



**Case Number:** CZ-548

**Hearing Date:** July 19<sup>th</sup>, 2023

**Case Report Prepared by:**

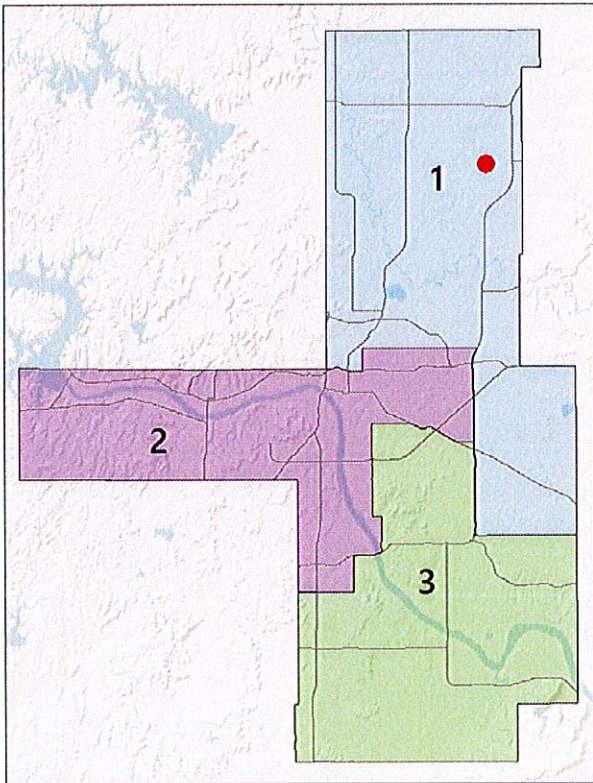
Jay Hoyt

**Owner and Applicant Information:**

*Applicant:* Theron Martin

*Property Owner:* MARTIN, THERON

**Location Map:**  
(shown with County Commission Districts)



**Applicant Proposal:**

*Present Use:* Residential

*Proposed Use:* Commerical

*Concept summary:* Rezone from AG to CG to permit commercial development.

*Tract Size:* 3.82 ± acres

*Location:* East of the Southeast corner of East 116th St North & North Garnett Rd

**Zoning:**

*Existing Zoning:* AG

*Proposed Zoning:* CG

**Comprehensive Plan:**

*Land Use Map:* Commercial

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 1408

CZM: 12

**County Commission District: 1**

*Commissioner Name:* Stan Sallee

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## SECTION I: CZ-548

**DEVELOPMENT CONCEPT:** The applicant has requested to rezone from AG to CG to permit commercial uses on the subject lot. Currently the site contains a vacant single-family home. The applicant intends to permit commercial development on the lot. The applicant has stated he is considering self-storage at this location but did not have a definite plan other than commercial development intended at this time. The site is located within the Commercial designation of the City of Owasso Comprehensive Plan, which has been adopted as part of the Tulsa County Comprehensive Plan. This proposal would be compatible with this designation.

Staff has spoken with the City of Owasso regarding the proposed rezoning and stated that they do not have any objections and that the proposal is compatible with the land use designation.

### **EXHIBITS:**

- INCOG Case map
- INCOG Aerial
- INCOG Aerial (enlarged)
- Comprehensive Plan Land Use Map

### **DETAILED STAFF RECOMMENDATION:**

CZ-548 is non-injurious to surrounding proximate properties and consistent with the Tulsa County Comprehensive Plan,

CZ-548 is consistent with the anticipated future development pattern of the surrounding property therefore,

**Staff recommends Approval of CZ-548 to rezone property from AG to CG.**

## SECTION II: Supporting Documentation

### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The subject property is located within the fenceline of Owasso. The Tulsa County Comprehensive Land Use Plan (adopted July 2019) and the Owasso Comprehensive Plan (adopted in 2014 and amended in 2016 and 2018) designates the land use as Commercial.*

### **Land Use Vision:**

***Land Use Plan map designation: Commercial***

The Commercial Land Use District represents areas of retail trade and services. Typically, these areas are located around nodes of arterial street intersections or in some cases, at intersections of collectors and arterials. Commercial Districts can also be found in corridors that have an established commercial use pattern, such as the Smith Farm area, or highly visible areas, such as along US-169, SH-20, and 116th St. N. west of US-169. The Commercial District includes uses that range from small neighborhood convenience shopping areas, single free-standing buildings, big box retailers, restaurants, automotive services centers, and other similar retail uses.

**Transportation Vision:**

**Major Street and Highway Plan:** E 116<sup>th</sup> St N is designated as a Primary Arterial.

**Trail System Master Plan Considerations:** The GO Plan recommends a bike lane along E 116<sup>th</sup> St N.

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** *The site currently contains a single-family residence.*

**Environmental Considerations:** None

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
E 116 <sup>th</sup> St N	Primary Arterial	120 Feet	4

**Utilities:**

The subject tract has municipal water and sewer available.

**Surrounding Properties:**

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG/CS	Commercial	N/A	Vacant/Commercial
South	AG	Commercial	N/A	Vacant
East	AG	Commercial	N/A	Single-Family Residential
West	AG	Commercial	N/A	Commercial

**SECTION III: Relevant Zoning History**

**History:** CZ-548

**ZONING ORDINANCE:** Resolution number 98254 dated September 15, 1980, established zoning for the subject property.

**Subject Property:**

**CBOA-2688 October 2018:** The Board of Adjustment **denied** a *Special Exception* to permit fireworks stand (Use Unit 2) in an AG district, on property located at 11508 East 116<sup>th</sup> Street North.

***Surrounding Property:***

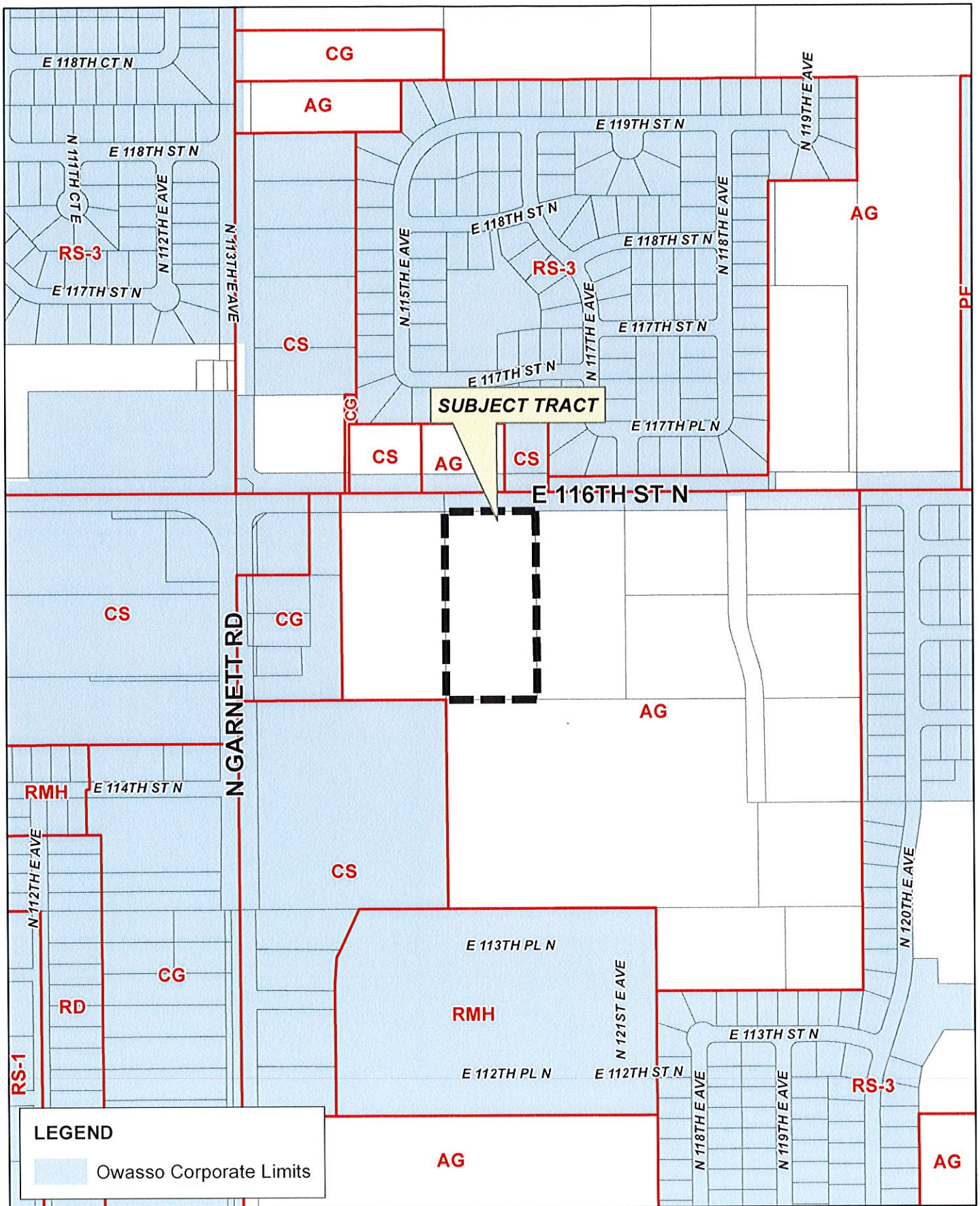
**CZ-445 March 2016:** All concurred in **withdrawal** of a request for *rezoning* a 0.52± acre tract of land from AG to CG on property located E. of NE/c N. Garnett Rd. & E. 116<sup>th</sup> St. N.

**CBOA-2517 October 2014:** The Board of Adjustment **approved** a *Special Exception* to permit a temporary firework's stand (Use Unit 2) in an AG district, on property located at 11400 East 116<sup>th</sup> Street North.

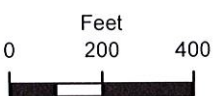
**CBOA-2464 May 2013:** The Board of Adjustment **approved** a *Special Exception* to permit a firework's stand (Use Unit 2) in an AG district, on property located at 11400 East 116<sup>th</sup> Street North.

**CBOA-2221 July 2006:** The Board of Adjustment **denied** a *Special Exception* to permit (Use Unit 15) a fencing company in a CS district; & a Variance of the screening requirement abutting an R district, on property located at 11425 East 116<sup>th</sup> street North.

**CBOA-1045 October 1991:** The Board of Adjustment **denied** a *Special Exception* to permit a resale shop with outdoor storage, on property located at 11409 north 113<sup>th</sup> East Avenue.



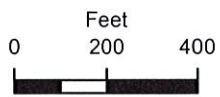
**LEGEND**  
 [Light Blue Box] Owasso Corporate Limits



**CZ-548**

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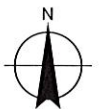
 Subject Tract

**CZ-548**

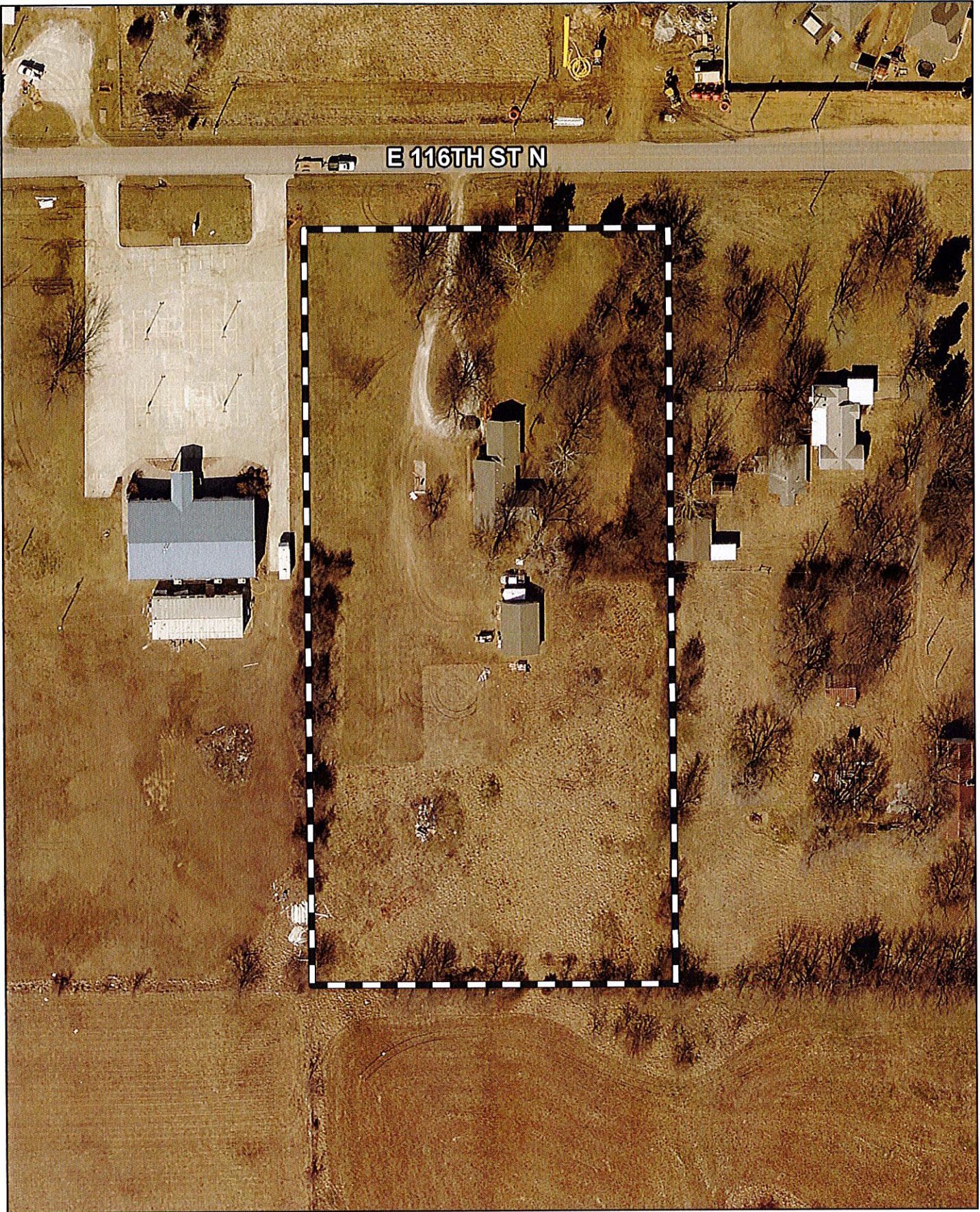
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Note: Graphic overlays may not precisely align with physical features on the ground.

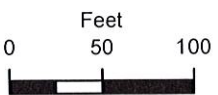
Aerial Photo Date: 2021



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E 116TH ST N



 Subject Tract

**CZ-548**

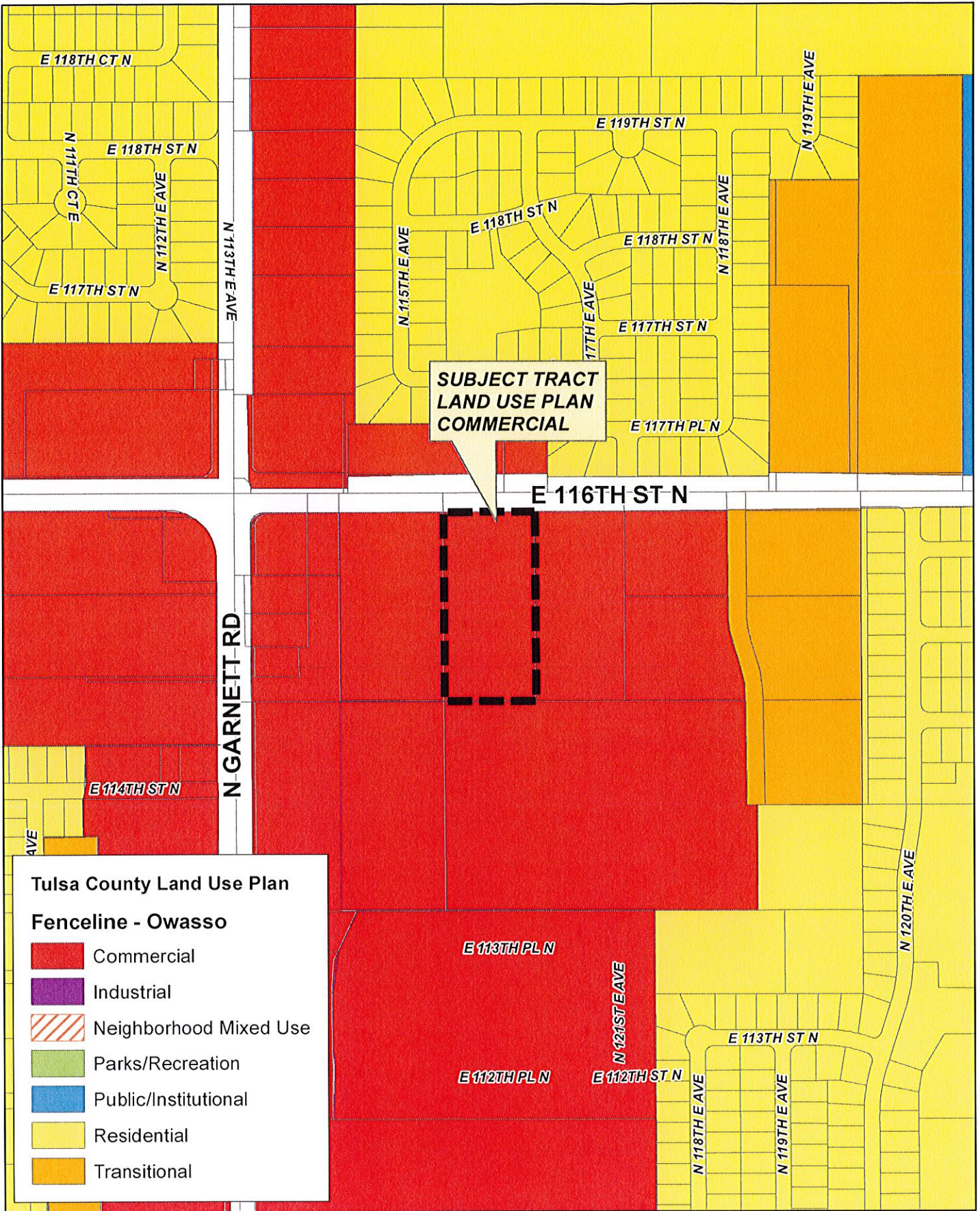
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Aerial Photo Date: 2021

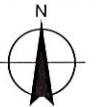


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