

**TULSA COUNTY BOARD OF ADJUSTMENT**  
**MINUTES of Meeting No. 534**  
**Tuesday, August 20, 2024, 1:30 p.m.**  
**Williams Tower 1**  
**1 West 3rd Street, St. Francis Room**

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Charney, Chair		S. Tauber	T. Tosh – County
Hutchinson, Vice -		J. Hoyt	K. Edinborough -
Chair		C. Pate	County
Hicks			
Houston			
Tisdale			

The notice and agenda of said meeting were posted at the County Clerk's office, County Administration Building, August 14, 2024, at 10:32 a.m. as well as in the Office of INCOG, 2 West Second Street, Suite 800.

Mr. Hoyt read the rules and regulations.

After declaring a quorum present, Chairperson Charney called the meeting to order at 1:30 p.m.

On **MOTION** of **HUTCHINSON**, the Board voted 4-0-1 (Charney, Houston, Hicks, and Hutchinson, all "aye"; no "nays"; Tisdale "abstained") to **APPROVE** the Minutes of July 16, 2024 (Meeting No. 533).

**UNFINISHED BUSINESS**

**CBOA 3186 – Joshua Harbin**

**Action Requested:**

Special Exception to permit a fireworks stand (Use Unit 2) in a CH district for a period of five years (Section 710, Table 1). **Location:** 5602 N Lewis Ave

**Presentation:**

Applicants were not present.

**Comments and Questions:**

The Board stated that this was the second time not appeared and they would therefore **DISMISS** the case.

**Interested Parties:**

No interested parties were present.

**Board Action:**

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all “ayes”; no “nays”; no “abstentions”) to **DISMISS** the Special Exception to permit a fireworks stand (Use Unit 2) in a CH district for a period of five years (Section 710, Table 1) because the applicant has not appeared for two meetings.

**CBOA-3187 – Jon and Diana Kreder**

**Action Requested:**

Variance of the land area per dwelling unit in an AG district (Section 330) and Variance of the lot area requirement in an AG district (Section 330) to permit a lot split. **Location:** 13019 N 97th E Ave

**Presentation:**

**Diane Kreder**, 13019 North 97<sup>th</sup> East Avenue, Collinsville, Oklahoma, 74021, stated that they were there last month for a lot split, and they were back to present the survey they had completed. There are separate driveways for each dwelling.

**Comments and Questions:**

Mr. Hutchinson stated that he could support this request since the survey had been supplied to show where they were going to divide the land.

**Interested Parties:**

No interested parties were present.

**Board Action:**

On **MOTION** of **HUTCHINSON**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all “ayes”; no “nays”; no “abstentions”) to **APPROVE** a Variance of the land area per dwelling unit in an AG district (Section 330) and Variance of the lot area requirement in an AG district (Section 330) to permit a lot split finding the hardship to be that is a 2.6 acre tract that is long and both houses have been there for a number of years.

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; for the following property:

**BEG NWC LT 3 TH S506 E224.73 N506 W223.74 POB SEC 31 22 14 2.605ACS,  
NORTH-DALE ACRES, DAWN CREST ESTATES, Tulsa County, State of Oklahoma**

## **NEW APPLICATIONS**

### **CBOA 3172 - Zachery Buntin**

#### **Action Requested:**

Variance of the street frontage from 30' to 0' in an AG district (Section 207). **Location:**  
9020 N Lewis Ave

#### **Presentation:**

**Zachery Buntin**, 14100 East 106<sup>th</sup> Street North, Apartment 223, Owasso, Oklahoma, 74055 stated that he and his wife are building a home on their land in Sperry, Oklahoma and it has a private drive that needs to have the street frontage changed. There is a section line easement.

#### **Comments and Questions:**

Mr. Charney stated that there is a statutory right-of-way from the termination of a publicly dedicated road that is to the north of this property that is all pavement. To reduce the required street frontage from 30' to 0' legal access exists, but he would want the Buntin's to verify through their own survey and legal counsel.

#### **Interested Parties:**

No interested parties were present.

#### **Board Action:**

On **MOTION** of **HICKS**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all "ayes"; no "nays"; no "abstentions") to **APPROVE** a Variance of the street frontage from 30' to 0' in an AG district (Section 207) there is no hardship and no condition apply for this as there is a statutory easement.

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; for the following property:

**N/2 NE SE LYING N OF BIRD CREEK BEG NEC N/2 NE SE TH W1320 S70 TO CTR BIRD CREEK TH SELY ALG CL TO PT 30N SECR N/2 NE SE TH N630 POB 19 21 13 14 ACS, IN THE COUNTY OF TULSA, IN THE STATE OF OKLAHOMA.**

**CBOA 3192 - Ian Golden**

**Action Requested:**

Special Exception to permit a fireworks stand (Use Unit 2) in an IL district for a period of five years (Section 910, Table 1) **Location:** 4812 E 76th St N

**Presentation:**

Applicants were not present.

**Comments and Questions:**

Ms. Tosh stated that she had told the applicant how important it was that he attend the Board meeting after giving him his emergency permit before coming to the Board meeting.

Members of the Board stated that he had been given substantial notification to attend the Board meeting.

**Interested Parties:**

No interested parties were present.

**Board Action:**

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all “ayes”; no “nays”; no “abstentions”) to **DISMISS** the Special Exception to permit a fireworks stand (Use Unit 2) in a CH district for a period of five years (Section 710, Table 1).

**CBOA 3193 - Chris Hammond**

**Action Requested:**

Special Exception to permit a fireworks stand (Use Unit 2) in an RS district (Section 410, Table 1) **Location:** 5715 S 113th W Ave

**Presentation:**

Applicant not present.

**Comments and Questions:**

Mr. Charney stated that since this was this applicant's first occasion to miss the Board Meeting, that he wanted to continue the case on time.

**Interested Parties:**

No interested parties were present.

**Board Action:**

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all "ayes"; no "nays"; no "abstentions") to **CONTINUE** the Special Exception to permit a fireworks stand (Use Unit 2) in an RS district (Section 410, Table 1) to the next Board meeting of September 17, 2024.

## **CBOA 3194 - Fong Chang & Mai Xiong**

### **Action Requested:**

Variance to permit two dwelling units on a single lot of record in an RE district (Section 208), Variance of the side yard setback in an RE district (Section 430) and a Variance to permit a detached accessory building to be located in the side yard (Section 420.2.A.2).

**Location:** 7386 E 86th St N

### **Presentation:**

**Fong Chang and Mai Xiong**, 12324 East 86<sup>th</sup> Street North, Suite 459, Owasso, Oklahoma 74055 stated they bought 2.5 acres with an existing 60-year-old dwelling on it with a detached garage. They would like to convert the 1,000 square feet garage to a mother-in-law suite. They are building a new structure for the house itself and fixing up the garage also for the mother-in-law. They would also like to put a new building that is 20' x 45', prefabricated three car garage. The neighbors have a similar set up with three buildings on their property. The neighbors have not had any objections. The building needs to be set back from 15' to 5' is because the easement of our land is for all the neighbors, and we need to have it back that far so that the cars can turn into the garage. The driveway goes back to the new garage. The mother-in-law suite will be the existing old two car garage. There will be two dwellings and a garage: the main structure and the mother-in-law suite, and a garage.

### **Comments and Questions:**

There were no comments or questions.

### **Interested Parties:**

No interested parties were present.

### **Board Action:**

On **MOTION** of **HUTCHINSON**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all "ayes"; no "nays"; no "abstentions") to **APPROVE** the Variance to permit two dwelling units on a single lot of record in an RE district (Section 208), Variance of the side yard setback in an RE district (Section 430) and a Variance to permit a detached accessory building to be located in the side yard (Section 420.2.A.2) subject to the following conditions that they build it as per the building shown in the Agenda packet. The hardship is the existing building is located where it is.

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; for the following property:

BG.190' E. NW COR NWNE TH S.660'E.165 N.660W.165'TO BG. SEC. 26-21-13,  
County of Tulsa, State of Oklahoma.



Mr. Charney recused himself from the next case and left the meeting at 2:10 p.m. He stated that he has no interest in the case or property, however, he owns land all around it.

### **CBOA 3195 - Travis & Lisa Troxell**

#### **Action Requested:**

Variance of the minimum lot area and land area per dwelling unit requirement in an AG district (Sec. 330) and a Variance of the street frontage from 30' to 0' in an AG district (Section 207). **Location:** 11032 N 145th E Ave

#### **Presentation:**

**Lisa Troxell and Allen Troxell**, 10928 North 145<sup>th</sup> East Avenue, Owasso, Oklahoma 74055, stated that they have an acre that they want to split off on her land for her son (Allen).

#### **Comments and Questions:**

No comments or questions.

#### **Interested Parties:**

No interested parties were present.

#### **Board Action:**

On **MOTION** of **TISDALE**, the Board voted 4-0-1 (Houston, Hicks, Hutchinson, and Tisdale all "ayes"; no "nays"; Charney "abstentions") to **APPROVE** the Variance of the minimum lot area and land area per dwelling unit requirement in an AG district (Sec. 330) and a Variance of the street frontage from 30' to 0' in an AG district (Section 207) the hardship is this is a large parcel of land.

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; for the following property:

N290 E560 S/2 N/2 NE SE LESS E50 N145 THEREOF & LESS S145 E330.42 N290 E560 S/2 N/2 NE SE SEC 9 21 14 2.462ACS, Tulsa County, State of Oklahoma

Mr. Charney returned to the meeting at 2:25 p.m.

## **CBOA 3196 - Kaci Ray**

### **Action Requested:**

Variance to permit two dwelling units on one lot of record in the AG-R district (Section 208). **Location:** 11972 N 93rd E Ave

### **Presentation:**

**Diana Ray**, 11972 North 93<sup>rd</sup> East Avenue, Collinsville, Oklahoma, 74021 stated that she was Kaci Ray's mother and that she had owned this property about 50 years. It is approximately three acres, and her daughter wants to build a small house in the horse pasture area. There are two barns and one dwelling on it currently. This new house will be on 120<sup>th</sup> Street in the far west part of her property. The house will be on Owasso sewer.

### **Comments and Questions:**

Mr. Charney mentioned that there were two letters of concern from one individual. This person felt that this would diminish the neighborhood character. The Board respectfully disagreed with the protestant.

### **Interested Parties:**

No interested parties were present.

### **Board Action:**

On **MOTION** of **HOUSTON**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all "ayes"; no "nays"; no "abstentions") to **APPROVE** the Variance to permit two dwelling units on one lot of record in the AG-R district (Section 208) finding the hardship to be that this is a large lot and plenty of room for both homes.

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; for the following property:

BEG 1180W & 1022N SECR N/2 SE TH W26.33 SW ON CRV 267.73 TH NWLY ON CRV 93.8 NW151 S279.49 E470 N302.39 POB SEC 1 21 13 2.72ACS, Tulsa County, State of Oklahoma

## **CBOA 3197 - Gary & Barbara Bentley**

### **Action Requested:**

Variance of the minimum lot area and land area per dwelling unit requirement in an AG district (Sec. 330) **Location:** 4650 S 203rd W Ave

### **Presentation:**

**Garry Bentley**, 3216 Bermuda Drive, Sand Springs, Oklahoma, 74063 stated that he was there on behalf of his son. The proposed tract is a little over an acre and a half out of approximately 25,000 acres. It has an easement, and they wanted to build on tract A. His son's home is already there. The transmission line is about 30 to 40 yards away from where they want to build their home.

### **Comments and Questions:**

Mr. Charney stated that he could support this request.

### **Interested Parties:**

No interested parties were present.

### **Board Action:**

On **MOTION** of **HICKS**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all "ayes"; no "nays"; no "abstentions") to **APPROVE** the Variance of the minimum lot area and land area per dwelling unit requirement in an AG district (Sec. 330) per the survey provided by the applicant. Finding the hardship to be that it is surrounded by a large parent tract.

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; for the following property:

SW BEG 1812E NWC S/2 N/2 N/2 NW TH E263.50 N150.02 E263.43 S150.01 E302.86 S989.94 W1149.81 N672.87 NE344.50 E127.06 N30 POB LESS BEG S150 LT 3 BLK 1 C-BAR-C RANCH 2ND ADDN & PRT SW BEING DESC AS BEG SWC LT 3 TH E29 SWLY139.33 SE295.65 NE200.47 W95, C BAR C RANCH SECOND ADDN, Tulsa County, State of Oklahoma

## **CBOA 3198 - Dana Cantrell**

### **Action Requested:**

Variance to permit two dwelling units on a single lot of record in the RS district (Section 208) and a Special Exception to permit a manufactured home (Use Unit 9) in the RS district (Section 410). **Location:** 5920 W 33rd St

### **Presentation:**

**Dana Cantrell**, 5920 West 33<sup>rd</sup> St., Tulsa, Oklahoma 74107, stated that they had acquired a three-acre lot where they have recently completed an ADA compliant home so that her daughter will have a place to live the rest of her life. There is another home next door where their oldest daughter lives. They are asking for the manufactured home for their third daughter. There are several mobile homes in the neighborhood. They plan to use the existing driveway on the west side of the property.

### **Comments and Questions:**

Mr. Charney stated that the daughter will have to have a hard surface parking pad for her to park her car on. The mobile home must have tie downs, skirting, DEQ regulations met, and one hard surface parking pad. Mr. Charney stated that he could support this request.

### **Interested Parties:**

No interested parties.

### **Board Action:**

On **MOTION** of **TISDALE**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all “ayes”; no “nays”; no “abstentions”) to **APPROVE** the Variance to permit two dwelling units on a single lot of record in the RS district (Section 208) and a Special Exception to permit a manufactured home (Use Unit 9) in the RS district (Section 410) per the following conditions that there would be tie downs, skirting, hard surface parking and meet DEQ requirements.

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.

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, for the following property:

N420.20 E337.30 W576 SE NW LESS N30 FOR RD SEC 20 19 12 3.022ACS, Tulsa  
County, State of Oklahoma

**CBOA 3199 - James Morris**

**Action Requested:**

Variance of the required rear yard setback in an AG district (Section 330). **Location:**  
5601 S 105th W Ave

**Presentation:**

Applicants were not present.

**Comments and Questions:**

None.

**Interested Parties:**

No interested parties were present.

**Board Action:**

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all “ayes”; no “nays”; no “abstentions”) to **CONTINUE** the Variance of the required rear yard setback in an AG district (Section 330) to the next County Board of Adjustment meeting of September 17, 2024.

## **CBOA 3200 - Ronald D. Brown**

### **Action Requested:**

Variance to permit a detached accessory building in the side yard in the RE district (Section 420.2.A.2) and a Variance of the front and side yard setbacks in the RE district to permit a detached garage (Section 430.1). **Location:** 8806 E 105th St. North

### **Presentation:**

**Ronald Brown**, 8806 East 105<sup>th</sup> Street North, Owasso, Oklahoma 74055, stated that he does not have a backyard due to the shape of his lot and would like to put an accessory building in the side yard. The garage will have a different drive off 105<sup>th</sup> Street North as is the current house. The garage will be approximately four feet off the property line on the north side and they have built a retaining wall there. The garage will match the house.

### **Comments and Questions:**

Mr. Houston stated that it was nice to see letters from neighbors supporting this request.

### **Interested Parties:**

**William March**, 8825 East 104<sup>th</sup> Place North, Owasso, Oklahoma 74055, stated that he and his wife were in support of this request. There are several properties with detached garages in the neighborhood.

### **Board Action:**

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all “ayes”; no “nays”; no “abstentions”) to **APPROVE** the Variance to permit a detached accessory building in the side yard in the RE district (Section 420.2.A.2) and a Variance of the front and side yard setbacks in the RE district to permit a detached garage (Section 430.1) per the plan on page 13.2 of the Agenda packet; the side yard of 3' Variance and the front yard Variance of 10'. Finding the hardship to be an unusually configured lot that constrains the area.

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; for the following property:

LT 1 BLK 4, RANCH CREEK ADDN, Tulsa County, State of Oklahoma

## **CBOA 3201 - Andrew Ruleford**

### **Action Requested:**

Variance of the street frontage from 30' to 0' in an AG district (Section 207). **Location:**  
2122 E 176th St S

### **Presentation:**

**Andrew Ruleford**, 6025 East 146<sup>th</sup> Street South, Mounds, Oklahoma, 74047, stated that he bought this land from the church, and it was his understanding when he bought it that easement gives him the total width of the road of 50 feet. He got his 911 address, his bank loan, and started the project. When he went to get his building permit, they said he would have to get a Variance because the easement does not quality for road frontage. The access and maintenance agreement has been executed and filed on record. That easement would go with that land if he ever sold it.

### **Comments and Questions:**

Mr. Charney stated that he could support this request.

### **Interested Parties:**

No interested parties were present.

### **Board Action:**

On **MOTION** of **HICKS**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all "ayes"; no "nays"; no "abstentions") to **APPROVE** the Variance of the street frontage from 30' to 0' in an AG district (Section 207) finding the hardship to be that the property is landlocked and there was an easement already in place to grant access.

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; for the following property:

W/2 E/2 SE & W/2 E/2 E/2 SE SEC 31 17 13 60ACS, SPRING HILL FARMS, Tulsa County, State of Oklahoma.



Mr. Tisdale left the meeting at 3:02 and returned at 3:04.

**CBOA 3202 - Creek Valley Farms, LLC**

**Action Requested:**

Variance of the land area per dwelling unit in an AG district (Section 330), a Variance of the lot area requirement in an AG district (Section 330) and a Variance of the 150 ft lot width requirement in an AG district (Section 330). **Location:** 7900 E 76th St N

**Presentation:**

**Sam Sendgraff**, P.O. Box 9768, Tulsa, Oklahoma 74157, stated that he is the applicant, and they want to sell the house that is currently on the property. The house is on 3.55 acres and this property does abut 76<sup>th</sup> Street North and the house faces northeast, and we would like to do a lot split to sell this house and land off. There is a request for a second lot split. They want to make three lots out of one lot.

Mr. Hoyt stated that they are allowed to do this except for the lot sizes and if it is for five or less lots.

**Comments and Questions:**

Mr. Charney stated that he was comfortable with the request and that it will need to meet the requirements of the County Engineer.

**Interested Parties:**

No interested parties were present.

**Board Action:**

On **MOTION** of **TISDALE**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all “ayes”; no “nays”; no “abstentions”) to **APPROVE** the Variance of the land area per dwelling unit in an AG district (Section 330), a Variance of the lot area requirement in an AG district (Section 330) and a Variance of the 150 ft lot width requirement in an AG district (Section 330) subject to approval by the County Engineering Department. Finding the hardship to be the unique shape of the land.

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; for the following property:

PRT E/2 NE BEG 80S & 25W NEC NE TH S120 W363 S150 W332.2 N310 E103 S10 E562.20 SE42.43 POB SEC 35 21 13 3.551ACS, Tulsa County, State of Oklahoma.

**CBOA 3203 - Oscar Garcia****Action Requested:**

Use Variance to permit Use Unit 27 for a commercial wrecker service storage facility in an AG district (Section 310). **Location:** 1655 E 76th St N

**Presentation:**

**Oscar Garcia**, 5809 South Peoria Avenue, Tulsa, Oklahoma 74105, stated that he wanted to change the agriculture district zoning to a Commercial district zoning so he could operate a commercial wrecker service storage facility. This will not be a dealership or a salvage yard. They will sign up for rotation for the Sheriff's department and wreckers will be going in and out of the facility. It would be fenced off so nothing could be seen from the outside and would be kept nice and clean. There are farm animals on this land. They will be on call 24/7, and the regular hours will be between 9:00 a.m. to 5:00 p.m. Part of this property is in a flood zone, and he would have to go through engineering to choose the highest area to park the vehicles. There are vehicles on the property currently, but they are personal vehicles. They will use about seven acres of the 20-acre lot.

**Comments and Questions:**

Mr. Hoyt stated that it could not be rezoned because it is not compatible with the Comprehensive Plan for the area.

Mr. Charney stated that this is an intense use for a residential area to be across the street. A subsurface trap for the car fluids would have to be installed. He was respectful of someone wanting to start a business, but this did not seem to be a conducive area for this type of business.

Mr. Tisdale stated that there were a lot of issues for this type of business in a residential area.

Mr. Hicks stated that he was concerned about the residential neighbor's concerns.

Ms. Tosh stated that most of the property is in the 100-year flood zone.

**Interested Parties:**

**James K. Williams**, 1642 East 76<sup>th</sup> Street North, Sperry, Oklahoma 74073, stated that he lived directly across the street, and this has been agriculture and the whole property is a flood zone. There were cars there at the time of this meeting. They come at all hours of the day and night and the cars have been there for months. He was concerned about the pollution from the cars when it floods. He was opposed to this request.

**Raymond Cavely**, 1638 East 75<sup>th</sup> Place North, Tulsa, Oklahoma 74126, stated that he was opposed to this request. He was concerned about flooding and fire. The applicant has not been friendly with him or the fire chief.

**Jessica Santo**, 7539 North Trenton Avenue, Tulsa, Oklahoma 74126, stated that she lives directly south of this property and if it floods, the chemicals from the cars will go directly onto her property. They are also very loud, and she can hear all of them from her house. She was opposed to this request.

**Rebuttal:**

Mr. Garcia stated that the flood zone is from the middle of the property to the back. The plan is to raise the property and/or slant it sideways. The cars will be on gravel or concrete.

**Board Action:**

On **MOTION** of **HUTCHINSON**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all “ayes”; no “nays”; no “abstentions”) to **DENY** the Use Variance to permit Use Unit 27 for a commercial wrecker service storage facility in an AG district (Section 310)

W 1/2 SE SW SEC 30-21-13, NORTH TURLEY MOBILE HOME PARK, Tulsa County, State of Oklahoma

## **CBOA 3204 - Gary Stringfellow**

### **Action Requested:**

Use Variance to allow Use Unit 13 - Convenience Goods and Services in an RS district to permit a commercial ice and water machine (Section 1213) and a Use Variance to allow Use Unit 23 - Warehousing and Wholesaling to permit outdoor storage of boats, RVs, and automobiles in an RS district (Section 1223). **Location:** 10831 E 138th St N

### **Presentation:**

**Gary and Jennifer Stringfellow**, 10831 East 138<sup>th</sup> Place North, Collinsville, Oklahoma 74021, stated that they want to put up an ice machine for the workers that are clearing the workers in the area. There are about three hundred homes being built area next to their subdivision. Also, they want to have outdoor storage for boats, RVs, and automobiles because the HOA is going to have them moved from the neighborhood.

### **Comments and Questions:**

Mr. Hoyt stated that this is not compatible with the Comprehensive Plan for Collinsville, so they cannot rezone the area and must ask for a Variance for this request.

### **Interested Parties:**

**Robert Bentford**, 13711 North 109th East Avenue, Collinsville, Oklahoma 74021, stated that the roads in that area are one lane. This would increase the volume of traffic which the roads cannot handle at this time. He is opposed to this request.

### **Rebuttal:**

Mr. Stringfellow stated that the roads are narrow throughout this area. With all the new construction of homes, they will need to be widened. The hardship that he sees is that there are not any places for water or ice for quite a way and this will be a service to the workers.

### **Board Action:**

On **MOTION** of **CHARNEY**, the Board voted 4-0-1 (Charney, Houston, Hicks, , and Tisdale all "ayes"; no "nays"; Hutchinson "abstained") to **CONTINUE** the Use Variance to allow Use Unit 13 - Convenience Goods and Services in an RS district to permit a commercial ice and water machine (Section 1213) to the County Board of Adjustment meeting of October 15, 2024; and the Board voted 4-0-1 (Charney, Houston, Hicks, and Tisdale all "ayes"; no "nays"; Hutchinson "abstained") to **DENY** the a Use Variance to allow Use Unit 23 - Warehousing and Wholesaling to permit outdoor storage of boats, RVs and automobiles in an RS district (Section 1223).

BLK 17, INDUSTRIAL HGTS ADDN, Tulsa County, State of Oklahoma

Mr. Tisdale left the meeting at 3:48 p.m. and returned at 3:50 p.m.

**CBOA 3205 - Kyle Vinson**

**Action Requested:**

Variance of the land area per dwelling unit in an RE district (Section 430) and a Variance of the 150 ft lot width requirement in an RE district (Section 430). **Location:** 11515 E 68th St N

**Presentation:**

**Kyle Vinson**, P.O. Box 42, Ochelata, Oklahoma 74051, stated that wants to split the lot that he has and build two stick-built homes, one on each lot. They will be on an aerobic system.

**Comments and Questions:**

No comments or questions.

**Interested Parties:**

No interested parties were present.

**Board Action:**

On **MOTION** of **HUTCHINSON**, the Board voted 5-0-0 (Charney, Houston, Hicks, Hutchinson, and Tisdale all “ayes”; no “nays”; no “abstentions”) to **APPROVE** the Variance of the land area per dwelling unit in an RE district (Section 430) and a Variance of the 150 ft lot width requirement in an RE district (Section 430) subject to all DEQ regulations and requirements, finding the hardship to be there have been two dwelling units on the property that will be torn down and improve the area.

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; for the following property:

LT 7, JONESVILLE, Tulsa County, State of Oklahoma

**NEW BUSINESS**

**OTHER BUSINESS**

**BOARD MEMBER COMMENTS**

**ADJOURNMENT**

\* \* \* \* \*

There being no further business, the meeting adjourned at 4:19 p.m.

Date approved: 9-17-2024

 Chair