Case Number: CBOA-3014

Hearing Date: 11/15/2022 1:30 PM

Case Report Prepared by: Jay Hoyt

Owner and Applicant Information:

Applicant: Claude Taylor

Property Owner: TAYLOR, CLAUDE ARTHUR JR

Action Requested: Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330)

Location Map:

Additional Information:

Present Use: Residential

Tract Size: 3.66 acres

Location: 12438 N LEWIS AV E

Present Zoning: AG

Fenceline/Area: Skiatook

Land Use Designation: Rural Residential
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 1306
CZM: 10

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

APPLICANT: Claude Taylor

ACTION REQUESTED: Variance of the minimum land area per dwelling unit requirement in an AG district (Sec. 330)

LOCATION: 12438 N LEWIS AV E

FENCeline: Skiatook

PRESENT USE: Residential

ZONED: AG

TRACT SIZE: 3.66 acres

LEGAL DESCRIPTION: PRT GOV LT 1 BEG 802.30S NEC NE TH W988.79 S266.79 E553.92 N237.16 E435 N30 POB LESS E50 THEREOF FOR RD SEC 6 21 13 3.659 ACS, Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned AG and is surrounded by AG zoning containing a mixture of single-family residences and agricultural land.

STAFF COMMENTS:

The applicant is before the Board to request a Variance of the minimum lot area per dwelling unit in the AG district to permit two dwelling units on one lot of record. (Section 330).

The subject lot is 3.66 acres in size. The Tulsa County Zoning Code requires 2.1 acres per dwelling unit, which necessitates the requested variance if two dwelling units are to be placed on the lot. The applicant does not intend to use the second dwelling unit as a residence.

The applicant provided the following statement: "The second dwelling I am looking to add to my property isn't to be used as a residence but as a gathering place for our kids and neighbors kids, who are in the same age group. It is intended to be used as a recreational hangout with a basketball court and other fun activities."

If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed variance is compatible with and non-injurious to the surrounding area.

Sample Motion:

"Move to _________ (approve/deny) a Variance of the minimum lot area per dwelling unit in the AG district to permit two dwelling units on one lot of record. (Section 330, Table 3)

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.