

TULSA COUNTY BOARD OF ADJUSTMENT

INCOG – 2 West 2nd Street Suite 800 - Tulsa, Oklahoma 74103 - (918) 584-7526

www.countyoftulsa-boa.org

APPLICATION INFORMATION

RECEIVED BY: nf DATE FILED: **09/17/15** HEARING DATE: **10/20/2015 1:30 PM** CASE NUMBER: **CBOA-2550**

RESIDENTIAL NON-RESIDENTIAL COMBINATION RELATED APPLICATION NUMBER _____

REFERRAL CITIES: **OWASSO**

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: **NW of the intersection of E 66th ST N & N 145th East Ave**

LEGAL DESCRIPTION: (email to boa@incog.org) :

A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 14 EAST, OF THE INDIAN BASE AND MERIDIAN IN TULSA COUNTY, OKLAHOMA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER (SE/4); THENCE S 00°00'30" E AND ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER (SE/4) A DISTANCE OF 1172.47 FEET; THENCE N 89°29'52" W A DISTANCE OF 1035.24 FEET; THENCE S 00°34'19" W A DISTANCE OF 407.68 FEET; THENCE N 89°50'50" W A DISTANCE OF 99.79 FEET; THENCE S 01°21'52" W A DISTANCE OF 28.51 FEET; THENCE N 89°59'13" W A DISTANCE OF 596.09 FEET; THENCE N 00°23'28" E A DISTANCE OF 937.68 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (S/2 NW/4 SE/4); THENCE N 89°56'07" E AND ALONG SAID NORTH LINE A DISTANCE OF 405.85 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER (E/2 SE/4); THENCE N 00°02'37" E AND ALONG SAID WEST LINE A DISTANCE OF 659.67 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER (SE/4); THENCE N 89°55'04" E AND ALONG SAID NORTH LINE A DISTANCE OF 1322.90 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 2,048,703.32 SQUARE FEET / 47.032 ACRES. THE BEARING BASE FOR SAID TRACT IS S 00°00'30" E ALONG THE EAST LINE OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 14 EAST, OF THE INDIAN BASE AND MERIDIAN IN TULSA COUNTY, OKLAHOMA.

PRESENT USE: Agriculture/Residential ZONING ATLAS: _____ COMPREHENSIVE PLAN DESIGNATION: _____

CURRENT ZONING: **AG** PUD: _____ PD: _____ T-R-S: **1433** CZM: **18** CD: _____

AREA PREVIOUS CASE NUMBERS: SUBJECT: _____ SURROUNDING: _____

INFORMATION ABOUT YOUR REQUEST

A SITE PLAN IS REQUIRED TO ILLUSTRATE YOUR REQUEST.

ACTION(S) REQUESTED: **Special Exception to permit mining and quarrying in the AG district. (Section 310 Table 1)**

VARIANCE SECTIONS: _____ SPECIAL EXCEPTION SECTIONS: _____ USE UNIT: _____

LIST THE SPECIFIC SECTIONS OF THE ZONING CODE THAT APPLY TO EACH ACTION YOU'RE REQUESTING.

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME: Roy Johnsen	CUMMINGS LAND & CATTLE CO LLC
ADDRESS 1 W. Third St., Ste 1010	
CITY, ST, ZIP Tulsa, OK 74103	14219 E 66TH ST N
DAYTIME PHONE 918.585.5641	
EMAIL rdj@rjohnsenlaw.com	OWASSO OK
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE:	

DOES OWNER CONSENT TO THIS APPLICATION Y N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? _____

APPLICATION FEES			
BASE REQUEST	\$ 500		
ADDITIONAL REQUESTS	\$ 0	APPLICATION SUBTOTAL	\$ 500
NEWSPAPER PUBLICATION	\$ 80		
300' PROPERTY OWNERS MAILING & POSTAGE	\$40 + \$3 = \$ 43	NOTICE SUBTOTAL	\$ 123
<input type="checkbox"/> APPLICANT PROVIDED MAIL LIST	RECEIPT NUMBER	TOTAL AMOUNT DUE	\$ 623

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

DISPOSITION

BOARD ACTION: _____

FINAL DATE: _____ VOTE: _____ PLAT INVOKED Y N PLAT NAME: _____ WAIVER Y N

LEGAL DESCRIPTION
(QUARRY OPERATIONS)

A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 14 EAST, OF THE INDIAN BASE AND MERIDIAN IN TULSA COUNTY, OKLAHOMA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER (SE/4); THENCE S 00°00'30" E AND ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER (SE/4) A DISTANCE OF 1172.47 FEET; THENCE N 89°29'52" W A DISTANCE OF 1035.24 FEET; THENCE S 00°34'19" W A DISTANCE OF 407.68 FEET; THENCE N 89°50'50" W A DISTANCE OF 99.79 FEET; THENCE S 01°21'52" W A DISTANCE OF 28.51 FEET; THENCE N 89°59'13" W A DISTANCE OF 596.09 FEET; THENCE N 00°23'28" E A DISTANCE OF 937.68 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (S/2 NW/4 SE/4); THENCE N 89°56'07" E AND ALONG SAID NORTH LINE A DISTANCE OF 405.85 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER (E/2 SE/4); THENCE N 00°02'37" E AND ALONG SAID WEST LINE A DISTANCE OF 659.67 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER (SE/4); THENCE N 89°55'04" E AND ALONG SAID NORTH LINE A DISTANCE OF 1322.90 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 2,048,703.32 SQUARE FEET / 47.032 ACRES.

THE BEARING BASE FOR SAID TRACT IS S 00°00'30" E ALONG THE EAST LINE OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 14 EAST, OF THE INDIAN BASE AND MERIDIAN IN TULSA COUNTY, OKLAHOMA.



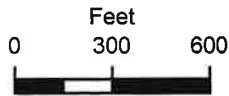
E 74 ST N

N-137 E AVE

N 145th E AVE

E 66th ST N

N-145th E AVE



Subject Tract

CBOA-2550

21-14 33

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

Aerial Photo Date: March 2014



Tulsa County Board of Adjustment Case No: CBOA-2550

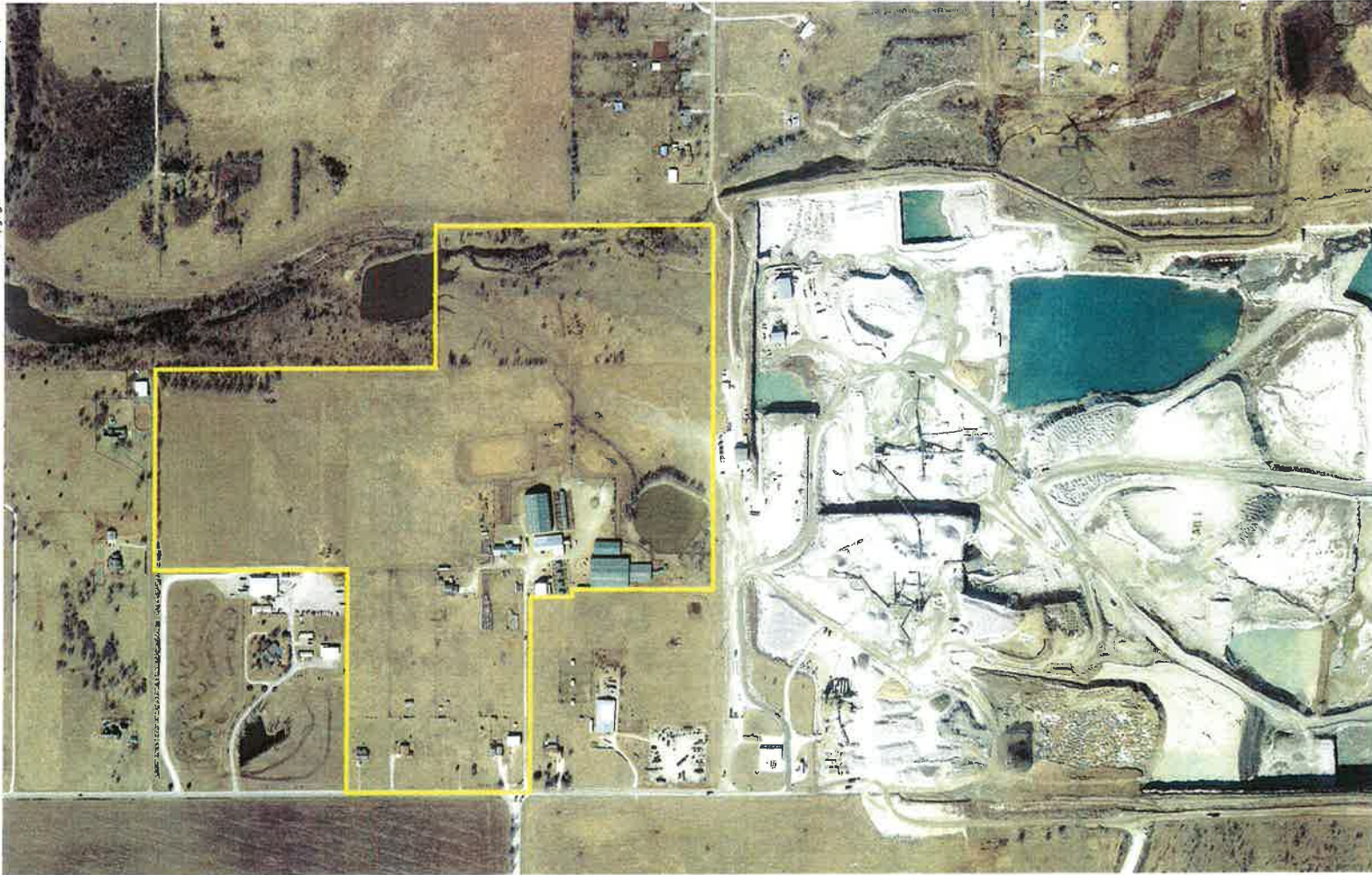
47 acres north of East 66th Street North and west of 145th East Avenue

Anchor Stone Company Use Conditions

The Special Exception to permit a quarry, principally limestone, (Use Unit 24 – Mining and Mineral Processing) shall be subject to the following conditions:


1. The proposed quarry consists of 47 acres of the 99 acres owned by the Cummings families.
 2. The proposed quarry is an extension of Anchor Stone's existing active quarry which is located immediately east of the Cummings property.
 3. The open excavation area of the quarry shall be setback not less than 100 feet from adjoining residential properties, provided however, additional setbacks may be required, depending on the depth of excavation, in accordance with the standards and requirements of the Oklahoma Department of Mines.
 4. Chain link security fencing shall be installed and maintained along the perimeter of the site where adjoining residential properties.
 5. An earthen berm not less than 4 feet in height shall be installed and maintained where residential properties adjoin the 47 acres of the quarry.
 6. A dust suppressant system shall be included within the Cummings property to suppress the dust.
 7. Within the existing Anchor Stone quarry, a dust suppressant system is included. Crusher equipment, including conveyors, and crusher requirements and work shall be maintained within the existing quarry and will not be included within the Cummings property.
 8. Operation of the joint quarry shall meet the requirements of the Oklahoma Department of Environmental Quality, including but not limited to compliance with the general requirements that: "no visible dust shall leave the property".
 9. Blasting shall be limited to daylight hours on Monday through Friday, shall include seismic monitoring and shall be conducted in accordance with the standards and requirements of the Oklahoma Department of Mines.
 10. Provision for reclamation shall be made in accordance with the standards and requirements of the Oklahoma Department of Mines.
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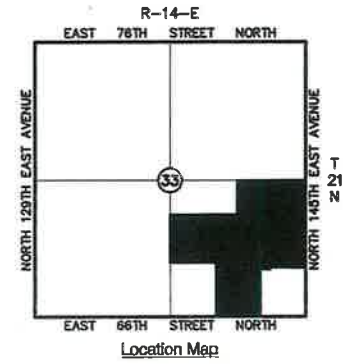
Copyright © 1991-2015 Sack and Assoc., Inc.



DATE OF PHOTOGRAPH: MARCH 2014

Legend

 CUMMINGS FAMILY OWNERSHIP BOUNDARY
(99.91 ACRES)



Location Map

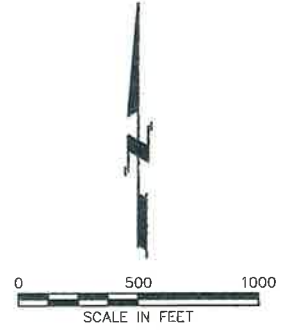
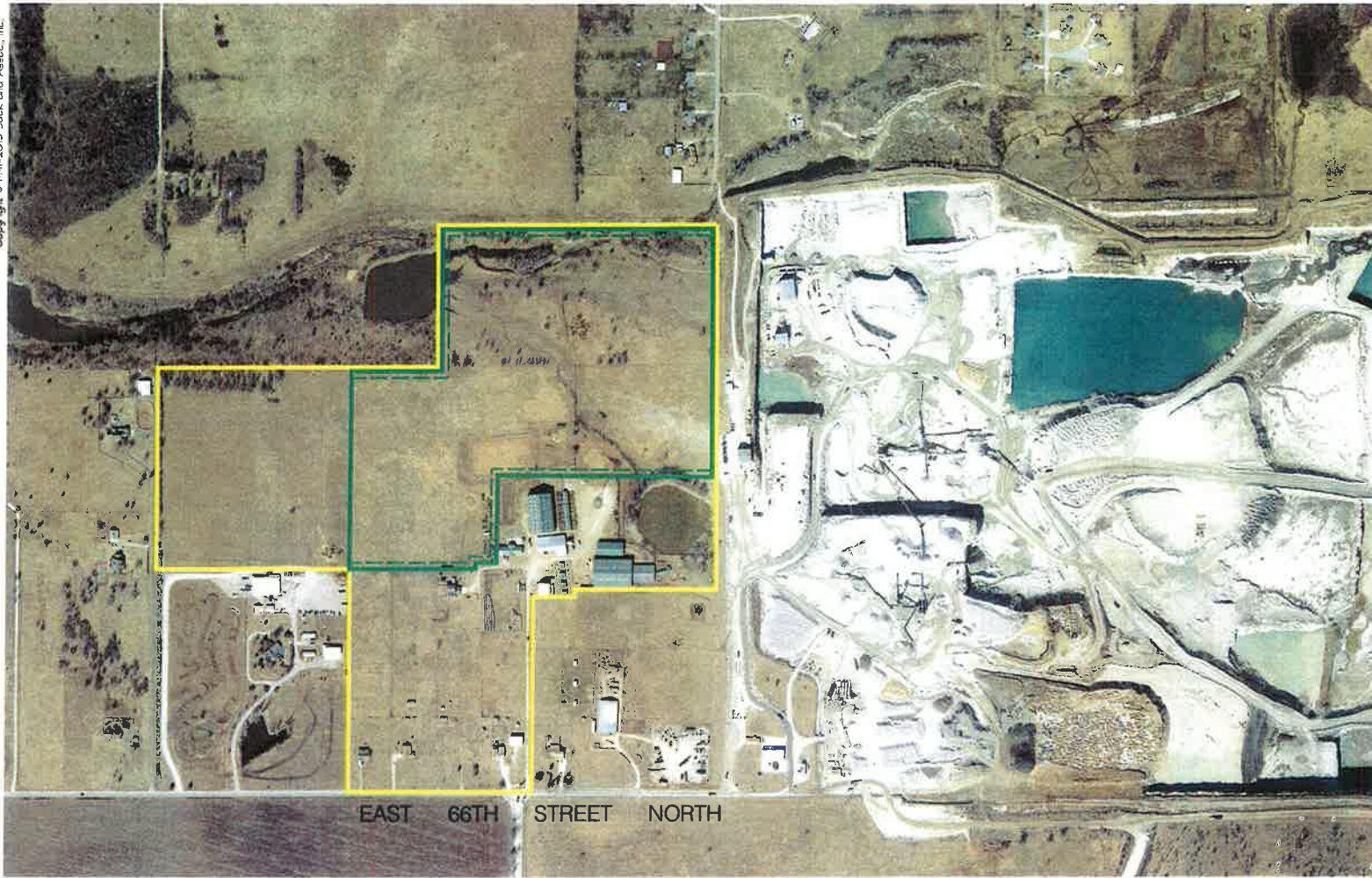


EXHIBIT B
ANCHOR STONE

AUGUST 31, 2015

 **SACK AND ASSOCIATES, INC.**
3530 East 31st Street South, Suite A, Tulsa, Oklahoma 74135-1519
Ph: 918.592.4111 Fax: 918.592.4279 E-mail: sa@sackandassociates.com
SA Number: 1783 (PCL3)




Project: 56TH AND 145TH E. AVE - A Drawing: EXH-B103B XREF: COPYRITE S-1117X T-S402
Drawn: LWR Order: C099A File: 2114.33 Drawer: C Plotted: 02 SEP 2015



EAST 66TH STREET NORTH

DATE OF PHOTOGRAPH: MARCH 2014

Legend

-  CUMMINGS FAMILY OWNERSHIP BOUNDARY (99.91 ACRES)
-  QUARRY OPERATIONS BOUNDARY (47.03 ACRES)
-  QUARRY OPERATIONS BUFFER BOUNDARY

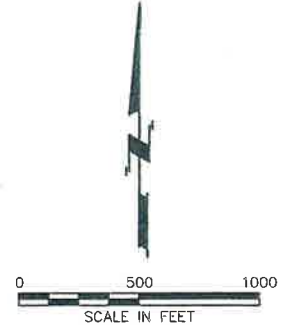
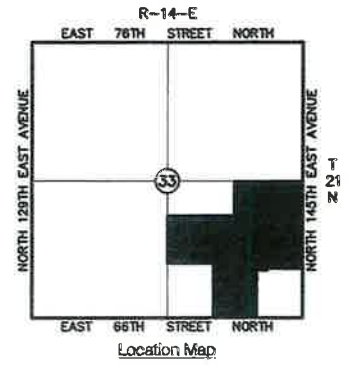
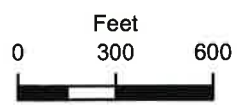
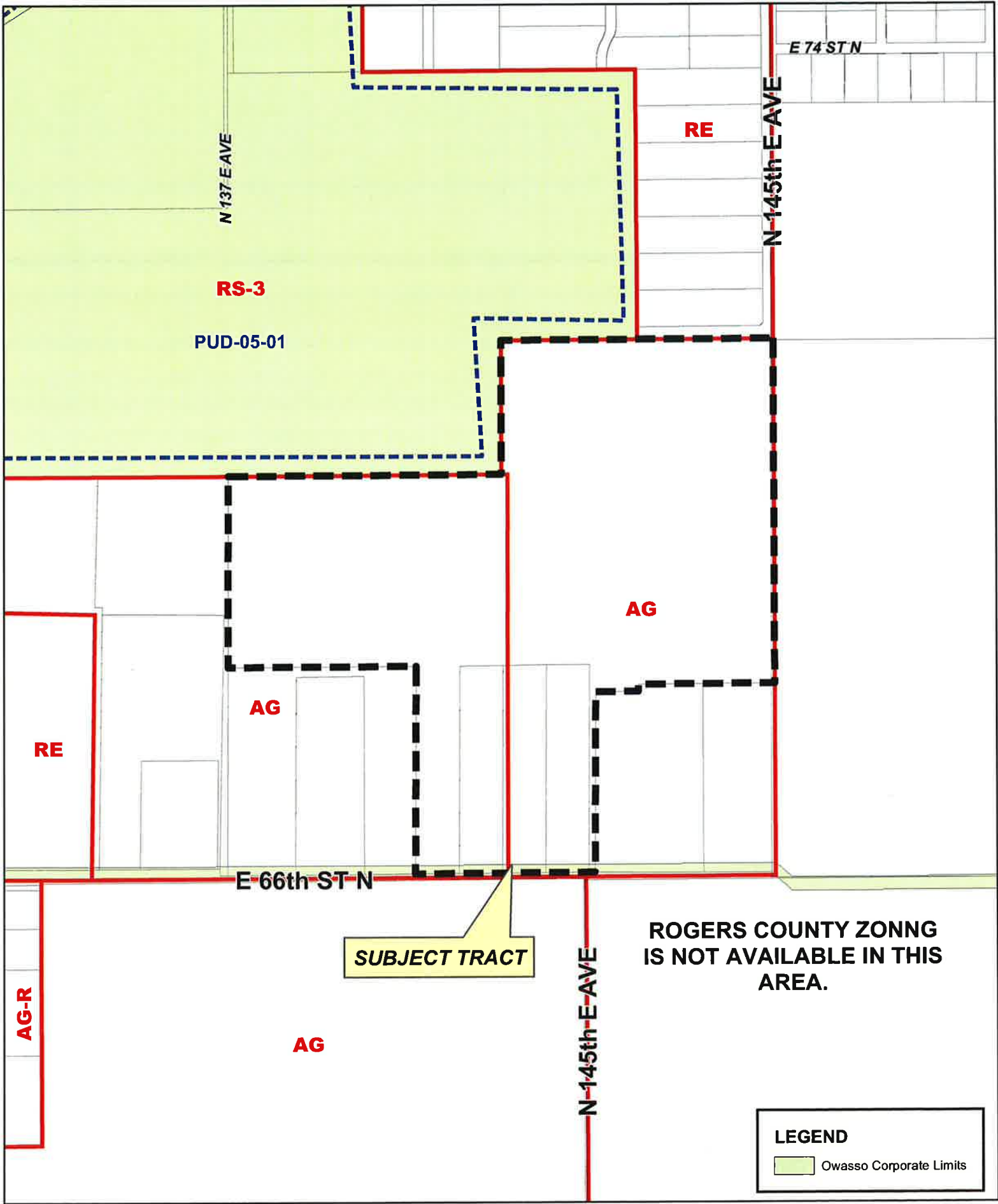


EXHIBIT C ANCHOR STONE

SEPTEMBER 2, 2015

SACK AND ASSOCIATES, INC.
 3551 East 21st Street, Suite A, Tulsa, Oklahoma 74120-1519
 Ph: 918.592.4111 Fax: 918.592.4229 E-mail: sack@quarry-desassociates.com
 CA Number: 1783 (PE/LS)

Project: 66TH AND 145TH E AVE-A Drawing: CR167038 XREFs: COPYRTE 5-1117X T-SM2
 Drawn: LWR Order: G059A File: 2114.33 Brower: C Plotted: 02 SEP 2015



CBOA-2550



**NOTICE OF HEARING BEFORE THE BOARD OF ADJUSTMENT
COUNTY OF TULSA, OKLAHOMA**

CASE NUMBER: CBOA-2550

Notice is hereby given that a public hearing will be held before the Board of Adjustment to consider the following application. All persons interested in this matter may attend this hearing and present their objections to or arguments for the request.

APPLICANT: Roy Johnsen (918.585.5641 / rdj@rjohnsenlaw.com)

ACTION REQUESTED: Special Exception to permit mining and quarrying (Use Unit 24) in the AG District (Section 310, Table 1).

LOCATION: NW of the intersection of E 66th ST N & N 145th East Ave

PROPERTY LEGAL DESCRIPTION:

A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 14 EAST, OF THE INDIAN BASE AND MERIDIAN IN TULSA COUNTY, OKLAHOMA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER (SE/4); THENCE S 00°00'30" E AND ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER (SE/4) A DISTANCE OF 1172.47 FEET; THENCE N 89°29'52" W A DISTANCE OF 1035.24 FEET; THENCE S 00°34'19" W A DISTANCE OF 407.68 FEET; THENCE N 89°50'50" W A DISTANCE OF 99.79 FEET; THENCE S 01°21'52" W A DISTANCE OF 28.51 FEET; THENCE N 89°59'13" W A DISTANCE OF 596.09 FEET; THENCE N 00°23'28" E A DISTANCE OF 937.68 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (S/2 NW/4 SE/4); THENCE N 89°56'07" E AND ALONG SAID NORTH LINE A DISTANCE OF 405.85 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER (E/2 SE/4); THENCE N 00°02'37" E AND ALONG SAID WEST LINE A DISTANCE OF 659.67 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER (SE/4); THENCE N 89°55'04" E AND ALONG SAID NORTH LINE A DISTANCE OF 1322.90 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 2,048,703.32 SQUARE FEET / 47.032 ACRES. THE BEARING BASE FOR SAID TRACT IS S 00°00'30" E ALONG THE EAST LINE OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 14 EAST, OF THE INDIAN BASE AND MERIDIAN IN TULSA COUNTY, OKLAHOMA

PRESENT ZONING: AG

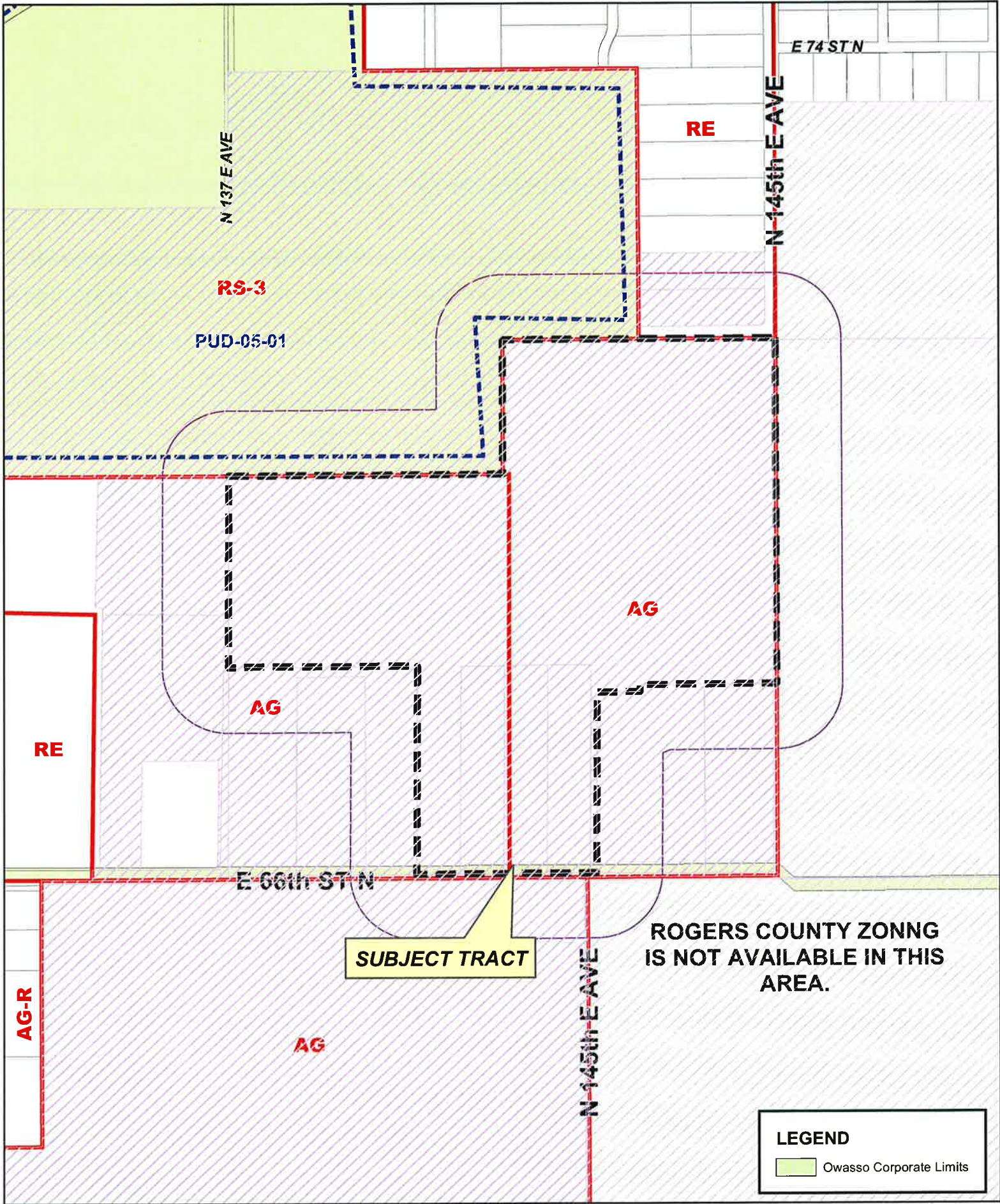
HEARING DATE: Tuesday, 10/20/2015 1:30 PM

The meeting will be held at:

**COUNTY COMMISSION MEETING ROOM
ROOM 119, COUNTY ADMINISTRATION BUILDING
500 SOUTH DENVER AVENUE
TULSA, OKLAHOMA**


CBOA Staff Contact: Nikita Moyer at (918)579.9437/ nmoyer@incog.org OR
Land Regulation Specialist at (918) 584-7526/ esubmit@incog.org

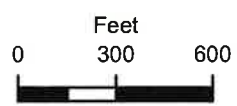
To view the submitted application visit: www.countyoftulsa-boa.org/CBOA/CBOA-2550.pdf



ROGERS COUNTY ZONNG IS NOT AVAILABLE IN THIS AREA.

LEGEND

 Owasso Corporate Limits



CBOA-2550

