

**TULSA COUNTY BOARD OF ADJUSTMENT**  
**MINUTES of Meeting No. 547**  
**Tuesday, October 21, 2025, 1:30 p.m.**  
**Williams Tower 1**  
**St. Francis Conference Room, 1<sup>st</sup> Floor**  
**1 West 3<sup>rd</sup> Street**  
**Tulsa, Oklahoma 74103F3306**

The notice and agenda of the said meeting were posted at the County Clerk's office, County Administration Building, October 13, 2025, at 2:50 p.m. as well as in the Office of INCOG, 2 West Second Street, Suite 800.

Mr. Davis 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 **TISDALE**, the Board voted 4-0-1 (Charney, Hicks, Hutchinson, and Tisdale all "ayes"; no "nays"; Houston, "abstained", to **APPROVE** the Minutes of September 19, 2025 (Meeting No. 547).

**UNFINISHED BUSINESS**

**CBOA 3295 - Platinum Pest & Lawn – Jennifer**

**Action Requested:**

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

**Location:** 12831 N 135th East Ave, Collinsville

**This case was withdrawn by email prior to meeting.**

(This case was moved to the end of the meeting so that Mr. Charney could recuse himself. Mr. Charney left the meeting at 2:58.)

**CBOA 3299 – Nathan S. Cross**

**Action Requested:**

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

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

**Presentation:**

**Nathan Cross**, 2 West 2<sup>nd</sup> Street, Suite 700, Tulsa, Oklahoma 74103, stated that he is the applicant representing Greenhill Properties and he submitted the application to the Board of Adjustment requesting a special exception to allow Mining and Mineral processing in an AG zoning district. Mr. Cross confirmed that the request is for limestone mining and processing and the total land area is 364.27 acres. The special exception request limited mining and mineral processing to approximately 169 acres. The remaining area included setbacks and earth berms around the perimeter of the excavation area.

Mr. Hutchinson asked for clarification about what equipment would be installed.

Mr. Tisdale asked if the mine operations in the area were established prior to the residential areas in the area.

Mr. Hutchinson stated that there was a large volume of letters that had been received complaining about broken windows, busted sheetrock, and other damage from mining operations in the area.

Mr. Cross confirmed that mineral processing equipment would be placed inside the designated mining area and setback away from surrounding property owners. He also confirmed that significant limestone mining and processing has been an established land use in the area for decades and residential development has expanded after the mineral processing and mining were operational.

**Interested Parties:**

**Senator Dana Prieto**, 29495 137<sup>th</sup> East Place, Tulsa, Oklahoma 74134, stated that he represents many people of this area and they are having problems in the homes because of the existing mining operations in this area. They are concerned about declining value of their homes due to existing and expanding mining operations.

**Quin Gutierrez**, 6251 North 131<sup>st</sup> East Avenue, Owasso, Oklahoma 74055, stated that he had concerns. 181 homes within 1 km of this site will be affected. Limestone particulates can cause respiratory problems. Noise will increase exponentially. Tulsa sets on a large vein of limestone so there is no reason to build this next to all these homes. There is a better way forward than making new quarries in the middle of a community.

**Jan Gaylord**, 11618 East 69<sup>th</sup> Street North, Owasso, Oklahoma 74055, stated that she had lived in her house since 1988 and she has lived there before the quarries. She expressed concerns about her water well, pictures falling off her walls, and was concerned their property values, quality of life, and hundreds of people that will be negatively affected.

**Lee Vue**, 6031 North 129<sup>th</sup> East Avenue, Owasso, Oklahoma 74055, stated that he would like to know the excavation and processing systems that they will be using. Every day there is a loud noise that rocks his whole house.

**Lance Sanders**, 6121 North 129<sup>th</sup> East Avenue, Owasso, Oklahoma 74055, opposed expanding the quarries. He bought his home a year ago and they wanted a secluded home to raise their family. He was told that the flood plain can never be developed. Their 10-year-old son has chronic lung disease, and this would be devastating for him.

**Erik Miller**, 7713 North 126<sup>th</sup> East Avenue, Owasso, Oklahoma 74055, stated that he wanted to focus on the respiratory health issues from dust. Before this goes forward, he asked for a study to be done on the health aspects of this quarry.

**Marsheila Prior**, 6218 North 129<sup>th</sup> East Avenue, Owasso, Oklahoma 74055, stated that she was speaking on behalf of her parents, Clarence, and Lorene Lambert, who live at the address given. This proposed quarry will bisect two existing older neighborhoods that were started in 1943. The average home was built before Anchor started ramping up their construction in the late 1990's. That was before Greenhill got their permit in 1999. The quarry is encroaching on the neighborhood, not the other way around. If this is approved, there will be six quarries total surrounding this neighborhood area.

**Weston Baker**, 13215 East 66<sup>th</sup> Street North, Owasso, Oklahoma 74055, stated that there are a church and school in the middle of this area and are concerned about the health of the congregation and the school children. The church and school have experienced cracks around the window and feel the shaking from the explosions.

**Darin Davis**, 6809 North 120<sup>th</sup> East Avenue, Owasso, Oklahoma 74055, stated that his father lives close by and he has lived there for 52 years ago. He is concerned about the peace and tranquility of the area. The blasting is his concern.

**Dena Cryder**, 6201 North 131st East Avenue, Owasso, Oklahoma 74055, stated that she wanted to point out how close this was to established neighborhoods. She did not want to leave a big hole between two established neighborhoods.

**Remy Downs**, 13808 East 60<sup>th</sup> Place North, Owasso, Oklahoma 74055, opposed the request and stated that this use will be injurious to properties in the vicinity. A rock quarry is not a minor land use and commented on the impact from blasting, heavy trucks, loaded machinery, heavy dust, and long-term environmental destruction. There was a signed petition in the packet showing the signatures of many neighbors within one thousand feet of this subject property. Eighty-three percent of the neighbors have united in opposition.

**Gail Dawson-Turner**, 14229 East 59<sup>th</sup> Street North, Owasso, Oklahoma 74055, stated that she opposed the mining special exception and commented that all the noise, blasting, and traffic, is very disturbing to the wildlife sanctuary in her yard that she has had for over 30 years. She has bee hives that the dust will impact greatly.

**Randall Carpenter**, 6244 North 131<sup>st</sup> East Avenue, Owasso, Oklahoma 74055, stated that they are affected by the blast and he requested that the Board deny this request.

**George Galvez**, 14524 East 74<sup>th</sup> Street North, Owasso, Oklahoma 74055, stated that he moved to this area in the last few years and it does not provide the peace he was looking for and thought he had found. The dust in the area is overwhelming, and he said he does not want his grandchildren to go out and play in the dust.

**Ronnell Goodwin**, 13716 East 59<sup>th</sup> Street North, Owasso, Oklahoma 74055, stated that that she is pro-business but not at the expense of others. They are looking for somewhere else to move because the existing rock quarry has become significantly worse. She is concerned about the air quality and believes she is losing trees and plants due to the poor air quality from the dust. She also pointed out that the traffic from the dump trucks makes driving extremely dangerous.

**Bret Lambert**, 6218 North 129<sup>th</sup> East Avenue, Owasso, Oklahoma 74055, stated that his house was the closest house to the parcel that was approved for mining 2 years ago on the west side of 129<sup>th</sup> and Bird Creek. The limestone dust dramatically affects the health of many trees. There also has been an increase in illegal dumping of construction materials in the area. Mr. Lambert commented that there is a lot of land that is on the east side of the property that could be mined and that would not be in their backyard.

**Pamela Kirk**, 12107 East 70<sup>th</sup> Street North, Owasso, Oklahoma 74055, stated that one of her concerns is that there have been several complaints that went to the Department of Mines in the past 5 years. Those complaints have been dealt with in the short term. The International Journal of Environmental Research and Public Health published in

2020 concerning lung function and respiratory health for the population living close to a quarry. The study concluded that environmental exposure to dust from quarrying activities present health dangers to the population living nearby. Regarding the Special Exception, being in harmony with the spirit and intent of the zoning regulations. In Oklahoma, the authority for land use planning and zoning is established under Title 19 and Title 11 of the Oklahoma statute and these laws give local governments the power to prepare and adopt comprehensive plans to guide future development. The parcel has been historically and currently consistently zoned and listed in the Tulsa County Land Use Plan as agricultural. The land parcel is zoned agricultural and has been for decades. This request is not in harmony with the land use plan.

**Jenny Cade**, 6310 North 134<sup>th</sup> East Avenue, Owasso, Oklahoma 74055, asked the Board to ask the applicant if he would buy a house in this neighborhood.

**Robert Lumen**, 13809 East 69<sup>th</sup> Place North, Owasso, Oklahoma 74055, stated that his house is going to be 429 feet from the south side of where the quarry will be dug. The 6-foot berm will not do them any good. Since moving there, his wife has been diagnosed with COPD, and he had lung cancer a few years ago. He implored the Board to deny this Special Exemption.

**Breanne Sanders**, 6121 North 129<sup>th</sup> East Avenue, Owasso, Oklahoma 74055, stated that the existing quarries are good neighbors. Per a phone call on September 19, 2025, she spoke with Troy Young, Lead Mine Inspector for Department of Mines regarding mine inspections stated that Owasso quarries are inspected approximately one time per week due to a large volume of complaints. This has been their sanctuary, and it is being ruined. She asked the Board to deny this request.

**Applicant Rebuttal:**

Mr. Cross stated that in response to some of the discussion points that we have heard today, he would say that this is easily one of the most heavily regulated industries. This industry has state and federal oversight. They have regular inspections done and have several seismographs in the area that are monitored constantly for vibrations. He has a video that discusses several of the discussion points to play for the Board.

Mr. Cross played the video, which was an interview with Randy Wheeler, President of Wright Seismology Corporation. Mr. Wheeler stated that the blast is designed to prevent property damage.

Mr. Cross commented on Mr. Wheeler's credentials and background in this work, but also to demonstrate the intensity the regulatory and inspection process. In the last five years, Oklahoma Department of Mines (ODM), has worked with Greenhill and Anchor Stone to modify blast scheduling and adjust explosive tonnage to lessen the impact on the surrounding area while still covering material demand. Greenhill Materials has

especially embraced public relations asking ODM to share their contact information with citizens who submit complaints and inquiries. One non-monetary violation was written. A special exception, although it has its own public discussion, is in concert with the existing underlying zone because you cannot ask for a Special Exception use in all zoning districts. In this instance the existing AG zoning allows a special exception consideration for mining and mineral processing.

Mr. Hutchinson asked if there are regulations on the dust in these areas.

Mr. Cross stated that this industry monitors air quality, noise, and blast. The plan is to turn this into a lake after all the mining has been done. They would absolutely volunteer to accept a condition on any zoning approval that would prohibit dumping in the future.

Mr. Hicks asked where stone will be processed.

Mr. Cross stated that initially the rock would be trucked off but as activity moves west, they could do crushing activity up in the NE corner on the east side of the property. The blasting activity would be limited to 8-4 Monday through Friday and the same would apply to crushing activities. It will be decades before this is turned into a lake. This is just step one in the process.

Mr. Tisdale asked for clarification about the process that created dust and noise vibration. Are all these processes regulated in the same manner?

Mr. Cross stated that the excavation and processing it is all going through the same regulatory process. It all is subject to the same standards.

Mr. Houston asked if this would start on the east side of these 160 acres and gradually move west.

Mr. Cross stated that they will stipulate that the ingress and egress will be on the east side of this area.

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

Mr. Hutchinson stated that this is a touchy subject and it always is. He could personally support it. Greenhill and Anchor Stone do a respectable job trying to listen to the people in the area and help where they can.

Mr. Hicks stated that this mining operation is closer to a larger density of homes than the past ones. He has struggled with the last couple of requests, but there were a lot fewer homes. The applicant was able to work with the neighbors because there were only a few. This density of the residential homes and there are a lot of dust and a lot of trucks, but this puts it a lot closer to residential homes.

Mr. Houston stated that he struggles with the corridor being between heavily populated areas.

Mr. Tisdale stated that it is the density of homes that he struggles with as well. The only thing the Board can consider is if it is injurious to the neighborhood.

**Board Action:**

On **MOTION** of **HUTCHINSON**, the Board voted 1-3-0 (Hutchinson "aye"; Hicks, Houston, Tisdale all "nays", no "abstinenence", to **APPROVE** the Special Exception to allow Mining and Mineral Processing in an AG District (Sec. 6.010, Table 6-1). **The Motion did not pass.**

**NEW APPLICATIONS**

**CBOA 3301 - William J. Reed**

**Action Requested:**

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

**Location:** 5808 N Norfolk Ave E

**Presentation:**

**William Reed**, 5920 North Owasso Avenue, Tulsa, Oklahoma 74126 stated that he wants to put in a manufactured home on this lot for another family member. The lot is currently vacant. He has cleaned the lot up and it will be connected to city sewer. Mr. Reed also indicated his agreement to all the other building permit and zoning code permit requirements.

**Interested Parties:**

None

**Comments and Questions:**

Mr. Charney stated that he was in support of this request.

**Board Action:**

On **MOTION** of **HUTCHINSON**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, and Tisdale all "ayes", no "nays", no "abstention) to **APPROVE** a Special Exception to permit Single-Section Manufactured home in RS-3 District (Sec. 3.030, Table 3-2) subject to the conditions: that is meets all of the DEQ requirements, tie down, skirting, and all-weather hard surface parking.

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:

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

**CBOA 3302 - Thomas F. McCoy**

**Action Requested:**

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

**Location:** 7590 N Harvard Ave

**Presentation:**

**Thomas McCoy**, 7590 North Harvard Avenue, Sperry, Oklahoma, 74073 stated that they want to work with the Journey Home in Bartlesville, Oklahoma to use an existing home as a hospice. They want to donate the use of the home and let Journey Home operate it as a hospice. This will only apply to the one house on the property on the corner. Some of the neighbors are attending today and one of them organized a meeting a couple of weeks ago. In this meeting, we described what is being requested and for what purpose. The neighbors are fine with it, only this one house being used and not all the other acres. There is sufficient parking to manage the guest that will be visiting. The house would be able to accommodate three patients. There are three bedrooms. It would be unreasonable to try to manage more than three patients.

**Interested Parties:**

**Robert Scott Kirschner**, 7702 North Florence Avenue, Sperry, Oklahoma, 74073, stated that his property is across the street from Mr. McCoy's. Mr. Kirschner was concerned that the applicant was changing 150 acres from AG to Commercial. Now that they know that he is not doing that, he is in favor of it.

**Audrey Rutherford**, 7954 North Florence Avenue, Sperry, Oklahoma, 74073, stated that the neighbors would be more comfortable if the McCoy's were to do a lot split and had it stamped by INCOG so that everything would be documented before the move-in date.

Mr. Charney stated that the Board could limit it to this area, but there will be no stamped deeds.

Ms. Rutherford stated that there was also a violation because there are two dwelling units and only one address.

Mr. Charney stated that what was before them was the Special Exception on the northeast corner of the property. This will be reflected in the formal minutes properly documenting this.

Staff stated that there is nothing that can be discussed except this use on that application for this Special Exception.

Mr. Charney stated that if she felt there was a violation she should contact the County regarding her concern.

Mr. Charney asked the applicant if the Board were to say that a square two-acre tract would be satisfactory to the necessary land area that is needed to encompass the structure for this use.

The applicant agreed that it would be satisfactory.

**Comments and Questions:**

Mr. Charney stated that he thought that they could satisfy the neighbors' concerns by reflecting that this is a two-acre square located on the corner of the northeast portion of the property.

**Board Action:**

On **MOTION** of **TISDALE**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, and Tisdale all "ayes", no "nays", no "abstention) to **APPROVE** a Special Exception to operate a Social Model Hospice House under the classification of an Assisted Living Facility in an AG District (Sec. 6.010, Table 6-1) subject to the following conditions that hospice house will be limited to three beds, limited to the two-acre section located in the northeast corner of the property, and that it meets all other requirements to operate.

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:

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

**CBOA 3303 - JR Donelson**

**Action Requested:**

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

**Location:** 3616 E. 171st St. S.

**Presentation:**

**JR Donelson**, 8410 East 111<sup>th</sup> Street South, Bixby, Oklahoma, 74008, stated that he represents the Nix Revocable Trust. The original twenty-acre property is in Tulsa County and was owned by the Nix Revocable Trust. Mr. Nix passed away, and his wishes were that the property be reconfigured for his heirs. Application was made for a lot line adjustment on the twenty-acre piece which currently has three homes. The executor who has the trust has filed a thirty-foot mutual access easement for this property and it provides access to what is considered tract five in the proposed configuration. The Okmulgee Rural Water District sent them a letter providing that they approve of this lot line adjustment and the reconfiguration. There is a 30-foot mutual access agreement in place. This will provide the access necessary for the five parcels. The 30-foot mutual access easement allows the owner to meet the intent of the zoning code by providing 30-foot access from 171<sup>st</sup> Street to proposed tract five on this AG property. The easement has been filed with Tulsa County. It was filed as mutual access and general utilities easement.

**Interested Parties:**

**Melissa Epp**, 17319 South Harvard Avenue, Tulsa, Oklahoma 74047, stated that her property adjoins the subject property. She asked how many houses are going to be built on the rezoned area.

Mr. Charney clarified that this is not a rezoning application, but a request for a rear lot to be permitted to build a home on even though it has no frontage to 171<sup>st</sup> Street. It now has a legally recorded easement out to it

Mr. Wilkerson stated that since this is a request for a lot split with no frontage to the public road, we cannot discuss additional zoning code limitations

**Comments and Questions:**

Mr. Charney stated that the Board has permitted 0-foot frontage on many occasions when presented with a proper easement.

**Board Action:**

On **MOTION** of **HICKS**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, and Tisdale all "ayes", no "nays", no "abstention") to **APPROVE** a Variance of the street frontage from 30' to 0' in an AG district to permit a lot split (Sec. 2.040, Table 2-3)

subject to the information that was submitted in the Agenda packet. Finding the hardship to be that property size that are being split are not small tracts.

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:

**W108.71 E208.71 N208.71 E/2 NW NW LESS N50 THEREOF FOR RD SEC 33 17  
13 .396AC County of Tulsa, State of Oklahoma.**

## **CBOA 3304 - Htoi Sum Lut**

### **Action Requested :**

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

**Location:** Next to 12975 S Elwood Ave, Jenks

### **Presentation:**

**Htoi Sum Lut**, 14725 South Fern Place, Glenpool, Oklahoma 74033, stated that her church community came to Oklahoma as refugees and was very thankful for this. They have been cleaning up the land where they want to build their church. They currently own the property.

### **Interested Parties:**

**Josh Baker**, 12949 South Elwood Avenue, Jenk, Oklahoma, 74037, stated that he had submitted several items of concern and some of them are premature. This property is going to remain agricultural and not change to commercial, and we are not opposed to the church, they just did not want it changed to commercial land. He would like there to be a tree line buffer between his property and the property in question. He was concerned with the run-off of storm water, where the parking lot is going to be located, light pollution, and they are asking for some consideration for a private buffer.

### **Rebuttal:**

Ms. Sum lut stated that before they cleared the land, they reached out to Mr. Baker and want to accommodate him as much as possible. They want to keep a buffer zone with the trees to provide screening to the east and the north and will use down lighting to cut down on light pollution. They also will collaborate with a civil engineer to make sure the drainage does not increase the water flow on to the neighbor's property.

### **Comments and Questions:**

Mr. Charney stated that it was an effective use on this piece of land and the neighbors are in support.

### **Board Action:**

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, and Tisdale all "ayes", no "nays", no "abstention) to **APPROVE** a Special Exception to permit Religious Assembly in an AG District (Sec. 6.010, Table 6-1), subject to the following conditions that they leave perimeter trees on the north and east boundary, that they have down lighting only on the outside of the building and parking lot, and they have a civil engineer make plans for the water drainage, and stay remain substantially consistent with the site plan presented in the Agenda packet.

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:

**N/2 SW SW SW LESS W50 THEREOF FOR RD SEC 1 17 12 4.621ACS County of Tulsa, State of Oklahoma.**

**CBOA 3305 – Abbey Homes LLC**

**Action Requested:**

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

**Location:** 3782 S. 137th W. Ave.

**Presentation:**

Josh Rylander/Abby Homes, 3782 South 137<sup>th</sup> West Avenue, Sand Springs, 74063, stated that he was there to represent the property owner who wants to build for himself on his property. He wants to live in his RV while Abby Homes builds his house. The RV will not be visible from the road and will be in the back corner of the lot. This should not take anything past a year to complete.

**Interested Parties:**

None

**Comments and Questions:**

None

**Board Action:**

On **MOTION** of **HUTCHINSON**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, and Tisdale all “ayes”, no “nays”, no “abstention”) to **APPROVE** a Special Exception to permit temporary dwelling in RV in an AG district (Sec. 8.160) subject to the following conditions, for a term of 1 year, and located within the interior of the property.

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:

**PRT NE SE & SE NE BEG 1974.52N SECR SE TH N987.26 W1317.61 S987.32  
E1315.67 POB SEC 20 19 11 30.00ACS, County of Tulsa, State of Oklahoma**

**CBOA 3306 – Nathalie Cornett**

**Action Requested:**

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

**Location:** 2106 S. 59th W. Ave

**Presentation:**

**Andrew Shank**, 2727 East 21st Street, Suite 200, Tulsa, Oklahoma, 74114, stated that he is representing the applicant and property owner. He was covering for Ms. Cornett who could not attend the meeting. Mr. Shank stated that the use of the property and business activity has not changed since the original use-variance was approved several years ago. The Tulsa County Zoning Code zoning code was significantly updated in September 2024. The current zoning code allows accessory outdoor storage for a building service in the CS district if approved through the Special Exception process. In addition to the Special Exception request, two variances need to be re-established by the Board to support previous decisions and to support the existing business. Mr. Shank reminded the Board that they unanimously approved this application in 2022 under CBOA 2965 with a 1-year term on it. After the first year, the applicant came back to the board with CBOA 3111 which was approved for the same variances with a 2-year term on it. Based on the unique circumstances of this case, we now have a 3-year record of business with no complaints. Mr. Shank asks the Board for consistency with their past decisions to approve the Special Exception and both variances.

**Interested Parties:**

None

**Comments and Questions:**

None

**Board Action:**

On **MOTION** of **HICKS**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, and Tisdale all “ayes”, no “nays”, no “abstention) to **APPROVE** a Special Exception to permit accessory outdoor storage for a Building Service in the CS District, and a Variance to extend the Variances of Sections 10.070-E.1. and 10.100-B (formerly Sections 1340 and 1350) of the Tulsa County Zoning Code (the “Code”) to permit unenclosed off-street parking and loading areas to be gravel surfaced with no conditions.

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.

The Board also finds that both Variances requested are consistent with the previous Board approvals and that the new code created an unforeseen circumstance on this site that needed their attention at this time. 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:

**Lot 1, Block 8, Second West Tulsa View Acres, County of Tulsa, State of Oklahoma.**

**CBOA 3307 – Jason Lee**

**Action Requested:**

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

**Location:** 16032 S Harvard Ave., Bixby

**Presentation:**

**Jason Lee**, 13335 South 21<sup>st</sup> Place, Bixby, Oklahoma, 74008, stated that he wants to add an accessory dwelling unit for family members and it is not to exceed 2,500 square feet. They plan on tying into the existing utilities. It will be in the northwest corner of the property honoring all buildings set back lines and utility easements.

**Interested Parties:**

None

**Comments and Questions:**

None

**Board Action:**

On **MOTION** of **HUTCHINSON**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, and Tisdale all “ayes”, no “nays”, no “abstention) to **APPROVE** a Variance to permit accessory dwelling unit exceeding size provisions of zoning code (Sec. 8.040) subject to the following conditions that the house not exceed 2,500 square feet, follow all the DEQ permitting requirements, as well as the building permit requirements from Tulsa County. Finding the hardship to be that this is a large 2.6-acre tract 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:

**S235 E482 SE SE SEC 20 17 13 2.6AC County of Tulsa, State of Oklahoma.**

**OTHER BUSINESS**

**NEW BUSINESS**

Review and Approval of 2026 Meeting Schedule.

**BOARD MEMBER COMMENTS**

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:58 p.m.

Date approved: 10-16-2025

Chair: 

