Tulsa County Board of Adjustment
MINUTES of Meeting No. 552
Regularly Scheduled Meeting
Tuesday March 17, 2026, 1:30 p.m.
Williams Tower I
1 West 3rd Street, St. Francis Room

Meeting No. 552

Consider, Discuss and/or Take Action On:

Members Present	Members Absent	Staff Present	Others Present
Charney	Houston	S. Tauber	County Inspectors:
Hicks		K. Davis	T. Tosh
Tisdale		J. Rojas	
Bonebrake			

The notice and agenda of the said meeting were posted at the County Clerk's office, County Administration Building, March 9, 2026, at 1:48 p.m. as well as in the Office of INCOG, 2 West Second Street, Suite 800.

After declaring a quorum present, Chairperson Charney called the meeting to order at 1:30 p.m.

Mr. Davis read the rules and regulations.

On **MOTION** of **HICKS**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** the Minutes of November 19, 2025 (Meeting No. 548).

On **MOTION** of **TISDALE**, the Board voted 3-0-1 (, Hicks, Charney, Tisdale all "ayes"; no "nays"; Bonebrake "abstained", to **APPROVE** the Minutes of January 20, 2026 (Meeting No. 549).

NEW APPLICATIONS

CBOA – 3331 Jody Blood
Action Requested:
Variance of the Minimum Lot Area per Dwelling Unit in an AG district (Section 2.050, Table 2-3) and a Variance of the Minimum Lot Area in an AG district to allow 3rd Dwelling on lot. (Section 2.050, Table 2-3)

Location: 16002 E. 171st ST. S. Bixby, OK

Presentation:
Applicant was not present.

Interested Parties:
None

Comments and Questions:
None

Board Action:
On **MOTION** of **HICKS**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **CONTINUE** a Variance of the Minimum Lot Area per Dwelling Unit in an AG district (Section 2.050, Table 2-3) and a Variance of the Minimum Lot Area in a AG district to allow 3rd Dwelling on lot. (Section 2.050, Table 2-3) to the April 21, 2026, CBOA meeting.

CBOA 3332 – Tanner Bemies

Action Requested:

Special Exception to allow Mining or Mineral Processing of native soils in an AG District (Sec. 6.010, Table 6-1).

Location: 10355 E. 161st St S, Bixby, OK

Presentation:

Mason Moore, 10209 East 209th Street South, Bigsby, Oklahoma 74008, stated that he was there to represent Mr. Bemies as he had family business that kept him from coming to the meeting. What they focus on is just mining in general, than sandy loam clay. And we also deal with a little bit of different haul in materials, which would be like fill dirt. They bring in no trash. Everything is clean and sanitary, and they like to run a thorough operation there on the premises as far. It is mostly all sandy loam and clay. And they are also pulling a bit of sand out, but not a lot. Their main goal is the safety first. Obviously, they can make sure that everyone is on top of their stuff. Make sure there is nothing on the trucks that is jagged, rugged, getting ready to fall off any of that. But once the truck leaves our facility, it is all on company or the driver themselves. But yes, we always look out for them. The hours of operation are Monday through Friday, 7:00 a.m. to 5:30 p.m. They have not received any complaints from any neighbors, and they are in close contact with them. This is a request for an extension of the Special Exception of five years.

Ms. Tosh stated that they had been operating but did not know that they needed a Special Exception to operate. It is not a use by right. They do have a mining permit, so when it was brought to the County's attention, the County let them know of the need for a Special Exception.

Interested Parties:

None

Comments and Questions:

Mr. Charney stated that he could support this request. There have been no complaints in the past five years, and they have been good operation.

Board Action:

On **MOTION** of **TISDALE**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** a Special Exception to allow Mining or Mineral Processing of native soils in an AG District (Sec. 6.010, Table 6-1) subject to the following conditions that were existing in place of the prior years of operation for a five year period of time.

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:

E/2 SW LESS BEG 378.63N SECR SW TH SW42.76 SW114.71 SW357.80 SW366.16 W298.35 NW244.12 N285.31 E120.93 SE164.88 SE113.29 ELY117.49 NE124.84 NE62.80 E105.02 NE547.81 NLY483.99 NE25.40 S833.78 TO POB SEC 19 17 14 68.990ACS County of Tulsa, State of Oklahoma.

CBOA 3333 – Jared Redyke

Action Requested:

Variance of the maximum number of dwellings from 2 to 6 on a single lot in the AG district (Sec. 2.030, Table 2-2)

Location: 18727 S. Memorial Dr. E., Bixby, OK

Presentation:

Jared Redyke, 18727 South Memorial Drive East, Bixby, OK 74008, stated that they are in the process of building another barn that will be a 28-stall barn. The are in the performance horse industry. At the existing facility, they have a trailer house where they house workers. They want to build tiny homes for their workers that are 640 square foot manufactured homes that will be on the back side of their property. These will not be leased out to third parties. They are strictly for their employees. There will be an aerobic system for all the homes.

Mr. Hicks stated that each of the homes will need all-weather hard surface parking for one car.

Ms. Tosh stated that each home will require all-weather hard surface parking. This is a state requirement along with the DEQ requirements.

Interested Parties:

None

Comments and Questions:

Mr. Charney explained to Mr. Bonebrake that there could be gravel for the driveway itself, but the overnight parking of one vehicle had to be on all-weather hard surface parking.

Mr. Hicks asked staff if it is a code requirement, did the Board need to put this as a stipulation.

Ms. Tosh stated that the County has the code checklist and that all the DEQ requirements, skirting, tie downs, and all-weather hard surface parking are on that checklist.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** a Variance of the maximum number of dwellings from 2 to 6 on a single lot in the AG district (Sec. 2.030, Table 2-2) subject to the following conditions that the Code Requirements for a manufactured home be moved onto a site and received occupancy must be met and that the homes are placed as part of the operation of business in that the homes are placed as shown

in the Agenda packet. Finding the hardship to be that this is an eighty-acre site in an AG district and the location of the subject tract is in a remote southeast quadrant of the eighty acres not next to or visible to a publicly dedicated street.

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:

PRT SW BEG SWC N/2 SW TH N1297.95 E2650.75 S1292.46 W2649.07 POB & PRT N/2 SW BEG NEC THEREOF TH S33.7 W1320 N29 E1320 POB SEC 1 16 13 79.185ACS, County of Tulsa, State of Oklahoma.

CBOA 3334 – Jason Marietta

Action Requested:

Special Exception to allow a fireworks stand in an RE district for a period of 3 years (Sec. 9.040-B, -G)

Location: 13232 E 106th St N, Owasso, OK 74055

Presentation:

Conner Smith, 1500 East 27 Terrace, Pittsburgh, Kansas 66762, stated that he was there to represent Jason Marietta and he is the area manager. They are asking for an extension of three years. They have been at this location for several years. They normally operate from June 15 through July 5, and he had never heard of any incidents or complaints from any neighbors or surrounding businesses. The hours of operation are 8:00 a.m. to 10:00 p.m. and then on July 3rd and 4th until midnight.

Mr. Bonebrake noted that this extension is for three years and the past one was for five years. The limit has been dropped down to three years in the new zoning code.

Interested Parties:

None.

Comments and Questions:

Mr. Charney stated that he could support this request.

Board Action:

On **MOTION** of **BONEBRAKE**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** a Special Exception to allow a fireworks stand in an RE district for a period of 3 years (Sec. 9.040-B, -G) subject to the following conditions that:

- 3-year time limit
- Days of operation to be June 15th – July 5th
- Hours of operation to be 9:00 a.m. to 10:00 p.m. from June 20th to July 5th and July 3rd and July 5th the hours of operation will be 9:00 a.m. to 12:00 midnight.

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:

NW NE LESS .13AC FORD SEC 162114 2.37ACS County of Tulsa, State of Oklahoma.

CBOA 3335 – Angus Martin
Action Requested:
Variance to allow a detached accessory building in the side yard in the RS-3 district (Sec. 8.030-A)
Location: 5633 S 168th W Ave, Sand Springs, OK

Presentation:
Angus Martin, 12 North Cheyenne, Suite 228, Tulsa, Oklahoma 74103, stated that he was the contractor for this detached accessory building. RS-3 zoning does not allow for a side yard garage and when the lot was surveyed there were a lot of drainage issues in the backyard which has made it impossible to put it there. Also, there was a septic system in the back that cannot be covered. The size will be 24 feet by 44 feet. This structure will match the architecture of the house, and the side yard setbacks are honored.

Mr. Charney asked staff about the size of the building conforming to the new code.

Ms. Tosh stated that the old code said 750 square feet and the new code now is a percentage of the lot area. This is not an accessory building, but the same still applies.

Interested Parties:
None.

Comments and Questions:
None

Board Action:
On **MOTION** of **HICKS**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** a Variance to allow a detached accessory building in the side yard in the RS-3 district (Sec. 8.030-A) subject to the conditions that the exterior match the existing residential structure. The hardship being that the topography of the site placing the structure in the rear yard would create unnecessary run-off.

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:

OAK HAVEN II, Legal: LT 12 BLK 2 County of Tulsa, State of Oklahoma.

CBOA 3336 – Jose Soto
Action Requested:
Variance of fence height requirements (Sec. 8.100-A) from 4ft to 6 ft or front yard maximum.
Location: 3139 S. 59th W. Ave., Tulsa, OK

Presentation:
Jose Soto, 13218, East 4th Place, Tulsa, Oklahoma, 74108, stated that he had built a six-foot fence in his front yard and was not aware that he had to seek a Variance for the fence height before building it. The normal code for a front yard is four feet. He put lights on the fence and an electric gate, but it is not operable because he needs a permit from the County for the electricity.

Mr. Charney stated that there needs to be a hardship for a Variance and it cannot be financial. There must be a reason to go from a four-foot fence to a six-foot fence.

Mr. Soto stated that his hardship is financial because he put a lot of money into this fence. He has dogs that can get out of the four-foot fence, but he also wants privacy.

Mr. Tisdale asked about the vehicles in the pictures as it looks like there are a lot of vehicles on the property.

Mr. Soto stated that he is a restoration contractor and he does abatement work. He is originally from Nebraska. He is currently staying with his sister while he remodels his property, and he has his work vehicles and personal vehicles. He has a Hummer, a pick-up with a trailer, an RV, and another car.

Mr. Bonebrake asked Mr. Soto if he was operating a business out of this property.

Mr. Soto stated that he was not. He separates his business from his home.

Interested Parties:
Randy Martins, 3114 South 59th West Avenue, Tulsa, Oklahoma 74107, stated that he hoped to give some insight into this property. There is a creek that goes through there. Before the fence was put up, he noticed some workers putting a concrete slab right next to the creek. He stopped in and asked if they were all aware that the creek flooded, and there is about three feet of water that comes through here, and they were not aware. This water will knock down a chain link fence, and a lot debris comes through there as well. Any kind of a fence will create a dam effect.

Jahan Vaughn, 3112 South 57th West Avenue, Tulsa, Oklahoma 74107, stated that he lives about two streets over. There are frequent robberies in this area and car theft. He

thinks that it would look better if all the fences in the neighborhood were the same height in front. She was in support of this request from a safety standpoint.

Rebuttal:
Mr. Soto stated that he was aware of the creek. He plans to build another house behind it as there are two lots. He stated that his request is for safety and the safety of his two dogs.

Comments and Questions:
Mr. Charney stated that he was most concerned about the nature of the hardship. He understands the financial problem, but in the past, we had to have something that was unique to the property before we felt that we could grant one. If we could find a hardship that was worthy of a Variance, but he was not producing one. Then there is the flooding issue. If there is construction of an improvement in a flood plain there are existing regulations that might speak about that issue.

Ms. Tosh stated that the County has asked for some things from Mr. Soto and they are waiting for them to deal with this case. They have not addressed the water flow yet.

Mr. Hicks stated that he did not see a hardship.

Mr. Bonebrake stated that from what he heard, the safety factor was not a reason for the hardship. That the hardship must be tied to the land about the topography, water flow or something of that nature that is peculiar to the site.

Mr. Charney stated that he thought that they could take an action on either way, but he did not think that it would alleviate the need for the fence to follow all other regulations regarding flooding.

Board Action:
On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **DENY** the Variance of fence height requirements (Sec. 8.100-A) from 4ft to 6 ft or front yard maximum. The reason being that the stated hardship is financial in nature, we cannot take financial hardship into account, and it needs to be peculiar to the size or configuration of the land.

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:

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

CBOA 3337 – TNT Fireworks
Action Requested:
Special Exception to Permit a Fireworks stand for a period of 3 Years (Section 9.040-G)
Location: 13107 W. 41st S. Sand Springs, OK

Presentation:
Lonnie Basse, 5401 West Skelly Drive, Tulsa, OK 74107, stated that he was here to request a Special Exception to permit a firework stand for a period three years. This location is to be open from June 15 through July 6. It would be great if they could have it expire August of 2028, which would allow them to get three seasons of sale.

Interested Parties:
None

Comments and Questions:

Board Action:
On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** the Special Exception to Permit a Fireworks stand for a period of 3 Years (Section 9.040-G) and that three year period should begin June 15, 2026 and expire August 15, 2028.

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:

BEG 660W SECR SE TH W330 N360 E330 S360 TO POB LESS S50 E/2 SW SE SE FOR RD SEC 21 19 11 2.348ACS County of Tulsa, State of Oklahoma

CBOA 3338 – TNT Fireworks
Action Requested:
Special Exception to Permit a Fireworks stand for a period of 3 Years (Section 9.040-G) & A Variance of the all-weather surface requirement for parking (Sec. 10.070-E)
Location: 7936 Charles Page Blvd. S., Tulsa, OK

Presentation:
Lonnie Basse, 5401 West Skelly Drive, Tulsa, OK 74107, stated that there have been fireworks sold at this location since the 1980's. There is gravel in the parking area.

Interested Parties:
None

Comments and Questions:
Mr. Hicks stated that he was concerned about the parking and traffic in front of the flea market.

Mr. Basse stated that there have never been any issues with parking in the past and they have been there for many years.

Board Action:
On **MOTION** of **BONEBRAKE**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** a Special Exception to Permit a Fireworks stand for a period of 3 Years (Section 9.040-G) subject to the existing conditions and for the time period of June 15, 2026 through August 15, 2028; the hours of operation from 9:00 a.m. to 9:00 p.m. June 15th through July 2nd and 9:00 a.m. to 12:00 midnight from July 3rd through July 4th.

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.

On **MOTION** of **CHARNEY,** the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** a Variance of the all-weather surface requirement for parking (Sec. 10.070-E) with the hardship being the nature of this land and the temporary use that is being sought.

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:

LTS 5 THRU 8 BLK 2 & PRT VAC ST & PRT GOV LT 2 & PRT LTS 22 THRU 27 BLK 5 BEG NEC LT 5 BLK 2 SW52 CRV LF266.3 SE20 CRV LF TO PT TH E TO EL LT 22 40S NEC TH N100 W TO CL 14TH ST TH ON CRV RT ALG CL TO PT NW169.5 POB BLK 2 County of Tulsa, State of Oklahoma.

CBOA 3339 – Amy Mirecki Ashworth
Action Requested:
Use Variance to allow Animal Husbandry on an RS zoned lot for a period of up to 5 years (Section 6.010, Table 6-1; 6.090-A), including the incidental, non-commercial processing of approximately fifteen chickens raised on-site annually (Sec. 8.130-B)
Location: 1621 E. 72nd St. N., Tulsa, OK

Presentation:
Amy Mirecki Ashworth, 1621 East 72nd Street North, Tulsa, OK 74126, stated that she was there for her one-year review. Their goal was to run a small farm and self-sustain. They are growing their own food and living off the land. The pigs and hogs have been removed from the property within one month and they removed the ducks from their property. The third condition was to repair fence damage, but they have not able to meet with Mr. Marquette, he did not pick up the certified letter that they sent to him. They walked the fence line and did not see any damage.

Mr. Hicks asked what other livestock type animals they had on the property.

Ms. Ashworth stated that they have seven goats, and twenty-three chickens. These are grown for their personal use and not for commercial. After the meeting last year, they had to relocate four pigs, and some people came out to get the ducks.

Interested Parties:
Jeff Marquette, 1642 East 73rd Street North, Tulsa, Oklahoma 74126, stated that last year Ms. Ashworth brough several people to state her good character. He brought a package to staff this morning of her legal record. He also stated that they modified his fence. They unrolled part of it and tied it into his neighbor's fence. He tried to speak to them, and they waved him off and went back into their house. There are guineas and roosters. They are not good neighbors, and he would prefer them only to be granted a year extension. He hopes the Board will deny or put a brief time limit on this request.

Geoffrey Kirkham, 1727 East 73rd Street North, Tulsa, Oklahoma 74130, stated that he lives down the street from Mr. Marquette. His objection to this request is that the use requested is not compatible with the spirit and intent of the RS-3 zoning. The slaughtering of these animals ends in a negative result for the neighbors, especially in the summer. The chicken manure smells bad. He is opposed to this request and hopes that the Board will deny it.

Rebuttal:
Ms. Ashworth stated that they are allowed up to thirty chickens and no roosters in their area and ducks were illegal to own. The guineas do not belong to them. They belong to another neighbor that has passed away.

Mr. Hicks asked about the meat processing that they are doing and if it was outside.

Ms. Ashworth stated that there are two houses on the land and they use one for the processing of chickens. They have equipment to pluck the chickens that they need for this process. She does not feed the guineas, and they are hard to catch.

Mr. Bonebrake stated that to sum everything up from the last the meeting last year, that they have fulfilled all the requests and conditions to the best of their ability.

Comments and Questions:
Mr. Charney stated that the one-year review has been successful with the applicants taking care of the conditions outlined in the last meeting on this application.

Mr. Tisdale stated that he thought a two-year plan on this would be good for the applicants and the protestants.

Mr. Hicks stated that he liked the two-year plan to review.

Ms. Tosh stated that there was a case with a pond in it and it was not a use by right. The Board found it injurious. A permit is needed for a pond in RS, but not in AG.

Board Action:
On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** Use Variance to allow Animal Husbandry on an RS zoned lot for a period of up to 5 years (Section 6.010, Table 6-1; 6.090-A), including the incidental, non-commercial processing of approximately fifteen chickens raised on-site annually (Sec. 8.130-B) with the same terms and conditions as the previous approval and that the review date will be in March of 2028, to make sure the conditions are being honored.

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:

LOT-4 MIRECKI ADDN RESUB L8-9 B5 GOLDEN HILLS ADDN County of Tulsa, State of Oklahoma.

CBOA 3340 – Kevin & Danielle Vaughan

Action Requested:

Special exception to allow temporary dwelling in RV in an AG district (Sec. 8.160) while house is being built

Location: 14129 E. 191st St S., Bixby, OK

Presentation:

Kevin Vaughan, 1006 Woodland Road, Claremore, Oklahoma 74019, stated that they are building a new home on this property. While they are building, they would like to live temporarily in their RV for a period up to two years. Most of the work will be performed by a contractor and some of it will be performed by himself. He plans to talk to DEQ to get some sort of septic system set up for the RV for the interim.

Interested Parties:

None

Comments and Questions:

Mr. Charney stated that he thought that two years would give the applicant adequate time to build his new home.

Board Action:

On **MOTION** of **TISDALE**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** Special exception to allow temporary dwelling in RV in an AG district (Sec. 8.160) while house is being built subject to the following conditions that the period will not exceed two years or until the home is finished and that they consult with DEQ for the temporary dwelling sewage issues.

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:

E/2 E/2 SW SE SEC 4 16 14 10ACS County of Tulsa, State of Oklahoma.

CBOA 3341 – Jason Rogers

Action Requested:

Special exception to allow temporary dwelling in RV in an AG district (Sec. 8.160) and Variance to allow the occupancy of two RVs in an AG district (Sec. 8.160)

Location: 15723 N. Memorial Dr., Collinsville, OK

Presentation:

Jason Rogers, 15723 North Memorial Drive, Collinsville, Oklahoma 74021, stated that their home was destroyed by a tornado and they want to rebuild a home on this property. They have four children and one grandchild. He had moved his oldest child and grandchild to a camper that he had and bought another one for the rest of the family to live in while the home was being rebuilt. They do not plan to use the RVs as dwelling units after their home is built. They have livestock and need to be on the property to take care of them. The sewage disposal is handled by their septic system.

Interested Parties:

None

Comments and Questions:

None

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** a Special exception to allow temporary dwelling in RV in an AG district (Sec. 8.160) subject to the following conditions that this is temporary in nature and not to exceed two years by April 1, 2028.

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.

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** a Variance to allow the occupancy of two RVs in an AG district (Sec. 8.160) subject to the following conditions that this is temporary in nature and not to exceed two years by April 1, 2028. Finding the hardship to be that this is a two-and-a-half-acre tract unique to this piece of land with livestock and that there are three generations living on this land.

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:

N165.1 S332.1 NW SW SW LESS W33 THEREOF SEC 13 22 13 2.376ACS County of Tulsa, State of Oklahoma.

CBOA 3342 – Cheri Savage

Action Requested:

Special exception to allow a manufactured housing unit, single section, in RS-3 district (Sec.3.030, Table 3-2) and Variance of minimum street frontage requirements from 30' to 0' of public maintained road in RS-3 district (Sec. 3.050, Table 3-3)

Location: 5840 S. 81st W. Ave. Tulsa, OK 74107

Presentation:

Ken Kennedy, 12547 East Skelly Drive, Tulsa, Oklahoma 74128, stated that he was there for the owner and that he works for the builder that she is buying her manufactured home. In the general area, there are a few manufactured homes. It is set back from the road and will have a gravel drive. They will include the tie downs and all required standards for a mobile home.

The legal easement is at the title company regarding the Variance, and it was prepared by an attorney.

Interested Parties:

None

Comments and Questions:

None

Board Action:

On **MOTION** of **BONEBRAKE**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** a Special exception to allow a manufactured housing unit, single section, in RS-3 district (Sec.3.030, Table 3-2).

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.

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** a Variance of minimum street frontage requirements from 30' to 0' of public maintained road in RS-3 district (Sec. 3.050, Table 3-3). Finding the hardship to be the significant setback of the subject tract from the publicly dedicated street conditioned upon the execution valid and binding easement from the publicly dedicated street across the landowners land which are depicted in the Agenda packet, and that the easement be executed and recorded in the office of the County Clerk of Tulsa County.

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:

N/2 S/2 NE SE SE LESS E25 FOR RD & S/2 S/2 NE SE SE LESS E236.20 THEREOF SEC 36 19 11 4.01ACS County of Tulsa, State of Oklahoma.

CBOA 3343 – Gawey Architects

Action Requested:

Amendment to a previously approved site plan to allow an expansion to an existing religious assembly use in the AG district.

Location: 15710 S. Peoria Ave. Bixby, OK

Presentation:

Mark Gawey, 2843 East 33rd Street, Tulsa, Oklahoma 74105, stated that they are requesting an amendment to a previously approved site plan. There are two things happening: 1) an addition to the existing chapel and this is the third addition to this chapel of approximately 760 square feet. There are an existing cemetery, parking lot, assembly hall, and playground. Everything else on the site plan is for in the future. 2) adding twenty spaces to the north side of the parking lot. The addition of this space triggers the need for twenty more parking spaces.

John Sames, 143867 South Vandalia Avenue, Bixby, Oklahoma 74008, stated that he was there to represent the church. The only things they were there to request were the expansion of the chapel to the north and the south, and if the Board requires it, to add additional parking for the larger number of people. This is a reconfiguration of the chapel. The HVAC system needs to be upgraded and moved to make it more efficient. There will be additional storage space in the chapel. The church tries to be particularly good neighbors and wants to keep the property clean and well maintained. The access road was required by the fire department and their members park along that road.

Interested Parties:

Kurt Townsend, 1647 East 3rd Street, Tulsa, Oklahoma 74120, stated that part of his family owns over six hundred acres to the west and to the south. No one is opposed to the church and what they are doing. The concern of his is that they did not know what the church wanted to amend. The conditions from the previous site plan were that the retention area to be removed if allowed by the County Engineer. As more asphalt is being added water has nowhere to go. The aerobic system and the size were also a concern and at the last meeting in 2022, it was decided that they would have septic services and not an aerated septic system. Three months later they applied to expand the aerobic system. His concern about this is their cattle and how they will be affected.

Erin Sharp, 15810 South Peoria Avenue, Bixby, Oklahoma 74008, stated that she is not opposed to the church and she lives directly south of the church. She is in support of doing this the right way. Her immediate response to getting the notice of the amendment and did not was certain of the changes to be made. She did not think an aerobic system was to be installed from the meeting in 2022. This was not to impact neighboring properties or become a nuisance. Her property is downhill from this site and run-off flows to their land where their livestock is located. The expansions shown on the site plan will affect her property. Traffic would be a major concern. There are already a high

number of traffic wrecks through this area, and this would increase that number. She asked if a traffic and safety plan be made before adding any more buildings to this property. She was not asking for growth to be stopped, she wanted responsible growth to be considered.

George Sharp, 2621 East 40th Street, Tulsa, Oklahoma 74105, stated his family has owned the farm surrounding the church for 75 years. The septic and aerobic system is an issue. They also do not want a cemetery next to their property line. People do not buy houses next to a cemetery and they plan to develop some of this land for housing in the future. He does not want to be surprised.

Mr. Charney and Mr. Tisdale each stated that what was being looked at for now was a minor addition to the chapel, plus the potential parking. Mr. Charney would encourage the church and its neighbors to sit down to talk about what is planned.

Kurt Townsend stated that the 2022 Board minutes said the site would have sewer services and not aerated septic systems. That was the point he was trying to make and then they put them in.

Mr. Charney stated that he would like a document from a third-party professional to the County and our Board that what is in existence is DEQ approved and of sufficient capacity. There are two types of septic systems. They are aerobics and leach field systems.

Mr. Bonebrake stated that from his background the only other way is from a municipality and there is none in this area.

Rebuttal

Mr. Sames stated that there will only be the one cemetery that is near the chapel. The chances of building another temple are very remote. There is no retention area. That area is free, flowing from Peoria, flows across the church's property, and onto Mr. Sharp's property. The church takes great care that the creek is kept clean, debris removed after storms and there is no plan for a retention pond.

Mr. Gawey stated that they had a pre-development meeting with the County and Barry Britton said that it was not required for this project.

Ms. Tosh stated that there will be a new review for the permit because no more water can leave the property than previously left the property. They must look at it when anything is added.

Mr. Charney asked if there was currently an aerobic system or a standard system and lateral field.

Mr. Sames stated that there are two septic systems on the property; one for the parish home and one for the new assembly hall. Those two septics that are maintained by Mullin Plumbing. There was a pump out in one and it was repaired. There is an aerobic system out in a field for one of the buildings. That was part of the original building of 2007. That building is of little use and is more of a storage building. They are not adding another septic system in this proposal. They do not have any other plans for expansion of the buildings currently. They would start a parish at another location before expanding this one. They plan to keep their membership to 250 to 300 people.

Mr. Sharp

Comments and Questions:
Mr. Hicks asked that they reevaluate the parking count with people parking on the road and in the area that was designed for construction parking for trucks.

Mr. Tisdale stated that the future buildings on the site plan caused a lot of worry. If they cleaned up the neighbors would feel more confident of the plans.

Board Action:
On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** the Amendment to a previously approved site plan to allow an expansion to an existing religious assembly use in the AG district and only the expansion that is set forth on the exhibit of the applicant that speaks 385 square feet on the north side of the chapel and the south side along with a potential addition of approximately 20 parking spaces conditioned upon a professional opinion as to the adequacy of the sewage disposal systems that are on site stating that they are sufficient to their capacity and function.

LOT 1, BLK 1, HOLY APOSTLES CHURCH County of Tulsa, State of Oklahoma.

CBOA 3344 – Justin Crosslin

Action Requested:

Variance of minimum street frontage requirements to a public maintained road from 30' to 0' in an AG district (Sec. 2.040, Table 2-3)

Location: East of N. 145th East Avenue and south of E. 140th Street North, approximately one-quarter mile east of the US-169 / Mingo Valley Expressway corridor.

Presentation:

Justin Crosslin, 3450 East 430 Road, Oologah, Oklahoma 74053, stated that they want to put a mobile home for their oldest daughter who is disabled. They are looking a private drive all the way to the back. He signed a mutual access agreement with all the parties in the family. The property is divided into three equal parts and they are +/- 4.67 acres each.

Mr. Charney stated there will eventually be three different record owners for the three different tracts when the children come of age. He would suggest that they take this to a real estate attorney that has insured property before. That would ensure the marketability of these properties for his children. Mr. Charney said that he could not be sure that the document in the Agenda packet covered everything. To ensure that this mutual access and utility easement has precisely who owns each tract and speaks to the maintenance.

Interested Parties:

None

Comments and Questions:

None

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** a Variance of minimum street frontage requirements to a public maintained road from 30' to 0' in an AG district (Sec. 2.040, Table 2-3) pursuant to the multiple surveys contained in the Agenda packet depicting the three different tracts and the proposed easement tract. Finding the hardship to be that two if not all three tracts are separated from the publicly dedicated street of 145th Ease Avenue and do not have do not have the required street frontage and that the easement will connect them to that street frontage. It is conditioned upon the recordation at the County Clerk's office of a properly executed easement of all the record owners of the appropriate tracts to the owners of each individual tract in a perpetual manner that provides both ingress and utility access.

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:

E/2 S/2 NE SE & N273.4 NE SE SE LESS BEG 1982.77N & 60W SECR SE TH S342.62 W602.91 N342.62 E602.64 POB SEC 28 22 14 9.399 ACS County of Tulsa, State of Oklahoma

CBOA 3345 – Leslie Earl

Action Requested:

Variance of minimum street frontage requirements from 30' to 0' of public maintained road in an AG district (Sec. 2.040 Table 2-3)

Location: 24577 W. 41st St S. Sand Springs, OK

Presentation:

Leslie Earl, 13233 East 130th Street South, Broken Arrow, Oklahoma 74011, stated that his property does not have frontage on a publicly dedicated road. The property touches 41st Street but does not have 30' street frontage. The easement road parallels the property and is partially owned by another party. The easement existed when the property was purchased. The home will be in the center of the lot.

Interested Parties:

None.

Comments and Questions:

None.

Board Action:

On **MOTION** of **BONEBRAKE**, the Board voted 4-0-0 (Bonebrake, Charney, Hicks, and Tisdale all "ayes"; no "nays"; no "abstinence", to **APPROVE** the Variance of minimum street frontage requirements from 30' to 0' of public maintained road in an AG district (Sec. 2.040 Table 2-3) subject to the following conditions that there is recorded legal access from the publicly maintained road, the driveway will be in accordance with the Tulsa County Engineering Standards.

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:

PRT SEC 20 BEG LESS BEG 1318.13E & 2887.20S NWC NE TH S1593.74 SE209.41 SE116.33 SE199.92 SE125.03 SW184.13 SW57.52 N331.47 W331.95 S33 W825.74 N33 W668.93 N623.85 N1400.12 E1655.20 POB SEC 20 19 10 80 ACS County of Tulsa, State of Oklahoma.

OTHER BUSINESS

Mr. Davis informed the Board that we had been having a scamming email situation to the applicants and wanted the Board to be aware of the issue. This has also been an issue for the Tulsa Metropolitan Planning Commission. This is being investigated with Interworks, our internet security team. The applicants have been notified of this situation, notification has been added to our website, and a disclaimer will be added to our website application.

Mr. Charney stated his appreciation for giving him the obituary for Jay Hoyt. He had been in service for INCOG working with the Tulsa County Board of Adjustment for many years. He wanted to thank him posthumously for the many years of service to the Board. The Board appreciated his professionalism; his efforts and the Board wished his family strength and peace.

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:30 p.m.

Date approved: 4/21/26

Chair: David E. Charney