AGENDA
TULSA COUNTY BOARD OF ADJUSTMENT
TUESDAY, NOVEMBER 17, 2026, 1:30 PM

TULSA COUNTY HEADQUARTERS BUILDING
218 W. 6TH ST., ROOM 132
TULSA, OKLAHOMA 74119

RECEIVED
TULSA COUNTY CLERK MICHAEL WILLIS OKLAHOMA
3:07 pm, Nov 10, 2026

I. CALL TO ORDER

II. ROLL CALL

III. REPORTS
- A. Staff Report
- B. Chair's Report

IV. MINUTES
- A. Review and possible action regarding minutes for the September 15, 2026 Tulsa County Board of Adjustment meeting.

V. UNFINISHED BUSINESS

Public hearing(s) with discussion and possible action on the following unfinished business originally heard at the July 21, 2026, Tulsa County Board of Adjustment meeting. Case# CBOA 3372 was scheduled to be heard at the October 20, 2026 however that meeting was canceled and re-advertised for November 17, 2026 in the Tulsa County Headquarters Building .

(Board Secretary to read the Rules & Procedures for public hearings)

A. **Case #CBOA 3372**
Commissioner District: 2
Location: 6022 S 60th W Ave, Tulsa, OK
Applicant: Heather Rogers
Action Requested: ***Variance*** of minimum lot area and minimum lot width for an RS-3 district (Sec. 3.040, Table 3-3) and ***Variance*** of side and rear setbacks in an RS-3 district (Sec. 3.040, Table 3-3)

VI. PUBLIC HEARING(S) – SPECIAL EXCEPTIONS

Public hearing(s) with discussion and possible action on the following request(s) for special exceptions:

A. **Case #CBOA 3389**
Commissioner District: 2
Location: South of Intersection W 14th St and S 217th W Ave, Sand Springs, OK
Applicant: Candlestick Sand LLC
Action Requested: ***Special Exception*** to recommend approval to the Oklahoma Department of Mines for Mineral Processing in an AG District (Sec. 6.010, Table 6-1)

VII. PUBLIC HEARING(S) – VARIANCES

Public hearing(s) with discussion and possible action on the following request(s) for variances:

A. **Case #CBOA 3390**

Commissioner District: 3
Location: 18070 S 72nd E Ave, Bixby, OK
Applicant: Larry Lowe
Action Requested: ***Variance*** of the rear setback from 25 ft to 17 feet in an RE district (Sec. 3.040, Table 3-3)

B. **Case #CBOA 3391**

Commissioner District: 1
Location: North & East of E 156th St N and N Lewis Ave, Skiatook, OK
Applicant: Lou Reynolds
Action Requested: ***Variance*** from Section 2.040 lot and building regulations, Table 2-3 Agricultural District Lot and Building regulations to permit residential dwelling and accessory structures on a 67-acre tract that has 2290 linear feet of frontage on a section line that is not maintained as a public road

VIII. NEW BUSINESS

In accordance with the Open Meeting Act, Title 25 O.S. § 311.A.10, new business is defined as any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.

IX. ADJOURN

Tulsa County Board of Adjustment
MINUTES
Regularly Scheduled Meeting
Tuesday September 15, 2026,1:30 p.m.
Williams Tower I
I West 3rd Street, St. Francis Room

Members Present	Members Absent	Staff Present	Others Present
Charney		S. Tauber	County Inspector -
Hicks		K. Davis	Kerrick Edenborough
Nunley		J. Rojas	Legal -
Roderick		D. Wilkerson	Jeffrey Niese
Stout			

The notice and agenda of the said meeting were posted to the County Clerk's office, County Administration Building, September 9, 2026, at 3:24 p.m. as well as to the Office of INCOG, 2 West Second Street, Suite 800.

After declaring a quorum present, Mr. Charney volunteered to call the meeting to order at 1:30 p.m.

Mr. Davis read the rules and regulations.

The public meeting held on September 15th for the Tulsa County Board of Adjustment was the first meeting after the County Commissioners appointed a new Board of Adjustment conforming to the provisions of Title 19, Section 868.1 et seq. of the Oklahoma Statutes. This inaugural meeting will not include minutes from any previous version of the Tulsa County Board of Adjustment

Board Action: Election of officers

On **MOTION** of **HICKS**, the Board voted 4-0-1 (Hicks, Nunley, Roderick, Stout; all ayes; no nays; and Charney abstained) to **APPROVE** Charney as Chair of the Board.

On **MOTION** of **CHARNEY**, the Board voted 4-0-1, (Charney, Nunley, Roderick, Stout all ayes; no nays; and Hicks abstained) to **APPROVE** Hicks as Vice-Chair of the Board of Adjustment.

On **MOTION** of **HICKS**, the Board voted 4-0-1, (Charney, Hicks, Nunley, Stout all ayes; no nays; and Roderick abstained) to **APPROVE** Roderick as Secretary of the Board of Adjustment.

Board Action: Consideration and approval, modify or deny the policies and procedures presented by staff:

On **MOTION** of **HICKS**, the Board voted 5-0-0, (Charney, Hicks, Nunley, Roderick, Stout all ayes; no nays; and no abstentions) to **APPROVE** the Policies and Procedures.

Board Action: Consideration and approval, modify or deny the regular meeting calendar and location for the remainder of the calendar year in 2026 through the end of 2027 as presented by staff**.**

MOTION of **NUNLEY**, the Board voted 5-0-0, (Charney, Hicks, Nunley, Roderick, Stout all ayes; no nays; and no abstentions) to **APPROVE** the Meeting Schedule for 2026 through 2027.

UNFINISHED BUSINESS

CBOA 3358 - Jose Soto

Action Requested:

Appeal of Tulsa County's requirement that the property owner obtain a Special Exception and/or Variance for a pre-existing carport (Sec.14.110)

Location: 3139 S. 59th W. Ave. Tulsa, OK

Presentation:

Applicant or representative not present.

Interested Parties:

None

Comments and Questions:

Mr. Charney and Mr. Hicks explained to the other Board members that Mr. Soto had been before the previous Board several times in the past year and has not fulfilled any of the conditions that the Board has set for his case. This carport replaces a prior existing carport although in a different location on the property and a different size.

Board Actions:

On **MOTION** of **CHARNEY,** the Board voted 5-0-0, (Charney, Hicks, Nunley, Roderick, Stout all ayes; no nays; and abstentions) to **DENY** an Appeal of Tulsa County's requirement that the property owner obtain a Special Exception and/or Variance for a pre-existing carport (Sec.14.110)

Legal Description:

LT 5 BLK B, BERRY HILL GARDENS County of Tulsa, State of Oklahoma.

CBOA 3372 – Heather Rogers

Action Requested:

Variance of minimum lot area and minimum lot width for an RS-3 district (Sec. 3.040, Table 3-3), and Variance of side and rear setbacks in an RS-3 district (Sec. 3.040, Table 3-3) **Staff is requesting a Continuance** to the October 20,2026 Tulsa County Board of Adjustment meeting.

Location: 6022 S. 60th W Ave Tulsa, OK

Presentation:

Applicant was not present.

Interested Parties:

None

Comments and Questions:

Board Action:

On **MOTION** of **CHARNEY,** the Board voted 5-0-0 (Charney, Hicks, Nunley, Roderick, Stout all ayes; no nays; and no abstentions) to **CONTINUE** to the October 20, 2026, Tulsa County Board of Adjustment meeting.

Legal Description:

Lots 26 and 27, Block 12, in the town of New Taneha, County of Tulsa, State of Oklahoma, according to the recorded Plat thereof.

CBOA 3379 - Chip Pettit

Action Requested:

Variance of the Minimum Lot Area per Dwelling Unit to allow 2 dwellings in the AG district (Section 2.040, Table 2-3)

Location: 9805 E 161st St S, Bixby, OK

Presentation:

Chip Pettit, 9805 East 161st Street South, Bixby, Oklahoma 74008, stated that he wanted to put another house on his lot for older relatives. This will be for family only. They will use the same driveway. His closest neighbor approved of this request. There will be a new sewer system installed. DEQ has been out to inspect it. This will be a new single unit manufactured home.

Interested Parties:

None

Comments and Questions:

Mr. Hicks stated that it was important that there was an all-weather hard surface parking space for one vehicle, and that there be tie downs and skirting. Mr. Hicks stated that he could support this request and Mr. Charney stated that he could support it also.

Board Action:

On **MOTION** of **CHARNEY,** the Board voted 5-0-0, (Charney, Hicks, Nunley, Roderick, Stout all ayes; no nays; and no abstentions) to **APPROVE** a Variance of the Minimum Lot Area per Dwelling Unit to allow 2 dwellings in the AG district (Section 2.040, Table 2-3) subject to the following conditions that it be for family use only, meets DEQ requirements, has all-weather hard surface parking, skirting, and tie downs.

Finding the hardship to be that this is an unusually large residential lot.

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; for the following property:

Legal Description:

Action Requested:
Variance of the minimum street frontage requirement from 30' to 0' of maintained public road in an AG district (Sec. 2.040 Table 2-3)
Location: 18307 N 97th E. Ave., Collinsville, OK

Presentation:
James Moseby, 10302 East 89th East Avenue North, Owasso, Oklahoma 74055, stated that four of his family members went in together to purchased 32.5 acres and they want to split the property four ways. Currently there is a mobile home at the front of the property. There is a panhandle that touches each of the properties. Each family member will be responsible for maintaining their portion of the road.

Interested Parties:
None.

Comments and Questions:
Mr. Charney stated that they recognize that there are unusually shaped tracts that when split no longer reach out to a publicly dedicated road. It has always been important to the Board that there is a recorded Easement of Record that does go to each of these four parcels to the publicly dedicated and maintained road. This must speak to maintenance of the easement and how it will be addressed. It is also important to see how the storm water flows.

Any further division of the land would trigger a plat requirement. Emergency vehicles can use the 30’ requirement of the easement. Any improvement needs to be within the easement.

Mr. Hicks stated that he supported this request.

Board Action:
On **MOTION** of **HICKS,** the Board voted 5-0-0, (Charney, Hicks, Nunley, Roderick, Stout all ayes; no nays; and abstentions) to **APPROVE** a Variance of the minimum street frontage requirement from 30' to 0' of maintained public road in an AG district (Sec. 2.040 Table 2-3) subject to the following conditions that it abides by lot split CELD-44 and has a mutual access agreement be recorded and on file. A recorded Easement must be filed with the County. The plat survey will be overridden by CELD-44.

The hardship being the unusually large amount of land being divided.

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; for the following property:

Legal Description:

N/2 S/2 NW LESS S495 W660.46 THEREOF & LESS W16.5 THEREOF FOR RD SEC 6 22 14 32.488ACS County of Tulsa, State of Oklahoma.

Action Requested:
Variance of the minimum street frontage requirement from 30' to 0' of maintained public road in an AG district (Sec. 2.040 Table 2-3)
Location: 1014 E 136th St N, Skiatook, OK

Presentation:
Ron Hafner, 1014 East 136th Street North, Skiatook, Oklahoma 74070, stated that they want to add to the easement to reach a 5-acre tract that is being split off from the parent tract for family members. A publicly maintained road dead-ends into Tract A.

Interested Parties:
None.

Comments and Questions:
Mr. Hicks commented that there was a Flood Plain survey submitted and the Boards findings will only address the land use and does not address permitting.

Board Action:
On **MOTION** of **RODERICK,** the Board voted 5-0-0, (Charney, Hicks, Nunley, Roderick, Stout all ayes; no nays; and abstentions) to **APPROVE** Variance of the minimum street frontage requirement from 30' to 0' of maintained public road in an AG district (Sec. 2.040 Table 2-3) subject to the condition that a proper recording of the easement is made with maintenance language.

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; for the following property:

Legal Description:
SE SE SEC 25 22 12 County of Tulsa, State of Oklahoma.

CBOA 3382 - Anthony Robinson

Use Variance of the maximum number of dwellings from 2 to 4 on a single lot in the AG district (Sec. 6.010, Table 6-1)
Location: 16847 S Garnett Rd, Bixby, OK

Presentation:
Anthony Robinson, 16847 South Garnett Road, Bixby, Oklahoma 74008, stated that they want to put a single-wide manufactured home and a stick-built home later which will be the 4th house.

Interested Parties:
None.

Comments and Questions:
Mr. Hicks stated that this is an unusually large tract of over 400-acres.

Board Action:
On **MOTION** of **CHARNEY,** the Board voted 5-0-0, (Charney, Hicks, Nunley, Roderick, Stout) all ayes, no nays, and abstentions to **APPROVE** a Use Variance of the maximum number of dwellings from 2 to 4 on a single lot in the AG district (Sec. 6.010, Table 6-1).

The hardship is the large family tract of over 400-acres.

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; for the following property:

Legal Description:
ALL SEC 29-17-14 LESS 19.65 AC FOR RY WEST OF SNAKE CREEK 389.22ACS
County of Tulsa, State of Oklahoma

CBOA 3383 - Joseph Metzger
Action Requested:
Variance of the Minimum Lot Area per Dwelling Unit in an AG district (Section 2.050, Table 2-3)
Location: 6930 E 126th St N, Collinsville, OK

Presentation:
Joe Metzger, 6930 East 126th Street North, Collinsville, Oklahoma 74021, stated that there has been a second dwelling on this site, and he and his wife want to replace that dwelling. Their lot size is slightly smaller than the required amount of land for a second dwelling.

Interested Parties:
None.

Comments and Questions:
None.

Board Action:
On **MOTION** of **HICKS,** the Board voted 5-0-0, (Charney, Hicks, Nunley, Roderick, Stout) all ayes; no nays; and abstentions) to **APPROVE** a Variance of the Minimum Lot Area per Dwelling Unit in an AG district (Section 2.050, Table 2-3) subject to the conditions that all DEQ and standard requirements are met.

Finding the hardship to be that it is a large piece of property and is within 1/10th of the required acreage for a second dwelling. It is the replacement for a previously existing manufactured home.

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; for the following property:

Legal Description:
TR BEG 397.61E NWC GOV LT 3 TH E264.78 S658.05 W264.78 N658.05 POB LESS N16.5 THEREOF FOR RD SEC 2 21 13 3.893ACS County of Tulsa, State of Oklahoma

CBOA 3384 - Brandon Cherry
Action Requested:
Variance of the minimum lot area per dwelling unit in an AG-R district (Sec. 2.040, Table 2-3); Variance of rear setback from 40 ft to 18ft.; and Variance of side setback from 15 ft to 14.5 ft (Sec.2.040, Table 2-3)
Location: 12721 N 95th E Ave, Collinsville, OK

Presentation:
Brandon Cherry, 12721 North 95th East Avenue, Collinsville, Oklahoma 74021, stated that he had lived at this residence since 2019 where he took care of his grandparents and parents. He has a family that he wants to move to, but it is too small for two families. He wants to put a double-wide manufactured home for both families to live in as his parents are aging. There will be two dwelling units on this property, and the acreage is approximately 1.36 acres. There are GRDA power lines that they cannot be under, and this pushes them further north into the setback. AG-R requires 1 acre per dwelling. He has spoken with his neighbors, and they are fine with this request. There is a new septic for this manufactured home.

Interested Parties:
No protestant speakers were present.

Comments and Questions:
Mr. Charney stated that he could support this request. The acreage is not small and could accommodate this addition home.

Board Action:
On **MOTION** of **CHARNEY,** the Board voted 5-0-0, (Charney, Hicks, Nunley, Roderick, Stout all ayes; no nays; and no abstentions) to **APPROVE** a Variance of the minimum lot area per dwelling unit in an AG-R district (Sec. 2.040, Table 2-3);

On **MOTION** of **HICKS,** the Board voted 5-0-0, (Charney, Hicks, Nunley, Roderick, Stout, all ayes; no nays; and no abstentions) to **APPROVE** a Variance of rear setback from 40 ft to 18ft;

On **MOTION** of **NUNLEY,** the Board voted 5-0-0, (Charney, Hicks, Nunley, Roderick, Stout, all ayes; no nays; and no abstentions) to **APPROVE** a Variance of side setback from 15 ft to 14.5 ft (Sec.2.040, Table 2-3)

Finding the hardship that the lot size is large enough to accommodate a second dwelling and that it is pushed back away from the roadway.

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; for the following property:

Legal Description:

NORTH-DALE ACRES subdivision, S 190.2 LT 10 BLK 2 County of Tulsa, State of Oklahoma

CBOA 3385 - Hubert Marris
Action Requested:
Variance of the minimum street frontage requirement from 30' to 0' of maintained public road in an AG district (Sec. 2.040 Table 2-3)
Location: 14101 W 17th St S, Sand Springs, OK

Presentation:
Hubert Marris, 14101 West 17th Street South, Sand Springs, Oklahoma 74063, stated that he has split his lot with his son and needs an easement to be able to access that house that he is going to build.

Mr. Davis stated that the lot split was subject to the approval of this easement Variance.

Mr. Charney stated that there will need to be a maintenance, responsibility and use agreement with the easement Variance.

Interested Parties:
None.

Comments and Questions:
Mr. Charney confirmed receipt of an email of protest from one neighbor.

Board Action:
On **MOTION** of **HICKS,** the Board voted 5-0-0, (Charney, Hicks, Nunley, Roderick, Stout) all ayes, no nays, and to **APPROVE** a Variance of the minimum street frontage

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; for the following property:

Legal Description:
NORTH-DALE ACRES subdivision, S 190.2 LT 10 BLK 2 County of Tulsa, State of Oklahoma

Action Requested:
Special Exception to allow mining and mineral processing of sandy loam in an approximately 2-acre area within an AG district (Sec. 6.010, Table 6-1)
Location: 11927 N Cincinnati Ave, Skiatook, OK

Jeff Niese, with the District Attorney's office, stated that now the County Board of Adjustments (CBOA) is under Statute No. 868, and the Extraction of Minerals does not come under the authority of the Board, but the Processing of Minerals does. His offices recommend is that the CBOA give this matter on mines a recommendation only. He did find an opinion from the Attorney General's office on a similar issue that said it would be on recommendation of the Board.

Mr. Wilkerson stated that the twist in this is that the Tulsa County Zoning Code still says a Special Exception is required action by the Board of Adjustment for Mining and Mineral Processing.

Mr. Charney stated that historically there were a lot of people interested in mining in the County. Now the state may approve or deny it with a different set of standards.

Presentation:
Brandon Gideon, 14810 North Peoria, Skiatook, Oklahoma 74070, stated that he has a two-acre lot that he would like to mine for sandy loam. The trucks will come in and go out on the same road. The road is new and in good condition. These would be 10-wheelers, anything larger would have a difficult time turning around.

Interested Parties:
Kevin Lackey and **Thomas Lackey**, 12305 North Cincinnati Avenue, Skiatook, Oklahoma, 74070 stated that they were next-door neighbors, presented their opposition to the request.

Comments and Questions:
Mr. Charney stated that he felt that this would be injurious to the neighbors since this was only a 2-acre lot in a neighborhood with similar lots.

Board Action:
On **MOTION** of **RODERICK,** the Board voted 5-0-0, (Charney, Hicks, Nunley, Roderick, Stout) all ayes, no nays, and to recommendation to **DENY** a Special Exception to allow mining and mineral processing of sandy loam in an approximately 2-acre area within an AG district (Sec. 6.010, Table 6-1).

Legal Description:

Hicks recused himself from the following case, CBOA-3387. He left the meeting at 4:13 and returned 4:30.

CBOA 3387 - Shane Vaughn
Action Requested:
Variance of side setback requirements in AG district (Sec. 2.040, Table 2-3); Variance of the minimum lot area for an AG district (Sec. 2.040, Table 2-3)
Location: 6410 N 131st E Ave, Owasso, OK

Presentation:
Shane Vaugh, 6410 North 131st East Avenue, Owasso, Oklahoma 74055, stated that he had built the accessory building before he knew that there were setback requirements.

Interested Parties:
Mike Schaffitzel, 6288 N 131st E Avenue, Owasso, Oklahoma 74055, objected to the variance request and commented that Mr. Vaughn started construction without proper permits. Mr. Schaffitzel noted that Mr. Vaughn has plenty of room on his lot and indicated that there are no unusual circumstances that justify the variance. Mr. Schaffitzel commented that Mr. Vaughn crossed the lot line, and he expected full restoration of his property and proper stormwater drainage solution that would not affect the natural drainage pattern.

Comments and Questions:
The Board openly discussed the presentation and indicated that a hardship was not presented by the applicant.

Board Action:
On **MOTION** of **RODERICK,** the Board voted 4-0-0, (Charney, Nunley, Roderick, Stout) all ayes, no nays, and to **DENY** a Variance of side setback requirements in AG district (Sec. 2.040, Table 2-3); Variance of the minimum lot area for an AG district (Sec. 2.040, Table 2-3)

Legal Description:
BEG 912.8E & 1383S NWC NW TH S150 W413.93 NWLY152.44 E441.50 LESS E25 THEREOF FOR RD SEC 4 20 14 1.387ACS County of Tulsa, State of Oklahoma.

CBOA 3388 - Steven Jones
Action Requested:
Special Exception to permit a manufactured housing unit, single section, in an AG-R District (Sec. 2.030, Table 2-2)
Location: 11225 N 123rd E Ave, Collinsville, OK

Presentation:
Steve and Karen Jones, 11404 North 94th East Avenue, Owasso, Oklahoma 74055, stated that they have family that are disabled and want to have them close by for care.

Interested Parties:
None.

Comments and Questions:
None.

Board Action:
On **MOTION** of **NUNLEY,** the Board voted 5-0-0, (Charney, Hicks, Nunley, Roderick, Stout) all ayes, no nays, and to **APPROVE** a Special Exception to permit a manufactured housing unit, single section, in an AG-R District (Sec. 2.030, Table 2-2) subject to DEQ and standard requirements.

The Board finds that the requested 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, for the following property:

Legal Description:
The East 442.09 feet of the West 452.09 feet of the South 317.53 feet of the Northeast Quarter of the Southwest Quarter of the Northeast Quarter (NE/4 SW/4 NE/4) of Section Eight (8), Township 21 North, Range 14 East of the I.B.&M., Tulsa County, State of Oklahoma according to the U.S. Survey thereof.

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

There being no further business, the meeting was adjourned at 4:48 p.m.

Date approved: _____

Chair: _____

Board of Adjustment

CaseNumber: CBOA-3372

HearingDate: Nov. 17, 2026, 1:30 PM

(Continued from September 15, 2026, meeting.)

Case Report Prepared by:

Kendal Davis

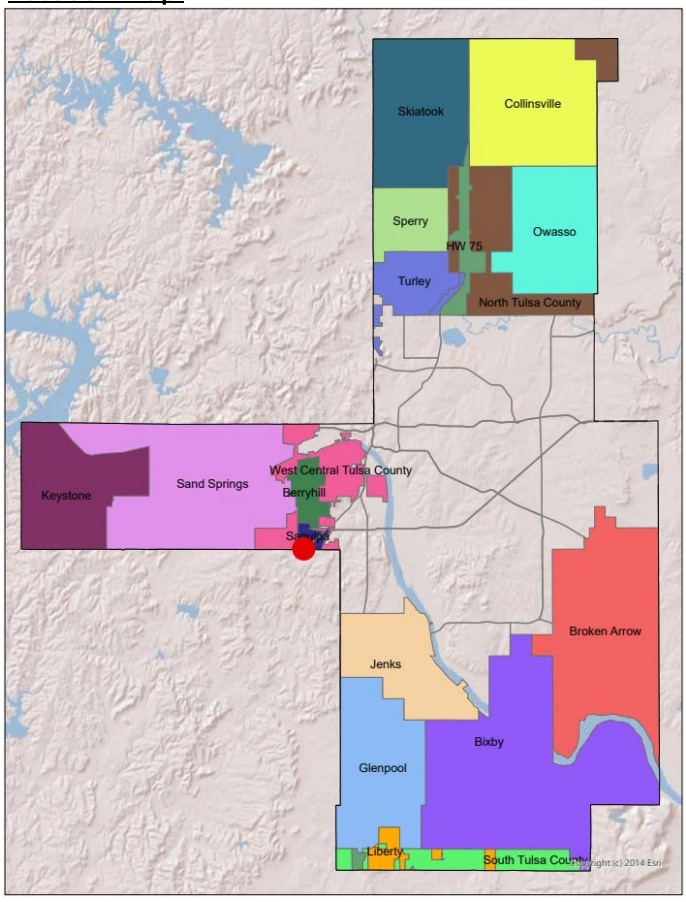
Owner and Applicant Information:

Applicant: Heather Rogers

Property Owner: Same

Action Requested: Variance of minimum lot area and minimum lot width for an RS-3 district (Sec. 3.040, Table 3- 3), and Variance of side and rear setbacks in an RS-3 district (Sec. 3.040, Table 3-3)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 0.14± Acres

Legal Description: Lots 25 and 26, Block 12, in the town of New Taneha, County of Tulsa, State of Oklahoma, according to the recorded Plat thereof.

Present Zoning: RS-3 (Residential Single-Dwelling-3)

Fenceline/Area: West Central Tulsa County

Land Use Designation: Rural Residential/Agricultural

TULSA COUNTY BOARD OF ADJUSTMENT
CASE REPORT

TRS: 9232

CASE NUMBER: CBOA-3372

CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: Nov. 17th, 2026, 1:30 PM (Continued from Sept. 15th, 2026, meeting.)

APPLICANT: Heather Rogers

ACTION REQUESTED: Variance of minimum lot area and minimum lot width for an RS-3 district (Sec. 3.040, Table 3-3), and Variance of side and rear setbacks in an RS-3 district (Sec. 3.040, Table 3-3)

LOCATION: 6022 S 60th W Ave, Tulsa, OK

ZONED: RS-3 (Residential Single-Dwelling-3)

FENCELINE: West Central Tulsa County

PRESENT USE: Residential

TRACT SIZE: 0.14± Acres

LEGAL DESCRIPTION: Lots 25 and 26, Block 12, in the town of New Taneha, County of Tulsa, State of Oklahoma, according to the recorded Plat thereof.

RELEVANT PREVIOUS ACTIONS:

CBOA-3372 (August 2026): The board approved a Special Exception to allow a manufactured housing unit, single section, in an RS-3 District. Accompanying variances were Continued to next meeting due to ownership issues.

BOA 10913 (March 1980): The board voted to grant an Exception to locate a mobile home in an RS-3 District for 1-year, with a removal bond required.

ANALYSIS OF SURROUNDING AREA: The subject property is located between S 60th West Ave and S 61st West Ave, approximately 180 feet from the Creek County border. It is located within and entirely enclosed by an RS-3 subdivision (New Taneha), which contains several other single-section manufacturing housing units within it. The surrounding area is characterized mostly by single-family dwellings in small lots, at times extending across lot-lines due to the lot-dimensions (approximately 25 x 130 ft) being vestigially small due to the plat being from the year 1910.

STAFF COMMENTS: The applicant is requesting a Variance of minimum lot area and minimum lot width for an RS-3 district. The subject tract is currently undergoing a lot combination, which is contingent on the approval of this variance. The existing lots being combined are each individually 0.07± acres in area and 25± feet wide, making the post-combination lot 0.14± acres in area and 50± feet wide. The applicable minimum lot area and width for RS-3 districts are 6900 sqft (0.158± acres) and 60 ft, respectively. By performing this lot combination, the applicant greatly reduces the deficiencies of the property with regards to the zoning code, while still requiring these variances due to the inability of underlying hardship of not having the necessary land to be in full compliance of the zoning code's lot regulations.

Staff note, based on the provided site plan, that the requested Variance of side and rear setbacks will not be necessary for the single-section manufactured housing unit, nor will a variance for the rear setback. While this variance might appear to be necessary for the existing shed shown in the site plan, it is also not needed. The site plan shows the manufactured housing unit being placed 10± feet from the side property line (where the minimum setback is 5 feet) and 18± feet from the shed in question, which itself is 18± feet long. The shed is then shown to be 6± feet from the rear lot line. The rear setback in an RS-3 district is 20 feet, so the manufactured house should be outside the setback, while the shed is within it. However, per Section 8.030-A of the zoning code, the minimum side and rear setbacks of an accessory building in an R district are 3 feet if the lot area is 22500 square feet or less— that is, 0.52± acres or less— which the subject lot falls under, even after combination.

If inclined to approve the request the Board may consider any condition, it deems necessary in order to ensure that the proposed Variance to allow an accessory building in the side yard in an RE district (Sec. 8.030) is compatible and non-injurious to the surrounding area.

Sample Motions:

> *"Move to _____ (approve/deny) a Variance of minimum lot area and minimum lot width for an RS-3 district (Sec. 3.040, Table 3-3)*

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.

SITE PLAN NARRATIVE FOR LOT LINE ADJUSTMENT

Tulsa County, Oklahoma

Property Owner: Heather Rogers

Property Address- 6022 S. 60th W. Avenue
Tulsa, Oklahoma 74107

Legal Description-Lots 26 and 27, Block 12

Purpose of Request

I, **Heather Rogers**, am the owner of **Lot 26 and Lot 27, Block 12**, located at 6022 S. 60th W. Avenue, Tulsa, Oklahoma 74107. These two lots have historically been used together as a single residential homesite. I am requesting approval to combine the existing lot lines into one parcel so the property accurately reflects its current and intended use.

The existing parcel dimensions are approximately **50 feet wide by 110 feet deep.**

Existing Conditions

- One existing manufactured home is located on the property.
- Existing home size: **16 feet × 80 feet.**
- Home orientation runs **north to south.**
- Fencing currently exists along the south property line.
- The existing manufactured home has become unlivable and is scheduled for demolition.

Proposed Improvements

Demolition

- The existing 16' × 80' manufactured home will be removed.
- Demolition is anticipated to require **one (1) day.**
- A portion of the fence located on the south side of the property will be temporarily removed to facilitate the removal process.

Replacement Home

- A new manufactured home measuring **16 feet × 72 feet** will be installed.
- The new home will be positioned in the same general location and orientation as the existing home, running north to south.

- Because the replacement home is smaller than the existing home, no increase in building footprint is proposed.
- Placement of the new home is expected to take **one (1) day.**

Statement of Request

Because Lots 26 and 27 are currently being utilized as a single homesite and the replacement home is smaller than the existing structure, I respectfully request approval of this **lot line adjustment and combination of Lots 26 and 27 into one parcel**. The proposed improvements will not increase the density or intensity of use and will continue the property's existing residential use.

Respectfully Submitted,

Heather Rogers
Owner of Lots 26 and 27, Block 12
6022 S. 60th W. Avenue
Tulsa, Oklahoma 74107

S 60th W Ave
S 60th W Ave
W 61st St S
W 61st St S
S 61st W Ave
S 61st W Ave
6012
6020
6030
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6022
6024
6017
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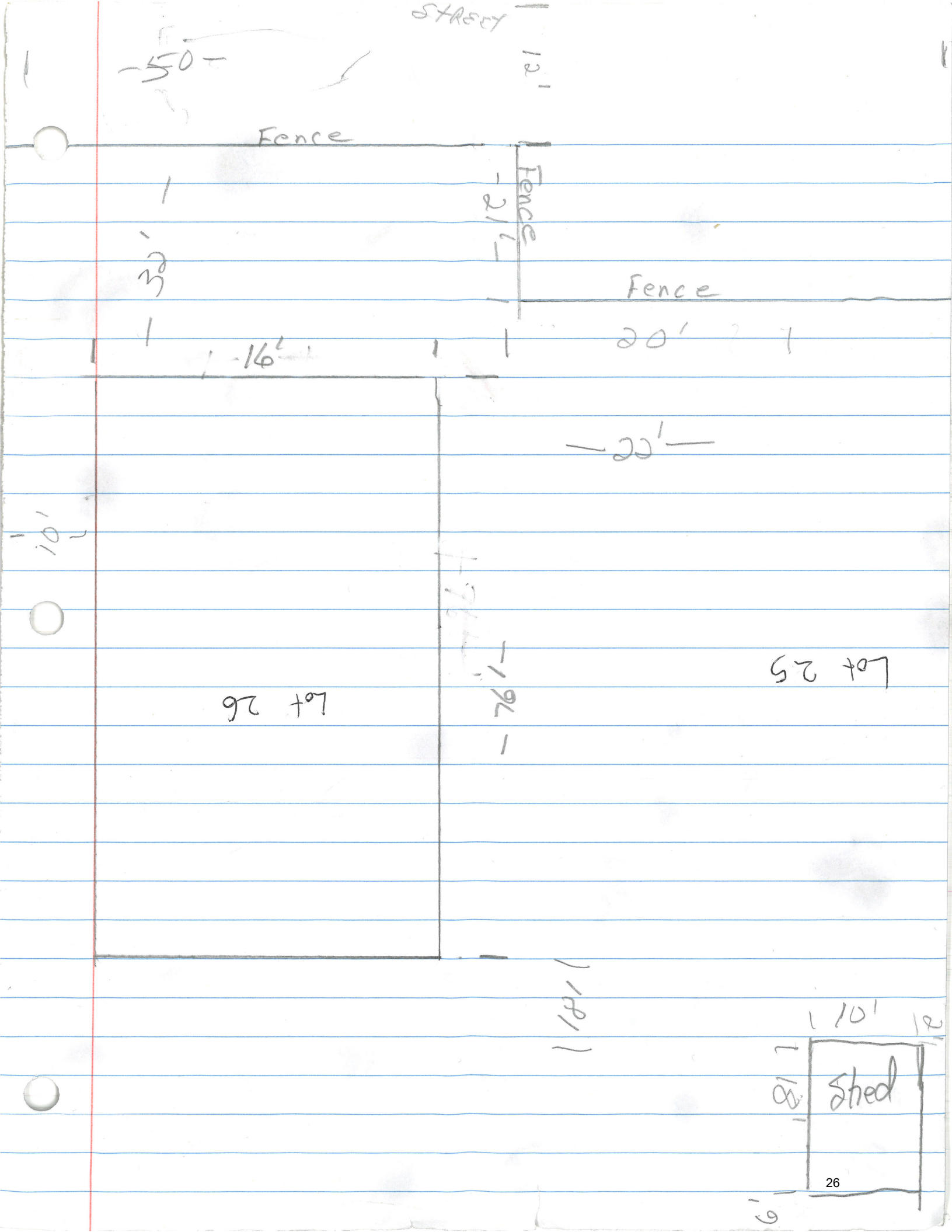
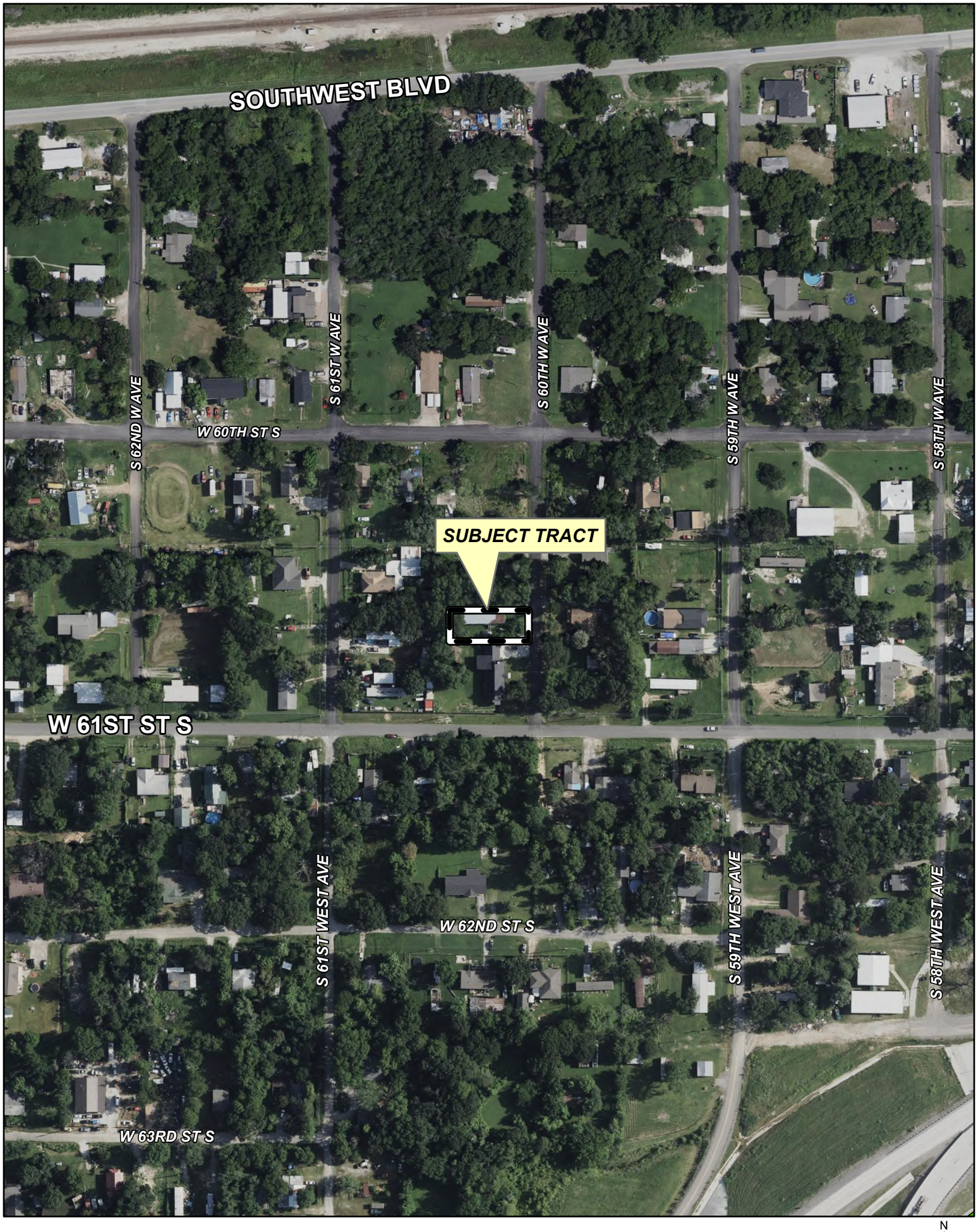

STREET
-50-
12'
Fence
Fence
-21'-
-32'-
Fence
20'
-16'-
-22'-
-10'-
Lot 26
-76'-
Lot 25
-18'-
10'
Shed
18
6'



Feet
0 100 200

Subject Tract

32 19-12

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

Aerial Photo Date: 2024

N


SOUTHWEST BLVD
S 62ND W AVE
S 61ST W AVE
S 60TH W AVE
S 59TH W AVE
S 58TH W AVE
W 60TH ST S
SUBJECT TRACT
RURAL RESIDENTIAL/AGRICULTURAL
LAND USE PLAN
W 61ST ST S
W 62ND ST S
S 61ST WEST AVE
S 59TH WEST AVE
S 58TH WEST AVE
Legend
Tulsa County Land Use Plan
Employment
Existing Neighborhood
Highway 75 Planning Area
Industrial
Neighborhood Center
New Neighborhood
Parks and Open Space
Public/Semi-Public
Rural Commercial
Rural Residential/Agricultural
Trail District
Feet
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100
200
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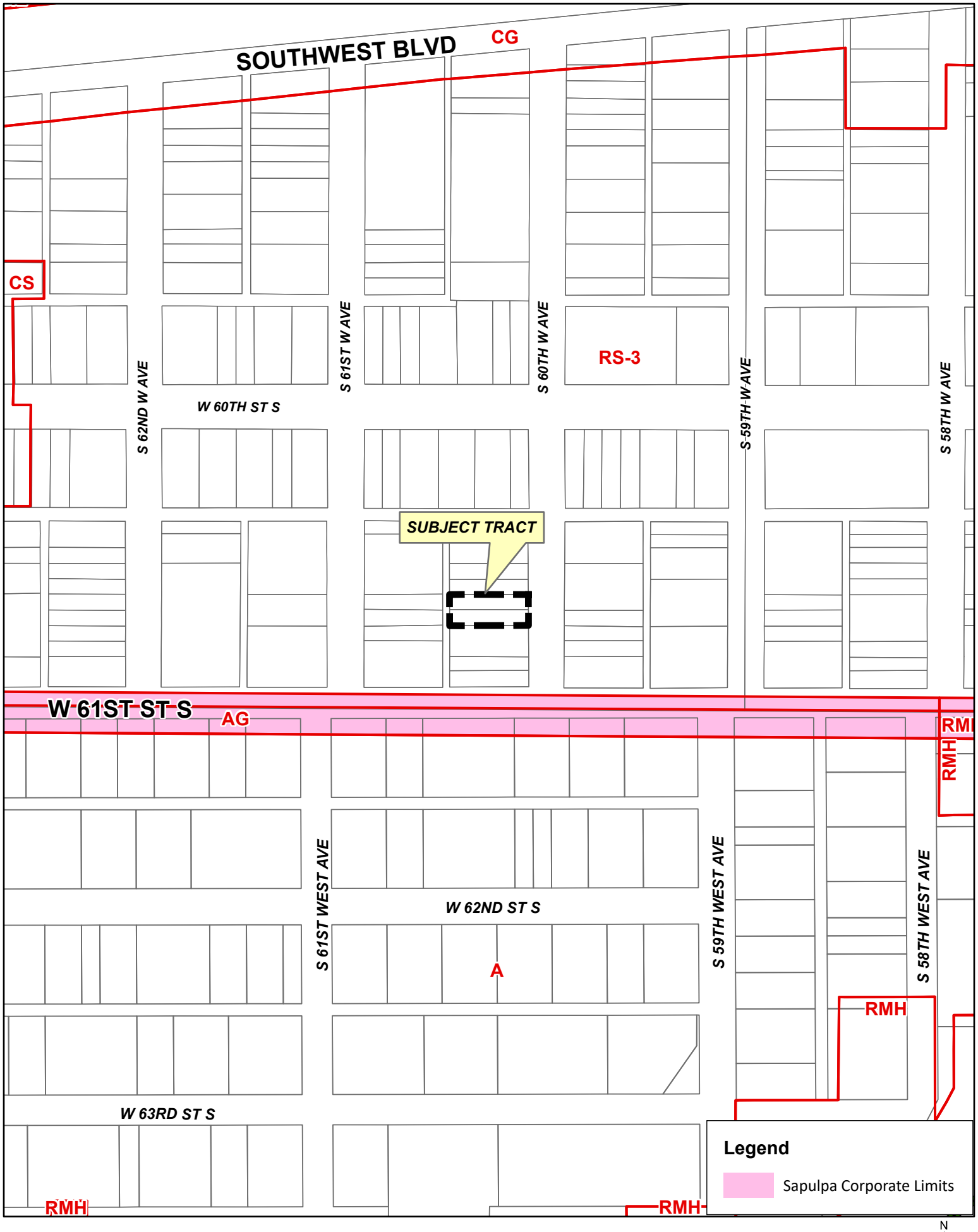
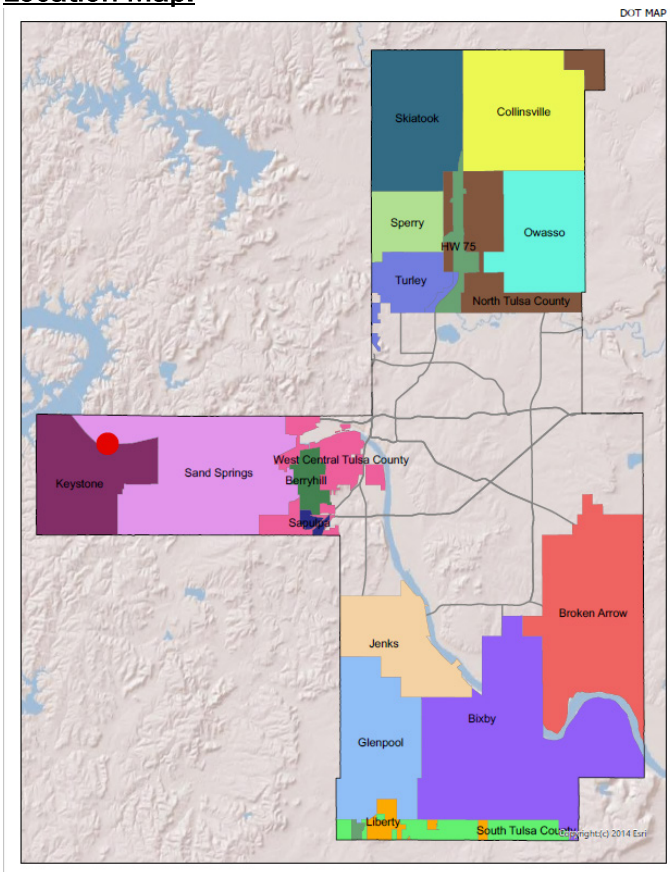
28
32 19-12



CBOA-3372

32 19-12

Board of Adjustment	**Case Number:** CBOA-3389 **Hearing Date:** November 17th, 2026, 1:30 PM
Case Report Prepared by: Kendal Davis	**Owner and Applicant Information:** **Applicant:** Candlestick Sand LLC **Property Owner:** Candlestick Beach LLC
Action Requested: Special Exception to recommend approval to Oklahoma Department of Mines to allow Mineral Processing of in an AG District (Sec. 6.010, Table 6-1).	
Location Map: 	**Additional Information:** **Present Use:** Agricultural **Tract Size:** 67.73 ± Acres **Legal Description:** PRT E/2 W/2 & PRT W/2 E/2 BEG SECR CANDLESTICK BEACH ADDN TH S1140 WLY ALONG THREAD OF ARK RIV 2680 TH N1130 TH ELY TO POB LESS PRT IN GOV LTS 2 3 SEC 10 19 10 67.73ACS OF ACCRETIONS **Present Zoning:** AG (Agricultural) **Fenceline/Area:** Sand springs **Land Use Designation:** Residential

CASE REPORT

TRS: 9010 **CASE NUMBER:** CBOA-3389

CASE REPORT PREPARED BY: Kendal Davis

HEARING DATE: November 17th, 2026, 1:30 PM

APPLICANT: Candlestick Sand LLC

ACTION REQUESTED: Special Exception to recommend approval to Oklahoma Department of Mines to allow Mineral Processing of in an AG District (Sec. 6.010, Table 6-1).

LOCATION: S of Intersection W 14th St and S 217th W Ave, Sand Springs, OK 74063

ZONED: AG (Agricultural)

FENCELINE: Sand Springs

PRESENT USE: Agricultural

TRACT SIZE: 67.73 ± Acres

LEGAL DESCRIPTION: PRT E/2 W/2 & PRT W/2 E/2 BEG SECR CANDLESTICK BEACH ADDN TH S1140 WLY ALONG THREAD OF ARK RIV 2680 TH N1130 TH ELY TO POB LESS PRT IN GOV LTS 2 3 SEC 10 19 10 67.73ACS OF ACCRETIONS

RELEVANT PREVIOUS ACTIONS: None

ANALYSIS OF SURROUNDING AREA: The subject property is located along the north bank of the Arkansas River, immediately south of West 14th Street South. Surrounding development consists of an established single-family residential neighborhood zoned RS-3 to the north and predominantly undeveloped, AG-zoned riverfront land to the east and west. The Arkansas River lies to the south, with Old State Highway 51 and scattered residential development beyond the river.

The residential neighborhood immediately north of the site is the primary compatibility consideration for the proposed mineral processing use. Review should consider the location of processing equipment and stockpiles, separation from nearby homes, hours of operation, dust and noise control, and truck access and routing to minimize impacts on the surrounding neighborhood.

APPLICANT STATEMENT: None provided

STAFF COMMENTS: The applicant is requesting a Special Exception to allow mineral processing in an AG District. The subject property consists primarily of open sandy areas and riverfront land along the Arkansas River. An established single-family residential neighborhood is located immediately north of the site, across West 14th Street South.

Staff's primary concern is the potential impact of the proposed operation on nearby residences, including noise, dust, truck traffic, and the placement of processing equipment and stockpiles. The exhibits identify the surrounding development but do not establish the proposed operational layout or intensity. The applicant should provide information regarding processing activities, equipment locations, hours of operation, anticipated truck traffic, access routes, and measures to control dust and noise.

If inclined to approve the request the Board may consider any condition, it deems necessary in order to ensure that the proposed use is compatible and non-injurious to the surrounding area.

Sample Motion:

"Move to _____ (approve/deny) Special Exception to allow Mineral Processing of in an AG District (Sec. 6.010, Table 6-1).

Should the Board approve the request, staff recommends the following (possible conditions) to ensure compatibility and protect surrounding properties:

1.

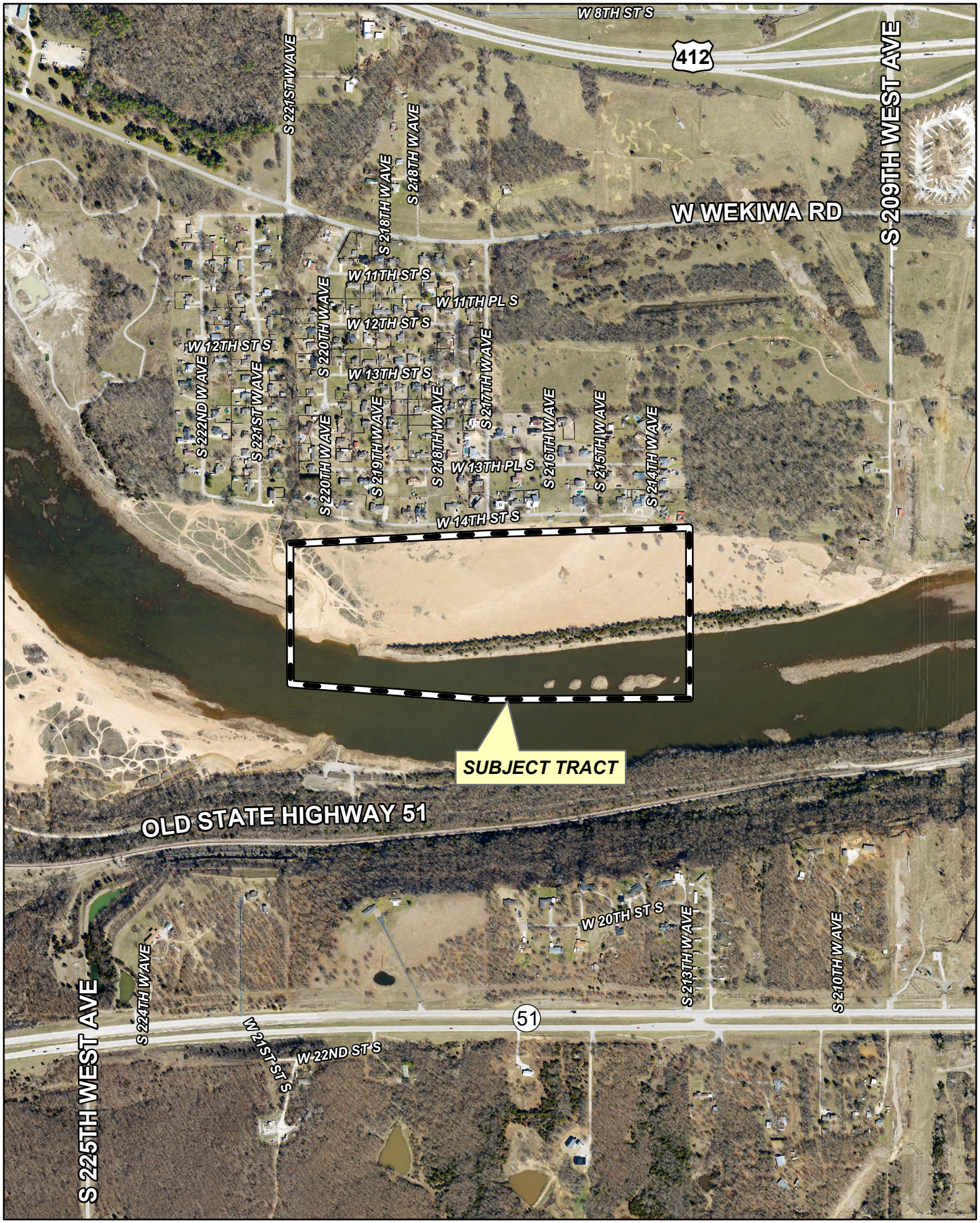
2.

3.

Subject to the following conditions, if any: _____.

In approving a special exception, the board of adjustment is authorized to impose such conditions and restrictions as the board of adjustment determines to be necessary to ensure compliance with the standards of §14.080-G, to reduce or minimize the effect of the special exception upon other properties in the area, and to better carry out the general purpose and intent of these zoning regulations.

That the special exception will be in harmony with the spirit and intent of these zoning regulations; and the special exception will not be injurious to property in the vicinity of the subject property or otherwise detrimental to the public welfare.



Feet
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Subject Tract

CBOA-3389

10 19-10

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

Aerial Photo Date: 2025

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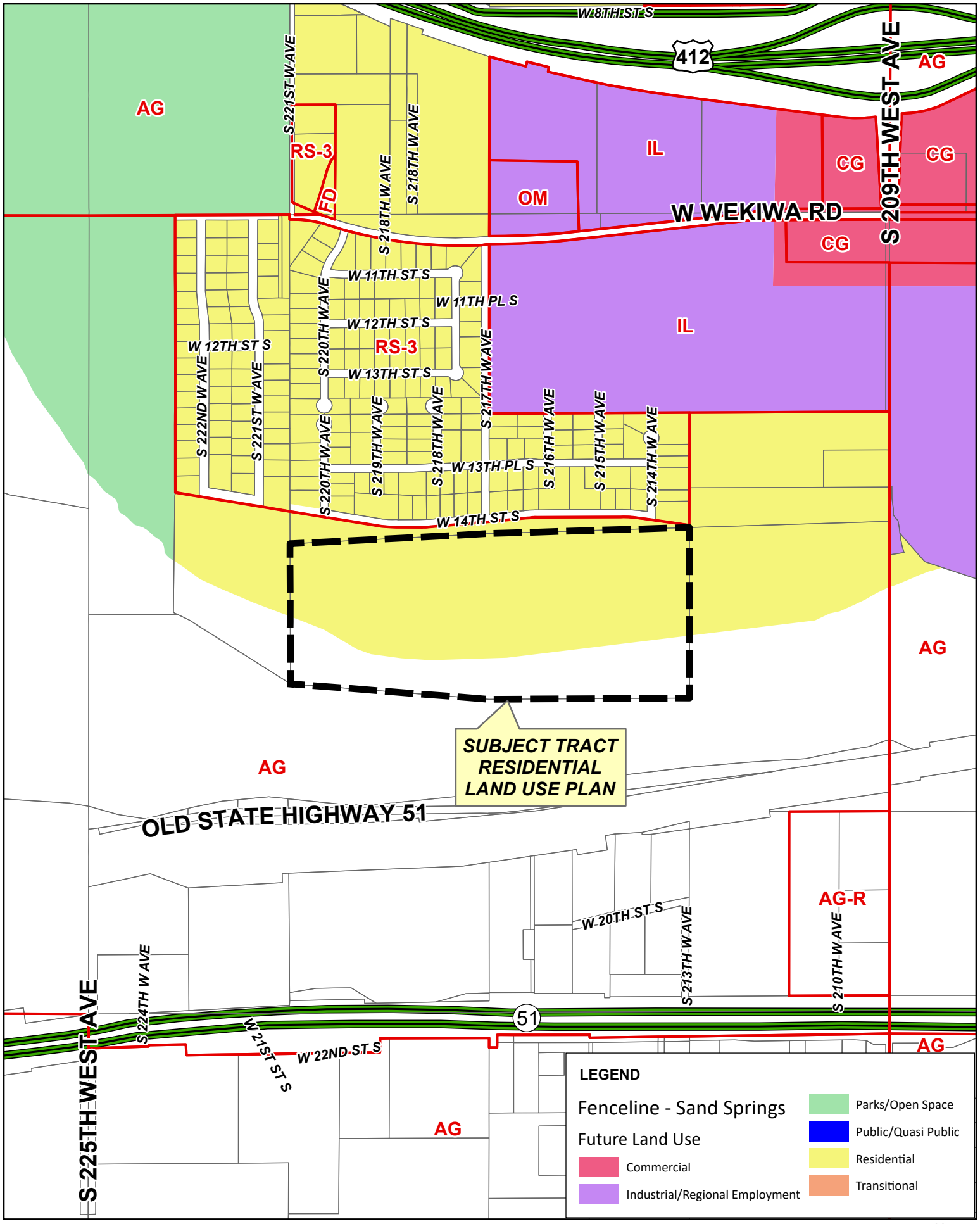

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CBOA-3389

10 19-10

34

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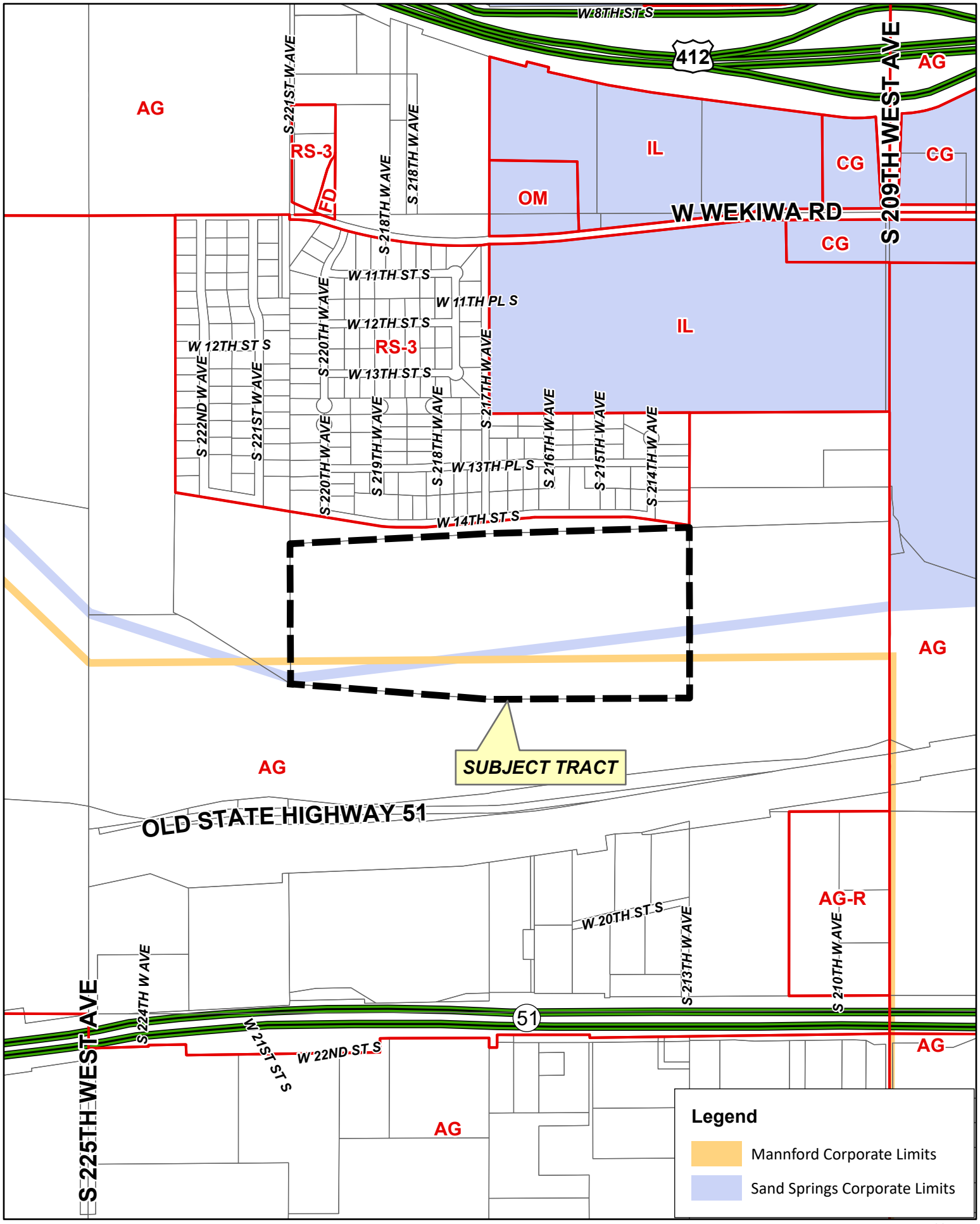

Feet
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CBOA-3389

10 19-10

35

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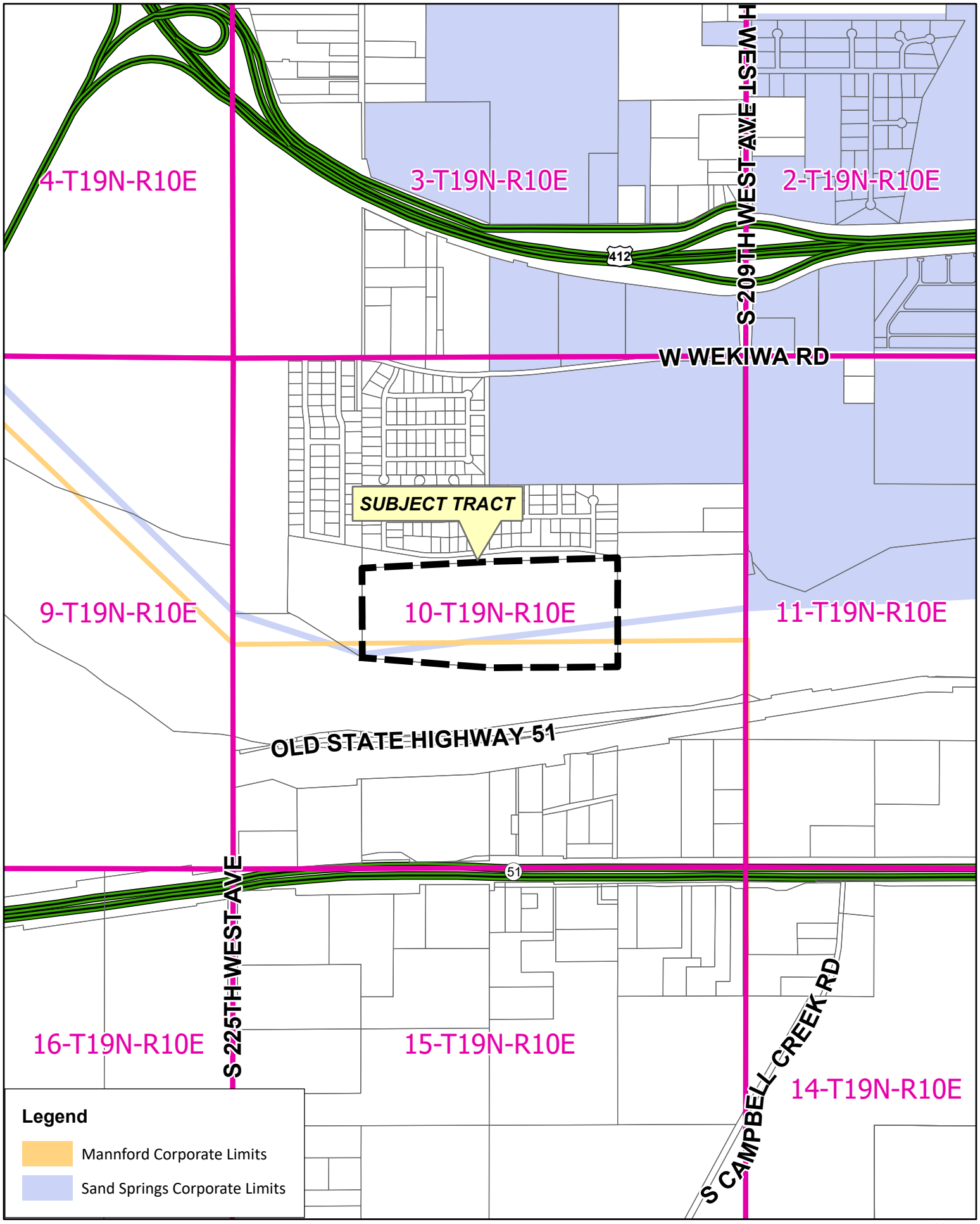
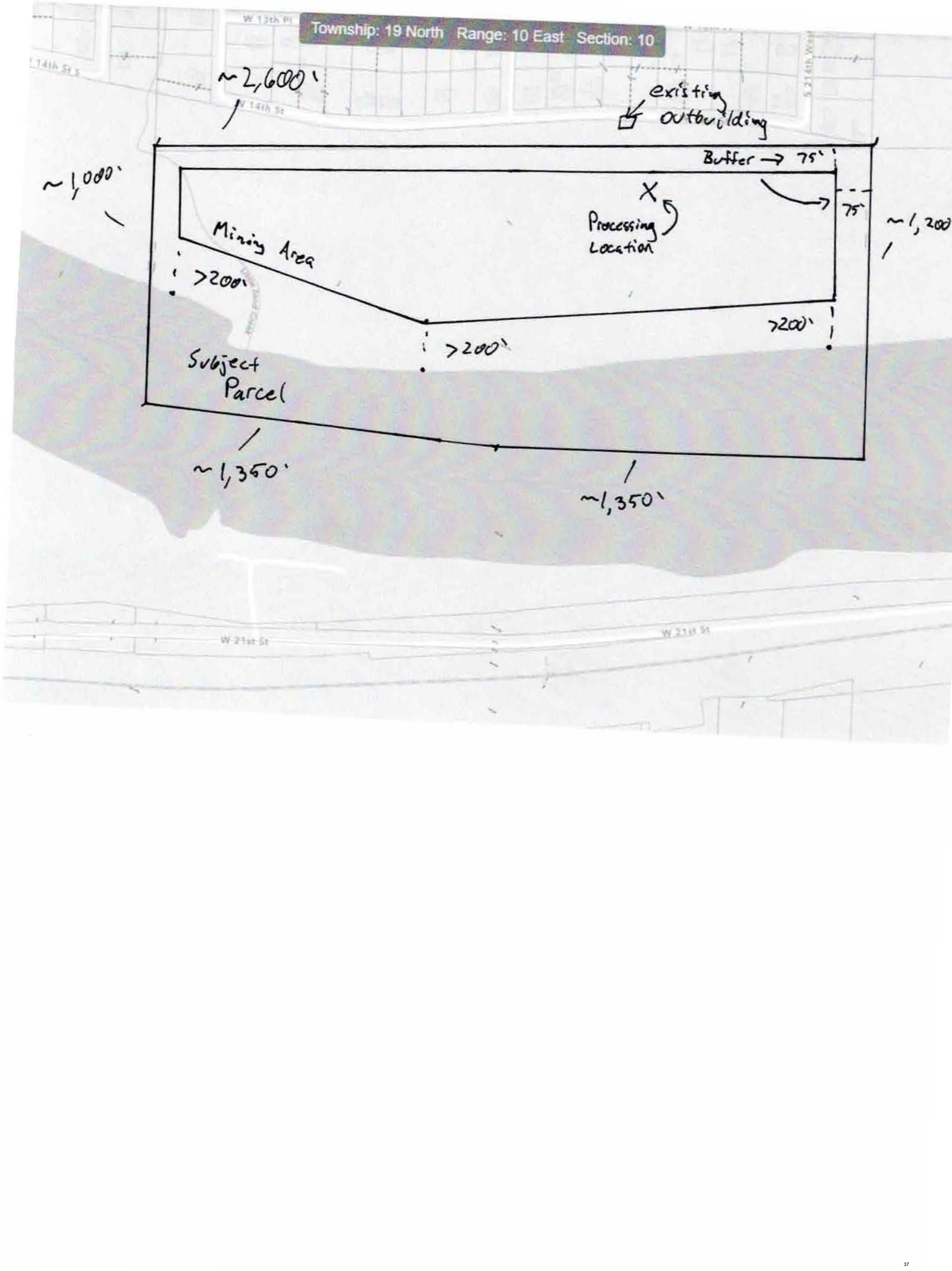
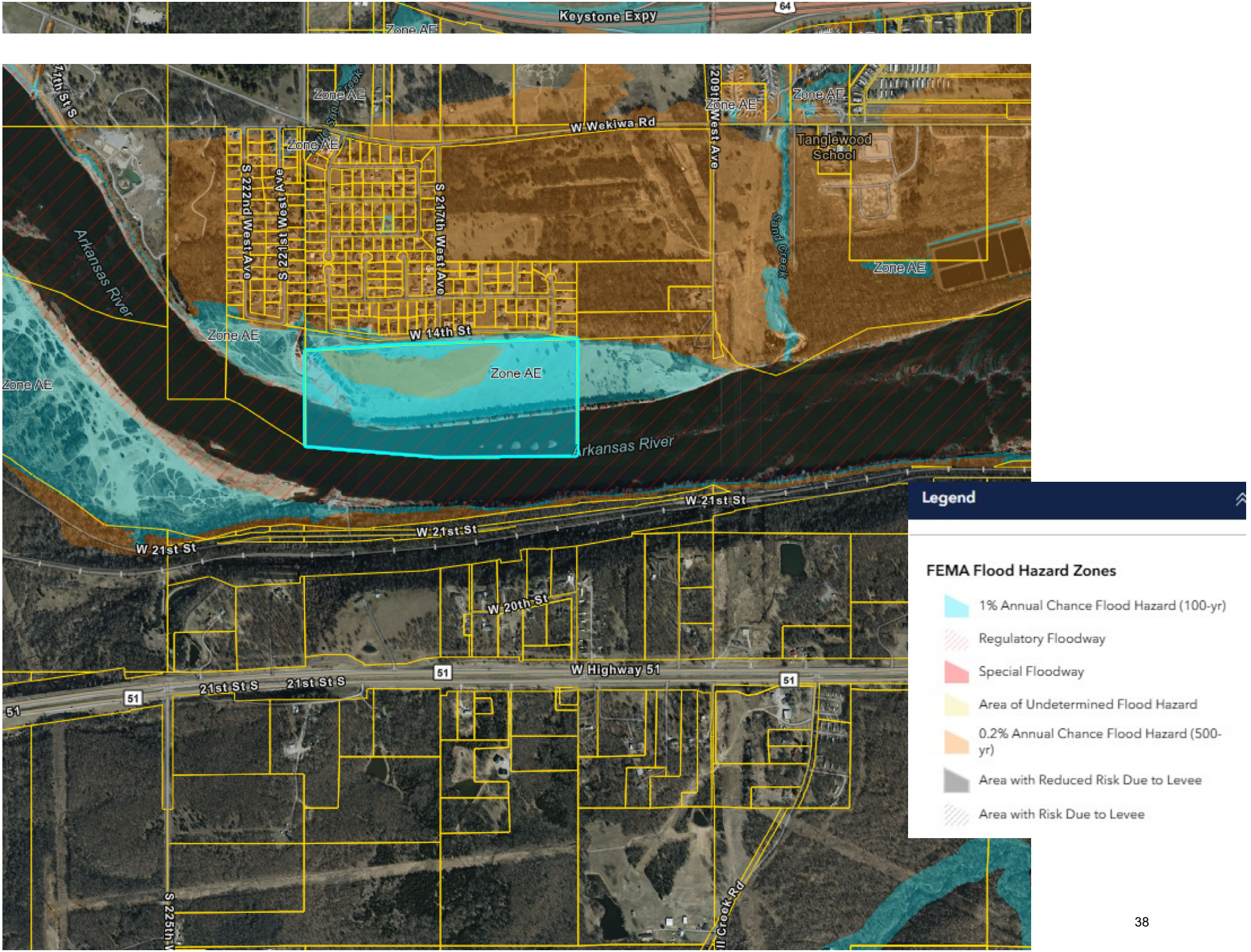


CBOA-3389

10 19-10

36


Township: 19 North Range: 10 East Section: 10
~2,600'
existing outbuilding
~1,000'
Buffer → 75'
75'
~1,200'
X
Processing Location
Mining Area
>200'
>200'
>200'
Subject Parcel
~1,350'
~1,350'


Keystone Expy
64
Zone AE
11th St S
W Wekiwa Rd
S 222nd West Ave
S 221st West Ave
S 217th West Ave
209th West Ave
Tanglewood School
Sand Creek
Arkansas River
W 14th St
W 21st St
W 20th St
W Highway 51
21st St S
51
S 225th W
Creek Rd
Legend
FEMA Flood Hazard Zones
1% Annual Chance Flood Hazard (100-yr)
Regulatory Floodway
Special Floodway
Area of Undetermined Flood Hazard
0.2% Annual Chance Flood Hazard (500-yr)
Area with Reduced Risk Due to Levee
Area with Risk Due to Levee

Outlook

Re: BOA - Special Exception for Mining

From Jay Mackey <candlestickbeach@gmail.com>
Date Wed 10/7/2026 7:24 AM
To Rojas, Javier <jrojas@incog.org>
Cc Wilkerson, Dwayne <DWilkerson@incog.org>; Davis, Kendal <kdavis@incog.org>

2 attachments (5 MB)
Candlestick Sand LLC LE-2901 - Approval.pdf; Application - Revised.pdf;

Hey Javier,

I apologize fo the delay, as I mentioned on the phone I'm on vacation overseas at the moment. The attached* is intended for educational/informational purposes for your team. That being said, if there are other specific documents or questions you have, please let me know - happy to help you all as I'm able.

I am currently working together with ODM on an update to the application - though the permit is already issued. Things like mapping refinements, permit numbers, publication, etc.

Best,
Jay

*Staff note: the 'attached' referenced above can be seen in the exhibits on the following pages.

STATE OF OKLAHOMA
DEPARTMENT OF MINES
2915 N. Classen Blvd, Suite 213
Oklahoma City, OK 73106
405-427-3859
Fax 405-424-4932

New Permit

PERMIT TO ENGAGE IN NON-COAL MINING

The Mining Lands Reclamation Act, 45 O.S. 1981 §721-728

Date: November 21, 2025

Permit No: LE-2901

Permit is hereby issued to:

Name of Company, Corporation, Partnership, Individual	Telephone No.
Candlestick Sand LLC	918-519-0056

Street, R.F.D., Box No.	City	State	Zip Code
2801 E. Kenosha St./P.O. Box 141054	Broken Arrow	OK	74014

to mine Sand by the following method(s) (Please check method(s)):

Underground: _____ (Refuse) Surface: ✓

Auger Mining: _____ Dredging: _____ Hydraulic Mining: _____ Pumping: _____

Quarrying: _____ Stripping: ✓ Other: _____

Permit period term is from 11-01-2025 to 10-31-2030

Total estimated acres to be affected: 10

Total estimated acres to be covered by bond: 10

Name or Number of mine: Candlestick Sand 1

Nearest Town: Sand Springs, OK

Section(s): 10 Township: 19N Range: 10E

Section(s): _____ Township: _____ Range: _____

Section(s): _____ Township: _____ Range: _____

County Tulsa

Permit reviewed by: Ginna Harmon — Minerals Permit Manager
Ginna Harmon — Title

Approved by: Suzen M Rodesney — Director
Suzen M Rodesney — Title

If, for any reason whatever, you cease to operate at the location shown on this permit, notify the Department of Mines immediately as your liability continues in effect until the Department is notified and/or completed reclamation is approved.

Oklahoma Department of Mines
2915 N. Classen Blvd., Suite 213
Oklahoma City, OK 73106
(405) 427-3859

RECEIVED
SEP 22 2025
OKLA DEPT OF MINES
MINERALS PROGRAM

NON-COAL MINING APPLICATION & RECLAMATION PLAN FIELD EVALUATION

The Mining Lands Reclamation Act, 45 O.S. 1981 §721-728

Applicant: Candlestick Sand, LLC
2801 E. Kenosha St./P.O. Box 141054
Broken Arrow, OK 74014

Date: September 11, 2025

The following has been reviewed for Permit # **L.E.-2901**

	Reviewed	Additional Info Needed*
Legal Description	✓	
Reclamation Plan	✓	
Perimeter Markers in Place	✓	
Permit Acreage	✓	
Bonded Acreage Sufficient	✓	
Blasting Plan Approved (if applicable)	N/A	
Front Gate GPS Coordinates	N 36° 08' 33.61	W 96° 14' 00.53"

* Comments or Recommendations based on field review:

Field Evaluation by:

Matt Mon 9-22-25
Inspector Date

Office Review by:

Gina Hamm 11-21-2025
Minerals Permit Manager Date

Approved by: Jerry M Rodgers Director 11-21-2025
Title Date

Affidavit of Publication

TULSA BEACON
6705 E. 81st St. Ste 180
Tulsa, Oklahoma, 74133
(918) 523-4425

I, Susan E. Biggs, of lawful age, being duly sworn upon oath, deposes and says: That I am the Office Manager of the Tulsa Beacon, a Weekly newspaper printed and published in the City of Tulsa, County of Tulsa, and State of Oklahoma, and that the advertisement referred to, a true and printed copy is hereunto attached, was published in said Tulsa Beacon in consecutive issues on the following dates to wit

1st Insertion	October 16, 2025	Candlestick Sand LLC ODM
2nd Insertion	October 23, 2025	
3rd Insertion	October 30, 2025	
4th Insertion	November 6, 2025	

That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as publications (second-class) mail matter, that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the State of Oklahoma governing legal publications.

Publication Fee $ 125.71

Susan E Biggs
Editor, Publisher or Authorized Agent

SUBSCRIBED and sworn to before me this

6 day of Nov, 2025

Notary Public

My commission expires: 10-26, 20 26

TOBY-LYNNE A ROBINSON
Notary Public
State of Oklahoma
Commission # 06010489
Expires: 10/26/2026

RECEIVED
NOV 12 2025
DEPT. OF MINES

Published in the Tulsa Beacon newspaper, in Tulsa County, in the State of Oklahoma, on October 16, 23, 30 and November 6, 2025.

LEGAL NOTICE

Candlestick Sand LLC, 2801 E Kenosha St P.O.141054 Broken Arrow OK 74014, has submitted a permit application to the Oklahoma Department of Mines (ODM) to mine sand through the surface mining method on portions of the following parcels of land:

Section 10, Township 19N, Range 10E, Tulsa County, Oklahoma.

The total permit area contains 10 acres. The permit site is located approximately 1.5 miles northwest of Lotsee and 0.6 miles south of U.S. 412. The Arkansas River is approximately 200 feet to the South.

A copy of this complete permit application is available for public inspection on ODM's website https://mines.ok.gov. Interested parties without access to the internet may obtain a copy of the application by contacting ODM at 405-427-3859.

Any landowner or resident of any occupied dwelling, any public entity or public agency, or any party that may be adversely affected has the right to submit comments or object to the issuance of the permit in writing. An informal conference will be provided if requested. **Any objections or requests for an informal conference on this application must be in writing and received no later than fourteen (14) days after the final publication of this notice to the**

OKLAHOMA
DEPARTMENT OF MINES
2915 N. Classen Blvd., Suite 213
Oklahoma City, Oklahoma 73106

NON-COAL APPLICATION CHECKLIST
FOR APPLICANTS

COMPANY: Candlestick Sand LLC

SECTION: 10 **TOWNSHIP:** 19N **RANGE:** 10E **COUNTY:** Tulsa

DOCUMENT	COMPLETED	NOT NEEDED	MAILED TO ODM	DATE
APPLICATION (Section 1)	✓			
LEGAL ESTATE FORM	✓			
PUBLIC NOTIFICATION	✓			
COMPLIANCE INFO FORM (Section 2)	✓			
PROTECTION OF NATURAL RESOURCES & OTHER PERMITS (Section 3)	✓			
BLASTING PLAN		✓		
BLASTING PERMIT EXEMPTION		✓		
RECLAMATION PLAN & ATTACHMENTS (Section 4)	✓			
STATEMENT OF CERTIFICATION	✓			
LOCATION MAP (8.5 X 11)	✓			
DETAILED LOCATION MAP (460:10-9-6)	✓			
RECLAMATION MAP (460:10-15-3)	✓			
RECLAMATION BOND (DOCUMENTS)	✓			
PERMIT FEE ($ 175.00)	✓			

PLEASE MAKE SURE ALL THE ITEMS ABOVE AND THIS SHEET IS ENCLOSED WITH YOUR APPLICATION

ARE ALL OF THE ABOVE ITEMS INCLUDED? YES [X] NO [ ]

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

APPLICATION FOR PERMIT TO ENGAGE IN NON-COAL MINING

The Mining Lands Reclamation Act, O.S., 2016 721-728

Section 1

ODM Permit Number _____ **(Office Use Only)**

Date 9/5/25

Number of years permit plan is requested: 5

Candlestick Sand LLC — Name of Company, Corporation, Partnership, Individual

9185190056 — Telephone Number

2801 E Kenosha St P.O.141054 — Mailing Address

Broken Arrow — City

OK — State

74014 — Zip Code

CandlestickBeach@gmail.com — Email Address

Hereby make application for a permit to mine (type of mineral): Sand

by the following method: Surface ☑ Underground ☐

Specify Method:

Quarrying ☐ Stripping ☑ Dredging ☐ Pumping ☐ Auger Mining ☐

Hydraulic Mining ☐ Other _____

Candlestick Sand 1 — Mine Name or Number (Optional)

Sand Springs — Nearest Town

Section(s)	Township	Range	County
10	19N	10E	Tulsa

Type of perimeter markers to be used: High-visibility flags and metal posts at 100-foot intervals

Updated 6/2025

Operational Section
General Characteristics of the Mine

NOTE: All of the following questions must be thoroughly answered regarding your mining operation for the intended life of the mine.

1. Answer **all** of the following that apply:

1a. If this is an application for a **NEW** permit, indicate the total acreage at the site to be covered by the permit: 10

Will this application replace a limited use permit? Yes ☐ No ☑

Limited Use Permit No: N/A

1b. If this application is for the **RENEWAL** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.

Mining Permit No: N/A Total Permitted Acreage: N/A

1c. If this application is for the **REVISION** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit:

Mining Permit No: N/A Total Permitted Acreage: N/A

Does this request involve the acreage **within** the previously approved permitted boundary?

Yes ☐ No ☐

If yes, indicate the acreage to be covered by this revision: N/A

Does this request involve acreage to be added to the previously approved permitted boundary?

Yes ☐ No ☐

If yes, indicate the acreage to be added by this request: N/A

If no was indicated, please explain the revision request: N/A

This request will be considered an amendment to the permit (Title 45 SS 724 J.). The application must be submitted as required by and in accordance with OAC:10-19-4.(d).

1d. If this application for the **TRANSFER** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.

Mining Permit No: N/A Total Permitted Acreage: N/A

Name of Company: N/A

1e. If this application for the **PURCHASE** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.

Mining Permit No: N/A Total Permitted Acreage: N/A

Name of Company: N/A

Will additional acreage be affected? Yes No

If yes, indicate how much additional acreage will be added: N/A

All the acreage within the "Operational Section must include the proposed mine excavation(s), processing plants, haul roads, stockpiles, and any refuse/waste areas or tailing ponds.

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

LEGAL ESTATE

Name of Legal Estate Owner: Candlestick Beach LLC

Mailing Address: 2801 E Kenosha St P.O.141054

Telephone Number: 9185190056

Section(s)	Township	Range	County
10	19N	10E	Tulsa

Is the permit application area owned or leased? Owned ☐ Leased ☑

I, Jay Mackey (Legal Estate Owner) certify that I am the owner of the Legal estate of the property being represented in this Application for a Non-Coal Mining Permit, and that the (Company, Corporation, Individual(s)) Candlestick Sand LLC have the right to mine this property.

Signature of Legal Estate Owner: [signature]

Subscribed and sworn to before me this 5th day of September 20 25

My Commission expires June 30, 2029 Notary Public [signature]

MA HER
Notary Public - State of Oklahoma
Commission Number 21008616
My Commission Expires Jun 30, 2029

IF THE OWNER OF THE LEGAL ESTATE OF THE PROPERTY CHANGES, A NEW LEGAL ESTATE FORM MUST BE SIGNED BY THE NEW OWNER OF THE LEGAL ESTATE. IF THERE ARE MULTIPLE OWNERS OF THE PROPERTY ON THIS APPLICATION, A SEPARATE LEGAL ESTATE FORM MUST BE EXECUTED FOR EACH OWNER.

NOTE: The Department of Mines does not have authority to adjudicate property title disputes.

Updated 6/2025

PUBLIC NOTIFICATION

(Applicable for all applications requiring public notice.)

Please provide the name, city, and county of the newspaper you intend to use for your notice:

Name of Newspaper: Tulsa Beacon

City/Town of Newspaper: Tulsa

County of Newspaper: Tulsa

A copy of your application will be available on the Department of Mines website for public inspection once ODM rules the application complete. Your notice must disclose this information. A sample publication notice will be provided to you.

THIS NOTICE MUST NOT BE PUBLISHED UNTIL THE APPLICATION HAS BEEN RULED COMPLETE BY ODM AND MADE AVAILABLE FOR PUBLIC INSPECTION.

Submit under separate cover a copy of the Public Notice and the Publisher's Affidavit or other Proof of Publication as required by Title 45 § 724 H.1 a. & b. (1) through (6).

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

STATEMENT OF CERTIFICATION

I, Jay Mackey (Company Official or Individual) certify that the (Company, Corporation, Individual(s)) Candlestick Sand LLC has the right and power by Legal Estate owned to mine the land for which this application is made. We hereby certify that all details contained in this Permit Application are true and correct to the best of knowledge. We fully understand that any willful misrepresentation of facts will be cause for permit Revocation.

Signature of Company Official _____

Position Member

Subscribed and sworn to before me this 5th day of September 20 25

My Commission expires June 30, 2029 Notary Public _____

MA HER
Notary Public - State of Oklahoma
Commission Number 21008616
My Commission Expires Jun 30, 2029

NOTE: This application must be signed and notarized. This application must include one ORIGINAL copy of the Statement of Certification. Digital signatures will not be accepted. All questions must be addressed and all required documents and information provided before this application can be considered complete. Attach additional sheets as needed.

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

COMPLIANCE AND RELATED INFORMATION

Section 2

ODM Permit Number _____
(Office Use Only)

Date 9/5/2025

Candlestick Sand LLC — 9185190056

Name of Company, Corporation, Partnership, Individual — Telephone Number

2801 E Kenosha St P.O.141054 — Broken Arrow — OK — 74014

Mailing Address — City — State — Zip Code

NOTE: Answer all questions on this form. (If no answer, write "none"). Properly identify and secure any attached exhibits, if used. Please refer to the specific item number of this form.

Identification of Interests – In compliance with Section 460:10-11-5 of the Rules and Regulations for Non-Coal Surface Mining and Reclamation, the APPLICANT is required to furnish the following:

460:10-11-5(b)

1. Applicant is (check one box below):

Sole Proprietorship ☐ LLC ☑ Corporation ☐ Partnership ☐ Other _____

2a. Please Provide the names of every officer, partner, director, or other person performing similar to director of the applicant.

Name	Address	City	State	Zip	Position
Jay Mackey	2801 E Kenosha St, PO 141054	Broken Arrow	OK	74014	Member

460:10-11-5(c)

Did the applicant, partner, or corporation or subsidiary of, operate a non-coal surface mining operation in the State of Oklahoma within the five (5) years preceding the date of the application? ☐ Yes ☑ No

If yes, answer the following

none

Name of Mine	City	County	Legal Location of Mine	Permit #
Name of Mine	City	County	Legal Location of Mine	Permit #
Name of Mine	City	County	Legal Location of Mine	Permit #
Name of Mine	City	County	Legal Location of Mine	Permit #
Name of Mine	City	County	Legal Location of Mine	Permit #

Please include any additional mining operations on a separate sheet.

Compliance Information

460:10-11-6(1)

1. Has the applicant for the permit, or any subsidiary, affiliate or by or under common control with the applicant:

460:10-11-6(1)(A)

1a. Had a federal or state mining permit suspended or revoked in the last five (5) years? ☐ Yes ☑ No

460:10-11-6(1)(B)

1b. Forfeited a mining bond or similar security deposited in lieu of bond? ☐ Yes ☑ No

460:10-11-6(2)

2. If the answer to either 1a. or 1b. above was yes, applicant should provide the following information:

460:10-11-6(2)(A)

2a. Permit Identification # none , or Amount of Bond $ none

2b. Provide the name of the authority that suspended or revoked a permit or forfeited a bond:

none

Provide the reason for such action: none

460:10-11-6(2)(B)

2c. What is the current status of the permit, bond or similar security involved?

none

460:10-11-6(2)(C)

2d. Provide the date, location and type of administrative or judicial proceedings initiated concerning the suspension, revocation or forfeiture:

Location	Type
none	none

460:10-11-6(2)(D)

2e. What is the current status of these proceedings? none

PROTECTION OF NATURAL RESOURCES and OTHER PERMIT REQUIREMENTS
Instruction Sheet for Section 3

O.S. Title 45 Section 724

I. Each application for a new operation shall contain, where applicable, a list of all other licenses and permits needed by the applicant to conduct the proposed mining operation. This list shall identify each license and permit by:

1. Type of permit or license;
2. Name and address of issuing authority;
3. Identification number or a copy of the application for permits or licenses or, if issued, a copy of the permit or license; and
4. If a decision has been made, the date of approval or disapproval by each issuing authority.

An existing operation which does not have on file a list of the applicable licenses or permits with the Department on the date of enactment of this act shall not be out of compliance with the provisions of this section. Any renewal of an existing permit or expansion or amendment to an existing operation upon time of application shall submit a copy of all approved licenses and permits issued by other agencies or jurisdictions.

Identifications of all permits and licenses shall include local government agencies with jurisdiction over or an interest in the area of the proposed mining operation including, but not limited to, planning agencies, water and sewer authorities; and all state and federal government agencies with authority to issue permits and licenses applicable to the proposed mining operation, including all state environmental agencies, U.S. Army Corps of Engineers, U.S. Department of Agriculture Natural Resources Conservation Service district office, and federal fish and wildlife agencies.

A. **(REVISION): If the application that has been submitted is considered an amendment to the existing permit on file with the Department, please submit copies of all the permits issued for your operation.**
B. **(NEW APPLICATION) In response to Section 3 of the non-coal permit application submitted, if your operation indicates the following:**

- Crushing Material
- Washing Material or recycling processed water
- Will involve dewatering the mine or discharging fresh or waste water
- Fall within the jurisdictional requirement of the storm water regulations
- Operate within the boundaries of a river of stream

Based on your response, please provide the Department with evidence of your communications with the appropriate agency or board. This shall include either a notification from the specific regulatory body, a copy of the correspondence that was sent by you to the regulatory body, a copy of the application that has been filed with the regulatory body or a clearance letter from the regulatory body.

Please be advised the permitting process may not proceed further until this issue is addressed.

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

PROTECTION OF NATURAL RESOURCES

Section 3

ODM Permit Number _____
(Office Use Only)

9/5/2025
Date

Candlestick Sand LLC — 9185190056
Name of Company, Corporation, Partnership, Individual — Telephone Number

2801 E Kenosha St P.O.141054 — Broken Arrow — OK — 74014
Mailing Address — City — State — Zip Code

☐ Yes ☑ No 1. Will this operation involve crushing, dry screening, or using any other means of mechanically altering the mined material or involve any other air contaminant emissions?

If you indicated Yes, please be advised that a permit may be required from the Air Quality Division of the Oklahoma Department of Environmental Quality. Please contact the agency for their respective requirements.

☐ Yes ☑ No 2a. Will the operation involve classifying or wet screening, washing the material mined, recycling processed water, or other water handling

☐ Yes ☑ No 2b. Will the operation involve dewatering the mine or discharging fresh or wastewater from the mine or plant?

☑ Yes ☐ No 2c. Does this operation fall within the jurisdictional requirements of the stormwater regulations of the Oklahoma Department of Environmental Quality?

If you indicated Yes to either 2a., 2b., or 2c., please be advised that a permit may be required from either the Department of Environmental Quality, Oklahoma Water Resources Board, or the Army Corps of Engineers. Please contact each agency for its respective requirements

☐ Yes ☑ No 3. Will this operation involve removing minerals from within any boundaries of river or streambed?

If you indicated Yes, please complete Questions 4 - 5. If you indicated No, please proceed to Question 6.

4a. What is the name of the stream or river? _____

4b. Which of the following classifies this stream or river? Please refer to OAC 460:10-13-2 for descriptions of each.

☐ High Quality Water (HQW) ☐ Scenic River Area

☐ Outstanding Resources Waters (ORW) ☐ None of the above

Please note: Certain permitting and operating procedures are required for mining permits in these environmental areas. Please refer to 460:10-13-3 for the requirements.

☐ Yes ☐ No 5. Does your operation overlie a sensitive sole source groundwater basin or subbasin?

Effective August 1, 2011, if you indicated Yes, this operation falls within the permitting guidelines established by SB 597. You must contact the Oklahoma Water Resources Board to comply with additional permitting requirements.

☐ Yes ☑ No 6a. Will explosives be used?

If Yes, review the Blasting Regulations and complete the Blasting Plan. The plan should accompany the permit application upon submission. In order to purchase, use, or store explosives on a permit, the permittee must also have a Blasting Permit Exemption.

☐ Yes ☑ No 6b. Does the permittee have a current Blasting Permit Exemption?

If Yes, provide Blasting Permit Exemption Number: _____. If No, complete the Blasting Permit Exemption in addition to the Blasting Plan. If explosives will be used, a mining permit will not be issued until a plan and exemption are secured.

☑ Yes ☐ No 7a. In accordance with O.S. 45, Section 730, will your buffer be, at minimum, at least twenty-five (25) feet plus one and one-half (1½) times the depth of such cut as measured from original ground surface to the top of consolidated material?

7b. How wide will the buffer be maintained between any mining activity, any mining permit boundaries, or right-of-way at this site? 75 Feet

Show all buffer locations and widths on the mine map(s). All buffers must be located within the permit boundaries.

O.S. Title 45, Chapter 8, Section 730 "In the case of strip mining operations which remove and do not replace lateral support, unless pursuant to written agreement between the operator and the adjacent property owner, the top of the consolidated material of the open cut adjacent to the property line of other property not owned or leased by the operator shall, at the time mining is completed, not be closer to such other property line than a distance of twenty- five (25) feet plus one and one-half (1½) times the depth of such cut as measured from original ground surface to the top of consolidated material."

OTHER LICENSES AND PERMITS

☑ Yes ☐ No

8. Has any other agency, local, county, state, or federal, been contacted to ascertain the need for other licenses and permits with respect to this operation?

If you indicated no other agencies have been contacted, please be advised failure to obtain all the permits necessary for a mining operation may result in issuance of a permit violation or an interruption in mining activity until the required permits are secured.

Please refer to the Non-Coal Permitting Guidelines and Summary and the Notice below regarding other possible governing entities that may need to be contacted. Provide a list of all other licenses and permits needed for this mining operation. If a license or permit has been issued, please provide the Permit Identification Number and date of Approval or a copy of said permit or license. (Title 45 SS 724 I.) If a permit or license is pending, please provide copies of your applications or Notices of Intent (N.O.I.) that have been submitted to other agencies.

If this application is for a revision to an existing permit, copies of all issued permits must be included.

Agency	Identification Number	Date of Approval
OK DEQ	HQF-BZB3-9DCDF	PENDING

Please Note: A special permit to operate within certain municipalities or counties may be required. It is the responsibility of each applicant to contact the appropriate city or county officials to determine if the mining operation falls within their respective jurisdiction.

Specialized Processing or Manufacturing

☐ Yes ☑ No

9. *Will* specialized processing or manufacturing be conducted on site with the material mined that is not directly associated to mining? This includes specialized processing of the material ***after*** mining and processing by a plant site immediately after excavation of the material. This product would be unique in nature and produced from the material mined. This specialized processing or manufacturing facility might not be part of the mining process, and thereby, not included in the permit area requested in the application.

If yes was indicated, please provide ODM with a detailed narrative of the activity. The location of the specialized processing facility will need to be disclosed on the mining map. The description should include the equipment used and a flow chart showing the process. Once the description should include the equipment used and a flow chart showing the process. Once the description of the process is reviewed, a determination of applicability will be made by the Department. If the Department finds that the process is not directly associated with the mining, this area may be removed from permit consideration.

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

NON-COAL OPERATOR'S RECLAMATION PLAN

Section 4

ODM Permit Number _____
(Office Use Only)

Date 9/5/2025

Candlestick Sand LLC
Name of Company, Corporation, Partnership, Individual

Candlestick Sand 1
Mine Name or No.

Reclamation Plan Covers: 10 Permitted Acres 10 Bonded Acres

General Reclamation Plan

Use of Land when Reclamation is Completed
(Check one or more; show acreage)
Please Note: Acreage must total the entire permitted acreage.

- ☐ 1. Pasture _____
- ☐ 2. Farmland _____
- ☐ 3. Forest _____
- ☑ 4. Water Reservoir 5
- ☑ 5. Recreation 5
- ☐ 6. Industrial _____
- ☐ 7. Residential _____
- ☐ 8. Other _____ Explain: _____
- ☐ 9. None _____ Explain: _____

What will you do to make land usable for purpose stated above?

(Check one or more)

- ☑ 10. Fill
- ☑ 11. Level
- ☑ 12. Grade
- ☑ 13. Plant Grass
- ☐ 14. Sprig or Sod Grass
- ☑ 15. Set out Trees
- ☐ 16. Build Dam
- ☑ 17. Stock with Fish
- ☐ 18. Stock with Game
- ☐ 19. Other _____
- ☐ 20. None (Explain) _____

☐ Yes ☑ No 21. Does the mineral seam contain acid-forming materials?

If yes, please complete Question #3 on the Attachment forms.

Reclamation Attachments and Narratives addressing each and every issue as outlined in the Rules & Regulations must be part of your Reclamation Plan and attached to this form.

RECLAMATION PLAN ATTACHMENT

1. Revegetation Plan:

(A) Planned soil tests:

Annual pH/Nutrient tests

(B) Site preparation and fertilization:

Grade to 3:1 Slopes, apply lime, fertilizer, compost and mulch as needed

(C) Seed and plant selection:

Grasses: Little bluestem, Switchgrass, Sideoats grama
Trees: Bur oak, Post oak, Black willow, Cottonwood

(D) Rate of Seeding or amount of planting per acre:

Grasses: Little bluestem (7 lbs/acre), Switchgrass (6 lbs/acre), Sideoats grama (6 lbs/acre)
Trees: Bur oak, Post oak, Black willow, Cottonwood (100 trees/acre, ~25% each species)

(E) Are there other surface treatments that will be performed to the affected land during reclamation? ☑ Yes ☐ No

If yes, please explain:

Erosion control with mulch, silt fences, trees planted. Oaks on slopes, Willow/Cottonwood near reservoir.

2. Describe the method to prevent or eliminate conditions that could be hazardous to animal or fish life in or adjacent to the permit area.

   Water quality monitoring, Stormwater BMPs (silt fences and sediment basin)

3. Provide, as a separate document, a closure plan of the mine and permitted facilities to prevent a release of contaminants for being harmful to the environment. **A closure plan is not necessary for all mines**, but is required where the possibility exist for (a) acid forming materials handling or drainage; chemically treated tailings or stockpiles (excludes fertilizer or lime for re-vegetation purpose).

   N/A (No acid-forming materials or chemically treated tailings)

4. Method of control and disposal of mine waste, rock, mineral scrap, tailings, slimes, and other material directly connected with the mining, cleaning, and preparation of mineral substances mined and includes all waste materials deposited on or in the permit area from any source.

   Topsoil (Sand and little organic matter) stockpiled on-site, reused for grading/revegetation; no off-site disposal.

5. Method of reclaiming settling and/or sediment ponds.

   Temporary sediment basin drained, filled, graded, and revegetated

6. For final reclamation, submit information about practices for safety to persons and to adjoining property in all excavations. Identify area of potential danger and appropriate safety provisions. These provisions can but are not limited to setbacks, fencing, signs, benching, guardrails, and boulders.

   90-ft setbacks, fencing around excavations, warning signs, 3:1 slope benching

7. Identify structures (e.g. buildings, roads) that are proposed to remain as part of the final reclamation.

   Haul road to remain in order to provide continued access.
   All temporary structures (e.g., screening plant) will be removed upon mining cessation. The site will be reclaimed to a recreational water body with ~5 acres of surrounding vegetated land, ensuring a natural state suitable for public recreation (e.g., fishing, paddleboarding). Safety measures (fencing, signage) will remain until reclamation is approved by ODM.

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

NON-COAL LOCATION MAP by SECTION

The Mining Land Reclamation Act, 45 O.S. 2016 § 721-728

ODM Permit Number: _____
(Office Use Only)

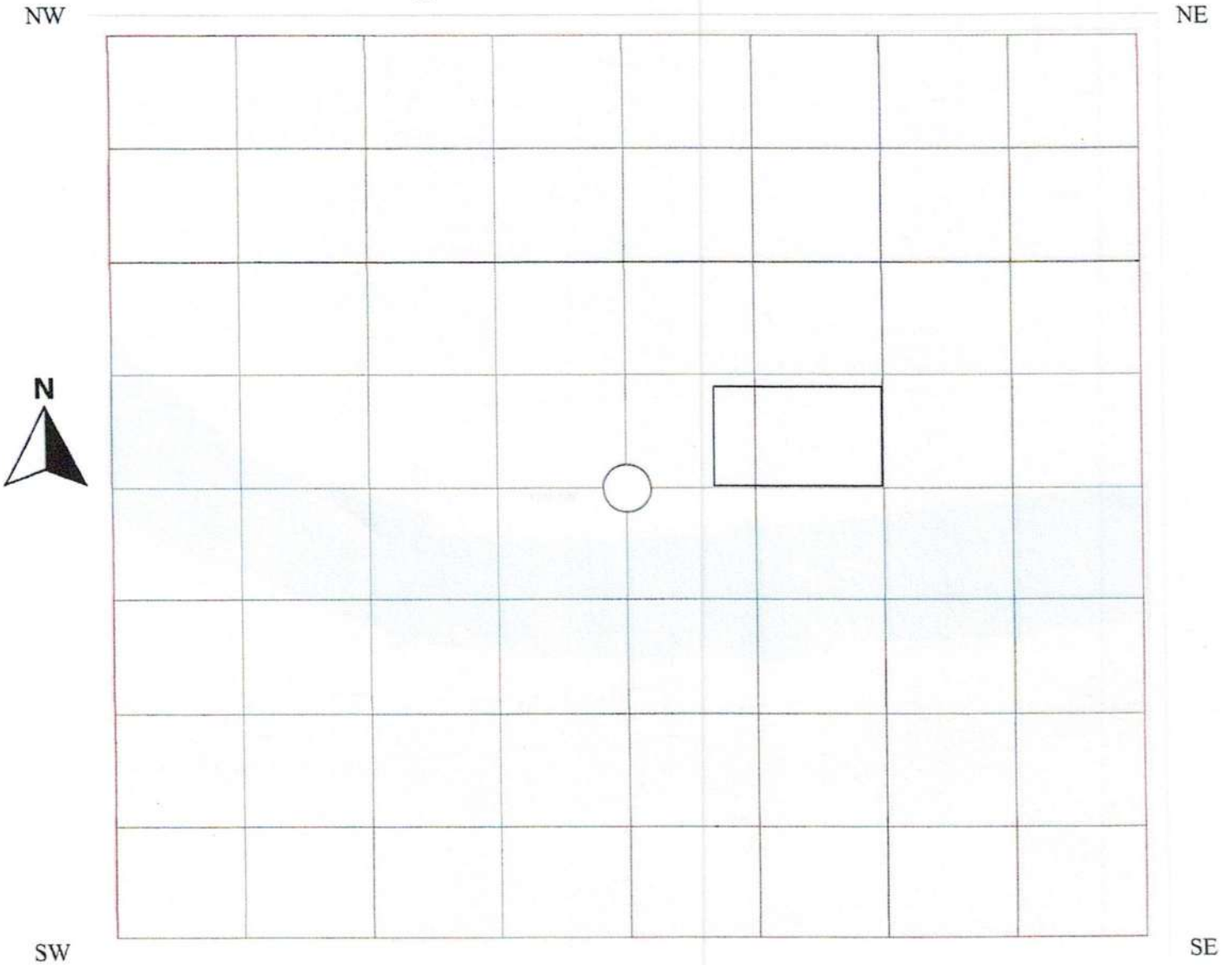
Company: Candlestick Sand LLC

Acres in this Section that will be covered by permit: 10 and bond: 10

Section: 10 Township: 19N Range: 10E County: Tulsa

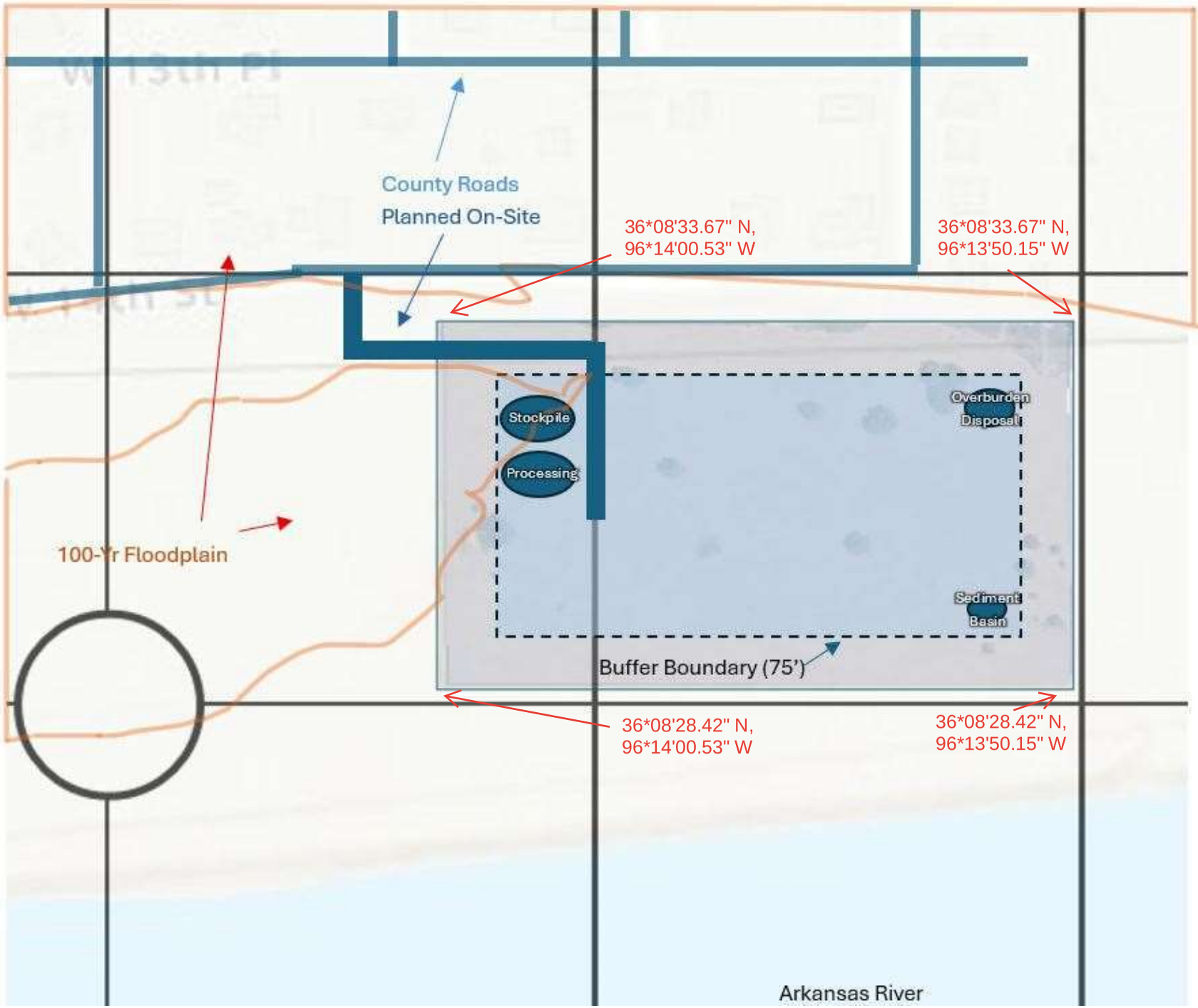
1. ***A separate page is needed for every Section.***
2. ***Please as show all permitted and bonded acreage.***

EACH SMALL SQUARE BELOW REPRESENTS A 10-ACRE TRACT.

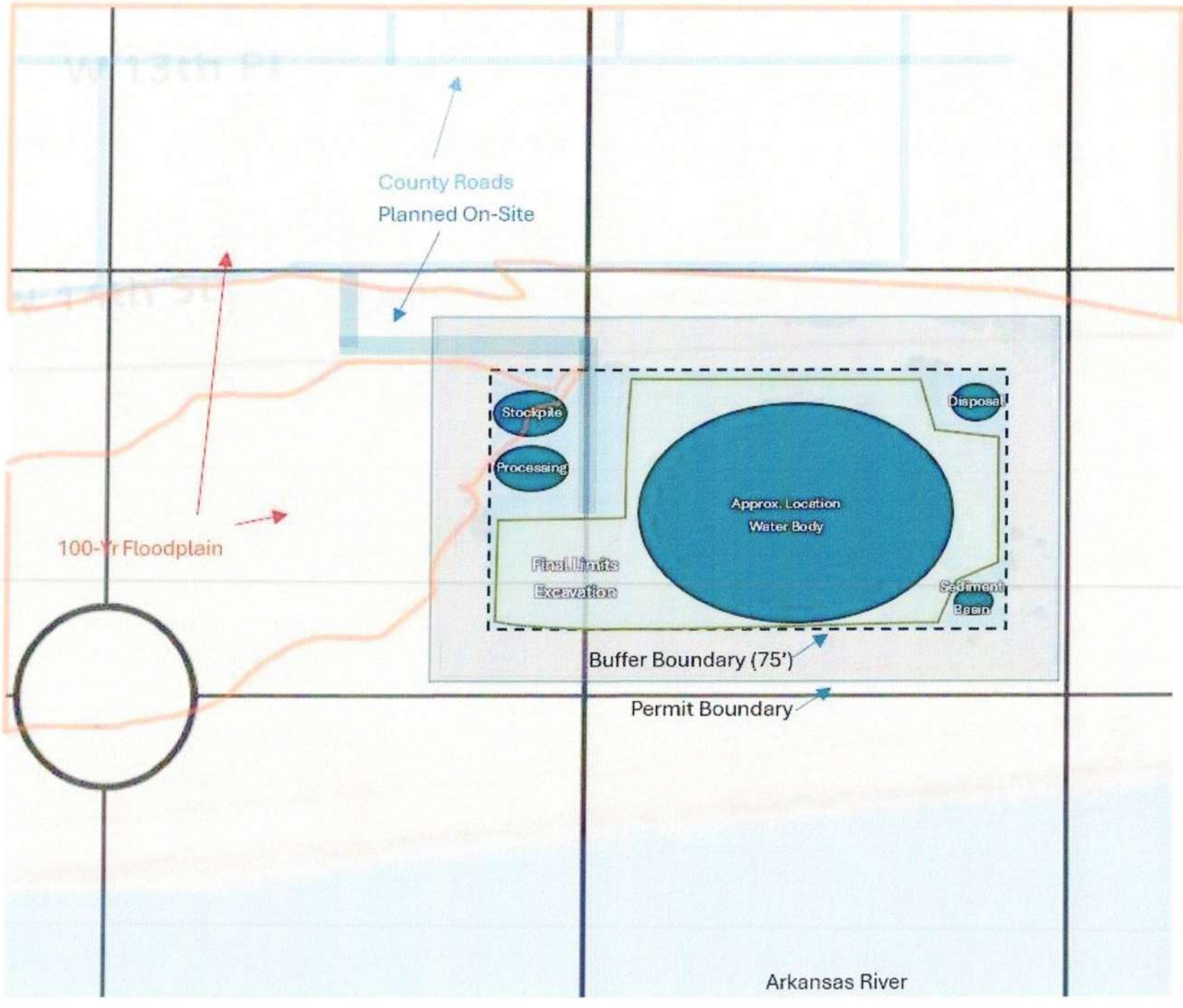


PLOT LOCATION as accurately as possible on map.
NOTE: PLOT ALL TRANSMISSION LINES (gas, water, electric, etc.) in accordance with HB 1735 of 1982

LOCATION MAP



RECLAMATION MAP



State of Oklahoma
Department of Mines
2915 North Classen Blvd., Suite 213
Oklahoma City, OK 73106
405/427-3859

Non-Coal Division
ODM Use:
Permit:_____

COLLATERAL BOND AGREEMENT

Section 1

Name of Permittee (Operator): Candlestick Sand LLC Telephone No.: 9185190056
Mailing Address: 2801 E Kenosha St P.O.141054
City: Broken Arrow State: OK Zip Code: 74014
Corporation _____ Single Proprietorship _____ Partnership _____ Other LLC In the State of OK
Acres to be mined: 10 Mineral to be mined: Sand
Section: 10 Township: 19N Range: 10E County: Tulsa
Section: _____ Township: _____ Range: _____ County: _____
Section: _____ Township: _____ Range: _____ County: _____

This Agreement made this 5th day of September in the year of 2025 by the State of Oklahoma, Department of Mines and Candlestick Sand LLC (Name of Operator) who in consideration of the issuance of the aforesaid permit and intending to be legally bound hereby, is held and firmly bound unto the State of Oklahoma, Department of Mines, in the just and full sum of $15000 to the payment whereof the operator does hereby bind his/her/itself, his/her/its heirs, executors, administrators, assigns and successors, firmly by these presents:

NOW THE OBLIGATION OF THIS CONTRACT is such that if the said operator shall faithfully perform all of the requirements of the Mining Reclamation Act, Title 45 O.S. 2001, Section 721 *et seq.* and as amended thereinafter; the Rules and Regulations for Non-Coal Mining and Reclamation Operations (460:10-1-1 thru 460:10-37-7); and all the conditions required in the permit issued to said operator as specified heretofore and designated in this bond (all of which are hereinafter referred to as the "law"); and as such amendments or additions to the law may hereinafter be lawfully made, then this obligation shall be null and void; otherwise to be and remain in full force and effect.

LIABILITY UPON THIS BOND shall be for the amount specified herein. Liability upon this bond shall continue for the duration of surface mining and reclamation at the operation conducted hereunder unless released in whole or in part by the Department, in writing, prior thereto as provided by law.

AND FOR THE PURPOSE OF SECURING SAID OBLIGATION, the said Candlestick Sand LLC (Name of Operator) hereby deposits the following security in lieu of a surety bond in accordance with the provisions of the law.

Section 2

Description of Collateral

Check type of bond:

_____ Negotiable Bond
_____ Certificate of Deposit
X Cash or check
_____ Bank Irrevocable Letter of Credit
_____ Other, please specify: _____

Issuer (Name of Bank)	Bond Number	Amount

Total Amount of Collateral: $15000

If the Department has authorized a schedule (attached to this bond), to deposit the collateral required to secure this Bond Obligation, the Operator agrees to make such deposits in strict conformity with such schedule as a supplement to such amounts already deposited with the Department. Failure to deposit promptly collateral in accordance with the schedule shall immediately result in the acceleration of the obligation to deposit the full remaining amount of collateral and such other penalties as may be imposed by the Department of Mines.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals, intending to bind legally themselves, their heirs, successors, assigns and transferees, the day and year first above written.

Section 3

Mining Operator Sign Below

Jay Mackey, Member
Printed Name and Title of Operator Official

Signature

Printed Name and Title of Operator Official

Signature

Candlestick Sand LLC
Print Name of Permittee

Place Corporate Seal HERE,
If applicable

Third Party Sign Below (If applicable)

Printed Name and Title of Third Party Official

Signature

Printed Name and Title of Third Party Official

Signature

Print Name of Third Party

Place Corporate Seal HERE
If applicable

Accepted by Oklahoma Department of Mines

Signature

Title

Approved as to Legality of Form:

Signature

Title

Date

Table of Contents

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NOI for Industrial Stormwater Discharges under OKR05

version 1.10

(Submission #: HQF-BZB3-9DCDF, version 1)

Details

Submitted	9/4/2025 (0 days ago) by Jay Mackey
Alternate Identifier	Candlestick Sand LLC - New
Submission ID	HQF-BZB3-9DCDF
Status	In Review
Active Steps	Review Submission

Fees

Fee	$447.71
Payments/Adjustments	($447.71)
Balance Due	$0.00 (Paid)

Form Input

Operator

Authorization Number

NONE PROVIDED

> There is no authorization number to enter for a NEW application.

Application Type

New

Operator Name

Candlestick Sand LLC

Operator Details

Operator

Phone Type	Number	Extension
Mobile	9185190056	

Mailing Address

2801 E KENOSHA ST # 141054 # PO
BROKEN ARROW, OK 74014

Responsible Official

First Name	Last Name
Jay	Mackey

Title
Member

Phone Type	Number	Extension
Mobile	9185190056	

Email
candlestickbeach@gmail.com

Is the Responsible Official also the regular Operator Contact
Yes

Consultant

First Name	Last Name
NONE PROVIDED	*NONE PROVIDED*

Title
NONE PROVIDED

Consultant Business Name
NONE PROVIDED

Phone Type	Number	Extension
NONE PROVIDED		

Email
NONE PROVIDED

Registered and in good standing with Secretary of State?
Yes

For more information visit the Oklahoma Secretary of State website
Oklahoma Secretary of State - Home

Fee
447.71

Facility Information

Facility Details

Facility Name
Candlestick Sand 1

Phone Type	Number	Extension
Business	9185190056	

Facility Physical Address
Intersection W 14th St and S 217th W Ave
Sand Springs, OK 74063

Web Address
NONE PROVIDED

County
Tulsa (72)

Primary SIC Code
1442-Construction Sand and Gravel

Primary SIC Sector
NONE PROVIDED

Secondary SIC Code
NONE PROVIDED

Secondary SIC Sector
NONE PROVIDED

Are there mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities?
Yes

Is the facility contact the same as the operator contact?
Yes

> THIS MAP ONLY FINDS THE LAT/LONG FOR YOUR PROJECT.
> A SEPARATE SITE MAP MUST BE UPLOADED BELOW.

Facility Location (Entrance)
36.142709721347835,-96.23320973004188

> SITE MAP MUST INCLUDE CROSS STREETS AND SHOW PROJECT BOUNDARIES.

General location map and site maps
Mapping - Filled.pdf - 09/04/2025 04:46 PM
Comment
NONE PROVIDED

Type of Facility Ownership
Privately Owned Facility

Acreage Affected

Total Area (Acres)	Total Impervious (Acres)	Exposed to Stormwater (Acres)
10.00	3.00	7.00

Discharges to an MS4? (New)
No

Endangered Species Eligibility
a. My site is NOT located in or draining into Federal and State sensitive waters and watersheds.

Seperate Individual or General Permit
No

Is the facility&#65533;s stormwater discharge subject to impaired water monitoring?
No

DMR Required Indicator
Yes

Is the DMR contact the same as the operator contact?
Yes - Operator

Discharge Information (New) (1 of 1)

`OUTFLL_ID`:Arkansas River

Outfall Location
36.139647199765676,-96.23320451833182

Receiving Waterbody
Arkansas River

Unknown Tributary
NONE PROVIDED

Is the waterbody impaired?
No

Pollution Prevention Plan

SWP3 Prepared and Available
Yes

Did you post your current SWP3 on your Company/Business's website?
No

Proposed BMP to control pollution in stormwater discharges
Sediment Basin
Employee Training
Secondary Containment
Good Housekeeping
Ret/Detention Pond
Spill Prevention Plans
Dust Collection System

Attachments

Date	Attachment Name	Context	User
9/4/2025 4:46 PM	Mapping - Filled.pdf	Attachment	Jay Mackey

Status History

	User	Processing Status
9/4/2025 4:34:07 PM	Jay Mackey	Draft
9/4/2025 5:45:19 PM	Jay Mackey	Signing
9/4/2025 5:45:19 PM	Jay Mackey	Submitting
9/4/2025 5:45:49 PM	Jay Mackey	Submitted
9/4/2025 5:45:50 PM	Jay Mackey	In Review

Processing Steps

Step Name	Assigned To/Completed By	Date Completed
Form Submitted	Jay Mackey	9/4/2025 5:45:49 PM
Review Submission		
Accept Submission		
Push to Central Records		

Agreements and Signature(s)

SUBMISSION AGREEMENTS

- ☑ I am the owner of the account used to perform the electronic submission and signature.
- ☑ I have the authority to submit the data on behalf of the facility I am representing.
- ☑ I agree that providing the account credentials to sign the submission document constitutes an electronic signature equivalent to my written signature.
- ☑ I have reviewed the electronic form being submitted in its entirety, and agree to the validity and accuracy of the information contained within it to the best of my knowledge.

This form has not yet been submitted. To complete your submission, you must click the "Submit Form" button at the bottom of this page. Submission completion additionally signals your agreement to the statements below.

I certify under penalty of law that I have read and understand Part 1 of the permit eligibility requirements for coverages under the Stormwater Multi-Sector Industrial General Permit OKR05, including those requirements relating to the protection of endangered or threatened species or critical habitat in Appendix A.

Furthermore, this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I understand that continued coverage under the Stormwater Multi-Sector Industrial General Permit OKR05 is contingent upon maintaining eligibility as provided for in Part 1 of the Permit.

Signed By Jay Mackey on 09/04/2025 at 5:45 PM

State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

NON-COAL LOCATION MAP by SECTION

The Mining Land Reclamation Act, 45 O.S. 2016 § 721-728

ODM Permit Number: _____
(Office Use Only)

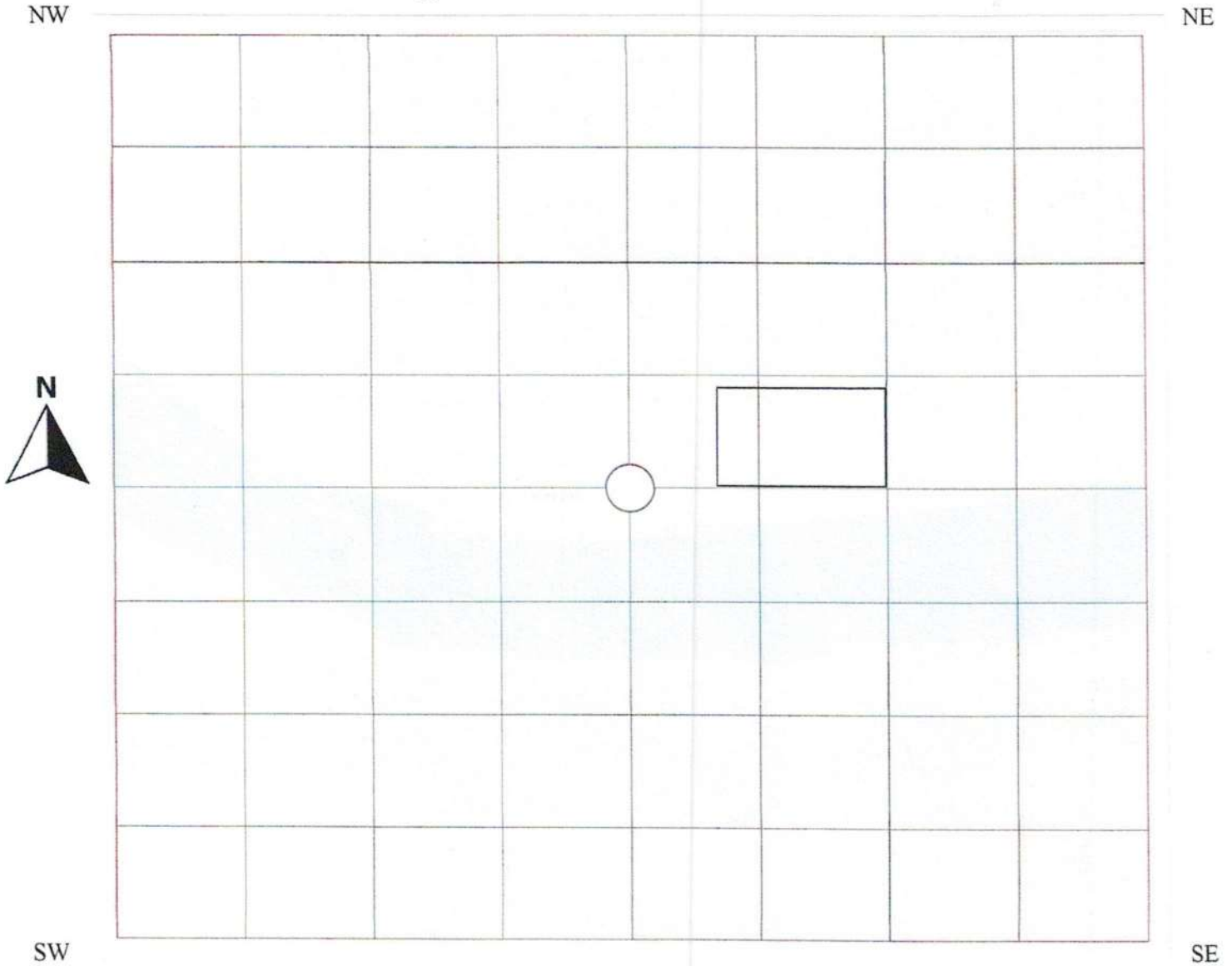
Company: Candlestick Sand LLC

Acres in this Section that will be covered by permit: 10 and bond: 10

Section: 10 Township: 19N Range: 10E County: Tulsa

1. ***A separate page is needed for every Section.***
2. ***Please as show all permitted and bonded acreage.***

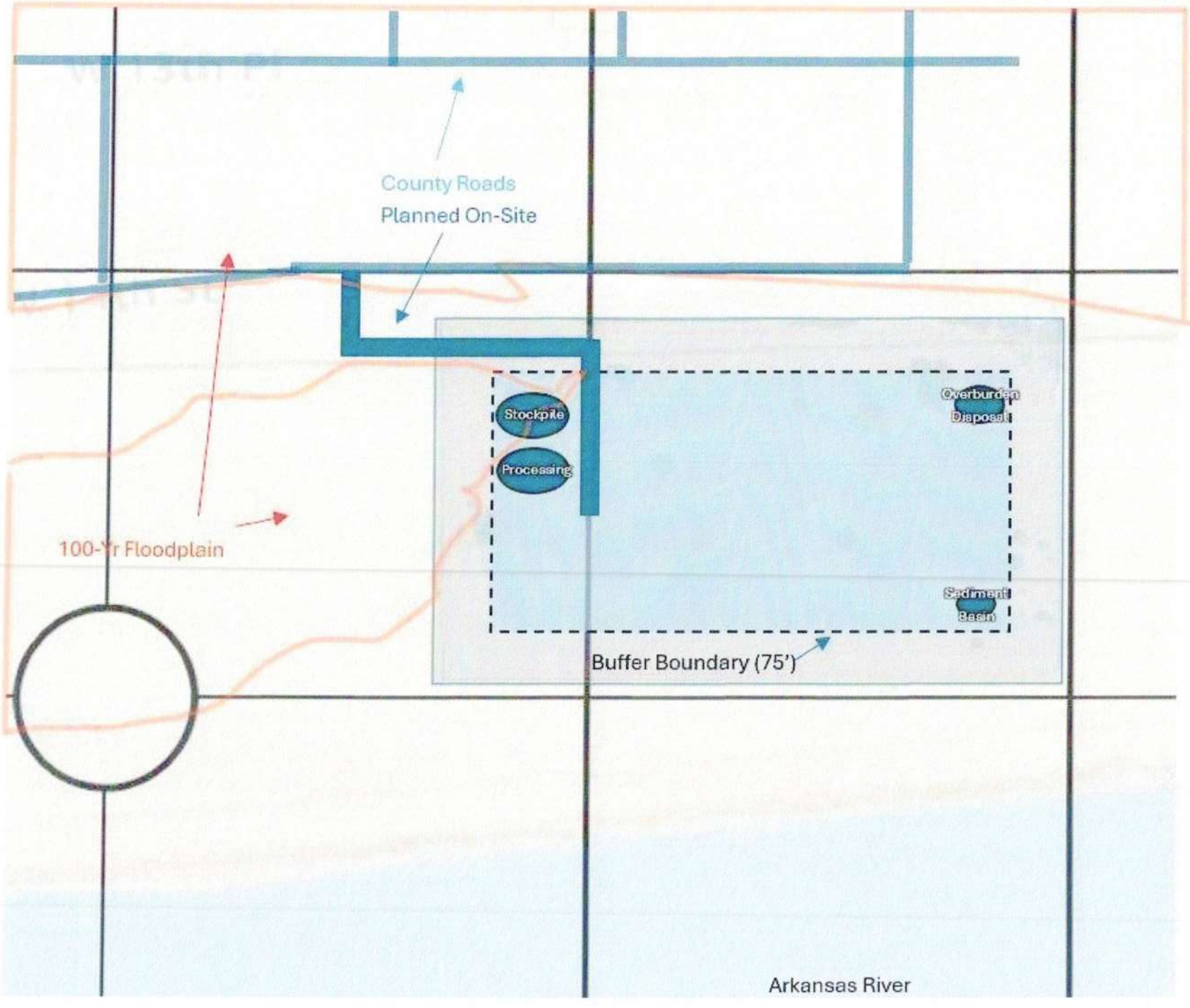
EACH SMALL SQUARE BELOW REPRESENTS A 10-ACRE TRACT.



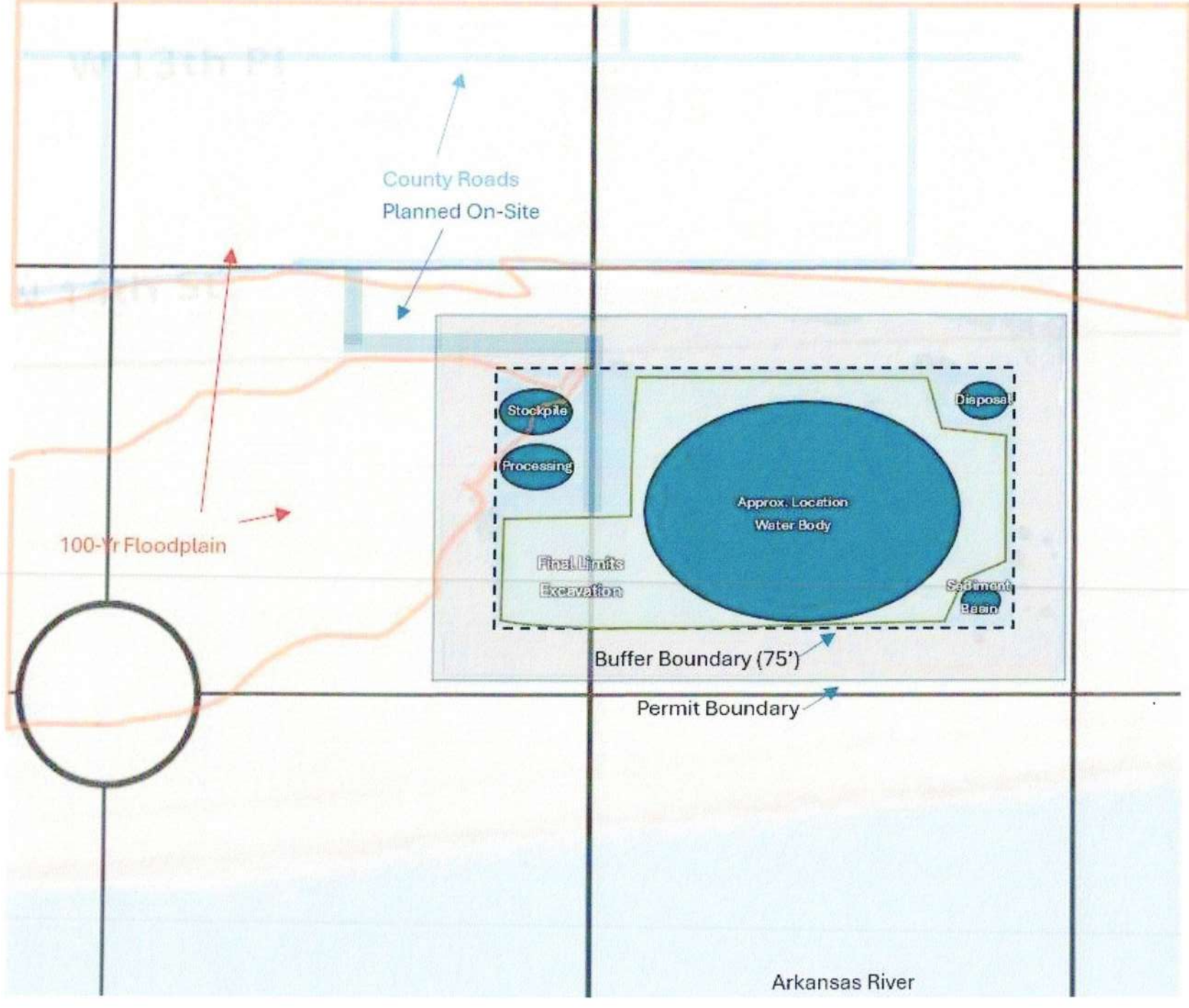
PLOT LOCATION as accurately as possible on map.
NOTE: PLOT ALL TRANSMISSION LINES (gas, water, electric, etc.) in accordance with HB 1735 of 1982

Updated 10/2024

LOCATION MAP



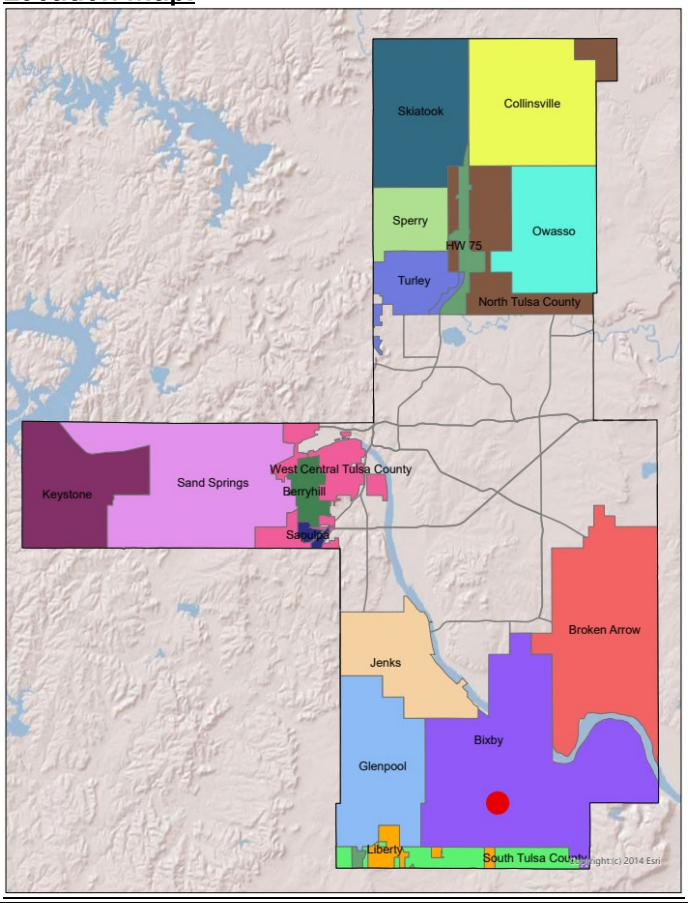
RECLAMATION MAP



Board of Adjustment	**Case Number:** CBOA-3390 **Hearing Date:** November 17th, 2026, 1:30 PM
Case Report Prepared by: Javier Rojas	**Owner and Applicant Information:** **Applicant:** Larry Lowe **Property Owner:** Same

Action Requested: Variance of rear setback from 25ft to 17ft in an RE district (Sec. 3.040, Table3-3)

Location Map:



Additional Information:

Present Use: Residential

Tract Size: 0.87± Acres

Legal Description:
Subdivision: THE VILLAGE AT SPARTA
Legal: LT 1 BLK 2
Section: 35 Township: 17 Range: 13

Present Zoning: RE (Residential Estate)

Fenceline/Area: Bixby

Land Use Designation: Rural Residential

CASE REPORT

TRS: 7335

CASE NUMBER: CBOA-3390

CASE REPORT PREPARED BY: Javier Rojas

HEARING DATE: November 17th, 2026, 1:30 PM

APPLICANT: Larry Lowe

ACTION REQUESTED: Variance of rear setback from 25ft to 17ft in an RE district (Sec. 3.040, Table3-3)

LOCATION: 18070 S 72nd E Ave, Bixby, OK

ZONED: RE (Residential Estate)

FENCELINE: Bixby

PRESENT USE: Residential

TRACT SIZE: 0.87± Acres

LEGAL DESCRIPTION:
Subdivision: THE VILLAGE AT SPARTA
Legal: LT 1 BLK 2
Section: 35 Township: 17 Range: 13

RELEVANT PREVIOUS ACTIONS: None.

ANALYSIS OF SURROUNDING AREA: The subject property is located along E 181st St S, between S Sheridan Rd and S Memorial Rd, in an area characterized primarily by low-density residential and agricultural development. The subject property lies within the 'The Village at Sparta' Residential Estate subdivision, which is otherwise surrounded by AG-zoned land, although there is a small RS-3 subdivision (Springview Estates Addition).

The subject property is zoned RE (Residential Estate), as are properties generally located to the east, west, and north (within its subdivision), while properties farther south are predominantly zoned AG. The subject property and surrounding area to its north, east, and west are designated Rural Residential by the Tulsa County Comprehensive Land Use Plan, which denotes areas that have large-lot detached residential development intended to retain the rural character of the area. The existing development pattern, consisting primarily of residential uses on properties of varying sizes, larger than half an acre inside the subject tract's subdivision, and generally over 2 acres outside, interspersed with open and agricultural land, is consistent with this designation.

South of the subject tract, past E 181st St, most of the land is designated Rural Agriculture, emphasizing the large-lot and rural feel proximate to the subject tract.

District from 25 feet to 17 feet.

The subject property is an approximately 0.87-acre AG-zoned tract located within an established subdivision.

The requested rear setback variance is dimensional in nature and should be evaluated based on the degree of encroachment, the location of the affected structure, and its relationship to the adjoining property. The surrounding area contains parcels and residential improvements with varying configurations; however, compatibility with the surrounding development pattern alone does not establish the findings necessary for granting a variance. However, it must be noted that that structure's encroachment into the setback still leaves most of the setback (17 feet) intact.

Staff finds that, given the information provided, the requested variances are not anticipated to substantially alter the established rural residential and agricultural character of the surrounding area. The Board should consider the existing size and configuration of the subject property, the location of existing or proposed improvements, the degree of relief requested from the side setback, and the relationship of the property to surrounding development when determining whether the circumstances of the property satisfy the required findings for granting the variances. Approval of the variances would not relieve the property from compliance with other applicable zoning, building, access, wastewater/septic, or development requirements.

Sample Motion:

"Move to _____ (approve/deny) Variance of rear setback from 25ft to 17ft in an RE district (Sec. 3.040, Table3-3)in AG district (Sec. 2.040, Table 2-3);

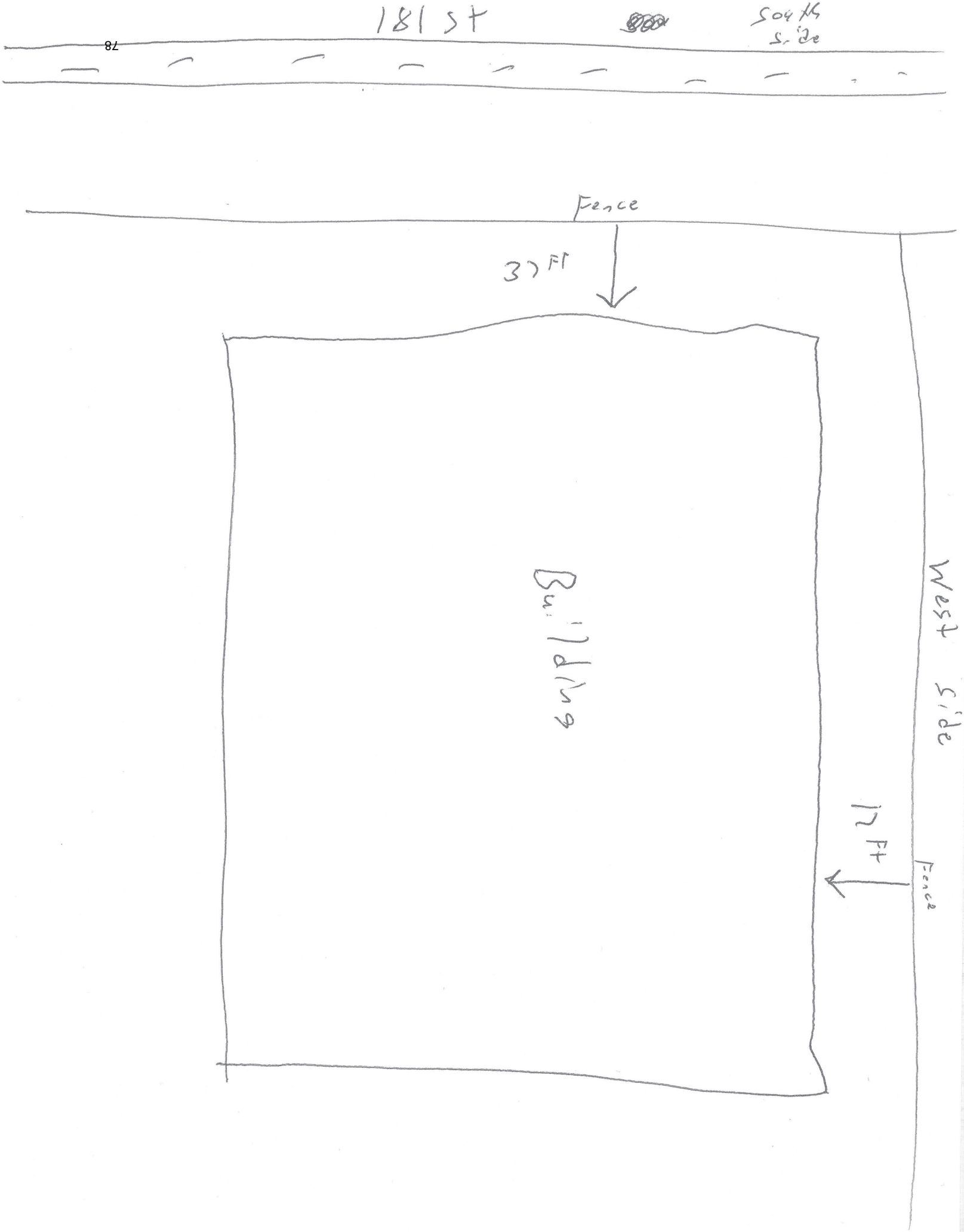
Should the Board approve the request, staff recommends the following (possible conditions) to ensure compatibility and protect surrounding properties:

1. *Setback variance applies only to the building(s) in the provided site plan.*
2. *2.*
3. *3.*

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.


181 St
South side
Fence
37 Ft
Building
West side
17 Ft
Fence



Feet
0 200 400

Subject Tract

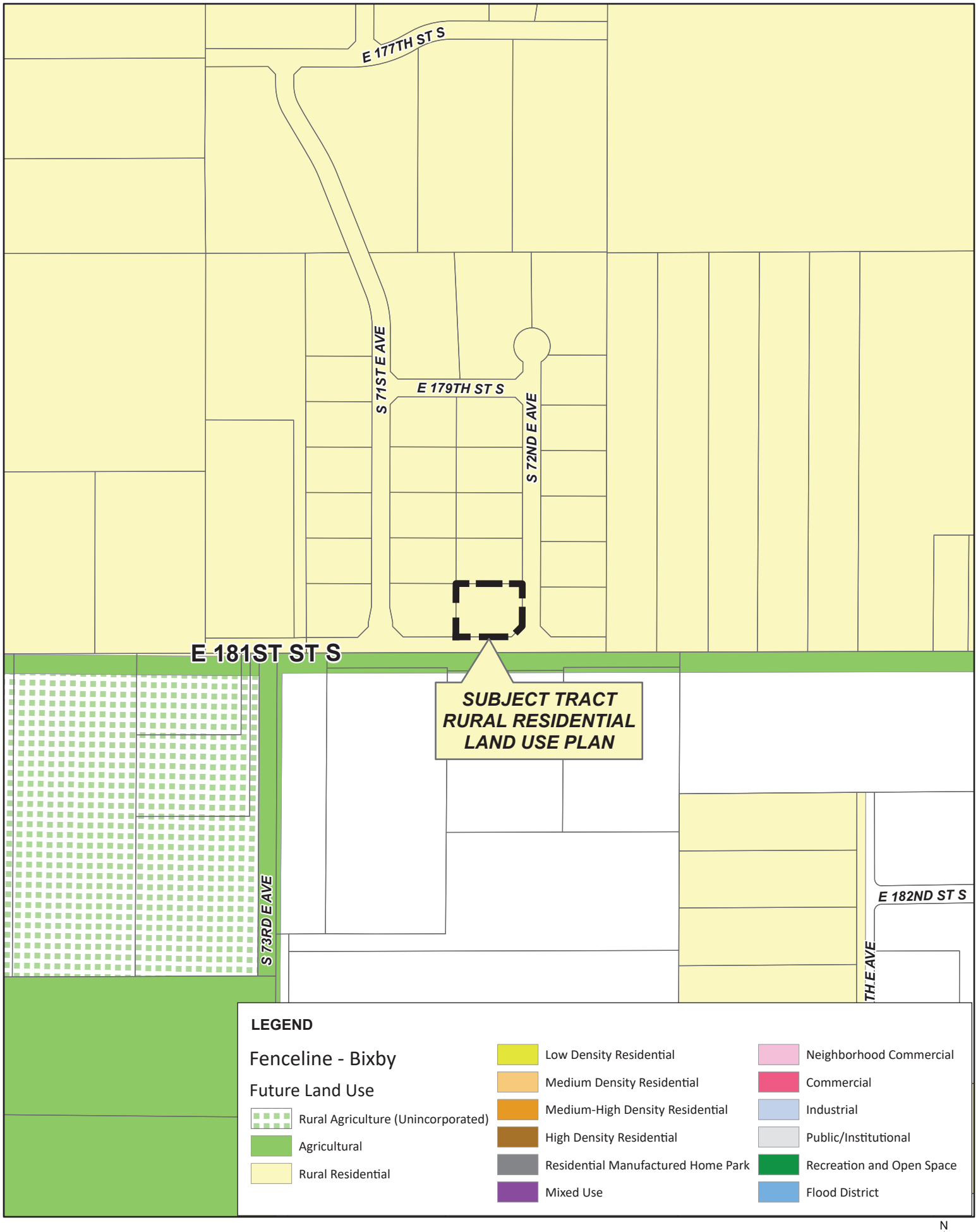
CBOA-3390

35 17-13

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

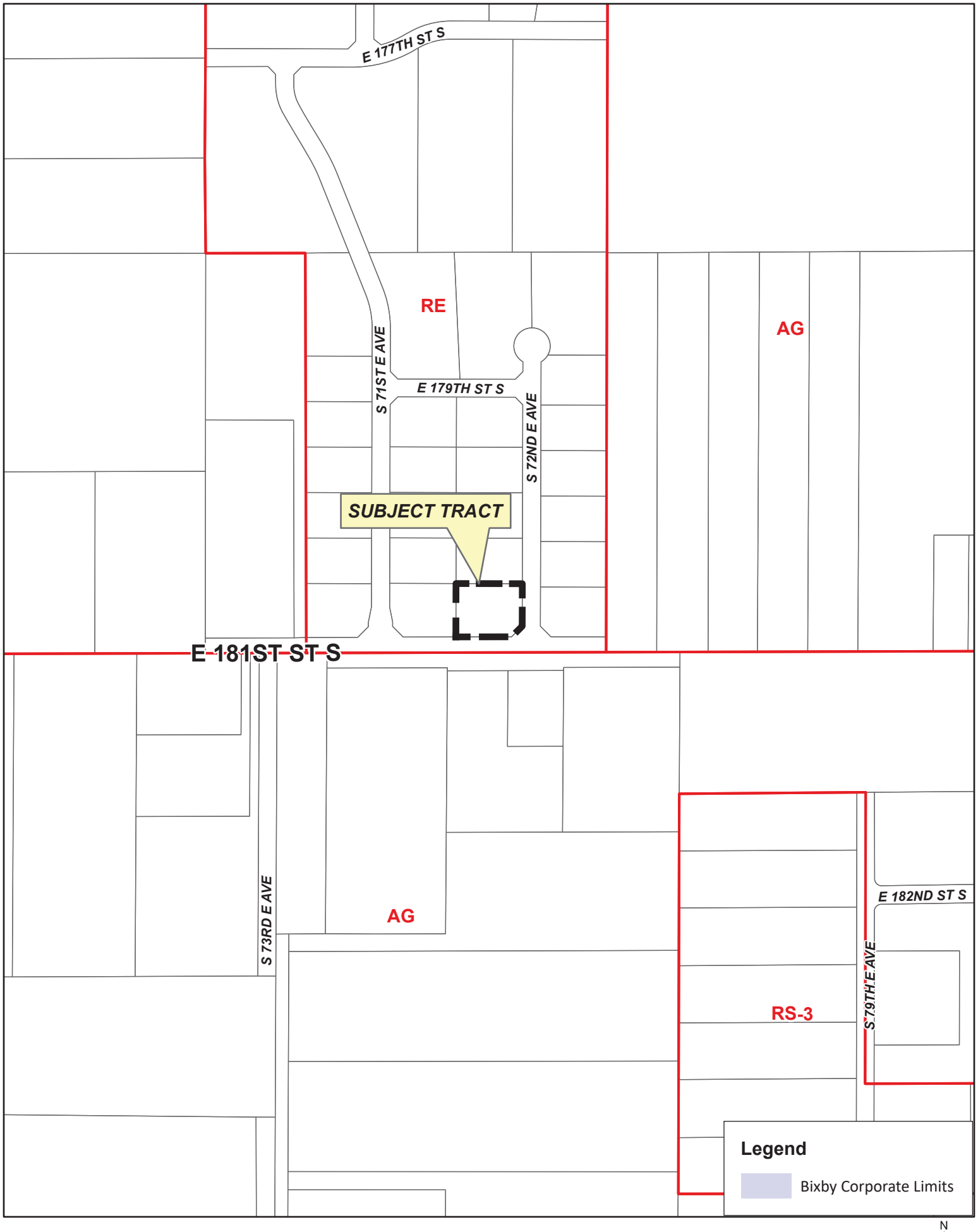
Aerial Photo Date: 2025

N



CBOA-3390

35 17-13



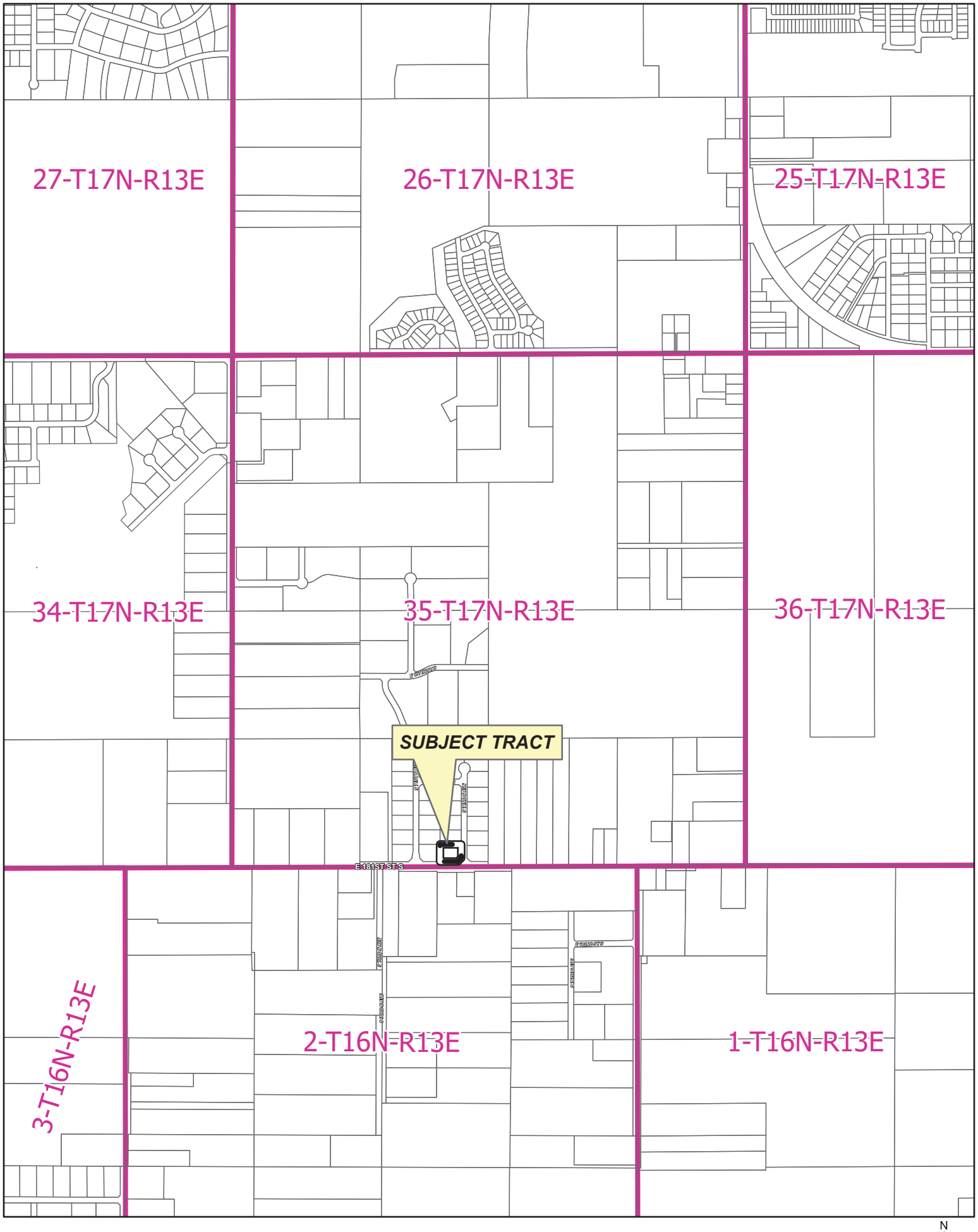
Feet
0 200 400

CBOA-3390

35 17-13

81

N



Feet
0 625 1,250

CBOA-3390

35 17-13

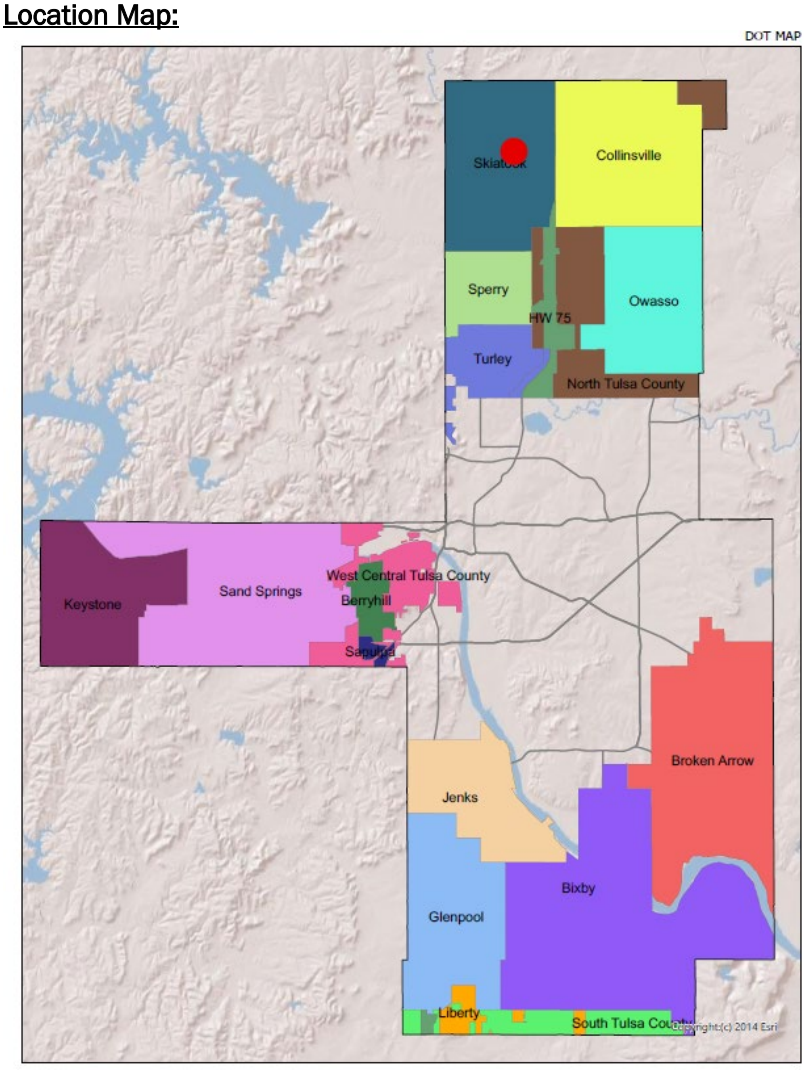
82

N

Board of Adjustment	**Case Number:** CBOA-3391 **Hearing Date:** November 17th, 2026, 1:30 PM
Case Report Prepared by: Javier Rojas	**Owner and Applicant Information:** **Applicant:** Lou Reynolds **Property Owner:** Michael J. Scott and Jode E. Jones

Action Requested: Variance from Section 2.040 Lot and Building Regulations, Table 2-3: Agricultural District Lot and Building Regulations to permit a residential dwelling and accessory structures on a +/- 67 acre lot that has 2,290 linear feet of frontage on a section line that is not maintained as a public road.

Location Map:



Additional Information:

Present Use: Vacant

Tract Size: 67± Acres

Legal Description: A TRACT OF LAND BEING PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER (S/2 SW/4) OF SECTION SEVENTEEN (17), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE THIRTEEN (13) EAST INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID S/2 SW/4; THENCE NORTH 88°42'36" EAST ALONG THE SOUTH LINE OF SAID S/2 SW/4 FOR 339.92 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02°08'07" WEST FOR 873.80 FEET; THENCE NORTH 87°24'00" EAST FOR 277.87 FEET; THENCE NORTH 04°27' 06" EAST FOR 135.00 FEET; THENCE NORTH 01°23'48" WEST FOR 307.33 FEET TO A POINT ON THE NORTH LINE OF SAID S/2 SW/4; THENCE NORTH 88°43'22" EAST FOR 2021.77 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID S/2 SW/4; THENCE SOUTH 01°14'34" EAST FOR 1321.27 FEET TO THE SOUTHEAST CORNER OF SAID S/2 SW/4; THENCE SOUTH 88°42'36" WEST FOR 2298.52 FEET TO THE POINT OF BEGINNING.

Present Zoning: AG (Agriculture)

Fenceline/Area: Skiatook

Land Use Designation: Urban Residential

CASE REPORT

TRS: 2317 **CASE NUMBER:** CBOA-3391

CASE REPORT PREPARED BY: Javier Rojas

HEARING DATE: November 17th, 2026, 1:30 PM

APPLICANT: Lou Reynolds

ACTION REQUESTED: Variance from Section 2.040 Lot and Building Regulations, Table 2-3: Agricultural District Lot and Building Regulations to permit a residential dwelling and accessory structures on a +/- 67 acre lot that has 2,290 linear feet of frontage on a section line that is not maintained as a public road.

LOCATION: North and east of E 156 St N and N Lewis Ave.

ZONED: AG (Agriculture)

FENCELINE: Skiatook

PRESENT USE: Vacant

TRACT SIZE: 67± Acres

LEGAL DESCRIPTION: A TRACT OF LAND BEING PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER (S/2 SW/4) OF SECTION SEVENTEEN (17), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE THIRTEEN (13) EAST INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID S/2 SW/4; THENCE NORTH 88°42'36" EAST ALONG THE SOUTH LINE OF SAID S/2 SW/4 FOR 339.92 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02°08'07" WEST FOR 873.80 FEET; THENCE NORTH 87°24'00" EAST FOR 277.87 FEET; THENCE NORTH 04°27' 06" EAST FOR 135.00 FEET; THENCE NORTH 01°23'48" WEST FOR 307.33 FEET TO A POINT ON THE NORTH LINE OF SAID S/2 SW/4; THENCE NORTH 88°43'22" EAST FOR 2021.77 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID S/2 SW/4; THENCE SOUTH 01°14'34" EAST FOR 1321.27 FEET TO THE SOUTHEAST CORNER OF SAID S/2 SW/4; THENCE SOUTH 88°42'36" WEST FOR 2298.52 FEET TO THE POINT OF BEGINNING.

RELEVANT PREVIOUS ACTIONS: None.

ANALYSIS OF SURROUNDING AREA: The subject property is near the northeast intersection of E 156th St N and N Lewis Ave, although no public maintained road reaches it.

The subject property is zoned AG (Agriculture), as are all surrounding properties. Approximately 860 feet west of the subject property lies some Residential Estate and RS-1 subdivisions, “Redberry Hill” and “Breton Ridge Addition” (inside Skiatook city limits), which is the only non-AG and non-AG-R zoning in a radius of at least ¾ of a mile around the subject tract.

The subject property, all surrounding unincorporated land in a radius of at least ¾ of a mile around the subject tract are designated Urban Residential by the Tulsa County Comprehensive Land Use Plan, which denotes areas typically intended for single-family neighborhoods of varying lot sizes at a density of, typically, 2 to 5 dwelling units per acre, while still allowing some instances of duplexes, low density multi-family residential, or light office uses, typically by way of a Planned Unit Development (PUD).

STAFF COMMENTS: The applicant is requesting, in simple terms, a variance of the street frontage requirement from 30 feet to 0 feet of maintained public road in an AG district.

The subject property is an approximately 67-acre AG-zoned tract located in a largely agricultural or undeveloped area. The requested variance pertains specifically to the required frontage on a maintained public road and does not modify the underlying AG zoning or otherwise increase the permitted intensity of development, which is a maximum of 2 principal dwellings with at least 2-acres per dwelling unit within the AG district. Staff does not anticipate that the requested variance would substantially alter the rural residential character of the surrounding area on its own, noting that the subject tract is easily large enough to be split or subdivided in the future for the intention of further development.

Staff notes that approval of the variance does not independently establish legal or physical access to the resulting tract. Adequate access must be demonstrated and maintained in accordance with all applicable requirements as part of the lot split and subsequent development of the property.

Sample Motion:

"Move to _____ (approve/deny) Variance from Section 2.040 Lot and Building Regulations, Table 2-3: Agricultural District Lot and Building Regulations to permit a residential dwelling and accessory structures on a +/- 67 acre lot that has 2,290 linear feet of frontage on a section line that is not maintained as a public road.);

Should the Board approve the request, staff recommends the following (possible conditions) to ensure compatibility and protect surrounding properties:

1. *A properly recorded mutual access easement that satisfies the subject tract's ingress and egress needs and addresses maintenance of said easement area.*
2.
3.

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.

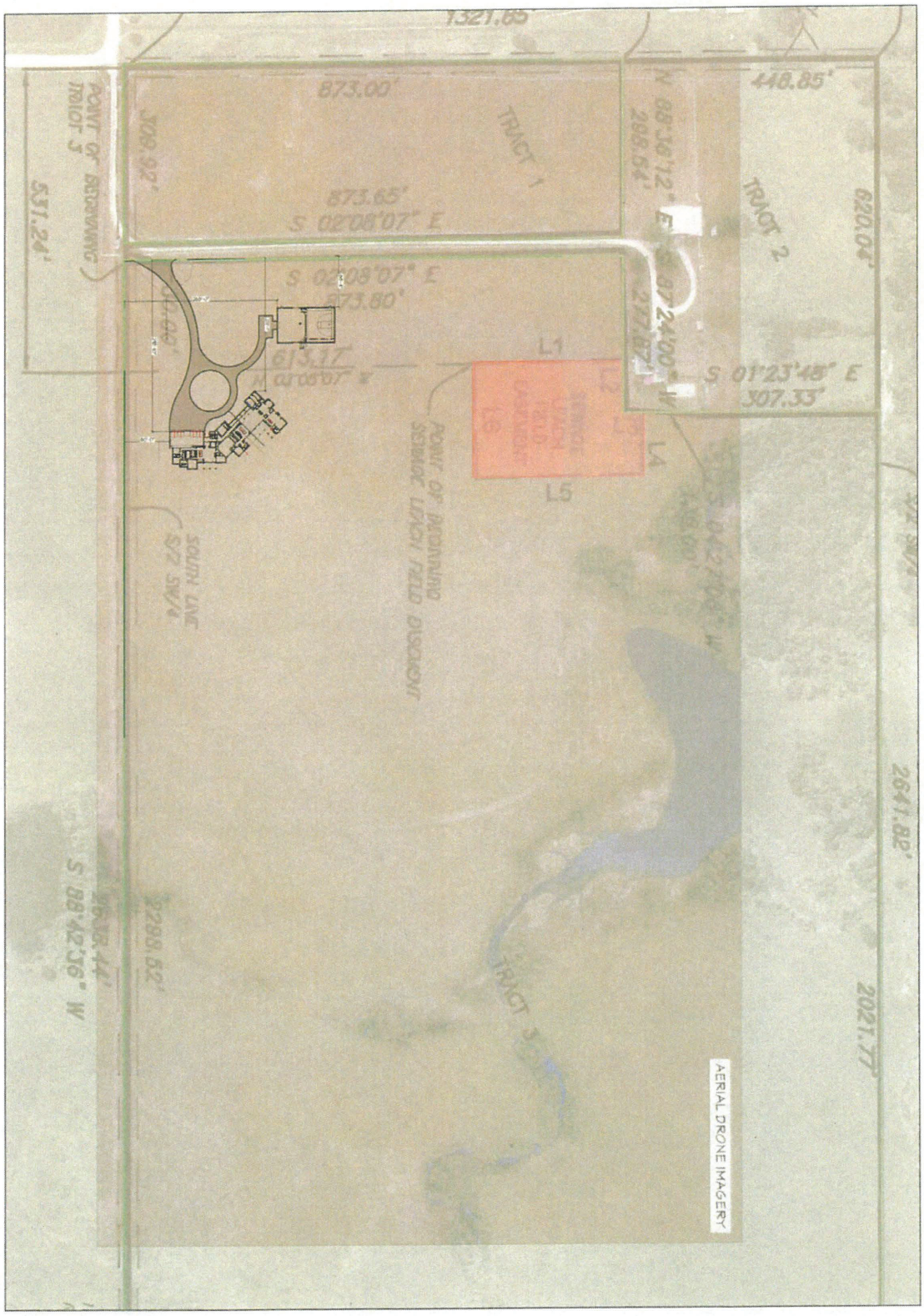
EXHIBIT "B"

The Applicant requests a Variance from Section 2.040 Lot and Building Regulations, Table 2-3: Agricultural District Lot and Building Regulations to permit a residential dwelling and accessory structures on a +/- 77 acre lot that has 2,290 linear feet of frontage on a section line that is not maintained as a public road in accordance with the Conceptual Site Plan attached hereto as Exhibit "B-1". The property has access to two (2) maintained public roads at the intersection (the "Intersection") of North Lewis Avenue and East 156th Street North by virtue of:

Roadway Easement dated November 26, 2025, recorded as Document No. 2025109596; and Roadway Easement dated November 26, 2025, recorded as Document No. 2026602357 (collectively, the "Easements").

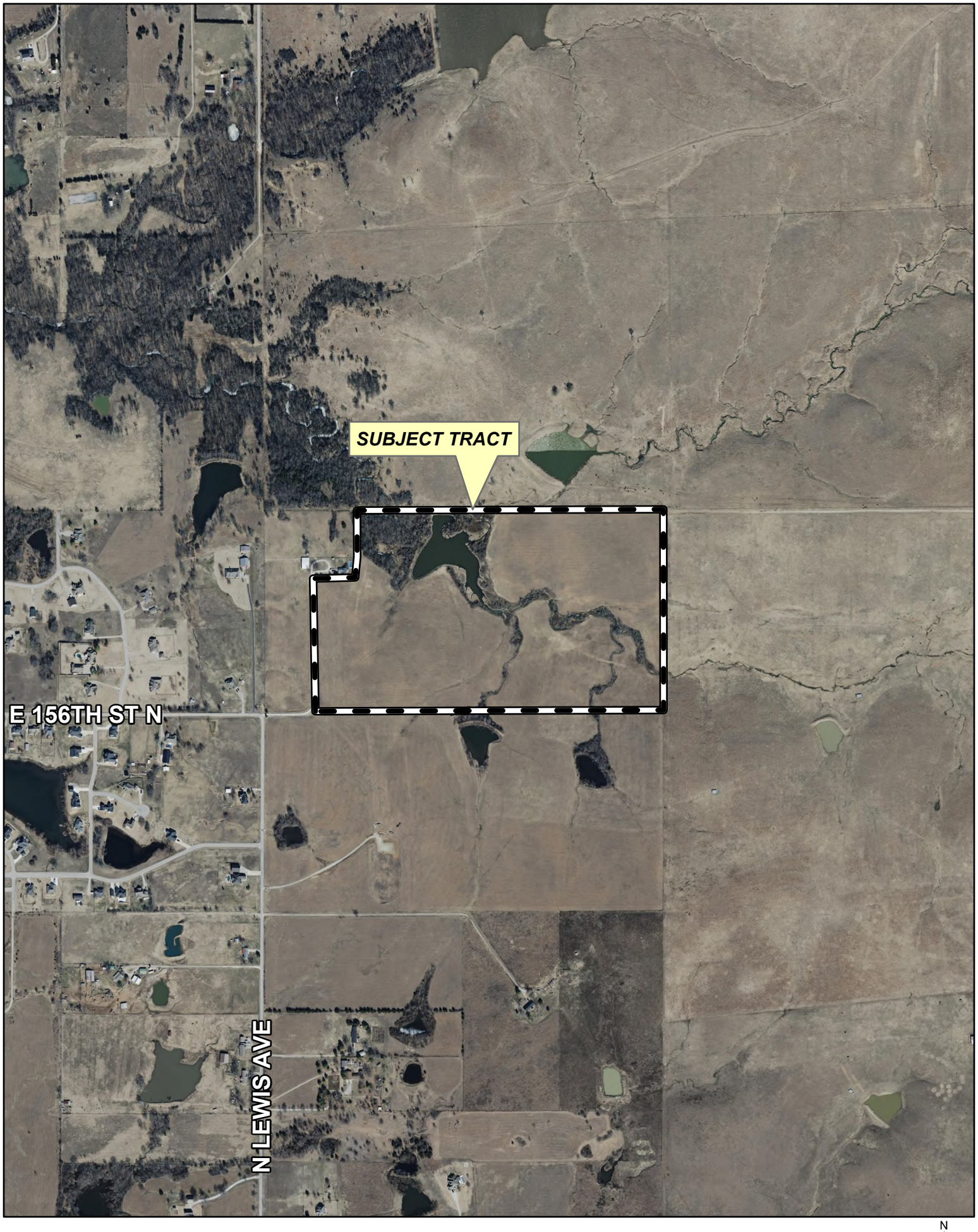
Because of the location of the Property along a section line, the size of the Property and the recorded Easements providing the Property with access to the Intersection, the Property is unique and the lack of frontage on the maintained public road results in an unnecessary hardship. Additionally, the because of the Easements and the size of the Property, the Variance will not impair the use of adjacent property or be injurious to the neighborhood.

EXHIBIT "B-1"



1 SITE PLAN
SCALE: 1/64" = 1'-0"

S1 | SITE PLAN | 10.13.26 | MICHAEL SCOTT RESIDENCE



Feet
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Subject Tract

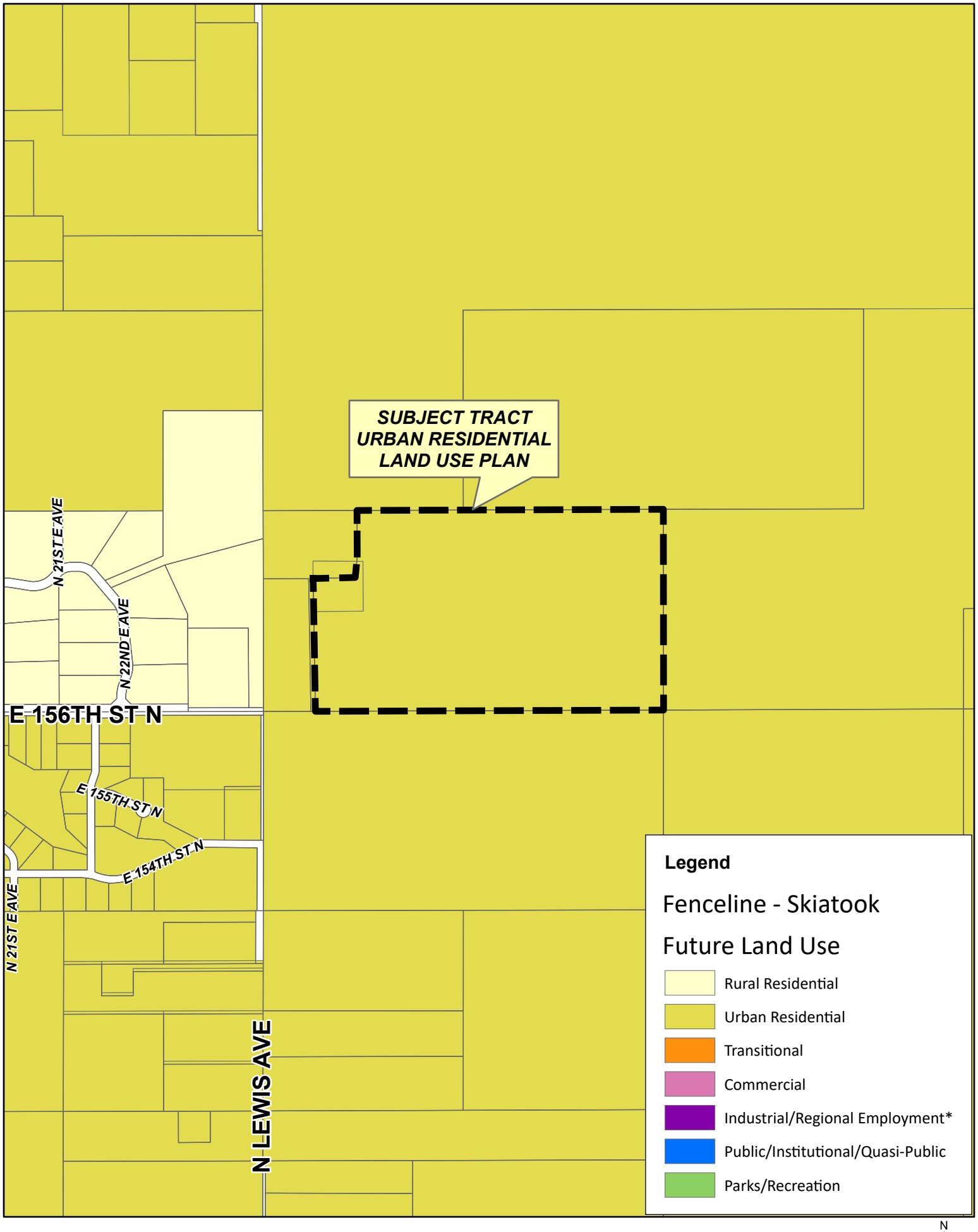
CBOA-3391

17 22-13

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

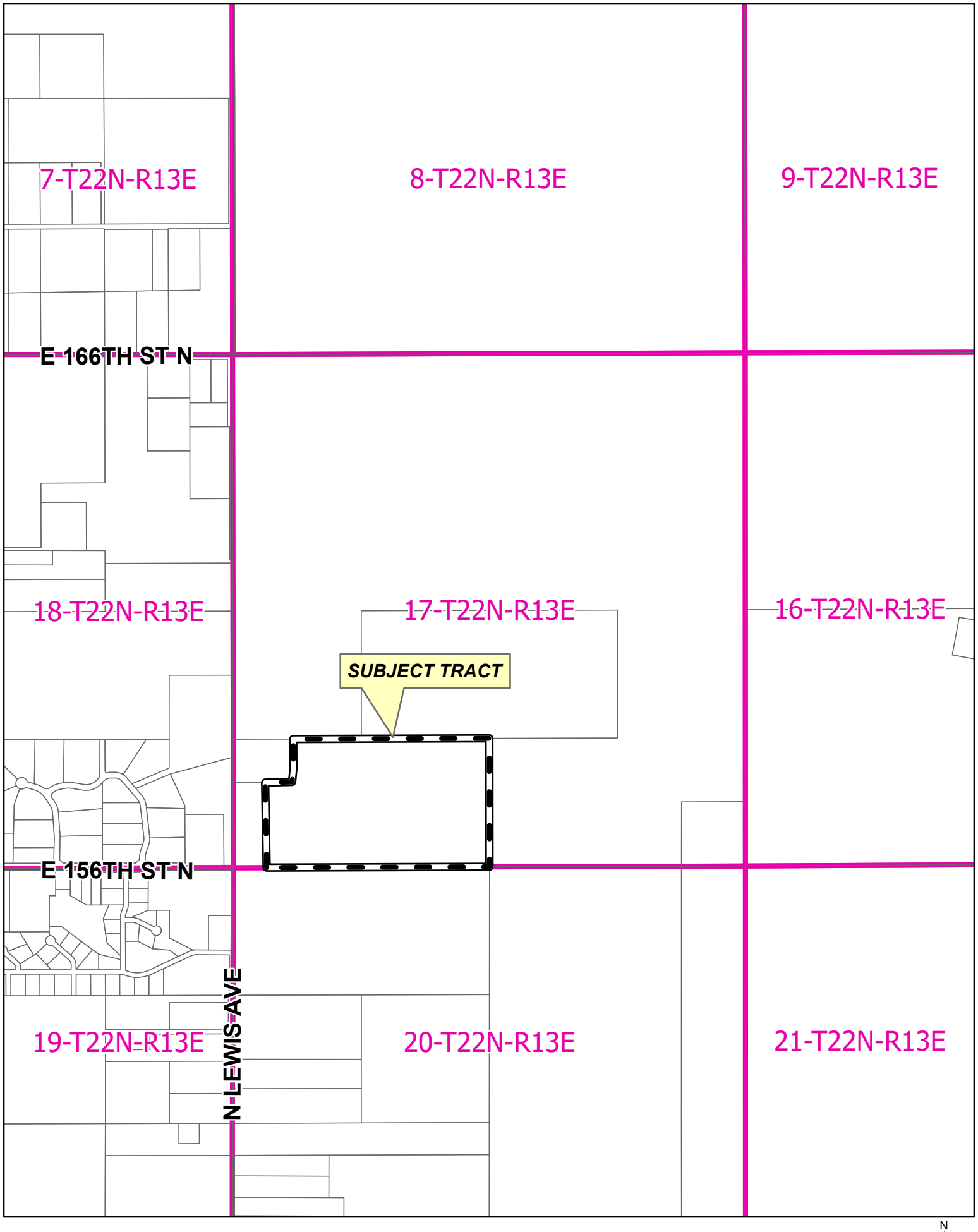
Aerial Photo Date: 2025

N



CBOA-3391

17 22-13

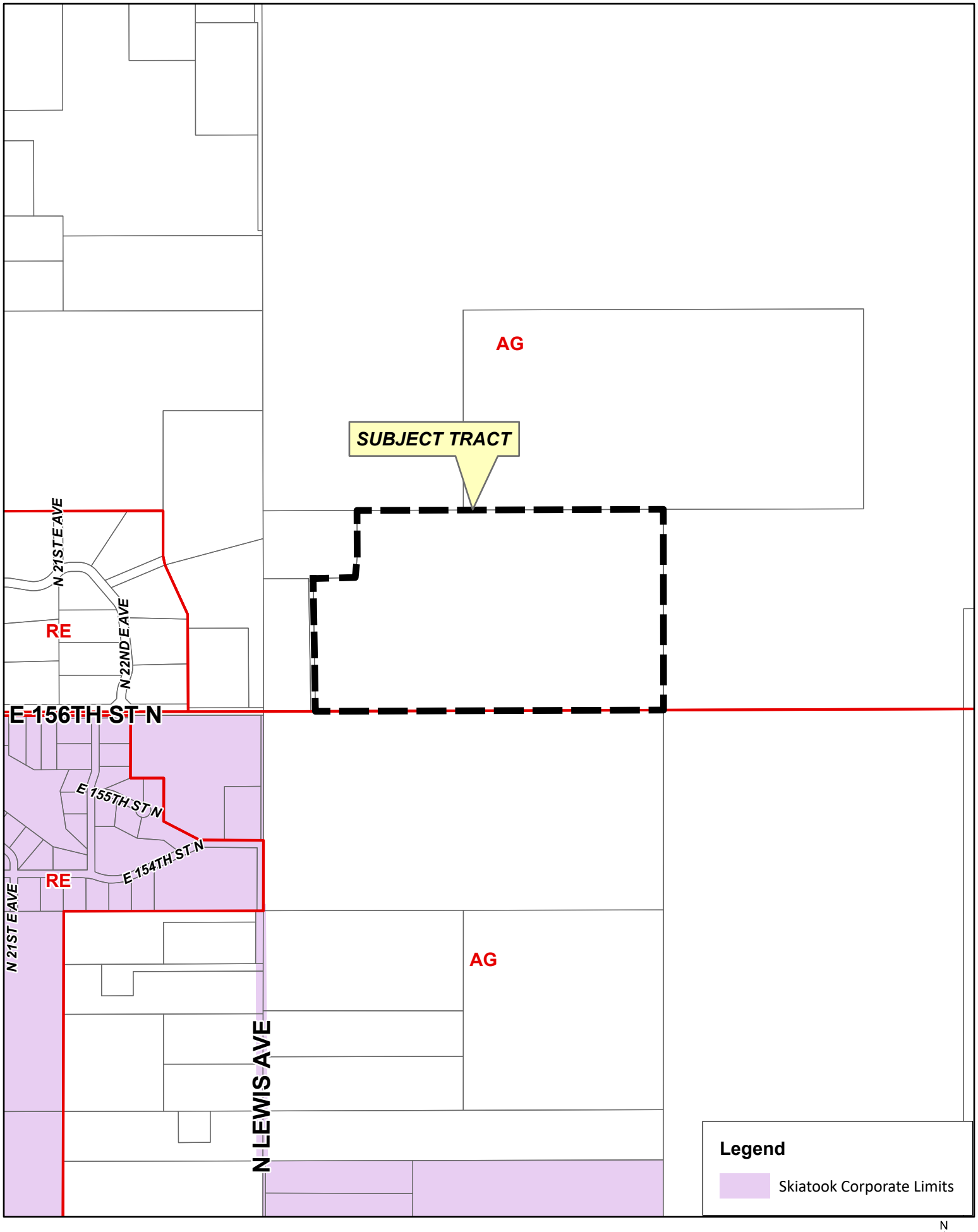


Feet
0 625 1,250

CBOA-3391

17 22-13

N



Feet
0 400 800

CBOA-3391

17 22-13

N

FORMAL OBJECTION AND PROTEST PACKET

TO: The Tulsa County Board of Adjustment (CBOA) & INCOG Planning Staff

VIA EMAIL: esubmit@incog.org

HEARING DATE: Tuesday, November 17, 2026, at 1:30 PM

CASE NUMBER: CBOA-3391

APPLICANT: Lou Reynolds, representing Jodi Jones and Michael Scott

SUBJECT PROPERTY: North and east of E. 156th St. N. and N. Lewis Ave., Skiatook, OK

OBJECTING PARTY: Kevin and Michele Norman, 15401 N. Lewis Ave., Skiatook, OK (*Servient Estate Owners*)

EXECUTIVE SUMMARY

We, the affected neighboring property owners, respectfully request that the Board of Adjustment **DENY** the requested variance from Section 2.040, Table 2-3 (*Agricultural District Lot and Building Regulations*) for Case CBOA-3391.

The applicant requests relief to permit a residential dwelling with zero public-maintained road frontage, relying instead on an unopened, unimproved 2,290-linear-foot section line access. While the public notice states the variance is for a single "residential dwelling and accessory structures," the applicant has omitted material facts: the explicit, documented intent to develop multiple unapproved lots and construct both a primary residence and at least one independent secondary living unit (in-law quarters).

Combined with the existing residence and our active residential construction project utilizing the same gravel lane, this application creates a cumulative density of three or more dwellings. Because the legal access easement is constrained to a width of 16.5 feet—with a physical gravel drivable path of only 10 feet—this application generates a non-waivable violation of the International Fire Code (IFC).

Furthermore, the hardship is entirely self-imposed. The applicant’s clients purchased unapproved lots fully aware of the lack of public road frontage and zoning non-conformity, having received explicit written notice prior to acquisition.

LEGAL ARGUMENTS FOR DENIAL

I. Material Omission of Intended Density and Unapproved Lot Division

The application sent to the public is deficient and misleading regarding the true scope and density of the proposed development.

1. **Unapproved Lot Split & Multi-Dwelling Intent:** Property records (*Exhibit A*) reveal that the applicant's clients purchased two unapproved lots accessed via two private easements with a pre-planned intent to construct multiple dwellings (*Exhibit B*). This multi-dwelling master plan is further evidenced by the pre-installation of **three separate water meters** on the subject property (*Exhibit C*).
2. **Attempt to Circumvent Zoning Laws by Utilizing Accessory Buildings**: The applicant's clients previously applied for a variance with the city of Collinsville to build a 1,952 square foot pool house (*Exhibit D*), where neighboring landowners expressed concerns regarding the conversion of accessory buildings into living quarters.
3. **Defective Public Notice:** By framing the application as a standard primary house with accessory structures, surrounding property owners were deprived of their statutory right to notice and review regarding a high-density, multi-dwelling compound layout.
4. **Admitted High-Density Plans for the Land:** On October 15, 2026, the applicant's client, Jodi Jones, contacted us by phone regarding this variance request. She shared their plan was to build a house for them and then to construct homes on the property for all four of their children.

II. Physical and Legal Impossibility of Compliance with the International Fire Code (IFC)

The proposed land-use intensity creates a direct public safety threat. While the Board administers zoning relief under the Tulsa County Zoning Code, it lacks statutory authority to grant variances to public safety mandates established by the Oklahoma Uniform Building Code Commission (OUBCC).

1. **Threshold for Increased Fire Apparatus Access:** Under Oklahoma Law (59 O.S. § 1000.23), the State adopted the 2024 edition of the International Fire Code. One home currently utilizes the private lane. Our residential building project is actively underway with utility meters set, representing the second home. The applicant's dual-dwelling introduces a third and fourth residential

dwelling onto a single private driveway. Only two residential dwellings can use a driveway without it meeting the requirements of a fire apparatus access road.

2. **20-Foot Fire Apparatus Access Road Mandate:** Pursuant to IFC Section 503.2.1, fire apparatus access roads must maintain an unobstructed, drivable width of at least 20 feet. Per Section 503.1.1 fire officials can not make exceptions to this requirement.
3. **Physical & Legal Bottleneck:** As demonstrated in the attached exhibits, the current gravel driving surface measures approximately 10 feet wide (*Exhibit E*). The underlying legal access easement is hard-capped at 16.5 feet in width (*Exhibit F*) and is tightly bounded by real property owned by the servient estate.
4. **Impossibility of Drivable Width:** Achieving a 20-foot drivable fire lane within a 16.5-foot legal boundary is a mathematical impossibility. The applicant's clients lack the legal authority to expand the easement footprint or widen the roadway..

III. Hardship is Entirely Self-Imposed and Does Not Meet the Criteria for a Variance

The applicant's request fails to satisfy the statutory standards set forth in Section 1410.2-H (Board of Adjustment Procedures: Variances) of the Tulsa County Zoning code.

1. **No Physical or Topographical Hardship:** The land has standard soil and geometry; the problem is it lacks a public road, which is a structural, legal, and real estate anomaly resulting from a non-compliant lot split, not an inherent physical or geographical limitation of the natural terrain.
2. **Lack of Uniqueness:** A lack of road frontage due to an unapproved lot split is an issue created by the previous landowners in collaboration with the applicant's clients. It is not a unique trait of the land. Granting a variance under these conditions would establish a problematic precedent, allowing developers to bypass lot split and subdivision ordinances.
3. **Actual Knowledge Prior to Purchase:** The applicant's clients and their real estate agent had actual knowledge prior to purchase that the subject parcels possessed zero county-maintained road frontage and did not conform to Tulsa County building requirements (*Exhibits G & H*).
4. **Excessive Intensity:** A variance is legally restricted to the minimum relief necessary to afford the owner a reasonable use of the property. Seeking a variance to bypass infrastructure mandates in order to establish an unapproved, multi-home familial compound layout is the antithesis of a minimal variance request.
5. **Speculative Risk vs. Topographical Hardship:** The conscious acquisition of the landlocked, non-compliant parcels with the explicit intent to bypass density

regulations and public infrastructure requirements represents a voluntary, speculative business risk. A self-created gamble cannot be converted into an inherent physical hardship.

6. **Prior Explicit Warning:** Before closing on the real estate transaction, the applicant's clients were explicitly informed–both verbally and in writing–of these exact zoning restrictions, access defects, and building permit impediments (*Exhibit H*). The buyers voluntarily elected to assume this risk and proceed with the closing despite clear and definitive notice.
7. **Previous Administrative Denial**: Applicant's clients requested and were denied a variance from the City of Collinsville on June 9, 2025. (*Exhibit D).* This prior application conclusively establishes first-hand knowledge, intent, and an ongoing pattern of attempting to circumvent regulatory compliance.

CONCLUSION & REQUESTED ACTION

The Board cannot legally approve a zoning variance that results in a known, unresolvable public safety violation for emergency response teams. We respectfully request that the Board take one of the following actions:

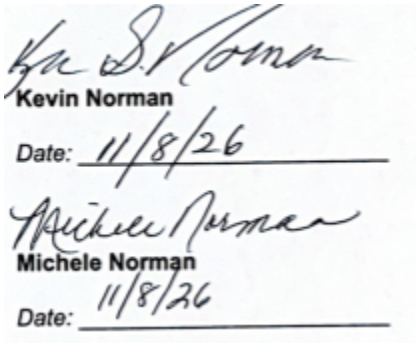
1. **DENY** Case CBOA-3391 with prejudice due to the physical and legal impossibility of providing a code-compliant 20-foot fire access lane; **OR**
2. **CONDITIONALLY RESTRICT** any approved variance by attaching an explicit, binding deed restriction running with the land across both subject parcels, stating: *"The real property owned by Michael Scott and Jodi Jones (and any future successors in interest) accessed via the 16.5-foot access easement shall be strictly limited to a maximum of one (1) single-family residential structure across the entirety of the parcels. No secondary dwelling unit, in-law quarters, guest house, or accessory building on the subject property shall ever be constructed, converted, or utilized as a second habitable living space."*

ENCLOSED EXHIBITS

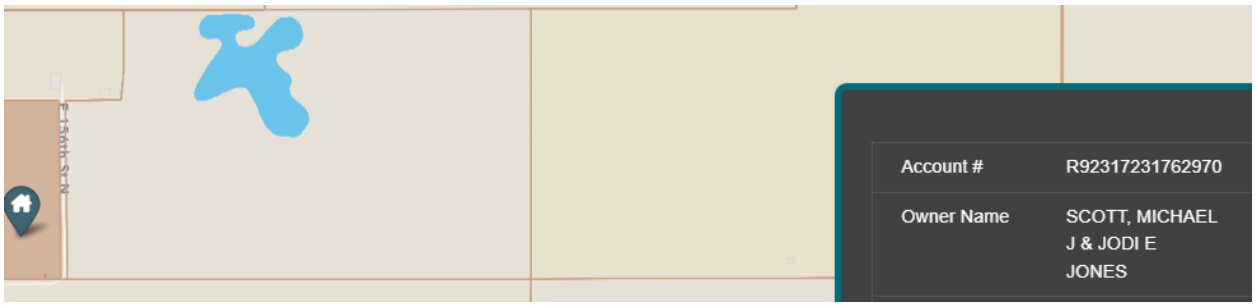
- **Exhibit A:** Tulsa County property records showing the unapproved lots and property boundaries owned by Michael Scott and Jodi Jones that are accessed via the 16.5 foot easement.
- **Exhibit B:** Text message from real estate agent Jen Miller-Morrow confirming intent to build both a primary residence and secondary in-law quarters dated November 21, 2025. (Original text message available upon request.)

- **Exhibit C:** Photographic documentation of three installed water meters allocated to serve multiple dwellings/lots on the subject property.
- **Exhibit D**: City of Collinsville Board of Adjustment minutes from June 9, 2025 showing denial of Jodi Jones and Michael Scott's variance request for a 1,952 square foot pool house.
- **Exhibit E:** Photographic evidence with measurements showing the 10-foot-wide gravel driving surface.
- **Exhibit F:** Certified survey establishing the strict 16.5-foot width limit of the access easement.
- **Exhibit G:** Text message documentation from Jen Miller-Morrow discussing road frontage dated November 21, 2025. (Original text message available upon request.)
- **Exhibit H:** Text message exchange between Jen Miller-Morrow and Michele Norman dated November 13, 2025 which is documentation demonstrating the applicant's clients had explicit prior notice of zoning code non-conformities before purchase. (Original text message available upon request.)

Respectfully Submitted,



- **Exhibit A:** Tulsa County property records showing the unapproved lots and property boundaries owned by Michael Scott and Jodi Jones that are accessed via the 16.5 foot easement.



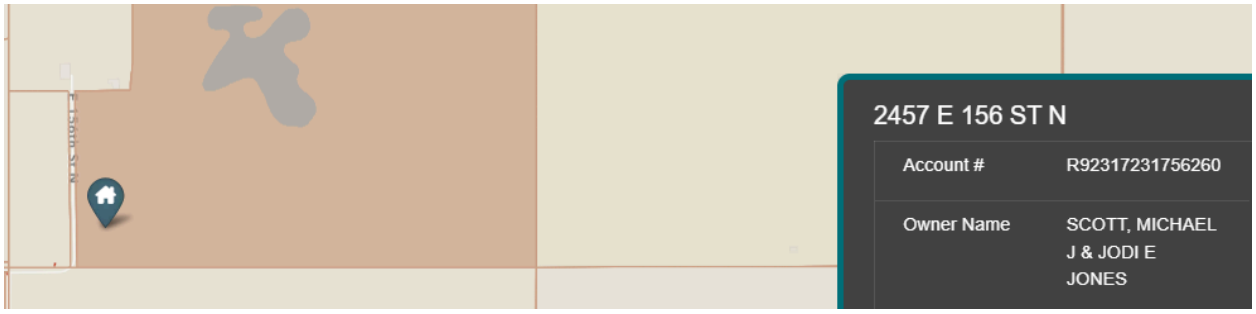
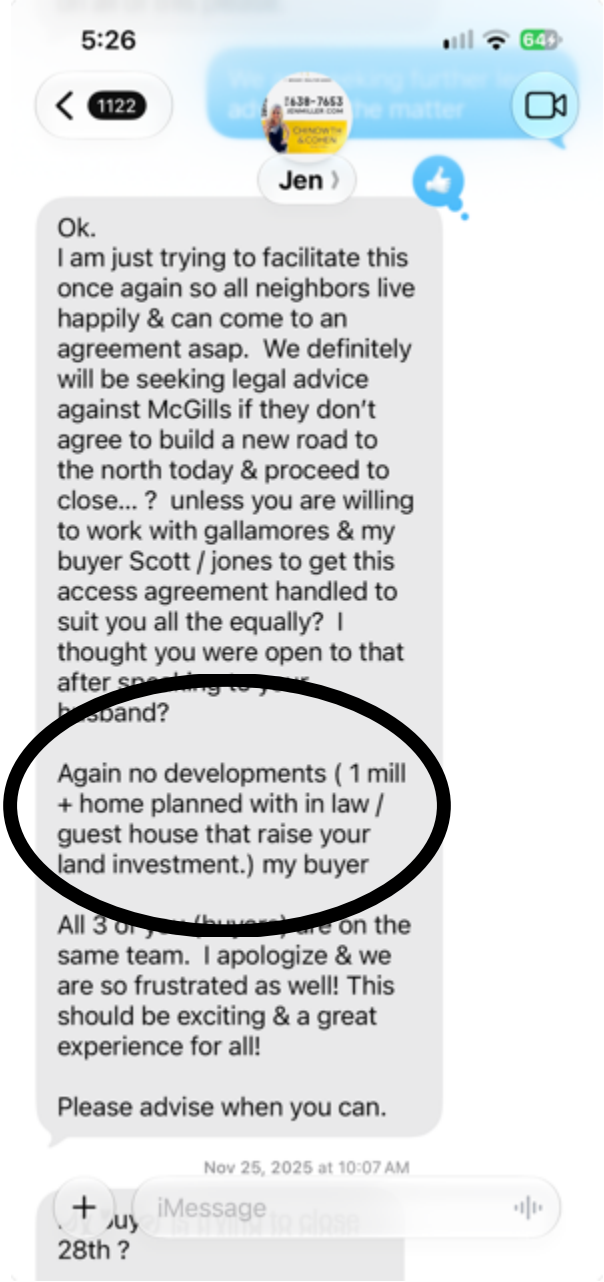


Exhibit B: Text message from real estate agent Jen Miller-Morrow confirming intent to build both a primary residence and secondary in-law quarters dated November 21, 2025. (Original text message available upon request.)



- **Exhibit C:** Photographic documentation of three installed water meters allocated to serve multiple dwellings/lots on the subject property.







- **Exhibit D**: City of Collinsville Board of Adjustment minutes from June 9, 2025 showing Jodi Jones and Michael Scott's previous attempt to obtain a variance for a 1,952 square foot pool house.

Source: www.cityofcollinsville.com/AgendaCenter/ViewFile/Agenda/_06092025-720

PUBLIC HEARING: BOA Case No. 387 (see figure 6 & 7) Board of Adjustment Application CBOA-387 from Jodi Jones and Michael Scott of Collinsville, 0K, regarding a Variance request for their property located at Cooper Crossing 27-22-13, 5330 East 144th Street, Collinsville, 0K

The following variance is being requested to construct a detached pool house to serve as a pool house. The total impervious surface area is 1,9S2 SQFT.

The applicant is requesting a variance for a variance or the 600 SQFT that is allowable in the city zoning code Zoning code; Chapter 2 - GENERAL PROVISIONS, SECTION 210.2; E - PERMITTED YARD OBSTRUCTIONS, which states, "In Ihe RE RS Residential districts, a detached accessory building or buildings may he located in a required rear yard provided (l) the building or buildings do cover more than 20 percent Of the area Of Ihe minimum required rear yard and, (2) the gross floor area for any accessory building or buildings located in the rear yard. required rear yard, and or both. does not exceed 600 square feet'. "

NOTE: The pool and pool house cumulatively exceed the 600 SQFT limit. p. q. s. t. Reading of the Staff Report.

Adjacent property owner(s) comments: the neighbors were concerned that the structure would enhance the chance of flooding their property, and it would be used for a second living quarters for the residents

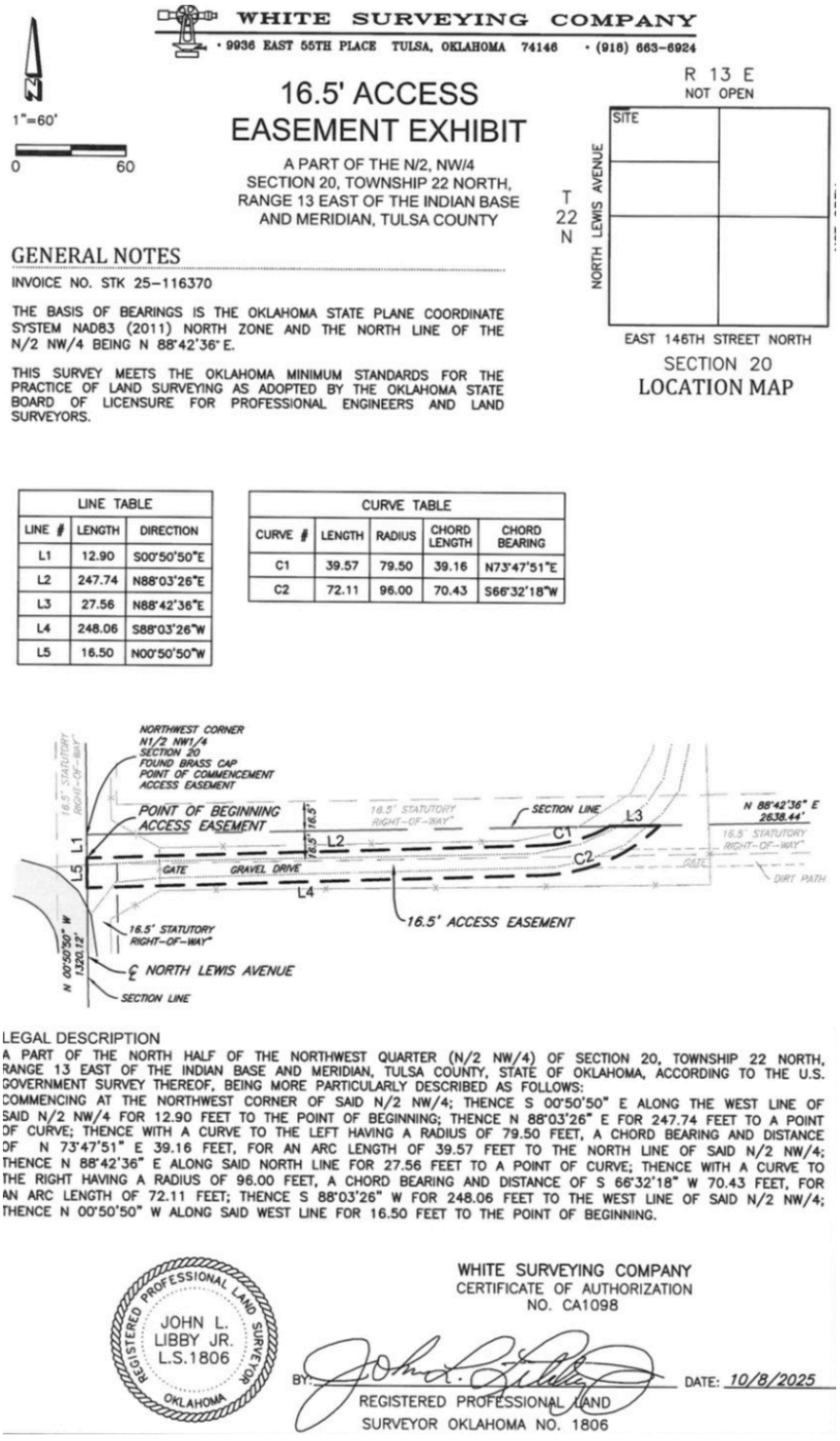
The motion was made by Tyson Baker and seconded by Les Patterson to deny the variance for this structure.

- **Exhibit E:** Field measurement photos documenting the active 10-foot-wide gravel driving surface.





- **Exhibit F:** Certified survey establishing the strict 16.5-foot width limit of the access easement.



WHITE SURVEYING COMPANY

• 9936 EAST 55TH PLACE TULSA, OKLAHOMA 74146 • (918) 663-6924

16.5' ACCESS EASEMENT EXHIBIT

A PART OF THE N/2, NW/4
SECTION 20, TOWNSHIP 22 NORTH,
RANGE 13 EAST OF THE INDIAN BASE
AND MERIDIAN, TULSA COUNTY

1"=60'

0 60

R 13 E
NOT OPEN

SITE

T 22 N

NORTH LEWIS AVENUE

EAST 146TH STREET NORTH

SECTION 20
LOCATION MAP

GENERAL NOTES

INVOICE NO. STK 25-116370

THE BASIS OF BEARINGS IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD83 (2011) NORTH ZONE AND THE NORTH LINE OF THE N/2 NW/4 BEING N 88°42'36" E.

THIS SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	12.90	S00°50'50"E
L2	247.74	N88°03'26"E
L3	27.56	N88°42'36"E
L4	248.06	S88°03'26"W
L5	16.50	N00°50'50"W

CURVE TABLE				
CURVE #	LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	39.57	79.50	39.16	N73°47'51"E
C2	72.11	96.00	70.43	S66°32'18"W

NORTHWEST CORNER
N1/2 NW1/4
SECTION 20
FOUND BRASS CAP
POINT OF COMMENCEMENT
ACCESS EASEMENT

POINT OF BEGINNING
ACCESS EASEMENT

16.5' STATUTORY RIGHT-OF-WAY

SECTION LINE

N 88°42'36" E
2638.44'

GATE

GRAVEL DRIVE

DIRT PATH

16.5' ACCESS EASEMENT

16.5' STATUTORY RIGHT-OF-WAY

℄ NORTH LEWIS AVENUE

SECTION LINE

N 00°50'50" W
1320.12'

LEGAL DESCRIPTION

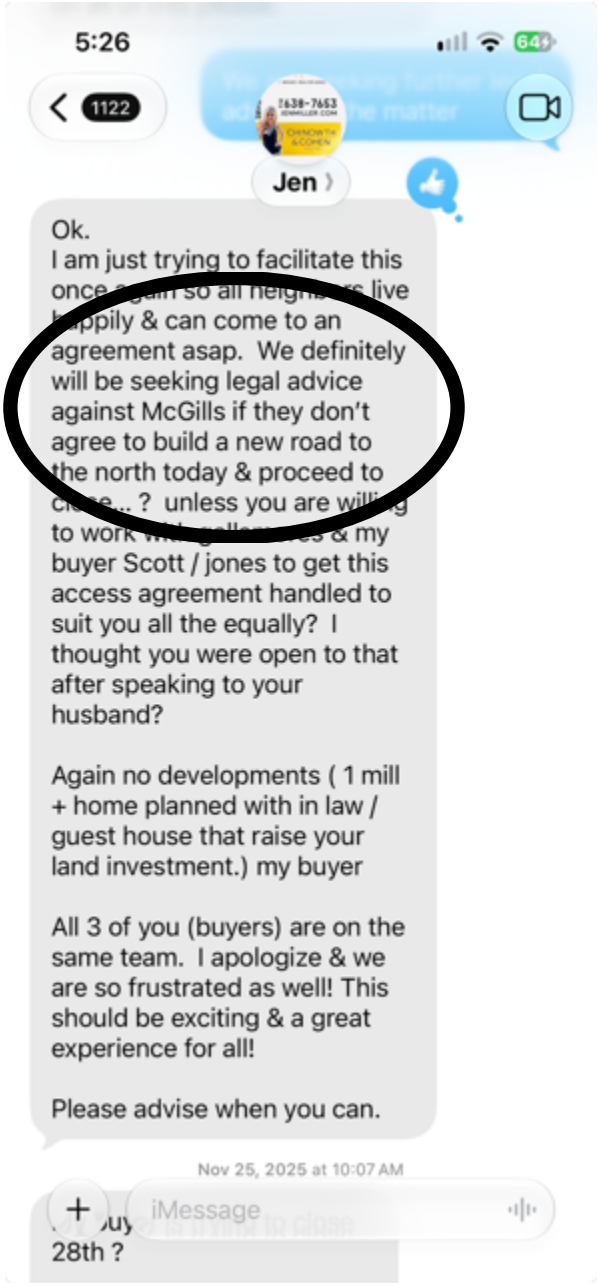
A PART OF THE NORTH HALF OF THE NORTHWEST QUARTER (N/2 NW/4) OF SECTION 20, TOWNSHIP 22 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID N/2 NW/4; THENCE S 00°50'50" E ALONG THE WEST LINE OF SAID N/2 NW/4 FOR 12.90 FEET TO THE POINT OF BEGINNING; THENCE N 88°03'26" E FOR 247.74 FEET TO A POINT OF CURVE; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 79.50 FEET, A CHORD BEARING AND DISTANCE OF N 73°47'51" E 39.16 FEET, FOR AN ARC LENGTH OF 39.57 FEET TO THE NORTH LINE OF SAID N/2 NW/4; THENCE N 88°42'36" E ALONG SAID NORTH LINE FOR 27.56 FEET TO A POINT OF CURVE; THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 96.00 FEET, A CHORD BEARING AND DISTANCE OF S 66°32'18" W 70.43 FEET, FOR AN ARC LENGTH OF 72.11 FEET; THENCE S 88°03'26" W FOR 248.06 FEET TO THE WEST LINE OF SAID N/2 NW/4; THENCE N 00°50'50" W ALONG SAID WEST LINE FOR 16.50 FEET TO THE POINT OF BEGINNING.

REGISTERED PROFESSIONAL LAND SURVEYOR
JOHN L. LIBBY JR.
L.S.1806
OKLAHOMA

WHITE SURVEYING COMPANY
CERTIFICATE OF AUTHORIZATION
NO. CA1098

BY: _____ DATE: 10/8/2025
REGISTERED PROFESSIONAL LAND
SURVEYOR OKLAHOMA NO. 1806

- **Exhibit G:** Text message documentation from Jen Miller-Morrow discussing road frontage dated November 21, 2025. (Original text message available upon request.)



- **Exhibit H:** Text message exchange between Jen Miller-Morrow and Michele Norman dated November 13, 2025 which is documentation demonstrating the applicant's clients had explicit prior notice of zoning code non-conformities before purchase. (Original text message available upon request.)

