AGENDA
Tulsa County Board of Adjustment
Regularly Scheduled Meeting
Tuesday, July 20, 2021, 1:30 p.m.
Williams Tower I
1 West 3rd Street, St. Francis Room

Meeting No. 496

INTRODUCTION AND NOTICE TO THE PUBLIC

At this Meeting the Board of Adjustment, in accord with and pursuant to applicable
Board of Adjustment Policies and Procedures, will review, consider, discuss, and may
take action on, approve, amend, modify, approve with amendment(s) or modification(s),
deny, reject, or defer any action on any item listed on this Agenda.

Review and possible approval, approval with modifications, denial or deferral of
the following:

1. Approval of Minutes of June 15, 2021 (Meeting No. 495).

UNFINISHED BUSINESS
None.

NEW APPLICATIONS

Review and possible approval, approval with modifications, denial or deferral of
the following:

2. 2892—Charles Keeling
Variance of the minimum lot area and land area per dwelling unit (Tract 1) in the
AG District to permit a lot split (Section 330); Variance of the minimum land area
per dwelling unit (Tract 2) in the AG District to permit two dwelling units on one lot
of record (Section 330). LOCATION: 3928 South 179th Avenue West

3. 2895—Nicholas Wooters
Variance from the all-weather parking surface requirement (Section 1340.D).
LOCATION: 521 South 209th Avenue West
4. **2896—Rick L. Portilloz**  
Variance to permit a detached accessory building to exceed 750 square feet in the RS District. (Section 240). **LOCATION:** 5809 South 170th Avenue West

5. **2897—Tom Yohanan**  
Variance of the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet in the AG District to permit a lot split (Section 207). **LOCATION:** 4375 South 157th Avenue West

6. **2898—Darrell Moody**  
Special Exception to permit a carport in an AG-R District (Section 240.2.H);  
Variance of the side setback in an AG-R District to permit a carport (Section 320.2-2 & Section 330, Table 3). **LOCATION:** 6492 North 134th Avenue East

7. **2899—Thomas Oliver**  
Variance of the required rear yard setback from 40 feet to 8 feet in an AG District (Section 330). **LOCATION:** 6006 South 204th Avenue West

8. **2900—Patricia Contreras**  
Special Exception for Use Unit 2, Area-Wide Special Exception Uses, for a Wedding and Event Venue in an AG District (Section 1202); Variance from the all-weather parking surface requirement (Section 1340.D). **LOCATION:** 14225 North Yale Avenue East

   Staff requests a continuance to August 17, 2021.

9. **2901—Bryan Steffes**  
Use Variance to allow Use Unit 11, Offices and Studios, to permit a General Business Office in a RS District (Section 1211); Use Variance to allow Use Unit 23, Warehousing and Wholesaling, Not Elsewhere Classified, to permit indoor storage in an RS District (Section 1223). **LOCATION:** 11400 West 56th Street South

   Case has been withdrawn by staff.
OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

Website: tulsaplanning.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 the Tulsa Planning Office at INCOG. All electronic devices must be silenced during the Board of Adjustment meeting.

NOTE: This agenda is for informational purposes only and is not an official posting. Please contact the Tulsa Planning Office at 918-584-7526 if you require an official posted agenda.
Hearing Date: 07/20/2021 1:30 PM

Applicant: Charles Keeling

Action Requested: Variance of the minimum lot area and land area per dwelling unit (Tract 1) in the AG district to permit a lot split (Section 330); Variance of the minimum land area per dwelling unit (Tract 2) in the AG district to permit two dwelling units on one lot of record (Section 330).

Location: 3928 S 179 AV W

Zoned: AG

Fenceline: Sand Springs

Present Use: Residential

Tract Size: 4.55 acres

Legal Description: N/2 E/2 W/2 SE SE LESS E30 THEREOF SEC 24 19 10 4.55AC,.

Relevant Previous Actions:

Subject Property: None relevant

Surrounding Property:

CBOA-641 March 1986: The Board approved a minor Variance of the lot area from 2 acres to 1.12 acres and a Variance of the lot width from 200’ to 198 ‘in order to permit a lot split, on property located on the northwest corner of 41st Street and 177th West Avenue.

Analysis of Surrounding Area: The subject tract is surrounded by AG zoning with a combination of rural residential and agricultural uses.

Staff Comments:

The applicant is before the Board requesting a Variance of the minimum lot area and land area per dwelling unit (Tract 1) in the AG district to permit a lot split (Section 330); Variance of the minimum land area per dwelling unit (Tract 2) in the AG district to permit two dwelling units on one lot of record (Section 330).

The applicant supplied the following statement: “The land is only good for a house. I have only post oak and rocks. The family needs a home so I gave them 2 acres for a new home.”

The AG district requires a minimum lot area of 2 acres and a minimum land area per dwelling unit of 2.1 acres. As shown on the submitted survey, the proposed lot split will create two lots. Tract 1 will be 1.81 acres and Tract 2 will be 2.77 acres.

In order to permit a lot split as proposed, the applicant is requesting a variance to reduce the lot area and the land area per dwelling unit to 1.81 on Tract 1 and the land area per dwelling unit to 2.77 acres on Tract 2.
1.38 acres on Tract 2 to allow two existing homes on the parcel. If the proposed lot split is approved, there will be two dwelling units on the 2.77 acre parcel.

Sample Motion:

“Move to [approve/deny] Variance of the minimum lot area and land area per dwelling unit (Tract 1) in the AG district to permit a lot split (Section 330); Variance of the minimum land area per dwelling unit (Tract 2) in the AG district to permit two dwelling units on one lot of record (Section 330).

- Finding the hardship(s) to be ____________.
- 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.”
Case No. 640 (continued)

Presentation:
The applicant, Birdie Clifton, 218 East 58th Street North, Tulsa, Oklahoma, stated that her husband is retired and would like to have permission for a home occupation. She informed that he has a pacemaker and is planning to do only minor car repair in their garage.

Comments and Questions:
Mr. Alberty asked Ms. Clifton if her husband does body work and she replied that he does not do this type of work.

Mr. Looney asked the applicant if her husband would be working in the evening and she replied that he would not work after 5 p.m.

Mr. Alberty asked Ms. Clifton if there would be a sign advertising the business or outside storage on the property. She replied that the business would not have a sign or outside storage and would comply with the Home Occupation Guidelines.

Mr. Gardner asked if automobiles waiting for repair will be stored on the lot and Ms. Clifton replied that her husband would only work on one car at a time.

Protestants: None.

Board Action:
On MOTION of WALKER, the Board voted 4-0-0 (Alberty, Looney, Walker, Wines, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to APPROVE a Special Exception (Section 420 - Accessory Uses In Residential Districts - Use Unit 1217) to allow a home occupation (minor car repair) in an RS District; subject to days and hours of operation being Monday through Saturday, 8:00 a.m. to 5:00 p.m.; subject to use of equipment that produces noise being restricted; subject to no painting, no outside work and no open storage of automobiles or parts on the subject property; and subject to the home occupation being limited to the applicant only; on the following described property:

Lot 1, Block 19, Suburban Hills Addition, Tulsa County, Oklahoma.

Case No. 641

Action Requested:
Minor Variance - section 330 - Bulk and Area Requirements In Agriculture Districts - Use Unit 1206 - request a minor variance of
the lot area from 2 acres to 1.12 acres and a variance of the lot width from 200\' to 198\' in order to permit a lot split; located on the NW/c of 41st Street and 177th West Avenue.

Presentation:
The applicant, Andrew Underwood, was represented by Alma Underwood, Route 2, Box 55, Sand Springs, Oklahoma. She stated that she owns 10 acres and asked the Board to permit a lot split which would enable her to give each of her 3 children a 1 1/2-acre lot.

Comments and Questions:
Mr. Alberty asked if the lots would have an access road and Ms. Underwood stated that adjoining property is being developed and access is already provided.

Mr. Looney asked Ms. Underwood if the road has been dedicated and she answered that it has not.

Mr. Alberty pointed out that the road is not built to county standards, but the Board accepted it from the standpoint of meeting our requirements.

Mr. Walker voiced a concern that the access is on a road that is not dedicated at this time.

Mr. Gardner informed that TMAPC approved the lot split on March 5, 1986.

Protestants: None.

Board Action:
On MOTION of LOONEY, the Board voted 4-0-0 (Alberty, Looney, Walker, Wines, "aye"; no "nays"; no "abstentions"; Tyndall, "absent") to APPROVE a Minor Variance (Section 330 - Bulk and Area Requirements in Agriculture Districts - Use Unit 1206) of the lot area from 2 acres to 1.12 acres and a variance of the lot width from 200\' to 198\' in order to permit a lot split; finding a hardship demonstrated by the shape and size of the tract; on the following described property:

E/2, E/2, SE/4, SE/4, Section 24, T-19-N, R-10-E, Tulsa County, Oklahoma.

Case No. 642

Action Requested:
Special Exception - Section 310 - Principal Uses Permitted in Agriculture districts - Use Unit 1209 - Request a special exception to allow a mobile home in an AG-R District.
Related Lot Split LS-21371

LEGEND
- Sand Springs Corporate Limits

LS-21371
19-10 24
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018
Looking west toward the subject property from S. 179th W. Ave.

Looking north on S. 179th W. Ave.
A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 10 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA.

Legend
- PCF CAP SET "PLS 1940" PCF (CAP SET "PLS 1893")
- POE CAP SET "TLS 1907"
- R PIN FOUND
- R PIN
- PCF FOUND
- MAC PIN FOUND
- MAC PIN

LOT SPLIT SURVEY

Tract 1 Legal Description
A tract of land located in the North half (N/2) of the East half (E/2) of the West half (W/2) of the Southeast Quarter (SE/4) of the Southwest Quarter (SW/4) of Section 24, Township 19 North, Range 10 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey System.

Tract 2 Legal Description
A tract of land located in the North half (N/2) of the East half (E/2) of the West half (W/2) of the Northwest Quarter (NW/4) of the Northeast Quarter (NE/4) of Section 24, Township 19 North, Range 10 East of the Indian Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey System.

Tract 3 Legal Description
A tract of land located in the North half (N/2) of the East half (E/2) of the West half (W/2) of the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section 24, Township 19 North, Range 10 East of the Indian Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey System.

Notes:
2. This firm was not requested to research ownership or encumbrances of record. No attempt was made to research the County Records or other public records. The survey was performed by this firm, therefore, easements may affect the subject tract that are not reflected on this plat.
HEARING DATE: 07/20/2021 1:30 PM

APPLICANT: Nicholas Wooters

ACTION REQUESTED: Variance from the all-weather parking surface requirement (Section 1340.D).

LOCATION: 521 S 209 AV W
ZONED: CG

FENCeline: Sand Springs

PRESENT USE: Coffee Shop
TRACT SIZE: 2.11 acres

LEGAL DESCRIPTION: PRT NW SW BEG 1437.26N & 65E SWC SW TH N366.95 E261.08 S366.95 W261.08 POB LESS .09AC TO STATE SEC 2 19 10 2.11ACS,

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2676 May 2018: The Board approved a Special Exception to permit a firework’s stand (Use Unit 2) in a CG district, on property located at the northeast corner of Highway 64 & 209th West Avenue.

CBOA-2263 May 2007: The Board approved a Special Exception to permit a firework’s stand in a CG district (Section 710); a Variance of the required hard surface parking to allow for gravel parking (Section 1340.D), on property located at the northeast corner of Highway 64 & 209th West Avenue.

ANALYSIS OF SURROUNDING AREA: The subject tract abuts CG zoned property within the city limits of Sand Springs to the north and the east. Property appears to be either vacant or agricultural in nature. It abuts AG zoning to the south, partially to the west with the remainder to the west zoned as CS.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance from the all-weather parking surface requirement (Section 1340.D).

The proposed parking lot will have a gravel surface. The Code requires all parking areas be paved with an all-weather material to maintain a minimum level of aesthetics, and to control air-borne particulates like dust. The applicant has requested a variance to allow a gravel parking area on the site.

The applicant provided the following statement: “The land is sloped, the building is set, we will not be able to asphalt under the building which would cause water pooling underneath.”
If inclined to approve, the Board may consider any conditions it deems necessary and reasonably related to the request to ensure that the request is compatible with the surrounding area.

Sample Motion:

“Move to _______ (approve/deny) a Variance from the all-weather parking surface requirement (Section 1340.D).

Subject to the following conditions (including time limitation, 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.”
Comments and Questions:
None.

Board Action:
On MOTION of CHARNEY, the Board voted 3-0-0 (Charney, Crall, Hutchinson “aye”; no “nays”; no “abstentions”; Dillard, Johnston “absent”) to APPROVE the request for a Special Exception to allow a Mining and Mineral processing use (Use Unit 24) in an AG District (Section 310). The approval is limited to the land shown on Exhibit A and located south of Highway 64; not all the land originally advertised. There is to be no blasting. The approval will be limited to five years, May 15, 2023. The applicant is to conform to all the industrial standards for dust control and erosion control; for the following property:

NE SE LESS 5.95 ACRES FOR RD, SEC 26 17-14; NW SE LESS 7.83 AC FOR RD SEC 26 17 14; NW SW LYING SW NEW HWY 64 SEC 25 17 14 4.46AC; E1/2 SW LESS HW & RY. SEC 25-17-14, OF TULSA COUNTY, STATE OF OKLAHOMA

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NEW APPLICATIONS

2676—American Promotional Events

Action Requested:
Special Exception to permit a firework stand (Use Unit 2) in an CG District (Section 701). LOCATION: NE/c of Highway 64 & 209th West Avenue, Sand Springs

Presentation:
Lonnie Basse, American Promotional Events, Inc., 5401 West Skelly Drive, Tulsa, OK; stated this request is for consumer firework sales that was previously granted for a ten-year period and has now expired. The hours of operation will be from June 15th to July 6th; 10:00 A.M. to 10:00 P.M. from June 15th to July 2nd; July 3rd and July 4th the hours will be 8:00 A.M. to midnight.

Mr. Charney asked Mr. Basse if he had any objections from anyone with the City of Sand Springs. Mr. Basse stated that he has not had any objections.

Mr. Charney asked Mr. Basse if he was involved in the operation of the previous stand on the subject property. Mr. Basse stated that he was not.

Interested Parties:
There were no interested parties present.
Board Action:
On MOTION of CRA LL, the Board voted 3-0-0 (Charney, Crall, Hutchinson "aye"; no "nays"; no "abstentions"; Dillard, Johnston "absent") to APPROVE the request for a Special Exception to permit a firework stand (Use Unit 2) in an CG District (Section 701) with a time limit of five years, May 15, 2023. The hours of operation are to be June 15th through July 4th, 10:00 A.M. to 10:00 P.M., June 15th through July 2nd and 8:00 A.M. to Midnight July 3rd and July 4th; for the following property:

PRT NW SW BEG 1437.26N & 65E SWC SW TH N366.95 E261.08 S366.95 W261.08 POB LESS .09AC TO STATE SEC 2 19 10 2.11ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

2677—Jason Schultz

Action Requested:
Variance of the minimum land area per dwelling unit (Section 330). LOCATION:
12034 North 145th Avenue East

Presentation:
Jason Schultz, 10208 North 140th East Court, Owasso, OK; stated this lot split request is for a six-acre tract and it would be 2.04 acres for a single-family residence.

Mr. Charney asked Mr. Schultz if the tract he is seeking to build on is fronted by a public street. Mr. Schultz answered affirmatively. Mr. Charney asked if there was a mutual access easement running along the northern boundary. Mr. Schultz answered affirmatively. Mr. Charney asked if there was an existing residence on the tract located in the back. Mr. Schultz answered that residence is being built currently.

Mr. Charney advised Mr. Schultz that he carefully construct a mutual access easement along the northerly boundary, having it carefully drafted and placed in the abstract with a maintenance agreement because that is a critical instrument for mortgage financing and resale. Mr. Charney informed Mr. Schultz that the Board does not want the subject property to be split any more, and he asked Mr. Schultz if he agreed with that. Mr. Schultz confirmed his agreement to no more lot splits for the subject property.

Mr. Charney asked Mr. Schultz if the property were going to be served by an aerobic system. Mr. Schultz answered affirmatively.

Mr. Hutchinson asked Mr. Schultz if Tract A and Tract B were going to have shared driveway. Mr. Schultz stated he will be laying his driveway beside to Tract B's driveway.
Interested Parties:

**Anthony Jury**, 12931 East 98th Street North, stated the residence on the subject property has been unoccupied for two years. He added that the owner has not maintained the property. There is a narrow paved driveway to the house.

**Abigail Jones**, 12902 East 100th Street North, Owasso, Oklahoma, submitted a packet of documents in opposition to the application (Exhibit A-1). She spoke for herself and Tammy and Ron Kates, 12990 East 100th Street North, Owasso. She stated there was no place to park and the stand would not be compatible with the neighborhood. She commented that 100th Street North is not a through street.

**Doug Frances**, 12920 East 101st Street North, Owasso, expressed concern for late hours of operation for the fireworks stand, traffic and noise as already mentioned.

**Tammy Kates**, 12990 East 100th Street North, Owasso, expressed the same concerns as the other interested parties.

Board Action:

On Motion of Dillard, the Board voted 4-0-0 (Walker, Tyndall, Dillard, Charney "aye"; no "nays"; no "abstentions"; Hutson "absent") to **DENY** Case No. 2260, finding it would not be in harmony with the spirit and intent of the code and would be injurious to the neighborhood, or otherwise detrimental to the public welfare, on the following described property:

LT 5 BLK 1  GLENN-MUR ACRES SUB Tulsa County, State of Oklahoma

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**Case No. 2263**

Action Requested:

Special Exception to permit a fireworks stand in a CG district (Section 710); a Variance of the required hard surface parking to allow for gravel parking (Section 1340.D), located: Northeast corner of South 209th West Avenue and Highway 64.

Presentation:

**Melissa Torkleson**, 1120 South 221st West Avenue, Sand Springs, Oklahoma, proposed to open a fireworks stand to be operated by a non-profit organization. They would operate from June 15th through July 4th and the New Year's seasons from 10:00 a.m. to 10:00 p.m., with the exception of a closing time at midnight on July 3rd and 4th. She asked for an approval of five years for this temporary use.

Interested Parties:

There were no interested parties who wished to speak.
Board Action:

On Motion of Tyndall, the Board voted 4-0-0 (Walker, Tyndall, Dillard, Charney "aye"; no "nays"; no "abstentions"; Hutson "absent") to APPROVE a Special Exception to permit a fireworks stand in a CG district (Section 710) for a period of five years; per request to operate the stand June 15th through July 4th and the New Year's seasons from 10:00 a.m. to 10:00 p.m., with the exception of a closing time at midnight on July 3rd and 4th; finding it 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.

On Motion of Walker, the Board voted 4-0-0 (Walker, Tyndall, Dillard, Charney "aye"; no "nays"; no "abstentions"; Hutson "absent") to APPROVE a Variance of the required hard surface parking to allow for gravel parking (Section 1340.D), finding the temporary use, on the following described property:

PRT NW SW BEG 1437.26N & 65E SWC SW TH N366.95 E261.08 S366.95 W261.08 POB LESS .09AC TO STATE SEC 2 19 10 2.11ACS Tulsa County, State of Oklahoma

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Case No. 2264
Action Requested:
Special Exception to permit a halfway house in an AG district (Section 310), located: 1821 East 66th Street North.

Presentation:
Stephen A. Schuller, 1100 One Ok Plaza, submitted the site plan and an exhibit (Exhibit B-1 and B-2) to the Board. Mr. Schuller stated the zoning code permits this Use Unit 2 use in an AG district by special exception. This project complies with the bulk and area requirements of the zoning code. It will comply with the off-street parking and loading requirements. He informed the Board that he invited the property owners within 1,000 ft. of the site to a meeting to provide them with information regarding this application. He pointed out the mission of the proposed halfway house is to develop a rehabilitation-based program for the residents to achieve a maximum level of functioning as productive, accountable, law-abiding and responsible citizens through comprehensive assessment, supervision and guidance. This organization provides experienced, professional counselors. The house would be a community-based residential facility established to assist persons leaving structured institutions, such as prisons and jails to transition back into society. Mr. Schuller noted this is the largest federal district in northern Oklahoma that does not have a federal halfway house contractor. They have found these people need to re-establish family and community ties for positive support in the transition. Cornerstone Halfway House would offer a rigorous assessment, and would not admit sex-offenders, drug-users, or violent residents in this house. They perform mandatory and random drug tests. They provide
TEMPORARY COFFEE KIOSK:

EMBERS COFFEE
521 NORTH 209TH WEST

TULSA COUNTY OKLAHOMA 74063

SHEET NOTES

1. PROPERTY INFORMATION HAS NOT BEEN SURVEYED FOR EXISTING BUILDING LOCATIONS.
2. SITE INFORMATION BASED ON INFORMATION RECEIVED FROM THE OWNER.
3. CONTRACTOR TO NOTIFY SURVEYOR FOR ANY WORK WITHIN 50 FT OF THE PROPERTY LIMITS.
4. ALL EXISTING APPURTEMENTS ARE APPLICATION UNTIL PROPERLY SURVEYED/ACKNOWLEDGED.
5. CERING NAME PLATE IN CONFORMITY WITH BUILDING CODE.
6. PARKING AREA IS 75' EXCLUDING ONLY. NO CUSTOMER PARKING IS EXCLUDED.
7. CEMENT TO ELEVATE DIAMETER CORNER GIRDER FOUNDATION WITH TREAT SERVICE.
8. EXISTING ENTRY DRIVE TO REMAIN. CEMENT TO EVERSE.
9. STORE SITE TN REVISE DGRA phục patterns TO BE ELEVATED TO MATCH SIDEWALK OR RAISED AREA AROUND THE HATCH AND DRIVE TRAFFIC LANE.
I. **MffAEAEqreBYINFAlffi d$EMNOffi E9@^ffiY z MsessEffisfflt H@P SNW, C@Nt d MffiEMIXG$AYru 5 fuWENWSMPMM 6, HCmd$&EPl.@ilt'frqsffil@NGP&, tOE z RmEdEo)65trffiATASM.Uff9UEOEMrc NYD ohs @Gffidfl & c@NAE@ffiSHUBOGM**

SHEET NOTES

1. **TOTAL PERIMETER AS REQUIRED BY CITY CODE**
   2. **STAINLESS STEEL SERVICE SPOUT AT PLUMB BREAK. POINT I SEEPIEVE ELEVATION.**
   3. **PROVIDE CONTINUOUS CAP TUBING WITH TAP ON BOTH SIDES OF SERVICE SPOUT.**
   4. **INSTALL WATER VALVE 1/2 INCH FROM OUTLET.**
   5. **PAINT ALL EXPOSED WOOD. ISSUE BY OWNER.**
   6. **INSTALL CONTINUOUS SDR DISC CHOK EXTENSION HOUSING.**
   7. **HAND COMBINED TO BE PLACED ON 1/2 TANG CLIP OF HANDCRAWL FIRE, LOCATED.**
   8. **PROVIDE ONE DOOR LIGHT AT EACH DOOR PROVIDE HANDPHONE AND EXTERIOR LIGHT AT EACH WINDOW.**
   9. **COORDINATE LOCATIONS OF HORIZONTAL AND VERTICAL REINFORCEMENTS WITH OWNER.**
Site Plan Enlarged

NOTE: PARKING AREA WILL BE GRAVEL COVERED. NO STRIPING WILL BE REQUIRED. PROVIDE CONCRETE CURB STOPS AT EACH PARKING AREA SECURE TO GROUND WITH #4X24" RODS
Legend
- Sand Springs Corporate Limits
- Sapulpa Corporate Limits
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 9131
CZM: 43

HEARING DATE: 07/20/2021 1:30 PM

APPLICANT: Rick Portilloz

ACTION REQUESTED: Variance to permit a detached accessory building to exceed 750 square feet in the RS district. (Sec. 240)

LOCATION: 5809 S 170 AV W

LEGAL DESCRIPTION: LT 4 BLK 1, HIDDEN OAKS

RELEVANT PREVIOUS ACTIONS:
Subject Property: None Relevant

Surrounding Property:

CBOA-2661 February 2018: The Board approved a Variance to permit a detached accessory building to exceed 750 sq. ft., on property located at 16918 W. 58th Pl. S.

CBOA-2354 February 2010: The Board denied a Variance of the maximum permitted floor area for a detached accessory building in an RS district from 750 sq. ft. to 2100 sq. ft, on property located at 5823 S. 170th W. Ave.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by RS zoning with residential uses.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance to permit a detached accessory building to exceed 750 square feet in the RS district. (Sec. 240). Section 240.2.E permits accessory buildings in the RS district, however, the total square footage of all accessory buildings on the lot cannot exceed 750 SF of floor area. The provision of the Code attempts to establish and maintain development intensity of the district, preserve the openness of living areas and avoid overcrowding by limiting the bulk of structures.

The applicant provided the following statement: “The subject property is 1.03 acres. Tulsa County zoning requirements that limit detached accessory buildings to 750 square feet, would not allow for adequate building size to meet all the needs for the building. Proposed building is 1,200 square feet.”
According to the site plan provided, the applicant is proposing to construct a 60’ x 20’ building at the rear of his property. The total square footage will be 1,200 square feet.

If inclined to approve, the Board may consider any conditions it deems necessary and reasonably related to the request to ensure that the proposed accessory buildings are compatible with and non-injurious to the surrounding area.

Sample Motion:

"Move to ______ (approve/deny) a Variance to permit a detached accessory building to exceed 750 square feet in the RS district. (Sec. 240)

Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.

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.”
Residential Estate District (Section 410, Table 1). **LOCATION:** South of the intersection of South 179th West Avenue and West 41st Street South

**Presentation:**
The application was withdrawn by the applicant.

**Interested Parties:**
There were no interested parties present.

**Comments and Questions:**
None.

**Board Action:**
No Board action required; for the following property:

E/2 NE LESS S/2 S/2 S/2 E/2 NE SEC 25 19 10 70ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

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**NEW APPLICATIONS**

**2661—Brad Sherrill**

**Action Requested:**
Variance to permit a detached accessory building (pole barn) to exceed 750 square feet (Section 240). **LOCATION:** 16918 West 58th Place South

**Presentation:**
Brad Sherrill, 16918 West 58th Place South, Sand Springs, OK; stated he would like to actually build a stick built accessory garage, so it will look more like his house. The garage will be approximately 1,200 square feet. Mr. Sherrill stated that he is a car collector and works on them as a hobby, and the garage would be for storage for those cars. The garage will be for personal use and there will be no commercial use.

Mr. Charney asked Mr. Sherrill if the building will architecturally conform to the house. Mr. Sherrill answered affirmatively and stated the garage will have a shingled roof and siding just like the house.

Mr. Crall asked if the proposed garage is going to be on the same corner as the existing shed. Mr. Sherrill answered affirmatively.

**Interested Parties:**
There were no interested parties present.
Board Action:
On MOTION of CHARNEY, the Board voted 5-0-0 (Charney, Crall, Dillard, Hutchinson, Johnston “aye”; no “nays”; no “abstentions”; none “absent”) to APPROVE the request for a Variance to permit a detached accessory building to exceed 750 square feet (Section 240) as requested in conformity with the site plan that has been submitted. The outbuilding will be 1,200 square feet. The Board has found the hardship to be the unusual size and shape of the lot coupled with the underlying zoning; for the following property:

LT 1 BLK 1, PLEASANT OAKS III, OF TULSA COUNTY, STATE OF OKLAHOMA

2662—Greg Guerro

Action Requested:
Special Exception to allow an Agritourism Facility (Use Units 5 and 20) in an AG District; Variance from the all-weather parking surface requirement (Sections 310 and 1340.D). LOCATION: North of 33rd West Avenue and East 36th Place South

Presentation:
Greg Guerro, 1120 South Boston Avenue, Suite 100, Tulsa, OK; stated that Agritourism is broadly defined as any operation or activity that brings people onto a farm or a ranch. The Oklahoma Department of Agritourism highlights some of the activities as trail riding, mazes, country stays, guest ranches, petting farms, bird watching, teachable moments, pumpkin picking, weddings, etc. The development plan submitted with the application highlighted the activities he would like to develop over time. These activities are consistent with the ones described by the Oklahoma Department of Agritourism. In addition, he would argue this venue is especially helpful to teach and celebrate the history of Tulsa and its development. Red Fork Mountain is uniquely well situated for teaching about this history. The focus for the planned activities is just below and around Channel 8 on 29th West Avenue, which is also known as Lookout Mountain Road. This is the best access road, the easiest to find, the least intrusive to the neighbors, and the topography is suitable. It is also closest to the historically significant places and views that he believes are the most helpful in learning about the history of Tulsa and its development. What is attractive about the subject property is its country agricultural aspect. The atmosphere of being in the country is not achievable if there are activities near existing houses, which is why it is helpful that there is a large parcel of agricultural land. The surrounding property to the east is industrial, to the north is a little industrial and primarily agricultural, to the south and to the west is primarily agricultural but there is a neighborhood on the east end of the south side of the old Red Fork District. There is a neighborhood on West 30th Street coming into the property on the far west side. Both neighborhoods have unique characteristics in that they have almost a country feel. What he is planning to do is not contrary to these neighborhoods
Case No. 2362
Action Requested: Variance of the minimum required lot width in an AG district from 150 ft. (Section 330), located at 13031 N. Sheridan Rd.

Presentation:
Mike Marrara, 2001 S. 114th E. Ave., Tulsa, Oklahoma, stated his client would like to cutoff/purchase a two and one-half acre track at the rear of this property. During zoning, it was discovered that the minimum lot width is 150 ft. This piece of property is long and narrow its 330 feet wide by a quarter mile deep. The metal building and current house prevent splitting the property so as to achieve the minimum lot width. There is also a proposed 50’ wide roadway easement for county for right away.

Comments and Questions:
Mr. Cuthbertson commented that if it splits this way, Tract No. 1 that can still be split if the house is removed.

Interested Parties:
There were no interested parties.

Board Action:
On Motion of Osborne, the Board voted 3-0-0 (Walker, Tyndall, Osborne, "aye"; no "nays"; no "abstentions"; two "absences") to APPROVE a variance of the minimum required lot width in an AG district from 150 ft. (Section 330), on following described property: 13031 N. Sheridan Rd. Finding: the hardship being the narrowness of the lot along with the existing structure on the property and the natural ravine and tree line; as presented, per lot-split plan page 4.5.

N/2 N/2 NW SW LESS W16.5 FOR RD SEC 35 22 13,Tulsa County, State of Oklahoma

Case No. - 2354
Action Requested: A Variance of the maximum permitted floor area for a detached accessory building in an RS district from 750 sq. ft. to 2,100 sq. ft. (Section 240.2.E), located: 5823 S. 170th W. Ave.

Presentation:
The applicant was not present.

Comments and Questions:
Mr. Cuthbertson recommended that this case be denied. He provided even with the denial the applicant can still build a 750 sq. ft., building.
Interested Parties:
Dan Schweitzer, 16907 W. 58th Pl. S. Tulsa, Oklahoma, asked if this recommendation is given would the applicant be required to take down the poles that are already up. The Board informed Mr. Schweitzer that the existing building would have to be brought down to the permitted size.

Board Action:
On Motion of Tyndall, the Board voted 3-0-0 (Walker, Tyndall, Osborne, "aye"; no "nays"; no "abstentions"; two "absences") to Deny a variance of the maximum permitted floor area for a detached accessory building in an RS district from 750 sq. ft. to 2,100 sq. ft. (Section 240.2.E), on the following described property: 5823 S. 170th W. Ave. Finding the applicant has made no attempt or communicated no attempt to comply.

LT 5 BLK 1, HIDDEN OAKS, Tulsa County, State of Oklahoma

**********

NEW BUSINESS

Introduction: Venda Zezulka as the new Recording Secretary.

**********

There being no further business, the meeting adjourned at 1:52 p.m.

Date approved: 3-16-2010

Chair

02/16/2010/357(4)
Looking east at subject property from S. 170th W. Ave.
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HEARING DATE: 07/20/2021 1:30 PM

APPLICANT: Tom Yohanan

ACTION REQUESTED: Variance of the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet in the AG district to permit a lot split (Section 207).

LOCATION: 4375 S 157 AV W

FENCELINE: Sand Springs

PRESENT USE: vacant

ZONED: AG

TRACT SIZE: 111.6 acres

LEGAL DESCRIPTION: S/2 NE & SE NW LYING E OF COYOTE TRAIL SEC 29 19 11 111.6AC,

RELEVANT PREVIOUS ACTIONS: None relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by AG zoning with a combination of agricultural and rural residential uses.

STAFF COMMENTS:

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 feet in the AG district to permit a lot split (Section 207).

The applicant provided the following statement, "Not having the variance approved will prevent us from obtaining a permit and thus preventing us from building our retirement home in our favorite spot."

The Code requires owners of land utilized for residential purposes to maintain 30 feet of frontage on a public street or dedicated right-of-way. The submitted site plan indicates that the subject lot has 0' of frontage onto Coyote Trail. The applicant owns the full 111 acres and intends to split off the 2.65 acre parcel to construct a single-family home.

If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed use and future development of the subject property is compatible with and non-injurious to the surrounding area.

Sample Motion:

"Move to ________ (approve/deny) a Variance of the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet in the AG district to permit a lot split (Section 207).

Finding the hardship to be ________.
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.”
Note: Graphic overlays may not precisely align with physical features on the ground.
Action(s) requested:

A variance from the Board of Adjustment to allow the building of a home on a 2.65 acre lot landlocked within our agricultural lot, having private driveway access from Coyote Trail (A.K.A. South 157th West Ave) to the proposed home site. Easement to the above private driveway access is provided to the owner(s) of the 2.65 acre lot.

Hardship:

Not having the variance approved will prevent us from obtaining a permit and thus preventing us from building our retirement home in our favorite spot.
EASEMENT

STATE OF OKLAHOMA ) } SS
 ) ) COUNTY OF TULSA )

Tom Yohanan and Rhonda Yohanan, the undersigned, being the sole owner(s) of all interests, both legal and equitable, in the following described property, to-wit:

A piece, parcel, or tract of land lying in the S/2 of the NW/4 and the S/2 of the NE/4 of Section Twenty-Nine (29), Township Nineteen (19) North, Range Eleven (11) East, Tulsa County, Oklahoma, more particularly described as follows:

Beginning at a found original stone which is the SE corner NE/4; thence N 01°01'30" W along the East line thereof a distance of 1320.04 feet to the NE corner of the S/2 of the NE/4; thence S 89°03'55" W along the North line thereof a distance of 3,826.91 feet to the centerline of Coyote Trail; thence S 11°37'50" E along said centerline of Coyote Trail a distance of 249.47 feet; thence S 18°01'00" E along said centerline of Coyote Trail a distance of 93.43 feet; thence S 08°46'55" E along said centerline of Coyote Trail a distance of 994.88 feet to the South line thereof; thence N 89°03'57" E along said South line a distance of 2303.79 feet to a found iron pin; thence N 00°56'03" W a distance of 500.00 feet; thence N 89°03'57" E a distance of 500.00 feet; thence S 00°56'03" E a distance of 500.00 feet to the South line thereof; thence N 89°03'57" E a distance of 815.62 feet to the point of beginning, having an area of 4652308.6 square feet, 106.802 acres;

for and in consideration of the special benefits to the remainder of the above described property, accruing thereto upon this dedication, do hereby grant unto said Tom Yohanan and Rhonda Yohanan or whoever they transfer the ownership to, a perpetual easement, under the following described lots or parcels of land, lying and being situated in the following described portion thereof, to wit:

Beginning at a point on the existing centerline of Coyote Trail, said point being 1,012.87 feet to have and to hold said described premises unto the said public forever. Signed and delivered this ______ day of ______________________, 2021.

Tom Yohanan

Rhonda Yohanan
STATE OF OKLAHOMA  )
COUNTY OF TULSA     ) SS

INDIVIDUAL ACKNOWLEDGEMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this _______ day of __________________, 2021, __________________, to me known to be the identical person(s) who executed the foregoing instrument and acknowledged to me that _____ executed the same as _______free and voluntary act and deed for the 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: ___________________ ___________________

Notary Public
LOT SPLIT SURVEY

BEGINNING AT a point on the south side of Coyote Trail located being 2.6167 feet north and 2.7498 feet east of the SE corner of the SE 1/4 of Section 29, T. 11 N., R. 11 E., Tildon County, Oklahoma more particularly described as follows:

Beginning at a point in said SE 1/4 NE of said SE corner of said SE 1/4, thence N 89° 37' 50" E along said SE corner of Coyote Trail a distance of 815.62 feet to the point of beginning.

DESCRIPTION:

A tract of land located in the South half of the North half of Section 29, T. 11 N., R. 11 E., Tildon County, Oklahoma more particularly described as follows:

Beginning at a point at the north end of the SE corner of the SE 1/4 of Section 29, T. 11 N., R. 11 E., Tildon County, Oklahoma more particularly described as follows:

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Beginning at a point in said SE 1/4 NE of said SE corner of said SE 1/4, thence N 89° 37' 50" E along said SE corner of Coyote Trail a distance of 815.62 feet to the point of beginning.

DESCRIPTION:

A tract of land located in the South half of the North half of Section 29, T. 11 N., R. 11 E., Tildon County, Oklahoma more particularly described as follows:

Beginning at a point at the north end of the SE corner of the SE 1/4 of Section 29, T. 11 N., R. 11 E., Tildon County, Oklahoma more particularly described as follows:

Beginning at a point at the north end of the SE corner of the SE 1/4 of Section 29, T. 11 N., R. 11 E., Tildon County, Oklahoma more particularly described as follows:

BEGINNING AT a point on the south side of Coyote Trail located being 2.6167 feet north and 2.7498 feet east of the SE corner of the SE 1/4 of Section 29, T. 11 N., R. 11 E., Tildon County, Oklahoma more particularly described as follows:

Beginning at a point in said SE 1/4 NE of said SE corner of said SE 1/4, thence N 89° 37' 50" E along said SE corner of Coyote Trail a distance of 815.62 feet to the point of beginning.

END OF DESCRIPTION.
HEARING DATE: 07/20/2021 1:30 PM

APPLICANT: Darrell Moody

ACTION REQUESTED: Special Exception to permit a carport in an AG-R district (Section 240.2.H); Variance of the side setback in an AG-R district to permit a carport (Section 320.2-2 & Section 330, Table 3).

LOCATION: 6492 N 134 AV E

AREA: N. Tulsa County

PRESENT USE: Residential

ZONED: AG-R

TRACT SIZE: 1 acres

LEGAL DESCRIPTION: TR BEG 745.80W & 244.40S NEC NE NW TH S195 W248.60 N195 E248.60 POB LESS E25 THEREOF FOR RD SEC 4 20 14 1.001AC,

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2157 May 2005: The Board approved a Variance to allow accessory building as a principle use in an AG-R district; a Variance of the setback for a building in AG-R district from 15 ft to 7.4 ft (Tract A); and a Variance of the setback from the property for an accessory building in an AG-R zoned district from 40 ft to 8 ft (Tract B) to allow for a lot split, on property located at 6550 N. 134th East Ave.

Surrounding Property:

CBOA-2049 July 2003: The Board approved a Variance of lot area from 1 acre to .85 acre for a lot split finding the same size lots across the street, on property located at 13302 E. 66th St. N.

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by AG-R zoning with large lot residential uses.

STAFF COMMENTS:

The applicant is before the Board requesting a Special Exception to permit a carport in an AG-R district (Section 240.2.H); Variance of the side setback in an AG-R district to permit a carport (Section 320.2-2 & Section 330, Table 3).

Section 240.2.H of the code requires a Special Exception for a carport that is proposed for placement in a required yard. The code states that required yards shall be open and unobstructed.
from the ground to the sky unless the use is a permitted obstruction as detailed in section 240.2 of the code.

Section 320.2.A.2. states: An accessory building shall meet the minimum yard or building setback requirements. In this case, the minimum building setback line is not being met so the applicant is requesting a Variance to reduce the side setback for a carport in an AG-R district (Section 320.2-2 & Section 330, Table 3) from the required 15' to 8'.

The applicant provided the following statement: "If we moved the building to the north side of the property to stay in the side setback, it would cause us to have to put in a second driveway and create water run-off problems for the neighboring house to the north. It would also decrease the front yard green space."

If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed accessory building is compatible with and non-injurious to the surrounding area.

**SAMPLE MOTION:**

"Move to _______ (approve/deny) a Special Exception to permit a carport in an AG-R district (Section 240.2.H); Variance of the side setback in an AG-R district to permit a carport (Section 320.2-2 & Section 330, Table 3).

Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.

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."
Board Action:
On Motion of Charney, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to APPROVE a Use Variance to permit the cultivation of grapes, wine production and retail sales (winery) in an AG District; per plan, finding the literal enforcement of the code would not permit the applicant to reasonably use the subject property to grow grapes for the vineyard purposes, on the following described property:

BEG 659.16N & 150W & 648.4N SECR NW TH N875 NW249.35 S941 E240.22
POB SEC 31 19 12 5.010ACS, Tulsa County, State of Oklahoma

Case No. 2157
Presentation:
Tony Stevenson, 6550 North 134th East Avenue, and his sister, Nancy Cook, 13601 East 66th Street North introduced themselves to the Board. Their parents purchased this property many years ago and recently deeded it to them. They proposed a lot-split to sell the house separately. Ms. Cook commented that her parents built a nice workshop and suggested it should go with the house. They considered tearing down the barn but it was well built. She stated that everyone built their barns close to the property line. A site plan and photographs were submitted (Exhibits E-1 and E-2).

Comments and Questions:
Mr. Walker noted a lot-split on the property adjacent to them. Mr. Cuthbertson commented this is the only way to split the property. There is not an alternative to create two legal lots in regards to land area and lot area, and to avoid the structural encroachments.

Interested Parties:
There were no interested parties who wished to speak.

Board Action:
On Motion of Charney, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to APPROVE a Variance to allow accessory building as principle use in an AG-R district (Section 18); a Variance of the setback for a building in AG-R district from 15 ft to 7.4 ft (Tract A) (Section 330); and a Variance of the setback from the property for an accessory building in an AG-R zoned district from 40 ft to 8 ft (Tract B) (Section 330) to allow a lot split (19814), per plan, finding existing conditions, on the following described property:

PRT NE NW BEG 745.80W NEC NE NW TH S439.40 W248.60 N439.40
E248.60 POB LESS N25 & E25 FOR RD SEC 4 20 14 2.13AC, Tulsa County,
State of Oklahoma
SW/c SE/4 of Section 14, T-22-N, R-13-E; thence S 89°51'10" E along the S line of the SE/4 a distance of 209.00'; thence continuing S 89°51'10" E a distance of 30.00'; thence N 00°00'29" E a distance of 30.00'; thence N 89°51'10" a distance of 5.00'; thence N 00°00'29" E a distance of 383.00'; thence S 89°51'10" E a distance of 200.50'; thence N 00°00'25" E a distance of 247.30'; thence N 89°51'44" W a distance of 225.495'; thence S 00°00'29" W a distance of 660.26' to the POB, Tulsa County, Oklahoma.

*********

**Case No. 2049**

**Action Requested:**
Variance of lot area from 1.00 acre to .85 acre for lot split. SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS – Use Unit 6, located 13302 E. 66th St. N.

**Presentation:**
Edward L. Smothers, Jr., 219 W. 1st St., Owasso, Oklahoma, stated he purchased one and a quarter acres (Tract A) on which to build a home. He found out later that previous owners did not get the necessary lot split. Also, Tulsa County now requires more street frontage leaving only .85 acres on which to build. He submitted a letter from the homeowner’s association in support of the application and photographs (Exhibits C-1 and C-2).

**Interested Parties:**
There were no interested parties present who wished to speak.

**Board Action:**
On Motion of Dillard, the Board voted 3-0-0 (Alberty, Tyndall, Dillard "aye"; no "nays"; no "abstentions"; Hutson, Walker "absent") to APPROVE a Variance of lot area from 1.00 acre to .85 acre for lot split. SECTION 330. BULK AND AREA REQUIREMENTS IN THE AGRICULTURE DISTRICTS – Use Unit 6, finding the same size lots across the street, on the following described property:

Part of the NE/4 NW/4 of Section 4, T-20-N, R-14-E, of the IBM, Tulsa County, State of Oklahoma, to-wit: Beg. at a point 994.4' W of the NE/c of said NW/4; thence S 219.7'; thence W 248.6'; thence N 219.7'; thence E 248.6' to the POB, less the W 30.00' and N 50.00' for road, AND beg. at a point 994.4' W and 219.7' S of the NE/c of said NW/4; thence S 219.7'; thence W 248.6'; thence N 219.7'; thence E 248.6' to the POB, less the W 30' for road.

*********
Note: Graphic overlays may not precisely align with physical features on the ground.
Note: Graphic overlays may not precisely align with physical features on the ground.
6492  134TH EAST AVENUE
SITE PLAN

Building For

PROPOSED VARIANCE
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 9035  
CZM: 42

CASE NUMBER: CBOA-2899

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 07/20/2021 1:30 PM

APPLICANT: Thomas Oliver

ACTION REQUESTED: Variance of the required rear yard setback from 40 feet to 8 feet in an AG district (Section 330).

LOCATION: 6006 S 204 AV W

ZONED: AG

FENCING: Sand Springs

PRESENT USE: Agricultural/Residential

TRACT SIZE: 2.3 acres

LEGAL DESCRIPTION: LT 2 BLK 3, ROCK CREEK ACRES

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by AG zoning with a combination of agricultural and rural residential uses.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance of the required rear yard setback from 40 feet to 8 feet in an AG district (Section 330).

The applicant provided the following statement: “This particular area for the slab and cover were decided because this property has a hard runoff from a hill and incline behind my property.”

The Code requires a 40 ft rear yard setback in an AG district. The applicant has requested a variance to reduce the rear yard setback from 40 ft. to 8 ft. to permit an accessory building.

If inclined to approve the requests the Board may consider any condition it deems necessary and reasonably related to the requests to ensure the proposed use is compatible with and non-injurious to the surrounding area.

Sample Motion:

“Move to _______ (approve/deny) a Variance of the required rear yard setback from 40 feet to 8 feet in an AG district (Section 330).

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"
Looking west at subject property from S. 170th W. Ave.

Looking south on S. 204th W. Ave.
CBOA-2900 – PATRICIA CONTRERAS

STAFF REQUESTS A CONTINUANCE TO AUGUST 17, 2021
CBOA-2901 – BRYAN STEFFES

CASE HAS BEEN WITHDRAWN BY STAFF