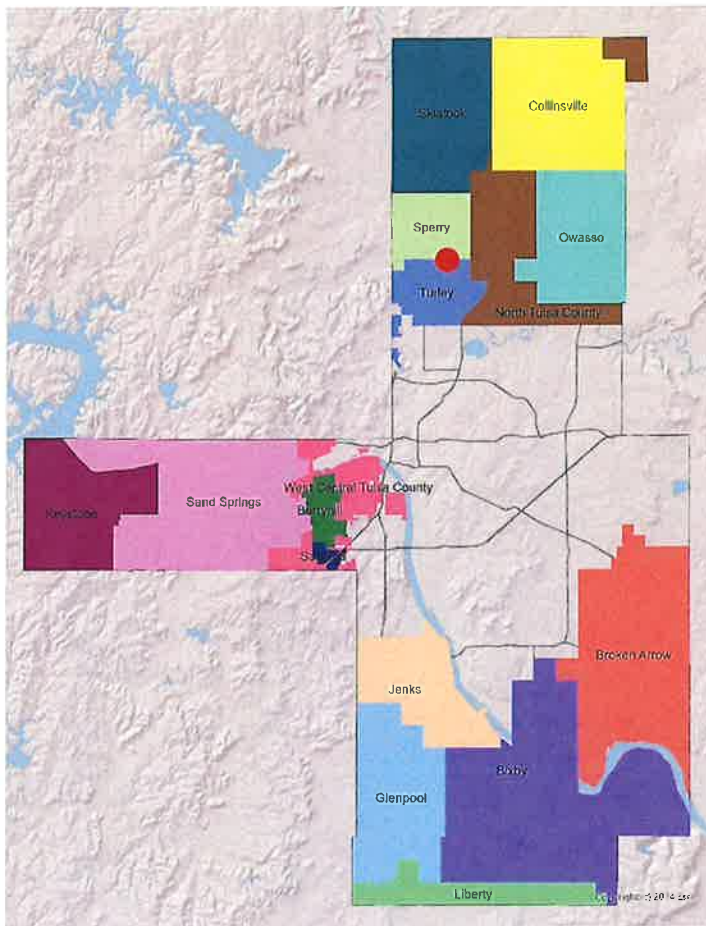
Owner and Applicant Information:

Applicant: John & Julia Fugate

Property Owner: Same

Action Requested: Variance of the street frontage from 30' to 0' in an AG district (Section 2.050, Table 2-3).

Location Map:



Additional Information:

Present Use: Agriculture

Tract Size: 27.097 acres

Location: SWC E 86th St N & N Lewis Ave

Present Zoning: AG

Fenceline/Area: Turley

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1330

CASE NUMBER: **CBOA-3228**

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 11/19/2024 1:30 PM

APPLICANT: John & Julia Fugate

ACTION REQUESTED: Variance of the street frontage from 30' to 0' in an AG district (Section 2.050, Table 2-3).

LOCATION: SWC E 86th St N & N Lewis Ave

ZONED: AG

FENCELINE: Turley

PRESENT USE: Agriculture

TRACT SIZE: 27.097 acres

LEGAL DESCRIPTION: E/2 NE NE & NW NE NE LESS ALL THAT PRT S575 N705 NE NE LYING EAST NORTH LEWIS AVE & LESS BEG NEC NE W751.39 S60 E310 SE325.70 E123.2 N130 POB SEC 30 21 13 27.097ACS

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-2665 February 2018: The Board approved a Special Exception to allow a Mining and Mineral Processing use in an AG district.

CBOA-2696 July 2018: The Board approved a Variance to reduce the frontage in an AG district from 30 ft to 0 ft to allow construction of a new single-family home (Section 430.1)

ANALYSIS OF SURROUNDING AREA: The subject tract is zone AG and contains agricultural land and a mobile home. The tract is surrounded by AG zoned land containing single-family homes and vacant 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 (Section 2.050, Table 2-3).

The applicant would like to split off a 2.28 acre tract from the 27.097 acre parent tract. The parent tract has the required frontage, but the proposed 2.28 acre lot would not have frontage on a publicly maintained road, as required by the Tulsa County Zoning Code. Access to proposed tract would be via a currently existing, privately maintained dirt road that stretches from E 86th St N, through the parent tract and on into the neighboring properties to the south.

The applicant provided the statement that they have private road access to the proposed tract.

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 2.050, Table 2-3).

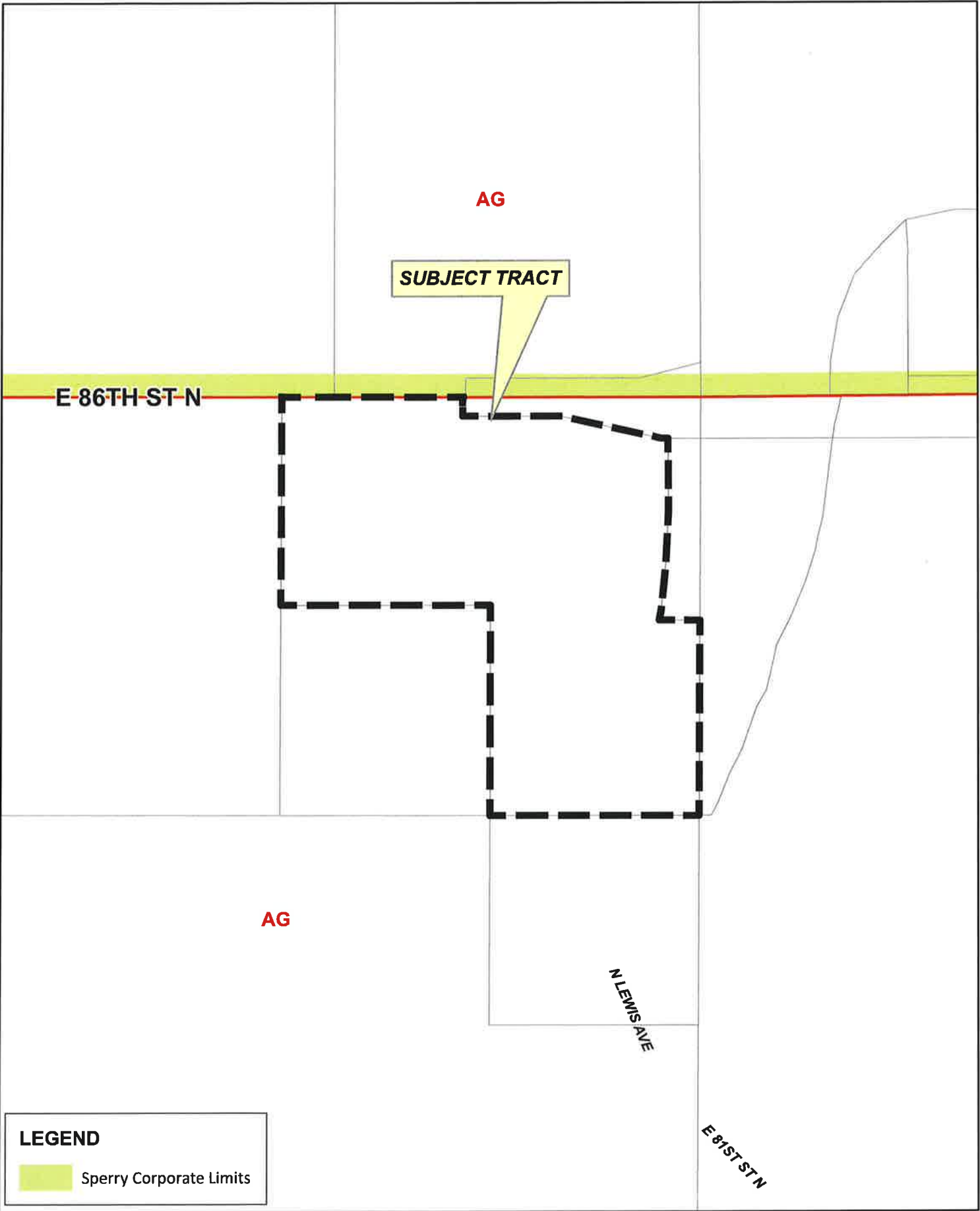
Subject to the following conditions, if any: _____.

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 (parent tract) looking South from N 86th St N. Dirt road is proposed access to proposed split tract



AG

SUBJECT TRACT

E 86TH ST N

AG

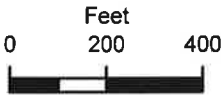
N LEWIS AVE

E 81ST ST N

LEGEND



Sperry Corporate Limits

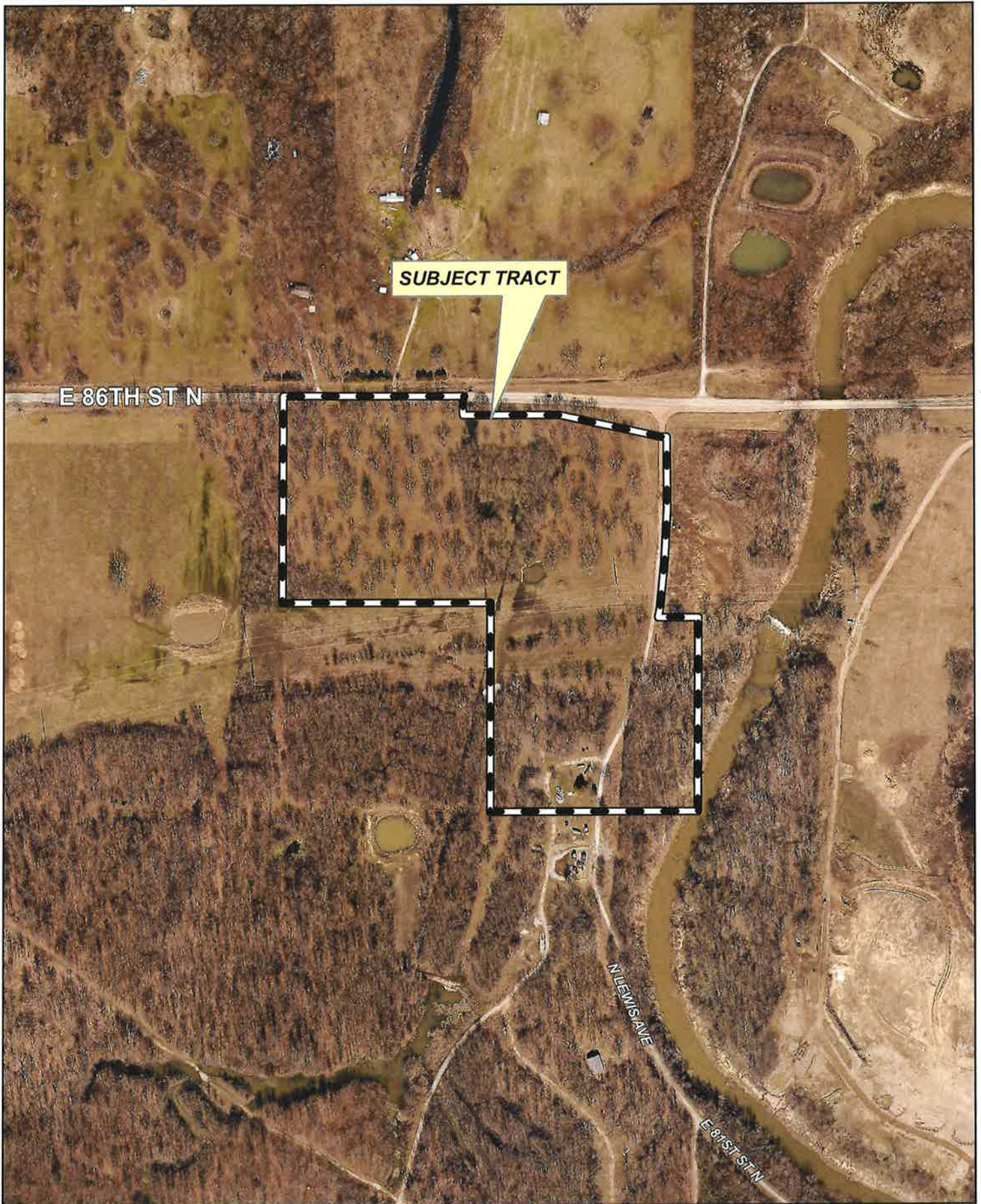


CBOA-3228

21-13 30

CBOA-3228 10.5





0 200 400
Feet



Subject
Tract

CBOA-3228

21-13 30

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

Aerial Photo Date: 2023

CBOA-3228 10.6



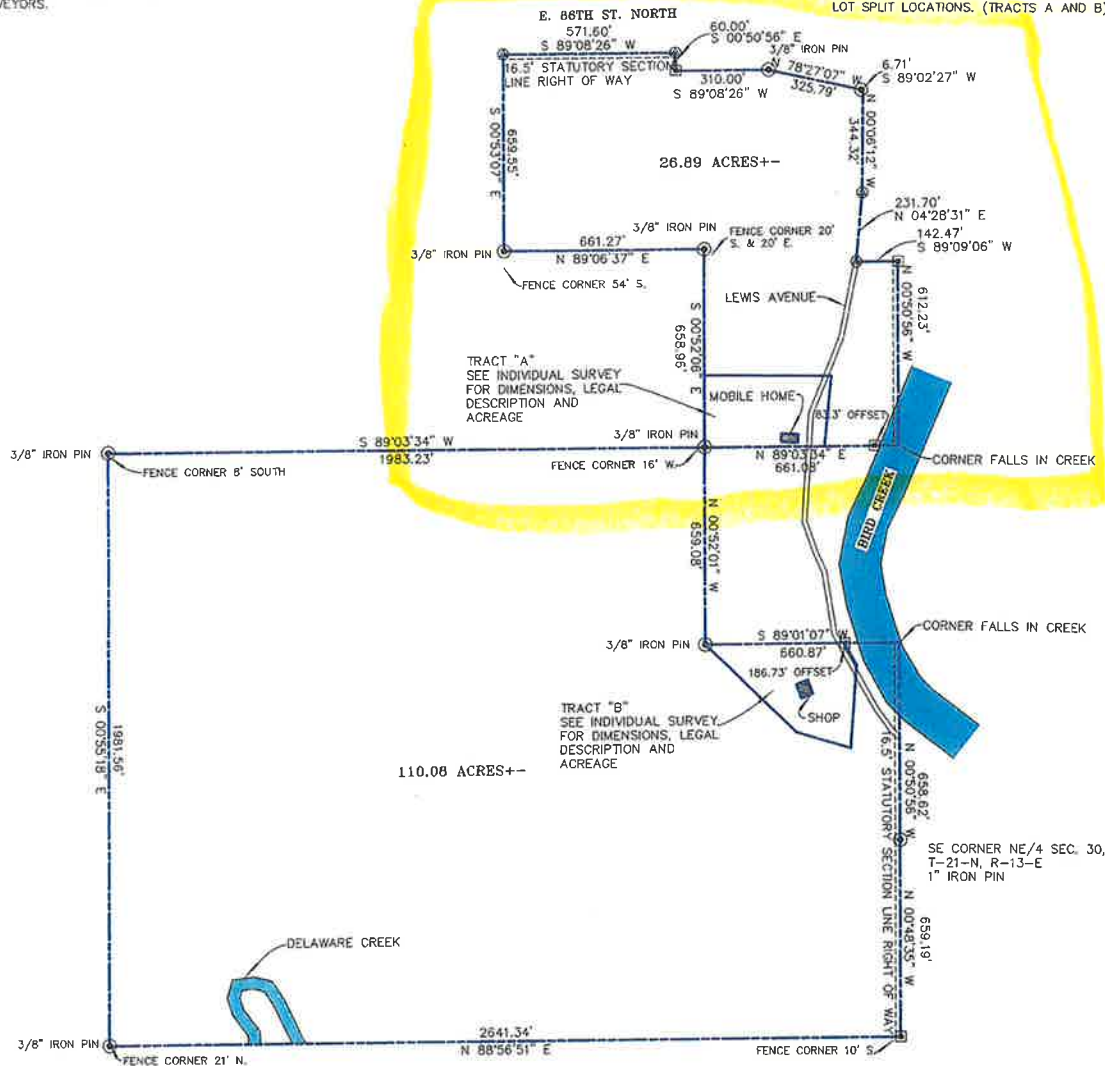
THIS PLAT OF SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

PLAT OF SURVEY

SURVEY NOTES:

LEGAL ACCESS PROVIDED BY WAY OF EAST 86TH STREET NORTH & LEWIS AVENUE.

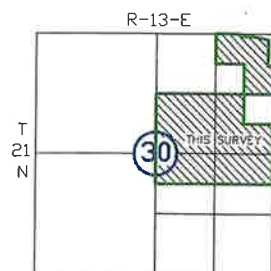
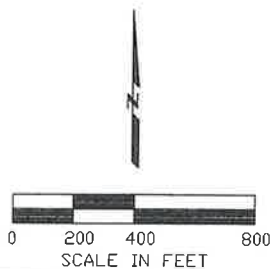
PARENT TRACT SURVEY SHOWING RELATIVE LOCATION OF LOT SPLIT LOCATIONS. (TRACTS A AND B)



BASIS OF BEARINGS: OKLAHOMA STATE PLANE

- ⊙ DENOTES SET MAG NAIL W/FLASH
- ⦿ DENOTES FOUND IRON PIN AS NOTED
- DENOTES EXISTING FENCE CORNER
- ⦿ DENOTES SET 1/2" IRON PIN W/CAP

THE WORD CERTIFY OR CERTIFICATE AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.



LOCATION MAP
SCALE 1"=2640'

CERTIFICATE

I, Brett King, the undersigned, a registered Land Surveyor, L.S. 1533, in the State of Oklahoma, of Landmark Surveying, C.A. 4572, EXP. 6-30-25, of 245 South Taylor St., Pryor, Oklahoma, (918-825-2804) do hereby certify that a careful survey of the following described property was made under my supervision:

SEE EXHIBIT "A" FOR TRACT "A" AND TRACT "B" LEGAL DESCRIPTIONS

Witness my hand and seal this 14th day of August, 2024.

Brett King

Brett King--Land Surveyor



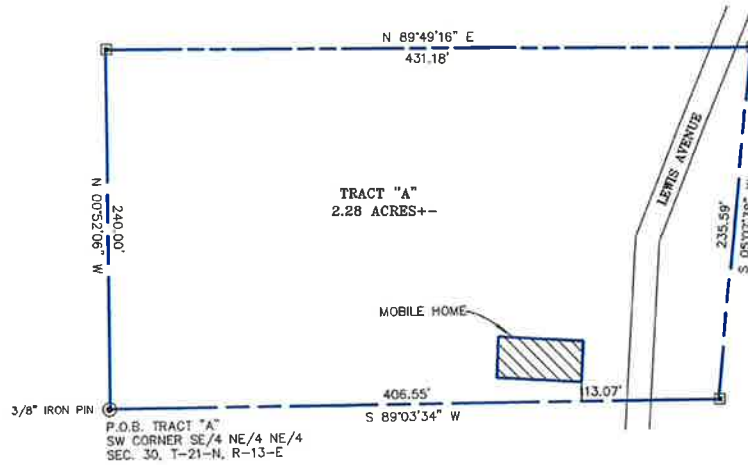
THIS PLAT OF SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

PLAT OF SURVEY

SURVEY NOTES:

LEGAL ACCESS PROVIDED BY WAY OF LEWIS AVENUE.

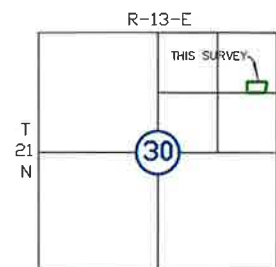
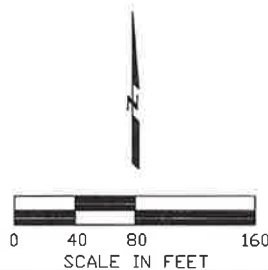
LEGAL DESCRIPTION PREPARED BY L.S. 1533 ON AUGUST 14, 2024.



BASIS OF BEARINGS: OKLAHOMA STATE PLANE

- ⊙ DENOTES SET MAG NAIL W/FLASH
- ⊙ DENOTES FOUND IRON PIN AS NOTED
- DENOTES EXISTING FENCE CORNER
- ⊠ DENOTES SET 1/2" IRON PIN W/CAP

THE WORD CERTIFY OR CERTIFICATE AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.



LOCATION MAP
SCALE 1"=2640'

CERTIFICATE

I, Brett King, the undersigned, a registered Land Surveyor, L.S. 1533, in the State of Oklahoma, of Landmark Surveying, C.A. 4572, EXP. 6-30-25, of 245 South Taylor St., Pryor, Oklahoma, (918-825-2804) do hereby certify that a careful survey of the following described property was made under my supervision:

A tract of land being a part of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 30, Township 21 North, Range 13 East of the Indian Meridian, Tulsa County, Oklahoma, and being more particularly described as follows: Beginning at an existing 3/8" iron pin at the Southwest corner of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter, thence N 00°52'06" W along the West line of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter a distance of 240.00 feet to a 1/2" iron pin; thence N 89°49'16" E 431.18 feet to a 1/2" iron pin; thence S 05°07'38" W 235.59 feet to a 1/2" iron pin on the South line of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter; thence S 89°03'34" W 406.55 feet to the point of beginning.

Witness my hand and seal this 14th day of August, 2024.

Brett King
Brett King--Land Surveyor



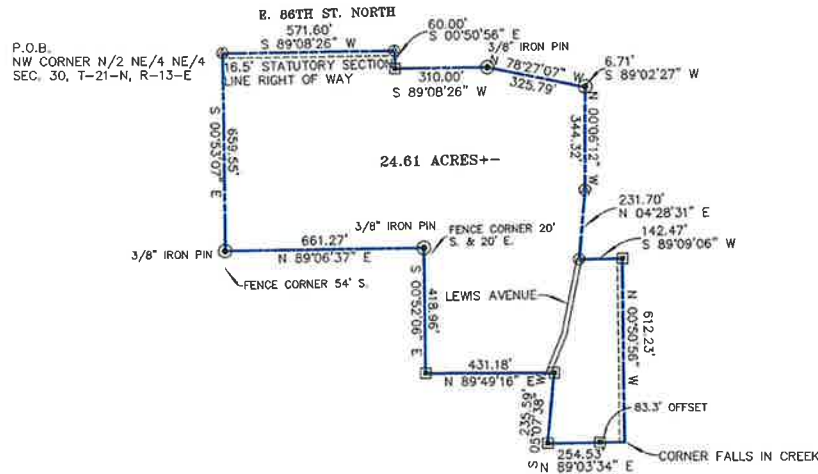
THIS PLAT OF SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

PLAT OF SURVEY

SURVEY NOTES:

LEGAL ACCESS PROVIDED BY WAY OF EAST 86TH STREET NORTH & LEWIS AVENUE.

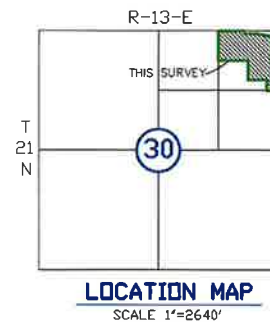
LEGAL DESCRIPTION PREPARED BY L.S. 1533 ON SEPTEMBER 5, 2024.



BASIS OF BEARINGS: OKLAHOMA STATE PLANE

- ⊙ DENOTES SET MAG NAIL W/FLASH
- ⊙ DENOTES FOUND IRON PIN AS NOTED
- DENOTES EXISTING FENCE CORNER
- ⊠ DENOTES SET 1/2" IRON PIN W/CAP

THE WORD CERTIFY OR CERTIFICATE AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY, OR GUARANTEE, EXPRESSED OR IMPLIED.



CERTIFICATE

I, Brett King, the undersigned, a registered Land Surveyor, L.S. 1533, in the State of Oklahoma, of Landmark Surveying, C.A. 4572, EXP. 6-30-25, of 245 South Taylor St., Pryor, Oklahoma, (918-825-2804) do hereby certify that a careful survey of the following described property was made under my supervision:

A tract of land being a part of the Northeast Quarter of the Northeast Quarter of Section 30, Township 21 North, Range 13 East, of the Indian Meridian, Tulsa County, Oklahoma, and being more particularly described as follows: Beginning at the Northwest corner of the Northeast Quarter of the Northeast Quarter, thence S 00°53'07" E 659.55 feet to an existing 3/8" iron pin at the Southwest corner of the North Half of the Northeast Quarter of the Northeast Quarter; thence N 89°06'37" E 661.27 feet to an existing 3/8" iron pin at the Northwest corner of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter; thence S 00°52'06" E along the West line of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter 418.96 feet to a 1/2" iron pin; thence N 89°49'16" E 431.18 feet to a 1/2" iron pin; thence S 05°07'38" W 235.59 feet to a 1/2" iron pin on the South line of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter; thence N 89°03'34" E 254.53 feet to the Southeast corner of the Northeast Quarter of the Northeast Quarter; thence N 00°50'56" W along the East line of the Northeast Quarter 612.23 feet to a 1/2" iron pin; thence S 89°09'06" W 142.47 feet to a MAG nail in the centerline of North Lewis Avenue; thence N 04°28'31" E 231.70 feet to a MAG nail in the centerline of North Lewis Avenue; thence N 00°05'12" W 344.32 feet to an existing 3/8" iron pin; thence S 89°02'27" W 6.71 feet to an existing 3/8" iron pin; thence N 78°27'07" W 325.79 feet to an existing 3/8" iron pin; thence S 89°08'26" W 310.00 feet to a 1/2" iron pin; thence N 00°50'56" W 60.00 feet to a MAG nail on the North line of the Northeast Quarter of the Northeast Quarter; thence S 89°08'26" W 571.60 feet to the point of beginning.

Witness my hand and seal this 14th day of August, 2024.

Brett King—Land Surveyor





Board of Adjustment

Case Number: CBOA-3229

Hearing Date: 11/19/2024 1:30 PM

Case Report Prepared by:

Jay Hoyt

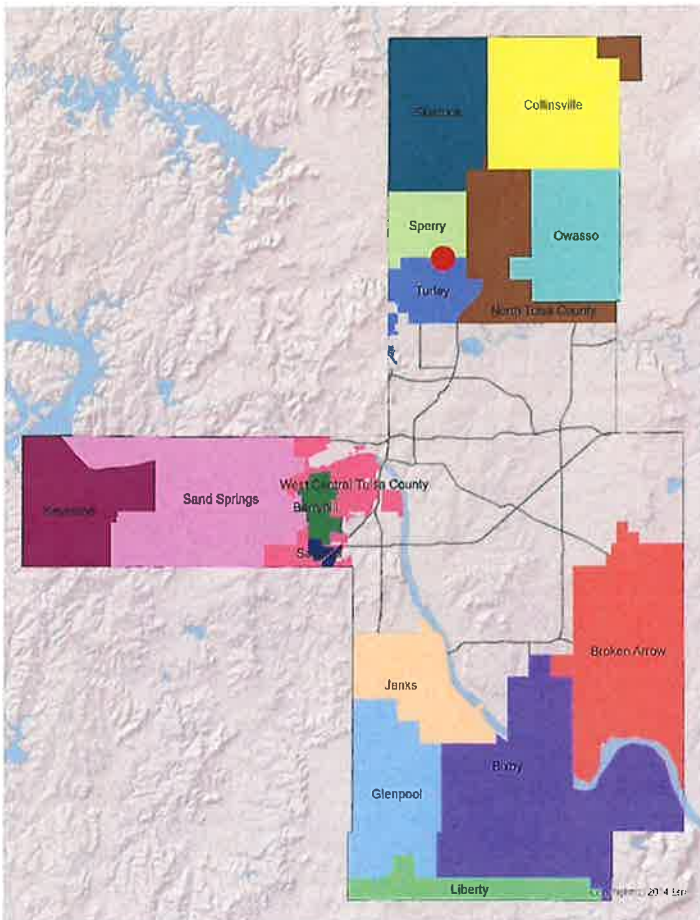
Owner and Applicant Information:

Applicant: John & Julia Fugate

Property Owner: Same

Action Requested: Variance of the street frontage from 30' to 0' in an AG district (Section 2.050, Table 2-3).

Location Map:



Additional Information:

Present Use: Agriculture

Tract Size: 70 acres

Location: South of the SWC E 86th St N & N Lewis Ave

Present Zoning: AG

Fenceline/Area: Turley

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1330

CASE NUMBER: CBOA-3229

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 11/19/2024 1:30 PM

APPLICANT: John & Julia Fugate

ACTION REQUESTED: Variance of the street frontage from 30' to 0' in an AG district (Section 2.050, Table 2-3).

LOCATION: South of the SWC E 86th St N & N Lewis Ave

ZONED: AG

FENCELINE: Turley

PRESENT USE: Agriculture

TRACT SIZE: 70 acres

LEGAL DESCRIPTION: SW NE & NW SE NE & S/2 SE NE SEC 30 21 13 70ACS

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-2665 February 2018: The Board approved a Special Exception to allow a Mining and Mineral Processing use in an AG district.

CBOA-2696 July 2018: The Board approved a Variance to reduce the frontage in an AG district from 30 ft to 0 ft to allow construction of a new single-family home (Section 430.1)

ANALYSIS OF SURROUNDING AREA: The subject tract is zone AG and contains agricultural land and a shop building. The tract is surrounded by AG zoned land containing single-family homes and vacant 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 (Section 2.050, Table 2-3).

The applicant would like to split off a 2.49 acre tract from the 70 acre parent tract. Neither the parent tract nor the proposed 2.49 acre tract would have frontage on a publicly maintained road, as required by the Tulsa County Zoning Code. Access to parent and proposed tract would be via a currently existing, privately maintained dirt road that stretches from E 86th St N, through properties to the north to the parent tract and on into the neighboring properties to the south.

The applicant provided the statement that they have private road access to the proposed tract.

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 2.050, Table 2-3).

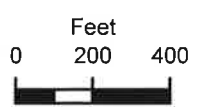
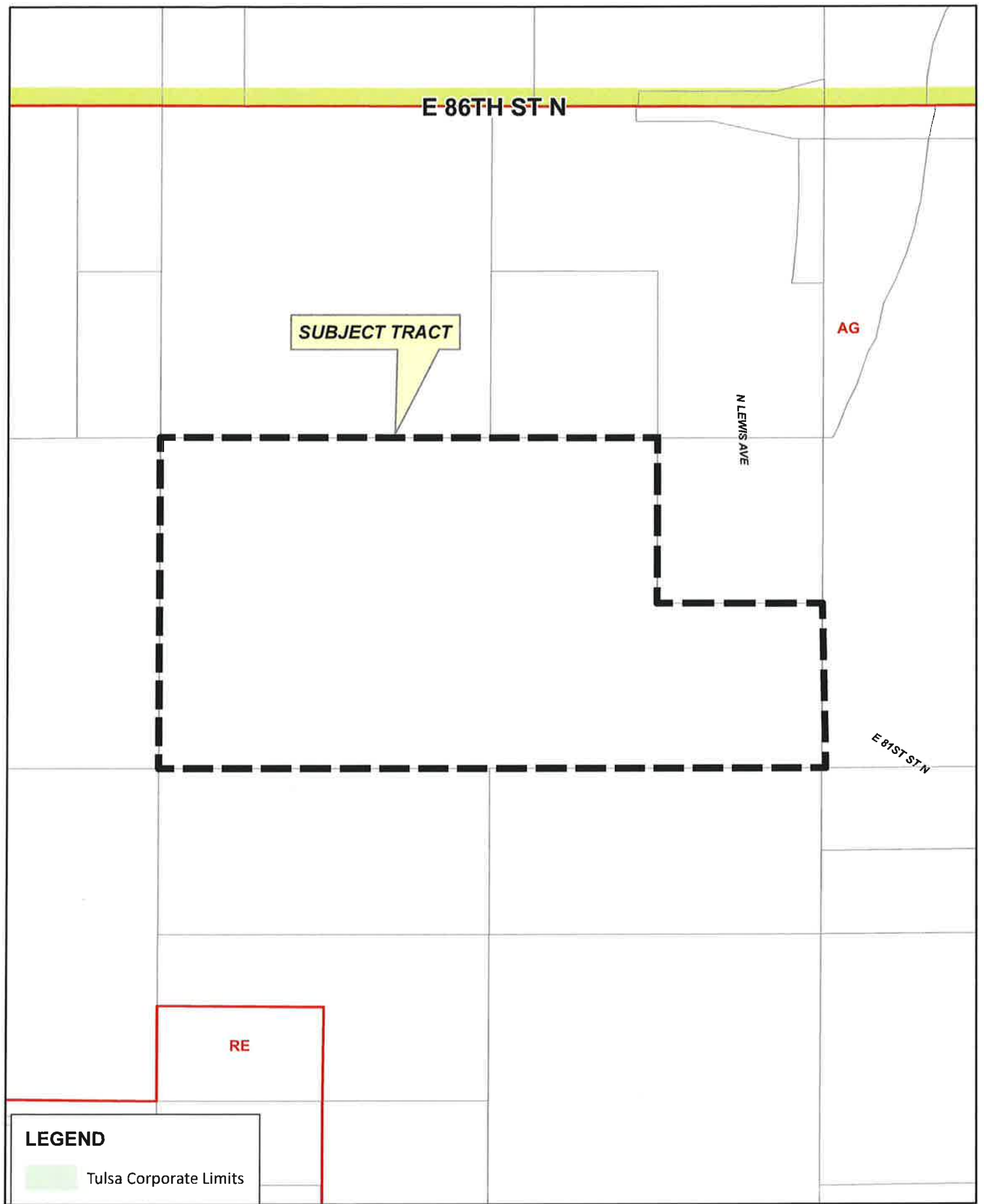
Subject to the following conditions, if any: _____.

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.



Entrance to access road looking South from N 86th St N.

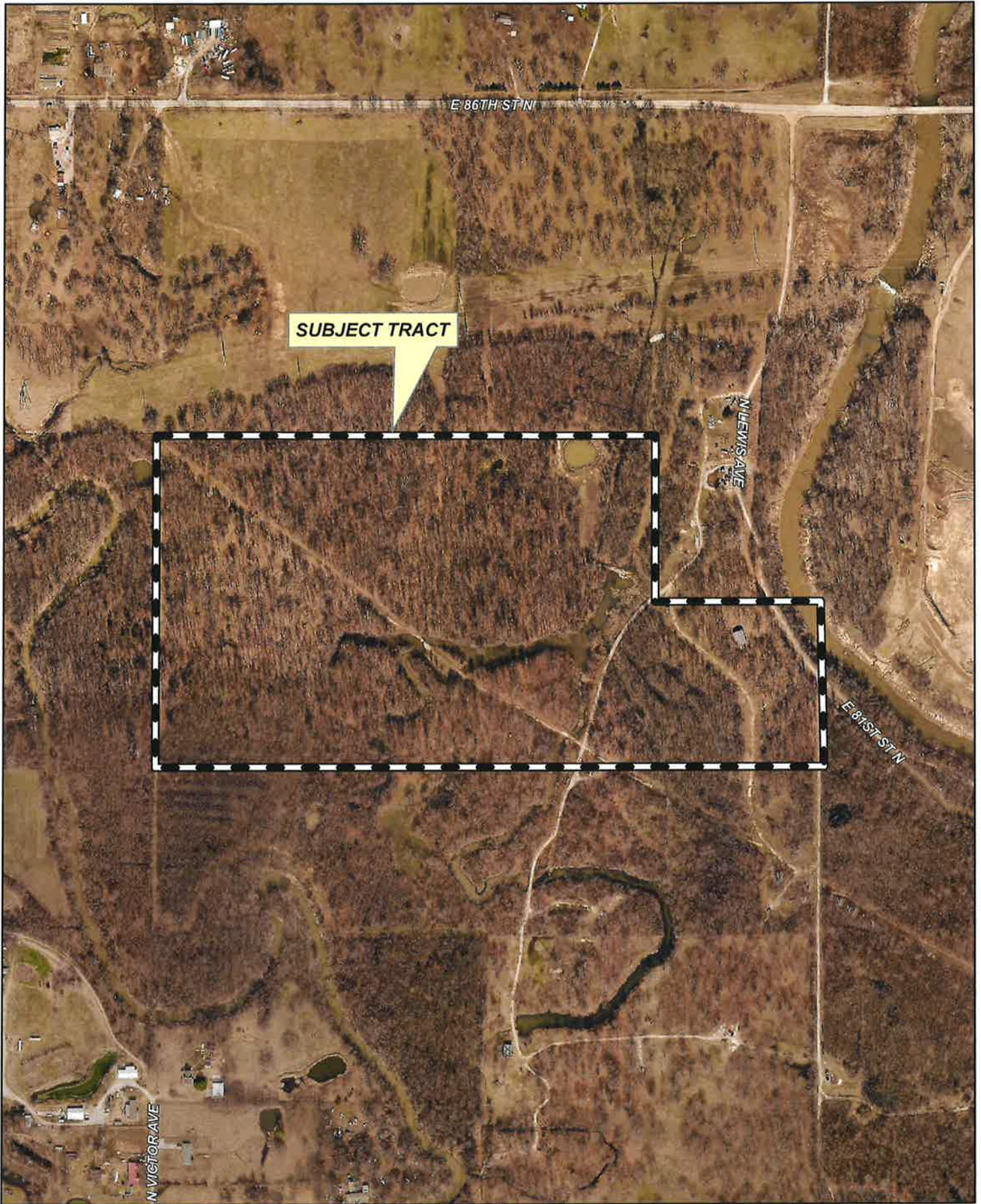


CBOA-3229

30 21-13

CBOA-3229 11.5





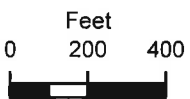
E 86TH ST N

SUBJECT TRACT

N LEWIS AVE

E 81ST ST N

N VICTOR AVE



Subject
Tract

CBOA-3229

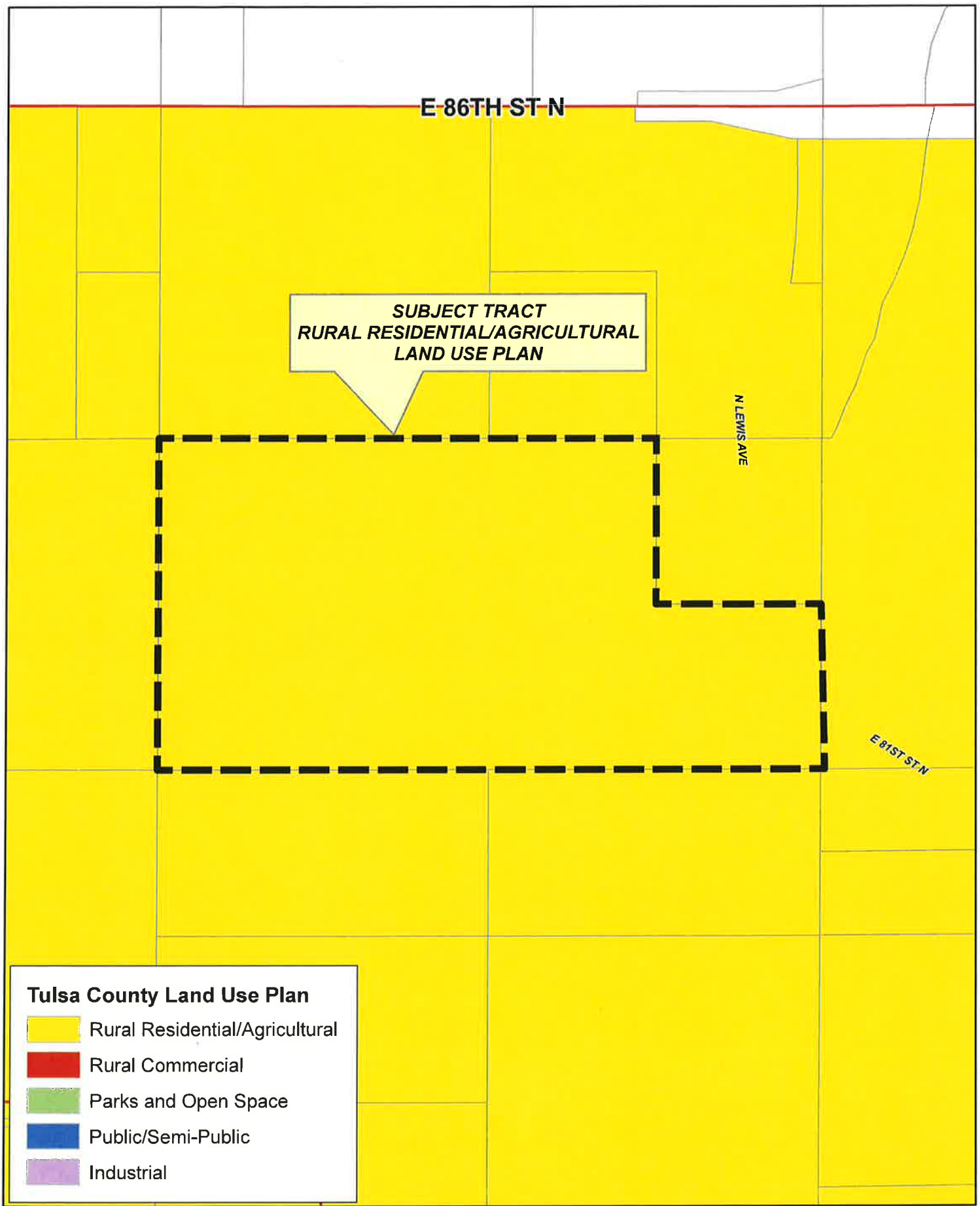
30 21-13

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

Aerial Photo Date: 2023

CBOA-3229 11.6





E 86TH ST N

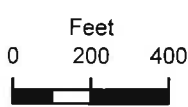
SUBJECT TRACT
RURAL RESIDENTIAL/AGRICULTURAL
LAND USE PLAN

N LEWIS AVE

E 81ST ST N

Tulsa County Land Use Plan

-  Rural Residential/Agricultural
-  Rural Commercial
-  Parks and Open Space
-  Public/Semi-Public
-  Industrial



CBOA-3229

30 21-13

CBOA-3229 11.7

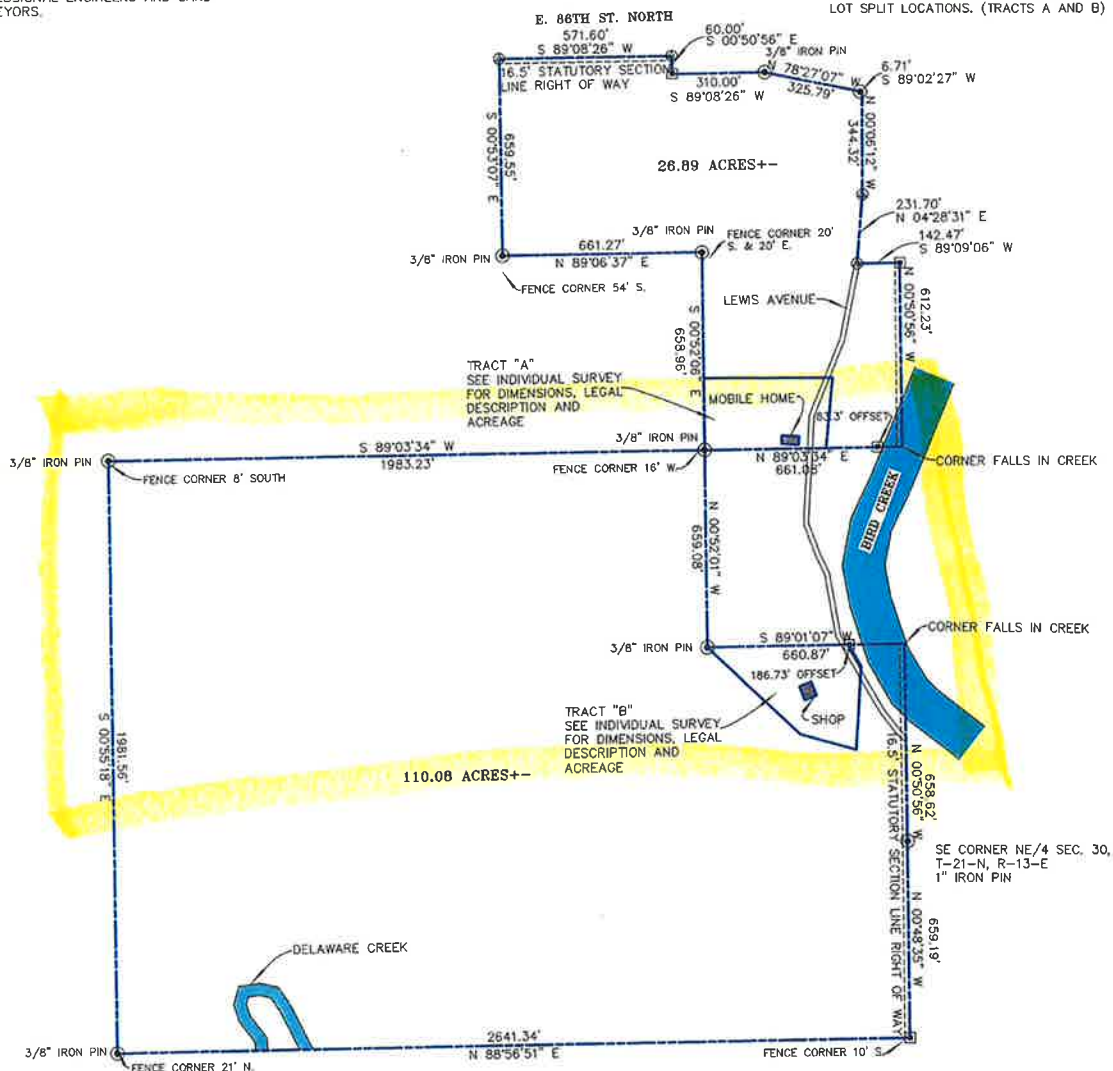
THIS PLAT OF SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

PLAT OF SURVEY

SURVEY NOTES:

LEGAL ACCESS PROVIDED BY WAY OF EAST 86TH STREET NORTH & LEWIS AVENUE.

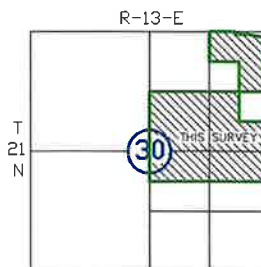
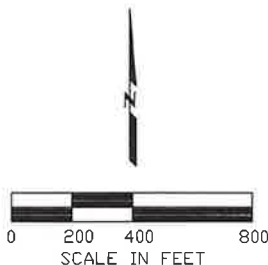
PARENT TRACT SURVEY SHOWING RELATIVE LOCATION OF LOT SPLIT LOCATIONS. (TRACTS A AND B)



BASIS OF BEARINGS: OKLAHOMA STATE PLANE

- ⊙ DENOTES SET MAG NAIL W/FLASH
- ⊙ DENOTES FOUND IRON PIN AS NOTED
- DENOTES EXISTING FENCE CORNER
- DENOTES SET 1/2" IRON PIN W/CAP

THE WORD CERTIFY OR CERTIFICATE AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.



LOCATION MAP
SCALE 1"=2640'

CERTIFICATE

I, Brett King, the undersigned, a registered Land Surveyor, L.S. 1533, in the State of Oklahoma, of Landmark Surveying, C.A. 4572, EXP. 6-30-25, of 245 South Taylor St., Pryor, Oklahoma, (918-825-2804) do hereby certify that a careful survey of the following described property was made under my supervision:

SEE EXHIBIT "A" FOR TRACT "A" AND TRACT "B" LEGAL DESCRIPTIONS

Witness my hand and seal this 14th day of August, 2024.

Brett King
Brett King—Land Surveyor



<div data-bbox="131 115 297 279" data-label="Image"> </div> <div data-bbox="315 134 639 258" data-label="Section-Header"> <h1>Board of Adjustment</h1> </div>	<div data-bbox="857 132 1279 170" data-label="Text"> <p>Case Number: CBOA-3230</p> </div> <div data-bbox="857 216 1440 254" data-label="Text"> <p>Hearing Date: 11/19/2024 1:30 PM</p> </div>
<div data-bbox="126 325 532 363" data-label="Section-Header"> <p>Case Report Prepared by:</p> </div> <div data-bbox="126 409 277 447" data-label="Text"> <p>Jay Hoyt</p> </div>	<div data-bbox="857 325 1395 363" data-label="Section-Header"> <p>Owner and Applicant Information:</p> </div> <div data-bbox="857 409 1419 447" data-label="Text"> <p>Applicant: Branch Communications</p> </div> <div data-bbox="857 493 1414 531" data-label="Text"> <p>Property Owner: M&M Investments</p> </div>
<div data-bbox="126 619 1419 743" data-label="Text"> <p>Action Requested: Special Exception to permit a 160' freestanding tower (Section 6.010) and a Special Exception to allow less than 110% setback in an AG district (Section 7.190.E.6)</p> </div>	
<div data-bbox="126 833 352 871" data-label="Section-Header"> <p>Location Map:</p> </div> <div data-bbox="139 888 812 1766" data-label="Image"> </div>	<div data-bbox="857 833 1227 871" data-label="Section-Header"> <p>Additional Information:</p> </div> <div data-bbox="857 917 1235 955" data-label="Text"> <p>Present Use: Residence</p> </div> <div data-bbox="857 1001 1203 1039" data-label="Text"> <p>Tract Size: 10.0 acres</p> </div> <div data-bbox="857 1085 1344 1123" data-label="Text"> <p>Location: 8301 N Memorial Dr</p> </div> <div data-bbox="857 1169 1166 1207" data-label="Text"> <p>Present Zoning: AG</p> </div> <div data-bbox="857 1253 1248 1291" data-label="Text"> <p>Fenceline/Area: Owasso</p> </div> <div data-bbox="857 1337 1312 1417" data-label="Text"> <p>Land Use Designation: Rural Residential/Agricultural</p> </div>

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1325

CASE NUMBER: CBOA-3230

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 11/19/2024 1:30 PM

APPLICANT: Branch Communications

ACTION REQUESTED: Special Exception to permit a 160' freestanding tower (Section 6.010) and a Special Exception to allow less than 110% setback in an AG district (Section 7.190.E.6)

LOCATION: 8301 N Memorial Dr

ZONED: AG

FENCELINE: Owasso

PRESENT USE: Residence

TRACT SIZE: 10.0 acres

LEGAL DESCRIPTION: S/2 N/2 SW NW SEC 25 21 13 10.00ACS

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and contains a single-family residence. The tract abuts AG zoning to the north containing a single-family residence, AG zoning to the south containing agricultural land and a medical marijuana grow facility and AG zoning to the west containing agricultural land.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to permit a 160' freestanding tower (Section 6.010) and a Special Exception to allow less than 110% setback in an AG district (Section 7.190.E.6).

Communications towers are classified under Wireless Communication Facility – Freestanding Tower, per Section 6.010, Table 6-1 of the zoning code, 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.

The applicant has included a site plan. The proposed tower has a height of 160 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 176 ft setback. The applicant is requesting a Special Exception to allow the tower setback to be reduced to 30 ft per the site plan provided by the applicant.

The applicant provided the statement "AT&T along with future tenants will not be able to meet the growing demand of data and phone usage without strategically placed infrastructure."

Additionally, Section 7.190-G.1 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. 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 160' freestanding tower (Section 6.010) and a Special Exception to allow less than 110% setback in an AG district (Section 7.190.E.6)

The Board considered each of the stated factors in Section 7.190-G.1 of the Code and finds that the application complies with those requirements to the Boards satisfaction.

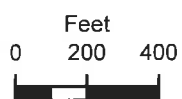
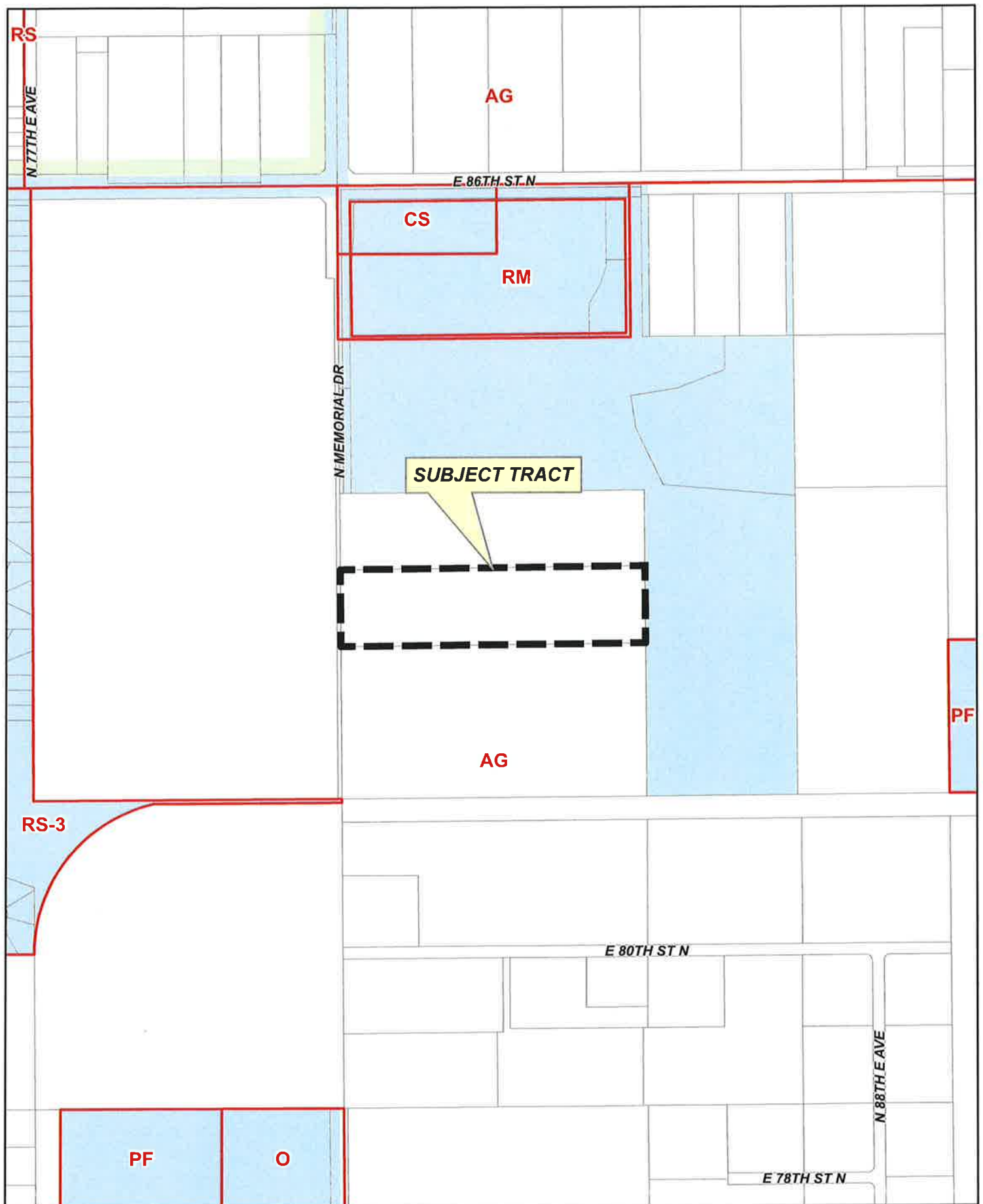
Finding the Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Subject tract looking Northeast from N Memorial Dr



Subject tract looking East from N Memorial Dr



LEGEND	
■	Tulsa Corporate Limits
■	Owasso Corporate Limits

CBOA-3230

25 21-13

CBOA-3230 12.5





0 Feet 250 500



Subject
Tract

CBOA-3230

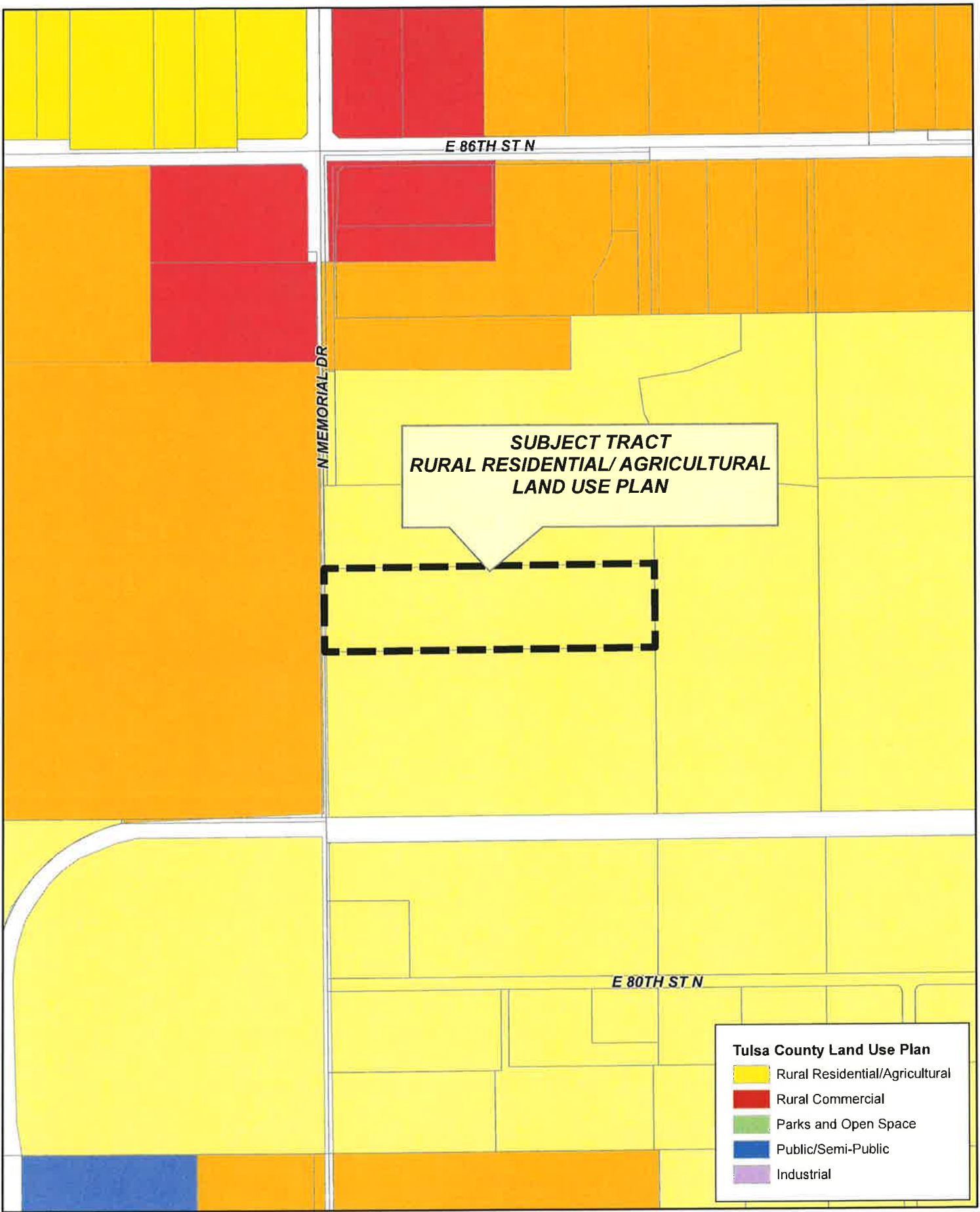
25 21-13

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

Aerial Photo Date: 2023

CBOA-3230 12.6

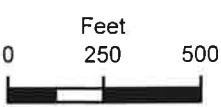




**SUBJECT TRACT
RURAL RESIDENTIAL/ AGRICULTURAL
LAND USE PLAN**

Tulsa County Land Use Plan

- Rural Residential/Agricultural
- Rural Commercial
- Parks and Open Space
- Public/Semi-Public
- Industrial

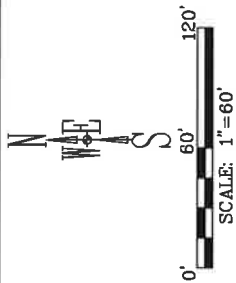


CBOA-3230

25 21-13

CBOA-3230 12.7

A north arrow pointing upwards, with the letter 'N' above it.



Parent Parcel (as per Deed)

The South Half of the North Half of the Southwest Quarter of the Northwest Quarter (S/2 N/2 SW/4 NW/4) of Section Twenty-five (25), Township Twenty-one (21) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

AT&T Wireless Lease Parcel

Part of the South Half of the North Half of the Southwest Quarter of the Northwest Quarter, Section 21, Township 25 North, Range 13 East I.M., Tulsa County, Oklahoma, more particularly described as follows:

Commencing at the Southwest Corner of said Southwest Quarter of the Northwest Quarter; thence North 01°27'59" West, along the West line of said Southwest Quarter of the Northwest Quarter, a distance of 685.32 feet; thence North 88°07'14" East, leaving said West line a distance of 18.50 feet to a point of the East Right of Way line of North Memorial Drive; thence North 01°27'59" West, along said Right of Way line, a distance of 10.43 feet; thence North 88°07'14" East, leaving said Right of Way line, a distance of 113.00 feet to the Point of Beginning; thence North 01°27'59" West, a distance of 60.00 feet; thence North 88°32'01" East, a distance of 60.00 feet; thence South 01°27'59" East, a distance of 80.00 feet; thence South 88°32'01" West, a distance of 60.00 feet to the Point of Beginning, containing 3,600 Square Feet or 0.083 of an Acre.

Access and Utility Easement

Part of the South Half of the North Half of the Southwest Quarter of the Northwest Quarter, Section 21, Township 25 North, Range 13 East I.M., Tulsa County, Oklahoma, more particularly described as follows:

Commencing at the Southwest Corner of said Southwest Quarter of the Northwest Quarter; thence North 01°27'59" West, along the West line of said Southwest Quarter of the Northwest Quarter, a distance of 685.32 feet; thence North 88°07'14" East, leaving said West line a distance of 18.50 feet to a point of the East Right of Way line of North Memorial Drive; thence North 01°27'59" West, along said Right of Way line, a distance of 10.43 feet to the Point of Beginning; thence North 01°27'59" West, along said Right of Way line, a distance of 30.00 feet; thence North 88°07'14" East, leaving said Right of Way line, a distance of 113.00 feet; thence South 01°27'59" East, a distance of 30.00 feet; thence South 88°07'14" West, a distance of 113.00 feet to the Point of Beginning, containing 3,390 Square Feet of 0.078 of an Acre.

EAST 86TH STREET NORTH

SITE
NORTH MEMORIAL DRIVE

LOCATION MAP

MAP PREPARED FOR
AT&T WIRELESS
RAWLAND SURVEY
PAGE 2 OF 2

KEEN SURVEYING, LLC
203 SOUTH MAIN STREET P.O. BOX 248
ALBUQUERQUE, NEW MEXICO 87102
TEL (505) 885-3000 FAX (505) 885-3014
EMAIL: KEEN@KEENSURVEYING.COM
WWW.KEENSURVEYING.COM

DATE: 10/7/24
DRAWN BY: B. KEEN
JOB # 354,298

I, Brian Keen, hereby certify that on October 3rd, 2024, that a survey was made under my supervision of the property described above and that the above plat is a true and correct representation of said survey. I also certify that this plat meets the Oklahoma Minimum Standards for the practice of Land Surveying as adapted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

OKLAHOMA COA #6967

SITE NAME: OWASSO 76TH

FOUND 1/2" REBAR
NORTHWEST CORNER
SECTION 25
T-21-N R-13-E
NOT TO SCALE

FOUND 3/8" REBAR
NORTHWEST 1/16 CORNER
SECTION 25
T-21-N R-13-E
NOT TO SCALE

FOUND 1/2" REBAR
NORTHWEST CORNER
SECTION 25
T-21-N R-13-E
NOT TO SCALE

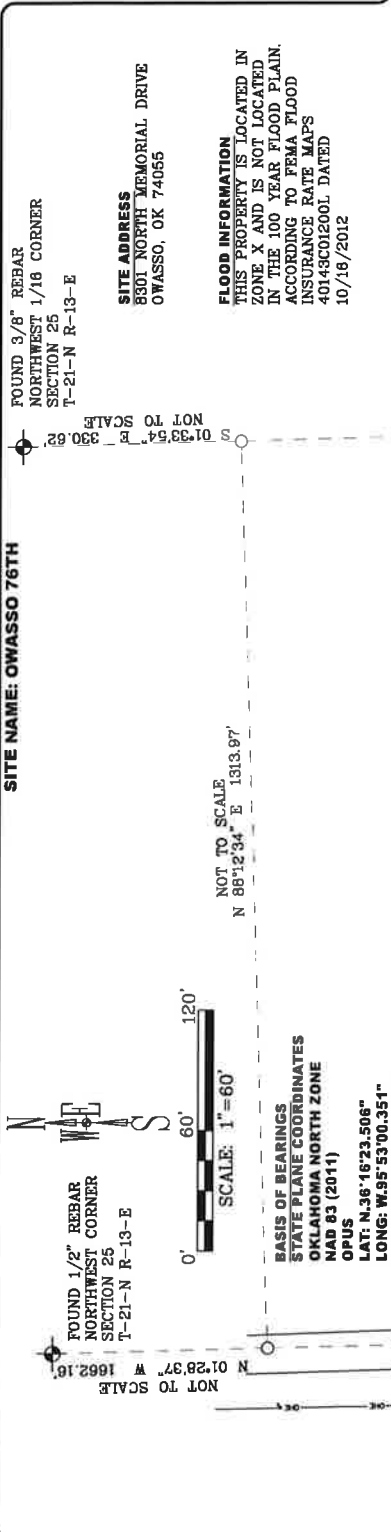
FOUND 1/2" REBAR
NORTHWEST CORNER
SECTION 25
T-21-N R-13-E
NOT TO SCALE

FOUND 1/2" REBAR
NORTHWEST CORNER
SECTION 25
T-21-N R-13-E
NOT TO SCALE

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NOT TO SCALE

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NORTHWEST CORNER
SECTION 25
T-21-N R-13-E
NOT TO SCALE

FOUND 1/2" REBAR
NORTHWEST CORNER
SECTION 25
T-21-N R-13-E
NOT TO SCALE



- LEGEND**
- LEASE BOUNDARY LINE
 - SURVEY TIE LINES
 - EASEMENT LINE
 - OVERHEAD ELECTRICAL LINE
 - UNDERGROUND ELECTRICAL LINE
 - UNDERGROUND TELEPHONE LINE
 - COMPUTED CORNER
 - FOUND AS NOTED
 - SET 1/2" REBAR WITH CAP
 - SET 1/2" REBAR TELEPHONE PEDESTAL
 - POWER POLE
 - POWER POLE WITH TRANSFORMER

GENERAL NOTES

1. NO SEARCH OF PUBLIC RECORDS HAD BEEN COMPLETED BY KEEN SURVEYING, LLC TO DETERMINE ANY DEFECTS AND/OR AMBIGUITIES IN THE TITLE OF THE PARENT PARCEL.

2. THIS PROPERTY IS SUBJECT TO ANY RECORDED EASEMENTS AND/OR RIGHT OF WAYS SHOWN HERE OR NOT

I, Brian Keen, hereby certify that on October 3rd, 2024, that a survey was made under my supervision of the property described above and that the above plat is a true and correct representation of said survey. I also certify that this plat meets the Oklahoma Minimum Standards for the practice of Land Surveying as adapted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

LOCATION MAP

EAST 86TH STREET NORTH

NORTH MEMORIAL DRIVE

SITE

FLOOD INFORMATION

THIS PROPERTY IS LOCATED IN ZONE X AND IS NOT LOCATED IN THE 100 YEAR FLOOD PLAIN. ACCORDING TO FEMA FLOOD INSURANCE RATE MAPS 40143C01200L DATED 10/19/2012

SITE ADDRESS

8301 NORTH MEMORIAL DRIVE
OWASSO, OK 74055

FOUND 1/2" REBAR
NORTHWEST CORNER
SECTION 25
T-21-N R-13-E
NOT TO SCALE

FOUND 3/8" REBAR
NORTHWEST 1/16 CORNER
SECTION 25
T-21-N R-13-E
NOT TO SCALE

FOUND 1/2" REBAR
NORTHWEST CORNER
SECTION 25
T-21-N R-13-E
NOT TO SCALE

FOUND 1/2" REBAR
NORTHWEST CORNER
SECTION 25
T-21-N R-13-E
NOT TO SCALE

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NORTHWEST CORNER
SECTION 25
T-21-N R-13-E
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T-21-N R-13-E
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SECTION 25
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SECTION 25
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NORTHWEST CORNER
SECTION 25
T-21-N R-13-E
NOT TO SCALE

FOUND 1/2" REBAR
NORTHWEST CORNER
SECTION 25
T-21-N R-13-E
NOT TO SCALE



Board of Adjustment

Case Number: CBOA-3231

Hearing Date: 11/19/2024 1:30 PM

Case Report Prepared by:

Jay Hoyt

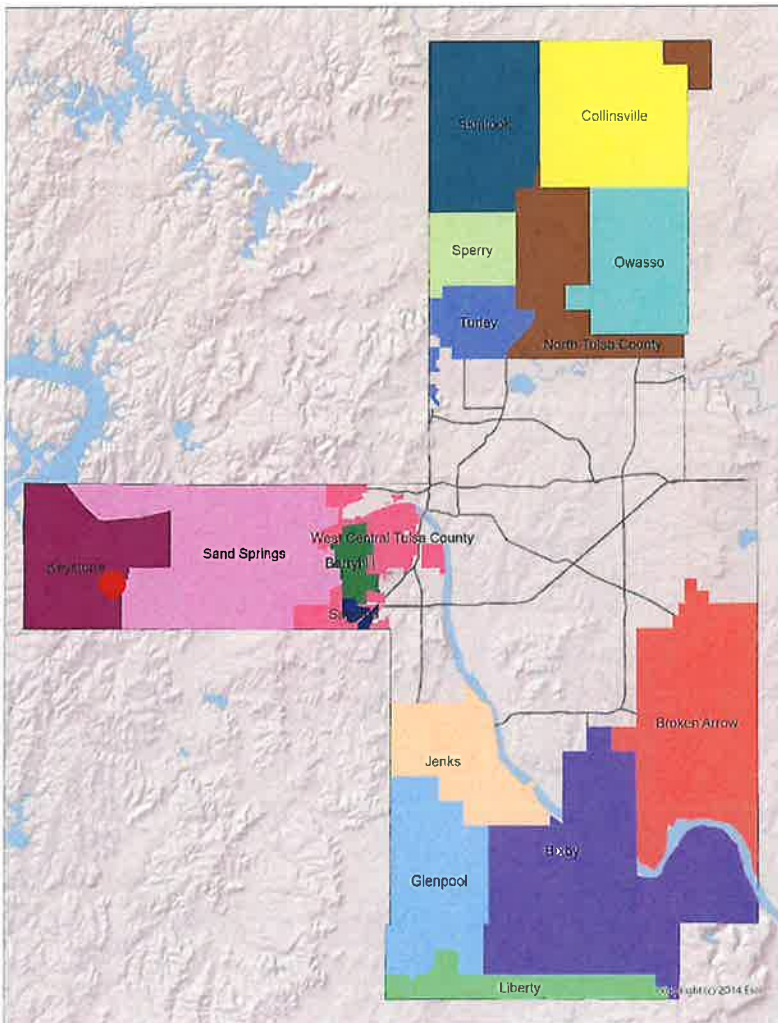
Owner and Applicant Information:

Applicant: Tina R Baker

Property Owner: Same

Action Requested: Variance to permit 3 dwellings on one lot of record in the AG district (Section 2.030, Table 2-2)

Location Map:



Additional Information:

Present Use: Residence

Tract Size: 10.65 acres

Location: 4028 S Cambell Creek Rd

Present Zoning: AG

Fenceline/Area: Keystone

Land Use Designation: Rural Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9022

CASE NUMBER: CBOA-3231

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 11/19/2024 1:30 PM

APPLICANT: Tina R Baker

ACTION REQUESTED: Variance to permit 3 dwellings on one lot of record in the AG district (Section 2.030, Table 2-2)

LOCATION: 4028 S Cambell Creek Rd

ZONED: AG

FENCELINE: Keystone

PRESENT USE: Residence

TRACT SIZE: 10.65 acres

LEGAL DESCRIPTION: BEG SWC W/2 SE TH N691.17 E247.68 S225.20 E609.60 TO WR/W MUD CREEK RD TH SELY ALG R/W 468.30 TH W POB SEC 22 19 10 10.654ACS

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-2289 February 2008: The Board approved a Variance of the minimum required land area per dwelling unit in an AG district (Section 330) from 2.1 acres to 1 acre to permit a second dwelling.

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and contains 3 single-family residences. The tract abuts AG zoning to the north and west containing single-family residences, AG zoning to the south containing single-family residences and an electrical substation and AG zoning to the east containing a cell tower and vacant land.

STAFF COMMENTS:

The applicant is before the Board to request a Variance to permit 3 dwellings on one lot of record in the AG district (Section 2.030, Table 2-2).

The AG district allows up to two dwellings on one lot of record, as long as there are 2 acres of land area per dwelling. The applicant is requesting to place a thrid home on the lot of record, which would require a total of 6 acres, which, at 10.65 acres, the lot is large enough to support. There currently exists 3 homes on the lot, but one has become delapidated. The applicant intends to remove this home and replace it with a mobile home. The three homes on the lot are occupied by family members.

The applicant provided the statement that the "Old home is falling down so we need to add a mobile home."

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 to permit 3 dwellings on one lot of record in the AG district (Section 2.030, Table 2-2)

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

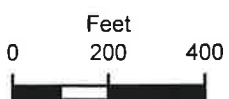
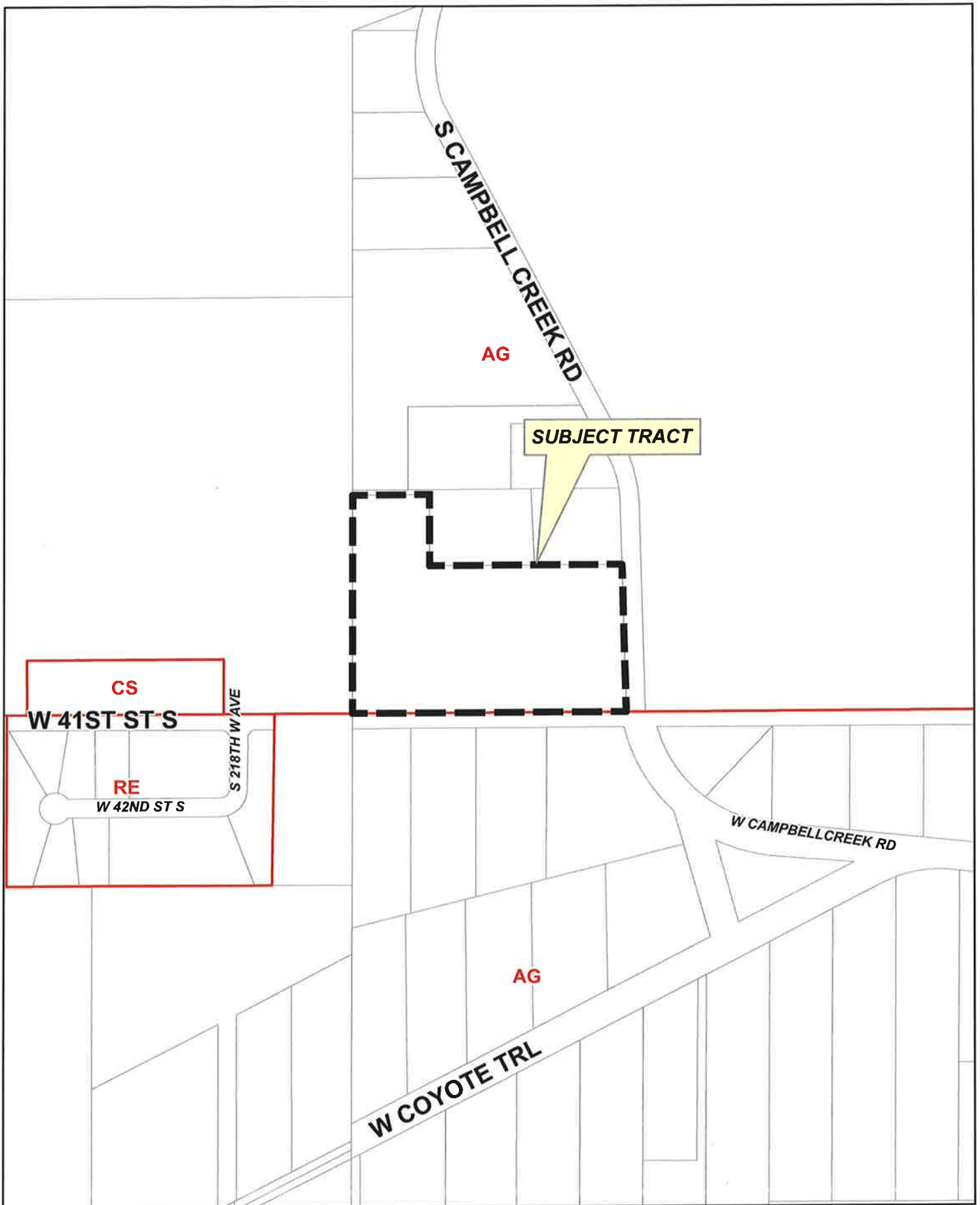
Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not 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 Southwest from S Campbell Creek Rd



Subject tract looking Northeast from W 41st St S



CBOA-3231

19-10 22

CBOA-3231 13.5





0 Feet 200 400



Subject Tract

CBOA-3231

19-10 22

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

Aerial Photo Date: 2023

CBOA-3231 13.6





Board of Adjustment

Case Number: CBOA-3232

Hearing Date: 11/19/2024 1:30 PM

Case Report Prepared by:

Jay Hoyt

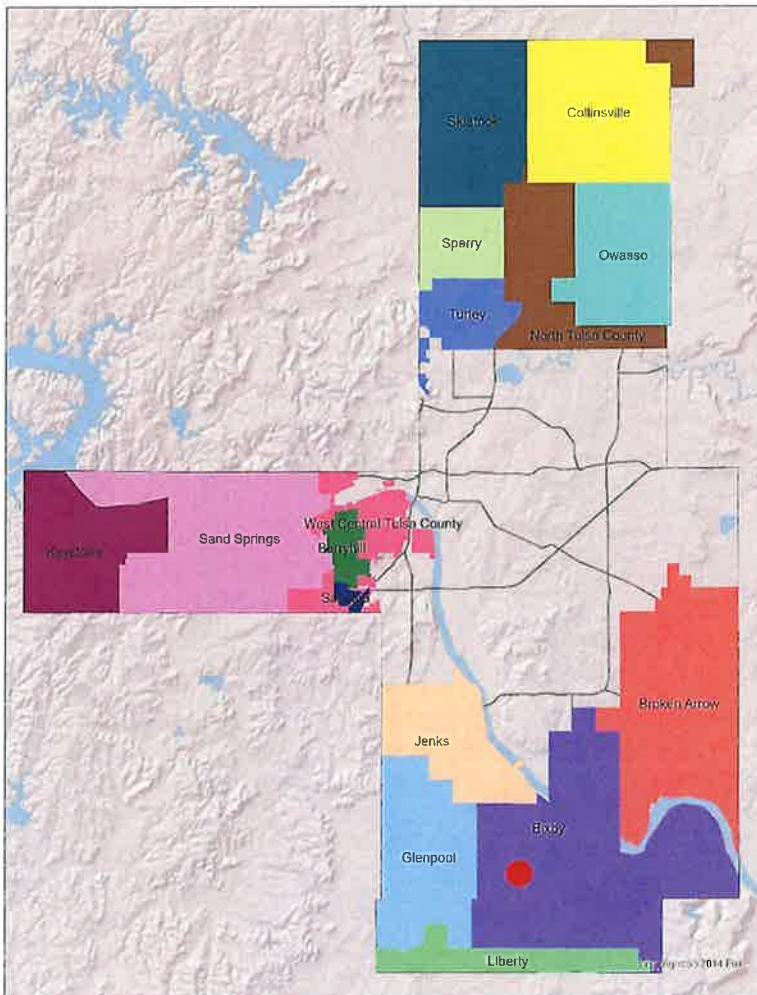
Owner and Applicant Information:

Applicant: Donna Savant

Property Owner: Michael & Ins Savant

Action Requested: Variance of the side yard setback in the AG district to permit a carport (Section 2.050, Table 2-3)

Location Map:



Additional Information:

Present Use: Residence

Tract Size: 5.0 acres

Location: 4617 E 171st St S

Present Zoning: AG

Fenceline/Area: Bixby

Land Use Designation: Rural Residential

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 7328

CASE NUMBER: CBOA-3232

CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 11/19/2024 1:30 PM

APPLICANT: Donna Savant

ACTION REQUESTED: Variance of the side yard setback in the AG district to permit a carport (Section 2.050, Table 2-3)

LOCATION: 4617 E 171st St S

ZONED: AG

FENCELINE: Bixby

PRESENT USE: Residence

TRACT SIZE: 5.0 acres

LEGAL DESCRIPTION: W/2 SW SE SE SEC 28 17 13 5AC

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zone AG and contains a single-family residence. The tract abuts AG zoning to the north and west containing vacant land, AG zoning to the east containing single-family residences and AG zoning to the south containing an electrical substation.

STAFF COMMENTS:

The applicant is before the Board to request a Variance of the side yard setback in the AG district to permit a carport (Section 2.050, Table 2-3).

The Tulsa County zoning code requires a side yard setback of 15 feet in the AG district. The applicant is proposing to construct a carport that will be located closer to the side property line than the 15 feet required by the zoning code necessitating the need for a variance. The applicant did not state the distance the home will be built from the rear property line.

The applicant provided the statement that they "Are currently trying to build a carport to place our two new campers and boat to create a more uniform and clean image." That applicant did not state how close the carport would be placed relative to the side yard.

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

Sample Motion:

"Move to _____ (approve/deny) a Variance of the side yard setback in the AG district to permit a carport (Section 2.050, Table 2-3).

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

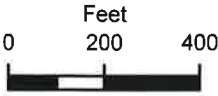
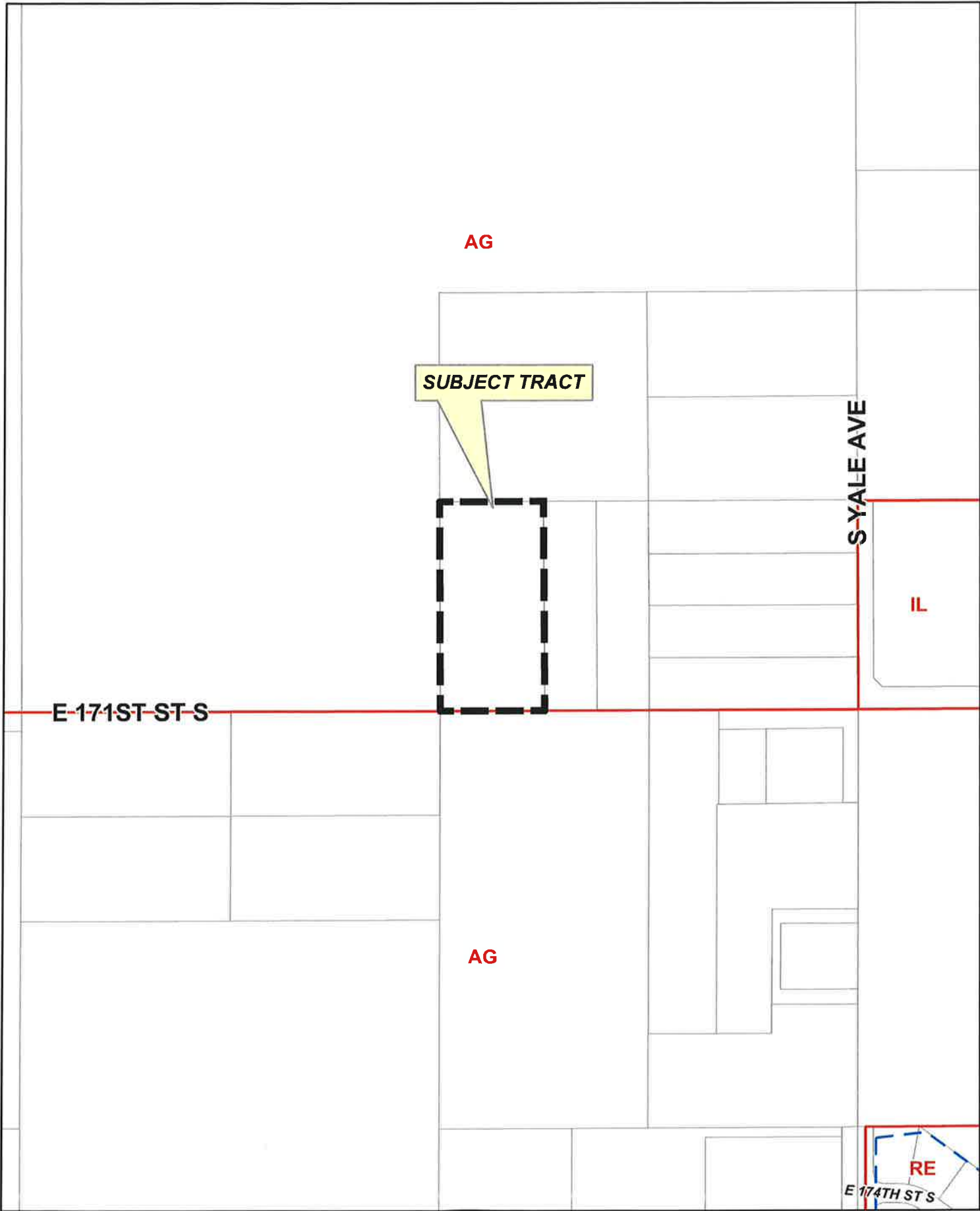
Finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not 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 North from E 171st St S



Subject tract looking Northwest from E 171st St S



CBOA-3232

17-13 28

CBOA-3232 14.5





SUBJECT TRACT

S YALE AVE

E 171ST ST S

E 174TH ST S



Subject
Tract

CBOA-3232

17-13 28

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

Aerial Photo Date: 2023

CBOA-3232 14.6

