Case Number: CBOA-3075

Hearing Date: 06/26/2023 1:30 PM
(Continued from 06/20/2023)

Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Shirley & Jerry West
Property Owner: WEST, JAMES

Action Requested: Variance of the minimum lot area in an AG-R district to permit a lot split (Section 330 Table 3).

Location Map:

Additional Information:
Present Use: AG/R
Tract Size: 2.11 acres
Location: 13090 N 91 AV E; 13070 N 91 AV E
Present Zoning: AG-R
Fenceline/Area: Collinsville
Land Use Designation: Residential
TULSA COUNTY BOARD OF ADJUSTMENT  
CASE REPORT

TRS: 2336  
CASE NUMBER: CBOA-3075  
CZM: 7  
CASE REPORT PREPARED BY: Jay Hoyt

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

APPLICANT: Shirley & Jerry West

ACTION REQUESTED: Variance of the minimum lot area in an AG-R district to permit a lot split (Section 330 Table 3).

LOCATION: 13090 N 91 AV E; 13070 N 91 AV E  
ZONED: AG-R

FENCeline: Collinsville

PRESENT USE: AG/R  
TRACT SIZE: 2.11 acres

LEGAL DESCRIPTION: N/2 LT 1 BLK 6; S/2 LT 1 BLK 6, NORTH-DALE ACRES Tulsa County, State of Oklahoma

RELEVANT PREVIOUS ACTIONS: None Relevant

ANALYSIS OF SURROUNDING AREA: The subject tracts are zoned AG-R and contain single-family residences and are surrounded by AG-R zoned lots containing single-family residences.

STAFF COMMENTS:
The applicant is before the Board to request a Variance of the minimum lot area in an AG-R district to permit a lot split (Section 330 Table 3).

The Tulsa County Zoning Code requires a minimum of 1.1 acres for a lot in the AG-R district containing a single-family dwelling. The applicant is proposing to reconfigure the two existing lots into three lots as illustrated on the materials provided by the applicant. One lot is proposed to be approximately 0.9 acres in area and the other two are approximately 0.6 acres each. A single-family home is currently located on the two 0.6 acre proposed tracts, while a new home is proposed to be constructed on the 0.9 acre tract.

The applicant provided the statement “The end result will be 3 lots. 2 just over ½ acre with existing houses, one on each lot and the third lot will include the existing shop and a new house construction, which is 1 acre, more or less. We’re not allowed three houses on the existing land, therefore a variance is required. This split and new home build is well planned and will improve the 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 lot-split is compatible with and non-injurious to the surrounding area.

Sample Motion:

“Move to ________ (approve/deny) a Variance of the minimum lot area in an AG-R district to permit a lot split (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.
PLAT OF SURVEY

DESCRIPTION

A PARCEL OF LAND IN THE SOUTH QUARTER (SE/4) OF SECTION THIRTY-SIX (36), TOWNSHIP TWENTY-TWO (22), RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE SURVEY THEREOF. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST (SE) CORNER OF THE NORTHEAST QUARTER (NE/4) OF SAID SECTION 36 THEREOF A DISTANCE OF 2000.68 FEET SAY S88°43'02"W A DISTANCE OF 30.00 FEET; THENCE S1°18'18"E A DISTANCE OF 30.00 FEET; THENCE S1°13'30"E A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING; THENCE N1°13'30"W A DISTANCE OF 150.00 FEET; THENCE S88°43'08"E A DISTANCE OF 306.84 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 46,026.00 SQUARE FEET OR 1.06 ACRES MORE OR LESS.

CERTIFICATION


BIRD SURVEYING & DESIGN, PLLC
9029 NORTH 175TH EAST AVENUE
OKLAHOMA CITY, OK 73135
(405) 645-8392

ROBERT E. BIRD, PE, PLSS
OK PLSS 15076
**** **, 2023
DESCRIPTION

A PARCEL OF LAND IN THE SOUTH QUARTER (SE/4) OF SECTION THIRTY-SIX (36), TOWNSHIP TWENTY-TWO (22), RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE US GOVERNMENT SURVEY THEREOF. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST (SE) CORNER OF THE NORTHEAST QUARTER (NE/4) OF SAID SECTION 36 THENCE S88°43'02"W A DISTANCE OF 2000.68 FEET; THENCE S11°18'18"E A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE S1°13'30"E A DISTANCE OF 150.00 FEET; THENCE S88°43'08"W A DISTANCE OF 306.84 FEET; THENCE N1°13'30"W A DISTANCE OF 150.00 FEET; THENCE N88°43'08"E A DISTANCE OF 306.84 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 46,026.00 SQUARE FEET OR 1.06 ACRES MORE OR LESS.

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A PARCEL OF LAND IN THE SOUTH QUARTER (SE/4) OF SECTION THIRTY-SIX (36), TOWNSHIP TWENTY-TWO (22), RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE US GOVERNMENT SURVEY THEREOF. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CERTIFICATION

Robert E. Bird, a Registered Land Surveyor in the State of Oklahoma do hereby certify that the above Plat is true and a correct representation of the survey of the above described property and that this survey meets or exceeds the Oklahoma minimum standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors. Witness my hand and seal on this ***th Day of ***, 2023.

Date of Last Site Visit: *** **, 2023.

Robert E. Bird, PE, PLLC
Ok PLS 1558

BIRD SURVEYING & DESIGN, PLLC
9220 North 175th East Avenue
Owasso, OK 74055
(918) 845-3992
CA 4454 Exp 6/30/2024
PLAT OF SURVEY

DESCRIPTION
A PARCEL OF LAND IN THE SOUTH QUARTER (SE/4) OF SECTION THIRTY-SIX (36), TOWNSHIP TWENTY-TWO (22), RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE US GOVERNMENT SURVEY THEREOF. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST (SE) CORNER OF THE NORTHEAST QUARTER (NE/4) OF SAID SECTION 36 THENCE S88°43'08"W A DISTANCE OF 2000.68 FEET; THENCE S1°18'18"E A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE S1°13'30"E A DISTANCE OF 150.00 FEET; THENCE S1°13'30"E A DISTANCE OF 150.00 FEET; THENCE S88°43'08"W A DISTANCE OF 306.84 FEET; THENCE N1°13'30"W A DISTANCE OF 150.00 FEET; THENCE N88°43'08"E A DISTANCE OF 306.84 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 23,935.98 SQUARE FEET OR 0.55 ACRES MORE OR LESS.

CERTIFICATION


ROBERT E. BIRD, P.E., PLS
OK PLS 1836
**** **, 2023

BIRD SURVING & DESIGN, PLLC
9020 NORTH 175TH EAST AVENUE
OKLAHOMA CITY, OK 73195
(405) 654-8392
CA 4454 EXP 6/30/2024
DESCRIPTION

A PARCEL OF LAND IN THE SOUTH QUARTER (SE/4) OF SECTION THIRTY-SIX (36), TOWNSHIP TWENTY-TWO (22), RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE US GOVERNMENT SURVEY THEREOF. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST (SE) CORNER OF THE NORTHEAST QUARTER (NE/4) OF SAID SECTION 36 THENCE S88°43'02"W A DISTANCE OF 2,160.25 FEET; THENCE S1°18'18"E A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE S1°13'30"E A DISTANCE OF 300.00 FEET; THENCE S88°43'08"W A DISTANCE OF 147.27 FEET; THENCE N1°13'30"W A DISTANCE OF 300.00 FEET; THENCE N88°43'08"E A DISTANCE OF 147.27 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 44,180.04 SQUARE FEET OR 1.01 ACRES MORE OR LESS.

CERTIFICATION


BIRD SURVEYING & DESIGN, PLLC
9020 NORTH 175TH EAST AVENUE
TULSA, OK 74105
(918) 645-6302

ROBERT E. BIRD, PE, PLS
OK PLS 1988
*** * *, 2023
PLAT OF SURVEY

DESCRIPTION

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CERTIFICATION


BIRD SURVEYING & DESIGN, PLLC
9020 NORTH 17TH EAST AVENUE
COWASSO, OK 74055
(918) 645-8362

ROBERT E. BIRD, PE, PLS
OK PE & LS 1588
**** **, 2023

CBOA-3075 10.13