

# WHITING & BRUNER, PLLC.

6440 S. LEWIS AVE SUITE 100, TULSA, OK 74136  
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June 8, 2020

Tulsa Board of Adjustments  
Attn: Austin Chapman, Planner, City of Tulsa Board of Adjustment  
esubmit@incog.org

<b>RE:</b>	<b>Objection to BOA-22930</b>
<b>Hearing Date:</b>	<b>06/09/2020 @ 1:00</b>
<b>Property:</b>	<b>6030 S. Peoria, Tulsa, OK 74105</b>
<b>Applicant:</b>	<b>Jennifer Fralick</b>

Dear Sir or Madam:

I represent Mr. Elton Fernandes regarding the property located at *6030 S. Peoria, Tulsa, OK 74105*. This letter constitutes an objection to Case No. BOA-22930, regarding verification of the 1,000 ft. spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary.

The property located at *6030 S. Peoria, Tulsa, OK 74105 (the "Property")* is presently used as a medical marijuana dispensary by the applicant, Jennifer Fralick d/b/a Top Shelf Dispensary. Mr. Fernandes bought the subject property with the intent to use the premises for that purpose. The applicant, Jennifer Fralick d/b/a Top Shelf Dispensary, has not paid any rent since Mr. Fernandes acquired the Property on the 31<sup>st</sup> day of March 2020, and has been requested to vacate the premises; the matter is currently being litigated in Tulsa County Court Case. No. SC-2020-5406. Once Jennifer Fralick d/b/a Top Shelf Dispensary vacates the Property, Mr. Fernandes intends to continue to operate a medical marijuana dispensary on the premises. Therefore, my client objects to allowing Jennifer Fralick d/b/a Top Shelf Dispensary to open within 1000 feet of the Property.

Sincerely,



**D. AARON BRUNER, ESQ**