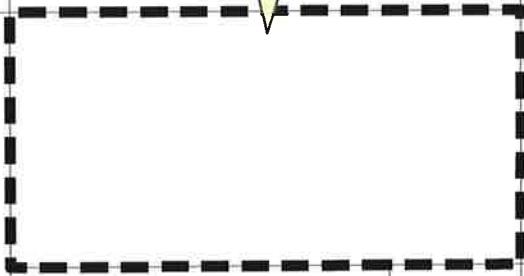


E 175 ST S

S HARVARD AVE

AG

SUBJECT TRACT



E 181st ST S

AG

**LEGEND**

 Bixby Corporate Limits



**CBOA-2811**

7.1



**TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT**

**TRS:** 7333

**CZM:** 66

**CASE NUMBER: CBOA-2811**

**CASE REPORT PREPARED BY:** Robi Jones

**HEARING DATE:** 05/19/2020 1:30 PM

**APPLICANT:** Sara Fry

**ACTION REQUESTED:** Special Exception for Use Unit 2, Area-Wide Special Exception Uses, for a wedding and events venue (Section 1202); a Variance from the all-weather parking surface requirement (Section 1340.D); and a Variance of the minimum frontage requirement on a public street/dedicated right of way from 30 ft to 0 ft in the AG district (Section 207).

**LOCATION:** 3921 E 181 ST S

**ZONED:** AG

**FENCELINE:** Bixby

**PRESENT USE:** Residential and Agricultural Uses

**TRACT SIZE:** 20 acres

**LEGAL DESCRIPTION:** N/2 SE SW SEC 33 17 13 20ACS,

**RELEVANT PREVIOUS ACTIONS:** None relevant

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

**STAFF COMMENTS:**

The applicant is before the Board requesting a Special Exception for Use Unit 2, Area-Wide Special Exception Uses, for a wedding and events venue (Section 1202); a Variance from the all-weather parking surface requirement (Section 1340.D); and a Variance of the minimum frontage requirement on a public street/dedicated right of way from 30 ft to 0 ft in the AG district (Section 207).

The applicant provided the following statement: "In consideration of the variance from the all weather parking surface, the overall size of the parking areas and the fact that the parking areas (with the exception of the ADA spaces) will move from time to time based on the type of event being held makes it very difficult to install permanent hard surfaces. There will occasionally be events that include certain types of livestock which unpaved surfaces will be much more suited for as well as safer for people and animals alike. Because of our rural location and distance from other properties, approval of this variance will in no way negatively impact the public good or the intent of the zoning ordinance."

A Special Exception is required as the weddings and events are not uses permitted by right in the AG district because of potential adverse affect, but which if controlled in the particular instance as to its relationship to the surrounding area and to the general welfare, may be permitted. The applicant has indicated that the events such as weddings, corporate functions, parties, craft fairs, small festivals, etc. will take place in the existing barn and outdoor area. The site plan shows an

7.2

existing house on the property which is the home of the applicant. There will be a separate 25' x 25' restroom available for guests.

The subject lot is located north of property owned by the same applicant. Ingress and egress will be through that property at 3913 East 181<sup>st</sup> Street South. The applicant is requesting a variance of the minimum frontage requirement on a public street from 30 ft. to 0 ft. Staff discussed the possibility of combining the parcels or creating a legal easement through the southern parcel. The applicant is considering those possibilities.

The applicant has submitted a site plan indicating that parking will take place on a grass or gravel surface. To permit the parking area as proposed, the applicant has requested a variance from the all-weather parking surface requirement.

The Tulsa County Land Use Plan as well as the Bixby Comprehensive Plan designates the parcel as Rural Residential. It is defined as: "The Rural Residential designation denotes areas that have large-lot detached residential development in natural / rural portions of the City. Development in this designation should retain the rural character of the area and will be relatively low in density. However, these areas should offer sufficient access to schools, parks, trails, and open spaces to maintain the quality of life in the rural setting, and may allow limited commercial uses that support the surrounding rural area."

The approval of a special exception will trigger the requirement to conform to the Subdivision and Development Regulations. Issues related to Right-of-Way dedication and storm water management would be addressed during the platting stage.

If inclined to approve the Board may consider the following conditions:

- Limiting the number of onsite events per year.
- Limiting the days and hours of operation.

#### Sample Motion:

"Move to \_\_\_\_\_ (approve/deny) Special Exception for Use Unit 2, Area-Wide Special Exception Uses, for a wedding and events venue (Section 1202); a Variance from the all-weather parking surface requirement (Section 1340.D); and a Variance of the minimum frontage requirement on a public street/dedicated right of way from 30 ft to 0 ft in the AG district (Section 207).

Approved per conceptual plan on page \_\_\_\_\_ of the agenda packet.

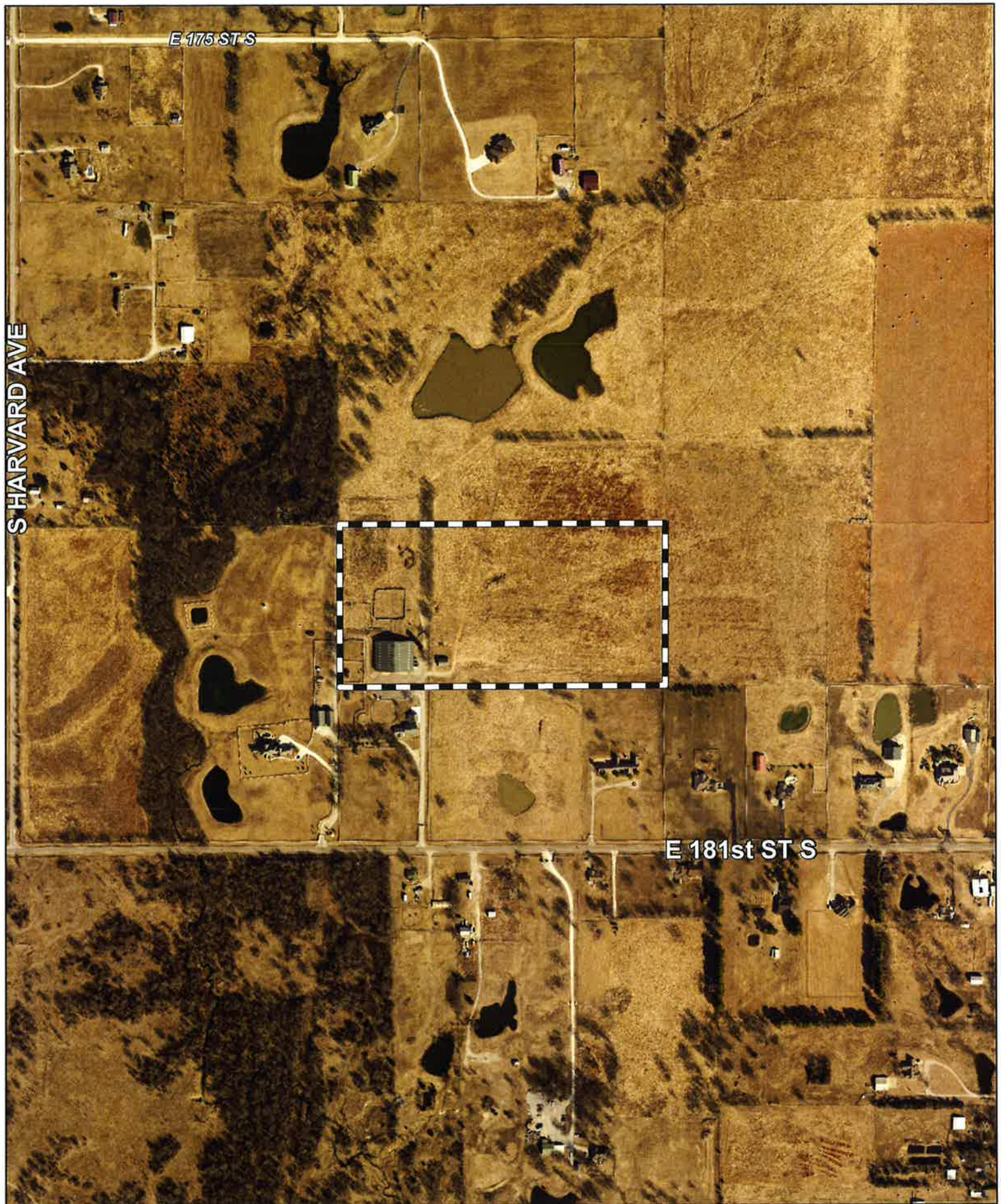
Subject to the following conditions (including time limitation, if any): \_\_\_\_\_.

Finding the hardship to be \_\_\_\_\_.

Finding 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.

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."





E 175 ST S

S HARVARD AVE

E 181st ST S



Subject Tract

**CBOA-2811**

17-13 33

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

Aerial Photo Date: February 2018 7.4





















E 175 ST S

S HARVARD AVE

SUBJECT TRACT

E 181st ST S

### Land Use Plan

- |  |                                    |   |                                    |
|--|------------------------------------|---|------------------------------------|
|  | 100 Year Floodplain                |  | Residential Manufactured Home Park |
|  | Rural Agriculture (Unincorporated) |  | Mixed Use                          |
|  | Agricultural                       |  | Neighborhood Commercial            |
|  | Rural Residential                  |  | Commercial                         |
|  | Low Density Residential            |  | Industrial                         |
|  | Medium Density Residential         |  | Public/Institutional               |
|  | Medium-High Density Residential    |  | Recreation and Open Space          |
|  | High Density Residential           |  | Flood District                     |



# CBOA-2811

17-13 33





*Looking north from E. 181st St. through entrance to the subject property*



220'

N/2 SE SW SEC 33 17 13 20 ACS — 1320' —

- BARN 120' x 150'
- HOUSE 1 36' x 90'
- HOUSE 2 30' x 30'
- RESTROOM 25' x 25'

ADA PARKING

PARKING

BARN

HOUSE 2

PARKING  
50 SPACES

HOUSE

UTILITY EASEMENTS 700'

DRIVE WAY

— 990' —

S/2 SE SW 1/4 340 THERE OF SEC 33 17 13 15 ACS  
3913 E 181st St So

181st St So

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