

RECEIVED



3:28 pm, Aug 11, 2026

AGENDA
Tulsa County Board of Adjustment
Regularly Scheduled Meeting
Tuesday August 18, 2026, 1:30 p.m.
Williams Tower I
1 West 3rd Street, St. Francis Room

Meeting No. 557

Consider, Discuss and/or Take Action On:

1. Approval of **Minutes** of June 16, 2026 (Meeting No. 555).
2. Approval of **Minutes** of July 21, 2026 (Meeting No. 556).

UNFINISHED BUSINESS

3. CBOA 3363 Ted Schwendemann

Action Requested:

Variance of the rear setback requirement to permit an Accessory building in an RS-3 District (Sec. 8.030) & (Sec. 3.040)

Location: 6832 W. 41st Pl. Tulsa, OK

4. CBOA 3372 Heather Rogers

Action Requested:

Special Exception to allow a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030), Variance of minimum lot area and minimum lot width for an RS-3 district (Sec. 3.040, Table 3-3), and Variance of side and rear setbacks in an RS-3 district (Sec. 3.040, Table 3-3)

Location: 6022 S. 60th W Ave Tulsa, OK

NEW APPLICATIONS

5. CBOA 3358 Jose Soto

Action Requested:

Appeal of Tulsa County's requirement that the property owner obtains a Special Exception and/or Variance for a pre-existing carport (Sec.14.110)

Location: 3139 S. 59th W. Ave. Tulsa, OK

6. CBOA 3374 Jacob Noble

Action Requested:

Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

Location: 1551 E. 68th St. North, Tulsa, OK

7. CBOA 3375 Janice Willhite

Action Requested:

Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

Location: 13626 N 108 E Ave, Collinsville, OK

8. CBOA 3357-A Jim Redyke

Action Requested:

Variance of the minimum street frontage requirement from 30' to 0' of maintained public road in an AG district (Sec. 2.040 Table 2-3)

Location: 3900 East 161st Street, Bixby, Ok.

9. CBOA 3377 Neal Durham

Action Requested:

Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

Location: 14020 N. 113th E. Ave. Collinsville, OK

10. CBOA 3378 Nathan DeHart

Action Requested:

Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

Location: 11608 W 56th Street South, Sand Springs, OK

OTHER BUSINESS

NEW BUSINESS

Director's update.

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-3363

Hearing Date: August 18, 2026, 1:30 PM
(Continued from June 16, 2026 meeting.)

Case Report Prepared by:

Kendal Davis

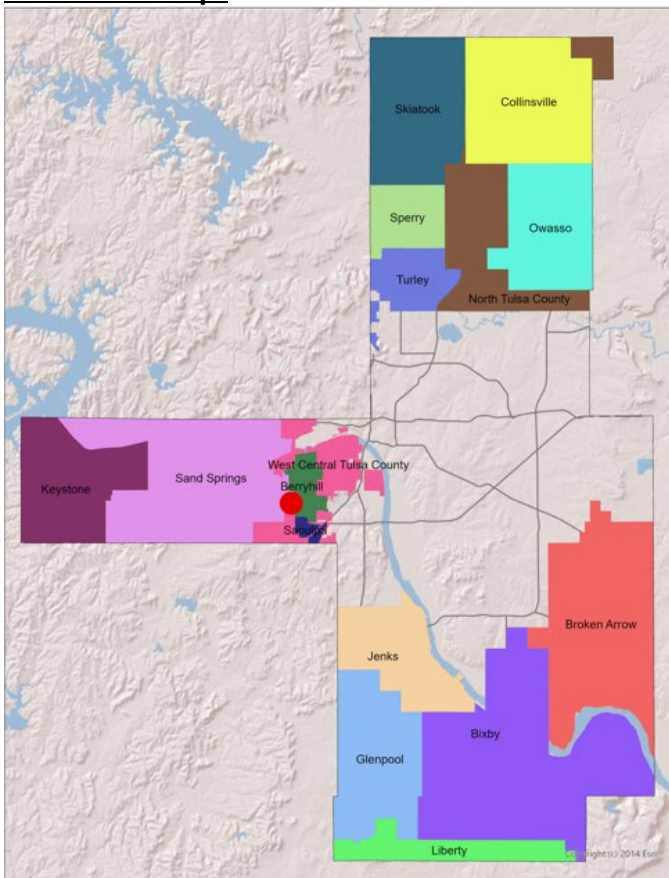
Owner and Applicant Information:

Applicant: Ted Schwendemann

Property Owner: Ted & Darci Schwendemann

Action Requested: Variance of the rear setback requirement to permit an Accessory building in an RS-3 District (Sec. 8.030) & (Sec. 3.040)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: ± 0.72 Acres

Legal Description: LT 4 BLK 4
STRATFORD ESTATES

Present Zoning: RS-3 (Residential)

Fenceline/Area: Sand Springs

Land Use Designation: Residential

TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 9230

CASE NUMBER: **CBOA-3363**

CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: August 18, 2026, 1:30 PM (Continued from June 16, 2026 meeting.)

APPLICANT: Ted Schwendemann

ACTION REQUESTED: Variance of the rear setback requirement to permit an Accessory building in an RS-3 District (Sec. 8.030) & (Sec. 3.040)

LOCATION: 6832 W. 41st Pl. Tulsa, OK

ZONED: RS-3 (Residential)

FENCELINE: Sand Springs

PRESENT USE: Residential

TRACT SIZE: ± 0.72 Acres

LEGAL DESCRIPTION: LT 4 BLK 4 STRATFORD ESTATES

RELEVANT PREVIOUS ACTIONS:

CBOA-3265: August 19, 2025 (Denial) Variance of the rear yard setback (Section 3.040, Table 3-3 and a Variance to permit an accessory building in the side yard in an RS district (Section 18.080-C, Table 18-1)

CBOA-2531: April 2015 (Approved) The Board approved variance to allow a detached accessory building to exceed the 750-sf size limitation to allow a 40 X 50 RV storage and 20 X 20 shed (Sec 240.E) Variance of the requirement that detached accessory buildings must be located in the rear yard. (Section 420.2.A.2)

ANALYSIS OF SURROUNDING AREA:

The subject property is located south of W. 41st Street and north of W. Skyline Drive/W. 42nd Street South within an established residential area of western Tulsa County. The surrounding development pattern is characterized primarily by single-family residential uses on a mixture of platted subdivision lots and larger estate-style tracts.

The subject property is located within a stable residential area characterized by detached single-family homes, curvilinear local street patterns, and a mix of suburban and estate-style lot configurations. The immediate vicinity is predominantly residential, with limited commercial development concentrated near major roadway intersections. The area exhibits a gradual transition from conventional suburban residential development north of the site to larger-lot residential and agricultural properties to the south. Overall, the surrounding area maintains a low-density residential character with established neighborhoods and supporting transportation infrastructure.

North: The area north of the subject property is developed with single-family residential neighborhoods zoned RS-3. Further north, W. 41st Street serves as a major east-west transportation corridor. Residential subdivisions along W. 40th Street and adjacent local streets are generally characterized by traditional suburban lot patterns and detached single-family homes.

South: The area south of the subject property contains a mixture of single-family residential development and larger-lot residential properties. Zoning in the broader area includes RE (Residential Estate) and AG (Agriculture), reflecting a transition from suburban residential neighborhoods to lower-density rural residential and agricultural land uses. Existing development patterns remain predominantly residential in character.

East: Properties to the east consist primarily of single-family residential uses on larger lots, with additional RS-3 zoning present in the vicinity. The area transitions toward W. Skyline Drive, where limited commercially zoned properties (CS) are located near major intersections. These commercial uses are separated from the subject property by intervening residential development and local street connections.

West: Properties west of the subject tract consist primarily of detached single-family residences on larger lots, along with undeveloped or lightly developed wooded tracts. The surrounding area maintains a low-density residential character with substantial open space and vegetation. Additional residential subdivisions are located northwest of the subject property.

STAFF COMMENTS:

The applicant is requesting a Variance of the rear setback requirement to permit an accessory building within the required rear yard setback in an RS-3 Residential District pursuant to Sections 3.040 and 8.030 of the Tulsa County Zoning Code.

The subject property contains approximately 0.72 acres and is developed with an existing single-family residence located on a cul-de-sac lot at the terminus of W. 41st Place. The property possesses an irregular shape that differs from the typical rectangular subdivision lot commonly found within the surrounding neighborhood. The existing residence occupies a central location on the lot, leaving limited areas available for construction of accessory structures while maintaining all required setbacks.

In evaluating a variance request, the Board must determine whether the property possesses exceptional physical conditions that create an unnecessary hardship in carrying out the strict letter of the zoning regulations.

Staff finds that several physical characteristics of the property distinguish it from many lots within the surrounding subdivision:

1. The lot is irregularly shaped and located on a cul-de-sac.
2. The existing residence is positioned in a manner that limits the buildable area available for accessory structures.
3. The proposed accessory building is located behind the principal structure and appears consistent with the customary placement of accessory buildings in residential districts.
4. The proposed structure is not expected to alter the residential character of the neighborhood.
5. Due to the size of the lot and separation from surrounding residences, the requested setback reduction is not anticipated to create substantial adverse impacts on neighboring properties.

Staff further notes that the proposed building will remain subordinate to the principal residential use and appears compatible with the scale and character of development within the surrounding area.

COMPATIBILITY WITH SURROUNDING AREA:

The subject property is located within an established RS-3 residential neighborhood consisting primarily of detached single-family homes situated on moderately sized lots. The property is located on a cul-de-sac and is characterized by an irregular lot configuration that differs from many of the surrounding parcels.

The applicant proposes to construct an accessory building behind the existing residence. Based on the submitted site plan, the proposed structure will remain subordinate to the principal residential use and will be located within an area of the lot that is generally screened from public view and adjacent properties by existing residential development and vegetation. The proposed accessory building is consistent with accessory structures commonly found on residential properties throughout Tulsa County. The submitted site plan indicates the structure will be located behind the principal dwelling and maintain the overall residential character of the property.

The surrounding area is developed almost entirely with residential uses, including single-family homes on lots of varying sizes. The requested variance is associated with the placement of an accessory building and does not involve a change in land use, increase in residential density, or introduction of a non-residential activity into the neighborhood.

If inclined to approve the request the Board may consider any condition, it deems necessary in order to ensure that the proposed Variance of the rear setback requirement to permit an Accessory building in an RS-3 District (Sec. 8.030) & (Sec. 3.040) is compatible and non-injurious to the surrounding area.

Sample Motion:

"Move to _____ (approve/deny) to permit Variance of the rear setback requirement to permit an Accessory building in an RS-3 District (Sec. 8.030) & (Sec. 3.040)

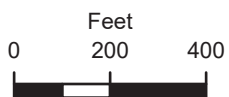
Should the Board approve the request, staff recommends the following (possible conditions) to ensure compatibility and protect surrounding properties:

- 1. The accessory building shall be constructed substantially in conformance with the site plan submitted by the applicant and made a part of the record.*
- 2. Approval of this variance shall authorize only the reduction of the required rear setback as depicted on the approved site plan and shall not waive any other applicable requirements of the Tulsa County Zoning Code.*
- 3. The accessory building shall remain accessory and subordinate to the principal residential use of the property.*
- 4. No commercial activity, business operation, or residential occupancy shall occur within the accessory building unless otherwise authorized by the Tulsa County Zoning Code.*
- 5. Any required building permits shall be obtained prior to construction, and the structure shall comply with all applicable building, fire, and safety codes.*
- 6. Any exterior lighting associated with the accessory building shall be directed downward and away from adjacent residential properties.*
- 7. The accessory building shall not encroach into any utility easement, drainage easement, or other easement of record unless separately approved by the applicable authority.*

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

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



Subject
Tract

CBOA-3363

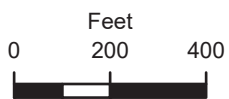
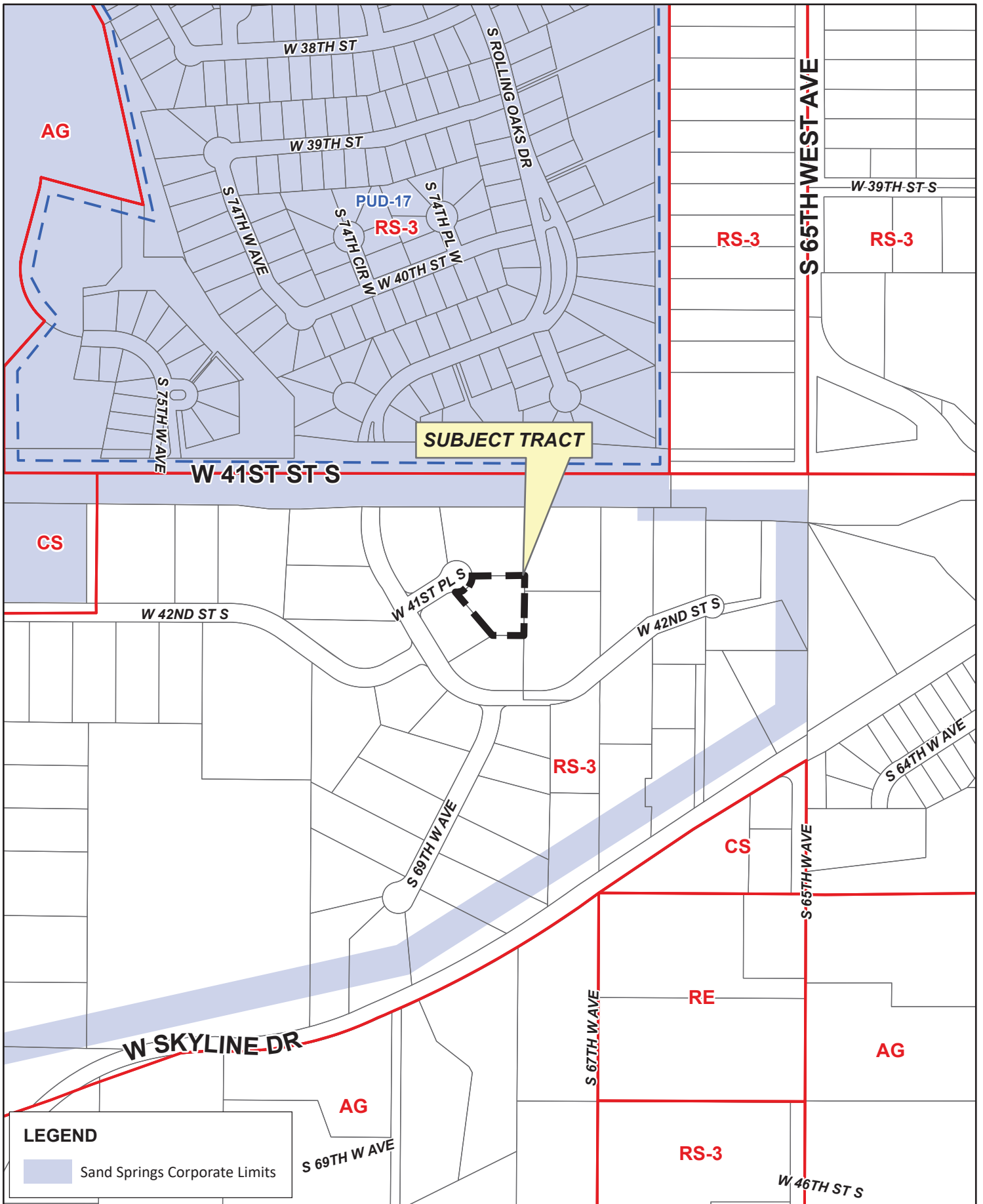
30 19-12

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

Aerial Photo Date: 2023







CBOA-3363

30 19-12



SITE PLAN

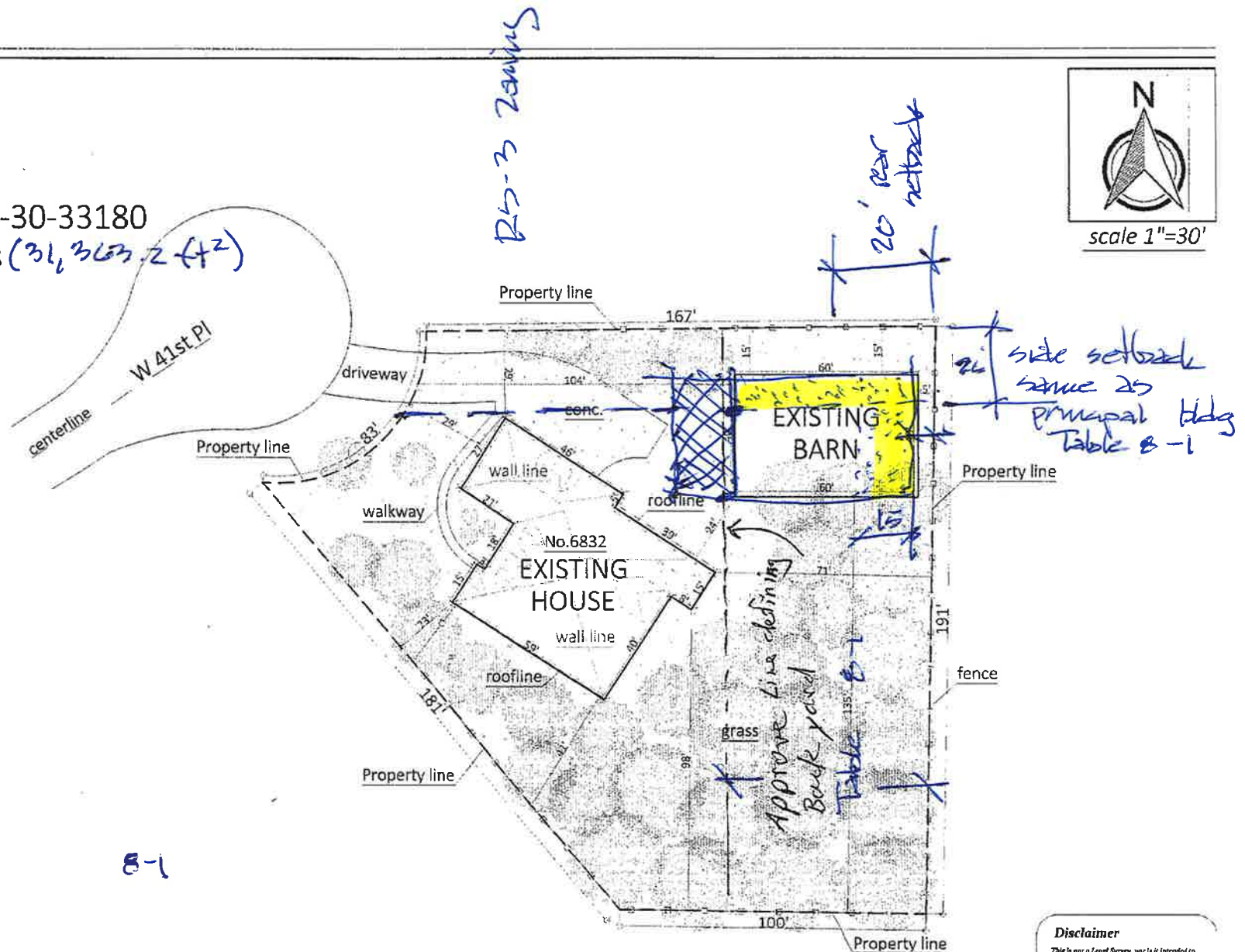
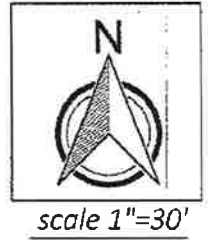
6832 W 41st Pl

Tulsa, OK 74107

Parcel ID: 57011-92-30-33180

Lot area: 0.72 Acres (31,363.2 ± 2)

Paper Size: 11"x17"



Disclaimer
This is not a Legal Survey, nor is it intended to be or replace one.
These measurements are approximate and are for illustrative purposes only.
This work product represents only generalized location of features, objects or boundaries and should not be relied upon as being legally authoritative for the precise location of any feature, object or boundary.

SITE PLAN

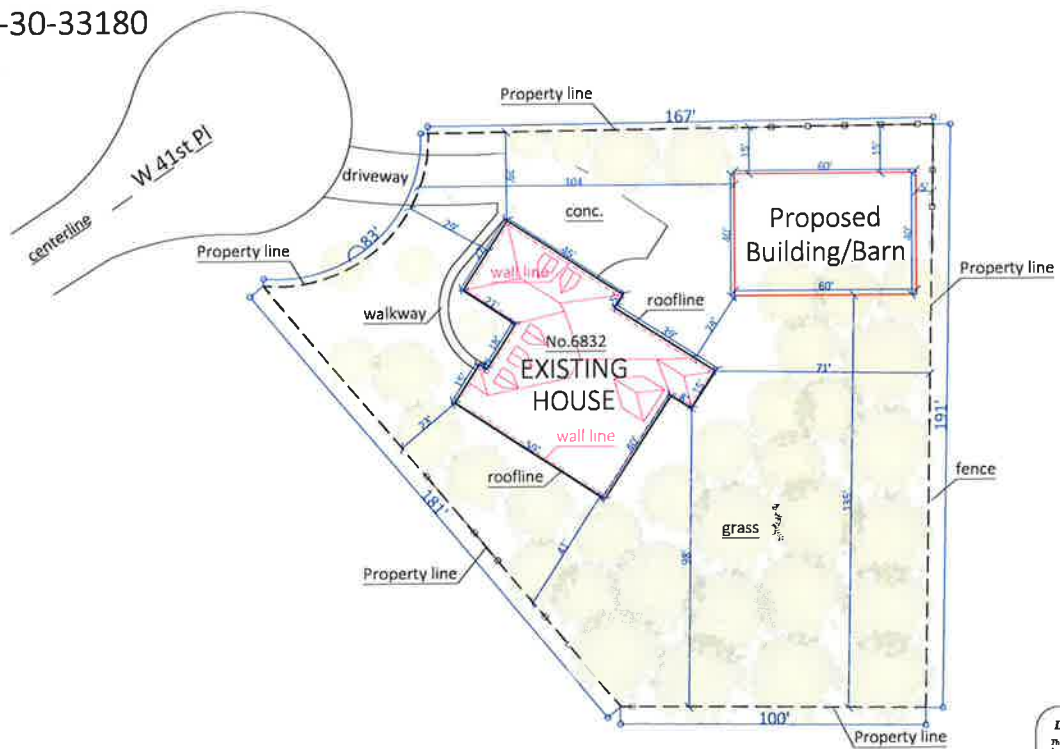
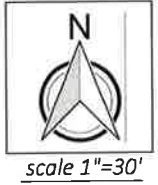
6832 W 41st Pl

Tulsa, OK 74107

Parcel ID: 57011-92-30-33180

Lot area: 0.72 Acres

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TULSA COUNTY BOARD OF ADJUSTMENT
CASE NO. CBDA-3265
OFFICIAL RECORD EXHIBIT
ENTERED IN THE 08/19/25
MINUTES OF THE TULSA COUNTY BOARD
OF ADJUSTMENT.



Outlook

Complaint Number 191843

From Ted S <tedrmz@gmail.com>

Date Mon 6/29/2026 3:08 PM

To eduardo.anguiano@deq.ok.gov <eduardo.anguiano@deq.ok.gov>; Davis, Kendal <kdavis@incog.org>

Hi Eduardo,

Incog would like a more detailed letter stating my barn does not affect water absorption from my aerobic septic system at the address listed below. (Complaint number 191843.) Can you send a letter or email me with more details so I can provide Incog the information?

The information needs to go to Kendal Davis [@Davis, Kendal](#) if you want to include him in the response.

I appreciate your help,

Sincerely,

Ted Schwendemann

6832 W 41st Pl, Tulsa, OK 74107



Case Number: CBOA-3372

Hearing Date: August 18, 2026, 1:30 PM
(Continued from July 27th, 2026, meeting.)

Case Report Prepared by:

Kendal Davis

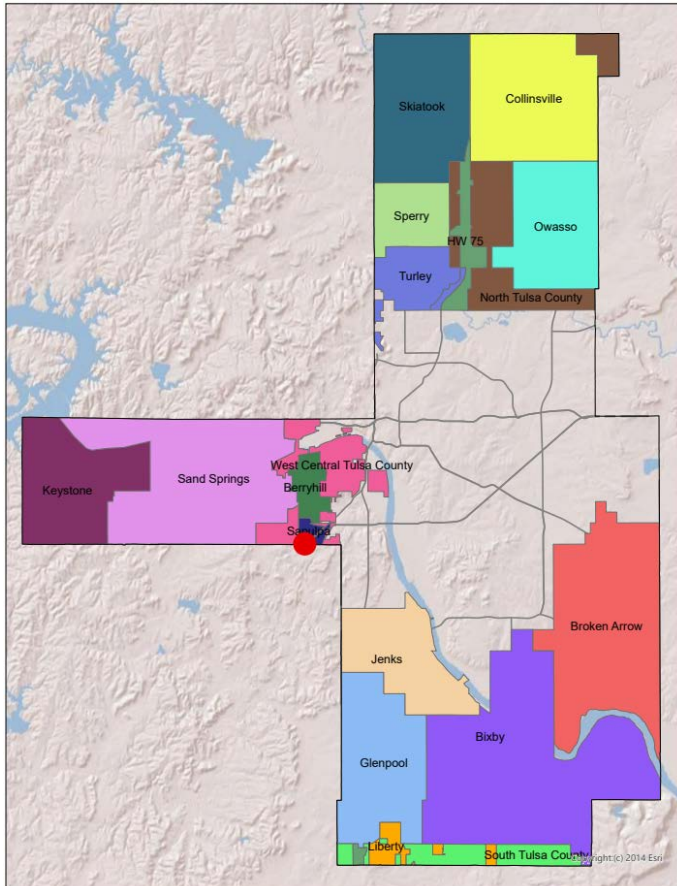
Owner and Applicant Information:

Applicant: Heather Rogers

Property Owner: Same

Action Requested: Special Exception to allow a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030), Variance of minimum lot area and minimum lot width for an RS-3 district (Sec. 3.040, Table 3-3), and Variance of side and rear setbacks in an RS-3 district (Sec. 3.040, Table 3-3)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 0.14± Acres

Legal Description: Lots 25 and 26, Block 12, in the town of New Taneha, County of Tulsa, State of Oklahoma, according to the recorded Plat thereof.

Present Zoning: RS-3 (Residential Single-Dwelling-3)

Fenceline/Area: West Central Tulsa County

Land Use Designation: Rural Residential/Agricultural

TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 9232

CASE NUMBER: CBOA-3372

CASE REPORT PREPARED BY: Kendal Davis

(Continued from July 27th, 2026, meeting.)

HEARING DATE: August 18th, 2026, 1:30 PM

APPLICANT: Heather Rogers

ACTION REQUESTED: Special Exception to allow a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030), Variance of minimum lot area and minimum lot width for an RS-3 district (Sec. 3.040, Table 3-3), and Variance of side and rear setbacks in an RS-3 district (Sec. 3.040, Table 3-3)

LOCATION: 6022 S 60th W Ave, Tulsa, OK

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

FENCELINE: West Central Tulsa County

PRESENT USE: Residential

TRACT SIZE: 0.14± Acres

LEGAL DESCRIPTION: Lots 25 and 26, Block 12, in the town of New Taneha, County of Tulsa, State of Oklahoma, according to the recorded Plat thereof.

RELEVANT PREVIOUS ACTIONS:

BOA 10913 (March 1980): The board voted to grant an Exception to locate a mobile home in an RS-3 District for 1-year, with a removal bond required.

ANALYSIS OF SURROUNDING AREA: The subject property is located between S 60th West Ave and S 61st West Ave, approximately 180 feet from the Creek County border. It is located within and entirely enclosed by an RS-3 subdivision (New Taneha), which contains several other single-section manufacturing housing units within it. The surrounding area is characterized mostly by single-family dwellings in small lots, at times extending across lot-lines due to the lot-dimensions (approximately 25 x 130 ft) being vestigially small due to the plat being from the year 1910.

STAFF COMMENTS: The applicant is requesting a Special Exception to allow a single-section manufactured housing unit on the subject property, which is zoned RS-3 and only allows multi-section manufactured housing units by right. During staff review, it was determined that the subject property is a nonconforming lot. To bring the property closer to compliance with the minimum lot standards, the applicant submitted a lot combination, which has been approved and is pending recording. Upon recording, the resulting tract will contain approximately 0.14 acres (approximately 6098 square feet) with a width of approximately 50 feet. The RS-3 District requires a minimum lot area of 6900 square feet (approximately 0.158 acres) and a minimum lot width of 60 feet. As a result, the combined tract remains approximately 802 square feet below the minimum lot area requirement and 10 feet below the minimum lot width requirement.

Section 16.020-B of the Tulsa County Zoning Code provides that, in residential zoning districts, a single detached house may be erected on a nonconforming lot without complying with minimum lot area and minimum lot width requirements. Staff notes that the Zoning Code separately defines "detached house" and "manufactured housing unit," creating a question as to whether this provision applies to the proposed manufactured housing unit. However, staff notes that manufactured housing units are regulated as a principal residential use in the RS-3 district and have, in some instances, been administered similarly to detached houses for purposes of development standards. The Board

may wish to consider whether Section 16.020-B is applicable to the proposed development. The proposed use is a single manufactured housing unit intended for residential occupancy on property zoned RS-3.

The applicant is also requesting a Variance of minimum lot area and minimum lot width for an RS-3 district. The subject tract is currently undergoing a lot combination, which is contingent on the approval of this variance. The existing lots being combined are each individually 0.07± acres in area and 25± feet wide, making the post-combination lot **0.14± acres** in area and **50± feet wide**. The applicable minimum lot area and width for RS-3 districts are **6900 sqft (0.158± acres)** and **60 ft**, respectively. By performing this lot combination, the applicant *greatly* reduces the deficiencies of the property with regards to the zoning code, while still requiring these variances due to the inability of underlying hardship of not having the necessary land to be in full compliance of the zoning code's lot regulations.

Staff note, based on the provided site plan, that the requested Variance of side and rear setbacks will not be necessary for the single-section manufactured housing unit, nor will a variance for the rear setback. While this variance might appear to be necessary for the existing shed shown in the site plan, it is also not needed. The site plan shows the manufactured housing unit being placed 10± feet from the side property line (where the minimum setback is 5 feet) and 18± feet from the shed in question, which itself is 18± feet long. The shed is then shown to be 6± feet from the rear lot line. The rear setback in an RS-3 district is 20 feet, so the manufactured house should be outside the setback, while the shed is within it. However, per Section 8.030-A of the zoning code, the minimum side and rear setbacks of an accessory building in an R district are 3 feet if the lot area is 22500 square feet or less— that is, 0.52± acres or less— which the subject lot falls under, even after combination.

If inclined to approve the request the Board may consider any condition, it deems necessary in order to ensure that the proposed Variance to allow an accessory building in the side yard in an RE district (Sec. 8.030) is compatible and non-injurious to the surrounding area.

Sample Motions:

- 1) *Move to _____ (approve/deny) Special Exception to allow a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030).*

Should the Board approve the request, staff recommends the following (possible conditions) to ensure compatibility and protect surrounding properties:

1. *Compliance with all permitting and utility requirements*
2. *Appropriate placement and spacing of structures*
3. *Measures to maintain compatibility with surrounding residential properties*
4. *Recognize that the single-wide manufactured housing unit can be interpreted as a detached house, predicated on the condition that it will be fully integrated as a permanent, single-family residence that is in harmony with the neighborhood and the subject lot's existing use, and functions identically to a traditional site-built detached house.*

Subject to the following conditions, if any: _____.

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."

2) "Move to _____ (approve/deny) a Variance of minimum lot area and minimum lot width for an RS-3 district (Sec. 3.040, Table 3-3)

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.

SITE PLAN NARRATIVE FOR LOT LINE ADJUSTMENT

Tulsa County, Oklahoma

Property Owner: Heather Rogers

Property Address- 6022 S. 60th W. Avenue
Tulsa, Oklahoma 74107

Legal Description-Lots 26 and 27, Block 12

Purpose of Request

I, **Heather Rogers**, am the owner of **Lot 26 and Lot 27, Block 12**, located at 6022 S. 60th W. Avenue, Tulsa, Oklahoma 74107. These two lots have historically been used together as a single residential homesite. I am requesting approval to combine the existing lot lines into one parcel so the property accurately reflects its current and intended use.

The existing parcel dimensions are approximately **50 feet wide by 110 feet deep**.

Existing Conditions

- One existing manufactured home is located on the property.
- Existing home size: **16 feet × 80 feet**.
- Home orientation runs **north to south**.
- Fencing currently exists along the south property line.
- The existing manufactured home has become unlivable and is scheduled for demolition.

Proposed Improvements

Demolition

- The existing 16' × 80' manufactured home will be removed.
- Demolition is anticipated to require **one (1) day**.
- A portion of the fence located on the south side of the property will be temporarily removed to facilitate the removal process.

Replacement Home

- A new manufactured home measuring **16 feet × 72 feet** will be installed.
- The new home will be positioned in the same general location and orientation as the existing home, running north to south.

- Because the replacement home is smaller than the existing home, no increase in building footprint is proposed.
- Placement of the new home is expected to take **one (1) day**.

Statement of Request

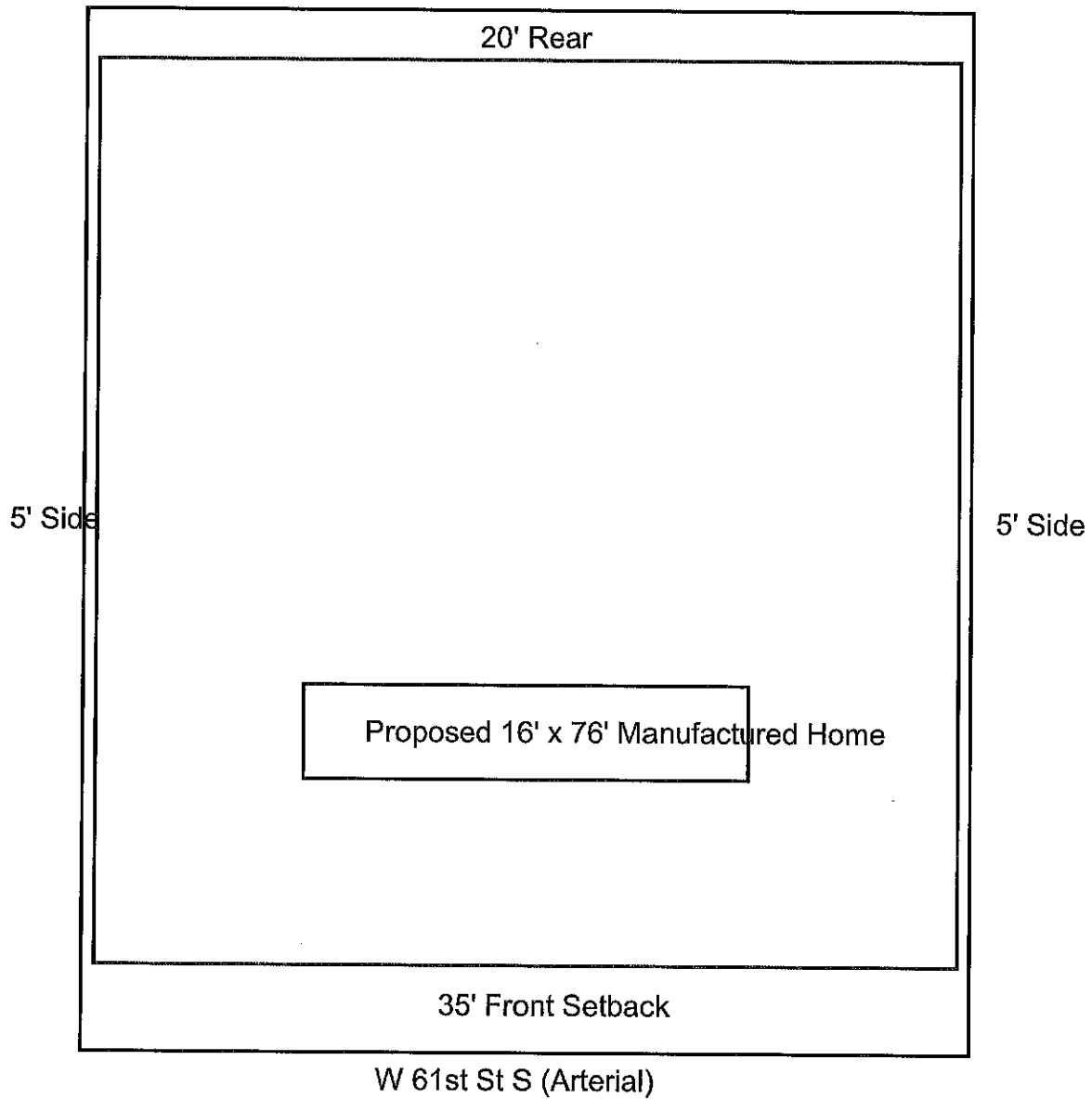
Because Lots 26 and 27 are currently being utilized as a single homesite and the replacement home is smaller than the existing structure, I respectfully request approval of this **lot line adjustment and combination of Lots 26 and 27 into one parcel**. The proposed improvements will not increase the density or intensity of use and will continue the property's existing residential use.

Respectfully Submitted,

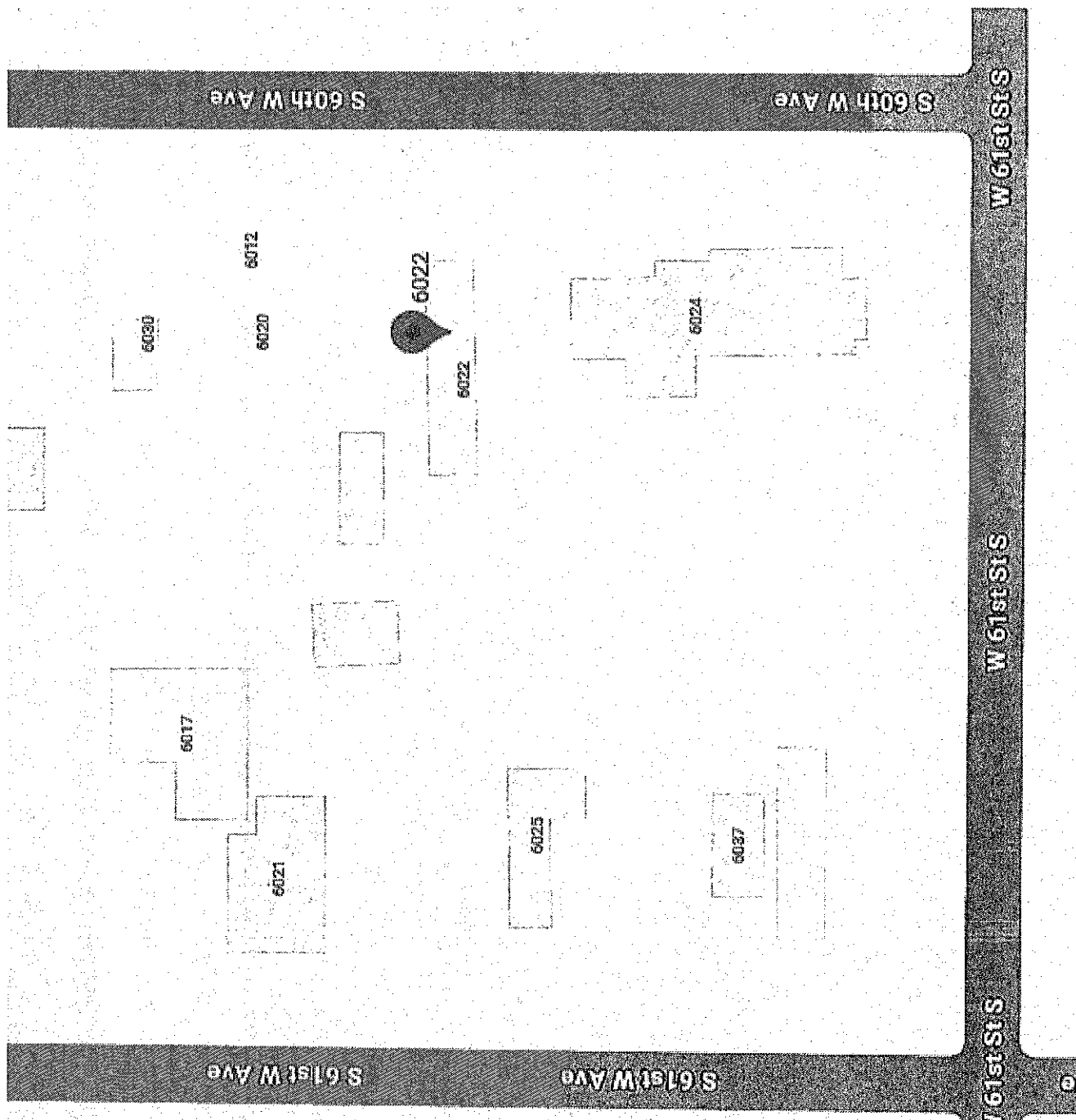
Heather Rogers

Owner of Lots 26 and 27, Block 12
6022 S. 60th W. Avenue
Tulsa, Oklahoma 74107

Proposed Site Plan - 6022 S 60th W Ave, Tulsa, OK



Existing fence to be removed. Existing 18x80 manufactured home to be replaced with a proposed 16x76 manufactured home. Setbacks shown: 35' front arterial setback, 5' side setbacks, and 20' rear setback.



STREET

-50-

12'

Fence

Fence
-21'-

Fence

20' ?

16'

-20'-

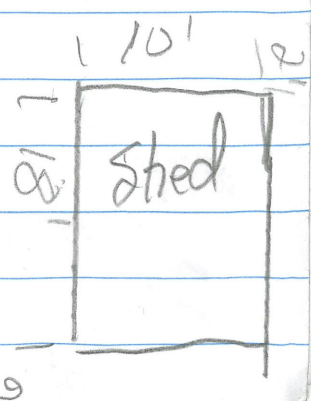
10'

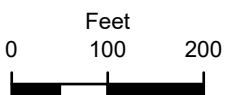
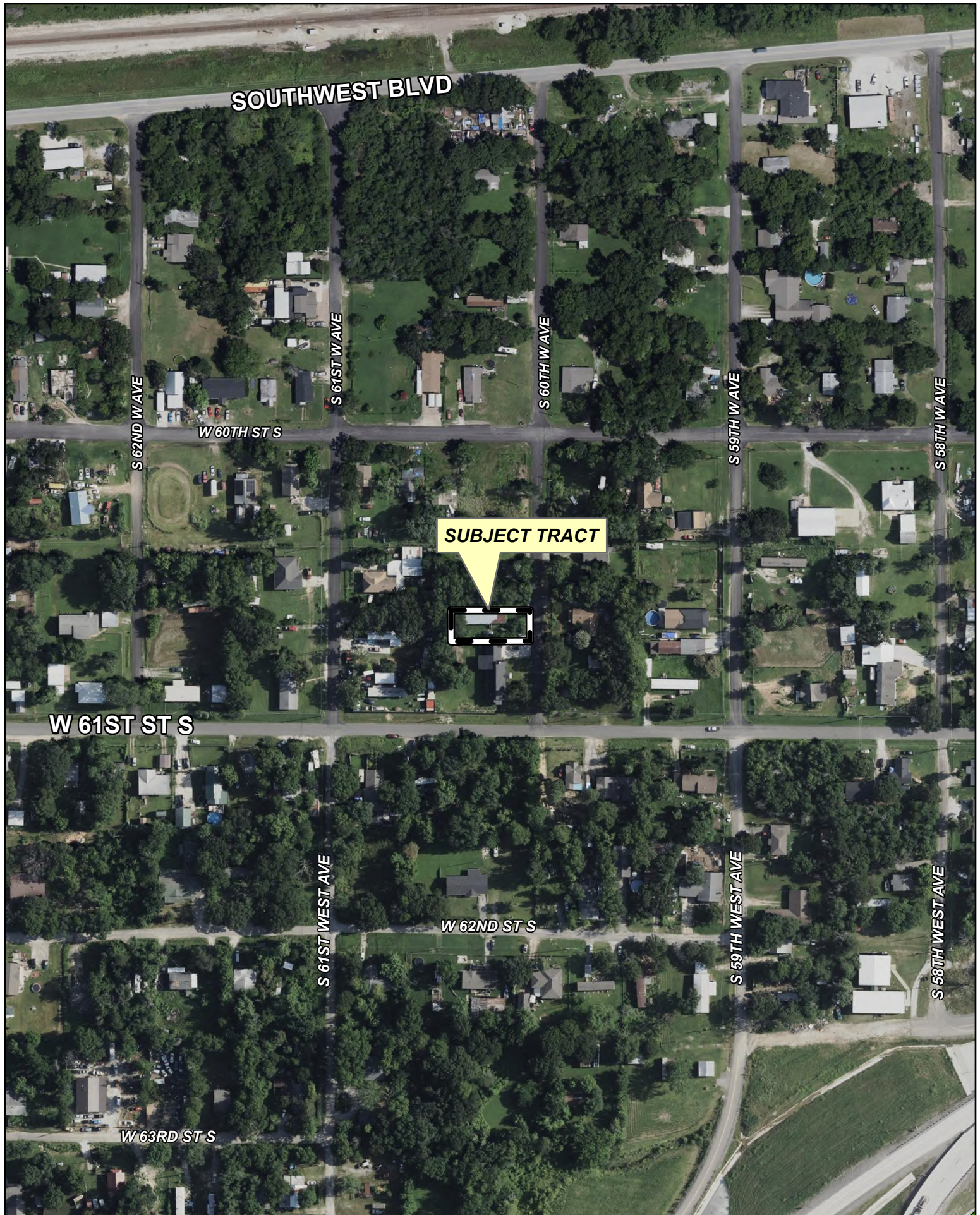
Lot 25

Lot 26

-79'-

118'1





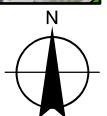
Subject
Tract

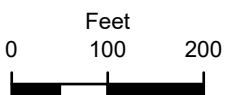
CLLA-88

32 19-12

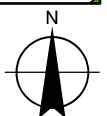
Note: Graphic overlays may not precisely align with physical features on the ground.

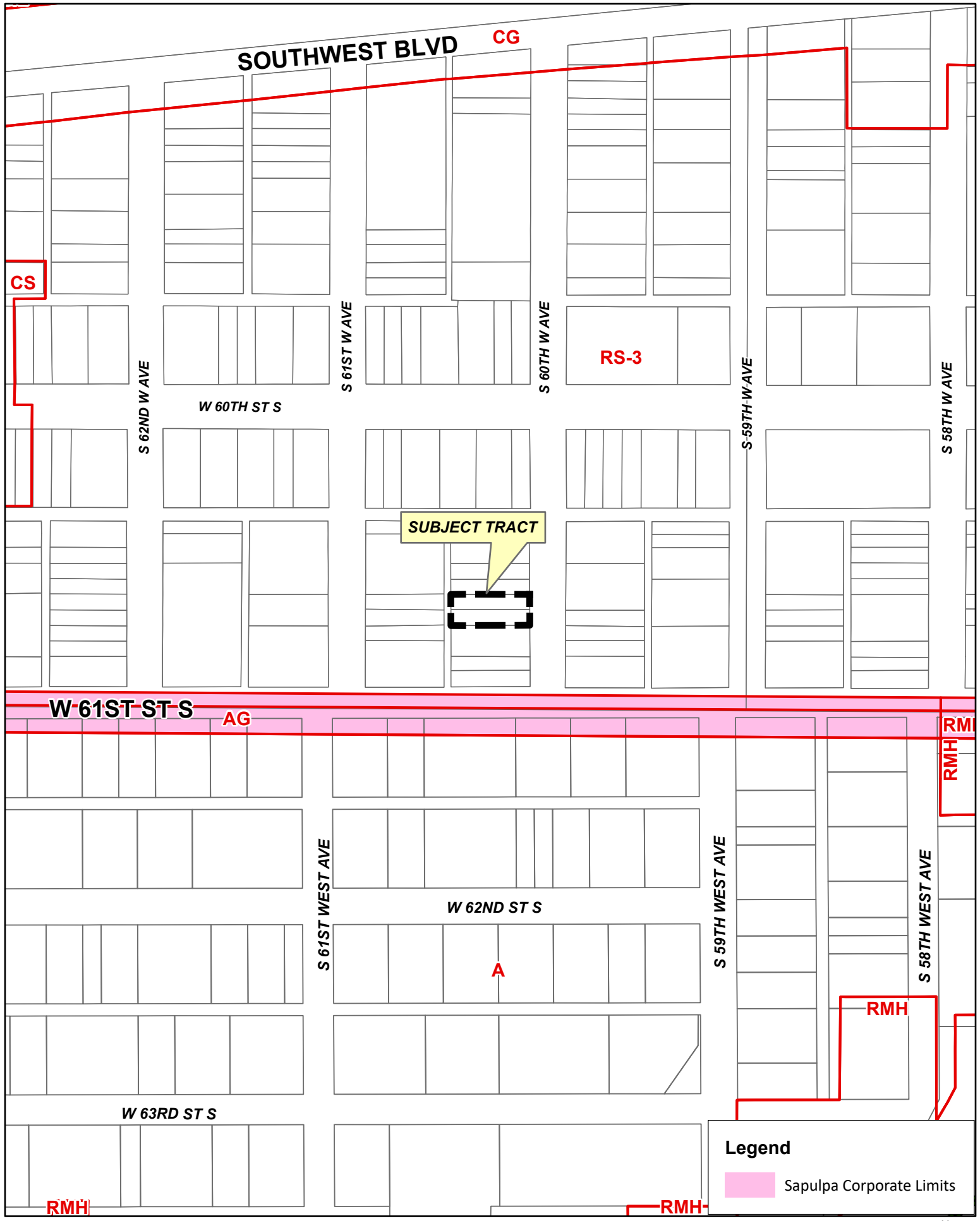
Aerial Photo Date: 2024





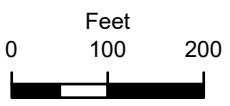
CLLA-88



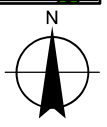


Legend

 Sapulpa Corporate Limits



CBOA-3372





Case Number: CBOA-3358 (Continued from 07/21/2026)

Hearing Date: 07/21/2026 1:30 PM

Case Report Prepared by:

INCOG Planning Services

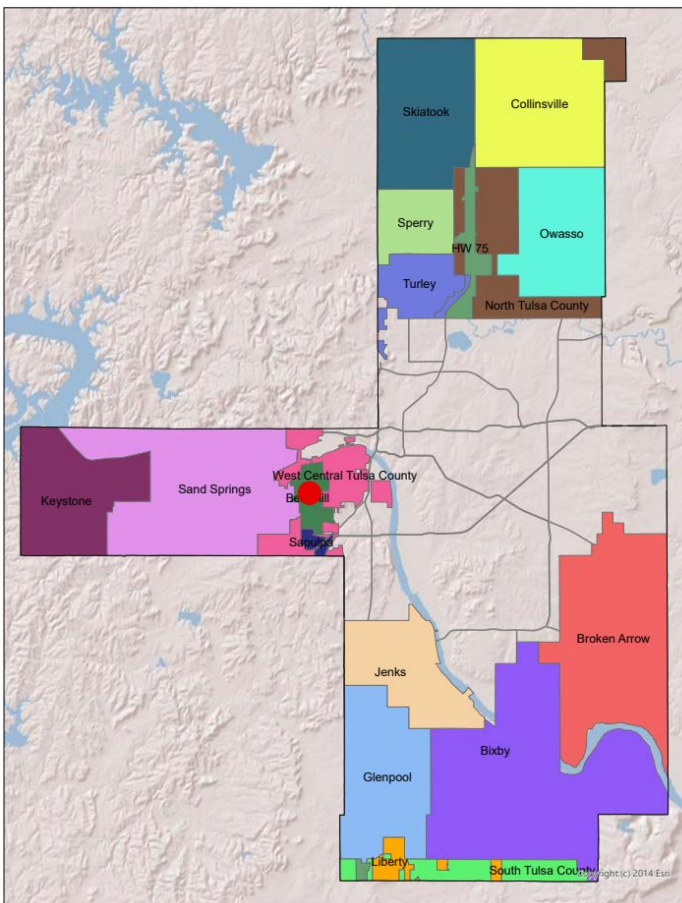
Owner and Applicant Information:

Applicant: Jose Soto

Property Owner: Jose Soto

Action Requested: Appeal of Tulsa County's requirement that the property owner obtain a special exception and/or variance for a pre-existing carport (Sec.14.110)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 1.46± acres

Legal Description: Lot Five (5), and Six (6), Block "B" BERRY-HILL GARDENS, a Subdivision in Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

Present Zoning: RS-3

Fenceline/Area: Berryhill

Land Use Designation: Existing Neighborhood

TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 9220

CASE NUMBER: CBOA-3358
(Continued from 07/21/2026)

CASE REPORT PREPARED BY: INCOG Planning Services

HEARING DATE: 05/19/2026 1:30 PM

APPLICANT: Jose Soto

ACTION REQUESTED: Appeal of Tulsa County's requirement that the property owner obtain a special exception and/or variance for a pre-existing carport (Sec.14.110)

LOCATION: 3139 S. 59th W. Ave., Tulsa, OK

ZONED: RS-3

FENCELINE: Berryhill

PRESENT USE: Residential

TRACT SIZE: 1.46± acres

LEGAL DESCRIPTION: Lot Five (5), and Six (6), Block "B" BERRY-HILL GARDENS, a Subdivision in Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

RELEVANT PREVIOUS ACTIONS:

CBOA-3336 (March 2026): Request for variance of fence height requirement (Sec. 8.100-A) from 4 ft to 6 ft was denied by the Board.

CBOA-3358 (May 2026): New request for variance of fence height requirement (Sec. 8.100-A) from 4 ft to 6 ft was approved by the Board with conditions. The second request (the appeal within this staff report) was continued to July 21st, 2026, and then the applicant requested another continuance to the August 18th, 2026, meeting.

ANALYSIS OF SURROUNDING AREA: The subject property, made up of two neighboring tracts, is located within the Berry Hill Gardens Subdivision, on S 59th W Ave between W 31st St and W 33rd St. The subject tracts are fully surrounded by RS-3 residential single-dwelling properties with most lots being approximately between 0.5 and 0.73 acres, well above the approximately 0.16 acre minimum requirement for detached-house residential lots with RS-3 zoning. The subject properties abut the City of Tulsa corporate limits on their eastern lot lines, but the properties following this eastward trajectory are still RS-3 single-dwelling lots within the same subdivision. Less than a quarter mile to the subject property's northwest sits Berryhill North Elementary.

APPLICANT STATEMENT: The carport's pre-existing status is documented in the Tulsa County Assessor's own photographic records, including images dated 05/2018 and 03/2022 for parcel R56625922001330. The County's own assessor has documented the carport on the property for at least the past eight years without any enforcement action being taken until now.

1. The property's correct FEMA designation as Zone X per FIRM Panel 40143C0331 L, which rebuts any floodplain-based variance requirement
2. Floodplain Administrator Teresa Tosh's written acknowledgment that no SI/SD determination was performed
3. Comparable carports at 3116 and 3119 S 59th W Ave, on the same street, with no enforcement action

STAFF COMMENTS: The applicant is requesting an appeal of Tulsa County's requirement that he obtain a special exception and/or variance for a pre-existing carport (Sec.14.110). In evaluating this appeal, the Board must determine whether the administrative enforcement action or interpretation of the zoning code was correct, or if the structure requires formal relief through the Board's regular variance or special exception processes.

The applicant appeals the April 17, 2026 administrative determination that the subject structure is a new carport rather than a valid repair or maintenance of a nonconforming structure and therefore requires a special exception, as well as the April 14, 2026 Stop Work Order. The applicant contends that the structure qualifies as a carport, that the prior carport established nonconforming status, and that the replacement at the same location and footprint constitutes permitted maintenance. The applicant also raises procedural concerns regarding the Stop Work Order and contends that floodplain-related requirements were not properly established. The applicant has submitted additional documentation addressing these issues, including prior property records, County correspondence, photographs, zoning provisions, and updated floodplain documentation.

For a detailed presentation of the applicant's arguments and supporting documentation, please refer to the applicant's written appeal and supporting documents included as an exhibit to this report.

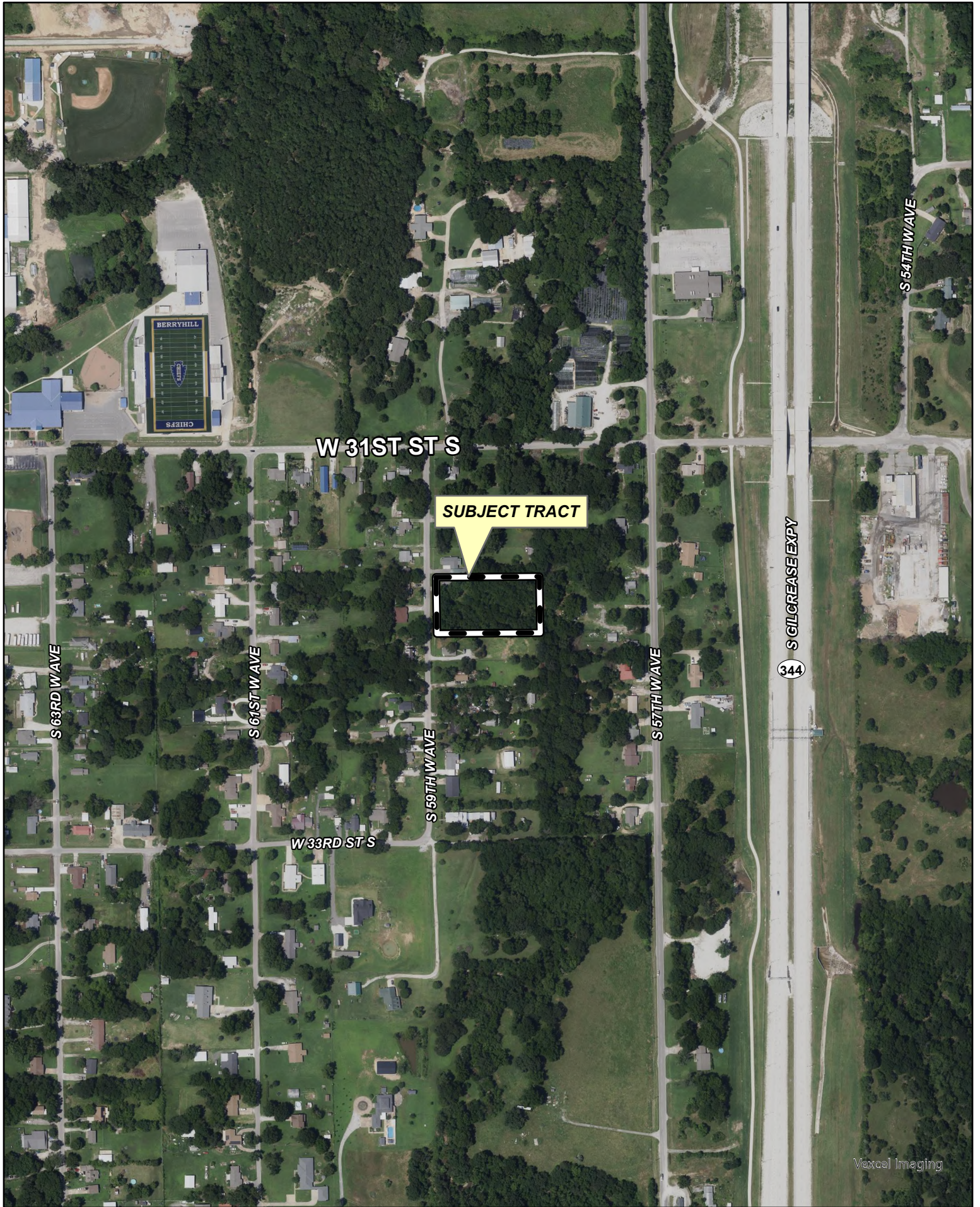
If inclined to approve the request the Board may consider any condition it deems necessary in order to ensure that the proposed variance is compatible and non-injurious to the surrounding area .

Sample Motion:

"Move to _____ (approve/deny) the Appeal of Tulsa County's requirement that the property owner obtain a special exception and/or variance for a pre-existing carport (Sec.14.110)

Subject to the following conditions, if any: _____.

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.



0 Feet 200 400



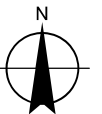
Subject Tract

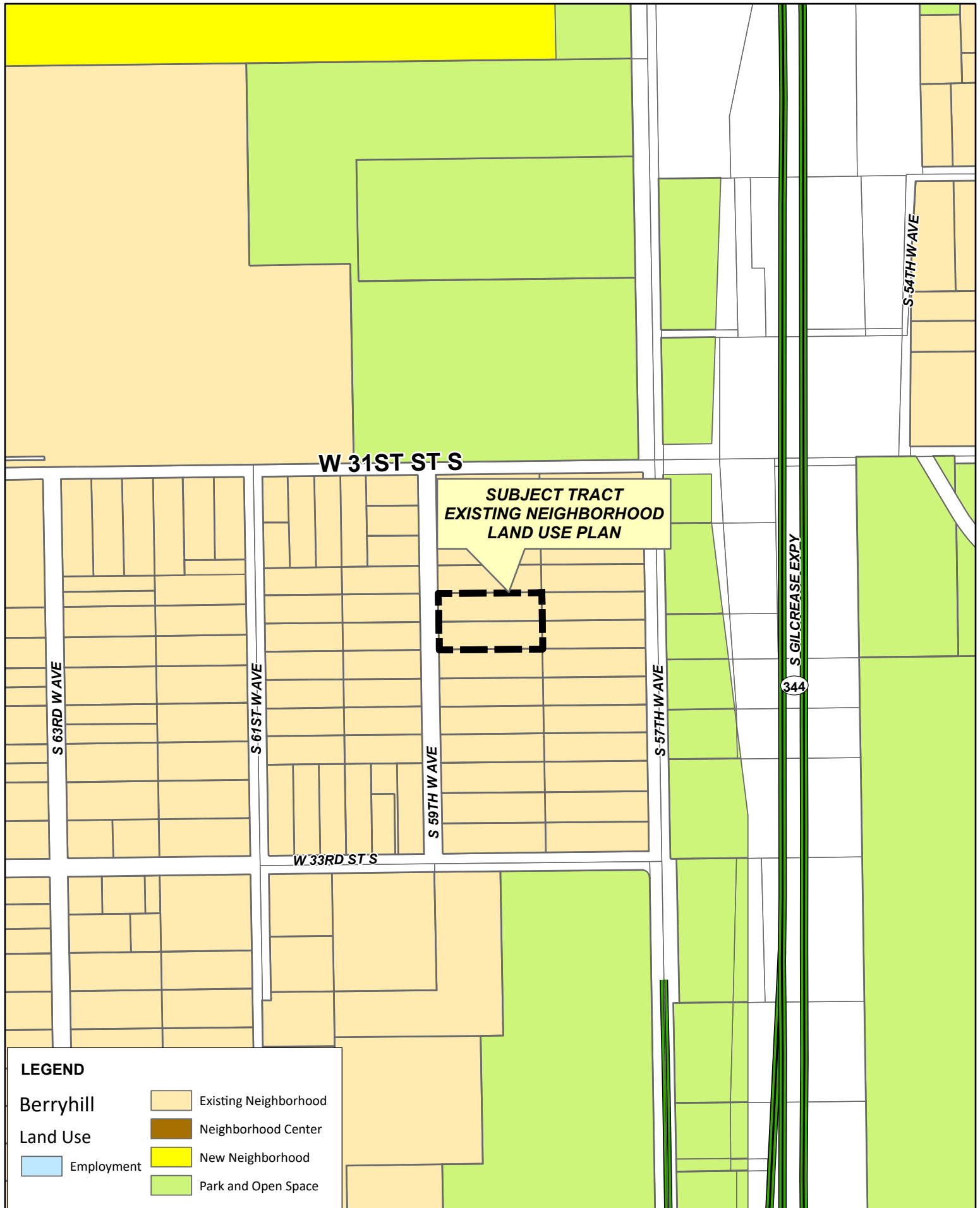
CBOA-3358

20 19-12

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

Aerial Photo Date: 2024



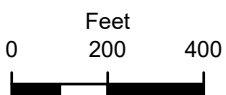


LEGEND

Berryhill

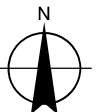
Land Use

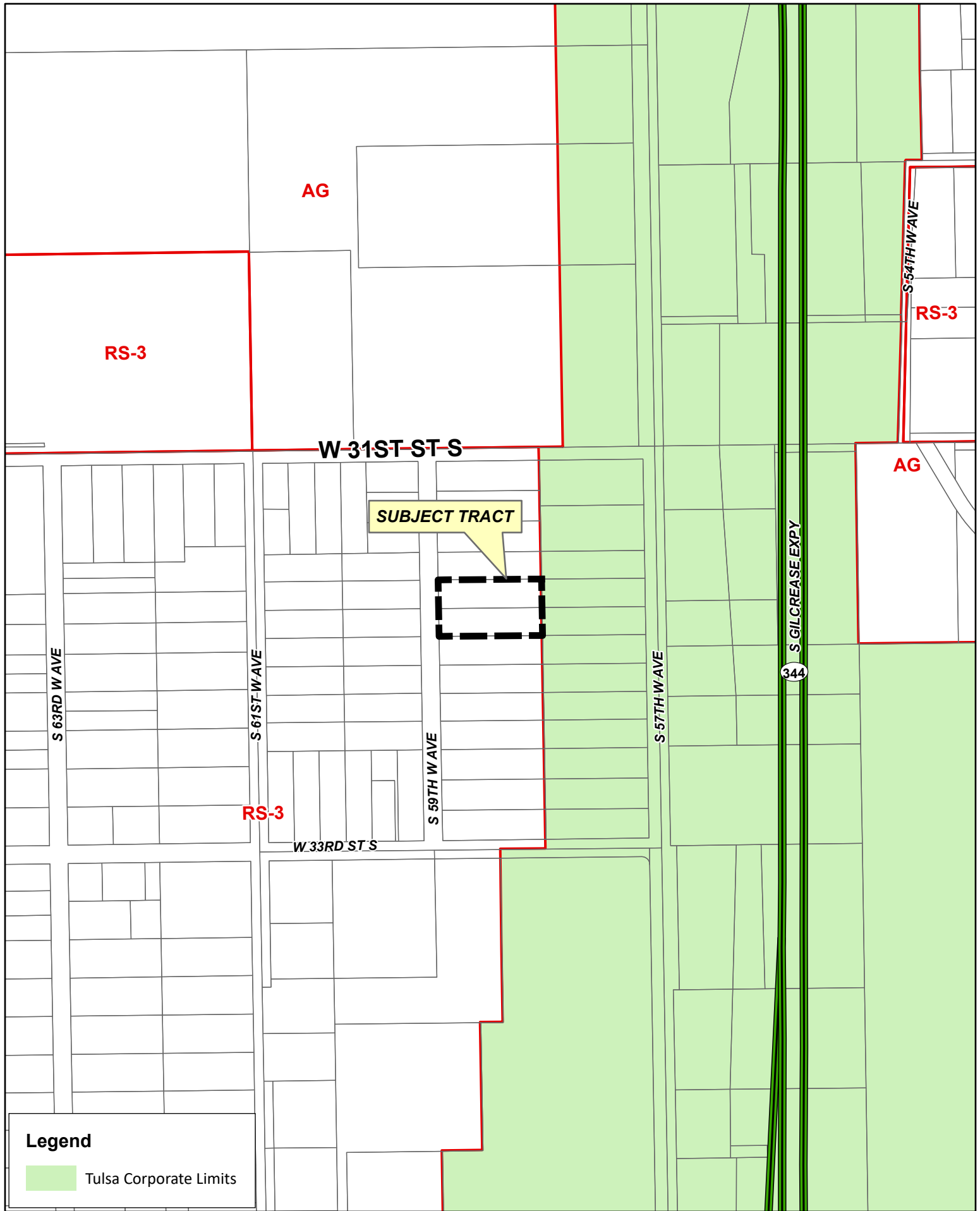
	Existing Neighborhood
	Neighborhood Center
	New Neighborhood
	Park and Open Space
	Employment



CBOA-3358

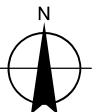
20 19-12





CBOA-3358

20 19-12





Outlook

Re: Carport question

From Joe Soto <Joe@apollorestitution.org>

Date Thu 4/23/2026 9:29 AM

To Rojas, Javier <jrojas@incog.org>

Buen día Javier,

Thank you for the clarification yesterday. Please frame the appeal narrowly as follows:

"Appeal of Tulsa County's requirement that the property owner obtain a special exception and/or variance for a pre-existing carport at 3139 S 59th W Ave (Parcel R56625922001330)."

The carport's pre-existing status is documented in the Tulsa County Assessor's own photographic records, including images dated 05/2018 and 03/2022 for parcel R56625922001330. The County's own assessor has documented the carport on the property for at least the past eight years without any enforcement action being taken until now.

If you'd like additional specificity for the agenda or staff report, supporting facts include:

1. The property's correct FEMA designation as Zone X per FIRM Panel 40143C0331L, which rebuts any floodplain-based variance requirement
2. Floodplain Administrator Teresa Tosh's written acknowledgment that no SI/SD determination was performed
3. Comparable carports at 3116 and 3119 S 59th W Ave, on the same street, with no enforcement action

I took your advice and spoke to my next-door neighbor Jerry Sexton at 3119 S 59th W Ave has indicated his intent to attend the hearing in support of the appeal and for the fence variance and may submit a letter for the record.

Please confirm the hearing date once it is set, and let me know if you need any further information for the agenda language.

Muchas gracias por tu ayuda.

Jose Soto
918-947-0005
Joe@apollorestitution.org

Apollo Restoration
Storm Water Fire

P: 402-320-4948

On Thu, Apr 23, 2026 at 8:39 AM Rojas, Javier <jrojas@incog.org> wrote:

Hi Jose,

No problem, I just need to know how you want to proceed. I will gladly add the appeal to your item in the Agenda, but I need to know what the appeal is for specifically so that the language is correct. And I received your documentation, but the appeal has to be narrowly defined to a specific action—we can say, for instance, that the appeal is for their requirement of an (unnecessary, from your POV) special exception and/or variance for a previously existing carport.



Javier V.R.
Planner
2 West Second Street | Suite 800
Tulsa, OK 74103
jrojas@incog.org
[INCOG | Tulsa, OK | Regional Partners - Regional Solutions](#)
918-579-9450

⚠ SECURITY ALERT: INCOG staff will **only** communicate regarding payments or personal information via an official @incog.org email address. If you receive a request for funds from any other domain, please do not respond or open any attachments, and report it to us immediately.

Stop Work Order

Appeal under Sec. 14.110

Applicant: Jose Leo Soto

Property: 3139 S. 59th W. Ave, Tulsa, OK 74107

Structure: Carport (Sec. 19.060)

Notice of Appeal: Filed with INCOG, April 20, 2026

Automatic Stay: In effect under Sec. 14.110-D

Primary Relief: VACATE the SWO

Alternative: declare structure conclusively nonconforming under Sec. 16.010

The Stop Work Order

Tulsa County Inspector Form No. 2284 (Rev 6-17). Posted at 3139 S. 59th W. Ave.



Posted at 3139 S. 59th W. Ave, on the property's fence.

WHAT THE FORM RECORDS

Location	3139 S. 59th W. Ave
Date Posted	[BLANK]
Inspector signature	Present, name illegible
Printed name	None on the form
Phone listed	918-596-5293
Code provision cited	None on the form
Appeal rights stated	None on the form

Three Defects on the Face of the SWO

The Board can vacate on procedural grounds without reaching the merits.

01

No date posted

The “DATE POSTED” field on the SWO is blank. Without a posting date, the appeal window cannot be computed, notice cannot be established, and the Order has no anchor in time.

02

Inspector unidentified

The signature is illegible and no printed name appears. The owner has no way to identify the issuing official under Sec. 14.070 or Sec. 17.060-A.

03

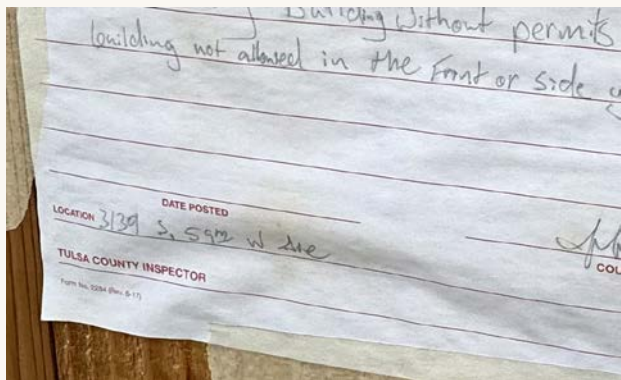
Wrong classification on the document itself

The SWO classifies the structure as an “accessory building.” It meets the Sec. 19.060 definition of a carport. Staff (Tosh) conceded the carport framework applies on April 17, 2026.

Defect 1: The SWO Has No Posting Date

Without a date, the SWO has no enforceable starting point.

DATE POSTED, actual SWO



Field is blank.



Why this defect is dispositive:

- No fixed starting point for any appeal deadline.
- No way to establish when constructive notice was given.
- No way to determine when the work-stop obligation took effect.
- Cannot reconcile against any County calendar or inspection log entry.

Defect 2: Inspector Unidentified

The owner cannot identify who issued the order.

COUNTY INSPECTOR, actual SWO



Signature illegible. No printed name.

?

Facts on the face of the notice:

- Signature on the SWO is illegible.
- No printed name appears anywhere on the form.
- The phone listed (918-596-5293) is shared by multiple Inspections staff and does not identify the issuing official.
- Webster, Edenborough, Tosh, and Airehrour all communicated about the file. No single official claimed authorship of the SWO.

CODE REQUIREMENT

Sec. 17.060-A requires notices of violation to state the nature of the violation. Identifying the issuing official is part of that obligation. Without it, the owner cannot direct an inquiry under Sec. 14.070 or test the notice on the merits.

Defect 3: Wrong Classification

The County's own staff conceded the structure is a carport, not an accessory building.

WHAT THE SWO SAYS

Accessory Building

"Accessory Building without permits. Accessory building not allowed in the Front or side yard."

PROBLEM

Accessory-building rules under Sec. 8.030 require placement only in the rear yard of an R-zoned lot. They do not apply to a structure that meets the Sec. 19.060 carport definition.

WHAT IT ACTUALLY IS

Carport



Pre-installation. Listed and sold as "20x17x10 Black A Frame carport with guttering." Facebook Marketplace.

CODE FIT

- **Sec. 19.060:** roof, not enclosed by walls. Structure satisfies.
- **IRC R309.2 (Tosh's attachment):** open on not less than two sides. Structure satisfies.
- **Tosh, April 17:** carport framework applies.

No Statutory Authority for the SWO

Even apart from the facial defects, the Code did not authorize this Order to issue.

WHAT SEC. 17.030-E REQUIRES

An uncorrected violation

A stop work order may issue only “on any building or structure on any land on which there is an **uncorrected violation** of a provision of these zoning regulations.”

A violation is the legal trigger. Without one, the Code does not authorize the Order.

WHY NO VIOLATION EXISTS

Approval-pending is not a violation

- Table 18-1 lists carports as YES in Street, Side, and Rear setbacks with note [1].
- Note [1] requires special exception approval under Sec. 14.080.
- An approval-pending status is a procedural prerequisite, not a violation.
- The SWO mechanism cannot be used to compel application for an approval the Code itself contemplates.

Sec. 17.060-A separately requires notices of violation to **state the nature of the violation and the timeframe for compliance**. This SWO does neither.

April 14 Written Concession

The County's own zoning inspector confirmed the structure is allowed, hours after the SWO was posted.

“If I could refer you back to table 18-1 under notes you will see [1] Special Exception Approval required.”

Jeffrey Webster, Tulsa County Zoning Inspector, email April 14, 2026, 3:01 PM

On the record

The email is in the case file. Webster cited Table 18-1, note [1] in writing.

Table 18-1 controls

Carports are listed as “YES [1]” for Street and Side. “[1]” means special exception approval is required.

Allowed, not prohibited

A use the governing table marks YES cannot be enforced as “not allowed in the Front or side yard.”

The SWO says the structure is not allowed. The County's own inspector said in writing it is allowed subject to approval. Both cannot be true.

Shifting Enforcement Basis

Each time one theory was rebutted, a new one appeared. Dates and authors below are from the record.

-  **Apr 14** **SWO posted**
Reason on the notice: “Accessory Building without permits. Accessory building not allowed in the Front or side yard.” Phone 918-596-5293.
-  **Apr 14** **Webster cites IRC R105.2 and Sec. 8.030-A**
IRC R105.2 is titled “Work Exempt from Permit.” Sec. 8.030-A governs accessory buildings, not carports.
-  **Apr 14** **Webster pivots to Table 18-1 [1]**
Writes that special exception approval is required. Concedes the structure is allowed.
-  **Apr 16** **Webster adds floodplain theory**
Floodplain first raised Apr 14 as speculation. Formalized as SFHA Zone AE permit requirement. No 44 CFR 60.3 SI/SD determination produced.
-  **Apr 17** **Edenborough repeats carport-as-accessory and SFHA Zone AE**
Requires special exception, building permit, and floodplain development permit. No Code provision identified equating carport with accessory building.
-  **Apr 17** **Tosh determination**
Provides Sec. 19.060, 19.220, IRC R309.2, IBC definitions but identifies no Code provision equating carport with accessory building. Reaffirms IRC R105.2 reliance. Says SD/SI does not apply to new construction, without reconciling the Jan 28, 2026 admission.

Conflict of Interest

One official cannot be complainant, enforcer, and neutral decisionmaker on the same matter.

ROLE 1

Complainant / initiator

Lucky Airehrour initiated the matter that ultimately produced this SWO. Scope expanded across unrelated issues: camper, electrical permit, fence, remodel permit, then accessory building.

ROLE 2

Author of the enforcement document

The IRC R105.2 attachment to Webster's April 14 email carries the ICC footer: "Accessed by Luckie Arrow on 04/14/2026." PDF metadata identifies the Author as Lucky Airehrour and the Creation Date as April 14, 2026.

ROLE 3

Neutral decisionmaker

As the designated Floodplain Administrator (CFM), Lucky Airehrour is the official required to issue any written Substantial Improvement / Substantial Damage determination under 44 CFR 60.3 and the Tulsa County Floodplain Management Regulations.

A single official cannot be complainant and neutral arbiter on the same matter. This dual role independently warrants vacatur and a stay of any floodplain-based enforcement pending impartial review.

Floodplain Theory: Process Is Missing

If floodplain is the new basis, the County has not done what the federal code and its own Code require.

WHAT THE FEDERAL CODE REQUIRES

44 CFR 60.3

Subsections (a)(1) and (c)(7)

- Community must require permits for development in floodplain.
- Written Substantial Improvement / Substantial Damage determination required before triggering compliance.
- Determination must be based on actual cost-to-value ratio of the work.

WHAT THE COUNTY HAS DONE

No written finding

No SI/SD determination in the record

- **Tosh, Jan. 28, 2026 (in writing):** “We were unable to make written Substantial Improvement / Damage assessment because we do not have sufficient Estimates of work.”
- **Elevation Certificate, May 18, 2026:** lowest floor at 672.41 ft NAVD88 exceeds BFE of 672.10 ft per USACE. LOMA application underway with FEMA Region 6.
- **Tosh's own Sec. 19.220:** for Floodway District regulations “structure” means a walled and roofed building. Open-sided carport does not meet that definition.

The April 17 pivot to “SD/SI does not apply to new construction” does not displace the Jan 28 written admission. A government cannot exercise floodplain authority by skipping the determination the federal code requires.

Selective Enforcement

Comparable carports on the same block are undisturbed.

ENFORCED

3139 S. 59th W. Ave

SWO posted, work stopped.

UNDISTURBED

3116 S. 59th W. Ave

Materially identical open-sided A-frame carport, no enforcement action.

UNDISTURBED

3119 S. 59th W. Ave

Covered carport, no enforcement action.

Equal application of the zoning code is a basic requirement. Materially identical structures on the same block are not enforced. The County has not explained why this property is treated differently. Class-of-one equal protection under Village of Willowbrook v. Olech, 528 U.S. 562 (2000).

First Amendment Retaliation

The one-day sequence between protected activity and enforcement is documented.

APRIL 13, 2026

Pleading filed in CV-2026-00300

Constitutionally protected petitioning activity. U.S. Const. amend. I.



APRIL 14, 2026

Stop Work Order posted

Same property. One day after the protected activity.

Three-element retaliation test, 42 U.S.C. Sec. 1983:

- 1 Constitutionally protected activity: the April 13 court filing.
- 2 Government action that would chill a person of ordinary firmness: posting a stop work order on the same property the next day.
- 3 Causation: one-day sequence plus Lucky Airehrour's authorship of the R105.2 enforcement attachment supports the inference that the protected activity was a motivating factor.

This Board need not adjudicate the constitutional claim to find the enforcement irregular. The claim is preserved for separate action.

Alternative: Conclusively Nonconforming

Sec. 16.010-C(3): aerial photos and other official government records constitute conclusive evidence of nonconforming status.



MAY 2018

Tulsa County Assessor

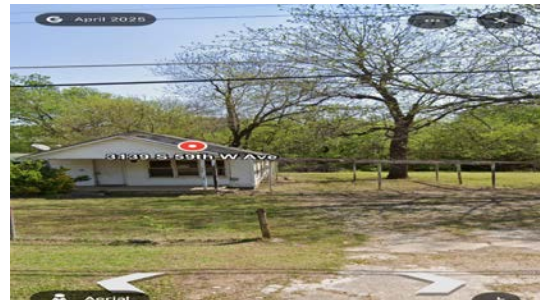
Full roofed carport, attached to east side of dwelling.



MARCH 2022

Tulsa County Assessor

Frame and posts remain. Continuous record of the structure on the parcel.



APRIL 2025

Google Street View

Same frame still standing. Replacement work begins after this date.

THE CODE FRAMEWORK

Sec. 16.010-A. Nonconformities have legal status distinct from violations. **Sec. 16.010-C(3).** Government records above are conclusive evidence of nonconforming status.

Sec. 16.010-D(1). Replacement is permitted maintenance unless it increases the extent of the nonconformity. Replacement of the carport on the same footprint does not.

Automatic Stay Is In Effect

Independent of the merits, the filing of the Notice of Appeal triggers a statutory stay.

Sec. 14.110-D

“Filing of a notice of appeal stays all enforcement activity unless the official certifies, in writing, that a stay would cause imminent peril to life or property.”

✓ Notice of Appeal filed

April 20, 2026, with INCOG. Stay attached on filing.

✗ No “imminent peril” finding

No written certification of imminent peril has been issued. The stay therefore remains in effect.

RELIEF REQUESTED

The applicant respectfully asks the Board to:

PRIMARY

Vacate the Stop Work Order

Procedurally defective on its face (no posting date, unidentified inspector, wrong classification). No statutory hook under Sec. 17.030-E. Written concession of permissibility in the record.

ALTERNATIVE

Declare structure conclusively nonconforming

Under Sec. 16.010-C(3) based on May 2018 and March 2022 Tulsa County Assessor records, and direct that the SWO be lifted.

APPENDIX A

USACE Determination Letter



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, TULSA DISTRICT
2488 EAST 81ST STREET
TULSA, OKLAHOMA 74137-4200

Engineering and Construction Division
Hydraulics and Hydrology Branch (12th Floor)
Floodplain Management Services (12-32)

18 May 2026

Trout Land Surveying, L.L.C.
Attn: Mr. Dane Trout, P.L.S.
5710 South Garnett Road
Tulsa, OK 74146

RE: 36.117815⁰ N, -96.058563⁰ W – 3139 S. 59th W. Ave.
NE ¼, NW ¼, Sec. 20 T19N R12E Indian Meridian
Tulsa, Tulsa County, Oklahoma, 74107

Dear Mr. Trout,

This is in response to your request to develop a Base Flood Elevation (BFE) for property located in the Northeast Quarter of the Northwest Quarter of Section 20 Township-19-North Range-12-East of the Indian Meridian, in Tulsa County, Oklahoma.

The current Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) 40143C0331L (community-panel 400462) effective October 16, 2012, indicates the property is in Zone AE (the 100-year floodplain of Berryhill Creek Tributary).

We have determined that the Base Flood Elevation for this property to be 672.1 feet NAVD 88 (North American Vertical Datum). This base flood elevation was determined using the Flood Insurance Study, FIS, Number 40143CV0047, revised September 12, 2024, referencing Flood Profile 023P – Berryhill Creek Tributary. To officially remove structures from flood insurance requirements, a Letter of Map Change (LOMC) can be obtained from FEMA if the lowest floor elevation is above the BFE either by mail or online. Any development on this property must be constructed to local floodplain regulations.

Please retain this letter and a copy of the payment confirmation from [Pay.gov](https://pay.gov) - United States Army Corps of Engineers Finance Center for your records. The payment is valid for the life of property. If another BFE is needed or if you have any questions, please call Floodplain Management Services at 918-669-4360 or email Travis.a.wilsey@usace.army.mil.

Sincerely,

TRAVIS WILSEY E.L., C.F.M.
USACE SWT Floodplain Management Services

U.S. Army Corps of Engineers, Tulsa District. Dated May 18, 2026. Establishes BFE of 672.10 ft NAVD 88 for parcel.

APPENDIX B

Elevation Certificate

ELEVATION CERTIFICATE																									
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19																									
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 3139 S. 59th W. Ave. City: Tulsa State: OK ZIP Code: 74107																									
FOR INSURANCE COMPANY USE Policy Number: _____ Company NAIC Number: _____																									
SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)																									
C1. Building elevations are based on: ☐ Construction Drawings* ☒ Building Under Construction* ☐ Finished Construction *A new Elevation Certificate will be required when construction of the building is complete.																									
C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, ARIA, ARIAE, ARIA1–A30, ARIAH, ARIAO, ARIQ. Complete items C2-a-h below according to the Building Diagram specified in item A7. In Puerto Rico only, enter meters. Benchmark Utilized: ADS Station 442 Vertical Datum: NAVD 1988																									
Indicate elevation datum used for the elevations in items a) through h) below. ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other: _____																									
Datum used for building elevations must be the same as that used for the BFE. Conversion factor used? ☐ Yes ☒ No If Yes, describe the source of the conversion factor in the Section D Comments area.																									
<table border="0"> <tr> <td>a) Top of bottom floor (including basement, crawlspace, or enclosure floor):</td> <td>672.41</td> <td>☒ feet ☐ meters</td> </tr> <tr> <td>b) Top of the next higher floor (see instructions):</td> <td>673.76</td> <td>☐ feet ☐ meters</td> </tr> <tr> <td>c) Bottom of the lowest horizontal structural member (see instructions):</td> <td></td> <td>☐ feet ☐ meters</td> </tr> <tr> <td>d) Attached garage (top of slab):</td> <td></td> <td>☐ feet ☐ meters</td> </tr> <tr> <td>e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area):</td> <td></td> <td>☐ feet ☐ meters</td> </tr> <tr> <td>f) Lowest Adjacent Grade (LAG) next to building: ☒ Natural ☐ Finished</td> <td>672.13</td> <td>☒ feet ☐ meters</td> </tr> <tr> <td>g) Highest Adjacent Grade (HAG) next to building: ☒ Natural ☐ Finished</td> <td>672.66</td> <td>☐ feet ☐ meters</td> </tr> <tr> <td>h) Finished LAG at lowest elevation of attached deck or stairs, including structural support:</td> <td></td> <td>☐ feet ☐ meters</td> </tr> </table>		a) Top of bottom floor (including basement, crawlspace, or enclosure floor):	672.41	☒ feet ☐ meters	b) Top of the next higher floor (see instructions):	673.76	☐ feet ☐ meters	c) Bottom of the lowest horizontal structural member (see instructions):		☐ feet ☐ meters	d) Attached garage (top of slab):		☐ feet ☐ meters	e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area):		☐ feet ☐ meters	f) Lowest Adjacent Grade (LAG) next to building: ☒ Natural ☐ Finished	672.13	☒ feet ☐ meters	g) Highest Adjacent Grade (HAG) next to building: ☒ Natural ☐ Finished	672.66	☐ feet ☐ meters	h) Finished LAG at lowest elevation of attached deck or stairs, including structural support:		☐ feet ☐ meters
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g) Highest Adjacent Grade (HAG) next to building: ☒ Natural ☐ Finished	672.66	☐ feet ☐ meters																							
h) Finished LAG at lowest elevation of attached deck or stairs, including structural support:		☐ feet ☐ meters																							
SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION																									
This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.																									
Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No																									
☒ Check here if attachments and describe in the Comments area.																									
Certifier's Name: E. Dane Trout License Number: 1893 Title: Professional Land Surveyor Company Name: Trout Land Surveying, LLC Address: 7020 S. Yale Ave. Ste. 275 City: Tulsa State: OK ZIP Code: 74036																									
Signature: E. Dane Trout Digitally signed by E. Dane Trout Date: 2025.05.18 11:47:33 -0500 Date: 05/18/2026 Telephone: (918) 734-3423 Ext: _____ Email: dane@troutsurveying.com																									
Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner. Comments (including source of conversion factor in C2, type of equipment and location per C2.e, and description of any attachments): FEMA Form FF-206, ADS Benchmark																									

FEMA Form FF-206. Sealed by E. Dane Trout, PLS, License 1893, May 18, 2026. Top of bottom floor: 672.41 ft, above BFE by 0.31 ft.

U.S. DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
National Flood Insurance Program

OMB Control No. 1660-0008
Expiration Date: 06/30/2026

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
A1. Building Owner's Name: <u>Joe Soto</u>		Policy Number: _____
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>3139 S. 59th W. Ave.</u>		Company NAIC Number: _____
City: <u>Tulsa</u> State: <u>OK</u> ZIP Code: <u>74107</u>		
A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: <u>Lot 5, Block B Berry-Hill Gardens</u>		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): <u>Residential</u>		
A5. Latitude/Longitude: Lat. <u>N036d07'56.93"</u> Long. <u>W096d3'30.83"</u> Horizontal Datum: ☐ NAD 1927 ☒ NAD 1983 ☐ WGS 84		
A6. Attach at least two and when possible four clear photographs (one for each side) of the building (see Form pages 7 and 8).		
A7. Building Diagram Number: <u>8</u>		
A8. For a building with a crawlspace or enclosure(s):		
a) Square footage of crawlspace or enclosure(s): <u>900.00</u> sq. ft.		
b) Is there at least one permanent flood opening on two different sides of each enclosed area? ☒ Yes ☐ No ☐ N/A		
c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>2</u> Engineered flood openings: _____		
d) Total net open area of non-engineered flood openings in A8.c: <u>75.40</u> sq. in.		
e) Total rated area of engineered flood openings in A8.c (attach documentation – see Instructions): _____ sq. ft.		
f) Sum of A8.d and A8.e rated area (if applicable – see Instructions): <u>75.40</u> sq. ft.		
A9. For a building with an attached garage:		
a) Square footage of attached garage: _____ sq. ft.		
b) Is there at least one permanent flood opening on two different sides of the attached garage? ☐ Yes ☐ No ☐ N/A		
c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings: _____ Engineered flood openings: _____		
d) Total net open area of non-engineered flood openings in A9.c: _____ sq. in.		
e) Total rated area of engineered flood openings in A9.c (attach documentation – see Instructions): _____ sq. ft.		
f) Sum of A9.d and A9.e rated area (if applicable – see Instructions): _____ sq. ft.		
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION		
B1.a. NFIP Community Name: <u>Tulsa County Unincorporated Areas</u> B1.b. NFIP Community Identification Number: <u>400462</u>		
B2. County Name: <u>Tulsa</u> B3. State: <u>OK</u> B4. Map/Panel No.: <u>40143C0331</u> B5. Suffix: <u>L</u>		
B6. FIRM Index Date: <u>10/16/2012</u> B7. FIRM Panel Effective/Revised Date: <u>10/16/2012</u>		
B8. Flood Zone(s): <u>AE</u> B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth): <u>672.1</u>		
B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: ☐ FIS ☐ FIRM ☐ Community Determined ☒ Other: <u>Corp of Engineers Determination</u>		
B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____		
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No Designation Date: _____ ☐ CBRS ☐ OPA		
B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? ☐ Yes ☒ No		

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
3139 S. 59th W. Ave.

City: Tulsa State: OK ZIP Code: 74107

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☒ Building Under Construction* ☐ Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, A99. Complete Items C2.a–h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: ADS Station 442 Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other: _____

Datum used for building elevations must be the same as that used for the BFE. Conversion factor used?

☐ Yes ☒ No

If Yes, describe the source of the conversion factor in the Section D Comments area.

Check the measurement used:

a) Top of bottom floor (including basement, crawlspace, or enclosure floor): 672.41 ☒ feet ☐ meters

b) Top of the next higher floor (see Instructions): 673.76 ☐ feet ☐ meters

c) Bottom of the lowest horizontal structural member (see Instructions): _____ ☐ feet ☐ meters

d) Attached garage (top of slab): _____ ☐ feet ☐ meters

e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area): _____ ☐ feet ☐ meters

f) Lowest Adjacent Grade (LAG) next to building: ☒ Natural ☐ Finished 672.13 ☒ feet ☐ meters

g) Highest Adjacent Grade (HAG) next to building: ☒ Natural ☐ Finished 672.66 ☐ feet ☐ meters

h) Finished LAG at lowest elevation of attached deck or stairs, including structural support: _____ ☐ feet ☐ meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No

☒ Check here if attachments and describe in the Comments area.

Certifier's Name: E. Dane Trout License Number: 1893

Title: Professional Land Surveyor

Company Name: Trout Land Surveying, LLC

Address: 7020 S. Yale Ave. Ste. 275

City: Tulsa State: OK ZIP Code: 74036

Signature: E. Dane Trout Digitally signed by E. Dane Trout
Date: 2026.05.18 11:47:33 -05'00' Date: 05/18/2026

Telephone: (918) 734-3423 Ext.: _____ Email: dane@troutsurveying.com



Place Seal Here

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments):
FEMA Firmette, ADS Benchmark

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
3139 S. 59th W. Ave.

City: Tulsa State: OK ZIP Code: 74107

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION E - BUILDING MEASUREMENT INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO, ZONE AR/AO, AND ZONE A (WITHOUT BFE)

For Zones AO, AR/AO, and A (without BFE), complete Items E1-E5. For Items E1-E4, use natural grade, if available. If the Certificate is intended to support a Letter of Map Change request, complete Sections A, B, and C. Check the measurement used. In Puerto Rico only, enter meters.

Building measurements are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

E1. Provide measurements (C.2.a in applicable Building Diagram) for the following and check the appropriate boxes to show whether the measurement is above or below the natural HAG and the LAG.

a) Top of bottom floor (including basement, crawlspace, or enclosure) is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

b) Top of bottom floor (including basement, crawlspace, or enclosure) is: _____ ☐ feet ☐ meters ☐ above or ☐ below the LAG.

E2. For Building Diagrams 6-9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1-2 of Instructions), the next higher floor (C.2.b in applicable Building Diagram) of the building is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E3. Attached garage (top of slab) is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E4. Top of platform of machinery and/or equipment servicing the building is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without BFE) or Zone AO must sign here. *The statements in Sections A, B, and E are correct to the best of my knowledge*

☐ Check here if attachments and describe in the Comments area.

Property Owner or Owner's Authorized Representative Name: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Signature: _____ Date: _____

Telephone: _____ Ext.: _____ Email: _____

Comments: _____

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
3139 S. 59th W. Ave.

City: Tulsa State: OK ZIP Code: 74107

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION G - COMMUNITY INFORMATION (RECOMMENDED FOR COMMUNITY OFFICIAL COMPLETION)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Section A, B, C, E, G, or H of this Elevation Certificate. Complete the applicable item(s) and sign below when:

- G1. ☐ The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by state law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.a. ☐ A local official completed Section E for a building located in Zone A (without a BFE), Zone AO, or Zone AR/AO, or when item E5 is completed for a building located in Zone AO.
- G2.b. ☐ A local official completed Section H for insurance purposes.
- G3. ☐ In the Comments area of Section G, the local official describes specific corrections to the information in Sections A, B, E and H.
- G4. ☐ The following information (Items G5-G11) is provided for community floodplain management purposes.
- G5. Permit Number: _____ G6. Date Permit Issued: _____
- G7. Date Certificate of Compliance/Occupancy Issued: _____
- G8. This permit has been issued for: ☐ New Construction ☐ Substantial Improvement
- G9.a. Elevation of as-built lowest floor (including basement) of the building: _____ ☐ feet ☐ meters Datum: _____
- G9.b. Elevation of bottom of as-built lowest horizontal structural member: _____ ☐ feet ☐ meters Datum: _____
- G10.a. BFE (or depth in Zone AO) of flooding at the building site: _____ ☐ feet ☐ meters Datum: _____
- G10.b. Community's minimum elevation (or depth in Zone AO) requirement for the lowest floor or lowest horizontal structural member: _____ ☐ feet ☐ meters Datum: _____
- G11. Variance issued? ☐ Yes ☐ No If yes, attach documentation and describe in the Comments area.

The local official who provides information in Section G must sign here. *I have completed the information in Section G and certify that it is correct to the best of my knowledge. If applicable, I have also provided specific corrections in the Comments area of this section.*

Local Official's Name: _____ Title: _____

NFIP Community Name: _____

Telephone: _____ Ext.: _____ Email: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Signature: _____ Date: _____

Comments (including type of equipment and location, per C2.e; description of any attachments; and corrections to specific information in Sections A, B, D, E, or H):

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
3139 S. 59th W. Ave.

City: Tulsa State: OK ZIP Code: 74107

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION H - BUILDING'S FIRST FLOOR HEIGHT INFORMATION FOR ALL ZONES (SURVEY NOT REQUIRED) (FOR INSURANCE PURPOSES ONLY)

The property owner, owner's authorized representative, or local floodplain management official may complete Section H for all flood zones to determine the building's first floor height for insurance purposes. Sections A, B, and I must also be completed. Enter heights to the nearest tenth of a foot (nearest tenth of a meter in Puerto Rico). **Reference the Foundation Type Diagrams (at the end of Section H Instructions) and the appropriate Building Diagrams (at the end of Section I Instructions) to complete this section.**

H1. Provide the height of the top of the floor (as indicated in Foundation Type Diagrams) above the Lowest Adjacent Grade (LAG):

a) For Building Diagrams 1A, 1B, 3, and 5-9. Top of bottom _____ ☐ feet ☐ meters ☐ above the LAG floor (include above-grade floors only for buildings with subgrade crawlspaces or enclosure floors) is:

b) For Building Diagrams 2A, 2B, 4, and 6-9. Top of next _____ ☐ feet ☐ meters ☐ above the LAG higher floor (i.e., the floor above basement, crawlspace, or enclosure floor) is:

H2. Is all Machinery and Equipment servicing the building (as listed in Item H2 instructions) elevated to or above the floor indicated by the H2 arrow (shown in the Foundation Type Diagrams at end of Section H instructions) for the appropriate Building Diagram?

☐ Yes ☐ No

SECTION I - PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and H must sign here. *The statements in Sections A, B, and H are correct to the best of my knowledge.* **Note:** If the local floodplain management official completed Section H, they should indicate in Item G2.b and sign Section G.

☐ Check here if attachments are provided (including required photos) and describe each attachment in the Comments area.

Property Owner or Owner's Authorized Representative Name: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Signature: _____ Date: _____

Telephone: _____ Ext.: _____ Email: _____

Comments: _____

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19
BUILDING PHOTOGRAPHS

See Instructions for Item A6.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
3139 S. 59th W. Ave.

City: Tulsa State: OK ZIP Code: 74107

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

Instructions: Insert below at least two and when possible four photographs showing each side of the building (for example, may only be able to take front and back pictures of townhouses/rowhouses). Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." Photographs must show the foundation. When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.



Photo One

Photo One Caption: North

Clear Photo One



Photo Two

Photo Two Caption: South

Clear Photo Two

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19
BUILDING PHOTOGRAPHS

Continuation Page

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
3139 S. 59th W. Ave.

City: Tulsa State: OK ZIP Code: 74107

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

Insert the third and fourth photographs below. Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.



Photo Three

Photo Three Caption: East

Clear Photo Three



Photo Four

Photo Four Caption:

Clear Photo Four



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, TULSA DISTRICT
2488 EAST 81ST STREET
TULSA, OKLAHOMA 74137-4290

Engineering and Construction Division
Hydraulics and Hydrology Branch (12th Floor)
Floodplain Management Services (12-32)

18 May 2026

Trout Land Surveying, LLC
Att: Mr. Dane Trout, P.L.S.
5710 South Garnett Road
Tulsa, OK 74146

RE: 36.117815^O N, -96.058563^O W – 3139 S. 59th W. Ave.
NE ¼, NW ¼, Sec. 20 T19N R12E Indian Meridian
Tulsa, Tulsa County, Oklahoma, 74107

Dear Mr. Trout,

This is in response to your request to develop a Base Flood Elevation (BFE) for property located in the Northeast Quarter of the Northwest Quarter of Section 20 Township-19-North Range-12-East of the Indian Meridian, in Tulsa County, Oklahoma.

The current Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) 40143C0331L (community-panel 400462) effective October 16, 2012, indicates the property is in Zone AE (the 100-year floodplain of Berryhill Creek Tributary).

We have determined that the Base Flood Elevation for this property to be **672.1** feet NAVD 88 (North American Vertical Datum). This base flood elevation was determined using the Flood Insurance Study, FIS, Number 40143CV004F, revised September 12, 2024, referencing Flood Profile 023P – Berryhill Creek Tributary. To officially remove structures from flood insurance requirements, a Letter of Map Change ([LOMC](#)) can be obtained from FEMA if the lowest floor elevation is above the BFE either by mail or online. Any development on this property must be constructed too local floodplain regulations.

Please retain this letter and a copy of the payment confirmation from [Pay.gov - United States Army Corps of Engineers Finance Center](#) for your records. The payment is valid for the life of property. If another BFE is needed or if you have any questions, please call Floodplain Management Services at 918-669-4360 or email Travis.s.wilsey@usace.army.mil.

Sincerely,

TRAVIS WILSEY E.I., C.F.M.
USACE SWT Floodplain Management Services

CONTROL DATA

Station Name: 442 Date: JULY, 2008
 Monument Type: P.K. NAIL AND SHINER
 City: TULSA County: TULSA State: OK
 Surveyor: E. SEATON Prepared by: AERIAL DATA SERVICE
 Project Name: TULSA COUNTY

Distances & Directions To Prominent & Reference Marks		
Reference Point	Direction	Distance (feet)
TO CHAINLINK FENCE CORNER	S-85-E	84.10'
TO STOP/STREET SIGN	S-05-E	51.50'
END OF YELLOW PAINT STRIPES	N-90-W	38.10'
Azimuth Mark	Grid Azimuth	Distance

Description of Points:
 P.K. NAIL AND SHINER, SET N.E. OF THE INTERSECTION OF 31ST ST S, AND
 S. 65TH W AVE, AND IS S.W. OF 'JOHN'S BERRYHILL FOOD MARKET'.

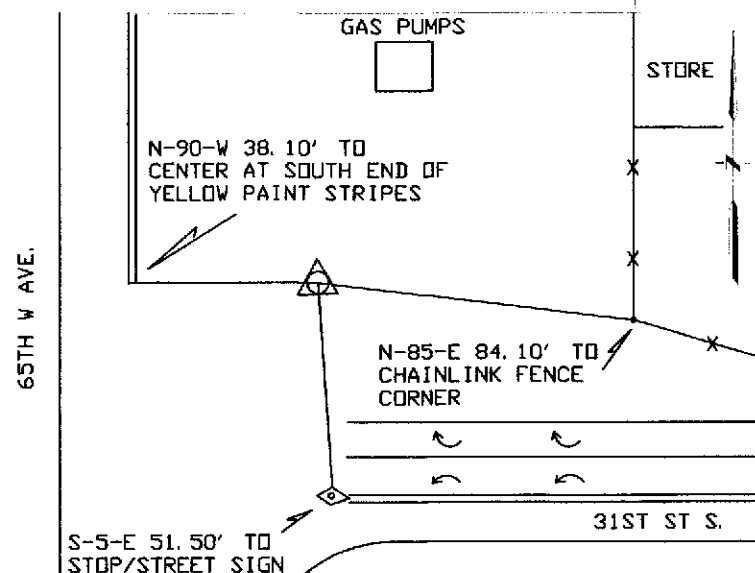
Firm Name: AERIAL DATA SERVICE, INC.
 8301 E. 51ST, SUITE 100
 TULSA, OKLAHOMA 74145

Adjusted Horizontal Control Data

Order: FIRST Survey Method: GPS ☒ TRAV ☐ OTHER ☐
 Combined Scale Factor: 0.999912848
 NAD83(1993) Grid Data Coordinates (U.S. Survey Feet) Plane Azimuth Angle (Convergence)
 State: OKLA. N 413285.160
 Zone: NORTH E 2539929.299 001°08'30.735"
 Code: 3501
 NAD 83 Grid Data Coordinates (U.S. Survey Feet) Plane Azimuth Angle (Convergence)
 State: N
 Zone: E
 Code: E
 Metric Conversion Factor: 3.28083333333

Geodetic Data	Position NAD83 (1993)	LX	ELEV(Feet)
Latitude	36°07'10.92446"	North	NAVD 1988
Longitude	96°03'54.38869"	West	687.985'

Field Sketch:



BASIS FOR REQUEST

- 1. THE EXISTING FENCE PROVIDES NECESSARY SECURITY AND SCREENING FOR THE EXISTING PROPERTY USE.
- 2. THE SUBJECT PROPERTY IS GENERALLY LOWER THAN THE ADJACENT ROADWAY ALONG THE AFFECTED FRONTAGE.
- 3. AS A RESULT OF THE ELEVATION DIFFERENCE, THE APPARENT HEIGHT OF THE FENCE FROM THE PUBLIC STREET IS LESS THAN ITS NOMINAL HEIGHT MEASURED FROM THE ADJOINING PROPERTY GRADE.
- 4. THE EXISTING FENCE DOES NOT EXTEND INTO THE PUBLIC RIGHT-OF-WAY AND IS NOT INTENDED TO INTERFERE WITH VEHICULAR OR PEDESTRIAN VISIBILITY.
- 5. RETENTION OF THE EXISTING FENCE IS NOT EXPECTED TO CAUSE SUBSTANTIAL ADVERSE IMPACTS TO ADJACENT PROPERTY, PUBLIC INFRASTRUCTURE, DRAINAGE, OR STREET OPERATIONS.

SPECIAL EXCEPTION REQUEST

- 1. THESE DRAWINGS HAVE BEEN PREPARED TO SUPPORT A REQUEST FOR A SPECIAL EXCEPTION TO ALLOW THE EXISTING APPROXIMATELY 6-FOOT-TALL FENCE AND ASSOCIATED VEHICULAR GATES TO REMAIN WITHIN THE REQUIRED STREET SETBACK ALONG THE STREET-FACING FRONTAGE OF THE PROPERTY.
- 2. THE EXISTING FENCE EXCEEDS THE HEIGHT NORMALLY PERMITTED WITHIN THE REQUIRED STREET SETBACK. THE OWNER IS REQUESTING APPROVAL FROM THE CITY OF TULSA BOARD OF ADJUSTMENT TO RETAIN THE EXISTING FENCE HEIGHT.
- 3. THE SPECIAL EXCEPTION REQUEST APPLIES ONLY TO THOSE PORTIONS OF THE EXISTING FENCE LOCATED WITHIN THE REQUIRED STREET SETBACK. PORTIONS OF THE FENCE LOCATED OUTSIDE THE REQUIRED STREET SETBACK SHALL BE SUBJECT TO THE HEIGHT LIMITS AND OTHER REQUIREMENTS APPLICABLE TO THOSE AREAS.
- 4. THE REQUEST IS BASED IN PART ON THE ELEVATION DIFFERENCE BETWEEN THE ADJACENT ROADWAY AND THE SUBJECT PROPERTY. THE ROADWAY IS LOCATED AT A HIGHER ELEVATION THAN PORTIONS OF THE GROUND AT THE BASE OF THE EXISTING FENCE.
- 5. DUE TO THE ELEVATED ROADWAY, THE APPARENT AND EFFECTIVE HEIGHT OF THE FENCE WHEN VIEWED FROM THE PUBLIC STREET IS LESS THAN THE NOMINAL FENCE HEIGHT MEASURED FROM THE INTERIOR FINISHED GRADE.
- 6. SHEETS C101 AND C102 DOCUMENT THE LOCATION OF THE EXISTING FENCE AND GATES AND THE RELATIONSHIP BETWEEN THE EDGE-OF-ROADWAY ELEVATION, BOTTOM-OF-FENCE ELEVATION, AND TOP-OF-FENCE ELEVATION.
- 7. THE PROFILE INFORMATION IS PROVIDED TO DEMONSTRATE THE VISUAL AND PHYSICAL RELATIONSHIP BETWEEN THE EXISTING FENCE AND THE ADJACENT ROADWAY. THE ROADWAY ELEVATION DOES NOT REPLACE THE FENCE-HEIGHT MEASUREMENT METHOD REQUIRED BY THE APPLICABLE ZONING CODE.
- 8. THE EXISTING FENCE PROVIDES PRIVACY AND SECURITY FOR THE PROPERTY. RETENTION OF THE EXISTING HEIGHT IS NOT INTENDED TO OBSTRUCT TRAFFIC VISIBILITY, ENCROACH INTO THE PUBLIC RIGHT-OF-WAY, OR CREATE AN ADVERSE CONDITION FOR ADJACENT PROPERTIES.
- 9. THE REQUESTED SPECIAL EXCEPTION IS SUBJECT TO REVIEW AND APPROVAL BY THE CITY OF TULSA BOARD OF ADJUSTMENT AND OTHER AUTHORITIES HAVING JURISDICTION.

EXISTING FENCE INFORMATION

- 1. THE EXISTING FENCE IS APPROXIMATELY 6 FEET IN HEIGHT AND IS LOCATED ALONG THE STREET-FACING PROPERTY FRONTAGE.
- 2. THE EXISTING FENCE INCLUDES A SINGLE VEHICULAR GATE AND A PEDESTRIAN GATE.

ROADWAY AND ELEVATION INFORMATION

- 1. ELEVATION INFORMATION HAS BEEN DEVELOPED FROM THE FIELD MEASUREMENTS BY CHERRY PI ENGINEERING.
- 2. THE FENCE REACHES A MAX HEIGHT OF APPROXIMATELY 4FT ABOVE THE CROWN OF THE EXISTING ROADWAY.

VISIBILITY AND PUBLIC SAFETY

- 1. NO PORTION OF THE FENCE, GATES, COLUMNS, LANDSCAPING, OR APPURTENANT IMPROVEMENTS OBSTRUCT AN APPLICABLE SIGHT-DISTANCE AREA.
- 2. REQUIRED SIGHT-DISTANCE AREAS SHALL BE MAINTAINED FREE OF FENCES, WALLS, VEGETATION, OR OTHER OBSTRUCTIONS THAT MATERIALLY INTERFERE WITH THE VISIBILITY OF VEHICLES, PEDESTRIANS, OR OTHER ROADWAY USERS.
- 3. GATES SHALL OPEN, SLIDE, OR OTHERWISE OPERATE ENTIRELY ON PRIVATE PROPERTY AND SHALL NOT SWING INTO OR OBSTRUCT THE PUBLIC RIGHT-OF-WAY.
- 4. THE FENCE AND GATES SHALL NOT OBSTRUCT ACCESS TO FIRE HYDRANTS, PUBLIC UTILITIES, DRAINAGE FACILITIES, OR OTHER PUBLIC INFRASTRUCTURE.

PROPERTY, RIGHT-OF-WAY, AND EASEMENT NOTES

- 1. A LICENSED LAND SURVEYOR SHALL BE RETAINED IF THE LOCATION OF A PROPERTY LINE, RIGHT-OF-WAY LINE, EASEMENT, OR OTHER LEGAL BOUNDARY IS IN QUESTION.
- 2. THE FENCE AND GATES SHALL NOT ENCROACH INTO THE PUBLIC RIGHT-OF-WAY UNLESS EXPRESSLY AUTHORIZED BY THE APPLICABLE PUBLIC AGENCY.

PERMITTING AND LIMITATIONS

- 1. THE PROPERTY OWNER SHALL OBTAIN ALL REQUIRED ZONING CLEARANCES, SPECIAL EXCEPTIONS, BUILDING PERMITS, AND OTHER APPROVALS REQUIRED BY THE AUTHORITY HAVING JURISDICTION.
- 2. APPROVAL OF THE SPECIAL EXCEPTION DOES NOT ELIMINATE THE REQUIREMENT TO OBTAIN ANY SEPARATE FENCE, ZONING, BUILDING, RIGHT-OF-WAY, OR OTHER APPLICABLE PERMITS.
- 3. THESE DRAWINGS DOCUMENT THE EXISTING FENCE AND SITE CONDITIONS AND ARE INTENDED TO SUPPORT THE REQUEST TO RETAIN THE EXISTING APPROXIMATELY 6-FOOT FENCE HEIGHT.
- 4. THESE DRAWINGS DO NOT, BY THEMSELVES, REPRESENT A DETERMINATION THAT THE EXISTING FENCE COMPLIES WITH ALL APPLICABLE ZONING, PERMITTING, EASEMENT, RIGHT-OF-WAY, OR SIGHT-DISTANCE REQUIREMENTS.
- 5. NO GRADING, DRAINAGE, ROADWAY, OR RIGHT-OF-WAY MODIFICATIONS ARE PROPOSED AS PART OF THIS APPLICATION.
- 6. FINAL ACCEPTANCE OF THE FENCE LOCATION, HEIGHT, GATE CONFIGURATION, AND SPECIAL EXCEPTION REQUEST SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE CITY OF TULSA AND OTHER AUTHORITIES HAVING JURISDICTION.



CHERRY PI ENGINEERING, LLC
5105 W 66th St Suite B,
Tulsa, OK 74131
P: (918) 205-0934
LIC. #: 33396 Oklahoma
PREPARED BY:

3139 S 59TH W AVE
TULSA, OK

PROJECT ADDRESS

APOLLO RESTORATION

CLIENT AND COMPANY



REVISIONS	
REV.	DATE
RELEASE	07/20/26
Δ	
Δ	
Δ	

REVISIONS

1/16" = 1'

DRAWING SCALE

RNH | SAW

DRAWN BY | CHECKED BY

GENERAL NOTES

SHEET TITLE

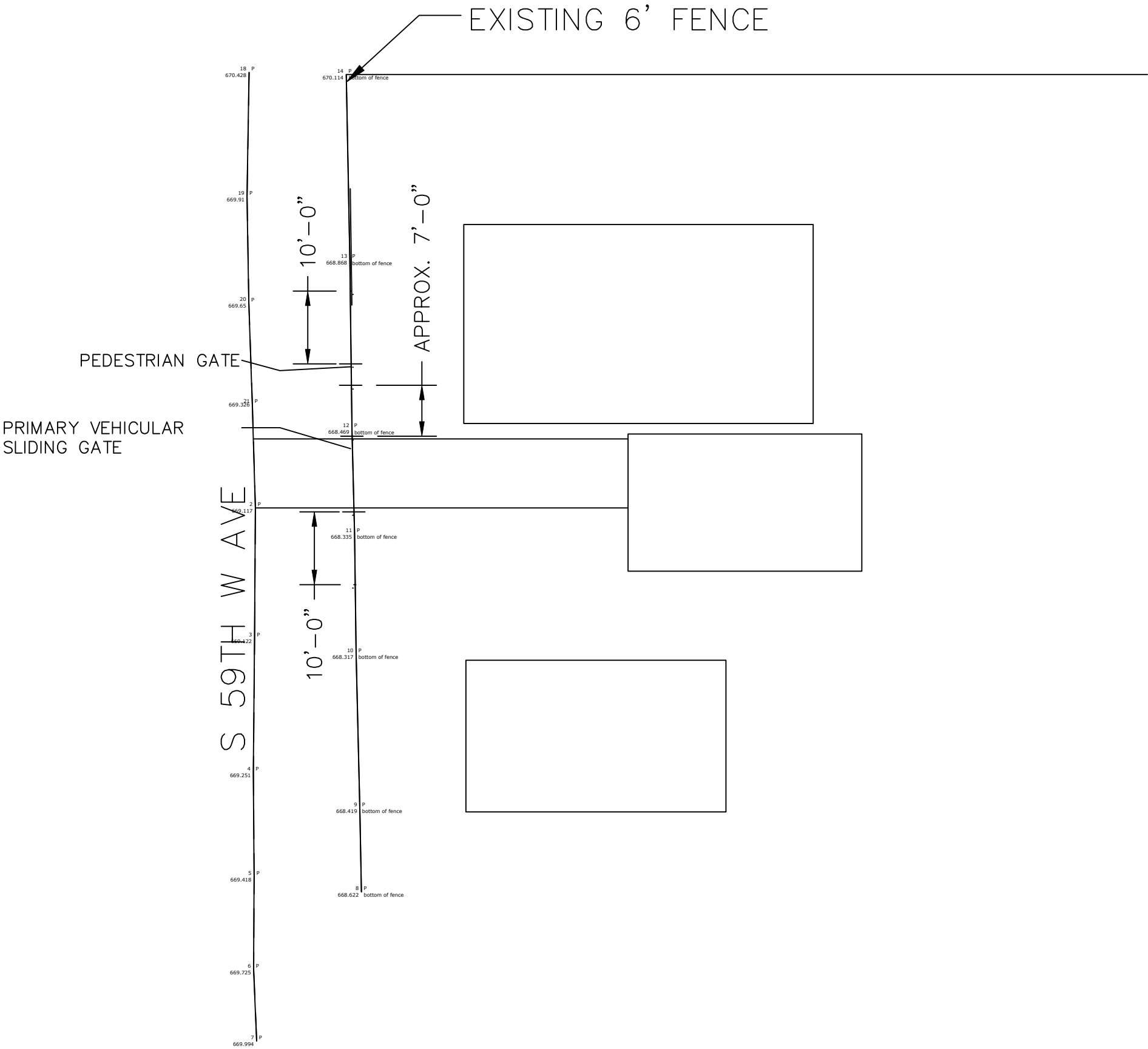
C-100

SHEET NUMBER

REVIEW

CURRENT REVISION

EXISTING FENCE IS APPROXIMATELY 6 FT IN HEIGHT
WITHIN 10 FT OF
VEHICULAR GATE. SEE SHEET C102 FOR PROFILE AND
ELEVATION COMPARISON.



CHERRY PI ENGINEERING, LLC
5105 W 66th St S Suite B,
Tulsa, OK 74131
P: (918) 205-0934
LIC. #: 33396 Oklahoma
PREPARED BY:

3139 S 59TH W AVE
TULSA, OK

PROJECT ADDRESS

APOLLO RESTORATION

CLIENT AND COMPANY

NORTH ARROW

REVISIONS	
REV.	DATE
RELEASE	07/20/26
Δ	
Δ	
Δ	

REVISIONS

1/16" = 1'

DRAWING SCALE

RNH | SAW

DRAWN BY | CHECKED BY

SITE PLAN

SHEET TITLE

C-101

SHEET NUMBER

REVIEW

CURRENT REVISION

ROADWAY AND FENCE ELEVATIONS ARE BASED ON FIELD MEASUREMENTS PROVIDED VIA EMLID RS2 WITH RTK.
THE VERTICAL SEPARATION BETWEEN THE EDGE OF ROADWAY AND THE BOTTOM OF FENCE VARIES ALONG THE FRONTAGE. REFER TO THE PROFILE FOR THE MEASURED DIFFERENCE AT EACH STATION.
GATE AND FENCE HEIGHTS WITHIN 10 FT OF EACH VEHICULAR ACCESS POINT ARE ALLOWED TO MAINTAIN A 6' HEIGHT.

LEGEND

ROADWAY ELEVATION

—

FENCE ELEVATION



CHERRY PI ENGINEERING, LLC
5105 W 66th St S Suite B,
Tulsa, OK 74131
P: (918) 205-0934
LIC. #: 33396 Oklahoma
PREPARED BY:

3139 S 59TH W AVE
TULSA, OK
PROJECT ADDRESS

APOLLO RESTORATION
CLIENT AND COMPANY



REVISIONS	
REV.	DATE
RELEASE	07/20/26
⚠	
⚠	
⚠	

REVISIONS

3/32" = 1'
DRAWING SCALE

RNH | SAW
DRAWN BY | CHECKED BY

PROFILE

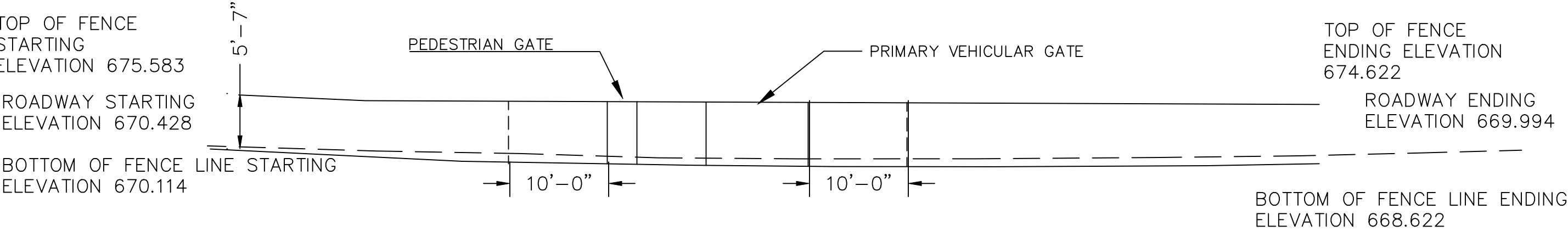
SHEET TITLE

C-102

SHEET NUMBER

REVIEW

CURRENT REVISION





Federal Emergency Management Agency

Washington, D.C. 20472

July 07, 2026

MR. JOSE SOTO
3139 SOUTH 59TH WEST AVENUE
TULSA, OK 74107

CASE NO.: 26-06-1830A
COMMUNITY: TULSA COUNTY, OKLAHOMA
(UNINCORPORATED AREAS)
COMMUNITY NO.: 400462

DEAR MR. SOTO:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.

Sincerely,

David N. Bascom, Acting Director
Engineering and Modeling Division
Risk Analysis, Planning and Information Directorate

LIST OF ENCLOSURES:

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region



Federal Emergency Management Agency

Washington, D.C. 20472

ADDITIONAL INFORMATION REGARDING LETTERS OF MAP AMENDMENT

When making determinations on requests for Letters of Map Amendment (LOMAs), the Department of Homeland Security's Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requesters should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requesters also should be aware that removal of a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined the property is not subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This does not mean the property is not subject to other flood hazards. The property could be inundated by a flood with a magnitude greater than the base flood or by localized flooding not shown on the effective National Flood Insurance Program (NFIP) map.

The effect of a LOMA is it removes the Federal requirement for the lender to require flood insurance coverage for the property described. The LOMA *is not* a waiver of the condition that the property owner maintain flood insurance coverage for the property. *Only* the lender can waive the flood insurance purchase requirement because the lender imposed the requirement. *The property owner must request and receive a written waiver from the lender before canceling the policy.* The lender may determine, on its own as a business decision, that it wishes to continue the flood insurance requirement to protect its financial risk on the loan.

The LOMA provides FEMA's comment on the mandatory flood insurance requirements of the NFIP as they apply to a particular property. A LOMA is not a building permit, nor should it be construed as such. Any development, new construction, or substantial improvement of a property impacted by a LOMA must comply with all applicable State and local criteria and other Federal criteria.

Even though structures are not located in an SFHA, as mentioned above, they could be flooded by a flooding event with a greater magnitude than the base flood. In fact, more than 25 percent of all claims paid by the NFIP are for policies for structures located outside the SFHA in Zones B, C, X (shaded), or X (unshaded). More than one-fourth of all policies purchased under the NFIP protect structures located in these zones. The risk to structures located outside SFHAs is just not as great as the risk to structures located in SFHAs. Finally, approximately 90 percent of all federally declared disasters are caused by flooding, and homeowners insurance does not provide financial protection from this flooding. Therefore, FEMA encourages the widest possible coverage under the NFIP.

LOMAs are based on minimum criteria established by the NFIP. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If a State, county, or community has adopted more restrictive and comprehensive floodplain management criteria, these criteria take precedence over the minimum Federal criteria.

In accordance with regulations adopted by the community when it made application to join the NFIP, letters issued to amend an NFIP map must be attached to the community's official record copy of the map. That map is available for public inspection at the community's official map repository. Therefore, FEMA sends copies of all such letters to the affected community's official map repository.

When a restudy is undertaken, or when a sufficient number of revisions or amendments occur on particular map panels, FEMA initiates the printing and distribution process for the affected panels. FEMA notifies community officials in writing when affected map panels are being physically revised and distributed. In such cases, FEMA attempts to reflect the results of the LOMA on the new map panel. If the results of particular LOMAs cannot be reflected on the new map panel because of scale limitations, FEMA notifies the community in writing and revalidates the LOMAs in that letter. LOMAs revalidated in this way usually will become effective 1 day after the effective date of the revised map.

EXHIBITS

Tulsa County Zoning Code Provisions

Re: 3139 S 59th W Ave, Tulsa, OK 74107 | Parcel R56625922001330 | CBOA 3358

INDEX OF EXHIBITS

Exhibit A — Email of Kerick Edenborough, Tulsa County, dated January 6, 2026, directing the fence to the Board of Adjustment for a “variance from the height requirements.” (Attached at the end of this packet.)

Exhibit B — Tulsa County Zoning Code Sec. 8.100 (Fences and Walls).

Exhibit C — Tulsa County Zoning Code Sec. 14.080-G (Special Exception standard) and Sec. 14.100-H (Variance standard).

EXHIBIT B — SEC. 8.100, FENCES AND WALLS

Sec. 8.100-A.

“Fences and walls located within or that enclose required street setback areas may not exceed 4 feet in height. Fences and walls in other locations may not exceed 8 feet in height. However, in R zoning districts, fences up to 8 feet in height are permitted in side street setbacks of detached houses or duplexes located on corner lots and in street setbacks abutting the rear lot line of houses or duplexes located on double frontage lots.”

Sec. 8.100-C.

“The board of adjustment is authorized to modify the fence and wall regulations of this section in accordance with the special exception procedures of Sec. 14.080.”

Note: Under Sec. 8.100-C, relief from the fence-height regulation is obtained through the special exception procedures of Sec. 14.080, not through the variance procedures of Sec. 14.100.

EXHIBIT C — THE TWO STANDARDS

Special Exception — Sec. 14.080-G (Approval Criteria):

“A special exception may be approved only if the board of adjustment makes each of the following findings: 1. That the special exception will be in harmony with the spirit and intent of these zoning regulations; and 2. That the special exception will not be injurious to property in the vicinity of the subject property or otherwise detrimental to the public welfare.”

Variance — Sec. 14.100-H (Standards and Review Criteria):

“No variance may be approved unless the board of adjustment determines that the following facts, favorable to the property owner, have been established: a. That by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of applicable zoning regulations would result in unnecessary hardship; b. That such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same zoning district; and c. That the variance, if granted, will

not cause substantial detriment to the public good or impair the purposes, spirit, and intent of these zoning regulations, or the comprehensive plan.”

Note: The special exception standard (Sec. 14.080-G) requires only two findings — harmony with the code and no injury to the vicinity. The variance standard (Sec. 14.100-H) additionally requires proof of “unnecessary hardship” from conditions “peculiar to the land.” Fence height falls under the special exception standard by operation of Sec. 8.100-C.

The foregoing are true and correct excerpts of the Tulsa County Zoning Code.



Joe Soto <Joe@apollorestoration.org>

Zoning and Floodplain Review 3139 S 59th W AVE

3 messages

Kerick Edenborough <kedenborough@tulsacounty.org>

Tue, Jan 6 at 9:23 AM

To: joe@apollorestoration.org <joe@apollorestoration.org>

Cc: Teresa Tosh <ttosh@tulsacounty.org>, Lucky Airehrour <lairehrour@tulsacounty.org>, Jeffrey Webster <jwebster@tulsacounty.org>, Allan Harden <aharden@tulsacounty.org>, Parker Sisco <psisco@tulsacounty.org>

Good Morning,

We have completed your zoning and floodplain review for 3139 S 59th W AVE for the proposed Remodel and have found the following things that need to be addressed.

Floodplain.

Property is in the Special Flood Hazard Area with the structure touching the Zone AE or 100 year floodplain and will need to fill out a floodplain development permit and complete a Substantial Improvement Form(SDSI) (both attached to email).

As part of the required SDSI we will also need 2-3 estimates to supplement the numbers provided in the SDSI determination.

If the home is found to be a substantial improvement, the home will need to be brought up to current building codes and my include things like elevation certificates to ensure compliance with Floodplain Management Regulations.

Zoning.

Property has a fence installed that is taller than 4' in front yard.

It can be shortened to 4' or you may go to the County Board of Adjustment to receive a variance from the height requirements to do that you would need to contact INCOG 918-584-7526 and they would be who you would apply to the Board of Adjustment with.

There was an RV present during the zoning pre site visit, and we would mention that RV are not permitted to be occupied in outside of an RV Park.

If you have any questions, please let us know.

Thank you,

The information in this e-mail message (including any information contained in attachments hereto) is intended only for use of the addressee. This e-mail message may contain confidential or privileged information. If you receive this e-mail message unintentionally, please notify the sender promptly and then delete this message. E-mail transmission is not guaranteed to be secured or error free. The sender is in no way liable for any errors or omissions in the content of this e-mail message, which may arise as a result of e-mail transmission. E-mails, text messages, and other electronic communications made or received in connection with the conducting of public business, the expenditure of public funds, or the administration of public property are subject to the Oklahoma Open Records Act and the Records Management Act.

3139.png, Sec 8.100.png, FIRMETTE_3ff5f35d-4699-43a1-a631-67dbf105ddff.pdf, 23 a Resolution - BOCC Adopting New Floodplain Management Regulations 001.01 CMF# 20242245.pdf, Floodplain Development Permit.pdf, Costs That Must Be Included in SISD.docx

Joe Soto <Joe@apollorestoration.org>

Tue, Jan 6 at 4:25 PM

To: Kerick Edenborough <kedenborough@tulsacounty.org>

Cc: Teresa Tosh <ttosh@tulsacounty.org>, Lucky Airehrour <lairehrour@tulsacounty.org>, Jeffrey Webster <jwebster@tulsacounty.org>, Allan Harden <aharden@tulsacounty.org>, Parker Sisco <psisco@tulsacounty.org>

Good afternoon,

Thank you for the review. The proposed work is limited to removal and replacement of the existing roof and exterior siding with like-kind materials only. No structural modifications, and no change to the building footprint, elevation, or use are proposed.

We will complete and return the Floodplain Development Permit and SDSI form and provide supporting estimates reflecting this limited scope of work.

Please let us know if anything further is needed.

Thank you.

Apollo Restoration
Storm Water Fire

P: 402-320-4948

[Quoted text hidden]

Joe Soto <Joe@apollorestoration.org>

Tue, Jan 6 at 4:34 PM

To: Bridgette Soto <bridgette@apollorestoration.org>, Denise Rodriguez
<denise.rodriguez.191@gmail.com>

[Quoted text hidden]



Joe Soto <Joe@apollorestoration.org>

Request For Written Explanation Regarding Refusal of Temporary Construction Power Pole Permit

Kerick Edenborough <kedenborough@tulsacounty.org>

Wed, May 27 at 4:12 PM

To: Joe Soto <Joe@apollorestoration.org>, Lucky Airehrour <lairehrour@tulsacounty.org>, Teresa Tosh <ttosh@tulsacounty.org>, Jeffrey Webster <jwebster@tulsacounty.org>, Lisa Krebsbach <lkrebsbach@tulsacounty.org>, Lonnie Sims <lsims@tulsacounty.org>, Andrew Higganbotham <ahigganbotham@tulsacounty.org>
Cc: Bridgette Soto <bridgette@apollorestoration.org>, Denise Rodriguez <denise.rodriguez.191@gmail.com>, Sales@onyxroofing.org <Sales@onyxroofing.org>, mlbunny1115@gmail.com <mlbunny1115@gmail.com>, Kaylen B Dunagan <kdunagan@aep.com>

Good afternoon,

1. The reasons for not issuing a permit for the power pole at this time is due to not having an active building permit or development permit for the site, no construction or remodeling and/or other work should be occurring until a building and floodplain development permit has been acquired the purpose being is to ensure conformity with all adopted codes (IBC, NEC, Zoning, Floodplain Regulations, etc.) . Temporary construction poles are for the purpose of construction or remodeling and as such will require a building permit before the electrical or other trade permits can be issued. There are still issues that need corrected with the fence (CBOA 3358) and floodplain before any permits can be issued.
2. National Electrical Code Article 590, Tulsa County Zoning Regulations Chapter 17.030-C, Tulsa County Floodplain Management Regulations Section 4.2
3. Permits and Floodplain Development Permits applied for and obtained for both house and carport structure, Correcting Fence in accordance with CBOA 3358 at which time applicable trade permits can be pulled under the building permits prior to start of construction.
4. Teresa Tosh, Tulsa County Building Inspector and Floodplain Administrator.

Thank you,

Kerrick Edenborough, CFM



Inspections – Zoning Officer

Phone: 918-596-5289

Email: kedenborough@tulsacounty.org

218 W 6th St, Suite 210

Tulsa, OK 74119

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----- Forwarded message -----

From: Joe Soto <Joe@apollorestoration.org>

To: Lucky Airehrour <lairehrour@tulsacounty.org>, Teresa Tosh <ttosh@tulsacounty.org>, Kerick Edenborough <kedenborough@tulsacounty.org>, Jeffrey Webster <jwebster@tulsacounty.org>, Lisa Krebsbach <lkrebsbach@tulsacounty.org>, Lonnie Sims <lsims@tulsacounty.org>, Andrew Higganbotham <ahigganbotham@tulsacounty.org>

Cc: Bridgette Soto <bridgette@apollorestoration.org>, Denise Rodriguez <denise.rodriguez.191@gmail.com>, "Sales@onyxroofing.org" <Sales@onyxroofing.org>, "mlbunny1115@gmail.com" <mlbunny1115@gmail.com>, Kaylen B Dunagan <kdunagan@aep.com>

Bcc:

Date: Wed, 27 May 2026 18:55:27 +0000

Subject: Re: Request For Written Explanation Regarding Refusal of Temporary Construction Power Pole Permit

CAUTION: This email originated from outside of Tulsa County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Case Number: CBOA-3374

Hearing Date: August 18th, 2026, 1:30 PM

Case Report Prepared by:

Kendal Davis

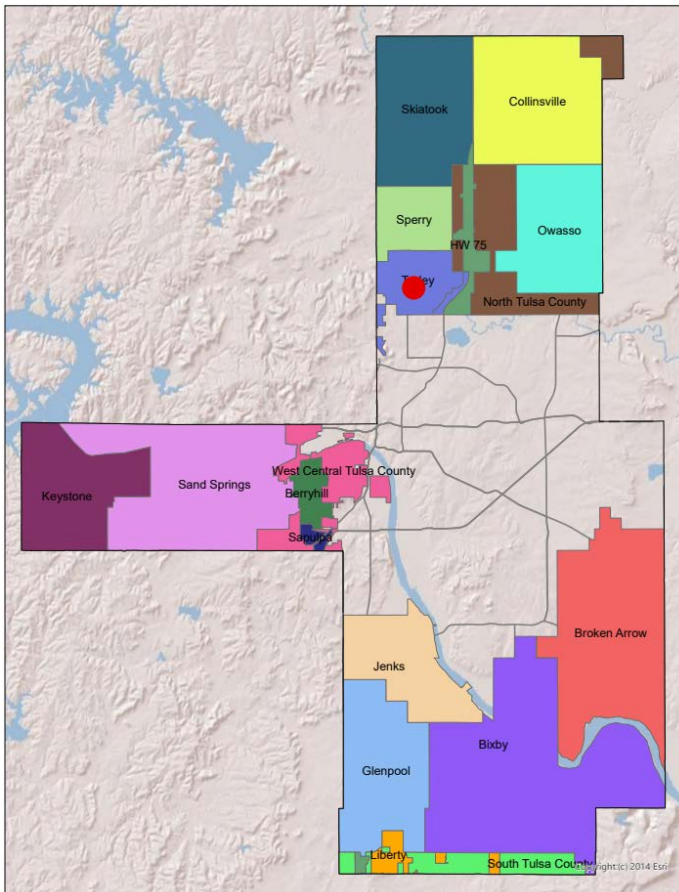
Owner and Applicant Information:

Applicant: Jacob Noble

Property Owner: Jacob Noble & Joana Cordova Noble

Action Requested: Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 0.62± Acres

Legal Description: The West Half of Lot 14, Block 10, GOLDEN HILL, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat No. 977

Present Zoning: RS-3 (Residential Single-Dwelling-3)

Fenceline/Area: Turley

Land Use Designation: Rural Residential / Agricultural

TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 1331

CASE NUMBER: CBOA-3374
CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: August 18th, 2026, 1:30 PM

APPLICANT: Jacob Noble

ACTION REQUESTED: Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

LOCATION: 1551 E. 68th St. North, Tulsa, OK

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

FENCELINE: Turley

PRESENT USE: Vacant

TRACT SIZE: 0.62± Acres

LEGAL DESCRIPTION: The West Half of Lot 14, Block 10, GOLDEN HILL, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat No. 977

RELEVANT PREVIOUS ACTIONS: None

ANALYSIS OF SURROUNDING AREA:

The subject property is located within an established RS-3 neighborhood inside the Golden Hill Addition Subdivision, which is located among several other subdivisions in the Turley planning area. The surrounding development pattern is mainly residential of the RS-3 type, which completely surrounds the subject tract, and some CS (Commercial-Shopping) and IL (Industrial-Light) zoning approximately 1100 feet west of the subject property along N Peoria Ave, along with large-lot AG land approximately 1500 feet to its east. The Tulsa County Land Use Plan designates the subject property and the surrounding area as Rural Residential/Agricultural, which is not entirely consistent with the RS-3 single-dwelling-housing residential use of the various subdivisions that occupy the area, although many lots do exceed 0.5 acres in size. This may be more of a matter of an outdated future land use plan than one of an entire area not adhering to it.

STAFF COMMENTS:

The applicant is requesting a Special Exception to allow a single-section manufactured housing unit within an RS-3 district. Multi-section manufactured housing units are allowed by right in RS-3 zoning, but single-section are only allowed through the provisions of a special exception. Because of its location within a single-family residential area and the large lot sizes (for RS-3, which has a minimum lot size of approximately 0.16 acres) of the subject tract and neighboring tracts, this specific section of the residential subdivision is relatively low-density for an RS-3 district.

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

Sample Motion:

“Move to _____ (approve/deny) Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

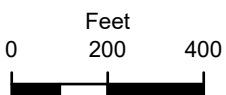
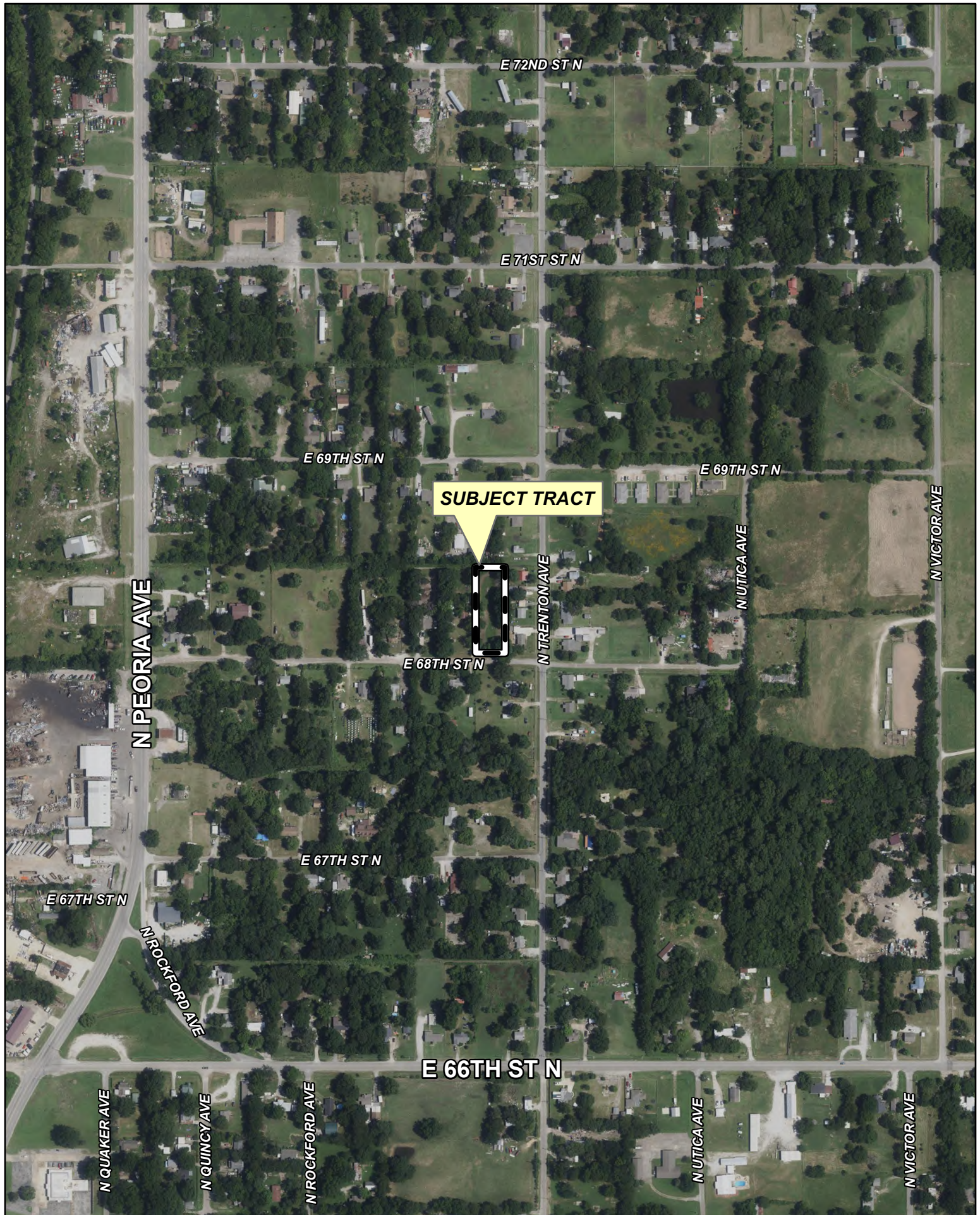
Should the Board approve the request, staff recommends the following (possible conditions) to ensure compatibility and protect surrounding properties:

- 1. Compliance with all permitting and utility requirements*
- 2. Appropriate placement and spacing of structures*
- 3. Measures to maintain compatibility with surrounding residential properties*

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.



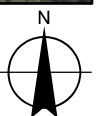
Subject
Tract

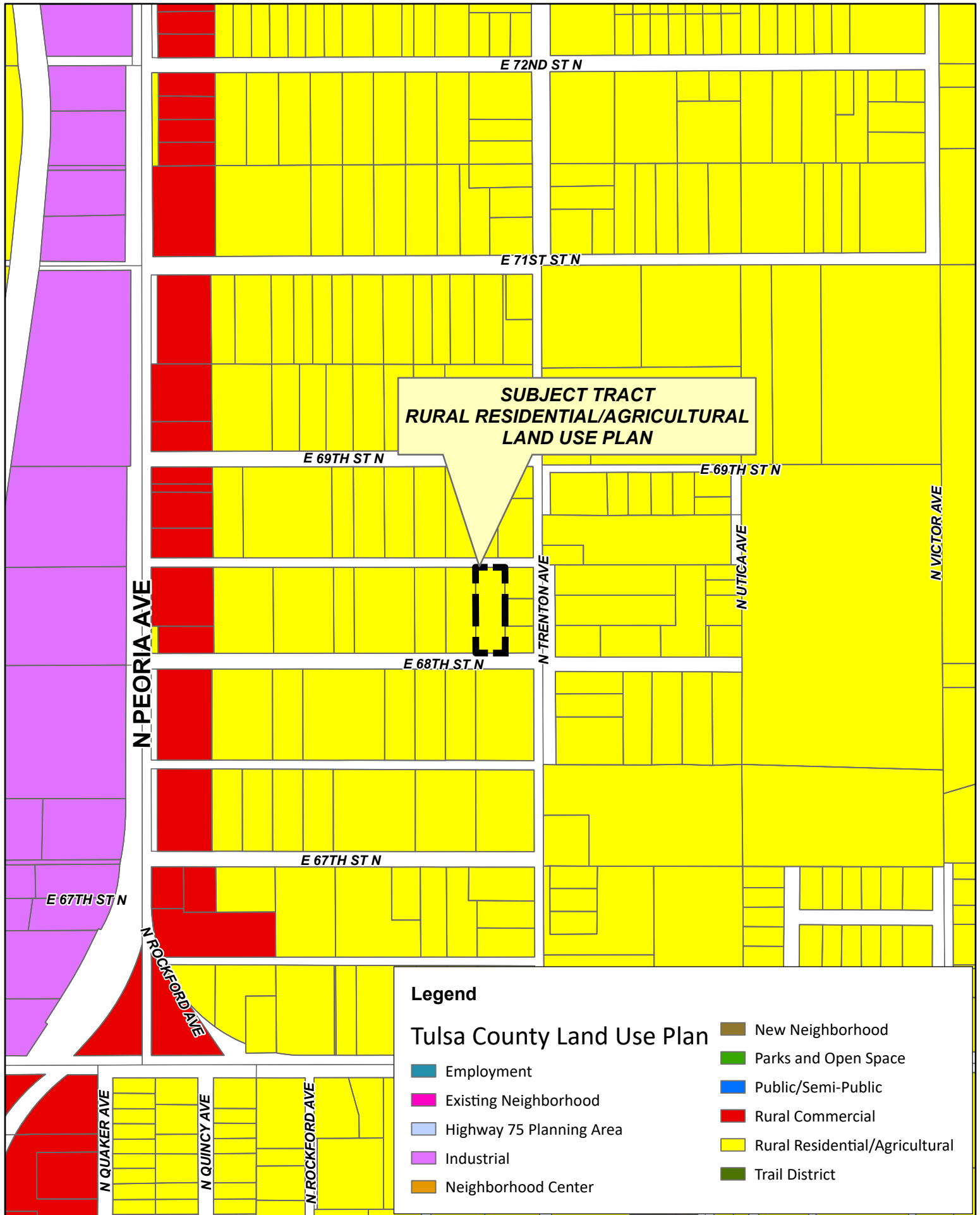
CBOA-3374

31 21-13

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

Aerial Photo Date: 2024



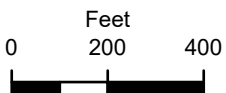


**SUBJECT TRACT
RURAL RESIDENTIAL/AGRICULTURAL
LAND USE PLAN**

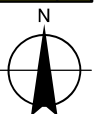
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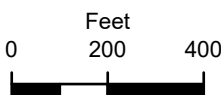
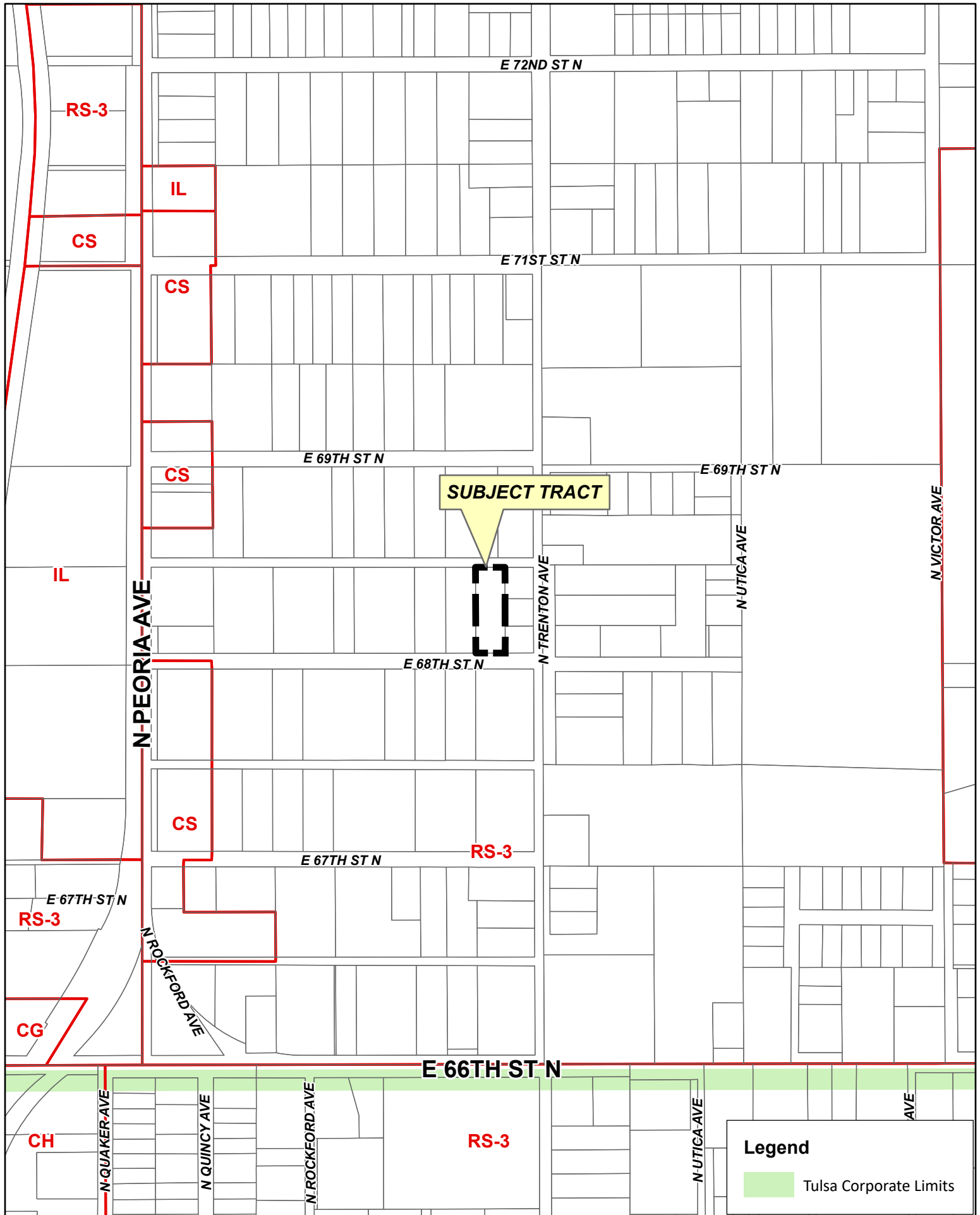
Tulsa County Land Use Plan

- Employment
- Existing Neighborhood
- Highway 75 Planning Area
- Industrial
- Neighborhood Center
- New Neighborhood
- Parks and Open Space
- Public/Semi-Public
- Rural Commercial
- Rural Residential/Agricultural
- Trail District

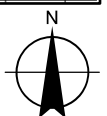


CBOA-3374

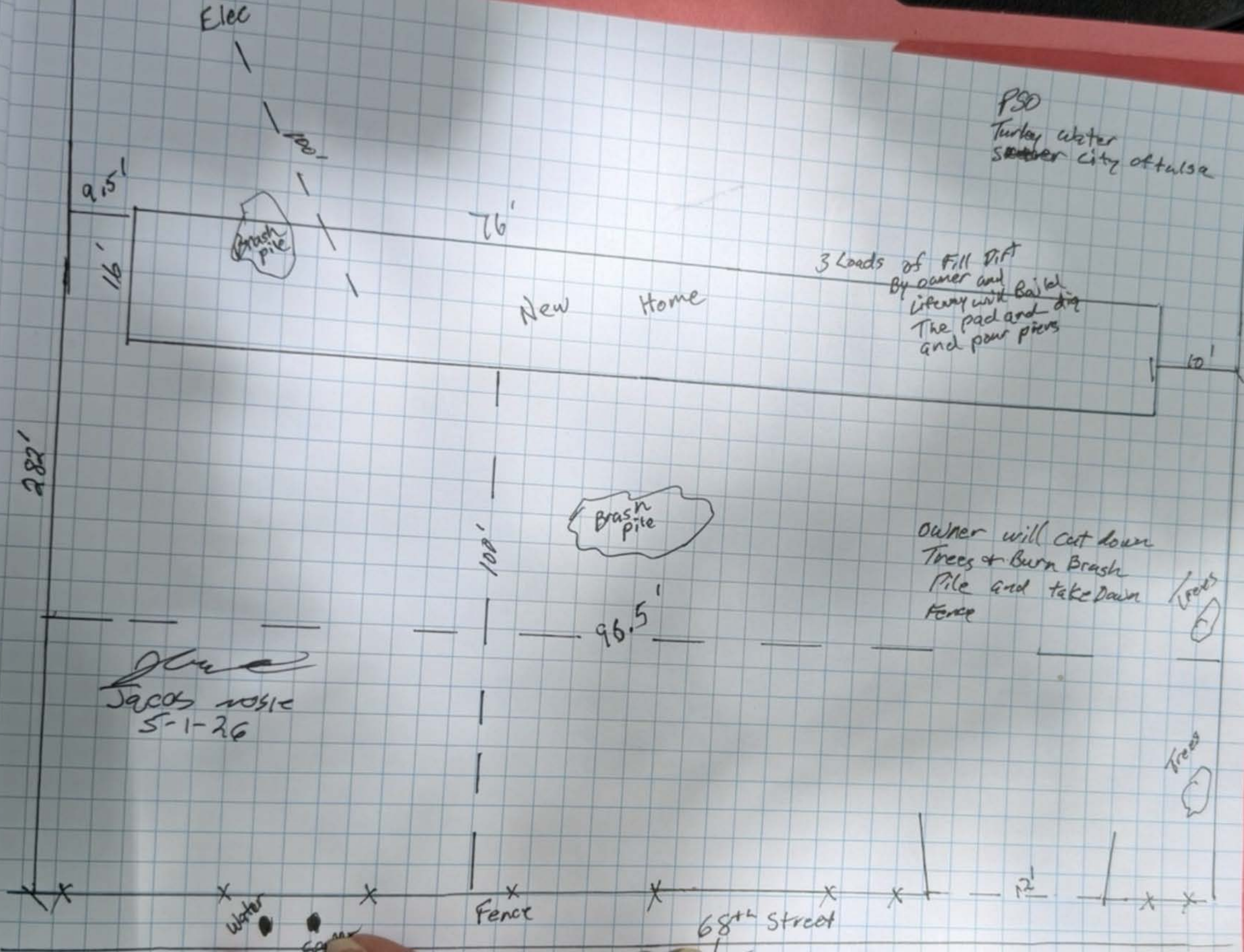




CBOA-3374



PSO
Turkey water
Sewer City of Tulsa



To the Tulsa County Board of Adjustment,

I am a resident and property owner near the property located at 1551 E. 68th St. North, which is the subject of Case CBOA-3374. Unfortunately, I will not be able to attend the August 18, 2026 hearing because of work commitments, so I respectfully request that these written comments be included and considered as part of the public hearing. Please exclude my name and address.

I am writing to formally oppose the requested Special Exception to permit a single-section manufactured housing unit on this RS-3 property.

I understand that the purpose of a Special Exception hearing is not simply to determine whether the proposed use is possible, but whether the exception is consistent with the intent of the zoning regulations and whether it would be injurious to the surrounding neighborhood or detrimental to the public welfare. I do not believe the requested exception meets those standards.

Many property owners in this area, including myself, have invested significant time, effort, and money into improving our homes and properties. These improvements contribute to the appearance, stability, and long-term value of the neighborhood. I am concerned that permitting a single-section manufactured housing unit at this location would be inconsistent with the existing residential character of the surrounding area and could discourage continued investment and improvement by nearby property owners.

I am also concerned about the potential effect on surrounding property values. While I understand that different types of housing can serve an important purpose, I believe that introducing a single-section manufactured housing unit into an established residential area should be carefully considered in light of its compatibility with neighboring homes and properties.

Additionally, I am concerned about the precedent that approval of this Special Exception could create for the surrounding area. Although I understand that future applications would be considered individually, approval would demonstrate that this type of development may be considered appropriate within this RS-3 neighborhood. I believe continued approval of similar exceptions could gradually alter the residential character that existing property owners have relied upon when purchasing, maintaining, and improving their properties.

I also ask the Board to carefully consider issues involving the installation and long-term maintenance of the proposed manufactured housing unit, including applicable construction and safety standards, foundation and anchoring requirements, setbacks, fire safety, emergency access, drainage, utilities, and the overall appearance and maintenance of the property.

My opposition is not to residential development of this property. I support responsible development and would welcome construction of a residence that is consistent with the established character and development of the surrounding neighborhood. My objection is specifically to granting a Special Exception for a single-section manufactured housing unit at this location.

Based on these concerns, I do not believe the requested Special Exception would be in harmony with the intent of the existing residential zoning or that it can be shown that the exception would not negatively affect the surrounding neighborhood.

I therefore respectfully request that the Tulsa County Board of Adjustment **DENY the requested Special Exception in Case CBOA-3374.**

Thank you for considering the concerns of the residents and property owners who will be directly affected by this decision.



Case Number: CBOA-3375

Hearing Date: August 18th, 2026, 1:30 PM

Case Report Prepared by:

Kendal Davis

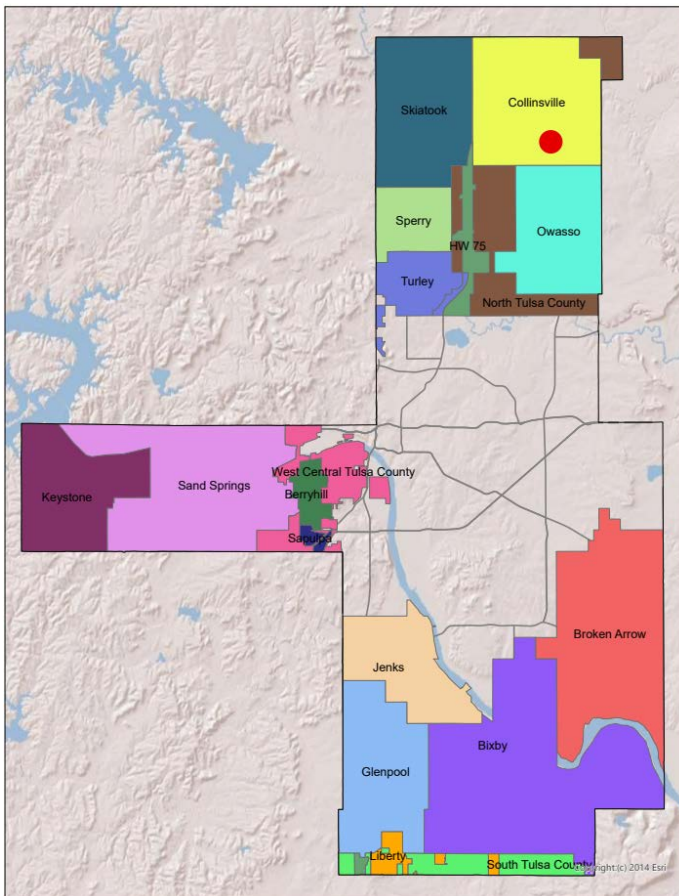
Owner and Applicant Information:

Applicant: Janice Willhite

Property Owner: same

Action Requested: Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 1.03± Acres

Legal Description: The North Half (N½) of Block Twenty-Two (22) in INDUSTRIAL HEIGHTS ADDITION to the City of Collinsville, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

Present Zoning: RS-3 (Residential Single-Dwelling-3)

Fenceline/Area: Collinsville

Land Use Designation: Residential

TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 2430

CASE NUMBER: CBOA-3375
CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: August 18th, 2026, 1:30 PM

APPLICANT: Janice Willhite

ACTION REQUESTED: Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

LOCATION: 13626 N 108 E Ave, Collinsville, OK

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

FENCELINE: Collinsville

PRESENT USE: Residential

TRACT SIZE: 1.03± Acres

LEGAL DESCRIPTION: The North Half (N½) of Block Twenty-Two (22) in INDUSTRIAL HEIGHTS ADDITION to the City of Collinsville, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

RELEVANT PREVIOUS ACTIONS: None

ANALYSIS OF SURROUNDING AREA:

The subject property is located within an established RS-3 neighborhood, near the southwest edge of the Industrial Heights Addition Subdivision, which is adjacent on its north edge to the city limits of Collinsville.

West of the subject tract is AG-zoned land made up of large lot single-dwelling residential tracts as well as vacant lots. To its north are a few over-one-acre residential RS-3 lots, followed by the City of Collinsville with in-development and existing RS-3 areas and subdivision. West of the subject tract is an area zoned RMH (Residential Mobile Home Park) which contains manufactured homes and detached houses in lots at least half acre large. South of the subject tract are a few RS-3 residential lots, followed by large-lot AG residential and undeveloped land.

The Tulsa County Land Use Plan designates the subject property and the surrounding area as Residential, which, per the Collinsville future land use plan adopted by reference, is intended for uses that include single-family homes, duplex, townhouses, apartment units, and manufactured homes.

APPLICANT STATEMENT:

On May 8, 2026, my double-wide's roof siding, some windows, and decking was damaged. I have decided to replace my double-wide with a single-wide. It will also be easier to keep up since I am retired.

STAFF COMMENTS:

The applicant is requesting a Special Exception to allow a single-section manufactured housing unit within an RS-3 district. Multi-section manufactured housing units are allowed by right in RS-3 zoning, but single-section are only allowed through the provisions of a special exception. Because of its location within a single-family residential area and the large lot sizes (for RS-3, which has a minimum lot size of approximately 0.16 acres) of the subject tract and neighboring tracts, this specific section of the residential subdivision is relatively low-density for an RS-3 district.

Moreover, existence of manufactured housing units is consistent with the existing uses in the area, as well as with the future land use plan.

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

Sample Motion:

"Move to _____ (approve/deny) Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

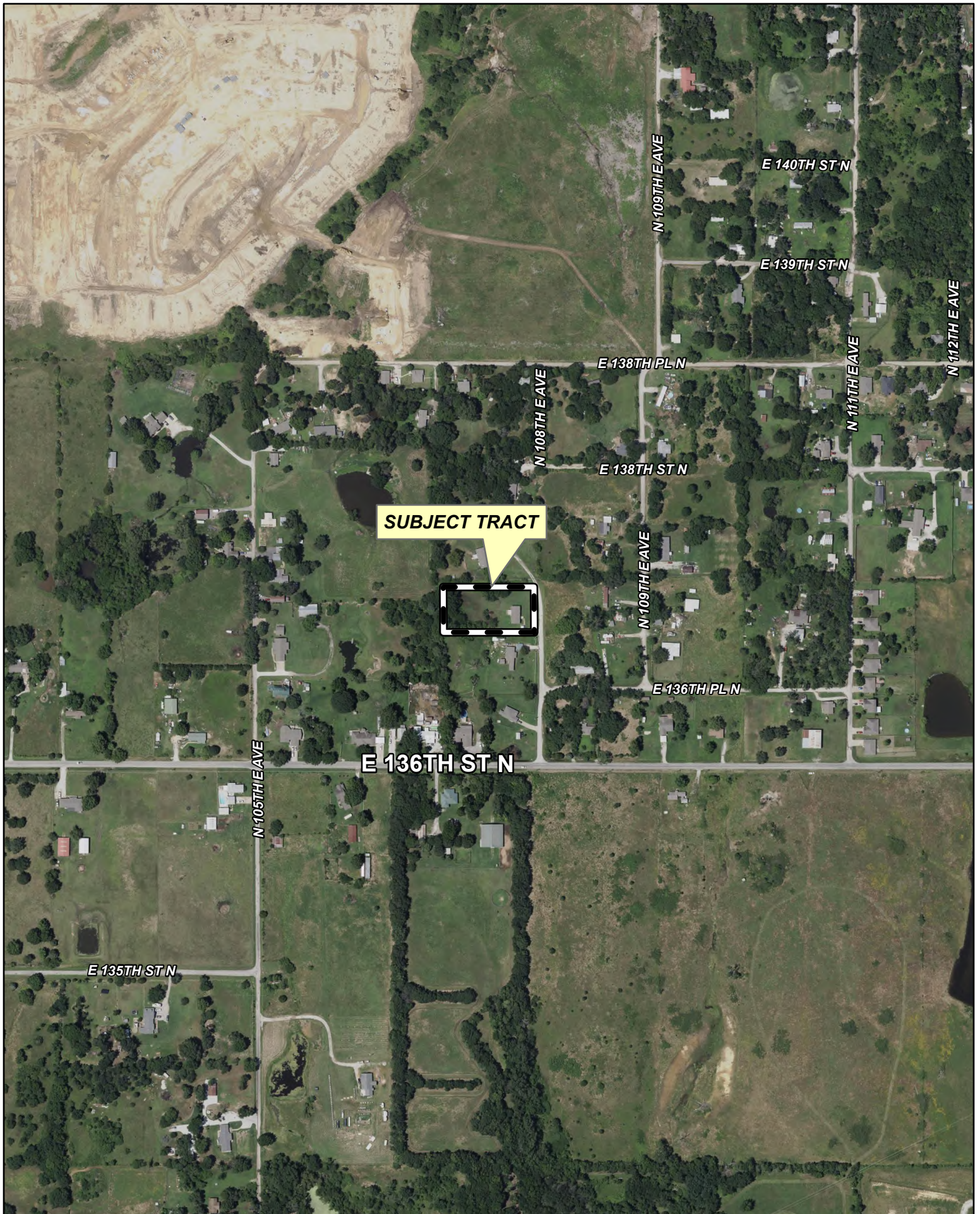
Should the Board approve the request, staff recommends the following (possible conditions) to ensure compatibility and protect surrounding properties:

- 1. Compliance with all permitting and utility requirements*
- 2. Appropriate placement and spacing of structures*
- 3. Measures to maintain compatibility with surrounding residential properties*

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.



SUBJECT TRACT



E 136TH ST N

N 105TH AVE

N 108TH AVE

E 138TH PL N

E 138TH ST N

N 109TH AVE

E 136TH PL N

N 109TH AVE

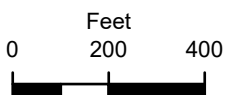
E 140TH ST N

E 139TH ST N

N 111TH AVE

N 112TH AVE

E 135TH ST N



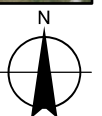
**Subject
Tract**

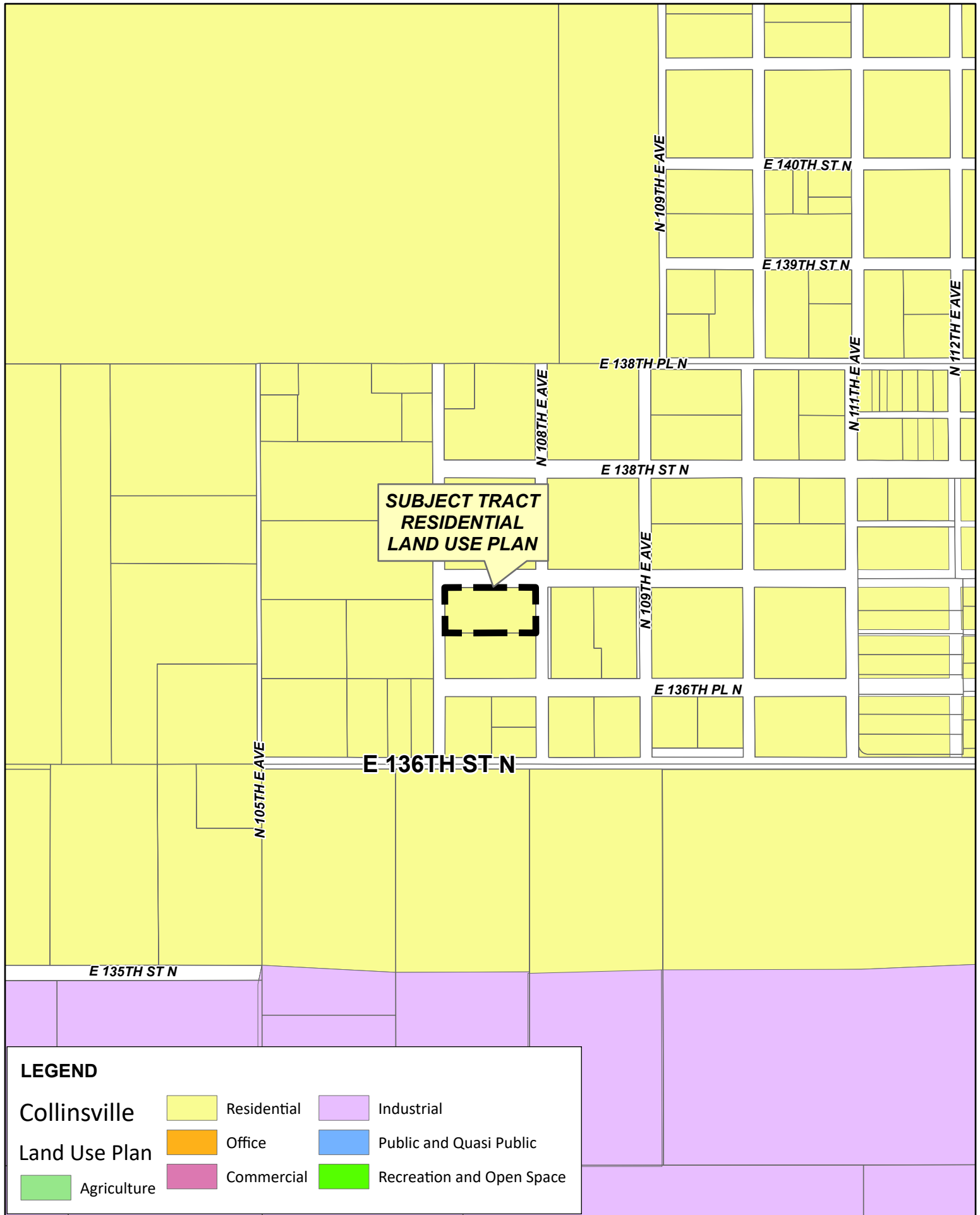
CBOA-3375

30 22-14

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

Aerial Photo Date: 2024





LEGEND

Collinsville

Land Use Plan



Agriculture



Residential



Office



Commercial



Industrial



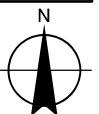
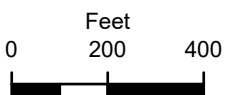
Public and Quasi Public

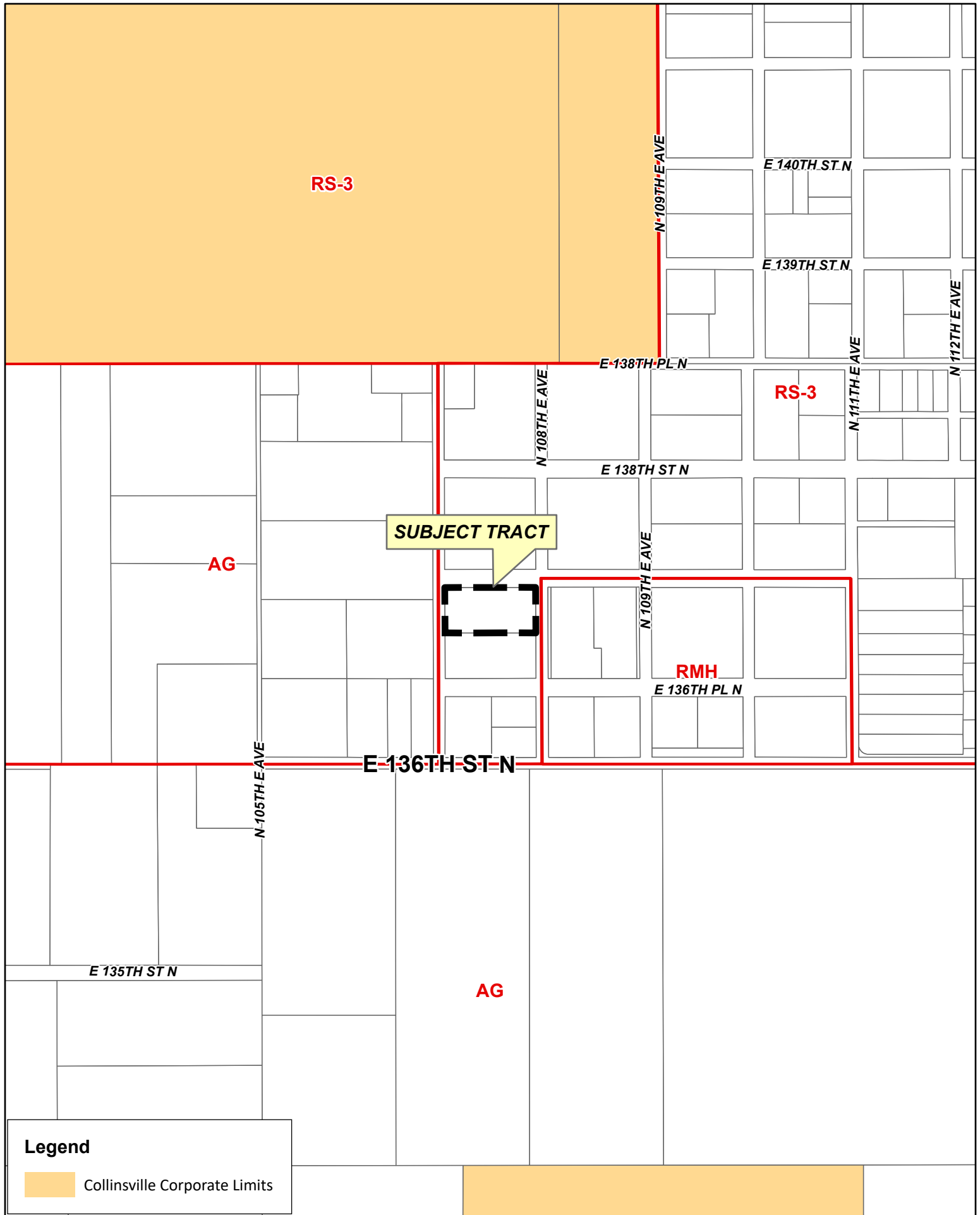


Recreation and Open Space

CBOA-3375

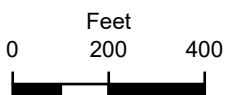
30 22-14





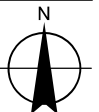
Legend

 Collinsville Corporate Limits

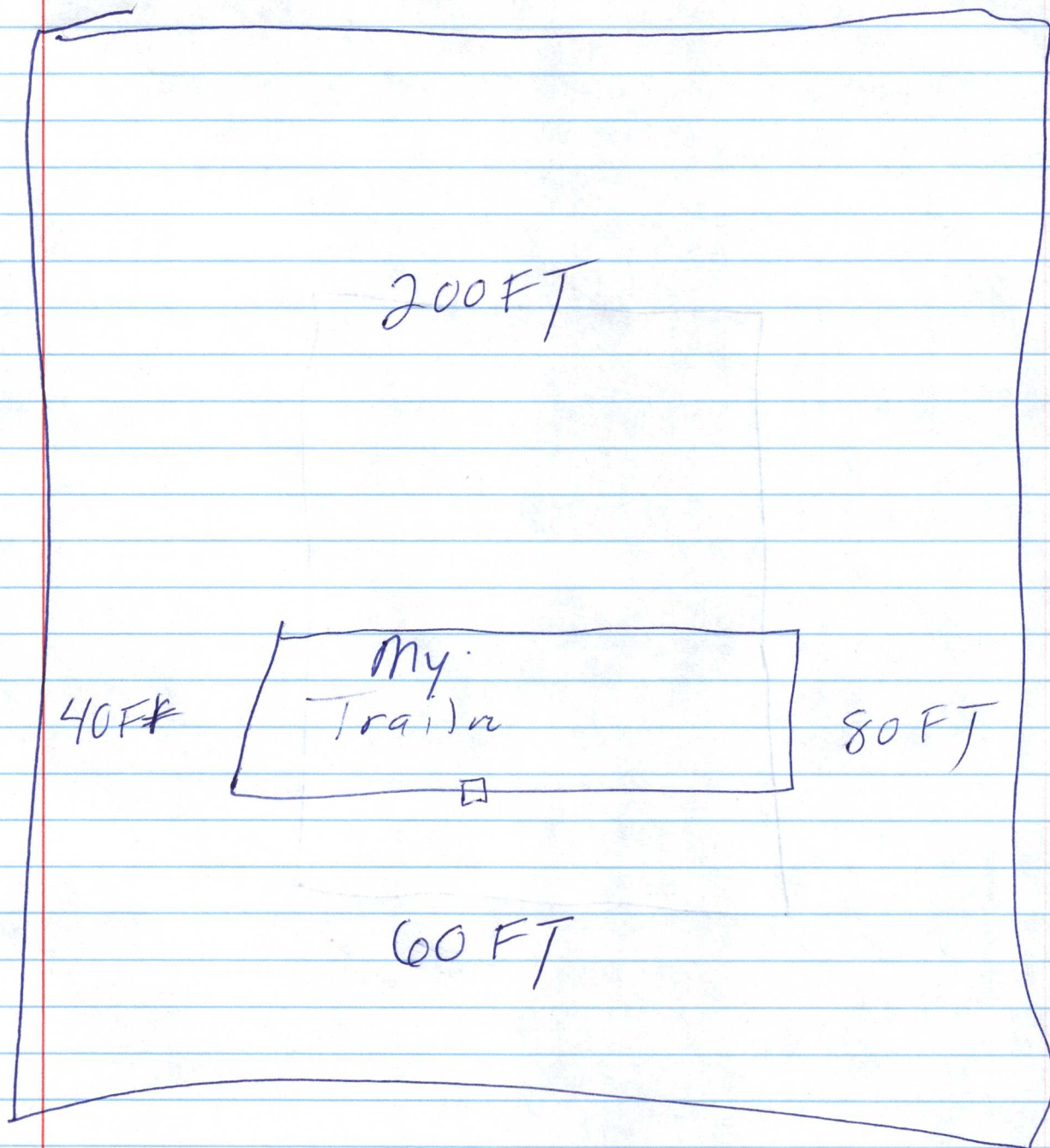


CBOA-3375

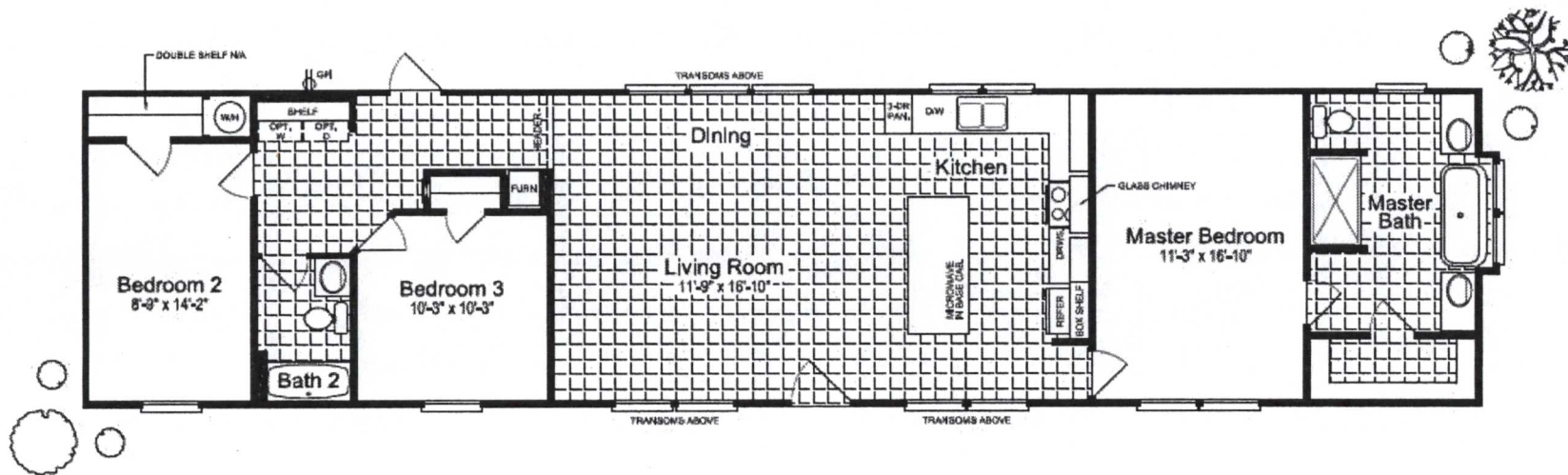
30 22-14



Tanice Willhite



Fiesta SERIES



The "URBAN VALUE IV"
Model: 320FF18763K
1330 Square feet
17'-6" x 76'-0"
3 Bedrooms / 2 Baths
Austin, Texas Date: 11/07/2023

Key Features:

- * Large Bedrooms
- * Hardboard Cabinet Doors
- * Stainless Steel Appliances
- * Extensive Window Space
- * Family-Sized Island
- * Master Bedroom Walk-in Closet
- * 60" Hand-laid Tile Shower
- * Freestanding Tub w/ Continental Windows

Because Palm Harbor Homes has a continuous product updating and improvement process, specifications are subject to change without notice or obligation. Likewise, the floor plan shown is representative only and may vary from the actual home. Square footage calculations are based on nominal widths and all room dimensions are approximate subject to industry standards. R-values may vary in compressed areas. Some transportation components may have been recycled after close inspection for safety and appearance.

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 All Rights Reserved.



FORM 0 - Copyrighted by BURKHARDT & LEGAL FORMS (SINCE 1900) - TULSA, OK

Mailing Address 13626 North 108th East Ave., Collinsville, Ok

(for Filing Only)

General Warranty Deed

(with Survivorship Clause)

THIS INDENTURE, Made this 16th day of November, 2001
between Sidney R. Rainer, Jr. and Peggy Marie Rainer,
husband and wife; and Rodney Lee Rainer, a single person

Parties of the first part, and Janice Willhite and
George Charles Osborn, Mother and Son

with the right of survivorship as hereinafter set out, part ies 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 part ies of the
first part do by these presents grant, bargain, sell and convey unto
Janice Willhite and George Charles Osborn, Mother and Son

, 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:

The North Half (N $\frac{1}{2}$) of Block Twenty-two (22),
in INDUSTRIAL HEIGHTS ADDITION to the City
of Collinsville, Tulsa County, State of Oklahoma,
according to the recorded Plat thereof.

(No revenue stamps pursuant to 68 OS 3202E, Item 4)

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 tene-
ments, hereditaments and appurtenances therunto belonging or in any wise appertaining forever.

And said above named parties of the first part their heirs,
successors, grantees, executors, and administrators, do hereby covenant and agree to and with said
parties of the second part that, at the delivery of these presents, that they are lawfully
seized of an absolute and indefeasible estate of inheritance in fee simple, of and in, all and singular, the
above granted and described premises, with the appurtenances; that the same are free, clear and discharged
and unencumbered of and from all former and other grants, titles, charges, judgements, estates, taxes,
assessments and encumbrances of whatsoever nature and kind, EXCEPT: Easements, building restrictions
of record and special assessments not yet due;

and that part ies grantor will WARRANT AND FOREVER DEFEND the same unto said parties of the
second part, their heirs, successors and assigns against said part ies of the first part, their heirs, succes-
sors and assigns, and all and every person or persons whomsoever, lawfully claiming, or to claim the same.

IN WITNESS WHEREOF, part ies of the first part, ha ve executed or caused to be executed
this instrument the day and year first above written.

Peggy Marie Rainer Sidney R. Rainer, Jr.
Peggy Marie Rainer Sidney R. Rainer, Jr.
Rodney Lee Rainer
Rodney Lee Rainer

STATE OF OKLAHOMA

County of Tulsa

} ss

(Individual Acknowledgment)

Before me, the undersigned, a Notary Public, in and for said County and State, on this 16th day
of November, 2001, personally appeared

Sidney R. Rainer, Jr., husband of Peggy Marie Rainer
to me known to be the identical person who executed the within and foregoing instrument, and ac-
knowledged to me that he executed the same as his free and voluntary act and
for the uses and purposes therein set forth.

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

My commission expires:

March 15, 2004

Brian Eichen
Notary Public

6643 2500

107-15455 Shell Creek Rd., Sand Springs OK 74063



2

6643 2501

STATE OF OKLAHOMA } ss (Individual Acknowledgment)
County of Tulsa
Before me, the undersigned, a Notary Public, in and for said County and State, on this 30th day of November, 2001, personally appeared Rodney Lee Rainer, a single person to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.
IN WITNESS WHEREOF, I hereunto set my official signature and affixed my notarial seal the day and year last above written.
My commission expires: March 18, 2004
Theresa S. York
Notary Public

STATE OF OKLAHOMA } ss (Individual Acknowledgment)
County of Tulsa
Before me, the undersigned, a Notary Public, in and for said County and State, on this 30th day of November, 2001, personally appeared Peggy Marie Rainer, wife of Sidney R. Rainer, Jr. to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.
IN WITNESS WHEREOF, I hereunto set my official signature and affixed my notarial seal the day and year last above written.
My commission expires: March 18, 2004
Theresa S. York
Notary Public

No. _____ General Warranty Deed (with Survivorship Clause)	FROM	TO	STATE OF OKLAHOMA } ss County of _____	This instrument was filed for record on the _____ day of _____, at _____ o'clock _____ M., and duly recorded in book _____ page _____ of the records of this office.	Clerk By _____ Deputy Clerk	Record and Return to: _____	BURKHART'S Legal Forms (Since 1908) - Tulsa, OK 74116 1-800-775-0146

STATE OF OKLAHOMA } ss
COUNTY OF TULSA

I, Michael Willis, Tulsa County Clerk, in and for the County and State above named, do hereby certify that the foregoing is a true and correct copy of a like instrument now on file in my office.

Dated this 14 day of July 2026
Michael Willis, Tulsa County Clerk

Kyle Booth
Deputy





Case Number: CBOA-3357-A

Hearing Date: August 18th, 2026, 1:30 PM

Case Report Prepared by:

INCOG Planning Services

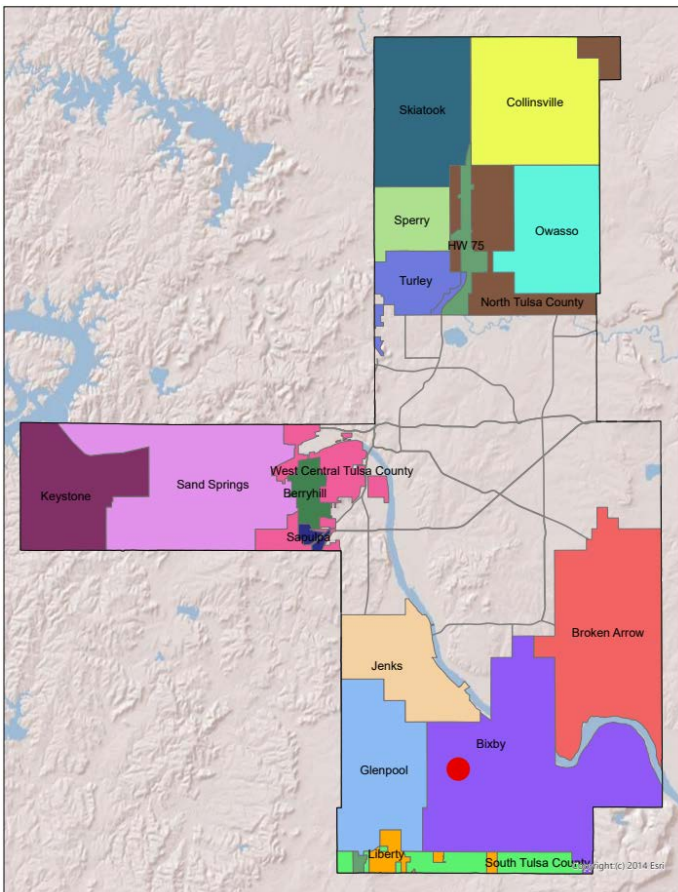
Owner and Applicant Information:

Applicant: James Redyke

Property Owner: Same

Action Requested: Variance of the minimum street frontage requirement from 30' to 0' of maintained public road in an AG district (Sec. 2.050 Table 2-3)

Location Map:



Additional Information:

Present Use: Shop

Tract Size: 2.07± acres

Legal Description: The North 300.00 feet of the East 300.00 feet of the South Half of the East Half of the East Half of the Northeast Quarter of the Northwest Quarter (S/2 E/2 E/2 NE/4 NW/4) of Section Twenty-eight (28), 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.

Present Zoning: AG (Agriculture)

Fenceline/Area: Bixby

Land Use Designation: Low Density Residential

TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 7328

CASE NUMBER: CBOA-3357-A

CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: August 18th, 2026, 1:30 PM

APPLICANT: James Redyke

ACTION REQUESTED: Variance of the minimum street frontage requirement from 30' to 0' of maintained public road in an AG district (Sec. 2.050 Table 2-3)

LOCATION: 3900 E 161st St, Bixby, OK

ZONED: AG (Agriculture)

FENCELINE: Bixby

PRESENT USE: Shop

TRACT SIZE: 2.0± acres

LEGAL DESCRIPTION: The North 300.00 feet of the East 300.00 feet of the South Half of the East Half of the East Half of the Northeast Quarter of the Northwest Quarter (S/2 E/2 E/2 NE/4 NW/4) of Section Twenty-eight (28), 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.

PREVIOUS ACTIONS: This case is an amended version of the case heard on and withdrawn during the 06/16/2026 Board of Adjustment meeting.

ANALYSIS OF SURROUNDING AREA: The surrounding is made up almost entirely by rural development patterns, dominated by AG zoning across the unincorporated area of the county, with as-yet undeveloped RS-zoning in large lots to the north. Overall, the area is characterized by a rural, single-family residential nature, with large areas of undeveloped land and some lots on the lower end of what is acceptable for AG zoning (2 acres), while others far exceed that minimum.

APPLICANT STATEMENT:

STAFF COMMENTS:

The applicant is requesting one a Variance of the minimum street frontage requirement from 30' to 0' of maintained public road in an AG district (Sec. 2.050 Table 2-3). The applicant intends to split the property, creating a smaller "Subject Property" from the existing "Parent Tract." The goal is to eventually sell the lot in the open market. The applicant cites the unusual layout of the Parent Tract as the primary hardship. The tract is currently a flag lot with only 30' of frontage to a public maintained road. Additionally, existing power lines are in the way in the western "flagpole" side of the property. Because of these constraints, any lot split of the property would require Board of Adjustment approval, regardless of the resulting lot configuration. County Engineering has already notified staff that a recorded access easement will be a requirement for the formal approval of the lot split.

Moreover, given that this is an amended version of a previously withdrawn case, it must be noted that the applicant is no longer requesting a variance for the minimum lot size, nor a special exception for a Type 2 home occupation.

COMPATIBILITY WITH SURROUNDING AREA:

The subject property is located within an established AG district surrounded by AG lots, and the subject property itself as well as the neighboring properties all carry the Low Density Residential designation, adopted by reference from Bixby into the Tulsa County Comprehensive Land Use Plan. Said designation is intended to remain low in density and have mostly, though not necessarily exclusively, detached single-family dwellings. The new lot being split as well as the remaining lot will both meet or exceed the minimum lot area of 2 acres required for AG zoning.

Compatibility impacts of having a 'landlocked' lot may be mitigated if:

- Designed to maintain adequate setback and separation from adjacent properties
- A mutual access easement allows it permanent access to 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 Motions:

Move to _____ (approve/deny) to allow a Variance of the minimum street frontage requirement from 30' to 0' of maintained public road in an AG district (Sec. 2.050 Table 2-3)

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.



E 161ST ST S

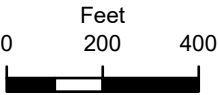
SUBJECT TRACT

2

1

S 43RD E AVE

Vexcel Imaging



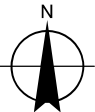
Subject
Tract

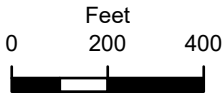
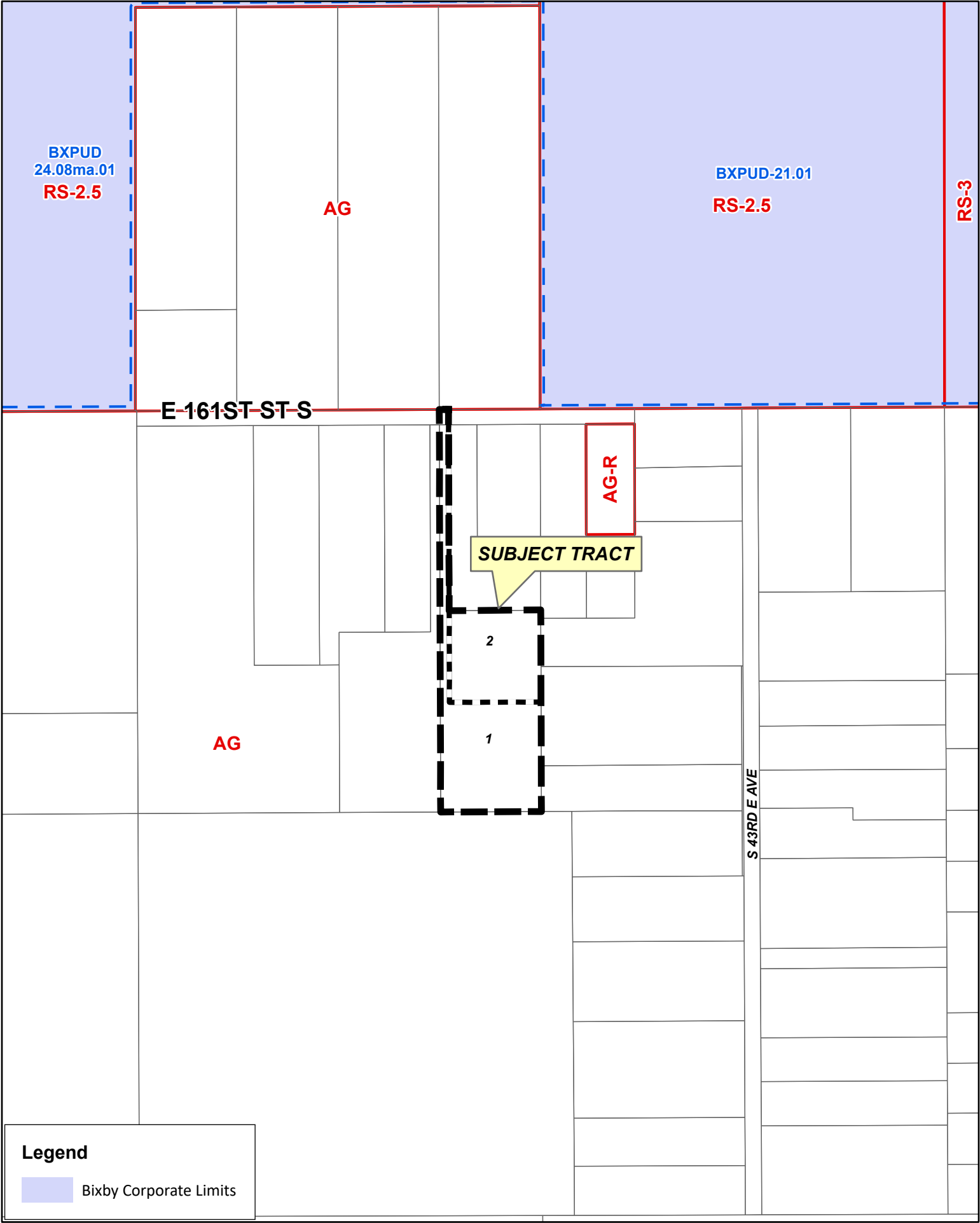
CBOA-3357-A

28 17-13

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

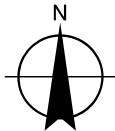
Aerial Photo Date: 2024





CBOA-3357-A

28 17-13



SCALE: 1"=200'

NORTH

Legal Description (Tract 1)

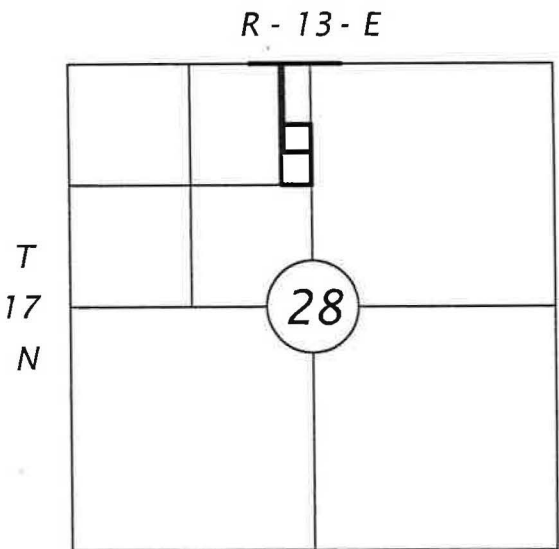
The West Thirty (30) feet of the North Half of the East Half of the East Half of the Northeast Quarter of the Northwest Quarter (N/2 E/2 E/2 NE/4 NW/4) of Section Twenty-eight (28), Township Seventeen (17) North, Range Thirteen (13) East.

AND

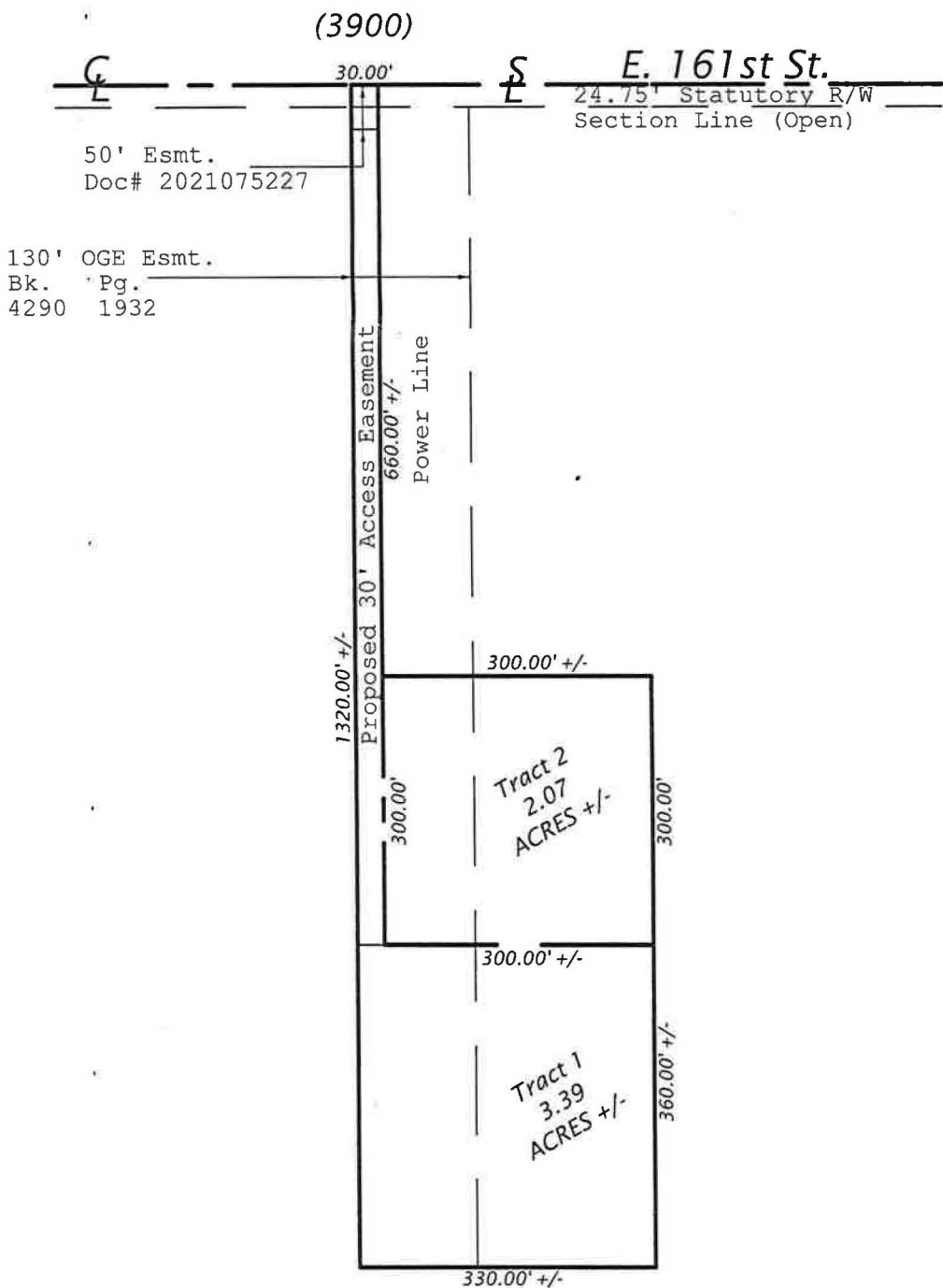
The South Half of the East Half of the East Half of the Northeast Quarter of the Northwest Quarter (S/2 E/2 E/2 NE/4 NW/4) of Section Twenty-eight (28), Township Seventeen (17) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof Less and Except the North 300.00 feet of the East 300.00 feet thereof.

Legal Description (Tract 2)

The North 300.00 feet of the East 300.00 feet of the South Half of the East Half of the East Half of the Northeast Quarter of the Northwest Quarter (S/2 E/2 E/2 NE/4 NW/4) of Section Twenty-eight (28), 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.



COUNTY
LOCATION MAP
SCALE



COLLINS LAND SURVEYING, INC.

3340 W. 151st ST. S. - P.O. Box 250

KIEFER, OK. 74041

OFFICE (918)321-9400 FAX (918)321-9404

CA#2656 EXPIRES: 06/30/2026

Sketch of Proposed Lot Split

Performed For:

Redyke Consulting LLC

J.O. NO. 26-02-028

DATE: 06/10/2026

COLLINS LAND SURVEYING, INC.
3340 West 151st Street South
P.O. Box 250
Kiefer, Ok 74041
Ph. 918-321-9400 Fax 321-9404

REF. NO. 26-02-028

Legal Description (30' Access Easement)

The West Thirty (30) feet of the North Half of the East Half of the East Half of the Northeast Quarter of the Northwest Quarter (N/2 E/2 E/2 NE/4 NW/4) of Section Twenty-eight (28), Township Seventeen (17) North, Range Thirteen (13) East.

and

The West Thirty (30) feet of the North Three Hundred (300) of the South Half of the East Half of the East Half of the Northeast Quarter of the Northwest Quarter (S/2 E/2 E/2 NE/4 NW/4) of Section Twenty-eight (28), 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.

COLLINS LAND SURVEYING, INC.
3340 West 151st Street South
P.O. Box 250
Kiefer, Ok 74041
Ph. 918-321-9400 Fax 321-9404

REF. NO. 26-02-028

Legal Description (Tract 2)

The North 300.00 feet of the East 300.00 feet of the South Half of the East Half of the East Half of the Northeast Quarter of the Northwest Quarter (S/2 E/2 E/2 NE/4 NW/4) of Section Twenty-eight (28), 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.



Case Number: CBOA-3377

Hearing Date: August 18th, 2026, 1:30 PM

Case Report Prepared by:

Kendal Davis

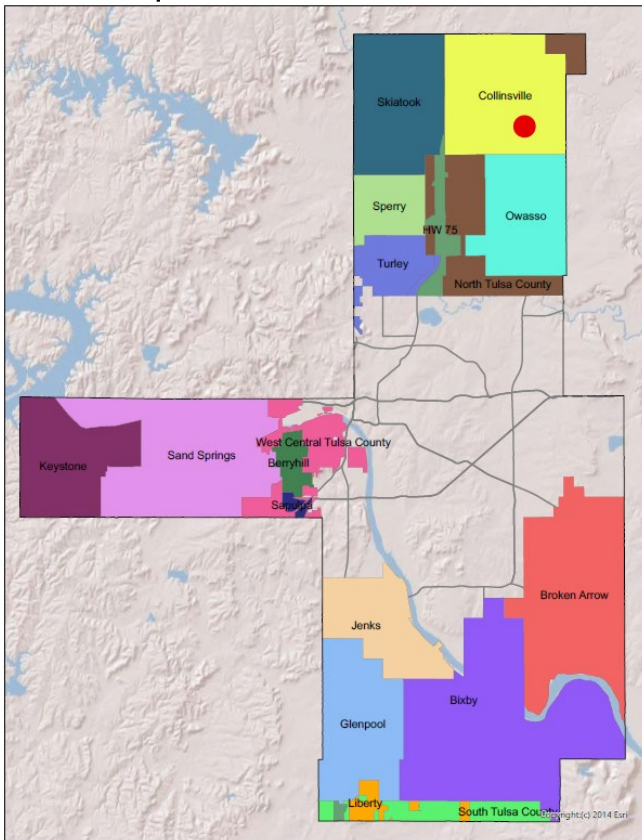
Owner and Applicant Information:

Applicant: Neal Durham

Property Owner: Same

Action Requested: Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: ± 0.83 Acres

Legal Description: The West One Hundred and Twenty-four Feet (124') of Block Eight (8), MORROW HEIGHTS ADDITION

Present Zoning: RS-3 (Residential Single Family)

Fenceline/Area: Collinsville

Land Use Designation: Residential as recommended in the Collinsville Comprehensive Plan Area.

TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 2430

CASE NUMBER: **CBOA-3377**

CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: August 18th, 2026, 1:30 PM

APPLICANT: Neal Durham

ACTION REQUESTED: Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

LOCATION: 14020 N. 113th E. Ave. Collinsville, OK

ZONED: RS-3 (Residential Single Family)

FENCELINE: Collinsville

PRESENT USE: Residential

TRACT SIZE: ± 0.83 Acres

LEGAL DESCRIPTION: The West One Hundred and Twenty-four Feet (124') of Block Eight (8), MORROW HEIGHTS ADDITION

RELEVANT PREVIOUS ACTIONS:

CLS-134: Contingent on CBOA Approval of Variance of minimum street frontage requirements to a public maintained road from 30' to 0' in an RS-3 district (Sec. 3.050, Table 3-3)

CBOA-3369: Variance approval of minimum street frontage requirements to a public maintained road from 30' to 0' in an RS-3 district (Sec. 3.050, Table 3-3) July 21st, 2026

ANALYSIS OF SURROUNDING AREA: The subject property is located in an established, predominantly residential area near N. Garnett Road. The subject tract and the majority of the surrounding properties are zoned RS-3, with areas of RS-2 and AG zoning located farther to the north and northeast. The Collinsville Land Use Plan designates the subject property and surrounding area as Residential.

The surrounding development pattern consists primarily of detached residential uses situated on lots of varying sizes and configurations. The aerial exhibit shows a relatively low-density development pattern with a mixture of developed and undeveloped properties, mature vegetation, and residential structures with varying setbacks from adjacent roadways and property lines.

Immediately surrounding the subject property, residential development is present to the north, east, south, and west, although the intensity and arrangement of development varies. The area does not exhibit a uniform subdivision pattern, with differences in lot size, street frontage, building placement, and overall development configuration. The proposed use would remain residential in nature and would not represent a change from the predominant residential land use of the surrounding area.

North: Properties immediately north of the subject tract are zoned RS-3 and are developed with single-family detached residences on established residential lots fronting E. 141st Street North.

South: Properties to the south are also zoned RS-3 and consist primarily of single-family residential development on similarly sized lots. The area maintains a consistent low-density residential character.

East: Properties east of the subject tract include additional single-family residences along N. Garnett Road. Farther northeast, land transitions to AG zoning; however, the properties immediately adjacent to the subject tract remain residential in character.

West: Properties west of the subject tract are zoned RS-3 and are developed with established single-family residences served by local residential streets. The surrounding neighborhood exhibits a consistent pattern of detached residential development.

STAFF COMMENTS: The subject property is located within an established residential area and is designated Residential by the applicable Land Use Plan. The surrounding area consists primarily of residential uses on a variety of lot sizes, and the proposed single-section manufactured housing unit would continue the residential use of the property. The applicant previously received approval on July 21, 2026, of a Variance to reduce the minimum street frontage requirement on a publicly maintained road from 30 feet to 0 feet in the RS-3 District. The current request would permit a single-section manufactured housing unit on the resulting tract as allowed by Special Exception in the RS-3 District. Based on the residential character of the surrounding area and the Residential Land Use Plan designation, staff does not anticipate that the proposed use will be injurious to the neighborhood or otherwise detrimental to the public welfare, provided the manufactured housing unit complies with all applicable setback, access, building, and development requirements.

Based on the residential character of the surrounding area and the Residential Land Use Plan designation, staff finds that the requested Special Exception is generally consistent with the existing residential development pattern of the area. Staff does not anticipate that the proposed use will be injurious to the surrounding neighborhood or otherwise detrimental to the public welfare, provided the manufactured housing unit complies with all applicable setback, access, building, and development requirements.

COMPATIBILITY WITH SURROUNDING AREA: The subject property is located within an established, predominantly residential area characterized by a mixture of lot sizes and low-density residential development. The subject tract and the surrounding properties are designated Residential by the Collinsville Land Use Plan. The zoning exhibit identifies the subject property and much of the surrounding area as RS-3, with RS-2 and AG zoning located farther to the north and northeast.

A review of the aerial exhibit shows residential development dispersed throughout the surrounding area, with varying lot configurations, building orientations, and housing patterns. The area does not exhibit a uniform subdivision development pattern, and residential structures are situated on lots of varying sizes and setbacks. The proposed single-section manufactured housing unit would maintain the residential use of the property and would not introduce a nonresidential use into the surrounding neighborhood.

Provided the proposed manufactured housing unit complies with applicable development standards, the use is generally consistent with the residential character and development pattern of the surrounding area.

Sample Motion:

"Move to _____ (approve/deny) to permit Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

Should the Board approve the request, staff recommends the following (possible conditions) to ensure compatibility and protect surrounding properties:

1.

2.

3.

4.

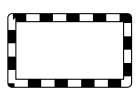
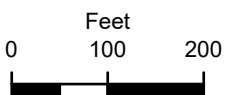
Subject to the following conditions, if any: _____.

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.



SUBJECT TRACT



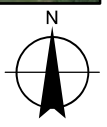
Subject Tract

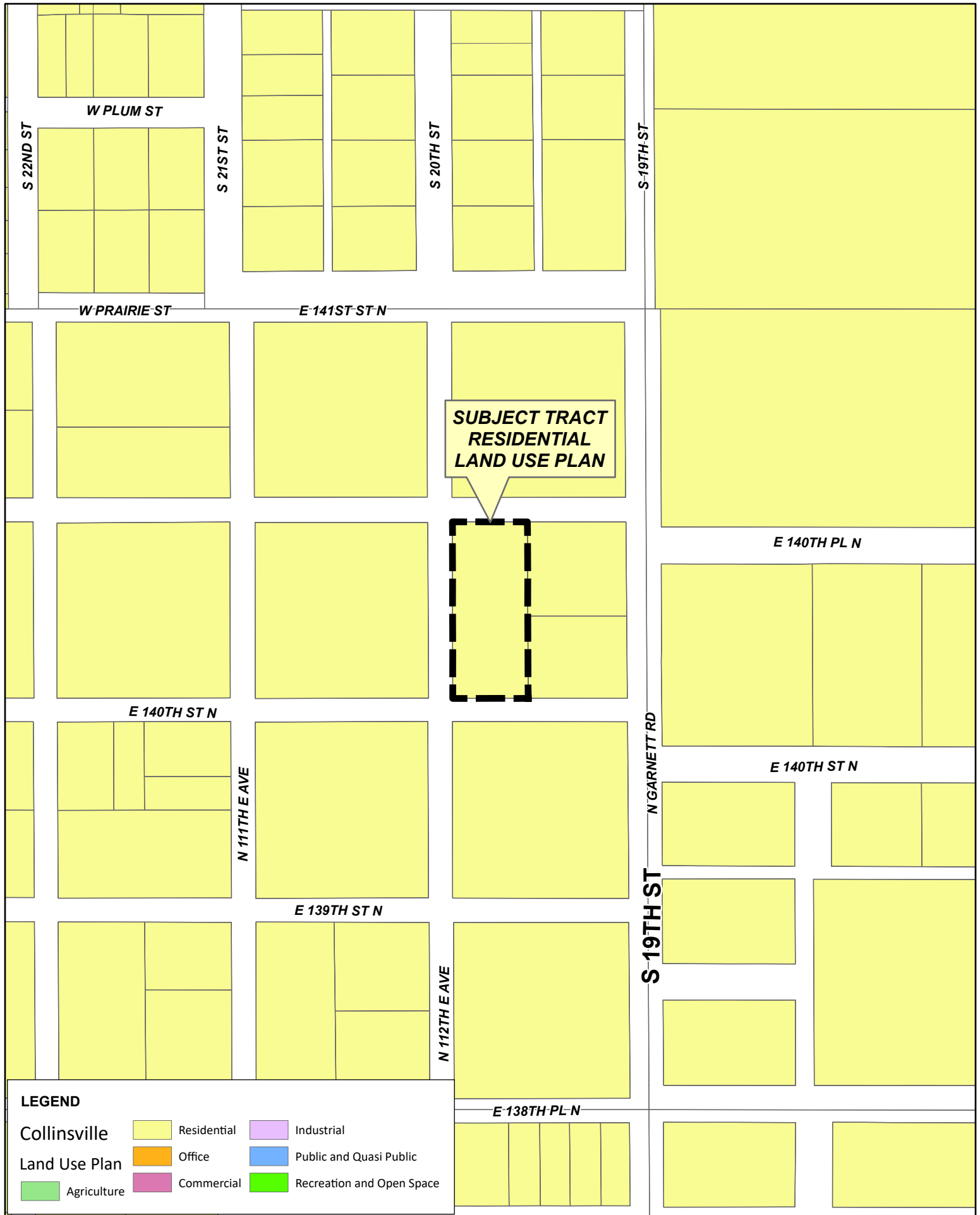
CBOA-3369

30 22-14

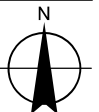
Note: Graphic overlays may not precisely align with physical features on the ground.

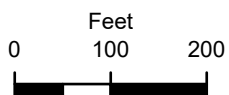
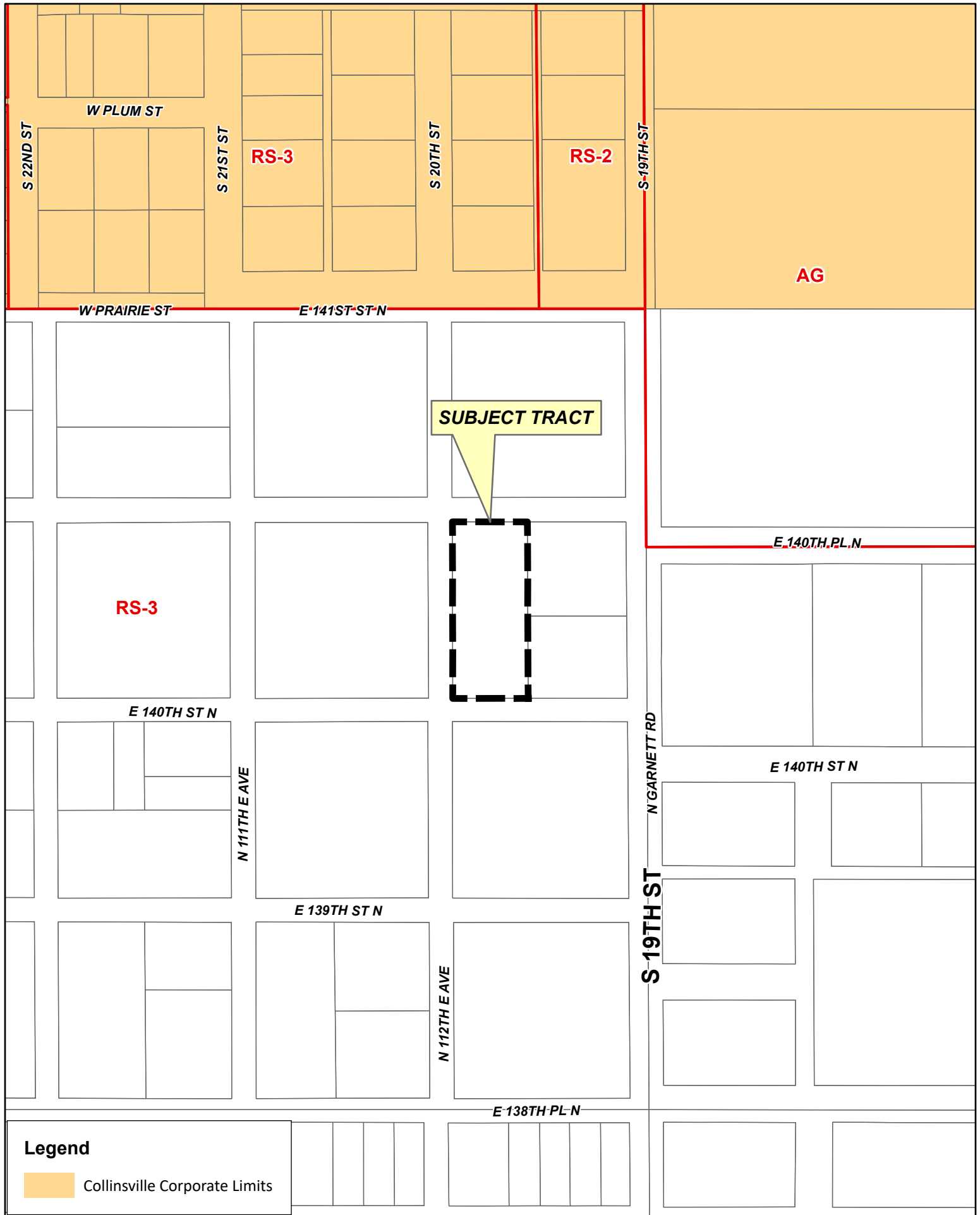
Aerial Photo Date: 2024





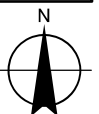
CBOA-3369

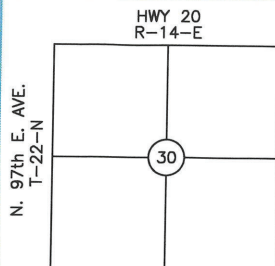




CBOA-3369

30 22-14





LOCATION MAP

COUNTY: TULSA

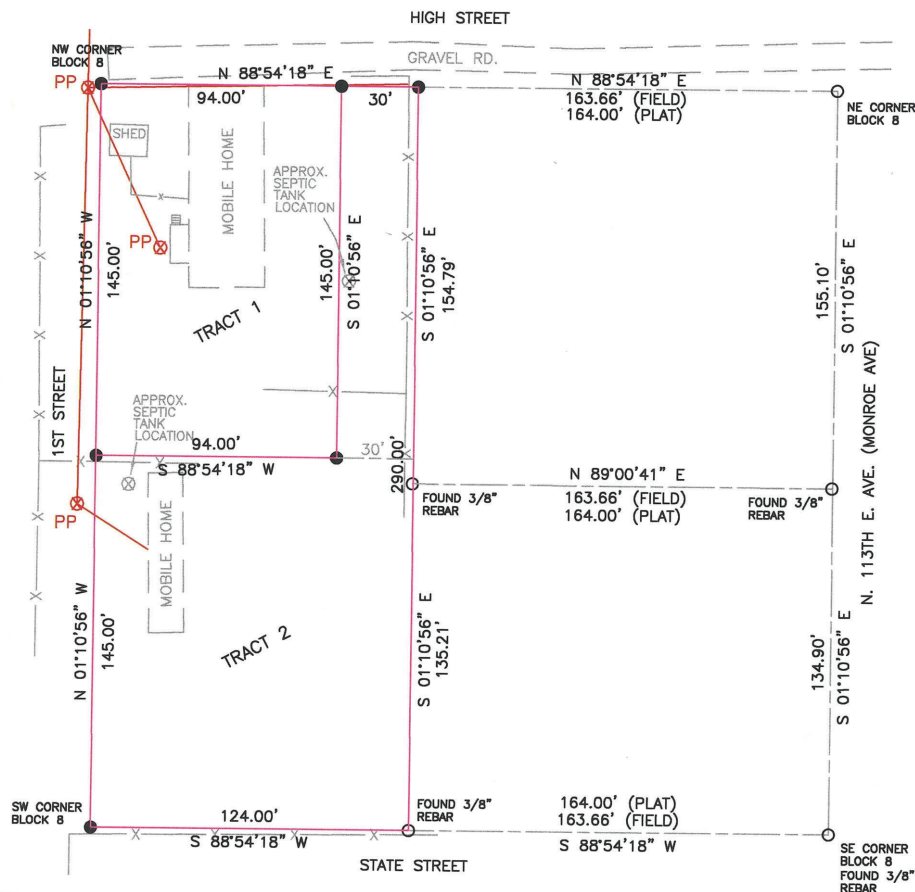
BOUNDARY SURVEY FOR LOT SPLIT

PREPARED FOR NEAL DURHAM
14020 N. 113th E. AVE,
COLLINSVILLE, OK
918-894-0133
OK.REB1970.ND@GMAIL.COM

BASIS OF BEARINGS:
OK SPCS, NORTH ZONE

LEGEND

- = SET IRON PIN
W/ CAP LS1316
- ▲ = SET MAG NAIL
W/ SHINER LS1316
- = FOUND MONUMENT
- ✕ = FENCE
- PP = POWER POLE
- ⊠ = CALCULATED POINT



NOTE:

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.

LEGAL DESCRIPTION

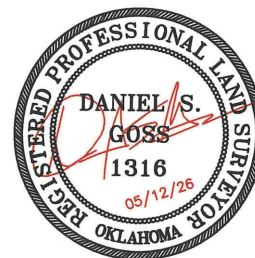
SEE ATTACHED

CERTIFICATE

I, DANIEL S. GOSS, A REGISTERED SURVEYOR BY THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT THE ABOVE TRACT HAS BEEN SURVEYED UNDER MY DIRECT SUPERVISION. TO THE BEST OF MY KNOWLEDGE, THE ABOVE PLAT IS AN ACURATE REPRESENTATION OF SAID SURVEY. NO UNDERGROUND UTILITIES WERE LOCATED, AND THERE ARE NO BUILDING ENCROACHMENTS THEREON EXCEPT AS INDICATED, AND THAT NO EFFORT WAS MADE TO RESEARCH FOR ANY EASEMENTS AT THE COUNTY CLERK OR OTHER RECORDS OFFICE.

WITNESS MY HAND AND SEAL THIS 12 DAY OF MAY, 2026

DANIEL S. GOSS P.L.S. NO. 1316, CA NO. 3932 (EXP. 06/30/2026)



12347 HEYWOOD HILL RD.
SAPULPA, OK 74066
PH. (918)371-0096
EMAIL:
SURVEY@DGOSS-SURVEY.COM
WEBSITE:
DGOSS-SURVEY.COM



Scale: NO SCALE	DATE: 05/12/2026
DURHAM	DRAWN BY: CJ
JOB # 14758	REVISED: 05/15/2026
SITE LAST VISITED: 05/04/2026	PAGE: 1/2

"ATTACHED"

ORIGINAL PARENT TRACT

The West One Hundred and Twenty-four Feet (124') of Block Eight (8), MORROW HEIGHTS ADDITION to the City of Collinsville, Tulsa County, State of Oklahoma, according to the recorded plat thereof...(Doc #2023089027)

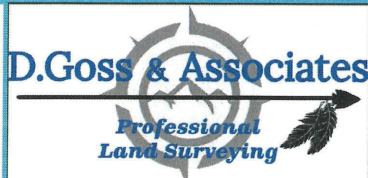
TRACT 1

The North 145.00 feet of the West 94.00 feet of Block 8, MORROW HEIGHTS ADDITION to the City of Collinsville, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

TRACT 2

The South Half of the West 124.00 feet of Block 8 AND the East 30.00 feet of the North 145.00 feet of the West 124.00 feet of Block 8, MORROW HEIGHTS ADDITION to the City of Collinsville, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

12347 HEYWOOD HILL RD.
SAPULPA, OK 74066
PH. (918)371-0096
EMAIL
SURVEY@DGOSS-SURVEY.COM
WEBSITE
DGOSS-SURVEY.COM



PAGE: 2/2

DATE: 05/12/2026

DURHAM

DRAWN BY: CJ

JOB # 14758

REVISED: 05/15/2026

SITE LAST VISITED: 05/04/2026



Case Number: CBOA-3378

Hearing Date: August 18th, 2026, 1:30 PM

Case Report Prepared by:

Kendal Davis

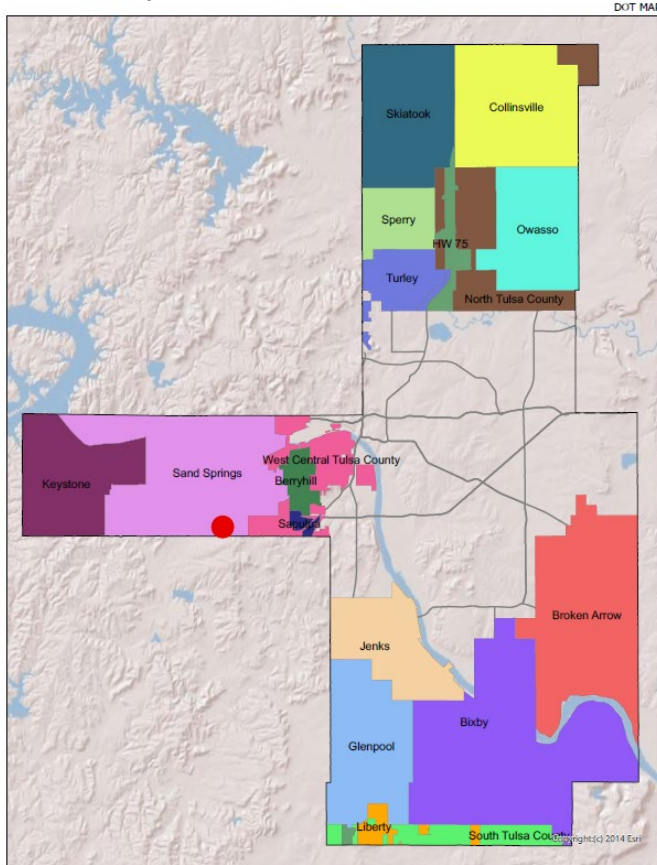
Owner and Applicant Information:

Applicant: Nathan DeHart

Property Owner: Same

Action Requested: Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 1.70 ± Acres

Legal Description: PRT NE SE BEG 1050W NEC SE TH S300 W270 N300 E270 POB LESS N25 THEREOF FOR RD SEC 34 19 11 1.70AC

Present Zoning: RS-3 (Residential Single-Family)

Fenceline/Area: Sand Springs

Land Use Designation: Industrial/Regional Employment

TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 9134

CASE NUMBER: CBOA-3378
CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: August 18th, 2026, 1:30 PM

APPLICANT: Nathan DeHart

ACTION REQUESTED: Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

LOCATION: 11608 W. 56th St. S. Sand Springs, OK

ZONED: RS-3 (Residential Single-Family)

FENCELINE: Sand Springs, OK

PRESENT USE: Vacant

TRACT SIZE: 1.70 ± Acres

LEGAL DESCRIPTION: PRT NE SE BEG 1050W NEC SE TH S300 W270 N300 E270 POB LESS N25 THEREOF FOR RD SEC 34 19 11 1.70AC

RELEVANT PREVIOUS ACTIONS: None

ANALYSIS OF SURROUNDING AREA: The subject property is located in an area with a varied development pattern consisting of residential, manufactured housing, agricultural, commercial, and industrial uses. The zoning exhibit identifies the subject tract as RS-3. Immediately north of the subject property is an established manufactured housing development zoned RMH, while property to the west is zoned AG. Properties to the east are primarily zoned RS-3, with CG zoning located closer to State Highway 97. IL zoning and industrial development are located generally to the south and southeast of the subject property.

The aerial exhibit further illustrates the transitional character of the area. Manufactured housing and other residential development are concentrated north of the subject tract, while the property immediately west is largely open and undeveloped. Nonresidential and industrial development becomes more prevalent to the south and southeast toward State Highway 97.

The applicable Future Land Use Plan designates the subject tract and properties generally to the south as Industrial/Regional Employment, while the established neighborhoods immediately to the north and the larger undeveloped area to the west are designated Residential. Commercial-designated properties are also present to the northeast along the State Highway 97 corridor. Overall, the subject property is situated near the transition between established residential/manufactured housing development to the north and west and more intensive commercial and industrial development to the east and south.

STAFF COMMENTS: The subject property is zoned RS-3 and is located within an area containing a mixture of residential, manufactured housing, agricultural, and nonresidential uses. An established manufactured housing development is located immediately north of the subject property, while property to the west remains largely open and undeveloped and commercial/industrial development is present generally to the south and southeast. The proposed single-section manufactured housing unit would maintain a residential use of the subject property and would be similar in character to the manufactured housing development immediately to the north. Although the subject property is designated Industrial/Regional Employment by the applicable Land Use Plan, the requested Special Exception would not change the underlying RS-3 zoning of the property. Based on the existing mixture of uses and development patterns surrounding the subject tract, staff does not anticipate that the proposed single-section manufactured

housing unit would be injurious to the surrounding area or otherwise detrimental to the public welfare, provided the unit complies with all applicable setback, access, building, and development requirements.

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

Sample Motion:

"Move to _____ (approve/deny) Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030)

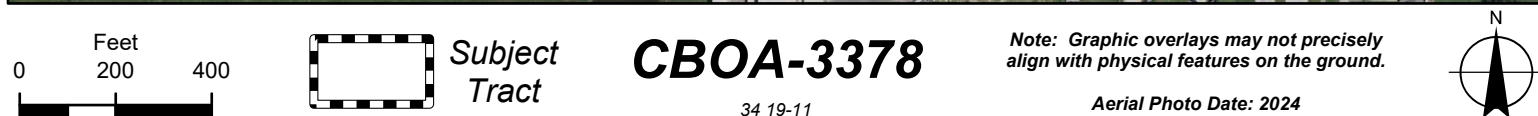
Should the Board approve the request, staff recommends the following (possible conditions) to ensure compatibility and protect surrounding properties:

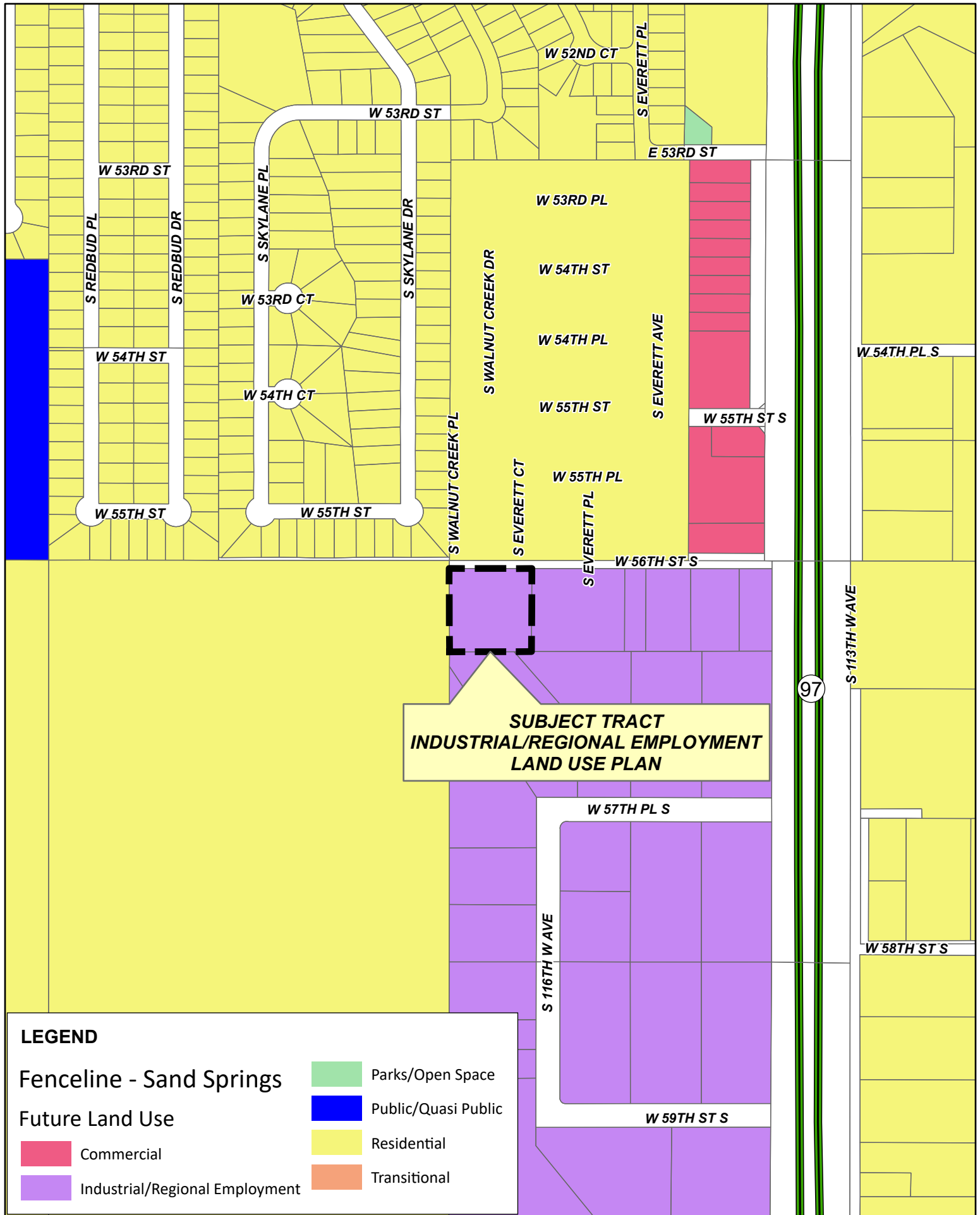
- 1. Compliance with all permitting and utility requirements*
- 2. Appropriate placement and spacing of structures*
- 3. Measures to maintain compatibility with surrounding residential properties*

Subject to the following conditions, if any: _____.

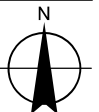
In approving a special exception, the board of adjustment is authorized to impose such conditions and restrictions as the board of adjustment determines to be necessary to ensure compliance with the standards of §14.080-G, to reduce or minimize the effect of the special exception upon other properties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

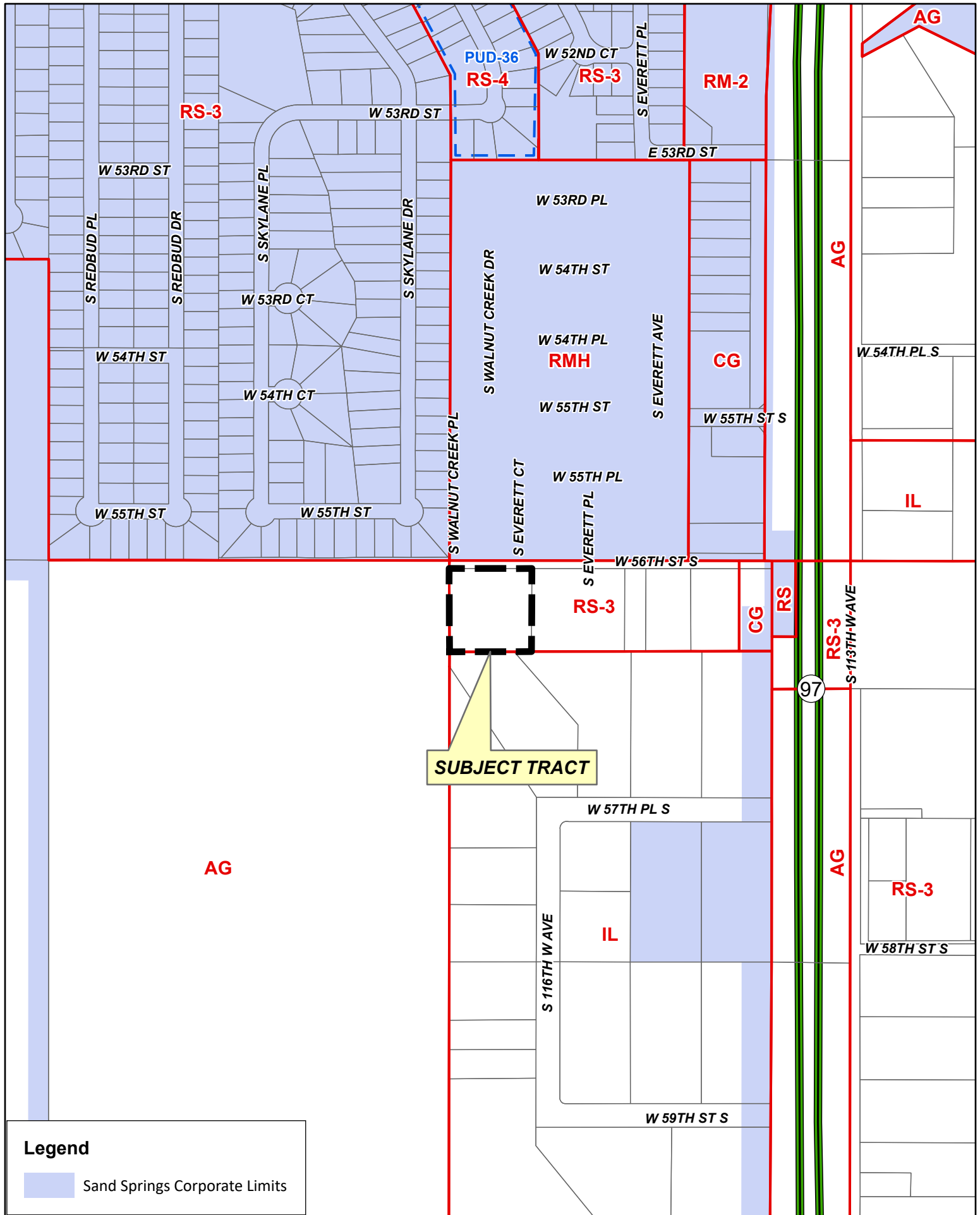
That the special exception will be in harmony with the spirit and intent of these zoning regulations; and the special exception will not be injurious to property in the vicinity of the subject property or otherwise detrimental to the public welfare.





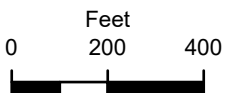
CBOA-3378



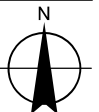


Legend

 Sand Springs Corporate Limits



CBOA-3378



[Sign in](#)

What's special

DEAD END STREET

Vacant 1.7 AC Lot. Dead end street. Mobile Park across the street. One Block to Hwy 97. Just south of West 51st. Convenient to Prattville & Sapulpa. All utilities on the lot. The land is cleared of the previous house. Ready to build a home or a Mobile.

Zillow last checked: 2 hours ago

Listing updated: July 23, 2026 at 02:23am

Listed by:

Linda Fitzgerald 918-378-1700,
Platinum Realty, LLC.

Bought with: Linda Fitzgerald, 126972
Platinum Realty, LLC.

Source: MLS Technology, Inc., MLS#: 2548753



Originating MLS: MLS Technology

[Claim home](#)[zillow.com](https://www.zillow.com)

the situation but just can't remember the details she wants to tell me from your conversation with her, she is wanting me to help you guys somehow if I can to figure out any loopholes or anything that can give you an upper hand on this. I'm pretty good at finding things out and know the right places to look when it comes to stuff like this. I've studied a lot of Oklahoma State statutes and have them on hand in my files. I also have documentation of the property your on going as far back as 1944 with all the owners and their successors and have the latest property title search



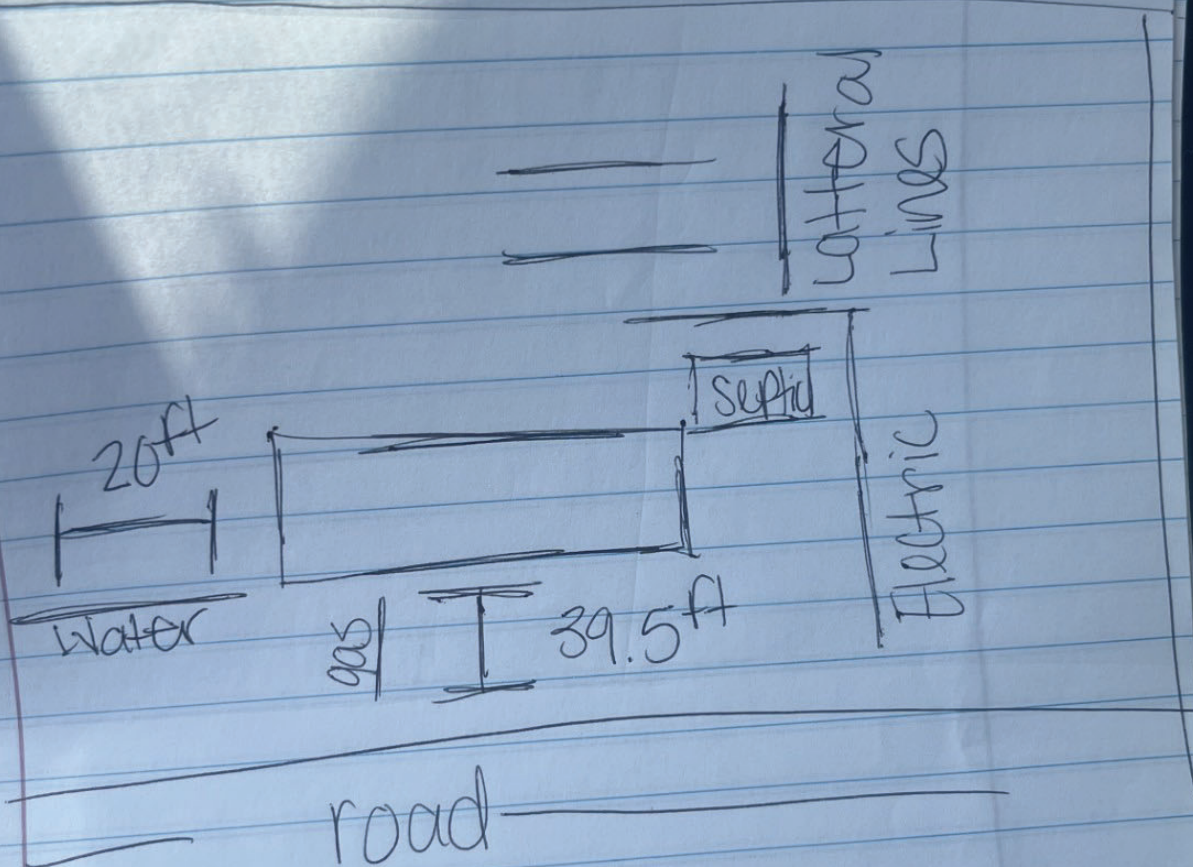


Mix 96.5
Adult Hits

SETTING

BACK

TUNE SCROLL



7-29-2020

To whom it may concern

We, the surrounding neighbors
have no issues with the mobile
home and family moving to
11608 W 56th St Sand Springs OK.
The family has looked forward to
this for a long time. We are just
as excited for them as they are to
be back home.

Sincerely,

~~1 Gary Bell~~ - ~~XXXXXXXXXXXX~~
~~John Williams~~ ~~XXXXXXXXXXXX~~
~~Robert Moore~~ ~~XXXXXXXXXXXX~~

all Signatures are of those
~~XXXXXXXXXXXX~~ who live on same Street