Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Randy Scott
Property Owner: SHIPMAN, ALAN & CURTIS

Action Requested: Special Exception to permit a fireworks stand (Use Unit 2) in an RS district (Section 410).

Location Map:

Additional Information:
Present Use: Vacant
Tract Size: 0.81 acres
Location: 1035 W 4 ST N
Present Zoning: RS
Fenceline/Area: Sand Springs
Land Use Designation: Residential
TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 9110
CZM: 76

HEARING DATE: 07/18/2023 1:30 PM (Continued from 06/20/2023 & 06/26/2023)

APPLICANT: Randy Scott

ACTION REQUESTED: Special Exception to permit a fireworks stand (Use Unit 2) in an RS district (Section 410).

LOCATION: 1035 W 4 ST N ZONED: RS
FENCENAME: Sand Springs

PRESENT USE: Vacant TRACT SIZE: 0.81 acres

LEGAL DESCRIPTION: LOT-9-LESS A TRACT BG. SW-COR. N. 9.10' SE 178.8' S.10.4 MW 179.6 TO BG. BLK-21, CHARLES PAGE HOME ACRES NO 2 & RESUB PRT B10-12, VALLEY VIEW ESTATES Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS:

Surrounding Properties:

CBOA-2699 July 2018: The Board approved a Special Exception to allow a fireworks stand (Use Unit 2) in an RS zoned district. (Sec. 410) and a variance of the all weather surface requirement for parking.

CBOA-3051 March 2023: The Board approved a Modification of a previously approved Special Exception (CBOA-2699) to extend the time limitation (Section 310).

ANALYSIS OF SURROUNDING AREA: The subject tract is zoned RS and contains a single-family residence and is abutted by RS zoning to the North, East and West containing single family residences and to the south by RS zoning containing Highway 412 as well as OM zoning to the east containing a commercial business.

STAFF COMMENTS:

The applicant is before the Board to request a Special Exception to permit a fireworks stand (Use Unit 2) in an RS district (Section 410).

A special exception is required as the proposed fireworks stand is a use which is not permitted by right but by exception in the AG district because of potential adverse effects, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted. The proposed use must be found to be compatible with the surrounding neighborhood.
If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed Special Exception is compatible with and non-injurious to the surrounding area.

Sample Motion:

"Move to _______ (approve/deny) a Special Exception to permit a fireworks stand (Use Unit 2) in an RS district (Section 410).

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.