



2:50 pm, Oct 13, 2025

AGENDA
Tulsa County Board of Adjustment
Regularly Scheduled Meeting
Tuesday October 21, 2025, 1:30 p.m.
Williams Tower I
1 West 3rd Street, St. Francis Room
Meeting No. 548

Consider, Discuss and/or Take Action On:

1. Approval of Minutes of September 16, 2025 (Meeting No. 547).

UNFINISHED BUSINESS

2. **CBOA 3295 - Platinum Pest & Lawn - Jennifer**

Action Requested:

Special Exception to permit a home occupation of Pest control and lawn service in the AG district (Section 8.120).

Location: 12831 N 135th East Ave, Collinsville

3. **CBOA 3299 – Nathan S. Cross**

Action Requested:

Special Exception to allow Mining and Mineral Processing in an AG District (Sec. 6.010, Table 6-1)

Location: 55th Street N. & 66th Street NW of N. 145th E. Ave.

NEW APPLICATIONS

4. **CBOA 3301 - William J. Reed**

Action Requested:

Special Exception to permit Single-Section Manufactured home in RS-3 District (Sec. 3.030, Table 3-2)

Location: 5808 N Norfolk Ave E

5. **CBOA 3302 - Thomas F. McCoy**

Action Requested:

Special Exception to operate a Social Model Hospice House under the classification of an Assisted Living Facility in an AG District (Sec. 6.010, Table 6-1)

Location: 7590 N Harvard Ave

6. CBOA 3303 - JR Donelson

Action Requested:

Variance of the street frontage from 30' to 0' in an AG district to permit a lot split (Sec. 2.040, Table 2-3).

Location: 3616 E. 171st St. S.

7. CBOA 3304 - Htoi Sumlut

Action Requested:

Special Exception to permit Religious Assembly in an AG District (Sec. 6.010, Table 6-1).

Location: Next to 12975 S Elwood Ave, Jenks

8. CBOA 3305 – Abbey Homes LLC

Action Requested:

Special Exception to permit temporary dwelling in RV in an AG district (Sec. 8.160)

Location: 3782 S. 137th W. Ave.

9. CBOA 3306 – Nathalie Cornett

Action Requested:

Special Exception to permit accessory outdoor storage for a Building Service in the CS District, and a Variance to extend the Variances of Sections 10.070-E.1. and 10.100-B (formerly Sections 1340 and 1350) of the Tulsa County Zoning Code (the “Code”) to permit unenclosed off-street parking and loading areas to be gravel surfaced.

Location: 2106 S. 59th W. Ave

10. CBOA 3307 – Jason Lee

Action Requested:

Variance to permit accessory dwelling unit exceeding size provisions of zoning code (Sec. 8.040)

Location: 16032 S Harvard Ave., Bixby

OTHER BUSINESS

NEW BUSINESS

Review and Approval of 2026 Meeting Schedule.

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.



Case Number: CBOA-3295

Hearing Date: 10/21/25 1:30 PM
Continued from 9/16/25

Case Report Prepared by:

Kendal Davis

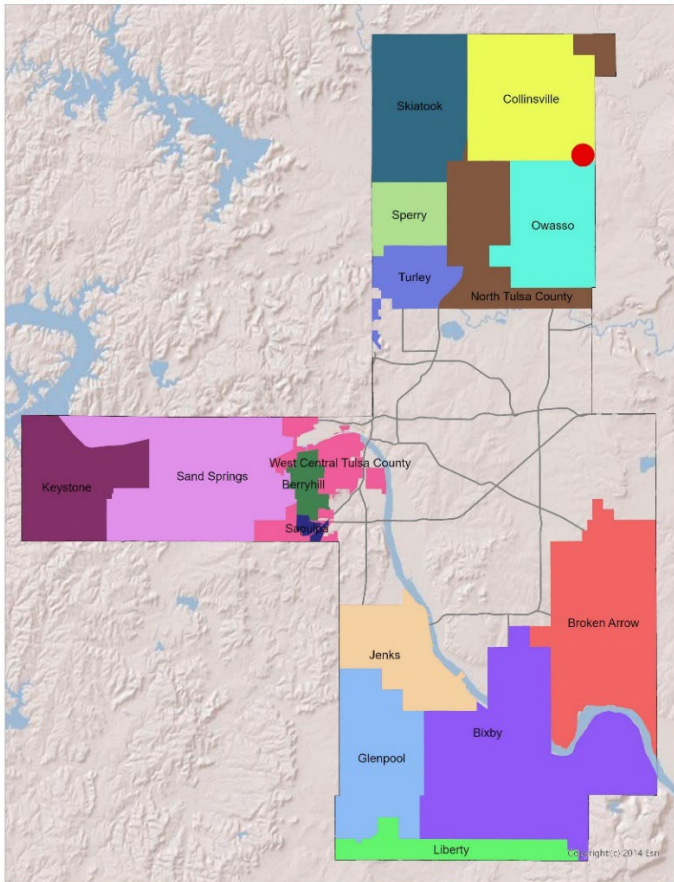
Owner and Applicant Information:

Applicant: Platinum Pest & Lawn - Jennifer

Property Owner: Paniolo LLC

Action Requested: Special Exception to permit a Type 2 home occupation in the AG district (Section 8.120-C).

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 2.02

Legal Description: S188.68 N1320.76 E/2 E/2 SW LESS E170 S188.68 N1320.76 E/2 E/2 SW LESS W25 THEREOF FOR RD SEC 33 22 14 (TR 7 PH 3) 2.03ACS

Present Zoning: AG (Agricultural)

Fenceline/Area: Collinsville

Land Use Designation: Residential

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 2433

CASE NUMBER: CBOA-3295

CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: 10/21/25 1:30 PM

APPLICANT: Platinum Pest & Lawn - Jennifer

ACTION REQUESTED: Special Exception to permit a Type 2 home occupation in the AG district (Section 8.120-C).

LOCATION: 12831 N 135th East Ave, Collinsville, OK

ZONED: AG (Agricultural)

FENCELINE: Collinsville

PRESENT USE: Residential

TRACT SIZE: 2.02

LEGAL DESCRIPTION: S188.68 N1320.76 E/2 E/2 SW LESS E170 S188.68 N1320.76 E/2 E/2 SW LESS W25 THEREOF FOR RD SEC 33 22 14 (TR 7 PH 3) 2.03ACS

RELEVANT PREVIOUS ACTIONS: None

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG (Agriculture) and is currently developed with an accessory structure. The applicant has indicated that a principal structure is planned for the site in the near future. The surrounding area is zoned AG and is characterized by single-family residential uses. The existing building is primarily an open shop, with the enclosed portion located along the east side of the structure. The property is bounded by U.S. Highway 169 to the east and N. 135th East Avenue to the west.

STAFF COMMENTS: The applicant is before the Board to request a Special Exception to permit a Type 2 home occupation in the AG district (Section 8.120-C).

Type 2 home occupations are those in which household residents use their home as a place of work and either employees or customers come to the site. Typical examples include tutors, teachers, photographers, counselors, hair cutting/styling and real estate agents.

A special exception is required as the proposed home occupation is a use which is not permitted by right but by exception in the AG district because of potential adverse effects, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted. The proposed home occupation 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 home occupation is compatible and non-injurious to the surrounding area.

Sample Motion:

"Move to _____ (approve/deny Special Exception to permit a Type 2 home occupation in the AG district (Section 8.120-C)).

Subject to the following conditions, if any: _____.

In approving a special exception, the board of adjustment is authorized to impose such conditions and restrictions as the board of adjustment determines to be necessary to ensure compliance with the standards of §14.080-G, to reduce or minimize the effect of the special exception upon other properties in the area, and to better carry out the general purpose and intent of these zoning regulations. That the special exception will be in harmony with the spirit and intent of these zoning regulations; and the special exception will not be injurious to property in the vicinity of the subject property or otherwise detrimental to the public welfare..

At 12831 N 135th E Ave, Collinsville, OK, is a 2.02acre property that includes one structure. The majority of the structure is an open shop, and the enclosed area runs along the east side of the building. Highway 169 runs along the east side of the property and 135th E Ave runs along the west side of the property.



CBOA-3295 | Zoning Exception

From Sheri Bird <billing@woodguys.com>

Date Tue 8/19/2025 10:50 AM

To Davis, Kendal <kdavis@incog.org>

August 19, 2025

Subject: Letter of Support for Platinum Pest and Lawn Zoning Exception Application
CBOA-3295

Dear Kendal Davis,

I am writing to express my strong support for Platinum Pest and Lawn's zoning exception application, CBOA-3295. I understand they are seeking an exception to operate their business at the proposed location, and I believe granting this exception would be a significant benefit to our community.

I have been a resident of Owasso for 24 years and have personally witnessed the positive impact Platinum Pest and Lawn has had on communities throughout the Tulsa area. Additionally, we own and operate Wood Guys LLC in Tulsa and have had wonderful interactions with Platinum Pest and Lawn's employees over the years.

I have always found Platinum Pest and Lawn to be a responsible and ethical business. They are responsive to customer concerns and committed to providing high-quality services. Beyond my personal experiences, I know that Platinum Pest and Lawn employs many local residents, contributing to our local economy and providing valuable job opportunities. Their presence in our community has been a positive one, and I am confident that they will continue to be a responsible and contributing member of our business community.

For these reasons, I urge you to approve Platinum Pest and Lawn's zoning exception application. Please feel free to contact me if you have any questions.

Sincerely,

Stephen Bird

918-254-7343

Wood Guys LLC

9915 E 51st St, Suite A-100

Tulsa, OK 74146

CBOA-3295

From Jaela <jaela_lanae@hotmail.com>

Date Fri 8/22/2025 1:33 PM

To Davis, Kendal <kdavis@incog.org>

Subject: Continued Support for Current Location

I hope this message finds you well.

I am writing to express my appreciation for the outstanding service Platinum Pest & Lawn has provided over the past 12+ years. From the beginning, their commitment to customer satisfaction, the quality of their work, and the professionalism of everyone involved has truly stood out. It's rare to come across a company that not only delivers excellent service but does so with such a personal, customer-first approach. Platinum Pest & Lawn are absolutely top-notch, and it's been a pleasure working with them.

With that said, I would like to kindly request that you consider continuing their service at their current location. The work they have done has been exceptional, and the relationship we've built over the years is one I value greatly.

Thank you,
Jaela Sederholm

Sent from my iPhone

Application #CBOA-3295 Platinum Pest Control

From david@uniqueadvantage.biz <david@uniqueadvantage.biz>

Date Tue 8/19/2025 10:23 AM

To Davis, Kendal <kdavis@incog.org>

Good morning Kendal,

My name is David Mullin. Jennifer Johnson with Platinum Pest Control was having a conversation with me and mentioned their current business location and being able to use a positive review about it.

I've been a customer of theirs for about 7 years at this point. They have always been very responsive when we have has specific needs. I'm sure some of this has to do with their great location in Collinsville just off of Hwy 169 where they can send a service tech or sometimes even the owner Jared would run by. I know they operate up in Bartlesville and in Skiatook along with Collinsville and Owasso. Their current location seems to really be a great place overall in their specific line of business being able to quickly run in all of those directions to keep customer service super high.

We've had a couple times of the years normally in certain seasons when my wife has seen a couple spiders or ants of wasps and it's awesome knowing I can put in a quick call and most often the same day they send a tech by the house to treat what our concern was. I've stopped by their office in the past to pick up a quick treatment tool in the past as well and liked the space it was at set back from the service road and away from neighbors in a good way just against the highway side of the property. Truthfully they could probably advertise really easily from their location to the traffic although I believe they use other methods that are working well.

I am available to answer any questions that might be helpful for what they are having done. Please reach out with any questions or any way I can pay it forward for a great local business with great employees!

Thank You,



DAVID M MULLIN CFP

PRINCIPLES-BASED FINANCIAL PLANNER™

UNIQUE Advantage

(918) 859-3949

CA license 4188282

uniqueadvantage.biz

Platinum

From Leslie Stuart <leslielstuart@gmail.com>

Date Sat 9/6/2025 9:29 PM

To Davis, Kendal <kdavis@incog.org>

Hi!

I am a customer of Platinum for the last 4 years - since we moved to Oklahoma. I have no issues with them continuing to operate their business in their current location. They have done many things for us: including pest control, lawn care, sprayed our trees. They have been excellent in customer service. We wish them the best!

Leslie Stuart

CBOA-3295

From Jaela <jaela_lanae@hotmail.com>

Date Fri 8/22/2025 1:33 PM

To Davis, Kendal <kdavis@incog.org>

Subject: Continued Support for Current Location

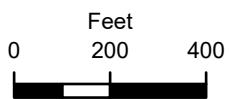
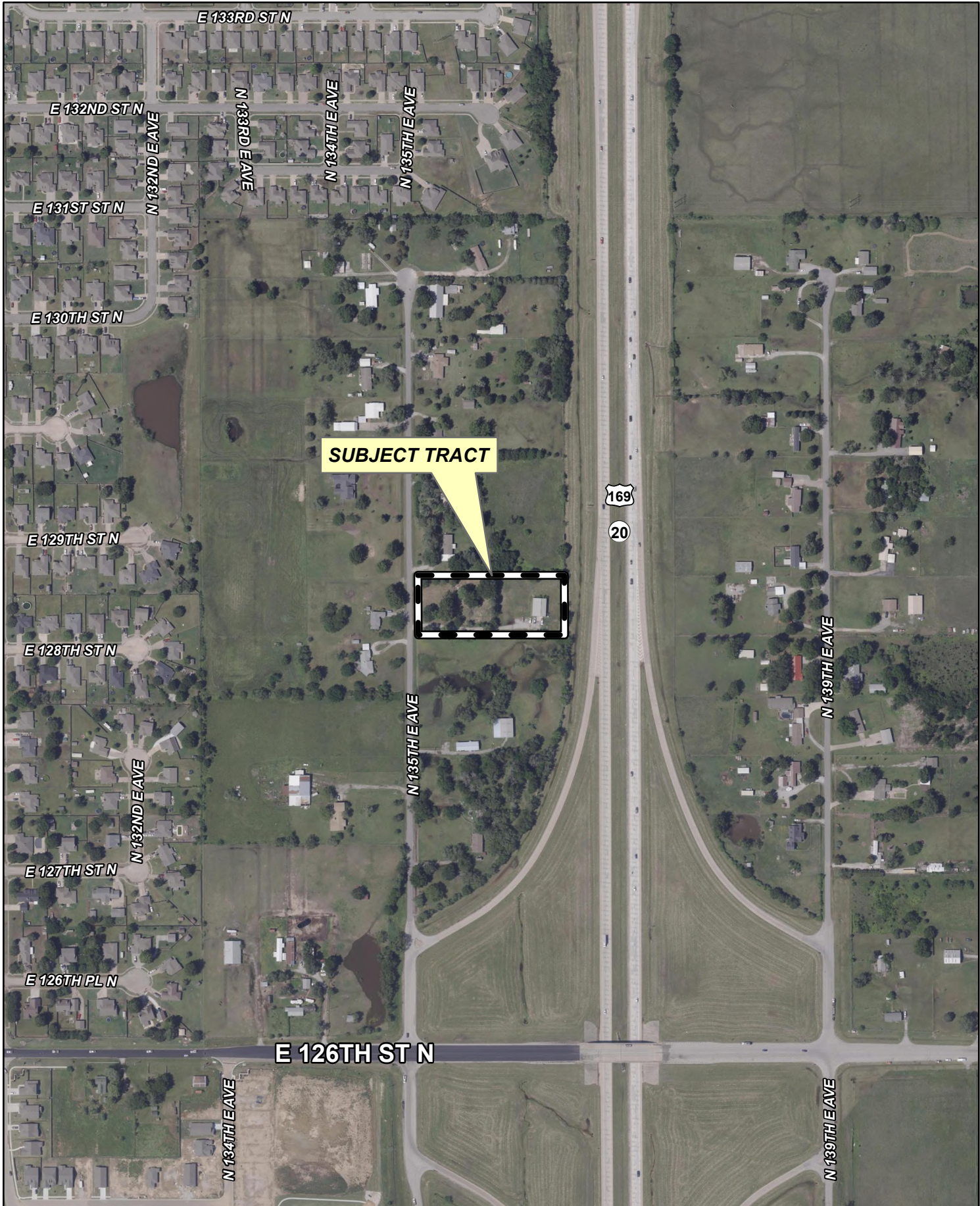
I hope this message finds you well.

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With that said, I would like to kindly request that you consider continuing their service at their current location. The work they have done has been exceptional, and the relationship we've built over the years is one I value greatly.

Thank you,
Jaela Sederholm

Sent from my iPhone

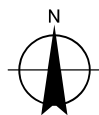


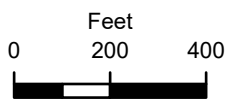
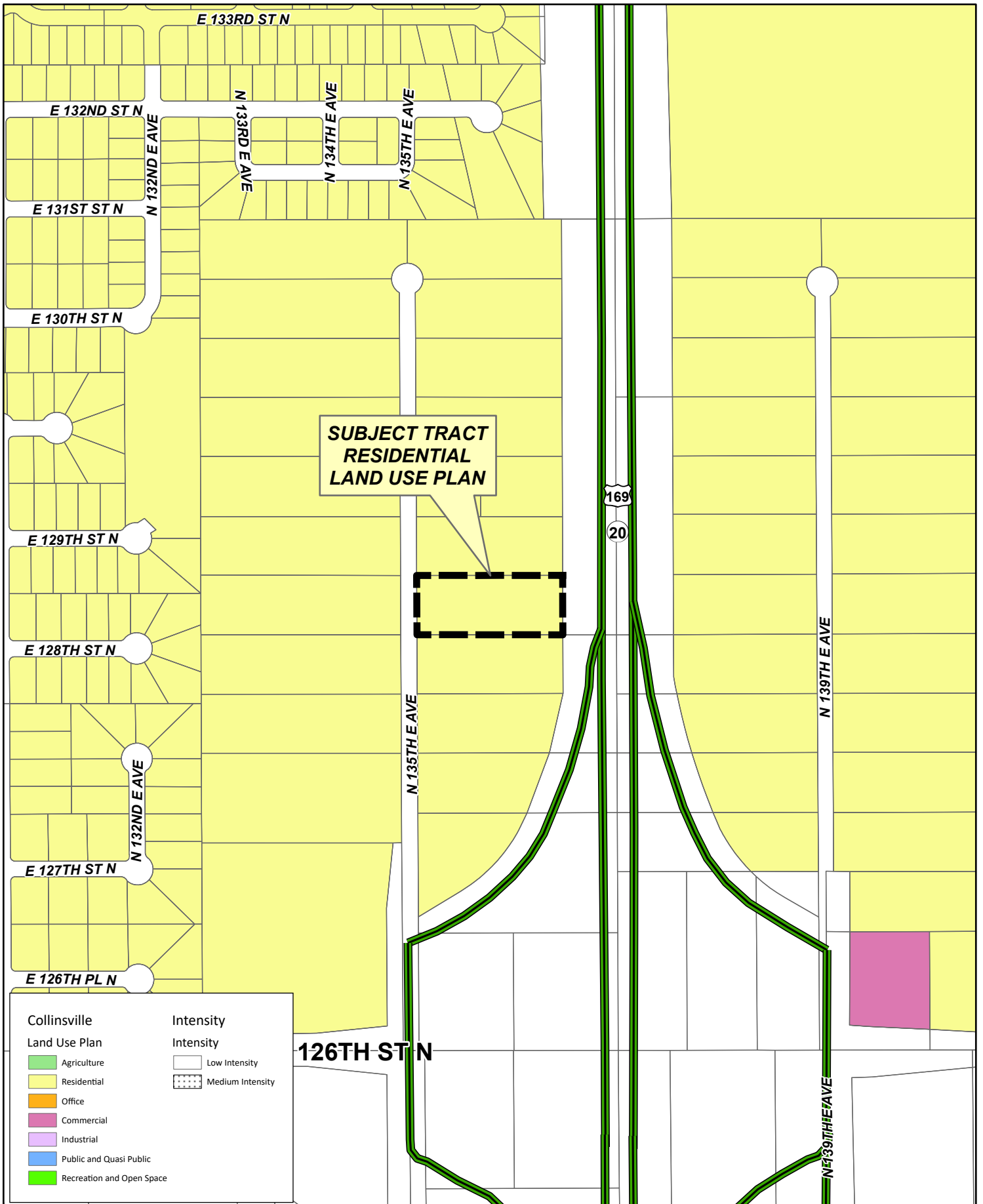
CBOA-3295

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

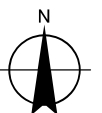
Aerial Photo Date: 2024

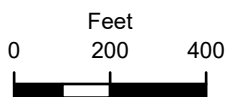
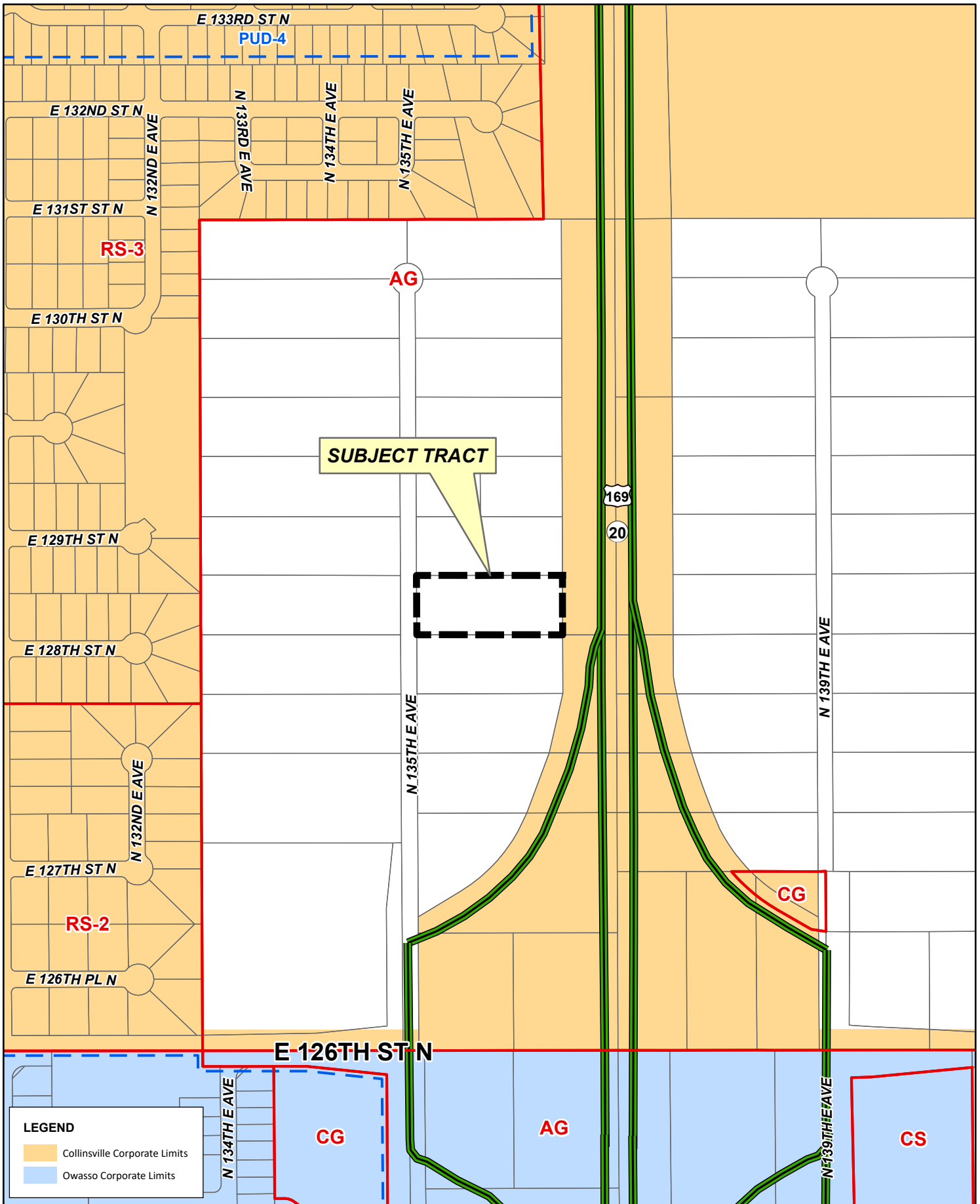




CBOA-3295

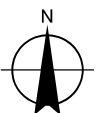
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CBOA-3295

33 22-14





Case Number: CBOA-3301

Hearing Date: 10/21/2025 1:30 PM

Case Report Prepared by:

Javier Rojas

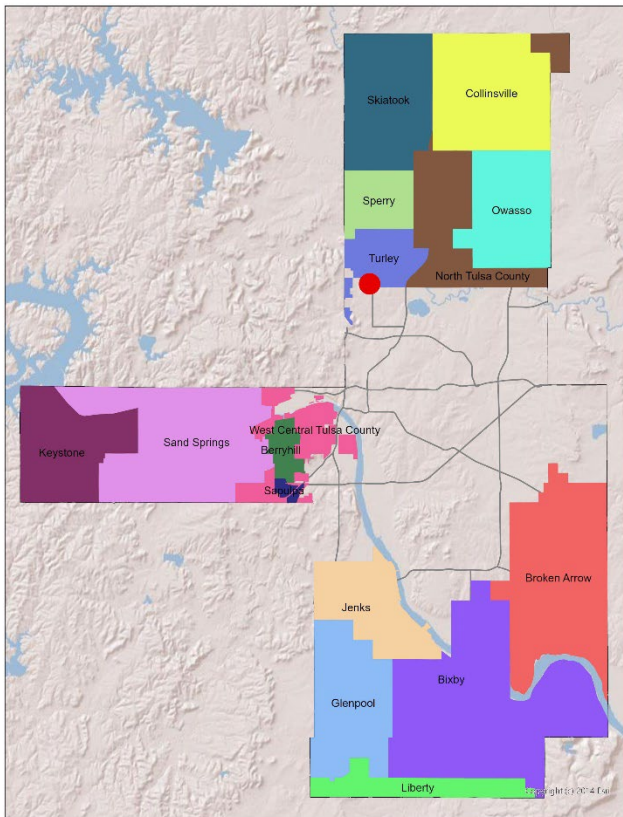
Owner and Applicant Information:

Applicant: William J. Reed

Property Owner: William J. Reed

Action Requested: Special exception to permit Single-Section Manufactured home in RS-3 District (Sec. 3.030, Table 3-2)

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 0.35 acres

Legal Description: BEG 576.9E & 214.5S NWC SE SE TH S65 W TO RR R/W NELY ON R/W APROX 65 E TO POB SEC 1 20 12

Present Zoning: RS-3 (Residential)

Fenceline/Area: Tulsa

Land Use Designation: Rural Residential/ Agricultural

TULSA COUNTY BOARD OF ADJUSTMENT CASE REPORT

TRS: 0201

CASE NUMBER: CBOA-3301

CASE REPORT PREPARED BY: Javier Rojas

HEARING DATE: 10/21/2025 1:30 PM

APPLICANT: William J. Reed

ACTION REQUESTED: Special exception to permit Single-Section Manufactured home in RS-3 District (Sec. 3.030, Table 3-2).

LOCATION: 5808 N. Norfolk Ave, Tulsa, OK 74126

ZONED: RS-3 (Residential Single-Dwelling-3)

FENCELINE: Tulsa

PRESENT USE: Vacant

TRACT SIZE: 0.35 acres

LEGAL DESCRIPTION: BEG 576.9E & 214.5S NWC SE SE TH S65 W TO RR R/W NELY ON R/W APROX 65 E TO POB SEC 1 20 12

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA:

The subject tract is zoned RS-3 (Residential Single-Dwelling-3) and is currently without any primary residential buildings. The applicant has indicated that a principal structure (a single section manufactured home) is planned for the site in the near future, which is the subject of this special exception request. The immediate surrounding area is zoned RS-3 and is characterized by single-dwelling residential uses, which extends for $\frac{3}{4}$ of a mile westward. Approximately a quarter mile West and half mile North of the subject tract are IL, AG, and CG areas.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to permit a Single-Section Manufactured home in an RS-3 tract of land (Sec. 3.030, Table 3-2).

The RS districts (i.e., RS-1, RS-2, and, particularly for this case, RS-3) are primarily intended to permit and conserve single-unit detached houses at higher densities than the RE (Residential Estate) district.

A special exception is required as Single-Section manufactured homes are not permitted by right but by exception in the RS-3 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 Single-Section manufactured home must be found to be compatible with the surrounding neighborhood.

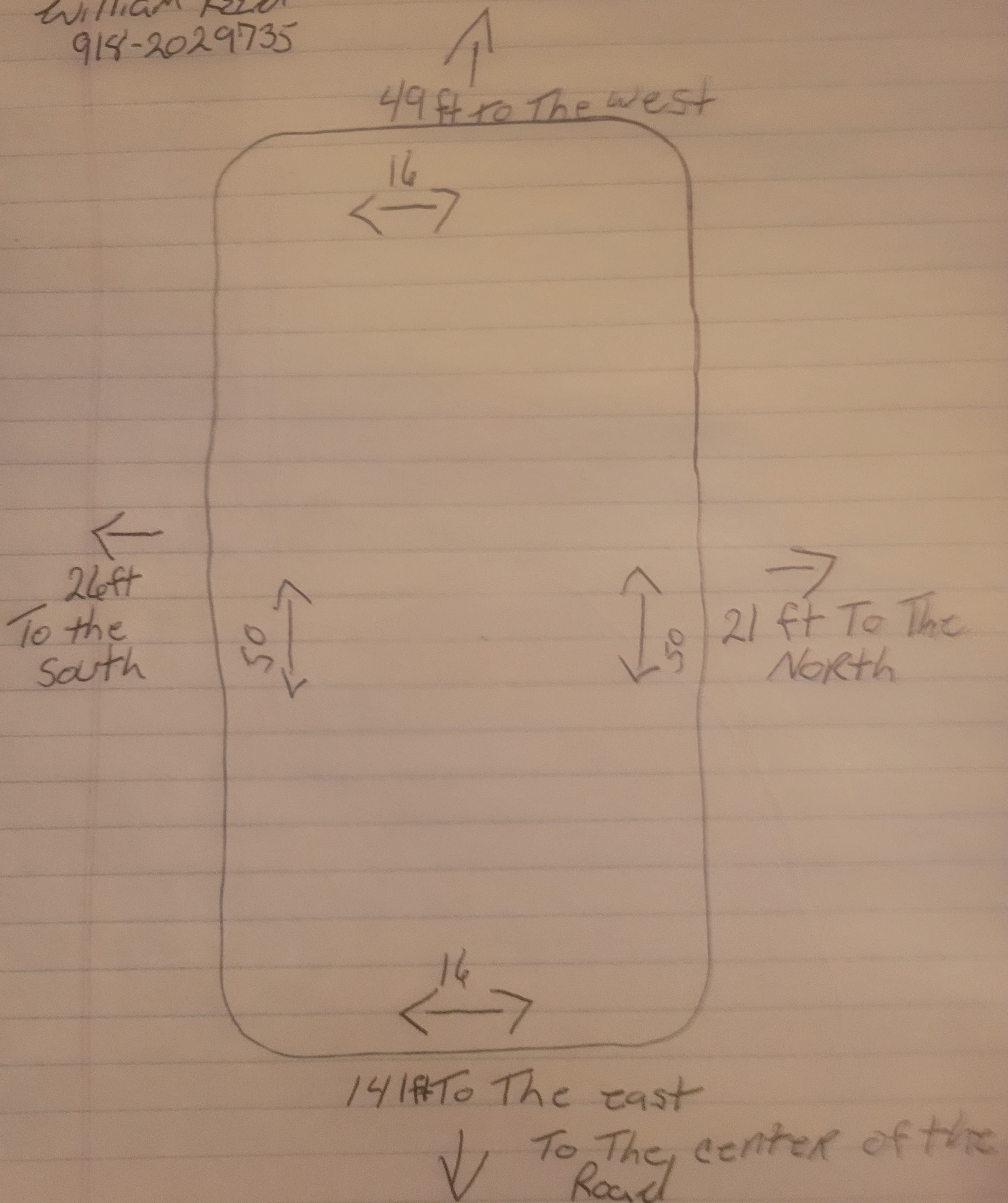
Sample Motion:

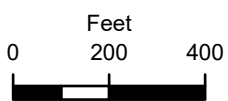
"Move to _____ (approve/deny) Special exception to permit Single-Section Manufactured home in RS-3 District (Sec. 3.030, Table 3-2)

Subject to the following conditions, if any: _____.

In approving a special exception, the board of adjustment is authorized to impose such conditions and restrictions as the board of adjustment determines to be necessary to ensure compliance with the standards of §14.080-G, to reduce or minimize the effect of the special exception upon other properties in the area, and to better carry out the general purpose and intent of these zoning regulations such that the special exception will be in harmony with the spirit and intent of these zoning regulations, and that the special exception will not be injurious to property in the vicinity of the subject property or otherwise detrimental to the public welfare.

5808 N Norfolk
Tulsa OK
William Reed
918-202-9735





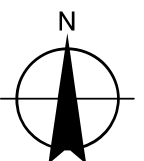
Subject
Tract

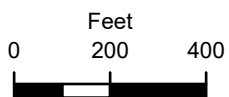
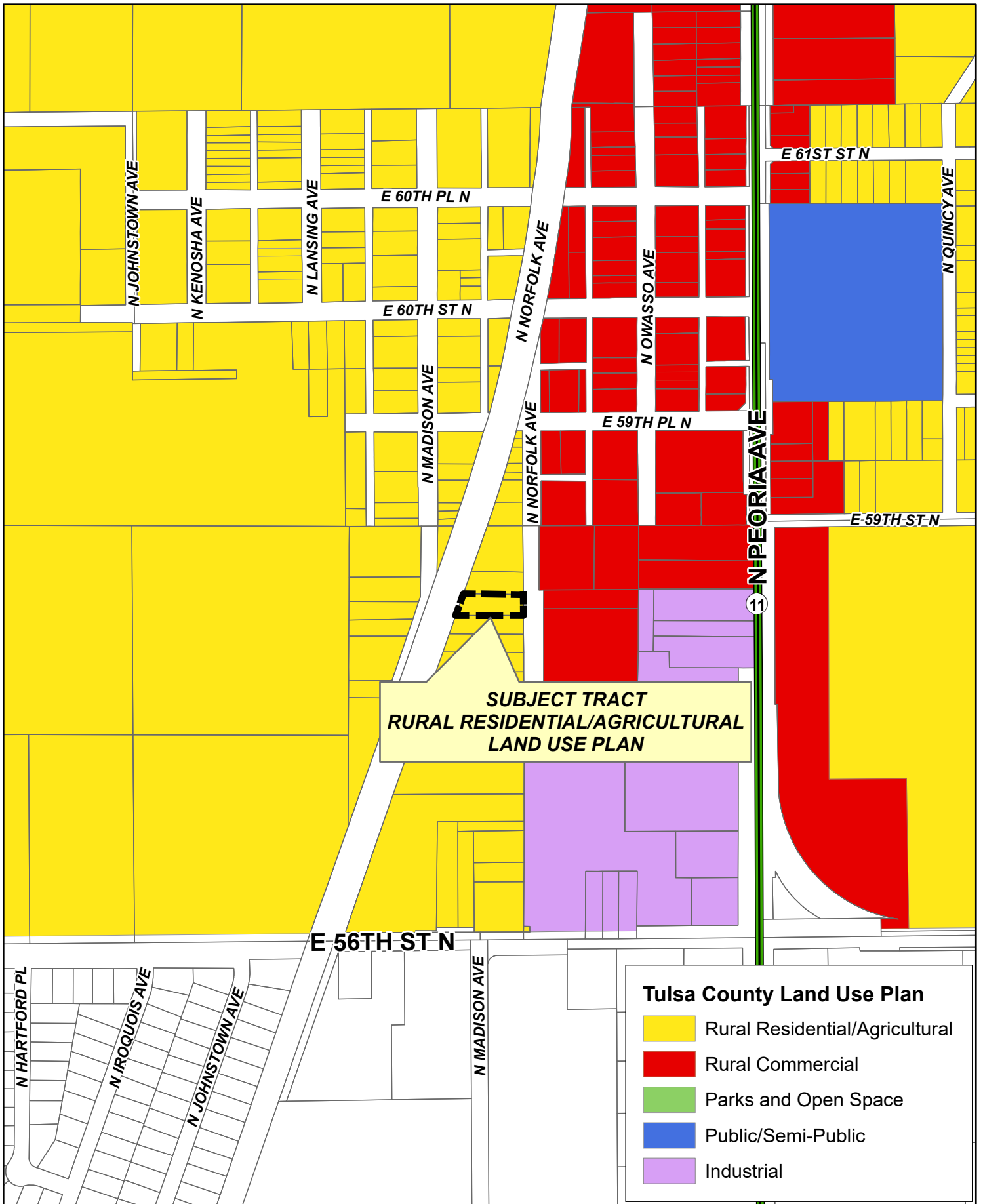
CBOA-3301

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Note: Graphic overlays may not precisely
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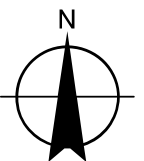
Aerial Photo Date: 2024

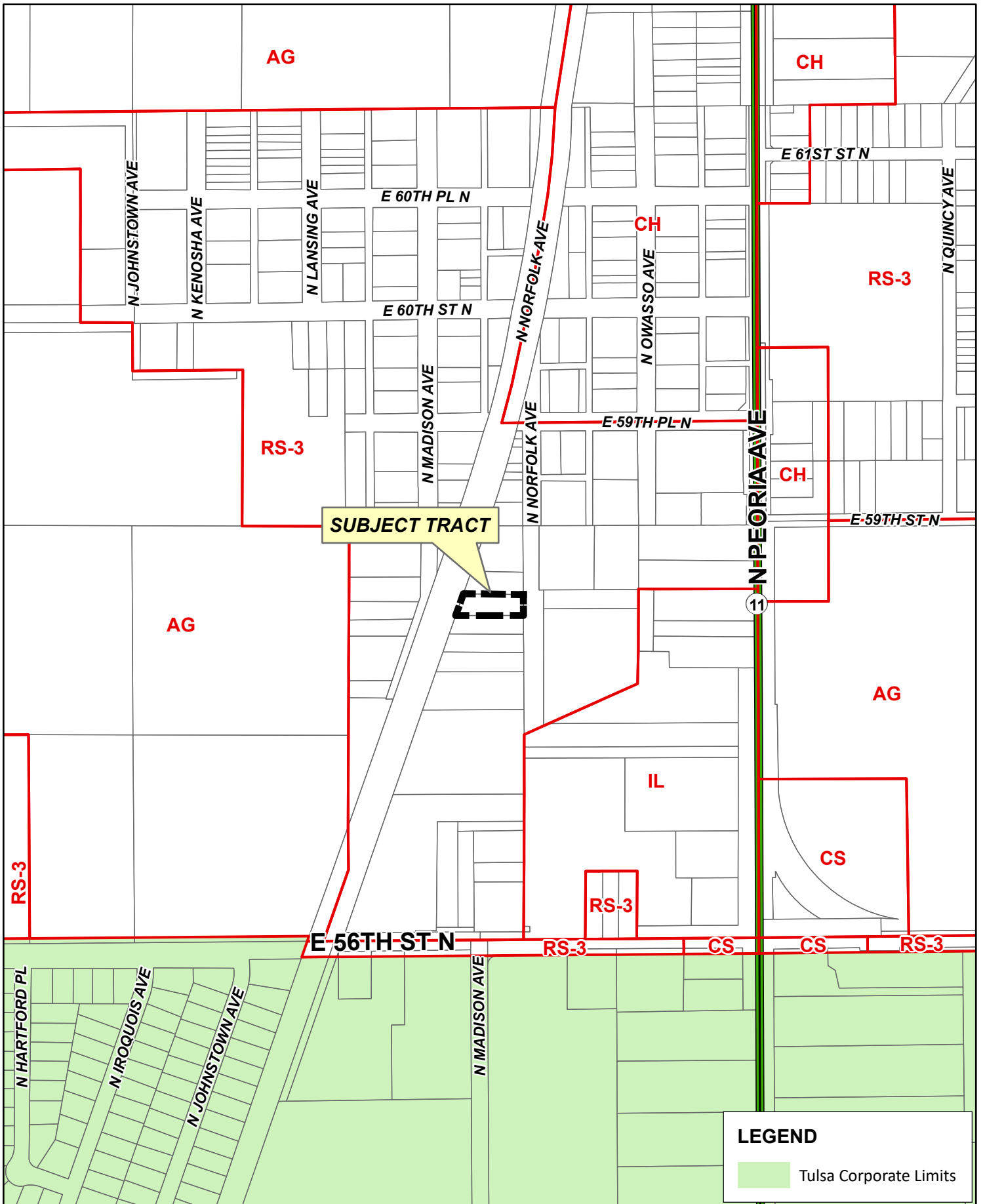




CBOA-3301

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CBOA-3301

01 20-12



Case Number: CBOA-3302

Hearing Date: 10/21/2025 1:30 PM

Case Report Prepared by:

Javier Rojas

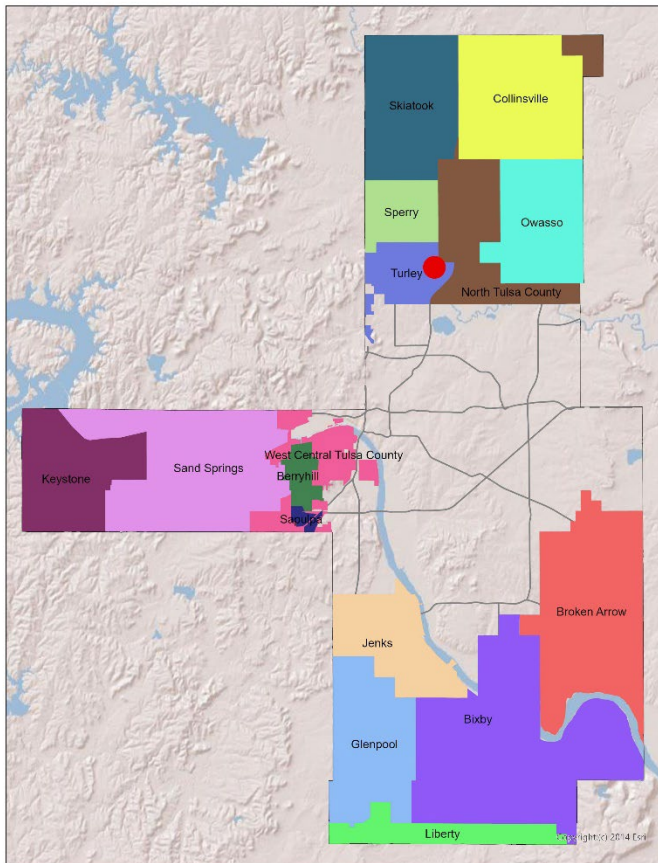
Owner and Applicant Information:

Applicant: Thomas F. McCoy

Property Owner: Thomas F. & Sarah J. McCoy

Action Requested: Special exception to operate a Social Model Hospice House under the classification of an Assisted Living Facility in an AG District (Sec. 6.010, Table 6-1)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 150.11 acres

Legal Description: ALL THAT PRT NE LYING E CL BIRD CREEK LESS BEG 2554.54S NEC NE TH S77.39 TO PT ON SL NE W TO PT IN CL BIRD CREEK NWLY ALG CL TO PT E APPROX 1016 POB SEC 32 21 13 150.114ACS

Present Zoning: AG (Agricultural)

Fenceline/Area: Sperry

Land Use Designation: Rural Residential/ Agricultural

TULSA COUNTY BOARD OF ADJUSTMENT CASE REPORT

TRS: 1332

CASE NUMBER: CBOA-3302

CASE REPORT PREPARED BY: Javier Rojas

HEARING DATE: 10/21/2025 1:30 PM

APPLICANT: Thomas F. McCoy

ACTION REQUESTED: Special exception to operate a Social Model Hospice House under the classification of an Assisted Living Facility in an AG District (Sec. 6.010, Table 6-1).

LOCATION: 7590 N Harvard Ave

ZONED: AG (Agricultural)

FENCELINE: Sperry

PRESENT USE: Residential

TRACT SIZE: 150.11 acres

LEGAL DESCRIPTION: ALL THAT PRT NE LYING E CL BIRD CREEK LESS BEG 2554.54S NEC NE TH S77.39 TO PT ON SL NE W TO PT IN CL BIRD CREEK NWLY ALG CL TO PT E APPROX 1016 POB SEC 32 21 13 150.114ACS

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA:

The subject tract is zoned AG and is currently developed with two residential buildings, a detached garage, and two accessory buildings. The subject tract is surrounded on all sides by AG (Agricultural) zoning characterized by Single-Dwelling residential use and undeveloped land, as well as a strip of RE (Residential Estate) zoning directly to the north and more RE zoning approximately ¼ mi northeast, both of which are characterized by single-dwelling residential use.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to permit the operation of a Social Model Hospice House under the classification of Assisted Living center in an AG District (Sec. 6.010, Table 6-1).

An assisted living center is a residential facility designed to meet housing and care needs of older persons and individuals with disabilities in a residential rather than institutional environment, while maximizing independence, choice and privacy. Assisted living programs provide personal care for persons with needs for assistance in the activities of daily living and can respond to unscheduled needs for assistance.

The applicant has indicated that the rental home in their property, which was recently remodeled, will have its use donated as a Hospice House called “Herman House”, which is the matter in question in this case. The Herman House will be free of charge, supported by volunteers and community donations, but will not provide medical or nursing services itself—instead, a licensed hospice agency will deliver professional care.

Sample Motion:

“Move to _____ (approve/deny) Special exception to operate a Social Model Hospice House under the classification of an Assisted Living Facility in an AG District (Sec. 6.010, Table 6-1

Subject to the following conditions, if any: _____.

In approving a special exception, the board of adjustment is authorized to impose such conditions and restrictions as the board of adjustment determines to be necessary to ensure compliance with the standards of §14.080-G, to reduce or minimize the effect of the special exception upon other properties in the area, and to better carry out the general purpose and intent of these zoning regulations such that the special exception will be in harmony with the spirit and intent of these zoning regulations, and that the special exception will not be injurious to property in the vicinity of the subject property or otherwise detrimental to the public welfare.

Attachment

We are requesting a special exception to operate a Social Model Hospice House under the classification of an Assisted Living Facility as outlined in Table 6-1 of the Tulsa County Zoning Code. We are zoned agricultural.

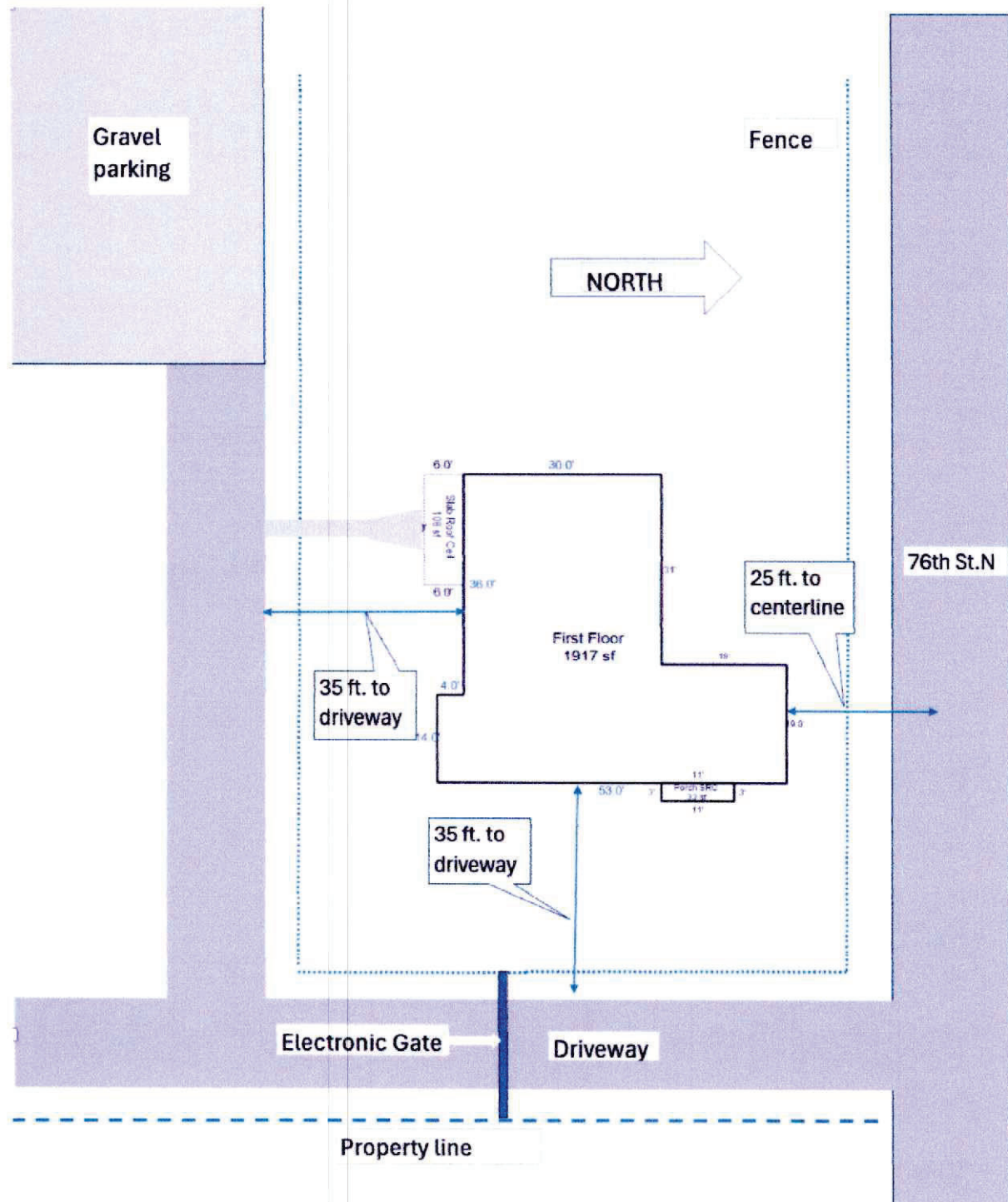
We have recently remodeled a rental home on our property and are working with the "Journey Home" Hospice in Bartlesville. We will donate use of our house and Journey home will operate the Hospice House called "Herman House". The model is called, "a Social Model Hospice House". The Journey Home is a 501(c)3 non profit.

Summary of what a social model hospice house is:

- **Purpose:** It's a home-like residence where people at the end of life can stay, free of charge, supported by volunteers and community donations.
- **Medical care:** The house itself does not provide medical or nursing services. Instead, a licensed hospice agency comes in to deliver professional care (nurses, aides, medications).
- **Role of the house:** Provides a safe, comfortable, home-like setting, meals, and companionship. Volunteers or staff help with daily living support (like meals, light housekeeping, emotional presence).
- **Licensing:** Because it doesn't directly provide medical care, it isn't licensed as a healthcare facility. It's structured as a nonprofit organization.
- **Funding:** Typically runs on donations, grants, and community support (not Medicare/Medicaid billing).
- **Analogy:** Think of it as an "extra home" for someone who can't stay in their own, with hospice nurses visiting just as they would if the person were at home.

The Herman House has three bedrooms, and a single meal will be provided daily by the volunteers for the guests and their families. Clarehouse and Porta Caeli House operating today in Tulsa County operate in a nearly identical manner, providing care, free of charge for the terminally ill and their loved ones, as well as a place of emotional, spiritual, and social support.

Herman House



NORTH



HERMAN
HOUSE

HARVARD AVE.

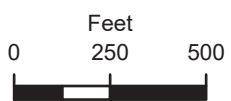
76th ST. NORTH

LOCATION OF
RENTAL HOME
TO be USED
as Hospice House

BIRD CREEK

ALL THAT PRT NE LYING E CL
BIRD CREEK LESS BEG 2554.54S
NEC NE TH 577.39 TO PT ON SL
NE W TO PT INCL BIRD CREEK NWLY
ALG CL TO PT E APPROX 1016 DOB
SEC 32 2113





Subject
Tract

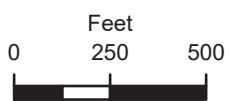
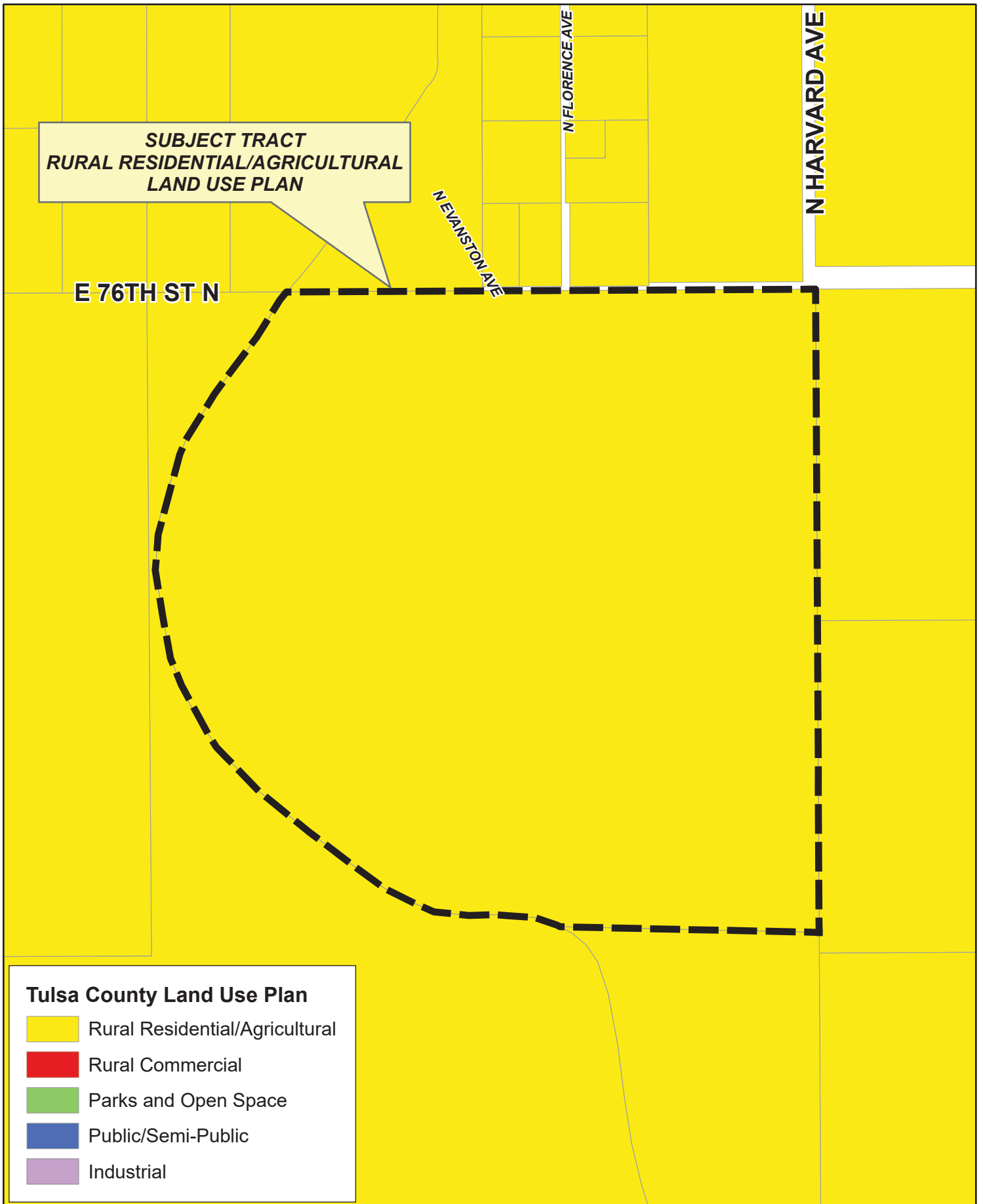
CBOA-3302

32 21-13

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

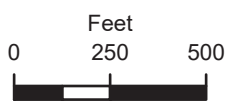
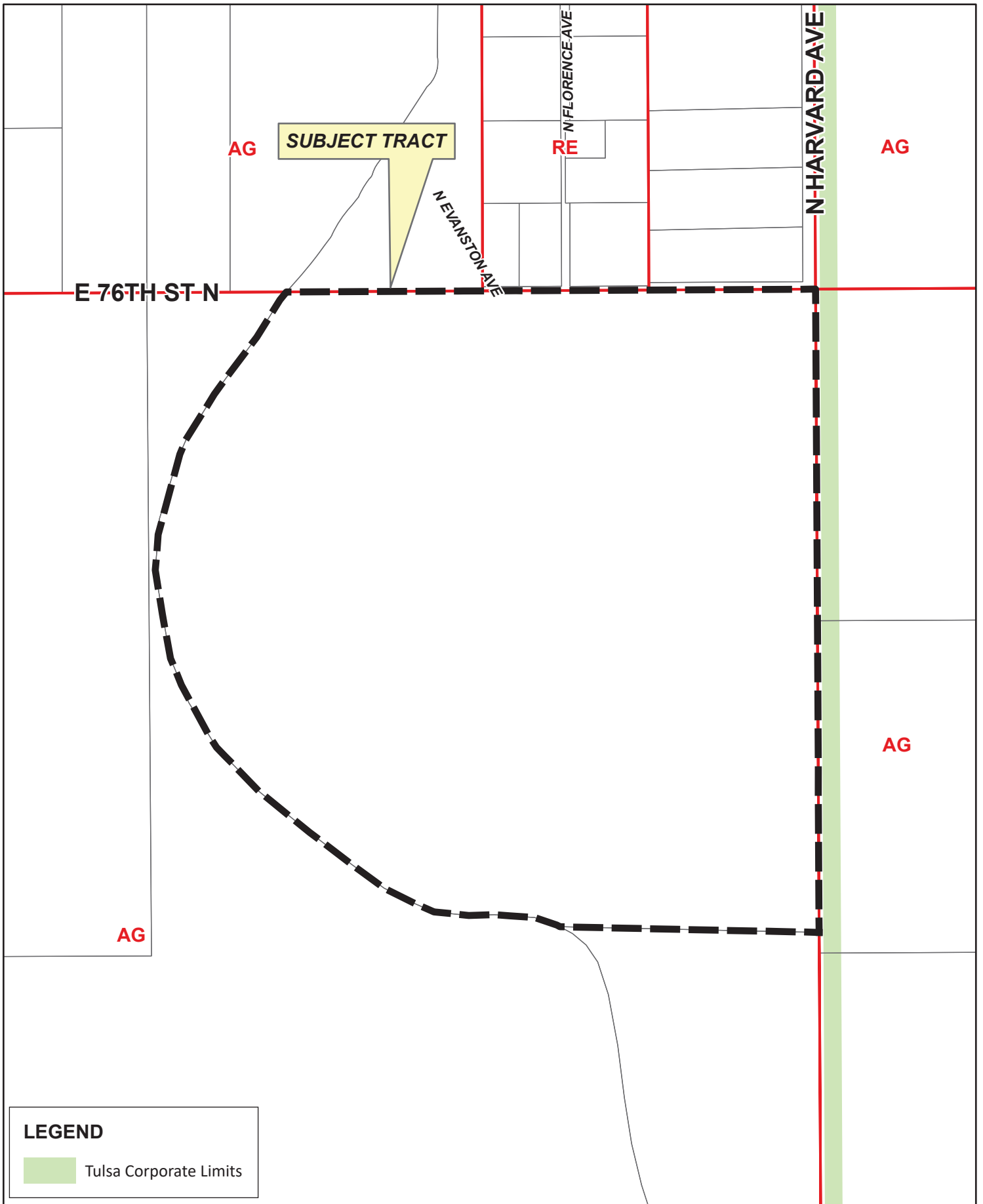
Aerial Photo Date: 2024





CBOA-3302





CBOA-3302





Case Number: CBOA-3303

Hearing Date: 10/21/2025 1:30 PM

Case Report Prepared by:

Javier Rojas

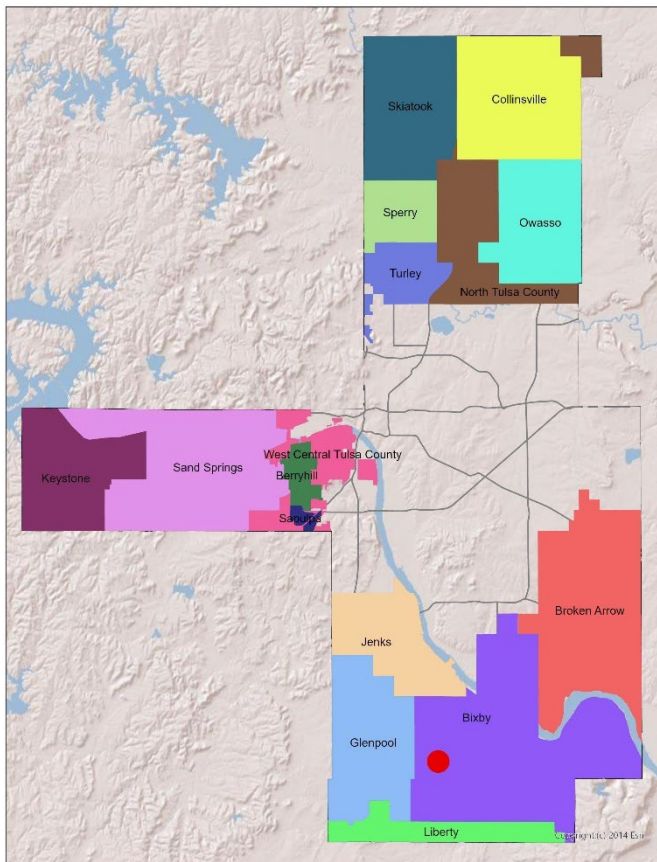
Owner and Applicant Information:

Applicant: J.R. Donelson

Property Owner: Gerry & Margaret Nix
Rev. Trust

Action Requested: Variance of the street frontage from 30' to 0' in an AG district to permit a lot split (Sec. 2.040, Table 2-3).

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 5.02 acres

Legal Description: A tract of land situated in the E/2 NW/4 NW/4 of Section 33, T17N, R13E, I.B. & M., Tulsa County, Oklahoma, described as follows: Commencing at the NW Corner of said E/2 NW/4 NW/4 ; thence S 00°07'51" W along the West line of said E/2 NW/4 NW/4 a distance of 846 .23 feet the Point of Beginning; thence S 89°58'17" Ea distance of 461.21 feet; thence S 00°08'19" W a distance of 473.73 feet to the South line of said E/2 NW/4 NW/4; thence N 89°58'17" W along said South line a distance of 461.15 feet to the SW Corner of said E/2 NW/4 NW/4; thence N 00°07'51" E along the West line of said E/2 NW/4 NW/4 a distance of 473.73 feet to the Point of Beginning, containing 5.02 acres, more or less...

Present Zoning: AG (Agricultural)

Fenceline/Area: Bixby

Land Use Designation: Rural Residential

TULSA COUNTY BOARD OF ADJUSTMENT CASE REPORT

TRS: 7333

CASE NUMBER: **CBOA-3303**

CASE REPORT PREPARED BY: Javier Rojas

HEARING DATE: 10/21/2025 1:30 PM

APPLICANT: J.R. Donelson

ACTION REQUESTED: Variance of the street frontage from 30' to 0' in an AG district to permit a lot split (Sec. 2.040, Table 2-3).

LOCATION: 3616 E. 171st St. S

ZONED: AG (Agricultural)

FENCELINE: Bixby

PRESENT USE: Vacant

TRACT SIZE: 5.02 acres

LEGAL DESCRIPTION:

A tract of land situated in the E/2 NW/4 NW/4 of Section 33, T17N, R13E, I.B. &M., Tulsa County, Oklahoma, described as follows: Commencing at the NW Corner of said E/2 NW/4 NW/4 ; thence S 00°07'51" W along the West line of said E/2 NW/4 NW/4 a distance of 846 .23 feet the Point of Beginning; thence S 89°58'17" Ea distance of 461.21 feet; thence S 00°08'19" W a distance of 473.73 feet to the South line of said E/2 NW/4 NW/4; thence N 89°58'17" W along said South line a distance of 461.15 feet to the SW Corner of said E/2 NW/4 NW/4; thence N 00°07'51" E along the West line of said E/2 NW/4 NW/4 a distance of 473.73 feet to the Point of Beginning, containing 5.02 acres, more or less...

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA:

The subject tract is zoned AG and is currently undeveloped. The subject tract is surrounded on all sides by AG (Agricultural) zoning characterized by Single-Dwelling residential use and undeveloped land, as well as strips of RE (Residential Estate) zoning approximately 0.4 miles to the northwest and approximately 0.4 miles to the southeast and 0.75 miles to the east, both of which are characterized by single-dwelling residential use. Approximately 0.75 miles to the east is the South Tulsa Maintenance Center, zoned IL (Industrial-Light) and OL (Office-Low).

STAFF COMMENTS:

The applicant is before the Board to request a Variance of the street frontage from 30 feet to 0 feet in an AG district to permit a lot split (Sec. 2.040, Table 2-3).

In an AG district, street frontage minimum requirement—defined as Minimum Frontage on Maintained Public Road—is 30 ft. The applicant has indicated that Gerry Nix, the late owner of the parent tract to the subject proposed tract, had as a desire to, upon his death, have the subject parent tract divided such that this variance request would be triggered by creating the subject proposed tract that would have no frontage to a maintained public road. The trust has filed a 30 foot mutual access and general utility easement allowing access between the subject proposed parcel and a maintained public road.

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

Sample Motion:

"Move to _____ (approve/deny Variance of the street frontage from 30' to 0' in an AG district to permit a lot split (Sec. 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.

Variance Request

Gerry Nix has passed. His desire was to divide the property he owned and give it to his children of the estate of Gerry D. and Margaret Nix. His desire was to divide the property has shown in the attachment. Doing so would not provide a 30 foot access to the north property line from a desired 5 acre tract shown in the attachment. The trust has filed a 30 foot mutual access and general utility easement allowing access to the proposed 5 acre parcel.

The estate is filing for a lot line adjustment to achieve the property configuration desired by Gerry Nix. We have the approval letter from the rural water district for the lot line adjustment.

Granting the variance will not cause any detriment to the public good or impair the intent of the zoning ordinance for agriculture zoned property. The filed 30 foot mutual access and general utility easement will allow access to the proposed 5 acre parcel of land and meet with the wishes of Gerry Nix.

We respectfully request that the variance be granted to allow the lot line adjustment process to proceed and the wishes of the late Gerry Nix be carried out for his family.

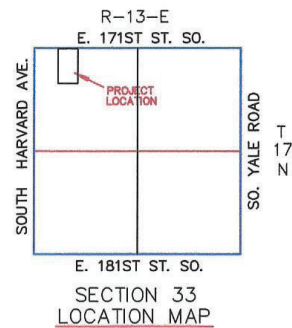
Parcel 97333-73-33-05560
Brian and Tracey Gibson Rev. Trust
3626 E. 171st St. So, Bixby

Parcel 07333-73-33-05910
Gerry D. and Margaret Nix Rev. Trust
3616 E. 171st St. So., Bixby

Parcel 07333-73-33-05810
Margie Langston
3520 E. 171st St. So, Bixby

Parcel 07333-73-33-05460
Margie Smith
3520 E. 171st St. So., Bixby

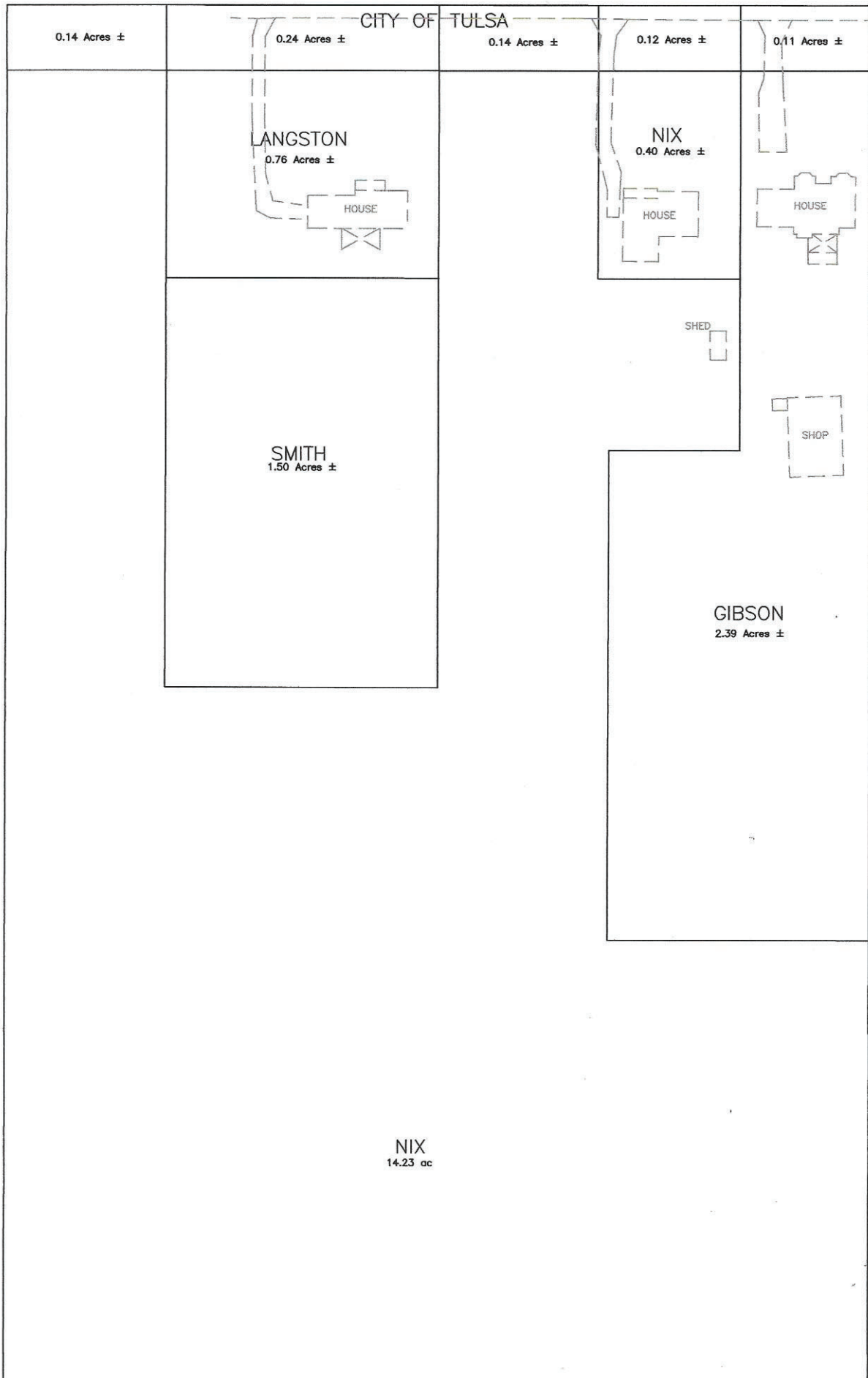
Parcel 07333-73-33-04010
Gerry D. and Margaret Nix Rev. Trust
3616 E. 171st St. So., Bixby



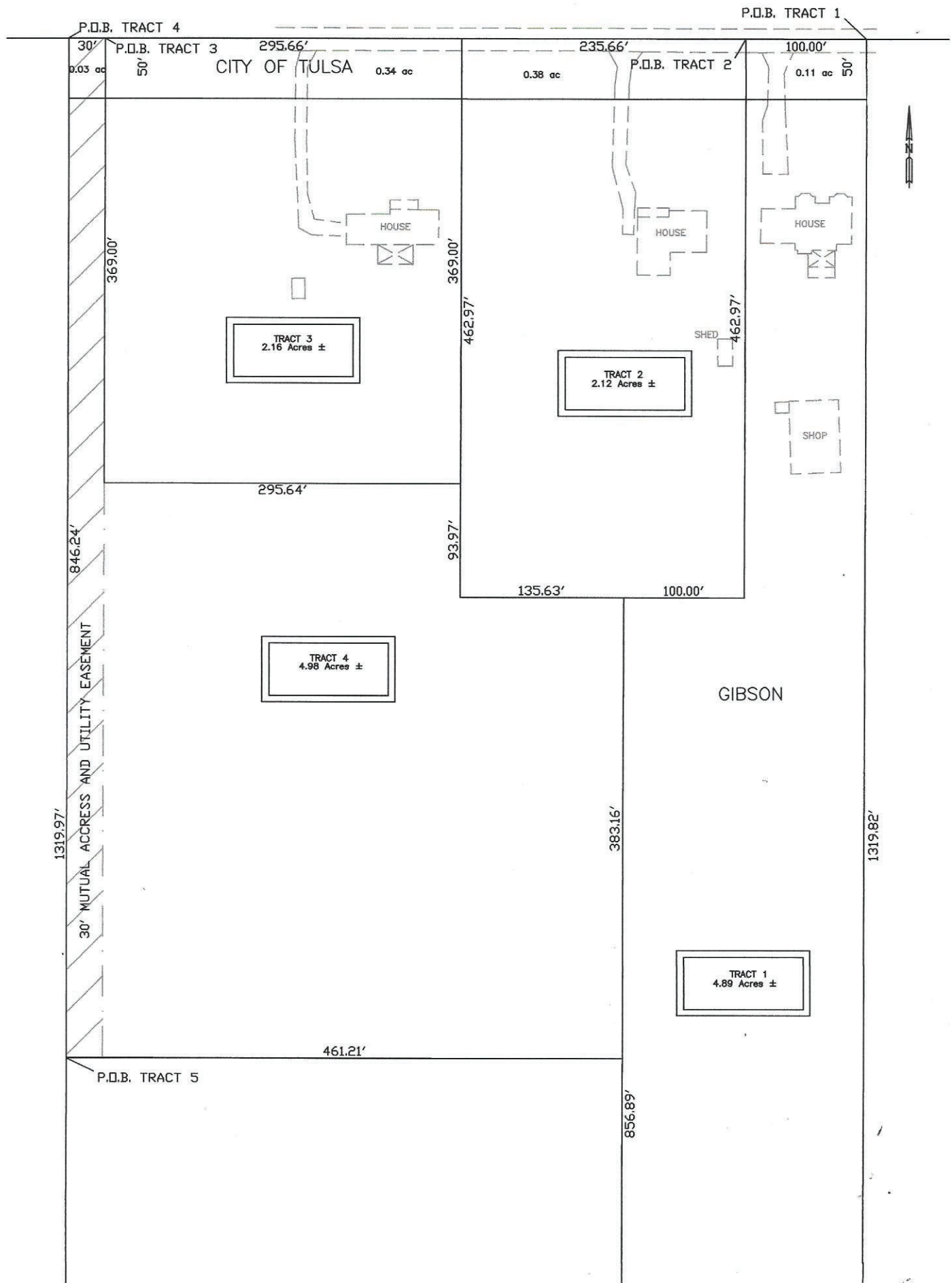
PARCEL A:	97333-73-33-05560	GIBSON
PARCEL B:	97333-73-33-05910	NIX
PARCEL C:	97333-73-33-05810	LANGSTON
PARCEL D:	97333-73-33-05460	SMITH
PARCEL E:	97333-73-33-04010	NIX

SURVEYOR:
DANIEL S. GOSS, PLS #1316
D. GOSS & ASSOCIATES

GIBSON 20 AC EXISTING TRACTS



GIBSON 20 AC
PROPOSED TRACTS



GIBSON TRACTS
SECTION 33-T17N-R13E

TRACT 1

A tract of land situated in the E/2 NW/4 NW/4 of Section 33, T17N, R13E, I.B.&M., Tulsa County, Oklahoma, described as follows: BEGINNING at the NE Corner of said E/2 NW/4 NW/4, thence S 00°08'19" W along the East line a distance of said E/2 NW/4 NW/4 a distance of 1319.82 feet to the SE Corner of said E/2 NW/4 NW/4; thence N 89°58'17" W along the South line of said E/2 NW/4 NW/4 a distance of 200.00 feet; thence N 00°08'19" E a distance of 856.89 feet; thence S 89°57'31" E a distance of 100.00 feet; thence N 00°08'19" E a distance of 462.97 feet; thence S 89°57'31" E a distance of 100.00 feet to the North line of said E/2 NW/4 NW/4 to the Point of Beginning...less the North 50 feet thereof...containing 4.89 acres, more or less...Basis of Bearings: Geodetic North, Legal Description prepared by: Daniel S. Goss PLS #1316 on May 30, 2025.

TRACT 2

A tract of land situated in the E/2 NW/4 NW/4 of Section 33, T17N, R13E, I.B.&M., Tulsa County, Oklahoma, described as follows: Commencing at the NE Corner of said E/2 NW/4 NW/4; thence N 89°57'31" W along the North line of said E/2 NW/4 NW/4 a distance of 100.00 feet to the Point of Beginning; thence S 00°08'19" W a distance of 462.97 feet; thence N 89°57'31" W a distance of 235.63 feet; thence N 00°08'05" E a distance of 462.97 feet to said North line; thence S 89°57'31" E along said North line a distance of 235.66 feet to the Point of Beginning...less the North 50 feet thereof, containing 2.12 acres, more or less...Basis of Bearings: Geodetic North, Legal Description prepared by: Daniel S. Goss PLS #1316 on May 30, 2025.

TRACT 3

A tract of land situated in the E/2 NW/4 NW/4 of Section 33, T17N, R13E, I.B.&M., Tulsa County, Oklahoma, described as follows: Commencing at the NW Corner of said E/2 NW/4 NW/4; thence S 89°57'31" E along the North line of said E/2 NW/4 NW/4 distance of 30.00 feet to the Point of Beginning; thence continuing S 89°57'31" E along said North line a distance of 295.66 feet; thence S 00°08'05" W a distance of 369.00 feet; thence N 89°57'31" W a distance of 295.64 feet; thence N 00°07'51" E a distance of 369.00 feet to the Point of Beginning...less the North 50 feet thereof, containing 2.16 acres more or less...Basis of Bearings: Geodetic North, Legal Description prepared by: Daniel S. Goss PLS #1316 on May 30, 2025.

TRACT 4

A tract of land situated in the E/2 NW/4 NW/4 of Section 33, T17N, R13E, I.B.&M., Tulsa County, Oklahoma, described as follows: Beginning at the NW Corner of said E/2 NW/4 NW/4; thence S 89°57'31" E along the North line of said E/2 NW/4 NW/4 distance of 30.00 feet; thence S 00°07'51" W a distance of 369.00 feet; thence S 89°57'31" E a distance of 295.64 feet; thence S 00°08'05" W a distance of 93.97 feet; thence S 89°57'31" E a distance of 135.63 feet; thence S 00°08'19" W a distance of 383.16 feet; thence N 89°58'17" W a distance of 461.21 feet to the West line of said E/2 NW/4 NW/4; thence N 00°07'51" E along said West line a distance of 846.23 feet to the point of beginning...less the North 50 feet thereof, containing 4.98 acres, more or less...Basis of Bearings: Geodetic North, Legal Description prepared by: Daniel S. Goss PLS #1316 on May 30, 2025...subject to a 30-foot mutual access and utility easement described as being the west 30 feet thereof.

TRACT 5

A tract of land situated in the E/2 NW/4 NW/4 of Section 33, T17N, R13E, I.B.&M., Tulsa County, Oklahoma, described as follows: Commencing at the NW Corner of said E/2 NW/4 NW/4; thence S 00°07'51" W along the West line of said E/2 NW/4 NW/4 a distance of 846.23 feet the Point of Beginning; thence S 89°58'17" E a distance of 461.21 feet; thence S 00°08'19" W a distance of 473.73 feet to the South line of said E/2 NW/4 NW/4; thence N 89°58'17" W along said South line a distance of 461.15 feet to the SW Corner of said E/2 NW/4 NW/4; thence N 00°07'51" E along the West line of said E/2 NW/4 NW/4 a distance of 473.73 feet to the Point of Beginning, containing 5.02 acres, more or less...Basis of Bearings: Geodetic North, Legal Description prepared by: Daniel S. Goss PLS #1316 on May 30, 2025...together with a 30-foot mutual access and utility easement described as being the west 30 feet of the north 846.24 feet of said E/2 NW/4 NW/4.



***Rural Water District #6
Okmulgee County***

***PO Box 340 / 11003 Hectorville Rd
Mounds OK 74047-0340
Phone 918-827-6350 – Fax 918-827-3077***

July 29, 2025

To: Brian Gibson

Just to recap our conversation concerning the two water taps on 171st Street. We require 15' of road side frontage. You have agreed to deed the west 15' of the 30' easement running north and south from 171st to the southern tract, and the east 15' of the 30' easement to the northern tract.

The meters will be set on 171st Street on the 15' of road side frontage.

You will still need a service inquiry for the (2) tracts of land.

Sincerely,

Rick Boone



Tulsa County Clerk - MICHAEL WILLIS
Doc #: 2025079655 Page(s): 4
09/09/2025 02:46:02 PM
Receipt #: 2025-55035
Fees: \$24.00

DO NOT REMOVE THIS PAGE

THIS IS PART OF YOUR RECORDED DOCUMENT

THIS PAGE HAS BEEN ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION.

MUTUAL ACCESS AND GENERAL UTILITY EASEMENT GRANT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Tracey Delinda Gibson
is the owner of and has legal and equitable title to the following tract of land:

Description attached

THE owner of said property described in the above legal description, will assume all the maintenance of the access and will grant the right of ingress and egress to the attached legal description for the purposes of this MUTUAL ACCESS AND GENERAL UTILITY EASEMENT.

TO HAVE AND HOLD such Mutual Access Easement, its successors or assigns forever, unless by mutual consent of the Owner of said described property above, this document is declared null and void.

DATED this 30 day of AUGUST, 2025.

Tracey Delinda Gibson
Owner

STATE OF OKLAHOMA)

) SS

COUNTY OF TULSA)

Before me, the Undersigned, a Notary Public within and for Said County and State, on this 30 day of AUGUST, 2025, personally appeared

TRACEY DELINDA GIBSON, to me known to be the identical person(s) who subscribed their name(s) as the maker to the foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes set forth therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed official seal the day and year last above written.

MY COMMISSION EXPIRES: 11/15/2027

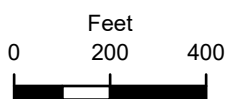
Joe E. Donelson Jr.
Notary Public



Property Description

Parcel No. 97333-73-33-04010

The E/2 NW NW LESS N208.71 E208.71 W/2 E/2 NW NW & LESS N50 E/2 E/2 NW NW & LESS S 158.71 E 208.71 N208.71 E/2 E/2 NW NW & LESS E100 S131.29 N340 E/2 E/2 NW NW & LESS E200 S375 N715 E/2 E/2 NW NW & LESS BEG 121.46E & 208.71S NWC W/2 E/2 NW NW THENCE E 208.71 S313.07 W208.71 N313.07 TO POB ALL IN SECTION 33, T-17-N R-13-E, TULSA COUNTY, OKLAHOMA AND CONTAINING 14.34 ACRES MORE OR LESS.



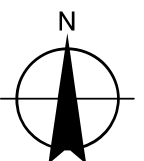
Subject
Tract

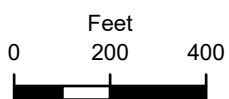
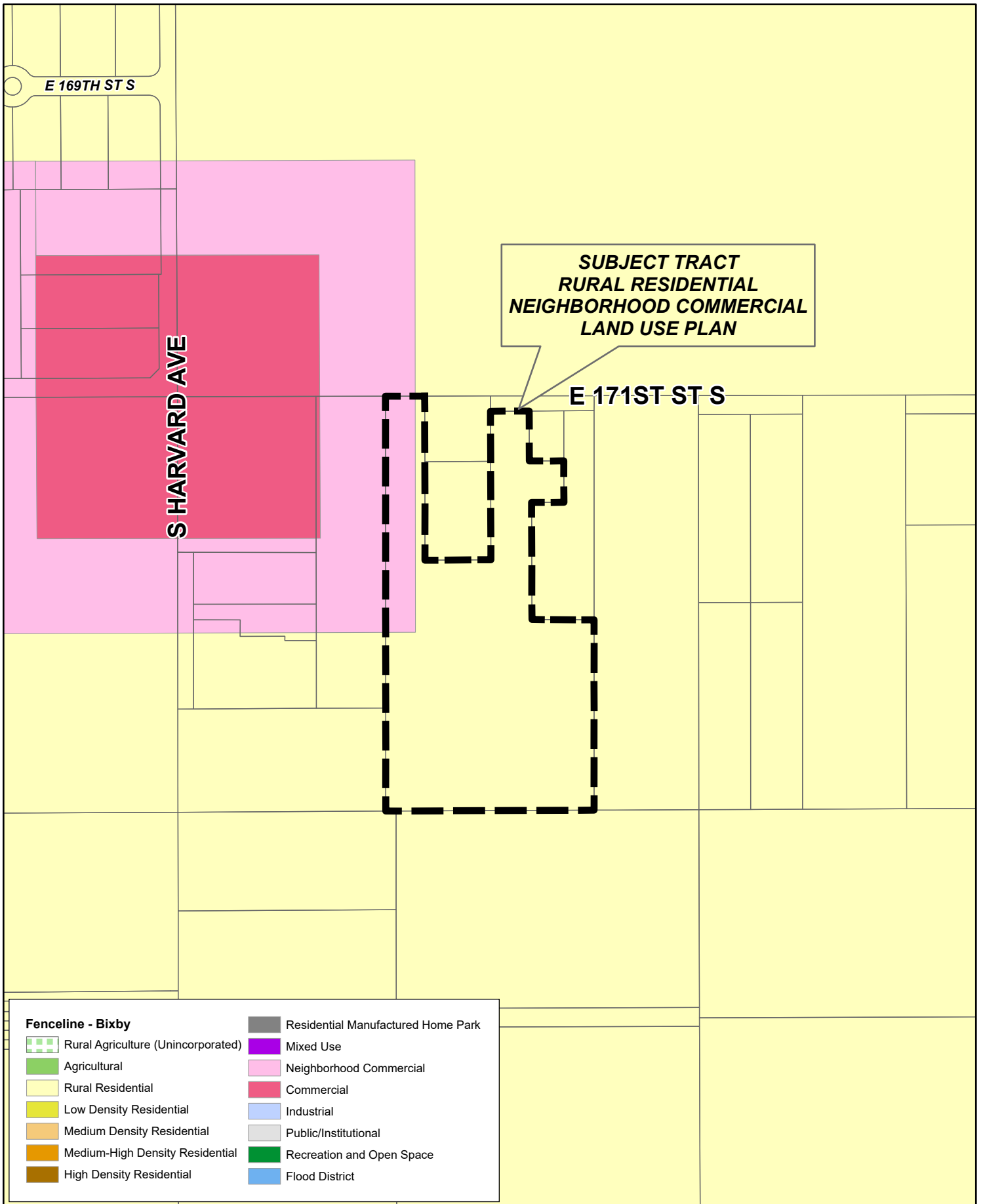
CBOA-3303

33 17-13

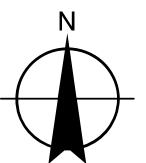
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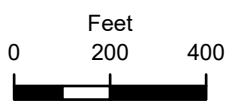
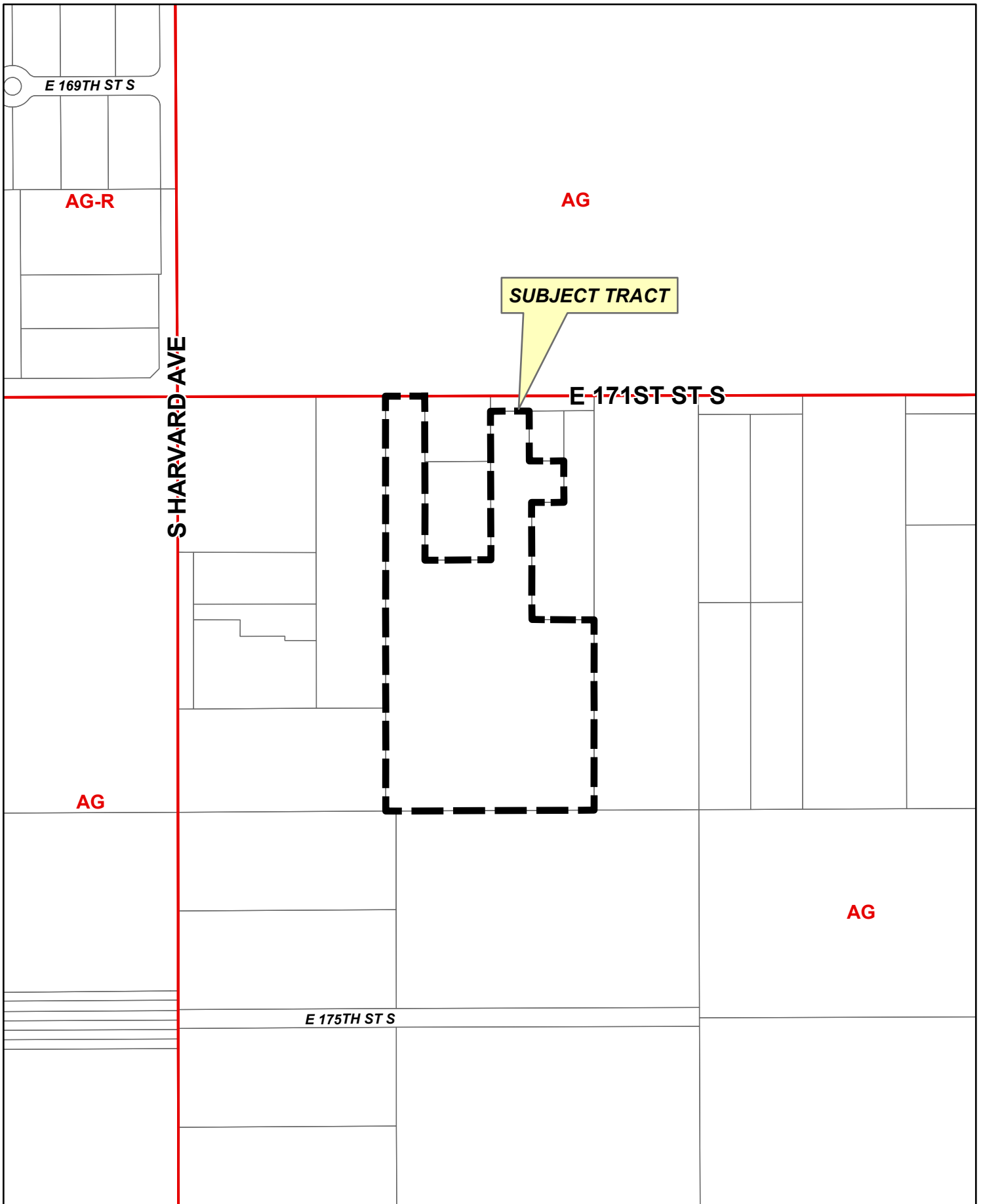
Aerial Photo Date: 2024



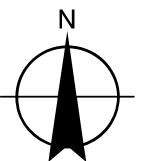


CBOA-3303





CBOA-3303





Case Number: CBOA-3304

Hearing Date: 10/21/2025 1:30 PM

Case Report Prepared by:

Javier Rojas

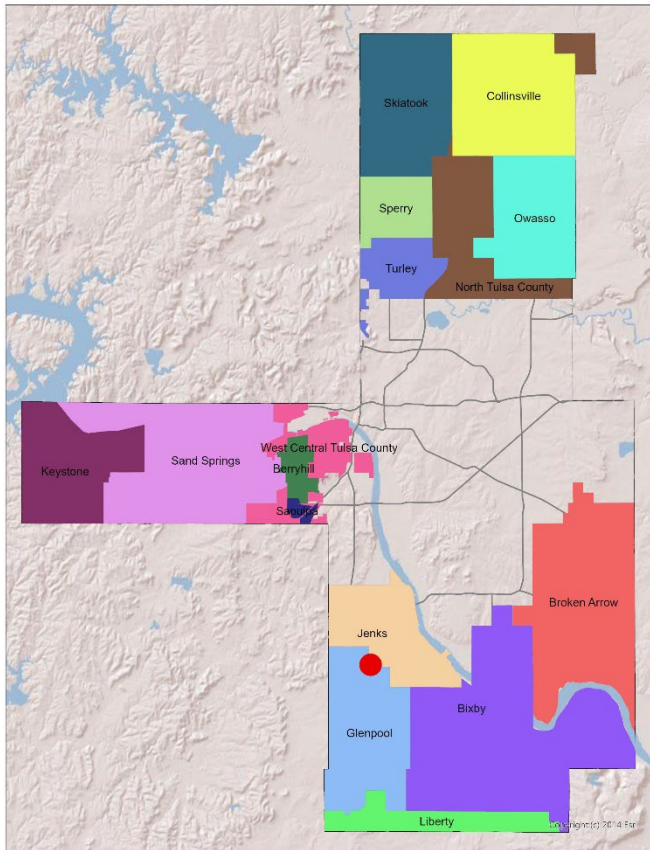
Owner and Applicant Information:

Applicant: Htoi Sumlut

Property Owner: Myanmar Bethel Church

Action Requested: Special exception to permit Religious Assembly in an AG District (Sec. 6.010, Table 6-1).

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 4.62 Acres

Legal Description: N/2 SW SW SW LESS W50 THEREOF FOR RD SEC 1 17 12 4.621ACS

Present Zoning: AG (Agricultural)

Fenceline/Area: Glenpool

Land Use Designation: Medium Intensity Single-Family

TULSA COUNTY BOARD OF ADJUSTMENT CASE REPORT

TRS: 7201

CASE NUMBER: **CBOA-3304**

CASE REPORT PREPARED BY: Javier Rojas

HEARING DATE: 10/21/2025 1:30 PM

APPLICANT: Htoi Sumlut

ACTION REQUESTED: Special exception to permit Religious Assembly in an AG District (Sec. 6.010, Table 6-1).

LOCATION: 12975 S Elwood Ave

ZONED: AG (Agricultural)

FENCELINE: Glenpool

PRESENT USE: Vacant

TRACT SIZE: 4.62 acres

LEGAL DESCRIPTION: N/2 SW SW SW LESS W50 THEREOF FOR RD SEC 1 17 12 4.621ACS

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA:

The subject tract is zoned AG and is currently undeveloped. The immediately surrounding properties consist of AG zoning characterized by single-dwelling residential properties, undeveloped land, and a church, as well as a CS (Commercial Shopping) property immediately to the west, across the street from the subject tract. The south end of the block containing the subject tract neighbors a small CS (Commercial Shopping) area and extensive RS-3 (Residential Single-Dwelling-3) and a small RM-1 (Residential Multi-Dwelling-1) zoning, characterized by single-dwelling residences. Across the street west of the subject property (S Elwood Ave), lies the City of Glenpool, and the aforementioned S Elwood Ave and E 131st S are part of the City of Jenks, which surrounds the northeastern quadrant of the subject property at a radius of approximately ¼ mile.

STAFF COMMENTS:

The applicant is before the Board to request a Special exception to permit Religious Assembly in an AG District (Sec. 6.010, Table 6-1).

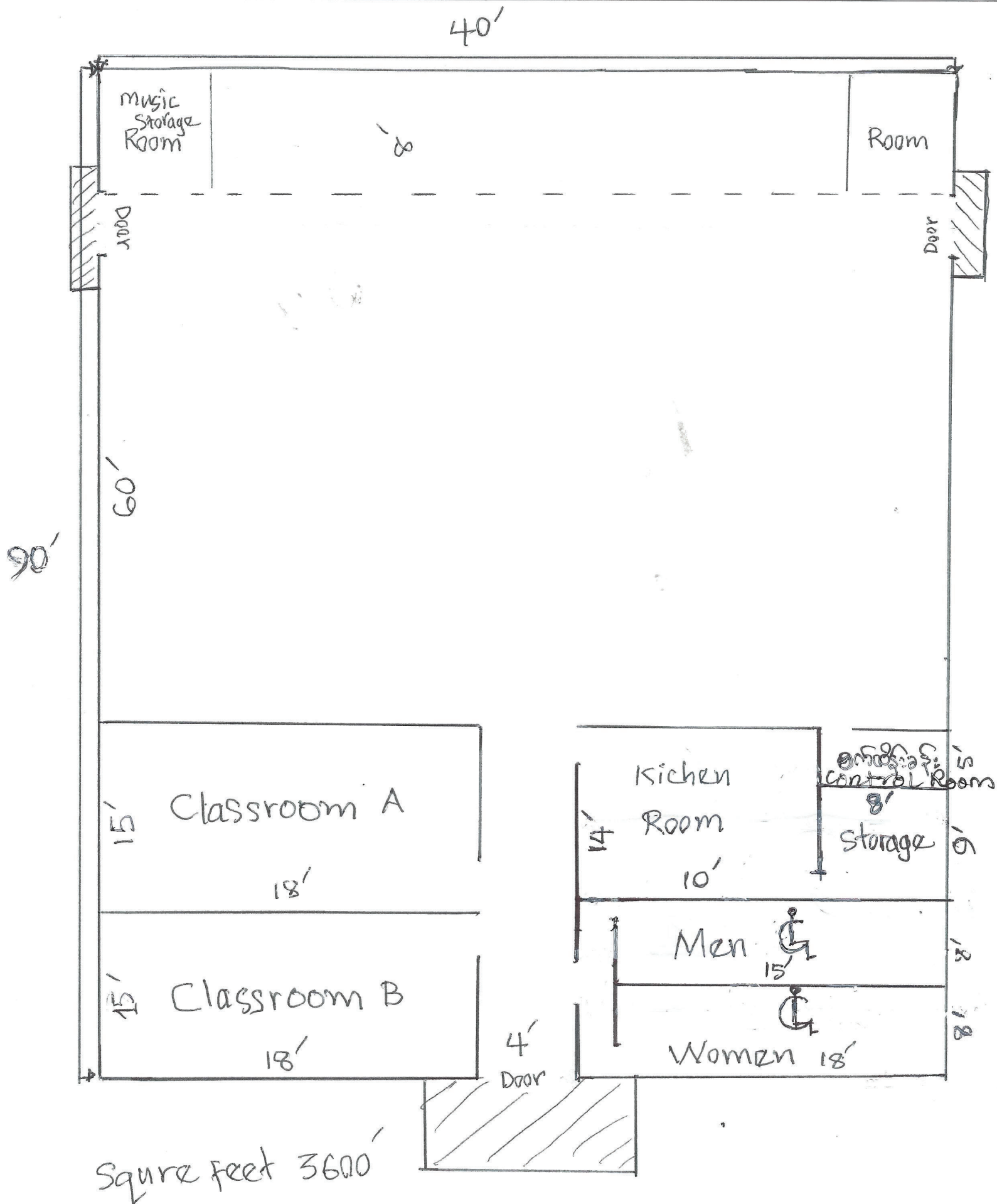
In an AG district, Religious Assembly is permitted with Special Exception by the Board of Adjustment. Religious Assembly is defined in the Tulsa County Zoning Code as "Religious services involving public assembly that customarily occur in churches, synagogues, temples, mosques and other facilities used for religious worship." The applicant has specified the intent to build a small church building in the subject tract.

Sample Motion:

“Move to _____ (approve/deny) Special exception to permit Religious Assembly in an AG District (Sec. 6.010, Table 6-1).

Subject to the following conditions, if any: _____.

In approving a special exception, the board of adjustment is authorized to impose such conditions and restrictions as the board of adjustment determines to be necessary to ensure compliance with the standards of §14.080-G, to reduce or minimize the effect of the special exception upon other properties in the area, and to better carry out the general purpose and intent of these zoning regulations such that the special exception will be in harmony with the spirit and intent of these zoning regulations, and that the special exception will not be injurious to property in the vicinity of the subject property or otherwise detrimental to the public welfare.

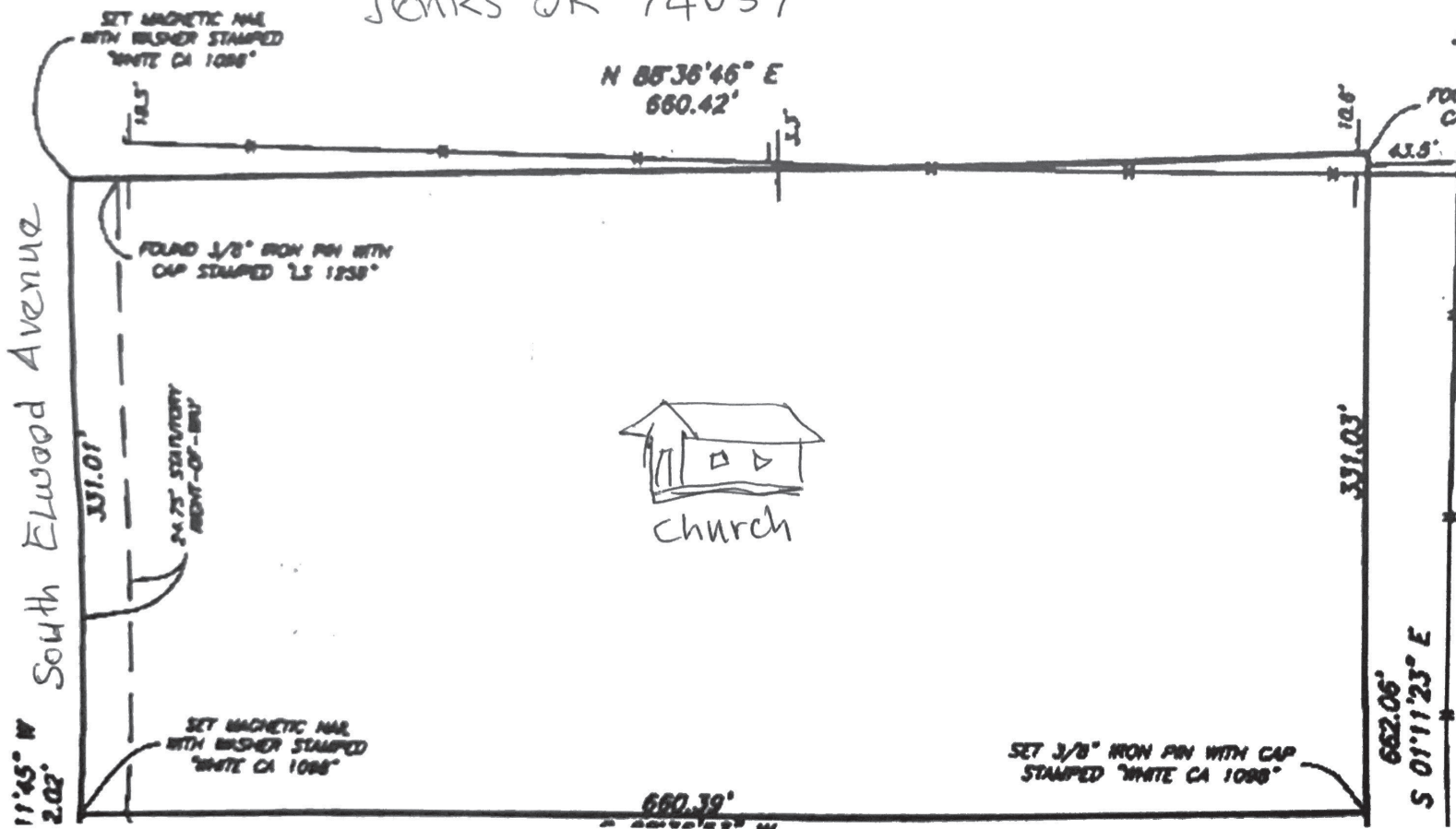


Myanmar Bethel church site plan

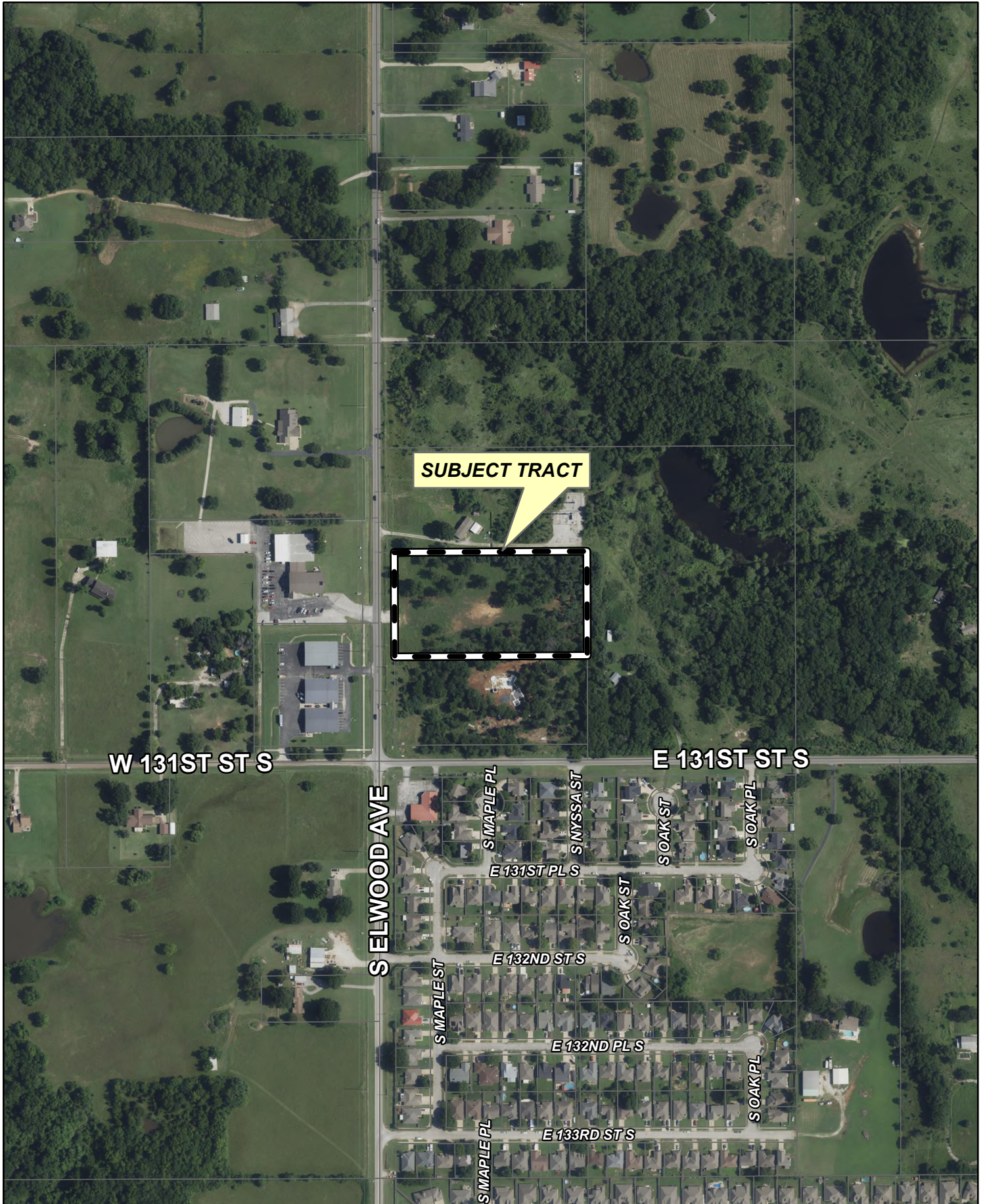
Myanmar Bethel Church

12975 S Elwood Ave

Jenks OK 74037







SUBJECT TRACT

W 131ST ST S

E 131ST ST S

SELWOOD AVE

S MAPLE PL

SNYSSA ST

S OAK ST

S OAK PL

E 131ST PL S

E 132ND ST S

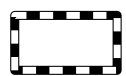
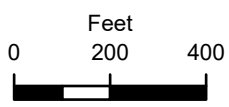
E 132ND PL S

E 133RD ST S

S MAPLE ST

S MAPLE PL

S OAK PL



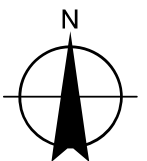
Subject Tract

CBOA-3304

01 17-12

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

Aerial Photo Date: 2024



Legend

Jenks Future Land Use

- Low Intensity Single-Family
- Medium Intensity Single-Family
- High Intensity Single-Family
- Multi-Family Residential
- Business Park
- Regional Commercial
- Local Commercial
- Downtown*
- Light Industrial*
- Heavy Industrial*
- Parks and Open Space
- Public and Semi-Public*
- Utility*

**SUBJECT TRACT
MEDIUM INTENSITY SINGLE FAMILY
LAND USE PLAN**

W 131ST ST S

E 131ST ST S

SELWOOD AVE

S MAPLE PL

S NYSSA ST

S OAK ST

S OAK PL

E 131ST PL S

E 132ND ST S

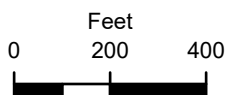
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E 133RD ST S

S MAPLE ST

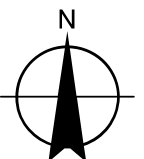
S MAPLE PL

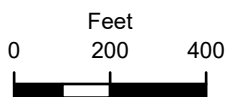
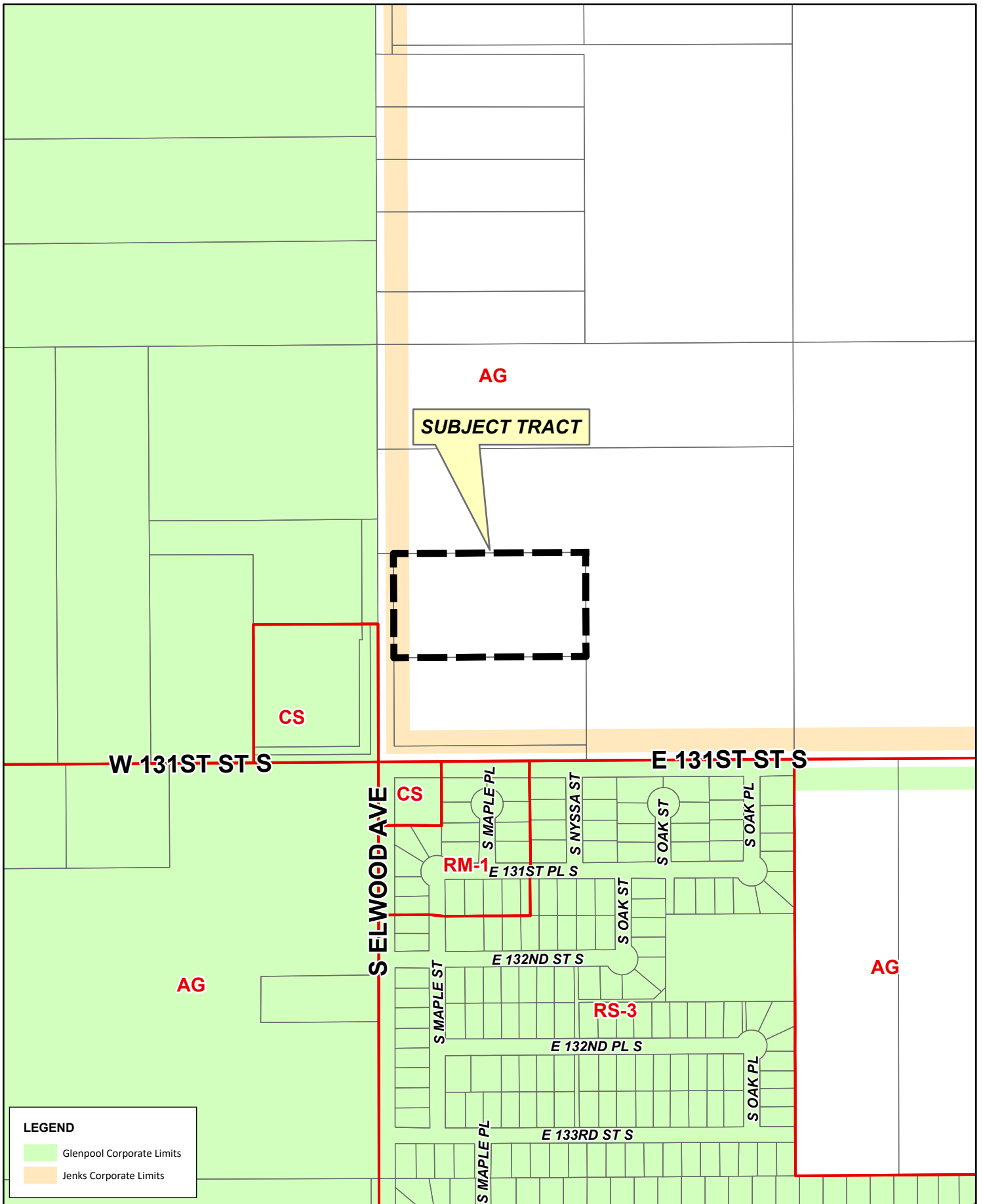
S OAK PL



CBOA-3304

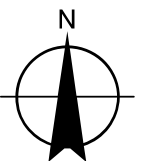
01 17-12





CBOA-3304

01 17-12





Case Number: CBOA-3305

Hearing Date: 10/21/2025 1:30 PM

Case Report Prepared by:

Kendal Davis

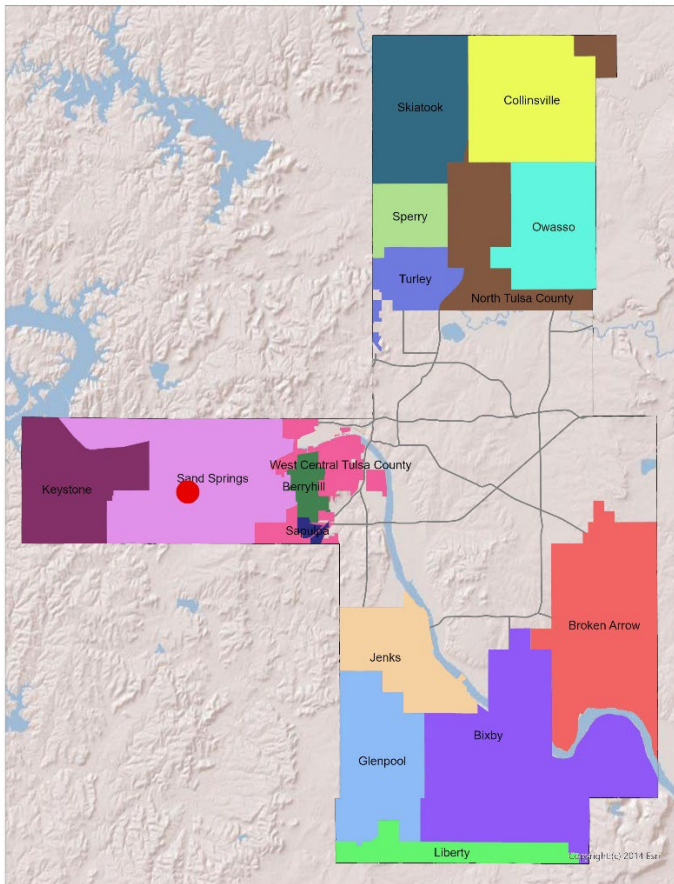
Owner and Applicant Information:

Applicant: Abbey Homes LLC

Property Owner: Billy Hammer

Action Requested: Special exception to permit temporary dwelling in RV in an AG district (Sec. 8.160)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 30 Acres

Legal Description: PRT NE SE & SE NE
BEG 1974.52N SECR SE TH N987.26
W1317.61 S987.32 E1315.67 POB SEC
20 19 11 30.00ACS

Present Zoning: AG (Agricultural)

Fenceline/Area: Sand Springs

Land Use Designation: Residential

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS:

CASE NUMBER: CBOA-3305

CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: 10/21/2025 1:30 PM

APPLICANT: Abbey Homes LLC

ACTION REQUESTED: Special exception to permit temporary dwelling in RV in an AG district (Sec. 8.160)

LOCATION: 3782 S. 137th W. Ave. Sand Springs, OK, 74063

ZONED: AG (Agricultural)

FENCELINE: Sand Springs

PRESENT USE: Residential

TRACT SIZE:

LEGAL DESCRIPTION: PRT NE SE & SE NE BEG 1974.52N SECR SE TH N987.26 W1317.61 S987.32 E1315.67 POB SEC 20 19 11 30.00ACS

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA:

The subject tract is zoned AG and contains a residence. The tract is surrounded by AG zoning. The abutting properties are vacant land and single-family residences.

STAFF COMMENTS:

The applicant is appearing before the Board to request a Special Exception to allow temporary dwelling in RV in an AG district (Sec. 8.160), a recreational vehicle is not an allowed residential building type permitted by in the AG district. As such, the proposed use, temporary dwelling in RV in an AG district (Sec. 8.160) requires a Special Exception. While this use is not typically permitted in the AG districts due to potential adverse impacts. A Special Exception may be granted if the proposed use is determined to be compatible with the surrounding area and not injurious to the public welfare. The applicant has clarified that the request is not for permanent placement of the recreational vehicle, but rather for temporary and essential use to support their household during a particularly challenging period. In approving a Special Exception, the board of adjustment is authorized to impose such conditions and restrictions as the board determines to be necessary to ensure compliance with the standards of §14.100-H, to reduce or minimize the effect of the variance upon other properties in the area, and to better carry out the general purpose and intent of these zoning regulations.

Sample Motion:

"Move to _____ (approve/deny) a Special a Special Exception to allow temporary dwelling in RV in an AG district (Sec. 8.160)

Subject to the following conditions, if any: _____.

In approving a special exception, the board of adjustment is authorized to impose such conditions and restrictions as the board of adjustment determines to be necessary to ensure compliance with the standards of §14.080-G, to reduce or minimize the effect of the special exception upon other properties in the area, and to better carry out the general purpose and intent of these zoning regulations. That the special exception will be in harmony with the spirit and intent of these zoning regulations; and the special exception will not be injurious to property in the vicinity of the subject property or otherwise detrimental to the public welfare..



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

09/09/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER GDK Insurance Agency, Inc. 3908 East 31st Street Tulsa OK 74135		CONTACT NAME: ALLISON A. PHONE (A/C, No, Ext): (918) 742-5861 E-MAIL ADDRESS: GDKINSURANCE@GMAIL.COM FAX (A/C, No): (918) 749-0320	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Nautilus Insurance co	
		INSURER B: Compsource Mutual	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY			NN1813661	02/27/2025	02/27/2026	EACH OCCURRENCE \$ 1,000,000.00
	☐ CLAIMS-MADE ☒ OCCUR						DAMAGE TO RENTED PREMISES (Fa occurrence) \$ 100,000.00
							MED EXP (Any one person) \$ 5,000.00
							PERSONAL & ADV INJURY \$ 1,000,000.00
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000.00
	☒ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COMP/OP AGG \$ 2,000,000.00
	OTHER:						\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Fa accident) \$
	☐ ANY AUTO						BODILY INJURY (Per person) \$
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	☐ EXCESS LIAB ☐ OCCUR						AGGREGATE \$
	☐ DED ☐ RETENTION \$						\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			03589881 24 1	12/11/2024	12/11/2025	☒ PER STATUTE ☐ OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N ☐	N/A				E.L. EACH ACCIDENT \$ 100,000.00
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 100,000.00
							E.L. DISEASE - POLICY LIMIT \$ 500,000.00

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**ABBEY HOMES, LLC
6120 S. MEMORIAL DR
TULSA, OK 74133

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

<DA>

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LEGAL DESCRIPTION #1
The North Half of the Northeast Quarter of the Southeast Quarter (N/2, NE/4, SE/4), AND the South Half of the South Half of the Southeast Quarter of the Northeast Quarter (S/2, S/2, SE/4, NE/4), Section 20, Township 19 North, Range 11 East, Tulsa County, State of Oklahoma, described as follows:
Commencing at the Southeast corner of said Section 20; thence N00°56'18"W along the East line of Section 20 a distance of 1974.52 feet to the Point of Beginning being the Southeast corner of the N/2, NE/4, SE/4; thence continuing N00°56'18"W along said East line a distance of 987.26 feet; thence S89°13'12"W a distance of 1317.61 feet; thence S01°03'02"E a distance of 987.32 feet; thence N89°00'28"E a distance of 1315.67 feet to the Point of Beginning containing 29.84 acres of land, more or less.

AND
The South Half of the South Half of the North Half of the Northwest Quarter of the Southwest Quarter (S/2, S/2, N/2, NW/4, SW/4), TOGETHER with a part of the Northeast Quarter (NE/4) of the Southwest Quarter (SW/4) of Section 21, Township 19 North, Range 11 East, Tulsa County, State of Oklahoma, described as follows:
Commencing at the Southwest corner of said Section 21; thence N00°56'18"W along the West line of Section 21 a distance of 1974.52 feet to the Point of Beginning being the Southwest corner of said S/2, S/2, N/2, NW/4, SW/4; thence N88°48'10"E a distance of 1334.08 feet; thence S01°02'48"E a distance of 262.92 feet; thence N78°00'33"E a distance of 45.82 feet; thence N01°02'48"W a distance of 418.82 feet; thence S88°48'13"W a distance of 45.0 feet; thence continuing S88°48'13"W a distance of 1333.77 feet; thence S00°56'18"E a distance of 164.54 feet to the Point of Beginning, containing 5.47 acres of land more or less.

LEGAL DESCRIPTION #2

A tract of land lying within the Northeast Quarter (NE/4) of the Southwest Quarter (SW/4) of Section Twenty-one (21), Township Nineteen (19) North, Range Eleven (11) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, described as follows:

COMMENCING at the Northwest corner of the SW/4 of said NE/4, SW/4; Thence S 01°02'48" E along the West line of said SW/4 a distance of 262.92 feet Thence N 78°00'33" E along the center of an existing gravel road a distance of 45.82 feet to the Point of Beginning; Thence continuing N 78°00'33" E along the center of an existing gravel road a distance of 312.01 feet to a point of curvature; thence around a curve to the right having a radius of 200 feet for a distance of 66.97 feet to a point of tangency; Thence S 82°42'22" E continuing along the center of said gravel road a distance of 143.43 feet to the West right-of-way of South 137th West Avenue; Thence N 13°06'01" E along said right-of-way a distance of 20.08 feet; Thence N 72°14'57" E along said right-of-way a distance of 59.12 feet; Thence N 82°42'22" W a distance of 190.17 feet; Thence N 39°21'27" W a distance of 250.68 feet; S 88°48'10" W a distance of 38.15 feet; Thence N 39°21'27" W a distance of 69.18 feet; Thence N 46°39'39" W a distance of 92.60 feet; Thence S 88°48'13" W a distance of 45.74 feet; Thence S 01°02'48" E a distance of 418.82 feet to the Point of Beginning, containing 2.55 acres of land more or less.

LEGAL DESCRIPTION #3
30' EASEMENT

A Thirty (30) foot wide easement lying within the Northeast Quarter (NE/4) of the Southwest Quarter (SW/4) of Section Twenty-one (21), Township Nineteen (19) North, Range Eleven (11) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, described as follows:

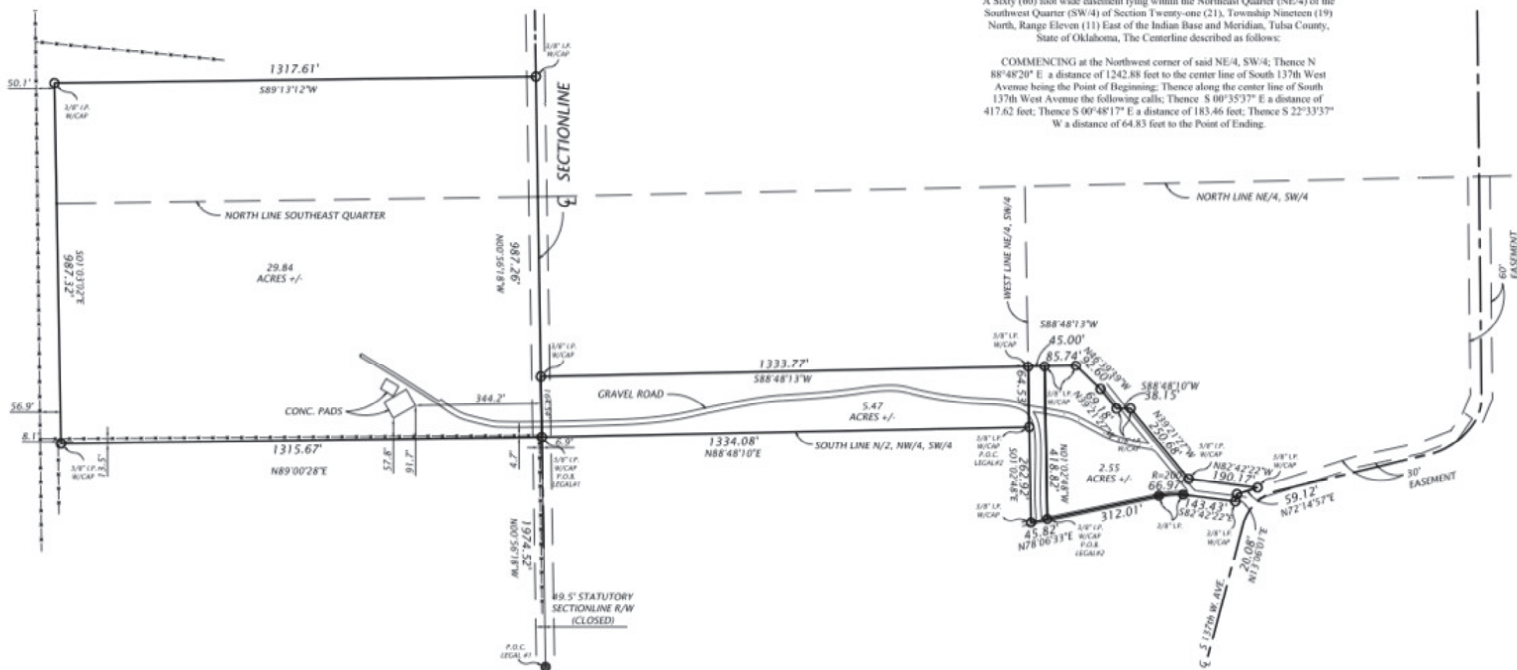
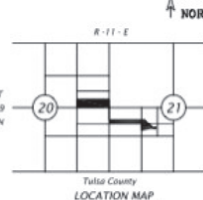
COMMENCING at the Northwest corner of said NE/4, SW/4; Thence S 01°02'48" E along the West line of said SW/4 a distance of 379.80 feet; Thence N 88°48'00" E a distance of 589.82 feet to the center line of South 137th West Avenue being the Point of Beginning; Thence along the center line of South 137th West Avenue the following calls; Thence N 72°14'57" E a distance of 319.33 feet; Thence N 77°55'33" E a distance of 177.55 feet; Thence N 68°53'07" E a distance of 108.78 feet; Thence N 34°27'17" E a distance of 70.11 feet; Thence N 55°32'43" W leaving said center line a distance of 30 feet; Thence S 34°27'17" W a distance of 60.81 feet; Thence S 68°53'07" W a distance of 97.11 feet; Thence S 77°55'33" W a distance of 176.67 feet; Thence S 72°14'57" W a distance of 337.84 feet; Thence S 13°06'01" W a distance of 20.08 feet; Thence S 82°42'22" E a distance of 30.15 feet to the Point of Beginning, containing 0.47 acres of land more or less.

LEGAL DESCRIPTION #4
60' EASEMENT

A Sixty (60) foot wide easement lying within the Northeast Quarter (NE/4) of the Southwest Quarter (SW/4) of Section Twenty-one (21), Township Nineteen (19) North, Range Eleven (11) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, The Centerline described as follows:

COMMENCING at the Northwest corner of said NE/4, SW/4; Thence N 88°48'20" E a distance of 1242.88 feet to the center line of South 137th West Avenue being the Point of Beginning; Thence along the center line of South 137th West Avenue the following calls; Thence S 00°35'37" E a distance of 417.62 feet; Thence S 00°48'17" E a distance of 183.46 feet; Thence S 22°33'37" W a distance of 64.83 feet to the Point of Ending.

SCALE 1"=200'



THIS PLAT IS MADE FOR AND AT THE REQUEST OF:

Sheryl McCoubrie

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.

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K.S. COLLINS
OKLAHOMA REGISTERED LAND SURVEYOR NO. 1250

Xref C:\DWG\Blocks\BORDERS\SEAL.dwg

CERTIFICATE

I K.S. COLLINS, REGISTERED LAND SURVEYOR #1250 IN AND FOR THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT THE ABOVE PLAT AND LEGAL DESCRIPTION REPRESENTS A BOUNDARY SURVEY PERFORMED UNDER MY DIRECT SUPERVISION. THE ABOVE PLAT MAY BE SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAY OF RECORD. NO RESEARCH OF ABSTRACT OR RECORD OFFICES HAS BEEN CONDUCTED.

LEGEND

- = 1/4" IRON PIN
- = 1/2" IRON PIN
- IP = 1/4" IRON PIN
- X— = CHISELED X IN CONC.
- = FENCE
- P.M. = FIELD MEASUREMENT

COLLINS LAND SURVEYING, INC.

113 West Devere Suite 106

REDFORT, OK 74108

OFFICE (918)566-0181 FAX (918)566-09

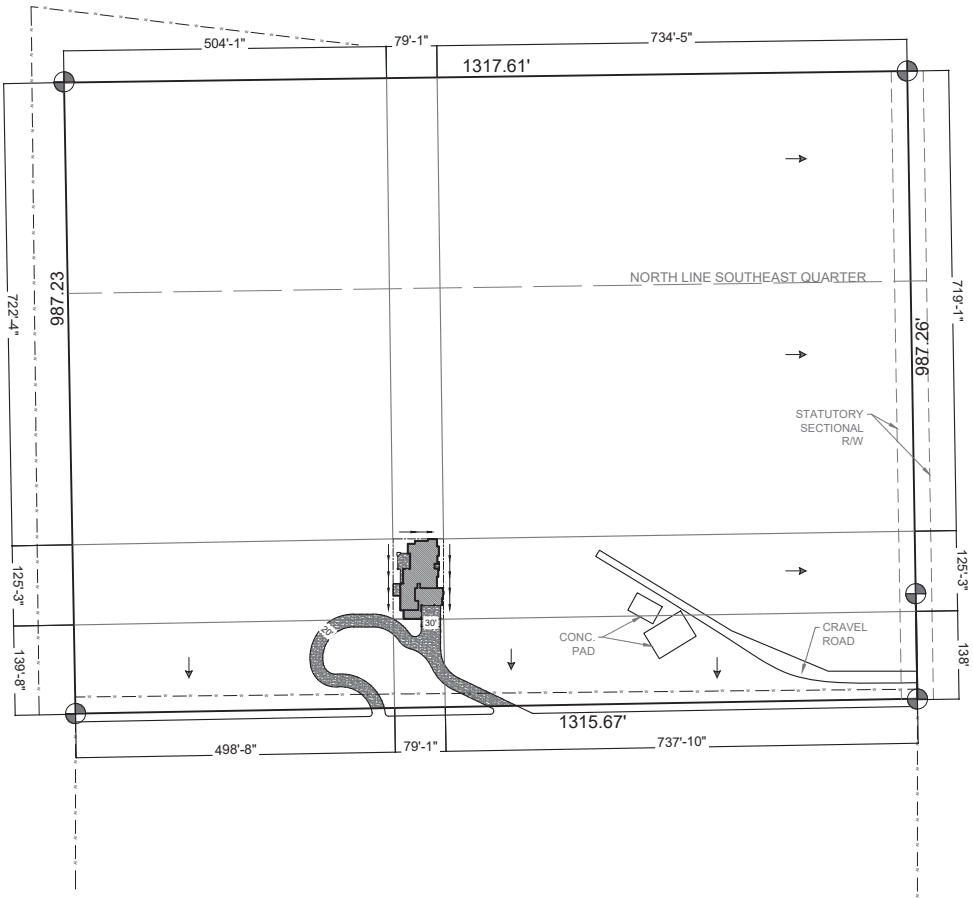
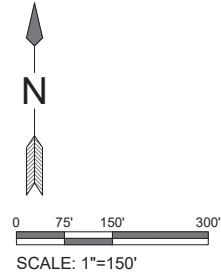
CAD0016 EXPUNED 06/30/2003

BOUNDARY SURVEY

J.O. NO. 02-07-000 DATE 7/8/02

LEGEND	
SILT FENCE	---
TIGHT-LINE GUTTERING	→
DRAINAGE	→
CONCRETE	▨
WATER LINE	- - -

- NOTES:
- DIMENSIONS ARE PERPENDICULAR TO PROPERTY LINES, UNLESS OTHERWISE NOTED.
 - THIS PLOT DEPICTS FUTURE CONSTRUCTION OF IMPROVEMENTS SHOWN.
 - THIS IS NOT A BOUNDARY SURVEY, IT IS NOT INTENDED FOR TRANSFER OF TITLE.
 - ALL DIMENSIONS MEASURED TO EXTERIOR FRAMED WALLS, UNLESS OTHERWISE NOTED.
 - THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION OF THE BUILDING AND BUILDING DIMENSIONS SHOWN HERE MUST BE VERIFIED BEFORE PROCEEDING WITH CONSTRUCTION.
 - IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT THE BUILDING DOES NOT ENCROACH UPON ANY BUILDING SETBACKS AND/OR EASEMENTS.



DRAFTER
RI
DATE
8/1/25
ADDRESS

S137TH W.AVE,
EAST OF THE INDIAN BASE
AND MERIDIAN ,TULSA
COUNTY ,OK

SITE PLAN

ART DESIGNS ASSUMES NO LIABILITY FOR ANY HOME CONTRACTED FROM THE PLAN. RELEASE OF THESE PLANS, IN WHOLE OR IN PART, TO ANY OTHER PARTY, WITHOUT THE WRITTEN CONSENT OF ART DESIGNS, IS PROHIBITED. ART DESIGNS ASSUMES NO LIABILITY FOR ANY HOME CONTRACTED FROM THE PLAN. RELEASE OF THESE PLANS, IN WHOLE OR IN PART, TO ANY OTHER PARTY, WITHOUT THE WRITTEN CONSENT OF ART DESIGNS, IS PROHIBITED.

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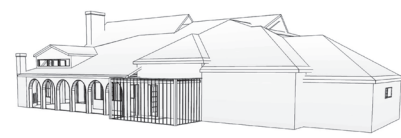
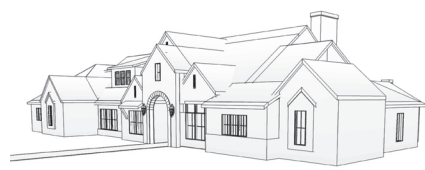
EXTERIOR CLADDING
BRICK - 1,122 SQ FT
STUCCO - 1,122 SQ FT
Siding - 128 SQ FT
STONE - 1,228 SQ FT

FLOORING
WOOD - 346 SQ FT
WOOD - 1,397 SQ FT
CARPET - 972 SQ FT

CONCRETE
FOOTING - 421' 0" LINEAR FT
SLAB - 4,421 SQ FT
GARAGE - 1,582 SQ FT
FLATWORK - 1,811 SQ FT



HAMMER



* 3D RENDERS MAY NOT REFLECT FINAL PLAN

TOTAL SQUARE FOOTAGE	
4,386 SQ FT	TOTAL LIVING
4,488 SQ FT	TOTAL LIVING (FRAME)
1,582 SQ FT	TOTAL GARAGE
1,582 SQ FT	TOTAL GARAGE (FRAME)
1,582 SQ FT	TOTAL COVERED BACK PORCH
1,582 SQ FT	TOTAL COVERED BACK PORCH (FRAME)
1,582 SQ FT	TOTAL TURF FENCE YARD



TRUE NORTH

HAMMER

JB/RJ

August 13, 2025

BUILDING ADDRESS

5137TH W.AVE.
EAST OF THE INDIAN BASE
AND MERIDIAN, TULSA
COUNTY, OK

SQUARE FOOTAGE

TOTAL LIVING:
4,386 SQ FT
(FRAME)

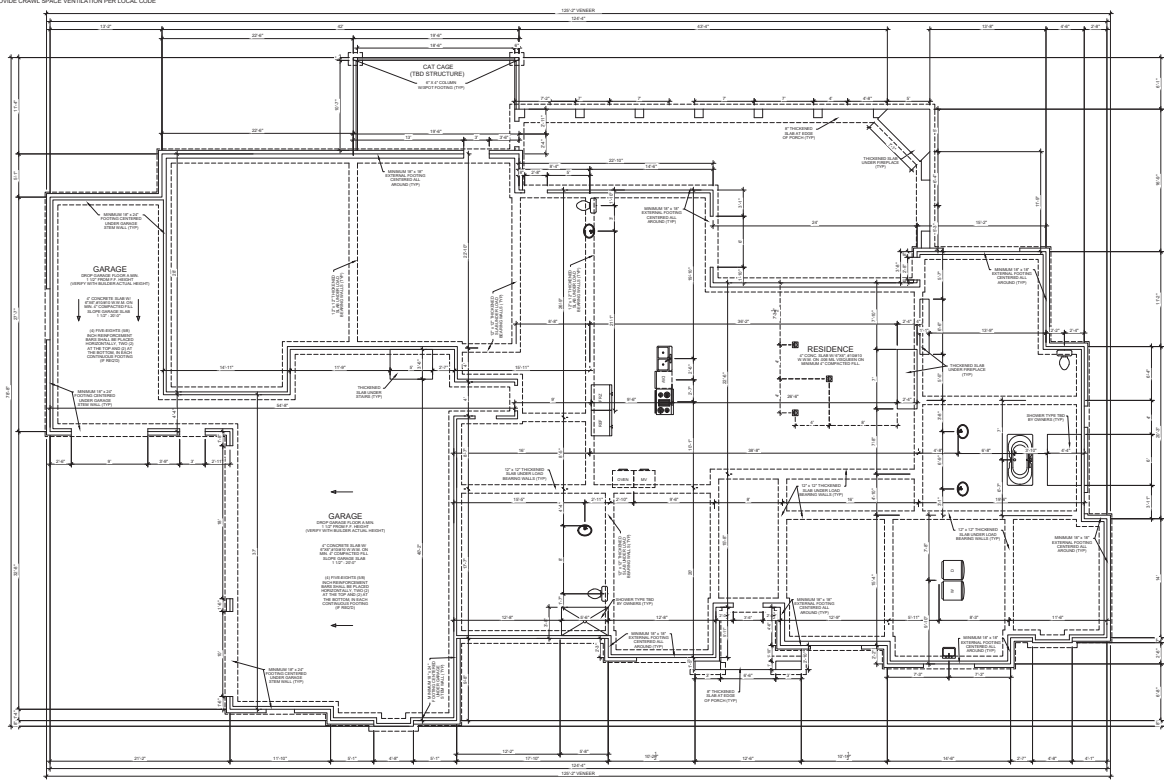
4,386 SQ FT
4,488 SQ FT
1,582 SQ FT
1,582 SQ FT
1,582 SQ FT
1,582 SQ FT

FIRST FLOOR VENEER:
FLOOR VENEER
GARAGE VENEER
COVERED BACK PORCH
COVERED BACK PORCH
TURF FENCE YARD

COV

FOUNDATION PLAN TO BE REVIEWED AND APPROVED BY STRUCTURAL ENGINEER

- ALL FOOTINGS SHALL REST ON VIRGIN UNDISTURBED SOIL.
- ASFORED SOIL SHALL BE SAVED OR GRAVELLED, WITH MINIMUM GRADE OF 30% CLAY WITH A MINIMUM OF 10% SAND. ALL EXPOSED SOIL SHALL BE GRAVELLED TO 18" DEPTH.
- UNLESS OTHERWISE NOTED, ALL 4" SLABS ON GRADE SHALL BE 3000 PSI, 18" DEPTH AND 12" WIDE. ALL 6" SLABS ON GRADE SHALL BE 3000 PSI, 24" DEPTH AND 18" WIDE ON .005 MILE VERTICAL.
- PROVIDE 12" EXPANSION JOINT MATERIAL BETWEEN ALL CONCRETE SLABS ON SETTLING OR COMPRESSIVE WALLS OCCURRING AT EACH OVERHEAD OR HORIZONTAL INTERIOR AREA.
- PROVIDE 12" EXPANSION JOINTS AT 12' MAXIMUM SPACING ON ALL VERTICAL EXTERIOR (WHERE OCCURRING) OR AT 4' 0" ON 4' AND EACH CORNER AND BOTH SIDES OF OPENINGS.
- FOOTING SLABS SHOWN ARE ONLY TYPICAL FOR SITED SOILS, PRESSURES AND CONDITIONS. CONTRACTOR SHALL VERIFY ALL SOILS, PRESSURES AND CONDITIONS.
- CONTRACTOR TO VERIFY FOOTING DEPTHS WITH LOCAL FIRST REQUIREMENTS OR EXISTING SOIL CONDITIONS, WHICHEVER IS MORE RESTRICTIVE.
- PROVIDE EROSION PROTECTION AND SLOPE PROTECTION FOR ALL EXPOSED AREAS.
- PROVIDE DEEPER SCORE JOINTS, JOINTS AND BOND-UPS OF ALL GARAGES, BOTH EXTERIOR AND INTERIOR.
- MASONRY VENEER MUST BE ANCHORED TO BACK-UP CONSTRUCTION WITH GALVANIZED STEEL ANCHORS, 1/2" DIA. MINIMUM, 12" LONG, 6" ON CENTER.
- INSTALL CONTROLS APPROVED FRAISING AND COTTON CORD WEEPS AT 4' 0" ON CENTER.
- CHAIR, SLAB FOUNDATIONS: PROVIDE CHAIR, SLAB VENTILATION PER LOCAL CODE.

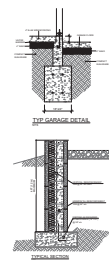


NOTE:

- NOTE:**
1. BUILDER TO VERIFY ALL SOIL CONDITIONS BEFORE CONSTRUCTING FOUNDATION. IF POOR CONDITIONS EXIST CONSULT A STRUCTURAL ENGINEER.
 2. BUILDER TO VERIFY FOUNDATION DETAILS W/ LOCAL BUILDING CODES
 3. VERIFY ALL FLOOR OUTLETS, RANGE & DRYER VENTS IN SLAB. ALL FOUNDATION DETAILS ARE TYPICAL DETAILS COMMONLY USED IN CONSTRUCTION IN THIS AREA. THEY ARE NOT ENGINEERED
 4. BUILDER SHOULD CONSULT WITH AN ENGINEER TO CONFIRM THESE TYPES OF DETAILS AND LAYOUT WILL BE ACCEPTABLE FOR THIS HOME AND THE LOCATION WHERE IT IS BEING CONSTRUCTED
 5. DESIGNER HAS NO LIABILITY FOR THESE DETAILS



FOUNDATION PLAN



HAMMER

IR/RI

August 13, 2025

BUILDING ADDRESS

S137TH W.AVE,
EAST OF THE INDIAN BASE
AND MERIDIAN ,TULSA
COUNTY, OK

SQUARE FOOTAGE

TOTAL LIVING:
4,386 SQ FT
(FRAME)

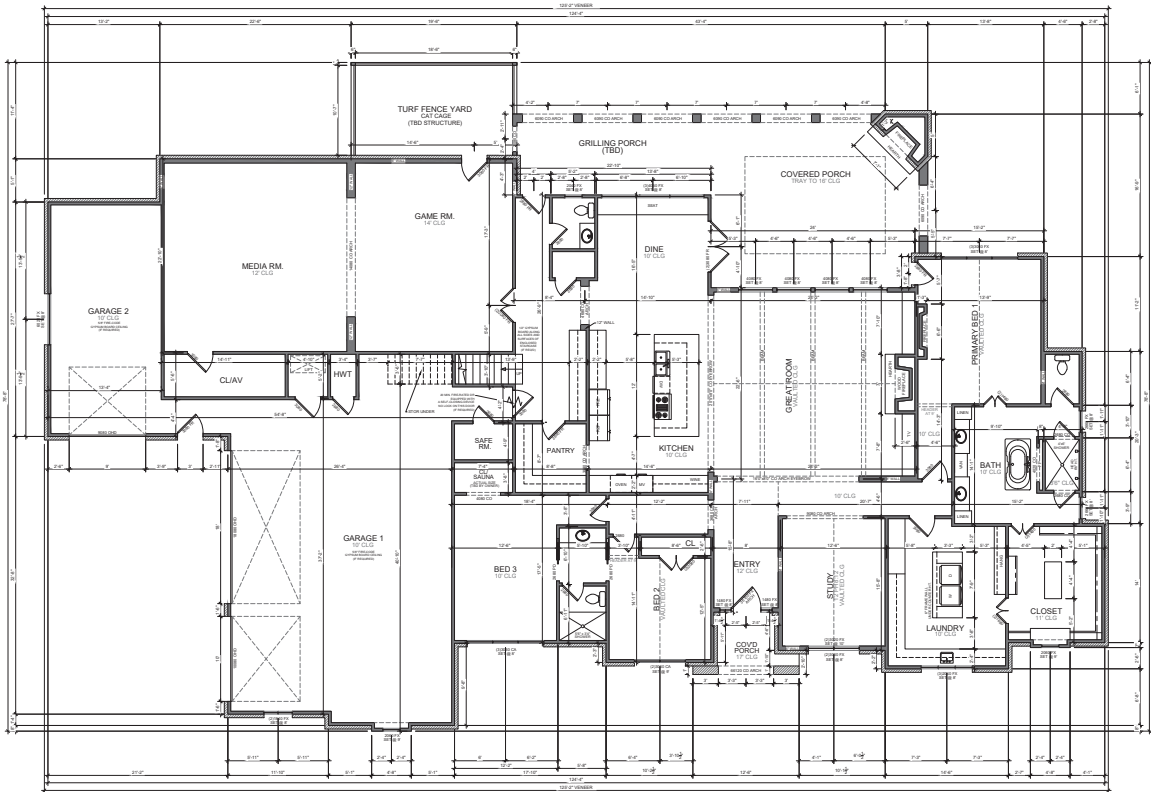
386 SQ FT
468 SQ FT
20 SQ FT
569 SQ FT
622 SQ FT
4 SQ FT
28 SQ FT
113 SQ FT

4,386 SQ FT
4,468 SQ FT
920 SQ FT
1,569 SQ FT
1,622 SQ FT
44 SQ FT
728 SQ FT
213 SQ FT

FIRST FLOOR FRAME:
FIRST FLOOR VENEER:
FUTURE 2ND FLOOR FRAME:
GARAGE FRAME:
GARAGE VENEER:
COVERED ENTRY PORCH:
COVERED BACK PORCH:
TURF FENCE YARD:

S101

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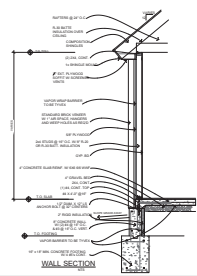


FLOOR PLAN NOTES:

1. ALL STRUCTURAL INFORMATION SHOWN FOR REFERENCE PURPOSES ONLY. CONTRACTOR TO HAVE LICENSED STRUCTURAL ENGINEER REVIEW AND DESIGN ALL STRUCTURAL ELEMENTS SUCH AS ALL FRAMING WALLS, BEAMS, CONNECTIONS, HEADERS, JOISTS AND RAFTERS.
2. WINDOW SIZES INDICATED ON PLANS ARE NOTED BY APPROXIMATE ROUGH OPENING SIZE. REFER TO PLANS AND EXTERIOR ELEVATIONS FOR WINDOW TYPES.
3. COORDINATE LOCATION OF UTILITY METERS WITH SITE PLAN AND LOCATE AWAY FROM PUBLIC VIEW. VISUAL IMPACT SHALL BE MINIMIZED, I.E. MOUNT AS LOW AS POSSIBLE.
4. PREFABRICATED FIREPLACE CONSTRUCTION SHALL MEET OR EXCEED ALL APPLICABLE CODES REGARDING USE OF FIRE SEPARATIONS, CLEARANCES, ETC. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT ALL ITEMS AND CONSTRUCTION MEET OR EXCEED CODE. OVERALL FLUE HEIGHT SHALL BE COORDINATED TO MATCH HEIGHT SHOWN ON PLANS AND SHALL NOT EXCEED THE TOP OF CHIMNEY CHASE AS CONSTRUCTED.
5. CONTRACTOR SHALL COORDINATE ALL CLOSET SHELVING REQUIREMENTS.
6. DO NOT SCALE DRAWINGS. FOLLOW PROVIDED DIMENSIONS.
7. CONTRACTOR SHALL FIELD VERIFY ALL CABINET DIMENSIONS BEFORE FABRICATION.
8. BEDROOM WINDOWS SHALL HAVE A MINIMUM NET CLEAR OPENING OF 3.5 SQ FT. A MINIMUM NET CLEAR OPERABLE WIDTH OF 30". A MINIMUM NET CLEAR OPERABLE HEIGHT OF 24" AND HAVE A MAXIMUM FINISH SILL HEIGHT OF 42" FROM FINISH FLOOR.
9. ALL GLASS LOCATED WITHIN 8' OF FLOOR, 12' OF A DOOR OR LOCATED WITHIN 6" OF FLOOR AT BATHTUBS, WHIRLPools, SHOWERS, SAUNAS, STEAM ROOMS OR HOT TUBS SHALL BE TEMPERED.
10. ALL SQUARE FOOTAGES ARE BELIEVED TO BE ACCURATE. IT IS UP TO THE BUILDER OR HOME OWNERS TO CONFIRM THIS PRIOR TO STARTING CONSTRUCTION.
11. IF ANY UNSEEN ISSUES ARISE DURING CONSTRUCTION ALL WORK SHOULD PAUSE AND CHD MUST BE NOTIFIED TO HELP COME UP WITH A SOLUTION TO FIX ANY ISSUES. IF BUILDERS ATTEMPT TO FIX ANYTHING WITHOUT CONSULTING CHD, ALL RESPONSIBILITIES ARE RELEASED FROM CHD.
12. IF ANY "ON THE FLY" CHANGES HAPPEN WITHOUT INFORMING CHD AND IT CAUSES ANY BUILD ISSUES THIS WILL NOT BE THE FAULT OF CHD.
13. CHECK ALL DIMENSION POINTS TO CONFIRM CENTER OR OUTSIDE OF WALLS, THEY MAY VARY AT POINTS.
14. IF CHANGES NEED TO BE MADE TO THE PLANS DURING CONSTRUCTION CHD MUST BE CONSULTED PRIOR TO THEM HAPPENING.
15. NO ALTERATIONS OF ROOF PITCH SHOULD BE MADE WITHOUT INFORMING CHD TO ENSURE THIS WILL NOT CAUSE ANY ISSUES WITH THE OVERALL BUILD.

FIRST FLOOR PLAN
14'4" X 10'

NO.	DESCRIPTION	QTY	UNIT
1	1/2" X 6" X 8' STUD	12	EA
2	1/2" X 6" X 8' STUD	12	EA
3	1/2" X 6" X 8' STUD	12	EA
4	1/2" X 6" X 8' STUD	12	EA
5	1/2" X 6" X 8' STUD	12	EA
6	1/2" X 6" X 8' STUD	12	EA
7	1/2" X 6" X 8' STUD	12	EA
8	1/2" X 6" X 8' STUD	12	EA
9	1/2" X 6" X 8' STUD	12	EA
10	1/2" X 6" X 8' STUD	12	EA
11	1/2" X 6" X 8' STUD	12	EA
12	1/2" X 6" X 8' STUD	12	EA
13	1/2" X 6" X 8' STUD	12	EA
14	1/2" X 6" X 8' STUD	12	EA
15	1/2" X 6" X 8' STUD	12	EA
16	1/2" X 6" X 8' STUD	12	EA
17	1/2" X 6" X 8' STUD	12	EA
18	1/2" X 6" X 8' STUD	12	EA
19	1/2" X 6" X 8' STUD	12	EA
20	1/2" X 6" X 8' STUD	12	EA





ART DESIGNS LLC
Architectural Resource Team

TRUE NORTH

HAMMER

JB/R/I

August 13, 2025

BUILDING ADDRESS

S137TH WAVE,
EAST OF THE INDIAN BASE
AND MERIDIAN, TULSA
COUNTY, OK

SQUARE FOOTAGE

TOTAL LIVING:
4,386 SQ FT
(FRAME)

4,386 SQ FT
4,488 SQ FT
1,569 SQ FT
1,522 SQ FT
728 SQ FT
213 SQ FT

FIRST FLOOR FRAME:
FIRST FLOOR VENEER:
GARAGE VENEER:
GARAGE FRAME:
COVERED BACK PORCH:
COVERED FRONT PORCH:
TURF FENCE YARD:

A101

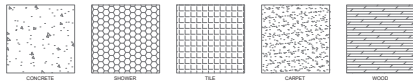
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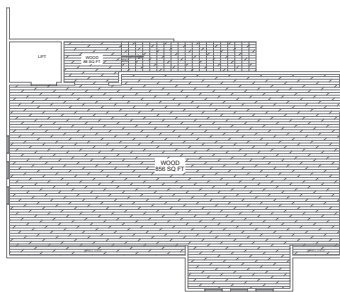
A102

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FLOORING PLAN - FIRST FLOOR



FLOORING PLAN - SECOND FLOOR

EXTERIOR FINISHES
BRICK - 1,000 SQ FT
STUCCO - 1,000 SQ FT
STONE - 1,000 SQ FT
WOOD - 1,000 SQ FT
TILE - 1,000 SQ FT
CARPET - 1,000 SQ FT
COUNTERTOPS - 1,000 SQ FT
CONCRETE - 1,000 SQ FT
FOOTING - 1,000 SQ FT
SLAB - 1,000 SQ FT
GARAGE - 1,000 SQ FT
PLATFORM - 1,000 SQ FT



TRUE NORTH

HAMMER

JB/R

August 13, 2025

BUILDING ADDRESS

S137TH WAVE,
EAST OF THE INDIAN BASE
AND MERIDIAN, TULSA
COUNTY, OK

SQUARE FOOTAGE

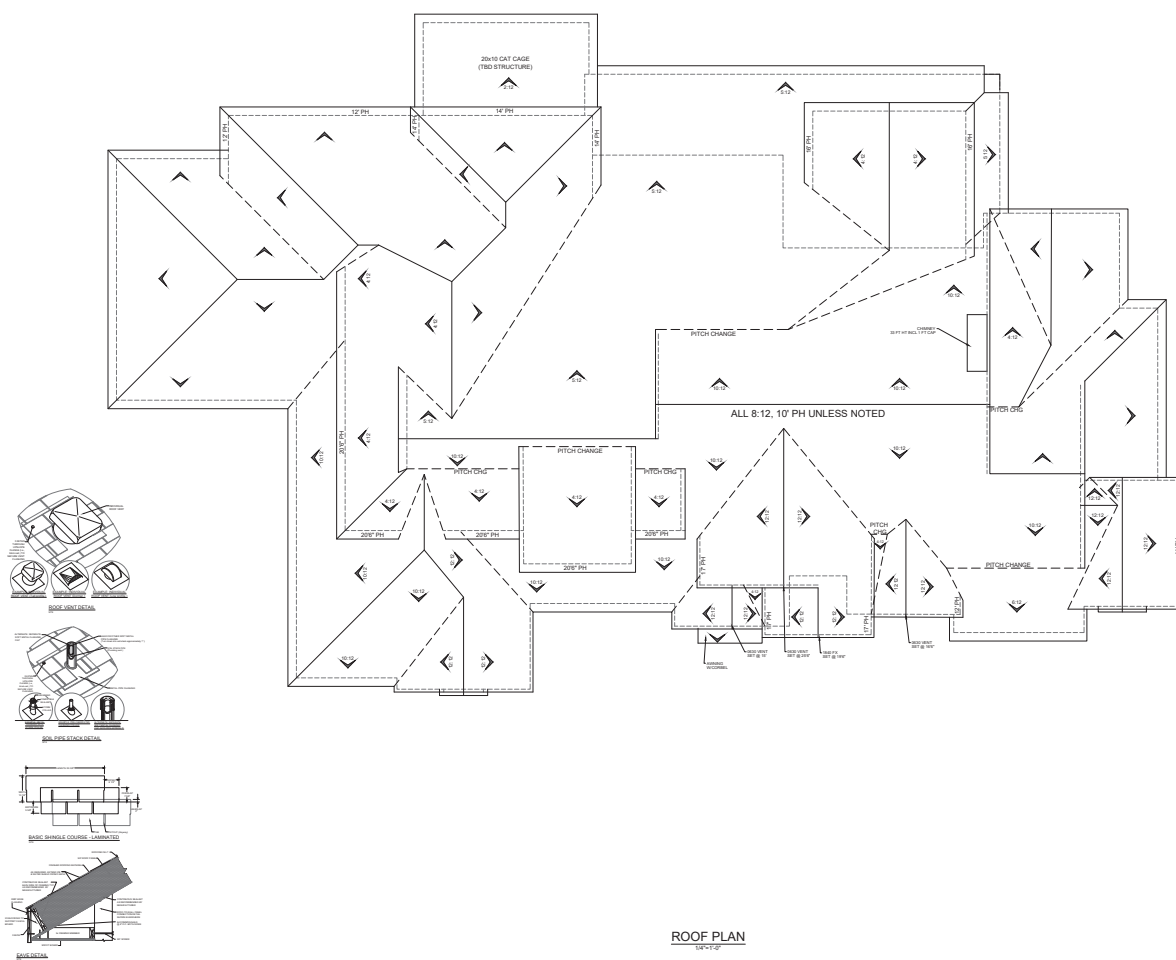
TOTAL LIVING:
4,386 SQ FT
(FRAME)

4,386 SQ FT
4,488 SQ FT
1,000 SQ FT
1,000 SQ FT
1,000 SQ FT
1,000 SQ FT
1,000 SQ FT

FIRST FLOOR FRAME:
FIRST FLOOR VENEER:
FIRST FLOOR GARAGE FRAME:
FIRST FLOOR GARAGE VENEER:
COVERED BACK PORCH:
TUFF FENCE YARD:

A103

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ART
DESIGNS
LLC.COM
Architectural Resource Team

TRUE NORTH

HAMMER

JB/R

August 13, 202

S137TH W.AVE,
EAST OF THE INDIAN BA
AND MERIDIAN ,TULS
COUNTY ,OK

SQUARE FOOTAGE

TOTAL LIVING
4,386 SQ FT
(FRAME)

4,386 SQ FT
4,468 SQ FT
920 SQ FT
1,569 SQ FT
1,622 SQ FT
44 SQ FT
728 SQ FT
213 SQ FT

FIRST FLOOR FRAME:
FIRST FLOOR VENEER:
FUTURE 2ND FLOOR FRAME:
GARAGE FRAME:
GARAGE VENEER:
COVERED ENTRY PORCH:
COVERED BACK PORCH:
TURF FENCE YARD:

A201

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ELEVATION NOTES:

1. GUTTERS AND DOWNSPOUTS ARE NOT SHOWN FOR CLARITY. DOWNSPOUTS SHALL BE LOCATED TOWARDS THE FRONT AND REAR OF THE HOUSE. LOCATE DOWNSPOUTS IN NON-VISUALLY OFFENSIVE LOCATIONS. FOR EXAMPLE, FRONT WALL OF HOUSE, BEHIND FRONT COLUMNS, ETC. GENERAL CONTRACTOR SHALL VERIFY EXISTING GRADIES AND COORDINATE ANY NECESSARY ADJUSTMENTS TO HOUSE WITH OWNER.
2. PLUMBING AND HVAC VENTS SHALL BE GROUNDED IN ATTIC TO LIMIT ROOF PENETRATIONS AND TO BE LOCATED AWAY FROM PUBLIC VIEW. I.E. AT THE REAR OF THE HOUSE AND SHALL BE FINISHED AND PAINTED TO MATCH ROOF COLOR.
3. PROVIDE ATTIC VENTILATION PER LOCAL CODE REQUIREMENTS.
4. EXTERIOR FLASHING SHALL BE CORRECTLY INSTALLED AT ALL CONNECTIONS BETWEEN ROOFS, WALLS, CHIMNEYS, PROJECTIONS AND PENETRATIONS AS REQUIRED BY APPROVED CONSTRUCTION PRACTICES.
5. CONTRACTOR SHALL PROVIDE ADEQUATE ATTIC VENTILATION/ROOF VENTS PER LOCAL GOVERNING CODE. INSTALL CONTINUOUS RIDGE VENTILATION AND PAINT TO MATCH ROOF. PROVIDE APPROPRIATE SOFFIT VENTILATION AT OVERHANGS.

EXTERIOR CLADDING
BRICK - 1,881 SQ. FT.
STUCCO - 1,125 SQ. FT.
BRICK - 125 SQ. FT.
STONE - 1,228 SQ. FT.

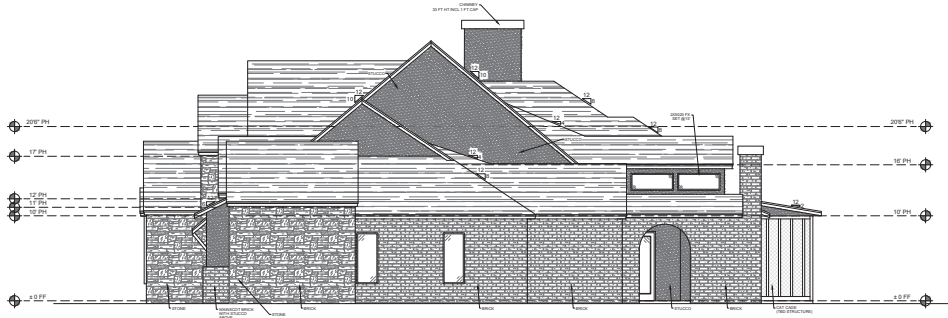
CLOSET
TILE - 348 SQ. FT.
WOOD - 328 SQ. FT.
CARPET - 873 SQ. FT.

COUNTER TOPS
397 SQ. FT.

CONCRETE
FOOTING - 431 1/2' LINEAR FT.
BLDG - 4,431 SQ. FT.
GARAGE - 1,303 SQ. FT.
FLYING - 1,811 SQ. FT.



FRONT ELEVATION
1/4" = 1'-0"



RIGHT ELEVATION
1/4" = 1'-0"



TRUE NORTH

HAMMER

JB/R

August 13, 2025

BUILDING ADDRESS

S137TH W.AVE.
EAST OF THE INDIAN BASE
AND MERIDIAN, TULSA
COUNTY, OK

SQUARE FOOTAGE

TOTAL LIVING:
4,386 SQ. FT.
(FRAME)

4,386 SQ. FT.
4,488 SQ. FT.
1,669 SQ. FT.
1,622 SQ. FT.
728 SQ. FT.
213 SQ. FT.

FIRST FLOOR FRAME:
FIRST FLOOR VENEER:
GARAGE FRAME:
GARAGE VENEER:
COVERED BACK PORCH:
COVERED BACK PORCH:
TURF FENCE YARD:

A301

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ELEVATION NOTES:

1. GUTTERS AND DOWNSPOUTS ARE NOT SHOWN FOR CLARITY. DOWNSPOUTS SHALL BE LOCATED TOWARDS THE FRONT AND REAR OF THE HOUSE. LOCATE DOWNSPOUTS IN NON-VISUALLY OFFENSIVE LOCATIONS. FOR EXAMPLE, FRONT WALL OF HOUSE, BESIDE PORCH COLUMNS, ETC. GENERAL CONTRACTOR SHALL VERIFY EXISTING GRADES AND CONDITIONS AND NECESSARY ADJUSTMENTS TO HOUSE WITH OWNER.
2. FLUERS/RAPE/RAPE VENTS SHALL BE GROUPED IN ATTIC TO LIMIT ROOF PENETRATIONS AND TO BE LOCATED AWAY FROM PUBLIC VIEW, I.E. AT THE REAR OF THE HOUSE AND SHALL BE PRIMED AND PAINTED TO MATCH ROOF COLOR.
3. PROVIDE ATTIC VENTILATION PER LOCAL CODE REQUIREMENTS.
4. EXTERIOR FLASHING SHALL BE CORRECTLY INSTALLED AT ALL CONNECTIONS BETWEEN ROOFS, WALLS, CHIMNEYS, PROJECTIONS AND PENETRATIONS AS REQUIRED BY APPROVED CONSTRUCTION PRACTICES.
5. CONTRACTOR SHALL PROVIDE ADEQUATE ATTIC VENTILATION / ROOF VENTS PER LOCAL GOVERNING CODE. INSTALL CONTINUOUS ROOF VENTILATION AND PAINT TO MATCH ROOF. PROVIDE APPROPRIATE SOFFIT VENTILATION AT OVERHANGS.

EXTERIOR CLADDING
BRICK: 1,000 SQ FT
STUCCO: 1,100 SQ FT
SBRG: 125 SQ FT
STONE: 1,225 SQ FT
FLOORING
TILE: 348 SQ FT
WOOD: 3,380 SQ FT
CARPET: 972 SQ FT
COUNTER TOPS
280 LFT
CONCRETE
FOOTING: 421.0' LINEAR FT
SLAB: 4,031 SQ FT
DAMG: 180 SQ FT
FLATWORK: 1,811 SQ FT



Figure 1 consists of three schematic diagrams labeled (a), (b), and (c). Diagram (a) is a top-down view showing a subject's head and shoulders positioned over a horizontal surface. A target is located at a distance from the subject. A force-measuring device is positioned between the subject and the target. Diagram (b) is a side view showing the target and the force-measuring device. Diagram (c) is another side view showing the target and the force-measuring device.

FIRST FLOOR ELECTRICAL PLAN
1/4"=1'-0"

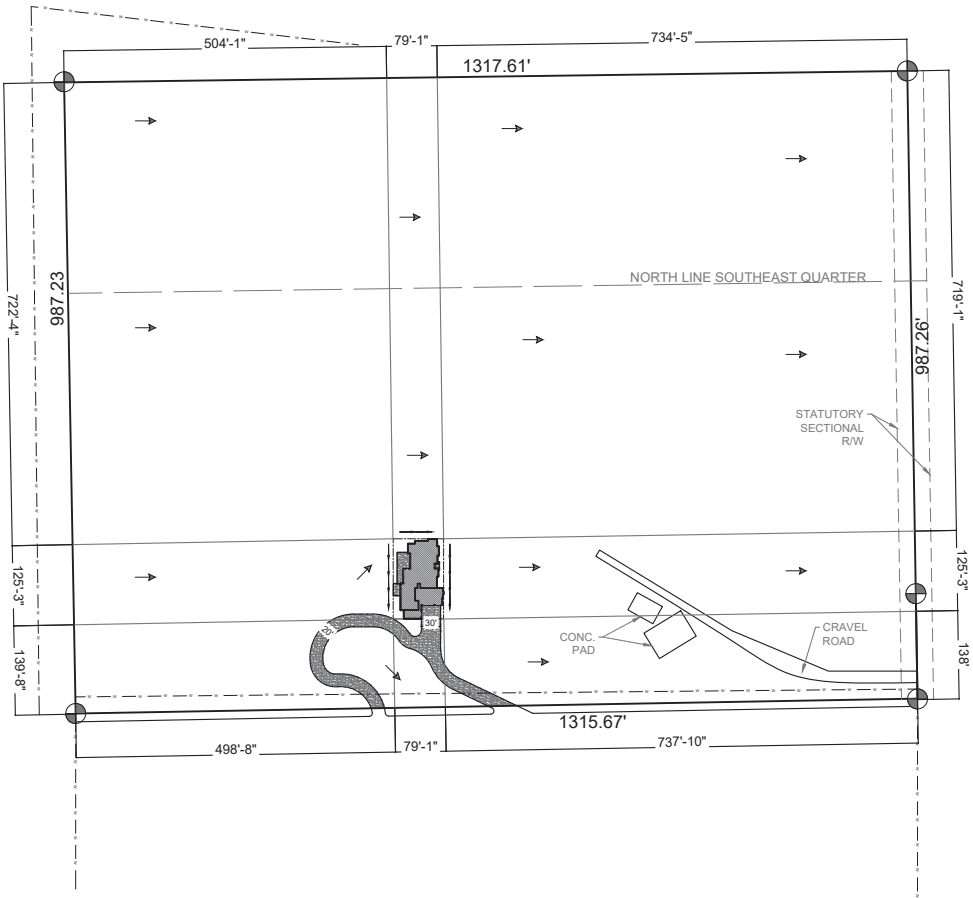
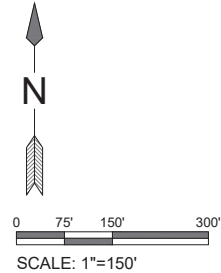
- [illegible]

1. LAYOUT AND LOCATION OF RESIDENTIAL LIGHT FIXTURES, OUTLETS, AND SWITCHES ARE SUGGESTIONS ONLY.
2. FINAL LAYOUT TO BE DETERMINED BY ALL APPLICABLE BUILDING CODES AND OWNER/BUILDER SPECIFICATIONS.

E101

LEGEND	
SILT FENCE	---
TIGHT-LINE GUTTERING	→
DRAINAGE	→
CONCRETE	▒
WATER LINE	- - -

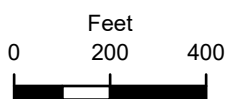
- NOTES:
- DIMENSIONS ARE PERPENDICULAR TO PROPERTY LINES, UNLESS OTHERWISE NOTED.
 - THIS PLOT DEPICTS FUTURE CONSTRUCTION OF IMPROVEMENTS SHOWN.
 - THIS IS NOT A BOUNDARY SURVEY, IT IS NOT INTENDED FOR TRANSFER OF TITLE.
 - ALL DIMENSIONS MEASURED TO EXTERIOR FRAMED WALLS, UNLESS OTHERWISE NOTED.
 - THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION OF THE BUILDING AND BUILDING DIMENSIONS SHOWN HERE MUST BE VERIFIED BEFORE PROCEEDING WITH CONSTRUCTION.
 - IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT THE BUILDING DOES NOT ENCROACH UPON ANY BUILDING SETBACKS AND/OR EASEMENTS.



DRAFTER
RI
DATE
8/13/25
ADDRESS

S137TH W.AVE,
EAST OF THE INDIAN BASE
AND MERIDIAN ,TULSA
COUNTY ,OK

SITE PLAN



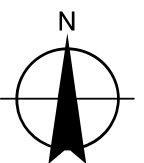
*Subject
Tract*

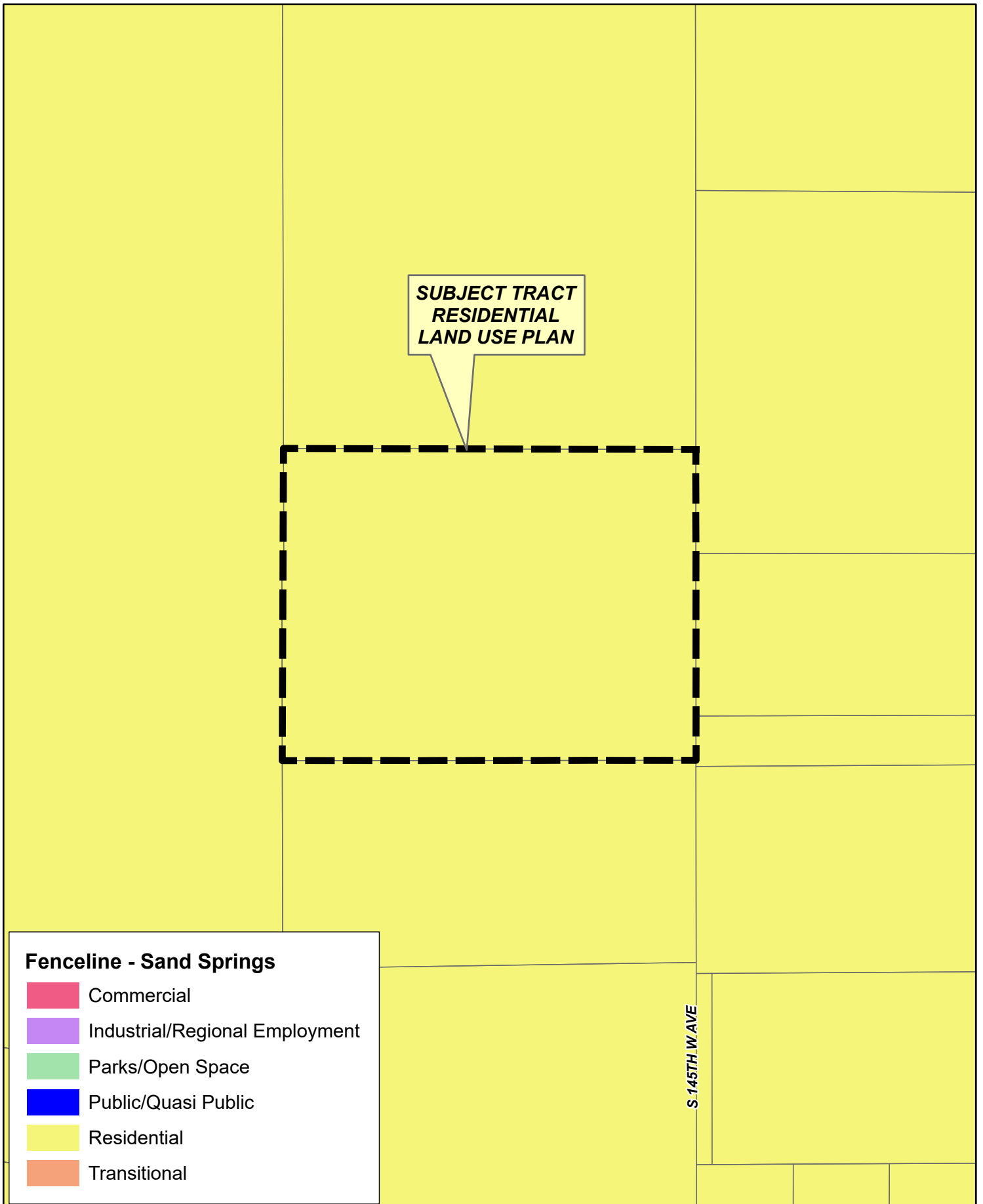
CBOA-3305

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

Aerial Photo Date: 2024

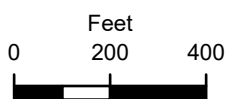
20 19-11





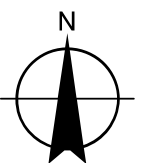
Fenceline - Sand Springs

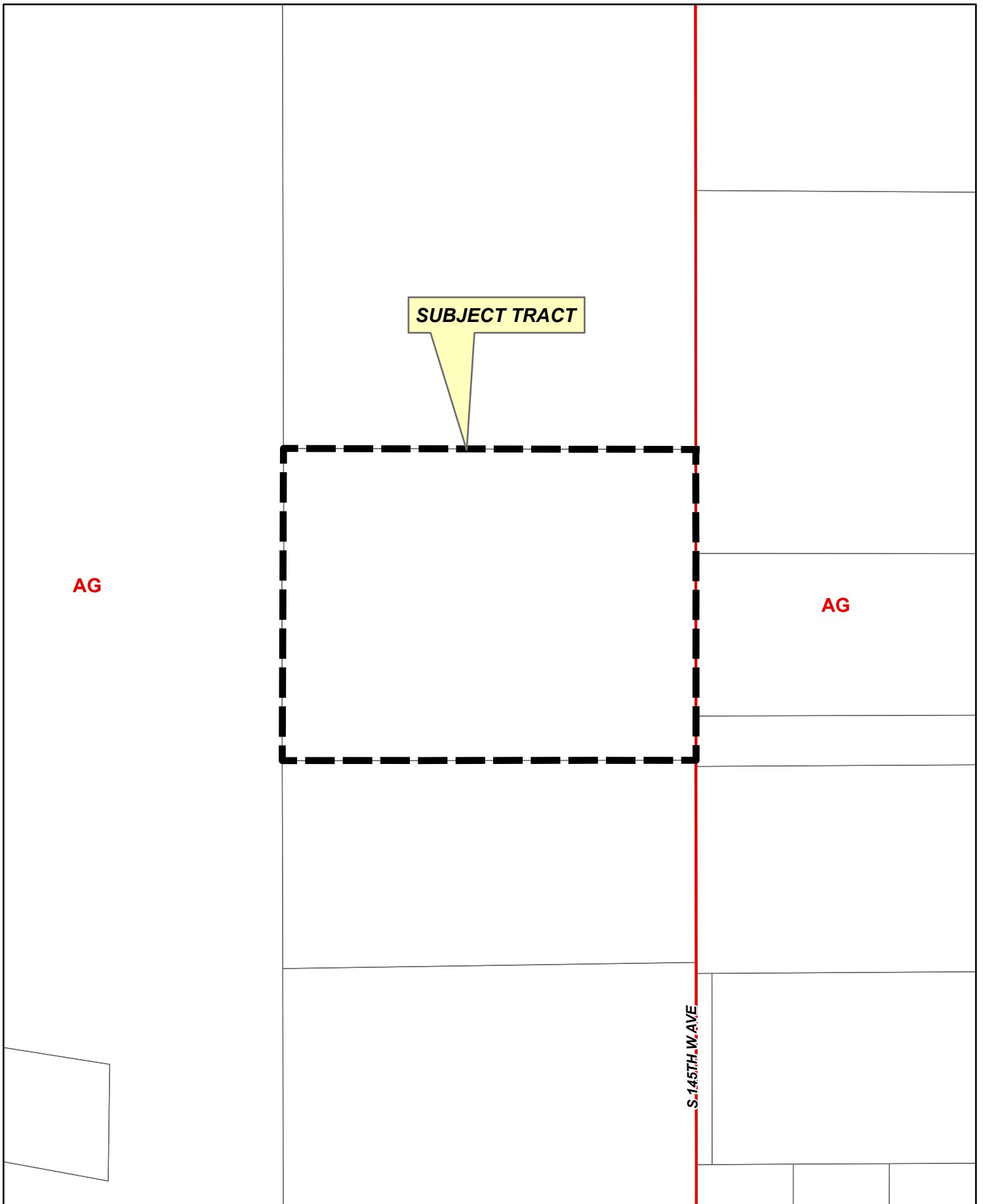
-  Commercial
-  Industrial/Regional Employment
-  Parks/Open Space
-  Public/Quasi Public
-  Residential
-  Transitional



CBOA-3305

20 19-11

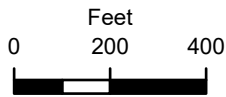




AG

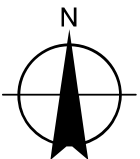
AG

S 145TH W AVE



CBOA-3305

20 19-11





Case Number: CBOA-3306

Hearing Date: 10/21/2025 1:30 PM

Case Report Prepared by:

Kendal Davis

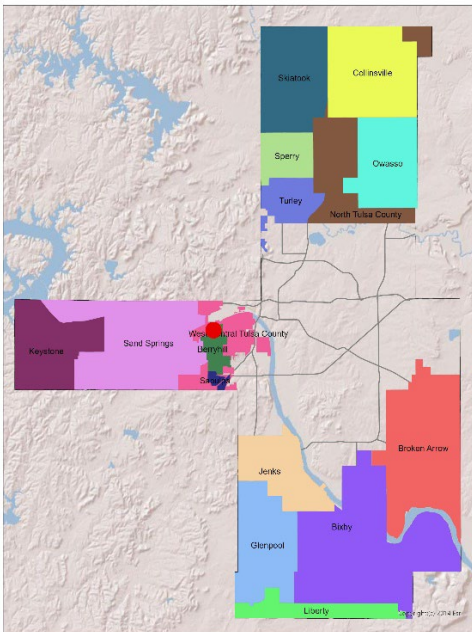
Owner and Applicant Information:

Applicant: Nathalie Cornett

Property Owner: Kimberly D. Mulcare
Rev. Trust

Action Requested: A **Special Exception** to permit accessory outdoor storage for a Building Service in the CS District, and a **Variance** to extend the Variances of Sections 10.070-E.1. and 10.100-B (formerly Sections 1340 and 1350) of the Tulsa County Zoning Code (the "Code") to permit unenclosed off-street parking and loading areas to be gravel surfaced.

Location Map:



Additional Information:

Present Use: Light Industrial

Tract Size: 0.80 Acres

Legal Description: LT 1 BLK 8 SECOND
WEST TULSA VIEW ACRES SUB

Present Zoning: CS (Commercial)

Fenceline/Area: Berryhill

Land Use Designation: Neighborhood
Center

TULSA COUNTY BOARD OF ADJUSTMENT CASE REPORT

TRS: 9217

CASE NUMBER: **CBOA-3306**

CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: 10/21/2025 1:30 PM

APPLICANT: Nathalie Cornett

ACTION REQUESTED: A **Special Exception** to permit accessory outdoor storage for a Building Service in the CS District, and a **Variance** to extend the Variances of Sections 10.070-E.1. and 10.100-B (formerly Sections 1340 and 1350) of the Tulsa County Zoning Code (the "Code") to permit unenclosed off-street parking and loading areas to be gravel surfaced.

LOCATION: 2106 S. 59th W. Ave., Tulsa, OK 74107

ZONED: CS (Commercial)

FENCELINE: Berryhill

PRESENT USE: Light Industrial

TRACT SIZE: 0.80 Acres

LEGAL DESCRIPTION: LT 1 BLK 8 SECOND WEST TULSA VIEW ACRES SUB

RELEVANT PREVIOUS ACTIONS:

CBOA-2965: Approval of a Use Variance to permit a heavy construction contract service (Use Unit 25) in the CS district. (Section 710); Variance to permit gravel unenclosed off-street parking (Section 1340); Variance to permit gravel loading areas (Section 1350)

CBOA-3111: Approval of a Use Variance to permit a heavy construction contract service (Use Unit 25) in the CS district. (Section 710); Variance to permit gravel unenclosed off-street parking (Section 1340); Variance to permit gravel loading areas (Section 1350)

ANALYSIS OF SURROUNDING AREA:

The subject tract is zoned CS and contains a commercial building currently utilized by the client of the applicant for a contracting service and abuts CS zoning to the west containing a commercial building and to the east containing a commercial building and single-family residences. The subject tract abuts RS zoning to the south containing vacant land and CS/IM zoning to the north containing the intersection of W 21st St S, Avery Dr and the southbound off-ramp of the Gilcrease Expressway.

STAFF COMMENTS:

The applicant is before the Board to request a Use Variance to permit a heavy construction contract service (Use Unit 25) in the CS district (Section 710), a Variance to permit gravel unenclosed off-street parking (Section 1340) and a Variance to permit gravel loading areas (Section 1350).

Previously, the requested Variances had been granted by the Board of Adjustment (CBOA-2965) to permit a contracting service but with the condition that the approval would expire on November 30, 2023, which was the date the lease for the contracting service would expire. They are now wishing to extend that lease and for another two years and are requesting that the previously approved variances be granted for that time as well, until November 20, 2025.

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

Sample Motion:

“Move to _____ (approve/deny) to permit accessory outdoor storage for a Building Service in the CS District.

Subject to the following conditions, if any: _____.

In approving a special exception, the board of adjustment is authorized to impose such conditions and restrictions as the board of adjustment determines to be necessary to ensure compliance with the standards of §14.080-G, to reduce or minimize the effect of the special exception upon other properties in the area, and to better carry out the general purpose and intent of these zoning regulations.

That the special exception will be in harmony with the spirit and intent of these zoning regulations; and the special exception will not be injurious to property in the vicinity of the subject property or otherwise detrimental to the public welfare.

“Move to _____ (approve/deny) Variance to extend the Variances of Sections 10.070-E.1. and 10.100-B (formerly Sections 1340 and 1350) of the Tulsa County Zoning Code (the “Code”) to permit unenclosed off-street parking and loading areas to be gravel surfaced.

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.

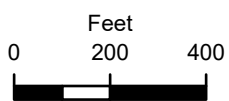
Exhibit "A"

The Applicant requests (1) a Special Exception to permit accessory outdoor storage for a Building Service in the CS District, and (2) to extend the Variances of Sections 10.070-E.1. and 10.100-B (formerly Sections 1340 and 1350) of the Tulsa County Zoning Code (the "Code") to permit unenclosed off-street parking and loading areas to be gravel surfaced on property located at 2106 S. 59th W. Ave (the "Property").

The Variances were originally unanimously approved by the Tulsa County Board of Adjustment in Case No. CBOA-2965 on May 31, 2022 with the condition that the approval would expire on November 30, 2023, which was the date the original lease of the Property was set to expire. On October 17, 2023, in Case No. CBOA-3111, the Board unanimously approved an extension of the Variances for an additional two (2) years.

The original approvals also included a Use Variance to permit a Heavy Construction Contract Service (Use Unit 25) in a CS District. On September 30, 2024, Tulsa County adopted a new zoning code (the "New Code"). Under the New Code, the existing use is defined as a Building Service, which is a use permitted by right in the CS District. Accordingly, the previously approved Use Variance is no longer necessary. However, the existing accessory outdoor storage now requires a Special Exception.

The Property owner and the existing tenant, CDH, a mechanical construction contractor, intend to renew the lease of the Property. Since the original approval, the two vacant lots to the west of the Property have been developed as commercial uses and the Gilcrease Expressway expansion has been completed. Accordingly, the Special Exception and the extension of the Variances will not cause substantial detriment to the public good or impair the spirit and intent of the Code and remain consistent with the surrounding uses. Further, given that CDH has operated its business at the Property for three (3) years without any incident or complaint, the Applicant requests that the Variances and Special Exception be approved without any time limitation.



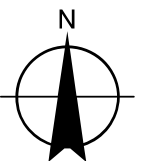
Subject
Tract

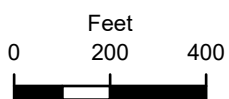
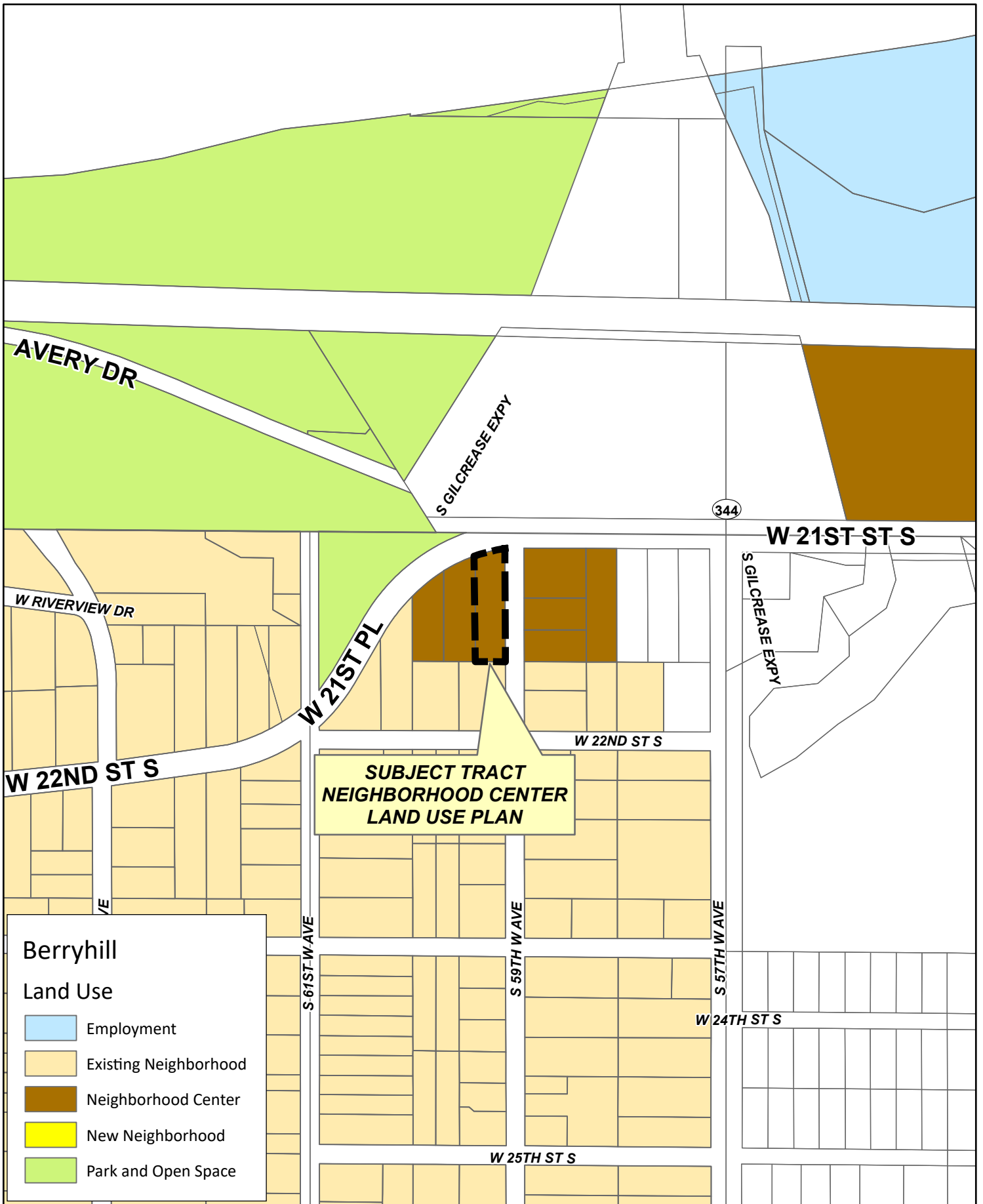
CBOA-3306

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

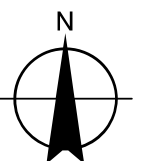
Aerial Photo Date: 2024

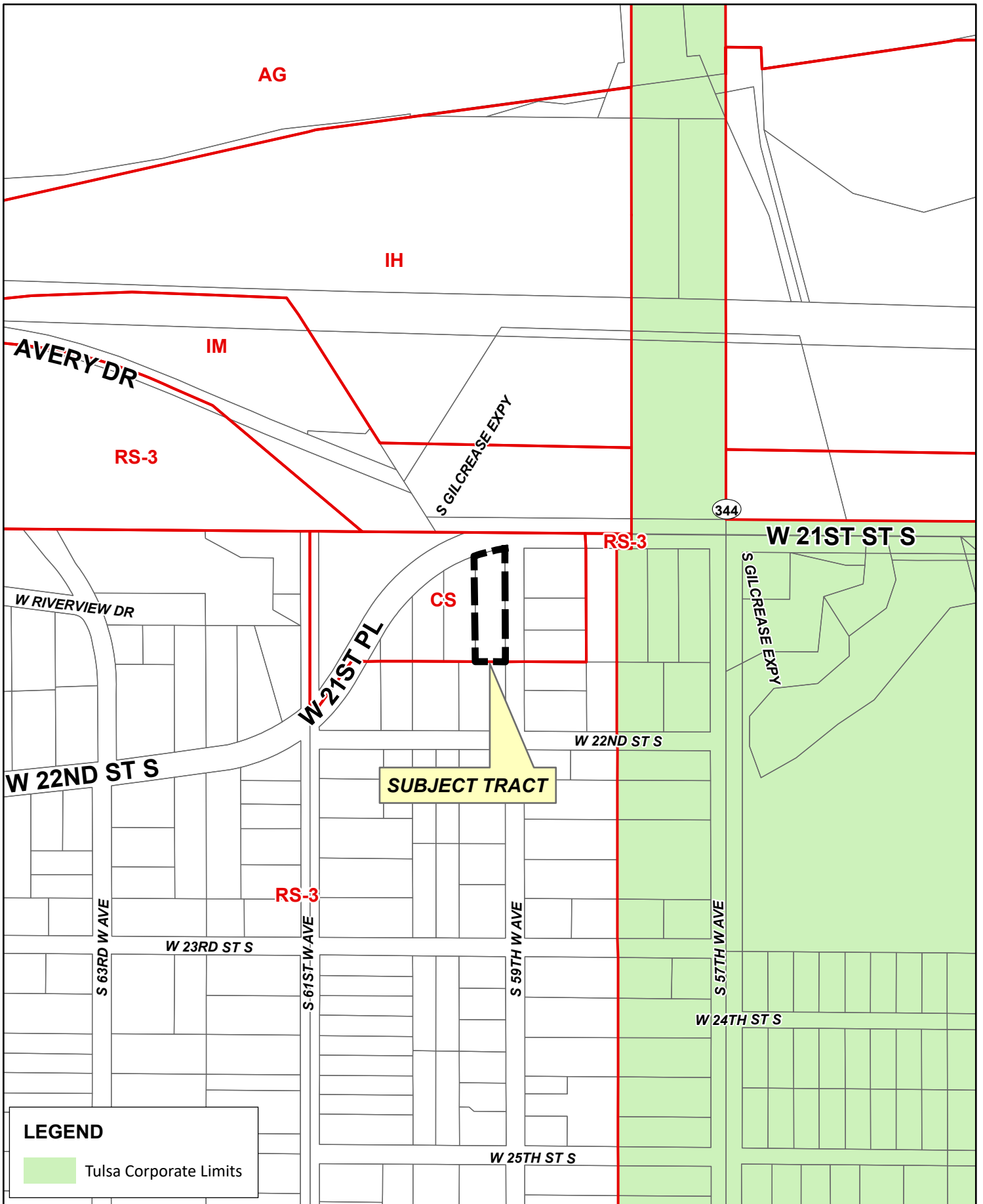
17 19-12





CBOA-3306





CBOA-3306



Case Number: CBOA-3307

Hearing Date: 10/21/2025 1:30 PM

Case Report Prepared by:

Kendal Davis

Owner and Applicant Information:

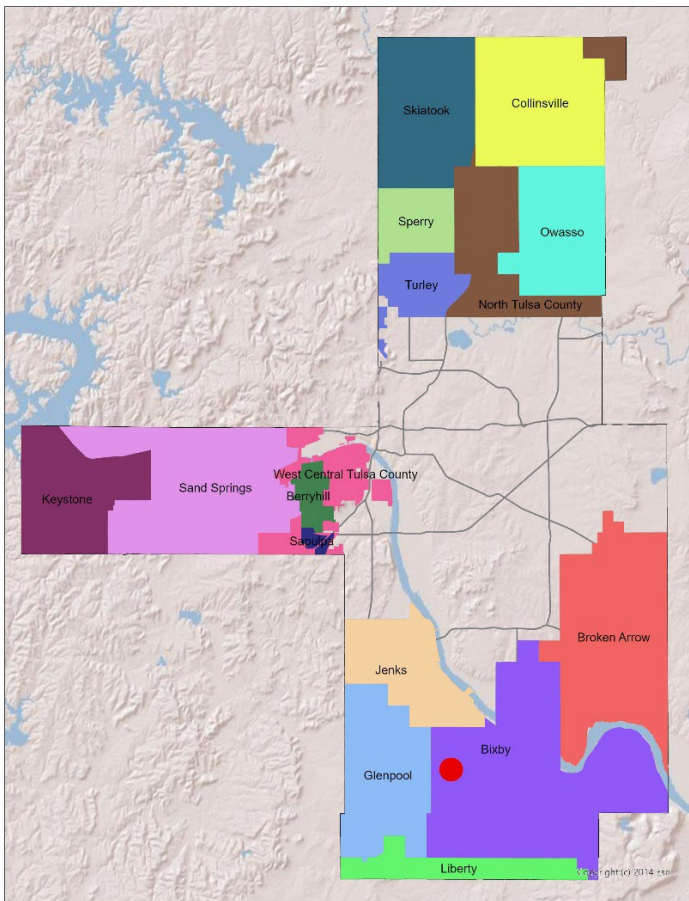
Applicant: Jason & Cassie Lee

Property Owner: Ken & Renita Lee

Action Requested:

Variance to permit accessory dwelling unit exceeding size provisions of zoning code (Sec. 8.040)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 2.6 Acres

Legal Description: S235 E482 SE SE
SEC 20 17 13 2.6AC

Present Zoning: AG (Agricultural)

Fenceline/Area: Bixby

Land Use Designation: Low Density
Residential

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 7320

CASE NUMBER: CBOA-3307

CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: 10/21/2025 1:30 PM

APPLICANT: Jason & Cassie Lee

ACTION REQUESTED: Variance to permit accessory dwelling unit exceeding size provisions of zoning code (Sec. 8.040)

LOCATION: 16032 S Harvard Ave., Bixby, OK 74008

ZONED: AG (Agricultural)

FENCELINE: Bixby

PRESENT USE: Residential

TRACT SIZE: 2.6 Acres

LEGAL DESCRIPTION: S235 E482 SE SE SEC 20 17 13 2.6AC

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and contains a single-family residence. Surrounding properties to the south, west, and north are also zoned AG also containing single-family residences, while to the east there is a large vacant Residential tract.

STAFF COMMENTS:

The applicant is requesting a Variance from the Board of Adjustment to permit an Accessory Dwelling Unit (ADU) that exceeds the maximum size provisions established in Section 8.040-C.6 of the Tulsa County Zoning Code for the AG (Agricultural) District.

The subject property is zoned AG and currently developed with a single-family dwelling. The tract is surrounded by large AG-zoned parcels to the south, west, and north, and a large Residential-zoned parcel to the east.

Per Section 8.040 of the Tulsa County Zoning Code, accessory dwelling units are permitted within the AG District without the requirement for additional land area beyond that required for a single residence.

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

Sample Motion:

"Move to _____ (approve/deny) Variance to permit accessory dwelling unit exceeding size provisions of zoning code (Sec. 8.040)

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.

From: Jason Lee <1978jasonlee@gmail.com>
Sent: Wednesday, September 24, 2025 10:10 AM
To: Rojas, Javier <jrojas@incog.org>
Subject: Re: Lee Family Application Part 2

Hello Again Mr. Rojas,

I have attached a document that I believe has the information you requested. Also included will be the original site plan requested by Ms. Pate, and the list of information you have requested. As suggested, we are working on a signed affidavit showing support from the surrounding neighbors and one of the nearby businesses. That will be complete in a day or two.

Hardship Breakdown/Reason for request:

We are looking to build an accessory dwelling unit that is larger than permitted by current code. The following are the reasons for requesting the exemption:

Mother's health:

Late 60s in poor/failing health.

Hip Replacement last month.

Disabled

Cognition/Neurological struggles becoming increasingly worrisome.

Father's Health:

Late 60s

4 heart attacks

Quadruple Bypass

6 cardiac stents

Nephew Concerns:

My parents adopted my nephew, Jace Lee. He is now 11 and we all work hard to provide a stable family environment. He is thriving, but growing up with elderly "parents" is presenting more and more obstacles. Eventually we will become his caretakers and so our request has the benefit of easing that eventual transition.

Land Concerns:

My father keeps and loves his animals as well as his land. He is still fairly hale, but getting older. Should we be approved, the land and animal requirements will then be shared by all and our whole family will have a chance to contribute.

Thank you again Mr. Rojas, please don't hesitate to contact me if you have any questions or need anything else.

God Bless,

Jason Lee

918-625-3700

THIS INDENTURE, made this 28th day of July, 2016,

Between The Judy E. Williams Trust dated August 10, 2010, Party of the First Part

And Ken Edward Lee and Renita Lee, husband and wife, with the right of survivorship as hereinafter set out, parties of the second part.

WITNESSETH: That in Consideration of the sum of Ten and no/100---Dollars and other good and valuable considerations, receipt whereof is hereby acknowledged, said party of the first part does by these presents grant, bargain, sell and convey unto said parties of the second part, as joint tenants, and not as tenants in common, on the death of one the survivor, the heirs and assigns of the survivor, to take the entire fee simple title, the following described real estate situated in Tulsa County, State of Oklahoma, to-wit:

A tract of land located in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty (20), Township Seventeen (17) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, being more particularly described as follows, to-wit:

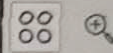
BEGINNING at the Southeast Corner of said Section 20; Thence 235 feet North; Thence 482 feet West; Thence 235 feet South; Thence 482 feet East to the Point of Beginning.

TO HAVE AND TO HOLD, the same as joint tenants, and not as tenants in common, with the fee simple title in the survivor, the heirs and assigns of the survivor, together with all and singular the tenements, hereditaments and appurtenances thereunto appertaining or in any wise appertaining forever.

AND said party of the first, his/her/their heirs, successors, grantees, executors,

Search result

16032 S HARVARD AV
E



PROPERTY INFORMATION

ACCOUNT NUMBER	R97320732061
PROPERTY ADDRESS	16032 S HARVARD AV
LEGAL DESCRIPTION	S235 E482 SE S 17 13 2.6AC
CURRENT CASE(S)	
LDA CASE(S)	
LOT SPLITS	
GROSS ACRES	2.60
GROSS SQ FEET	113,256.00

E 161st St E

E 161st St S

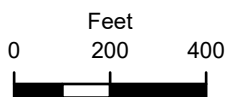
S Harvard Ave



E 161ST ST S

S HARVARD AVE

SUBJECT TRACT



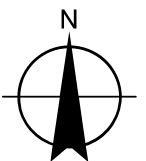
Subject
Tract

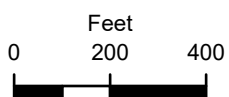
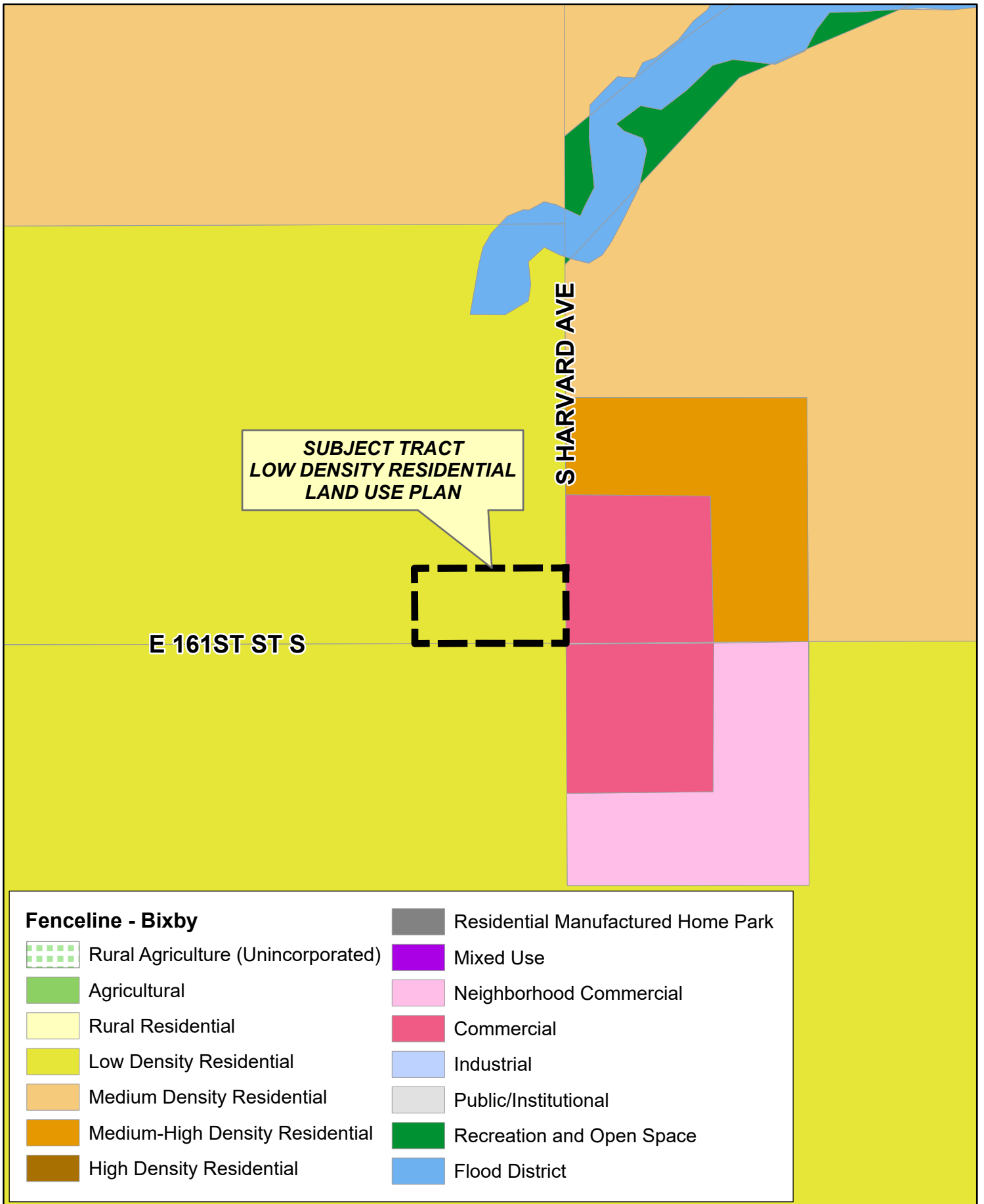
CBOA-3307

20 17-13

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

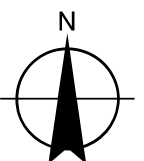
Aerial Photo Date: 2024

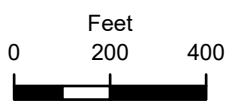
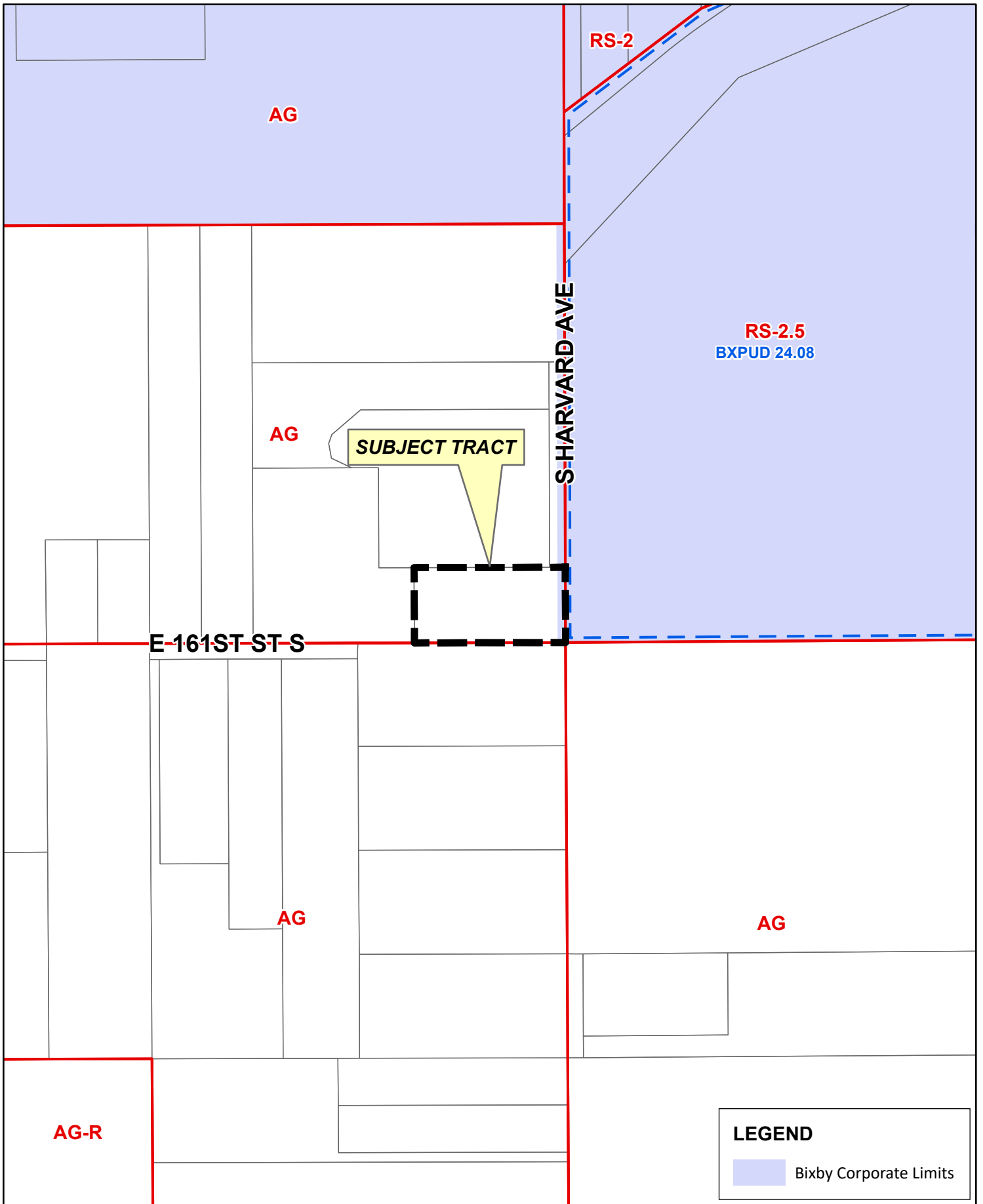




CBOA-3307

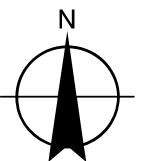
20 17-13





CBOA-3307

20 17-13





Case Number: CBOA-3299

Hearing Date: 10/21/25 1:30 PM
Continued from 9/16/25

Case Report Prepared by:

Kendal Davis

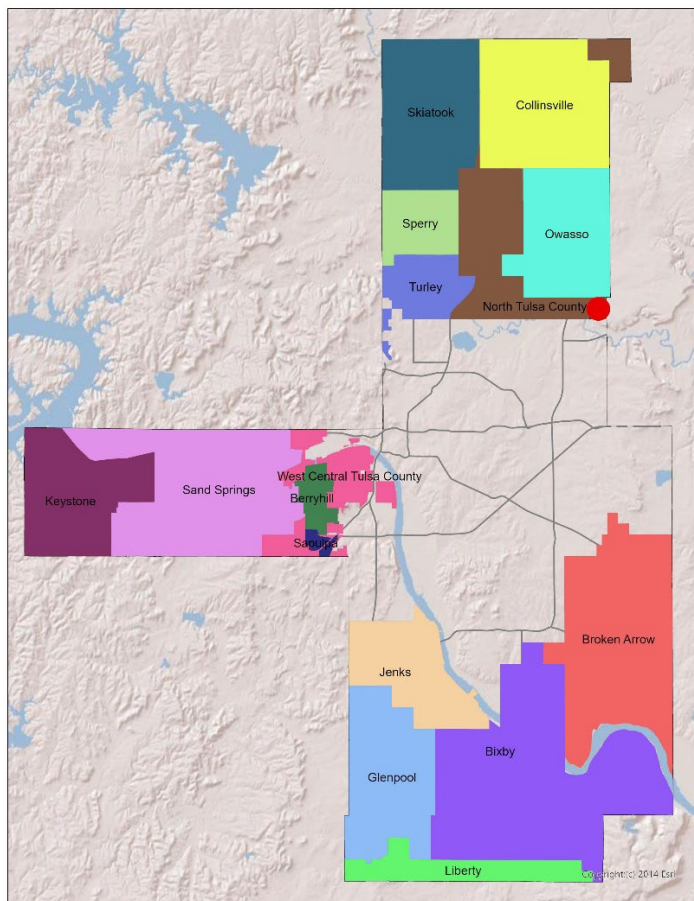
Owner and Applicant Information:

Applicant: Nathan S. Cross

Property Owner: Greenhill Properties LLC

Action Requested: Special Exception to allow Mining and Mineral Processing in an AG District (Sec. 6.010, Table 6-1)

Location Map:



Additional Information:

Present Use: Agricultural

Tract Size: 364.27

Legal Description: See Attached "Exhibit A"

Present Zoning: AG (Agricultural)

Fenceline/Area: Tulsa

Land Use Designation: Rural
Residential/Agricultural

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 0404

CASE NUMBER: CBOA-3299

CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: 9/16/25 1:30 PM

APPLICANT: Nathan S. Cross

ACTION REQUESTED: Special Exception to allow Mining and Mineral Processing in an AG District (Sec. 6.010, Table 6-1)

LOCATION: 55th Street N. & 66th Street NW of N. 145th E. Ave. **ZONED:** AG (Agricultural)

FENCELINE: None

PRESENT USE: Agricultural

TRACT SIZE: 364.27

LEGAL DESCRIPTION Legal Description

A TRACT OF LAND LYING IN SECTION FOUR (4), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION FOUR; THENCE THENCE S01°26'23"E ALONG THE EAST SECTION LINE FOR A DISTANCE OF 3279.54 FEET; THENCE S88°37'05"W FOR A DISTANCE OF 1654.57 FEET; THENCE N01°29'43"W FOR A DISTANCE OF 660.90 FEET; THENCE S88°36'45"W FOR A DISTANCE OF 993.13 FEET; THENCE S01°31'43"E FOR A DISTANCE OF 2643.20 FEET; THENCE S88°37'58"W FOR A DISTANCE OF 1436.23 FEET TO THE EAST LINE OF AN EXISTING RAILROAD RIGHT OF WAY; THENCE N12°24'33"W ALONG SAID RAILROAD RIGHT OF WAY FOR A DISTANCE OF 2265.30 FEET; THENCE N77°35'27"E ALONG SAID RAILROAD RIGHT OF WAY FOR A DISTANCE OF 37.50 FEET; THENCE N12°24'33"W ALONG SAID RAILROAD RIGHT OF WAY FOR A DISTANCE OF 419.74 FEET; THENCE N88°36'45"E FOR A DISTANCE OF 582.13 FEET; THENCE N01°34'27"W FOR A DISTANCE OF 660.70 FEET; THENCE N88°36'25"E FOR A DISTANCE OF 662.32 FEET; THENCE N01°33'05"W FOR A DISTANCE OF 660.75 FEET; THENCE N88°36'06"E FOR A DISTANCE OF 662.58 FEET; THENCE N01°31'45"W FOR A DISTANCE OF 1301.15 FEET TO THE NORTH SECTION LINE; THENCE N88°42'19"E ALONG THE NORTH SECTION LINE FOR A DISTANCE OF 2652.43 FEET TO THE POINT OF BEGINNING

SAID TRACT CONTAINING 316.89 ACRES, MORE OR LESS

LEGAL DESCRIPTION WAS PREPARED ON JUNE 06, 2025 BY CLIFF BENNETT, PLS #1815, WITH THE BEARINGS BASED ON OKLAHOMA STATE PLANE COORDINATE SYSTEM (NAD83 OKLAHOMA STATE PLANE NORTH ZONE 3501).

Surveyor's Certificate

I, CLIFF BENNETT, OF WALLACE DESIGN COLLECTIVE, CERTIFY THAT THE LEGAL DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A TRUE REPRESENTATION OF THE DESCRIBED LEGAL, AND THAT THE SURVEY OF THE DESCRIBED LEGAL MEETS THE MINIMUM

TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 4TH DAY OF JUNE 2025.



CLIFF BENNETT, PLS
OKLAHOMA NO.1815
CERT. OF AUTH. NO. 1460
EXP. DATE JUNE 30, 2025

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA:

The North Tulsa County Area is generally defined as lying north of East 56th Street North, bounded by the Sperry and Skiatook fence lines on the west, the Collinsville fence line on the north, and the Owasso fence line on the east. An additional portion extends northeast beyond the Collinsville fence line. The majority of this area was previously included in the North Tulsa County Comprehensive Plan (Cherokee Corridor) as part of the Tulsa Metropolitan Comprehensive Plan.

The planning area encompasses a population of approximately 2,100 residents within roughly 750 households. The public engagement process began with an area-wide survey distributed throughout the community. An advisory team was also established to provide input and guidance, offering valuable information about local priorities and continuing to provide feedback during the preparation of the Future Land Use Map for North Tulsa County.

STAFF COMMENTS:

The applicant is before the Board to request Special Exception to allow Mining and Mineral Processing in an AG District (Sec. 6.010, Table 6-1)

The extraction or quarrying of coal, ores, stone, minerals, topsoil or aggregate resources from the ground. Examples include quarrying or dredging for sand, gravel or other aggregate materials; mining and topsoil extraction. Also includes crushing, washing and grading coal, ore, stone, sand, gravel, minerals, topsoil or aggregate resources and manufacture of Portland cement.

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

Sample Motion:

"Move to _____ (approve/deny) Special Exception to allow Mining and Mineral Processing in an AG District (Sec. 6.010, Table 6-1)

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

In approving a special exception, the board of adjustment is authorized to impose such conditions and restrictions as the board of adjustment determines to be necessary to ensure compliance with the standards of §14.080-G, to reduce or minimize the effect of the special exception upon other properties in the area, and to better carry out the general purpose and intent of these zoning regulations. That the special exception will be in harmony with the spirit and intent of these zoning regulations; and the special exception will not be injurious to property in the vicinity of the subject property or otherwise detrimental to the public welfare..

Exhibit "A"

Legal Description

A TRACT OF LAND LYING IN SECTION FOUR (4), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

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SAID TRACT CONTAINING 316.89 ACRES, MORE OR LESS

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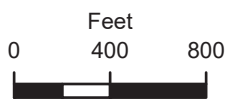
Surveyor's Certificate

I, CLIFF BENNETT, OF WALLACE DESIGN COLLECTIVE, CERTIFY THAT THE LEGAL DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A TRUE REPRESENTATION OF THE DESCRIBED LEGAL, AND THAT THE SURVEY OF THE DESCRIBED LEGAL MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 4TH DAY OF JUNE 2025.



CLIFF BENNETT, PLS
OKLAHOMA NO.1815
CERT. OF AUTH. NO. 1460
EXP. DATE JUNE 30, 2025



Subject
Tract

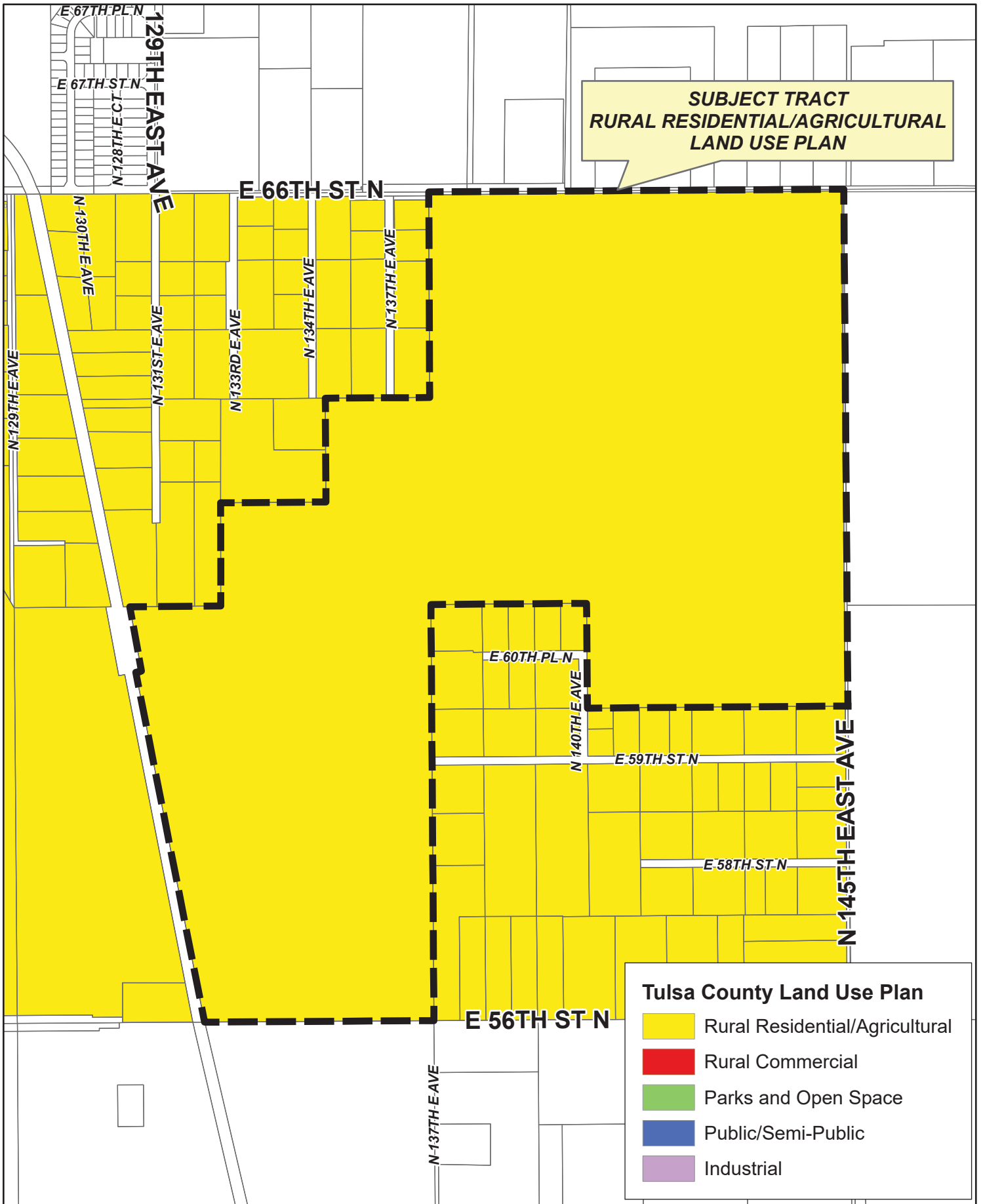
CBOA-3299

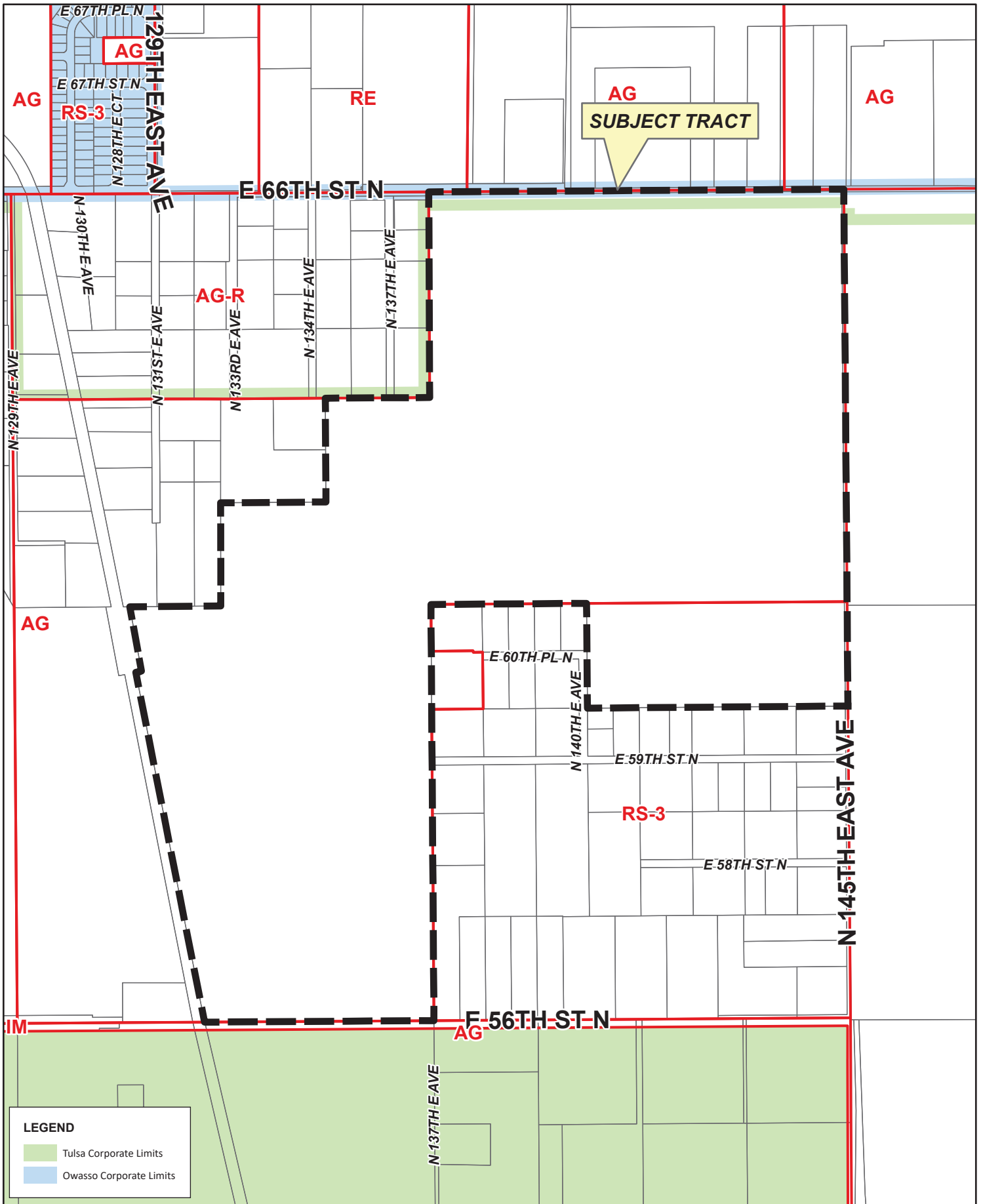
04 20-14

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

Aerial Photo Date: 2024







CBOA-3299

04 20-14



Legal Description

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION FOUR; THENCE THENCE S01°26'23"E ALONG THE EAST SECTION LINE FOR A DISTANCE OF 3279.54 FEET; THENCE S88°37'05"W FOR A DISTANCE OF 1654.57 FEET; THENCE N01°29'43"W FOR A DISTANCE OF 660.90 FEET; THENCE S88°36'45"W FOR A DISTANCE OF 993.13 FEET; THENCE S01°31'43"E FOR A DISTANCE OF 2643.20 FEET; THENCE S88°37'58"W FOR A DISTANCE OF 1436.23 FEET TO THE EAST LINE OF AN EXISTING RAILROAD RIGHT OF WAY; THENCE N12°24'33"W ALONG SAID RAILROAD RIGHT OF WAY FOR A DISTANCE OF 2265.30 FEET; THENCE N77°35'27"E ALONG SAID RAILROAD RIGHT OF WAY FOR A DISTANCE OF 37.50 FEET; THENCE N12°24'33"W ALONG SAID RAILROAD RIGHT OF WAY FOR A DISTANCE OF 419.74 FEET; THENCE N88°36'45"E FOR A DISTANCE OF 582.13 FEET; THENCE N01°34'27"W FOR A DISTANCE OF 660.70 FEET; THENCE N88°36'25"E FOR A DISTANCE OF 662.32 FEET; THENCE N01°33'05"W FOR A DISTANCE OF 660.75 FEET; THENCE N88°36'06"E FOR A DISTANCE OF 662.58 FEET; THENCE N01°31'45"W FOR A DISTANCE OF 1301.15 FEET TO THE NORTH SECTION LINE; THENCE N88°42'19"E ALONG THE NORTH SECTION LINE FOR A DISTANCE OF 2652.43 FEET TO THE **POINT OF BEGINNING**

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WITNESS MY HAND AND SEAL THIS 4TH DAY OF JUNE 2025.



CLIFF BENNETT, PLS
OKLAHOMA NO.1815
CERT. OF AUTH. NO. 1460
EXP. DATE JUNE 30, 2025

EXHIBIT "B"

HISTORY

The property at issue in this request (the "Subject Property") is part of a parcel of undeveloped land situated between 56th Street North and 66th Street North west of North 145th East Avenue. The Subject Property has largely been vacant land for most of its existence due, in part, to the large amount of limestone beneath the soil.

MINING

At some point in the distant past, a rich vein of limestone was discovered in and around the Subject Property. After that discovery, mining operations began to grow in the area. Currently, there are multiple active mining operations within roughly a mile radius of the Subject Property and as well as a vacant parcel north of the Subject Property which was recently approved by the Tulsa County Board of Adjustment for a Special Exception to allow Mining or Mineral Processing. As such, this portion of Tulsa County has become a significant source of regional limestone for use in construction. These mining activities have been further bolstered by increased demand due to depletion of other mining resources in the area to the point that this area of Tulsa is now the primary provider of limestone for construction in Tulsa and Oklahoma City, as well as other places within the region.

A summary of the requirements of the Oklahoma Department of Mines for permitting of a mining operation in Oklahoma is attached as Exhibit "C" along with an explanation of requirements for mitigation of impacts of mining operations to the adjacent properties. This summary was prepared in conjunction with direct input of Randy Wheeler, President of White Industrial Seismology, Inc., the entity that monitors vibrations in the area for purposes of reporting seismic activity to the Oklahoma Department of Mines. A copy of Mr. Wheeler's CV is attached as Exhibit "D".

SPECIAL EXCEPTION

The proposed mining use referenced above is allowed as a Special Exception in AG zoning districts under the Tulsa County Zoning Code. As is depicted in the Site Plan attached to this Application as Exhibit "E", the Applicant proposes only the interior of the Subject Property be utilized for Mining or Mineral Processing with a 425 foot buffer being preserved around the north, northwest, south, and southeast portions of the proposed Mining or Mineral Processing Area. As proposed, Mining or Mineral Processing would only be allowed on 53% of the Subject Property with the remainder being undeveloped buffer land, as depicted on the Site Plan.

Berm and Spacing:

In addition to the foregoing the Applicant also requests a Special Exception to allow the use of earthen berms and a significant spacing buffer between the mining activities and

the adjacent residentially zoned parcels on the west and east sides of the Subject Property. The earthen berm and spacing concept would be substantially similar to the diagram attached to this Application as Exhibit "F" and would include, at a minimum, an 6 foot tall earthen berm beginning within 5 feet of the mining pit as well as a minimum of 400 feet of open area buffer between the outside edge of the proposed earthen berm and the property line in these areas. The earthen berms shall be constructed in all areas of the Subject Property that share a property line with a residentially zoned parcel consistent with the requirements of Section 7.040 and 12.010 of the Tulsa County Zoning Code.

Additional Proposed Conditions:

In addition to the berms and spacing described above, the Applicant proposes the following additional conditions to the Special Exception:

1. Blasting operations conducted on the Subject Property will be limited to only being conducted between the hours of 8:00 am and 4:00 p.m. Monday through Friday.
2. A chain link security fence would be constructed around the perimeter of the Subject Property which adjoins residential properties.
3. A dust suppression system would be installed to prevent dust from leaving the Subject Property.
4. Reclamation of the Subject Property after mining and mineral processing activities are completed would be conducted in accordance with the regulations of the Oklahoma Department of Mines.

EXHIBIT "C"

1. OKLAHOMA DEPARTMENT OF MINES ("ODM") PERMITTING PROCESS

Mining permits are issued by the ODM only after an extensive review process. A detailed location and reclamation map that shows the permit area, planned setbacks, any transmission lines, pipelines, and natural features must be submitted by the applicant. The plan must address the methods that will be used to prevent conditions that could be hazardous to animal life and the safety of adjoining properties.

A reclamation plan must also be submitted that shows the intended configuration of the property after mining activities are completed. This intent of this reclamation plan is to ensure before mining commences that there is a regulated plan governing what will happen to the property after mining operations cease. To that end, a surety bond must be posted with ODM for all the acres within the permit area to insure compliance with the terms of the reclamation plan.

In addition to the above, a detailed plan for shots used in the proposed mining operation must be included in the permit application that demonstrates:

- 1) Types of explosives to be used;
- 2) Procedures to be utilized to control vibration and noise;
- 3) Procedures to be utilized to ensure complete and accurate records retention for data collected in accordance with the permit requirements;
- 4) Procedures to be utilized for shots including timing and signals; and
- 5) Procedures for use of seismographs to verify compliance with vibration standards under the permit and Oklahoma law.

Once the above documentation has been completed, the permit application is submitted to the County Clerk of the county in which a proposed mining operation is located for public access and review. Notice is then given for 4 consecutive weeks to allow interested parties to file objections related to the proposed mining operations with ODM and request a public hearing. In the event a party disagrees with the findings of ODM at a public hearing, such party may request adjudication of the matter by an administrative hearing.

In addition to the permit process and oversight by ODM, approval of other state agencies is also required. Oklahoma Department of Environmental Quality regulates storm water runoff, point-source discharges, and air quality. The US Army Corps of Engineers has jurisdiction to oversee impact on adjacent waterways such as Bird Creek.

As demonstrated by the number of steps and agencies involved in the above description, mining operations are not conducted unless certain specific qualifications are met. Additionally, if a mine is permitted, ODM continues to monitor operations and review data, handle any complaints and conduct site reviews of the mining operations. Accordingly, mining may be one of the most heavily regulated and monitored activities undertaken in Tulsa County. A copy of the relevant Oklahoma statutes governing mining activity is attached to this Application as Exhibit "G"

2. SHOT ACTIVITIES

During shots, energy waves are transmitted through the ground as vibrations. Vibrations are measured in inches per second ("in/s"). ODM has set a regulatory limit of 1.0 in/s for ground vibration. Human beings are extremely perceptive to ground vibrations. The human body can begin to perceive vibration levels at approximately 0.02 in/s. This is 50 times less than the ODM regulated vibration level. This obviously leads to a scenario where humans believe that vibrations are stronger than the actual intensity released by the shot.

Each individual shot is planned to optimize the amount of energy breaking rock and minimize air overpressure, noise and vibration. Ground vibrations and air overpressure are measured for every shot with multiple seismographs. The results measure for every single shot is compared with ODM allowable limits by a third-party, independent consultant. All complaints are investigated by ODM. **After many years and thousands of shots at the existing operations around the proposed mining operation, no verifiable damage has ever been documented by ODM.**

The Greenhill West quarry in the City of Tulsa has been in operation for a number of years. The Amazon and QuikTrip distribution centers, a QuikTrip convenience store, a fuel station, and a Costco retail store have been built while the quarry was in full production. All of these companies hired prominent geotechnical consultants to study the potential effects of mining before buying and building at their respective locations.

3. DUST, NOISE AND TRAFFIC

DUST

Dust is a byproduct of mining operations and, as part of ensuring compliance with permits and operational reviews conducted by ODM, mining operations use various techniques to mitigate fugitive dust during dry conditions. The primary techniques are frequent and consistent spraying of water from water tanker trucks brought on site during mining activities, application of dust suppressing agents on haul roads, and the use of sprinkling systems on stockpiles and stationary equipment.

Recent studies have shown that mining operations conducted in silica based geologic formations, such as granite or quartz, produce dust that may cause a type of lung cancer called silicosis. The mining activities conducted at the proposed mining

operation on the subject property would be mining for limestone. **The dust from this limestone formation is calcium carbonate and is not carcinogenic.**

OVERPRESSURE AND NOISE

Aerial vibration (called overpressure in seismology terms) limits from shot activity is one of the multiple parts of mining operations actively regulated by ODM at each mining operation. Each shot is measured by seismographs which are monitored by a third-party, independent consultant. Mining operations are required to limit overpressure emanating from activity to be below 133 decibels (dB). This is an extremely low threshold. To put the ODM limit in perspective, the overpressure of a 29 mph wind (which occurs regularly in this area) is about 134 dB. Overpressure of 151 dB causes about the same pressure as a 75 mph wind, at which point some window damage can occur.

TRAFFIC

There are three operating mining operations in the vicinity of this proposed mine. The amount of truck trips to and from a mining operation is driven by demand for rock products. Market demand has been relatively stable year over year and for a number of years. If this proposed mine were to go into operation, the trucks that travel to and from the site would be the same trucks that are currently traveling to and from other sites in the vicinity and should not increase the number of trucks on the road. They would simply be traveling to and from this site rather than to and from another site in the area. Additionally, the proposed mining operations in this area would be west of residential areas and any access to and from the site would predominantly travel on Highway 169.

EXHIBIT "D"

Professional Resume of Randall M. Wheeler
May 15, 2023

PROFESSIONAL EXPERIENCE

White Industrial Seismology, Inc./White Engineering Associates, Inc.

President/Senior Vibration Specialist	1992 - Present
Vice President/Director of Technical Services	1985 - 1992
Manager of Technical Services	1982 - 1985
Manager of Data Processing	1980 - 1982
Computer Analyst	1978 - 1980

PROFESSIONAL AFFILIATIONS

International Society of Explosives Engineers, ISEE. Vice Chairman – Blast Vibration and Seismograph Section from 2002 to 2006. Member of the Board of Directors from 1998 to 2006. Member of the Standards Committee. Helped develop seismograph performance specifications and calibration standards.

Society of Mining Engineers, SME.

FIELDS OF PROFICIENCY

Mathematics, Seismology and Geophysics - Blasting Vibrations and Their Effects.

Application of Explosives in Construction, Mining and Quarrying Industries.

Pre-Blast and Post-Blast Inspections and Investigations.

Software Development Applicable to Engineering, Science and Seismology.

Engineering Mathematics.

Mechanics of Seismic Waves.

EXPERIENCE INCLUDES

Studies for setting safe blasting limits for major construction projects, mines, and quarries throughout the United States.

Studies pertaining to power input of drop balls and vibrating sheepsfoot rollers.

Pre-blast and post-blast inspections and investigations.

Application of explosives for excavation in mining and quarrying.

Expert testimony, depositions, public hearings and public relations.

Development of software applications:

Fourier transform frequency analysis for seismic and atmospheric disturbances.

Structural response analysis for various types of seismic disturbances.

Signature analysis and seismic wave simulations.

Linear regression analysis of seismic and acoustic amplitude decay.

Consultant in the development of the Alpha-Seis, Alpha-Seismite, Mini-Seis and Mini-Seis III/Pro digital seismographs.

PUBLICATIONS

Wheeler, R.M. 2011. "Resolving Blasting Near a High Pressure Pipeline" Proceedings of the 37th Annual Conference on Explosives and Blasting Technique; February 7; San Diego, Ca. International Society of Explosives Engineers; 2011.

Lusk, B., Worsey, P., Oakes, K., Chambers, J., Crabtree, S., Brasier, T., and Wheeler, R. 2006. "Destructive Wave Interference in Underground Blasting Utilizing Precise Timing" Proceedings of the 32nd Annual Conference on Explosives and Blasting Technique; Volume I, January 30; Dallas, TX. International Society of Explosives Engineers; 2006.

Wheeler, R.M. 2005. "The Importance of Saving the Full Wave Form and Frequency Analysis" Proceedings of the 31st Annual Conference on Explosives and Blasting Technique; Volume II, February 9; Orlando, FL. International Society of Explosives Engineers; 2005.

Eltschlager, K. and Wheeler, R.M. 2005. "Microphone Height Effects on Blast-Induced Air Overpressure Measurements" Proceedings of the 31st Annual Conference on Explosives and Blasting Technique; Volume I, February 8; Orlando, FL. International Society of Explosives Engineers; 2005.

Wheeler, R.M. 2004. "The Importance of Proper Seismometer Coupling" Proceedings of the 30th Annual Conference on Explosives and Blasting Technique; 2004 February 3; New Orleans, LA. International Society of Explosives Engineers; 2004.

Cumerlato, C.L., Siskind, D.E., and Wheeler, R.M. 1992. "Residential Structural Response to Airblast Overpressure From Munitions Disposal at the McAlester Army Ammunitions Plant." Final Report for the U.S. Department of the Army, McAlester Army Ammunition Plant, McAlester, Oklahoma.

Wheeler, R.M. 1991. "An Analysis of Firing Time Scatter Effects on Vibration Simulations from Waveforms with Low and High Frequency Components." Proceedings of the Seventh Annual Symposium on Explosives and Blasting Research; 1991 February 6-7; Las Vegas, NV. International Society of Explosives Engineers; 1991: 135-146.

Bowling, D.S., Wheeler, R.M., and Wheeler, M.B. 1989. "It's Like an Earthquake When They Blast!" - A Comparison of Strong Motion Earthquake Vibrations With Those Typically Generated by Surface Coal Mine Blasting. The Journal of Explosives Engineering Vol. 7, No. 4, 28-31.

Wheeler, R.M. 1989. "Controlling Blast Vibration Effects with On-Site Analysis of Single Hole Signatures, A New Approach." Proceedings of the Fifth Annual

Symposium on Explosives and Blasting Research; 1989 February 9-10; New Orleans, LA. International Society of Explosives Engineers; 1989: 123-134.

Wheeler, R.M. 1988. "How Millisecond Delay Periods May Enhance or Reduce Blast Vibration Effects." Mining Engineering Vol. 40, No. 10, 969-973.

Nuttl, O.W., Bowling, D.S, Lawson, J.E., and Wheeler, R.M. 1987. "Some Aspects of Seismic Scaling and the Strong Ground Motion of the Eastern Missouri Earthquake of January 12, 1984." Seismological Research Letters Vol. 58, No. 2, 53-58.

PRESENTATIONS AND SPEAKING ENGAGEMENTS

I have given numerous technical presentations over the years. The following list illustrates the diversity of my speaking engagements.

White Industrial Seismology, Inc. Blast Vibration Control Seminars.

Oklahoma Department of Mines Miner Training Institute, Krebs, Oklahoma.

Association of Oklahoma General Contractors, Muskogee, Oklahoma.

Northwest Mining Association 97th Annual Convention and Short Course.

ISEE Chapter meetings across the United States.

ISEE Annual meetings.

High-Tech Seminars on Blasting Technology, Instrumentation, and Explosives Applications sponsored by Blasting Analysis International.

Kentucky Blasting Conference.

Pennsylvania Blasting Conference

Ohio Drilling and Blasting Conference

Queen's University Blasting Technology Short Course in Kingston, Ontario CANADA.

University of Missouri at Rolla Sponsored Blasters Training Seminar in St. Louis, Missouri.

Mid-America Blasting Conference.

U. S. Department of Labor, Mine Safety and Health Administration, National Mine Health and Safety Academy, Mine Blasting and Safety Application Seminar.

State of West Virginia Blaster's Training, Charleston, WV.

EFEE World Conference on Explosives and Blasting, Brighton ENGLAND.

Missouri Limestone Producers Association.

EDUCATIONAL BACKGROUND

Pittsburg State University

1981 - 1984

M.S. Degree in Mathematics

Missouri Southern State College	1977 - 1981
B.S. Degree in Mathematics	
A.S. Degree Computer Analysis	
Minor in Physics	
Pittsburg State University	1976
Electronics Curriculum	

HONORS AND AWARDS

Missouri Blasting Safety Board. Appointed by Governor Matt Blunt, 2008.

Director - Heartland Chapter of Society of Explosives Engineers, 2005 -

Officer - International Society of Explosives Engineers, 2004 - 2006

Director - International Society of Explosives Engineers, 1998 - 2004

President - Ozark Chapter of the International Society of Explosives Engineers, 1996 - 1997

Secretary/Treasurer - Ozark Chapter of the International Society of Explosives Engineers, 1995 - 1996.

Director - Ozark Chapter of the International Society of Explosives Engineers, 1994 - 1995.

President's Award - International Society of Explosives Engineers - Las Vegas, Nevada, February 6, 1991.

Who's Who Among Rising Young Americans 1991.

Outstanding Service Award - Ozark Chapter of the International Society of Explosives Engineers, 1990.

Director - Heartland Chapter of Society of Explosives Engineers, 1989.

Charter President - Ozark Chapter of the International Society of Explosives Engineers, 1987 - 1989.

Excellence in Research Award from Pittsburg State University, Spring 1985. Award presented for Masters project on the Fourier transform with applications to seismic and acoustic disturbances from blasting.

Kappa Mu Epsilon - Mathematical Honorary Society.

Phi Kappa Phi - National Graduate Honor Society.

BLAST MONITORING PROJECTS

QUARRY AND UNDERGROUND

APAC Central – numerous quarries in Arkansas, Oklahoma, and Kansas

Martin Marietta Materials – numerous quarries in Kansas and Missouri

Lafarge Corporation – numerous quarries in Missouri and Oklahoma

Dozens of other smaller operations

COAL

Peabody – various operations across the U.S.

AMAX – Indiana

Old Ben Coal – Illinois

Continental Coal – Missouri

Many others over the years

CONSTRUCTION

Explosive Contractors

Pillshaw Explosives

Buckley Powder Company

Austin Powder Company

Orica

Dyno Nobel

Dykon Blasting

Dykon Demolition

Summers Blasting

Many others over the years

METAL

Freeport-McMoRan Operations in

Arizona

New Mexico

Peru

Chile

Indonesia

I also supervised monitoring in South Africa for a week with RAM Technical Services.

The number of domestic blast vibration monitoring projects I have been involved with over the last 45 years is too extensive to remember much less list. They have extended across the United States.

EXHIBIT "E"

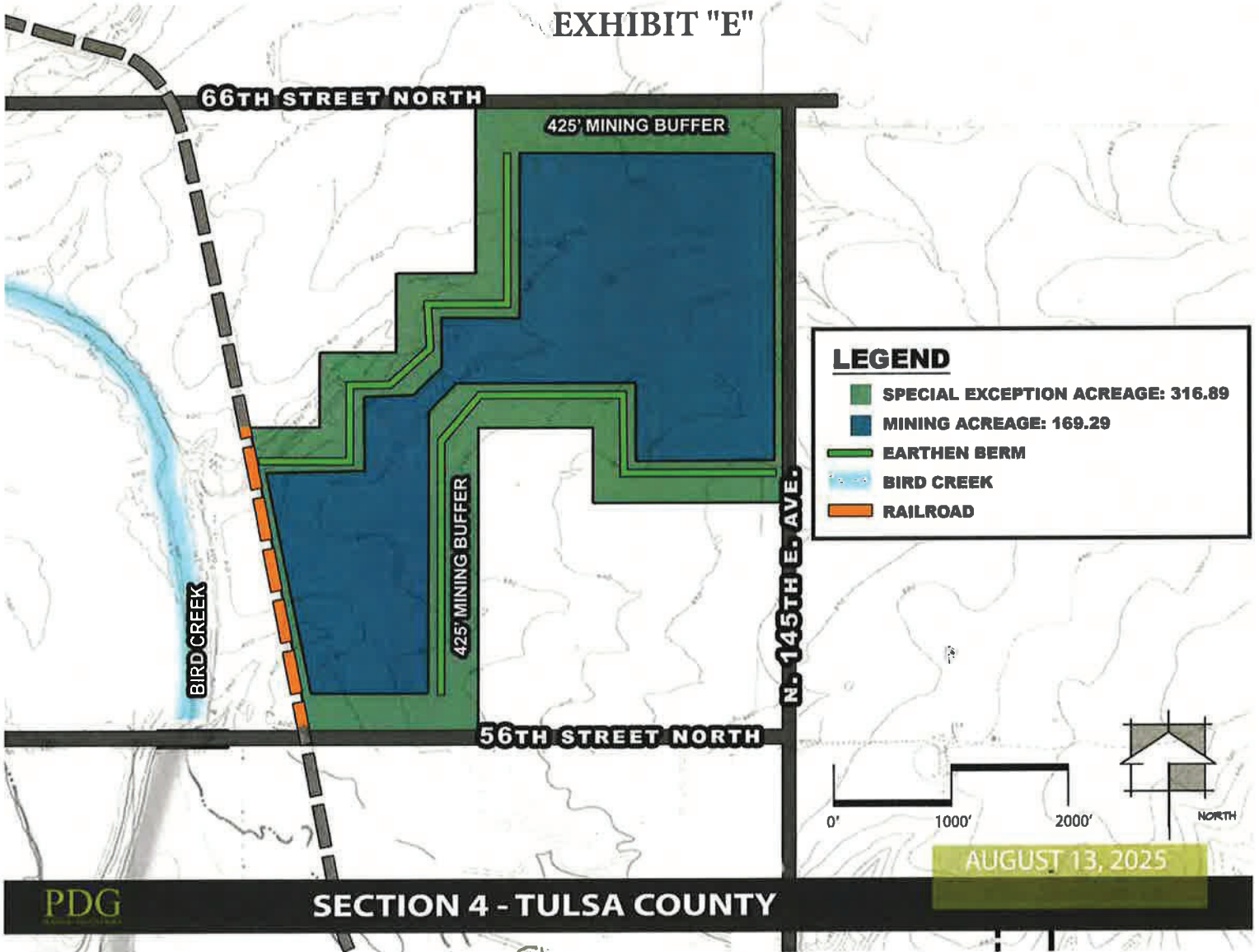
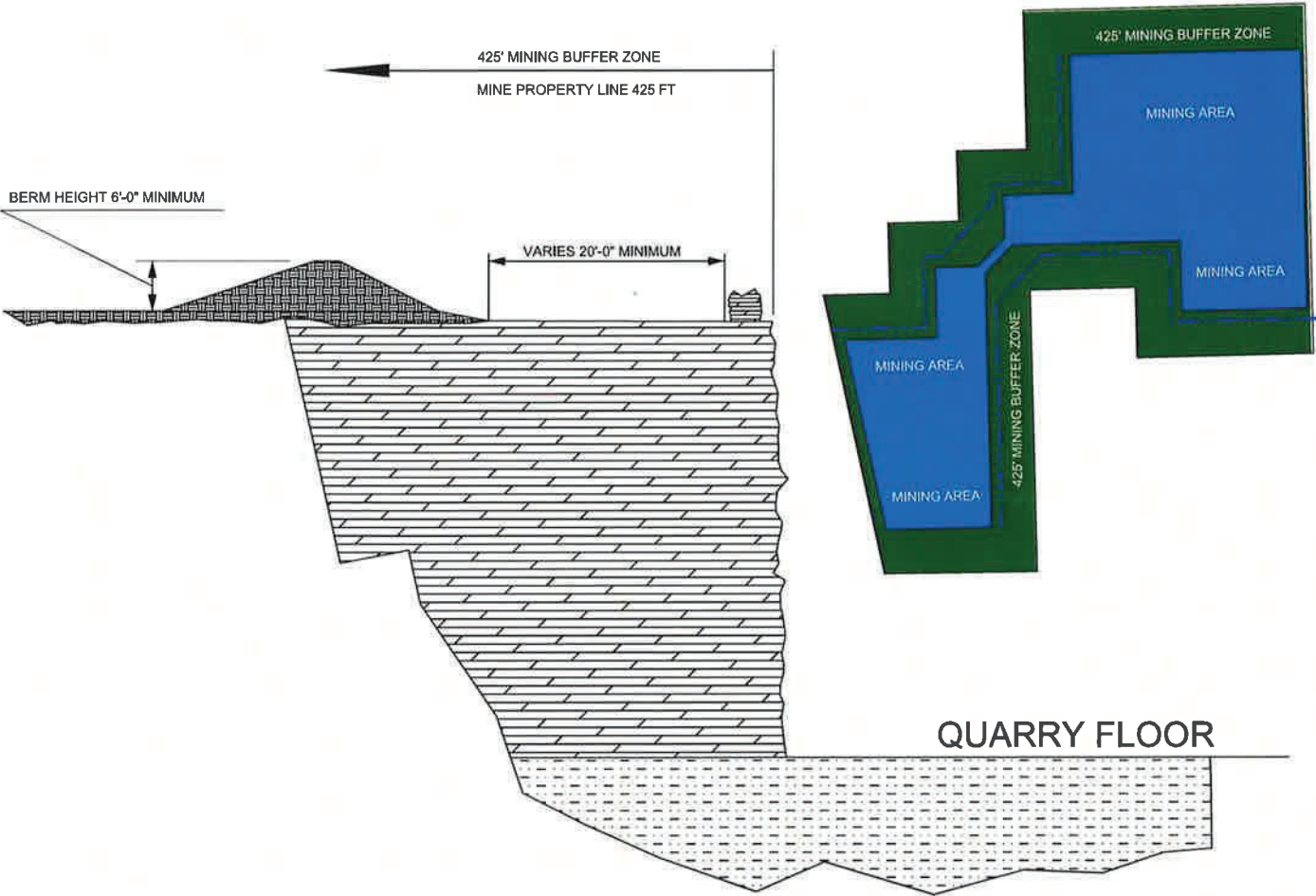


EXHIBIT "F"



MINE WALL SECTION

Oklahoma Administrative Code

Title 460. Department of Mines

Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations

Subchapter 13. Performance Standards

Okla. Admin. Code 460:25-13-18

460:25-13-18. Blasting requirements

Currentness

(a) All blasting shall be conducted between sunrise and sunset.

(1) The Department may specify more restrictive time periods, based upon public requests or other relevant information, according to the need to adequately protect the public from adverse noise.

(2) Blasting may, however, be conducted between sunset and sunrise if:

(A) A blast that has been prepared during the afternoon must be delayed due to the occurrence of an unavoidable hazardous condition and cannot be delayed until the next day because of a potential safety hazard.

(B) A complete written report of blasting at night is filed by the operator with the Department not later than three days after the night blasting. The report shall include the reasons for the delay in blasting, including why the blast could not be held over to the next day, when the blast was actually conducted, the warning signals given, and a copy of the blast report.

(b) Access to the area shall be controlled to prevent the presence of livestock or unauthorized personnel during blasting and until an authorized representative of the operator has reasonably determined:

(1) That no unusual circumstances, such as imminent slides or undetonated charges, exist; and

(2) That access to and travel in or through the area can safely be resumed.

(c) Flyrock shall not be cast from the blast area.

(d) In all blasting operations, except as otherwise authorized in this Section, the maximum safe peak particle velocity shall not exceed the requirements of Section 460: 25-13-19(a) at the location of any dwelling, public building, school, church, or commercial or institutional building.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-13-18, OK ADC 460:25-13-18

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Oklahoma Administrative Code

Title 460. Department of Mines

Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations

Subchapter 13. Performance Standards

Okla. Admin. Code 460:25-13-19

460:25-13-19. Blasting standards

Currentness

(a) In all blasting operations, except as hereinafter otherwise provided, the maximum safe peak particle velocity shall not exceed at the immediate location of any dwelling house, public building, school, church, commercial or institutional building, the following:

(1) Distance of structure from a blast 0-300 feet 2.0"/sec PPV.

(2) Distances of structure from blast 301 feet and beyond 1.0"/sec PPV initially until the blaster can determine from a history of blasts that a preponderance of frequencies, 40 HZ or above, are high enough to justify the 2.0"/sec PPV limit.

(b) This ground velocity limit is not construed to mean property owned, leased, or contracted by the blaster or blaster's company or property on which the owner gives a written waiver.

(c) No two (2) consecutive subcharges within any charge shall be separated by a delay time of less than eight (8) milliseconds.

(d) The standard table for the maximum charge per delay shall be generated by the formula: $W = (D/\text{scaled distance})^2$; Where W is the weight of explosive in pounds and D is the distance from the charge to the nearest dwelling house, public building, school, church, commercial or institutional building in feet. The scaled distance factors allowed for various distances from the blast site, the table in Subsection (h) will be used. On sites where the Department decides it necessary to comply with the provision of the law this formula may be altered.

(e) For the purpose of well shooting below 100 feet, the table shall be generated by the formula: $W = (D/50)^3$; Where W is the total weight of explosives in the hole and D is the distance from the charge to the nearest dwelling house, public building, school, church, commercial, or institutional building.

(f) Scaled Distance factors allowed for various distances from blast site:

(1) 0 to 300 ft. from blast site-Use scaled distance factor of 50 without seismic monitoring.

(2) 301 to 5,000 ft. from blast site - Use scaled distance factor of 55 without seismic monitoring.

(3) 5,001 ft and beyond from blast site - Use scaled distance factor of 65 without seismic monitoring.

Credits

Authority: Oklahoma Mining Commission; 63 O.S. Section 123.4

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96; Amended at 38 Ok Reg 2418, OAR Docket #21-682, eff 9-11-21; Amended at 39 Ok Reg 2036, OAR Docket #22-686, eff 9-11-22]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-13-19, OK ADC 460:25-13-19

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 13. Performance Standards

Okla. Admin. Code 460:25-13-20

460:25-13-20. Seismographic measurements

Currentness

(a) If a blaster decides that the table of maximum pound per delay established in 460: 25-17-19, is too conservative, he may use seismographic measurements and increase the charge per delay period, provided the velocity as required by Section 460: 25-13-19(a) is not violated. He must use the seismographic on every shot thereafter so long as the table is not being complied with.

(b) If a blaster considers the table too conservative for his particular area, he may, upon submission of seismographic reports, petition for a modified table for blasting operation at the particular site, but in no case shall the Department allow a table that would allow velocities above the requirements of Section 460: 25-13-19(a).

(c) In making a seismographic determination of the velocity at a particular position, the following formula shall be used: $V = VO(Do/D)^{1.5}$; Where VO is the maximum ground particle velocity at the seismograph, Do is the distance of the seismograph from the blast, and D is the distance from the blast to the position in question and in the same general direction. The distance Do may not be greater than D, and D cannot be more than five (5) times Do. This determined velocity at the site of any dwelling house, public building, school, church, commercial or institutional building shall not exceed the requirements of Section 460: 25-13-19(a).

(d) If special conditions occur which indicate that abnormal or potentially damaging ground vibrations may result from blasting, the Department may require a seismograph recording of any or all blasts.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-13-20, OK ADC 460:25-13-20

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 13. Performance Standards

Okla. Admin. Code 460:25-13-21

460:25-13-21. Airblast

Currentness

(a) Maximum allowable airblast at any dwelling, public building, school, church, commercial or institutional building shall not exceed one hundred and twenty nine (129) decibels when measured by an instrument having a flat frequency response (+/-3 decibels) over a range of at least 6 to 200 hertz. If the airblast is measured with an instrument having a flat frequency response of (+/- 3 decibels) over a range of at least 2 to 200 hertz, the corresponding limit is one hundred and thirtythree (133) decibels.

(b) If the department believes that the airblast from a blasting operation is exceeding or threatening to exceed the limits in section (a), it may require that the blaster monitor the airblast for a specified period.

(c) The blaster shall take precautions, including the adequate confinement of all explosive materials, to ensure that the airblast limits in section 460:25-13-21(a) are met.

(d) The Department may require lower limits than those specified in section 460:25-13-21(a) in the vicinity of buildings with increased susceptibility to damage from airblast, such as those with large plate glass windows, or in areas where excessive airblast could be deemed unacceptable, such as near hospitals or schools.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-13-21, OK ADC 460:25-13-21

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 13. Performance Standards

Okla. Admin. Code 460:25-13-22

460:25-13-22. Records of blasting operations

Currentness

A record of each blast, including seismographic reports if used, shall be retained for at least three years and shall be available for inspection by the Department upon request. The record shall contain at a minimum the following data:

- (1) Name of company or contractor.
- (2) Exact location of the blast, date, and time of detonation.
- (3) Name, signature and license number of blaster in charge.
- (4) Type of material blasted.
- (5) Number of holes, burden and spacing.
- (6) Diameter and depth of holes.
- (7) Types of explosives used.
- (8) Total amount of explosives used.
- (9) Maximum amount of explosives per delay period of eight (8) milliseconds or greater.
- (10) Method of firing and type of circuit.
- (11) Direction, distance in feet, and identification of nearest dwelling, house, public building, school, church, commercial or institutional building neither owned nor leased by the person conducting the blast.
- (12) Weather conditions including temperature, wind velocity, and direction.

(13) Type and height or length of stemming.

(14) A statement as to whether mats or other protections against flyrock were used.

(15) Type of delay electric blasting caps used and delay periods used.

(16) The person taking the seismograph reading shall accurately indicate exact location of seismograph if used and shall also show the distance of seismograph from blast and the distance from the nearest seismograph and the nearest structure.

(17) Seismograph records, where required:

(A) Name of person and firm analyzing the seismograph record

(B) Seismograph reading

(18) Maximum number of holes per delay period of eight (8) milliseconds or greater.

(19) Sketch of blast pattern including number of holes, burden and spacing distance delay pattern, and if decking is used, a hole profile.

(20) Digital or video recordings of each shot must be available for review upon request. Digital or video recordings must clearly show top and bottom of blast.

(21) Information provided with digital or video recordings must include:

(A) Date of recording;

(B) GPS location of recording and camera bearing;

(C) Name of person recording the blast.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96; Amended at 31 Ok Reg 2108, eff 9-12-14]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-13-22, OK ADC 460:25-13-22

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 13. Performance Standards

Okla. Admin. Code 460:25-13-23

460:25-13-23. Variances

Currentness

(a) The Department of Mines may grant variances from any provisions of this Chapter, if it can be demonstrated that said variance improves safety conditions or that said variance will provide such safe conditions as those which would prevail if there was compliance with the standards.

(b) Such a variance may be modified or revoked by the Department.

Credits

[Source: Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-13-23, OK ADC 460:25-13-23

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 15. State Inspection

Okla. Admin. Code 460:25-15-1

460:25-15-1. Purpose

Currentness

This Subchapter sets forth general procedures governing state inspections.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-15-1, OK ADC 460:25-15-1

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Oklahoma Administrative Code

Title 460. Department of Mines

Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations

Subchapter 15. State Inspection

Okla. Admin. Code 460:25-15-2

460:25-15-2. State inspections

Currentness

(a) The Department may conduct an average of at least one inspection every year on all blasting permits under its jurisdiction. Additional inspections may be ordered for just cause by the Director of the Oklahoma Department of Mines or his designees.

(b) The inspections required under (a) of this section shall:

(1) Be carried out on an irregular basis, as to monitor compliance at all operations, including those which operate nights, weekends, or holidays;

(2) Occur without prior notice to the operator being inspected or any agent or employee of such operator, except for necessary on-site meetings; and

(3) Include the prompt filing of inspection reports adequate to enforce the requirements of and to carry out the terms and purposes of 63 O.S. (1995), this Chapter and the permit.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-15-2, OK ADC 460:25-15-2

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 15. State Inspection

Okla. Admin. Code 460:25-15-3

460:25-15-3. Citizens requests for inspection

Currentness

(a) A citizen may request a site inspection by furnishing to an authorized representative of the Director of the Oklahoma Department of Mines a signed, written statement (or an oral report followed by a signed, written statement) giving the authorized representative reason to believe that a violation, condition or practice exists and setting forth a phone number and address where the citizen can be contacted.

(b) Within 30 days of the state inspection, or, if there is no state inspection, within 30 days of receipt of the citizen's written statement, the Department may send the citizen the following:

(1) If an inspection was made, a description of the enforcement action taken if any; or

(2) If no state inspection was conducted, an explanation of the reason why.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-15-3, OK ADC 460:25-15-3

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 15. State Inspection

Okla. Admin. Code 460:25-15-4

460:25-15-4. Right of entry

Currentness

Each authorized representative of the Director of the Department of Mines conducting a state inspection of any blasting operation under Title 63 of the Oklahoma Statutes:

- (1) Shall have the right of entry to inspect and investigate any blasting operation, without advance notice or a search warrant, upon presentation of appropriate credentials, and
- (2) May, at reasonable time and without delay, have access to a copy of any records required to be maintained by 63 O.S. (1995), Section and this Chapter, and may inspect any monitoring equipment required by 63 O.S. (1995), Section or this Chapter.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-15-4, OK ADC 460:25-15-4

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KeyCite Red Flag - Severe Negative Treatment

KeyCite Red Flag Negative Treatment 460:25-15-5. Availability of records [REVOKED]

Oklahoma Administrative Code

Title 460. Department of Mines

Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations

Subchapter 15. State Inspection

Okla. Admin. Code 460:25-15-5

460:25-15-5. Availability of records [REVOKED]

Currentness

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96; Revoked at 39 Ok Reg 2036, OAR Docket #22-686, eff 9-11-22]

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OAC 460:25-15-5, OK ADC 460:25-15-5

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-1

460:25-17-1. Purpose

Currentness

This Subchapter sets forth general rules regarding Departmental enforcement of 63 O.S. (1995), Section 123.1 et seq., this Chapter and all conditions of permits imposed under 63 O.S. (1995), Section 123.1 et seq. and this chapter.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-17-1, OK ADC 460:25-17-1

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KeyCite Red Flag - Severe Negative Treatment

KeyCite Red Flag Negative Treatment 460:25-17-2. Cessation Orders [EXPIRED]

Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-2

460:25-17-2. Cessation Orders [EXPIRED]

Currentness

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 through 7-14-96 (emergency) ¹]

Editors' Notes

*EDITOR'S NOTE:*¹ This emergency action expired without being superseded by a permanent action. Upon expiration of an emergency action enacting a new Section, the Section is no longer effective. Therefore, on 7-15-96 (after the 7-14-96 expiration of the emergency action), Section 460:25-17-2 was no longer effective. For the official text of the emergency rule that was effective from 1-11-96 through 7-14-96, see 13 Ok Reg 1111.

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-17-2, OK ADC 460:25-17-2

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Oklahoma Administrative Code Title 460. Department of Mines Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations Subchapter 17. Violations and Cessation Orders
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Okla. Admin. Code 460:25-17-3

460:25-17-3. Notices of violation

Currentness

(a) The Director of the Oklahoma Department of Mines or authorized representatives shall issue a notice of violation if, on the basis of an inspection, he or she finds a violation of 63 O.S. (1995), Section 123.1 et seq., this Chapter or any condition of a permit imposed under the 63 O.S. (1995), Section 123.1 et seq. or this Chapter, which does not create an imminent danger or harm for which a cessation order must be issued under Section 460:25-17-4.

(b) A notice of violation issued under this Section shall be in writing, signed by the Director, or his authorized representative, and shall set forth with reasonable specificity:

(1) The nature of the violation;

(2) The remedial action required, which may include interim steps;

(3) A reasonable time for abatement, which may include time for accomplishment of interim steps; and

(4) A reasonable description of the portion of the non-coal surface mining and reclamation operation to which it applies.

(c) The Director or his authorized representative may extend the time set for abatement or for accomplishment of an interim step, if the failure to meet the time previously set was not caused by lack of diligence on the part of the person to whom it was issued.

(d) If the operator to whom the notice was issued fails to meet any time set for abatement or for accomplishment of an interim step, the Director or his authorized representative shall issue a cessation order under Section 460:25-17-4.

(e) The Director or authorized representative shall terminate a notice of violation by written notice to the operator to whom it was issued, when he determines that all violations listed in the notice have been abated.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-17-3, OK ADC 460:25-17-3

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Oklahoma Administrative Code Title 460. Department of Mines Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations Subchapter 17. Violations and Cessation Orders
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Okla. Admin. Code 460:25-17-3.1

460:25-17-3.1. Cessation orders

Currentness

(a) The Director of the Department of Mines or his authorized representative shall immediately order a cessation of blasting operations or of the relevant portion, thereof, if finding on the basis of any inspection, and condition or practice, of any violation of 63 O.S. (1995) Section 123.1 et seq., this Chapter, other state law, or any condition of a permit imposed under 63 O.S. (1995) Section 123.1 et seq or this Chapter which creates an imminent danger to the health and safety of the public. If the cessation ordered under this section will not completely abate the imminent danger or harm in the most expeditious manner physically possible, the Director or his authorized representative shall impose affirmative obligations on the operator to whom it was issued to abate the condition, practice or violation. The order shall specify the time by which abatement shall be accomplished.

(b) The Director of the Department of Mines or his authorized representative shall immediately order a cessation of the blasting operations, or of the relevant portion thereof, when a notice of violation has been issued and fails to abate the violations within the abatement period fixed or subsequently extended by the Director or authorized representative. A cessation order issued under this subsection shall require the operator to whom it is issued to take all steps the Director or his authorized representative deems necessary to abate the violations covered by the order in the most expeditious manner physically possible.

(c) A Cessation order issued under (a) or (b) of this Section shall be in writing, signed by the Director or his authorized representative, and shall set forth with reasonable specificity:

(1) the nature of the violation;

(2) the remedial action or affirmative obligation required, or recommended if any, including interim steps, if appropriate;

(3) the time established for abatement, if appropriate, including the time for meeting any interim steps; and

(4) a reasonable description of the position of the blasting operations to which it applies. The order shall remain in effect until the condition, practice or violation has been abated or until vacated, modified or terminated in writing by the Director of the Department of Mines.

(d) Any action or activities intended to protect the public health and safety and the environment shall continue during the period of any order unless otherwise provided in the order.

(e) The Director or authorized representative may modify, terminate or vacate a cessation order for good cause, and may extend the time for abatement if the failure to abate within the time previously set was not caused by lack of diligence on the part of the person to whom it was issued.

(f) The Director or authorized representative shall terminate a cessation order, by written notice to the operator to whom the order was issued, when he or she determines that all conditions, practices or violations listed in the order have been abated.

Credits

[Source: Added at 13 Ok Reg 3499, eff 8-26-96]

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-4

460:25-17-4. Service of notices of violations and cessation orders

Currentness

A notice of violation or cessation order shall be served on the person to whom it is directed or his designated agent promptly after issuance, as follows:

(1) By tendering a copy at the blasting operation to the designated agent or to the individual who, based upon reasonable inquiry by the Director or his authorized representative, appears to be in charge of the blasting operation referred to in the notice or order. If no such individual can be located at the site, a copy may be tendered to any individual on the site who appears to be an employee or agent of the person to whom the notice or order is issued. Service shall be complete upon tender of the notice or order and shall not be deemed incomplete because of refusal to accept.

(2) As an alternative to (1) of this section, service may be made by sending a copy of the notice or order by certified mail or by hand to the operator to whom it is issued or his designated agent. Service shall be complete upon tender of the notice or order of the mail and shall not be deemed incomplete because of refusal to accept.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

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Oklahoma Administrative Code

Title 460. Department of Mines

Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations

Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-5

460:25-17-5. Review of citations

Currentness

(a) Upon the issuance of a notice or order charging that a violation of the Oklahoma Explosives and Blasting Regulations Act has occurred, the Department shall inform the operator within thirty (30) days of the proposed amount of said penalty.

(b) The person charged with the penalty shall then have thirty (30) days from receipt of the proposed assessment notice to pay the proposed penalty in full or, if the person wishes to contest either the amount of the penalty or the fact of the violation, forward the proposed amount to the Department for placement in an escrow account.

(c) If through administrative or judicial review of the proposed penalty, it is determined that no violation occurred, or that the amount of the penalty should be reduced, the Department shall within thirty (30) day remit the appropriate amount to the person.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-6

460:25-17-6. Violator enforcement

Currentness

(a) Any person who violates any permit condition or any other provision of the Oklahoma Explosives and Blasting Regulation Act or this Chapter may be assessed an administrative penalty by the Department. The penalty assessment will be as follows:

(1) Such penalty shall not exceed Five Thousand Dollars (\$5,000.00) for each violation.

(2) Each day of continuing violation may be deemed a separate violation for purposes of penalty assessments.

(b) In determining the amount of the penalty, consideration shall be given to the following:

(1) The person's history of previous violations regarding explosives and blasting operations;

(2) The seriousness of the violation, including harm to the environment and any hazard to the health or safety of the public;

(3) Whether the person was negligent; and

(4) Whether the person demonstrated good faith in attempting to achieve rapid compliance after notification of the violation.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

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Oklahoma Administrative Code

Title 460. Department of Mines

Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations

Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-6.1

460:25-17-6.1. When penalty will be assessed

Currentness

(a) The Department shall assess a penalty for each cessation order.

(b) The Department shall assess a penalty for each notice of violation, if the violation is assigned 31 points or more under the point system described in Section 460-25-17-6.3.

(c) The Department may assess a penalty for each notice of violation assigned 30 points or less under the point system described in Section 460:25-17-6.3. In determining whether to assess a penalty, the Department shall consider the factors listed in Section 460:25-17-6.

Credits

[Source: Added at 18 Ok Reg 3221, eff 7-26-01]

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OAC 460:25-17-6.1, OK ADC 460:25-17-6.1

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-6.2

460:25-17-6.2. Procedures for assessment of civil penalties

Currentness

(a) Within 15 days of service of a notice or order, the person to whom it was issued may submit written information about the violation to the Department and to the inspector who issued the notice of violation or cessation order. The Department shall consider any information so submitted in determining the facts surrounding the violation and the amount of the penalty.

(b) The Department shall serve a copy of the proposed assessment and of the worksheet showing the computation of the proposed assessment on the person to whom the notice or order was issued, by certified mail, within 30 days of the issuance of the notice or order

(1) If the mail is tendered at the address of that person set forth in the permit application or any address at which that person is in fact located, and he or she refuses to accept delivery of or to collect such mail, the requirements of this paragraph shall be deemed to have been complied with upon such tender.

(2) Failure by the Department to serve any proposed assessment within 30 days shall not be grounds for dismissal of all or part of such assessment unless the person against whom the proposed penalty has been assessed:

(A) Proves actual prejudice as a result of the delay; and

(B) Makes a timely objection to the delay. An objection shall be timely only if made in the normal course of administrative review.

(c) Unless a conference has been requested, the Department shall review and reassess any penalty if necessary to consider facts which were not reasonably available on the date of issuance of the proposed assessment because of the length of the abatement period. The Department shall serve a copy of any such reassessment and of the worksheet showing the computation of the reassessment in the manner provided in (b) of this Section, within 30 days after the date the violation is abated.

Credits

[Source: Added at 18 Ok Reg 3221, eff 7-26-01]

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Oklahoma Administrative Code Title 460. Department of Mines Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations Subchapter 17. Violations and Cessation Orders
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Okla. Admin. Code 460:25-17-6.3

460:25-17-6.3. Point system for penalties

Currentness

The Department shall use the point system described in this Section to determine the amount of the penalty and, in the case of notices of violations, whether a mandatory penalty should be assessed as provided in 460:20-17-6.1(b). Points shall be assigned as follows:

(1) **History of previous violations.** The Department shall assign up to 30 points based on the history of previous violations. One point shall be assigned for each past violation contained in the notice of violation. Five points shall be assigned for each violation (but not a condition or practice) contained in a cessation order. The history of previous violations, for the purpose of assigning points, shall be determined and the points assigned with respect to a particular blasting operation. Points shall be assigned as follows:

(A) A violation shall not be counted, if the notice or order is the subject of pending administrative or judicial review or if the time to request said review or to appeal any administrative or judicial decision has not expired, and thereafter it shall be counted for only one year;

(B) No violation for which the notice or order has been vacated shall be counted; and

(C) Each violation shall be counted without regard to whether it led to a civil penalty assessment.

(2) **Seriousness.** The Department shall assign up to 30 points based on the seriousness of the violation, as follows:

(A) **Probability of occurrence.** The Department shall assign up to 15 points based on the probability of occurrence of the event which a violated standard is designed to prevent. Points shall be assessed according to the following schedule:

(i) No probability of occurrence: 0 points

(ii) Insignificant probability of occurrence: 1-4 points

(iii) Unlikely probability of occurrence: 5-9 points

(iv) Likely probability of occurrence: 10-14 points

(v) Occurred: 15 points

(B) Extent of potential or actual damage. The Department shall assign up to 15 points, based on the extent of the potential or actual damage, in terms of area and impact on the public or environment, as follows:

(i) If the damage or impact which the violated standard is designed to prevent would remain within the blast site or permit area, the Department shall assign 0 to 7 points, depending on the duration and extent of the damage or impact.

(ii) If the damage or impact which the violated standard is designed to prevent would extend outside the blast site or permit, the Department shall assign 8 to 15 points, depending on the duration and extent of the damage or impact.

(C) Alternative. In the case of a violation of an administrative requirement, such as a requirement to keep records, the Department shall, in lieu of (2)(A) and (B) of this Section, assign up to 15 points for seriousness, based upon the extent to which enforcement is obstructed by the violation.

(3) Negligence.

(A) The Department shall assign up to 25 points based on the degree of fault of the person to whom the notice or order was issued in causing or failing to correct the violation, condition, or practice which led to the notice or order, either through act or omission. Points shall be assessed as follows:

(i) A violation which occurs through no negligence shall be assigned no penalty points for negligence;

(ii) A violation which is caused by negligence shall be assigned 12 points or less, depending on the degree of negligence;

(iii) A violation which occurs through a greater degree of fault than negligence shall be assigned 13 to 25 points, depending on the degree of fault.

(B) In determining the degree of negligence involved in a violation and the number of points to be assigned, the following definitions apply:

(i) No negligence means an inadvertent violation which was unavoidable by the exercise of reasonable care.

(ii) Negligence means the failure of a permittee to prevent the occurrence of any violation of his or her permit or any requirement under this Chapter due to indifference, lack of diligence, or lack of reasonable care or the failure to abate any violation of such permit or this Chapter due to indifference, lack of diligence, or lack of reasonable care.

(iii) A greater degree of fault than negligence means reckless, knowing, or intentional conduct.

(C) In calculating points to be assigned for negligence, the acts of all persons working on the blasting site shall be attributed to the person to whom the notice or order was issued, unless that person establishes that they were acts of deliberate sabotage.

(4) Good faith in attempting to achieve compliance.

(A) The Department shall add points based the degree of good faith of the person to whom the notice or order was issued in attempting to achieve rapid compliance after notification of the violation. Points shall be assigned as follows:

(i) Rapid compliance: 1 TO 10 points

(ii) Normal compliance: 0 points

(B) The following definitions shall apply under (4)(A) of this Section:

(i) Rapid compliance means that the person to whom the notice or order was issued took extraordinary measures to abate the violation in the shortest possible time and that abatement was achieved before the time set for abatement.

(ii) Normal compliance means the person to whom the notice or order was issued abated the violation within the time given for abatement.

(C) If consideration of this criterion is impractical because of the length of the abatement period, the assessment may be made without considering this criterion and may be reassessed after the violation has been abated.

Credits

[Source: Added at 18 Ok Reg 3221, eff 7-26-01]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-6.4

460:25-17-6.4. Determination of amount of penalty

Currentness

The Department shall determine the amount of any civil penalty by converting the total number of points assigned under Section 460:25-17-6.3 to a dollar amount, according to the following schedule:

- (1) 1 point = \$20
- (2) 2 points = \$40
- (3) 3 points = \$60
- (4) 4 points = \$80
- (5) 5 points = \$100
- (6) 6 points = \$120
- (7) 7 points = \$140
- (8) 8 points = \$160
- (9) 9 points = \$180
- (10) 10 points = \$200
- (11) 11 points = \$220
- (12) 12 points = \$240

(13) 13 points = \$260

(14) 14 points = \$280

(15) 15 points = \$300

(16) 16 points = \$320

(17) 17 points = \$340

(18) 18 points = \$360

(19) 19 points = \$380

(20) 20 points = \$400

(21) 21 points = \$420

(22) 22 points = \$440

(23) 23 points = \$460

(24) 24 points = \$480

(25) 25 points = \$500

(26) 26 points = \$600

(27) 27 points = \$700

(28) 28 points = \$800

(29) 29 points = \$900

(30) 30 points = \$1,000

(31) 31 points = \$1,100

(32) 32 points = \$1,200

(33) 33 points = \$1,300

(34) 34 points = \$1,400

(35) 35 points = \$1,500

(36) 36 points = \$1,600

(37) 37 points = \$1,700

(38) 38 points = \$1,800

(39) 39 points = \$1,900

(40) 40 points = \$2,000

(41) 41 points = \$2,100

(42) 42 points = \$2,200

(43) 43 points = \$2,300

(44) 44 points = \$2,400

(45) 45 points = \$2,500

(46) 46 points = \$2,600

(47) 47 points = \$2,700

(48) 48 points = \$2,800

(49) 49 points = \$2,900

(50) 50 points = \$3,000

(51) 51 points = \$3,100

(52) 52 points = \$3,200

(53) 53 points = \$3,300

(54) 54 points = \$3,400

(55) 55 points = \$3,500

(56) 56 points = \$3,600

(57) 57 points = \$3,700

(58) 58 points = \$3,800

(59) 59 points = \$3,900

(60) 60 points = \$4,000

(61) 61 points = \$4,100

(62) 62 points = \$4,200

(63) 63 points = \$4,300

(64) 64 points = \$4,400

(65) 65 points = \$4,500

(66) 66 points = \$4,600

(67) 67 points = \$4,700

(68) 68 points = \$4,800

(69) 69 points = \$4,900

(70) 70 points = & above \$5,000

Credits

[Source: Added at 18 Ok Reg 3221, eff 7-26-01]

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-6.5

460:25-17-6.5. Assessment of separate violations for each day

Currentness

(a) The Department may assess separately a civil penalty or each day from the date of the issuance of the notice of violation or cessation order to the date set for abatement of the violation. In determining whether to make such an assessment, the Department shall consider the factors listed in Section 460:25-17-6.1 and may consider the extent to which the person to whom the notice or order was issued gained any economic benefit as a result of a failure to comply. For any violation which continues for 2 or more days and which is assigned more than 70 points under Section 460:25-17-6.3, the Department shall assess a penalty for a minimum of 2 separate days.

(b) In addition to the civil penalty provided for in (a) of this Section, whenever a violation contained in a notice of violation or cessation order has not been abated within the abatement period set in the notice or order or as subsequently extended, a civil penalty of not less \$750.00 shall be assessed for each day during which such failure to abate continues, except that:

(1) The entry of a final order by the Department after an expedited hearing which ordered the suspension of the abatement requirements of the citation because it was determined that the person will suffer irreparable loss or damage from the application of the abatement requirements; or

(2) The entry of an order by the court in any review proceedings initiated by the person in which the court orders the suspension of the abatement requirements.

Credits

[Source: Added at 18 Ok Reg 3221, eff 7-26-01]

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Oklahoma Administrative Code

Title 460. Department of Mines

Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations

Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-6.6

460:25-17-6.6. Procedures for assessment conference

Currentness

(a) The Department shall arrange for a conference to review the proposed assessment or reassessment, upon written request of the person to whom notice or order was issued, if the request is received within 30 days from the date the proposed assessment or reassessment is mailed.

(b) Assessment conference.

(1) The Department shall assign a Conference Officer to hold the assessment conference. The assessment conference shall be held within 60 days from the date of issuance of the proposed assessment or end of the abatement period, whichever is later, provided that a failure by the Department to hold said conference within 60 days shall not be grounds for dismissal of all or part of an assessment unless the person against whom the proposed penalty has been assessed proves actual prejudice as a result of the delay.

(2) The Department shall post notice of the time and place of the conference at the State or field office closest to the blast site at least 5 days before the conference.

(3) The Conference Officer shall consider all relevant information on the violation and within 30 days after the conference is held, the conference officer shall either:

(A) Settle the issues, in which case a settlement agreement shall be prepared and signed by the Conference Officer on behalf of the Department and by the person assessed; or

(B) Affirm, raise, lower, or vacate the penalty.

(4) An increase or reduction of a proposed civil penalty assessment of more than 25 percent and more than \$500.00 shall not be final and binding until approved by the Director.

(c) The Conference Officer shall promptly serve the person assessed with a notice of his or her action in the manner provided in Section 460:25-17-6.2 (b) and shall include a worksheet if the penalty has been raised or lowered. The reasons for the conference officer's action shall be fully documented in the file.

(d) Settlement agreements.

(1) If a settlement agreement is entered into, the person assessed will be deemed to have waived all rights to further review of the violation or penalty in question, except as otherwise expressly provided for in the settlement agreement. The settlement agreement shall contain a clause to this effect.

(2) If full payment of the amount specified in the agreement is not received by the Department within 30 days after the date of signing, the Department may enforce the agreement or rescind it and proceed according to (b)(3)(B) of this Section within 30 days from the date of the rescission.

(e) The Conference Officer may terminate the conference when he or she determines that the issues can not be resolved or that the person assessed is not diligently working toward resolution of the issues.

(f) At a formal review proceeding on the results of the assessment conference no evidence as to statements made or evidence produced by one party at a conference shall be introduced as evidence by another party or to impeach a witness.

Credits

[Source: Amended at 18 Ok Reg 3221, eff 7-26-01]

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OAC 460:25-17-6.6, OK ADC 460:25-17-6.6

Oklahoma Administrative Code Title 460. Department of Mines Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations Subchapter 17. Violations and Cessation Orders
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Okla. Admin. Code 460:25-17-6.7

460:25-17-6.7. Request for hearing

Currentness

(a) The person charged with the violation may contest the proposed penalty or the fact of the violation by submitting a petition and an amount equal to the proposed penalty or, if a conference has been held, the assessed or affirmed penalty to the Department (to be held in escrow as provided in (b) of this Section) within 30 days from receipt of the proposed assessment or reassessment or 15 days from the date of service of the Conference Officer's action, whichever is later. The fact of the violation may not be contested if it has been decided in a review proceeding commenced under 460:25-17-9.

(b) All funds submitted under (a) of this Section to the Department, which shall hold them in escrow pending completion of the administrative and judicial process, at which time it shall disburse them as provided in Section 460:20-61-12.

Credits

[Source: Added at 18 Ok Reg 3221, eff 7-26-01]

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-6.8

460:25-17-6.8. Final assessment and payment penalty

Currentness

(a) If the person to whom a notice of violation or cessation order is issued fails to request a hearing as provided in 460:25-17-6.7, the proposed assessment shall become a final order of the Director and the penalty assessed shall become due and payable upon the expiration of the time allowed to request a hearing.

(b) If any party requests judicial review of a final order of the Director, the proposed penalty shall continue to be held in escrow until completion of the review. Otherwise, subject to (c) of this Section, the escrowed funds shall be transferred to the Department in payment of the penalty, and the escrow shall end.

(c) If the final decision in the administrative and judicial review results in an order reducing or eliminating the proposed penalty assessed under this Subchapter, the Department shall within 30 days of the receipt of the order refund to the person assessed all or part of the escrowed amount.

(d) If the review results in an order increasing the penalty, the person to whom the notice or order was issued shall pay the difference to the Department within 15 days after the order is mailed to such person.

Credits

[Source: Added at 18 Ok Reg 3221, eff 7-26-01]

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OAC 460:25-17-6.8, OK ADC 460:25-17-6.8

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Oklahoma Administrative Code Title 460. Department of Mines Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations Subchapter 17. Violations and Cessation Orders
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Okla. Admin. Code 460:25-17-7

460:25-17-7. Hearing request

Currentness

(a) An administrative penalty shall be assessed by the Department only after the person charged with a violation described under section 460:25-17-6 of this Section has been given an opportunity for a hearing pursuant to Article II of the Administrative Procedures Act. Any hearing under this Section shall be of record.

(b) Where such a hearing has been held, the Department shall make findings of fact and shall issue a written decision as to the occurrence of the violation and the amount of the penalty which is warranted, incorporating, when appropriate, an order therein requiring that the penalty be paid.

(c) When appropriate, the Department shall consolidate such hearings with other proceedings under the Oklahoma Explosives and Blasting Regulation Act.

(d) Where the person charged with such a violation fails to avail himself of the opportunity for a hearing, an administrative penalty shall be assessed by the Department after determining that a violation did occur, and the amount of the penalty which is warranted, and issuing an order requiring that the penalty be paid.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-8

460:25-17-8. Informal conferences

Currentness

(a) Any person having an interest which is or may be adversely affected by a decision on a permit application or a notice or order of the Department, may request in writing that the Department hold an informal conference on the application, notice or order. The request shall contain:

(1) Briefly summarize the issues to be raised by the requestor at the conference;

(2) State whether the requestor desires to have the conference conducted in the locality of the blasting operation; the Oklahoma Department of Mines Office in Oklahoma City shall be deemed reasonably close to the blasting operation unless a closer location is requested and agreed to by the Department.

(3) Be filed with the Department no later than thirty (30) days after notice of the affected action.

(4) The conference shall be conducted by a representative of the Department, who may accept oral or written statements and any other relevant information from any party to the conference. An electronic record shall be made of the conference, unless waived by all of the parties. The record shall be maintained and shall be accessible to the parties of the conference.

(b) Except as provided in this Section, if an informal conference is requested in accordance with (a) of this Section, the Department shall hold an informal conference within a reasonable time following the receipt of the request. The informal conference shall be conducted as follows:

(1) If requested under (a)(2) of this Section it shall be held in the locality of the proposed blasting operation.

(2) The date, time, and location of the informal conference shall be sent to the applicant and other parties to the conference and shall be publicly posted by the Department.

(3) If all parties requesting the informal conference withdraw their request before the conference is held, the informal conference may be canceled.

(c) Within thirty (30) days after the close of the informal conference, the Hearing Officer shall issue a proposed order affirming, modifying or vacating the decision, notice or order under appeal at the conference.

(d) The proposed order of the Hearing Officer shall be subject to formal review.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-17-8, OK ADC 460:25-17-8

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-9

460:25-17-9. Formal administrative review

Currentness

- (a) Within thirty (30) days after receipt of notification of a departmental decision concerning a permit application decision concerning approval, denial, suspension, revocation, a proposed order of the Hearing Officer or a notice or order of the Department, the applicant or permittee or any person with an affected interest may request a hearing on the reasons for the decision, in accordance with this Section, this Chapter and the Administrative Procedures Act.
- (b) The filing of any application for review and request for a hearing shall not operate as a stay of notice of violation or cessation order issued by the Department nor shall the request by a stay of any modification, termination, or vacation of said notice or order.
- (c) The Department shall start the administrative hearing within thirty (30) days of such request for administrative review. The hearing shall be on the record and adjudicatory in nature. No person who presided at an informal conference under 460:25-17-8 shall either preside at the hearing or participate in the decision following the hearing or administrative appeal.
- (d) The hearing shall be conducted under the following conditions:
- (1) The hearing authority may administer oaths and affirmation, subpoenas, witnesses and written or printed materials, compel attendance of witnesses or production of those materials, compel discovery and take evidence including, but not limited to, site inspections of the area to be affected.
 - (2) A verbatim record of each hearing required by this Section shall be made, and transcription made available on the motion of any party or by order of the hearing authority.
 - (3) Ex parte contacts between representatives of the parties appearing before the hearing authority and the hearing authority shall be prohibited.
- (e) The burden of proof at such hearing shall be on the party seeking to reverse the decision of the Department.
- (f) Within thirty (30) days after the close of the record, the hearing authority shall issue and furnish the applicant and each person who participated in the hearing with the written findings of act, conclusions of law and order of the hearing authority with respect to the appeal of the decision, which is subject to judicial review by a court of competent jurisdiction pursuant to the Oklahoma Administrative Procedures Act.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-17-9, OK ADC 460:25-17-9

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-10

460:25-17-10. Willful violators

Currentness

Any person who willfully and knowingly violates a condition of a permit issued pursuant to this Chapter or fails or refuses to comply with any order issued under this Chapter, or any order incorporated in a final decision issued by the Department under this Chapter, shall, upon conviction, be punished by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than one (1) year, or both.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-17-10, OK ADC 460:25-17-10

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-11

460:25-17-11. Corporate Permittee violators

Currentness

Whenever a corporate permittee violates a condition of a permit issued pursuant to this Chapter or fails or refuses to comply with any order issued under this Chapter, or any order incorporated with a final decision issued by the Director of the Department of Mines under this Chapter, any director, officer or agent of such corporation who willfully and knowingly authorized, ordered or carried out such violation, failure or refusal shall be subject to the same administrative penalties, fines and imprisonment that may be imposed upon a person under sections 460:25-17-6 and 460:25-17-9 of this Chapter.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-17-11, OK ADC 460:25-17-11

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-12

460:25-17-12. False information given

Currentness

Whoever knowingly makes any false statement, representation or certification, or knowingly fails to make any statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Chapter or any order of decision issued by the Department under this Chapter, shall, upon conviction, be punished by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than one (1) year or, both.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-17-12, OK ADC 460:25-17-12

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Oklahoma Administrative Code

Title 460. Department of Mines

Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations

Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-13

460:25-17-13. Corrective action

Currentness

Any person who fails to correct a violation for which a citation has been issued within the period permitted for its correction shall be assessed an administrative penalty of not less than Seven Hundred Fifty Dollars (\$750.00) for each day during which such failure or violation continues.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-17-13, OK ADC 460:25-17-13

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-14

460:25-17-14. Correction period

Currentness

The period permitted for corrections of violations shall not end until the following:

- (1) The entry of a final order by the Department after an expedited hearing which ordered the suspension of the abatement requirements of the citation because it was determined that the person will/would suffer irreparable loss or damage from the application of the abatement requirements; or
- (2) The entry of an order by a court in any review proceedings initiated by the person in which the court orders the suspension of the abatement requirements.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

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OAC 460:25-17-14, OK ADC 460:25-17-14

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Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-15

460:25-17-15. Unlawful resistance

Currentness

Any person who shall, except as permitted by law, willfully resist, prevent, impede or interfere with the Department or any of the agents or employees thereof in the performance of duties pursuant to this division shall, upon conviction, be punished by a fine of not more than Five Thousand Dollars (\$5,000.00), or by imprisonment for not more than one (1) year, or both.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-17-15, OK ADC 460:25-17-15

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Oklahoma Administrative Code
Title 460. Department of Mines
Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations
Subchapter 17. Violations and Cessation Orders

Okla. Admin. Code 460:25-17-16

460:25-17-16. Penalty recovery

Currentness

Administrative penalties owed under the Oklahoma Explosives and Blasting Regulation Act may be recovered in a civil action brought by the Attorney General or any district attorney in the district in which the violation occurred at the request of the Department in the appropriate district court. Such action, also may be brought by the Department.

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25-17-16, OK ADC 460:25-17-16

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KeyCite Red Flag - Severe Negative Treatment

KeyCite Red Flag Negative Treatment APPENDIX A. TABLE TO BE USED FOR DETERMINING WEIGHT OF EXPLOSIVES TO BE USED ON A SINGLE DELAY [REVOKED]

Oklahoma Administrative Code

Title 460. Department of Mines

Chapter 25. Oklahoma Explosives and Blasting Rules and Regulations

Okla. Admin. Code 460:25 App. A

APPENDIX A. TABLE TO BE USED FOR DETERMINING WEIGHT
OF EXPLOSIVES TO BE USED ON A SINGLE DELAY [REVOKED]

Currentness

Credits

[Source: Added at 13 Ok Reg 1111, eff 1-11-96 (emergency); Added at 13 Ok Reg 3499, eff 8-26-96; Revoked at 39 Ok Reg 2036, OAR Docket #22-686, eff 9-11-22]

Current through rules published in Volume 41, Number 5 of the Oklahoma Register dated November 15, 2023. Some sections may be more current; see credits for details.

OAC 460:25 App. A, OK ADC 460:25 App. A

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From: [Scott Yager](#)
To: [esubmit](#)
Subject: Case Number CBOA-3299 – Opposition to Special Exception for Mining and Mineral Processing
Date: Sunday, September 07, 2025 11:51:33 AM

To:

Tulsa County Board of Adjustment
c/o INCOG
2 W. 2nd Street, Suite 800
Tulsa, OK 74103
Email: esubmit@incog.org

Re: Case Number CBOA-3299 – Opposition to Special Exception for Mining and Mineral Processing

Dear Board Members,

I am writing to express my strong opposition to the application for a **Special Exception to allow Mining and Mineral Processing** in an **AG (Agricultural) District** at 55th Street N. & 66th Street NW of N. 145th E. Avenue (Case No. CBOA-3299).

Granting this exception would set a harmful precedent for agricultural zoning and bring significant negative impacts to nearby residents, farms, and the environment. My objections are based on the following concerns:

1. **Traffic and Road Safety** – Heavy truck traffic from mining operations would endanger drivers, school buses, and local residents using rural roads not designed for industrial loads.
2. **Noise, Dust, and Blasting** – Mining and mineral processing generate disruptive noise and airborne dust that can cause respiratory health problems, reduce air quality, and diminish the peaceful agricultural character of the area.
3. **Water and Environmental Risks** – Mining raises serious concerns about water contamination, runoff, and long-term damage to soil and ecosystems, particularly in agricultural zones.
4. **Property Values** – Studies show that proximity to mining operations depresses surrounding property values, unfairly impacting families who have invested in their homes and land.
5. **Zoning Integrity** – The AG (Agricultural) zoning classification was not created to accommodate industrial mining. Granting a special exception undermines the purpose of zoning regulations and the expectations of landowners who rely on them for stability and protection.

For these reasons, I urge the Board of Adjustment to **deny Case No. CBOA-3299** and protect our community, our environment, and the intended use of agricultural land.

Thank you for your consideration.

Respectfully,
Scott Yager

14312 E 59th St N., Owasso, OK 74055

From: [Cynda Eastham](#)
To: [esubmit](#)
Subject: Case #CBOA-3299
Date: Tuesday, September 09, 2025 8:54:14 AM

Reference # CBOA-3299

Greenhill Properties did not inform all families impacted, only those families whose property is adjacent to the subject tract.

Greenhill Properties has not posted required notices in the area informing the public of their intent to change zoning and the date and time of the public meeting.

Greenhill Properties is telling the families impacted this “change” in zoning is NOT a change, just an “addition”. Any addition to or deletion from current zoning IS a change.

Greenhill Properties is being deceitful and not acting in good faith.

Ervin and Cynda Eastham
14311 E 59th St N
Owasso, OK
918-272-9168
ercy4247east82@gmail.com

Sent from my iPad

Cassandra Memri Cade and Bryan Brandon Sloate

6310 N 134th East Ave

Owasso, OK 74055

9/15/25

To:

Owasso Planning Department / Board of Adjustment

County of Tulsa, Oklahoma

Case Number: **CBOA-3299**

Subject: Opposition Report Regarding Proposed Quarry Near Residential Areas

I am submitting this report to formally **oppose the proposed quarry** near residential areas in Owasso. Based on extensive research and widely recognized industry and environmental guidelines, the proposed quarry poses **significant, multi-faceted risks** to:

- Residential homes and property values
- Human health
- Livestock and agricultural animals
- Local waterways, ponds, and aquatic ecosystems
- The overall environment and community quality of life

This report details these risks and recommends **mitigation strategies and setback requirements** to protect the community.

1. Residential Impact

Structural Integrity:

- Blasting and heavy equipment generate vibrations that can:
 - Crack walls, ceilings, and foundations
 - Damage masonry, chimneys, and structural supports
 - Cause long-term settling, reducing safety and requiring costly repairs

Case Number: CBOA-3299

Property Values:

- Studies indicate homes within 0.5 miles of active quarries can lose **10–30% of market value**.
- Reduced resale potential and difficulty obtaining insurance compound financial harm.
- Proximity to quarries has been shown to depress property values due to noise, dust, blasting, and visual blight. Homeowners should not bear permanent financial loss because of a short-term industrial operation.
- Local news coverage has documented prior community objections to quarry siting in Owasso, highlighting that these concerns are not new.

Risks to Homes and Property

- **Blasting Damage:** Oklahoma law explicitly permits residents within one-half (½) mile of a mining site to request a **pre-blasting survey**, which must be provided by the operator. This confirms that blasting poses a recognized risk to homes and barns. Without such surveys, homeowners have no baseline protection.
- **Structural Integrity:** Repeated vibrations from blasting can cause foundation cracks, drywall damage, and shifting soil under homes. Once structural integrity is compromised, the financial and safety costs are borne by homeowners, not the operator.

Noise and Dust:

- Continuous machinery noise and blasting disturb residents, affecting sleep and quality of life.
- Dust particles, including silica, can infiltrate homes and reduce indoor air quality.

Recommended Buffers for Homes: ≥500–1,000 ft from blasting and operations.

Case Number: CBOA-3299

2. Health Concerns

Human Health Risks:

- Inhalation of quarry dust exacerbates **asthma, bronchitis, and other respiratory illnesses**.

- **Air Quality Risks:** Respirable crystalline silica and fine quarry dust are proven respiratory hazards. Even low-level community exposure can aggravate asthma and increase lung disease risk. This is particularly dangerous for children, seniors, and livestock in open-air barns.
- Chronic exposure is cumulative and unavoidable for homes within close proximity.

3. Livestock and Agricultural Impacts

Animals Affected: Horses, donkeys, chickens, and other livestock.

Risks:

Livestock and Poultry: Horses, donkeys, and chickens are highly sensitive to air and water contamination. Dust exposure affects respiratory efficiency, while contaminated runoff increases disease risk. These agricultural concerns directly affect food security and local livelihood.

Water contamination: Sediment and chemical runoff threaten animals drinking from nearby ponds, streams, or wells.

Recommended Buffers for Livestock:

- Horses & donkeys: $\geq 1,000$ ft for noise/blasting, 500–700 ft for dust
- Chickens: ≥ 100 –300 ft depending on dust and noise

Case Number: CBOA-3299

4. Waterways and Environmental Concerns

Streams and Ponds:

- Excavation near water increases **sediment, turbidity, and runoff**, harming aquatic life.
- Contaminants such as fuel or oil may enter water, affecting human and animal drinking sources.
- Peer-reviewed studies from the **Tri-State Mining District** show mining operations can release heavy metals into soil and water, harming aquatic life and contaminating groundwater.

- Oklahoma's own **Tar Creek disaster** demonstrates the long-term consequences of permitting mining operations too close to waterways — decades of lead exposure, toxic runoff, and community displacement.

Flooding and Erosion:

- Removal of vegetation and soil can **alter drainage patterns**, increasing erosion and flood risk downstream.

Ecosystem Impacts:

- Long-term effects include **loss of native vegetation, fish populations, and wetland habitats**.

Recommended Waterway Buffers:

- Streams/ponds: $\geq 100\text{--}200$ ft
- Wetlands: $\geq 200+$ ft with strict monitoring

5. Blasting Concerns

Case Number: CBOA-3299

Direct Effects:

Vibration threatens **structural integrity of nearby homes**.

Sudden noise and dust can **stress humans and animals**.

- Cannot be fully mitigated even with modern blasting practices.

Cumulative Effects:

- Continuous operations increase **wear on structures, reduce property desirability, and affect community quality of life**.

6. Recommended Mitigation Strategies

If operations are permitted, the following measures should be **strictly enforced**:

1. **Setbacks:** Minimum distances for homes, livestock, and water sources as outlined above.
2. **Dust suppression:** Water sprays, vegetation, and berms to reduce particulate spread.
3. **Noise reduction:** Acoustic barriers, timing restrictions, and restricted blasting hours.
4. **Water protection:** Sediment ponds, erosion controls, and regular water quality monitoring.
5. **Structural monitoring:** Baseline surveys of nearby homes for potential blast-related damage.

7. Conclusion

The proposed quarry presents **substantial, measurable risks** to homes, human and animal health, waterways, and the surrounding environment. Given the **proximity to**

Case Number: CBOA-3299

residences, livestock, and natural water sources, this project is incompatible with community safety and well-being without **significant setbacks and mitigation**.

I respectfully urge the Board to:

- Deny the quarry permit, **or**
- Enforce **strict regulatory measures** with mandatory buffers, dust and noise controls, water protection, and ongoing monitoring.

This report is submitted to be **entered into the official record** for consideration in all deliberations regarding the proposed quarry.

Sincerely,

Cassandra Memri Cade

and

Bryan Brandon Sloate

Rojas, Javier

From: Sean Clay <seandclay@hotmail.com>
Sent: Tuesday, September 16, 2025 8:26 AM
To: esubmit
Subject: Case CBOA-3299

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Sean D Clay
6436 N 131st E Ave. Owasso, OK 74055
9/16/2025

To Whom it May Concern,

I have become aware of Greenhill's plans to expand their mining operations (although I had to look it up, one would think that it would be a requirement to notify all property owners in close proximity) by asking the board to rezone AG designated land to Mining and Processing.

With the number of homes in such close proximity to this area, I am astounded that this is even being considered.

We have lived at our home for 10 years and love the area, there have been a few issues we have had to deal with including, numerous blasts through the week that literally shake our windows, the constant heavy truck traffic on 145th and 46th St N, and the considerable dust that all this creates. We, as many of our neighbors knew where the mine was when we purchased the property and were willing to live with the inconveniences that the mine presented at that time. We, however, are not prepared for them to move all of those problems within literal short blocks from our front doors.

I have been a Realtor for over 15 years and I can tell you that our property values will go down considerably with such an eyesore so close without even mentioning the dust, noise, and increased traffic. How is it fair to my neighbors and myself to allow a corporation's profits to be so much more important than the numerous citizens' well being and home investment you are tasked with protecting.

Heavy truck traffic has been an issue for years but if you could stay off of 145 during work hours you could somewhat avoid the trucks with their noise, dust, and damage to our windshields but with this proposal, you will be surrounding numerous streets full of homes with no ability to come and go without dodging these trucks that tear up our roads and seem to barely follow the rules of the road, they are almost never on their side of the road and some spots on their route have perpetual large pot holes that seem to never stay filled.

Dust is already beyond normal for this area and I fear that with this proposal it will be worse by multiples. Studies show that exposure to dust from mining operations becomes exceedingly unhealthy at less than 1 mile from site. This proposal puts dozens of homes within less than half that distance.

For most Americans, their home is their largest investment and security. As myself and others in this area age, we would expect the value of this investment to increase. I can tell you from years of experience in the field that a working mine in this close proximity will slash values and continued growth by a minimum of 10's of thousand of dollars for each house in this area in just a short time, with much larger losses as time goes forward.

I implore you as a citizen of your county whose job it is to protect the value of your constituents' properties to put your citizens first and limit this corporation's desire for expansion at the destruction of its neighbors and our neighborhood.

There are times when you are tasked with doing the right thing for your people and that time is now.

Thank you.

09/11/2025

CBOA-3299

We, the undersigned residents, landowners, and community members of Northwest Tulsa County/rural Tulsa County near E 56th St N, E 66th St N, and N 145th E Ave, hereby submit this petition in formal opposition to the Special Exception request to permit Mining and Mineral Processing activities on land currently zoned Agricultural (AG). With a public meeting scheduled for **September 16, 2025**, we respectfully urge you to deny this request for the following reasons:

The existing quarry already causes regular blasting tremors that have coincided with structural damage in nearby homes, including visible cracks in walls and floors. Now, the proposed expansion would bring operations within just 450 feet of residential properties. Blasting at this range can cause damage several miles away, making further structural harm not only likely, but expected. These are not hypothetical concerns, homeowners are already experiencing the consequences.

Heavy truck traffic from the quarry continues to degrade local roads which creates unsafe conditions for pedestrians and drivers. An expansion would increase truck volume, further straining our infrastructure and increasing risks to public safety.

The land in question is zoned Agricultural and has historically been used as a ranch. Industrial mining directly contradicts the intent of AG zoning, which is meant to protect rural, low-impact uses. According to **Tulsa County Zoning Code §14.080-G**, a special exception may only be granted if it aligns with the spirit of the zoning and is not detrimental to surrounding properties. This proposal fails on both counts.

Finally, expanding a quarry so close to homes is simply unjust when other, more appropriate locations are available. The long-term damage to homes, health, and quality of life is too great a price to pay.

Please protect our neighborhood and uphold the intent of the zoning code by denying this application.

We appreciate your consideration and urge you to prioritize the well-being of local residents.

PETITION FORM

Opposition to Special Exception Request to Allow Mining and Mineral Processing in Agricultural (AG) District

[illegible]

PETITION FORM

Opposition to Special Exception Request to Allow Mining and Mineral Processing in Agricultural (AG) District

Petition Summary:	We respectfully urge the Tulsa County Board of Adjustment to deny the Special Exception request to allow Mining and Mineral Processing in the Agricultural (AG) District. This proposal is fundamentally incompatible with the intent and purpose of AG zoning, poses significant risks to public and private property, and threatens the safety, health, and quality of life of nearby residents. We ask that you uphold the integrity of the AG zoning designation and reject any attempt to authorize mining or mineral processing activities within or near this community.			
Action petitioned for	We, the undersigned residents, landowners, and community members of Northwest Tulsa County/rural Tulsa County near E 56th St N, E 66th St N, and N 145th E Ave, hereby submit this petition in formal opposition to the Special Exception request to permit Mining and Mineral Processing activities on land currently zoned Agricultural (AG).			
Case Number:	CBOA-3299			
Location:	12912 E 56 th St N			
Full Name	Property Address	Signature	Date	Notes (e.g. Trustee)
Scott Stedens	14211 E 58 th St N	Scott Stedens	9/9/25	
Diana Stedens	14211 E 58 th St N	Diana Stedens	9-9-25	
Barbara Morrison	14343 E. 56 th St. N. Owasso	Barbara Morrison	9-9-25	
Anthony Young	14205 E. 56 th St N. Owasso	Anthony Young	9-9-25	
John B Douglas	14141 E 56 th St N Owasso, OK 74055	John B Douglas	9-9-25	
Joel Cusquiza	14001 E 56 th St N Owasso OK 74055	Joel Cusquiza	9-9-25	
LAYTON DOZIER	13723 E. 56 th St. N OWASSO, OK 74055	Rayte Dozier	9.9.25	
DEBRA DOZIER	13723 E 56 th ST N OWASSO, OK 74055	Debra Dozier	9/9/25	

PETITION FORM

Opposition to Special Exception Request to Allow Mining and Mineral Processing in Agricultural (AG) District

Petition Summary:	We respectfully urge the Tulsa County Board of Adjustment to deny the Special Exception request to allow Mining and Mineral Processing in the Agricultural (AG) District. This proposal is fundamentally incompatible with the intent and purpose of AG zoning, poses significant risks to public and private property, and threatens the safety, health, and quality of life of nearby residents. We ask that you uphold the integrity of the AG zoning designation and reject any attempt to authorize mining or mineral processing activities within or near this community.			
Action petitioned for	We, the undersigned residents, landowners, and community members of Northwest Tulsa County/rural Tulsa County near E 56th St N, E 66th St N, and N 145th E Ave, hereby submit this petition in formal opposition to the Special Exception request to permit Mining and Mineral Processing activities on land currently zoned Agricultural (AG).			
Case Number:	CBOA-3299			
Location:	12912 E 56 th St N			
Full Name	Property Address	Signature	Date	Notes (e.g. Trustee)
TROY FITCH	14012 E 59 th	Troy Fitch	9-9-25	
Kellie Wilson	14001 E. 59 th St. N.	Kellie Wilson	9-9-25	
Bilia	13917 E. 60 th Pl N	Bilia	9-9-25	
Robert Lumian	13809 E. 60 th Pl. N. OWASSO 74525	Robert E. Lumian	9/9/25	
DENNIS R. EASTMAN	6020 N. 140 th E. Ave OWASSO OK	Dennis R. Eastman	9-11-25	
DENNIS R. EASTMAN	13821 E. 60 th PL N. OWASSO OK	Dennis R. Eastman	9-11-25	
DENNIS R. EASTMAN	13812 E 60 th PL N. OWASSO	Dennis R. Eastman	9-11-25	
Dennis R. Eastman	13813 E 60 th PL N. OWASSO	Dennis R. Eastman	9-11-25	

PETITION FORM

Opposition to Special Exception Request to Allow Mining and Mineral Processing in Agricultural (AG) District

[illegible]

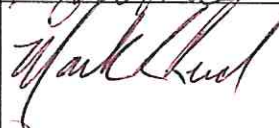
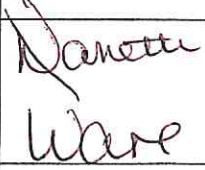
PETITION FORM

Opposition to Special Exception Request to Allow Mining and Mineral Processing in Agricultural (AG) District

Petition Summary:	We respectfully urge the Tulsa County Board of Adjustment to deny the Special Exception request to allow Mining and Mineral Processing in the Agricultural (AG) District. This proposal is fundamentally incompatible with the intent and purpose of AG zoning, poses significant risks to public and private property, and threatens the safety, health, and quality of life of nearby residents. We ask that you uphold the integrity of the AG zoning designation and reject any attempt to authorize mining or mineral processing activities within or near this community.			
Action petitioned for	We, the undersigned residents, landowners, and community members of Northwest Tulsa County/rural Tulsa County near E 56th St N, E 66th St N, and N 145th E Ave, hereby submit this petition in formal opposition to the Special Exception request to permit Mining and Mineral Processing activities on land currently zoned Agricultural (AG).			
Case Number:	CBOA-3299			
Location:	12912 E 56 th St N			
Full Name	Property Address	Signature	Date	Notes (e.g. Trustee)
Lynda Easton	14311 E. 56 th St. N. Owasso 74055	Lynda Easton	9-9-25	
BLAKE HAZZELL	14434 E 59 th St. N. OWASSO, OK 74055	Blake Hazzell	9-9-25	
Scott Studer	14315 E 58 th St N Owasso, OK 74055	Scott Studer	9-9-25	
Diana Studer	14315 E 58 th St N Owasso, OK 74055	Diana Studer	9-9-25	
Frieda Marshall	14232 E. 59 th St N. owasso	Frieda Marshall	9-9-25	
Dana Yager	14302 E 59 th St N Owasso, OK	Dana Yager	9-9-25	
Jeff Turner	14229 E 59 th St N	Jeff Turner	9-9-25	
Anabel Vega	14111 E. 59 th St North	Anabel Vega	9-9-25	

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Case Number:	CBOA-3299			
Location:	12912 E 56 th St N			
Full Name	Property Address	Signature	Date	Notes (e.g. Trustee)
Erik Mejia	5910 N 140 th E Ave		9-9-25	
Ronnell Goodwin	13716 E 59 th St. N		9-9-25	
Ronnell Goodwin	14017 E 59 th St. N		9-9-25	
CARL BARLETT	13717 E 59 th St N		9-9-25	
RITA LARMAN	13818 E 59 th St N		9-9-25	
MARK R. REED	13932 E 59 th St N OWASSO, OK		9-9-25	
Danette Ware	14114 E 59 th Street N OWASSO OK		9-9-25	
Scott Gager	14312 E 59 th St N Owasso, ok		9/9/25	

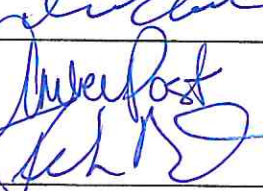
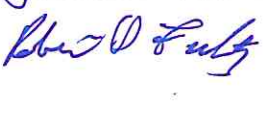
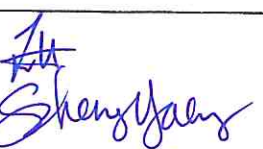
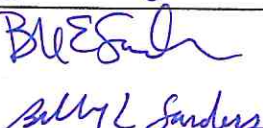
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Location:	12912 E 56 th St N			
Full Name	Property Address	Signature	Date	Notes (e.g. Trustee)
Billy J. Cryder	6201 N. 131 E. Ave.	Billy Cryder	9-8-25	Trust.
Dena Cryder	6201 N 131 st E Ave	Dena Cryder	9-8-2025	Trust
Randall Carpenter	6244 N 131 st E Ave	RANDALL L. CARPENTER	9-8-2025	TRUSTEE
Emily Carpenter	6244 N 131 st E Ave	Emily Carpenter	9-8-25	Trustee
Quinn Gutierrez	6251 N 131 st E Ave	Q. D. G.	9/8/25	
Anne-Laure Gatin	6251 N 131 st E Ave	AGatin	9/8/25	
Mike Schaffner	6288 N 131 st E Ave	Mike Schaffner	9/8/25	
Karla Schaffner	6288 N 131 st E Ave	Karla Schaffner	9/8/25	

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Location:	12912 E 56 th St N			
Full Name	Property Address	Signature	Date	Notes (e.g. Trustee)
Greg W. Sutton	6307 N. 131 st E Ave		9-8-25	Trustee
Charles Shane Vaughn	6410 N 131 st E Ave		9-8-25	Trustee
Terre Vaughn	6410 N 131 st E Ave	T. Vaughn	9-8-25	trustee
Karen Clark David Clark	6324 N 131 st E Ave		9/8/25	trustee
Amber Post Frank Post	6540 N 131 st E Ave OWASSO OK 74055		9-8-25	
Robert + D. Fulltz	6223 N. 129 th E Ave OWASSO, OK 74055		9-9-25	Trustee
Lee Vae Pheng Yang	6031 N 129 th East Ave OWASSO OK 74055		9/09/25	
Breanne Sanders Billy L. Sanders	6121 N. 129 th E Ave OWASSO, OK 74055	 Billy L Sanders	9-9-25	

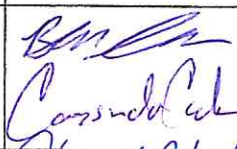
PETITION FORM

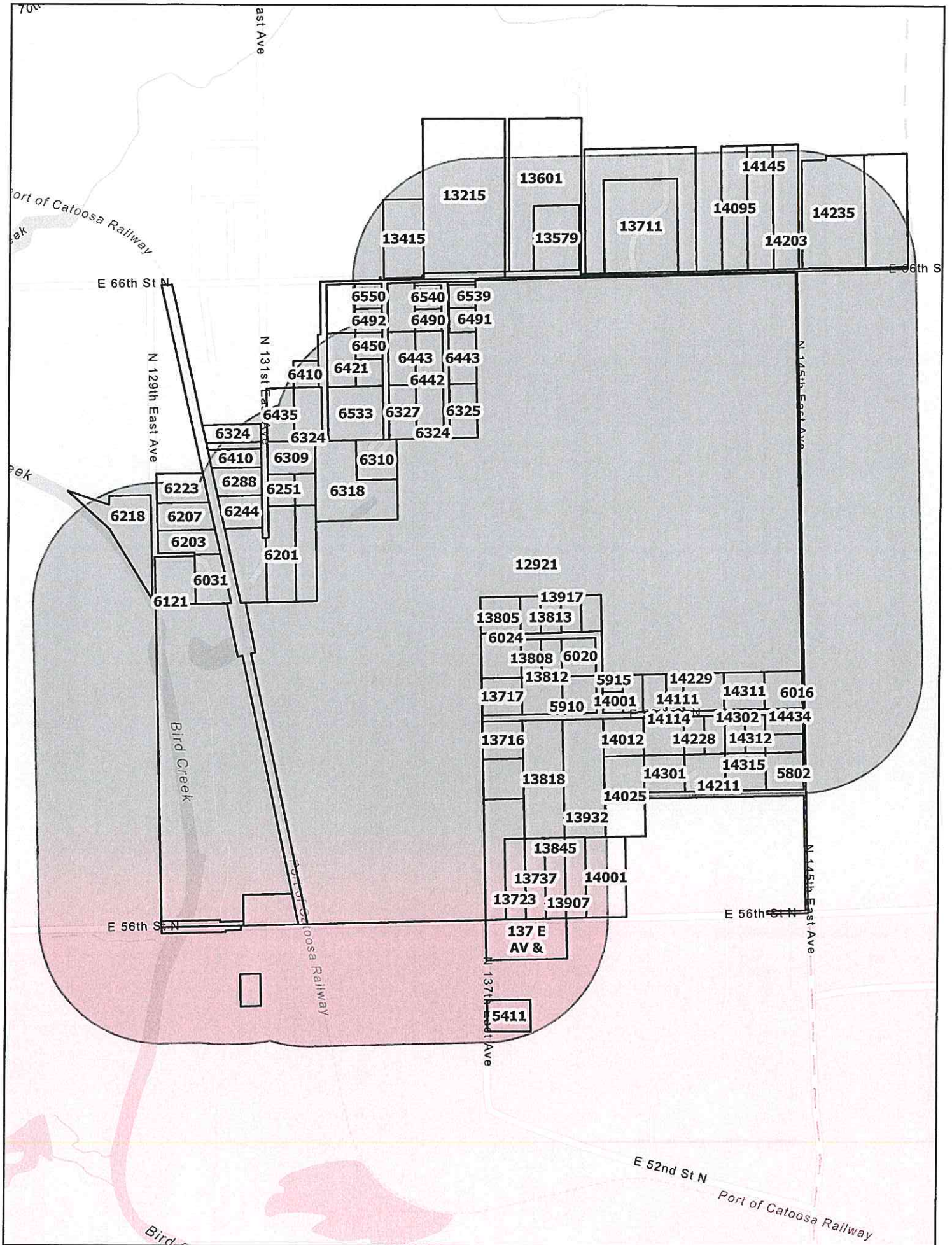
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Location:	12912 E 56 th St N			
Full Name	Property Address	Signature	Date	Notes (e.g. Trustee)
Clarence E. Lambert	6218 N. 129 Ave E. OWASSO OK 74055	Clarence E. Lambert	9-9-25	Trustee
Lorene Lambert	6218 N. 129 Ave E. OWASSO OK 74055	Lorene Lambert	9-9-25	Trustee
James Savilla	6421 N. 133 rd E. Ave. OWASSO, OK 74055	James Savilla	9-9-25	Trustee
BUDLEY G. JONES Victoria L Jones	6324 N. 133 rd E. AVE OWASSO OK 74055	Budley G. Jones Victoria Jones	9/9/25 9/9/25	Trustee Trustee
Tim Simpson Vicki Simpson	6318 N 133 rd E. Ave OWASSO, OK 74055	Tim Simpson Vicki Simpson	9/9/25 9-9-25	Trustee Trustee
SUSAN ZOLTA Michael	6416 N. 133 E. Ave OWASSO OK 74055	Susan Zolta	9-9-25	
JOSEPH BARNEZ	6537 N. 134 th E AVE. OWASSO, OK 74055	Joseph Barnez	9-9-25	
SCOTT GILLEAN Tracy Gillean	6327 N 134 th E AVE 6327 N. 134 th E AVE	Scott Gillean Tracy Gillean	9-9-25 9-9-25	

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Location:	12912 E 56 th St N			
Full Name	Property Address	Signature	Date	Notes (e.g. Trustee)
DAVID & SANDRA FEHNEL	6539 N 137 th E AVE OWASSO, OK 74055		9/9/25	
Pia Lor	6490 N. 137 th E Ave owasso, OK 74055	Pia Lor	9/9/25	
JAMES L. MACKALL	6442 N. 137 th E AVE OWASSO 74055	James Mackall	9-9-25	
David Doss	6325 N 137 E AVE OWASSO OK 74055	David Doss	9-9-25	
Cassandra Mestiri, Carol Bryan Sloate	6310 N 131 th E AVE OWASSO, OK 74055	 Cassandra Mestiri	9-9-25	
Cheryl Chaloupek	6491 N 137 E Ave	Cheryl Chaloupek	9-10-25	
Ronnie Chaloupek	OWASSO OK 74055	Ronnie Chaloupek	9-10-25	



gabriel figueroa <Gabrielomar2012@outlook.com>

Dear Tulsa County Commissioners,

I regret that I am unable to attend the upcoming meeting regarding the proposed zoning changes related to the expansion of the rock quarries near Owasso. As a resident of the Hickory Creek subdivision since 2021, I feel compelled to express my deep concern about the impact these operations have had—and may continue to have—on our community.

When we purchased our home, we were unaware of the extent to which the existing quarries would affect our daily lives. Nearly every weekday, blasting occurs during business hours, shaking our home with the force of a small earthquake. The vibrations are so intense that our windows, roof, garage door, and entryways rattle loudly. As someone with complete hearing loss in one ear, these disturbances are particularly audible.

Beyond the blasting, the truck traffic associated with the quarries poses serious safety and infrastructure concerns. Many drivers travel recklessly, often speeding and failing to yield on E 46th St N, E 56th St N, and E 66th St N. Some even use prohibited routes such as N 129th E Ave and E 76th St N. My personal vehicles have sustained damage from unsecured loads and debris kicked up from the road, resulting in costly windshield replacements—over \$1,000 each due to integrated safety radar systems.

The dust generated by quarry operations and truck traffic requires frequent vehicle cleaning and contributes to poor air quality. Additionally, the heavy trucks have significantly deteriorated local roads, particularly N 145th E Ave and E 66th St N. I invite you to visit the railroad crossing at E 46th St N and N 145th E Ave to witness firsthand the damage from trucks that threaten vehicle suspension systems.

Our homes represent not only our largest financial investment but also the pride we take in our community. If quarry operations are allowed to expand, we fear the long-term consequences—such as the transformation of blasted areas into landfills, as occurred on E 46th St N. This would diminish property values and quality of life, deterring future buyers and residents.

I respectfully urge the Commission to consider the voices of those directly affected. Please imagine yourselves in our position—living next to these operations and enduring the daily disruptions. We ask that you prioritize the well-being of tax-paying citizens over the interests of private companies seeking expansion at the expense of our homes and health.

Sincerely,

Gabriel Figueroa Navedo
12807 E 67th ST N
Owasso OK, 74055
787 206 7779

Rojas, Javier

From: Katie Johnson <katieeshin@gmail.com>
Sent: Friday, October 10, 2025 10:53 AM
To: esubmit
Subject: Opposition to Case #CBOA-3299 – Quarry Expansion Impacting Nearby Residences

Follow Up Flag: Follow up
Flag Status: Completed

RE: Case #: CBOA-3299

Dear Board Members,

My name is Katie Johnson, and I live near 76th Street N and N 129th E Avenue in Owasso. I am writing to express strong opposition to the proposed rock quarry expansion outlined in Case #CBOA-3299.

The current blasting already causes noticeable vibrations that rattle windows and occasionally cause small cracks in drywall and driveways. Expanding the operation another 300 acres closer to city limits will make these issues worse, increasing the risk of structural damage to homes that were not built to endure repeated seismic disturbance.

This area has grown significantly over the past decade with new neighborhoods, churches, and small businesses. Expanding industrial blasting in such close proximity to residential zones is incompatible with the city's long-term development plans and quality of life standards.

I respectfully request that the Board deny this expansion request to protect existing homeowners and prevent long-term property damage and depreciation.

Sincerely,
Katie Johnson

7510 N 134th E Pl
Owasso, Ok 74055

Rojas, Javier

From: Tom Austin <tom.112010@yahoo.com>
Sent: Wednesday, October 08, 2025 7:29 PM
To: esubmit
Subject: CBOA-3299

Follow Up Flag: Follow up
Flag Status: Flagged

Concerning the CBOA item in the subject line.

Keys Landing
Home Owner:

Thomas Austin
12327 E 69th St N
Owasso Oklahoma 74055
918-845-2420

Do not allow or approve any additional acreage for the rock quarry to expand any closer to the City limits of Owasso.

It is time for them to mine and lease somewhere else. Hard to believe your group approves home ownership development knowing the quarry's practices over the years.

Protect the investment and integrity of our homes on the south east side of Owasso.

The quarry has had it's run, now let home owners live in peace.

Change in the land scape of development deserves protection. It is INCOG ' s responsibility to protect our communities.

Are you doing that by allowing the quarry to expand ? Simple answer is no!

Shut the quarry expansion down.

Regards

Tom Austin

Sent from my iPhone

Rojas, Javier

From: Tom Austin <tom.112010@yahoo.com>
Sent: Saturday, October 11, 2025 11:05 PM
To: esubmit
Subject: Re: CBOA-3299

Follow Up Flag: Follow up
Flag Status: Flagged

Please vote no for any expansion for the quarry. They are ruining property values as it is with their operations.

Do not allow them to expand toward Owasso or existing homes.

Regards
Thomas Austin
12327 E 69th st n
Owasso Oklahoma 74055
Keys Landing
Sent from my iPhone

> On Oct 8, 2025, at 7:29 PM, Tom Austin <tom.112010@yahoo.com> wrote:

>

> Concerning the CBOA item in the subject line.

>

> Keys Landing

> Home Owner:

>

> Thomas Austin

> 12327 E 69th St N

> Owasso Oklahoma 74055

> 918-845-2420

>

> Do not allow or approve any additional acreage for the rock quarry to expand any closer to the City limits of Owasso.

>

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>

> Protect the investment and integrity of our homes on the south east side of Owasso.

>

> The quarry has had it's run, now let home owners live in peace.

>

> Change in the land scape of development deserves protection. It is INCOG ' s responsibility to protect our communities.

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> Are you doing that by allowing the quarry to expand ? Simple answer is no!

>

> Shut the quarry expansion down.

>

> Regards

>

> Tom Austin
>
>
>
> Sent from my iPhone

Rojas, Javier

From: Kyra Jordan <kyrajordan@yahoo.com>
Sent: Tuesday, October 07, 2025 11:28 AM
To: esubmit
Subject: Case# CBOA-3299

Follow Up Flag: Follow up
Flag Status: Flagged

Hello, My name is Kyra Jordan. My home address is 12903 E 77th St N, Owasso, OK. I am the owner of this property. This is regarding case# CBOA-3299. I am against the rock quarry expansion. I've had significant damage to my home due to the blasting. This summer I had to have 10 piers placed due foundation cracks. I'm also having to have cracked windows replaced. I have called quarry to see what can be done regarding the damages however I didn't get much help. The blasting is very startling and unsettling. I just want to be able to relax in my home and wish it would stop. I even started documenting the blasting in September. Here's a few I was able to document.

Blast 9-9-25 at 11:41am
Blast 9-15-25 at 2:37pm
Blast 9-23-25 at 2:04pm

Thank you

Rojas, Javier

From: Debi Patterson <dlpatter52@gmail.com>
Sent: Tuesday, October 07, 2025 5:10 PM
To: esubmit
Subject: Case #CBOA-3299

Follow Up Flag: Follow up
Flag Status: Flagged

I am requesting that the council deny the application to extend the mining area in this matter.

We purchased our property at 12216 E 82nd St N in September 1984. We have enjoyed living here, raising our family. But in the last 10 to 15 years, the blasts and dust from the quarries have damaged our home, and has caused me to have COPD. We have spent so much money making repairs.

I attend the original meeting of council in 2023, and there was no doubt that certain members of the council had been paid off. It was sucking to watch members of the committee speak, and watch those members ignore everyone there. I have been told to move, but we are retired, in our 70s. There is no way that we can afford to move.

Please, please deny the extension.

Debi Patterson

Rojas, Javier

From: Danny Shin <dannyshin@yahoo.com>
Sent: Friday, October 10, 2025 11:08 AM
To: esubmit
Subject: Opposition to Case #CBOA-3299 – Environmental and Health Impacts to Nearby Residences

Follow Up Flag: Follow up
Flag Status: Flagged

My name is Danny Shin, and I live in the Champions West area of Owasso (7913 N 142nd East Ave, Owasso), within a few miles of the current quarry. I'm writing to oppose the proposed 300-acre quarry expansion (Case #CBOA-3299).

I have lived in my current location for over ten years and have noticed significant increases in noise pollution, dust pollution (lime dust!!), cracked windshields, and cracks around my home!

Expanding this operation closer to residential areas will raise levels of airborne dust, diesel exhaust, and particulate matter, negatively affecting air quality. My wife and many other families here have young children or elderly relatives with respiratory sensitivities. Prolonged exposure to quarry dust has been linked to chronic sinus and lung irritation, and these effects will only get worse with increased blasting and truck movement

Furthermore, the visual and noise pollution from such an operation diminishes the livability and property values of nearby neighborhoods, affecting all of us. This expansion only advantages one private company while causing significant health and environmental costs to hundreds or even thousands of taxpayers.

Please consider the long-term environmental and community impacts of this proposed expansion and vote down this application. Thank you.

Sincerely,
Danny Shin

Rojas, Javier

From: Linda Holman <lindabay@sbcglobal.net>
Sent: Friday, October 10, 2025 1:16 PM
To: esubmit
Subject: Case# CBOA-3299

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern:

My name is Linda Holman, and my husband Bayless Holman have lived in Keys Landing in Owasso over 14 years. Our address is 12302 E 69th St North, Owasso OK 74055. We hear explosions from blasting often at our home. Loud explosions that rattle the walls and alarms our pet. My husband and I both are in our 70s and retired. At times we nap during the day, and the explosion will awakens us. The blast are so strong, there are times we wonder if it might be an earthquake. I honestly can't imagine what it going to be like if the Rock Quarry Expands. I pray that the expansion does not occur. We were not informed of the Rock Quarry when we bought our home. We love our home and the neighborhood and have learned to live with the circumstances. However, if the explosions become closer and the noises in our house rattling more often, this is something that we will not be able to tolerate. I hate the thought of having to move. I pray that the query does not expand closer to our home. Thank you so very much for reading my message and I hope you take it to heart. God bless and thank you!!!

Linda and Bayless Holman.

Sent from my iPhone

From: Amanda Stoner <stonera300@gmail.com>
Sent: Saturday, October 11, 2025 10:36 AM
To: esubmit
Subject: Opposition to Rock Quarry Expansion – Case # CBOA-3299

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Members of the Board of Adjustment,

I am writing to express my strong opposition to the proposed 300-acre expansion of the rock quarry located between 56th Street North and 66th Street North near 129th East Avenue. I reside at 11711 E 113th Place N in Owasso, which is within close proximity to the site, and I am deeply concerned about the short- and long-term consequences this project will have on surrounding neighborhoods and the broader community.

From an environmental and public-health standpoint, this expansion poses significant risks. The increase in blasting and excavation will generate excessive dust, including fine silica particles that can travel well beyond the immediate site. These airborne pollutants are known to exacerbate asthma, respiratory illness, and allergies—particularly among children and older adults. The additional heavy-truck traffic required to move material from the expanded site will also degrade air quality and contribute to congestion, road deterioration, and safety hazards along 129th East Avenue and connecting routes.

Excessive blasting and vibration can cause structural damage to nearby homes and create ongoing noise pollution, disrupting the stability and comfort of residential areas. These effects will undoubtedly reduce property values and diminish the quiet, family-oriented character that draws so many residents to Owasso.

Beyond these community impacts, the proposed 300-acre expansion raises serious environmental and land-use concerns. The large-scale removal of vegetation and soil will increase stormwater runoff, destroy wildlife habitats, and place further stress on an already sensitive ecosystem. This proposal stands in direct conflict with Tulsa County's long-term goals for sustainable and balanced development.

If additional quarry operations are deemed necessary, I respectfully urge the Board and the applicant to explore alternative sites in areas that are better suited for heavy industrial use. South and west Tulsa County, including regions near Glenpool, Kiefer, or Sand Springs, already have industrial zoning, established infrastructure, and highway access designed to support such operations. Expanding within those corridors—or onto previously mined or disturbed land—would minimize harm to residential neighborhoods while still allowing the applicant to meet production needs responsibly.

For these reasons, I strongly urge the Board to deny the application for Case # CBOA-3299. Responsible development should protect the health, safety, and well-being of current residents, not jeopardize them. This proposal, in its current location, fails to do so.

Thank you for your consideration and for allowing local residents the opportunity to voice our concerns on this critical issue.

Sincerely,
Amanda Stoner
11711 E 113th Pl N
Owasso, OK 74055

Rojas, Javier

From: Tracy Wood <owassofootball71@yahoo.com>
Sent: Saturday, October 11, 2025 1:07 PM
To: esubmit
Subject: Case CBOA-3299

Follow Up Flag: Follow up
Flag Status: Flagged

I live at 96 and 145 Owasso OK and feel the quarry and have damage from earth movements from that quarry. It is NOT okay to expand it any further towards my house and especially other nearby, some are million dollar homes. We have built long before this expansion was considered and it needs to be 100% rejected. Once again this is not ok. No business should be allowed to ruin homes that we have invested life savings on. We can't just pack and move nor should we have to.

I strongly oppose this action and assume 99.9% of the town agrees with me

Tracy Wood, resident of Owasso OK

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Rojas, Javier

From: Cassidee Anselmo <cdanselmo93@gmail.com>
Sent: Sunday, October 12, 2025 9:21 AM
To: esubmit
Subject: Rock quarry concerns - owasso

Follow Up Flag: Follow up
Flag Status: Flagged

Hello

I am writing to express my **deep concern and opposition** to the proposed expansion of the Owasso rock quarry operation, which would allow blasting and mining activity **a mere 450 feet from residential homes**. Allowing such industrial activity so close to where families live is **unacceptable and dangerous**, both to the community's well-being and to the integrity of our neighborhoods.

Blasting of this magnitude brings with it **severe risks and long-term damage**:

- **Property Damage:** Residents have already experienced cracked drywall, shifting foundations, and structural wear from existing quarry activity. Increasing proximity will only magnify this damage, leaving homeowners to shoulder repair costs caused by an operation they neither benefit from nor consented to.
- **Declining Property Values:** No family wants to live next to constant explosions, dust clouds, and heavy truck traffic. Property values in areas surrounding quarries are well-documented to decline significantly, robbing residents of their home equity and financial security. We live in houses worth 600k plus to be ruined by increasing greed. Please build a new quarry in areas far away from residential development.
- **Health and Environmental Concerns:** The fine particulate dust from blasting and crushing rock is not only unsightly, it is a **public health hazard**, especially for children, the elderly, and anyone with respiratory issues. We are also concerned about **EPA violations** regarding dust, runoff, and groundwater contamination, all of which pose serious environmental threats.
- **Noise and Safety:** The repeated blasting will cause ongoing noise pollution, vibration, and potential safety risks to residents, pets, and children.

We strongly urge the board to **deny the expansion request** and instead conduct a **comprehensive environmental and safety impact study** that includes input from affected homeowners. Decisions of this magnitude must prioritize **community safety, health, and property protection** over industrial convenience.

Our community deserves transparency, respect, and protection, not more disruption and damage. Please act responsibly and stand with the residents who call this place home.

Sincerely,

Cassidee Anselmo

7716 N 150th east ct

Rojas, Javier

From: Sonya Tobias <sonya_tobias@yahoo.com>
Sent: Sunday, October 12, 2025 4:39 PM
To: esubmit
Subject: #CBOA-3299 No Thanks To Mining
Attachments: Video.mov

Follow Up Flag: Follow up
Flag Status: Flagged

Address 6024 N 138th E Ave Owasso Ok 74055 Home backs up to this beautiful field with beautiful sunset. My husband and I have lived in this area since 2010 and the quarry's and trucks have been getting closer and closer to are homes. This is just out of control damages to are roads, homes, the dust is overwhelming, the drilling shakes your homes. The blast scares you even if you know what it is. I have video of the drilling it shakes my house it's really unbelievable what the drilling is doing. Now they are trying to move closer and it's unexceptionable not right for the families and wildlife that live in this area. Are roads are not wide enough to support the traffic we have now with 169 back ups every week day! It's bad enough having truck after trucks speeding swerving in to your lanes trying to miss pot holes and at every rail road track there are huge pot holes in them they just go around them no one fixes them! The video is short but this happens all day sometimes and weekends you can hear the drilling in the video it's not as loud as it really is in this video tho it's louder what we hear in are home. We live almost a mile from the quarry now they want to move in are back fields this is not safe for are wild life or anyone living in this area!!!!!! No one wants to look out in there back yard and see trucks and listen to louder noises and see more dust flying! No thank you!!!!!! Please!!!!!! Vote No!!!!!!

Rojas, Javier

From: Stephanie Bonnell <stephanievoth@gmail.com>
Sent: Sunday, October 12, 2025 7:21 PM
To: esubmit
Subject: case# CBOA-3299

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Good evening-

I am writing about the possible quarry expansion. My name is Stephanie Bonnell and I live at 7714 N 142nd E Ave, Owasso, OK 74055. My house shakes daily from the quarry blasts. I get grout fixed in the shower and bathtub and it cracks immediately. I have other cracks all over my home. PLEASE do not extend the quarry as it is already causing home damage. If it does get expanded homeowners will have detrimental damage to their homes as we already have. Please stop this project!

Kind regards,

Stephanie

Rojas, Javier

From: Paige Evans <paigeevans42@gmail.com>
Sent: Monday, October 13, 2025 8:48 AM
To: esubmit
Subject: #CBOA-3299

Follow Up Flag: Follow up
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Paige Stacy- former resident at 7437 North 140th East Place Owasso, OK 74055 My concern with expanding the quarry more is the damage to surrounding homes, I lived in my home around 2 miles away from the quarry and constantly had cracks in my walls and even around the outside of my home in the brick. The quarry would shake my house during blasts so violently that my mother in law who was visiting at the time thought there was an earthquake and was terrified. I had to pay thousands of dollars to repair my house before I could sell it and even by the time it was sold more cracks were formed, when the carpet was pulled out to replace numerous cracks in the floor were there and I even had to replace some of my tile flooring as the tiles were popping up from the floor because of cracks. The quarry already blasts too big and causes damage to homes and moving within 500' of already established homes is ridiculous and should not happen. Please do not approve the quarry to expand more as damage to homes is already happening and it will only continue to get worse if allowed to keep happening.

Rojas, Javier

From: Phoebe Blackwell <phoebeblackwell@icloud.com>
Sent: Monday, October 13, 2025 10:45 AM
To: esubmit
Subject: Case CBOA

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Sent from my iPhone. We strongly object to the plan to mine the 316 acres between 56th & 66th west of 145 in Owasso, Oklahoma. We already have to deal with the problem of the explosion blastings that shake out home and rattles the windows. We have cracks in our house and another building . The dust from the quPlease, do not allow them to move closer to our residential area. Robert and Phoebe Blackwell, 7715 N 156 E Avenue, Owasso, Oklahoma 74066

Rojas, Javier

From: Sara Eubanks <sara.aurilio@gmail.com>
Sent: Monday, October 13, 2025 11:25 AM
To: esubmit
Subject: Opposition to Quarry Expansion Near Hickory Creek #CBOA-3299

Follow Up Flag: Follow up
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Dear Members of the Board,

I am writing as a life-long resident of Owasso and as a mother, homeowner, and concerned community member regarding the proposed expansion of the rock quarry operation to within one mile of my home.

My family and I have lived in our home for nearly ten years, and I have spent my entire life in this town. It is the community I chose to raise my daughters in — a place we have always felt was safe, stable, and supportive. The possibility of the quarry expanding even closer to our home threatens not only our quality of life but also the safety, health, and financial stability of my family.

Currently, we already endure daily disruptions from the quarry's operations. The sirens warning of imminent blasting are a regular occurrence, and the resulting explosions shake our home violently. These tremors are not only alarming but also concerning for the structural integrity of our property and the well-being of my young children. With the proposed expansion bringing operations even closer, I can only expect these disturbances to intensify.

Additionally, the constant traffic from heavy dump trucks moving to and from the quarry has become a source of noise, congestion, and potential hazard — especially for children in the area. This level of industrial activity is incompatible with a quiet residential neighborhood, and I worry about long-term health implications from dust and air quality degradation that would accompany intensified mining activity.

I am also deeply concerned about the impact this expansion will have on property values. Like many families, our home is our most significant investment. The proximity to expanded mining operations and the associated disturbances would greatly diminish our property's value — at a time when affordability and stability are already difficult to maintain.

Please consider the voices of residents like myself, who stand to lose peace of mind, property value, and confidence in our local government's commitment to protecting neighborhoods over industrial interests. I strongly urge the Board to **reject** the proposed quarry expansion in its entirety. The risks to our overall quality of life are too great to ignore. Our community should not be forced to bear the burden of increased industrial disruption in our backyards. I am asking you — not just as a homeowner, but as a mother — to stand with the families who live here and **do what is right: deny this expansion** and protect the well-being of the residents you were appointed to serve.

Thank you for your time, attention, and commitment to the welfare of our community.

Respectfully,

Sara Eubanks

6601 N 128th E Ct

Owasso, OK 74055