

CBOA-2832

21-13 23

2.1



LEGEND

Owasso Corporate Limits

**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1323

CZM: 17

CASE NUMBER: CBOA-2832

CASE REPORT PREPARED BY: Robi Jones

HEARING DATE: 08/18/2020 1:30 PM

APPLICANT: Connie Blizzard & Kelly Schiavo

ACTION REQUESTED: Modification to a previously approved Special Exception (CBOA-2641) for a wedding/event venue with accessory lodging (Use Unit 2) to extend the time limit indefinitely in the AG district (Section 310).

LOCATION: 7845 E 86 ST N

ZONED: AG

FENCELINE: North Tulsa County

PRESENT USE: Wedding Venue with Accessory Lodging

TRACT SIZE: 4.88 acres

LEGAL DESCRIPTION: E/2 SW SE SE LESS .12 AC FOR RDS SEC 23 21 13 4.88 ACS,

RELEVANT PREVIOUS ACTIONS:

Subject Property:

CBOA-2641 August 2017: The Board approved a *Special Exception* to allow a wedding/event venue with accessory lodging (Use Unit 2) in the AG District and a Variance to reduce the required side yard setback to 10 feet in the AG District subject to conditions for a period of three years, on property located at 7845 E. 86th St. N.

BOA-7945 June 1973: The Board approved a *minor variance* to reduce the frontage requirement on an AG zoned lot to permit a lot split on the subject property

Surrounding Property: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is surrounded by agriculturally zoned parcels with residential uses.

STAFF COMMENTS:

The applicants are requesting a **Modification** to a previously approved Special Exception (CBOA-2641) for a wedding/event venue with accessory lodging (Use Unit 2) to extend the time limit indefinitely in the AG district (Section 310). A Special Exception is required and was approved (CBOA-2641) as the weddings and events are uses not 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 Board previously approved the attached site plan, conditions, and hours of operation:

2.2

There is to be a 6'-0" screening fence of the east side and the west side of the subject property.

Hours of operation will be Tuesday through Thursday from 9:00 a.m. to 6:00 p.m. for tours, for prospective clients and maintenance of the property. Most events will be held on the weekends, with a 12-hour rental period from noon to midnight, with the event ending at or before 11:00 p.m.

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) a Modification to a previously approved Special Exception (CBOA-2641) for a wedding/event venue with accessory lodging (Use Unit 2) to extend the time limit indefinitely in the AG district (Section 310).

Approved per conceptual plan on page _____ of the agenda packet.

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

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.

7915

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1470) for a modification of rear yard setback requirements on corner lots from 20' to 10' in an RS-3 District located at 71st Street and Darlington Avenue.

Presentation:

Never Fail, the applicant, was not present.

Protests:

None.

Board Action:

On MOTION of HENDRICKS, the Board (3-0) continued application 7915 to June 21, 1973, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, and instructed the Staff to notify the applicant to be present.

7945

Action Requested:

Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1430) for a modification of frontage requirements to permit a lot-split in an AG District located at 86th Street and Memorial.

Presentation:

R. E. Periman, the applicant, was not present.

Mr. Jones submitted the plot plan (Exhibit "L-1") and advised the Board that the lot-split (L-13104) had been approved by the Planning Commission, subject to Board of Adjustment approval.

Protests:

None.

Board Action:

On MOTION of REEDS, the Board (3-0) approved a Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1430) for a modification of frontage requirements to permit a lot-split (L-13104) as per plot plan in an AG District on the following described tract:

The SW/4, SE/4, SE/4 of Section 23, Township 21 North, Range 13 East, to the City of Tulsa, Oklahoma.

6.7.73:139(20)

request for a Variance to reduce the side yard (street) setback from 25 feet to 5 feet to permit a garage (Section 430); Variance to increase the maximum permitted size of a detached accessory building from 750 square feet to 1,200 square feet (Section 240.2-E). The Board has found the hardship to be the location of the lateral lines and the location of the street; for the following property:

LT 5 BLK 5, TOWN & COUNTRY ACRES NO 2 SUB, OF TULSA COUNTY, STATE OF OKLAHOMA

2641—Connie Blizzard & Kelly Schiavo

FILE COPY

Action Requested:

Special Exception to allow a wedding/event venue with accessory lodging (Use Unit 2) in the AG District (Section 310); Variance to reduce the required side yard setback to 10 feet in the AG District (Section 330). **LOCATION:** 7845 East 86th Street North, Owasso

Presentation:

Kelly Schiavo, 14013 East 90th Street North, Owasso, OK; stated this request is to allow wedding and event venue with accessory lodging. There is an existing shop that she would like to remodel to use for offices, storage and as part of the buffet area and it is too close to the side yard setback thus the need for the Variance request.

Mr. Hutchinson asked Ms. Schiavo if she was purchasing the property. Ms. Schiavo answered affirmatively. Mr. Hutchinson asked Ms. Schiavo if someone else had built the accessory building that close to the property line. Ms. Schiavo answered affirmatively.

Mr. Hutchinson asked Ms. Schiavo what the hours of operation would be. Ms. Schiavo stated that during the week the hours of operation would be 9:00 A.M. to 6:00 P.M. during the week to show the venue to potential clients. On Friday, Saturday and Sundays there would be indoor and outdoor weddings with the hours of operation being from 9:00 A.M. until midnight. All music will be shut down by 11:00 P.M.

Mr. Dillard asked Ms. Schiavo if she had spoken with any of the neighbors. Ms. Schiavo stated that she has spoken with the neighbors on the east side and on the west side because she wants a harmonious relationship with them.

Mr. Hutchinson asked Ms. Schiavo if she has done anything about noise control. Ms. Schiavo stated she will be using off-duty police officers for security and all the music will be cut off at 11:00 P.M. on the weekends. Ms. Schiavo stated that all receptions will be held inside.

CBOA-2641

FILE COPY

Mr. Hutchinson asked Ms. Schiavo what kind of sound proofing she had inside the building where the receptions will be held. Ms. Schiavo stated that the way the building is constructed there will actually be two layers so it will be quiet.

Mr. Dillard asked Ms. Schiavo if there would be alcohol served. Ms. Schiavo stated that it would be served if requested, but it will be served only by a licensed and insured bartender which will probably come through the catering company.

Mr. Crall asked Ms. Schiavo about a screening fence. Ms. Schiavo stated there will be a six foot screening fence located to the east and to the west.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **CRALL**, the Board voted 4-0-0 (Crall, Dillard, Hutchinson, Johnston "aye"; no "nays"; no "abstentions"; Charney "absent") to **APPROVE** the request for a **Special Exception** to allow a wedding/event venue with accessory lodging (Use Unit 2) in the AG District (Section 310); **Variance** to reduce the required side yard setback to 10 feet in the AG District (Section 330), subject to conceptual plan 4.9. The hours of operation will be as shown on page 4.10. There is to be a 6'-0" screening fence of the east side and the west side of the subject property. The Board has found the hardship to be that existing building was in compliance prior to the lot changing. This is approval is for a period of three years, August 2020; for the following property:

E/2 SW SE SE LESS .12 AC FOR RDS SEC 23 21 13 4.88 ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

2642—Marcus Durham

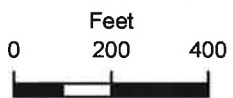
Action Requested:

Special Exception to permit a wedding/event venue (Use Unit 2) on an AG zoned property (Section 310); **Variance** of the all-weather surface material requirement for parking (Section 1340.D). **LOCATION:** East of the SE/c of East 171st Street South and South 161st East Avenue, Bixby

Mr. Hutchinson stated that there is a letter for a request of continuance on this case, and he asked if anyone would like to challenge the request.

08/15/2017/#447 (5)

2.6



Subject Tract

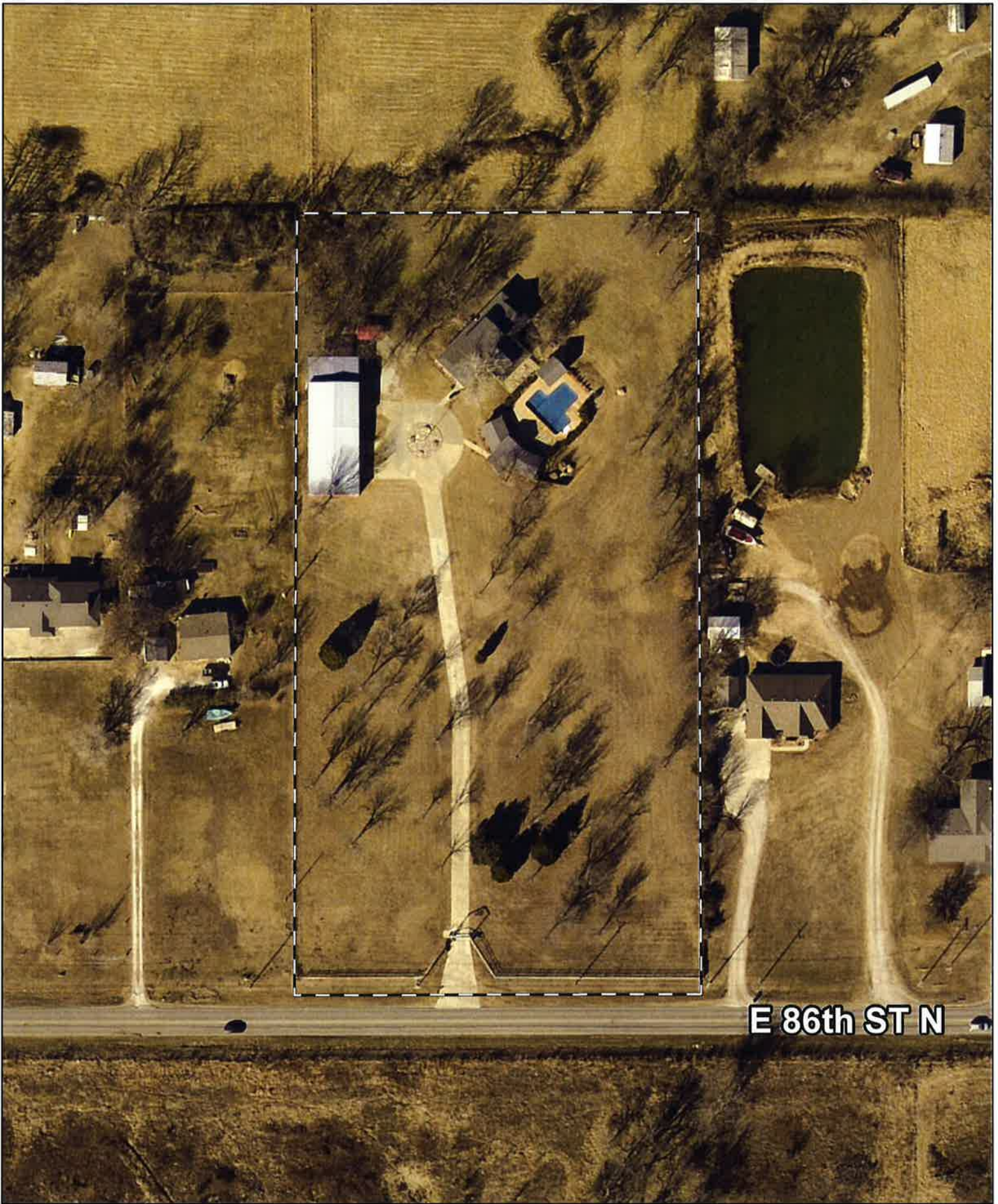
CBOA-2832

21-13 23

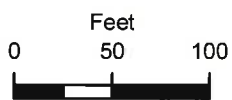
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018 2.7





E 86th ST N



Subject Tract

CBOA-2832

21-13 23

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

Aerial Photo Date: February 2018 **2.8**



Carpe Diem Venues, LLC

Owner: Kelly Schiavo (918) 625-3585 kellyschiavo@yahoo.com

Owner: Connie Blizzard (918) 520-0547 connieblizzard1@gmail.com

Business Plan Summary

Carpe Diem Venues LLC is a business that will rent the physical location and permanent building structures to clients for weddings and receptions.

The existing work shop will be renovated to host the receptions and a wedding chapel will be constructed to host the indoor wedding ceremonies, with a designated area outside to accommodate the outdoor wedding ceremonies. There are two existing dwellings on the property which will be used as a bridal suite and a groom's suite and for overnight accommodations for the bridal parties.

Our hours of operation will be Tuesday through Thursday from 9:00am to 6:00pm for tours for prospective clients and maintenance on the property. Most events will be held on the weekends, with a 12 hour rental period from noon to midnight, with the event ending at or before 11:00pm.

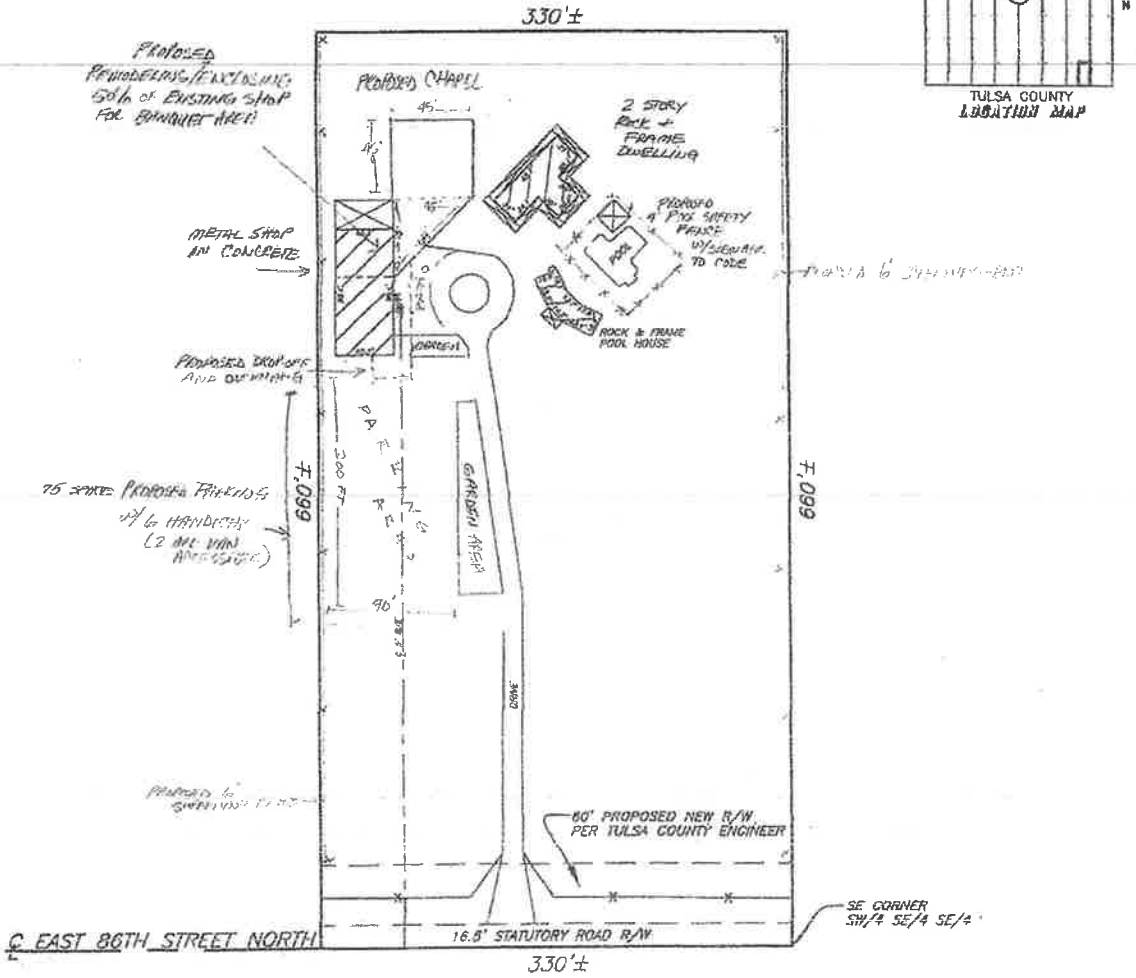
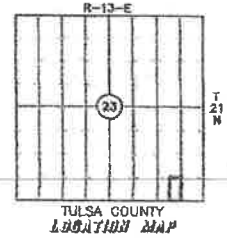
SITE PLAN

LEGEND

- FENCE
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT
- M/P METERING POINT
- B/E BURIED ELECTRIC & TELEPHONE CABLE
- EASEMENT (APPROXIMATE LOCATION)
- D.L. BUILDING LINE
- O.B.L. OUTBUILDING LINE

BEFORE YOU DIG, CALL OKC 1-800-522-6843

1"=80'
 INVOICE NO.: BLIZZARD 17-88889
 CLIENT: CONNIE BLIZZARD



LEGAL DESCRIPTION AS PROVIDED:

PLAT NO. N/A

THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (E/2 SW/4 SE/4 SE/4) OF SECTION TWENTY-THREE (23), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, AND KNOW AS 7845 EAST 86TH STREET NORTH.

WITNESS MY HAND AND SEAL THIS DATE: 6/30/17

WARNING: If the seal on this document is not RED, it is an unauthorized copy which may have been altered or modified, and cannot be used for any purpose without the written permission of White Surveying Company.

REVISED: 07/10/17

Copyright 2015 by White Surveying Company. All Rights reserved. No part of this plat may be reproduced, stored in a retrieval system, or transmitted in any form without prior written permission of White Surveying Company, P.O. Box 471875, Tulsa, Oklahoma.



Sign on the front of the property



Looking north from E. 86th St. N.

**THIS PAGE
INTENTIONALLY
LEFT BLANK**