**Board of Adjustment**

**Case Number:** CBOA-3011  
**Hearing Date:** 11/15/2022 1:30 PM

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
**Applicant:** Ronald Hale  
**Property Owner:** HALE JOINT REV TRUST

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

**Location Map:**

![Location Map](image)

**Additional Information:**  
**Present Use:** Residential  
**Tract Size:** 3.86 acres  
**Location:** 9210 N YALE AV E  
**Present Zoning:** RE  
**Fenceline/Area:** Tulsa  
**Land Use Designation:** Rural Residential/Agricultural
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 1321
CZM: 16, 17

HEARING DATE: 11/15/2022 1:30 PM

APPLICANT: Ronald Hale

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

LOCATION: 9210 N YALE AV E

FENCeline: Tulsa

PRESENT USE: Residential

TRACT SIZE: 3.86 acres

ZONED: RE

LEGAL DESCRIPTION: BEG 267.04N SECR NE TH N393.75 W540 S316.36 E195.10 CRV RT 86.54 SE97.44 CRV LF 73.97 E101.73 POB LESS E50 THEREOF FOR RD SEC 21 21 13 3.862 ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-2725 December 2018: The Board approved a Special Exception to permit a manufactured home in an RE District (Sec. 410) and Variance to permit two dwelling units on a single lot of record (Sec. 208)

ANALYSIS OF SURROUNDING AREA: The subject tract is RE and has RE zoning to the West, South and East containing a mixture of vacant land, agricultural land and single-family residences and AG zoning to the North containing agricultural land and a single-family residence.

STAFF COMMENTS:

The applicant is before the Board requesting a Variance to allow two dwelling units on a single lot of record in an RE district (Section 208).

The subject lot is approximately 3.86 acres in size. The minimum land area per dwelling unit in the RE district is 26,250 sf, so the subject lot would contain enough land area to support the request for two dwelling units on the subject lot. There is one house currently existing which the applicant intends to use as a temporary dwelling until a new house is constructed.

The applicant provided the following statement “We are using the current dwelling as temporary housing until the new house is built on the property.”

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 two dwelling units on a single lot of record in an RE 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.