AGENDA
Regularly Scheduled Meeting
Tulsa County Board of Adjustment
Tuesday, March 20, 2018, 1:30 p.m.
Ray Jordan Tulsa County Administration Building
500 South Denver, Room 119

Meeting No. 454

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Approval of **Minutes** of February 20, 2017 (Meeting No. 453).

UNFINISHED BUSINESS

2. **2666—Signature Series Homes**
   Variance to allow an accessory building to be built in the side yard (Section 420.2).
   LOCATION: 6108 East 127th Place North

NEW APPLICATIONS

3. **2667—John Jarrett**
   Use Variance to allow storage (Use Unit 23) of personal items in an RE District (Section 410). **LOCATION:** West of the NW/c of West 51st Street South and South 162nd West Avenue

4. **2668—James Baird**
   Variance to allow 0 feet of frontage on a public street in the RS District (Section 207).
   LOCATION: 4443 West 42nd Street South

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

Website: **www.countyoftulsa-boa.org** **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 Land Development Services, INCOG. Ringing/sound on all cell phones and pagers must be turned off during the Board of Adjustment meeting.**

NOTE: **This agenda is for informational purposes only and is not an official posting. Please contact the INCOG Office at (918) 584-7526, if you require an official posted agenda.**

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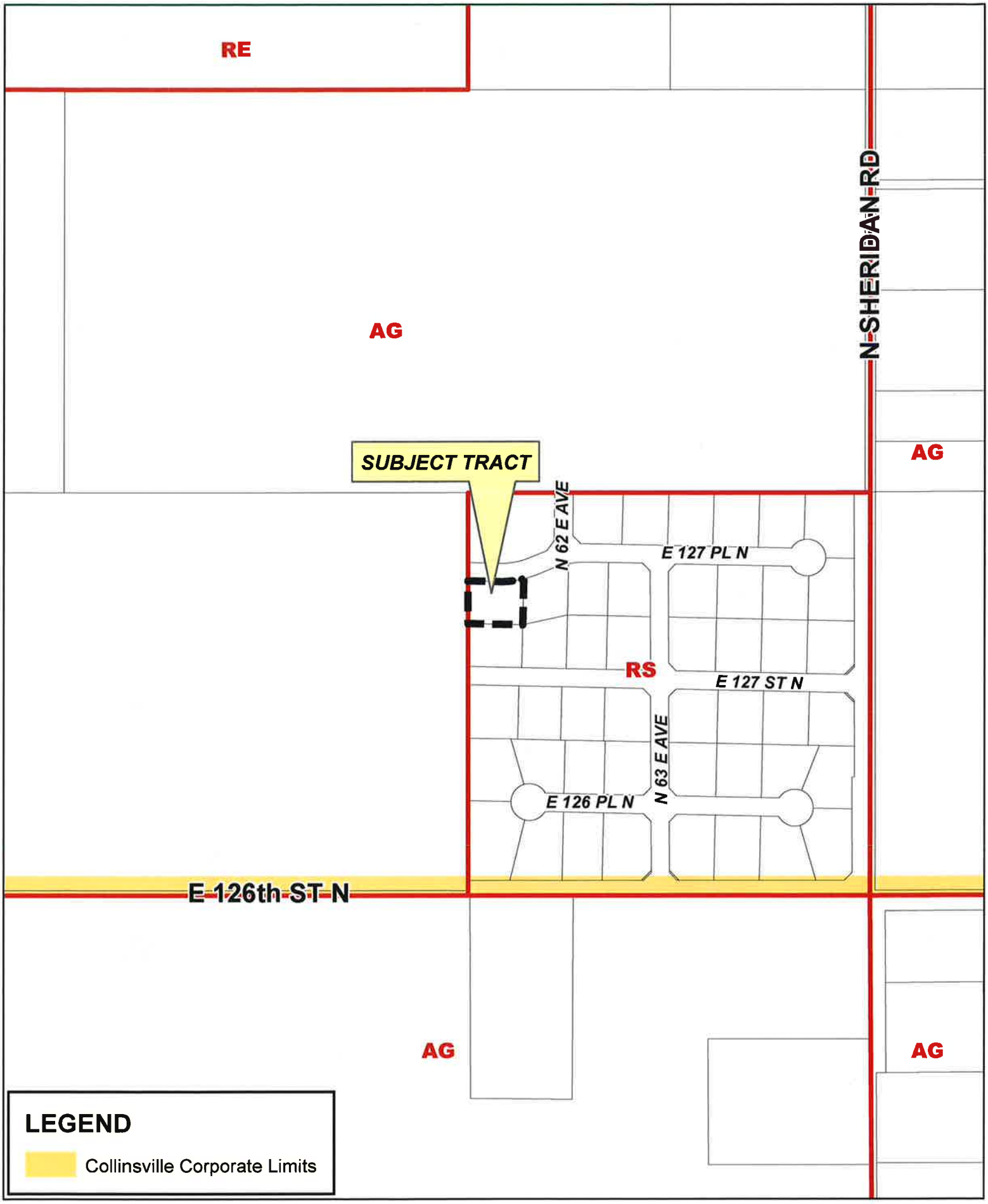

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CBOA-2666

22-13 34

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BOARD OF ADJUSTMENT
CASE REPORT

STR:2334
CZM:7
PD:

Case Number: CBOA-2666

HEARING DATE: 03/20/2018 1:30 PM

APPLICANT: Signature Series Homes

ACTION REQUESTED: Variance to allow an accessory building to be built in the side yard. (Section 420.2)

LOCATION: 6108 E 127 PL N

ZONED: RS

PRESENT USE: residential

TRACT SIZE: 25,949 SF

LEGAL DESCRIPTION: LOT 5 BLOCK 3, CARRIAGE PARK, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:
None relevant.

ANALYSIS OF SURROUNDING AREA: The subject tract is abutted by RS zoning on the north, south and east; AG zoning abuts the site on the west.

STAFF COMMENTS:
According to the site plan the applicant intends to construct a 24' x 30' or 720 sq. ft. storage/garage building in the side yard of the existing house on the site. Section 420.2 states that a detached accessory building shall not be in the front or side yard or encroach upon a minimum setback line. To permit the storage/garage building as proposed the applicant has requested a **Variance** to permit a detached accessory building to be located in the side yard area, east of the existing house. The applicant provided the statement: *"The slope of the lot will not allow for the garage to be placed in the rear yard."*

Sample Motion:

"Move to _____ (approve/deny) a Variance to allow an accessory building to be built in the side yard. (Section 420.2)

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."

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Subject Tract

CBOA-2666

22-13 34

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

Aerial Photo Date: February 2016

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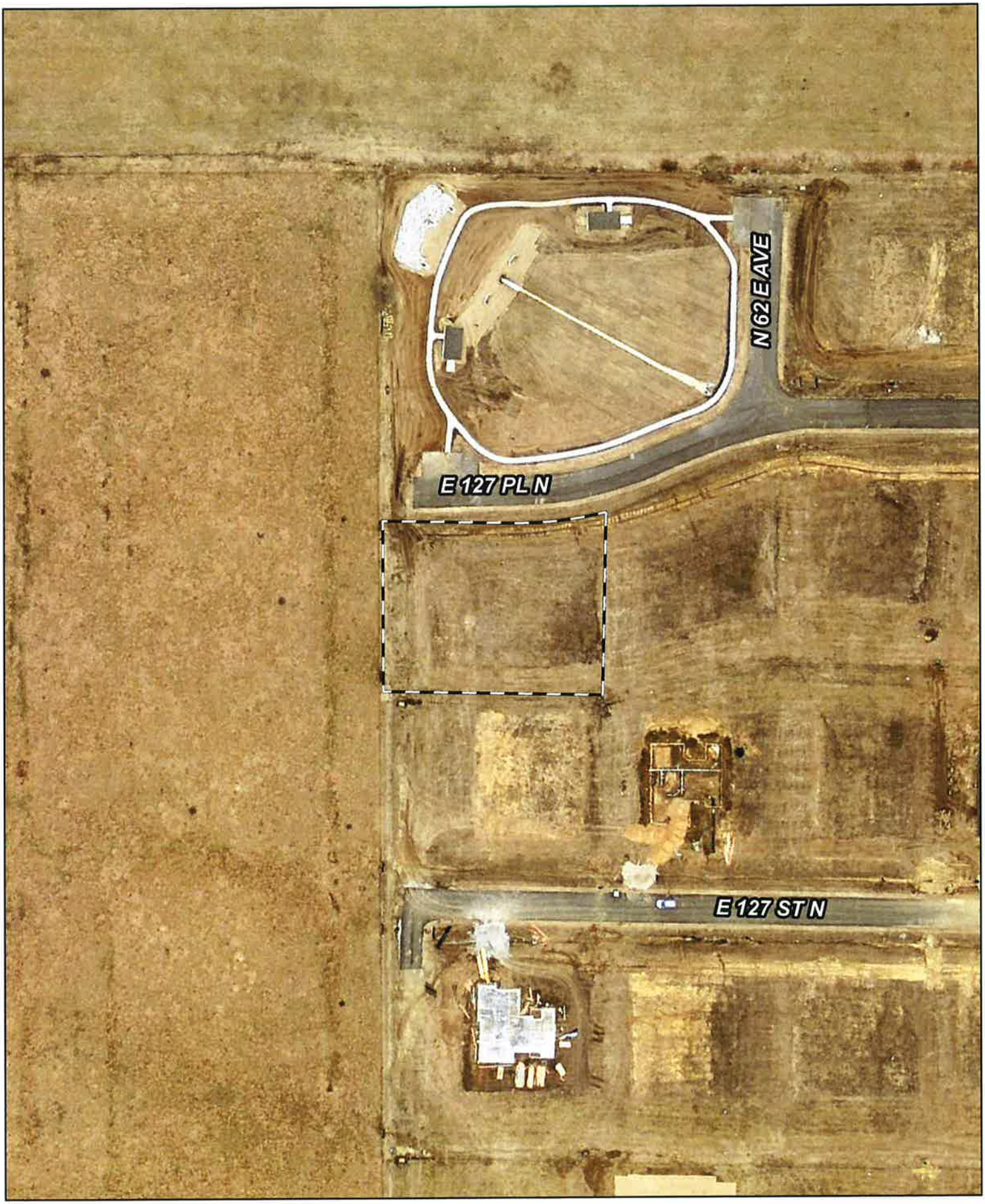

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Subject Tract

CBOA-2666

22-13 34

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

Aerial Photo Date: February 2016

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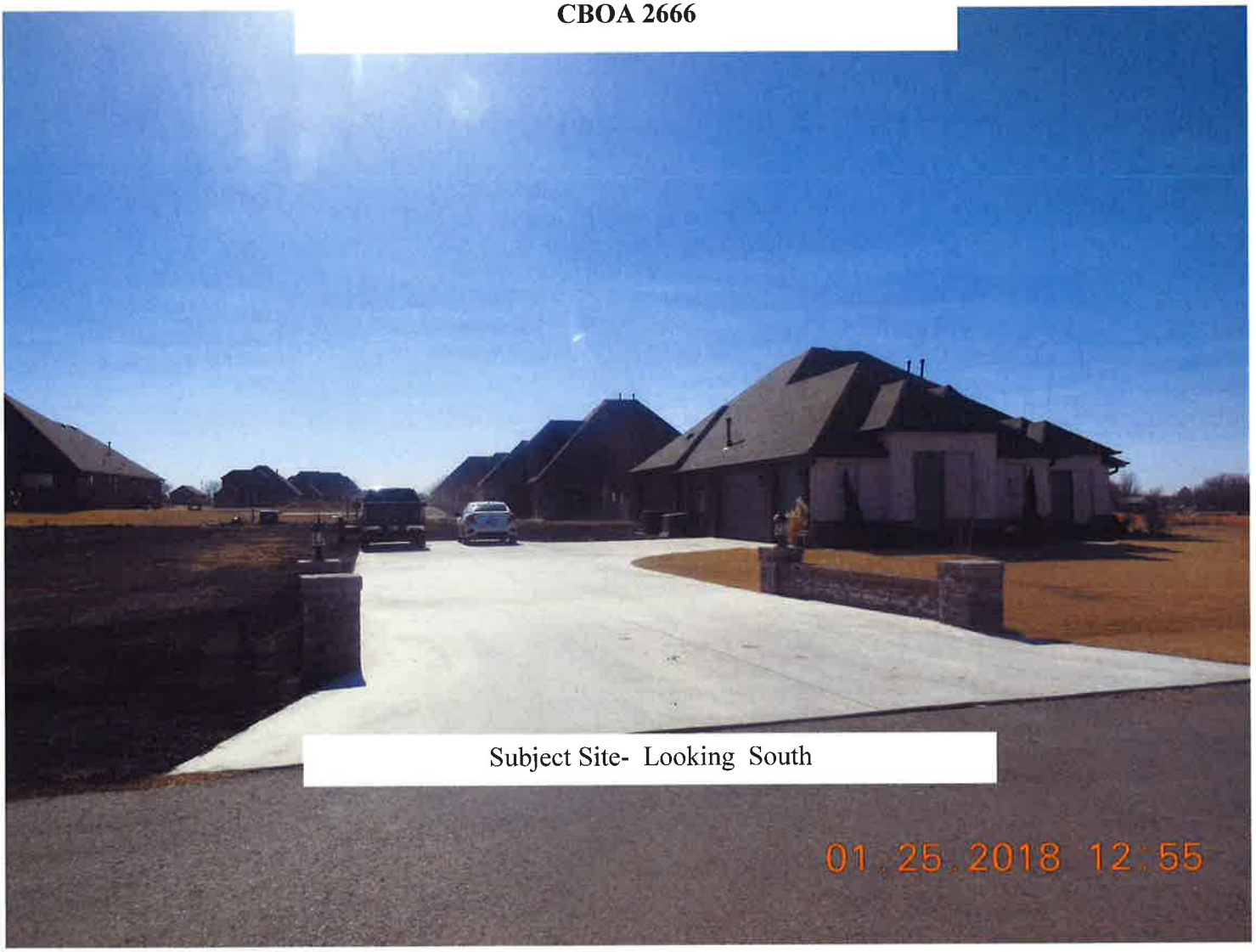
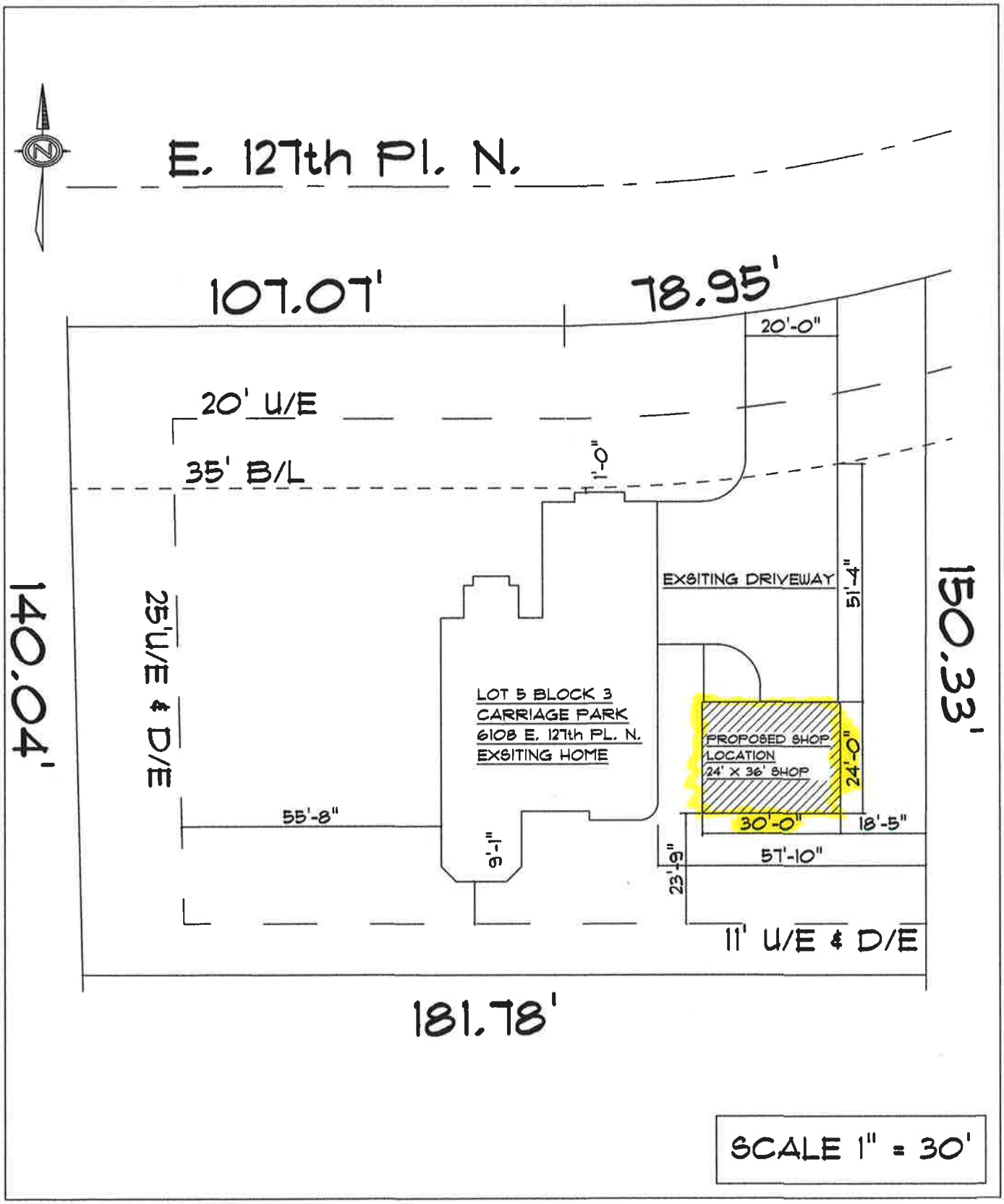
CBOA 2666



Subject Site- Looking South


E. 127th Pl. N.
107.07'
78.95'
20'-0"
20' U/E
35' B/L
1'-0"
EXSITING DRIVEWAY
51'-4"
150.33'
140.04'
25' U/E & D/E
LOT 5 BLOCK 3
CARRIAGE PARK
6108 E. 127th PL. N.
EXSITING HOME
PROPOSED SHOP
LOCATION
24' X 36' SHOP
24'-0"
55'-8"
9'-1"
30'-0"
18'-5"
57'-10"
23'-9"
11' U/E & D/E
181.78'
SCALE 1" = 30'

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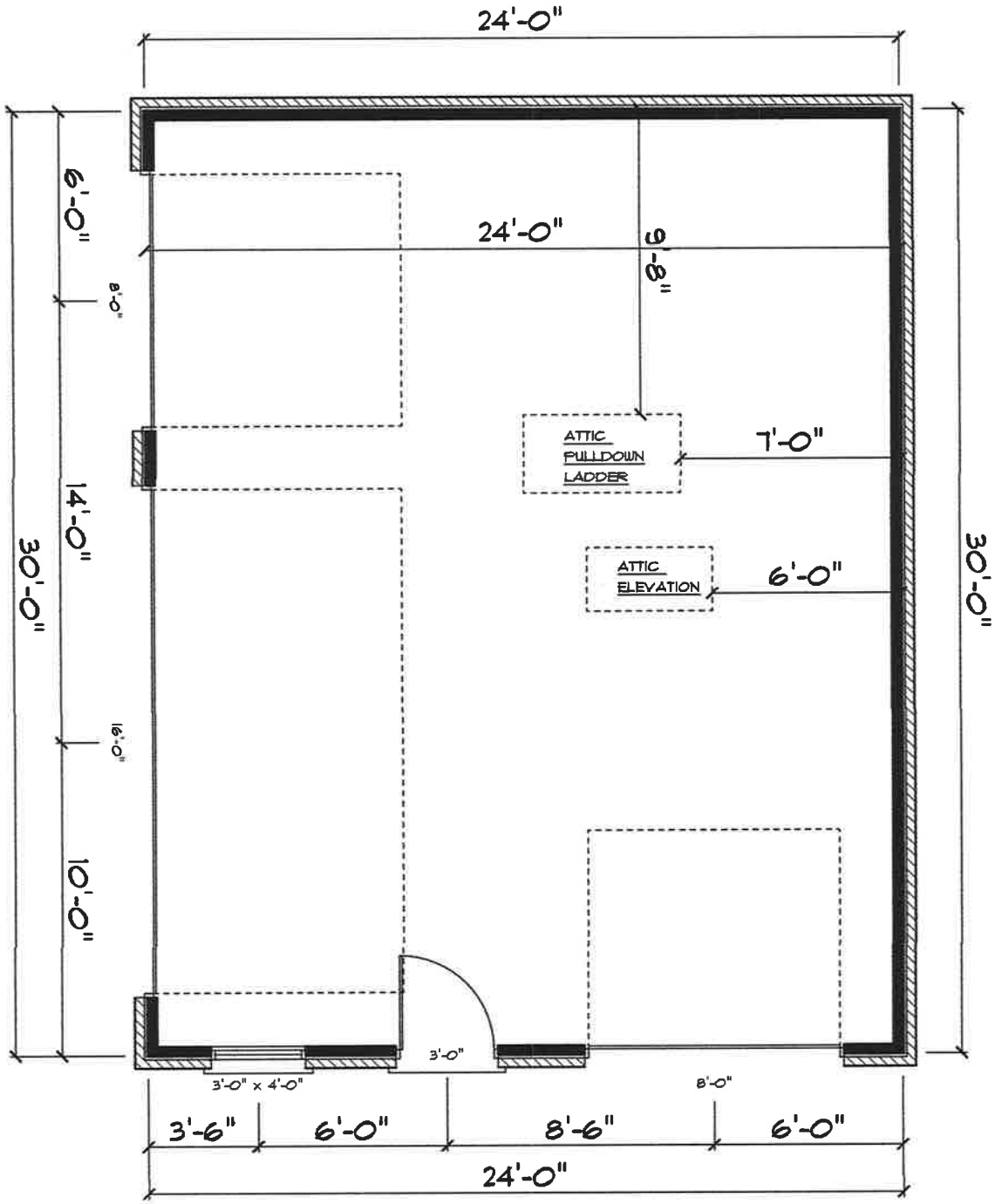

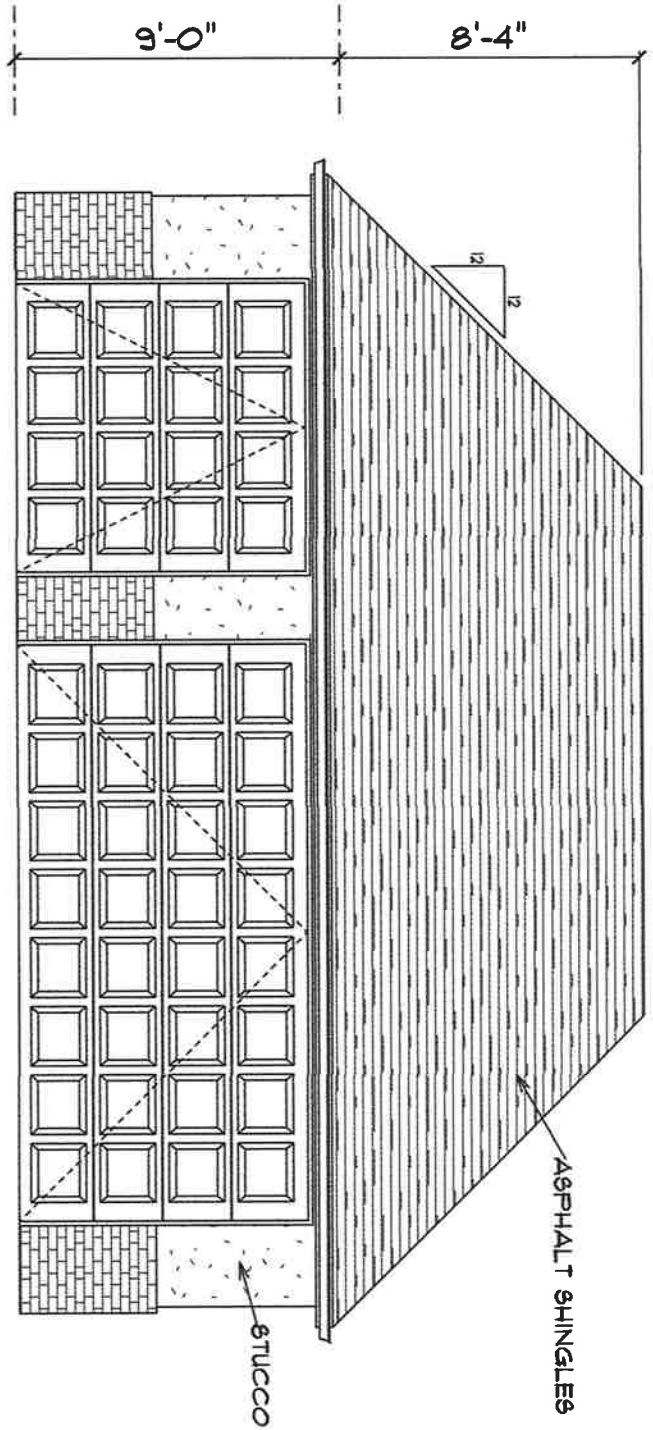

SCALE: 3/16" = 1'

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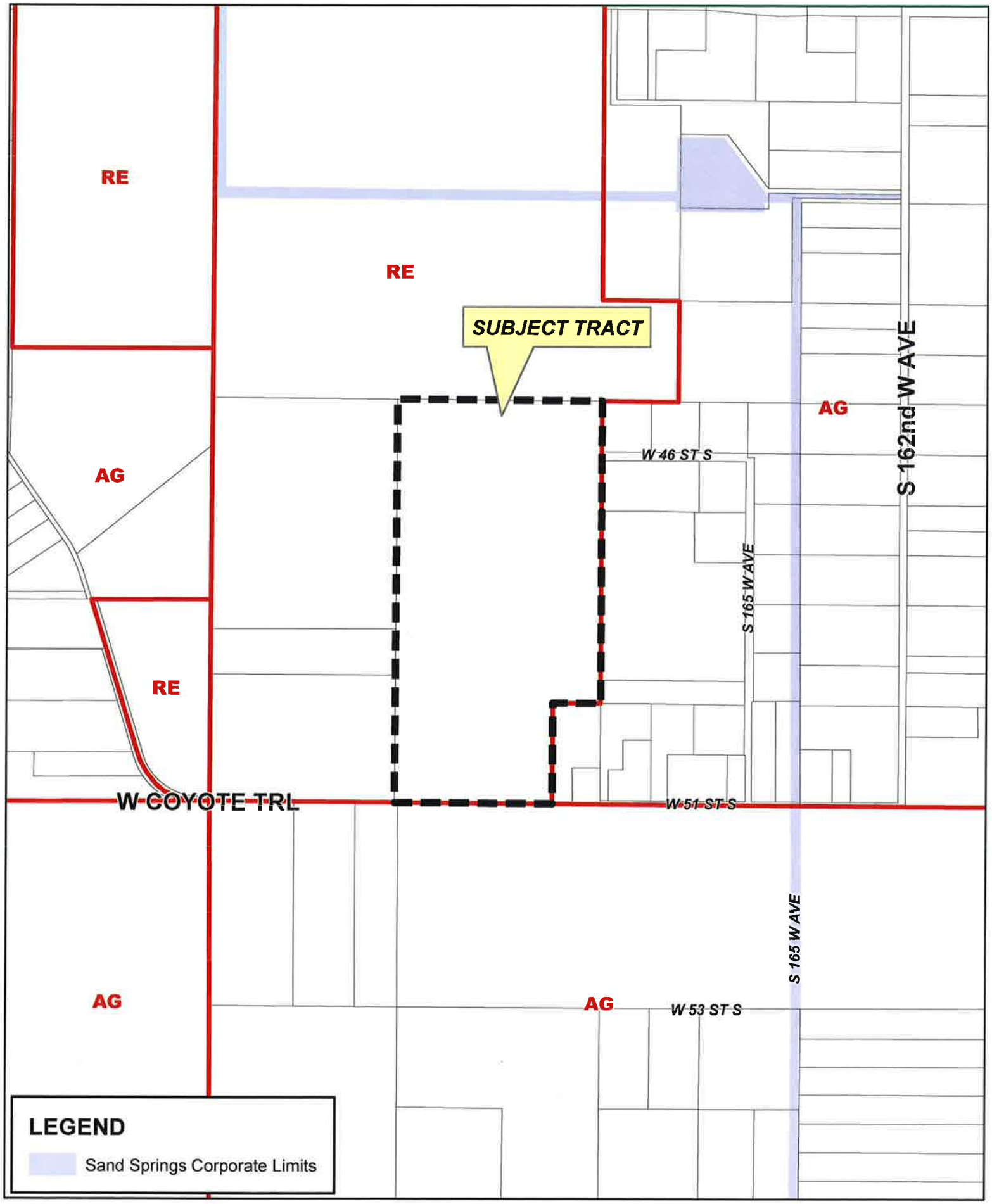

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CBOA-2667

19-14 30

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BOARD OF ADJUSTMENT
CASE REPORT

STR:9130 **Case Number:** CBOA-2667
CZM:43
PD:

HEARING DATE: 03/20/2018 1:30 PM

APPLICANT: John Jarrett

ACTION REQUESTED: Use Variance to allow (Use Unit 23) storage of personal items (Section 410) to allow construction of a pole barn in an RE district without a principal residential structure present;

LOCATION: W of the NW/c of W. 51st St. S. and S. 162nd W. Ave. **ZONED:** RE

PRESENT USE: Vacant **TRACT SIZE:** 75.87 acres

LEGAL DESCRIPTION: SW LESS W1210 & LESS E/2 SE SE SW SEC 30 19 11 75.87 ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:
None relevant.

ANALYSIS OF SURROUNDING AREA: The subject tract is abutted by RE zoning on the north, and west; AG zoning abuts the site on the south and east.

STAFF COMMENTS:
The applicant is before the Board requesting a Use Variance to allow storage of personal items (Use Unit 23) in a 50' x 52' building on the subject site. The applicant is proposing to construct a 2600 sq. ft. storage building on the site for storage of farm equipment and other personal items. The applicant provided the following statement: "*I have no intention of developing this property beyond my own personal use. To my knowledge there are no other properties of this size in the immediate vicinity that bear the trait of being zoned residential*"

A Use Variance is required because a principal storage use (Use Unit 23) is a use that is prohibited in the RE district. The Code requires that uses included in the Use Unit 23, when located on a lot abutting an R district be screened from the abutting R district by a screening fence or wall along the lot line(s) in common with the R district.

The Board may consider any conditions it deems necessary and reasonably related to the request to ensure that the proposed use is compatible with the surrounding neighborhood. If inclined to approve the Board may consider the following conditions:

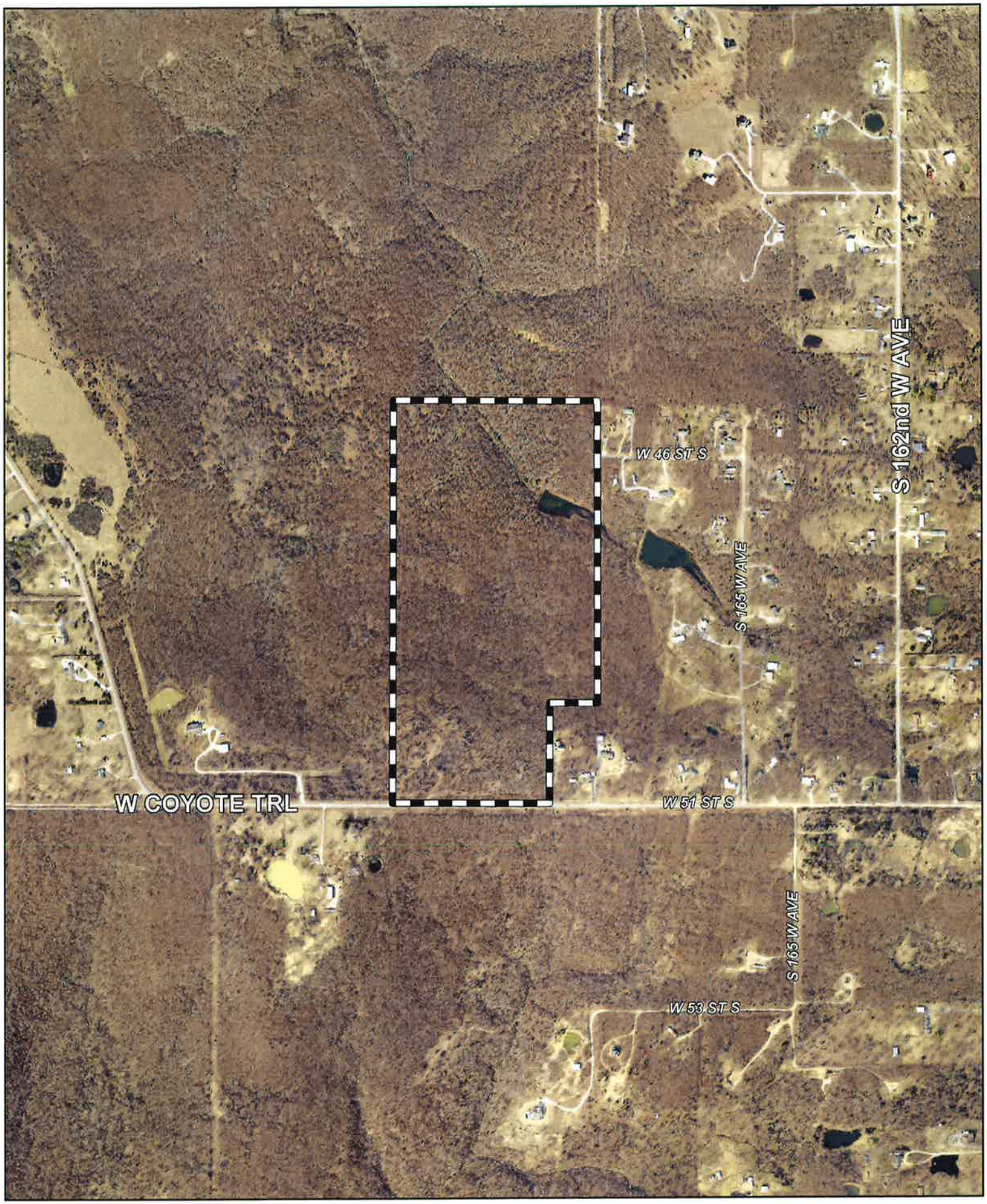
- Outside storage on the lot is prohibited.
- There is to be no rental to third parties for storage uses on the lot.
- The lot and building are to be used by the owner of record for storage of personal items.

Sample Motion:

"*Move to _____ (approve/deny) a* ***Use Variance*** *to allow (Use Unit 23) storage of personal items (Section 410).*

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."



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Subject Tract

CBOA-2667

19-14 30

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

Aerial Photo Date: February 2016

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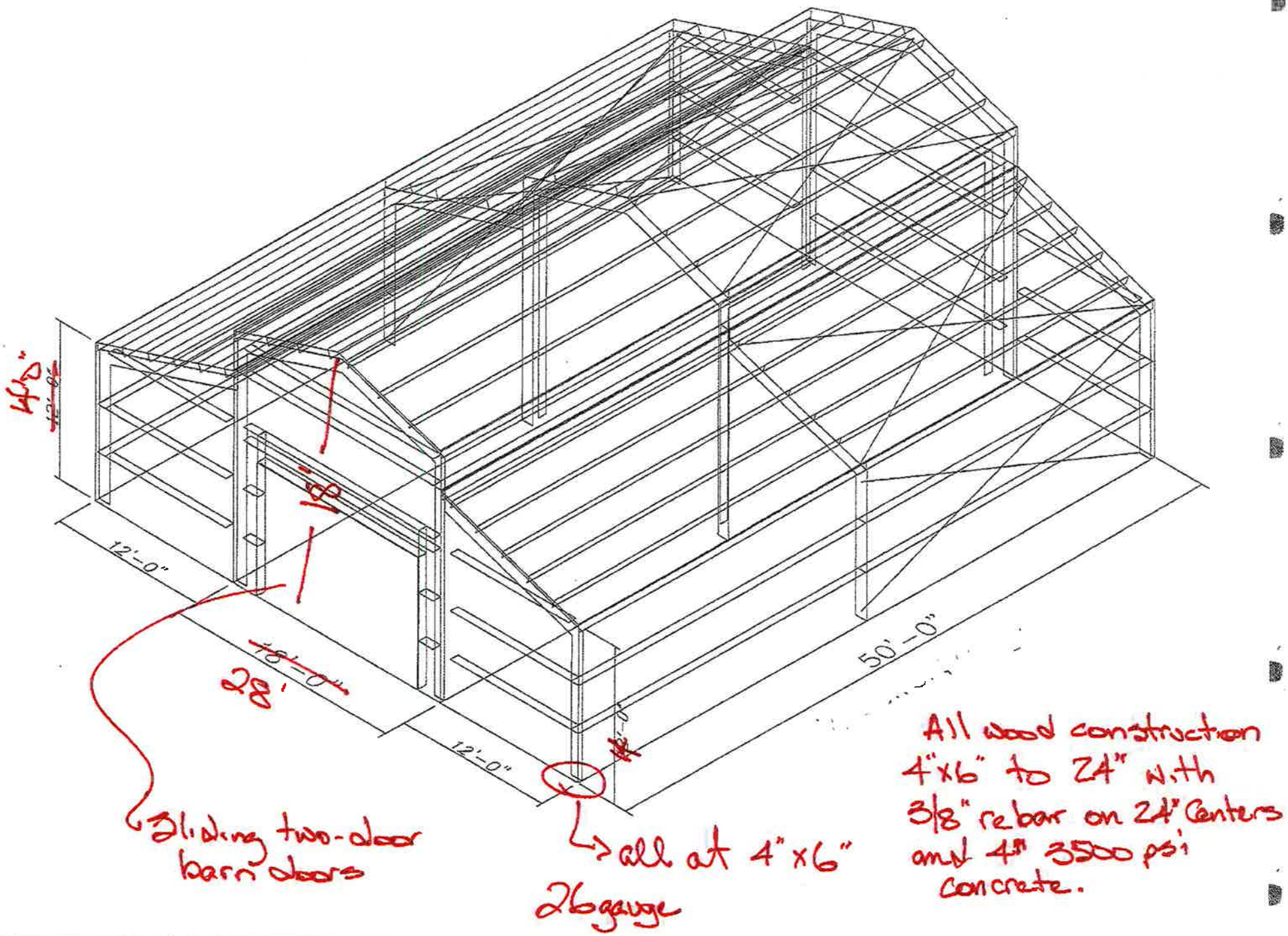

12'-0"
12'-0"
50'-0"
18'
28'
Sliding two-door barn doors
all at 4"x6"
26 gauge
All wood construction 4"x6" to 24" with 3/8" rebar on 24" Centers and 4" 3500 psi concrete.

Moye, Nikita

From: Sharon Kercheval <sgkerch@sandspringsok.org>
Sent: Tuesday, March 06, 2018 11:55 AM
To: Moye, Nikita
Subject: CBOA-2667

I just spoke with you on the phone, I would like to say that while I have no problems with a building for storage of personal items , I would have a big problem with one for commercial use.
Thank you for your time.

Sharon/Sherry Kercheval
4906 S. 165th W. Ave
Sand Springs, OK. 74063

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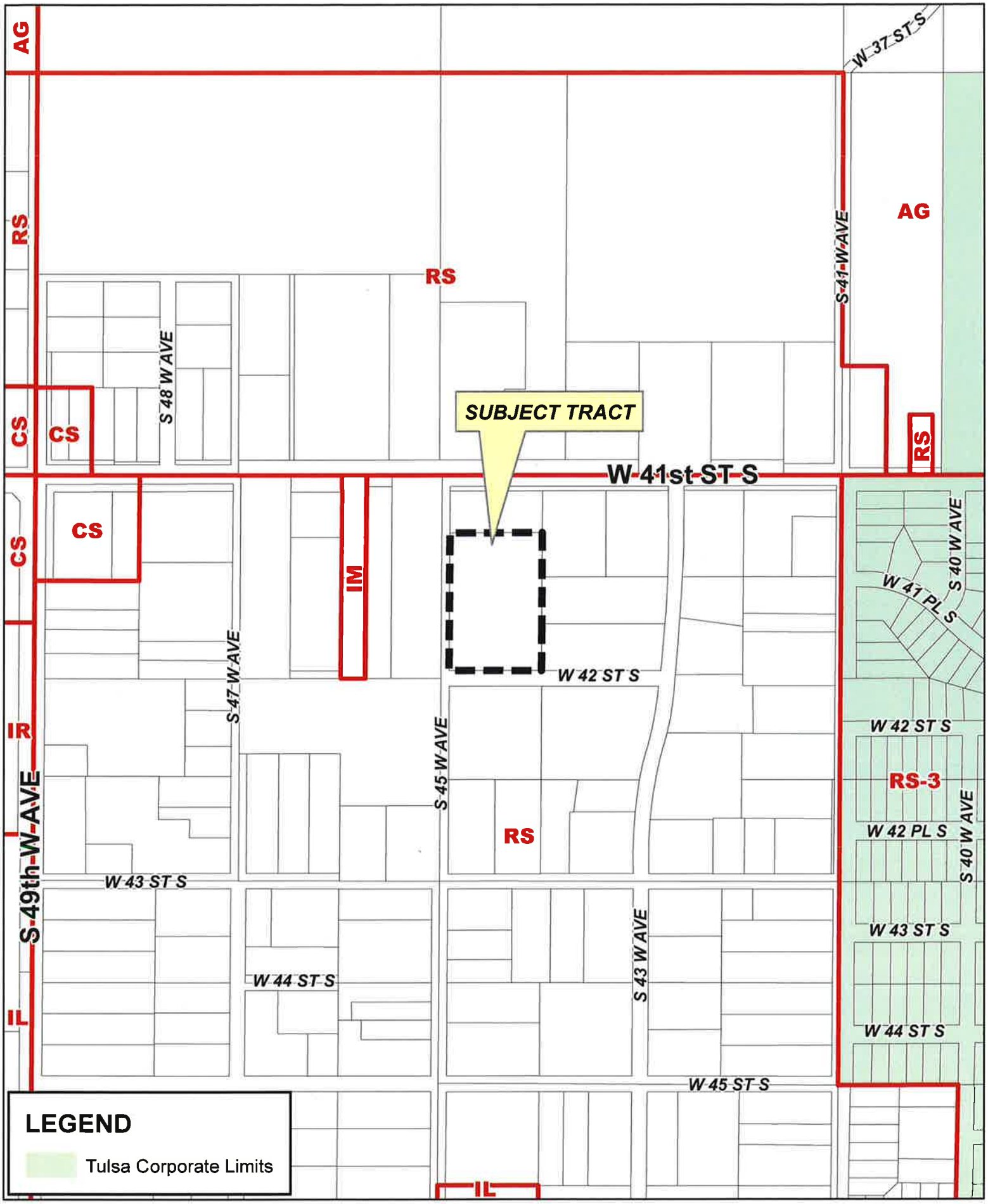

Feet
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CBOA-2668

19-12 28

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BOARD OF ADJUSTMENT
CASE REPORT

STR:9228
CZM:45
PD:

Case Number: CBOA-2668

HEARING DATE: 03/20/2018 1:30 PM

APPLICANT: James Baird

ACTION REQUESTED: Variance of the frontage requirement on a public street/dedicated right of way from 30 ft. to 0 ft. (Section 207).

LOCATION: 4443 W 42 ST S

ZONED: RS

PRESENT USE: Residential

TRACT SIZE: 3.17 acres

LEGAL DESCRIPTION: S146.4 BLK 2 & ALL BLK 3, BRIDGES PARK, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS zoned lots.

STAFF COMMENTS:
According to the attached survey the existing site does have frontage onto W. 42nd St. S. a public street maintained by the County and S. 45th W. Ave. a public street not maintained by the County. The applicant is proposing a lot split as shown in Exhibit 1, the proposed Tract 2 will have frontage along **S. 45th W. Ave. a public street not maintained by the County.** The Code requires owners of land utilized for residential purposes to maintain 30 feet of frontage **on a public street maintained by Tulsa County.**

To permit the lot split as proposed the applicant is before the Board requesting a **Variance** of the minimum frontage requirement on a public street or dedicated right of way from 30 ft. to 0 ft. For the Board's review the applicant has submitted a comment from Tulsa County verifying that applicant has legal access to S. 45th W. Ave. a public easement.

Sample Motion:

"Move to _____ (approve/deny) a ***Variance*** of the frontage requirement on a public street/dedicated right of way from 30 ft. to 0 ft. (Section 207).

Finding the hardship(s) 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

4.2

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."

Feet
0 50 100

Subject Tract

CBOA-2668

19-12 28

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

Aerial Photo Date: February 2016

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Feet
0 200 400

Subject Tract

CBOA-2668

19-12 28

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

Aerial Photo Date: February 2016

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CBOA 2668

Subject Site- Looking West

H L S

HUDDLESTON LAND SURVEYING

13408 South 127th East Avenue

Broken Arrow, Oklahoma 74012

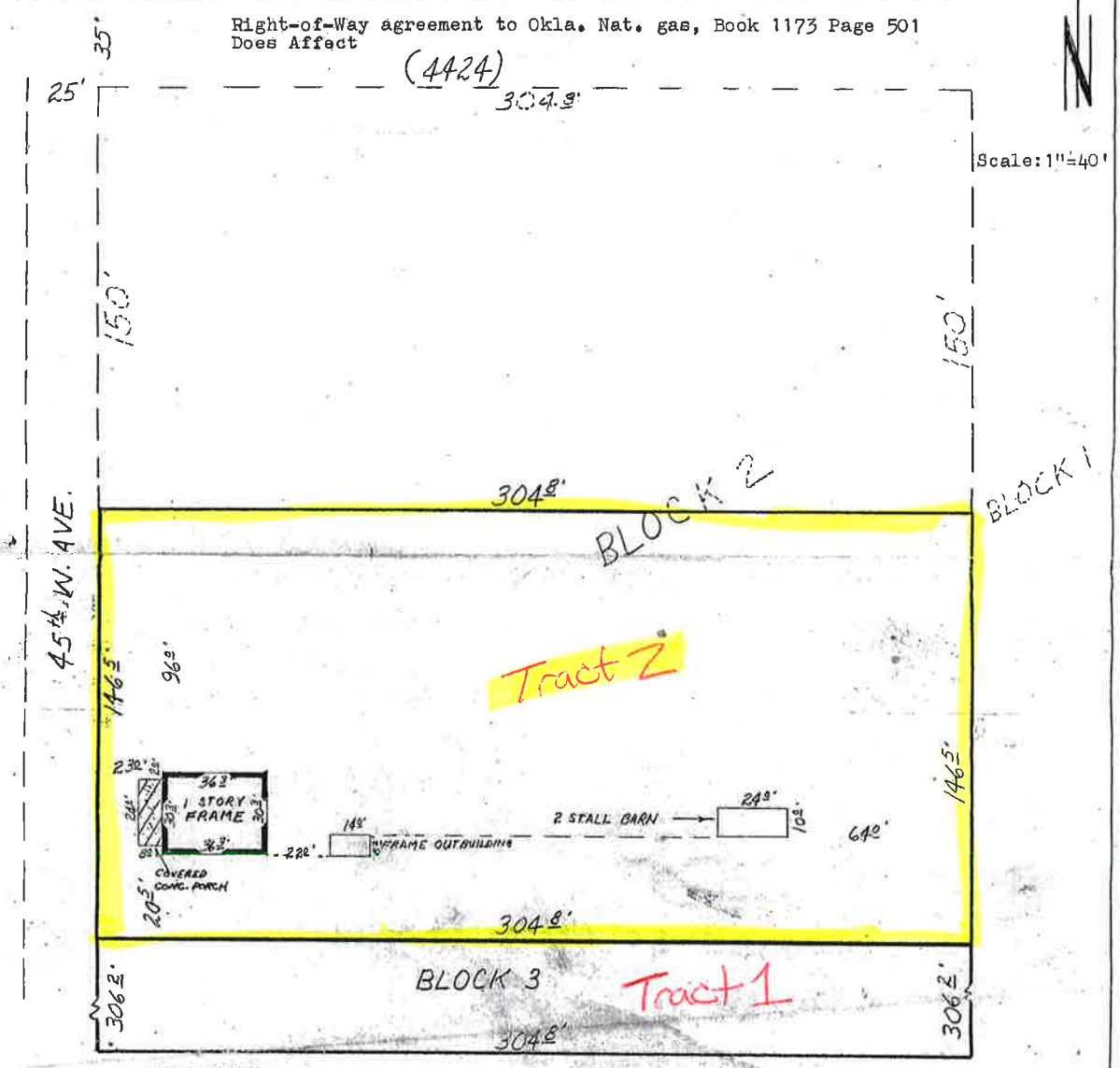
(918) 451-1925

CUSTOMER: Savers Mortgage

BORROWER: Baird

REGISTERED LAND SURVEYOR'S INSPECTION PLAT FOR MORTGAGE LOAN PURPOSES

Right-of-Way agreement to Okla. Nat. gas, Book 1173 Page 501
Does Affect



MORTGAGE INSPECTION:

This plat is made for mortgage loan purposes only and is not intended to be a property line survey; no property corners were set, and it is not to be used for the establishment of fences, buildings or lines for other structures. No responsibility is assumed herein or hereby to the present or future land owner or occupant.

LEGAL DESCRIPTION

All of Block 2 except the North 150' and all of Block 3, Bridges Park, Tulsa County, State of Oklahoma, according to the recorded Plat thereof; also known as 4424 W. 41st. Street.

I, Micheal Jerome Huddleston, a Registered Land Surveyor in good standing with the State of Oklahoma, do hereby certify that on the 6th day of August 1981, I supervised the mortgage inspection of the property described herein and that there are no encroachments thereon except as indicated.

WITNESS my hand and seal.

REGISTERED LAND SURVEYOR MICHEAL JEROME HUDDLESTON L.S. 1103 OKLAHOMA

Micheal Jerome Huddleston

Micheal Jerome Huddleston, L.S. #1103

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Moye, Nikita

From: Harry Creech <hcreech@tulsacounty.org>
Sent: Monday, March 05, 2018 10:07 AM
To: Moye, Nikita
Subject: Baird Property

Nikita—

This is in regard to LS-21105, an action requested by Jim Baird. Mr. Baird's property is accessible via a platted public easement which fronts a County-maintained road. We have no objection to his 0' frontage variance request.

Regards,

Harry E. Creech
Asst. County Engineer
Tulsa County
Ray Jordan Admin. Bldg.
500 S. Denver
Tulsa, OK 74103
P: 918.596.5737
F: 918.596.5743

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