

TULSA COUNTY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 546
Tuesday, August 19, 2025, 1:30 p.m.
Williams Tower 1
St. Francis Conference Room, 1st Floor
1 West 3rd Street
Tulsa, Oklahoma 74103

Members Present	Members Absent	Staff Present	Others Present
Charney, Chair		S. Tauber	J. Webster
Hicks		K. Davis	
Houston		J. Rojas	
Hutchinson, V. Chair		D. Wilkerson	
Tisdale			

The notice and agenda of the said meeting were posted at the County Clerk's office, County Administration Building, August 5, 2025, at 2:12 p.m. as well as in the Office of INCOG, 2 West Second Street, Suite 800.

Mr. Davis read the rules and regulations.

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

On **MOTION** of **HUTCHINSON**, the Board voted 3-0-1 (Charney, Houston, Hutchinson, and Tisdale all "ayes"; no "nays"; Hicks "abstained", to **APPROVE** the Minutes of May 20, 2025 (Meeting No. 543).

On **MOTION** of **HOUSTON**, the Board voted 4-0-0 (Charney, Hicks, Houston, Hutchinson all "ayes"; no "nays"; no "abstinence"), to **APPROVE** the Minutes of June 17, 2025 (Meeting No. 544).

Tisdale entered the meeting at 1:38 p.m.

UNFINISHED BUSINESS

*** CBOA 3265 – Ted Schwendemann**

Action Requested:

Variance of the rear yard setback (Section 3.040, Table 3-3, and a Variance to permit an accessory building in the side yard in an RS district (Section 18.080-C, Table 18-1)

Location: 6832 W. 41st Pl

Presentation:

Ted Schwendemann, 6832 West 41st Street, Tulsa, Oklahoma 74107, stated that he had built an accessory building on his property before he knew that it had to be permitted. He stated that there is no HOA in the neighborhood. The applicant stated that he had spoken to the neighbor to his East about the placement that the neighbor was okay with it.

Interested Parties:

Dewey Miller, 6655 West 42nd Street, Tulsa, Oklahoma 74107, stated that he was the original developer for this subdivision and that there were private covenants in the original subdivision that stated that any accessory buildings needed to be architecturally styled like the home. He was not in favor of this building as it was.

Bill Foote, 7134 West 42nd Street, Tulsa, Oklahoma 74107, stated that he thought this was an eye soar and the accessory building needed to be architecturally in keeping with the applicant's home.

Adam Callaway, 4201 South 69th West Avenue, Tulsa, Oklahoma 74107, stated that he also felt that this building did not fit into the neighborhood, that it stuck out and was unsightly.

Pat Turney, 4204 South 69th West Avenue, Tulsa, Oklahoma, 74107, stated that he was opposed to the position of the building and that it needed to fit in architecturally.

Rebuttal:

The applicant wanted to reiterate that there were no HOA covenants and that he had painted the building brown to blend in with the surrounding area. He stated that he would provide the Board with the documentation that they requested.

Comments and Questions:

Mr. Charney commented that the Board had previously requested a detailed plan for the inspections process that follows the Board action. That plan has never been provided for staff or for the Board. The following details must be shown on the site plan presented to the Board: provide an architectural rendering of the accessory existing building with proposed modifications showing it to be compatible with its dimensions regarding setbacks of the structure and the side and rear yard fences. Only pictures were provided of the existing building at this meeting.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all “ayes”; no “nays”; no “abstinence”) to **CONTINUE** the Variance of the rear yard setback (Section 3.040, Table 3-3 and a Variance to permit an accessory building in the side yard in an RS district (Section 18.080-C, Table 18-1) subject to the conditions 1) a certified drawing illustrating necessary detail for accurate review of the building on the site 2) architectural rendering of what the building will look like 3) guttering and fencing description 4) letter from The Oklahoma Department of Environmental Quality (DEQ) that the septic disposal system is adequate in context with the current conditions of the site.

*** CBOA 3277 – Christopher Voight**

Action Requested:

Variance to permit two dwellings on a single lot of record and a Variance of the minimum land area per dwelling in an AG-R district (Section 2.030, Table 2-2) **Location:** 5801 S 155th W Ave

Presentation:

Christopher Voight, 5801 South 155th West Avenue, Sand Springs, Oklahoma 74063, stated that the lot had already been split and that these two dwellings would be on the rear tract. These dwellings would be manufactured homes.

Mr. Voight stated that he had completed a lot split (case # CLS-77) after the original submittal and prior to the public hearing for this case. The subject tract was split into two parcels. The parent tract as advertised in this application included 2.31 acres and was split with both tracts almost equal in size with each containing approximately 1.16 acres. The parcel being considered with this application is identified on the lot split as Tract One and abuts South 153rd West Avenue. That tract is smaller than the lot area per dwelling requirements of the Tulsa County Zoning Code.

Interested Parties:

None

Comments and Questions:

Mr. Hutchinson stated that he could support this request.

Board Action:

On **MOTION** of **Hutchinson**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all “ayes”; no “nays”; no “abstinence”) to **APPROVE** Variance to permit two dwellings on a single lot of record and a Variance of the minimum land area per dwelling in an AG-R district (Section 2.030, Table 2-2) subject to the conditions that the applicant provides skirting, tie downs, hard surface parking and meets DEQ requirements. Finding that the hardship is the existing parcel configuration resulting from lot split CLS# 77 meets or exceeds the lot standards in the AG-R district however the minimum land area for two dwelling units is not adequate. To increase affordable housing opportunities this variance is appropriate and does not add burden to the existing infrastructure.

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:

S/2 S/2 SE NE SW LESS E25 & W25 THEREOF FOR RD SEC 32 19 11 2.7AC
County of Tulsa, State of Oklahoma

*** CBOA 3278 – Charles & Monica McDonald**

Action Requested:

Special Exception to permit a type 1 home occupation of Soap and Candle Making in the AG district (Section 8.120). **Location:** 15405 E Hwy 64

Presentation:

The applicant was not present; however, they had contacted staff for a **CONTINUANCE** to the Tulsa Board of Adjustment meeting of 9-16-2025.

Interested Parties:

None

Comments and Questions:

None

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all “ayes”; no “nays”; no “abstinence”) to **CONTINUE** the Special Exception to permit a type 1 home occupation of Soap and Candle Making in the AG district (Section 8.120) until the CBOA meeting of 9-16-2025.

NEW APPLICATIONS

*** CBOA 3284 – Lorena Johnson**

Action Requested:

Use Variance to permit a recreational vehicle as a residential building type in RS-3 district (Sec. 3.030) **Location:** 1602 S 165 Av W Sand Springs

Presentation:

Lorena Johnson, 1602 South 165th West Avenue, Sand Springs, Oklahoma 74063, stated that they are in the process of building a home and need to live in their recreational vehicle for approximately 18 months.

Interested Parties:

None

Comments and Questions:

None

Board Action:

On **MOTION** of **TISDALE**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all “ayes”; no “nays”; no “abstinence”) to **APPROVED** the Use Variance to permit a recreational vehicle as a residential building type in RS-3 district (Sec. 3.030) until December 31, 2027.

Finding the hardship to be that this use variance is allowed by the Tulsa County Zoning Code and can be granted by the County Board of Adjustment, who can add any provisions the board determines is important for property owners and surrounding neighborhood. The limited time frame for this request and assurances provided by the applicant are appropriate for this at this time and location. The recreational vehicle must be connected to electrical service and septic system as required by the building permit office and Oklahoma Department of Environmental Quality.

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 this use variance 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:

BEG 327.84S & 69.5E NWC NE SE TH S327.84 W333.5 N327.84 E333.5 POB LESS S200 & LESS E25 FOR RD SEC 7 19 11 .90AC County of Tulsa, State of Oklahoma.

*** CBOA 3285 – Mike Butler, DLM Constructions**

Action Requested:

Variance of the minimum frontage requirement of 30' on a public street or dedicated right-of-way to 0' (Section 2.050) **Location:** 4660 S 203rd W Ave Sand Springs

Presentation:

Mike Butler, 7481 South 337th West Avenue, Mannford, Oklahoma 74044, stated that during the previous lot split process for CLS# 72 it was determined that the remnant parcel (subject tract) was left without adequate frontage. Mr. Butler learned about the error from the building permit office while trying to start home construction. This request is present to correct an error from that lot split. A mutual access easement has been completed to provide legal access to the tract.

Mr. Butler stated that he was requesting a Variance from the minimum frontage requirement of 30 feet on a public street or dedicated right-of-way and is seeking approval for a reduced frontage to 0 feet with an AG (Agricultural) District. The subject tract is 23.5 acres, which was previously approved for a lot split to allow construction of a single-family dwelling.

Interested Parties:

None.

Comments and Questions:

None

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all “ayes”; no “nays”; no “abstinence”) to **APPROVED** the Variance of the minimum frontage requirement of 30' on a public street or dedicated right-of-way to 0' (Section 2.050).

Finding the hardship to be that the subject tract has never had frontage on a public street or dedicated right-of-way. Access has been historically provided through a 50-foot-wide mutual access agreement connected to a public street north of this tract. Unfortunately, when lot split CLS#72 was approved it created a circumstance where the subject tract did not have necessary frontage as required by the zoning code even though separate mutual access was established.

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 1811.89E NWC S/2 N/2 N/2 SW TH E262.46 S140.34 SELY122.26
SW191.84 SE80 NE170 WLY197.06 SE295.65 NE200.47 E207.86 S989.94 W1149.81
N672.87 NE344.50 E127.06 N30.02 POB SEC 26 19 10 23.513ACS
County of Tulsa, State of Oklahoma**

*** CBOA 3286 - David Baggett**

Action Requested:

Use Variance to allow a recreational vehicle as a building type in an AG district (section 3.030) **Location:** 9404 N Delaware Avenue, Sperry

Presentation:

David Baggett, 9404 North Delaware Avenue, Sperry, Oklahoma 74073, stated that he was building a home and wanted to live in his recreational vehicle during construction.

Interested Parties:

Glen Martin, 9350 North Delaware Avenue, Tulsa, Oklahoma 74073.

Gary Grady, 9525 North Delaware Avenue, Tulsa, Oklahoma 74073.

Melissa Herald, 939176 Birmingham Avenue, Tulsa, Oklahoma 74073.

Comments and Questions:

The information packet that staff mailed to the surrounding property owners included a map that illustrates the future land use designation for the Sperry area. That map provides guidance anticipating commercial uses may be appropriate at this location. All interested parties were concerned that this request was to change the property to commercial zoning and they objected to the rezoning. The applicant and staff assured the interested parties that the property is zoned Agricultural (AG) and this use variance was limited to allow recreational vehicle to use for a residential dwelling. Zoning is not changing with this request.

Board Action:

On **MOTION** of **HOUSTON**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all "ayes"; no "nays"; no "abstinence") to **APPROVED** the Use Variance to allow a recreational vehicle as a building type in an AG district (section 3.030) subject to a period of 24 months.

Finding the hardship to be that this use variance is allowed by the Tulsa County Zoning Code and can be granted by the Tulsa County Board of Adjustment who can add any provisions the board determines is important for property owners and surrounding neighborhood. The limited time frame for this request and assurances provided by the applicant are appropriate for this at this time and location. The recreational vehicle must be connected to electrical service and septic system as required by the building permit office and Oklahoma Department of Environmental Quality.

Finding by reason of extraordinary or exceptional conditions or circumstance properties 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 NE NW SEC 20 21 13 2.50ACS County of Tulsa, State of Oklahoma.

*** CBOA 3287 – Jonathan DeBruyn**

Action Requested:

Special Exception to allow a duplex use in an AG district (Sec. 2.030, Table 2-2)

Location: 16871 W. Wekiwa Rd, Sand Springs

Presentation:

Jonathan DeBruyn, 12 West 2nd Street, Sand Springs, Oklahoma 74063, stated that he wanted to build a duplex in an AG district that he would live in on one side. There would only be the one duplex.

Interested Parties:

Shanna Underwood, 16910 West Wekiwa Road, Sand Springs, Oklahoma 74063 stated that she was afraid they were going to put in more than one duplex and that there was flooding on this lot.

Timothy DeBruyn, 12 West 2nd Street, Sand Springs, Oklahoma 74063, stated that he was a relative of Jonathan DeBruyn and that he would be helping Jonathan with the renovation. He also stated that he was the property owner.

Rebuttal:

Johnathan DeBruyn stated that there would be little additional traffic, they would not be building within the flood plain and they would address drainage improvements. This is only for one single duplex structure.

Comments and Questions:

None

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all “ayes”; no “nays”; no “abstinence”) to **APPROVED Special Exception** to allow a duplex use in an AG district (Sec. 2.030, Table 2-2) subject to the following conditions that the structure not be within the 100 year flood zone or the aerobic system be within the flood zone.

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 873.55S NWC SE TH NE609.88 S414.58 W611.15 N429.30 POB SEC 6 19 11 5.891ACS

Tisdale left the room at 3:50 and returned at 3:52.

CBOA 3288 – Tonya Pvarnik

Action Requested:

Variance to allow accessory dwelling unit exceeding provisions of zoning code (Sec. 8.040) **Location:** 8356 E. 98th Street N. Owasso

Presentation:

Representatives from W Design LLC 608 East 3rd Street Tulsa OK 74102 presented project plans and renderings and discussed the unique nature of the design. Architect of Record is Weldon J, Bowman.

Interested Parties:

None

Comments and Questions:

None

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all “ayes”; no “nays”; no “abstinence”) to **APPROVE** a Variance to allow accessory dwelling unit exceeding provisions of zoning code (Sec. 8.040) subject to the following: the excess size must be consistent with drawing dated May 5, 2023. Finding the hardship to be the design included in the application shows an addition to existing structure that includes parking garage, mechanical room, and dwelling unit all connected by an open but covered breezeway connected to the principal structure. The accessory building and dwelling unit are considered separately in the building permit office and exceed the zoning code limitation. The lot is 2.2 acres in size, and the building meets all other standards in the AG zoning district.

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:

**726.60E NWC N/2 N/2 SW SW TH E312.43 S329.75 W268.10 NW129.28 NELY229.99
POB LESS N30 THEREOF FOR RD SEC 13 21 13 2.228 ACS County of Tulsa, State
of Oklahoma**

CBOA 3289 – Rush Deitz

Action Requested:

Variance of the all-weather surface requirement for parking (Sec. 10.070) **Location:**
13108 E 106th St N

Presentation:

Rush Deitz, 11600 S 4050 Road, Oologah, Oklahoma 74053, stated that he wanted to use asphalt millings as a driving surface instead of building an asphalt paving surface. He also stated that he would like to do this until his lease was up in eight months and if his business were doing well, he would asphalt the driveway. He is leasing this property and does not own it. Mr. Deitz reminded the Board that he has received previous board approval for the coffee shop at this location.

Interested Parties:

None.

Comments and Questions:

Mr. Hutchinson stated that he would rather see the applicant go ahead and lay the asphalt driveway at this time since this would be more expensive to do two installations. And was concerned about the dust that will result from using asphalt millings.

Mr. Charney stated that he could support the applicant's request with some time limitations.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 4-0-1 (Charney, Hicks, Houston, Tisdale all "ayes"; Hutchinson "nays"; no "abstentions") to **APPROVE** a Variance from the required all-weather surface for parking in Tulsa County Zoning Code (Sec. 10.070) subject to the following conditions: Asphalt millings can only be used until the end of the first year lease. The Board reminded the applicant that the coffee shop was considered temporary when approved CBOA-3283. When that expires the applicant will come back to the Tulsa County Board of Adjustments for an extension of the use and will consider paving surface options at that time.

Finding the hardship to be that the previously granted use will support small business development at this location, however at the end of the temporary consideration a permanent development will require normal site development standards required in relevant Tulsa County 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:

NE NE NW NW LESS .13AC FOR RD SEC 16 21 14 2.37ACS County of Tulsa, State of Oklahoma.

CBOA 3290 – Gricelda Lopez

Action Requested:

Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030) **Location:** 5859 N. Norfolk Ave. East

Presentation:

Applicant was not present.

Interested Parties:

None.

Comments and Questions:

None.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all “ayes”; no “nays”; no “abstinence”) to **CONTINUE** a Special Exception to permit a manufactured housing unit, single section, in an RS-3 (Sec. 3.030) until the Tulsa County Board of Adjustment on September 16, 2025.

CBOA 3291 – Luis Gomez

Action Requested :

Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030) **Location:** 1425 E. 73rd St. N.

Presentation:

Luis Gomez, 813 North 91st Street, Tulsa, Oklahoma 74115, stated that he wanted to put a manufactured home on his property.

Interested Parties:

None

Comments and Questions:

None.

Board Action:

On **MOTION** of **HICKS**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all “ayes”; no “nays”; no “abstinence”) to **APPROVE** a Special Exception to permit a manufactured housing unit, single section, in an RS-3 District (Sec. 3.030) subject to the condition that the applicant use tiedowns, skirting, hard surface parking (concrete or asphalt) and meet DEQ 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:

LOT 9 LESS W 5 BLK 3 County of Tulsa, State of Oklahoma.

CBOA 3292 – Julie Walker

Action Requested:

Special Exception to allow a manufactured home on an IL zoned District (Sec. 4.030)

Location: 4532 S. 47th W. Ave.

Presentation:

Julie Walker, 4532 South 47th West Avenue, Tulsa, Oklahoma 74107, stated that she wanted to put a manufactured home on her property. The parcel is split with IL zoning and RE-3 zoning. The applicant confirmed that the manufactured home would be placed on the portion of the lot that is zoned IL and recognized that the special exception request does not apply to the RS-3 portion.

Interested Parties:

None

Comments and Questions:

Mr. Charney stated that he could support this request.

Board Action:

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Hicks, Houston, Hutchinson, Tisdale all “ayes”; no “nays”; no “abstinence”) to APPROVE a Special Exception to allow a manufactured home on an IL zoned District (Sec. 4.030) subject to the following conditions that there be tie downs, skirting, hard surface parking and meet DEQ 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:

W/2 LT 28 LESS BEG NEC W/2 LT 28 TH S98 W37.50 N98 E37.50 POB & S55 E/2 LT 28 BLK 1 County of Tulsa, State of Oklahoma.

***These cases were scheduled for Meeting 545 which was Cancelled due to lack of Quorum.**

OTHER BUSINESS

NEW BUSINESS

BOARD MEMBER COMMENTS

ADJOURNMENT

There being no further business, the meeting was adjourned at 4:35 p.m.

Date approved: 9/16/25

Chair: David E. Charney