

LEGEND

 Owasso Corporate Limits



CBOA-2838

21-13 26

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**TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT**

TRS: 1326

CASE NUMBER: CBOA-2838

CZM: 17

CASE REPORT PREPARED BY: Robi Jones

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

APPLICANT: Randall Vaughn

ACTION REQUESTED: Variance of the minimum lot area and land area per dwelling unit in an AG District to permit a lot split (Section 330 Table 3). Variance of the minimum lot width in the AG and RE Districts to permit a lot split (Section 330 Table 3; Section 430, Table 3).

LOCATION: 7901 N SHERIDAN RD E

ZONED: RE, AG

FENCELINE: Owasso

PRESENT USE: Residential

TRACT SIZE: 2.22 acres

LEGAL DESCRIPTION: N165 W396 S/2 NW SW LESS W50 THEREOF FOR RD & S330 W396 N/2 NW SW LESS N216 THEREOF & LESS W50 THEREOF FOR RD SEC 26 21 13 2.216ACS,

RELEVANT PREVIOUS ACTIONS: None relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is located within two zoning districts. The north third is in a RE district and abuts RE zoning to the north and east. The southern 2/3 is in an AG district and abuts AG zoning to the east, south and west. Surrounding uses appear to be residential with some agricultural uses to the west.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance of the minimum lot area and land area per dwelling unit in an AG District to permit a lot split (Section 330 Table 3). Variance of the minimum lot width in the AG and RE Districts to permit a lot split (Section 330 Table 3; Section 430, Table 3).

The applicant supplied the following statement: *"The location of the home sits within a neighborhood covenant, and the covenant requires a 50 foot setback on the property line from the side of the property."*

The AG district requires a minimum lot area of 2 acres and a minimum land area per dwelling unit of 2.1 acres. The Code also requires a minimum lot width of 150' in an AG district. As shown on the submitted survey, the proposed lot split will create two lots. Tract 1 will be 57,024 sq. ft. (1.31 acres) and the proposed lot width is 144 feet. Tract 2 will be 51,480 SF (1.18 acres) and will have a lot width of 130 ft.

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 requirement to 1.31 acres on Tract 1 and 1.18 acres on Tract 2 as shown on the attached plan. The majority of Tract 1 is located in RE zoning which requires a minimum lot area of 22,500 SF and a minimum land area per dwelling unit of 26,250 SF. The parcel will meet that requirement after the lot split in the RE district but because it also has

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AG zoning on the same parcel, the request was made to approve the bulk and area requirements for AG districts.

The applicant has also requested variance of the minimum lot width from 150 ft. to 144 ft. for Tract 1 and 130 ft. on Tract 2. (Both RE districts and AG districts require a minimum lot width of 150 ft.)

Sample Motion:

"Move to _____ (approve/deny) Variance of the minimum lot area and land area per dwelling unit in an AG District to permit a lot split (Section 330 Table 3). Variance of the minimum lot width in the AG and RE Districts to permit a lot split (Section 330 Table 3; Section 430, Table 3).

- Finding the hardship(s) to be _____.
- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions _____.

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."



Subject Tract

CBOA-2838

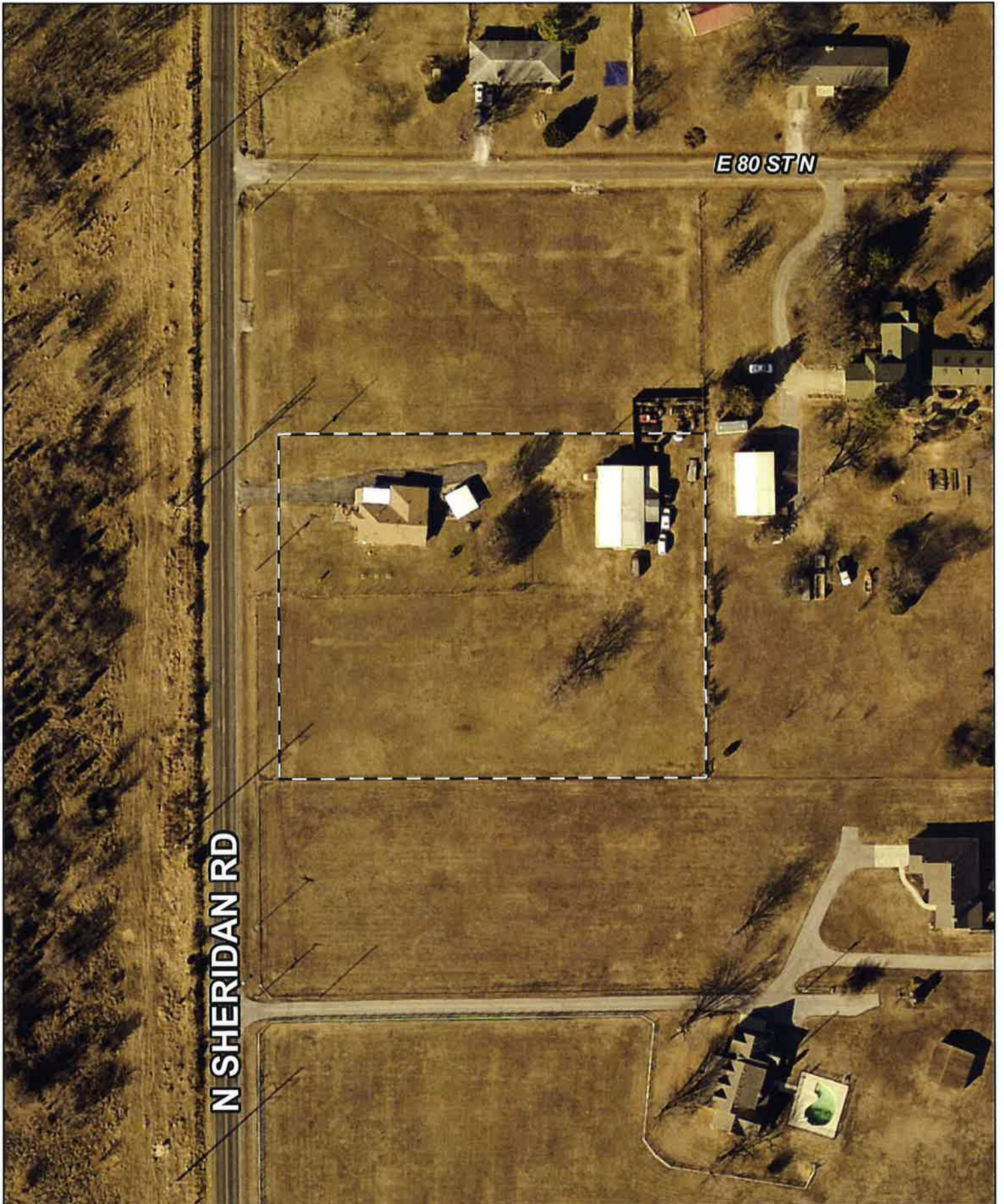
21-13 26

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

Aerial Photo Date: February 2018

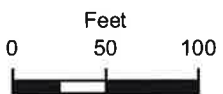


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N SHERIDAN RD

E 80 STN



Subject Tract

CBOA-2838

21-13 26

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

Aerial Photo Date: February 2018

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Looking south from E. 80th St. N.



Looking northeast from N. Sheridan Rd.



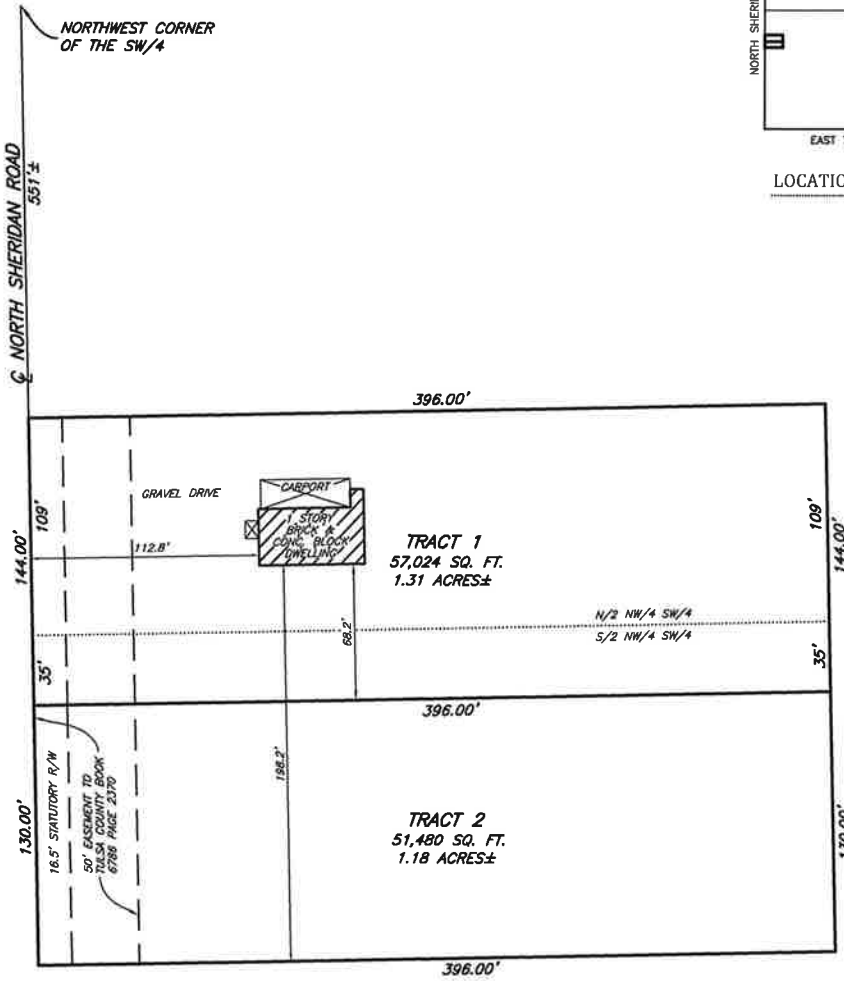
Looking east from N. Sheridan Rd.



1"=60'

LOT SPLIT EXHIBIT

PART OF NW/4 OF THE SW/4,
SECTION 26, T-21-N, R-13-E,
TULSA COUNTY, STATE OF OKLAHOMA.



LEGAL DESCRIPTION

Existing Un-Divided Tract:

The South 330 feet of the West 396 feet of the North Half of the Northwest Quarter of the Southwest Quarter (N/2 NW/4 SW/4) less the North 216 feet of Section 26, Township 21 North, Range 13 East, of the Indian Base & Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

and

The North 165 feet of the West 396 feet of the South Half of the Northwest Quarter of the Southwest Quarter (S/2 NW/4 SW/4) of Section 26, Township 21 North, Range 13 East, of the Indian Base & Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

Tract 1:

The South 109 feet of the West 396 feet of the North Half of the Northwest Quarter of the Southwest Quarter (N/2 NW/4 SW/4) Section 26, Township 21 North, Range 13 East, of the Indian Base & Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

and

The North 35 feet of the West 396 feet of the South Half of the Northwest Quarter of the Southwest Quarter (S/2 NW/4 SW/4) of Section 26, Township 21 North, Range 13 East, of the Indian Base & Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

Tract 2:

The South 130 feet of the North 165 feet of the West 396 feet of the South Half of the Northwest Quarter of the Southwest Quarter (S/2 NW/4 SW/4) of Section 26, Township 21 North, Range 13 East, of the Indian Base & Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.



WHITE SURVEYING COMPANY
CERTIFICATE OF AUTHORIZATION
NO. CA1098
(RENEWAL 6/30/2021)

BY: *Randy K. Shoefstall* DATE: 7/14/20
REGISTERED PROFESSIONAL LAND
SURVEYOR OKLAHOMA NO. 1676

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