



City of Bixby Board of Adjustment Meeting Agenda

Tuesday, February 21, 2023

6:00 PM

**Municipal Building
116 W. Needles Ave., Bixby,
OK 74008**

Call to Order

Chairman

Roll Call

OC Walker, Secretary

Public Hearing

- 1) Discussion, consideration, and possible vote to approve the minutes from January 17, 2023, the City of Bixby, Board of Adjustment Regular Meeting.
- 2) Discussion, consideration, and possible vote to approve BXBA 23.02 requesting a variance to allow an accessory building larger than 800 square feet (1,440 square feet) for property located at 11225 South 90th East Avenue, Bixby, Oklahoma 74008. (William Gray).
- 3) Discussion, consideration, and possible vote to approve (BXBA 23.03) a variance to allow the side yard building line to decrease from 5 feet to 3.45 feet for an existing single-family dwelling located at 6151 East 146th Street South, Bixby, Oklahoma 74008. (Johnny Noel).
- 4) Discussion, consideration, and possible vote to approve (BXBA - 23.04) a variance for an existing non-conforming building that encroaches over an existing building line 2.6" on the north and 3.1" on the south side of the building for property located at 15300 South 77th East Avenue, Bixby, Oklahoma 74008. (JTPR Investments, LLC).

Old Business

New Business

Notice of Posting

This Notice and Agenda was posted on the bulletin board this day of February 17, 2023, on or before 6:00 p.m., at City Hall, 116 W. Needles Bixby Oklahoma.

Respectfully Submitted

OC Walker, City Planner

Persons who require a special accommodation to participate in this meeting should contact City Planner O.C.Walker: 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430 or via Email: ocwalker@bixbyok.gov as far in advance as possible and preferably at least 48- hours before the date of the meeting. Persons using a TDD may contact OKLAHOMA RELAY at 1-800-722-0353 and voice calls should be made to 1-800-522-8506 to communicate via telephone with hearing telephone users and vice versa.

BIXBY BOARD OF ADJUSTMENT MINUTES

Tuesday | January 17, 2023 | 6:00 PM

City Hall, Council Chambers | 116 West Needles, Bixby, OK

CALL TO ORDER: 6:00 PM

Roll Call was taken

MEMBERS PRESENT: Murray King, Chairman
Richard Altmann
Jeff Sloan
Jason Mohler

MEMBERS ABSENT: Kaylin Coody

STAFF PRESENT: O.C. Walker, Director of Development Services
Gwen Plante, Assistant City Planner

Public Hearing

Chairman King said Item #1 on the Agenda is:

Approval of Minutes of the December 19, 2022, regular meeting

Chairman King asked for a motion to approve the December 19, 2022 meeting minutes. Board Member Altmann made a motion to approve minutes, seconded by Mr. Sloan

Yes: Altmann, Sloan, King

Abstain: Mohler

No: None

Motion carried.

Chairman King said Item #2 on the Agenda is:

Discussion and Consideration and possible vote to approve a variance BXBA 23.01 to allow an accessory building to be located on the property's side yard.

Director O.C. Walker stated that in addition to the square footage the building would also be in the property's side yard.

Mr. Woestman stated that he has almost five (5) acres and built the house on the back portion of the lot, he is requesting this variance so they can store an RV and ATV's. Placing it behind the house would place it right up next to the property line, neighbor and would require a lot of trees to be removed, and the proposed location would allow him a straight shot up the driveway.

Mr. Sloan asked if he had spoken with his neighbors and Mr. Woestman said he had spoken with neighbors on both sides and did not have opposition from either neighbor.

Chairman King asked for a motion, and Board Member Sloan made the motion to approve variance BXBA 23.01 to allow the requested variance. Board Member Altmann seconded.

Yes: Sloan, Altmann, King, Mohler

Abstain: None

No: None

Motion to allow variance is approved.

Chairman King said Item #3 on the Agenda is:

Discussion and Consideration and possible vote to approve a variance BXBA 23.02 to allow the maximum square footage from 800 sq. ft. to 1,400 sq. ft. to be located on the rear yard of the Residential Estates District, Southwood Extended Addition.

Director O.C. Walker stated that in doing our due diligence the covenants of Southwood Extended Addition allows for a single-family dwelling and a private two (2) car garage. The applicant is not in attendance.

Chairman King asked for a motion to continue BXBA 23.02 or to deny the variance. The motion died for lack of a second. Board Member Altmann made an additional motion to continue to the next meeting. Board Member Sloan seconded.

Yes: Sloan, Altmann, King, Mohler

Abstain: None

No: None

Item continued to February 20, 2023.

Old Business:

None

New Business:

None

Meeting adjourned at 6:10 pm

Murray King, Chairman

O.C. Walker, Secretary



City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: The City of Bixby, Board of Adjustment

From: OC Walker, Development Services Director/City Planner
Gwen Plante, Assistant City Planner

Date: Tuesday, February 21, 2023

RE: BXBA 23.02 – Variance of the maximum allowed square footage for an accessory building from 800 square feet to 1,440 square feet in the Residential Estate District (RE).

Location: 11225 South 90th East Avenue, Bixby, OK 74008
Lot Fourteen (14) Block Two (2), SOUTHWOOD EXTENDED, City of Bixby, Tulsa County, According to the recorded plat thereof

STR: Section 36, Township 18, Range 13, Tulsa County

Project: William Gray, Variance

Applicant: William Gray, Homeowner

Staff Review

This case was continued from the January 17, 2023, Regular meeting because the applicant was not present. The case is scheduled to be heard on February 13, 2023.

The applicant has applied for a Variance of the maximum allowed square footage for an accessory building from 800 square feet to 1440 square feet, located in the rear yard of the Residential Estate District, Southwood Extended Addition.

In the City of Bixby Zoning Code, a Variance is required to prove a hardship.

Hardship: The applicant stated there was no hardship, however building additional garages would enhance the values of the property, and those around it.

The Board of Adjustment may grant a variance after finding that:

1. 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 this title would result in unnecessary hardship.
2. Such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same district.
3. The variance to be granted will not cause a substantial detriment to the public good or impair the purposes, spirit and intent of this title or the Comprehensive Plan.

Provided, that the board, in granting a variance, shall prescribe appropriate conditions and safeguards if they deem necessary to enforce.

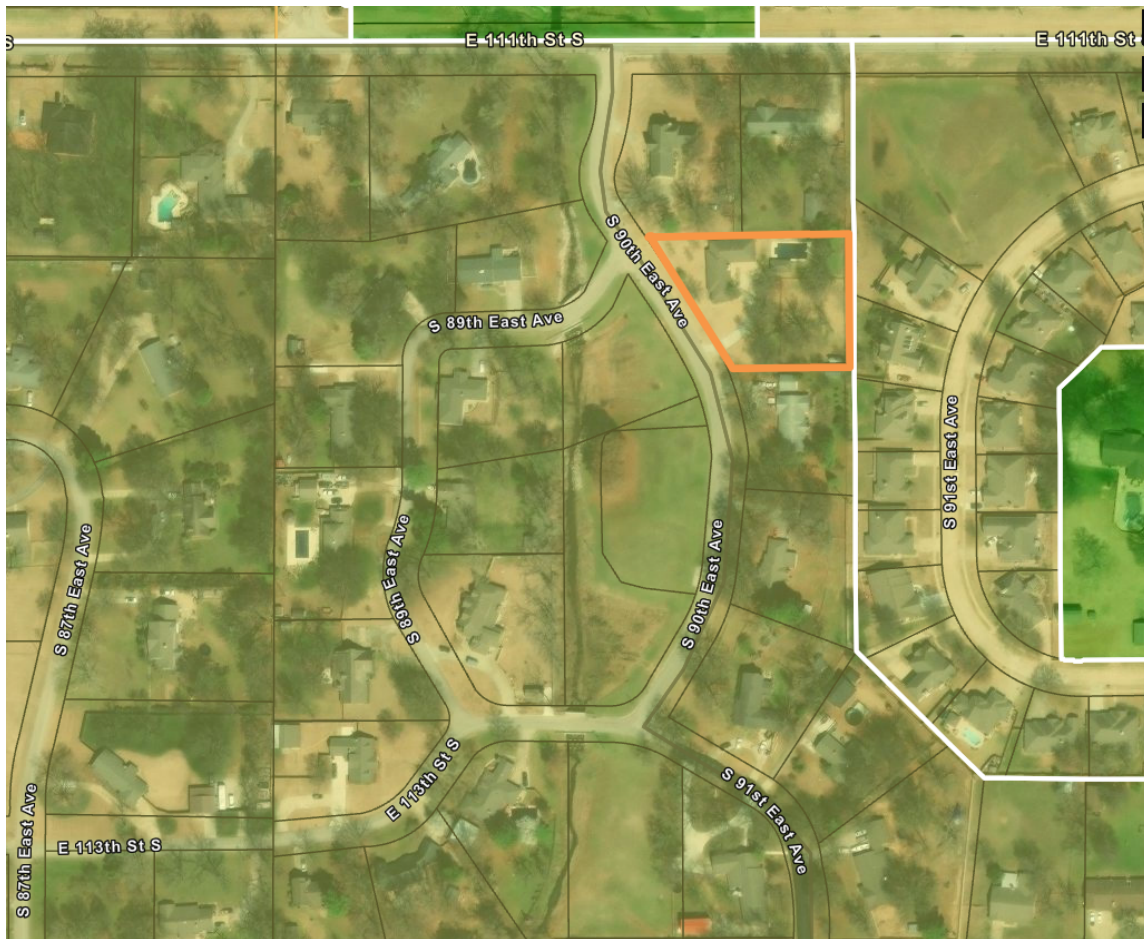


Figure 1: City of Bixby Zoning Map

Existing Zoning; Use:

(RE); Residential Estate District, Single-Family dwellings

Abutting Zoning; Uses:

(RE) Residential Estate District, Single-Family dwellings

Public Comments: No comments were received at the time of writing this Staff Report.

Staff Comments:

1. The application provided a site plan for the subject property and it depicts the location of the proposed building.
2. The proposed building will be 1440 square feet and located to the south of the house in the rear yard.
3. According to the plat for Southwood Extended addition:

PROTECTIVE COVENANTS

...“All Lots in the Addition, except Block One (1) or unless designated otherwise on the approved plat, shall be known and described as Residential Lots and shall be used for Residential purposes only. No structure shall be erected, altered, placed, or permitted to remain on any Residential building plot other than a single-family dwelling and a private Two (2) car garage. All building exterior wall areas shall have (50%) of the exterior wall area constructed of masonry. The resident may construct a tool house providing construction and architecture conforms with the dwelling.

No building, exclusive of open porches shall be located nearer to the front line nor nearer to the side street line than the building lines shown on the Recorded Plat. No building shall be near than Five (5) feet to any side Lot line.

No more than One (1) Residence or structure shall be erected on any Lot as now platted, except Block One (1), No dwelling shall be erected on any Lots the ground floor of the main structure of which, exclusive of open porches and garage is less than Twelve Hundred (1200) square feet in area. No dwelling shall be erected on Lots Eleven (11) through Fifteen (15), Block Two (2), all Blocks Three (3), Four (4), and Five (5), the ground floor of the main structure of which, exclusive of open porches and garages less than Fifteen Hundred (1500) square feet in area. “...

Variance Action of the Board:

The Board of Adjustment shall hold the hearing and, upon the concurring vote of three (3) or more members, may grant the Variance after finding that:

1. 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 this title would result in unnecessary hardship.
2. Such extraordinary or exceptional conditions or circumstances do not apply generally to other properties in the same district.
3. The variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this title or the Comprehensive Plan.

Provided, that the board, in granting a variance, shall prescribe appropriate conditions and safeguards, and may require such evidence and guarantee or bond as it may deem necessary to enforce compliance with the conditions attached.

SAMPLE MOTION: *In BOA Case Number BXBA-23.02 I move that we (approve/deny) a Variance is requested due to the proposed accessory building being larger than 400 square feet.*

- Finding Hardship to be _____.
- Per the Conceptual Plan(s) and/or Figures shown on page(s) _____ of the Agenda Packet.
- Subject to the following conditions _____, (if any).

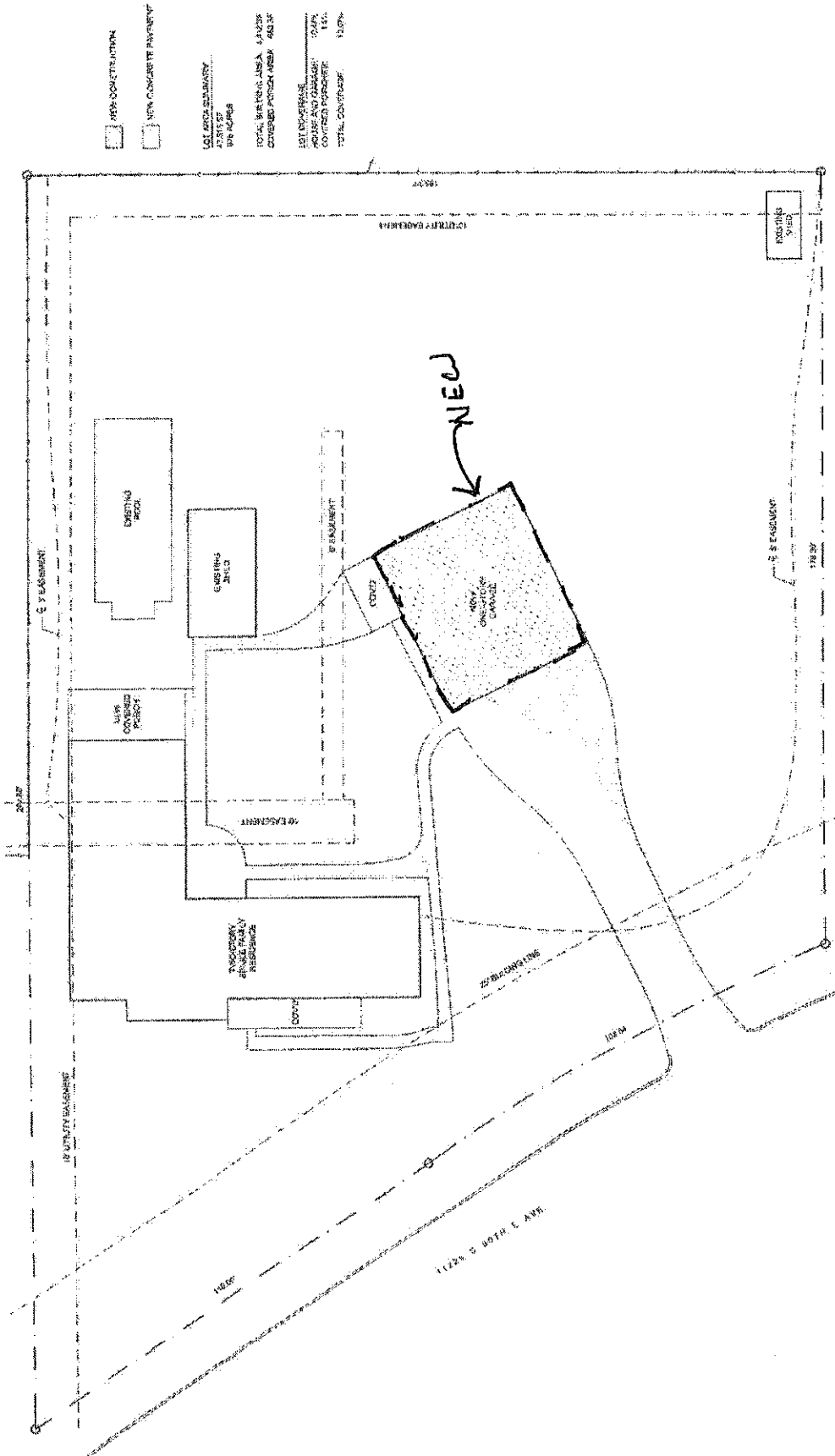
Figures:

Figure 1: City of Bixby Zoning Map

Attachments:

Exhibit A: Aerial Photo of the subject lot

Private Residence Renovation Bixby, OK 74008 11225 S 90th E Ave.		PROJECT NO. DATE DRAWN BY CHECKED BY SITE PLAN	A2
---	--	--	-----------



☐ NEW CONSTRUCTION
☐ EXISTING STRUCTURE
 LOT AREA: 11,225.00 SQ. FT.
 TOTAL BUILDING AREA: 4,425.00 SQ. FT.
 COVERED PORCH AREA: 600.00 SQ. FT.
 TOTAL GARAGE AREA: 1,100.00 SQ. FT.
 TOTAL CONCRETE: 12.00 YD.

CITY OF BIXBY
DEVELOPMENT SERVICES

DEC 06 2022

RECEIVED
Page 10 of 31

DEC 06 2022

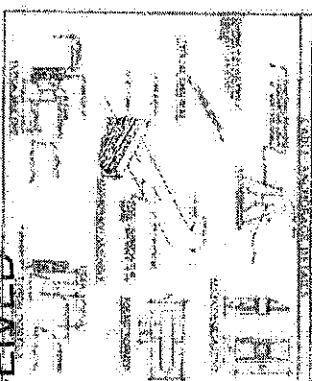
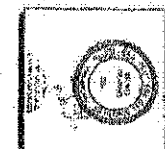
RECEIVED

SHEET
PT 1 of PT 1

FOUNDATION DESIGN
PER PT 1 OF PT 1

DATE: 11/15/2022
DRAWN BY: JAC
CHECKED BY: JAC
PROJECT NO: 22001

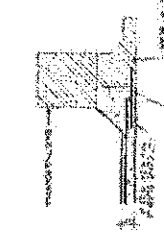
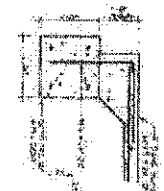
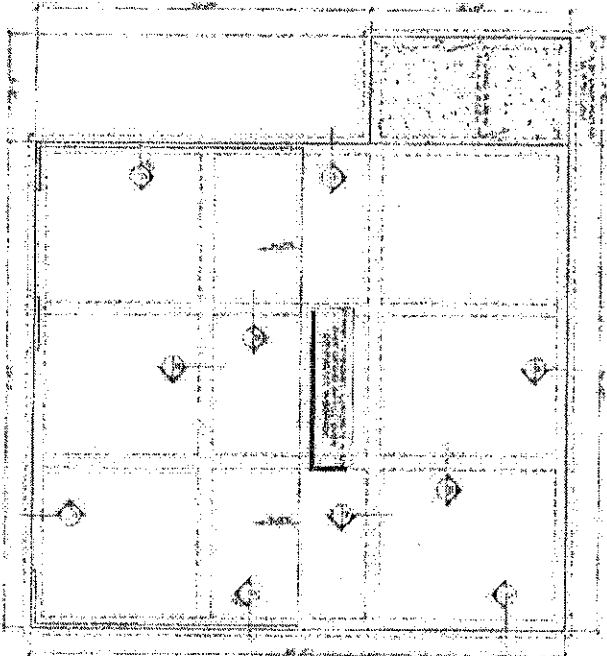
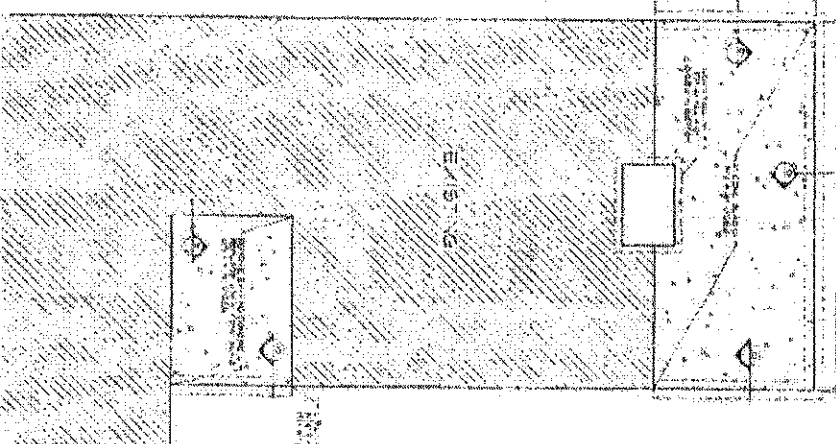
PROJECT
FOUNDATION PLAN
(SHEET 1)
11225 S. 90TH E. AVE.
BIXBY, OK
CLIENT:
EVERGREEN ARCH.



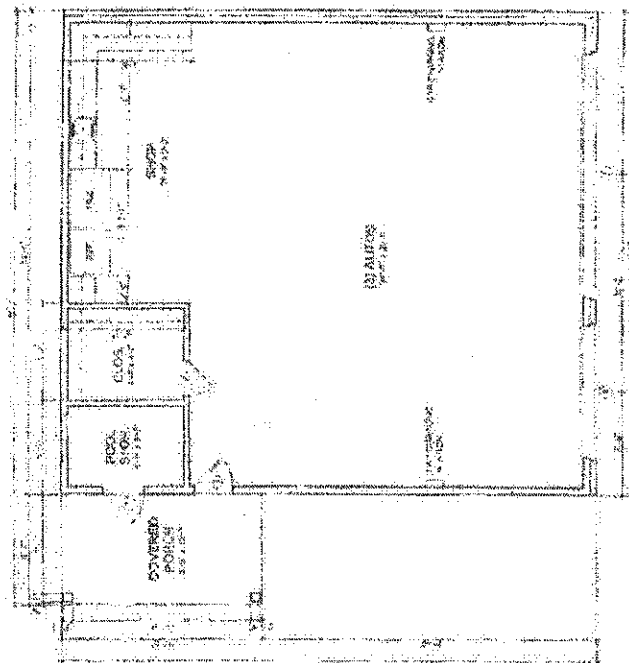
GENERAL NOTES

1. FOUNDATION SHALL BE CONSTRUCTED ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE ACI 318 BUILDING CODE FOR STRUCTURAL CONCRETE.
2. ALL FOUNDATION ELEMENTS SHALL BE CAST IN PLACE CONCRETE WITH A MINIMUM STRENGTH OF 4000 PSI.
3. ALL REINFORCING STEEL SHALL BE EPOXY COATED BARS (ECC) WITH A MINIMUM YIELD STRENGTH OF 60,000 PSI.
4. ALL FOUNDATION ELEMENTS SHALL BE CAST ON A MINIMUM 4" THICK GRAVEL BED.
5. ALL FOUNDATION ELEMENTS SHALL BE CAST WITH A MINIMUM 2" THICK CONCRETE CURB.
6. ALL FOUNDATION ELEMENTS SHALL BE CAST WITH A MINIMUM 2" THICK CONCRETE CURB.
7. ALL FOUNDATION ELEMENTS SHALL BE CAST WITH A MINIMUM 2" THICK CONCRETE CURB.
8. ALL FOUNDATION ELEMENTS SHALL BE CAST WITH A MINIMUM 2" THICK CONCRETE CURB.
9. ALL FOUNDATION ELEMENTS SHALL BE CAST WITH A MINIMUM 2" THICK CONCRETE CURB.
10. ALL FOUNDATION ELEMENTS SHALL BE CAST WITH A MINIMUM 2" THICK CONCRETE CURB.

FOUNDATION PLAN



PROJECT 12208 S 30TH E AVE. BIXBY, OK 74008	A8

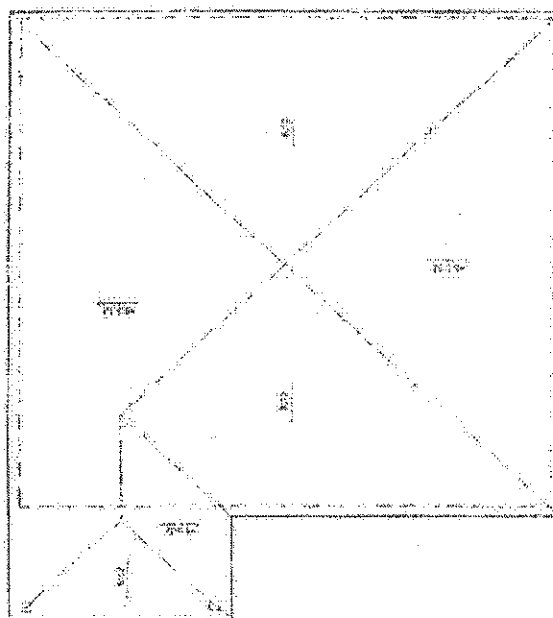


1 NEW GARAGE FLOOR PLAN

CITY OF BIXBY
DEVELOPMENT SERVICES

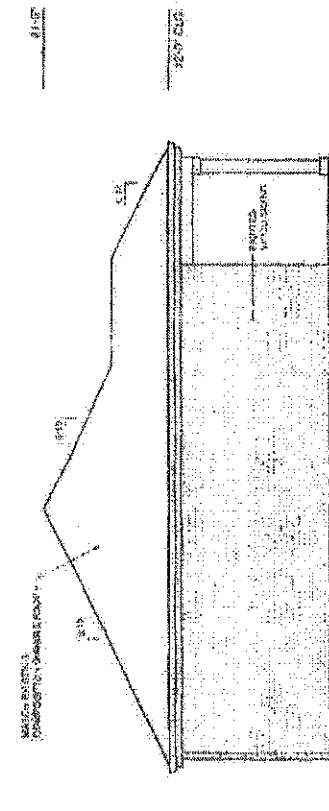
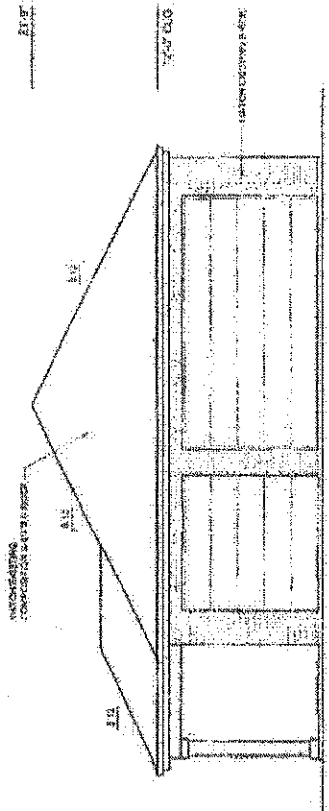
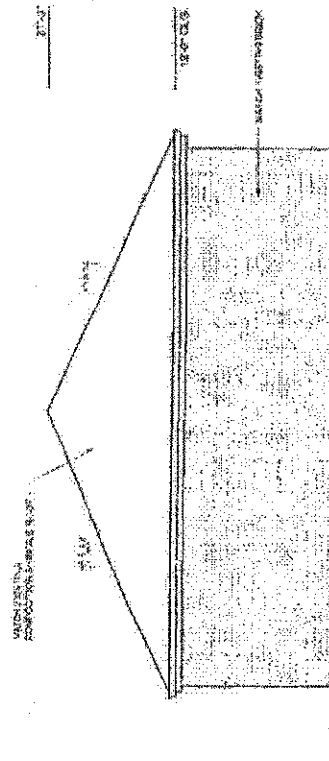
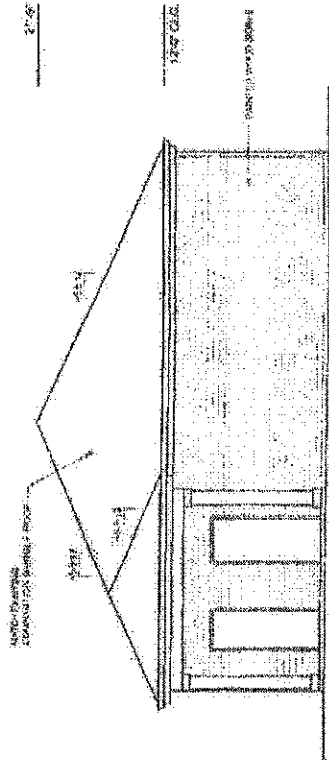
DEC 06 2022

RECEIVED Page 12 of 31



NEW CARBON ROOF PLAYS

Private Residence Renovation 11225 S. 60th N. Ave. Bixby, OK 74008		DRAWING SHEET NO.	A14
PROJECT NAME		DATE	NEW GARAGE ELEVATION II



Thirty (30) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of Ten (10) years unless an instrument signed by a majority of the then Owners of the Lots have been recorded, agreeing to change said covenants in whole or in part.

Enforcement shall be by proceedings at law or in equity against any persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

1. All Lots in the Addition, except Block One (1) or unless designated otherwise on the approved plat, shall be known and described as Residential Lots and shall be used for Residential purposes only. No structure shall be erected, altered, placed or permitted to remain on any Residential building plot other than a single family dwelling and a private two (2) car garage. All building exterior wall areas shall have Fifty per cent (50%) of the exterior wall area constructed of masonry. Resident may construct tool house providing construction and architecture conforms with the dwelling.
2. No building, exclusive of open porches shall be located nearer to the front line nor nearer to the side street line than the building lines shown on the Recorded Plat. No building shall be nearer than Five (5) feet to any side Lot line.
3. No more than One (1) Residence or structure shall be erected on any Lot as now platted, except Block One (1). No dwelling shall be erected on any Lots the ground floor of the main structure of which, exclusive of open porches and garages is less than Twelve Hundred (1200) square feet in area. No dwelling shall be erected on Lots Eleven (11) through Fifteen (15), Block Two (2), all Blocks Three (3), Four (4) and Five (5), the ground floor of the main structure of which, exclusive of open porches and garages is less than Fifteen Hundred (1500) square feet in area.
4. No fence shall be erected on any Lot forward of the main structure, and no fence on any Lot shall be more than Six (6) feet in height.
5. No structure previously used shall be moved onto any Lot in this Addition.
6. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the Recorded Plat. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow or drainage channels in the easements, or which may obstruct or retard the flow of water through the drainage channels in the easements. The easements area of each Lot, and all improvements in it shall be maintained continuously by the Owner of the Lot, except for those improvements which a public authority or utility company is responsible.
7. No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
8. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any Lot at any time as a residence either temporarily or permanently.
9. No sign of any kind shall be displayed to the public view on any Lot except One (1) professional sign of not more than One (1) square foot, One (1) sign of not more than Five (5) square feet advertising for sale or rent, or signs used by a builder to advertise the property during construction and sales period.
10. No oil drilling, oil development operations, oil refinings, quarrying or mining operations of any kind shall be permitted upon or in any Lot, nor shall oil wells, tanks, tunnels, mineral excavations, or shafts be permitted upon or on any Lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained, or permitted upon any Lot.
11. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any Lot, except that dogs, cats, or other household pets may be kept provided that they are not kept bred, or maintained for any commercial purposes. And except that no more than One (1) riding ponies shall be kept on Lots having an area of more than Thirty-Five Thousand (35,000) square feet. Shelters conforming with the construction and architecture of the resident may be provided on Lots where ponies are kept.
12. No Lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste. All waste shall be kept in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.
13. All individual water supply systems and sewage disposal systems shall be constructed and equipped in accordance with the standards and recommendations of the Oklahoma State Department of Health.

Untitled Map

Write a description for your map.

Legend

📍 11225 S 90th E Ave

Google Earth

Image Landsat / Copernicus



200 ft



City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Board of Adjustment

From: OC Walker, Development Services Director/City Planner
Gwen Plante, Assistant Planner

Date: Tuesday, February 21, 2023

RE: BXBA 23.03 – Variance of the side yard build line from 5 feet to 3.45 feet to allow for a single-family high-density district (RS-3).

Location: 6151 E 146th Street South, Bixby, OK 74008
Platted: Lot 39, Block 1, Southridge at Lantern Hill

STR: Section 15, Township 17, Range 13E

Project: Noel Variance, BXBA

Applicant: Larry Pennington, Glenwood Homes

Staff Review

The applicant has applied for a Variance of the side-yard build line from 5 feet to 3.45 feet to allow for an existing single-family (RS-3) home in Southridge at Lantern Hill. (PUD-72).

In the City of Bixby Zoning Code a Variance is required to prove a hardship.

Hardship: The home is existing and owners are residing in the home. Title Insurance policy is null and void as the home encroaches into the build line.

The error was not determined until the house was finished, closing title work was performed, and Exhibit A disclosed the 1.55-inch encroachment.

The Board of Adjustment may grant a variance after finding that:

1. 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 this title would result in unnecessary hardship.

2. Such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same district.
3. The variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit and intent of this title or the Comprehensive Plan.

Provided, that the board, in granting a variance, shall prescribe appropriate conditions and safeguards if they deem necessary to enforce.

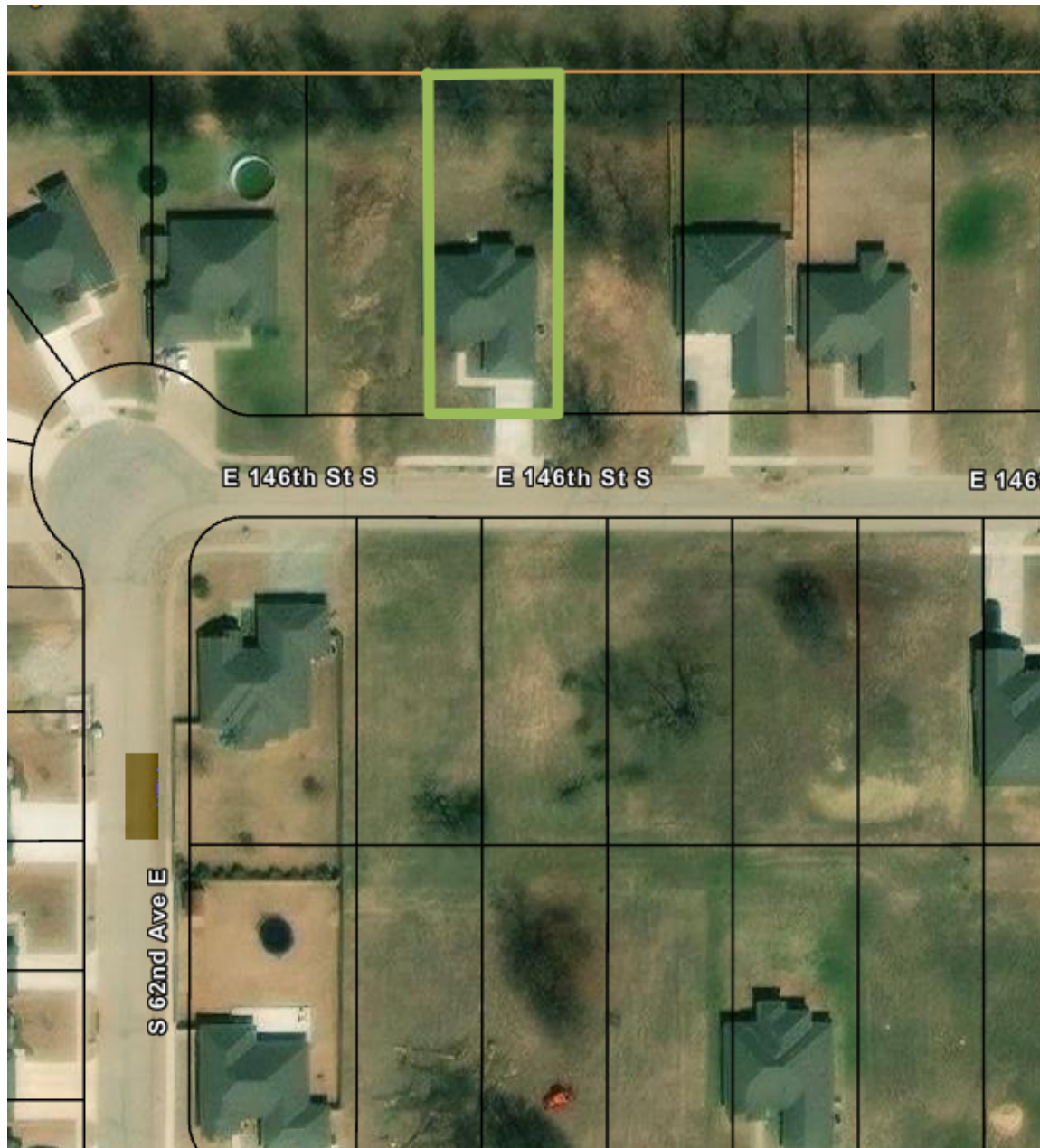


Figure 1: City of Bixby Zoning Map

Existing Zoning; Use:

(RS-3, PUD-72); Residential Single-Family lot; Single-Family dwelling

Abutting Zoning; Uses:

(AG) Single-Family; Residential Single-Family dwellings

Public Comments: No comments were received at the time of writing this Staff Report.

Staff Comments: Staff Recommends approval as the 1.55-inch build line setback should not cause substantial detriment to the public good or impair the purposes, spirit and intent of the Zoning Code or Comprehensive Plan.

Variance Action of the Board:

The Board of Adjustment shall hold the hearing and, upon the concurring vote of three (3) or more members, may grant the Variance after finding that:

1. 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 this title would result in unnecessary hardship.
2. Such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same district.
3. The variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and, intent of this title or the Comprehensive Plan.

Provided, that the Board, in granting a variance, shall prescribe appropriate conditions and safeguards, and may require such evidence and guarantee or bond as it may deem necessary to enforce compliance with the conditions attached.

Sample Motion:

In BOA Case BXBA-23.03 I move that we (approve/deny) a Variance of the side yard build line from 5 feet to 3.45 feet to allow for single-family structure in the Residential Single Family (RS-3) district, with the following conditions:

Figures:

Figure 1: City of Bixby Zoning Map

Attachments:

Exhibit A: Boundary Survey

Exhibit B: Plat Map

Exhibit C: Aerial Photo of subject lot



Land Summary

SUBDIVISION CONTAINS ONE HUNDRED AND FIFTEEN (115) LOTS IN FOUR (4) BLOCKS AND FOUR (4) RESERVE AREAS.

BLOCK 1	50 LOTS
BLOCK 2	23 LOTS
BLOCK 3	17 LOTS
BLOCK 4	25 LOTS

SUBDIVISION CONTAINS 1,738,433.35 SF / 39.91 ACRES

Legend

B/L	BUILDING LINE
LNA	LIMITS OF NO ACCESS
ACC	LIMITS OF ACCESS
F/E	FENCE & LANDSCAPE EASEMENT
U/E	UTILITY EASEMENT
[234]	STREET ADDRESS

Monumentation

ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" X 18" STEEL PIN WITH A PLASTIC CAP STAMPED "PLS 1283" AT ALL CORNERS.

Basis of Bearings

ASSUMED BEARING OF S 0°00'11" E ALONG THE EAST LINE OF THE SE/4 OF SECTION 15, T-17-N, R-13-E, OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA.

ADS Benchmark

5/8" REBAR-1 1/2" ALUMINUM CAP-FLUSH-SET IN CONCRETE-STAMPED "49", SET S.E. OF THE INTERSECTION OF 131ST SOUTH, AND YALE PLACE. ELEV=683.26 (NAVD1988)

Notes

ALL STREET RIGHT-OF-WAY SHALL BE DEDICATED AS PUBLIC STREETS BY THIS PLAT.

ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

Curve Table

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH
C1	90°00'51"	35.00'	54.99'
C2	89°59'09"	35.00'	54.97'
C3	15°39'51"	262.50'	71.77'
C4	24°21'18"	337.50'	143.46'
C5	15°32'56"	600.00'	162.83'
C6	24°14'23"	550.00'	232.68'
C7	48°04'28"	25.00'	20.98'
C8	186°18'35"	50.00'	162.59'
C9	48°07'13"	25.00'	21.00'
C10	90°06'55"	25.00'	39.32'
C11	89°53'05"	25.00'	39.22'
C12	27°19'18"	325.00'	154.98'
C13	27°19'18"	275.00'	131.13'
C14	27°19'18"	175.00'	83.45'
C15	27°19'18"	225.00'	107.29'
C16	48°11'23"	25.00'	21.03'
C17	276°22'46"	50.00'	241.19'
C18	48°14'15"	25.00'	21.05'
C19	186°25'38"	50.00'	162.69'
C20	48°15'00"	25.00'	21.05'
C21	89°56'23"	25.00'	39.24'
C22	90°03'37"	25.00'	39.30'
C23	25°03'37"	250.00'	109.35'
C24	25°03'37"	300.00'	131.22'
C25	24°59'09"	225.00'	98.12'
C26	24°59'09"	175.00'	76.31'
C27	90°00'00"	35.00'	54.98'

CERTIFICATE

I hereby certify that all real estate taxes involved in this plat have been paid as reflected by the current tax rolls. Security as required has been provided in the amount of \$ 98.75 per trust receipt no. 12664 to be applied to 20 13 taxes. This certificate is NOT to be construed as payment of 20 taxes in full but is given in order that this plat may be filed on record, and that the taxes do not exceed the amount of the security deposit.

Dated 03 Jan 13
By: Dennis Semler
Tulsa County Treasurer
Deputy

Final Plat Southridge at Lantern Hill

A RESUBDIVISION OF 'LANTERN HILL' PLAT #6268, IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA BEING A PART OF THE SE/4 OF SECTION FIFTEEN (15), TOWNSHIP 17 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN.

Owner / Developer

LANTERN HILL, LLC
P.O. BOX 35218
TULSA, OKLAHOMA 74153
PHONE: (918) 299-0396
CONTACT: MR. ROBERT A. LEMONS

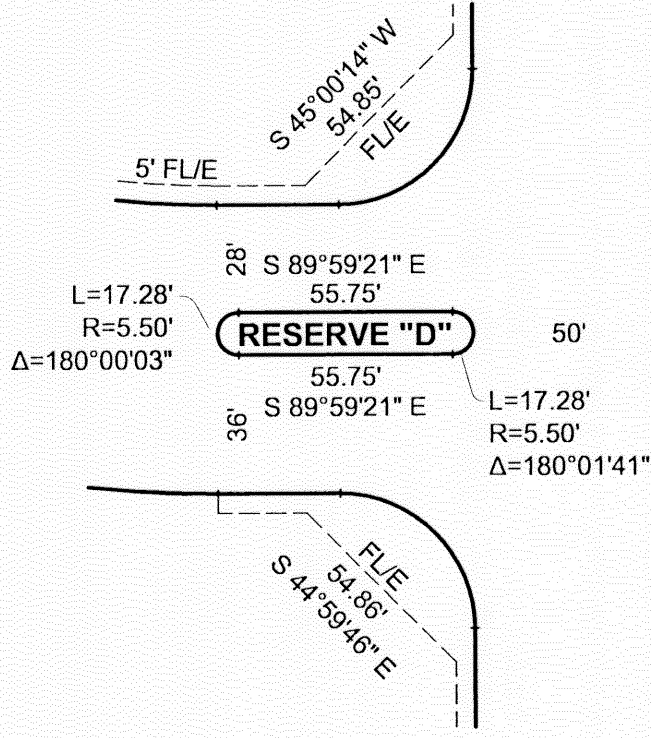
Surveyor

HRAOK, INC.
1913 WEST TACOMA, SUITE A
BROKEN ARROW, OKLAHOMA 74012
PHONE: (918) 258-3737
FAX: (918) 258-2544
C.A. #3643 EXPIRES JUNE 30, 2013
INFO@HRAOK.COM

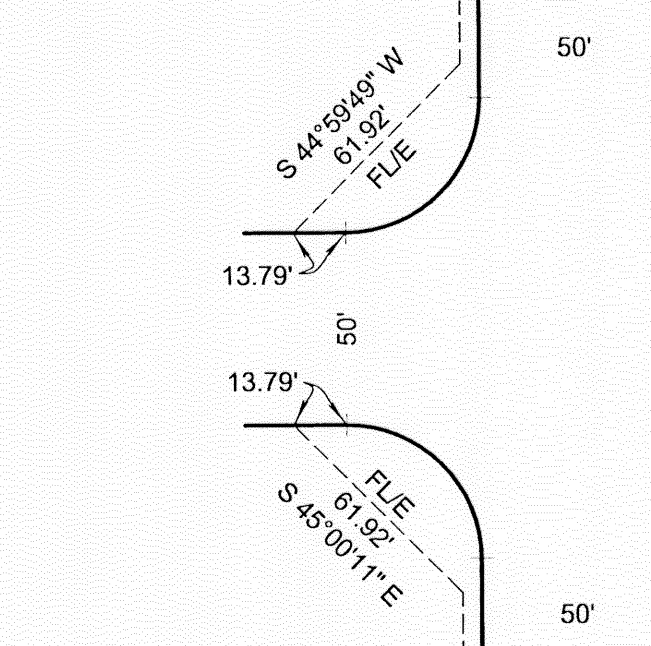
Engineer

ROSENBAUM CONSULTING, LLC
2608 WEST KENOSHA STREET #304
BROKEN ARROW, OKLAHOMA 74012
PHONE: (918) 798-0210
FAX: (918) 451-3263
C.A. #6470 EXPIRES JUNE 30, 2013
BARRICK@ROSENBAUMCONSULTINGLLC.COM

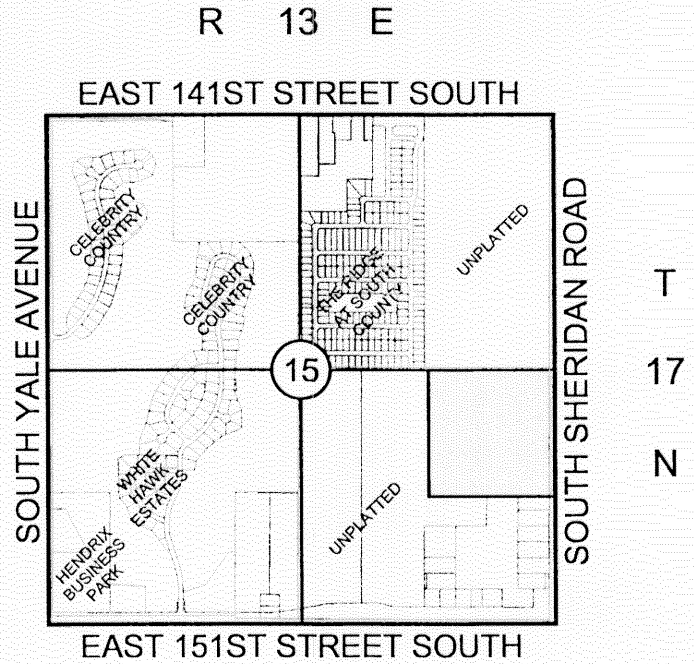
Unplatted



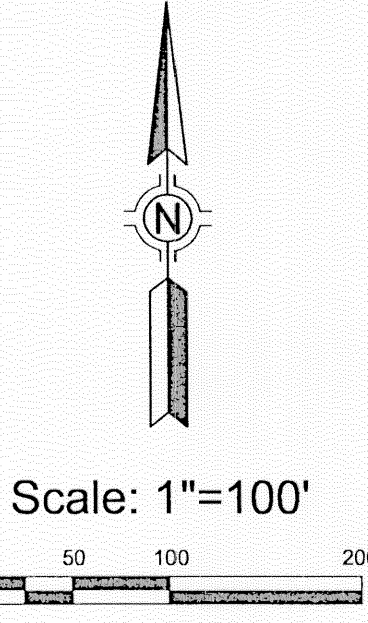
North Entry Detail
SCALE: 1"=50'



South Entry Detail
SCALE: 1"=50'



Location Map
SCALE: 1"=2000'



FINAL PLAT
CERTIFICATE OF APPROVAL
I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY.
ON 12/28/2012
BY Ray Bowen
MAYOR - VICE MAYOR
THIS APPROVAL IS VOID IF THE ABOVE SIGNATURE IS NOT ENDORSED BY THE CITY MANAGER OR CITY CLERK.
BY Ray Bowen
MAYOR - VICE MAYOR

COUNTY CLERK STAMP

COUNTY TREASURER STAMP

Southridge at Lantern Hill
Sheet 1 of 2



E 146th St S

E 147th St S



Staff Report

To: The City of Bixby, Board of Adjustment

From: OC Walker, Development Services Director/City Planner
Gwen Plante, Assistant City Planner

Date: Tuesday, February 21, 2023

RE: BXBA 23.04 – Variance for an existing non-conforming building that encroaches over a building line 2.6” on the North side of the building and 3.1” on the South side of the building. Removing this section of the building would jeopardize the structure of the building.

Location: 15300 South 77th East Avenue, Bixby, Oklahoma 74008

STR: Section 23, Township 17, Range 13, Tulsa County

Project: JTPR Investments, LLC

Applicant: JTPR Investments

Staff Review

The applicant has applied for a variance for an existing non-conforming building that encroaches over the building 2.6” on the North and 3.1” on the south side of the building. Removing this section of the building would jeopardize the structure of the building.

In the City of Bixby Zoning Code, a Variance is required to prove a hardship.

Hardship: The applicant stated there was no hardship, however building additional garages would enhance the values of the property, and those around it.

The Board of Adjustment may grant a variance after finding that:

1. 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 this title would result in unnecessary hardship.

2. Such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same district.
3. The variance to be granted will not cause a substantial detriment to the public good or impair the purposes, spirit and intent of this title or the Comprehensive Plan.

Provided, that the board, in granting a variance, shall prescribe appropriate conditions and safeguards if they deem necessary to enforce.

Figure 1: City of Bixby Zoning Map



Existing Zoning; Use:
(IL); Industrial

Abutting Zoning; Uses:
(IL); Industrial

Public Comments: No comments were received at the time of writing this Staff Report.

Staff Comments:

1. The application provided a survey for the subject property and it depicts the location of the proposed building.
2. An existing building encroaches over the building line 2.6" on the North and 3.1 on the south side of the building
3. According to the survey dated November 14, 2023

Variance Action of the Board:

The Board of Adjustment shall hold the hearing and, upon the concurring vote of three (3) or more members, may grant the Variance after finding that:

1. 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 this title would result in unnecessary hardship.
2. Such extraordinary or exceptional conditions or circumstances do not apply generally to other properties in the same district.
3. The variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this title or the Comprehensive Plan.

Provided, that the board, in granting a variance, shall prescribe appropriate conditions and safeguards, and may require such evidence and guarantee or bond as it may deem necessary to enforce compliance with the conditions attached.

SAMPLE MOTION: *In BOA Case Number BXBA-23.04 I move that we (approve/deny) a Variance for an existing non-conforming building encroachment over a building line 2.6" on the North side of the building and 3.1" on the South side of the building.*

- Finding Hardship to be an existing non-conforming building encroachment over a building line 2.6" on the North side of the building and 3.1" on the South side of the building.
- Per the Conceptual Plan(s) and/or Figures shown on page(s) 2 - 5 of the Agenda Packet.
- Subject to the following conditions none, (if any).

Figures:

Figure 1: City of Bixby Zoning Map

Attachments:

Exhibit A: Site survey

Exceptions:
SCHEDULE B, PART II

10. Building lines and easements as shown on Plat No. 3438 of BIXBY INDUSTRIAL PARK. ***Affects subject property in blanket manner and as shown.***
11. Right of Way Easement in favor of Southwestern Bell Telephone Company, dated August 18, 1955, filed September 22, 1955 as Document No. 253753 and recorded in Book 2614, Page 613. ***Affects subject property in blanket manner. Unable to determine precise location of one rod (16.5') easement referenced on document. No graphics.***
12. Sewer Easement in favor of the Town of Bixby, Oklahoma, dated August 25, 1970, filed September 1, 1970 and recorded in Book 3937, Page 927. ***Does not affect subject property as shown.***
13. Easement in favor of Oklahoma Gas and Electric Company, dated July 21, 2020, filed October 5, 2020 and recorded as Document No. 2020096933. ***Affects subject property as shown.***
14. Restrictive covenants, conditions, restrictions and easements as contained in Certificate of Dedication and Restrictive Covenants as shown on Plat No. 3438 of BIXBY INDUSTRIAL PARK, dated August 17, 1973, filed August 30, 1973 as Document No. 298633, but deleting any covenant condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42 Section 3604(c), of the United States Codes. ***Affects subject property in blanket manner and as shown.***
15. Decree of Incorporation of Conservancy District dated April 18, 1960, filed April 26, 1960 and recorded in Book 3053, Page 467. ***Affects subject property in blanket manner.***
16. Ordinance No. 235, an ordinance annexing certain property to the Town of Bixby, Oklahoma, dated June 27, 1969, filed December 22, 1969 and recorded in Book 3912, Page 602. ***Does not affect subject property.***
17. Ordinance No. 247, an ordinance annexing certain property to the Town of Bixby, Oklahoma, dated August 29, 1972, filed September 1, 1972 and recorded in Book 4032, Page 1825. ***Does not affect subject property.***
18. Ordinance No. 255, an ordinance annexing certain property to the Town of Bixby, Oklahoma, dated June 5, 1973, filed June 19, 1973 and recorded in Book 4074, Page 1888. ***Affects subject property in blanket manner.***
19. Ordinance No. 291, an ordinance de-annexing certain roads and property to the Town of Bixby, Oklahoma, dated April 15, 1975, filed April 22, 1975 and recorded in Book 4161, Page 1594. ***Does not affect subject property.***
20. Ordinance No. 347, an ordinance annexing certain roads and property to the Town of Bixby, Oklahoma, dated February 27, 1978, filed February 14, 1978 and recorded in Book 4352, Page 251. ***Does not affect subject property.***
21. Ordinance No. 988, an ordinance establishing an excess capacity fee; dated June 11, 2007, filed January 31, 2008 and recorded as Document No. 2008011171. ***Affects subject property in blanket manner.***

Notes:

Horizontal Datum and Bearings based on Oklahoma State Plane Zone North (NAD83) Grid. Distances are in grid

Vertical Datum NAVD 88.

Measured area of Subject Property = 34,000 Square Feet or 0.7805 Acres

Underground utilities shown are from above ground observed evidence. Caution, all underground utilities may not be shown. No OKIE locate called for this Survey. Call Oklahoma One Call (OKIE) before digging.

No evidence of construction or earth moving observed at the time of this survey.

No evidence of site being used as waste disposal at the time of this survey

No division or party walls observed on subject property.

No clearly identifiable parking spaces on subject property.

- ☒ (A) Building crosses northerly property line as shown.
- ☐ (B) Front of the building crosses building setback line as shown.

Subject Property partly within Zone X (shaded) and partly within Zone AE per FIRM Map Panel No. 40143C0434L, Eff. October 16th, 2012 as shown on survey.



AC	=	AIR CONDITIONING UNIT
CO	=	CLEANOUT
CMF	=	CORRUGATED METAL PIPE
EBOX	=	ELECTRIC BOX
EM	=	ELECTRIC METER
ET	=	ELECTRIC TRANSFORMER
FDC	=	FIRE DEPARTMENT CONNECTION
FH	=	FIRE HYDRANT
EP	=	ELECTRIC PESTEL
ET	=	ELECTRIC TRANSFORMER
GM	=	GAS METER
MB	=	MAIL BOX
PPD	=	POWER POLE WITH DROP
PPDL	=	POWER POLE WITH DROP, LIGHT AND TRANSFORMER
SSM	=	SANITARY SEWER MANHOLE
WMH	=	WATER METER
WV	=	WATER VALVE

-- OE -- OVERHEAD ELECTRIC

```
-- ST -- STORM SEWER
```

-- ST -- STORM SEWER
W WATERLINE

```
-- X  -- FENCE
```

$$F(M) = \text{Meq.}$$

Record bearings as determined by the plat

$N 88^{\circ}44'37'' E (M)$ = Measured bearings
East (R) = Record bearings as determined by the plat

Legal Description:

Lots Seven (7) and Eight (8), Block Three (3), BIXBY INDUSTRIAL PARK, an Addition to the Town of Bixby, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

Address: 15300 S 77th, Bixby, OK 74008

Certification:

Certify to:
Titan Title & Closing, LLC
Fidelity National Insurance Company
JTPR Investments LLC, an Oklahoma limited liability company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items of Table A (1, 2, 4, 7, 8, 9, 10, 11 and 16) thereof. The field work was completed on November 14th, 2022.

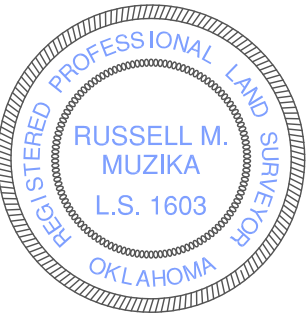
This Plat of Survey meets the Oklahoma Minimum Standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors.

Witness my hand and seal this 14th day of November, 2022

Russell M. Muzika
Licensed Professional Land Surveyor
Oklahoma No. 1603

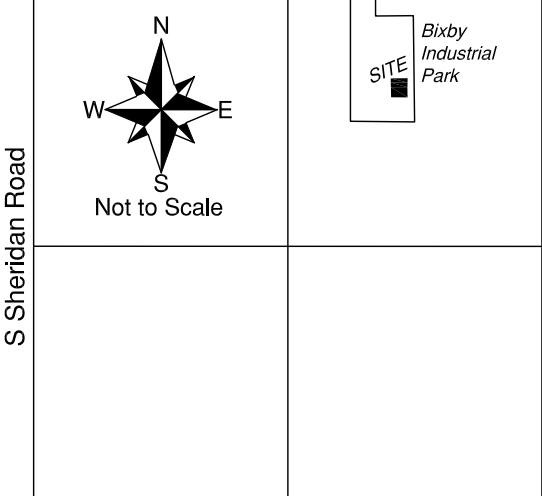


CA # 5524 renewal date June 30th, 2024



Location Map

Highway 67 (E 151st Street South)

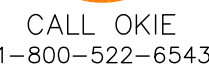


E 161st Street South
Section 23
T-17-N, R-13-E, Indian Meridian, Tulsa County

ALTA\NSPS Land Title Survey

15300 S 77th, Bixby, OK 74008

Survey Date: November 14th, 2022	Issue Date: November 14th, 2022	
Project: # 2210078	Drafter: MVL	Sheet: 1 of 1
Scale: 1" / 20'	Approved: RMM	22-4473 - Bixby Trade Center/JTPR

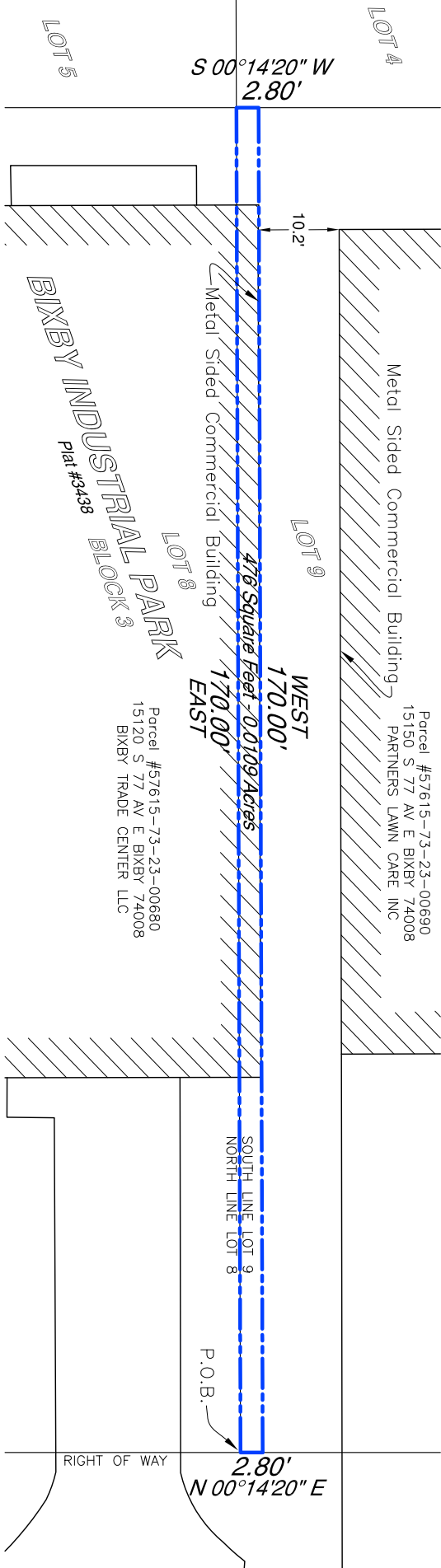




0 10 20

Scale 1 Inch / 20 Feet

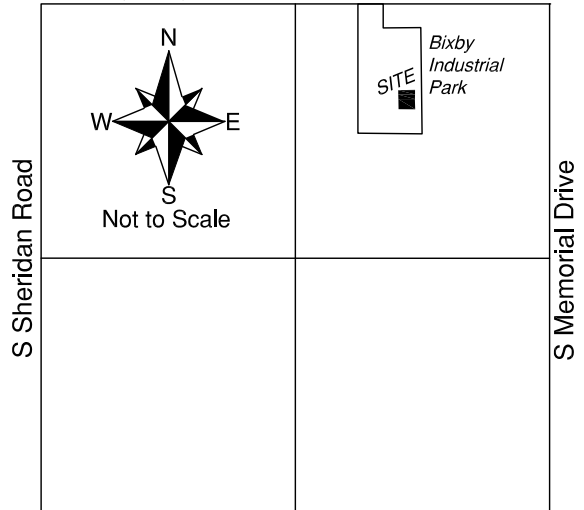
Bearings based on Oklahoma State
Plane Zone North (NAD83) Grid



77th East Ave

Location Map

Highway 67 (E 151st Street South)



E 161st Street South

Section 23

T-17-N, R-13-E, Indian Meridian, Tulsa County

LEGAL DESCRIPTION:

The South 2.8' of Lot Nine (9) of Block Three (3), BIXBY INDUSTRIAL PARK, an Addition to the Town of Bixby, Tulsa County, State of Oklahoma, according to the recorded Plat #3438 thereof, being more particularly described as follows; Beginning at the Southeast Corner of said Lot Nine (9) of Block Three (3), BIXBY INDUSTRIAL PARK, thence N00°14'20"E a distance of 2.80 feet; thence on a line contiguous with the North face of an existing metal side commercial building, West 170.00 feet; thence S00°14'20"W a distance of 2.80 feet to the Southwest Corner of said Lot Nine (9) of Block Three (3), BIXBY INDUSTRIAL PARK; thence East 170.00 feet to the Point of Beginning.

Having an area of 476 Square Feet or 0.0109 Acres

Bearings based on platted lines of "BIXBY INDUSTRIAL PARK",
Plat #3438, Tulsa County, Oklahoma

This legal description meets the
minimum technical standards for legal
descriptions in the State of Oklahoma

Russell M. Muzika,
Oklahoma PLS No. 1603
GEODECA LLC
P.O.Box 33012,
Tulsa, Ok, 74153
918 949 4064
CA # 5524 exp 6/30/2024



No evidence of construction or earth moving observed at the time of this survey.

No evidence of site being used as waste disposal at the time of this survey.

No division or party walls observed on subject property.

No clearly identifiable parking spaces on subject property.

A Building crosses northerly property line as shown.

B Front of the building crosses building setback line as shown.

Subject Property partly within Zone X (shaded) and partly within Zone AE per FIRM Map Panel M
October 16th, 2012 as shown on survey.

HIGHEST POINT = 20.8'

X

HIGHEST POINT ON
BUILDING = 621.1'

LOT 7

CONCRETE

50' Building Line per plat

10 14

AC

AC

THRESHOLD ELEVATION OF
BUILDING = 600.3'

CANOPY

B

3.1'

46.9'

100.28'

AC

25' Building Line per plat

AC

AC

10 14

CONCRETE

EM
EM



ET

CANOPY

26.2'

UNPAVED

12' OG&E Easement

METAL SIDED BUILDING

CONCRETE

LOT 9

East (R)

$N 88^{\circ}44'37'' E (M)$

UNPAVED

10.1'

47.4'

110.29'

170.00'

(B)

2.6'

2.8'

(A)

CONCRETE

GATE

FOUND 5/8" REBAR WITH CAP
STAMPED "CA 4849" 0.4'
NORTH OF PROPERTY CORNER
AND 2.42' DUE SOUTH OF
METAL FENCE CORNER

6' CHAINLINK FENCE
WITH CLIMB BARRIER

GM (ABANDONED)

GM

SS

X

SS

SS

SS

SS

SS

SS

SS

SS

SS

SS

SS

SS

SS

SS

SS

SS

SS

8' METAL FENCE

CONCRETE

2.8'

A

10.2'

12.3'

110.29'

LOT 9

Ea

N 88°44'

17

LOT 5

10' Easement per plat

10 14

10 14

100.00'

10' Easement per plat

10 14

10 14

BIXBY INDUSTRIAL

Plat #3438

BLOCK 3