AGENDA
Tulsa County Board of Adjustment
Regularly Scheduled Meeting
Tuesday January 17, 2023, 1:30 p.m.
Williams Tower I
1 West 3rd Street, St. Francis Room

Meeting No. 515

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:

UNFINISHED BUSINESS

1. 3014 - Claude Taylor
   Action Requested: Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330) and a Use Variance to allow Use Unit 19 to permit a recreation center (Sec. 310). Location: 12438 N Lewis Ave (CD 1)

2. 3018 – Guadalupe Juan Varela
   Action Requested: Use Variance to allow for a food truck (Use Unit 12) in an RS district. (Section 410) Location: 1725 E 66th St N (CD 1)

3. 3022 - Clifford Mordhorst
   Action Requested: Variance to permit three dwelling units on a single lot of record in an RS district (Section 208). Location: 3140 S 59th W Ave (CD 2)

4. 3025 - Jennifer Osborn
   Action Requested: Variance to permit two dwelling units on a single lot of record in an RS district (Section 208). Location: 5311 S 107th W Ave (CD 2)
5. 3026 - Alan Ringle  
**Action Requested:** Variance to allow a Chrysanthemum greenhouse (Use Unit 3) on RMH zoned property (Section 410) **Location:** 14109 W 56 St S (CD 2)

6. 3032 - Joshua Keech  
**Action Requested:** Variance of the minimum lot area and land area required and Variance of the minimum lot width from 150' in the AG district to permit a lot split (Sec 330). **Location:** 6807 E 76th St N (CD 1)

**NEW APPLICATIONS**

7. 3033 - Hess Law Firm  
**Action Requested:** Variance of the street frontage requirement in an AG district from 30 ft to 0 ft (Section 207) **Location:** 13216 N. 129th E Ave (CD 1)

8. 3034 - Ron Sterling  
**Action Requested:** Variance to permit a detached accessory building in a side yard in an RE zoned district (420.2.A.2) **Location:** 26121 W 27th St S (CD 2)

9. 3035 - Jacob Holmes  
**Action Requested:** Variance of the required side yard setback in an AG district (Section 330) **Location:** 904 E 86th St N (CD 1)

10. 3036 - Abdual Almudalal & Deann  
**Action Requested:** Use Variance to allow Outdoor Storage and Warehousing (Use Unit 23) on RS zoned lot (Section 410) **Location:** 5320 S. 83rd Ave W (CD 2)

11. 3037 - Murray Adams  
**Action Requested:** Variance of the rear setback from 40 ft in the AG-R district (Section 310, Table 3). **Location:** 12822 E 107th St N (CD 1)

12. 3038 - Raychel & Rusty Stamper  
**Action Requested:** Use Variance to allow (Use Unit 15) in an AG District to permit other trades and services (Section 310). variance of the all-weather surface requirement for parking. **Location:** 11716 N 97 E Ave (CD 1)
13. 3039 - Justin Tate  
**Action Requested:**  
Special Exception to allow a manufactured home (Use Unit 9) in a RS district.  
**Location:** 5812 N Madison Ave (CD 1)

14. 3040 - David Henke  
**Action Requested:**  
Variance for Temporary Gravel parking lot for 7 buses during design and construction activities are underway on adjacent east lot which is owned by same owner (Section 1340) **Location:** W of NWC 106th St N and N Garnett Rd (CD 1)

15. 3041 - Todd Godfrey  
**Action Requested:**  
Use Variance to allow Use Unit 25, Light Manufacturing Industry, to permit a medical marijuana processing facility in an AG district (Section 1225) **Location:** 18216 N 97 Ave E (CD 1)

**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.
Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Claude Taylor
Property Owner: TAYLOR, CLAUDE ARTHUR JR

Action Requested: Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330) and a Use Variance to allow Use Unit 19 to permit a recreation center (Sec. 310)

Location Map:

Additional Information:
Present Use: Residential
Tract Size: 3.66 acres
Location: 12438 N LEWIS AV E
Present Zoning: AG
Fenceline/Area: Skiatook
Land Use Designation: Rural Residential
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 1306
CZM: 10

CASE NUMBER: CBOA-3014
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 01/17/2023 1:30 PM

APPLICANT: Claude Taylor

ACTION REQUESTED: Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330) and a Use Variance to allow Use Unit 19 to permit a recreation center (Sec. 310)

LOCATION: 12438 N LEWIS AV E

ZONED: AG

FENCeline: Skiatook

PRESENT USE: Residential

TRACT SIZE: 3.66 acres

LEGAL DESCRIPTION: PRT GOV LT 1 BEG 802.30S NEC NE TH W988.79 S266.79 E553.92 N237.16 E435 N30 P0B LESS E50 THEREOF FOR RD SEC 6 21 13 3.659 ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and is surrounded by AG zoning containing a mixture of single-family residences and agricultural land.

STAFF COMMENTS:
The applicant is before the Board to request a Variance of the minimum lot area per dwelling unit in the AG district to permit two dwelling units on one lot of record (Section 330) and a Use Variance to allow Use Unit 19 to permit a recreation center (Sec. 310).

The subject lot is 3.66 acres in size. The Tulsa County Zoning Code requires 2.1 acres per dwelling unit, which necessitates the requested variance if two dwelling units are to be placed on the lot. The applicant does not intend to use the second dwelling unit as a residence.

The applicant provided the following statement: “The second dwelling I am looking to add to my property isn’t to be used as a residence but as a gathering place for our kids and neighbors kids, who are in the same age group. It is intended to be used as a recreational hangout with a basketball court and other fun activities.”

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

Sample Motion:

“Move to _______ (approve/deny) a Variance of the minimum lot area per dwelling unit in the AG district to permit two dwelling units on one lot of record. (Section 330, Table 3) and a Use Variance to allow Use Unit 19 to permit a recreation center (Sec. 310)"
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.
Good Morning

This letter is sent to you with my concerns for a proposed Rec Building being built adjacent to the land where my husband and I are currently building our home. We purchased the piece of land and are building this home for our family to get out of the small neighborhood setting with the hustle and bustle and constant traffic to be in a more rural setting with peace and quiet. My main concern with the Rec Building being built is that it will create a lot of traffic alongside our property. We would like to please make sure this Rec Center is always only for personal use and never for commercial and or public use. Also allowing a reduction in minimum acreage for dwelling unit creates a precedence for additional small lots.

Please make mandatory the wind break that is on the proposed plan with mature vegetation that is evergreen and will provide privacy year long. Also we ask to have the Rec Center owner provide a Privacy Fence along side of proposed driveway.

Thank you for your time.

Sincerely

Jena Bishop
**Case Number:** CBOA-3018

**Hearing Date:** 01/17/2023 1:30 PM
(Continued from 12/20/2022)

**Case Report Prepared by:**
Jay Hoyt

**Owner and Applicant Information:**
Applicant: Guadalupe Juan Varela
Property Owner: DOWNING, CRAIG & LENDA

**Action Requested:** Use Variance to allow for a food truck (Use Unit 12) in an RS district. (Section 410)

**Additional Information:**
Present Use: Residential
Tract Size: 0.76 acres
Location: 1725 E 66 ST N
Present Zoning: RS
Fenceline/Area: Turley
Land Use Designation: Rural Residential/Agricultural
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 1331
CZM: 16

CASE NUMBER: CBOA-3018
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 01/17/2023 1:30 PM

APPLICANT: Guadalupe Juan Varela

ACTION REQUESTED: Use Variance to allow for a food truck (Use Unit 12) in an RS district. (Section 410)

LOCATION: 1725 E 66 ST N

ZONED: RS

FENCeline: Turley

PRESENT USE: Residential

TRACT SIZE: 0.76 acres

LEGAL DESCRIPTION: PRT E/2 SE SE SE SW BEG SECR THEREOF TH N199.70 W165.21 S199.73 E165.21 POB SEC 31 21 13 .7574ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and currently contains a single-family residence. The surrounding lots are zoned RS and contain single-family residences.

STAFF COMMENTS:

The applicant is before the Board to request a Use Variance to allow for a food truck (Use Unit 12) in an RS district. (Section 410).

A food truck is classified as Use Unit 12 – Eating Places Other Than Drive-Ins by the Tulsa County zoning code. The applicant wishes to be able to park their food truck on the RS zoned subject lot and operate at this location. Per the photos provided by the applicant, the truck is to be parked on the southeast corner of the subject lot.

The applicant provided the statement: “I am wanting to put my food trailer next to the house, where I live at. The food trailer is my only job to work.”

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

Sample Motion:

“Move to _______ (approve/deny) a Variance to allow for a food truck (Use Unit 12) in an RS district. (Section 410)

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.
ANTOJITOS LUPITA
Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Clifford Mordhorst
Property Owner: MORDHORST, CLIFFORD DANIEL TRUST

Action Requested: Variance to permit three dwelling units on a single lot of record in an RS district (Section 208).

Location Map:

Additional Information:
Present Use: Residential
Tract Size: 0.55 acres
Location: 3140 S 59 AV W
Present Zoning: RS
Fenceline/Area: Berryhill
Land Use Designation: Existing Neighborhood
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 9220
CZM: 45

CASE NUMBER: CBOA-3022
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 01/17/2023 1:30 PM

APPLICANT: Clifford Mordhorst

ACTION REQUESTED: Variance to permit three dwelling units on a single lot of record in an RS district (Section 208).

LOCATION: 3140 S 59 AV W
ZONED: RS

FENCeline: Berryhill

PRESENT USE: Residential
TRACT SIZE: 0.55 acres

LEGAL DESCRIPTION: LT 20 BLK A, BERRY HILL GARDENS Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Lot: None Relevant

Surrounding Property:

CBOA-0595 October 1985: Special exception to allow a mobile home in a RS zoned district and a variance to allow two dwelling units on one lot of record.

CBOA-2437 September 2012: Variance of the maximum permitted floor area from 750 sq. ft. to 1,500 sq. ft. for a detached accessory building in an RS district (Section 240.2.E)

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and contains multiple single-family dwellings and is surrounded by RS zoning containing single-family dwellings.

STAFF COMMENTS:

The applicant is before the Board to request a Variance to permit three dwelling units on a single lot of record in an RS district (Section 208).

The subject lot is approximately 0.55 acres in size. The minimum land area per dwelling unit in the RS district is 6,900 sf, so the subject lot would contain enough land area to support the request for three dwelling units on the subject lot. There are currently three homes existing on the subject lot.

The applicant provided the following statement “This property was purchased with three small houses on it. It has three separate addresses to it also. This should have been done 30 years ago, I believe.”

*If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposal is compatible with and non-injurious to the surrounding area.*
Sample Motion:

*Move to _______ (approve/deny) a Variance to allow three dwelling units on a single lot of record in an RS district (Section 208).

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.
**Case Number:** CBOA-3025

**Hearing Date:** 01/17/2023 1:30 PM
(Continued from 12/20/2022)

**Case Report Prepared by:**
Jay Hoyt

**Owner and Applicant Information:**

Applicant: Jennifer Osborn

Property Owner: Mathew & Jennifer Osborn

**Action Requested:** Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

**Location Map:**

![Location Map](image)

**Additional Information:**

Present Use: Single-Family

Tract Size: 5.8 acres

Location: 5311 S 107 AV W

Present Zoning: RS

Fenceline/Area: Sand Springs

Land Use Designation: Residential
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 9135
CZM: 44

CASE NUMBER: CBOA-3025
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 01/17/2023 1:30 PM

APPLICANT: Jennifer Osborn

ACTION REQUESTED: Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

LOCATION: 5311 S 107 AV W

FENCELINE: Sand Springs

PRESENT USE: Single-Family

ZONED: RS

TRACT SIZE: 5.8 acres

LEGAL DESCRIPTION: LOT 6 BLK 1; LOT 5 BLK 1; N100 LT 7 BLK 1, BUFORD COLONY SECOND ADDN
Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Subject Lot:

CBOA-3003 September 2022: Variance to permit a detached accessory building in the RS district to be greater than 750 sf of floor area (Section 240.2.E)

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and contains a single-family home. The surrounding lots are zoned RS and AG and contain single-family homes and vacant agricultural land.

STAFF COMMENTS:
The applicant is before the Board to request a Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

The subject lot was previously approved for a variance to permit a detached accessory building to be greater than 750 sf (CBOA-3003). The applicant is proposing to construct an accessory building approximately 2,500 sf in area and would like a dwelling unit to be located within this accessory building.

The applicant provided the statement “We are trying to build a metal shop with living quarters attached so that we can care for my in-laws as they grow older. They have already sold their home and are living with us until we can get this shop built. We require approval from the Board because the current laws limit the size of the building you can add and we have to have approval to build a second dwelling on out property as well.

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 Variance to permit two dwelling units on a single lot of record in an RS district (Section 208).

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.
**Case Number:** CBOA-3026

**Hearing Date:** 01/17/2023 1:30 PM

**Case Report Prepared by:**

Jay Hoyt

**Owner and Applicant Information:**

**Applicant:** Alan Ringle

**Property Owner:** KANOTZ, SHEILA D & BRIAN

**Action Requested:** Variance to allow a Chrysanthemum greenhouse (Use Unit 3) on RMH zoned property (Section 410)

**Location Map:**

**Additional Information:**

**Present Use:** Chrysanthemum Farm/Residential

**Tract Size:** 9.02 acres

**Location:** 14109 W 56 ST S

**Present Zoning:** AG, RMH

**Fenceline/Area:** Sand Springs

**Land Use Designation:** Residential
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

CASE NUMBER: CBOA-3026
CASE REPORT PREPARED BY: Jay Hoyt

TRS: 9133
CZM: 43

HEARING DATE: 01/17/2023 1:30 PM

APPLICANT: Alan Ringle

ACTION REQUESTED: Variance to allow a Chrysanthemum greenhouse (Use Unit 3) on RMH zoned property (Section 410)

LOCATION: 14109 W 56 ST S

FENCeline: Sand Springs

PRESENT USE: Chrysanthemum Farm/Residential

ZONED: AG, RMH

TRACT SIZE: 9.02 acres

LEGAL DESCRIPTION: S880 E/2 E/2 SW NW & S880 E/2 W/2 E/2 SW NW LESS W40 THEREOF SEC 33 19 11 9.19ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG/RMH and contains a single-family residence. The site is surrounded by AG zoning to the north, east and a portion of the west containing single-family residences and agricultural land as well as vacant RE zoning to the south and RMH zoning containing a single-family residence to the west.

STAFF COMMENTS:
The applicant is before the Board to request a Variance to allow a Chrysanthemum greenhouse (Use Unit 3) on RMH zoned property (Section 410).

The applicant has constructed two greenhouses on the subject lot for the purpose of growing chrysanthemums, which is considered Use Unit 3 – Agriculture and is not allowed in the RMH district. A use variance would be required to allow Use Unit 3 uses on the subject lot.

The applicant has submitted the statement: “Property owner was unaware of multiple zonings on the rural property. Greenhouses for Chrysanthemum cuttings – Horticulture Nursery (Use Unit 3) are permitted by right in an AG zoning classification (part of the property) and not permitted in a RMH zoning classification where they exist.

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

Sample Motion:

“Move to ________ (approve/deny) Use Variance to allow a Chrysanthemum greenhouse (Use Unit 3) on RMH zoned property (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."
CBOA-3026

Subject Tract

19-11 33

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

Aerial Photo Date: 2020/2021

CBOA-3026 5.5
SITE PLAN  KANOTZ PROPERTY

PROPERTY OWNER:
Brian and Sheila Kanotz
14109 W 56th Street South
Sand Springs, Ok. 74063

LEGAL DESCRIPTION
THE SOUTH 880 FEET OF THE
E/2 E/2 SW NW AND THE
SOUTH 880 FEET OF THE E/2
W/2 E/2 SW NW LESS THE
WEST 40 FEET THEREOF, ALL
IN SECTION 33 T19N, R11E,
TULSA COUNTY, OK

PROPERTY ADDRESS:
14109 W 56th Street South
&
14115 W 56th Street South
Sand Springs, Ok. 74063

SURVEYOR/PLANNER
RINGLE PLANNING & SURVEYING INC.
5615 NORTH HIGHWAY 97
SAND SPRINGS, OK. 74063
PH (918) 637-2452
CA # 4164 (EXPIRES 06-30-23)

ANGUS VALLEY FARMS 2

NOVEMBER 7, 2022
**Case Number:** CBOA-3032  
**Hearing Date:** 01/17/2023 1:30 PM  

**Case Report Prepared by:**  
Jay Hoyt  

**Owner and Applicant Information:**  
**Applicant:** Joshua Keech  
**Property Owner:** KEECH, JOSHUA R & SHANNON M  

**Action Requested:** Variance of the minimum lot area and land area required and Variance of the minimum lot width from 150' in the AG district to permit a lot split (Sec 330)  

**Location Map:**  
![Location Map](image)  

**Additional Information:**  
**Present Use:** Residential  
**Tract Size:** 2.46 acres  
**Location:** 6807 E 76 ST N  
**Present Zoning:** AG  
**Fenceline/Area:** Owasso  
**Land Use Designation:** Transitional
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 1326
CZM: 17

HEARING DATE: 01/17/2023 1:30 PM

APPLICANT: Joshua Keech

ACTION REQUESTED: Variance of the minimum lot area and land area required in an AG district to permit a lot split (Sec 330) and a Variance of the minimum lot width from 150' in the AG district to permit a lot split (Sec 330)

LOCATION: 6807 E 76 ST N
ZONED: AG

FENCeline: Owasso
PRESENT USE: Residential
TRACT SIZE: 2.46 acres

LEGAL DESCRIPTION: BEG 180.50W SECR SW SW TH W164 N389.83 W316.86 TO PT ON WL E/2 SW SW N132.66 E316.92 SE210.78 S389.86 POB LESS S60 THEREOF FOR RD SEC 26 21 13 2.455ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and contains a single-family residence. AG is adjacent to the north, east and west containing single-family residences and agricultural land. IL/IM zoning is adjacent to the south across E 76th St N containing industrial uses.

STAFF COMMENTS:
The applicant is before the Board to request a Variance of the minimum lot area and land area required in an AG district to permit a lot split (Sec 330) and a Variance of the minimum lot width from 150' in the AG district to permit a lot split (Sec 330).

The minimum land area per dwelling unit per the Tulsa County Zoning Code is 2.1 acres. The applicant is proposing to split the subject tract into two lots containing 1.77 acres and 0.91 acres, which are below the required minimum land area. In addition the applicant will need a variance of the minimum lot width. The minimum lot width in the AG district is 150 ft. The proposed lots, as shown on the lot split exhibit provided by the applicant would not meet the minimum lot width requirement.

The applicant has provided the statement “This is a unique parcel of land already. Split will create a more uniform parcel for the home on the road frontage and retain the pasture land in a separate, unique lot which will still have 30' of access should it be needed.

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

"Move to _______(approve/deny) a Variance of the minimum lot area and land area required in an AG district to permit a lot split (Sec 330) and a Variance of the minimum lot width from 150' in the AG district to permit a lot split (Sec 330)"

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.
LOT SPLIT EXHIBIT

LEGAL DESCRIPTION – TRACT 3–REV


COMMENCING AT THE SOUTHEAST CORNER SAID SW/4 SW/4 OF SECTION 26, T–21–N, R–13–E; THENCE S 88°45'40" W ALONG THE SOUTH LINE OF SAID SW/4 A DISTANCE OF 180.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 88°45'40" W ALONG SAID SOUTH LINE A DISTANCE OF 30.00 FEET; THENCE N0°17'40" W A DISTANCE OF 296.78 FEET; THENCE S 88°45'40" W A DISTANCE OF 133.82 FEET; THENCE N0°15'38" W A DISTANCE OF 316.92 FEET TO A POINT ON THE WEST LINE OF THE E/T OF SAID SW/4 SW/4; THENCE N0°15'38" W ALONG SAID WEST LINE A DISTANCE OF 132.66 FEET; THENCE N88°45'25" E A DISTANCE OF 316.92 FEET; THENCE S 88°45'40" E A DISTANCE OF 296.78 FEET; THENCE S0°17'40" E A DISTANCE OF 389.86 FEET TO THE POINT OF BEGINNING. CONTAINING 1.77 ACRES MORE OR LESS.

LEGAL DESCRIPTION – TRACT 4


COMMENCING AT THE SOUTHEAST CORNER SAID SW/4 SW/4 OF SECTION 26, T–21–N, R–13–E; THENCE S 88°45'40" W ALONG THE SOUTH LINE OF SAID SW/4 A DISTANCE OF 134.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 88°45'40" W ALONG SAID SOUTH LINE OF SW/4 A DISTANCE OF 296.78 FEET; THENCE N0°17'40" E A DISTANCE OF 133.82 FEET THENCE S0°17'40" E A DISTANCE OF 296.78 FEET TO THE POINT OF BEGINNING. CONTAINING 0.91 ACRES MORE OR LESS.

NOTES

1. NO EASEMENTS WERE PROVIDED AT THE TIME OF SURVEY
2. THIS TRACT HAS ACCESS TO EAST 76TH STREET NORTH, A PUBLIC RIGHT–OF–WAY

SURVEYOR’S STATEMENT

I, MICHAEL ROYCE, HEREBY DECLARE THAT THIS DRAWING REPRESENTS A SURVEY PERFORMED ON SITE AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AT THIS DATE. THIS SURVEY MEETS THE MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF OKLAHOMA.

MICHAEL ROYCE
PLS 1627
1805 N 128TH E AVE
OWASSO, OK 74055
mroyce1627@gmail.com
918.833.5263

SIGNATURE: [Signature]

DATE: 11/10/02

CBOA-3032 6.7
<table>
<thead>
<tr>
<th><strong>Board of Adjustment</strong></th>
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</thead>
<tbody>
<tr>
<td><strong>Case Number:</strong> CBOA-3033</td>
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<tr>
<td><strong>Hearing Date:</strong> 01/17/2023 1:30 PM</td>
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<tr>
<td><strong>Case Report Prepared by:</strong></td>
<td><strong>Owner and Applicant Information:</strong></td>
</tr>
<tr>
<td>Jay Hoyt</td>
<td>Applicant: Hess Law Firm</td>
</tr>
<tr>
<td></td>
<td>Property Owner: WHITE, KAREN W REV TRUST</td>
</tr>
</tbody>
</table>

**Action Requested:** Variance of the street frontage requirement in an AG district from 30 ft to 0 ft (Section 207)

**Location Map:**

---

**Additional Information:**

- **Present Use:** AG
- **Tract Size:** 45.32 acres
- **Location:** 13216 N 129 AV E
- **Present Zoning:** AG
- **Fenceline/Area:** Collinsville
- **Land Use Designation:** Residential/Medium Intensity
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 2432
CZM: 75

HEARING DATE: 01/17/2023 1:30 PM

APPLICANT: Hess Law Firm

ACTION REQUESTED: Variance of the street frontage requirement in an AG district from 30 ft to 0 ft (Section 207)

LOCATION: 13216 N 129 AV E

FENCeline: Collinsville

PRESENT USE: AG

ZONED: AG

TRACT SIZE: 45.32 acres

LEGAL DESCRIPTION: S/2 N/2 NE & TR BEG SECR SE NE NW TH W528.67 N461.78 E528.69 S POB SEC 32 22 14 45.320ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and abuts AG zoned lots to the north, south and west containing single-family residential and agricultural land as well as RS-3 zoned lots to the east containing single-family residential.

STAFF COMMENTS:

The applicant is before the Board to request a Variance of the street frontage requirement in an AG district from 30 ft to 0 ft (Section 207).

The applicant is proposing to split the subject tract as shown on Exhibit A, provided by the applicant. The lot is proposed to be split into an east and west tract. The west tract does not currently have frontage with access being provided via an easement from 136th St N.

The applicant has provided the statement “The property identified as Tract 1 (West Tract) does not have frontage but is accessed via easement from 136th St North (see Exhibit A). Water is available (Exhibit B)

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

Sample Motion:

“Move to ________ (approve/deny) a Variance of the street frontage requirement in an AG district from 30 ft to 0 ft (Section 207)

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.
November 18, 2022

INCOG
201 West 5th Street
Suite 600
Tulsa, OK 74101-4236
FAX 583-1024

To Whom It May Concern:

Rural Water District #3, Washington County is currently serving water to the property located at 12322 E. 136 St. N., Collinsville, OK.

Sincerely,

Chad Pennington
Field Supervisor
**Case Number:** CBOA-3034

**Hearing Date:** 01/17/2023 1:30 PM

**Case Report Prepared by:**
Jay Hoyt

**Owner and Applicant Information:**
Applicant: Ron Sterling

Property Owner: STERLING, RON E & ROXANE

**Action Requested:** Variance to permit a detached accessory building in a side yard in an RE zoned district (420.2.A.2)

**Location Map:**

**Additional Information:**

Present Use: Residential

Tract Size: 1.25 acres

Location: 26121 W 27 ST S

Present Zoning: RE

Fenceline/Area: Keystone

Land Use Designation: Rural Residential/Agricultural
TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT

TRS: 9018  
CASE NUMBER: CBOA-3034

CZM: 32  
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 01/17/2023 1:30 PM

APPLICANT: Ron Sterling

ACTION REQUESTED: Variance to permit a detached accessory building in a side yard in an RE zoned district (420.2.A.2)

LOCATION: 26121 W 27 ST S  
ZONED: RE

FENCeline: Keystone

PRESENT USE: Residential  
TRACT SIZE: 1.25 acres

LEGAL DESCRIPTION: LT 8 BLK 1, LAKE SUBURBAN ESTATES Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RE and is abutted by RE zoning to the east, west and south containing single-family residences as well as AG zoning to the north containing vacant agricultural land.

STAFF COMMENTS:

The applicant is before the Board to request a Variance to permit a detached accessory building in a side yard in an RE zoned district (420.2.A.2).

The Tulsa County Zoning code (Section 420.2.A.2) prohibits accessory buildings in Residentially zoned districts from being constructed in the front or side yards of a residential lot. The applicant is proposing to finish construction of a 20’ x 30’ garage in the side yard of the subject lot, as illustrated by the site plan provided by the applicant, that was previously begun by the prior property owner.

The applicant has provided the statement “Property has an existing detached garage that has already passed final framing inspection 12-17-18 Permit # 19518. I purchased the property from Sharp Marle in September 2022. The property is unfinished and I am trying to renew the building permit.”

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

Sample Motion:

“Move to _______ (approve/deny) a Variance to permit a detached accessory building in a side yard in an RE zoned district (420.2.A.2)

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.
**Case Number:** CBOA-3035  
**Hearing Date:** 01/17/2023 1:30 PM

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
**Applicant:** Jacob Holmes  
**Property Owner:** HOLMES, JACOB ET AL

**Action Requested:** Variance of the required side yard seback in an AG district (Section 330)

**Location Map:**

**Additional Information:**  
**Present Use:** Residential  
**Tract Size:** 3 acres  
**Location:** 904 E 86 ST N  
**Present Zoning:** AG  
**Fenceline/Area:** Turley  
**Land Use Designation:** Rural Residential/Agricultural
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

CASE NUMBER: CBOA-3035
CASE REPORT PREPARED BY: Jay Hoyt

TRS: 1225
CZM: 15

HEARING DATE: 01/17/2023 1:30 PM

APPLICANT: Jacob Holmes

ACTION REQUESTED: Variance of the required side yard seback in an AG district (Section 330)

LOCATION: 904 E 86 ST N

ZONED: AG

FENCINGLE: Turley

PRESENT USE: Residential

TRACT SIZE: 3 acres

LEGAL DESCRIPTION: TR IN NE NE BEG 1113.23W NEC NE NE TH S594 W220 N594 E220 POB SEC 21 12 3ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and contains a single-family residence and is surrounded by AG zoned lots containing single-family residences and vacant/agricultural land.

STAFF COMMENTS:

The applicant is before the Board to request a Variance of the required side yard seback in an AG district (Section 330).

The Tulsa County Zoning code requires side yards in an AG district to be 15 feet minimum. The applicant is proposing to reduce the side yard setback requirements to permit an existing building that was constructed over the required 15 foot setback line and sits adjacent to the western property line, so would require a variance of the side yard setback of 9 feet.

The applicant has provided the statement that the variance is needed due to “Existing building that was built over the line 30 years ago.”

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

Sample Motion:

“Move to ________ (approve/deny) a Variance of the required side yard seback in an AG district (Section 330).

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 of Adjustment

**Case Number:** CBOA-3036  
**Hearing Date:** 01/17/2023 1:30 PM

### Case Report Prepared by:

Jay Hoyt

### Owner and Applicant Information:

**Applicant:** Abdual Almudalal  
**Property Owner:** AMUDALAL, ABDUAL & DEEANN

### Action Requested:

Use Variance to allow Outdoor Storage and Warehousing (Use Unit 23) on RS zoned lot (Section 410)

### Location Map:

![Location Map](image)

### Additional Information:

**Present Use:** Vacant  
**Tract Size:** 5 acres  
**Location:** 5320 S 83 AV W  
**Present Zoning:** RS  
**Fenceline/Area:** West Central Tulsa County  
**Land Use Designation:** Rural Residential/Agricultural
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 9136
CZM: 44

CASE NUMBER: CBOA-3036
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 01/17/2023 1:30 PM

APPLICANT: Abdual Almudalal

ACTION REQUESTED: Use Variance to allow Outdoor Storage and Warehousing (Use Unit 23) on RS zoned lot (Section 410)

LOCATION: 5320 S 83 AV W

ZONED: RS

FENCeline: West Central Tulsa County

PRESENT USE: Vacant

TRACT SIZE: 5 acres

LEGAL DESCRIPTION: S/2 W/2 E/2 NW NE SEC 36-19-11, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-2274 August 2007: Approved Special Exception to permit a manufactured home in an RS district (Section 410); Denied Special Exception to permit an 8 ft. fence in the required front yard (Section 240.2.C); and Denied a Use Variance to permit a residential accessory structure on a lot not containing the principal use.

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and is currently vacant. The lot is abutted by RS zoning to the south and east containing single-family residential and to the north and west by AG zoning containing single-family residential as well as agricultural land.

STAFF COMMENTS:

The applicant is before the Board to request a Use Variance to allow Outdoor Storage and Warehousing (Use Unit 23) on RS zoned lot (Section 410).

The applicant is proposing to construct a storage building on the subject lot. The lot does not currently contain a residential structure, so the storage building would be considered the principal use of the lot and would fall under Use Unit 23 – Warehousing and Wholesaling, which is not an allowable use in the RS district. This would require a use variance allowing Use Unit 23 on the subject lot in order to permit the proposed storage building as a principal use.

The applicant did not provide a written statement or hardship but did indicate that the proposed storage building would for personal use only.
If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed variance is compatible with and non-injurious to the surrounding area.

Sample Motion:

"Move to _______ (approve/deny) a Use Variance to allow Outdoor Storage and Warehousing (Use Unit 23) on RS zoned lot (Section 410).

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.
Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Murray Adams
Property Owner: ADAMS, MURRAY D AND PAULA E

Action Requested: Variance of the rear setback from 40 ft in the AG-R district (Section 310, Table 3).

Location Map:

Additional Information:
Present Use: Residential
Tract Size: 1.93 acres
Location: 12822 E 107 ST N
Present Zoning: AG-R
Fenceline/Area: Owasso
Land Use Designation: Commercial
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

CASE NUMBER: CBOA-3037

TRS: 1408
CZM: 12 CASE REPORT PREPARED BY: Jay Hoyt
HEARING DATE: 01/17/2023 1:30 PM

APPLICANT: Murray Adams

ACTION REQUESTED: Variance of the rear setback from 40 ft in the AG-R district (Section 310, Table 3).

LOCATION: 12822 E 107 ST N

ZONED: AG-R

FENCING: Owasso

PRESENT USE: Residential

TRACT SIZE: 1.93 acres

LEGAL DESCRIPTION: N325 E/2 SE SE SE LESS N25 & E50 THEREOF FOR RD SEC 8 21 14 1.928ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-2017 January 2003: Variance to permit an accessory structure as a principal use. (Section 301)

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG-R and contains a single-family residence. The site is abutted by AG-R and AG zoned lots to the north, west and south containing single-family residences as well as abutted to the east by vacant CS zoned property.

STAFF COMMENTS:

The applicant is before the Board to request a Variance of the rear setback from 40 ft in the AG-R district (Section 310, Table 3).

The applicant is proposing to construct a 70' x 40' accessory building on the subject lot. The Tulsa County zoning code requires a 40 foot rear setback in AG-R zoned lots. Per the applicant, due to the configuration of the existing lot and structures, including an existing home, septic system and large trees, the proposed building will need to be constructed 15 feet from the rear property line.

The applicant has provided the statement “I want to build a pole barn in the location in question. The 40 ft setback is not possible without taking out huge trees. This is the only place to place building with home and trees and septic system. I have already purchased the building.” The applicant also stated “When I purchased the property in 1994 we were told the front of the lot faced 129th E Ave. Our abstract even calls our address 10625 N 129th E Ave. The post office gave us the address 12822 E 107th St N. We built our home facing north and east towards 129th. This would make the south the side lot which would not require a 40 ft setback. With the house, trees and septic system this is the only area for such a building. I have already contracted for the building.”
If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed variance is compatible with and non-injurious to the surrounding area.

Sample Motion:

"Move to _______(approve/deny) a Variance of the rear setback from 40 ft in the AG-R district (Section 310, 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.
You are currently running an experimental version of Earth.
HARDSHIP TULSA COUNTY BOARD OF ADJUSTMENT

When I purchased this property in 1994 we were told the front of the lot faced 129th E Ave. Our abstract even calls our address 10625 N. 129TH E Ave. The post office gave us the address 12822 E 107th St. N. We built our home facing north and east towards 129th. This would make the south, the side of the lot which would not require a 40" setback. With the house, trees, and septic system this is the only area for such a building. I have already contracted for the building. Thank you.
January 3, 2023

Tom Thorisch
12803 E 106th St N
Owasso, OK 74055
918-406-5935
totot57@yahoo.com

Re: Murray Adams building permit request

To Whom it May Concern:

My wife and I own the 12803 E 106th St N property in Owasso, OK 74055. Our lot is south of and adjacent to Mr. Murray Adams (12722 E 107th St N). We do not have any objections to Mr. Adams' building plans for a shop and its location.

I'll be happy to answer further questions via cellphone or by email (see above).

Tom Thorisch & Alexa Larson-Thorisch
## Board of Adjustment

**Case Number:** CBOA-3038  
**Hearing Date:** 01/17/2023 1:30 PM

### Case Report Prepared by:

Jay Hoyt

### Owner and Applicant Information:

**Applicant:** Raychel Stamper  
**Property Owner:** STAMPER, GARY

### Action Requested:

Use Variance to allow (Use Unit 15) in an AG District to permit other trades and services (Section 310) a Variance of the all weather surface requirement for parking (Section 1340.D).

### Location Map:

![Map Image](image-url)

### Additional Information:

**Present Use:** AG  
**Tract Size:** 5.48 acres  
**Location:** 11716 N 97 AV E  
**Present Zoning:** AG  
**Fenceline/Area:** Owasso  
**Land Use Designation:** Commercial
TRS: 1301                                      CASE NUMBER: CBOA-3038
CZM: 11                                      CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 01/17/2023 1:30 PM

APPLICANT: Raychel Stamper

ACTION REQUESTED: Use Variance to allow (Use Unit 15) in an AG District to permit other trades and services (Section 310). Variance of the all weather surface requirement for parking (Section 1340.D).

LOCATION: 11716 N 97 AV E

FENCeline: Owasso

PRESENT USE: AG

ZONED: AG

TRACT SIZE: 5.48 acres

LEGAL DESCRIPTION: A TRACT OF LAND IN S/2 SE BEG 724.17N SECR SE TH N200 W1210.66 S200 E1210.9 POB LESS E16.5 FOR RD SEC 1 21 13 5.483ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-2980 July 2022: Use Variance to permit Use Unit 15 Other Trades and Services, to allow a service establishment in an AG district (Section 1215) and a Variance from the all-weather parking surface requirement (Section 1340.D).

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and contains a single-family residence. The site is abutted by AG zoning to the north, south and west containing single-family residences and to the east by AG-R zoning containing single-family residences.

STAFF COMMENTS:

The applicant is before the Board to request a Use Variance to allow (Use Unit 15) in an AG District to permit other trades and services (Section 310) and a Variance of the all weather surface requirement for parking (Section 1340.D).

The subject lot is currently used by a plumbing company, Gary's Plumbing, for storage of equipment and supplies and office space. The applicant states that Gary Stamper is the only office employee on the site with two plumbing employees who park their personal vehicles on site to pick up supplies for plumbing jobs.

The applicant provided the statement “I, Gary R Stamper, live on the property described in the Tulsa County Board of Adjustment Application. I also own and operate Gary's Plumbing LLC. Gary's Plumbing LLC is a service based business with all businesses activities conducted off-site except for the storage of equipment and supplies and my personal office, where I have no other office employees. I currently have 2 plumbing employees who park their personal vehicles at the shop area shown on the site plan, load the necessary equipment and supplies for the job requirements and leave for the job site. I have owned the...
said property since April 2006 and have conducted the same business out of the property since that time. I am requesting that the Board of Adjustment grant the use variance to permit Use Unit 15, Other Trades and Services.”

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

**Sample Motion:**

“Move to _______(approve/deny) a Use Variance to allow (Use Unit 15) in an AG District to permit other trades and services (Section 310) and a Variance of the all weather surface requirement for parking (Section 1340.D).

*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*
**Hardship:**

I, Gary R. Stamper, live on the property described in the Tulsa County Board of Adjustment Application. I also own and operate Gary's Plumbing LLC. Gary's Plumbing LLC is a service-based business with all business activities conducted off-site except for the storage of equipment and supplies and my personal office, where I have no other office employees. I currently have 2 plumbing employees who park their personal vehicles at the shop area shown on the site plan, load the necessary equipment and supplies for the job requirements and leave for the job site.

I have owned the said property since April 2006 and have conducted the same business out of the property since that time. I am requesting that the Board of Adjustment grant the use variance to permit Use Unit 15, Other Trades and Services.
01/03/2023

I am writing to oppose the variances related to the above case.

A commercial plumbing business is being ran on the property. Employees are parking their vehicles and taking the business vehicles to jobs.
There are 4 large work trucks. 1 work van. 1 back hoe and 3 track hoes. multiple heavy equipment trailers. delivery trucks delivering plumbing equipment.
multiple large bundles of plumbing pipe. 2 40 ft shipping containers
Ferguson and Locke supply equipment deliveries.
Please see photos submitted.

There has been multiple tons of gravel brought in to park all of the work trucks and heavy equipment.
This gravel is causing water run off to my property leading to standing water and causing my property to remain wet for long periods.
I have had to move my farm implements and horse trailer to help with the drying to increase air flow and light to help w/evaporation and drying.
Please see photos submitted showing the gravel is about 12 inches above ground level.

I believe my property value has been decreased and is less desirable due to the plumbing business that has been operating for years in a residential/agriculture zoned property.

I am asking you to uphold the law which does not allow for a business of the this size in a residential/ag zoned location.

Again. My property is being affected due to the water run off we are receiving due to all of the gravel to support his commercial business.

Again my wife and I oppose the continued operation of a commercial business and the gravel associated with it.
We oppose all variances related to CBOA-3038.

Thank you.
TODD and ANGIE GODFREY
11804 N.97th E. AVE
Collinsville, ok.
Case # CBOA-3038

We the below oppose any and all variances pertaining to the Above case #.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone #</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Danny Moss</td>
<td>11645 N 97th Dr. Ave</td>
<td>918-202-4529</td>
</tr>
<tr>
<td>2. Michelle Heath</td>
<td>11635 N 91st E Ave</td>
<td>918-520-3497</td>
</tr>
<tr>
<td>3. Charles Henry</td>
<td>11706 N 97th Ave</td>
<td>918-948-1949</td>
</tr>
<tr>
<td>4. Robert Moore</td>
<td>11949 N 97 E Ave Collinville</td>
<td>918-371-5146</td>
</tr>
<tr>
<td>5. John Smith</td>
<td>11990 N 97th E Ave.</td>
<td>918-808-8753</td>
</tr>
<tr>
<td>7. Ma Howard</td>
<td>11916 N 97 E Ave Collinville</td>
<td>918-695-3139</td>
</tr>
<tr>
<td>8. Jane Dyer</td>
<td>11920 N 97 E Ave Collinville</td>
<td>918-271-1202</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
<td>Phone#</td>
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</tr>
<tr>
<td>Elton Woodson</td>
<td>11932 WR 97</td>
<td>918-371-3050</td>
</tr>
<tr>
<td>David McAlvay</td>
<td>11881 N. 93rd E Ave.</td>
<td>918-530-9004</td>
</tr>
<tr>
<td>Stacey Cunningham</td>
<td>744021</td>
<td></td>
</tr>
<tr>
<td>Todd or Angie Godfrey</td>
<td>11804 N 97th East Ave., Collinsville</td>
<td>918-371-9438</td>
</tr>
<tr>
<td>12.</td>
<td></td>
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</tr>
</tbody>
</table>
NOTICE OF HEARING before the 
Board of Adjustment 
County of Tulsa, Oklahoma 
Case Number: CBOA-3038

Notice is hereby given that a public hearing will be held before the Board of Adjustment to consider the following application. All persons interested in this matter may attend this hearing and present their objections to or arguments for the request.

You have received this notice because your property is near the property (or properties) subject to the application.

The Case

Applicant: Raychel Stamper
9184979499, powersraychel@yahoo.com

Action Requested: Use Variance to allow (Use Unit 15) in an AG District to permit other trades and services (Section 310), variance of the all weather surface requirement for parking.

Location: 11716 N 97 AV E

Property Legal Description: A TRACT OF LAND IN S/2 SE BEG 724.17N SECR SE TH N200 W1210.66 S200 E1210.9 POB LESS E15.5 FOR RD SEC 1 21 13 5.483ACS, , Tulsa County, State of Oklahoma

Current Zoning: AG

View the Application: tulsaplanning.org/countyboa/cases/CBOA-3038.pdf

Read the County Zoning Code: tulsaplanning.org/resources/plans

The Public Hearing

Date: Tuesday, 01/17/2023 1:30 PM

Location: Williams Tower I
St. Francis Conference Room, 1st Floor
1 West 3rd Street
Tulsa, Oklahoma 74103

Questions & Comments

If you have questions about the application or this notice, you may contact the applicant or County BOA staff in the Tulsa Planning Office at INCOG. You may speak at the meeting, or submit written comments via email to esubmit@incog.org or by mail: Tulsa County Board of Adjustment, c/o INCOG, 2 W. 2nd St., Suite 800, Tulsa, OK 74103. Please reference Case Number CBOA-3038.

If you wish to present or share any documents, written comments, or exhibits during the hearing, please submit them by 9:00 a.m. the day of the hearing. Remember to reference the case number and include your name and address.

- Jay Hoyt: 918-579-9476 or jhoyt@incog.org
- Assistant Planner: 918-584-7526 or esubmit@incog.org
Photos of employees arriving and leaving in work truck, gravel, water, equipment, etc.

Photos - descriptions of photos

Order # CBOA - 3038

Todd Geaney 918-379-4388

Mon Jan 02, 2023 10:50 AM

2023-01-03-00-00-00
Case #: CBDA-3038

#2

More Pictures of Gary's Plumbing
**Board of Adjustment**

**Case Report Prepared by:**
Jay Hoyt

**Case Number:** CBOA-3039

**Hearing Date:** 01/17/2023 1:30 PM

**Owner and Applicant Information:**

Applicant: Justin Tate

Property Owner: TATE, JACKIE

**Action Requested:** Special Exception to allow a manufactured home (Use Unit 9) in a RS district. (Section 410)

**Location Map:**

**Additional Information:**

Present Use: Vacant

Tract Size: 0.26 acres

Location: 5808 N MADISON AV E

Present Zoning: RS

Fenceline/Area: Turley

Land Use Designation: Rural Residential/Agricultural
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 0201
CZM: 21

CASE NUMBER: CBOA-3039
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 01/17/2023 1:30 PM

APPLICANT: Justin Tate

ACTION REQUESTED: Special Exception to allow a manufactured home (Use Unit 9) in a RS district. (Section 410)

LOCATION: 5808 N MADISON AV E

ZONED: RS

FENCeline: Turley

PRESENT USE: Vacant

TRACT SIZE: 0.26 acres

LEGAL DESCRIPTION: LT 5, WHITTEN ADDN Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties: 

CBOA-1643 May 1999: The Board approved a Variance to allow two dwelling units per lot of record (Section 206) and a Special Exception to allow a manufactured home in an RS district (Section 410)

CBOA-2364 April 2010: The Board approved a Special Exception to allow a manufactured home in an RS district (Section 410)

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and is vacant. The tract is abutted by RS zoning containing single-family homes to the north, south and east and AG zoning to the west containing vacant land.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to allow a manufactured home (Use Unit 9) in a RS district. (Section 410).

A special exception is required as the proposed mobile home is a use which is not permitted by right but by exception in the RS district because of potential adverse effects, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted. The mobile home must be found to be compatible with the surrounding neighborhood.
If inclined to approve the request the Board may consider any condition it deems necessary in order to ensure that the proposed mobile home is compatible and non-injurious to the surrounding area.

Sample Motion:

"Move to _______ (approve/deny) a Special Exception to permit a single-wide mobile home in an RS district (Section 410).

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

Subject to the following conditions, if any: ____________________________.

In granting a Special Exception, the Board must find that the 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.
Case Report Prepared by:  
Jay Hoyt

Owner and Applicant Information:
Applicant: David Henke
Property Owner: REVOLUTIONARY INVESTMENTS LIMITED

Action Requested: Variance to permit a temporary Gravel parking lot for 7 buses while design and construction activities are underway on adjacent east lot which is owned by same owner (Section 1340)

Location Map:

Additional Information:
Present Use: AG
Tract Size: 6.58 acres
Location: West of the NWC 106th St N and N Garnett Rd
Present Zoning: AG
Fenceline/Area: Owasso
Land Use Designation: Commercial/Transitional
TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT  

TRS: 1407  
CZM: 12  

CASE NUMBER: CBOA-3040  
CASE REPORT PREPARED BY: Jay Hoyt  

HEARING DATE: 01/17/2023 1:30 PM  

APPLICANT: David Henke  

ACTION REQUESTED: Variance to permit a temporary Gravel parking lot for 7 buses while design and construction activities are underway on adjacent east lot which is owned by same owner (Section 1340)  

LOCATION: West of the NWC 106th St N and N Garnett Rd  

ZONED: AG  

FENCeline: Owasso  

PRESENT USE: AG  

TRACT SIZE: 6.58 acres  

LEGAL DESCRIPTION: E220 E/2 SW SE LESS S16.5 FOR RD SEC 7 21 14 6.583ACS, MEADOWCREST  
Tulsa County, State of Oklahoma  

RELEVANT PREVIOUS ACTIONS:  

Surrounding Properties:  

CBOA-1276 July 1994: The Board approved a Variance to permit two dwelling units per lot of record (Section 208).  

CBOA-1813 February 2001: The Board approved a Variance to permit two dwelling units per lot of record (Section 208).  

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and is currently vacant. The subject tract abuts AG zoning to the west containing a single-family residence and agricultural land, to the east by RM/CS zoning containing a single-family dwelling and commercial facility operated by the same property owner as the subject tract. Additionally, the subject tract is abutted to the north by RE zoning containing single-family residences and to the south by CS zoning containing a medical center.  

STAFF COMMENTS:  

The applicant is before the Board to request a Variance to permit a temporary Gravel parking lot for 7 buses during design and construction activities are underway on adjacent east lot which is owned by same owner (Section 1340).  

The property owner of the subject tract operates a motor coach business on the lot immediately to the east of the subject tract. Currently, the buses for the operation are stored off-site at a different location. The owner would like to store the buses on-site to prevent vandalism and will be constructing a parking facility and maintenance barn on the lot with the current commercial operation, but is requesting a variance to permit a temporary gravel parking lot to hold seven buses while the parking and maintenance facility are being constructed.
The applicant provided the statement “The owner's hardship is that their buses are currently being stored off-site at a different location and being vandalized. To prevent vandalism, they would like to move the buses to this location and store them temporarily next to their office facility. This would be temporary while their maintenance bard and parking facility is being designed and constructed on the adjacent lot to the east where the office is located. We are asking for a gravel surface for this parking due to this being a temporary facility.”

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

Sample Motion:

“Move to ______(approve/deny) a Variance to permit a temporary Gravel parking lot for 7 buses while design and construction activities are underway on adjacent east lot which is owned by same owner (Section 1340)

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 of Adjustment

**Case Number:** CBOA-3041  
**Hearing Date:** 01/17/2023 1:30 PM

<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jay Hoyt</td>
<td>Applicant: Todd Godfrey</td>
</tr>
<tr>
<td></td>
<td>Property Owner: GODFREY, TODD JR &amp; MELISSA D</td>
</tr>
</tbody>
</table>

**Action Requested:** Use variance to allow Use Unit 25, Light Manufacturing Industry, to permit a medical marijuana processing facility in an AG district (Section 1225)

### Location Map:

![Map Image]

### Additional Information:

- **Present Use:** Grow Facility
- **Tract Size:** 2.44 acres
- **Location:** 18216 N 97 AV E
- **Present Zoning:** AG
- **Fenceline/Area:** Collinsville
- **Land Use Designation:** Residential
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 2301
CZM: 3, 4

CASE NUMBER: CBOA-3041
CASE REPORT PREPARED BY: Jay Hoyt

HEARING DATE: 01/17/2023 1:30 PM

APPLICANT: Todd Godfrey

ACTION REQUESTED: Use variance to allow Use Unit 25, Light Manufacturing Industry, to permit a medical marijuana processing facility in an AG district (Section 1225)

LOCATION: 18216 N 97 AV E

ZONED: AG

FENCeline: Collinsville

PRESENT USE: Grow Facility

TRACT SIZE: 2.44 acres

LEGAL DESCRIPTION: S/2 S/2 NE SE NE LESS 0.06AC RD SEC 1 22 13 2.44ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and contains a medical marijuana cultivation facility. The subject tract is surrounded by AG zoning containing single-family residences and agricultural land.

STAFF COMMENTS:

The applicant is before the Board to request a Use variance to allow Use Unit 25, Light Manufacturing Industry, to permit a medical marijuana processing facility in an AG district (Section 1225).

The applicant is proposing to place a medical marijuana processing facility on the subject tract. Currently, a medical marijuana cultivation facility exists on the site. The applicant has a processing license to operate at a different location, but is requesting the use variance to permit medical marijuana processing in order to move their processing activities to this location. They wish to transfer their current processing license to the subject tract.

The applicant provided the statement “Land is currently used as a cultivation facility and need to transfer processing license to the building to expand and continue proper business.”

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

Sample Motion:

“Move to _______ (approve/deny) a Use variance to allow Use Unit 25, Light Manufacturing Industry, to permit a medical marijuana processing facility in an AG district (Section 1225)
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.”
NOTE: ALL PASSAGE DOORS TO BE 3'-0" X 6'-8"

FLOWER ROOM
753 S.F.
8 OCCUPANTS

DRY/CURE ROOM
181 S.F.
2 OCCUPANTS

NEW CONSTRUCTION

NEW LIGHT PER IBC 1011

OFFICE
152 S.F.
2 OCCUPANTS

NEW LIGHT PER IBC 1011

NEW SERVICE SINK

UNISEX
25 S.F.
1 OCCUPANT

SCALE: 1" = 1'-0"