

RECEIVED



4:27 pm, May 12, 2026

AGENDA

Tulsa County Board of Adjustment
Regularly Scheduled Meeting
Tuesday May 19, 2026, 1:30 p.m.
Williams Tower I
1 West 3rd Street, St. Francis Room

Meeting No. 554

Consider, Discuss and/or Take Action On:

1. Approval of **Minutes** of April 21, 2026 (Meeting No. 553).

UNFINISHED BUSINESS

2. **3347 - Michael Martin**

Action Requested: (Continued from 4-21-2026)

Variance from the minimum lot width requirement of 150 feet to 132 feet in the RE district (Sec. 3.040; Table 3-3) & Variance from the minimum street frontage requirement (30 feet to 0 feet) (Sec. 3.040; Table 3-3)

Location: Approx. 150 ft east of North 119th East Avenue, south of 73rd Place North and north of East 72nd Street North - Parcel: 91432143225200

3. **3349 – Kirk & Candice Coryn**

Action Requested: : (Continued from 4-21-2026)

Variance of minimum street frontage requirements from 30' to 0' of public maintained road in an RE district (Sec. 3.040 Table 3-3) & A Special Exception to allow single-section manufactured home in RE district (Sec. 3.030, Table 3-2)

Location: Approx. 420 ft east of North 119th East Avenue, south of 73rd Place North and north of East 72nd Street North – Parcel: 91432143225400

NEW APPLICATIONS

4. **CBOA 3354 – Josh Atkinson – Custom Pools**

Action Requested:

Variance of the rear yard requirement to permit a swimming pool in an RS-3 district. (Sec.18.080 Table 18-1)

Location: 3002 W 118th Pl S Jenks, OK 74037

5. CBOA 3355– Audra Rowe

Action Requested:

Use Variance to permit the establishment of an accessory structure on a lot without an existing principal structure (Section 5.020 Accessory Uses and Structures) (pursuant to Section 2.040, Table 2-3)

Location: 702 N Willow Rd, Sand Springs, OK, 74063, USA

6. CBOA 3356 - Valentina Matyuk

Action Requested:

Variance to allow an accessory building in the side yard in an RE district. (Sec. 8.030)

Location: 14953 W 17th St S, Sand Springs, OK

7. CBOA 3357 – James Redyke

Action Requested:

Variance of the minimum street frontage requirement from 30' to 0' of maintained public road in an AG district (Sec. 2.040 Table 2-3), Variance of the Minimum Lot Area and Minimum Lot Area per Dwelling Unit in an AG district (Section 2.040, Table 2-3), and Special Exception for Type 2 Home Occupation (Sec. 8.120-C).

Location: 3900 East 161st, Bixby, Ok.

8. CBOA 3358 – Jose Soto

Action Requested:

Variance of fence height requirement (Sec. 8.100-A) from 4ft to 6 ft for front yard maximum and 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

9. CBOA 3359 – Micah Burdge

Action Requested:

Special Exception to allow a duplex use in an RS-3 district (Sec. 3.030, Table 3-2)

Location: 7217 W 7th Street, Tulsa, OK

10. CBOA 3360 – Robyn Cagle

Action Requested:

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

Location: 25015 W 41st St S, Sand Springs OK

11. CBOA 3362 – Jorge de los Santos Lopez

Action Requested:

Special Exception to allow a single-section manufactured housing unit in an RS-3 district (Sec. 3.030, Table 3-2)

Location: 6655 N Norfolk Pl, Tulsa, 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-3347

Hearing Date: May 19, 2026, 1:30 PM

Case Report Prepared by:

Kendal Davis

Owner and Applicant Information:

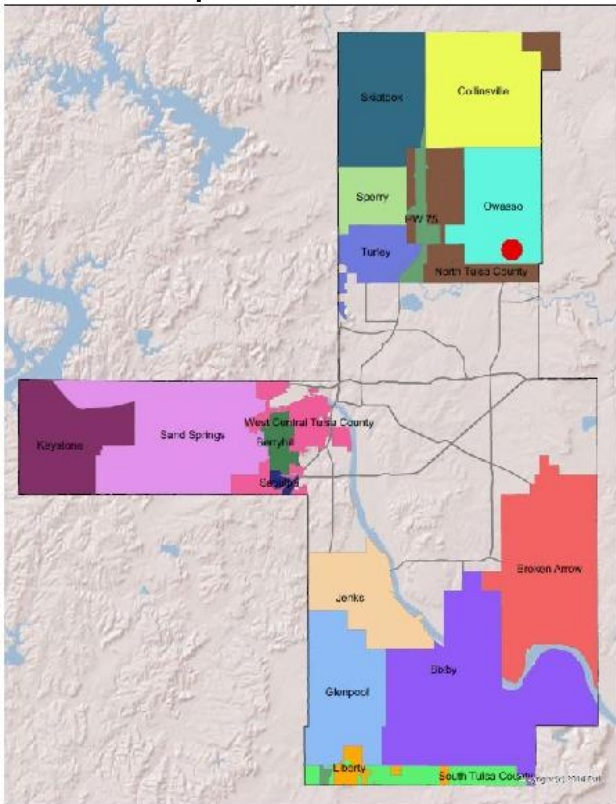
Applicant: Michael Martin

Property Owner: MARTIN, MICHAEL J & AIMEE C

Action Requested:

A Variance from the minimum lot width requirement of 150 feet to 132 feet in the RE district. (Sec. 3.040; Table 3-3) & a Variance from the minimum street frontage requirement (30 feet to 0 feet) (Sec. 3.040; Table 3-3)

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: ± 0.91 Acres

Legal Description: BEG 1348.91S & 350.37W NEC NW TH S299.82 W132 N299.86 E132 POB SEC 32 21 14 0.909 ACS

Present Zoning: RE (Residential Estate)

Fenceline/Area: Owasso

Land Use Designation: Residential

TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 1432

CASE NUMBER: **CBOA-3347**

CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: April 21, 2026, 1:30 PM

APPLICANT: Michael Martin

ACTION REQUESTED: A Variance from the minimum lot width requirement of 150 feet to 132 feet in the RE district. (Sec. 3.040; Table 3-3) & a Variance from the minimum street frontage requirement (30 feet to 0 feet) (Sec. 3.040; Table 3-3)

LOCATION: 7315 N. 119th E. Ave. Owasso, OK

ZONED: RE (Residential Estate)

FENCELINE: Owasso

PRESENT USE: Vacant

TRACT SIZE: ± 0.91 Acres

LEGAL DESCRIPTION: BEG 1348.91S & 350.37W NEC NW TH S299.82 W132 N299.86 E132 POB SEC 32 21 14 0.909 ACS

RELEVANT PREVIOUS ACTIONS: CLS-82; Lot split approval 5/22/25. CBOA Case continued from 04/21/26.

ANALYSIS OF SURROUNDING AREA: The subject tract is located within an area characterized primarily by low-density residential and rural land use patterns. The surrounding properties consist largely of single-family homes situated on larger lots, with a mix of established residences and undeveloped or lightly developed parcels.

North: Properties to the north appear to consist of large-lot residential uses and undeveloped land, consistent with a rural residential character. Lot sizes in this direction are generally larger, contributing to a lower overall density pattern.

South: The properties to the south are predominantly rural residential or agricultural in nature, with scattered homes and open land. This area maintains a similar character to the subject tract, with minimal urban intensity.

East: To the east, the area transitions into a more structured residential subdivision pattern, with defined lot lines and internal street networks. This indicates a slightly higher density residential development compared to the surrounding rural tracts, though still within a low-density residential context.

West: To the west, the pattern continues with large-lot residential uses and open land, reflecting a continuation of the rural development pattern present throughout the area.

STAFF COMMENTS:

The applicant is requesting two variances for the subject tract located along E. 73rd Place near N. 119th East Avenue within the RE (Residential Estate) District:

1. A Variance from the minimum lot width requirement of 150 feet to 132 feet (Sec. 3.040; Table 3-3)
2. A Variance from the minimum street frontage requirement of 30 feet to 0 feet (Sec. 3.050; Table 3-3)

Minimum Lot Width Variance (150 ft to 132 ft)

The surrounding area is characterized by a mix of large-lot residential tracts and irregular parcel configurations, many of which appear to have been created prior to the adoption of current zoning standards. The subject tract, as highlighted, is narrower than the required RE standard, due to a previous lot division.

Given the established development pattern in the area, a lot width of 132 feet is generally consistent with several nearby parcels and does not appear out of character with the surrounding properties. The requested reduction is relatively minor in scale and is not anticipated to significantly impact the overall residential character of the area.

Minimum Street Frontage Variance (30 ft to 0 ft)

The request for 0 feet of frontage represents a more substantial deviation from the zoning code, as frontage requirements are intended to ensure legal access, emergency services access, and orderly development patterns.

Based on the provided map, the subject tract appears to be landlocked, with no direct frontage on a publicly maintained road. Access is likely being proposed via an adjacent tract or through an easement arrangement.

Although the property may appear to have access from E. 74th Street, north of the property, County Engineering has confirmed that E. 74th Street is not a publicly maintained roadway. As a result, it does not satisfy the requirement for legal frontage on a publicly maintained street for development purposes.

Staff notes that while mutual access easements or private access agreements may provide functional access, they do not satisfy the zoning requirement for public street frontage. The lack of frontage is not a condition generally created by the zoning code but rather the result of prior land divisions or conveyances, which may constitute a self-imposed hardship.

However, if adequate legal access can be demonstrated through a recorded, permanent access easement that meets County Engineering and emergency access standards, the Board may consider whether this request can be supported without negatively impacting public safety or adjacent properties.

COMPATIBILITY WITH SURROUNDING AREA:

The subject tract is located within an area characterized by a mix of large-lot residential properties and irregularly configured parcels, with development patterns that reflect both rural land divisions and more structured subdivision layouts to the east. The overall character of the area remains low-density residential, consistent with the intent of the RE (Residential Estate) District.

The requested lot width variance (150 feet to 132 feet) appears to be generally compatible with the surrounding area, as several nearby tracts exhibit varying widths and non-uniform configurations. The reduction in lot width is modest and is not anticipated to materially alter the established development

pattern or density of the area. As such, this portion of the request maintains consistency with the scale and character of surrounding properties.

In contrast, the requested street frontage variance (30 feet to 0 feet) represents a more significant departure from typical development standards. Properties in the surrounding area generally maintain direct frontage on a publicly maintained roadway or have established legal access, which supports orderly development and ensures adequate access for services. The subject tract's lack of frontage introduces a condition that is not commonly found in the immediate area, and therefore may be considered less compatible with the prevailing development pattern.

While alternative access may be provided through private easements, such arrangements do not fully replicate the functionality and reliability of direct public street frontage. The absence of frontage may also create long-term limitations on access, maintenance, and emergency services, which could affect both the subject property and surrounding tracts.

Overall, the lot width variance is compatible with the surrounding area, while the street frontage variance presents compatibility concerns due to the deviation from established access patterns. If the Board is inclined to approve the frontage variance, consideration should be given to ensuring that permanent, recorded access is established in a manner that minimizes potential impacts to adjacent properties and maintains safe and reliable access.

If inclined to approve the request the Board may consider any condition, it deems necessary in order to ensure that the proposed Variance from the minimum lot width requirement of 150 feet to 132 feet (Sec. 3.040; Table 3-3) and the Variance from the minimum street frontage requirement of 30 feet to 0 feet (Sec. 3.040; Table 3-3) is compatible and non-injurious to the surrounding area.

Sample Motion:

"Move to _____ (approve/deny) to permit A Variance from the minimum lot width requirement of 150 feet to 132 feet in the RE district. (Sec. 3.040; Table 3-3)

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

- 1.
- 2.
- 3.

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

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

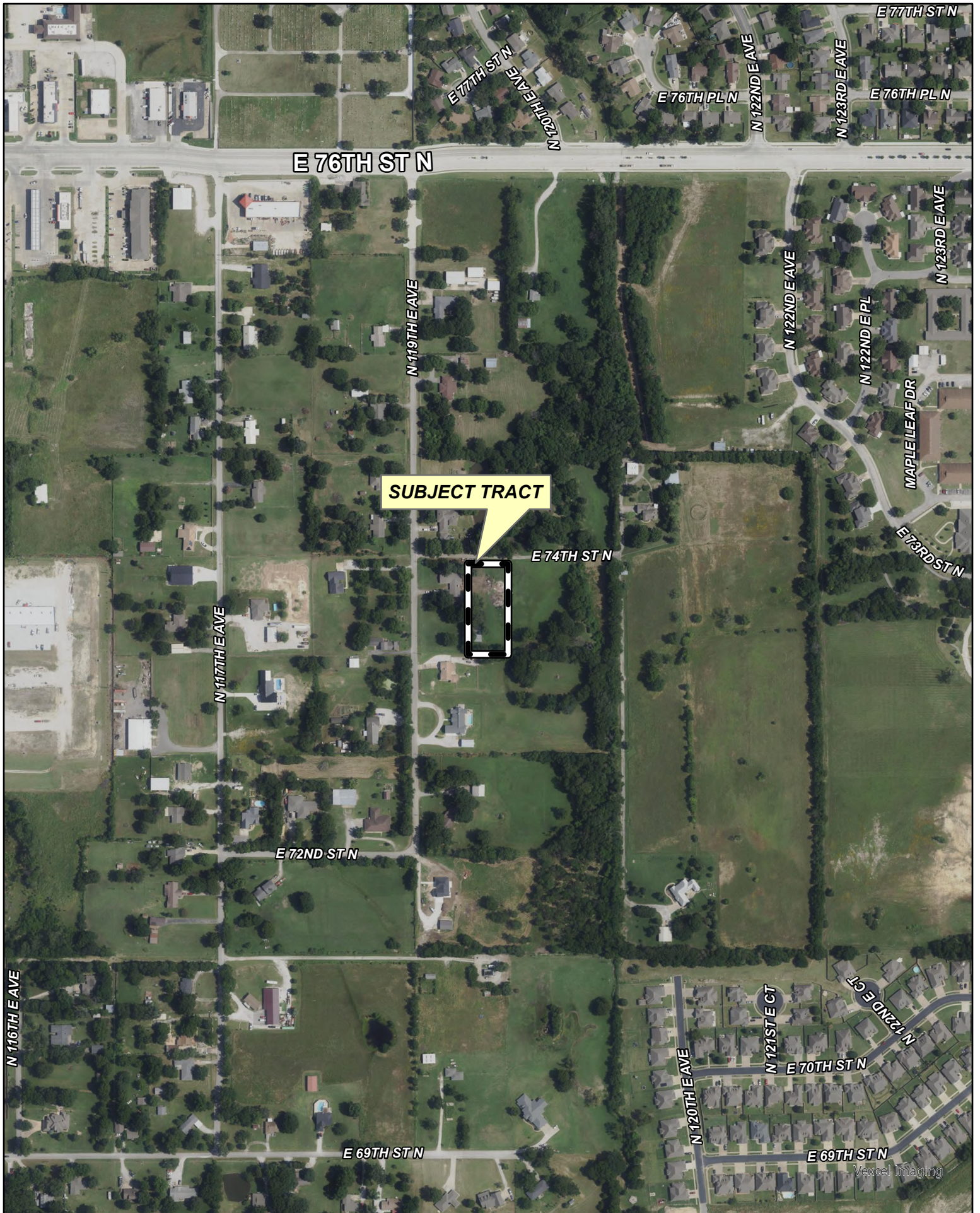
“Move to _____ (approve/deny) to permit A Variance from the minimum street frontage requirement (30 feet to 0 feet) (Sec. 3.040 Table 3-3)

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

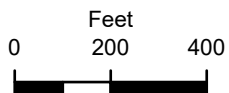
1. Recorded Access Easement - Prior to the issuance of any permits, the applicant shall provide a recorded, permanent access easement benefiting the subject tract. The easement shall be filed of record with the Tulsa County Clerk.

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



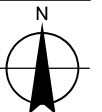
Subject Tract

CBOA-3347

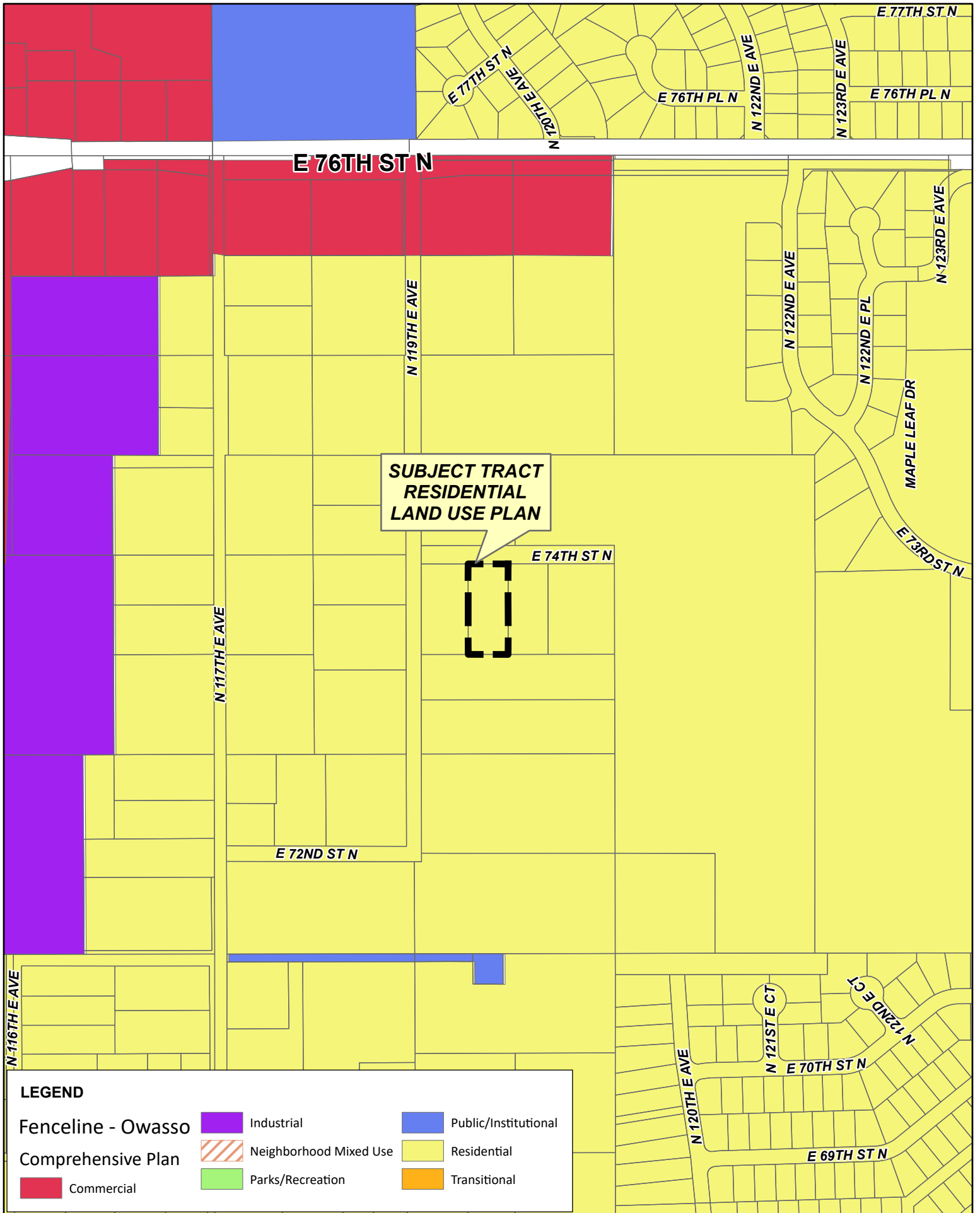
32 21-14

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

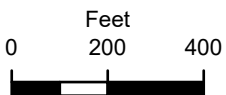
Aerial Photo Date: 2024



Vexcel Imaging



CBOA-3347



LOT SPLIT

APPLICATION INFORMATION

RECEIVED BY: CP DATE FILED: 4/3/2025

CASE NUMBER: CLS-82
 PARCEL #: R91432143225070

RELATED CASE: _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 7311 N. 119th E AVE Owasso Ok 74055

LEGAL DESCRIPTION OF UNDIVIDED TRACT: _____

PRESENT USE: Home PRESENT ZONING: RE TRS: _____ CCD: ①

CITY WATER: Owasso RURAL WATER DISTRICT: _____ WELL
 CITY SEWER: Owasso SEPTIC/AEROBIC SYSTEM

LETTERS FROM CITY UTILITIES OR RURAL WATER DISTRICTS ARE REQUIRED IF UTILIZING THOSE SOURCES.

MODIFICATION FROM SUBDIVISION AND DEVELOPMENT REGULATIONS REQUESTED (IF ANY): _____

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>Brian Hayes</u>	NAME <u>Gerald and Gwendine Kase</u>
ADDRESS <u>7716 N. Howard AVE</u>	ADDRESS <u>7311 N. 119th E AVE</u>
CITY, ST, ZIP <u>Sperdy Ok 74073</u>	CITY, ST, ZIP <u>Owasso Ok 74055</u>
DAYTIME PHONE <u>918 519 0758</u>	DAYTIME PHONE <u>918 519 0758</u>
EMAIL <u>Brian@hayescustomhomesok.com</u>	EMAIL <u>HCHowasso@gmail.com</u>
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE: <u>[Signature]</u>	<u>[Signature]</u>

DOES OWNER CONSENT TO THIS APPLICATION Y N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? Family

APPLICATION FEES (Make checks payable to INCOG)		
TOTAL DUE:	\$150	RECEIPT NUMBER: <u>236283</u>

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

SUBMITTAL REQUIREMENTS:
Survey Requirements- All Lot Splits require a survey of the original parent tracts and exhibits clearly describing the final legal descriptions of the split tracts. This document must be prepared by a licensed surveyor. Please refer to the Lot Split Checklist available at tulsaplanning.org or in our office for complete survey requirements. This must accompany your application at time of submission.
Documents should be no larger than 11 x 17 inches.

DISPOSITION

PAR RECOMMENDATION: _____ ADMINISTRATIVE/TMAPC ACTION: Approved DATE: 5-22-25

LAND USE ADMINISTRATOR SIGNATURE: [Signature]

CONDITIONS/COMMENTS: _____

INSTRUMENTS RELEASED: _____

ACKNOWLEDGEMENT OF PLATTING REQUIREMENTS:

I understand that no application may be approved by the land use administrator or the planning commission if approval of the application would result in the creation of 5 or more lots from the parent tract, as calculated cumulatively for the 5-year period immediately preceding the submittal date of the application for lot-split/adjustment. Land divisions that result in the creation of 5 or more lots from a parent tract, calculated as described in the foregoing sentence, are subject to a platting requirement. If during evaluation of your application staff learns that approving your application would result in 5 or more lots, staff will withdraw your application. Fees paid for your application will be refunded at the sole discretion of the land use administrator.

Signature and Date 

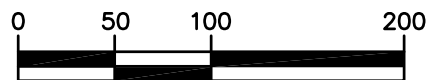
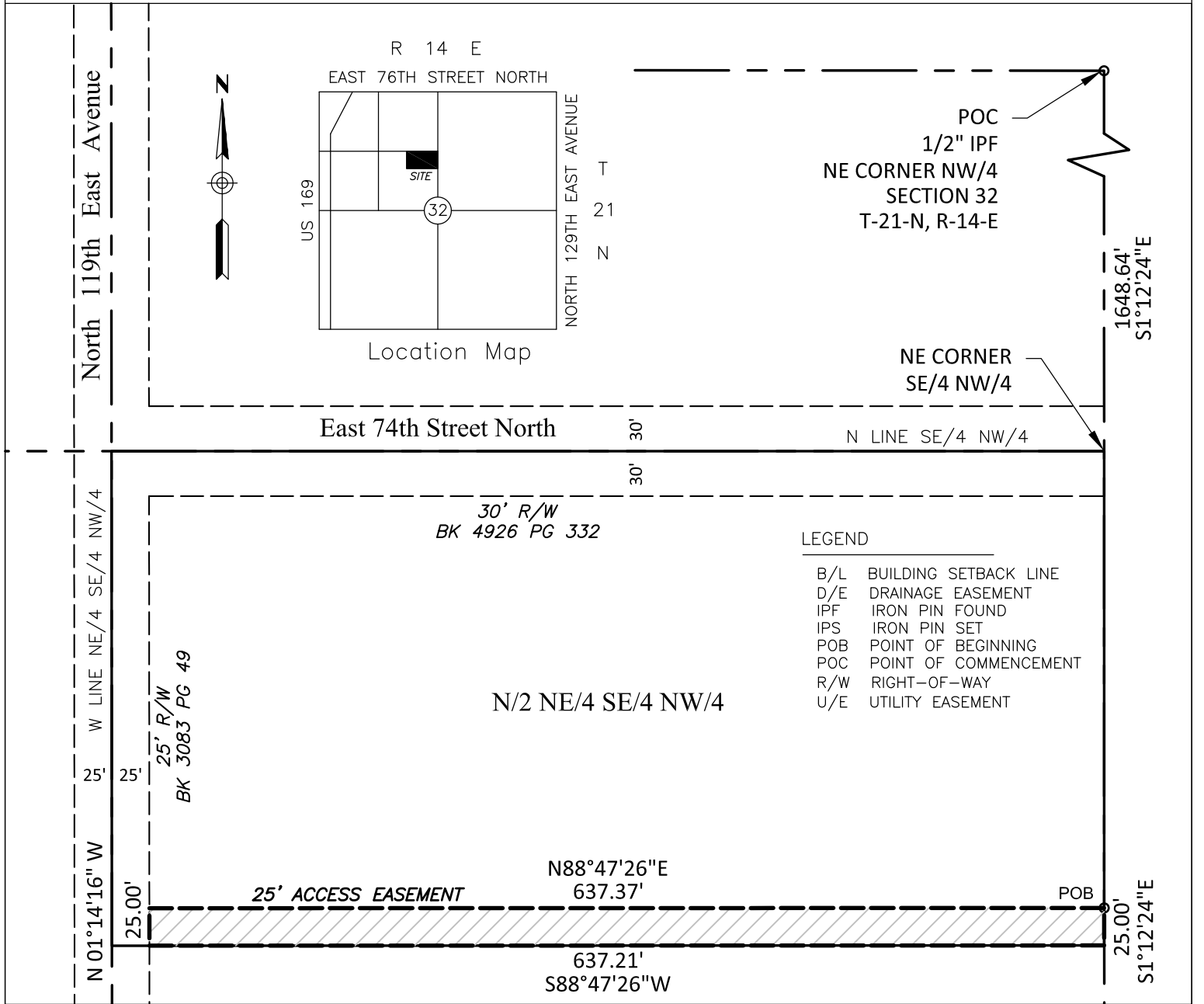
ZONING CONFORMITY ACKNOWLEDGEMENT:

I understand that no application may be approved by the land use administrator or the planning commission if approval of the application would result in a lot that does not comply with the zoning code. If during evaluation of your application, staff learns that approving your application would result in a lot that does not comply with the zoning code, staff will withdraw your application, and you will be advised to seek relief from the applicable Board of Adjustment. Fees paid for your application will be refunded at the sole discretion of the land use administrator.

Signature and Date 

Tulsa Metropolitan Area Planning Commission
2 West 2nd Street, Suite 800
Tulsa, Oklahoma 74103
(918) 584-7526
tulsaplanning.org

ACCESS EASEMENT EXHIBIT



SCALE IN FEET

LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE N/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF SECTION 32, T-21-N, R-14-E, IB&M, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

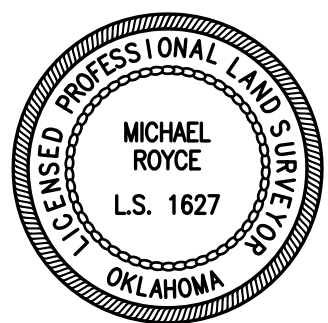
COMMENCING AT THE NE CORNER OF THE NW/4 OF SECTION 32, T-21-N, R-14-E; THENCE S 01°12'24" E ALONG THE EAST LINE OF SAID NW/4 A DISTANCE OF 1648.64 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 01°12'24" E A DISTANCE OF 25.00 FEET; THENCE S 88°47'26" W A DISTANCE OF 637.21 FEET TO A POINT ON THE WEST LINE OF THE DEDICATION DEED FOR PUBLIC HIGHWAY RECORDED IN BOOK 3803 AT PAGE 49; THENCE N 01°14'16" W ALONG SAID WEST LINE A DISTANCE OF 25.00 FEET; THENCE N 88°47'26" E A DISTANCE OF 637.37 FEET TO THE POINT OF BEGINNING, CONTAINING 15930 SQUARE FEET OR 0.37 ACRES MORE OR LESS. BASIS OF BEARING OKSPN GRID.

NOTES

1. ABSTRACT OF TITLE OR ATTORNEY'S TITLE OPINION NOT AVAILABLE TO SURVEYOR AT DATE OF SURVEY.
2. THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD. NO ATTEMPT TO RESEARCH THE COUNTY RECORDS OR OTHER RECORD OFFICES WAS PERFORMED BY THIS FIRM. EASEMENTS MAY AFFECT THE SUBJECT TRACT THAT ARE NOT REFLECTED ON THIS PLAT.
3. THIS TRACT HAS ACCESS TO NORTH 119TH EAST AVENUE, A PUBLIC RIGHT-OF-WAY.

SURVEYOR'S STATEMENT

I, MICHAEL ROYCE, STATE THAT THIS DRAWING REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AT THIS DATE. THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.



SIGNATURE Michael Royce

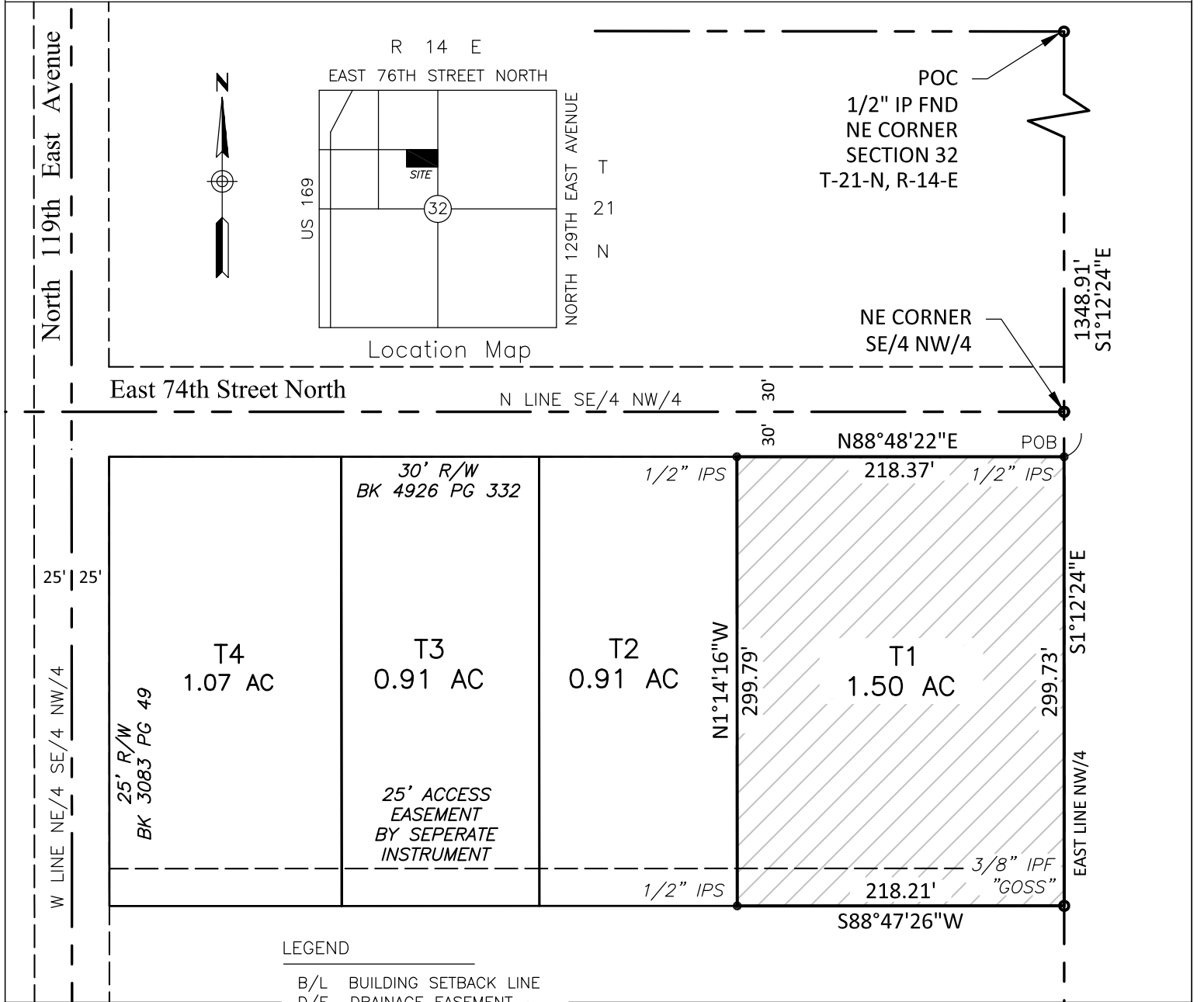
DATE: 9/19/25

SURVEYED BY	PROJECT	DATE
MAR	15963B	9/19/25

MICHAEL ROYCE, PLS
8105 NORTH 128TH EAST AVE
OWASSO, OK 74055
mroyce1627@gmail.com

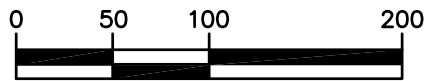
PREPARED FOR
HAYES CUSTOM HOMES

PLAT OF SURVEY



LEGEND

- B/L BUILDING SETBACK LINE
- D/E DRAINAGE EASEMENT
- FND FOUND
- IP IRON PIN
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- R/W RIGHT-OF-WAY
- U/E UTILITY EASEMENT



SCALE IN FEET

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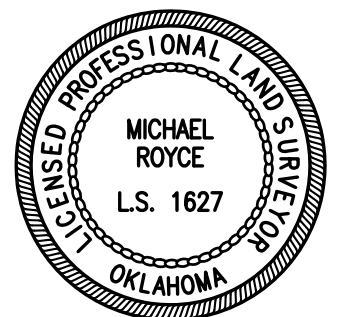
COMMENCING AT THE NE CORNER OF THE NW/4 OF SECTION 32, T-21-N, R-14-E; THENCE S 01°12'24" E ALONG THE EAST LINE OF SAID NW/4 A DISTANCE OF 1348.91 FEET TO THE POINT OF BEGINNING; THENCE S 01°12'24" E ALONG SAID EAST LINE A DISTANCE OF 299.73 FEET; THENCE S 88°47'26" W A DISTANCE OF 218.21 FEET; THENCE N 01°14'16" W A DISTANCE OF 299.79 FEET; THENCE N 88°48'22" E A DISTANCE OF 218.39 FEET TO THE POINT OF BEGINNING, CONTAINING 1.50 ACRES MORE OR LESS. BASIS OF BEARING OKSPN GRID.

NOTES

1. ABSTRACT OF TITLE OR ATTORNEY'S TITLE OPINION NOT AVAILABLE TO SURVEYOR AT DATE OF SURVEY.
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SIGNATURE: Michael Royce

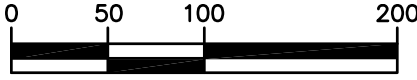
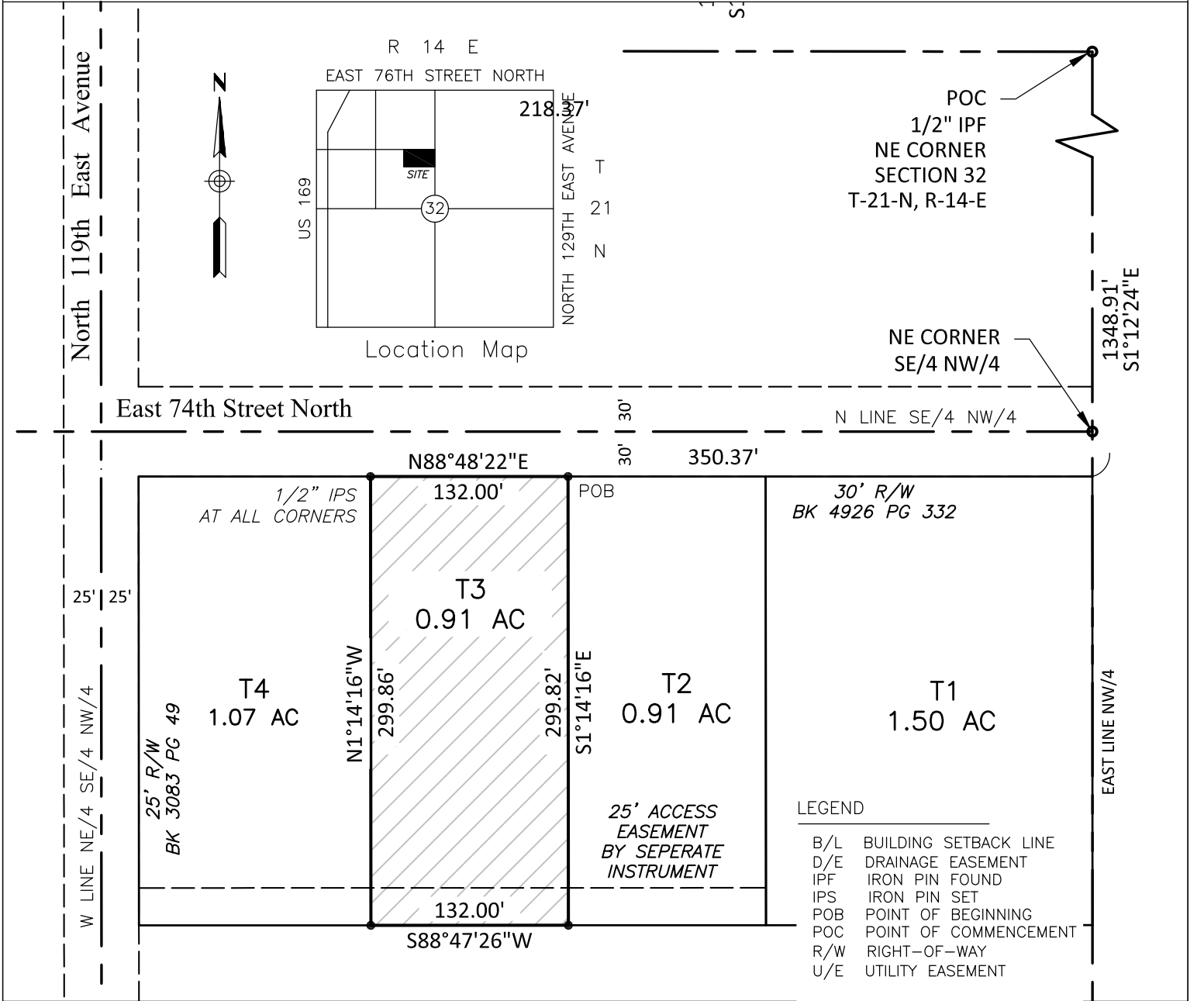
DATE: 9/19/25

SURVEYED BY	PROJECT	DATE
MAR	15963B	03/20/25

MICHAEL ROYCE, PLS
8105 NORTH 128TH EAST AVE
OWASSO, OK 74055
mroyce1627@gmail.com

PREPARED FOR
HAYES CUSTOM HOMES

PLAT OF SURVEY



SCALE IN FEET

LEGAL DESCRIPTION

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COMMENCING AT THE NE CORNER OF THE NW/4 OF SECTION 32, T-21-N, R-14-E; THENCE S 01°12'24" E ALONG THE EAST LINE OF SAID NW/4 A DISTANCE OF 1348.91 FEET; THENCE S 88°48'22" W A DISTANCE OF 350.37 FEET TO THE POINT OF BEGINNING; THENCE S 01°14'16" E A DISTANCE OF 299.82 FEET; THENCE S 88°47'26" W A DISTANCE OF 132.00 FEET; THENCE N 01°14'16" W A DISTANCE OF 299.86 FEET; THENCE N 88°48'22" E A DISTANCE OF 132.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.91 ACRES MORE OR LESS; AND INCLUDING AN ACCESS EASEMENT BEING THE SOUTHERLY 25 FEET THEREOF. BASIS OF BEARING OKSPN GRID.

NOTES

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SIGNATURE: *Michael Royce*

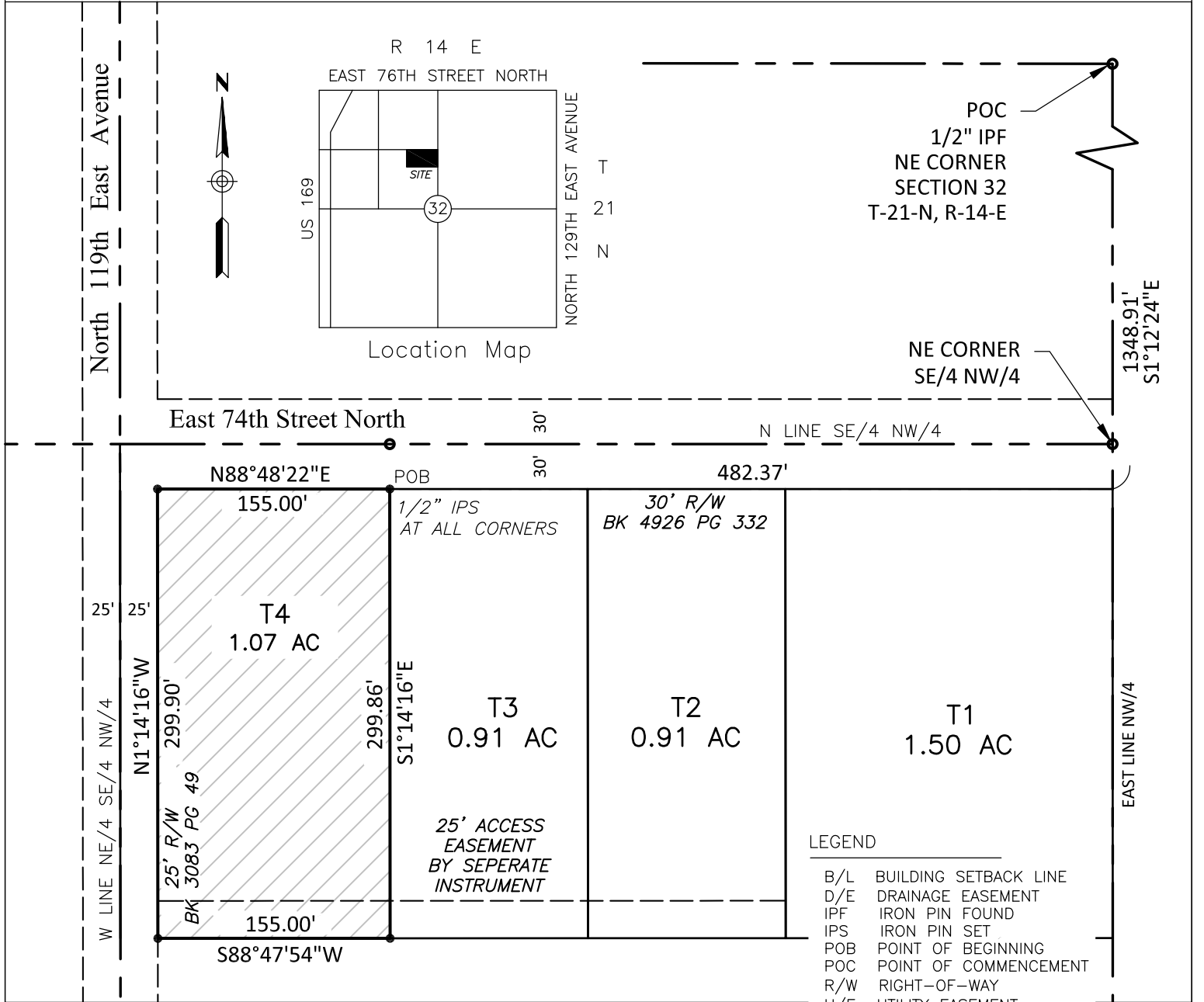
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 OWASSO, OK 74055
 mroyce1627@gmail.com

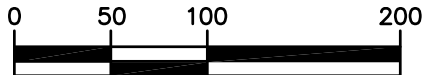
PREPARED FOR
 HAYES CUSTOM HOMES

PLAT OF SURVEY



LEGEND

- B/L BUILDING SETBACK LINE
- D/E DRAINAGE EASEMENT
- IPF IRON PIN FOUND
- IPS IRON PIN SET
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- R/W RIGHT-OF-WAY
- U/E UTILITY EASEMENT



SCALE IN FEET

LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE N/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF SECTION 32, T-21-N, R-14-E, IB&M, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF THE NW/4 OF SECTION 32, T-21-N, R-14-E; THENCE S 01°12'24" E ALONG THE EAST LINE OF SAID NW/4 A DISTANCE OF 1348.91 FEET; THENCE S 88°48'22" W A DISTANCE OF 482.37 FEET TO THE POINT OF BEGINNING; THENCE S 01°14'16" E A DISTANCE OF 299.86 FEET; THENCE S 88°47'54" W A DISTANCE OF 155.00 FEET; THENCE N 01°14'16" W A DISTANCE OF 299.90 FEET; THENCE N 88°48'22" E A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.07 ACRES MORE OR LESS; AND INCLUDING AN ACCESS EASEMENT BEING THE SOUTHERLY 25 FEET THEREOF. BASIS OF BEARING OKSPN GRID.

NOTES

1. ABSTRACT OF TITLE OR ATTORNEY'S TITLE OPINION NOT AVAILABLE TO SURVEYOR AT DATE OF SURVEY.
2. THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD. NO ATTEMPT TO RESEARCH THE COUNTY RECORDS OR OTHER RECORD OFFICES WAS PERFORMED BY THIS FIRM. EASEMENTS MAY AFFECT THE SUBJECT TRACT THAT ARE NOT REFLECTED ON THIS PLAT.
3. THIS TRACT HAS ACCESS TO NORTH 119TH EAST AVENUE, A PUBLIC RIGHT-OF-WAY.

SURVEYOR'S STATEMENT

I, MICHAEL ROYCE, STATE THAT THIS DRAWING REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AT THIS DATE. THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.



SIGNATURE: Michael Royce

DATE: 9/19/25

SURVEYED BY	PROJECT	DATE
MAR	15963B	03/20/25

MICHAEL ROYCE, PLS
8105 NORTH 128TH EAST AVE
OWASSO, OK 74055
mroyce1627@gmail.com

PREPARED FOR
HAYES CUSTOM HOMES

Rural Water District No. 3 Washington County, Oklahoma

17227 N. 129th E. Ave., P.O. Box 70, Collinsville, OK 74021-0070
Ph. (918) 371-2055 • Fax (918) 371-3864 • TRS 711

June 11, 2025

INCOG

To Whom It May Concern:

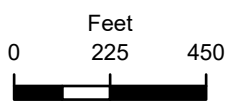
Concerning the lot split for Brian Hayes at 7716 N Harvard:
This is in Washington County RWD #3 service area. Tract 2A is already served by RWD #3 Washington County. Tract 3A and Tract 4A can also be served by RWD #3 Washington County with a $\frac{3}{4}$ meter by Bore crossing N Harvard Ave. Tract 5 can also be served by RWD #3 Washington County with a $\frac{3}{4}$ meter and it is a 2" line on line side. All Tracts will have to meet all RWD # 3 Washington County requirements. If you have any other questions, please feel free to contact the RWD #3 Washington County office.

Sincerely,

Chad Pennington
Field Supervisor

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, and familial status. (Not all prohibited bases apply to all programs).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C., 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).

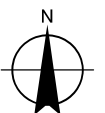


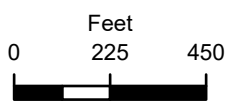
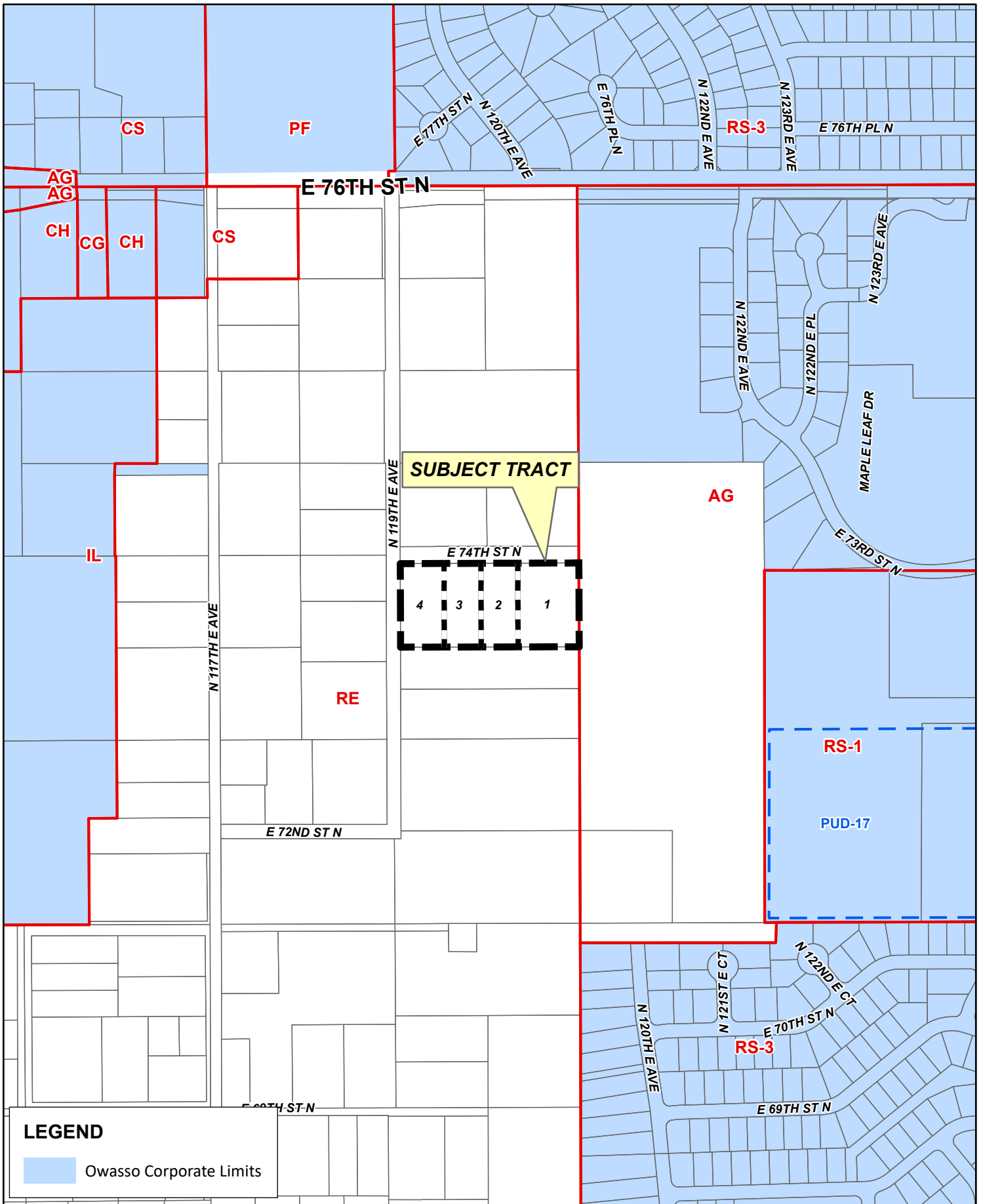
CLS-82

32 21-14

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

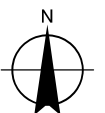
Aerial Photo Date: 2023



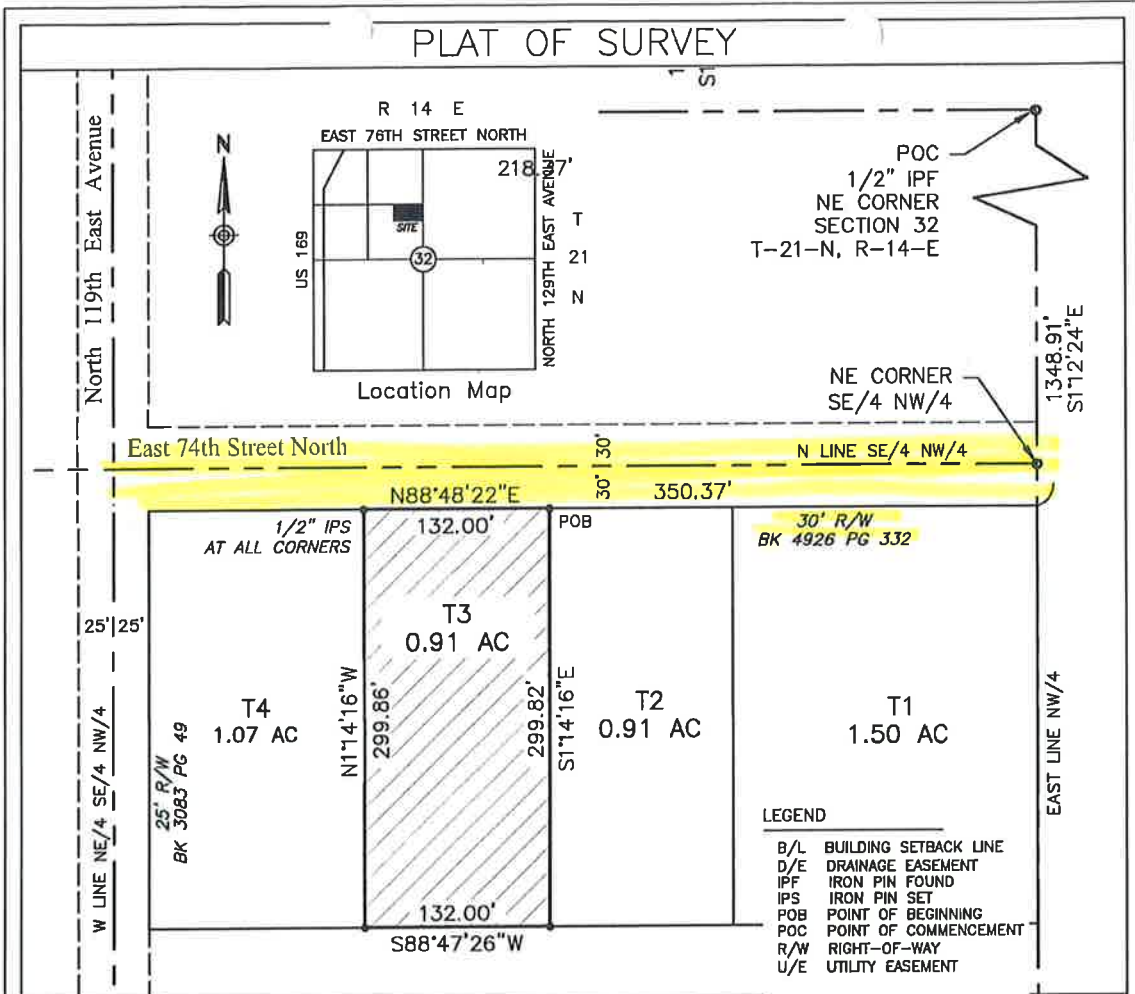


CLS-82

32 21-14



PLAT OF SURVEY



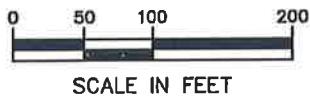
POC
1/2" IPF
NE CORNER
SECTION 32
T-21-N, R-14-E

NE CORNER
SE/4 NW/4

30' R/W
BK 4926 PG 332

25' R/W
BK 3083 PG 49

- LEGEND**
- B/L BUILDING SETBACK LINE
 - D/E DRAINAGE EASEMENT
 - IPF IRON PIN FOUND
 - IPS IRON PIN SET
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - R/W RIGHT-OF-WAY
 - U/E UTILITY EASEMENT



LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE N/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF SECTION 32, T-21-N, R-14-E, 1B&M, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF THE NW/4 OF SECTION 32, T-21-N, R-14-E; THENCE S 01°12'24" E ALONG THE EAST LINE OF SAID NW/4 A DISTANCE OF 1348.91 FEET; THENCE S 88°48'22" W A DISTANCE OF 350.37 FEET TO THE POINT OF BEGINNING; THENCE S 01°14'16" E A DISTANCE OF 299.82 FEET; THENCE S 88°47'26" W A DISTANCE OF 132.00 FEET; THENCE N 01°14'16" W A DISTANCE OF 299.86 FEET; THENCE N 88°48'22" E A DISTANCE OF 132.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.91 ACRES MORE OR LESS. BASIS OF BEARING OKSPN GRID.

NOTES

1. ABSTRACT OF TITLE OR ATTORNEY'S TITLE OPINION NOT AVAILABLE TO SURVEYOR AT DATE OF SURVEY.
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SURVEYOR'S STATEMENT

I, MICHAEL ROYCE, STATE THAT THIS DRAWING REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AT THIS DATE. THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.



SIGNATURE: *Michael Royce*

DATE: 04/21/25

SURVEYED BY	PROJECT	DATE
MAR	15963B	03/20/25

MICHAEL ROYCE, PLS
8105 NORTH 128TH EAST AVE
OWASSO, OK 74055
mroyce1627@gmail.com

PREPARED FOR
HAYES CUSTOM HOMES

RE: CLS-82 Approval & Deeds

From Ashley Bowlin <ABowlin@Apex-Closings.com>

Date Fri 7/11/2025 10:20 AM

To Davis, Kendal <kdavis@incog.org>

Thank you so much for the prompt reply!

I will be out of the office July 17th – July 21st.

Wire fraud is at an all-time high. Wire instructions will be sent to you by a member of your Apex Title closing team securely through CertiFID and only through CertiFID, we will never email wiring instructions. Please be diligent. Wire instructions will not change. If you receive any emails changing wire instructions or any wiring instructions via email at all, please call your closing team immediately.



Ashley Bowlin

Escrow Officer

Apex Title & Closing Services LLC

8503 N. 129th E. Ave.

Owasso, OK 74055

918.376.4128 | Direct

918.376.4122 | Office

918.514.6233 | Fascimile

abowlin@apex-closings.com

Please be sure to copy my processor:

Hannah Mullett hmullett@apex-closings.com

Borrowers please use the below link or QR to submit Earnest Money.

Please make sure to pick "Owasso" on dropdown for office.

<https://earnest.apex-closings.com/>



Due to the number of fraudulent cashier's checks in the Tulsa real estate market, Apex Title & Closing Services, LLC, requires ALL funds over \$20,000 to be tendered via wire transfer. Our wiring instructions will be provided by your closing team prior to closing; in addition, they are available upon request. Please call your closing team to verify the information prior to sending funds.

NOTICE: CONFIDENTIAL AND PRIVILEGED COMMUNICATION: The information in this electronic mail, including any attachments, is sent by or on behalf of an attorney and is intended to be confidential and for the use of the intended recipient only. The information contained in this transmission and any attached documents or previous emails may be protected by the attorney-client privilege, work product doctrine, or otherwise legally privileged. If the reader of this message is not the intended recipient, you are notified that retention, use, dissemination, distribution, or copying of this message or any attachments hereto is strictly prohibited. Interception of electronic mail is a crime pursuant to the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521 and 2107-2709. Furthermore, this communication may contain nonpublic personal information subject to the restrictions of the Gramm-Leach-Bliley Act. You may not directly or indirectly reuse or re-disclose such information for any purpose other than to provide the services for which you are receiving the information. If you received this electronic mail in error, please notify us immediately by reply and destroy the original transmission and its attachments without reading them or saving them to disk. Thank you.

From: Davis, Kendal <kdavis@incog.org>
Sent: Friday, July 11, 2025 10:18 AM
To: Ashley Bowlin <ABowlin@Apex-Closings.com>
Subject: Re: CLS-82 Approval & Deeds

Good Morning Ashley,

I recommend reaching out to Berry Britton, one of our County Engineers, who will most likely be able to assist you with this question. My apologies that I couldn't provide a direct answer. Berry is excellent to work with and very knowledgeable, so I'm confident he can help.

Here is his contact information:

Berry Britton
Engineer
Tulsa County HQ
218 West 6th Street, Room 845
Tulsa, OK 74119
Phone: 918-596-5734
Email: bbritton@tulsacounty.org

If you have any trouble connecting with him or getting the information you need, feel free to reach out to me and I'll do my best to help.

Wishing you a great weekend!

Best regards,
Kendal

Kendal Davis Senior Planner



2 West 2nd Street Suite 800

Tulsa, Oklahoma 74103

918.579.9485

www.incog.org | www.tulsacleancities.com

From: Ashley Bowlin <ABowlin@Apex-Closings.com>
Sent: Friday, July 11, 2025 9:51 AM
To: Davis, Kendal <kdavis@incog.org>
Subject: FW: CLS-82 Approval & Deeds

Hi! See below 😊

From: Ashley Bowlin
Sent: Friday, July 11, 2025 9:47 AM
To: Pate, Carmen <cpate@incog.org>
Subject: RE: CLS-82 Approval & Deeds

Carmen,

Can you confirm that East 74th Street is a county maintained road?
If not, can you point me in the right direction of who I would ask?

I will be out of the office July 17th – July 21st.

Wire fraud is at an all-time high. Wire instructions will be sent to you by a member of your Apex Title closing team securely through CertiFID and only through CertiFID, we will never email wiring instructions. Please be diligent. Wire instructions will not change. If you receive any emails changing wire instructions or any wiring instructions via email at all, please call your closing team immediately.



Ashley Bowlin

Escrow Officer

Apex Title & Closing Services LLC

8503 N. 129th E. Ave.

Owasso, OK 74055

918.376.4128 | Direct

918.376.4122 | Office

918.514.6233 | Fascimile

abowlin@apex-closings.com

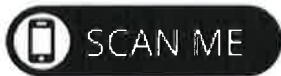
Please be sure to copy my processor:

Hannah Mullett hmullett@apex-closings.com

Borrowers please use the below link or QR to submit Earnest Money.

Please make sure to pick "Owasso" on dropdown for office.

<https://earnest.apex-closings.com/>



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From: Pate, Carmen <cpate@incog.org>
Sent: Tuesday, June 3, 2025 3:04 PM
To: Ashley Bowlin <ABowlin@Apex-Closings.com>
Subject: CLS-82 Approval & Deeds

Ashley,

No worries. This case has been approved. I am just waiting for the applicant to bring the new deeds for the approval stamp to record at the County Clerk's office.

Thanks,



Carmen Pate

Land Planner

2 West Second Street | Suite 800

Tulsa, OK 74103

cpate@incog.org

918-579-9450

From: Ashley Bowlin <ABowlin@Apex-Closings.com>
Sent: Tuesday, June 3, 2025 1:38 PM
To: Pate, Carmen <cpate@incog.org>
Subject: RE: Lot Split

I apologize I wasn't aware you were the only contact.

I'm working on the purchase of these properties and the buyer wanted to know if the Lot Split had been approved.

Our offices will be closed Friday, July 4th and I will be out Monday, July 7th.

Wire fraud is at an all-time high. Wire instructions will be sent to you by a member of your Apex Title closing team securely through CertiFID and only through CertiFID, we will never email wiring instructions. Please be diligent. Wire instructions will not change. If you receive any emails changing wire instructions or any wiring instructions via email at all, please call your closing team immediately.



Ashley Bowlin

Escrow Officer

Apex Title & Closing Services LLC

8503 N. 129th E. Ave.

Owasso, OK 74055

918.376.4128 | Direct

918.376.4122 | Office

918.514.6233 | Fascimile

abowlin@apex-closings.com

Please be sure to copy my processor:

Hannah Mullett hmullett@apex-closings.com

Borrowers please use the below link or QR to submit Earnest Money.

Please make sure to pick "Owasso" on dropdown for office.

<https://earnest.apex-closings.com/>



Due to the number of fraudulent cashier's checks in the Tulsa real estate market, Apex Title & Closing Services, LLC, requires ALL funds over \$20,000 to be tendered via wire transfer. Our wiring instructions will be provided by your closing team prior to closing; in addition, they are available upon request. Please call your closing team to verify the information prior to sending funds.

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From: Pate, Carmen <cpate@incog.org>
Sent: Tuesday, June 3, 2025 1:26 PM
To: Ashley Bowlin <ABowlin@Apex-Closings.com>
Subject: RE: Lot Split

What you mean who? I am the one processing the lot split of Tulsa County Unincorporated areas.
Thanks,



Carmen Pate

Land Planner

2 West Second Street | Suite 800

Tulsa, OK 74103

cpate@incog.org

918-579-9450

From: Ashley Bowlin <ABowlin@Apex-Closings.com>
Sent: Tuesday, June 3, 2025 12:02 PM
To: Pate, Carmen <cpate@incog.org>
Subject: Lot Split

Hi Carmen!

Would you be able to tell me who is handling the lot split for the attached properties?

Our offices will be closed Friday, July 4th and I will be out Monday, July 7th.

Wire fraud is at an all-time high. Wire instructions will be sent to you by a member of your Apex Title closing team securely through CertiFID and only through CertiFID, we will never email wiring instructions. Please be diligent. Wire instructions will not change. If you receive any emails changing wire instructions or any wiring instructions via email at all, please call your closing team immediately.



Ashley Bowlin

Escrow Officer
Apex Title & Closing Services LLC
8503 N. 129th E. Ave.
Owasso, OK 74055
918.376.4128 | Direct
918.376.4122 | Office
918.514.6233 | Fascimile
abowlin@apex-closings.com

Please be sure to copy my processor:

Hannah Mullett hmullett@apex-closings.com

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Please make sure to pick "Owasso" on dropdown for office.

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<rhughes@tulsacounty.org>; Alex Mills <amills@tulsacounty.org>; Lucky Airehrour <lairehrour@tulsacounty.org>; Jeffrey Webster <jwebster@tulsacounty.org>; Kerrick Edenborough <kedenborough@tulsacounty.org>

Cc: Carah Vallely <cvallely@tulsacounty.org>; Kayla Steward <ksteward@tulsacounty.org>; Kaitlan Williams <kaitlan.williams@tulsacounty.org>

Subject: CLS-82 Review

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.

Good morning,

CLS-82, is now ready for review.
Please see documentation attached.

Best,



Carmen Pate

Land Planner

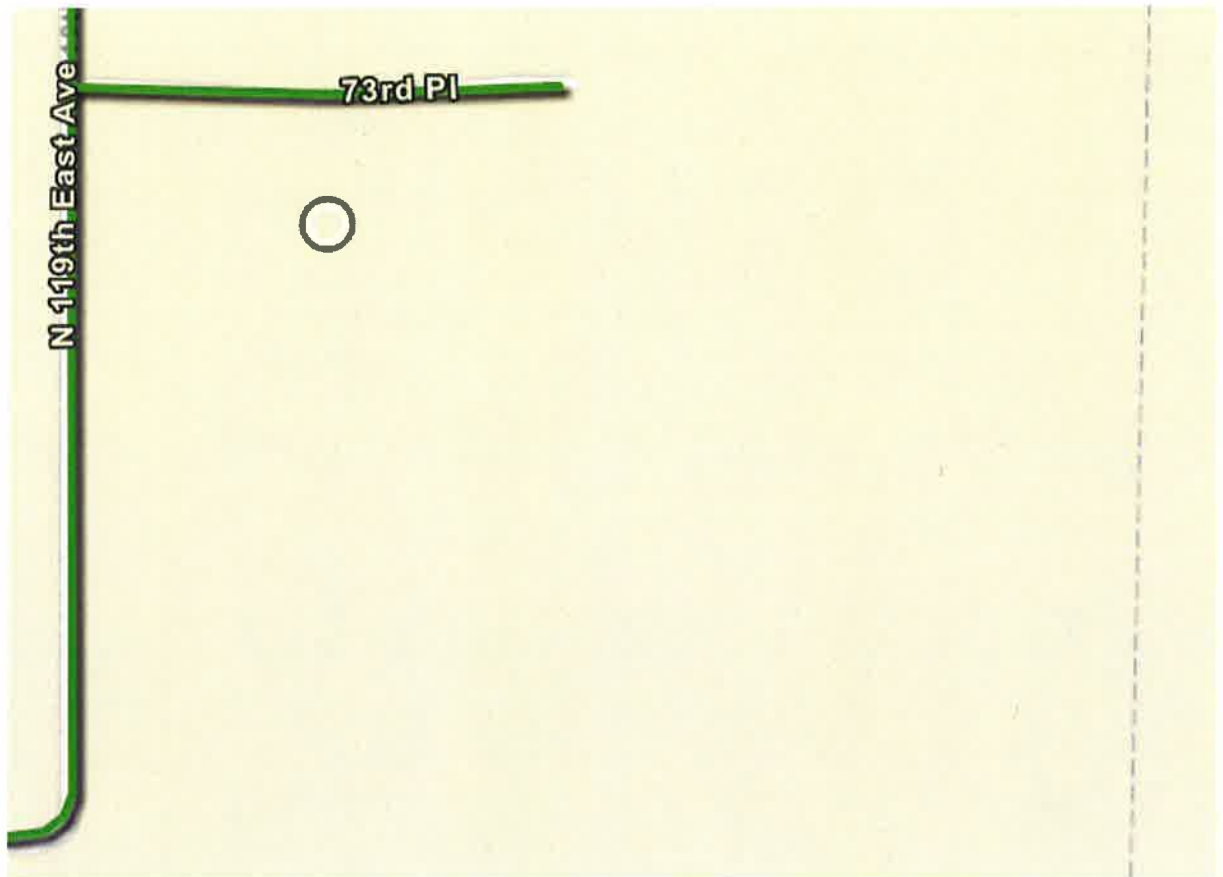
2 West Second Street | Suite 800

Tulsa, OK 74103

cpate@incog.org

918-579-9450

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From: Alex Mills <amills@tulsacounty.org>

Sent: Thursday, May 22, 2025 5:21 PM

To: Pate, Carmen <cpate@incog.org>; Berry Britton <bbritton@tulsacounty.org>;
ttosh@tulsacounty.org; Roger Hughes <rhughes@tulsacounty.org>; Lucky Airehrour
<lairehrour@tulsacounty.org>; Jeffrey Webster <jwebster@tulsacounty.org>; Kerrick Edenborough
<kedenborough@tulsacounty.org>

Cc: Carah Vallely <cvallely@tulsacounty.org>; Kayla Steward <ksteward@tulsacounty.org>; Kaitlan
Williams <kaitlan.williams@tulsacounty.org>

Subject: RE: CLS-82 Review

74th St N, east of 119th E Ave, is not a public roadway. So, we cannot allow this lot split, in my opinion.

Alex Mills, PE, CFM

Tulsa County Engineer

218 West 6th Street, Room 847

Tulsa, OK 74119

918.596.5736

amills@tulsacounty.org

From: Pate, Carmen <cpate@incog.org>

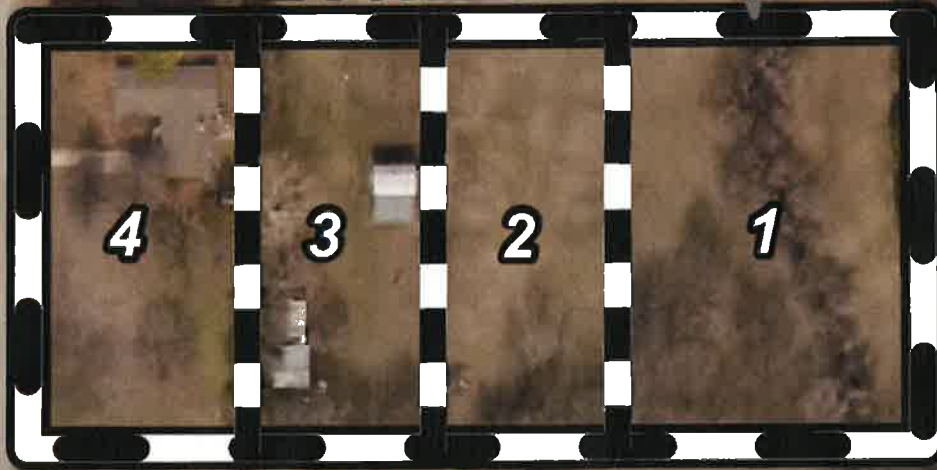
Sent: Thursday, May 22, 2025 11:54 AM

To: Berry Britton <bbritton@tulsacounty.org>; Teresa Tosh <ttosh@tulsacounty.org>; Roger Hughes

N 119TH E AVE

SUBJECT TRACT

E 74TH ST N





Hi Alex and Roger,

I spoke with Berry about this one. E 74 St N (73rd Pl) belongs to the County. Please see doc attached.

<https://assessor.tulsacounty.org/Property/Info?accountNo=R91432143225560>

Please let me know your thoughts.

Thanks,



Carmen Pate

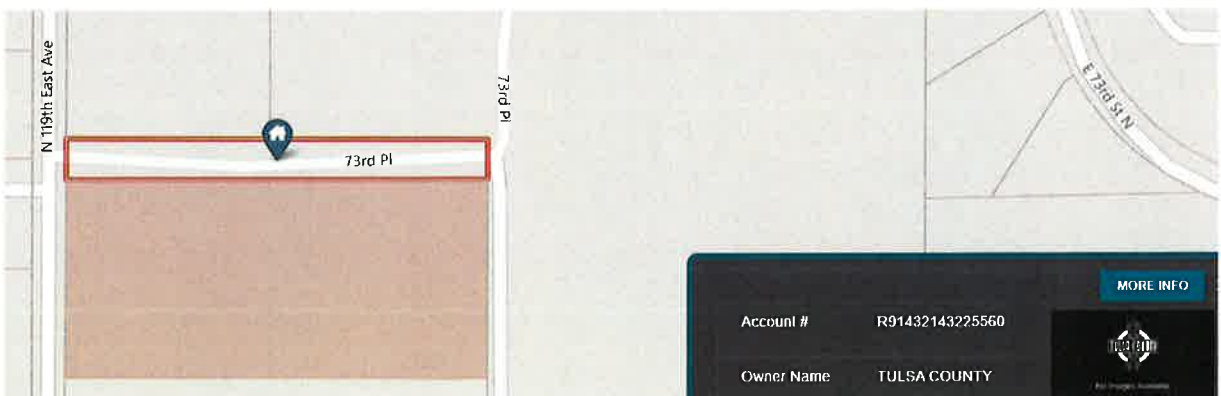
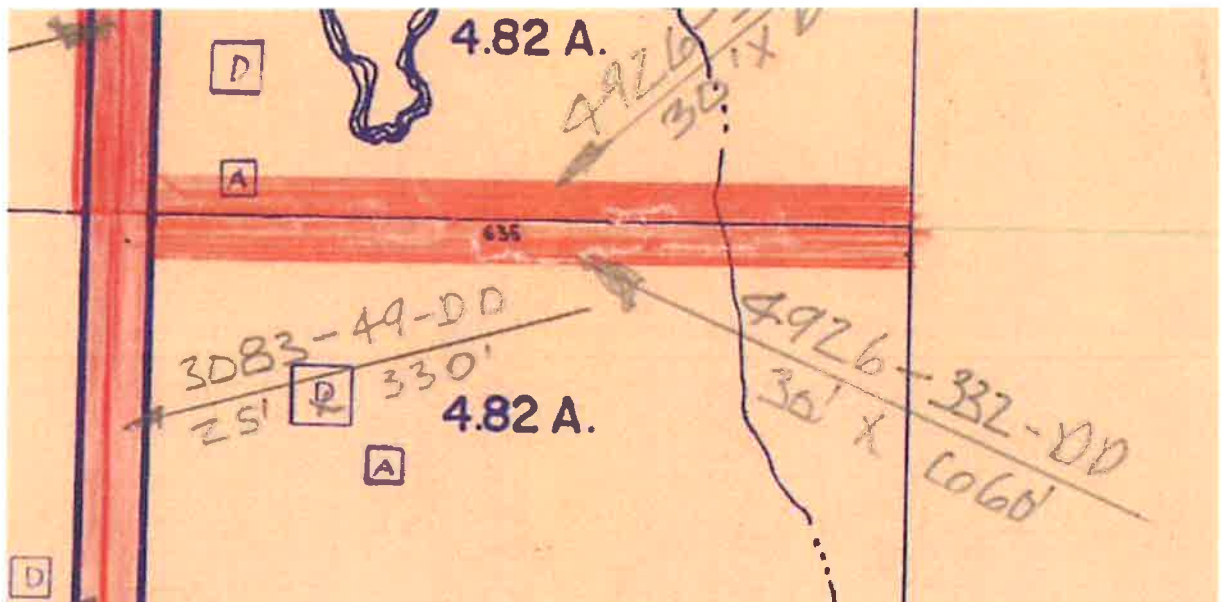
Land Planner

2 West Second Street | Suite 800

Tulsa, OK 74103

cpate@incog.org

918-579-9450



Alex,

How or where can I find what rows have been accepted in the public system?

Thanks,



Carmen Pate

Land Planner

2 West Second Street | Suite 800

Tulsa, OK 74103

cpate@incog.org

918-579-9450

From: Alex Mills <amills@tulsacounty.org>

Sent: Friday, May 23, 2025 9:57 AM

To: Pate, Carmen <cpate@incog.org>; Berry Britton <bbritton@tulsacounty.org>;
ttosh@tulsacounty.org; Roger Hughes <rhughes@tulsacounty.org>; Lucky Airehrour
<lairehrour@tulsacounty.org>; Jeffrey Webster <jwebster@tulsacounty.org>; Kerrick Edenborough
<kedenborough@tulsacounty.org>

Cc: Carah Vallely <cvallely@tulsacounty.org>; Kayla Steward <ksteward@tulsacounty.org>; Kaitlan
Williams <kaitlan.williams@tulsacounty.org>

Subject: RE: CLS-82 Review

The right-of-way is owned by Tulsa County. However, the road has never been accepted onto the public system and is not a publicly maintained road.

Alex Mills, PE, CFM

Tulsa County Engineer

218 West 6th Street, Room 847

Tulsa, OK 74119

918.596.5736

amills@tulsacounty.org

From: Pate, Carmen <cpate@incog.org>

Sent: Friday, May 23, 2025 9:52 AM

To: Alex Mills <amills@tulsacounty.org>; Berry Britton <bbritton@tulsacounty.org>; Teresa Tosh
<ttosh@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>; Lucky Airehrour
<lairehrour@tulsacounty.org>; Jeffrey Webster <jwebster@tulsacounty.org>; Kerrick Edenborough
<kedenborough@tulsacounty.org>

Cc: Carah Vallely <cvallely@tulsacounty.org>; Kayla Steward <ksteward@tulsacounty.org>; Kaitlan
Williams <kaitlan.williams@tulsacounty.org>

Subject: RE: CLS-82 Review

Carmen-

I spoke with the DA. He concurs that we should not allow this lot split as the properties will not have legal access to a publicly maintained roadway.

Thanks, Alex

Alex Mills, PE, CFM

Tulsa County Engineer

218 West 6th Street, Room 847

Tulsa, OK 74119

918.596.5736

amills@tulsacounty.org

From: Alex Mills <amills@tulsacounty.org>

Sent: Friday, May 23, 2025 3:20 PM

To: Pate, Carmen <cpate@incog.org>; Berry Britton <bbritton@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>

Subject: RE: CLS-82 Review

Generally speaking, our GIS system shows that. However, in this case, the GIS is incorrect. So, just hit me up.

Now, having thought about this a bit more... since the private road sits on publicly owned property, it might be allowable from a lot-split standpoint, as there would be access across the property.

Allow me to discuss with the DA before taking next steps, please.

Thanks, Alex

Alex Mills, PE, CFM

Tulsa County Engineer

218 West 6th Street, Room 847

Tulsa, OK 74119

918.596.5736

amills@tulsacounty.org

From: Pate, Carmen <cpate@incog.org>

Sent: Friday, May 23, 2025 10:02 AM

To: Alex Mills <amills@tulsacounty.org>; Berry Britton <bbritton@tulsacounty.org>; Teresa Tosh <ttosh@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>; Lucky Airehrour <lairehrour@tulsacounty.org>; Jeffrey Webster <jwebster@tulsacounty.org>; Kerrick Edenborough <kedenborough@tulsacounty.org>

Cc: Carah Valleyly <cvalleyly@tulsacounty.org>; Kayla Steward <ksteward@tulsacounty.org>; Kaitlan Williams <kaitlan.williams@tulsacounty.org>

Subject: RE: CLS-82 Review

<kdavis@incog.org>

Subject: Re: CLS-82 Review

Kendal,

Our team believes there are two options before this lot split can move forward.

Option 1: Create a MAE that would give access the lots legal access to N 119th E Ave. The MAE would need to be on their proposed lots, and not encompass any part of the Tulsa County parcel.

Option 2: The current land owner and/or future landowners could improve the existing driveway on the Tulsa County property and ask the County to accept it as a public road. The little bridge may, or may not, need to be included depending on the how the lot lines fall.

Thank you,

Berry Britton

Engineer

Tulsa County HQ

218 West 6th Street, Room 845

Tulsa, OK 74119

918-596-5734

bbritton@tulsacounty.org

From: Berry Britton <bbritton@tulsacounty.org>

Sent: Friday, July 11, 2025 10:49 AM

To: Alex Mills <amills@tulsacounty.org>; Pate, Carmen <cpate@incog.org>; Roger Hughes <rhughes@tulsacounty.org>; Davis, Kendal <kdavis@incog.org>

Subject: Re: CLS-82 Review

Kendal,

Here is the history on this case.

Thank you,

Berry Britton

Engineer

Tulsa County HQ

218 West 6th Street, Room 845

Tulsa, OK 74119

918-596-5734

bbritton@tulsacounty.org

From: Alex Mills <amills@tulsacounty.org>

Sent: Wednesday, May 28, 2025 12:34 PM

To: Pate, Carmen <cpate@incog.org>; Berry Britton <bbritton@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>

Subject: RE: CLS-82 Review

So they added an access easement along the south side. Fair enough.

INCOG folks... is showing it on the survey enough? I do not feel it is? They need file a stand-alone access easement, irrevocable, as submit the recorded easement part of this filing so that it is of record.

Thanks, Alex

Alex Mills, PE, CFM

Tulsa County Engineer
218 West 6th Street, Room 847
Tulsa, OK 74119
918.596.5736
amills@tulsacounty.org

From: Davis, Kendal <kdavis@incog.org>

Sent: Friday, August 29, 2025 11:36 AM

To: Berry Britton <bbritton@tulsacounty.org>; Alex Mills <amills@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>

Cc: Rojas, Javier <jrojas@incog.org>

Subject: Re: CLS-82 Review

Good Morning,

The applicant has submitted revised materials in response to the previous review comments. Please let me know your thoughts once you've had a chance to review. I appreciate your time, and don't hesitate to reach out if you have any questions.

Best,



Kendal Davis

Senior Planner

2 West Second Street | Suite 800

Tulsa, OK 74103

kdavis@incog.org

[INCOG | Tulsa, OK | Regional Partners - Regional Solutions](#)

918-579-9485

From: Berry Britton <bbritton@tulsacounty.org>

Sent: Friday, July 11, 2025 2:13 PM

To: Alex Mills <amills@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>; Davis, Kendal

From: Davis, Kendal <kdavis@incog.org>

Sent: Tuesday, September 2, 2025 11:56 AM

To: Alex Mills <amills@tulsacounty.org>; Berry Britton <bbritton@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>

Cc: Rojas, Javier <jrojas@incog.org>

Subject: Re: CLS-82 Review

Alex,

We're on the same page; I'll ensure the recorded easement is included as part of this filing. I appreciate your time.

Best,



Kendal Davis

Senior Planner

2 West Second Street | Suite 800

Tulsa, OK 74103

kdavis@incog.org

[INCOG | Tulsa, OK | Regional Partners - Regional Solutions](#)

918-579-9485

From: Alex Mills <amills@tulsacounty.org>

Sent: Friday, August 29, 2025 2:31 PM

To: Davis, Kendal <kdavis@incog.org>; Berry Britton <bbritton@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>

Cc: Rojas, Javier <jrojas@incog.org>

Subject: RE: CLS-82 Review



Case Number: CBOA-3349

Hearing Date: May 19, 2026, 1:30 PM

Case Report Prepared by:

Kendal Davis

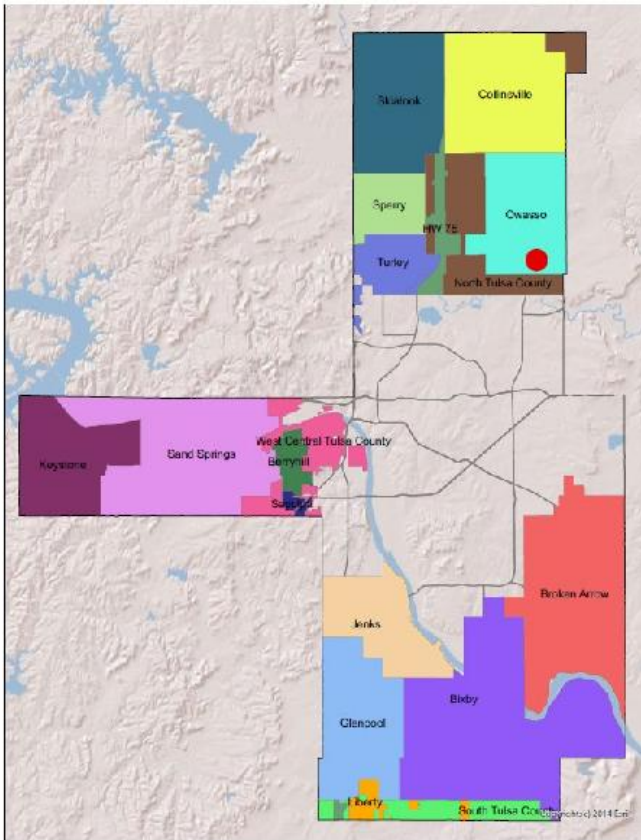
Owner and Applicant Information:

Applicant: Kirk & Candice Coryn

Property Owner: Coryn, Kirk

Action Requested: Variance of minimum street frontage requirements from 30' to 0' of public maintained road in an RE district (Sec. 3.040 Table 3-3) & A Special Exception to allow single-section manufactured home in RE district (Sec. 3.030, Table 3-2)

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: ± 1.50

Legal Description: BEG 1348.91S NEC NW TH S299.73 W218.21 N299.79 E218.37 POB SEC 32 21 14 1.502 ACS

Present Zoning: RE (Residential Estate)

Fenceline/Area: Owasso

Land Use Designation: Residential

TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 1432

CASE NUMBER: CBOA-3349

CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: April 21, 2026, 1:30 PM

APPLICANT: Kirk & Candice Coryn

ACTION REQUESTED: Variance of minimum street frontage requirements from 30' to 0' of public maintained road in an RE district (Sec. 3.050 Table 3-3) & A Special Exception to allow single-section manufactured home in RE district (Sec. 3.030, Table 3-2)

LOCATION: 7319 N. 119th E. Ave. Owasso OK 74055

ZONED: RE (Residential Estate)

FENCELINE: Owasso

PRESENT USE: Vacant

TRACT SIZE: ± 1.50

LEGAL DESCRIPTION: BEG 1348.91S NEC NW TH S299.73 W218.21 N299.79 E218.37 POB SEC 32 21 14 1.502 ACS

RELEVANT PREVIOUS ACTIONS: CLS-82; Approved 5/22/25. CBOA Case continued from 04/21/26

ANALYSIS OF SURROUNDING AREA: The surrounding area reflects a mix of rural residential properties and emerging subdivision development, indicating gradual residential growth in the vicinity. While the subject tract is located within an established large-lot residential area, nearby subdivision development to the east and south suggests increasing development pressure and incremental transition toward more organized residential patterns.

North: Properties to the north consist primarily of large-lot residential tracts and undeveloped land, with a continuation of the rural residential character. Lot sizes appear irregular and generally exceed typical suburban subdivision standards.

South: To the south, the area transitions back to larger tracts with scattered single-family residences and open land, maintaining a rural or semi-rural character similar to the subject property.

East: The area to the east is characterized by a more developed residential subdivision pattern, including internal street networks and smaller, more uniform lots. This area reflects a slightly higher density residential use compared to the subject tract, though it remains consistent with low-density residential development.

West: Properties to the west are predominantly large-lot residential uses with irregular parcel configurations, consistent with the existing RE zoning and rural development pattern.

STAFF COMMENTS:

The applicant is requesting the following relief for the subject tract located near E. 73rd Place and N. 119th East Avenue within the RE (Residential Estate) District:

1. A Variance from the minimum street frontage requirement of 30 feet to 0 feet on a publicly maintained road (Sec. 3.040; Table 3-3)
2. A Special Exception to allow a single-section manufactured home (Sec. 3.030; Table 3-2)

Minimum Street Frontage Variance (30' to 0')

The request for 0 feet of frontage represents a more substantial deviation from the zoning code, as frontage requirements are intended to ensure legal access, emergency services access, and orderly development patterns.

Based on the provided map, the subject tract appears to be landlocked, with no direct frontage on a publicly maintained road. Access is likely being proposed via an adjacent tract or through an easement arrangement.

Although the property may appear to have access from E. 74th Street, north of the property, County Engineering has confirmed that E. 74th Street is not a publicly maintained roadway. As a result, it does not satisfy the requirement for legal frontage on a publicly maintained street for development purposes.

Staff notes that while mutual access easements or private access agreements may provide functional access, they do not satisfy the zoning requirement for public street frontage. The lack of frontage is not a condition generally created by the zoning code but rather the result of prior land divisions or conveyances, which may constitute a self-imposed hardship.

However, if adequate legal access can be demonstrated through a recorded, permanent access easement that meets County Engineering and emergency access standards, the Board may consider whether this request can be supported without negatively impacting public safety or adjacent properties.

Special Exception – Single-Section Manufactured Home

The applicant is also requesting a Special Exception to allow a **single-section manufactured home** within the RE District. This use is not permitted by right but may be allowed by the Board of Adjustment upon finding that it is compatible with the surrounding area and will not be injurious to neighboring properties.

The surrounding area is characterized by:

- Large-lot single-family residential uses
- A mix of site-built homes and rural residential development patterns
- Nearby subdivision-style development to the east, indicating some transition in development intensity

While the area is predominantly composed of site-built single-family homes on larger lots, the overall character remains rural to semi-rural, where variations in housing types are sometimes present.

The introduction of a single-section manufactured home may present compatibility considerations, particularly in relation to:

- Neighborhood character and appearance
- Property values and expectations within the RE District

However, given the larger lot sizes and spacing between structures, potential visual or land use impacts may be mitigated if the home is properly placed and maintained.

COMPATIBILITY WITH SURROUNDING AREA: The subject tract is located within an area characterized by low-density residential development, consisting primarily of large-lot, site-built single-family homes, along with some undeveloped or agricultural land. The development pattern reflects a rural to semi-rural character, with irregular parcel configurations and varying lot sizes. To the east, there is evidence of a more organized subdivision pattern, though it remains consistent with low-density residential use.

The requested street frontage variance (30 feet to 0 feet) represents a more significant departure from typical development standards. Properties in the surrounding area generally maintain direct frontage on a publicly maintained roadway or have established legal access, which supports orderly development and ensures adequate access for services. The subject tract's lack of frontage introduces a condition that is not commonly found in the immediate area, and therefore may be considered less compatible with the prevailing development pattern.

While alternative access may be provided through private easements, such arrangements do not fully replicate the functionality and reliability of direct public street frontage. The absence of frontage may also create long-term limitations on access, maintenance, and emergency services, which could affect both the subject property and surrounding tracts.

The request to allow a single-section manufactured home within the RE District also presents compatibility considerations. The surrounding area is predominantly developed with site-built single-family homes, which typically reflect a higher standard of construction and uniformity in appearance.

While the broader area maintains a rural character with larger lot sizes and spacing between structures, the introduction of a single-section manufactured home may be visually and contextually different from the prevailing development pattern. This difference may impact the perceived character of the area, particularly in proximity to established residential properties.

However, the larger lot sizes and setbacks typical of the RE District may help **mitigate potential impacts**, especially if the structure is properly maintained and situated in a manner that minimizes visibility from adjacent properties.

If inclined to approve the request the Board may consider any condition, it deems necessary in order to ensure that the proposed Variance of minimum street frontage requirements from 30' to 0' of public maintained road in an RE district (Sec. 3.040 Table 3-3) & A Special Exception to allow single-section manufactured home in RE district (Sec. 3.030, Table 3-2) is compatible and non-injurious to the surrounding area.

Sample Motion:

"Move to _____ (approve/deny) to permit Variance of minimum street frontage requirements from 30' to 0' of public maintained road in an RE district (Sec. 3.040 Table 3-3)

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

1. **Recorded Access Easement** - Prior to the issuance of any permits, the applicant shall provide a recorded, permanent access easement benefiting the subject tract. The easement shall be filed of record with the Tulsa County Clerk.
- 2.
- 3.

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

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

“Move to _____ (approve/deny) A Special Exception to allow single-section manufactured home in RE district (Sec. 3.030, Table 3-2

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

- 1. **Permitting Compliance** - The placement and occupancy of the single-section manufactured home shall be subject to and comply with all applicable Tulsa County permitting requirements, including but not limited to building, electrical, plumbing, septic, and inspection approvals. All required permits shall be obtained, and all inspections successfully completed, prior to occupancy.*
- 2.*
- 3.*

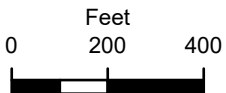
Subject to the following conditions, if any: _____.

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.

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



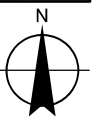
Subject Tract

CBOA-3349

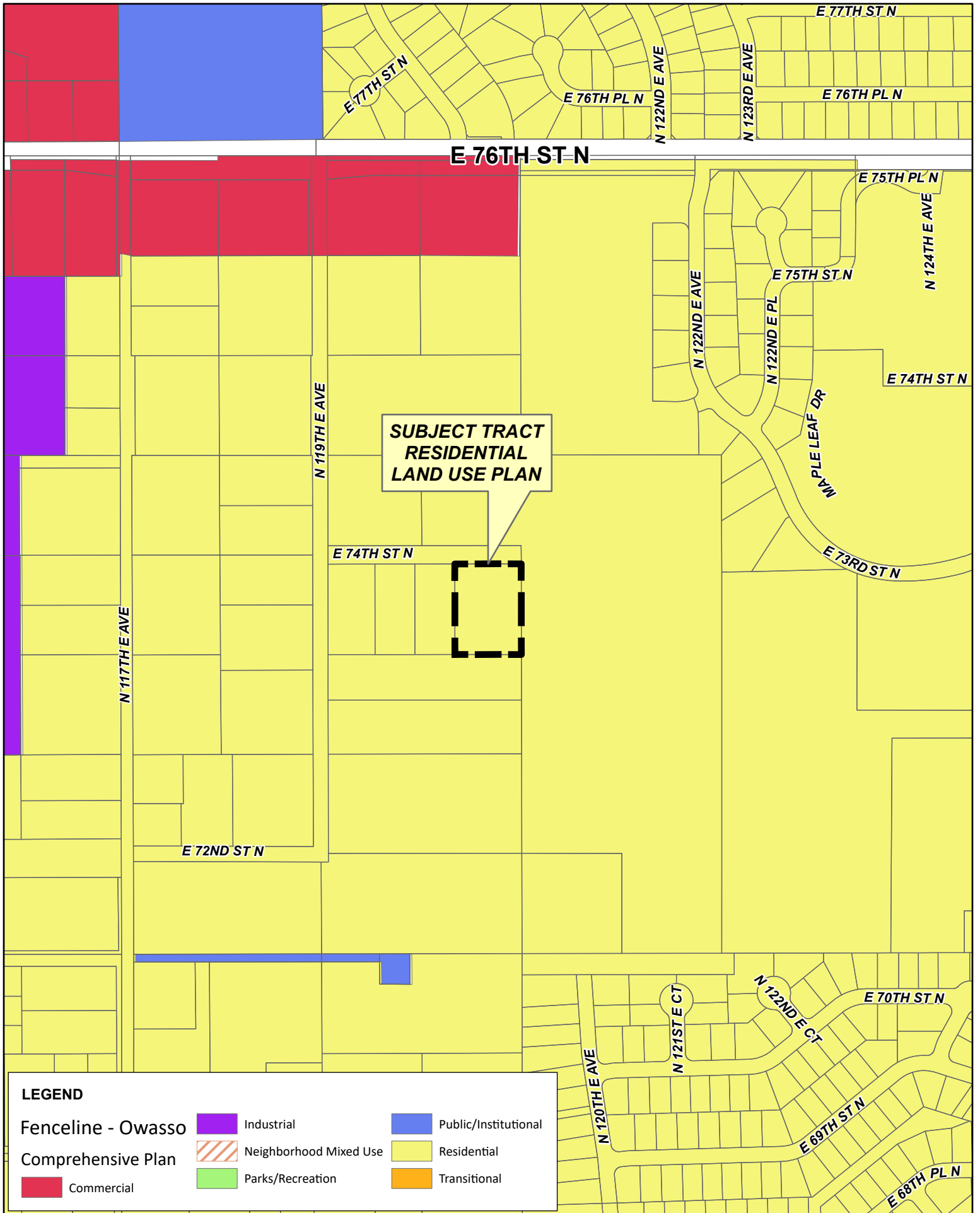
32 21-14

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

Aerial Photo Date: 2024



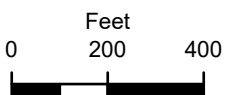
Vexcel Imagery



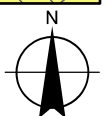
**SUBJECT TRACT
RESIDENTIAL
LAND USE PLAN**

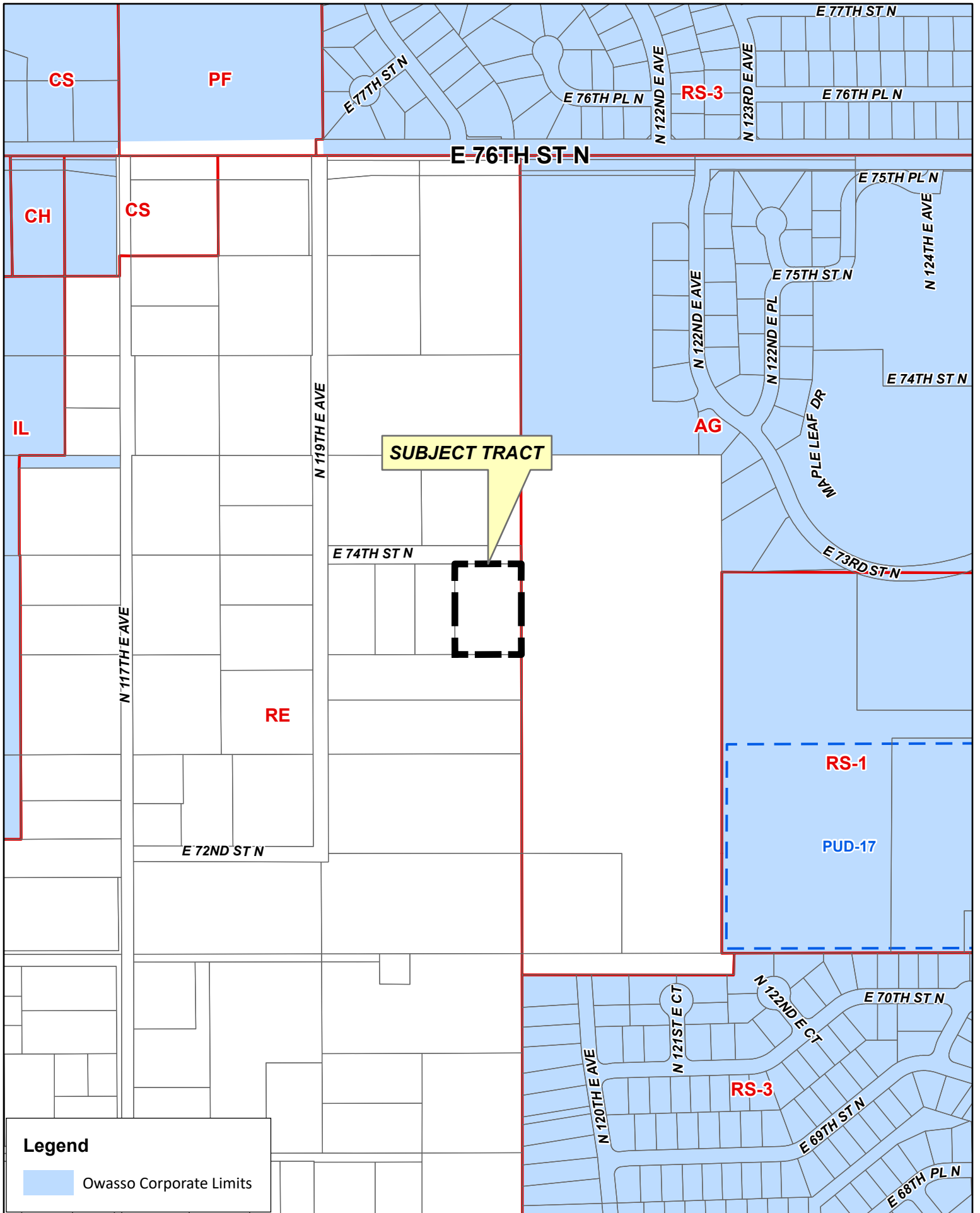
LEGEND

Fenceline - Owasso	Industrial	Public/Institutional
Comprehensive Plan	Neighborhood Mixed Use	Residential
Commercial	Parks/Recreation	Transitional




CBOA-3349

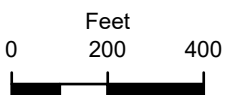




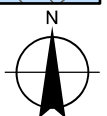
SUBJECT TRACT

Legend

 Owasso Corporate Limits



CBOA-3349



LOT SPLIT

APPLICATION INFORMATION

RECEIVED BY: CP DATE FILED: 4/3/2025

CASE NUMBER: CLS-82
 PARCEL #: R91432143225070

RELATED CASE: _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 7311 N. 119th E AVE Okasso Ok 74055

LEGAL DESCRIPTION OF UNDIVIDED TRACT: _____

PRESENT USE: Home PRESENT ZONING: RE TRS: _____ CCD: ①

CITY WATER: Okasso RURAL WATER DISTRICT: _____ WELL
 CITY SEWER: Okasso SEPTIC/AEROBIC SYSTEM

LETTERS FROM CITY UTILITIES OR RURAL WATER DISTRICTS ARE REQUIRED IF UTILIZING THOSE SOURCES.

MODIFICATION FROM SUBDIVISION AND DEVELOPMENT REGULATIONS REQUESTED (IF ANY): _____

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>Brian Hayes</u>	NAME <u>Gerald and Gwendine Kase</u>
ADDRESS <u>7716 N. Howard AVE</u>	ADDRESS <u>7311 N. 119th E AVE</u>
CITY, ST, ZIP <u>Sperry Ok 74073</u>	CITY, ST, ZIP <u>Okasso Ok 74055</u>
DAYTIME PHONE <u>918 519 0758</u>	DAYTIME PHONE <u>918 519 0758</u>
EMAIL <u>Brian@hayescustomhomesok.com</u>	EMAIL <u>HCKOkasso@gmail.com</u>
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE: <u>[Signature]</u>	<u>[Signature]</u>

DOES OWNER CONSENT TO THIS APPLICATION Y N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? Family

APPLICATION FEES (Make checks payable to INCOG)		
TOTAL DUE:	\$150	RECEIPT NUMBER: <u>236283</u>

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

SUBMITTAL REQUIREMENTS:
Survey Requirements- All Lot Splits require a survey of the original parent tracts and exhibits clearly describing the final legal descriptions of the split tracts. This document must be prepared by a licensed surveyor. Please refer to the Lot Split Checklist available at tulsaplanning.org or in our office for complete survey requirements. This must accompany your application at time of submission.
Documents should be no larger than 11 x 17 inches.

DISPOSITION

PAR RECOMMENDATION: _____ ADMINISTRATIVE/TMAPC ACTION: Approved DATE: 5-22-25

LAND USE ADMINISTRATOR SIGNATURE: [Signature]

CONDITIONS/COMMENTS: _____

INSTRUMENTS RELEASED: _____

ACKNOWLEDGEMENT OF PLATTING REQUIREMENTS:

I understand that no application may be approved by the land use administrator or the planning commission if approval of the application would result in the creation of 5 or more lots from the parent tract, as calculated cumulatively for the 5-year period immediately preceding the submittal date of the application for lot-split/adjustment. Land divisions that result in the creation of 5 or more lots from a parent tract, calculated as described in the foregoing sentence, are subject to a platting requirement. If during evaluation of your application staff learns that approving your application would result in 5 or more lots, staff will withdraw your application. Fees paid for your application will be refunded at the sole discretion of the land use administrator.

Signature and Date 

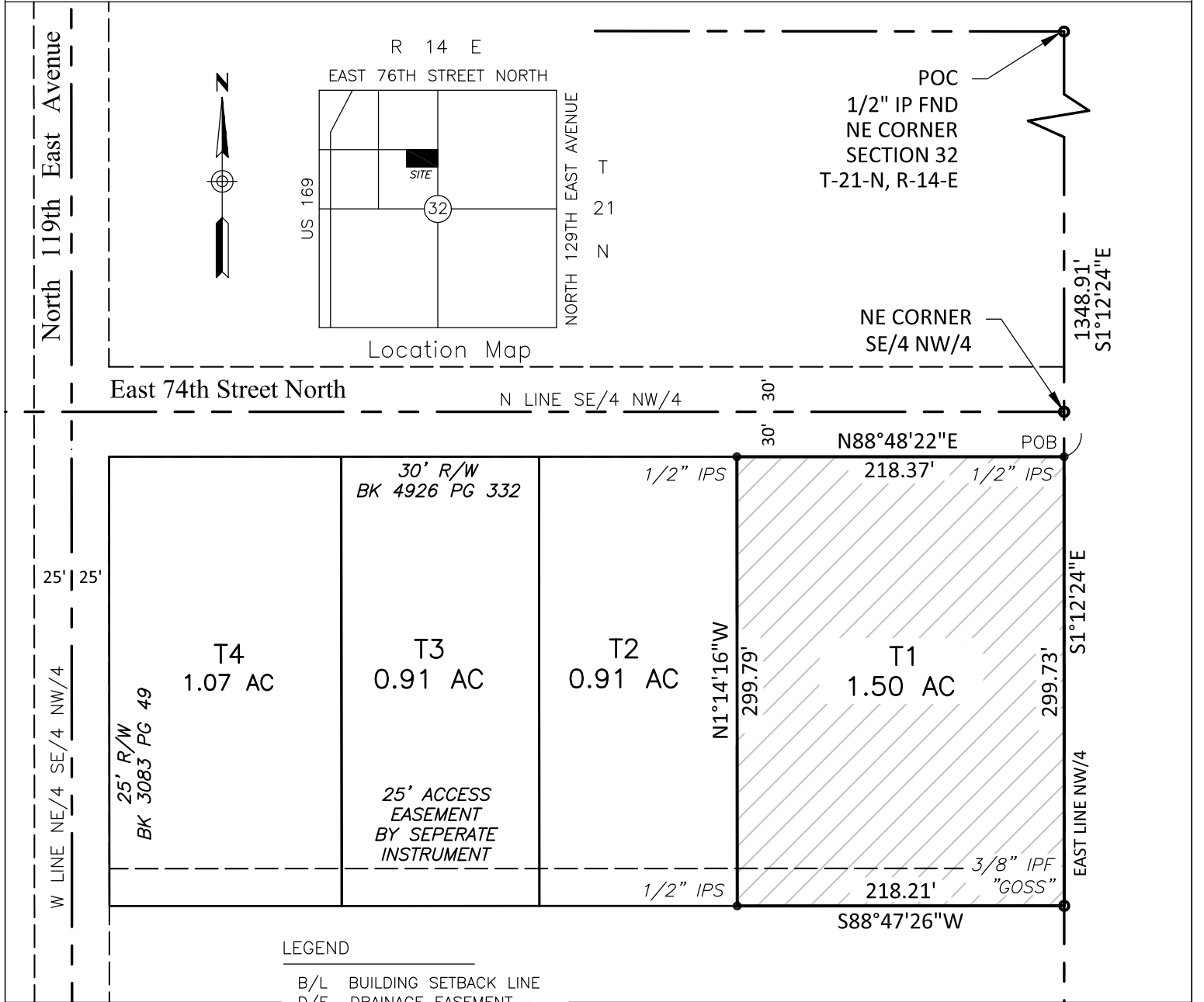
ZONING CONFORMITY ACKNOWLEDGEMENT:

I understand that no application may be approved by the land use administrator or the planning commission if approval of the application would result in a lot that does not comply with the zoning code. If during evaluation of your application, staff learns that approving your application would result in a lot that does not comply with the zoning code, staff will withdraw your application, and you will be advised to seek relief from the applicable Board of Adjustment. Fees paid for your application will be refunded at the sole discretion of the land use administrator.

Signature and Date 

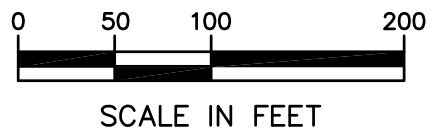
Tulsa Metropolitan Area Planning Commission
2 West 2nd Street, Suite 800
Tulsa, Oklahoma 74103
(918) 584-7526
tulsaplanning.org

PLAT OF SURVEY



LEGEND

- B/L BUILDING SETBACK LINE
- D/E DRAINAGE EASEMENT
- FND FOUND
- IP IRON PIN
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- R/W RIGHT-OF-WAY
- U/E UTILITY EASEMENT



LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE N/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF SECTION 32, T-21-N, R-14-E, IB&M, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

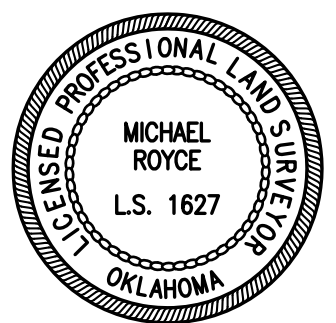
COMMENCING AT THE NE CORNER OF THE NW/4 OF SECTION 32, T-21-N, R-14-E; THENCE S 01°12'24" E ALONG THE EAST LINE OF SAID NW/4 A DISTANCE OF 1348.91 FEET TO THE POINT OF BEGINNING; THENCE S 01°12'24" E ALONG SAID EAST LINE A DISTANCE OF 299.73 FEET; THENCE S 88°47'26" W A DISTANCE OF 218.21 FEET; THENCE N 01°14'16" W A DISTANCE OF 299.79 FEET; THENCE N 88°48'22" E A DISTANCE OF 218.39 FEET TO THE POINT OF BEGINNING, CONTAINING 1.50 ACRES MORE OR LESS. BASIS OF BEARING OKSPN GRID.

NOTES

1. ABSTRACT OF TITLE OR ATTORNEY'S TITLE OPINION NOT AVAILABLE TO SURVEYOR AT DATE OF SURVEY.
2. THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD. NO ATTEMPT TO RESEARCH THE COUNTY RECORDS OR OTHER RECORD OFFICES WAS PERFORMED BY THIS FIRM. EASEMENTS MAY AFFECT THE SUBJECT TRACT THAT ARE NOT REFLECTED ON THIS PLAT.
3. THIS TRACT HAS ACCESS TO NORTH 119TH EAST AVENUE, A PUBLIC RIGHT-OF-WAY.

SURVEYOR'S STATEMENT

I, MICHAEL ROYCE, STATE THAT THIS DRAWING REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AT THIS DATE. THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.



SIGNATURE: *Michael Royce*

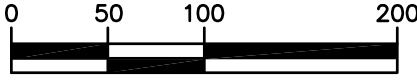
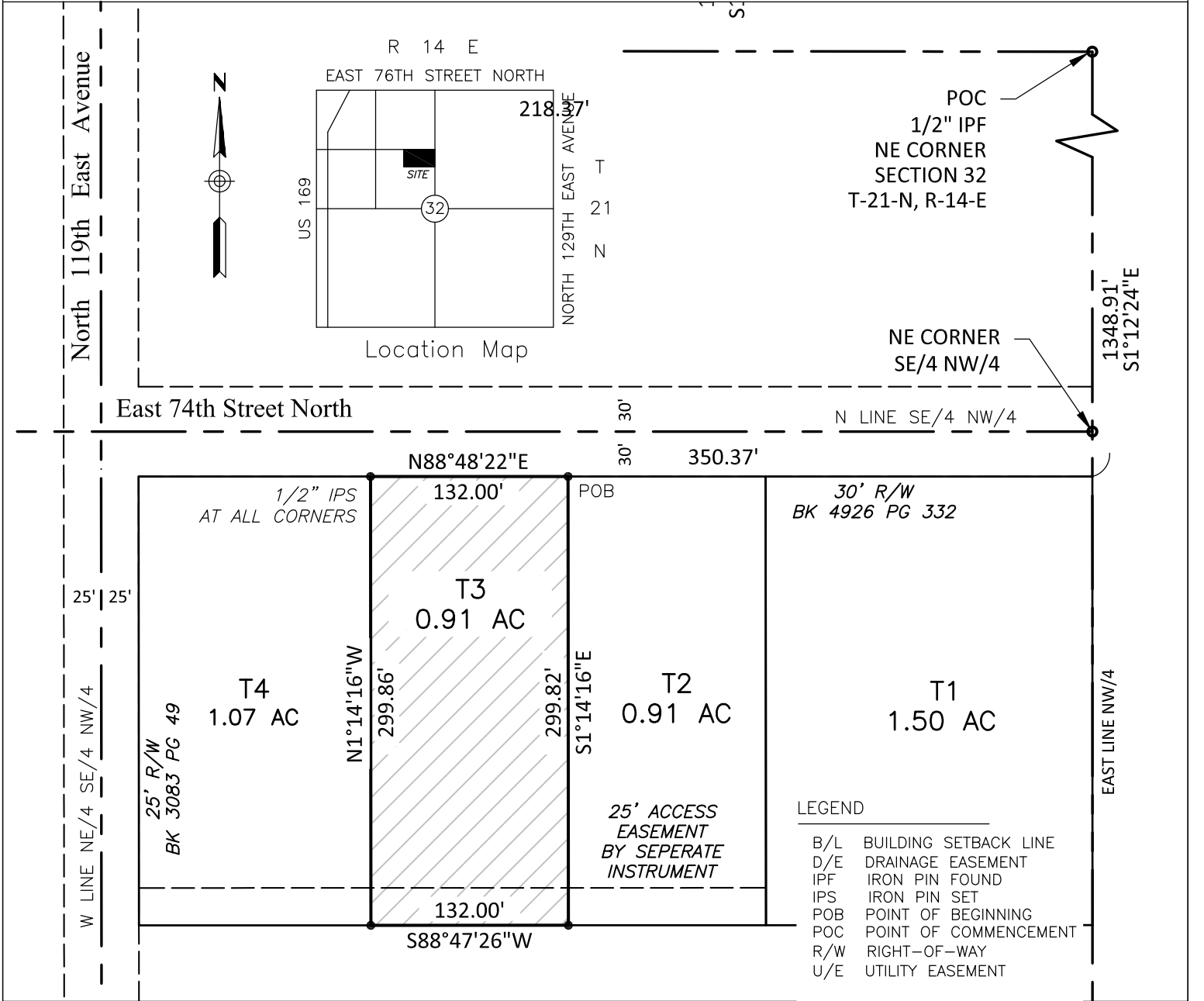
DATE: 9/19/25

SURVEYED BY	PROJECT	DATE
MAR	15963B	03/20/25

MICHAEL ROYCE, PLS
 8105 NORTH 128TH EAST AVE
 OWASSO, OK 74055
 mroyce1627@gmail.com

PREPARED FOR
 HAYES CUSTOM HOMES

PLAT OF SURVEY



SCALE IN FEET

LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE N/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF SECTION 32, T-21-N, R-14-E, IB&M, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF THE NW/4 OF SECTION 32, T-21-N, R-14-E; THENCE S 01°12'24" E ALONG THE EAST LINE OF SAID NW/4 A DISTANCE OF 1348.91 FEET; THENCE S 88°48'22" W A DISTANCE OF 350.37 FEET TO THE POINT OF BEGINNING; THENCE S 01°14'16" E A DISTANCE OF 299.82 FEET; THENCE S 88°47'26" W A DISTANCE OF 132.00 FEET; THENCE N 01°14'16" W A DISTANCE OF 299.86 FEET; THENCE N 88°48'22" E A DISTANCE OF 132.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.91 ACRES MORE OR LESS; AND INCLUDING AN ACCESS EASEMENT BEING THE SOUTHERLY 25 FEET THEREOF. BASIS OF BEARING OKSPN GRID.

NOTES

1. ABSTRACT OF TITLE OR ATTORNEY'S TITLE OPINION NOT AVAILABLE TO SURVEYOR AT DATE OF SURVEY.
2. THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD. NO ATTEMPT TO RESEARCH THE COUNTY RECORDS OR OTHER RECORD OFFICES WAS PERFORMED BY THIS FIRM. EASEMENTS MAY AFFECT THE SUBJECT TRACT THAT ARE NOT REFLECTED ON THIS PLAT.
3. THIS TRACT HAS ACCESS TO NORTH 119TH EAST AVENUE, A PUBLIC RIGHT-OF-WAY.

SURVEYOR'S STATEMENT

I, MICHAEL ROYCE, STATE THAT THIS DRAWING REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AT THIS DATE. THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.



SIGNATURE: *Michael Royce*

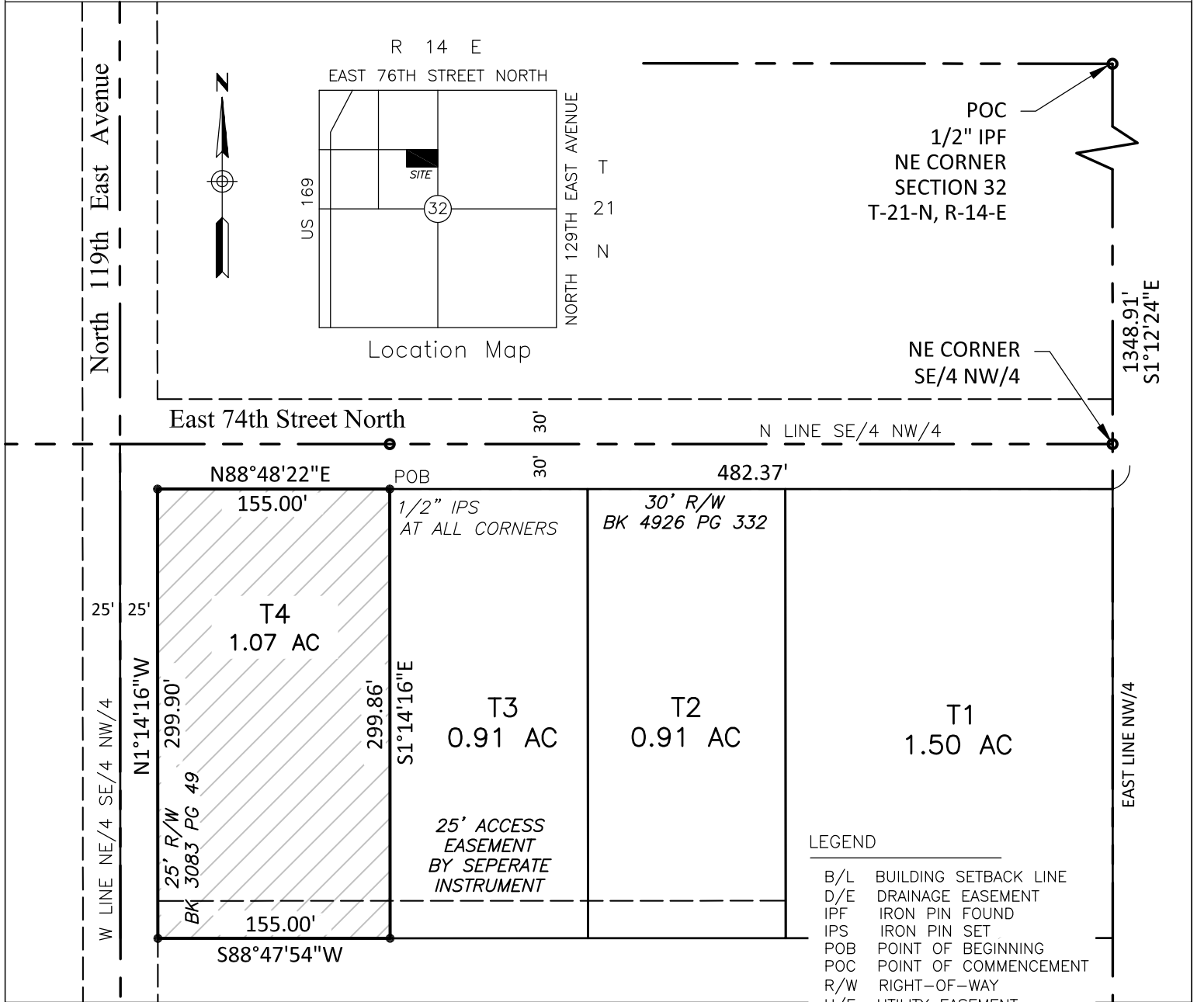
DATE: 9/19/25

SURVEYED BY	PROJECT	DATE
MAR	15963B	03/20/25

MICHAEL ROYCE, PLS
 8105 NORTH 128TH EAST AVE
 OWASSO, OK 74055
 mroyce1627@gmail.com

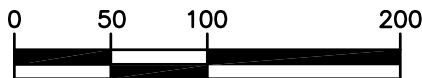
PREPARED FOR
 HAYES CUSTOM HOMES

PLAT OF SURVEY



LEGEND

- B/L BUILDING SETBACK LINE
- D/E DRAINAGE EASEMENT
- IPF IRON PIN FOUND
- IPS IRON PIN SET
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- R/W RIGHT-OF-WAY
- U/E UTILITY EASEMENT



SCALE IN FEET

LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE N/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF SECTION 32, T-21-N, R-14-E, IB&M, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

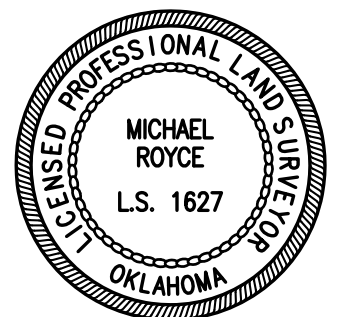
COMMENCING AT THE NE CORNER OF THE NW/4 OF SECTION 32, T-21-N, R-14-E; THENCE S 01°12'24" E ALONG THE EAST LINE OF SAID NW/4 A DISTANCE OF 1348.91 FEET; THENCE S 88°48'22" W A DISTANCE OF 482.37 FEET TO THE POINT OF BEGINNING; THENCE S 01°14'16" E A DISTANCE OF 299.86 FEET; THENCE S 88°47'54" W A DISTANCE OF 155.00 FEET; THENCE N 01°14'16" W A DISTANCE OF 299.90 FEET; THENCE N 88°48'22" E A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.07 ACRES MORE OR LESS; AND INCLUDING AN ACCESS EASEMENT BEING THE SOUTHERLY 25 FEET THEREOF. BASIS OF BEARING OKSPN GRID.

NOTES

- ABSTRACT OF TITLE OR ATTORNEY'S TITLE OPINION NOT AVAILABLE TO SURVEYOR AT DATE OF SURVEY.
- THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD. NO ATTEMPT TO RESEARCH THE COUNTY RECORDS OR OTHER RECORD OFFICES WAS PERFORMED BY THIS FIRM. EASEMENTS MAY AFFECT THE SUBJECT TRACT THAT ARE NOT REFLECTED ON THIS PLAT.
- THIS TRACT HAS ACCESS TO NORTH 119TH EAST AVENUE, A PUBLIC RIGHT-OF-WAY.

SURVEYOR'S STATEMENT

I, MICHAEL ROYCE, STATE THAT THIS DRAWING REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AT THIS DATE. THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.



SIGNATURE: *Michael Royce*

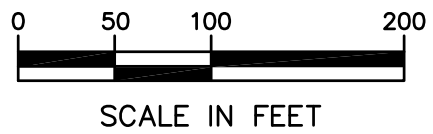
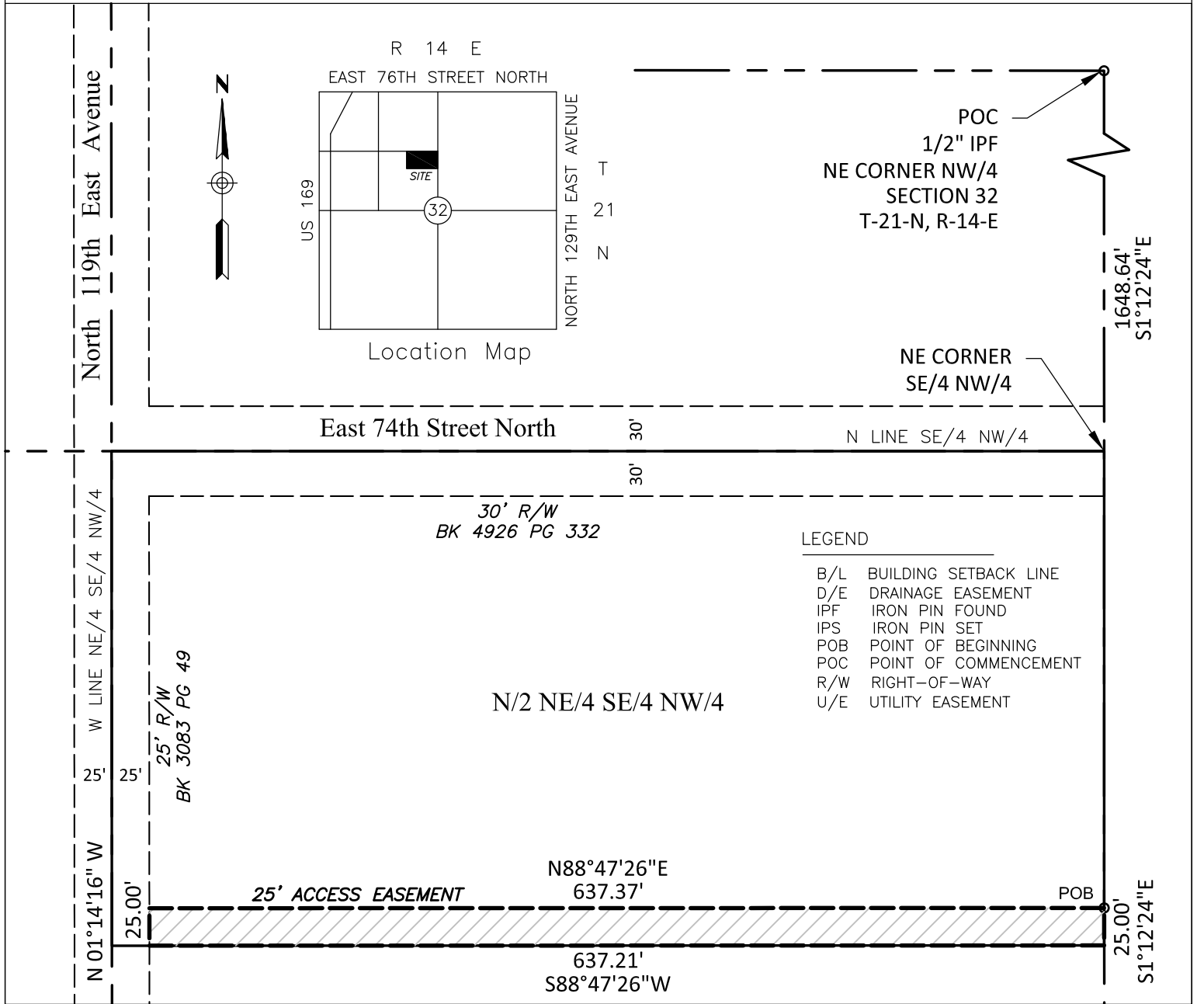
DATE: 9/19/25

SURVEYED BY	PROJECT	DATE
MAR	15963B	03/20/25

MICHAEL ROYCE, PLS
8105 NORTH 128TH EAST AVE
OWASSO, OK 74055
mroyce1627@gmail.com

PREPARED FOR
HAYES CUSTOM HOMES

ACCESS EASEMENT EXHIBIT



LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE N/2 OF THE NE/4 OF THE SE/4 OF THE NW/4 OF SECTION 32, T-21-N, R-14-E, IB&M, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

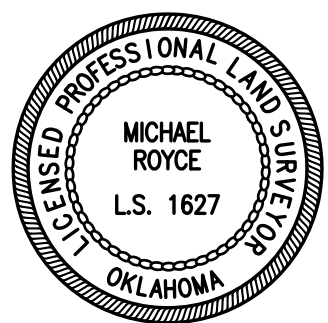
COMMENCING AT THE NE CORNER OF THE NW/4 OF SECTION 32, T-21-N, R-14-E; THENCE S 01°12'24" E ALONG THE EAST LINE OF SAID NW/4 A DISTANCE OF 1648.64 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 01°12'24" E A DISTANCE OF 25.00 FEET; THENCE S 88°47'26" W A DISTANCE OF 637.21 FEET TO A POINT ON THE WEST LINE OF THE DEDICATION DEED FOR PUBLIC HIGHWAY RECORDED IN BOOK 3803 AT PAGE 49; THENCE N 01°14'16" W ALONG SAID WEST LINE A DISTANCE OF 25.00 FEET; THENCE N 88°47'26" E A DISTANCE OF 637.37 FEET TO THE POINT OF BEGINNING, CONTAINING 15930 SQUARE FEET OR 0.37 ACRES MORE OR LESS. BASIS OF BEARING OKSPN GRID.

NOTES

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2. THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD. NO ATTEMPT TO RESEARCH THE COUNTY RECORDS OR OTHER RECORD OFFICES WAS PERFORMED BY THIS FIRM. EASEMENTS MAY AFFECT THE SUBJECT TRACT THAT ARE NOT REFLECTED ON THIS PLAT.
3. THIS TRACT HAS ACCESS TO NORTH 119TH EAST AVENUE, A PUBLIC RIGHT-OF-WAY.

SURVEYOR'S STATEMENT

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SIGNATURE *Michael Royce*

DATE: 9/19/25

SURVEYED BY	PROJECT	DATE
MAR	15963B	9/19/25

MICHAEL ROYCE, PLS
8105 NORTH 128TH EAST AVE
OWASSO, OK 74055
mroyce1627@gmail.com

PREPARED FOR
HAYES CUSTOM HOMES

Rural Water District No. 3 Washington County, Oklahoma

17227 N. 129th E. Ave., P.O. Box 70, Collinsville, OK 74021-0070
Ph. (918) 371-2055 • Fax (918) 371-3864 • TRS 711

June 11, 2025

INCOG

To Whom It May Concern:

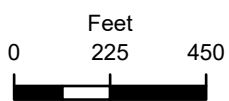
Concerning the lot split for Brian Hayes at 7716 N Harvard:
This is in Washington County RWD #3 service area. Tract 2A is already served by RWD #3 Washington County. Tract 3A and Tract 4A can also be served by RWD #3 Washington County with a $\frac{3}{4}$ meter by Bore crossing N Harvard Ave. Tract 5 can also be served by RWD #3 Washington County with a $\frac{3}{4}$ meter and it is a 2" line on line side. All Tracts will have to meet all RWD # 3 Washington County requirements. If you have any other questions, please feel free to contact the RWD #3 Washington County office.

Sincerely,

Chad Pennington
Field Supervisor

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, and familial status. (Not all prohibited bases apply to all programs).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C., 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).

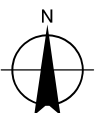


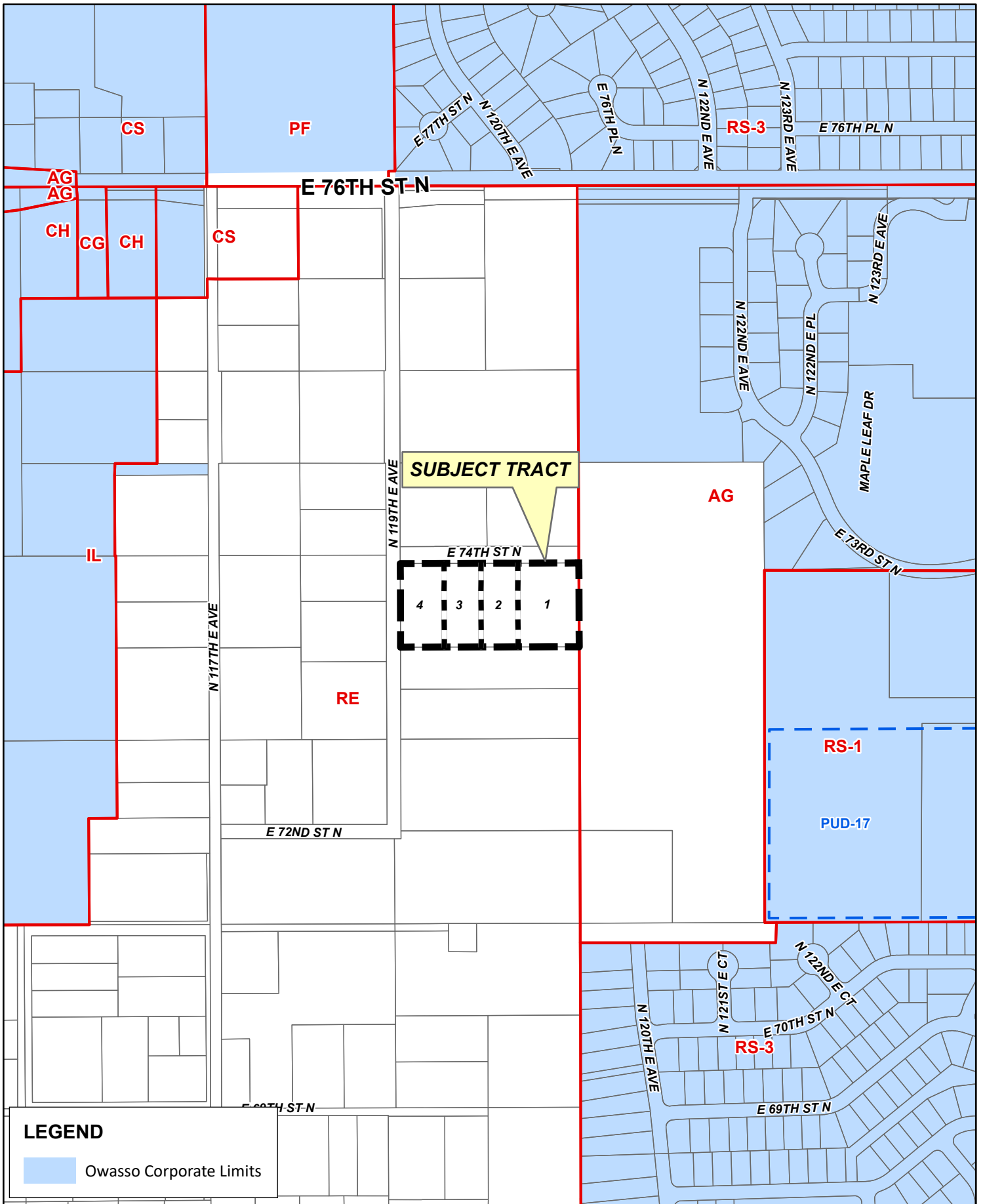
CLS-82

32 21-14

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

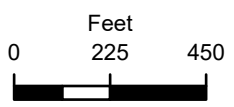
Aerial Photo Date: 2023





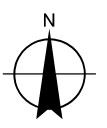
LEGEND

Owasso Corporate Limits

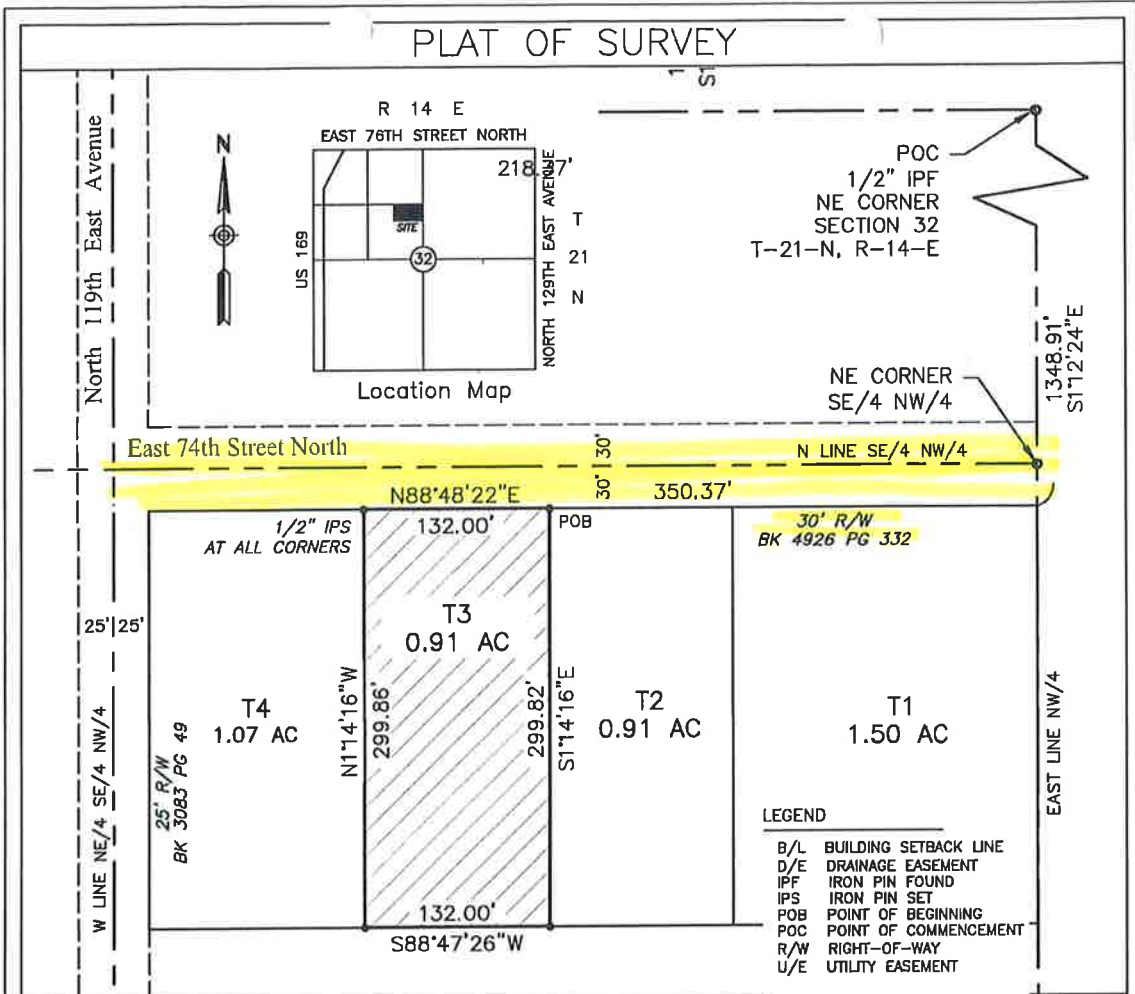


CLS-82

32 21-14



PLAT OF SURVEY

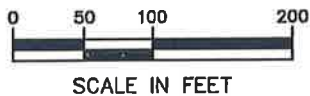


POC
1/2" IPF
NE CORNER
SECTION 32
T-21-N, R-14-E

NE CORNER
SE/4 NW/4

30' R/W
BK 4926 PG 332

- LEGEND**
- B/L BUILDING SETBACK LINE
 - D/E DRAINAGE EASEMENT
 - IPF IRON PIN FOUND
 - IPS IRON PIN SET
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - R/W RIGHT-OF-WAY
 - U/E UTILITY EASEMENT



LEGAL DESCRIPTION

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COMMENCING AT THE NE CORNER OF THE NW/4 OF SECTION 32, T-21-N, R-14-E; THENCE S 01°12'24" E ALONG THE EAST LINE OF SAID NW/4 A DISTANCE OF 1348.91 FEET; THENCE S 88°48'22" W A DISTANCE OF 350.37 FEET TO THE POINT OF BEGINNING; THENCE S 01°14'16" E A DISTANCE OF 299.82 FEET; THENCE S 88°47'26" W A DISTANCE OF 132.00 FEET; THENCE N 01°14'16" W A DISTANCE OF 299.86 FEET; THENCE N 88°48'22" E A DISTANCE OF 132.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.91 ACRES MORE OR LESS. BASIS OF BEARING OKSPN GRID.

NOTES

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SIGNATURE: *Michael Royce*

DATE: 04/21/25

SURVEYED BY	PROJECT	DATE
MAR	15963B	03/20/25

MICHAEL ROYCE, PLS
8105 NORTH 128TH EAST AVE
OWASSO, OK 74055
mroyce1627@gmail.com

PREPARED FOR
HAYES CUSTOM HOMES

RE: CLS-82 Approval & Deeds

From Ashley Bowlin <ABowlin@Apex-Closings.com>

Date Fri 7/11/2025 10:20 AM

To Davis, Kendal <kdavis@incog.org>

Thank you so much for the prompt reply!

I will be out of the office July 17th – July 21st.

Wire fraud is at an all-time high. Wire instructions will be sent to you by a member of your Apex Title closing team securely through CertiFID and only through CertiFID, we will never email wiring instructions. Please be diligent. Wire instructions will not change. If you receive any emails changing wire instructions or any wiring instructions via email at all, please call your closing team immediately.



Ashley Bowlin

Escrow Officer

Apex Title & Closing Services LLC

8503 N. 129th E. Ave.

Owasso, OK 74055

918.376.4128 | Direct

918.376.4122 | Office

918.514.6233 | Fascimile

abowlin@apex-closings.com

Please be sure to copy my processor:

Hannah Mullett hmullett@apex-closings.com

Borrowers please use the below link or QR to submit Earnest Money.

Please make sure to pick "Owasso" on dropdown for office.

<https://earnest.apex-closings.com/>



Due to the number of fraudulent cashier's checks in the Tulsa real estate market, Apex Title & Closing Services, LLC, requires ALL funds over \$20,000 to be tendered via wire transfer. Our wiring instructions will be provided by your closing team prior to closing; in addition, they are available upon request. Please call your closing team to verify the information prior to sending funds.

NOTICE: CONFIDENTIAL AND PRIVILEGED COMMUNICATION: The information in this electronic mail, including any attachments, is sent by or on behalf of an attorney and is intended to be confidential and for the use of the intended recipient only. The information contained in this transmission and any attached documents or previous emails may be protected by the attorney-client privilege, work product doctrine, or otherwise legally privileged. If the reader of this message is not the intended recipient, you are notified that retention, use, dissemination, distribution, or copying of this message or any attachments hereto is strictly prohibited. Interception of electronic mail is a crime pursuant to the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521 and 2107-2709. Furthermore, this communication may contain nonpublic personal information subject to the restrictions of the Gramm-Leach-Bliley Act. You may not directly or indirectly reuse or re-disclose such information for any purpose other than to provide the services for which you are receiving the information. If you received this electronic mail in error, please notify us immediately by reply and destroy the original transmission and its attachments without reading them or saving them to disk. Thank you.

From: Davis, Kendal <kdavis@incog.org>
Sent: Friday, July 11, 2025 10:18 AM
To: Ashley Bowlin <ABowlin@Apex-Closings.com>
Subject: Re: CLS-82 Approval & Deeds

Good Morning Ashley,

I recommend reaching out to Berry Britton, one of our County Engineers, who will most likely be able to assist you with this question. My apologies that I couldn't provide a direct answer. Berry is excellent to work with and very knowledgeable, so I'm confident he can help.

Here is his contact information:

Berry Britton
Engineer
Tulsa County HQ
218 West 6th Street, Room 845
Tulsa, OK 74119
Phone: 918-596-5734
Email: bbritton@tulsacounty.org

If you have any trouble connecting with him or getting the information you need, feel free to reach out to me and I'll do my best to help.

Wishing you a great weekend!

Best regards,
Kendal

Kendal Davis Senior Planner



2 West 2nd Street Suite 800

Tulsa, Oklahoma 74103

918.579.9485

www.incog.org | www.tulsacleancities.com

From: Ashley Bowlin <ABowlin@Apex-Closings.com>
Sent: Friday, July 11, 2025 9:51 AM
To: Davis, Kendal <kdavis@incog.org>
Subject: FW: CLS-82 Approval & Deeds

Hi! See below 😊

From: Ashley Bowlin
Sent: Friday, July 11, 2025 9:47 AM
To: Pate, Carmen <cpate@incog.org>
Subject: RE: CLS-82 Approval & Deeds

Carmen,

Can you confirm that East 74th Street is a county maintained road?
If not, can you point me in the right direction of who I would ask?

I will be out of the office July 17th – July 21st.

Wire fraud is at an all-time high. Wire instructions will be sent to you by a member of your Apex Title closing team securely through CertiFID and only through CertiFID, we will never email wiring instructions. Please be diligent. Wire instructions will not change. If you receive any emails changing wire instructions or any wiring instructions via email at all, please call your closing team immediately.



Ashley Bowlin

Escrow Officer

Apex Title & Closing Services LLC

8503 N. 129th E. Ave.

Owasso, OK 74055

918.376.4128 | Direct

918.376.4122 | Office

918.514.6233 | Fascimile

abowlin@apex-closings.com

Please be sure to copy my processor:

Hannah Mullett hmullett@apex-closings.com

Borrowers please use the below link or QR to submit Earnest Money.

Please make sure to pick "Owasso" on dropdown for office.

<https://earnest.apex-closings.com/>



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From: Pate, Carmen <cpate@incog.org>
Sent: Tuesday, June 3, 2025 3:04 PM
To: Ashley Bowlin <ABowlin@Apex-Closings.com>
Subject: CLS-82 Approval & Deeds

Ashley,

No worries. This case has been approved. I am just waiting for the applicant to bring the new deeds for the approval stamp to record at the County Clerk's office.

Thanks,



Carmen Pate

Land Planner

2 West Second Street | Suite 800

Tulsa, OK 74103

cpate@incog.org

918-579-9450

From: Ashley Bowlin <ABowlin@Apex-Closings.com>
Sent: Tuesday, June 3, 2025 1:38 PM
To: Pate, Carmen <cpate@incog.org>
Subject: RE: Lot Split

I apologize I wasn't aware you were the only contact.

I'm working on the purchase of these properties and the buyer wanted to know if the Lot Split had been approved.

Our offices will be closed Friday, July 4th and I will be out Monday, July 7th.

Wire fraud is at an all-time high. Wire instructions will be sent to you by a member of your Apex Title closing team securely through CertiFID and only through CertiFID, we will never email wiring instructions. Please be diligent. Wire instructions will not change. If you receive any emails changing wire instructions or any wiring instructions via email at all, please call your closing team immediately.



Ashley Bowlin

Escrow Officer

Apex Title & Closing Services LLC

8503 N. 129th E. Ave.

Owasso, OK 74055

918.376.4128 | Direct

918.376.4122 | Office

918.514.6233 | Fascimile

abowlin@apex-closings.com

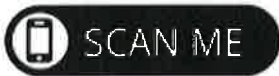
Please be sure to copy my processor:

Hannah Mullett hmullett@apex-closings.com

Borrowers please use the below link or QR to submit Earnest Money.

Please make sure to pick "Owasso" on dropdown for office.

<https://earnest.apex-closings.com/>



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From: Pate, Carmen <cpate@incog.org>
Sent: Tuesday, June 3, 2025 1:26 PM
To: Ashley Bowlin <ABowlin@Apex-Closings.com>
Subject: RE: Lot Split

What you mean who? I am the one processing the lot split of Tulsa County Unincorporated areas.
Thanks,



Carmen Pate
Land Planner
2 West Second Street | Suite 800
Tulsa, OK 74103
cpate@incog.org
918-579-9450

From: Ashley Bowlin <ABowlin@Apex-Closings.com>
Sent: Tuesday, June 3, 2025 12:02 PM
To: Pate, Carmen <cpate@incog.org>
Subject: Lot Split

Hi Carmen!

Would you be able to tell me who is handling the lot split for the attached properties?

Our offices will be closed Friday, July 4th and I will be out Monday, July 7th.

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Ashley Bowlin

Escrow Officer
Apex Title & Closing Services LLC
8503 N. 129th E. Ave.
Owasso, OK 74055
918.376.4128 | Direct
918.376.4122 | Office
918.514.6233 | Fascimile
abowlin@apex-closings.com

Please be sure to copy my processor:

Hannah Mullett hmullett@apex-closings.com

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Please make sure to pick "Owasso" on dropdown for office.

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<rhughes@tulsacounty.org>; Alex Mills <amills@tulsacounty.org>; Lucky Airehrour <lairehrour@tulsacounty.org>; Jeffrey Webster <jwebster@tulsacounty.org>; Kerrick Edenborough <kedenborough@tulsacounty.org>

Cc: Carah Vallely <cvallely@tulsacounty.org>; Kayla Steward <ksteward@tulsacounty.org>; Kaitlan Williams <kaitlan.williams@tulsacounty.org>

Subject: CLS-82 Review

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.

Good morning,

CLS-82, is now ready for review.
Please see documentation attached.

Best,



Carmen Pate

Land Planner

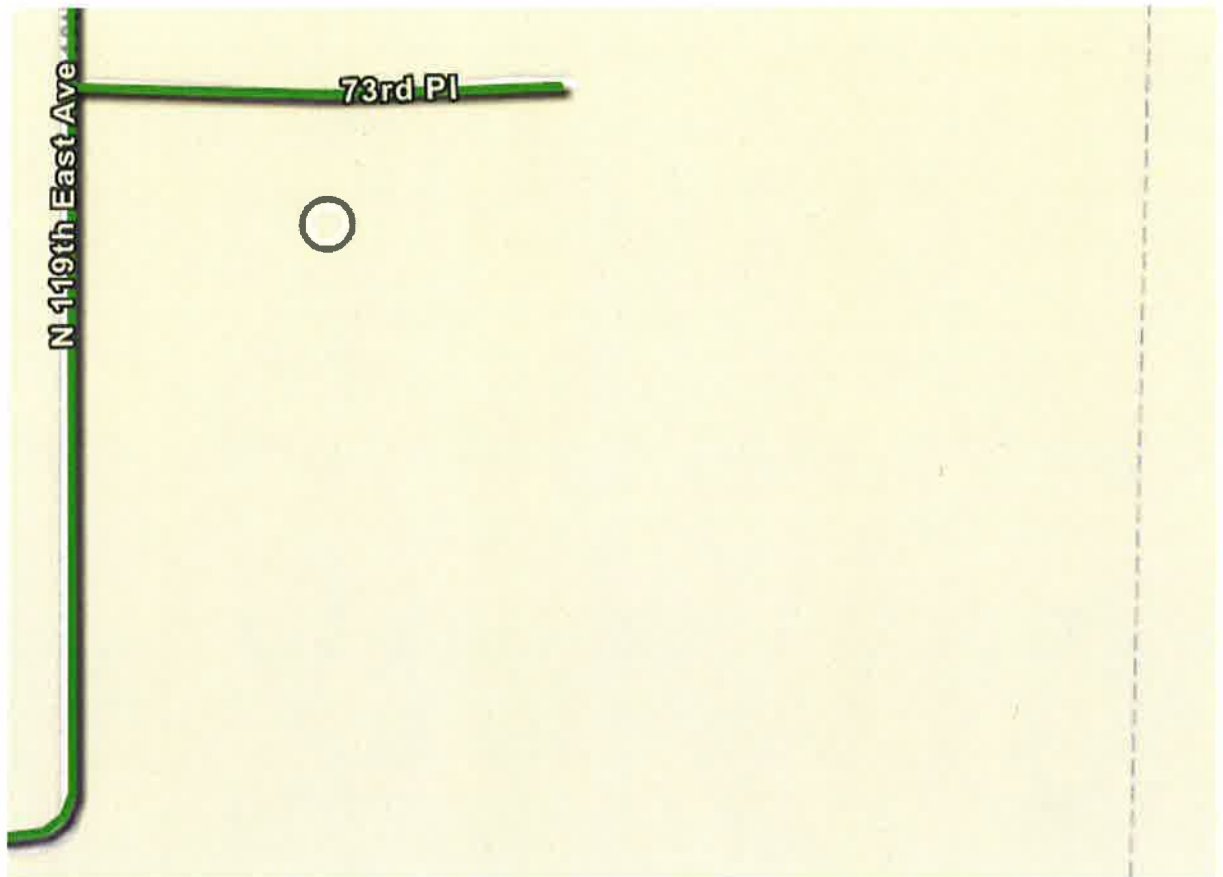
2 West Second Street | Suite 800

Tulsa, OK 74103

cpate@incog.org

918-579-9450

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From: Alex Mills <amills@tulsacounty.org>

Sent: Thursday, May 22, 2025 5:21 PM

To: Pate, Carmen <cpate@incog.org>; Berry Britton <bbritton@tulsacounty.org>;
ttosh@tulsacounty.org; Roger Hughes <rhughes@tulsacounty.org>; Lucky Airehrour
<lairehrour@tulsacounty.org>; Jeffrey Webster <jwebster@tulsacounty.org>; Kerrick Edenborough
<kedenborough@tulsacounty.org>

Cc: Carah Vallely <cvallely@tulsacounty.org>; Kayla Steward <ksteward@tulsacounty.org>; Kaitlan
Williams <kaitlan.williams@tulsacounty.org>

Subject: RE: CLS-82 Review

74th St N, east of 119th E Ave, is not a public roadway. So, we cannot allow this lot split, in my opinion.

Alex Mills, PE, CFM

Tulsa County Engineer

218 West 6th Street, Room 847

Tulsa, OK 74119

918.596.5736

amills@tulsacounty.org

From: Pate, Carmen <cpate@incog.org>

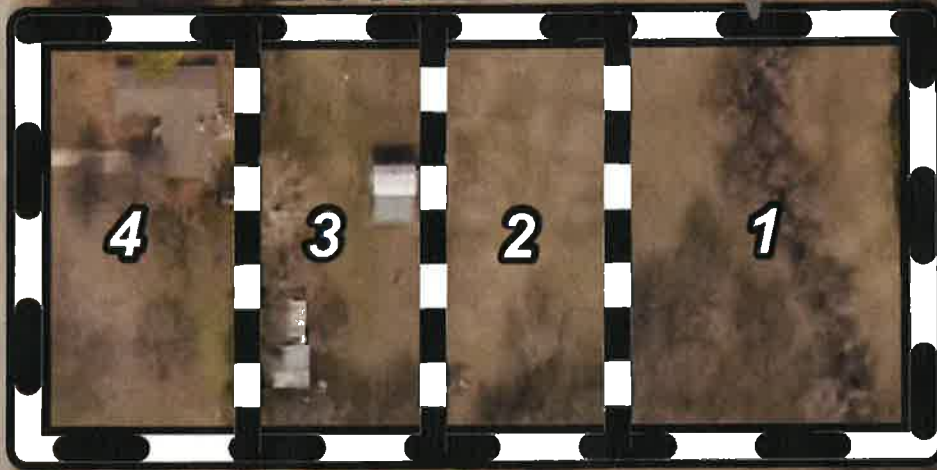
Sent: Thursday, May 22, 2025 11:54 AM

To: Berry Britton <bbritton@tulsacounty.org>; Teresa Tosh <ttosh@tulsacounty.org>; Roger Hughes

N 119TH E AVE

SUBJECT TRACT

E 74TH ST N





Hi Alex and Roger,

I spoke with Berry about this one. E 74 St N (73rd Pl) belongs to the County. Please see doc attached.

<https://assessor.tulsacounty.org/Property/Info?accountNo=R91432143225560>

Please let me know your thoughts.

Thanks,



Carmen Pate

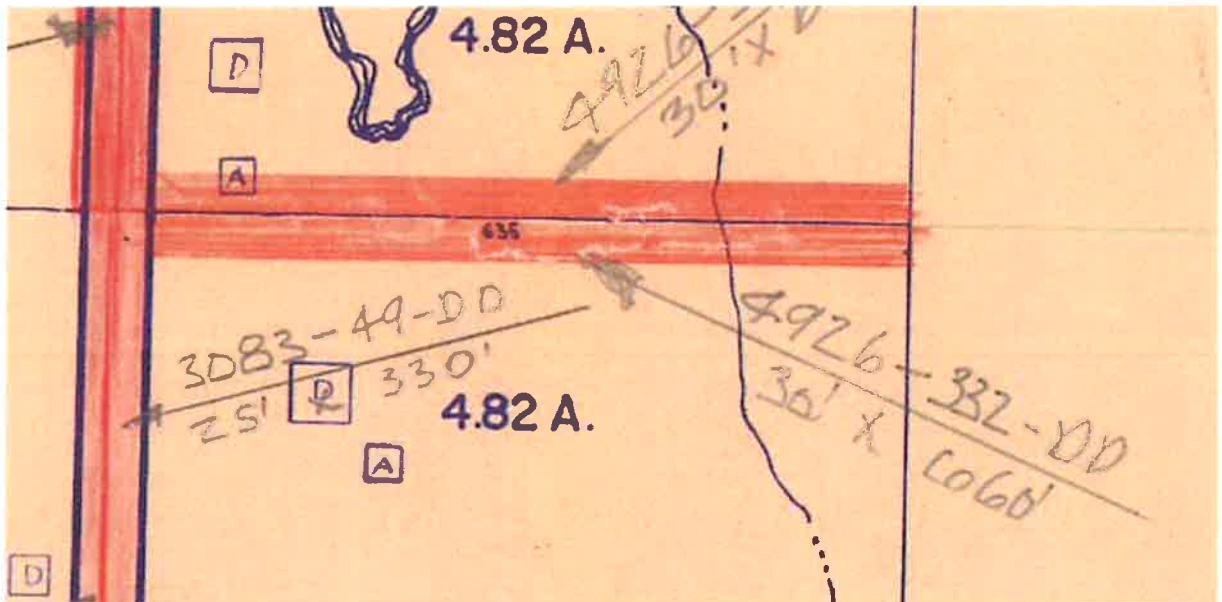
Land Planner

2 West Second Street | Suite 800

Tulsa, OK 74103

cpate@incog.org

918-579-9450



Alex,

How or where can I find what rows have been accepted in the public system?

Thanks,



Carmen Pate

Land Planner

2 West Second Street | Suite 800

Tulsa, OK 74103

cpate@incog.org

918-579-9450

From: Alex Mills <amills@tulsacounty.org>

Sent: Friday, May 23, 2025 9:57 AM

To: Pate, Carmen <cpate@incog.org>; Berry Britton <bbritton@tulsacounty.org>;
ttosh@tulsacounty.org; Roger Hughes <rhughes@tulsacounty.org>; Lucky Airehrour
<lairehrour@tulsacounty.org>; Jeffrey Webster <jwebster@tulsacounty.org>; Kerrick Edenborough
<kedenborough@tulsacounty.org>

Cc: Carah Vallely <cvallely@tulsacounty.org>; Kayla Steward <ksteward@tulsacounty.org>; Kaitlan
Williams <kaitlan.williams@tulsacounty.org>

Subject: RE: CLS-82 Review

The right-of-way is owned by Tulsa County. However, the road has never been accepted onto the public system and is not a publicly maintained road.

Alex Mills, PE, CFM

Tulsa County Engineer

218 West 6th Street, Room 847

Tulsa, OK 74119

918.596.5736

amills@tulsacounty.org

From: Pate, Carmen <cpate@incog.org>

Sent: Friday, May 23, 2025 9:52 AM

To: Alex Mills <amills@tulsacounty.org>; Berry Britton <bbritton@tulsacounty.org>; Teresa Tosh
<ttosh@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>; Lucky Airehrour
<lairehrour@tulsacounty.org>; Jeffrey Webster <jwebster@tulsacounty.org>; Kerrick Edenborough
<kedenborough@tulsacounty.org>

Cc: Carah Vallely <cvallely@tulsacounty.org>; Kayla Steward <ksteward@tulsacounty.org>; Kaitlan
Williams <kaitlan.williams@tulsacounty.org>

Subject: RE: CLS-82 Review

Carmen-

I spoke with the DA. He concurs that we should not allow this lot split as the properties will not have legal access to a publicly maintained roadway.

Thanks, Alex

Alex Mills, PE, CFM

Tulsa County Engineer

218 West 6th Street, Room 847

Tulsa, OK 74119

918.596.5736

amills@tulsacounty.org

From: Alex Mills <amills@tulsacounty.org>

Sent: Friday, May 23, 2025 3:20 PM

To: Pate, Carmen <cpate@incog.org>; Berry Britton <bbritton@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>

Subject: RE: CLS-82 Review

Generally speaking, our GIS system shows that. However, in this case, the GIS is incorrect. So, just hit me up.

Now, having thought about this a bit more... since the private road sits on publicly owned property, it might be allowable from a lot-split standpoint, as there would be access across the property.

Allow me to discuss with the DA before taking next steps, please.

Thanks, Alex

Alex Mills, PE, CFM

Tulsa County Engineer

218 West 6th Street, Room 847

Tulsa, OK 74119

918.596.5736

amills@tulsacounty.org

From: Pate, Carmen <cpate@incog.org>

Sent: Friday, May 23, 2025 10:02 AM

To: Alex Mills <amills@tulsacounty.org>; Berry Britton <bbritton@tulsacounty.org>; Teresa Tosh <ttosh@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>; Lucky Airehrour <lairehrour@tulsacounty.org>; Jeffrey Webster <jwebster@tulsacounty.org>; Kerrick Edenborough <kedenborough@tulsacounty.org>

Cc: Carah Valley <cvalley@tulsacounty.org>; Kayla Steward <ksteward@tulsacounty.org>; Kaitlan Williams <kaitlan.williams@tulsacounty.org>

Subject: RE: CLS-82 Review

<kdavis@incog.org>

Subject: Re: CLS-82 Review

Kendal,

Our team believes there are two options before this lot split can move forward.

Option 1: Create a MAE that would give access the lots legal access to N 119th E Ave. The MAE would need to be on their proposed lots, and not encompass any part of the Tulsa County parcel.

Option 2: The current land owner and/or future landowners could improve the existing driveway on the Tulsa County property and ask the County to accept it as a public road. The little bridge may, or may not, need to be included depending on the how the lot lines fall.

Thank you,

Berry Britton

Engineer

Tulsa County HQ

218 West 6th Street, Room 845

Tulsa, OK 74119

918-596-5734

bbritton@tulsacounty.org

From: Berry Britton <bbritton@tulsacounty.org>

Sent: Friday, July 11, 2025 10:49 AM

To: Alex Mills <amills@tulsacounty.org>; Pate, Carmen <cpate@incog.org>; Roger Hughes <rhughes@tulsacounty.org>; Davis, Kendal <kdavis@incog.org>

Subject: Re: CLS-82 Review

Kendal,

Here is the history on this case.

Thank you,

Berry Britton

Engineer

Tulsa County HQ

218 West 6th Street, Room 845

Tulsa, OK 74119

918-596-5734

bbritton@tulsacounty.org

From: Alex Mills <amills@tulsacounty.org>

Sent: Wednesday, May 28, 2025 12:34 PM

To: Pate, Carmen <cpate@incog.org>; Berry Britton <bbritton@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>

Subject: RE: CLS-82 Review

So they added an access easement along the south side. Fair enough.

INCOG folks... is showing it on the survey enough? I do not feel it is? They need file a stand-alone access easement, irrevocable, as submit the recorded easement part of this filing so that it is of record.

Thanks, Alex

Alex Mills, PE, CFM

Tulsa County Engineer
218 West 6th Street, Room 847
Tulsa, OK 74119
918.596.5736
amills@tulsacounty.org

From: Davis, Kendal <kdavis@incog.org>

Sent: Friday, August 29, 2025 11:36 AM

To: Berry Britton <bbritton@tulsacounty.org>; Alex Mills <amills@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>

Cc: Rojas, Javier <jrojas@incog.org>

Subject: Re: CLS-82 Review

Good Morning,

The applicant has submitted revised materials in response to the previous review comments. Please let me know your thoughts once you've had a chance to review. I appreciate your time, and don't hesitate to reach out if you have any questions.

Best,



Kendal Davis

Senior Planner
2 West Second Street | Suite 800
Tulsa, OK 74103
kdavis@incog.org
[INCOG | Tulsa, OK | Regional Partners - Regional Solutions](#)
918-579-9485

From: Berry Britton <bbritton@tulsacounty.org>

Sent: Friday, July 11, 2025 2:13 PM

To: Alex Mills <amills@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>; Davis, Kendal

From: Davis, Kendal <kdavis@incog.org>

Sent: Tuesday, September 2, 2025 11:56 AM

To: Alex Mills <amills@tulsacounty.org>; Berry Britton <bbritton@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>

Cc: Rojas, Javier <jrojas@incog.org>

Subject: Re: CLS-82 Review

Alex,

We're on the same page; I'll ensure the recorded easement is included as part of this filing. I appreciate your time.

Best,



Kendal Davis

Senior Planner

2 West Second Street | Suite 800

Tulsa, OK 74103

kdavis@incog.org

[INCOG | Tulsa, OK | Regional Partners - Regional Solutions](#)

918-579-9485

From: Alex Mills <amills@tulsacounty.org>

Sent: Friday, August 29, 2025 2:31 PM

To: Davis, Kendal <kdavis@incog.org>; Berry Britton <bbritton@tulsacounty.org>; Roger Hughes <rhughes@tulsacounty.org>

Cc: Rojas, Javier <jrojas@incog.org>

Subject: RE: CLS-82 Review



Case Number: CBOA-3354

Hearing Date: May 21, 2026, 1:30 PM

Case Report Prepared by:

INCOG Planning Services

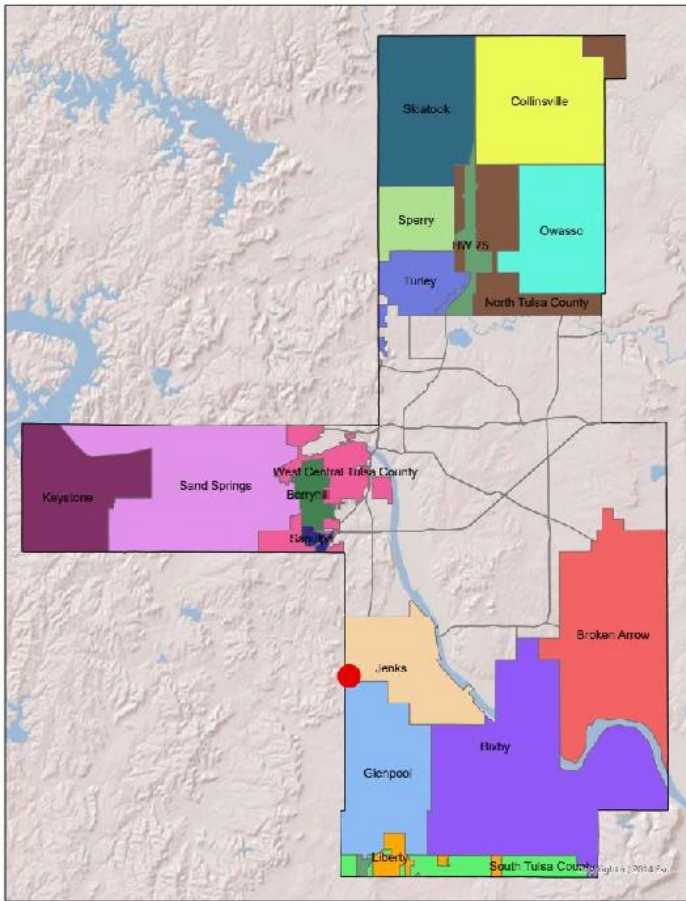
Owner and Applicant Information:

Applicant: Tulsa Custom Pools – Josh Atkinson

Property Owner: Kyndal & Shantel Stevens

Action Requested: Variance of the rear yard requirement to permit a swimming pool in an RS-3 district. (Sec.18.080 Table 18-1)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 0.53± acres

Legal Description: TIMBER CREEK, Lot 7 Block 2, Section: 34 Township: 18 Range: 12

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

Fenceline/Area: Jenks

Land Use Designation: Medium Intensity Single-Family

TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 8234

CASE NUMBER: CBOA-3354

CASE REPORT PREPARED BY: INCOG Planning Services

HEARING DATE: May 19, 2026, 1:30 PM

APPLICANT: Tulsa Custom Pools – Josh Atkinson

ACTION REQUESTED: Variance of the rear yard requirement to permit a swimming pool in an RS-3 district. (Sec.18.080 Table 18-1)

LOCATION: 3002 W 118th Pl S, Jenks, OK 74037

ZONED: RS-3 (Residential Single Family)

FENCELINE: Jenks

PRESENT USE: Residential

TRACT SIZE: 0.53± acres

LEGAL DESCRIPTION: TIMBER CREEK, Lot 7 Block 2, Section: 34 Township: 18 Range: 12

PREVIOUS ACTIONS:

CBOA-961 (May 1990): Board voted to approve a Special Exception to allow a mobile home as a permanent Residence.

CBOA 10292 (May 1979): The Board approved a special exception to locate a mobile home and a variance of the 5 acre minimum lot size in an AG District for a mobile home. Property is located Northwest of 121st Street and Okmulgee expressway.

CBOA 9982 (May 1978): The Board approved an exception to locate a mobile home and a variance of the 5 acre minimum for a mobile home in an AG District, and a variance of the 300 1 frontage requirements for property with no dedicated street footage. Property located at 1929 W. 118th Street.

CBOA 9929 (May 1978): The Board approved an exception to locate a mobile home in an AG District located north & west of 25th W. Avenue and 121st Street.

ANALYSIS OF SURROUNDING AREA: The surrounding area demonstrates a clear transition between rural and suburban development patterns. The subject tract is positioned at the interface of a medium density residential subdivision and land large-lot AG land. The subject tract is under a quarter mile from the Creek County line.

Overall, the area is characterized by emerging suburban development, within and outside of the city limits of Jenks, and the subject tract situated in a transitional location.

North: Properties to the north are zoned RS-3 and consist of medium-density residential single-family homes. This area contains the bulk of the subdivision that the subject tract is part of.

South: The southern edge of the subject property abuts an approximately 37.75-acre AG lot.

East: There is one property to the east that is zoned RS-3 and part of the same subdivision as the subject tract, after which there is a 40-acre AG lot.

West: A few RS-3 properties, part of the same subdivision as the subject tract, lead to a 5-acre AG lot, after which is the Creek County line.

STAFF COMMENTS:

The applicant is requesting a Variance to allow a swimming pool within a side yard in the RS-3 (Single-Family Residential) District (Sec. 18.080; Table 18-1).

The Tulsa County Zoning Code requires that swimming pools be located in rear yards only, in order to:

- Maintain consistent residential site design
- Minimize visibility and potential impacts on adjacent properties
- Preserve side yard setbacks for access, drainage, and separation between structures

The applicant is proposing to locate a swimming pool within the side yard, which deviates from the standard requirement for rear yard placement. This type of request is typically driven by:

- Lot configuration constraints (e.g., narrow or shallow rear yards)
- Existing structures or improvements limiting available space
- Utility easements, septic systems, or drainage features restricting placement options

Staff notes that placement of a pool in the side yard may:

- Increase visibility from adjacent properties and the street
- Reduce separation between uses on neighboring lots
- Potentially impact privacy and compatibility within the subdivision

The Board must consider whether a practical difficulty or hardship exists that prevents compliance with the rear yard requirement.

If the lot configuration, existing improvements, or site constraints significantly limit the ability to locate the pool in the rear yard, the request may warrant consideration. However, if the condition is not unique to the property or is self-imposed, the request may be more difficult to justify.

APPLICANT STATEMENT

The side yard is much larger than what is considered to be the backyard. Our customer wants the pool in the designated area.

COMPATIBILITY WITH SURROUNDING AREA:

The subject property is located within an established RS-3 single-family residential subdivision, characterized by somewhat irregular lot layouts, but with a cohesive development pattern. Homes in the

area are typically oriented toward interior streets, with accessory structures and amenities, including swimming pools, generally located within rear yards in accordance with zoning standards.

The requested variance to allow a swimming pool within the side yard represents a departure from the established development pattern of the subdivision. Side yards within the RS-3 district are generally intended to provide separation between structures, maintain privacy, and preserve a consistent streetscape. Placement of a pool in this area may increase visibility from adjacent properties and, depending on location, from the public right-of-way, which is not typical of surrounding development.

Additionally, the surrounding lots appear to maintain consistent side yard setbacks without encroachment by accessory features of this nature, reinforcing a pattern of rear yard utilization for recreational improvements. Introducing a swimming pool within the side yard could therefore be viewed as less compatible with the prevailing character of the neighborhood.

However, compatibility impacts may be partially mitigated if the proposed pool is:

- Located toward the interior portion of the side yard and away from the street
- Properly screened through fencing or landscaping
- Designed to maintain adequate setback and separation from adjacent properties

Overall, while the request deviates from the typical placement of pools within the subdivision, careful site design and screening measures could reduce potential impacts, though the request remains less consistent with the established development pattern of the surrounding area.

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) to allow a Variance of the rear yard requirement to permit a swimming pool in an RS-3 district. (Sec.18.080 Table 18-1)

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

1. Compliance with all setback and safety requirements
2. Placement that minimizes visual and functional impacts on neighboring lots

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.



Submitted 3/17/26

Tulsa County Inspections
218 W 6th ST, SUITE 210, Tulsa, OK, 74119
Inspection Line: 918-596-5293

Swimming Pool Permit Application

For Office Use Only:	
Permit #	_____
Rec'd	_____
Zoning	_____ FZ _____
Firm Panel #	_____ FDP Req'd _____

All applications must be completed in full, including all required supporting documentation. Review time starts when all required documentation is received.

Required Documentation:

- Site/Plot plan showing the location of the proposed pool along with all other structures on the lot. Distances to property lines and all other structures must be shown. Be sure to include pool barrier lines.
- Construction plans for the pool (i.e., Rebar details, special features, spec sheet, special equipment to be used)

CONSTRUCTION ADDRESS 3002 W 118th Pl. S. Jenks 74037
Number/Street City Zip Code

Unplatted _____ Subdivision Timber Creek Lot 7 Block 2
Acres/SQ FT Section Township Range

Lot Size .53/22,947 Acres/SQ FT Section 34 Township 18 Range 12

Permit Type: Residential Pool Commercial Pool Public Pool Above-Ground In-Ground Remodel
 Material Type: Gunite Vinyl Fiberglass Other: _____

Project Details: Length: 40' Width: 16' Depth: 6'
 Does it require: Electrical Work Yes No
 Mechanical Work Yes No
 Estimated Project Cost: \$55,000 Overall Acreage: _____
 Start Date: 3/30/26 Completion Date: 4/30/26

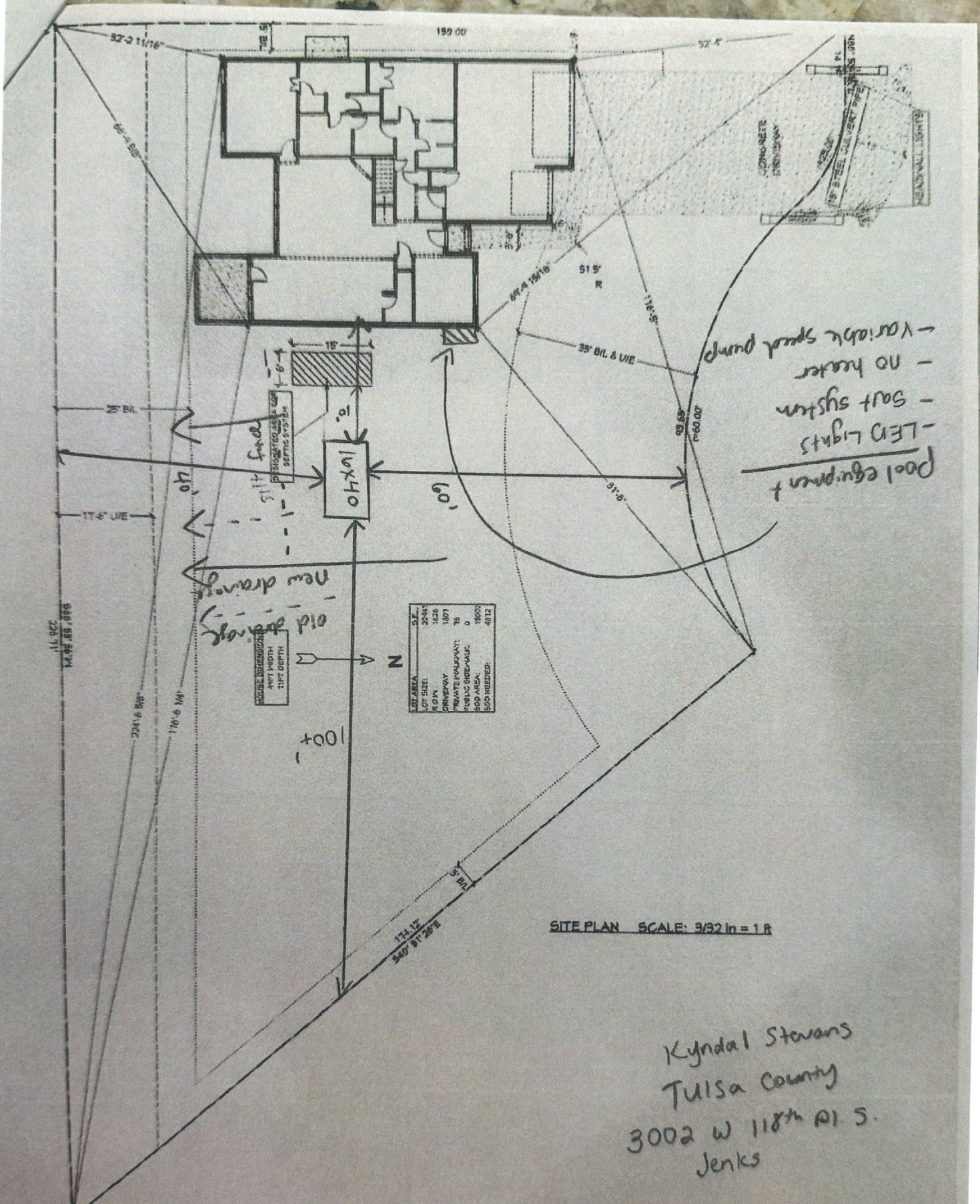
Pool Contractor Tulsa Custom Pools Phone Number 918-250-0005
 Email info@tulsacustompools.com

Trade	Company Name	Phone Number
Electrical Contractor	<u>Candle Electric</u>	<u>918-845-0977</u>
Mechanical Contractor		
Plumbing Contractor		

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as an authorized agent and I (we) agree to conform to all applicable laws and regulations. I am acknowledging by my signature on this document, I have read and understand the information packet provided and will abide by Tulsa County Zoning, Construction and Inspection regulations set forth and grant the building official and all designees the authority to enter areas covered by the permit.

<u>Josh Atkinson</u> Owner or Lessee Name (Print)	<u>5808 S 107th E Ave</u> Address	<u>Tulsa</u> City	<u>74146</u> Zip Code	<u>918-250-0005</u> Phone Number
<u>Kristin Atkinson</u> Applicant (Print)				
<u>[Signature]</u> Applicant (Signature)	Date <u>3/17/26</u>			

ALL FEES ARE NON-REFUNDABLE
CMF-20231527

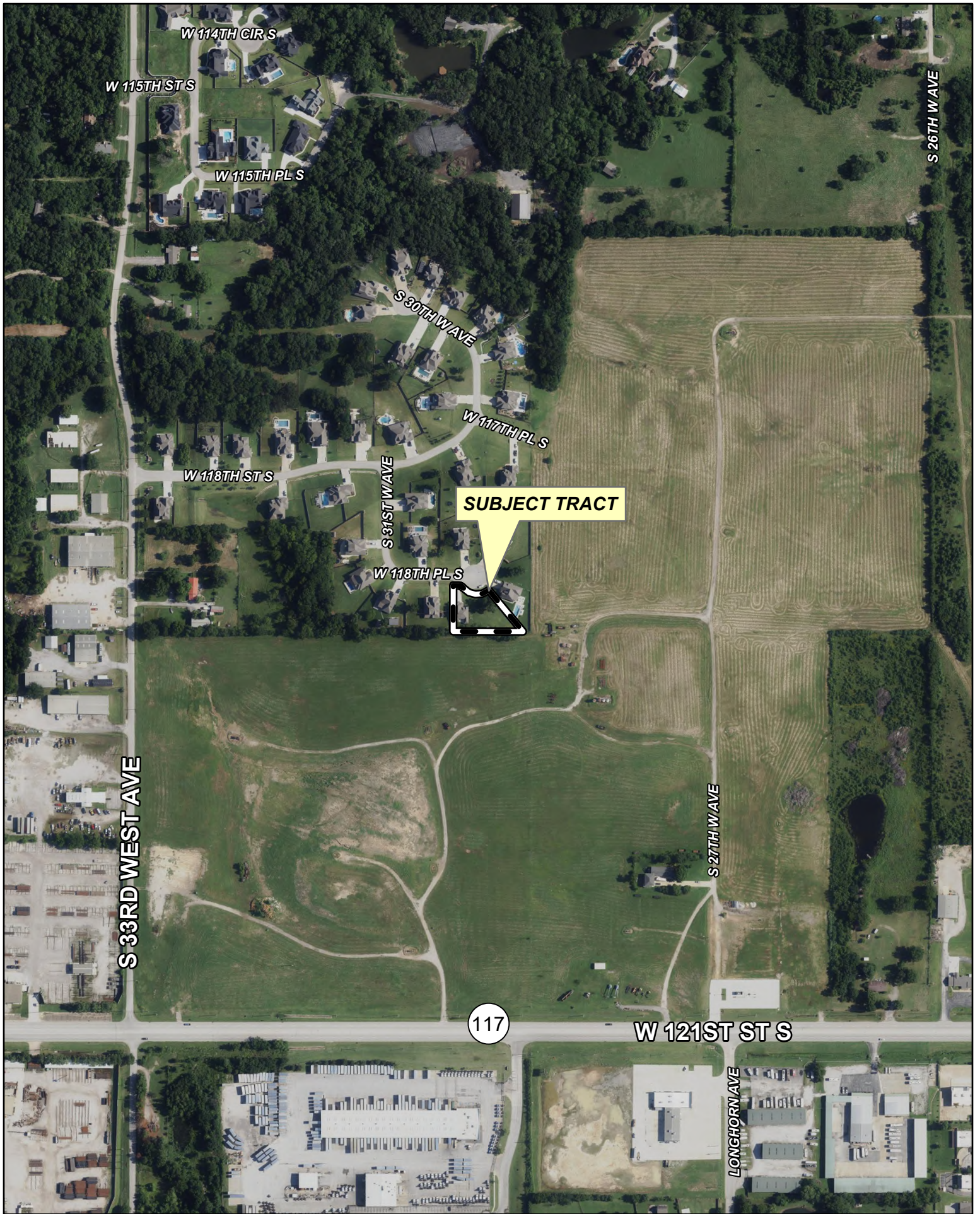


- Variable speed pump
 - NO heater
 - Salt system
 - LED Lights
- Pool equipment +

LOT AREA:	175.12
LOT SIZE:	540' 911/20"
R.O.M.:	
DRIVEWAY:	
PRIVATE WALKWAY:	76
PUBLIC SIDEWALK:	0
500' AREA:	1800'
EQD. NEEDED:	4012

SITE PLAN SCALE: 3/32" = 1' R

Kyndal Stevens
 Tulsa County
 3002 W 118th A1 S.
 Jenks



W 114TH CIR S

W 115TH ST S

W 115TH PL S

S 26TH W AVE

S 30TH WAVE

W 117TH PL S

W 118TH ST S

S 31ST WAVE

SUBJECT TRACT

W 118TH PLS

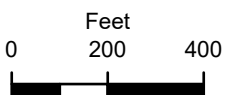
S 33RD WEST AVE

S 27TH WAVE

117

W 121ST ST S

LONGHORN AVE



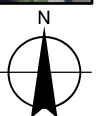
 Subject Tract

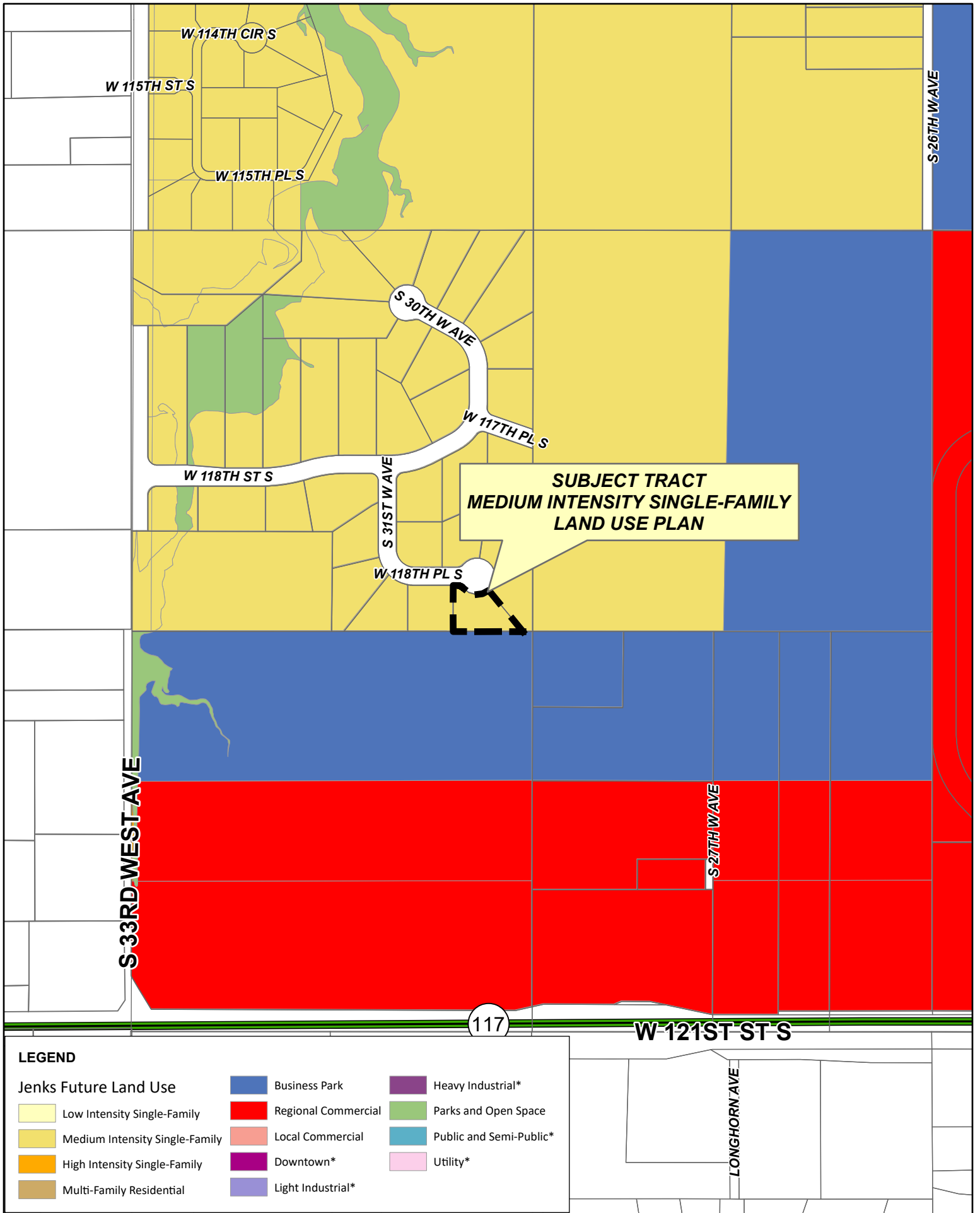
CBOA-3354

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

Aerial Photo Date: 2024

34 18-12

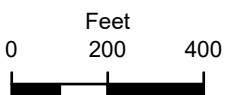




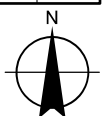
**SUBJECT TRACT
MEDIUM INTENSITY SINGLE-FAMILY
LAND USE PLAN**

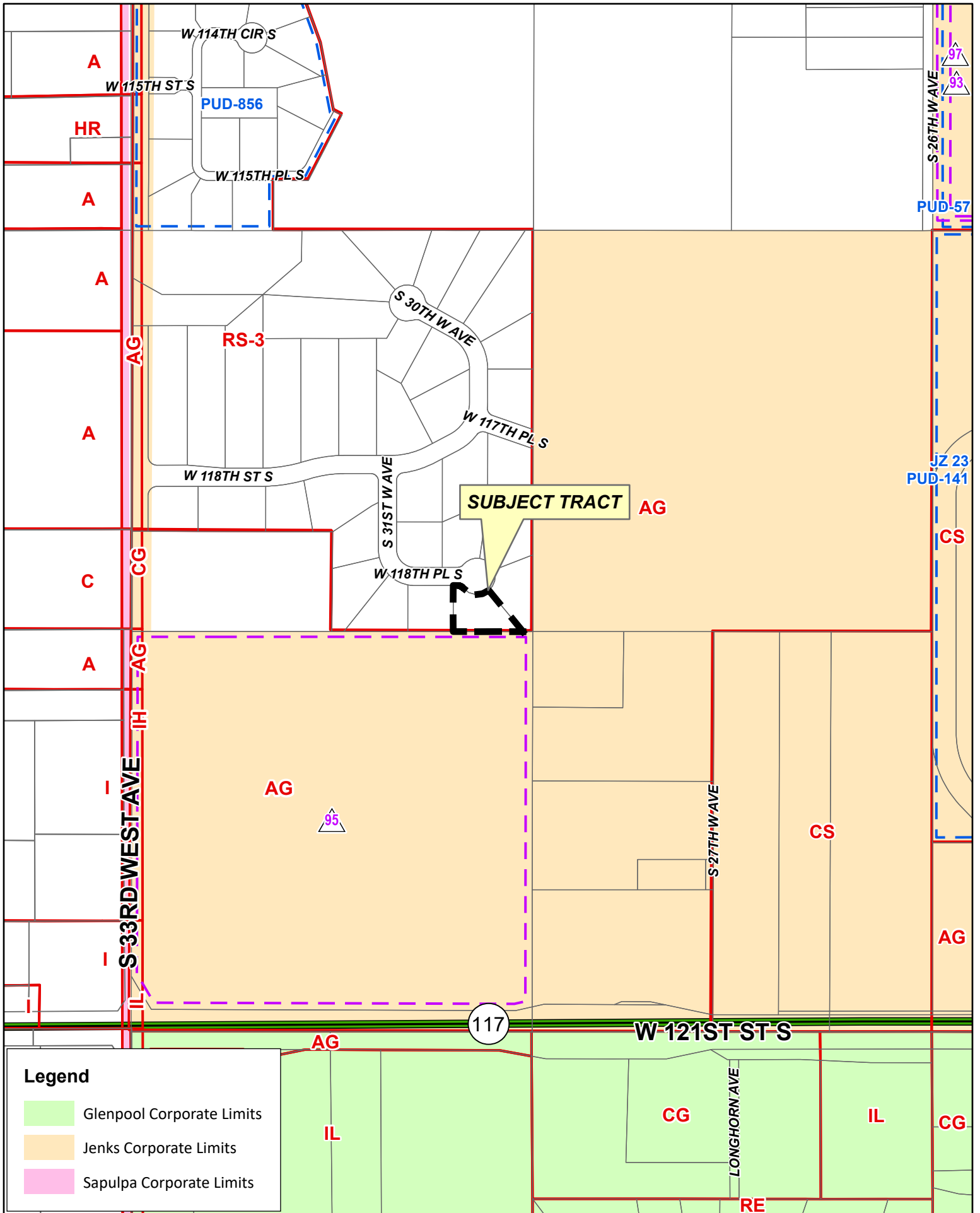
LEGEND

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



CBOA-3354



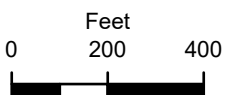


SUBJECT TRACT

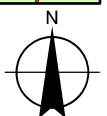
AG

Legend

- Glenpool Corporate Limits
- Jenks Corporate Limits
- Sapulpa Corporate Limits



CBOA-3354





Case Number: CBOA-3355

Hearing Date: May 21, 2026, 1:30 PM

Case Report Prepared by:

INCOG Planning Services

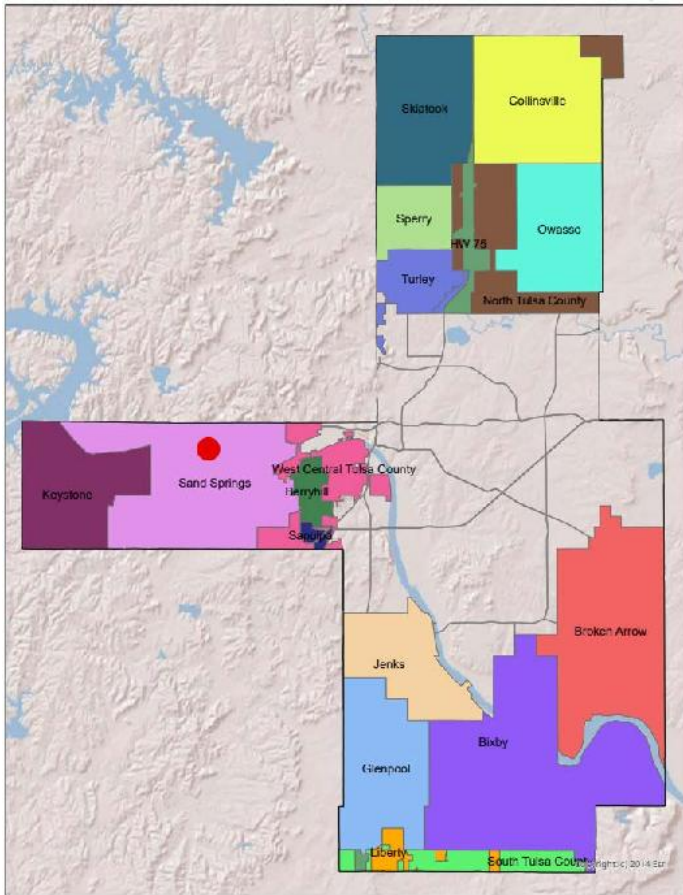
Owner and Applicant Information:

Applicant: Audra Rowe

Property Owner: same

Action Requested: Use Variance to permit the establishment of an accessory structure on a lot without an existing principal structure (Section 5.020 Accessory Uses and Structures) (pursuant to Section 2.040, Table 2-3)

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 0.29± acres

Legal Description: CHARLES PAGE HOME ACRES SUB NO 1, BEG NEC LT 13 TH S71.10 WLY99.79 N71.06 ELY99.27 POB BLK 8, Section: 09 Township: 19 Range: 11

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

Fenceline/Area: Sand Springs

Land Use Designation: Residential

TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 9109

CASE NUMBER: CBOA-3355

CASE REPORT PREPARED BY: INCOG Planning Services

HEARING DATE: May 19, 2026, 1:30 PM

APPLICANT: Audra Rowe

ACTION REQUESTED:

LOCATION: 702 N Willow Rd, Sand Springs, OK, 74063, USA

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

FENCELINE: Sand Springs

PRESENT USE: Vacant

TRACT SIZE: 0.29± acres

LEGAL DESCRIPTION: CHARLES PAGE HOME ACRES SUB NO 1, BEG NEC LT 13 TH S71.10 WLY99.79 N71.06 ELY99.27 POB BLK 8, Section: 09 Township: 19 Range: 11

PREVIOUS ACTIONS: n/a

ANALYSIS OF SURROUNDING AREA: The surrounding area demonstrates a clear transition between rural and suburban development patterns. The subject tract is positioned at the interface of a medium density residential subdivision and land large-lot AG land. The subject tract is under a quarter mile from the Creek County line.

Overall, the area is characterized by emerging suburban development, within and outside of the city limits of Sand Springs, and the subject tract situated in a transitional location.

North: Properties to the north are zoned RS-3 and consist of medium-density residential single-family homes. This area contains the bulk of the subdivision that the subject tract is part of.

South: The southern edge of the subject property is next to the Keystone Expressway

East: Tends toward Residential development the further east one goes, eventually turning into the City of Sand Springs.

West: A few RS-3 properties, part of the same subdivision as the subject tract, lead AG lots.

STAFF COMMENTS:

The applicant is requesting a Use Variance to permit the establishment of an accessory structure on a lot without an existing principal structure (Section 5.020 Accessory Uses and Structures) (pursuant to Section 2.040, Table 2-3). An accessory structure is not a use that is allowed by right or exception in the RS-3 district without a preexisting dwelling. At the time of application, no non-financial hardship was provided by the

applicant to Staff. This does not mean one does not exist, but rather that the burden of proof rests with the applicant to demonstrate a hardship regarding the Use Variance to the Board during the public hearing.

APPLICANT STATEMENT

702 N Willow is free and clear of home loan. I need this for collateral to build a hop. A sidewalk will be poured from the back porch to shop. It will all be one property, I have already fenced around the sides of both lots to be one yard.

COMPATIBILITY WITH SURROUNDING AREA:

The Tulsa County Comprehensive Plan designation for this property is Residential, which, per the Sand Springs future land use plan adopted by reference by the Tulsa County Comprehensive Land Use Plan, is typically comprised of single-family neighborhoods, with a dwelling-unit-per-acre intensity typically in the 2 to 5 range, although it can be even lower.

The lots immediately surrounding the subject property (except south of the adjoined property, which abuts Keystone Expressway, which has no land use designation and is zoned AG) also have this Residential land use designation, as well as having the RS-3 zoning. The request would be compatible with the land use plan if the proposed structure maintains an accessory nature to the main dwelling unit in the abutting parcel.

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:

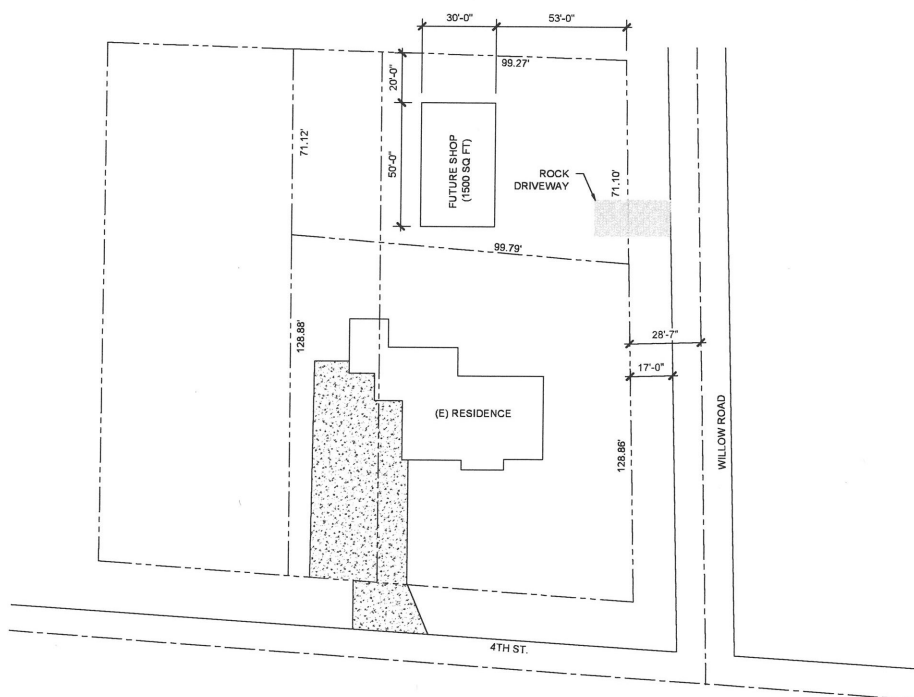
“Move to _____ (approve/deny) to allow a Use Variance to permit the establishment of an accessory structure on a lot without an existing principal structure (Section 5.020 Accessory Uses and Structures) (pursuant to Section 2.040, Table 2-3)

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

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.



BLACK OAK
PROPERTY GROUP

PROJECT 1701 S. 4th St., Sand Springs, OK 74053.	PROJ. NO. 2026.0001	SHEET NO. S1
	DATE 01/05/2026	
	DRAWN AKF	
	REVIEWED	
SHEET TITLE Site Plan	SCALE N.T.S.	

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File Name: C:\Users\W&J\Desktop\1701 S. 4th St., Sand Springs, OK 74053.dwg
Release: 01/05/2026 10:11 AM by W&J, Inc.



Tulsa County Clerk - MICHAEL WILLIS
Doc #: 2025089496 Page(s): 3
10/09/2025 02:08:09 PM
Receipt #: 2025-62301
Fees: \$22.00

Mailing Address: 1701 W. 4th St., Sand Springs, OK 74063
Documentary Stamps: 68 O.S. § 3202 (4)

GENERAL WARRANTY DEED [OKLAHOMA STATUTORY FORM]

THIS INDENTURE, Made this 9 day of October, 2025, between Black Oak Property Group LLC, an Oklahoma Limited Liability Company, party of the first part, hereinafter called party grantor (whether one or more) and Audra Y. Rowe, party of the second part, hereinafter called party grantee.

WITNESSETH: That in consideration of the sum of TEN DOLLARS, (\$10.00), receipt of which is hereby acknowledged, said party grantor does, by these presents, grant, bargain, sell and convey unto said party grantee, her heirs and assigns, all of the following described real estate, situated in the County of Tulsa, State of Oklahoma:

Tract 1

A piece, parcel or tract of land lying in part of Lot Thirteen (13), Block Eight (8), CHAS PAGE HOME ACRES, SUB NO 1, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

Beginning at the NE corner of Lot Thirteen (13); Thence S01°23'49" E along the East line thereof a distance of 71.10'; Thence N84°10'07" W a distance of 99.79'; Thence N00°58'51" W a distance of 71.06' to the North line thereof; Thence S84°10'30" E along said North line a distance of 99.27'; which is the point of beginning, having an area of 7023.0 Square Feet, 0.161 Acres

TO HAVE AND TO HOLD THE SAME, together with all singular the tenements, hereditaments and appurtenances thereto belonging or in otherwise appearing forever.

And said party grantor, its heirs, executors and administrators do hereby covenant, promise and agree to and with said party grantee, at the delivery of these presents that it is lawfully seized in its own right 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, estates, judgments, taxes, assessments and encumbrances, of whatsoever nature and kind, EXCEPT: Easements, minerals and building restrictions of record and special assessments not yet due;

Deed Presented for Filing by:
Dryer and Associates, P.C.
4100 E. 51st St., Ste 105
Tulsa, OK 74135

and that party grantor will WARRANT AND FOREVER DEFEND the same unto the said party grantee, her heirs and assigns, against said party grantor, its heirs or assigns and all and every person or persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the said party grantor has hereunto set its hand the day and year above written.

Black Oak Property Group LLC

Audra Y. Rowe

By: Audra Y. Rowe, Manager

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public, in and for said County and State on this 9 day of October, 2025, personally appeared Audra Y. Rowe, Manager of Black Oak Property Group LLC, 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 and as the free and voluntary act and deed of said Limited Liability Company 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.

Kelli D. Stevens
Notary Public

My Commission Expires: 5-19-28



OAG 2024-1 - INDIVIDUAL

Exhibit to Deed

AFFIDAVIT OF LAND OR MINERAL OWNERSHIP: INDIVIDUAL

STATE OF OKLAHOMA)
)
) ss.
COUNTY OF TULSA)
TO: THE ATTORNEY GENERAL OF THE STATE OF OKLAHOMA

Before me, the undersigned Audra Y. Rowe
(list legal name and any aliases) (the "Affiant"), who, having been first duly sworn, deposes and states as of the date of this Affidavit:

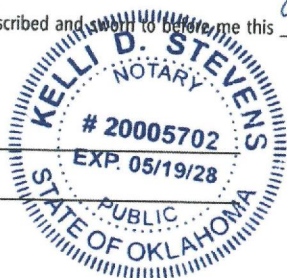
1. I have personal knowledge of the statements made herein.
2. I am:
 - the person obtaining the real property identified in the Deed to which this Affidavit is attached (the "Property").
 - the person obtaining the Property's attorney-in-fact.
 - the person obtaining the Property's court-appointed guardian or personal representative.
3. The person obtaining the Property is:
 - a citizen of the United States; or
 - not a citizen of the United States, but an alien who is or shall become a bona fide resident of the State of Oklahoma.
4. The person obtaining the Property acquired title to the Property.
5. This Affidavit is executed in accordance with and pursuant to 60 O.S. § 121, which provides in part as follows:
No alien or any person who is not a citizen of the United States or foreign government adversary shall acquire title to or own land in this state either directly or indirectly through a business entity, trust, or foreign government enterprise, except as hereinafter provided, but they shall have and enjoy in this state such rights as to personal property as are, or shall be, accorded a citizen of the United States under the laws of the nation to which such alien belongs, or by the treaties of such nation with the United States, except as the same may be affected by the provisions of Section 121 et seq. of this title or the Constitution of this state. Provided, however, the requirements of this subsection shall not apply to a business entity that is engaged in regulated interstate commerce or has a national security agreement with the Committee on Foreign Investment in the United States (CFIUS) in accordance with federal law.
6. I acknowledge and understand that 60 O.S. § 121 generally prohibits an alien or person who is not a citizen of the United States from acquiring title to or owning land in the State of Oklahoma. I further acknowledge and understand that 60 O.S. § 121 does not prohibit an alien who is or who shall become a bona fide resident of the State of Oklahoma from acquiring title to or owning land in the State of Oklahoma.
7. The person obtaining the Property acquired title to the Property in compliance with the requirements of 60 O.S. § 121 and no funding source was used in the sale or transfer of the Property in violation of 60 O.S. § 121 or any other state or federal law.
8. I acknowledge and understand that making or causing to be made a false statement in this affidavit may subject me to criminal prosecution for perjury and/or being liable for actual damages suffered or incurred by any person or other entity as a result or consequence of the making of or reliance upon such false statement.

FURTHER AFFIANT SAYETH NOT.

Audra Y. Rowe
AFFIANT, individually and as authorized agent of the Entity

10/9/25
Date

The foregoing instrument was subscribed and sworn to before me this 9 day of October, 2025, by Audra Rowe.



Kelli D Stevens
NOTARY PUBLIC

My Commission Expires: _____

My Commission Number: _____



SUBJECT TRACT



N WALNUT CREEK DR

N WILLOW RD

W PERSIMMON ST

W SOUTHARD RD

W 4TH ST

412

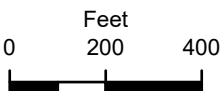
51

W WEKIWA RD

S 129TH WEST AVE

W TIMBER DR

Vexcel Imaging



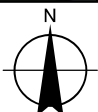
Subject Tract

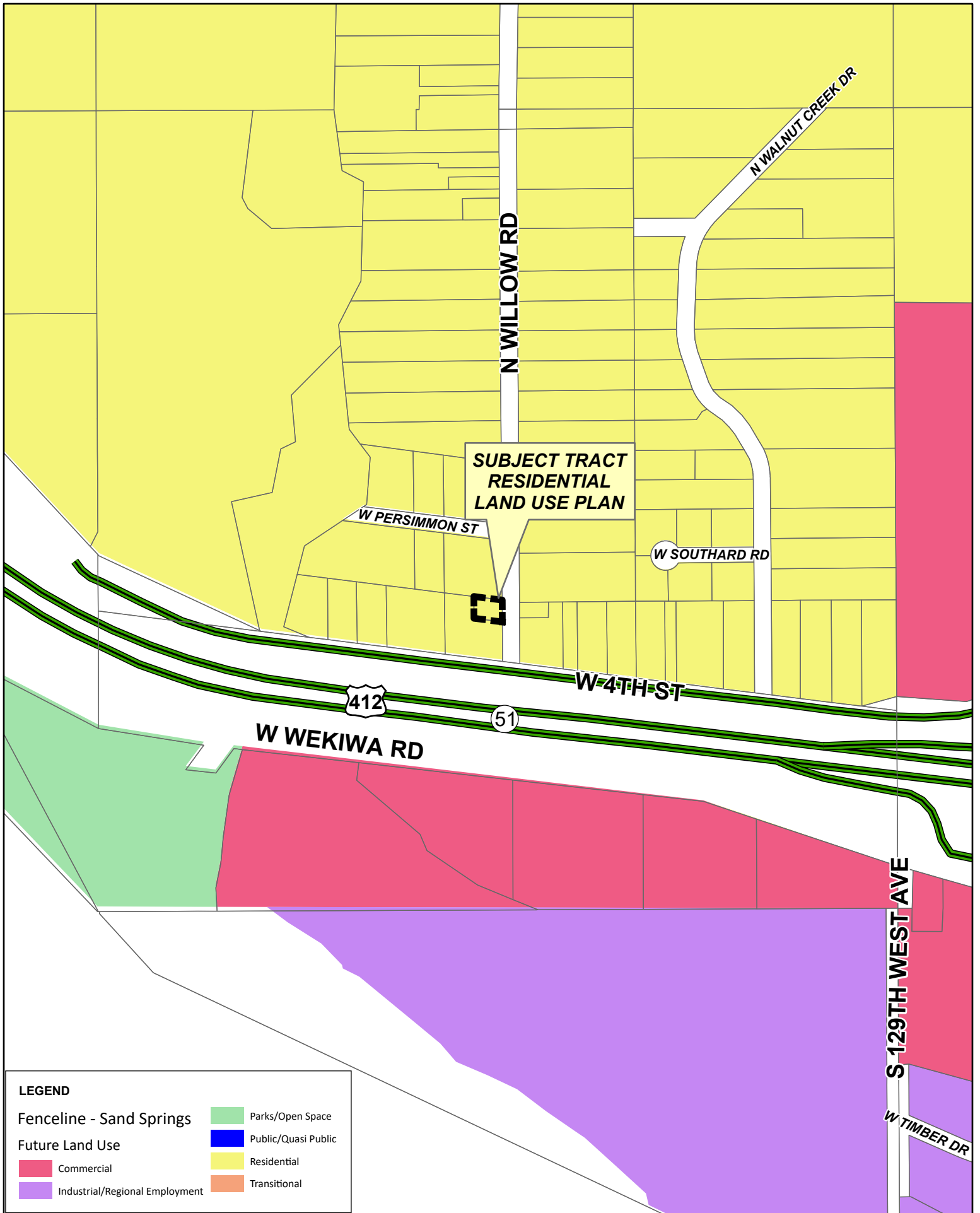
CBOA-3355

09 19-11

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

Aerial Photo Date: 2024



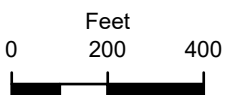


**SUBJECT TRACT
RESIDENTIAL
LAND USE PLAN**

412

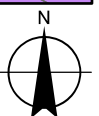
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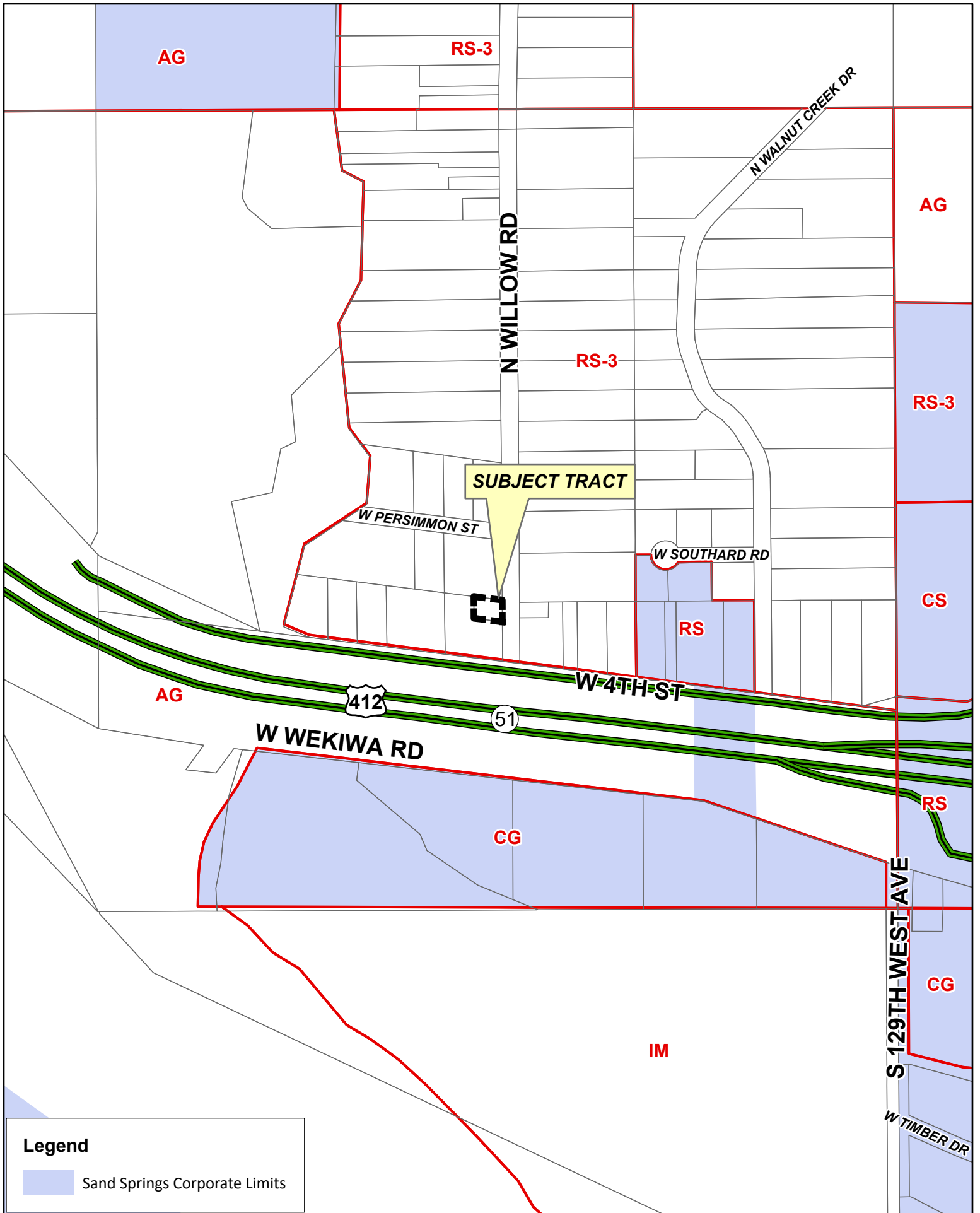
LEGEND	
Fenceline - Sand Springs	Parks/Open Space
Future Land Use	Public/Quasi Public
Commercial	Residential
Industrial/Regional Employment	Transitional



CBOA-3355

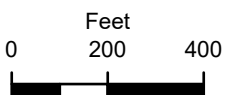
09 19-11





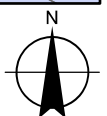
Legend

 Sand Springs Corporate Limits



CBOA-3355

09 19-11





Case Number: CBOA-3356

Hearing Date: May 21, 2026, 1:30 PM

Case Report Prepared by:

INCOG Planning Services

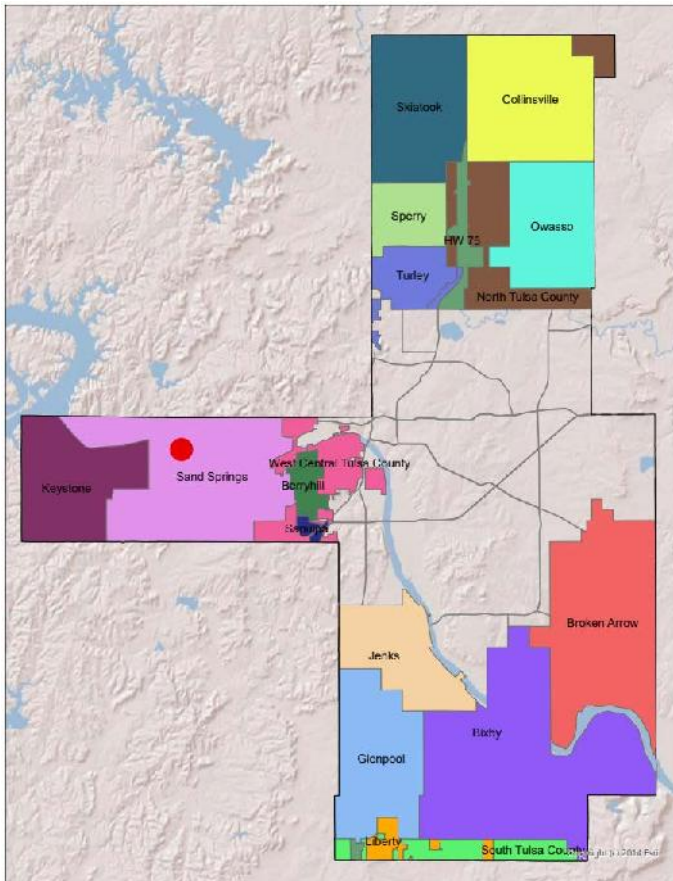
Owner and Applicant Information:

Applicant: Valentina Matyuk

Property Owner: Nikolay & Valentina Matyuk

Action Requested: Variance to allow an accessory building in the side yard in an RE district. (Sec. 8.030)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 1.06± acres

Legal Description: Lot One (1) Block One (1), RIVERSIDE WEST III, an Addition in Tulsa County, State of Oklahoma, according to the recorded Plat thereof and Lot Four (4), Block Two (2), RIVERSIDE WEST II, an Addition in Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

Present Zoning: RE (Residential Estate)

Fenceline/Area: Sand Springs

Land Use Designation: Residential

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 9108

CASE NUMBER: CBOA-3356

CASE REPORT PREPARED BY: INCOG Planning Services

HEARING DATE: May 19, 2026, 1:30 PM

APPLICANT: Valentina Matyuk

ACTION REQUESTED: Variance to allow an accessory building in the side yard in an RE district. (Sec. 8.030)

LOCATION: 14953 W 17th St S, Sand Springs, OK

ZONED: RE (Residential Estate)

FENCELINE: Sand Springs

PRESENT USE: Residential

TRACT SIZE: 1.06± acres

LEGAL DESCRIPTION: Lot One (1) Block One (1), RIVERSIDE WEST III, an Addition in Tulsa County, State of Oklahoma, according to the recorded Plat thereof and Lot Four (4), Block Two (2), RIVERSIDE WEST II, an Addition in Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

PREVIOUS ACTIONS: n/a

ANALYSIS OF SURROUNDING AREA: The surrounding area is characterized by residential subdivisions made up of RE lots and, further east and west, RS-3 lots. To the north and south of the subject property is more RE land, which eventually transitions into AG land. Other than some of the AG land to the south after the residential subdivision, which has Industrial / Regional Employment as part of the Future Land Use plan, the area is characterized by overwhelmingly having the Residential Future Land Use designation.

STAFF COMMENTS:

The applicant is before the Board to request a Variance to allow an accessory building in the side yard in an RE district. (Sec. 8.030). It should be noted that the subject property is currently undergoing a lot line adjustment that will combine two parcels into one; this combined larger parcel is the subject property referenced throughout this staff report.

Tulsa Count Zoning Code Section 8.030 allows an accessory building in an R-zoned lot to be located in the rear yard of the property. The applicant is proposing to construct an accessory in the side yard.

APPLICANT STATEMENT

Due to unique conditions on my property, the rear of the property has a significant slope, making construction unsafe. In addition, there are utility easements, including power lines, a gas line, and an internet line, which restrict building in that area.

COMPATIBILITY WITH SURROUNDING AREA:

The subject property is split between two established RE single-family residential subdivisions, characterized by mostly regular lot layouts and homes typically oriented toward interior streets. All lots surrounding the subject property, as well as the subject property itself, are zoned RE and fall within the Tulsa County Comprehensive Land Use Plan designation of Residential (meant it is typically comprised of single-family neighborhoods, with a dwelling-unit-per-acre intensity typically in the 2 to 5 range, although it can be even lower), adopted from the Sand Springs future land use plan by reference.

The requested variance represents a minor departure from the established development pattern of the subdivision. Side yards within the R-zoned districts are generally intended to provide separation between structures, maintain privacy, and preserve a consistent streetscape. Placement of an accessory building in this area may increase visibility from adjacent properties and, depending on location, from the public right-of-way, which is not typical of surrounding development. However, due to the lot line adjustment, the subject lot is also larger than the typical development in the area.

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) to allow a Variance to allow an accessory building in the side yard in an RE district. (Sec. 8.030)

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

- 1. Compliance with all setback and safety requirements*
- 2. Placement that minimizes visual and functional impacts on neighboring lots*

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.





Tulsa County Clerk - Michael Willis

Doc # 2021150219 Page(s): 2

12/27/2021 09:52:40 AM

Receipt # 21-92325

Fee: \$ 20.00 Doc Stamp: \$411.00

D.S. \$ ~~420.00~~ \$ 411.00

Property Address: 14953 W 17th St S, Sand Springs, OK 74063

Buyer Mailing Address: 14953 W 17th St S, Sand Springs, OK 74063

GENERAL WARRANTY DEED

(with Survivorship clause)

THIS INDENTURE, made this November 19, 2021 between **Darin S. Shipley and Pamela S. Shipley, husband and wife**, party of the first part, and **Nikolay Matyuk and Valentina Matyuk**, joint tenants, with the right of survivorship as hereinafter set out, parties of the second part.

WITNESSETH, that in consideration of the sum of Ten Dollars, and other good and valuable considerations, receipt of which is hereby acknowledged, said party(s) of the first part do(es) by these presents grant, bargain, sell and convey unto the said parties of the second part, as joint tenants, and not as tenants in common, on the death of one the survivor, their heirs and assigns of the survivor, to take the entire fee simple title to the following described real estate, situated in the County of **Tulsa**, State of Oklahoma, to-wit:

Lots One (1) and Two (2), Block One (1), RIVERSIDE WEST III, an Addition in Tulsa County, State of Oklahoma, according to the recorded Plat thereof. (TRACT 1)

Lot Four (4), Block Two (2), RIVERSIDE WEST II, an Addition in Tulsa County, State of Oklahoma, according to the recorded Plat thereof. (TRACT 2)

Together with all fixtures and improvements, and all appurtenances, subject to existing zoning ordinances, plat or deed restrictions, utility easements serving the Property, including all mineral and water rights owned by Seller but excluding previously recorded reservations and conveyances of mineral rights.

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

And said party of the first part, thier, successors, grantees, executors, and administrators, do(es) hereby covenant and agree to and with said parties of the second part that, at the delivery of these presents, they 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 appurtenances, that the same are free clear and discharged and unencumbered of and from all former and other grants, titles, charges, judgments, estates, taxes, assessments and encumbrances of whatsoever nature and kind, EXCEPT: Easements and building restrictions of record and special assessments not yet due; setback lines and zoning ordinances, if any of record and that party grantor will WARRANT AND FOREVER DEFEND the same unto said party(s) of the second part,

their heirs, successors and assigns against said parties of the first part, their heirs, successors and assigns, and all and every person or persons whomsoever lawfully claiming, or to claim the same.

IN WITNESS WHEREOF, the said party of the first part has hereunto set thier hand the day and year above written.

Darin S. Shipley
Darin S. Shipley

Pamela S. Shipley
Pamela S. Shipley

STATE OF OKLAHOMA)
)ss.
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public, in and for said County and State, on November 19, 2021, personally appeared **Darin S. Shipley and Pamela S. Shipley, husband and wife** to me known to be the identical person(s) who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their 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:

Hannah Steigert

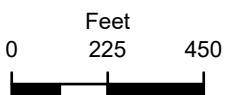
Commission #



Title Insurance Producer: Titan Title
Title Insurance: First American Title Insurance Company
Title Insurance Producer's File Number: 21-4840



SUBJECT TRACT



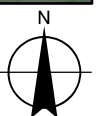
Subject Tract

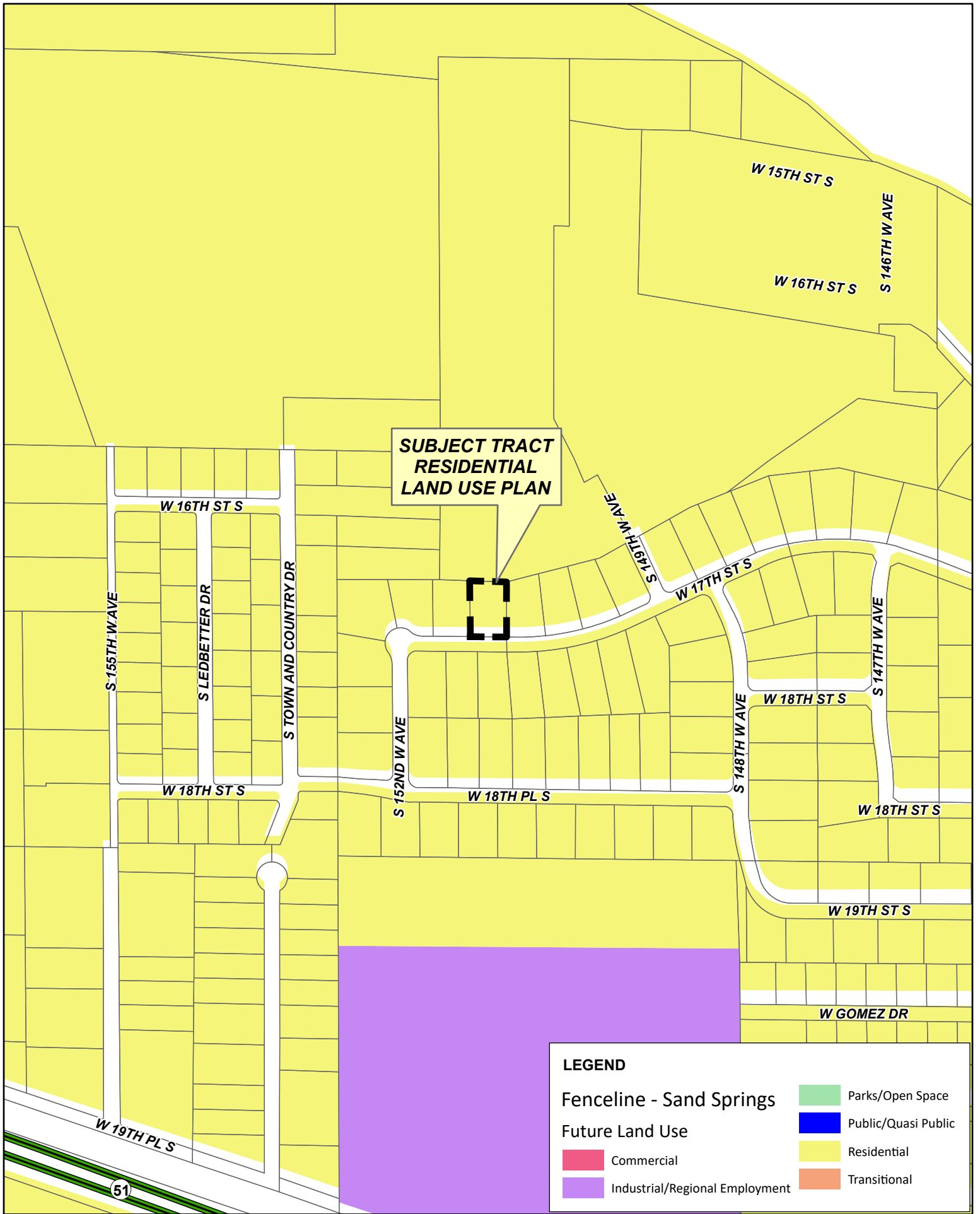
CBOA-3356

08 19-11

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

Aerial Photo Date: 2024





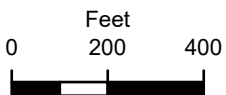
**SUBJECT TRACT
RESIDENTIAL
LAND USE PLAN**

LEGEND

Fenceline - Sand Springs

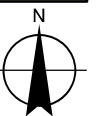
Future Land Use

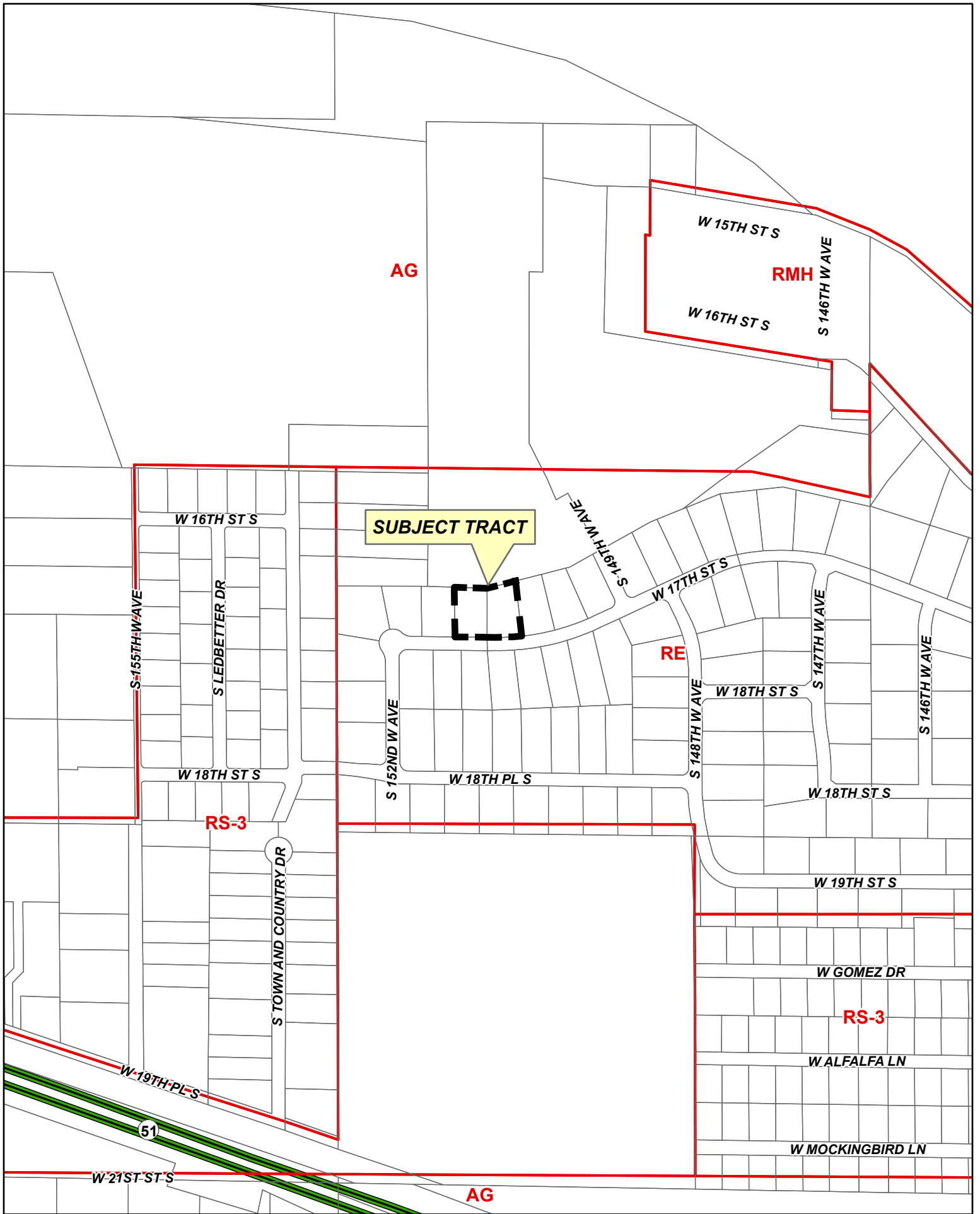
	Commercial		Parks/Open Space
	Industrial/Regional Employment		Public/Quasi Public
			Residential
			Transitional



CBOA-3356

08 19-11

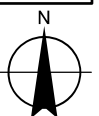
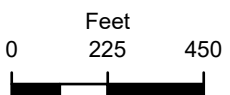




SUBJECT TRACT

CBOA-3356

08 19-11





Case Number: CBOA-3357

Hearing Date: May 19, 2026, 1:30 PM

Case Report Prepared by:

INCOG Planning Services

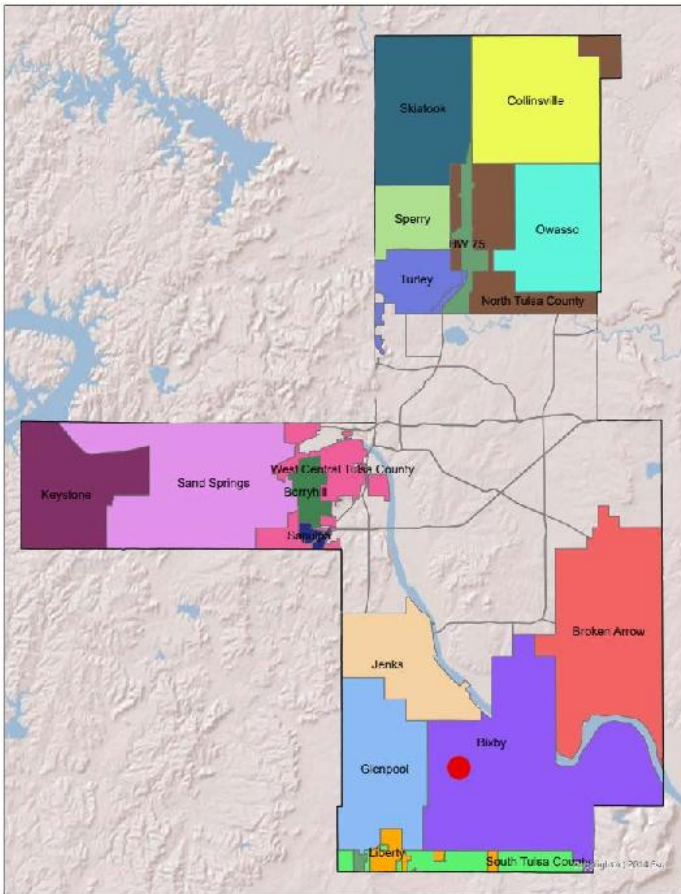
Owner and Applicant Information:

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), Variance of the Minimum Lot Area and Minimum Lot Area per Dwelling Unit in an AG district (Section 2.050, Table 2-3), and Special Exception for Type 2 Home Occupation (Sec. 8.120-C).

Location Map:



Additional Information:

Present Use: Shop

Tract Size: 1.38± acres

Legal Description: The North 200.00 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**

CASE REPORT PREPARED BY: INCOG Planning Services

HEARING DATE: May 19, 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), Variance of the Minimum Lot Area and Minimum Lot Area per Dwelling Unit in an AG district (Section 2.050, Table 2-3), and Special Exception for Type 2 Home Occupation (Sec. 8.120-C).

LOCATION: 3900 E 161st St, Bixby, OK

ZONED: AG (Agriculture)

FENCELINE: Bixby

PRESENT USE: Shop

TRACT SIZE: 1.38± acres

LEGAL DESCRIPTION: The North 200.00 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: n/a

ANALYSIS OF SURROUNDING AREA: The surrounding area is made up almost entirely of 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.

STAFF COMMENTS:

The applicant is requesting two variances and one special exception:

- 1) 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)
- 2) Variance of the Minimum Lot Area and Minimum Lot Area per Dwelling Unit in an AG district (Section 2.050, Table 2-3)
- 3) Special Exception for Type 2 Home Occupation (Sec. 8.120-C).

The applicant intends to split the property, creating a smaller "Subject Property" from the existing "Parent Tract." The goal is to allow for a dwelling unit and a shop on the new lot. This house and shop combination would allow for a Type 2 Home Occupation if the Board grants it, which the Zoning Code defines as: "Type 2

home occupations are those in which household residents use their home as a place of work and either employees or customers come to the site.”

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.

Regarding the request to reduce the minimum lot area from the required 2 acres to 1.38 acres, the applicant notes the restrictive layout of the Parent Tract. While there is technically enough total land area to provide a 2-acre lot (the minimum for AG), there is a possibility that such a configuration may leave the Parent Tract with insufficient usable land (area not encumbered by power lines). However, it should be noted that the burden of proof remains with the applicant to demonstrate why a 1.38-acre lot represents the minimum variance necessary to afford relief.

APPLICANT STATEMENT: I am requesting a variance on the above-referenced property from 2 AC to 1.38 AC. My plan is to sell this tract to a contractor for non-residential use: office, shop and storage [*staff note: applicant has clarified that it will have residential use as well as a home occupation use*]. We will leave a 20-30 foot wooded area on the north and the west parallel to the transmission line as a visual screening for the neighbors. The only access to this property is the 30-foot access easement parallel to the transmission line, therefore, requiring a street frontage variance. I could lease this tract to the contractor without the variance, however, his goal is to purchase this tract. The parcel is currently serviced by the power line on the property and existing water line. Thank you for your consideration in this matter.

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.

Compatibility impacts of having an undersized lot (for AG standards) may be partially mitigated if:

- It is properly screened through fencing or landscaping
- Designed to maintain adequate setback and separation from adjacent properties

While this request deviates in degree from typical lot-size variances, several mitigating factors exist. For instance, the proposed 1.38-acre lot will be almost entirely buffered by the remaining 4-acre parent tract. Furthermore, the presence of electric cables on the western boundary makes further splitting of the parent tract difficult, if not impossible. While the request is less consistent with the area's established development pattern, careful site design and screening could effectively minimize any potential impacts.

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:

- 1) "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)

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

- 2) "Move to _____ (approve/deny) to allow a Variance of the Minimum Lot Area and Minimum Lot Area per Dwelling Unit in an AG district (Section 2.050, Table 2-3)

Subject to the following conditions, if any: _____.

Finding the hardship to be _____.

- 3) "Move to _____ (approve/deny) to allow a Special Exception for Type 2 Home Occupation (Sec. 8.120-C).

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.

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.

And 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.

SCALE: 1"=200'



Legal Description (Tract 1)

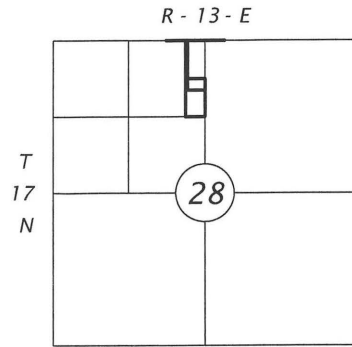
The West Thirty (30) feet of the North Half of the East Half of the East Half of the Northeast Quarter of the Northwest Quarter (N/2 E/2 E/2 NE/4 NW/4) of Section Twenty-eight (28), Township Seventeen (17) North, Range Thirteen (13) East.

AND

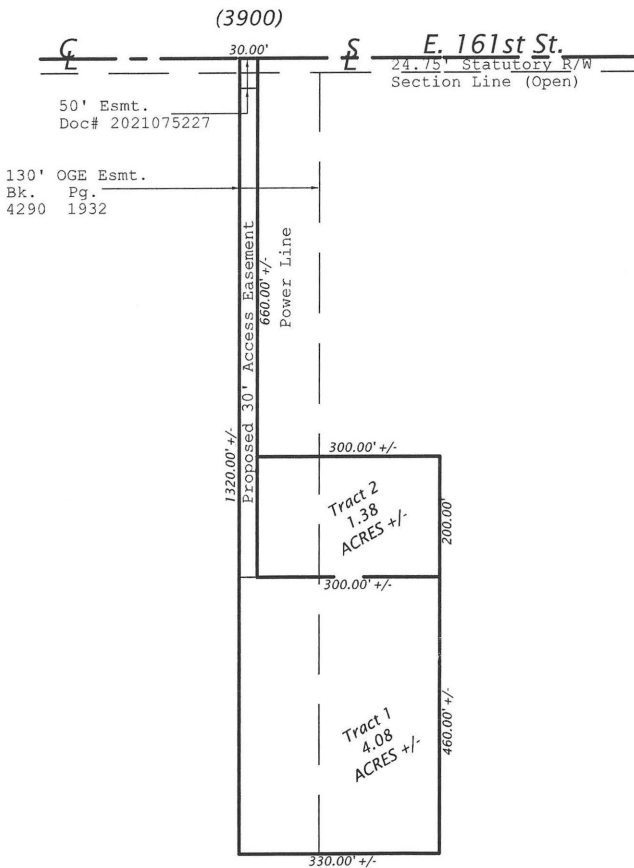
The South Half of the East Half of the East Half of the Northeast Quarter of the Northwest Quarter (S/2 E/2 E/2 NE/4 NW/4) of Section Twenty-eight (28), Township Seventeen (17) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof Less and Except the North 200.00 feet of the East 300.00 feet thereof.

Legal Description (Tract 2)

The North 200.00 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



50' Esmt.
Doc# 2021075227

130' OGE Esmt.
Bk. Pg.
4290 1932

(3900)

E. 161st St.
24.75' Statutory R/W
Section Line (Open)

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. 26-02-026

DATE: 02/16/026

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 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 200.00 feet of the East 300.00 feet 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 200.00 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.

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 Two Hundred (200) 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.

Overhead Map





PROPERTY INFORMATION

ACCOUNT NUMBER:	007472602840010
PROPERTY ADDRESS:	3900 E 161 ST S
LEGAL DESCRIPTION:	W30 N/2 E/2 E/2 NE NW1 E55 N50 THEREOF FOR RD & S/2 E/2 E/2 NE NW SEC 28 17 13 S,42DACS
CURRENT CASE(S):	CI 5-132
LEA CASE(S):	
LOT SPLITS:	1 (2025)
GROSS ACRES:	5.42
GROSS SQ. FEET:	236,100.00
ZONING:	AG
FUTURE LAND USE:	Low Density Residential
SUBDIVISION:	N/A
T-R-S:	7328
C7M:	66
COMMISSIONER DISTRICT:	3
JURISDICTION:	UNINCORPORATED
NEARBY PARCELS (350 FT):	18
FLOOD HAZARD:	
OWNER:	REDYKE FAMILY TRUST
ADDRESS (1):	8713 E 110TH CT
ADDRESS (2):	
CITY:	TIFFA



ReDyke

Consulting Corp.
Explosive Demolition



April 14, 2026

INCOG
Tulsa Board of Adjustment
2 W 2nd Street, Suite 800
Tulsa, OK 74103

RE: LOT SPLIT AND VARIANCE – 3900 E 161st Street, Bixby, OK

TO: Whom It May Concern

I am requesting a variance on the above-referenced property from 2 AC to 1.38 AC. My plan is to sell this tract to a contractor for non-residential use: office, shop and storage. We will leave a 20-30 foot wooded area on the north and the west parallel to the transmission line as a visual screening for the neighbors.

The only access to this property is the 30-foot access easement parallel to the transmission line, therefore, requiring a street frontage variance. I could lease this tract to the contractor without the variance, however, his goal is to purchase this tract.

The parcel is currently serviced by the power line on the property and existing water line.

Thank you for your consideration in this matter.

Sincerely,

James H. Redyke
Redyke Consulting Corp

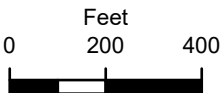
Attachments



E 161ST ST S

SUBJECT TRACT

S 43RD E AVE



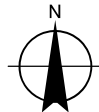
Subject Tract

CBOA-3357

28 17-13

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

Aerial Photo Date: 2024

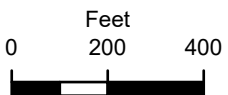


E 161ST ST S

**SUBJECT TRACT
LOW DENSITY RESIDENTIAL
LAND USE PLAN**



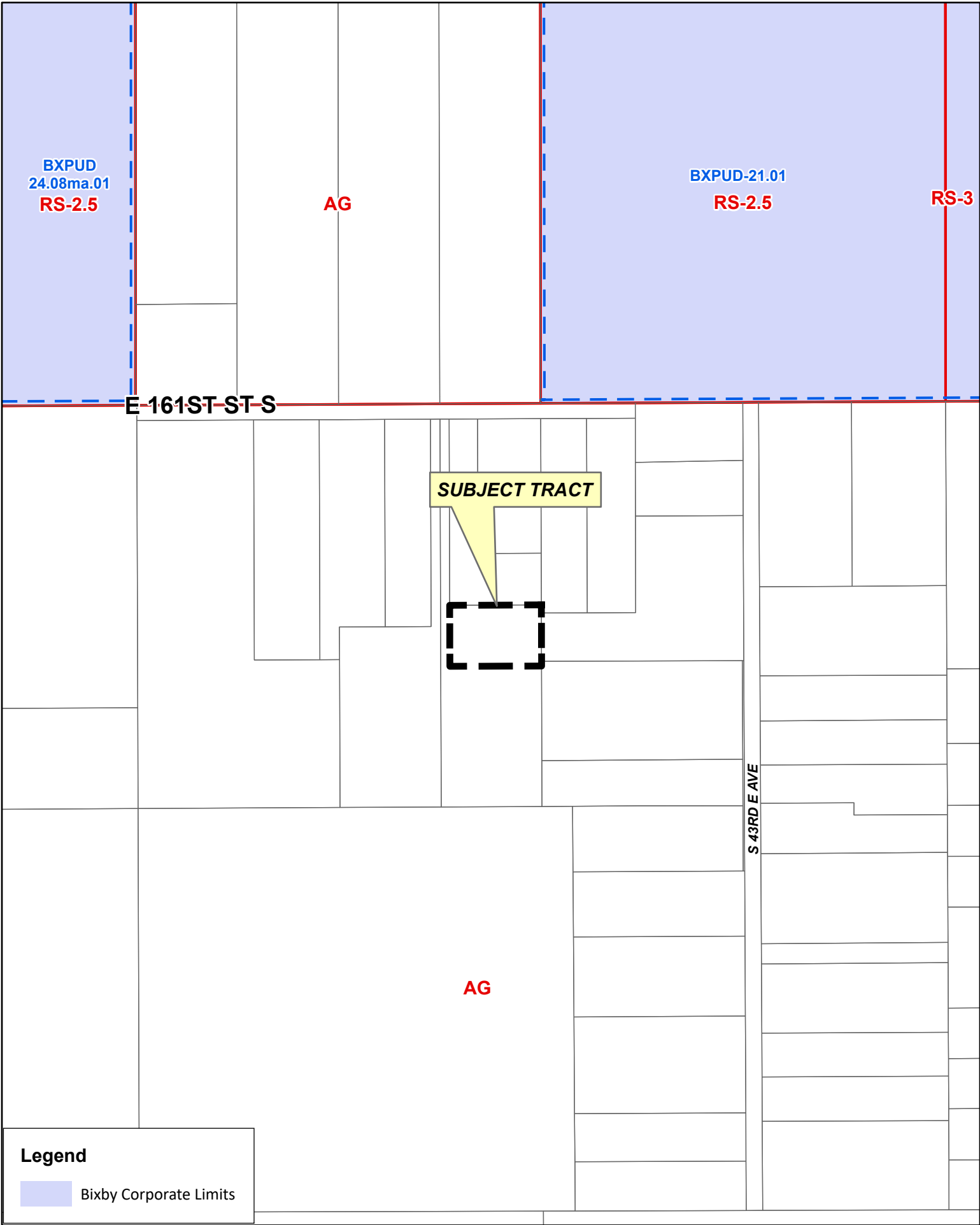
S 43RD E AVE



CBOA-3357

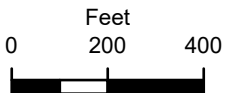
28 17-13





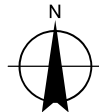
Legend

 Bixby Corporate Limits



CBOA-3357

28 17-13





Case Number: CBOA-3358

Hearing Date: 05/19/2026 1:30 PM

Case Report Prepared by:

INCOG Planning Services

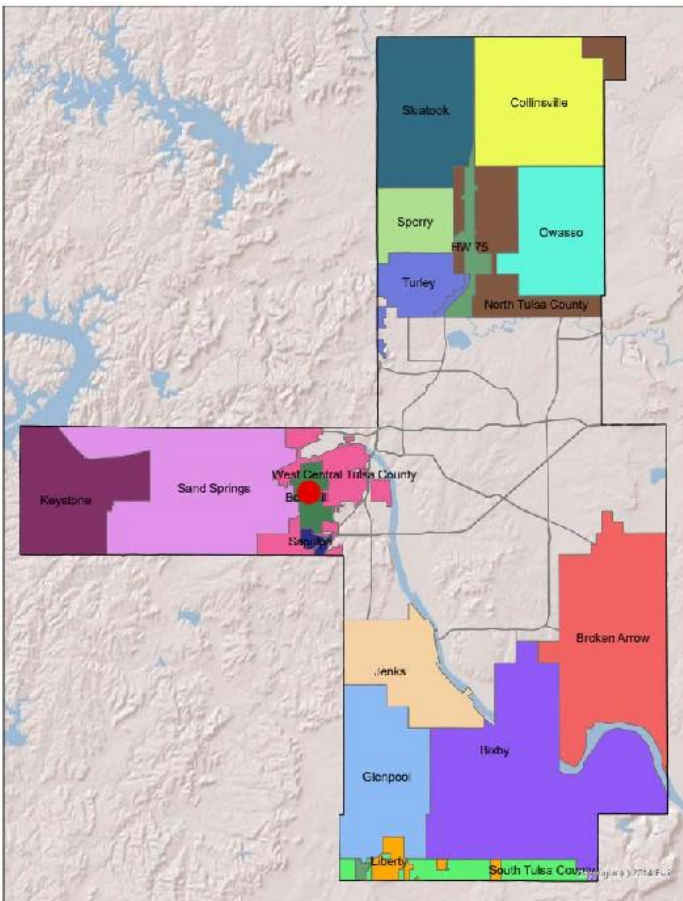
Owner and Applicant Information:

Applicant: Jose Soto

Property Owner: Jose Soto

Action Requested: Variance of fence height requirement (Sec. 8.100-A) from 4ft to 6 ft for front yard maximum and 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**

CASE REPORT PREPARED BY: INCOG Planning Services

HEARING DATE: 05/19/2026 1:30

PM APPLICANT: Jose Soto

ACTION REQUESTED: Variance of fence height requirement (Sec. 8.100-A) from 4ft to 6 ft for front yard maximum and 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.

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 subject property consists of two long, rectangular lots situated side by side, resulting in an unusually extended street frontage compared to typical RS-3 residential parcels. The request is limited solely to a fence height variance within the street setback. No other dimensional, use, or structural variances are requested.

Due to the extended frontage and continuous exposure to roadway traffic, the property experiences conditions not common to similarly zoned lots. The fence provides reasonable safety and security by clearly defining the property boundary and limiting unintended access. The fence includes an integrated electric gate system that is part of the fence itself, operated by remote control with keypad access for controlled entry. Downward-facing, low-intensity lighting integrated into the fence improves nighttime visibility without glare or spillover. The fence does not obstruct sightlines, utilities, drainage, or pedestrian or vehicular movement and does not negatively impact adjacent properties. For these reasons, approval of the requested variance preserves the intent of the zoning code while allowing reasonable use of the property.

STAFF COMMENTS: The applicant is requesting a variance to allow fence height requirement (Sec. 8.100-A) from 4 ft to 6 ft (or front yard maximum) and an 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). For information regarding the appeal, please see the included exhibits.

Regarding the Variance, the fence is already in place, as shown in the exhibits. As the subject property is in the middle of the street, the 6 ft fence should not be an impediment to drivers’ vision. Moreover, the Berryhill Planning Area’s future land use designation of Existing Neighborhood is intended to preserve and enhance the region’s existing single-family neighborhoods, where development activities should be limited to the rehabilitation, improvement, or replacement of existing homes as permitted by the zoning code.

In evaluating variance requests, the Board must determine whether strict application of zoning regulations creates unnecessary hardship or practical difficulty due to conditions unique to the property.

In reviewing variance requests, the Board must consider whether the request:

- Arises from unique site conditions;
- Is not self-created;
- Represents the minimum variance necessary;
- Will not be detrimental to surrounding properties; and
- Is consistent with the intent of the zoning regulations.

Based on the surrounding land use pattern, site characteristics, and applicable variance criteria, the Variance to allow a detached accessory building in the side yard in the RS-3 district (Sec. 8.030-A) appears compatible with the character of the area and consistent with the Tulsa County Comprehensive Land Use Plan. However, this exact Variance request has previously been heard by the Board and has been denied due to, at least in part, a lack of a compelling and/or applicable hardship. The burden of proof is on the applicant to provide the relevant hardship this time around.

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 Variance of fence height requirement (Sec. 8.100-A) from 4 ft to 6 ft or front yard maximum

Subject to the following conditions, if any: _____.

- 1) This variance applies to the existing fence and not to any new fences that may replace it.*

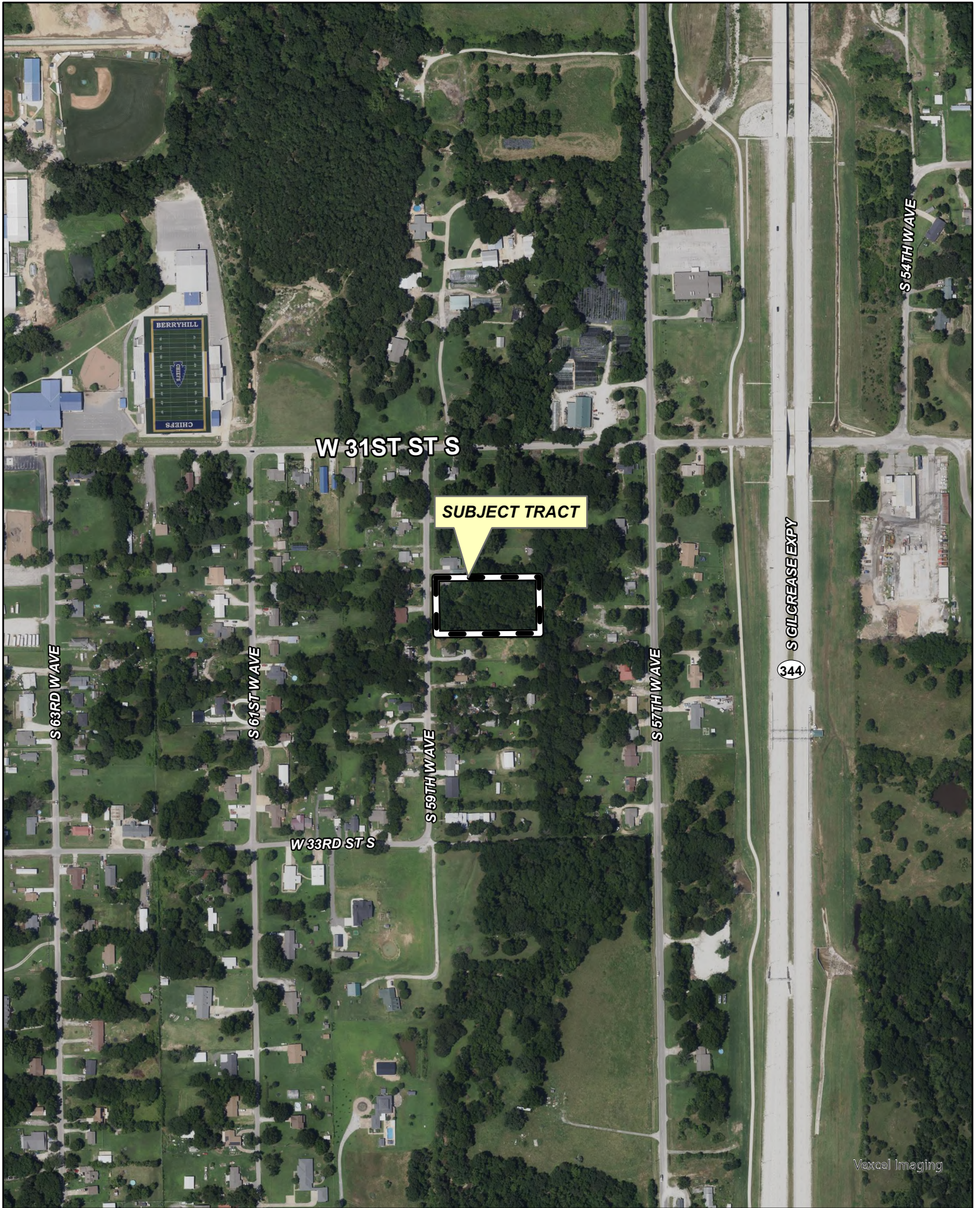
Finding the hardship to be _____.

and

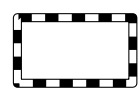
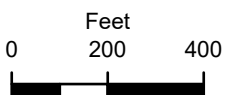
“Move to _____ (approve/deny) the Appeal of Tulsa County’s requirement that the property owner obtain a special exception and/or variance for a pre-existing carport (Sec.14.110)

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.



Vexcel Imaging



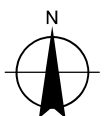
Subject
Tract

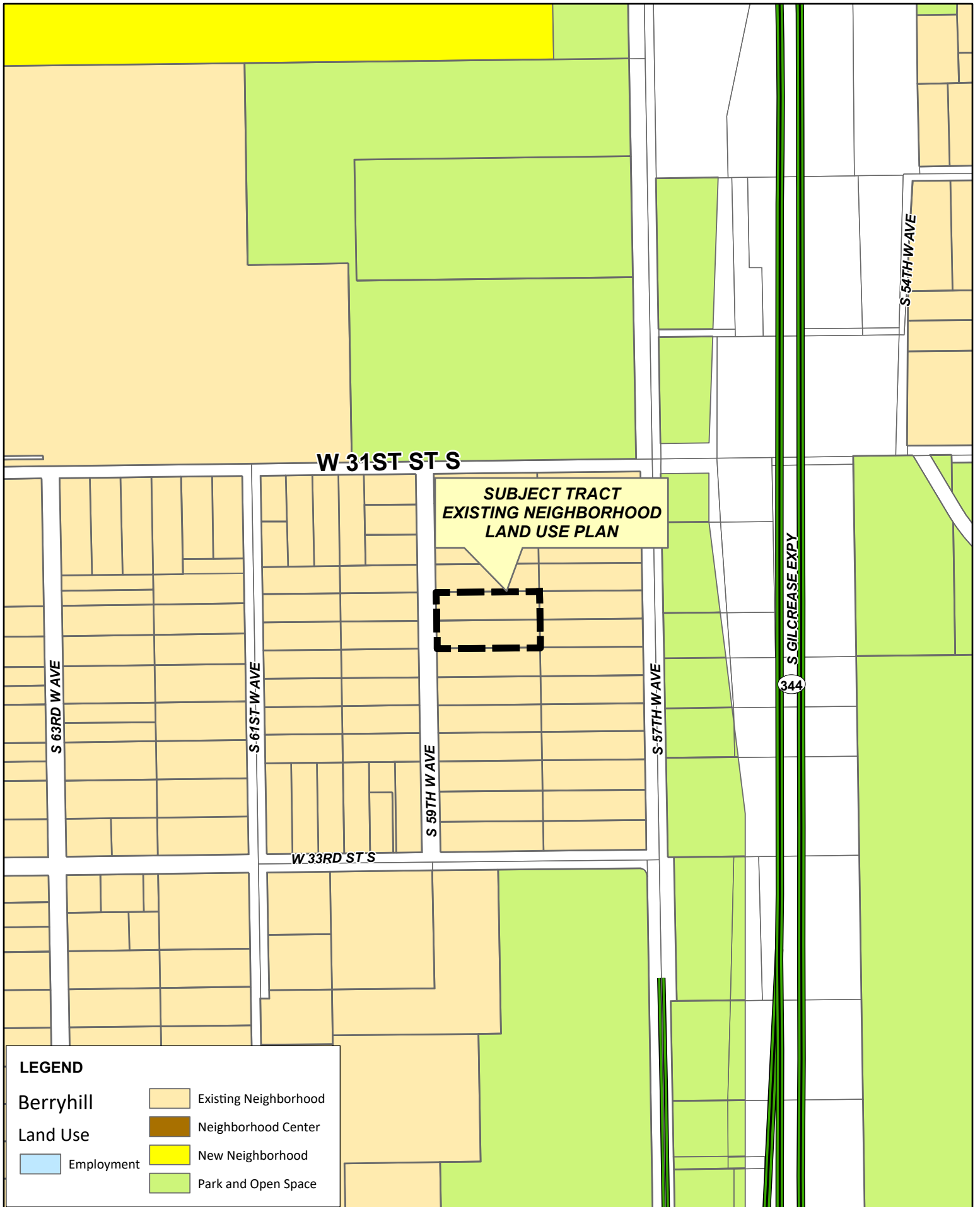
CBOA-3358

20 19-12

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


Aerial Photo Date: 2024

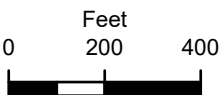




LEGEND

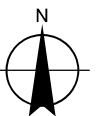
Berryhill Land Use

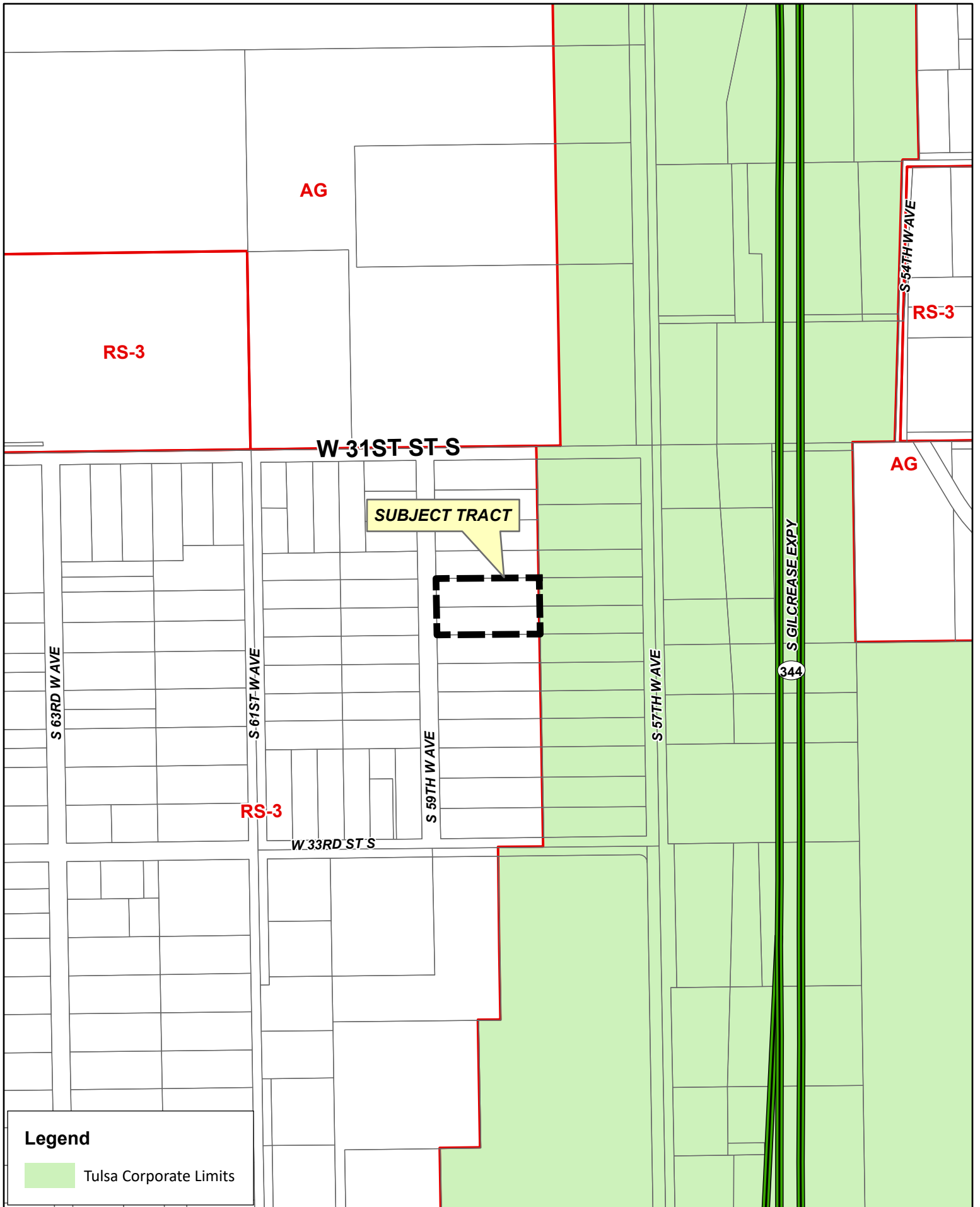
	Existing Neighborhood
	Neighborhood Center
	New Neighborhood
	Park and Open Space
	Employment



CBOA-3358

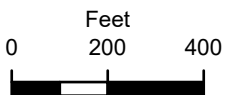
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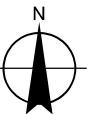
Legend

 Tulsa Corporate Limits



CBOA-3358

20 19-12



The remaining pages for this case are exhibits from CBOA-3336

Written Justification

The subject property consists of two long, rectangular lots situated side by side, resulting in an unusually extended street frontage compared to typical RS-3 residential parcels.

The request is limited solely to a fence height variance within the street setback. No other dimensional, use, or structural variances are requested.

Due to the extended frontage and continuous exposure to roadway traffic, the property experiences conditions not common to similarly zoned lots.

The fence provides reasonable safety and security by clearly defining the property boundary and limiting unintended access. The fence includes an integrated electric gate system that is part of the fence itself, operated by remote control with keypad access for controlled entry.

Downward-facing, low-intensity lighting integrated into the fence improves nighttime visibility without glare or spillover.

The fence does not obstruct sightlines, utilities, drainage, or pedestrian or vehicular movement and does not negatively impact adjacent properties.

For these reasons, approval of the requested variance preserves the intent of the zoning code while allowing reasonable use of the property.

Exhibit A – Site Sketch

S 59th W Ave (Street Frontage)

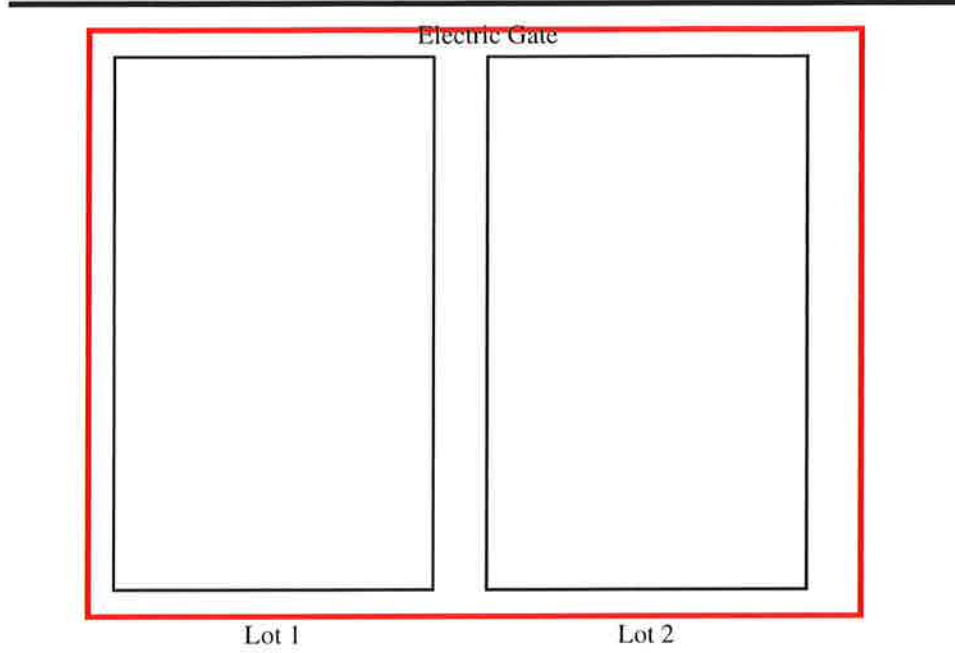


Photo Exhibit B1

Extended street frontage showing continuous, uniform fence line



Photo Exhibit B2

Opposite-direction view confirming uninterrupted frontage and clear sightlines



Photo Exhibit B3

Primary vehicle gate demonstrating integrated electric gate system with remote operation and keypad access



Photo Exhibit B4

Fence-mounted, downward-facing lighting and security features



Photo Exhibit B5

Low-intensity, downward-facing light fixture minimizing glare and spillover



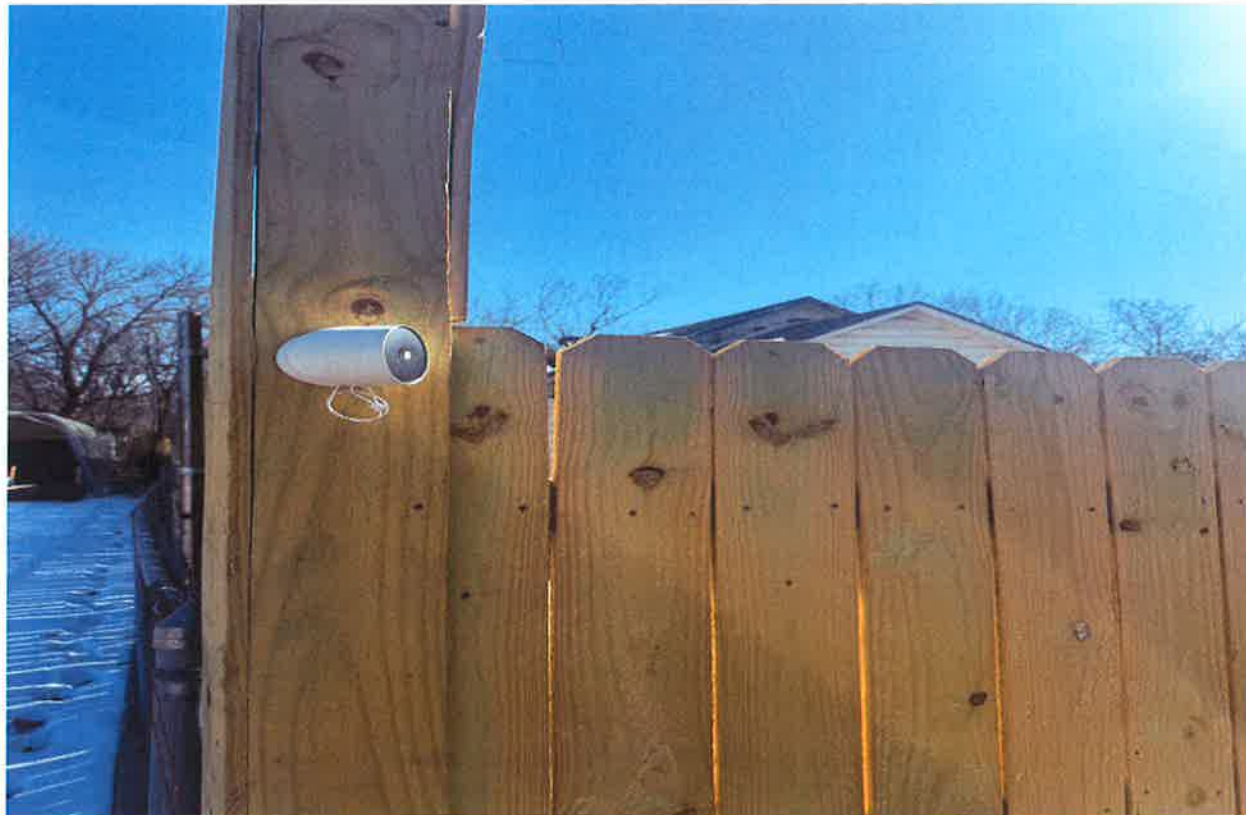
Photo Exhibit B6

Fence placement relative to roadway and overhead utilities showing no obstruction



Photo Exhibit B7

Fence termination consistent with property boundary; integrated security system installed





Case Number: CBOA-3359

Hearing Date: 05/19/2026 1:30 PM

Case Report Prepared by:

INCOG Planning Services

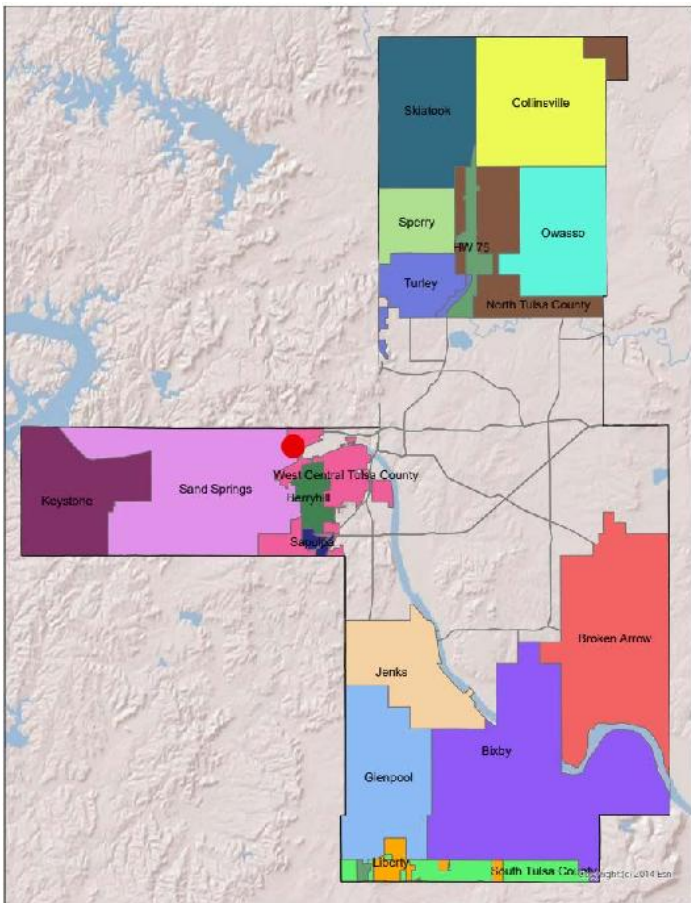
Owner and Applicant Information:

Applicant: Micah Burdge

Property Owner: Micah & Amber Burdge

Action Requested: Special Exception to allow a duplex residential building type in an RS-3 district (Sec.3.030, Table 3-2)

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 0.46± acres

Legal Description: Lots One (1) and Two (2), Block One (1), W.R. REED SUB-DIVISION of Lots 14,15,19 and the West 100 feet of Lot 12, Block 7, of TWIN CITIES SUBDIVISION in Section 6, Township 19 North, Range 12 East, in Tulsa County, 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: 9206

CASE NUMBER: **CBOA-3359**

CASE REPORT PREPARED BY: INCOG Planning Services

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

APPLICANT: Micah Burdge

ACTION REQUESTED: Special Exception to allow a duplex residential building type in an RS-3 district (Sec. 3.030, Table 3-2)

LOCATION: 7217 W.7th Street, Tulsa, OK

ZONED: RS-3

FENCELINE: West Central Tulsa County

PRESENT USE: Residential

TRACT SIZE: 0.46± acres

LEGAL DESCRIPTION: Lots One (1) and Two (2), Block One (1), W.R. REED SUB-DIVISION of Lots 14,15,19 and the West 100 feet of Lot 12, Block 7, of TWIN CITIES SUBDIVISION in Section 6, Township 19 North, Range 12 East, in Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

RELEVANT PREVIOUS ACTIONS: n/a

ANALYSIS OF SURROUNDING AREA: The subject property, made is surrounded on the North, West, and East by RS-3 zoned lots, which is a zoning type intended for single-family homes. Further south one can find some AG land, but that is soon interrupted by the Keystone Expressway. All of these neighboring lots, other than the one South, have been designated Rural Residential / Agricultural by the Tulsa County Comprehensive Land Use Plan, which is land that is sparsely occupied and primarily used either for agricultural purposes or for single-family homes on large lots.

STAFF COMMENTS: The applicant is requesting a Special Exception to allow a duplex use in an RS-3 district. Given the Rural Residential / Agricultural designation of the subject property and its neighbors, this would seem at odds with the 'rural' character of the future land use plan. However, the subject tract and its neighbors on all sides except South are zoned RS-3 and are located within a small residential subdivision fully enclosed by a much larger residential subdivision (approximating 100+ acres in size). The existence of these residential subdivisions, the RS-3 zoning, which has a minimum lot size of approximately 0.16 acres for a detached house or a duplex and is the most intensive of the single-family housing zoning categories, as well as the subject lot being nearly triple the minimum size needed for these, all point toward the request being compatible with the surrounding area. A duplex in the subject lot can have two dwelling units, and the RS-3 zoning equivalent in detached single-family homes would be able to also fit 2 such dwelling units in the subject lot, whether through a lot split or by special exception to allow a second dwelling unit in an RS-3 district.

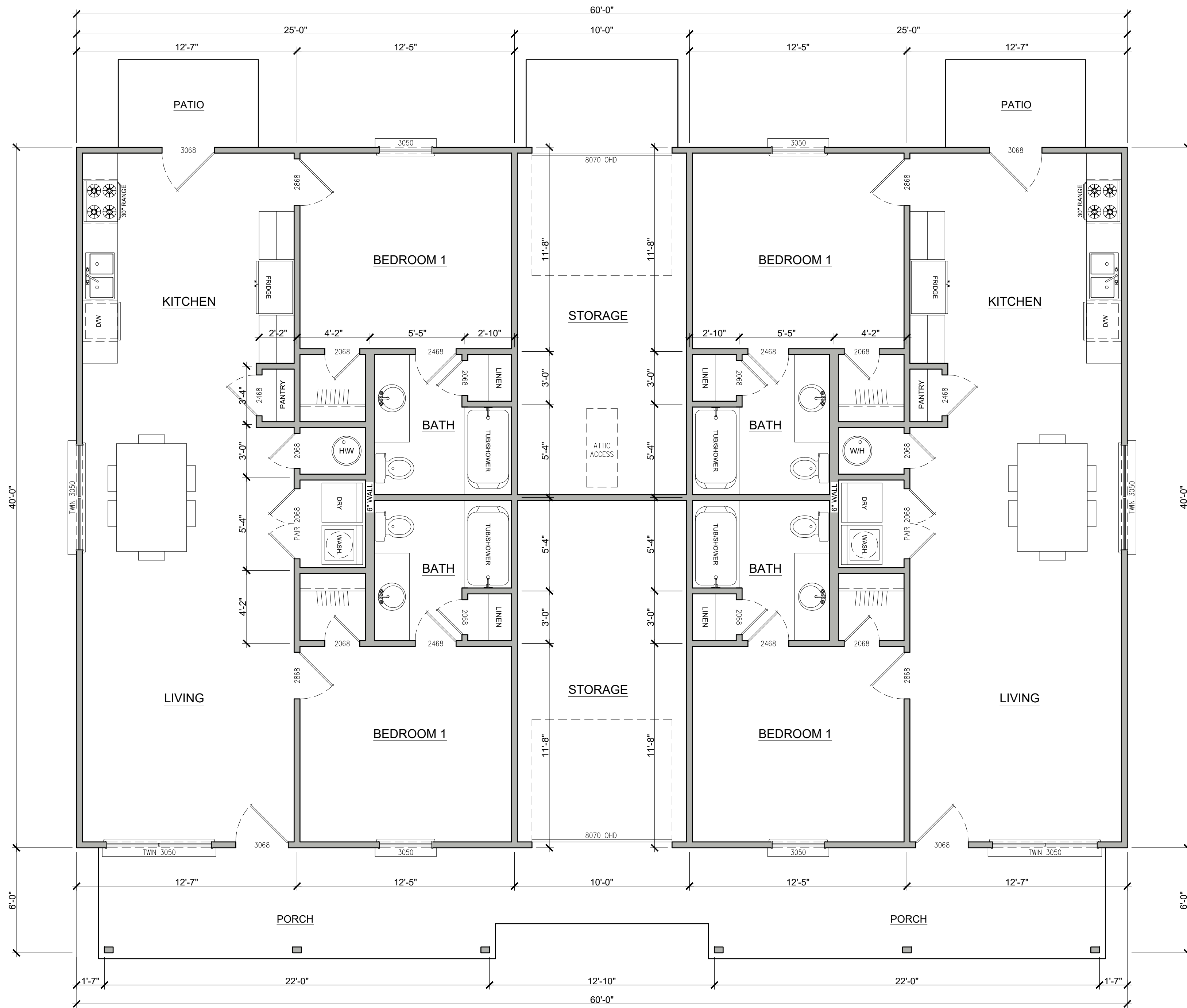
If inclined to approve the request the Board may consider any condition it deems necessary in order to ensure that the proposed variance is compatible and non-injurious to the surrounding area .

Sample Motion:

“Move to _____ (approve/deny) the Special Exception to allow a residential building type an RS-3 district (Sec. 3.030, Table 3-2)

Subject to the following conditions, if any: _____.

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



FIRST FLOOR

1/4"=1'-0"

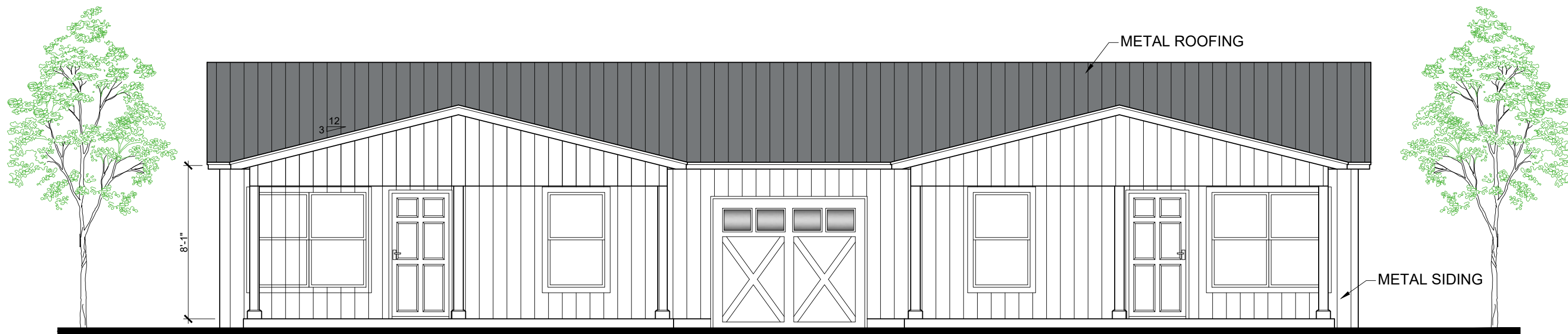
PROPOSED DUPLEX
7217 WEST 7TH STREET
TULSA, OK

Date: April 3, 2026

First Floor: 2,400 sq. ft.

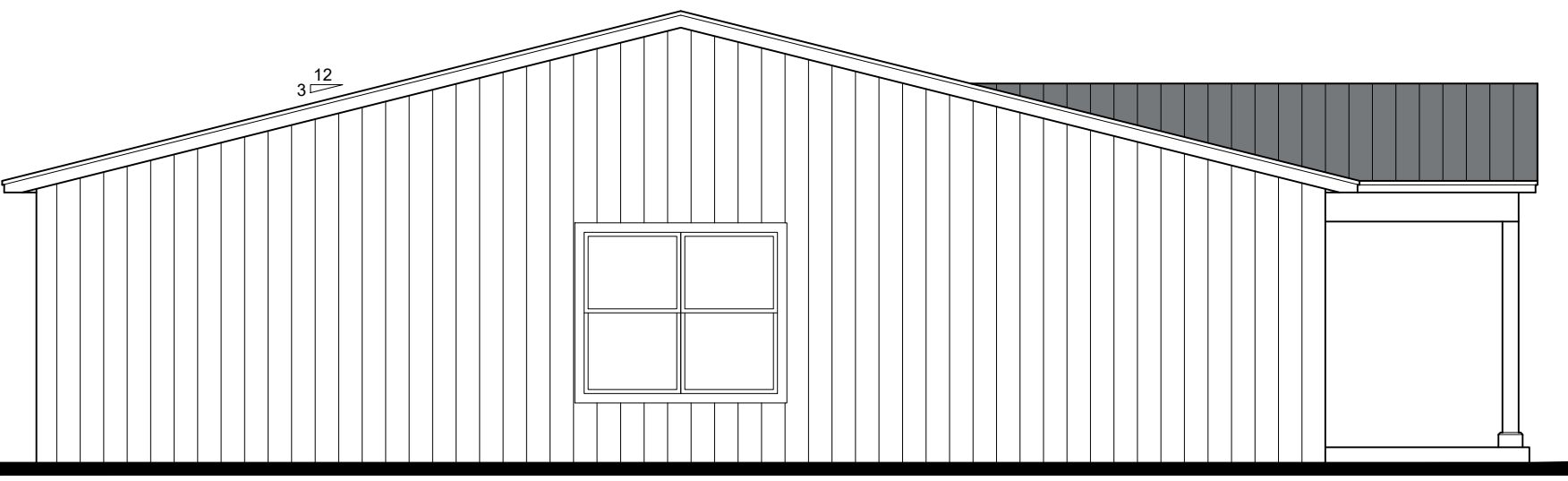
SHEET

A1



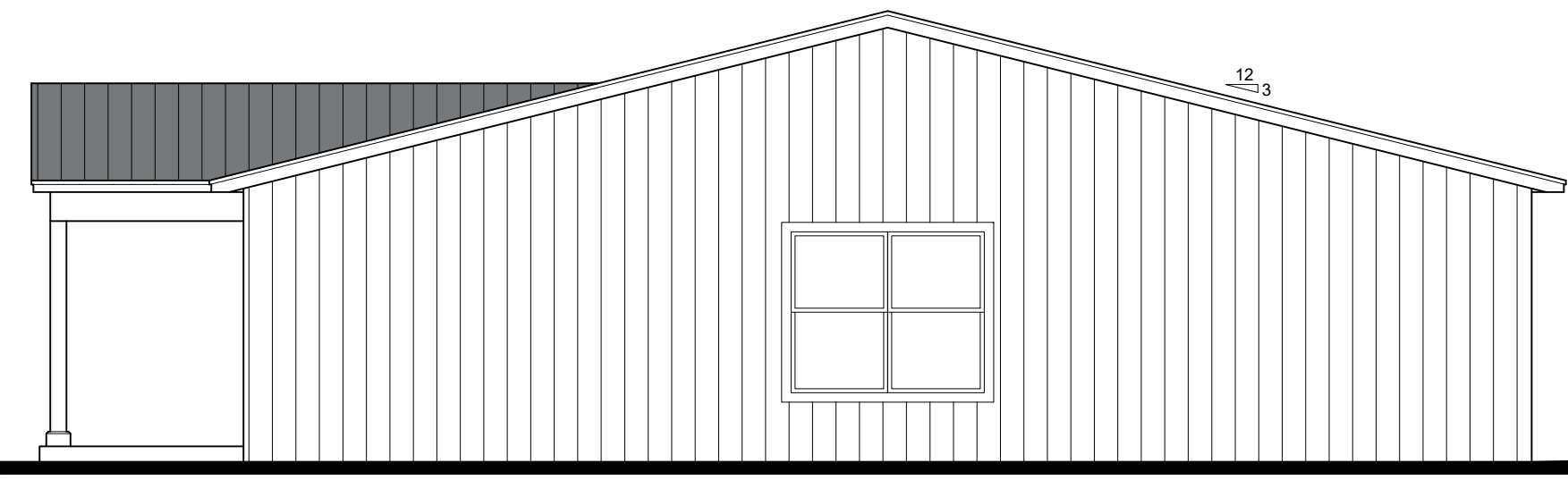
FRONT ELEVATION

3/16"=1'-0"



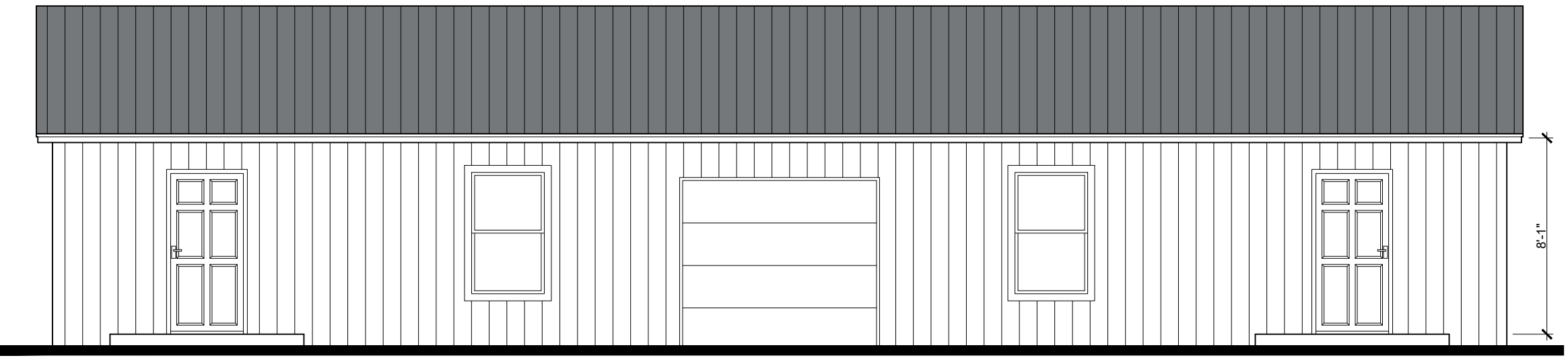
LEFT ELEVATION

3/16"=1'-0"



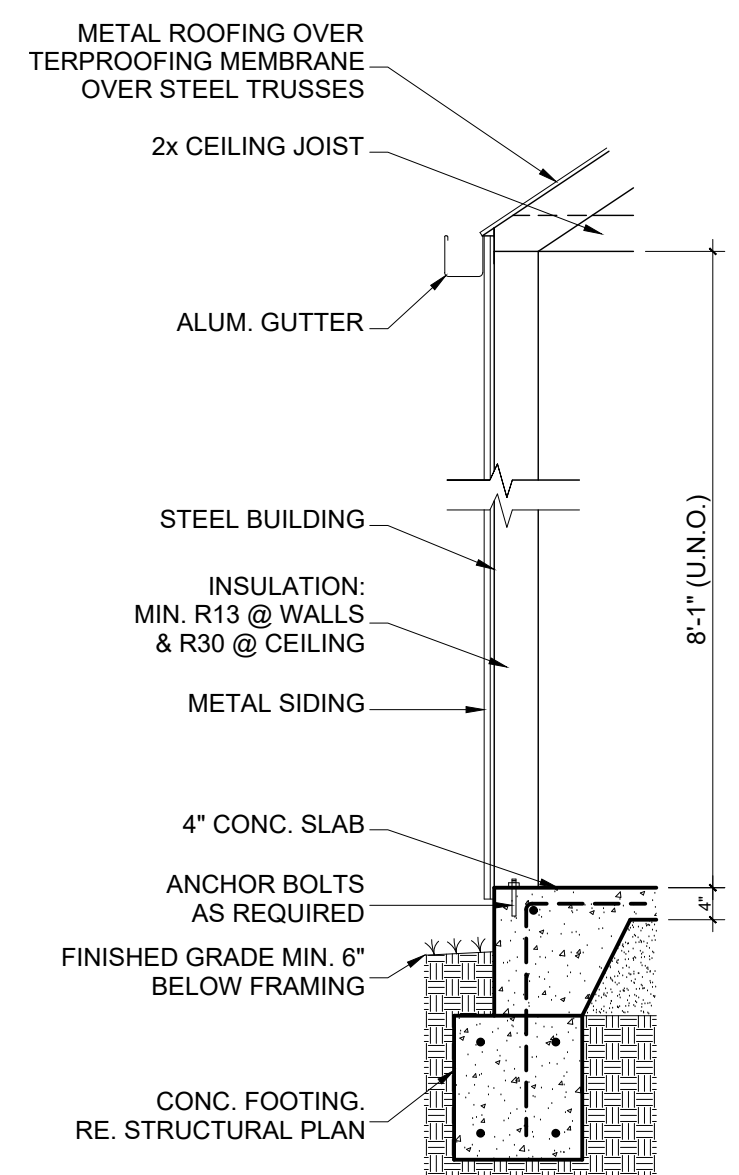
RIGHT ELEVATION

3/16"=1'-0"



REAR ELEVATION

3/16"=1'-0"



TYP WALL SECTION

1/2"=1'-0"

GENERAL NOTES

- OWNER TO SPECIFY WINDOW MANUFACTURER. REFER TO CATALOG FOR SIZES AND SPECS. PROVIDE ONE WINDOW FROM EACH BEDROOM THAT HAS A MINIMUM OPENABLE AREA OF 5.7 SQ. FT. WITH MINIMUM OPENABLE HEIGHT OF 24 INCHES AND WIDTH OF 20 INCHES. THE OPENABLE PORTION OF EGRESS WINDOWS SHALL NOT EXCEED 44 INCHES ABOVE THE ADJOINING FLOOR OR PERMANENT STEP. GLAZING IN HAZARDOUS LOCATIONS SHALL BE OF APPROVED SAFETY GLAZING MATERIALS. GLASS IN STORM DOORS, INDIVIDUAL FIXED OR OPERABLE PANELS ADJACENT TO A DOOR WHERE THE NEAREST VERTICAL EDGE IS WITHIN A 24" ARC OF THE DOOR IN A CLOSED POSITION AND WHOSE BOTTOM EDGE IS WITHIN 60" OF THE FLOOR, WALLS ENCLOSING STAIRWAYS AND LANDINGS WHERE THE GLAZING IS WITHIN 60" OF THE TOP OR BOTTOM OF THE STAIR ENCLOSURES FOR SPAS, TUBS, SHOWERS AND WHIRLPOOLS, AND GLAZING IN FIXED OR OPERABLE PANELS EXCEEDING 9 SQ. FT. AND WHOSE BOTTOM EDGE IS LESS THAN 18" ABOVE THE FLOOR OR WALKING SURFACE WITHIN 36". ALL EXTERIOR WINDOWS AND GLASS DOORS SHALL BE IN ACCORDANCE WITH THE LATEST RESIDENTIAL CODE.
- DIMENSIONS ARE FROM FACE OF EXTERIOR STUD OR FOUNDATION TO CENTERLINE OF WALL (TYP).
- ALL LOAD BEARING WALLS SHALL BE SUPPORTED IN ACCORDANCE WITH THE LATEST RESIDENTIAL BUILDING CODE.
- PROTECT AGAINST DECAY OR TERMITES BY PROVIDING PRESSURE TREATED LUMBER OR DECAY RESISTANT AND TERMITE RESISTANT LUMBER IN THE FOLLOWING LOCATIONS:
 - ALL SILLS OR PLATES THAT REST ON CONCRETE OR MASONRY EXTERIOR WALLS AND ARE LESS THAN 6 INCHES FROM EXPOSED GROUND.
 - SILLS AND SLEEPERS ON A CONCRETE SLAB THAT IS IN DIRECT CONTACT WITH THE GROUND UNLESS SEPARATED FROM SUCH SLAB BY AN IMPERVIOUS MOISTURE BARRIER.
 - THE ENDS OF WOOD GIRDERS ENTERING EXTERIOR MASONRY OR CONCRETE WALLS HAVING CLEARANCES OF LESS THAN 0.5" ON TOPS, SIDES AND ENDS.
 - WOOD SIDING, SHEATHING AND WALL FRAMING ON THE EXTERIOR OF A BUILDING HAVING A CLEARANCE OF LESS THAN 6 INCHES FROM THE GROUND.
 - WOOD STRUCTURAL MEMBERS SUPPORTING MOISTURE-PERMEABLE FLOORS OR ROOFS THAT ARE EXPOSED TO THE WEATHER, SUCH AS CONCRETE OR MASONRY SLABS, UNLESS SEPARATED FROM SUCH FLOORS OR ROOFS BY AN IMPERVIOUS MOISTURE BARRIER.
 - WOOD FURRING STRIPS OR OTHER WOOD FRAMING MEMBERS ATTACHED DIRECTLY TO THE INTERIOR OF EXTERIOR MASONRY OR CONCRETE WALLS BELOW GRADE EXCEPT WHERE AN APPROVED VAPOR BARRIER IS APPLIED BETWEEN THE WALL AND THE FURRING STRIPS OR FRAMING MEMBERS.
- FRAMING SHALL BE DONE IN ACCORDANCE WITH THE LATEST RESIDENTIAL BUILDING CODES.
 - WOOD STUDS SHALL BE DOUGLAS FIR-LARCH, STUD GRADE OR BETTER.
 - WOOD JOISTS, RAFTERS AND BEAMS SHALL BE #2 DOUG FIR-LARCH WITH STRUCTURAL VALUES IN ACCORDANCE WITH THE WWPA OR EQUAL. INSTALLATION OF ANY ENGINEERED LUMBER PRODUCT SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS AND SPECIFICATIONS.
- REFER TO ATTACHED SCHEDULE FOR HEADERS AT EXTERIOR BEARING WALLS.
- ROOF STRUCTURE SHALL BE DESIGNED FOR A TOTAL LOAD OF 35LBS. PER SQ. FT. WITH 20LBS OF LIVE LOAD AND 15LBS OF DEAD LOAD.
- INSULATION:
 - R-13 MINIMUM IN EXTERIOR WALLS
 - R-19 MINIMUM IN 2x6 EXTERIOR WALLS
 - R-38 IN FLAT CEILINGS
 - R-21 IN CATHEDRAL CEILINGS
 - R-19 AROUND PERIMETER AT RIM JOISTS
- PROVIDE 1/2" GYPSUM BOARD ON ALL INTERIOR FACES OF EXTERIOR WALLS AND BOTH FACES OF INTERIOR WALLS. PROVIDE 1/2" FIBER CEMENT OR GLASS MAT GYPSUM BACKER BOARD ON WALLS OF BATHS AND SHOWERS. PROVIDE 1/2" TYPE "X" GYPSUM BOARD ON GARAGE SIDE OF WALLS AND CEILING SEPARATING THE GARAGE FROM ALL LIVING SPACES. COVER ALL BEAMS AND COLUMNS IN GARAGE WITH 1/2" TYPE "X" GYPSUM BOARD.
- PROVIDE SMOKE ALARMS IN EACH SLEEPING ROOM, OUTSIDE OF EACH SLEEPING AREA AND ON EACH FLOOR, INCLUDING BASEMENTS. INTERCONNECT THE ALARMS IN SUCH A MANNER THAT THE ACTUATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE DWELLING.
- ALL BATHROOMS SHALL HAVE EXHAUST FANS VENTED DIRECTLY TO THE OUTSIDE CAPABLE OF 5 AIR CHANGES PER HOUR.

SPAN TABLE

BASED ON 2015 IRC TABLE R502.3.1(1), R502.3.1(2) AND R802.5(2)

FLOOR JOISTS	40# LL/10#DL (L/360)			30# LL/10#DL (L/360)			CEILING JOISTS			40# LL/10#DL (L/360)			30# LL/10#DL (L/360)			
	D.F. #2	SPAC'G O.C.	MAX. SPAN	D.F. #2	SPAC'G O.C.	MAX. SPAN	D.F. #2	SPAC'G O.C.	MAX. SPAN	D.F. #2	SPAC'G O.C.	MAX. SPAN	D.F. #2	SPAC'G O.C.	MAX. SPAN	
2x6	12"	10'-0"	11'-10"	12"	10'-0"	10'-9"	2x4	12"	9'-10"	12'-5"	16"	9'-9"	8'-11"	11'-3"	12'-5"	
	16"	9'-9"	10'-9"	24"	8'-3"	9'-3"	2x4	24"	7'-3"	9'-10"	16"	15'-0"	15'-6"	15'-6"	15'-6"	
	24"	8'-3"	9'-3"	16"	12'-0"	14'-2"	2x6	16"	12'-0"	17'-8"	16"	12'-0"	17'-8"	17'-8"	17'-8"	
2x8	12"	14'-2"	15'-7"	24"	12'-0"	14'-2"	2x6	16"	12'-0"	17'-8"	16"	12'-0"	17'-8"	17'-8"	17'-8"	
	16"	12'-0"	14'-2"	24"	10'-5"	11'-8"	2x6	24"	10'-8"	15'-0"	16"	10'-8"	15'-0"	15'-0"	15'-0"	
	24"	10'-5"	11'-8"	12"	18'-0"	19'-10"	2x8	12"	19'-1"	25'-8"	16"	16'-6"	23'-4"	16"	16'-6"	23'-4"
2x10	12"	18'-0"	19'-10"	24"	12'-0"	14'-2"	2x6	16"	12'-0"	17'-8"	16"	12'-0"	17'-8"	17'-8"	17'-8"	
	16"	15'-7"	17'-5"	24"	12'-0"	14'-2"	2x6	16"	12'-0"	17'-8"	16"	12'-0"	17'-8"	17'-8"	17'-8"	
	24"	12'-0"	14'-2"	12"	20'-11"	23'-4"	2x10	12"	18'-0"	26'-0"	16"	15'-7"	24'-0"	16"	15'-7"	24'-0"
2x12	16"	18'-1"	20'-3"	24"	14'-9"	16'-6"	2x10	16"	15'-7"	24'-0"	24"	12'-9"	23'-3"	24"	12'-9"	23'-3"
	24"	14'-9"	16'-6"													

MAXIMUM ALLOWABLE SPANS FOR HEADERS IN BEARING WALLS SUPPORTING WOOD FRAME WALLS

SIZE OF WOOD HEADERS	NO STORY ABOVE	ONE STORY ABOVE	TWO STORIES ABOVE	ALLOWABLE SPAN OF HEADER IN GARAGES OR IN WALLS NOT SUPPORTING FLRS. OR ROOFS.
2-2x6	4' TO 6'	4'	-	6' TO 8'
2-2x8	6' TO 8'	4' TO 6'	-	8' TO 10'
2-2x10	8' TO 10'	6' TO 8'	4' TO 6'	10' TO 12'
2-2x12	10' TO 12'	8' TO 10'	6' TO 8'	12' TO 18'

W/ 1/2" PLYWOOD GLUED & NAILED BETWEEN

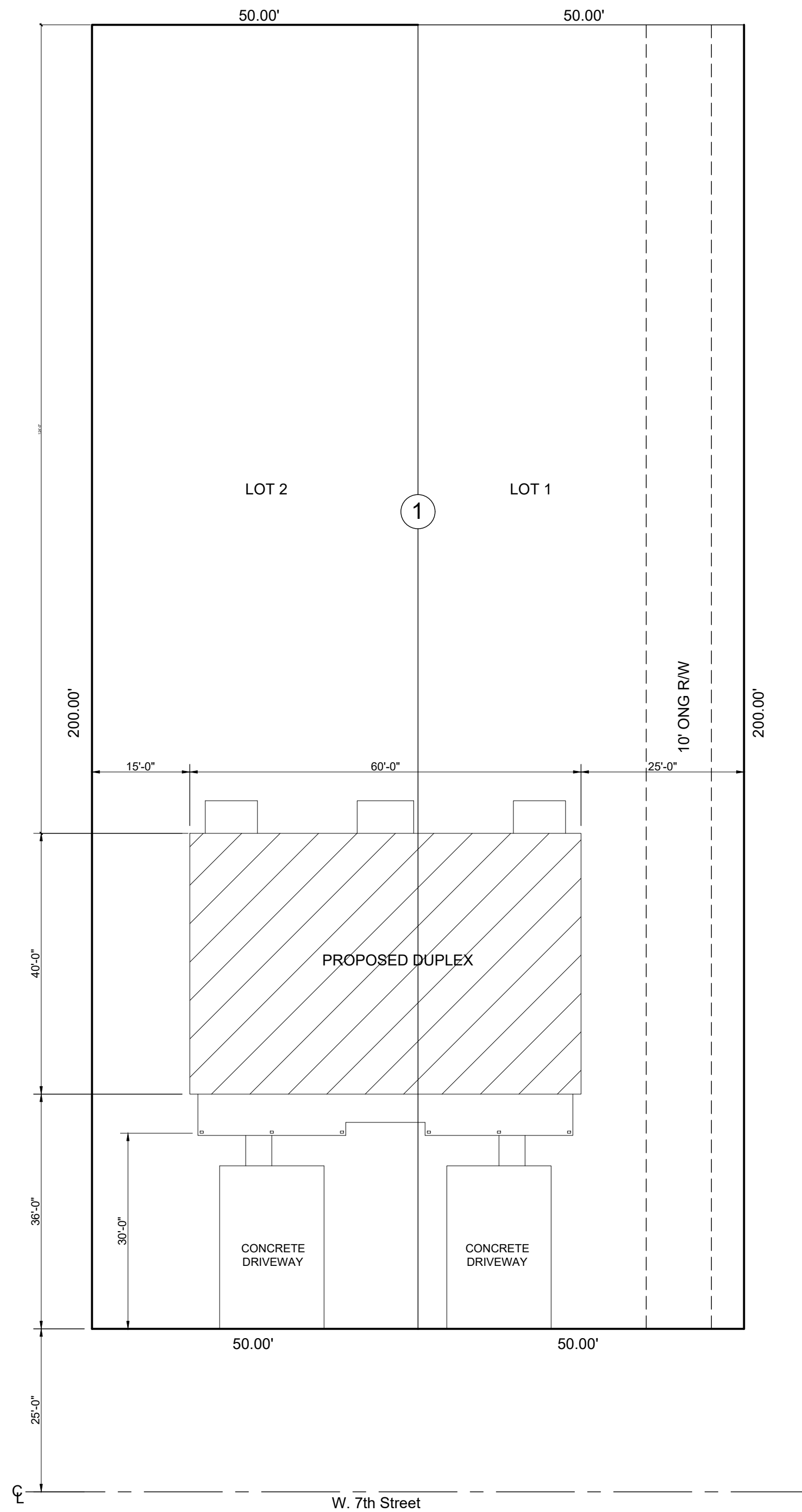
PROPOSED DUPLEX
7217 WEST 7TH STREET
TULSA, OK

Date: April 3, 2026

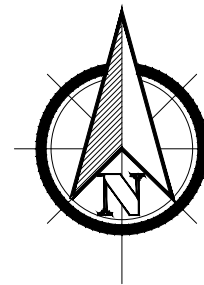
First Floor: 2,400 sq.ft.

SHEET

A1



Legal Description:
 Lots 1 & 2, Block One, W.R. Reed sub-division of Lots 1, 15, 19
 and the West 100 feet of Lot 12, Block 7, of Twin Cities
 Sub-division in Section 6, Township 19 North, Range 12 East,
 Tulsa County, State of Oklahoma, according to the recorded Plat
 thereof.
 Property address: 7217 West 7th Street, Tulsa, Oklahoma



SITE PLAN
 1/8"=1'-0"

PROPOSED DUPLEX
 7217 WEST 7TH STREET
 TULSA, OK

Date: April 3, 2026

First Floor: 2,400 sq.ft.

SHEET

SITE



SUBJECT TRACT



W 7TH ST S

W 6TH ST S

CHARLES PAGE BLVD

W KATY JOGGING TRL



WHWY 412 EXPY

W 3RD ST S

W 4TH ST S

W 4TH ST S

S 74TH W AVE

S 73RD W AVE

W 5TH ST S

S 72ND W AVE

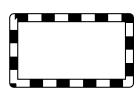
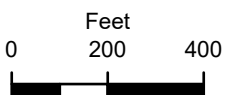
S 71ST W AVE

S 69TH W AVE

S 73RD W AVE

W PARKWAY BLVD

S 74TH W AVE



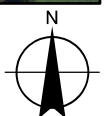
Subject Tract

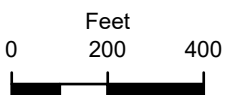
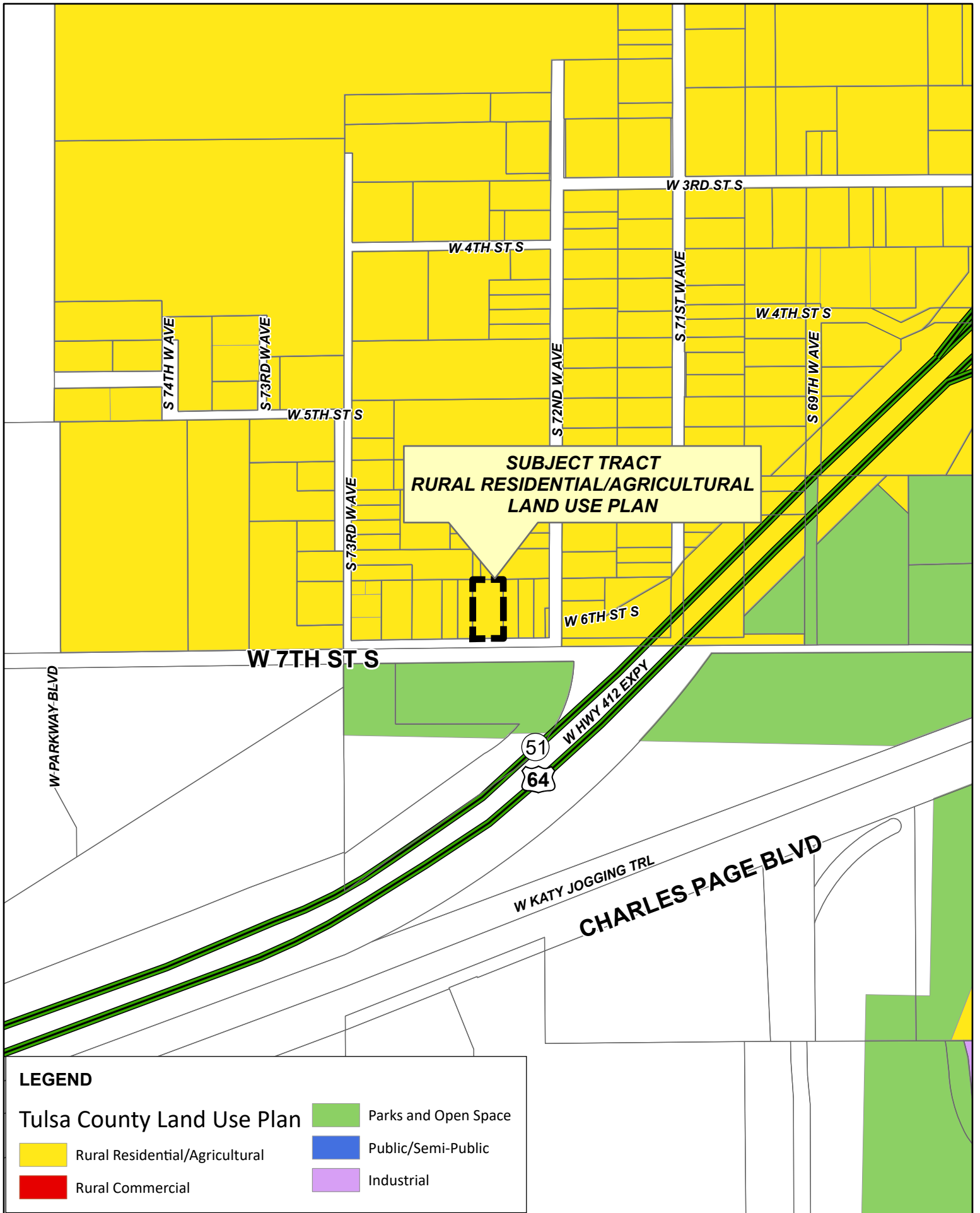
CBOA-3359

06 19-12

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

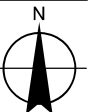
Aerial Photo Date: 2024

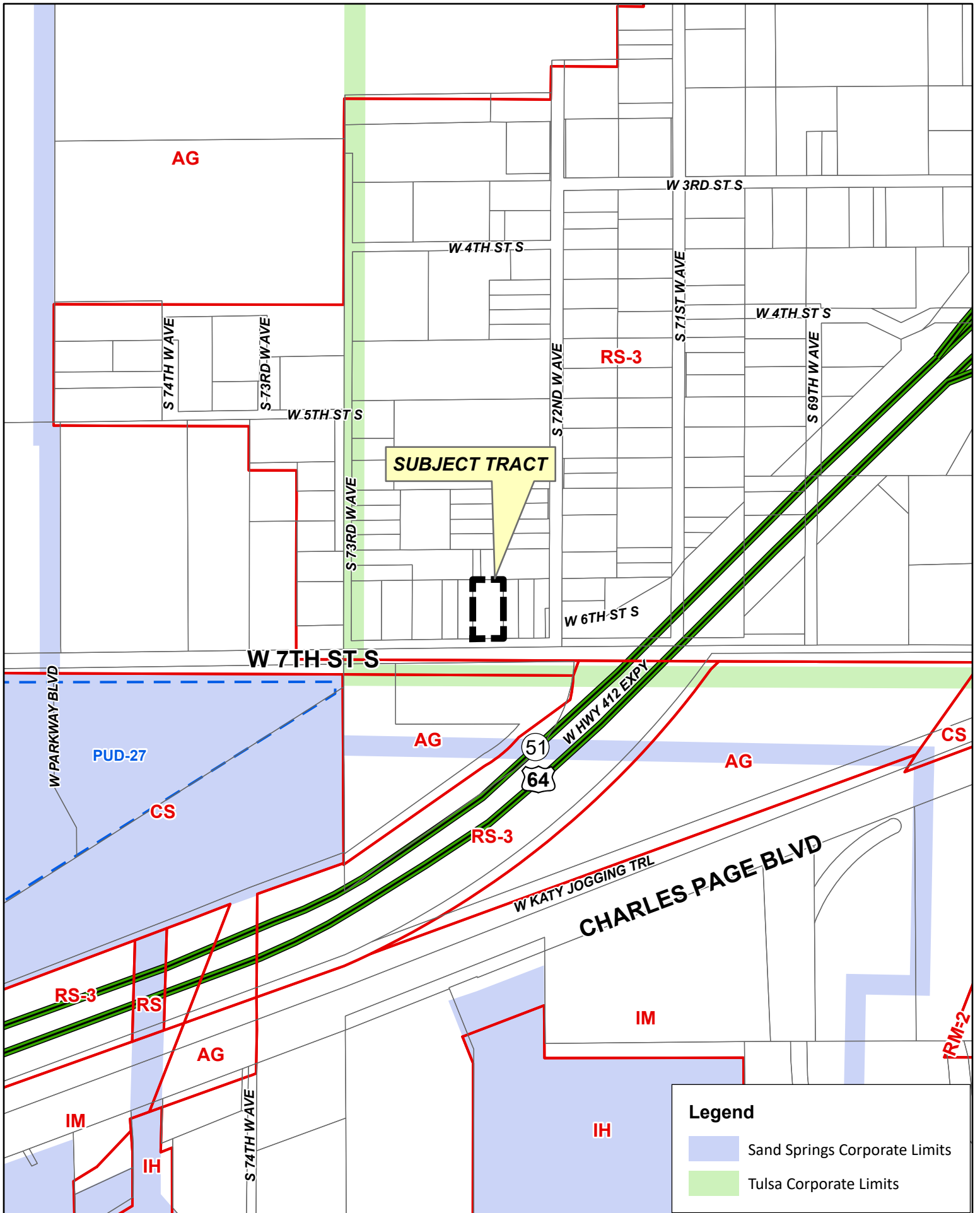




CBOA-3359

06 19-12

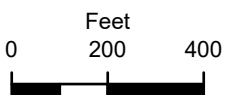




SUBJECT TRACT

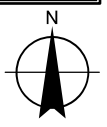
Legend

- Sand Springs Corporate Limits
- Tulsa Corporate Limits



CBOA-3359

06 19-12





Case Number: CBOA-3360

Hearing Date: 05/19/2026 1:30 PM

Case Report Prepared by:

INCOG Planning Services

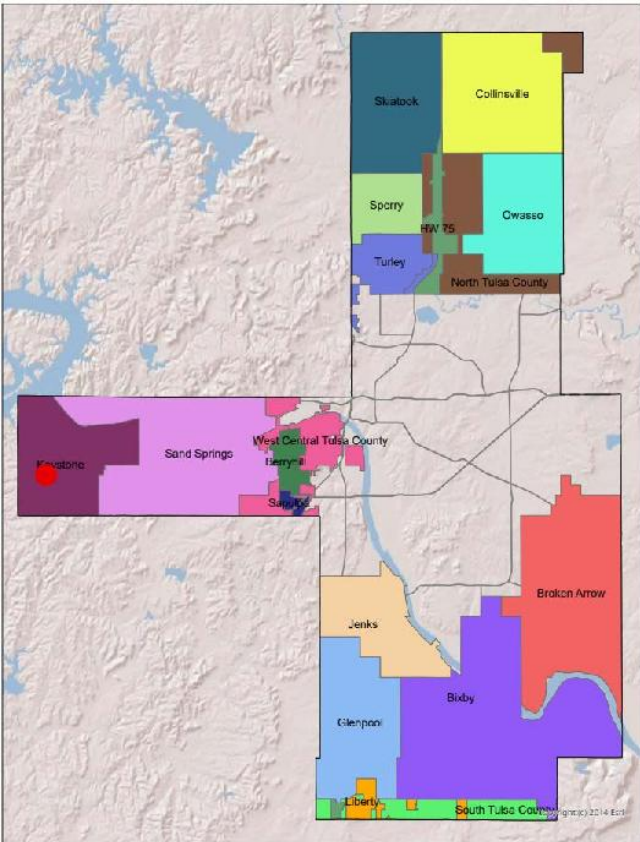
Owner and Applicant Information:

Applicant: Robyn Cagle

Property Owner: David & Robyn Cagle

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

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 2.64± acres

Legal Description: The East Two Hundred Thirty-two (232) feet of the South Four Hundred Ninety-five (495) feet of the West Half of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (W/2 SE/4 SE/4 SW/4) of Section Twenty (20), Township Nineteen (19) North, Range Ten (10) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

Present Zoning: IL (Industrial-Light)

Fenceline/Area: Keystone

Land Use Designation: Industrial

TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 9020

CASE NUMBER: **CBOA-3360**

CASE REPORT PREPARED BY: INCOG Planning Services

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

APPLICANT: Robyn Cagle

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

LOCATION: 25015 W 41st St S, Sand Springs, OK

ZONED: IL (Industrial-Light)

FENCELINE: Keystone

PRESENT USE: Vacant

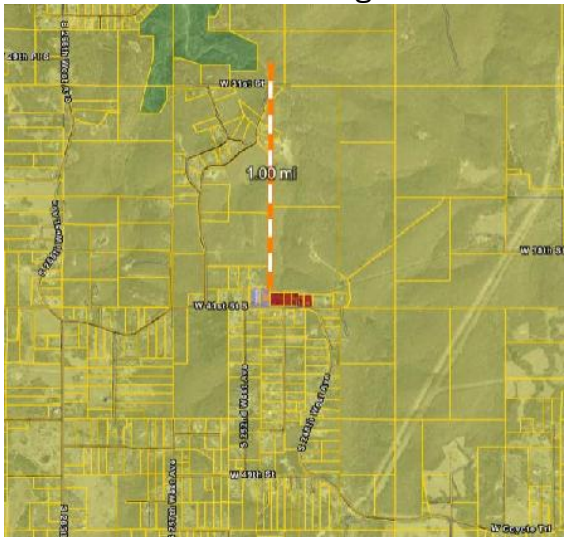
TRACT SIZE: 2.64± acres

LEGAL DESCRIPTION: The East Two Hundred Thirty-two (232) feet of the South Four Hundred Ninety-five (495) feet of the West Half of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (W/2 SE/4 SE/4 SW/4) of Section Twenty (20), Township Nineteen (19) North, Range Ten (10) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

RELEVANT PREVIOUS ACTIONS: n/a

ANALYSIS OF SURROUNDING AREA: The subject tract is located on the north edge of W 41st St S, approximately 1.4 miles from the Creek County limit. It zone IL (Industrial-Light) and abuts another IL lot of slightly larger size on the West, and CS (Commercial-Shopping) zoned lots on the East. The North and South neighboring properties are AG (Agriculture), with AG-R (Agriculture Rural-Residential) lots interspersed through them.

The CS lots on the east, despite having the designation of Rural Commercial per the Tulsa County Comprehensive Land Use Plan, are residential in use. The subject property and adjacent IL property both are designated as Industrial under the Land Use Plan. However, the vast majority of the land in a 1-mile radius falls under the designation of Rural Residential / Agricultural.



The image to the left illustrates this quite well. The small red area in the center are the Rural Commercial designated lots, the small gray-blue areas to their west are the Industrial designated lots that include the subject tract, and the green-blue area about a mile north of these is designated as Parks and Open Space by the Comprehensive Land Use Plan. Everything else in yellow is designated as Rural Residential / Agricultural.

Overall, the surrounding area reflects a rural or semi-rural residential character, with a mix of very large undeveloped, agricultural, or single-dwelling lots and smaller (but still 1+ acres) residential lots interspersed throughout.

STAFF COMMENTS: The applicant is requesting a Special Exception to allow temporary dwelling in RV in an AG district (Sec. 8.160). The applicant intends to use this land to build a home and possibly establish a small farm. Currently, the subject tract is zoned IL, and simultaneously with this Board of Adjustment case the applicant is going through the rezoning process to turn this into an AG property, since temporary dwelling in an RV is only allowed in AG-zoned land. Whereas the request for the subject tract may not explicitly align with the Tulsa County Comprehensive Land Use Plan's designation of Industrial, the overwhelming rural-residential character of the area, even in the neighboring CS-zoned lots, presents a compelling case as to why the request falls within the spirit of the Land Use Plan. Moreover, per the Tulsa County Zoning Code, an IL-zoned district can allow a single household through Special Exception, but the applicant's rezoning action to AG, as well as the present request to the Board of Adjustment, are due to their need to live in an RV while the lot is rehabilitated and their home is being built.

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

Sample Motion:

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

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

- 1) *This Special Exception only applies if the property is successfully rezoned into AG.*

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.

4-8-2026

Statement of Content

David and Robyn Cagle

Rezoning Case for:

25015 W. 41st Street S.

Sand Springs, OK 74063

We are requesting to rezone our 2.64-acre parcel from light industrial (IL) to Agriculture (AG). Our intent is to develop the property for a primary single-family residence and a dedicated agricultural lean-to for the housing and care of livestock.

The current Light Industrial zoning represents a "spot zoning" mismatch that does not reflect the physical reality of our land or its surrounding area. Our property is served by existing residential utilities (Sand Springs Water, Established Septic Tank, Indian Electric, and Keystone Rural Gas) that are not sized for high-intensity industrial operations. While only one industrial business (SafeCo Filter Products) is next to our property, it is the sole exception in a corridor otherwise defined by rural residential homes or agricultural activity. We would like to add that SafeCo seems to be winding down operations, which suggest that industrial viability is possibly failing in the area. We would like to prevent our parcel from remaining vacant, overgrown, and an eye sore to surrounding neighbors. Rezoning to AG will allow us to utilize the property's 2.64 acres for its highest and best rural use, as it's physically better suited for small-scale livestock grazing and a single-family home than for possible industrial warehousing or manufacturing, which would be out of scale with the nearby residences. Going from IL to AG on our property would match the surrounding community as this section of W. 41st Street is characterized by large-lot residential properties and smaller scale agricultural operations. Many neighboring properties feature livestock, barns, lean-to's, rural outbuildings, etc. Transitioning our parcel to AG ensures the property remains in harmony with the existing character and "quiet enjoyment" of the neighborhood. The proposed lean-to will be used to support livestock and agricultural activity consistent with the AG district. The parcel size 2.64-acres is more than sufficient to accommodate a single-family home while maintaining a healthy pasture and sheltering for our animals.

Incompatibility with Existing Regulations: The proposed residential and agricultural development cannot be implemented under the current Light Industrial zoning. The IL district does not allow for a primary-single family residence as a permitted use by-right, nor does it provide a legal framework for keeping of livestock. The development standards for IL

are designed for high-intensity commercial use, making it impossible to establish a standard residential homestead that complies with both the zoning code and the requirements of conventional home lenders. Only the agricultural district provides the necessary regulatory environment for the proposed combined residential and agricultural use.

The Tulsa County Comprehensive Plan identifies our property as rural commercial, however the market demand for new retail at our property's location is low, especially with the one neighboring business showing little to no operation. While the Tulsa County Future Land Use Map identifies our parcel as "Rural Commercial", the Tulsa County Zoning Code explicitly defines the agriculture district as a "holding zone pending an orderly transition" to more intensive development. Currently, our property sits as the only undeveloped lot remaining in an established residential corridor. Every other parcel on this stretch of W. 41st Street has already transitioned into single-family permanent home/manufactured home. Rezoning this final "infill" lot to AG is the most consistent path for the following reasons:

Orderly Transition:

It prevents the introduction of new, high-intensity Light Industrial uses that would conflict with the surrounding homes, adhering to the plan's goal of ensuring commercial growth is "beneficial to surrounding neighborhoods".

Infrastructure Readiness:

The site's existing residential utilities are perfectly sized for an AG-based homestead but are insufficient for the large-scale manufacturing or retail typically envisioned for "Rural Commercial" growth.

Market Realities:

With little to no operation at the sole neighboring industrial business, the market demand for industrial/commercial use at our specific address is declining. AG zoning provides a stable, tax-paying improvement that preserves the rural character until such time as the larger corridor is ready for commercial activity.

In conclusion, we firmly believe that returning this parcel to an agriculture designation represents the most responsible use of the land for the future of Tulsa County. Transitioning from an outdated industrial zoning to a permanent, owner-occupied residence will provide a more stable and reliable tax-paying property for the county. Unlike industrial sites which can fluctuate with market volatility or face long periods of vacancy-

as seen with the shifting operations of a neighboring business- a single-family home and agricultural barn represent a long-term commitment to the community.

Furthermore, this change will offer a significant aesthetic improvement to the W. 41st Street corridor. Replacing a vacant industrial lot with a well-maintained home, livestock, and a traditional lean-to is far more consistent with the scenic rural character of Sand Springs. We look forward to contributing to the stability and beauty of this area by right sizing this property to its most appropriate use.

Sincerely,

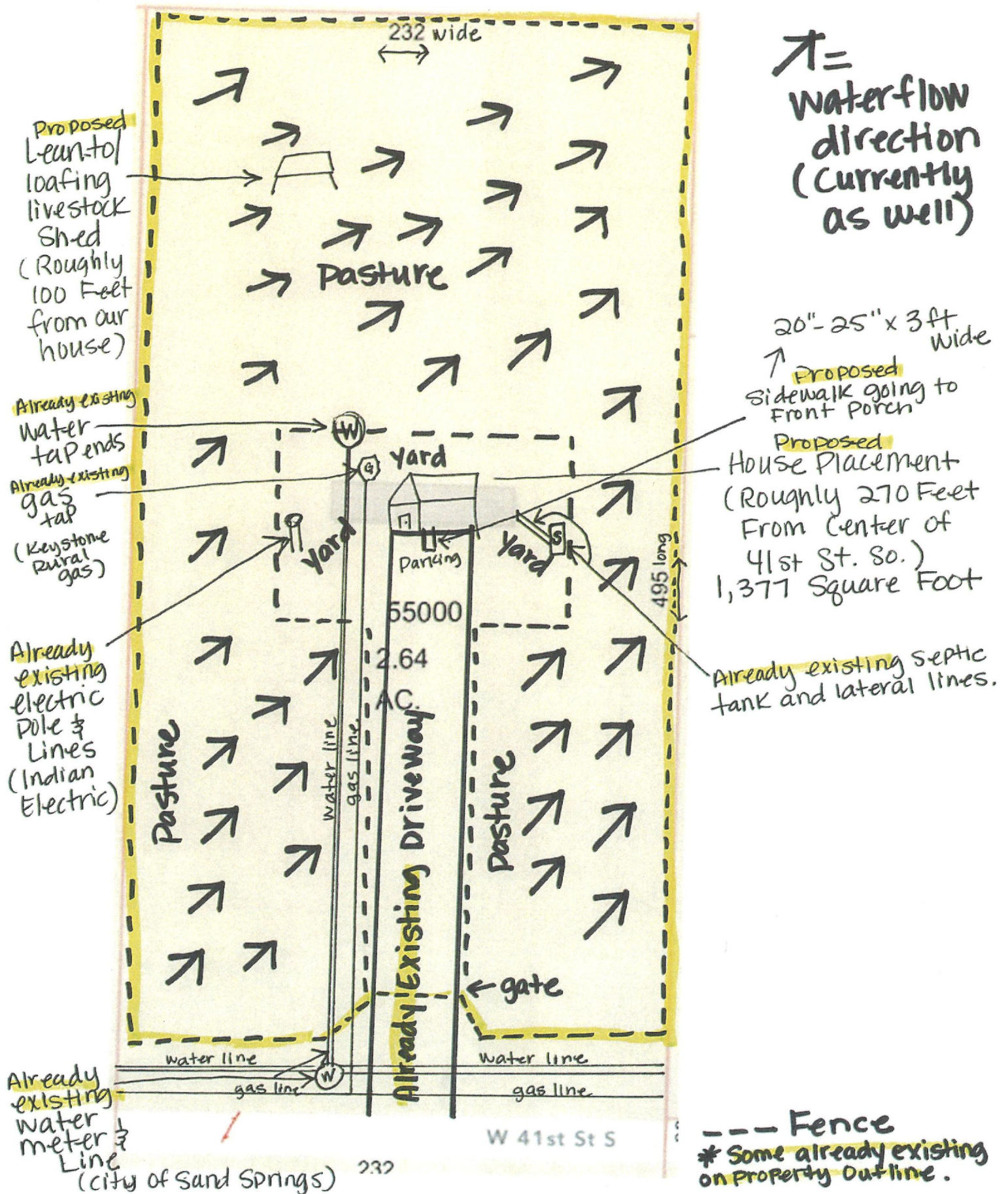


Robyn Cagle



David Cagle

25015 W. 41st St. So Sand Springs, OK 74063: 2.64 acres
 Site Plan: Already Existing and Proposed



↗ =
 Waterflow
 direction
 (Currently
 as well)

20"-25" x 3ft
 Wide
 Proposed
 Sidewalk going to
 Front Porch

Proposed
 House Placement
 (Roughly 270 Feet
 From Center of
 41st St. So.)
 1,377 Square Foot

Already existing septic
 tank and lateral lines.

--- Fence
 * Some already existing
 on Property Outline.

Titan Title & Closing LLC
4200 East Skelly Drive, #410, Tulsa, OK 74135

PURCHASER'S AFFIDAVIT AND AGREEMENT

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

On this 13 day of March, 2026, before me personally appeared **David Cagle and Robyn Cagle, husband and wife**, to me personally known, who, being duly sworn on oath, did say that they are the purchaser(s) of the property hereinafter described.

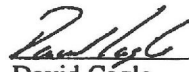
That they have inspected the property and that no recent repairs, improvements or alterations have been made on said property, and

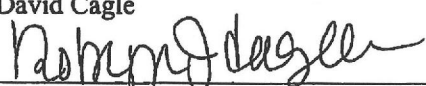
That they have not had or ordered any repairs, improvements or alterations on said property that could result in the filing of any labor or mechanic or materialmans liens.

That this affidavit is made for the purpose of inducing **Fidelity National Title Insurance Company** to issue its policy or policies insuring the title to said property without exception to claims of mechanics, materialmen and laborers, and said affiants do hereby jointly and severally agree to indemnify and hold said Title Insurance Company harmless of and from any and all loss, cost, damage and expense of every kind, including attorneys' fees, which said Title Insurance Company shall or may suffer or incur or become liable for under its said policy or policies directly or indirectly, out of any improvements, repairs or other construction for which purchasers have contracted, on the property hereafter described.

The real estate and improvements referred to herein are situated in the County of Tulsa, State of Oklahoma, and are briefly described as:

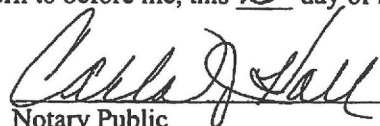
The East Two Hundred Thirty-two (232) feet of the South Four Hundred Ninety-five (495) feet of the West Half of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (W/2 SE/4 SE/4 SW/4) of Section Twenty (20), Township Nineteen (19) North, Range Ten (10) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.



David Cagle


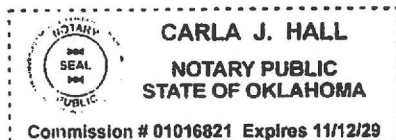
Robyn Cagle

This instrument was signed, subscribed and sworn to before me, this 13 day of March, 2026, by David Cagle and Robyn Cagle, husband and wife.



Notary Public

My Commission Expires:



CHAT GPT APPROXIMATE FINAL LOOK OF HOUSE PLAN ON 25015 W. 41ST STREET SAND SPRINGS, OK 74063 (USING REAL PHOTO OF WHAT THE PROPERTY ALREADY LOOKS LIKE WITH ROAD AND RECENT FENCING)



FRONT OF HOUSE PLANS FOR 25015 W. 41ST STREET SAND SPRINGS, OK 74063

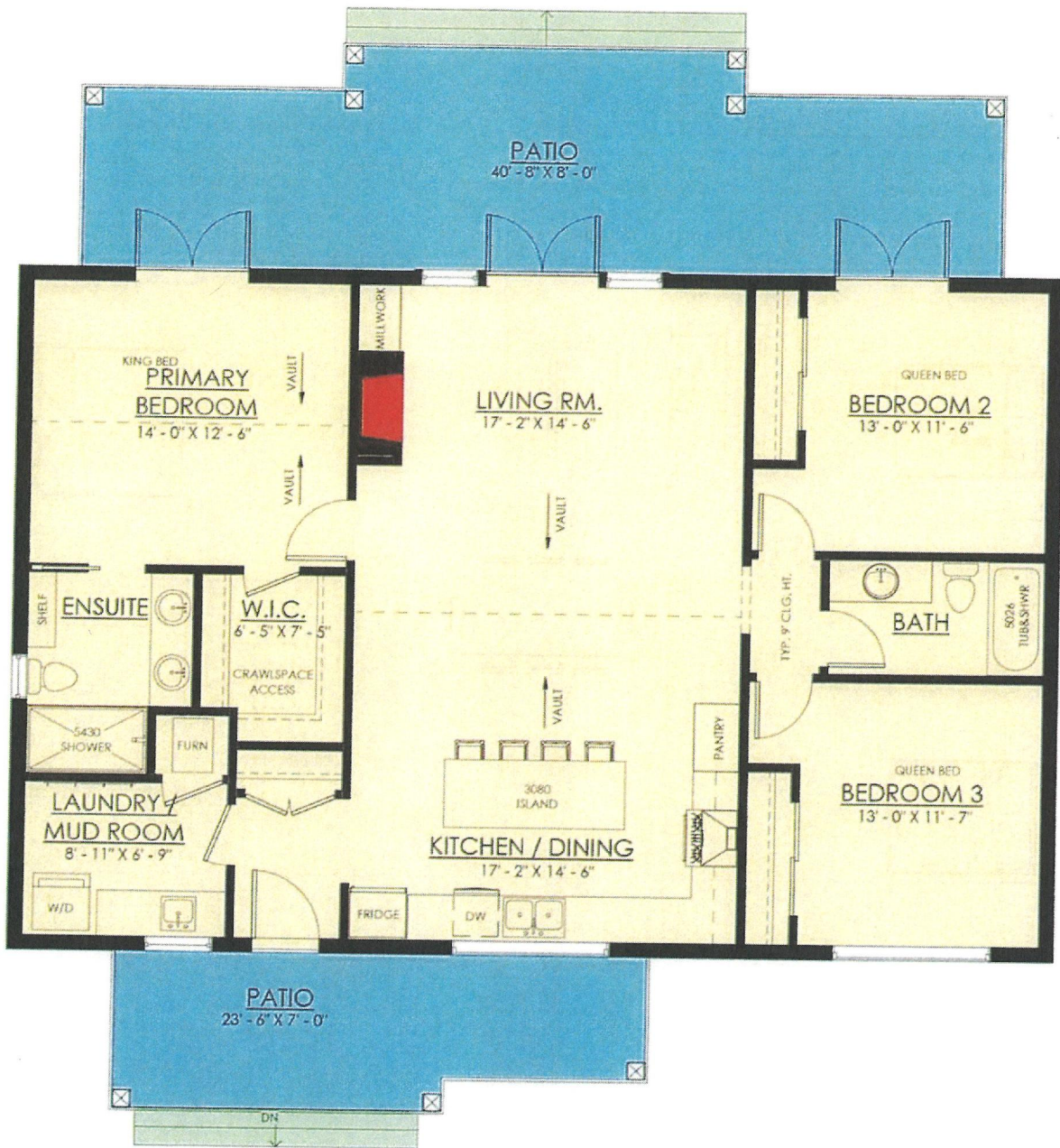


BACK OF HOUSE PLANS FOR 25015 W. 41ST STREET SAND SPRINGS, OK 74063

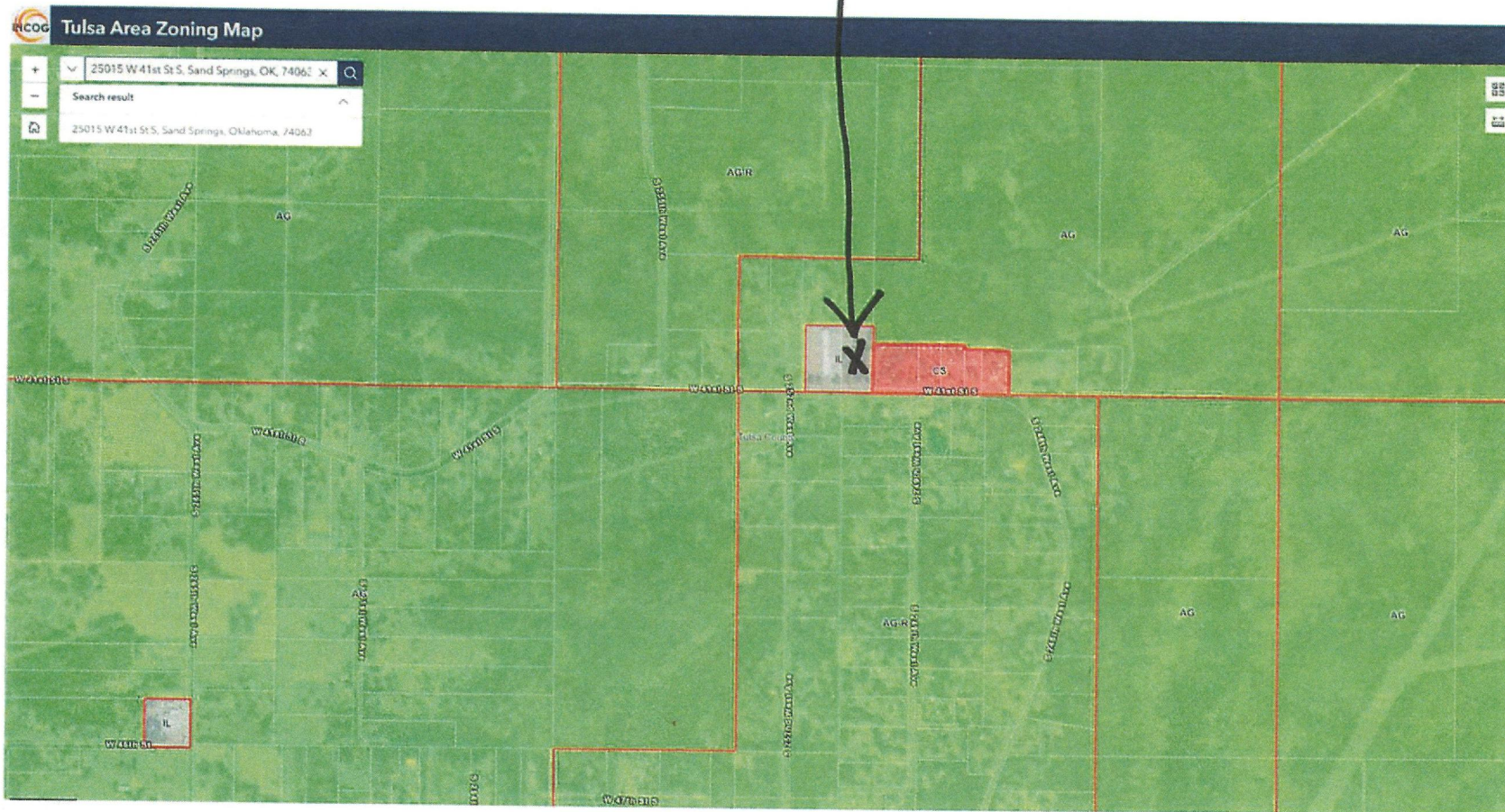


1,377 Square Foot

FLOOR-PLAN OF HOUSE PLANS FOR 25015 W. 41ST STREET SAND SPRINGS, OK 74063

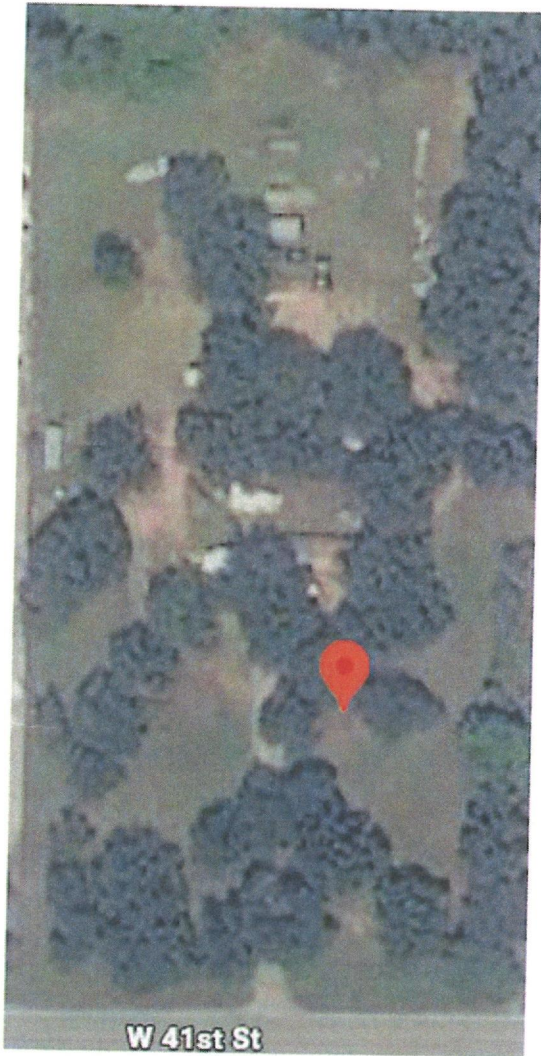


1,377 Square Foot



ZONING MAP OF AREA SURROUNDING 25015 W. 41ST STREET SAND SPRINGS, OK 70463

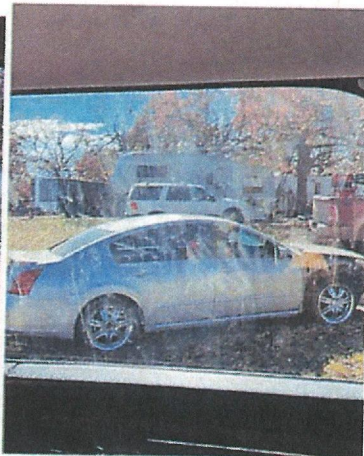
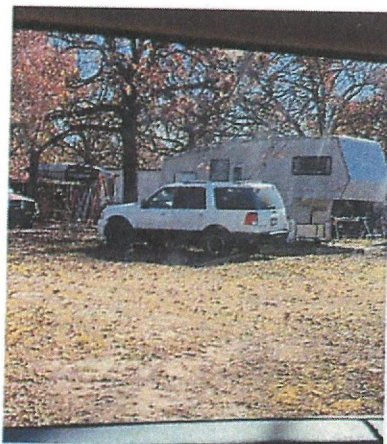
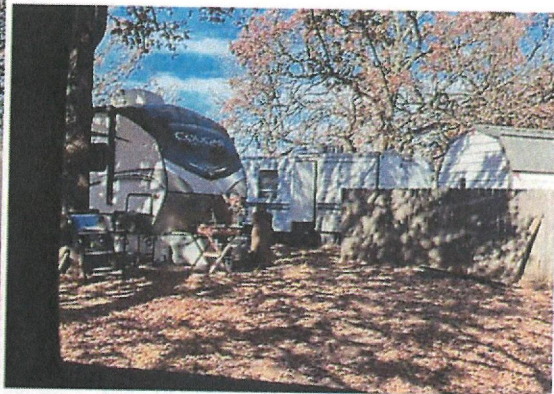
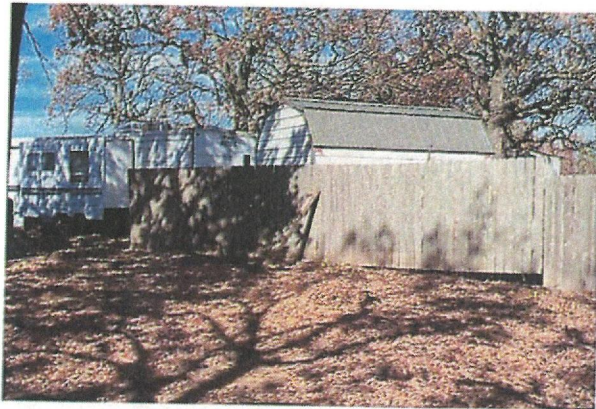
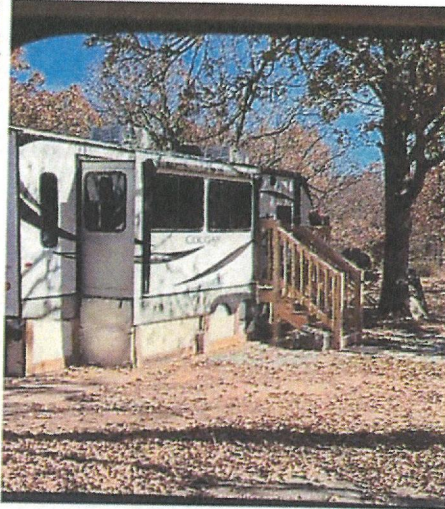
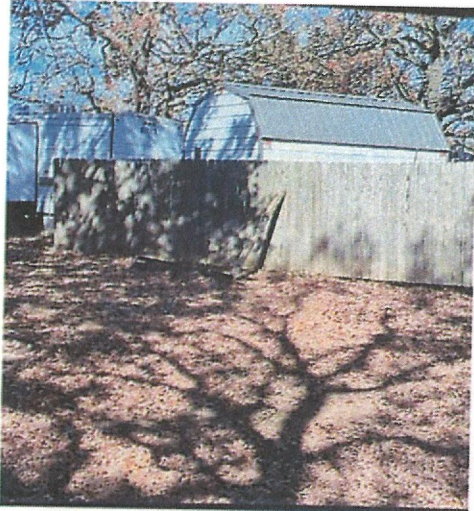
OUR PROPERTY IS SURROUNDED BY AG



Ariel view of 25015 W. 41st Street Sand Springs, OK 74063

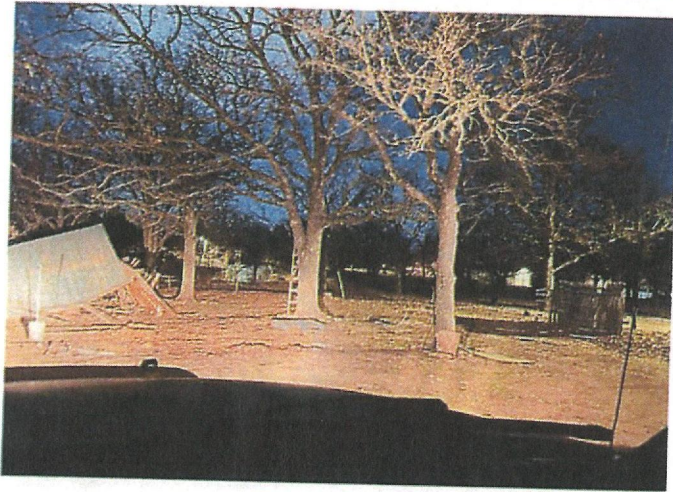
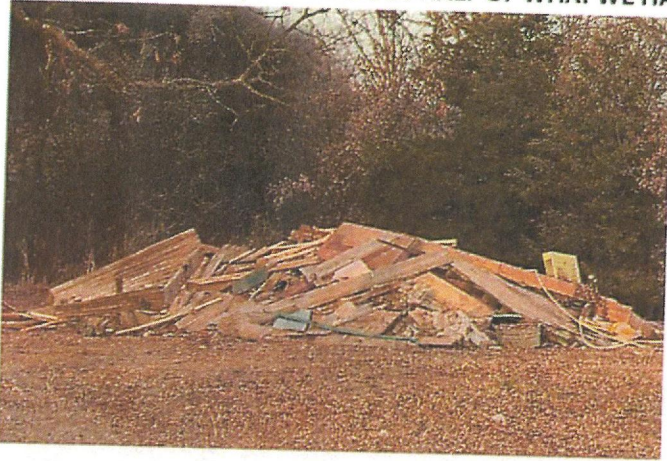
You can tell in this older photo (besides the massive amounts that the trees are hiding) what kind of mess this property was at the time of us purchasing it. It actually had a lot more than this older photo shows. We have worked endless hours cleaning and hauling off tons of trash and dead trees/limbs/tree stumps. We have a vision for this property to be something it hasn't ever been before.

ACTUAL BEFORE PHOTOS OF PROPERTY BEING OCCUPIED BY PREVIOUS OCCUPANTS ON 25015 W. 41ST STREET SAND SPRINGS, OK 74063 TAKEN IN DECEMBER 2025 BEFORE THEY WERE ASKED TO LEAVE THE PROPERTY SO THAT WE COULD PURCHASE IT AND CLEAN IT UP.



SOME PHOTOS TAKEN DURING CLEAN UP STAGES OF 25015 W. 41ST STREET SAND SPRINGS, OK 74063
TO PREPARE IT TO BUILD OUR HOME.

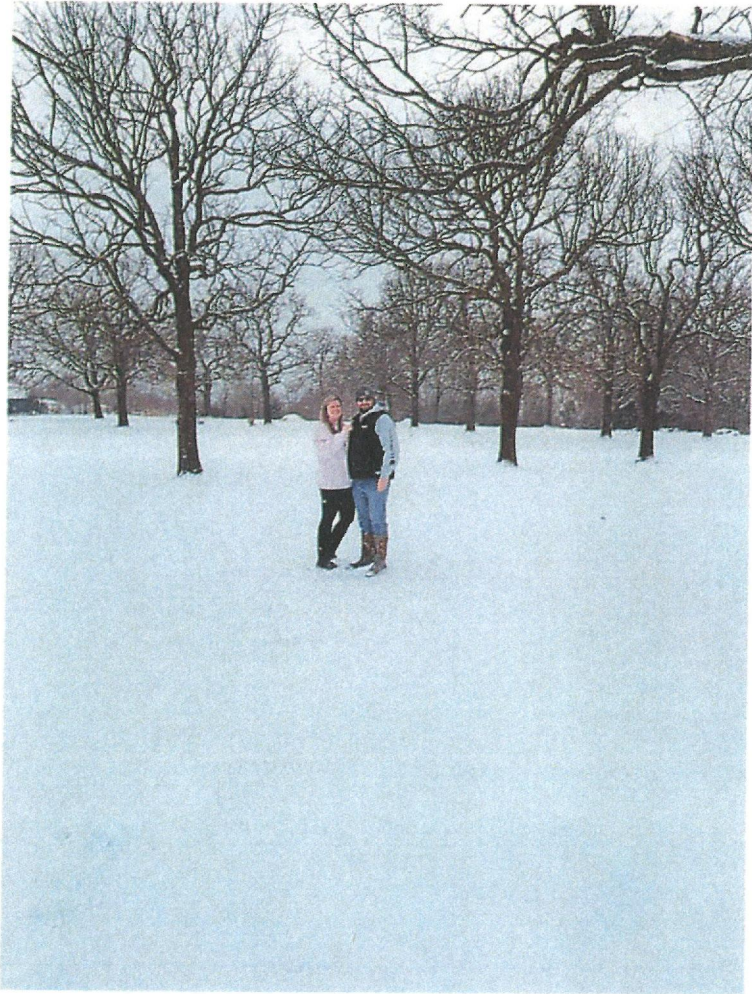
TRASH PILE PHOTO (THIS IS ABOUT HALF OF WHAT WE HAULED OFF/CLEANED UP)



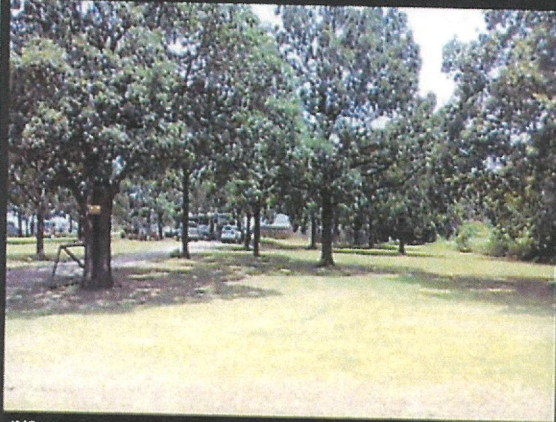
WE STILL HAVE MORE WORK TO BE DONE SUCH AS GETTING MORE GRASS TO GROW TO PREPARE FOR FUTURE LIVESTOCK, MORE DIRTWORK IN THE BACK, MORE FENCING, ETC. BUT RIGHT NOW THIS IS A GLIMPSE OF HOW FAR THE PROPERTY HAS CAME AT 25015 W. 41ST STREET SAND SPRINGS, OK 74063 SINCE WE BEGAN TO CLEAN UP AND PREPARE FOR OUR HOME BUILD.





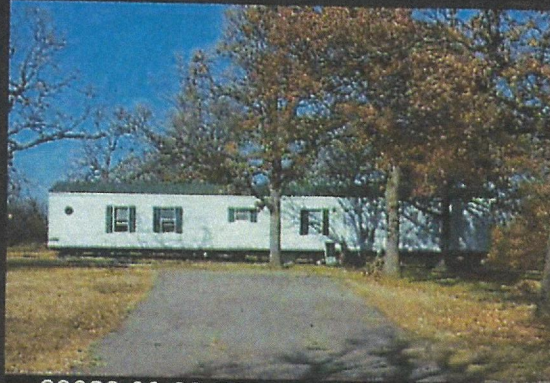


Images



IMP #1

R99020902055000 (06/2025)



99020-90-20-55000 (11/2018)



99020-90-20-55000 (10/2017)



99020-90-20-55000 (11/2016)



99020-90-20-55000 (8/2016)



99020 9020 55000
(C)1994 MVSI

PREVIOUS PHOTOS FROM TULSA COUNTY ASSESSORS WEBSITE.



SUBJECT TRACT

W 41ST ST S

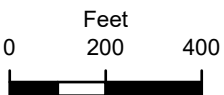
S 255TH W AVE

S 252ND W AVE

S 249TH W AVE

S 248TH WEST AVE

Vexcel Imaging



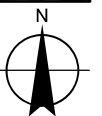
Subject Tract

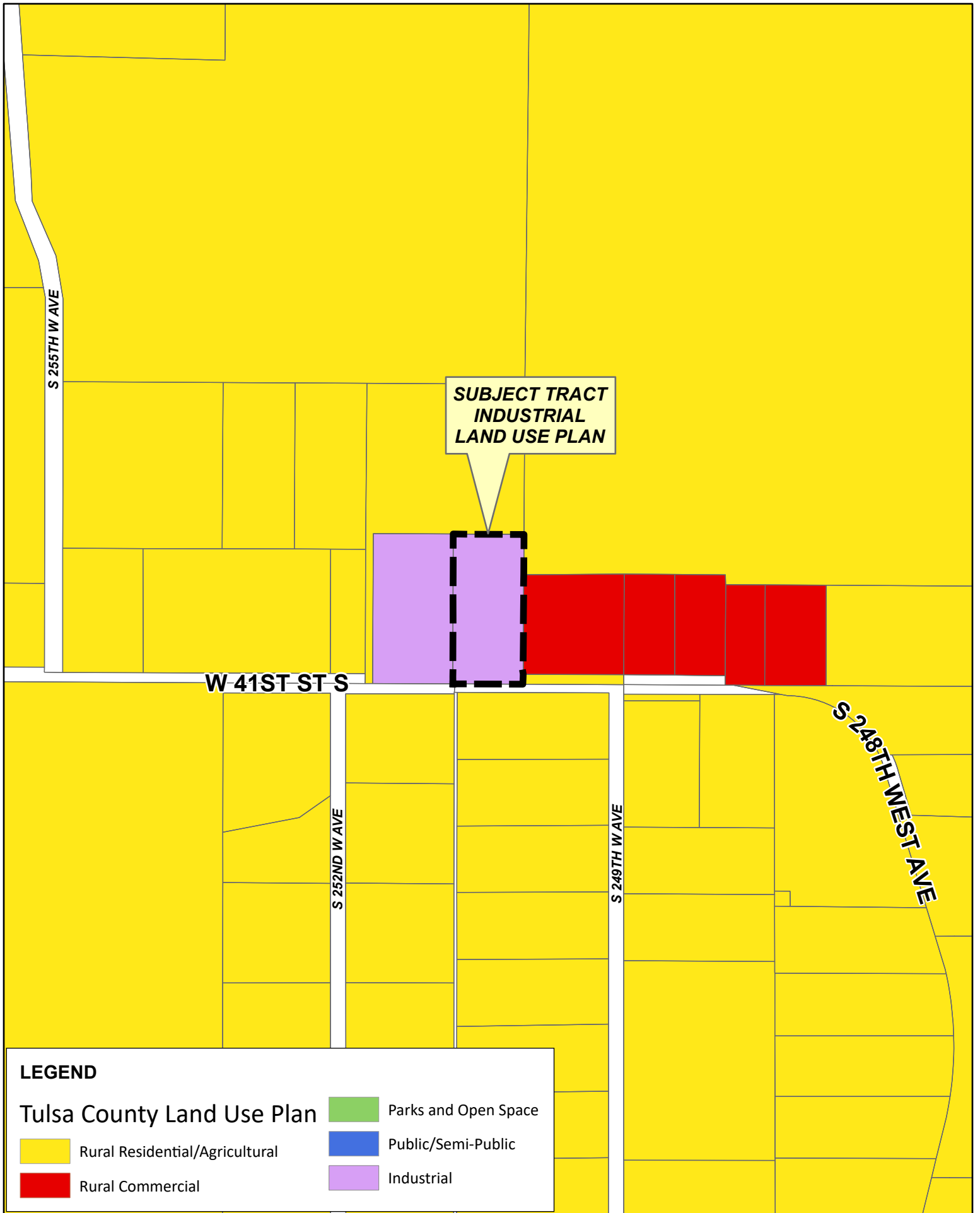
CBOA-3360

20 19-10

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

Aerial Photo Date: 2024





**SUBJECT TRACT
INDUSTRIAL
LAND USE PLAN**

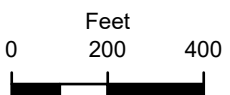
W 41ST ST S

S 255TH W AVE

S 252ND W AVE

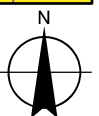
S 249TH W AVE

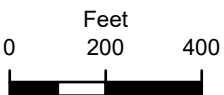
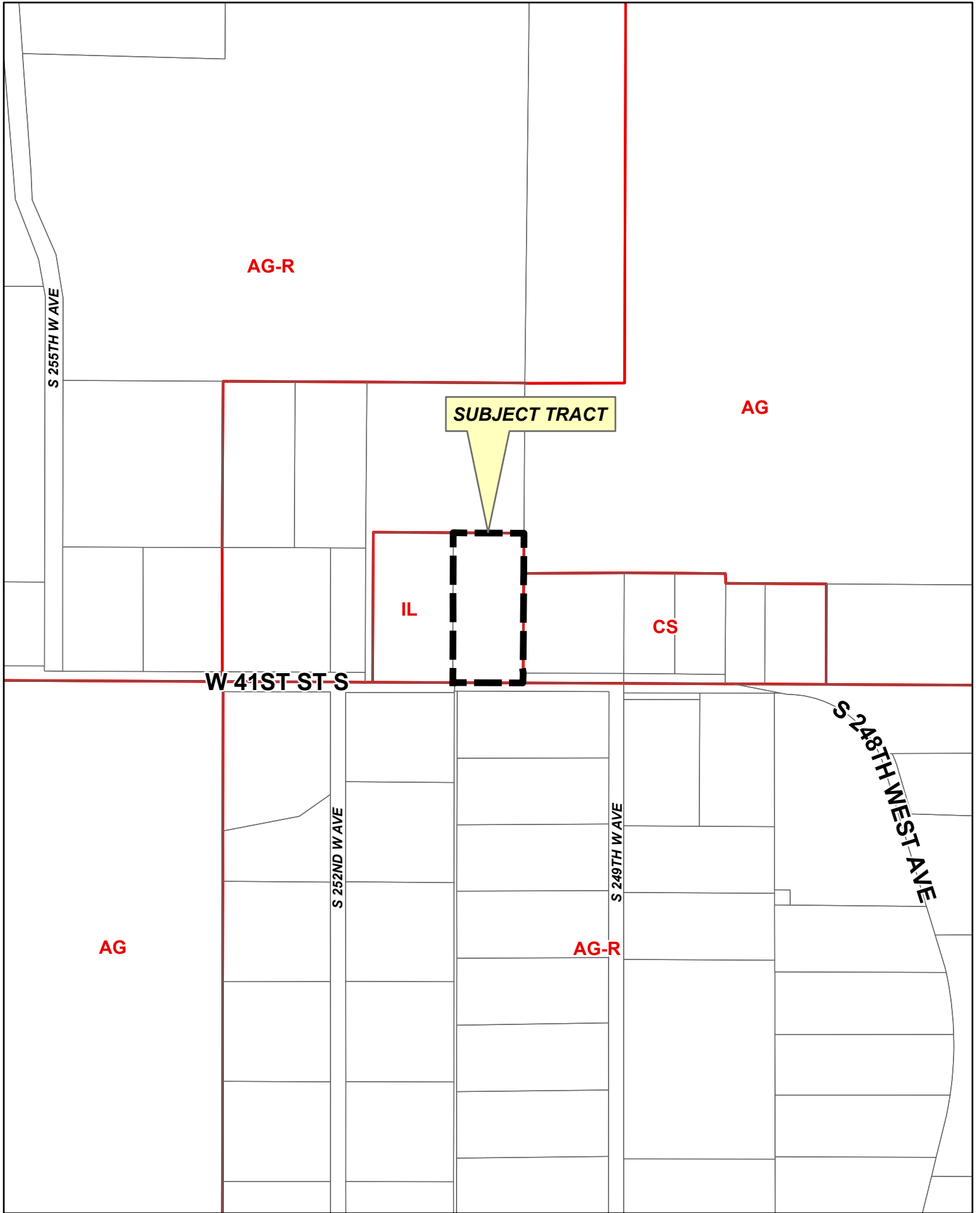
S 248TH WEST AVE



CBOA-3360

20 19-10





CBOA-3360

20 19-10





Case Number: CBOA-3362

Hearing Date: 05/19/2026 1:30 PM

Case Report Prepared by:

INCOG Planning Services

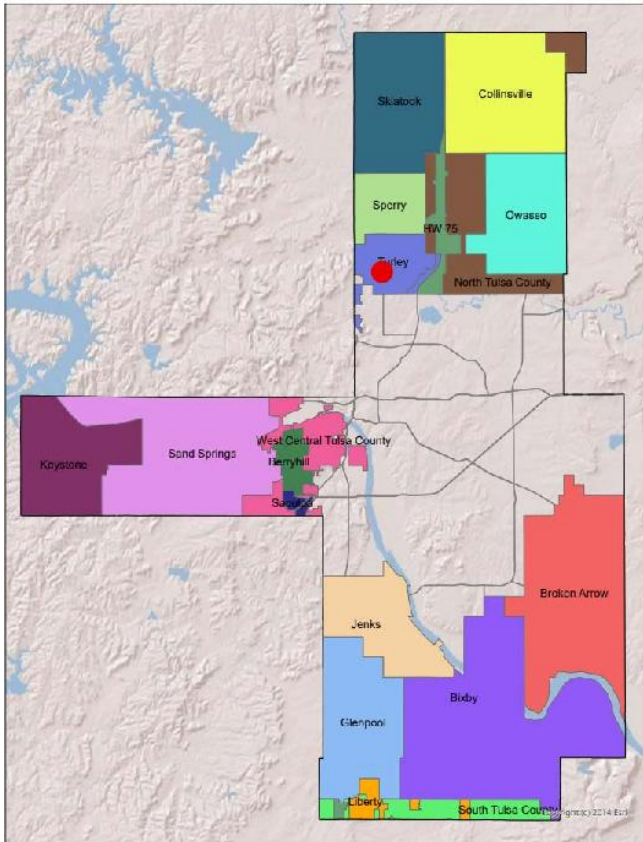
Owner and Applicant Information:

Applicant: Jorge de los Santos Lopez

Property Owner: Same

Action Requested: Special Exception to allow a single-section manufactured housing unit in an RS-3 district (Sec. 3.030, Table 3-2)

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 0.65± acres

Legal Description: BEG 1005.14 W & 669.21N OF SECR SE TH N100 E290.74 SWLY ON M V ROW 101.29 W275.54 POB SEC 36 21 12

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: 1236

CASE NUMBER: CBOA-3362

CASE REPORT PREPARED BY: INCOG Planning Services

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

APPLICANT: Jorge de los Santos Lopez

ACTION REQUESTED: Special Exception to allow a single-section manufactured housing unit in an RS-3 district (Sec. 3.030, Table 3-2)

LOCATION: 6655 N Norfolk Pl, Tulsa, OK

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

FENCELINE: Turley

PRESENT USE: Vacant

TRACT SIZE: 0.65± acres

LEGAL DESCRIPTION: BEG 1005.14 W & 669.21N OF SECR SE TH N100 E290.74 SWLY ON M V ROW 101.29 W275.54 POB SEC 36 21 12

RELEVANT PREVIOUS ACTIONS: n/a

ANALYSIS OF SURROUNDING AREA: The subject tract is located on along N Norfolk Ave in the Turley region, approximately 690 ft north of E 66th St N. It is zoned RS-3, as are all adjacent lots, and there are large AG lots further west, IL (Industrial-Light) lots to the northeast, and CH (Commercial-High) lots further south. The Tulsa County Comprehensive Land Use Plan designates the subject property and properties to its north, south, and west as Rural Residential / Agricultural, which is land that is sparsely occupied and I used mainly for agriculture and single-family homes on large lots. The properties east of the subject tract are designated as Industrial; even the eastern properties zoned as RS-3 carry this designation.

STAFF COMMENTS: The applicant is requesting a Special Exception to allow a single-section manufactured housing unit in an RS-3 district. RS-3 zoning allows by right a single multi-section manufactured housing unit but requires a special exception for a single-section one. Although the subject property is located near established residential subdivisions, its unplatted status and proximity to light-industrial and agricultural land suggests that the proposed housing type is compatible with the land-use context of its immediate and near surroundings.

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

Sample Motion:

“Move to _____ (approve/deny) Special Exception to allow a single-section manufactured housing unit in an RS-3 district (Sec. 3.030, Table 3-2)

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

Subject to the following conditions, if any:

1) Standard requirements for manufactured homes (tie downs, skirting, etc.)

2)_____.

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.

110 feet wide

272 feet long

East

68 feet

6655 N Norfolk
PI Tulsa OK 74126

16 feet wide

North
68 feet

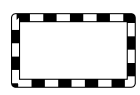
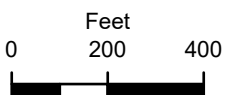
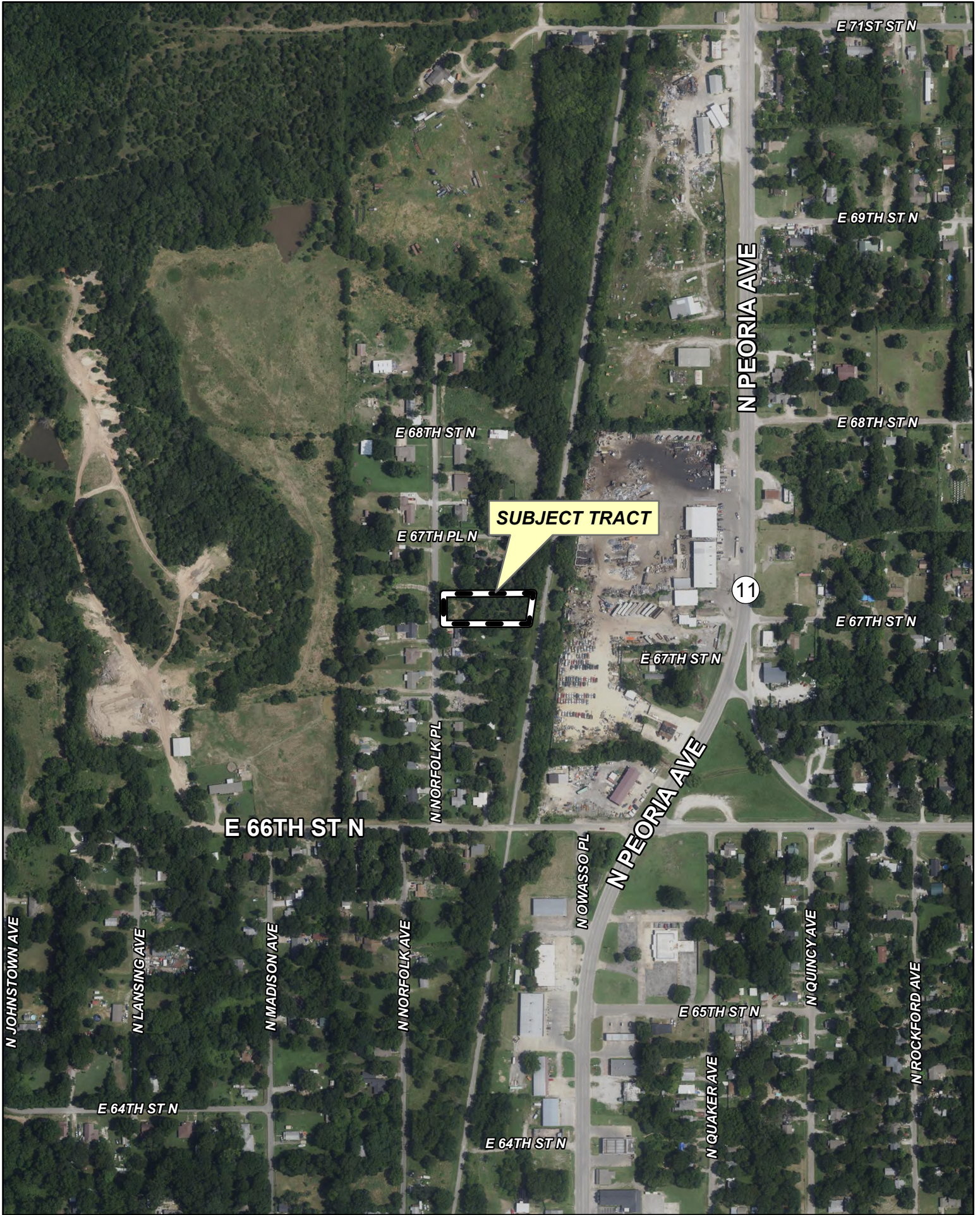
Trailer home

72 feet long

South
16 feet

40 feet

across the street - West



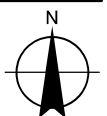
Subject Tract

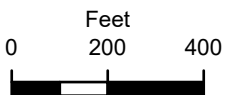
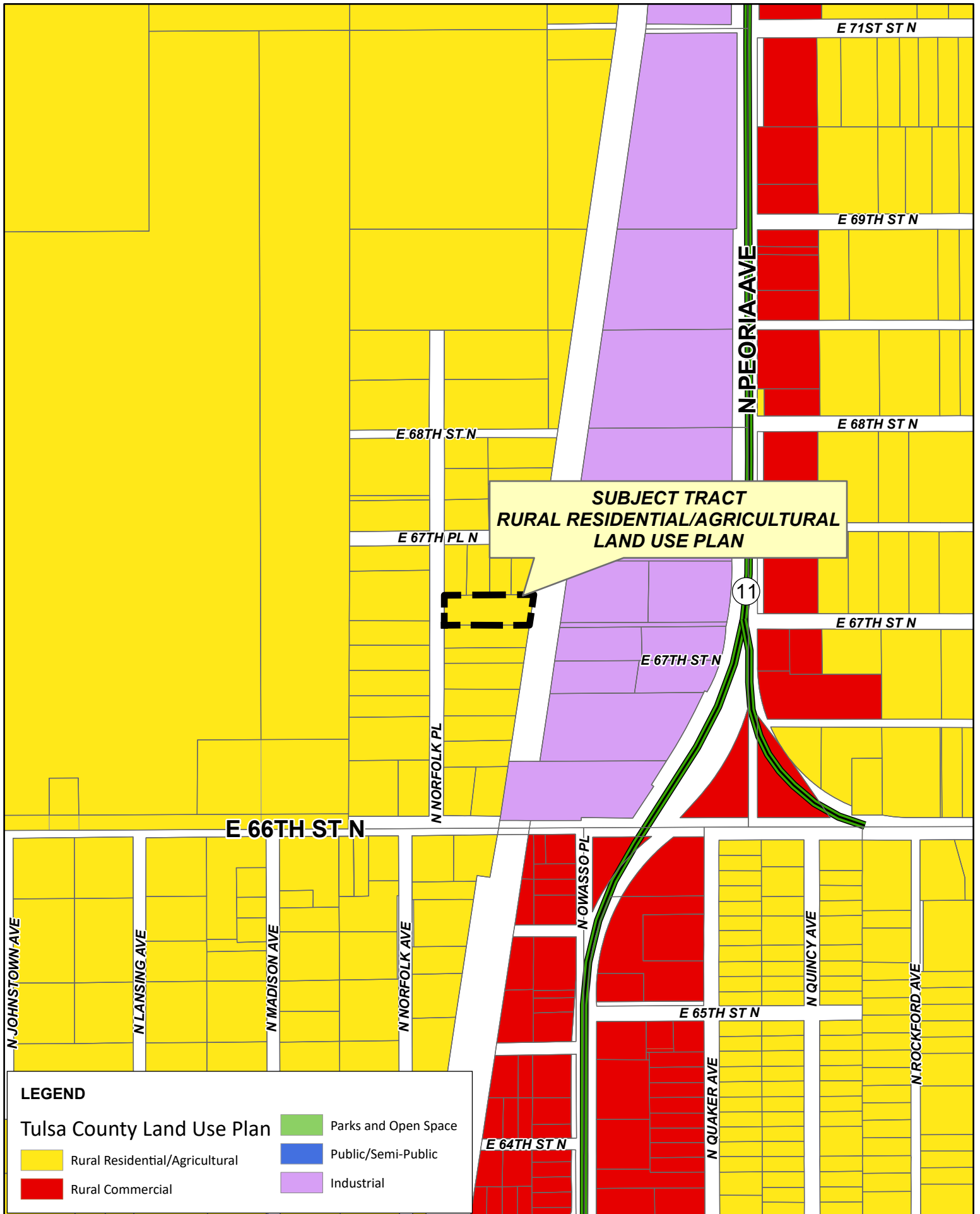
CBOA-3362

36 21-12

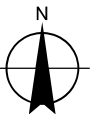
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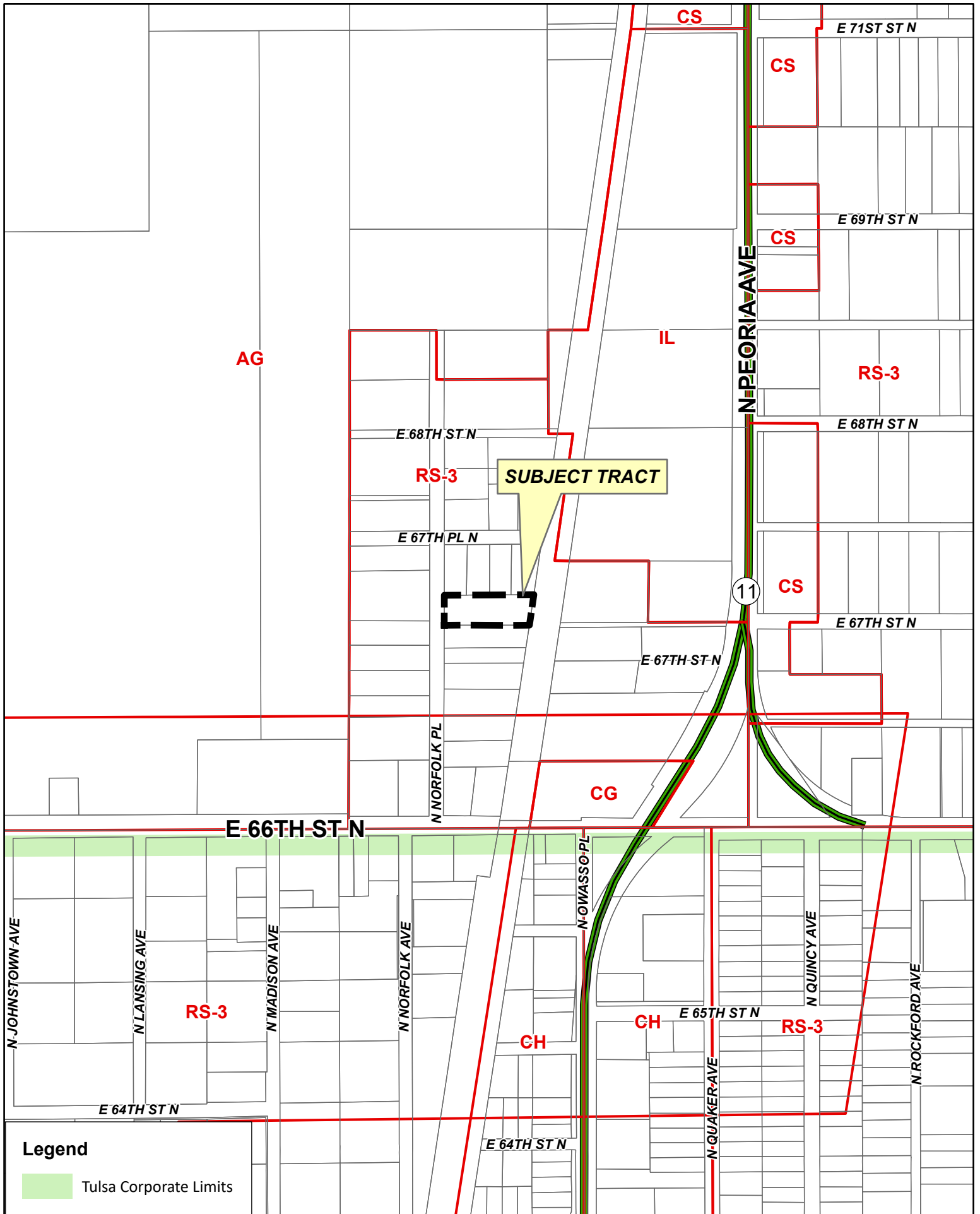
Aerial Photo Date: 2024





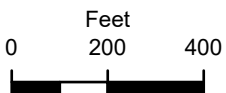
CBOA-3362





Legend

Tulsa Corporate Limits



CBOA-3362

36 21-12

