### AGENDA Regularly Scheduled Meeting Tulsa County Board of Adjustment Tuesday, December 17, 2019, 1:30 p.m. Ray Jordan Tulsa County Administration Building 500 South Denver, Room 119

### Meeting No. 477

### CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Approval of **Minutes** of November 19, 2019 (Meeting No. 476).

### UNFINISHED BUSINESS

None.

### NEW APPLICATIONS

### 2. <u>2785—Tiffany Rosales</u>

<u>Variance</u> to allow more than one dwelling unit on a single lot of record (Section 208) in an AG-R District. <u>LOCATION:</u> 11423 East 177<sup>th</sup> Street North

### 3. <u>2786—Tanner Bermies</u>

<u>Special Exception</u> to permit Use Unit 24, Mining and Mineral Processing, to allow native soils to be mined (Section 1224) in an AG District (Section 310, Table 1). **LOCATION:** East of the NE/c of East 161<sup>st</sup> Street South & South Mingo Road

### 4. <u>2787—Eller & Detrich – Lou Reynolds</u>

<u>Special Exception</u> to permit Use Unit 24, Mining and Mineral Processing, to allow soil mining (Section 1224) in an IM District (Section 910, Table 1). <u>LOCATION:</u> 4802 South 49<sup>th</sup> West Avenue

### 5. <u>2788—USCOC of Greater Oklahoma, LLC</u>

<u>Special Exception</u> to permit a Communication Tower, Use Unit 4, in the AG District (Section 310, Table 1); <u>Special Exception</u> to reduce the required tower setback (110% of the tower height) from the adjoining RS District (Section 1204.C.7). <u>LOCATION</u>: 6050 North Johnstown Avenue East

### OTHER BUSINESS

### **NEW BUSINESS**

### **BOARD MEMBER COMMENTS**

### **ADJOURNMENT**

Website: www.tulsaplanning.org

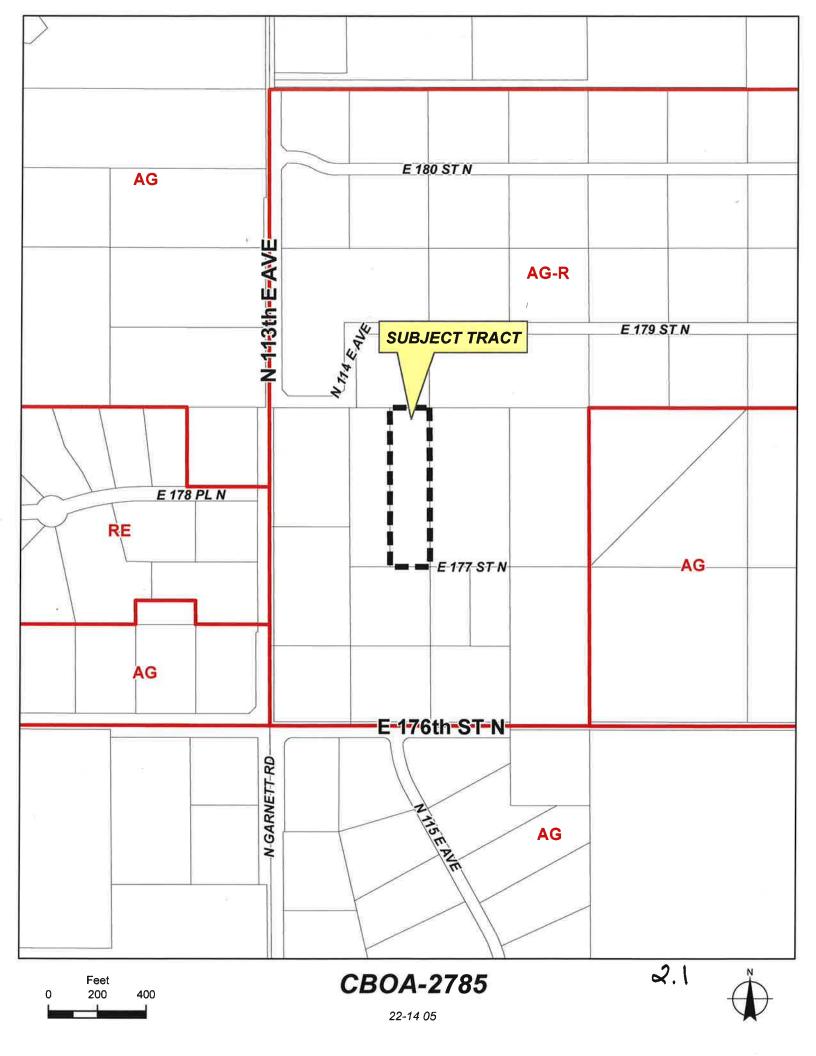
<u>E-mail:</u> esubmit@incog.org

If you require special accommodations pursuant to the Americans with Disabilities Act, please call (918) 584-7526.

<u>NOTE:</u> Exhibits, Petitions, Pictures, etc., presented to the Board of Adjustment may be received and deposited in case files to be maintained at Tulsa Planning Office at INCOG. Ringing/sound on <u>all electronic devices must be turned off</u> during the Board of Adjustment meeting.

<u>NOTE:</u> This agenda is for informational purposes only and is not an official posting. Please contact the Tulsa Planning Office at (918) 584-7526, if you require an official posted agenda.

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### BOARD OF ADJUSTMENT CASE REPORT

STR:2405 CZM:4 PD: Case Number: CBOA-2785

HEARING DATE: 12/17/2019 1:30 PM

**APPLICANT:** Tiffany Rosales

**<u>ACTION REQUESTED</u>**: Variance to allow more than one dwelling unit on a single lot of record (Sec. 208) in an AG-R District.

LOCATION: 11423 E 177 ST N

ZONED: AG-R

PRESENT USE: Residential

TRACT SIZE: 2.5 acres

LEGAL DESCRIPTION: E/2 E/2 NW SW SW SEC 5 22 14 2.50ACS, NORTH MEADOWS II

**RELEVANT PREVIOUS ACTIONS:** None relevant

**<u>ANALYSIS OF SURROUNDING AREA</u>**: The subject tract is surrounded by large lot residential uses within an AG-R district.

### **STAFF COMMENTS**:

The applicant is before the Board requesting a Variance to allow a second dwelling unit on a single lot of record (Section 208) in an AG-R district. Section 208 states: *No more than one single-family dwelling or mobile home may be constructed or otherwise placed on a lot, except in the case of a lot which is within an approved PUD, in an RMH district, or in an AG district, with the exception in the AG district that there be no more than two dwellings per lot.* 

The Bulk and Area requirements in an AG-R district are described in the following table:

	AG-R District	Subject Property
Lot Width	Minimum 150 feet	Approx. 165 feet
Lot Area	Minimum 1 acre	2.5 acres
Land Area per Dwelling Unit	Minimum 1.1 acres	1.25 acres if approved
Side Yard	Minimum 15 feet	15 feet (see site plan)
Rear Yard	Minimum 40 feet	

The attached drawing illustrates that the homeowner intends to add a 45' x 85' (3,825 SF) building northwest of the existing home on the subject lot. According to the applicant, the building will be used as a garage, storage area, and living space for son(s). Staff has requested more information about the appearance of the building and a basic floor plan to gain a better understanding of the structure.

The applicant has provided the following statement: "Clean up my land and giving my older son's a place of your own and for car to be out of weather. Storage area. I just want land to look good for us and everyone around to take care of it."

If inclined to approve the request, the Board may consider any condition it deems necessary and reasonably related to the requests to ensure the proposed use is compatible with and non-injurious to the surrounding area.

Sample Motion:

*"Move to \_\_\_\_\_ (approve/deny) a* Variance to allow more than one dwelling unit on a single lot of record (Sec. 208) in an AG-R District.

Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.

Subject to the following conditions, if any: \_\_\_\_\_\_\_

Finding the hardship to be \_\_\_\_\_.

Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan."



Looking east at subject property from E. 177th St. N.



Looking northeast at subject property from E. 177th St. N.



Looking north at subject property from E. 177th St. N.



Looking northwest at subject property from E. 177th St. N.



Feet 0 200 400



CBOA-2785

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

22-14 05

Aerial Photo Date: February 2018

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CBOA-2785

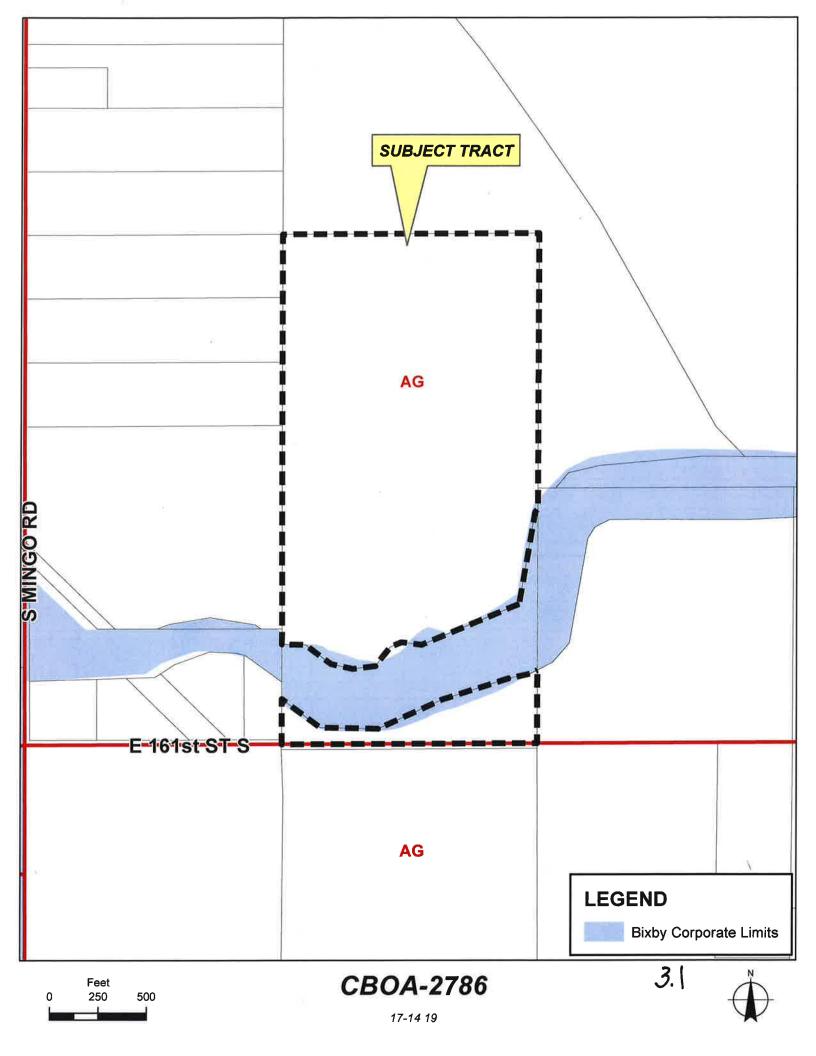
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Aerial Photo Date: February 2018

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### BOARD OF ADJUSTMENT CASE REPORT

Case Number: CBOA-2786

STR:7419 CZM:68 PD:

HEARING DATE: 12/17/2019 1:30 PM

### **APPLICANT:** Tanner Bemies

**ACTION REQUESTED:** Special Exception to permit Use Unit 24, Mining and Mineral Processing, to allow native soils to be mined (Sec. 1224) in an AG District (Sec. 310, Table 1).

LOCATION: E. of the NE/c of E. 161<sup>st</sup> St. S. & S. Mingo Rd. ZONED: AG

PRESENT USE: Agriculture

### TRACT SIZE: 68.99 acres

LEGAL DESCRIPTION: 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,

### **RELEVANT PREVIOUS ACTIONS:**

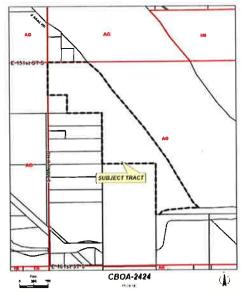
Subject Property: None relevant

Surrounding Property:

**<u>CBOA-2424 May 2012</u>**: The Board **approved** a *Special Exception* to permit sand extraction within Use Unit 24, Mining & Mineral Processing, in an AG district (Section 310) with the following conditions:

- Statements contained in the letter from Mr. Frazier dated April 25, 2012 will be applicable. (See Exhibit A, pages 3.5 and 3.6.)
- No more than 100 loads of sand to be exported from this mining operation per year.
- The applicant will ensure that the road used to access the property, 151<sup>st</sup> Street, shall be maintained, whether it is through private efforts or through efforts with Tulsa County, for reasonable and appropriate use for truck and suitable for standard automobile traffic.
- This special exception will have a time limit of one year from today's date, May 15, 2012.
- The debris on the property is to be depleted or removed.

on property located at the southeast corner of 151<sup>st</sup> Street South and South Mingo Road.



3. Z

**<u>CBOA-2273 July 2007</u>**: The Board **approved** a *Special Exception* to permit sand and gravel mining in the AG district (Section 301), with the following conditions:

- As submitted by the applicant, in accordance with the data submitted, and the plan of operation
- Subject to all of the permitting required, including environmental and quality, mining
- Hours of operation: truck traffic and pit operations from 7:00 a.m. to 7:00 p.m. and dredging as needed
- With conditions provided by the applicant to stay away from the banks in excavation
- To take necessary steps to minimize erosion, specifically, dredging no closer than 50 ft. from the shore except when the equipment is moved to the working site
- Placement of rip rap in areas that appear to be adversely affected from erosion by the operation
- The applicant to contribute to the cost and upkeep of Garnett Road South to Highway 164
- A watering plan that is consistently administered, authored by the applicant and posted for the inspector should they wish to see it



• The applicant to provide a \$250,000 bond to be posted in the event that certain remedial cure to public works is deemed necessary by the inspector's office for actions inconsistent with various permits on property located southeast of 161<sup>st</sup> Street and South Garnett Road.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located in an agricultural area just west of the Arkansas River. The abutting property to the west appears to be a sod farm. There are limited residential uses on nearby properties. Bixby Creek runs through the property on the south side which separates the parcel. The City of Bixby manages Bixby Creek.

### STAFF COMMENTS:

The applicant is before the Board requesting a **Special Exception** to permit Use Unit 24, Mining and Mineral Processing, to allow native soils to be mined (Section 1224) in an AG District (Section 310, Table 1).

A special exception is required as the proposed soil mining operation is a use which is not permitted by right in the AG district because of potential adverse affect, but which if controlled in the particular instance as to its relationship to the surrounding area and to the general welfare, may be permitted. The use must be found to be compatible with the surrounding area.

The applicant contacted the City of Bixby and included a statement from Jason C Mohler, P.E., Development Services Director, in the application. In summary, the statement says "The existing low water crossing provides access (to) the agricultural land north of the creek. I am not aware of any limitations on that access."

The Tulsa County Land Use Plan and the Bixby Comprehensive Plan designate this area as Rural Residential. Rural Residential is defined below:

The Rural Agriculture designation denotes areas within the City of Bixby's fenceline, but not within the City limits, that have large tracts of land for agricultural purposes. Agricultural uses may also include large-lot detached residential, accessory agricultural uses and structures to support agricultural uses. Improvements in this designation should be low impact and retain the rural character of the area.

The portion of the parcel north of Bixby Creek is located in the 100 Year Floodplain.

The Board of Adjustment, in granting a mining and mineral processing use by Special Exception, should consider potential environment influences, such as dust and vibration. If inclined to approve, the Board may consider establishing appropriate protective conditions such as setbacks, screening, and hours of operation, as will mitigate the adverse affect on proximate land uses.

The applicant will be required to obtain all relevant permits including those from the Tulsa County Inspectors Office/Building Permits Department and the Oklahoma Department of Mines.

If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure the proposed soil mining operation is compatible with and non-injurious to the surrounding area.

### Sample Motion:

"Move to \_\_\_\_\_\_ (approve/deny) a Special Exception to permit Use Unit 24, Mining and Mineral Processing, to allow native soils to be mined (Sec. 1224) in an AG District (Sec. 310, Table 1).

Approved per conceptual plan on page(s) \_\_\_\_\_ of the agenda packet.

Subject to the following condition(s) (if any): \_\_\_\_\_\_.

Finding the 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."

protect the animals that are around the property. The track is for everyone, and if they want to play on the track they must sign a waiver. It was designed for everyone to have a safe place to play. There is nothing in Sperry for the children to do other than sports and not all children are interested in sports.

Mr. Draper stated that according to the plan that was presented to the Board, there is a general admission parking area with an overflow parking area designated. What is the count for these proposed areas? Ms. Weathers stated there is plenty of pasture to park in. There is ten acres and the track utilizes about a quarter of an acre. Mr. Draper asked how many vehicles is the general admission parking designed to hold. Ms. Weathers stated that parking would hold about 100 vehicles but there would probably only be about 50 vehicles in the lot. Ms. Weathers stated that she has no intention of making the area a concrete world. Once the club house is built it would only be used as a concession with bathrooms for participants.

Mr. Draper asked how many people were anticipated in the four hour racing window. Mr. Huff stated there would probably be about 75 people, because it depends on people's schedules. Sometimes there would a few more, other times a few less.

### **Comments and Questions:**

Mr. Charney stated that he respects and appreciates the alternative means to get children off the couch and away from the video games. He thinks that the entire Board is respectful of the mission of Ms. Weathers and Mr. Huff for young people. However, the Board's focus is confined to land use planning. Whether the request is of the most noble of causes or a cause the Board may not agree with, the Board must determine and analyze the request in terms of land usage. The Board must determine that there is no adverse or injurious effect to the neighborhood.

### **Board Action:**

On **MOTION** of **WALKER**, the Board voted 5-0-0 (Charney, Dillard, Draper, Osborne, Walker "aye"; no "nays"; no "abstentions") to **DENY** the request for a <u>Special Exception</u> to permit a Go-Kart Track within Use Unit 20 in an AG district, finding that the proposed use does not fit into the agricultural zoning. The use would not be harmony and spirit of the code, and it would be injurious and detrimental to the neighborhood; for the following property:

TR BEG SECR SE SE TH W326.7 N333.5 W229.2 N TO PT ON NL S/2 SE SE E555.9 S POB SEC 17 21 13 6.668ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

Case No. 2424—Phil Frazier



### Action Requested:

<u>Special Exception</u> to permit sand extraction within Use Unit 24 – Mining & Mineral Processing – in an AG District (Section 310). <u>Location:</u> SE/c of 151<sup>st</sup> Street South and South Mingo Road

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# CBOA -2424

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Mr. Sansone stated that this case is a continuation from the last Board of Adjustment meeting on April 17<sup>th</sup>. Since that continuation a letter has been received from the applicant that changes the operation. In the letter it was stated that there is not enough sand located in the river at the point of extraction to allow the sale of the sand to the public. The applicant will address this change today.

### Presentation:

**Phil Frazier,** 1424 Terrace Drive, Tulsa, OK; after the hearing on the 17<sup>th</sup> of April there were four issues that the protestants raised and that the Board had questions about. The original application was filed to extract sand, and at that time he had advised the Board that the sand is a special type of sand; there are only a few places where this type of sand can be found. The sand is used in the growing and the placement of sod. The Easton family has operated the sod farm for the past 35 years, and since they have been growing the Patriot Sod they have been buying their sand. The purchase of that sand meant there were trucks hauling in sand and leaving empty, thus increasing traffic on the road. Since the last meeting it has been discovered that there is not the depth of sand that was anticipated, so no sand will be sold to public entities. The only sand trucks hauling sand will be when the sand is being hauled out because it is required for a specific job.

Mr. Frazier went on to address issues that were raised in the last meeting. As to the road condition, Mr. Easton has already improved the road by installing an asphalt composition on the road. As to the traffic and dust, the asphalt composition will curtail the dust significantly. The traffic will be reduced because there will no longer be trucks hauling in sand nor will there be commercial sand trucks leaving. Noise was also a concern raised at the last meeting. The reduction of traffic will reduce the noise, and there will not be diesel powered barge equipment used for the sand extraction as planned. There will be a drag and the drag line will be used when the river is low; when the river is up there will be no mining. In regards to the debris, Mr. Easton allowed the City of Tulsa and Tulsa County to dump massive amounts tree limbs that had been broken out of trees during the ice storm a few years ago. Most of the tree debris will be ground up or burned, but most of it will be ground into mulch. Mr. Easton will continue to deplete the tree debris regardless of the decision on his application. Mr. Frazier believes this operation will enhance the neighborhood, as opposed to the last previous plan presented, with less truck traffic, the road improvements, and debris removal.

**John Easton,** 11225 South 90<sup>th</sup> East Avenue, Bixby, OK; stated that is not that sand will be hauled out to other projects; this business venture is getting into athletic turf business. Athletic turf fields have sub-drains installed underneath the fields and they want a sand based sod. He will be building sand based fields and growing the sod on that field. There will be a few instances where the sand will be required to be brought in, because some people like to keep the sand the same as what was originally installed, and he does not anticipate but 100 loads or less a year leaving his property. This process is done a football field at a time.

CBOA-2424

Mr. Draper asked Mr. Frazier if the applicant was proposing to improve the road with the same type of materials as it is currently built with. Mr. Frazier stated the road is an asphalt composition.

Mr. Osborne asked what an asphalt composition consisted of, i. e., black top, granular, or something else. Mr. Easton stated that the composition was made from asphalt that has recycled. Most of the road had an asphalt surface but there was an area that the road had eroded and it was gravel. But he has taken the recycled asphalt, rolled it, and blended it in to the existing road and looks good. There is no dust.

#### Interested Parties:

**Gloria Cravens,** 9723 East 151st Street South, Bixby, OK; stated she lives at the corner of 151<sup>st</sup> Street and Mingo about 50 feet from the road. The road has large black top composition clumps right up to her yard. She believes that Mr. Easton will be using the road for more than he is saying today; for example, when the elementary school was built he supplied sand to the contractors for the school. Then Mr. Easton allows dumping on his land; for example, when the tennis court was taken out the tennis court debris was hauled onto his land by large trucks. All of those trucks were using that road. Today the traffic has been reduced but she does not believe it will last.

Mr. Charney stated that there are a couple of things the interested parties and the Board need to keep in mind with this case. What is being examined today is a request to mine sand from the river, and that is the special exception that is before the Board today. There are means by which an interested party can complain about wrongful uses or for noxious activity on a piece of property, and that is to contact the County. Today the Board is here to only examine the ability to extract sand from the river, and the sand that will be exported. Some of the complaints in this case cannot be addressed by this Board.

Ms. Cravens stated that the residents of the area have tried. There have been calls to the County and even calls to the EPA. There is nothing done.

Mr. Walker asked Ms. Cravens about the trucks she has seen hauling sand out, where does she think the sand is coming from since Mr. Easton has stated that he does not have enough sand. Ms. Cravens stated that she assumed it was coming from the river because that is the direction the trucks are coming from when they are using that road.

Mr. Frazier asked Ms. Cravens if she understood that Mr. Easton could haul out sod from his property if he chose to do so. Ms. Cravens nodded in affirmation, and stated that the trucking of sod is fine.

Mr. Osborne asked Ms. Cravens if she had seen sand trucks coming into the property and leaving the property. Are they loaded when they are coming in or going out? Ms. Cravens stated that the trucks are usually loaded with junk or trash when they are coming in. Mr. Osborne asked if she had seen sand being brought into the property.

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CBOA-2424

Ms. Cravens stated that she had not seen sand brought in lately, but the sand is leaving the property.

### <u>Rebuttal:</u>

Mr. Frazier came forward for a rebuttal.

Mr. Charney stated that the Board has heard some concern that there has been a fair amount of sand extraction thus far and that is the current operation. Mr. Charney asked Mr. Frazier to present his client's prospective on that view. Mr. Frazier stated that there has been one instance where there was a composite of sand that was removed from the property, not the river. That composite was not mined, there was a hole dug and the composite was hauled out. In regards to the debris from the elementary school, that was a one-time episode and that was in conjunction with the composite material. The rock was brought in and it was used for riffraff along the riverbank to keep the bank from washing away. The EPA did come to investigate that incident, and they gave Mr. Easton a "clean bill of health".

Mr. Charney stated that if the Board were to approve this less intrusive mining application, if volume were an important factor in that decision and based on the roadway that exists, would his client understand a restriction on the volume of sand extraction. Mr. Easton stood and stated that he did not have a problem with a volume restriction because there is not enough sand available at his spot on the river to operate a commercial business.

Mr. Draper asked staff if the proposals being voted on today need to have criteria added to them by the Board, i.e., limiting it to what has been presented today or has the application been revised. Mr. Alberty stated that when a presentation has been made, and an applicant offers conditions, if the Board agrees to those conditions they need to be stated in the motion. Of course, there is always the possibility of making the motion more restrictive or adjust the conditions to the Board's motion. Mr. Draper asked if the application before the Board is based on Mr. Frazier's last letter, the letter contents should be included in the motion. Mr. Alberty gave affirmation.

### **Comments and Questions:**

Mr. Walker stated that he is pleased with the reduced intensity of the application. He believes Mr. Easton has shown good faith by attempting to address some of the complaints prior to this meeting.

### **Board Action:**

On **MOTION** of **CHARNEY**, the Board voted 5-0-0 (Charney, Dillard, Draper, Osborne, Walker "aye"; no "nays"; no "abstentions") to <u>APPROVE</u> the request for a <u>Special</u> <u>Exception</u> to permit sand extraction within Use Unit 24 – Mining & Mineral Processing – in an AG District (Section 310), with the following conditions. Statements contained in the letter from Mr. Frazier dated April 25, 2012 will be applicable, see attached Exhibit A, pages 3.5 and 3.6. No more than 100 loads of sand to be exported from this mining operation per year. The applicant will ensure the road that is used to access the

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property, 151<sup>st</sup> Street, shall be maintained, whether it is through private efforts or through efforts with Tulsa County, for reasonable and appropriate use for truck and suitable for standard automobile traffic. This special exception will have a time limit of one year from today's date, May 15, 2012. The debris on the property is to be depleted or removed. Finding that the approval of the special exception, the 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:

GOV LTS 3 4 6 & 8 & 27AC ACCRETED LAND LESS BEG SWC GOV LT 4 TH N466.69 E466.69 S466.69 W466.69 POB & LESS BEG 1322.52N & 92.15E SWC SE TH NE103.37 NE163.69 E280.39 E255.57 E501.27 ELY572.66 SE157.78 S154.42 W1991.50 TO POB SEC 19 17 14 119.08ACS, OF TULSA COUNTY, STATE OF **OKLAHOMA** 

### \* \* \* \* \* \* \* \* \* \* \* \* \*

### **NEW APPLICATIONS**

### Case No. 2429—Ronnie VanLandingham

### Action Requested:

Variance to permit a detached accessory structure in an RS District larger than 750 square feet (Section 240.2.E); <u>Variance</u> to permit a detached accessory structure in the side yard (Section 420.2.A.s). <u>Location:</u> 1325 South 214<sup>th</sup> West Avenue

### **Presentation:**

Ronnie VanLandingham, 13255 South 214<sup>th</sup> West Avenue, Sand Springs, OK; stated he has joined two lots together. He has visited with all the neighbors and explained to them what he wants to do and why he wants to do it. The side yard variance request is because he has a GRDA non-active power line in the back yard with a 145'-0" easement so he cannot build anything in the back yard. The reason he wants to build a larger building, larger than 750 square feet, the building will have the appearance of a house in the middle of the lot instead of a small out-building in the middle of the lot. The building will be a steel building on a steel frame, with a four foot brick wall around three sides. There will also be vinyl siding across the front of the building. Eleven out of the twelve neighbors within the 300'-0" radius are in favor of his request being approved, and the twelfth neighbor lives about 250'-0" away from the subject property. The home owners association has also seen his proposed plan and they have given their approval for the building pending the approval from the Board of Adjustment.

Mr. Walker asked what Mr. VanLandingham planned to do with the carport and the additional storage building in the backyard. Mr. VanLandingham stated that he had installed the carport to protect his boat but they are still deteriorating, and that is one of the reasons for the proposed building. The additional storage building was on the property when he purchased the house and he plans to demolish that building.

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### UNFINISHED BUSINESS

### Case No. 2424—Phil Frazier

### Action Requested:

<u>Special Exception</u> to permit sand extraction within Use Unit 24 – Mining & Mineral Processing – in an AG District (Section 310). <u>Location:</u> SE/c of 151<sup>st</sup> Street South and South Mingo Road

### Presentation:

**Phil Frazier**, Attorney, 1424 Terrace Drive, Tulsa, OK; stated he represents Mr. John Easton, the property owner. The property is bounded on the north side by 151<sup>st</sup> Street, bounded on the south side by 161<sup>st</sup> Street, bounded on the east side by the Arkansas River, and bounded on the west side by Mingo Road. The location is approximately a half mile from East 151<sup>st</sup> Street, approximately a half mile from 161<sup>st</sup> Street and a half mile east of Mingo Road. The interest in this special exception is that Easton Sod is a sod farm that has been on this land for years. In recent years they have developed a particular type of sod which is called Patriot Sod. Easton Sod is one of five sod companies in the world that has developed this particular sod and producing this sod, thus creating a commercial necessity to continue with the operation. Patriot sod requires a five to six inch sand base. Up to this point the sand has been purchased to produce this sod. Mr. Easton would like to utilize his property on the river, which is the basis for the special exception request before the Board of Adjustment today.

Mr. Charney stated that there have been several letters received from surrounding people of the neighborhood stating that if the request were approved, it would be injurious to the neighborhood and not consistent with the agricultural use. They see the sand extraction and mining as a different venue from the sod farming. Mr. Frazier was asked to express his thoughts on that matter and whether he thought there was a distinction between sand extraction and sod farming.

Mr. Frazier stated there is no distinction because it is two different operations but the sand is used as a part of the agricultural use of the sod farming. Sod farming is an agricultural use and the sand is utilized in the production of the sod. This operation will be at least a half mile from any residence. Any reference to the detriment of the neighborhood would not be accelerated because the requirements the sand extraction will have placed upon them will be far more stringent than what exists today. There are several licensing authorities that would be involved, and their regulations are very strict. The roadway would be the only contact with the neighborhood, and there are only a couple of houses in the immediate vicinity. There would be no dust raised from the obtaining of the sand from the river because the sand would be wet. Mr. Frazier stated that he believed there would no adverse effect on the neighborhood.

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### CBOA-02424

Mr. Walker asked Mr. Frazier if the half mile distance was measured from the dredging point. Mr. Frazier stated the operation would be a half mile from the residences, because the closest residences are on 151<sup>st</sup> Street and Mingo. The operation is half mile away from 151<sup>st</sup> Street and a half mile away from Mingo Road.

Mr. Osborne asked Mr. Frazier if the subject tract was owned by the same person who wants to operate and utilize the sand extraction. Mr. Frazier confirmed that statement. Mr. Osborne asked if the sand would be dredged from the river and taken to the sod plot locations. Mr. Frazier confirmed that was exactly what would happen in the operation.

Mr. Charney stated that he understood the sand extraction operation would be largely in the center of the section, half mile from 151<sup>st</sup> and 161<sup>st</sup> Streets, and he wanted to know if the dredging process limited the operation to that particular area or if it will be a broader application allowing it anywhere along the property. Mr. Charney also asked if the Board were inclined to approve this request if the client would be willing to limit the dredging operation to center section not allowing the operation to spread. Mr. Frazier stated that if the Board were to approve this request his client would certainly be willing to operate under the limitation that the operation would be in that particular area, because he does not want to be farther away from the river than necessary. The closer the operation can stay the better, and it will also be necessary to receive approval by the Bureau of Mines and the Corp of Engineers.

Mr. Charney stated that the Board has been provided many pieces of information from the opponents of the application. There was significant theme among the many objections and that is the poor condition of the roadway of  $151^{st}$  Street along where the trucks will need to exit in front of the homes. Even though the mining operation will be a half mile away from homes the truck traffic will be increased significantly, and the already decimated road will have even more traffic. That traffic is what the neighbors are saying would be detrimental to the neighborhood.

Mr. Frazier stated there would be more traffic but not much more, than and not as many as the sod farm has because there will not be very much sand trucked off the property. Mr. Frazier showed Mr. Charney on a case map where a road could be located. It would be a road that would turn west out of the property and located farther south than 151<sup>st</sup> Street by a few hundred feet. This proposed road would not impact East 151<sup>st</sup> Street residences. Mr. Frazier stated that in the one mile section of Mingo Road between 151<sup>st</sup> and 161<sup>st</sup> Streets there is only one residence and one office.

Mr. Charney asked Mr. Frazier if there was activity on the property today, i.e., dumping or other non-agricultural uses. Mr. Frazier stated that over the years that his client's father has left broken down equipment on the property. The client is working with his father to clear the property of the useless equipment. Also there has been top soil sold from the property.

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### Interested Parties:

**Yolanda Hiatt,** 9723 East 151<sup>st</sup> Street South, Bixby, OK; stated she lives on the corner of 151<sup>st</sup> Street and Mingo Road. She is opposed to the special exception request because of the heavy traffic that currently exists. The truck traffic delivers a variety of items to the area and has been heavy for approximately the last five years. The 151<sup>st</sup> road was once paved and now it is pothole infested due to the heavy traffic. The traffic also creates a large amount of dust. The trucks start at 7:00 A.M., especially the construction trucks for the Bixby Public Schools. Ms. Hiatt stated that recently the truck traffic has been so heavy that her in-ground pool has started cracking. A few years ago a horse was hit by a truck and had to be euthanized because the truck was traveling so fast that it could not stop for the animal. All the trucks travel faster than they should, and this is a dead end street. Ms. Hiatt does not want to have this request approved.

Melinda Stone, 9909 East 151st Street South, Bixby, OK; stated that she is strongly opposed to this request. Ms. Stone stated that she lives in the very last house on a dead end street. Mr. Charney asked Ms. Stone to come forward and point out her house on the case map provided the Board in their agenda packet. She is not against the sod trucks or the sod farm because it is agriculture, but this is more than a sod farm. Since the ice storm of 2007, when the destroyed trees were being hauled away in Tulsa, those trees were dumped on Mr. Easton's property. The large trucks drove up and down the street, 24 hours a day, two and a half minutes apart; she stated timed the trucks. For three weeks the dust was horrendous and they sped up and down the road. The drivers did not care if they hit a pothole. There are pets and children in the area. Ms. Stone stated that she stopped many of the truck drivers and asked them to slow down, and when she did not receive any help from the drivers she called several supervisors to no avail. There are several acres of tree debris, still today, and those huge tree debris mounds catch fire due to instantaneous combustion. They are smoldering today. Last year the fire spread toward her property line, and she was prepared to evacuate her home because the fire was up to her property line. It was that close. Ms. Stone stated that her husband is in very poor health. She also stated that because of the smoldering fires he has developed emphysema, which she can document with medical records. If this request is approved the residents of the neighborhood will not be able to spend time outside and they won't be able to open the windows of their homes due to the dust. She does not object to the sod farm because she enjoys agriculture, but what is proposed today is not agriculture. There is more than tree debris dumped on Mr. Easton's property, and that is his business, but the truck traffic is horrific. Also no one wants to repair the road, not the city, not the county and not Mr. Easton. Ms. Stone stated that if the sand extraction is allowed to go in, the property values will plummet, because no one wants to buy a house across the street from a sandpit. The other sand extraction companies in the area do not have anyone living close to the operation, i.e., Holiday Sand.

**Gloria Cravens,** 9723 East 151<sup>st</sup> Street South, Bixby, OK; stated that she opposes the approval of this special exception. There is sand in the air all the time, because once the wet sand extracted it dries out and blows in the wind. The cement is breaking off her house and around her pool because of the shaking the truck traffic causes. She

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has been awakened early in the morning because her house is shaking so much from the uncovered dump trucks going up and down the street so fast. A supervisor from one of the trucking companies came to speak to her about her complaints and he told her to call her county commissioner. The reason she bought her home is because it is located on a dead-end road in what used to be a peaceful area.

Mr. Osborne asked Ms. Cravens to describe what type of trucks leaving the area other than the empty dump trucks. For the past two years there have been trucks with sand using the road to leave. Mr. Osborne asked Ms. Cravens where the blowing sand that has been referred to be coming from; he wanted to know, in particular, if the blowing sand was coming from the sod farm. Ms. Cravens stated that the sand was not coming from the sod farm because they water the sod to keep it moist so it will grow. The blowing sand is coming from the road that the uncovered dump trucks, the cars, and the pickups pulling trailers that are speeding up and down the road.

### Rebuttal:

Mr. Frazier stated that the opponents are correct, in that there have been some fires in the area. The City of Bixby, the City of Tulsa, and the County of Tulsa did not have enough space to dispose of all the tree debris from the 2007 ice storm, and Mr. Easton allowed them bring the debris to his property and dump it. Most of the debris has been burned and has burned over the years. There are still some times when the debris mounds flare up, and Mr. Easton is in the process of extinguishing or smothering the fires as best as he can. Mr. Easton intends to grind the debris into mulch to use in his agricultural use. As to the concrete, there have been loads of broken concrete brought in which has been used along the river to alleviate the erosion. As to the dust, it is coming from the river. Because of the extremely dry year last year, the wind picked up dry sand and dirt distributing it everywhere. As to the road repair, Mr. Easton has brought in gravel for the road in an attempt to fix the pothole problem because the city nor the county would do anything about the road. Mr. Easton is willing to move the road down and away from 151<sup>st</sup> Street in order to receive approval for his special exception request.

**John Easton,** 11225 South 90<sup>th</sup> East Avenue, Bixby, OK; stated that if he is allowed to have his mining operation it will be mandated by the State of Oklahoma. The road in front of the homes used to be a good road until the massive amount of timber was hauled in by the City of Tulsa. There was so much timber hauled in that it covered 16 acres and was approximately eight feet deep. Mr. Easton stated that one of the reasons he allowed the tree debris to be dumped on his property was because he wanted the debris to create compost, mix that with sand creating top soil. That was a long-term goal. The people who were hauling in the timber were contracted to repair the road after they were done, but it was not done. Spontaneous combustion does start fires in the area, and there is a man constantly digging out the fires and dousing them with water, especially in the summer.

Mr. Charney asked Mr. Easton if the Board decided it was important to provide an ingress and egress point from his property to the south, would he be willing to provide

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that. Also, if the Board decided that it was important to have the area watered for dust control, as part of the mining operation program, would he be willing to do that. Mr. Easton stated that he would, and that it would be mandated by the state.

Mr. Charney stated that it would be important for Mr. Easton and his counsel to hear the Board's standard of review. In granting such an operation, or use by special exception, the Board should consider the environmental influences, such as dust or vibration. The Board should establish, when appropriate, protective conditions such as setbacks, screening, dust control as will mitigate the adverse effects of the nearby uses. This is something the Board is charged to do at this level, given that the roadway operation is one of significant truck traffic immediately in front of their homes is an adverse use.

Mr. Walker asked Mr. Easton about his plans for the mulch or tree limbs. Mr. Easton stated there were a couple of ideas that he would like to implement. One is the mulch that has been composted. He wants to manufacture that and bag it. His business is drifting more into the athletic field with the sod, and it requires 75% to 90% sand base. There is a small amount of mulch mixed with the sand base to grow this specific athletic grass on clay or anything else. Mr. Easton stated that if he cannot grow and harvest his own sod he finds it necessary to bring in sand from an outside supplier. Mr. Walker asked Mr. Easton where the burning tree debris was located and how close it is to the neighbor's property. Mr. Easton stated that he thought there was a portion of the debris that does touch a neighbor's property on one end at the north, but most of the debris is in the center. The drivers who were dumping the debris extended a little beyond their parameters, and it was hard to control because there were approximately 50 trucks an hour coming and going.

Mr. Charney called each of the opponents to the head table to ask them a question. Ms. Melinda Stone was called forward. Mr. Charney stated that currently the egress for the truck traffic is right in front of her home. There has been an offer made to move the egress about a quarter mile to the south. Mr. Charney asked if she would see that as having less of a negative impact on her home. Ms. Stone the proposed egress site is not a quarter of a mile away, and there are several houses in the immediate area of the proposed site. Ms. Yolanda Hiatt and Ms. Gloria Cravens were called forward and asked the same question as was asked of Ms. Stone regarding the proposed egress site. Ms. Hiatt stated there are at least six houses in the immediate vicinity of the egress site, and Ms. Craven concurred.

Mr. Charney asked Mr. Easton to come forward. Mr. Charney stated that the Board has been looking at the case map provided them, and have asked the opponents to locate their properties and explain the area around the proposed egress site. The Board has now been told there are several houses in the proposal site. Mr. Easton stated that he knew there were several houses in the proposed area but the house that would be right on the corner of Mingo is not protesting the project. There are five houses within an eighth of a mile south of the proposed site. The proposed egress site would be closer to one house and about the same distance as it is to the opponent's houses.

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### **Comments and Questions:**

Mr. Ron Walker stated that he could support the special exception request if there could be a good relocation of the ingress and egress to the sod farm. If he were to make a motion it would be contingent upon the restoration of 151<sup>st</sup> Street and the moving of the tree debris away from the neighboring property.

Mr. Gene Dillard stated that Mr. Easton should have been building a relationship with his neighbors before he appeared before the Board, but he could support this request with the condition that the land be cleaned of the "collectibles" that have been allowed to lay deteriorating for years.

Mr. Osborne stated that this is a very difficult case, because he likes to be and wants to be an advocate for the individual to use their property as they wish. But when the individual fails to be a good neighbor that is when it becomes an issue. The Board is being asked if sand extraction is a good use and permitted by-right in an AG district because of potential adverse effect. If the sand extraction is controlled, it is one thing, but when it is not controlled then the sand extraction affects the general welfare; that is something that no longer follows the guidelines of being a good use, and falls outside the spirit of the code. That is why the code exists. Mr. Osborne stated that today he could not support this request because he sees it is a detriment by Mr. Easton's actions.

Mr. Charney stated that the increased truck traffic makes this a difficult request to consider. Mr. Charney stated that he would like to find a way for the land owner to do with their land within the spirit of co-operative efforts, but he does not see a way of arriving to that conclusion so he could not support an approval of this request.

Mr. Charney asked staff if it would be wise to ask the applicant and his counsel to bring the Board a plan on the location of the ingress and egress point, and continue this case to the next meeting in May. There are various issues to be considered in this case. Those issues are past actions, clean up, the mulch that is still burning, and the ingress and egress; but if there were a plan brought to the Board to address those issues a motion could be made to continue this case.

Mr. Alberty agreed with Mr. Charney. There has been a lot of abstract discussion today. Typically whenever there is a request of this magnitude before the Board, there are more specifics presented, not only specifics on how the sand operation is going to operate, but is the sand operation only going to provide sand for Mr. Easton's use or will it be sold and trucked out. The Board can make a motion on one or the other, if the motion for support the Board can list a series of conditions that Mr. Easton would need to comply with. Mr. Alberty thinks Mr. Easton would be better served, because he heard concerns of nearby neighbors and the Board, if the applicant were allowed to come back with a specific plan. The plan should stipulate how the issues will be addressed. If the applicant is not willing to come back then the Board can definitely take action today.

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Mr. Walker stated that he could support the sand operation because it will not be a problem on the river; the problem is the trucking. That is why he would like to see the ingress and egress moved and 151<sup>st</sup> Street be restored. Mr. Easton is in the business so he will be trucking the sand in from an outside entity, so by granting the use of his own sand plant it helps the situation by possibly lowering the truck traffic.

Mr. Charney asked Mr. Frazier if he would like to continue this matter to the meeting in May, as opposed to taking a vote today. Mr. Frazier stated that he has not heard anyone complain about the mining proposition but has heard many complaints about the truck traffic. Mr. Frazier welcomed the opportunity to present an alternative to the Board in regards to the truck traffic, but he does have concerns over the conversation regarding restoring 151<sup>st</sup> Street to its original condition. That street was not in very good condition prior to this, and Mr. Easton has attempted to fix the road a couple of times but it still keeps deteriorating. Mr. Easton would be glad to help in some of the restoration of 151<sup>st</sup> Street.

### **Board Action:**

On **MOTION** of **CHARNEY**, the Board voted 4-0-0 (Charney, Dillard, Osborne, Walker "aye"; no "nays"; no "abstentions") to <u>CONTINUE</u> the request for a <u>Special Exception</u> to permit sand extraction within Use Unit 24 – Mining & Mineral Processing – in an AG District (Section 310), to the meeting of May 15, 2012; for the following property:

GOV LTS 3 4 6 & 8 & 27AC ACCRETED LAND LESS BEG SWC GOV LT 4 TH N466.69 E466.69 S466.69 W466.69 POB & LESS BEG 1322.52N & 92.15E SWC SE TH NE103.37 NE163.69 E280.39 E255.57 E501.27 ELY572.66 SE157.78 S154.42 W1991.50 TO POB SEC 19 17 14 119.08ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

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### **NEW APPLICATIONS**

### Case No. 2428—Billy Frazier

### Action Requested:

<u>Special Exception</u> to permit dirt extraction (borrow fill pit) within Use Unit 24 – Mining & Mineral Processing – in an AG District. <u>Location:</u> South of the SE/c of West 51<sup>st</sup> Street South & South 85<sup>th</sup> West Avenue

### **Presentation:**

**Billy Frazier,** 7798 West 51<sup>st</sup> Street, Tulsa, OK; stated he wants to develop the property; this is not just a mining proposition. Mr. Frazier stated that he had a meeting with Mr. Terry West about two years ago, because Mr. West had seen him digging out an existing pond to make it deeper and working on the property. At that time Mr. West informed Mr. Frazier that he needed to obtain a development permit, which Mr. Frazier

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Mr. Walker explained to the applicants that there were only three board members present at this meeting, and if an applicant would like to postpone his or her hearing until the next meeting he or she could do so. If the applicant wanted to proceed with the hearing today it would be necessary for him to receive an affirmative vote from all three board members to constitute a majority and if one board member voted no today the application would be denied. Mr. Walker asked the applicants if they understood and asked the applicants what they would like to do. Two of the applicants stated that they would like to continue their cases to another meeting.

### NEW APPLICATIONS

### Case No. 2425-Zelda Weathers

### Action Requested:

Special Exception to permit a Go-Kart Track within Use Unit 20 in an AG District. **Location:** 9600 North Harvard Avenue

#### Presentation:

**Zelda Weathers,** 10210 North Harvard, Sperry, OK; requested to have her hearing rescheduled to the May 15<sup>th</sup> meeting.

### Interested Parties:

There was one interested party present; he agreed to the rescheduling of the hearing.

### **Comments and Questions:**

None.

#### **Board Action:**

On **MOTION** of **DILLARD**, the Board voted 3-0-0 (Dillard, Osborne, Walker "aye"; no "nays"; no "abstentions") to <u>CONTINUE</u> the request for a <u>Special Exception</u> to permit a Go-Kart Track within Use Unit 20 in an AG District, to the meeting of May 15, 2012; for the following property:

TR BEG SECR SE SE TH W326.7 N333.5 W229.2 N TO PT ON NL S/2 SE SE E555.9 S POB SEC 17 21 13 6.668ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

### Case No. 2424—Phil Frazier

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### Action Requested:

<u>Special Exception</u> to permit sand extraction within Use Unit 24 - Mining & Mineral Processing - in an AG District (Section 310). <u>Location:</u> SE of the SE/c 151<sup>st</sup> Street South and South Mingo Road

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# CBOA-2424



**Presentation: Phil Frazier,** 1424 Terrace Drive, Tulsa, OK; requested to have his hearing rescheduled to the April 17, 2012 meeting.

### **Interested Parties:**

There were no interested parties present.

**Comments and Questions:** 

None.

### **Board Action:**

On **MOTION** of **DILLARD**, the Board voted 3-0-0 (Dillard, Osborne, Walker "aye"; no "nays"; no "abstentions") to <u>CONTINUE</u> the request for a <u>Special Exception</u> to permit sand extraction within Use Unit 24 - Mining & Mineral Processing - in an AG District (Section 310), to the meeting of April 17, 2012; for the following property:

GOV LTS 3 4 6 & 8 & 27AC ACCRETED LAND LESS BEG SWC GOV LT 4 TH N466.69 E466.69 S466.69 W466.69 POB & LESS BEG 1322.52N & 92.15E SWC SE TH NE103.37 NE163.69 E280.39 E255.57 E501.27 ELY572.66 SE157.78 S154.42 W1991.50 TO POB SEC 19 17 14 119.08ACS, OF TULSA COUNTY, STATE OF OKLAHOMA

### Case No. 2416—Ronald L. Hall

### Action Requested:

Variance to permit a second dwelling unit on one lot of record (Section 208); and a <u>Variance</u> of the minimum required land area per dwelling unit (Section 330). Location: 12612 North 143<sup>rd</sup> Avenue East

### Presentation:

**Ronald L. Hall,** 12612 North 143<sup>rd</sup> East Avenue, Collinsville, OK; would like to move a second mobile home onto his acreage for his step-daughter to live in. There have been two mobile homes on the land since 1973 until March 2010, when the second mobile home was removed. The new mobile home will have a separate legal address, its own private utilities, and a separate septic system.

### **Interested Parties:**

There were no interested parties present.

### **Comments and Questions:**

None.

PHIL FRAZIER pfrazlaw@swbell.net

Frazier & Phillips Attorneys at Law A Professional Association

SHARON PHILLIPS sharon.phillips@swbell.net

APR 2012

1424 Terrace Drive Phone (918) 744-7200 Tulsa, Oklahoma 74104-4626 • FAX (918) 744-7210

April 25, 2012

Mr. Chris Sansone Senior Planner Board of Adjustment 2 West 2, Suite 800 Tulsa, OK 74103

Dear Chris:

### Re: Case No. CBOA-2424

This will confirm my telephone conversation with you April 25, 2012, regarding the Special Exception case now pending before the Board of Adjustment.

Mr. Easton has discovered that although the sand is ideal for the intended use, unfortunately, the sand base is not near as deep as it had been expected. Accordingly, there will not be enough sand for a commercial operation. The original plan to use the sand for the growth and placing of the sod as well as a commercial sand operation is no longer feasible.

If granted the Special Exception, Easton Sod Farms will remove sand from the river for their own use. That use will include the growth of sod on site as well as the use of sand for placement of sod.

There will be a reduction in truck traffic which was the main concern of the protestants. The mining of sand on site will curtail use of the sand trucks coming in and out.

With the reduction of truck traffic, Mr. Easton proposes to leave the road where it is; however, he has already made arrangements to place an asphalt composite on the road to improve the surface.

The sand will be removed from the river by a scraper near the Bixby Creek site. It will not be necessary to utilize the barge and there will be no noise, odor or vibration from the extraction of sand. Sand will be extracted when the river is low and stockpiled for spreading during the planting and growing season.



Mr. Chris Sansone Senior Planner Board of Adjustment April 25, 2012 Page Two

Some concern was expressed regarding the presence of tree limbs and other storm debris which Mr. Easton allowed the City of Bixby as well as Tulsa County to place on his property during cleanup of the ice storm. Mr. Easton will utilize the material for mulch and it will be mixed with the sand during the preparation process. He will begin at the north end which is nearest 151<sup>st</sup> Street and continue to monitor the area for any spontaneous combustion.

In summary, if the Special Exception request is allowed, it will result in less truck traffic, a reduction of the dust and debris problem the protestants mentioned, and improvement of the road (151<sup>st</sup> Street) which the protestants requested. This substantial lessening in the scope of sand mining activity and the corresponding decrease in truck traffic should satisfy the concerns expressed by the protestants at our previous meeting.

As always, we appreciate your cooperation and assistance in this matter and invite you to contact me should you have any further questions regarding this matter.

Yours truly,

Phil Frazier Attorney at Law

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Copy to John Easton

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### Case No. 2273

### Action Requested

Special Exception to permit sand and gravel mining in the AG district (Section 301), located: Southeast of 161<sup>st</sup> Street and South Garnett Road.

### Presentation:

**Mike O'Dell**, 9660 Lakewood Road, Lenexa, Kansas, submitted applicant exhibits (Exhibit B-1). They proposed to mine sand and gravel from the Arkansas river and the adjacent floodplain at the location indicated by the submitted plans. He informed the Board that the demand is growing and the local supply has diminished. The site has not been earmarked for any development in the county land use plan; it has been identified as an agricultural reserve.

### Comments and Questions:

Mr. Charney asked for clarification of Mr. O'Dell's last statement. Mr. Cuthbertson responded that he is probably referring to the Arkansas River Corridor Master Plan, which was provided to the Board. He added it covers the river from the Keystone Dam all the way to Wagner County.

Mr. O'Dell continued, stating the site is close to the existing users, within a mile to the main haul-route, Highway 64 to the south on Garnett Road. They have a written agreement and some verbal agreements with the County that Holliday Sand & Gravel would supply the materials and the County would supply the labor. It would be a cost share for the Garnett Road widening and improvements. He explained that the property cannot be developed for other uses than AG because the bulk of the property is in the floodplain. There would be a minimal clearing of habitat vegetation. They propose the operation to run from 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 12:00 p.m. on Saturdays, mainly during construction season. The projected life of the project is 15 years. Environmental impacts are supplied in the exhibits. There are about five homes nearby, one within  $\frac{1}{4}$  mile west of the Garnett frontage of the subject property and four within  $\frac{1}{2}$ mile west off of 161<sup>st</sup> Street. There are approximately another 24 residences about one mile away. Local schools are 1 1/2 to 2 miles away and not on the haul-route. They estimate 100 trucks per day but there could be up to 200 trucks per day equaling 400 trips per day. They would contract for a traffic study. They are planning for dust control of the plant roads with recycled asphalt. The primary operation would be river dredging on approximately 105 acres. They would use silencers on the dredgers. Mr. O'Dell stated the plant would be on twelve acres in the northwest corner and screened to the east and south by the treed corridors on Snake Creek and Snake Creek tributary. They would agree to plant evergreens along Garnett. He submitted photographs (Exhibit B-2). They talked with the neighbor across the street and he did not have any objection. They would direct lighting down. They plan for a hydrology study for the project and permits. The sand pond and pit is on about eighty-three acres.

Mr. Hutson asked how many permits they must obtain before they build a plant and begin operations. Mr. O'Dell estimated there are about six permits from DEQ, State of Oklahoma, the County, and Corp of Engineers. Mr. Hutson wanted the interested parties to understand they have to meet many requirements for these permits. Mr. Cuthbertson also mentioned that once this project is over it does not open up the way for commercial development, as the land is zoned agricultural.

### Interested Parties

Joe Davidson, P.O. Box 686, Bixby, Oklahoma, stated his land adjoins on the east side along Snake Creek. He owns 50 acres with a residence. He asked if the trucks run seven to seven or are those hours for the dredging or is that 24 hours per day. He expressed concern about the widening of Garnett and the bridge as a big project. He added this is a school bus route. Mr. Davidson stated he made phone calls randomly to 15 of the 27 sand supply companies listed in the phonebook and everyone of them informed him they had excess capacity in sand at that time. He indicated that the Department of Mining does not do a lot of engineering review once the County gives approval. The Army Corp of Engineers informed him today that because of a Supreme Court ruling they no longer have authority to issue a 404 Permit.

**Teresa McLain**, 16614 South 128<sup>th</sup> East Avenue, stated a family member owns property on east Snake Creek. She opposed because before the 1986 flood the creek was cutting off the family property. She informed the Board that it the flow of the river is changed it would take out a small wood culvert at 129<sup>th</sup> that would cut off eight people from their properties. She also asked if the culvert washes out, who would they call. She asked if they planned to use the cutterhead in the river or on the banks.

**Jerry Martin**, 12926 East 161<sup>st</sup> Street South, expressed concern of the river washing out the banks and culvert. He complained of dust and truck traffic from such a plant.

**George Roberts**, P.O. Box 905, Bixby, Oklahoma, stated he owns property east of the subject property. He was concerned that not all of the neighbors were notified of this case. He also mentioned that it would devalue their property.

**Glenn Koenig**, 16312 South 128<sup>th</sup> East Avenue, stated opposition of such a project on the river that could cause loss of land.

**Ray Bowen,** Mayor of the City of Bixby, stated that Holliday Sand and Gravel has been a good corporate citizen.

07:17:07:326 (6) **3.22**  (name inaudible), 12925 East 161<sup>st</sup> Street South, opposed the application for the noise of the proposed plant.

**Teresa McLain-Bean**, asked if this plant would mine silica sand, which is a very fine sand.

### Applicant Rebuttal:

Mr. O'Dell stated that Holliday Sand and Gravel is an employee-owned property. He responded to neighbor's concerns that they plan do a hydrology study. They will not proceed if they believe it will do damage to streets or anyone's property downstream. Mr. Charney asked about the hours of operation mentioned, if that was for the trucking and/or the mining. Mr. O'Dell replied that the hours of seven to seven would be the hours they would be open, loading trucks. He added there will be times when they would need to dredge 24 hours per day. Mr. Charney asked if they could agree to the Board imposing certain hours of operation. He replied that they could if they built a larger production rate plan. Mr. Hutson assumed that would mean more noise and larger equipment. Mr. O'Dell replied that he did not know that it would be noisier, but a little more of a presence. He stated they are were a bus goes by the proposed plant, but the trucks would not haul past the school on residential streets. He informed the Board that river dredging is not regulated of there is only incidental fall-back into the river, with an EPA 404 permit. The Conference are very involved with this site and have jurisdiction there. He commented that the dredge is about 20 ft. x 40 ft. in size and might be used in the pit if there was enough water. The cutter-head is about 24 inches in diameter and is like a rotating head with teeth on it that loosens the sand. They would not want to dredge within 50-100 ft. of the bank and cave the bank. They could post a quarter million dollar bond payable to a homeowners' association or the county, in the case of unforeseen erosion. Mr. Charney asked if other Departments and/or agencies that do more technical studies and reviews after a Board of Adjustment approval.

**Janet Meshack**, with Meshack Associates, replied that Holliday Sand and Gravel contacted them in advance to see if this was even possible. It is nearly all in a floodway. She stated Snake Creek actually overflows around 181<sup>st</sup> Street. They advised the Holliday company that they would have to lower some of the areas affected in order to have compensatory floodplain storage and conveyance not to cause any rise in the water surface or floodway. Mr. Charney asked if there is a process to follow to prevent erosion of the bank. She did not think there was any real process that would eliminate the possibility of erosion. The Keystone Dam has a big impact on the water level.

Mr. Hutson asked how they selected this site. Mr. O'Dell replied they selected this site because it is convenient, close to the market. Less transportation time decreases the cost of delivery. The distance from residential homes makes this a good site and they will not be hauling past houses.

**David Iski**, Assistant District Attorney, encouraged the Board to address the concerns within Section 1224.3 and Section 1680.3 in their findings.

In discussion, Mr. Walker had concerns for possible occurrences of erosion. Mr. Charney was relieved to know that the dredging site, which might be around the clock, is farther away from residences. Mr. Hutson noted that sod farms are all over the area and recognized dust as a characteristic of a farming area during certain seasons. Mr. Tyndall found the proposal to be appropriate subject to the hours and road usage. Mr. Charney stated the Board has considered dust, vibration, traffic and the applicant's offer to do watering to control dust. They road improvement plan would assist the vibration. The haul route seems to be the best and shortest distance to users. The applicant would have significant setbacks and berming. They have addressed the hours of operations.

### **Board Action:**

On Motion of Hutson, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to APPROVE a Special Exception to permit sand and gravel mining in the AG district (Section 301), as submitted by the applicant, in accordance with the data submitted and the plan of operation which to all of the permitting required, including environmental and quality, mining; fours of operation: truck traffic and pit operations from 7:00 a.m. to 7:00 p.m. and dradging as needed; with conditions provided by the applicant to stay away from the banks in excavation; to take necessary steps to minimize erosion, specifically dredging no closer than 50 ft. from the shore, except when the equipment is moved to the working site; placement of rip rap in areas that appear to be adversely affected from erosion by the operation; the applicant to contribute to the cost and upkeep of Garnett Road south to Highway 164; a watering plan that is consistently administered, authored by the applicant and posted for the inspector should they wish to see it; and the applicant to provide a \$250,000 bond to be posted in the event that certain remedial cure to public works is deemed necessary by the inspector's office for actions inconsistent with various permits; finding it 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; finding the Board has made an effort to address the issues raised in Section 1608; on the following described property:

"That portion of the Arkansas River lying South of the centerline, upstream of the confluence of Snake Creek, in the South ½ of Section 20, and in the North ½ of Section 29 all in Township 17N, Range 14E of the Indian Base and Meridian, in Tulsa County, Oklahoma, and more particularly the South half of the Arkansas River, beginning at the extension of S. Garnett Road, easterly and downstream along the south bank of the Arkansas River approximately 4600 feet to the mouth of Snake Creek, containing 105 acress more or less; AND certain real property in Tulsa County, Oklahoma, in the North ½ of Section 29, Township 17 North, Range 14 East of the Indian Base and Meridian and Iying north of Little Snake

07:17:07:326 (8) **3.**24 Creek, less the south 1000 feet (containing 23.6 acres), containing 160 acres, more or less."

### NEW BUSINESS

There was no new business.

### OTHER BUSINESS

Interpretation of the Zoning Code to determine the classification of a pond in a platted residential district.

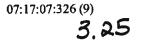
### **BOARD ACTION:**

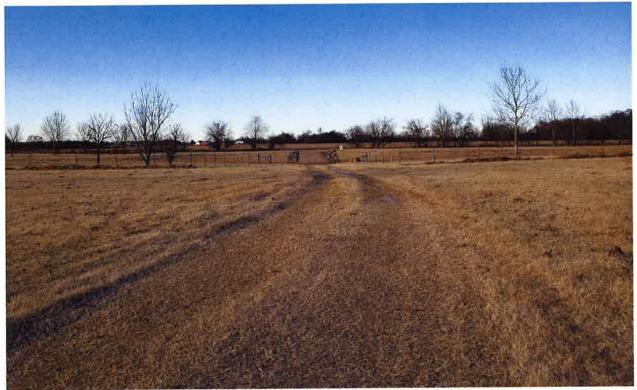
On **Motion** of **Charney**, the Board voted 5-0-0 (Walker, Tyndall, Dillard, Hutson, Charney "aye"; no "nays"; no "abstentions"; no "absences") to **CONTINUE** this business to the meeting on August 21, 2007.

### \* \* \* \* \* \* \* \* \*

There being no further business, the meeting adjourned at 3:49 p.m.

Date approved: \_\_\_ Nand E. Areurey Chair





Looking north at subject property entrance from E. 161<sup>st</sup> St. S.



Looking north toward the creek crossing on the subject property



Looking east across property near entrance on E. 161<sup>st</sup> St. S.



Looking west across property near entrance on E. 161<sup>st</sup> St. S.



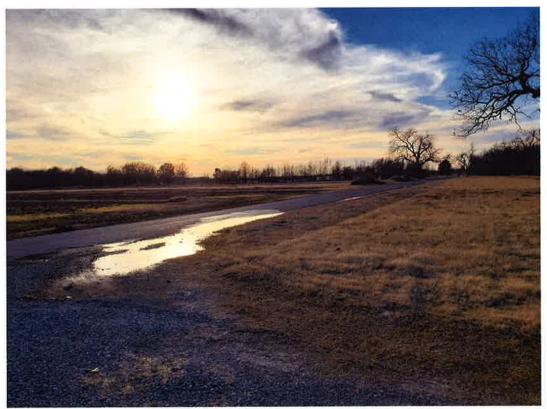
Looking northeast at Bixby Creek crossing



Looking northwest at Bixby Creek crossing



Looking south across E. 161<sup>st</sup> St. S.



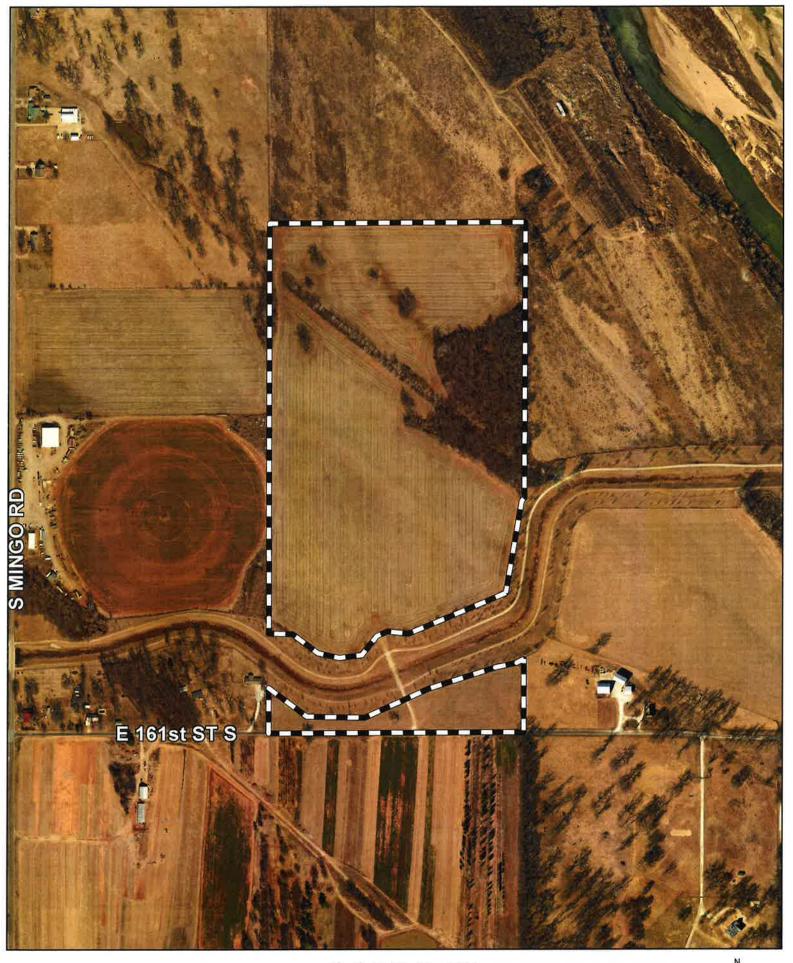
Looking west down E. 161<sup>st</sup> St. S.



Close-up of creek crossing



Real Estate sign on subject property



Feet 0 250 500



CBOA-2786

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

17-14 19

Aerial Photo Date: February 2018 3.3

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#### 8/20/2019

M Gmail	Tanner Bamles <tbemles@gmail.com></tbemles@gmail.com>	
RE: [Non-DoD Source] Tanner Bernies - 10335 E 161st St, Bixby, OK (UNCLASSIFIED) 1 message		
Holmes, Jordan L CIV USARMY CESWT (USA) <jordan,l.holmes@usace.army.mll> To: "themies@gmail.com" <lbernies@gmail.com> Cc: "jcottle@bixby.com" <lcottle@bixby.com></lcottle@bixby.com></lbernies@gmail.com></jordan,l.holmes@usace.army.mll>	Mon, Aug 5, 2019 al 2:13 PM	
CLASSIFICATION; UNCLASSIFIED		

Mr. Bernies.

Good afternoon. The Bixby Creek Channel project is a federally constructed project but is locally operated and maintained by the City of Bixby. You would need to coordinate with the City on access to this property. As a suggestion, I would verify that the low water crossing is rated for the leads the Irucks would potential carry.

The contact for the local sponsor is listed below for your information.

Mr. Jarrod Cottle, P.E. City of Bixby City Englneer jcottle@bixby.com

If you have any additional questions or concerns, please let me know. Very respectfully,

Jordan Holmes, P.E., Levee Safety Program Manager USACE, Tulsa District jordan I. holmes@usace.army.mil 918-688-7338 (Office) 918-436-9352 (Mobile)

---Original Message----From: Tanner Bemies (mailto:tbernies@gmail.com) Sent: Thursdey, July 25, 2019 4:25 PM To: CESWT-RO SWT <ceexh-ro@useac.army.mi> Subject: [Non-DoD Source] Tanner Bemies - 10335 E 161st St, Bixby, OK

Hello,

My name is Tanner Bernies, I am inquiring into the low water access located at 10335 E 161st St in Bixby, OK.

I currently am in the process of purchasing the property and would like to ascertain some form of confirmation that I will be allowed to move my trucks through the low water access to the property because with out such access the property will be land locked preventing me from being able to reach the land. my phone # is 918-668-2058

Thank you, Tanner Bemies 918-888-2058

CLASSIFICATION: UNCLASSIFIED CLASSIFICATION: UNCLASSIFIED CLASSIFICATION: UNCLASSIFIED CLASSIFICATION: UNCLASSIFIED



Tanner Bemies <tbemies@gmail.com>

# Tanner Bemies - Inquiry into 10335 E 161st St

Jason Mohler <jmohler@bixbyok.gov> To: Tanner Bemies <tbemies@gmail.com> Wed, Jul 31, 2019 at 10:00 AM

10355 E 161<sup>st</sup> St lies within Tulsa County jurisdiction. Below is clip from the GIS map.

Attached are a few sheets from the Record Drawings for Bixby Creek. As discussed on the phone, Bixby Creek was a Corp of Engineers project. The City of Bixby owns and maintains Bixby Creek. The site does lie within the City fenceline. However, annexation is typically requested by property owners or developers (i.e. the City would not pursue annexation of this property unless requested or some other reason develops).

The existing low water crossing provides access the agricultural land north of the Creek. I am not aware of an limitations on that access.



Jason C. Mohler, P.E. Development Services Director City of Bixby

From: Tanner Bemies [mailto:tbemies@gmail.com] Sent: Thursday, July 25, 2019 9:47 AM To: Jason Mohler <jmohler@BixbyOK.gov> Subject: Tanner Bemies - Inquiry into 10335 E 161st St

#### STATE OF OKLAHOMA DEPARTMENT OF MINES 2915 N. CLASSEN, SUITE 213 OKLAHOMA CITY, OKLA. 73106

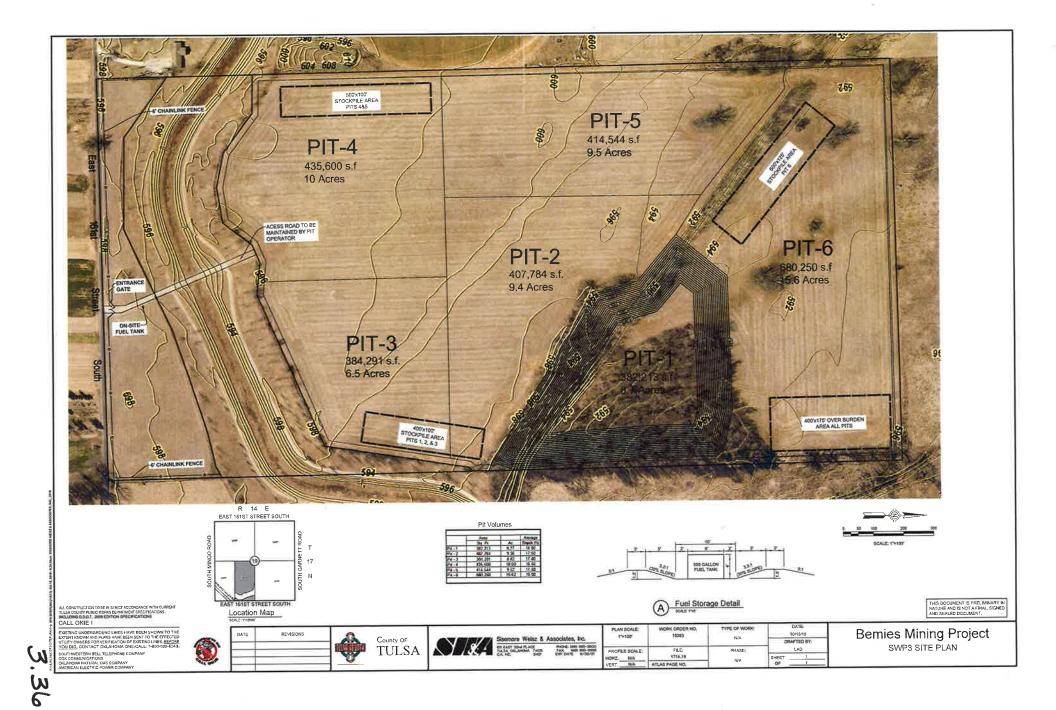
# LEGAL ESTATE

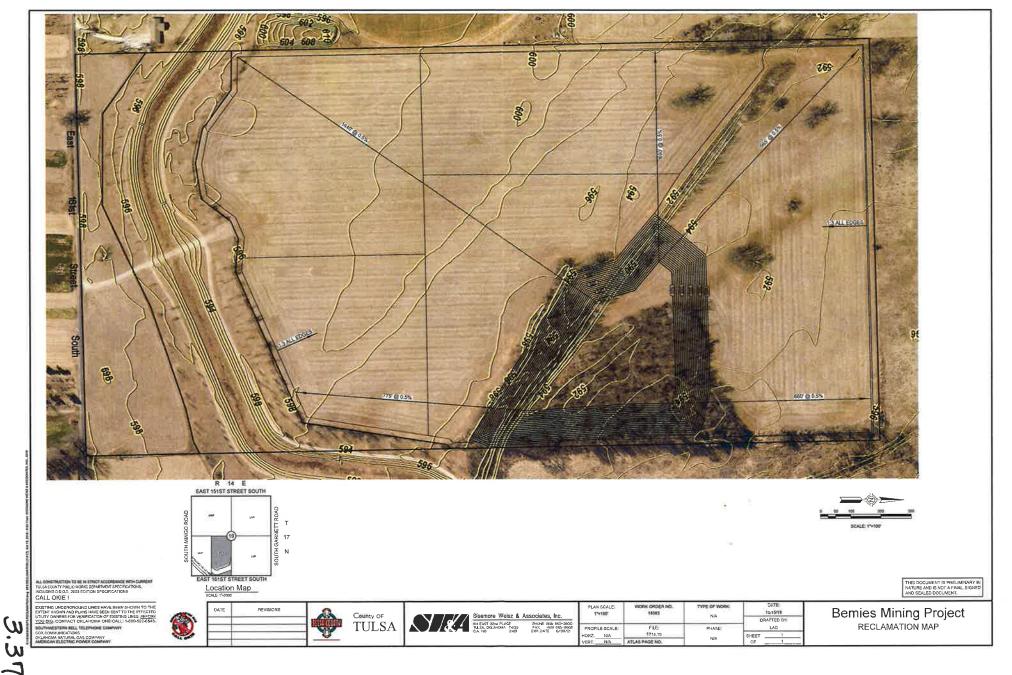
Name of Legal Estate Owner: Francis, Jerry Calvin & Mary Ann Address: 15625 S Harvard, Bixby, OK, 74008
Telephone Number:
Section(s) 19 Township 17N Range 14E County Tulsa
Section(s) 19 Township 17N Range 14E County Tulsa Is the permit application area owned or leased X by the Applicant?
**********************************
I, (Legal Estate Owner) Francis, Jerry Calvin & Mary Ann certify that I am the owner of the
legal estate of the property being represented in this Application for a Non-Coal Mining Permit, and
that the (Company, Corporation, Individual (s)) Tanner Bernies have
the right to mine this property.
Signature of Legal Estate Owner Mary Turn
Subscribed and sworn to before me this 10 day of Suptember 20 19
My Commission expires 10-3-202 • Notary Public
• IF THE OWNER OF THE LEGAL ESTATE OF THE PROPERTY CHANGES, A NEW LEGAL ESTATE FORM MUST BE SIGNED BY THE NEW OWNER OF THE LEGAL ESTATE. IF THERE ARE MULTIPLE OWNERS OF THE PROPERTY ON THIS APPLICATION, A SEPARATE LEGAL ESTATE FORM MUST BE EXECUTED FOR EACH OWNER.

**NOTE:** THE DEPARTMENT OF MINES DOES NOT HAVE THE AUTHORITY TO ADJUDICATE PROPERTY TITLE DISPUTES.

9-2-15

4





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116 West Needles P.O.Box 70 Bixby, OK 74008 www.BixbyOK.gov December 10, 2019

Robi Jones Tulsa County Board of Adjustment rjones@incog.org

RE: Case Number CBOA-2786

Board of Adjustment:

The City of Bixby has received the Notice of Hearing for Tulsa County Board of Adjustment Case Number CBOA-2786. We recognize that regulation of the allowable uses for that property lies with Tulsa County and do not object to the proposed Special Exception allowing Use Unit 24.

With that said, access to the property is somewhat unique. The US Army Corp of Engineers constructed the Bixby Creek Local Flood Protection Project and the City owns and maintains the completed project. A portion of the Special Exception property is south of Bixby Creek with the remainder being north of Bixby Creek. The Corp constructed a low water crossing for access to the north side of Bixby Creek. The City is not opposed to use of the low water crossing as part of the mining operation with an understanding that the Applicant is responsible of any crossing upgrades necessary to handing loading in excess of the original design and must repair any damages to the low water crossing resulting from the proposed Use.

Additionally, the City is concerned that the proposed Use may generate significant truck traffic on County and City streets. Damages to City streets caused by the mining operation must be repaired by the Applicant.

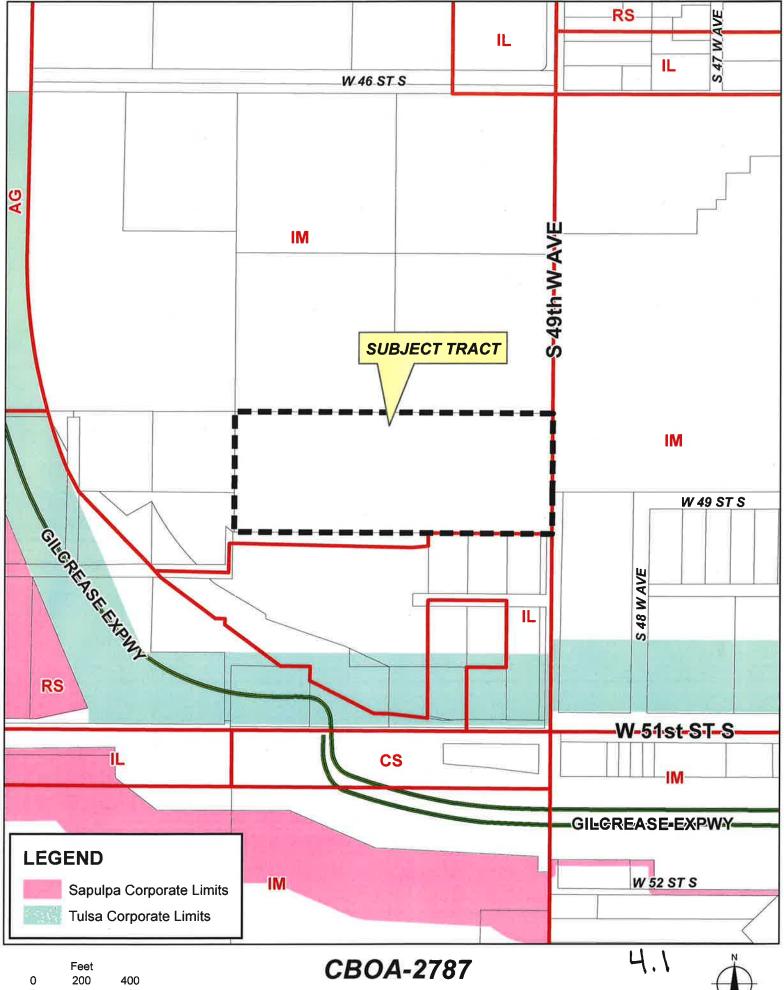
If you have any questions or need additional information, please reach out to me at 918-366-0417 or <u>imohler@bixbyok.gov.</u> Thank you in advance for including this letter in the Case file for CBOA-2786.

Regards,

gue. mill

Jason C. Mohler, P.E. Development Services Director

CC: Jared Cottle, City Manager Marcae' Hilton, City Planner



19-12 29

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# BOARD OF ADJUSTMENT CASE REPORT

Case Number: CBOA-2787

STR:9229 CZM:45 PD:

HEARING DATE: 12/17/2019 1:30 PM

APPLICANT: Lou Reynolds

**ACTION REQUESTED:** Special Exception to permit Use Unit 24, Mining and Mineral Processing, to allow soil mining (Sec.1224) in an IM District (Sec. 910, Table 1).

LOCATION: 4802 S 49 AV W

ZONED: IM

PRESENT USE: Industrial

TRACT SIZE: 15 acres

LEGAL DESCRIPTION: N495 SE SE SEC 29 19 12, 15ACS

## RELEVANT PREVIOUS ACTIONS:

## Subject Property:

<u>CZ-462 December 2017:</u> All concurred in **approval** of a request for *rezoning* a 23 + acre tract of land from AG/RS to IM, to permit the development of an industrial park, on property located north and west of the northwest corner of West 51<sup>st</sup> Street and South 49<sup>th</sup> West Avenue.



**ANALYSIS OF SURROUNDING AREA:** The subject tract is surrounded by industrial uses and industrial zoning. It is just northeast of the Gilcrease Expressway in the Berryhill area. See Exhibit "B" for further details as described by the applicant.

## STAFF COMMENTS:

The applicant is before the Board requesting a **Special Exception** to permit Use Unit 24, Mining and Mineral Processing, to allow soil mining (Sec. 1224) in an IM District (Sec. 910, Table 1).

A special exception is required as the proposed soil mining operation is a use which is not permitted by right in the AG district because of potential adverse affect, but which if controlled in the particular instance as to its relationship to the surrounding area and to the general welfare, may be permitted. The use must be found to be compatible with the surrounding area.

The Board of Adjustment, in granting a mining and mineral processing use by Special Exception, should consider potential environment influences, such as dust and vibration. If inclined to approve, the Board may consider establishing appropriate protective conditions such as setbacks, screening, and hours of operation, as will mitigate the adverse affect on proximate land uses.

The applicant supplied the following information: "The proposed mining use will be for dirt and gravel extraction in conjunction with the Gilcrease Expressway expansion project."

The applicant will be required to obtain all relevant permits including those from the Tulsa County Inspectors Office/Building Permits Department and the Oklahoma Department of Mines.

If inclined to approve, the Board may consider any condition it deems necessary and reasonably related to the request to ensure the proposed soil mining operation is compatible with and non-injurious to the surrounding area.

## Sample Motion:

"Move to \_\_\_\_\_\_ (approve/deny) a Special Exception to permit Use Unit 24, Mining and Mineral Processing, to allow soil mining (Sec.1224) in an IM District (Sec. 910, Table 1).

Approved per conceptual plan on page(s) \_\_\_\_\_ of the agenda packet.

Subject to the following condition(s) (if any): \_\_\_\_\_\_.

Finding the 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."

Staff recommends approval of the plat waiver with the following conditions:

- A. The approved optional development plan standards be filed of record with the Tulsa County Clerk's office.
- B. The regulatory floodplain existing on the property be placed in the recommended easement.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

## TMAPC Action; 9 members present:

On **MOTION** of **DIX**, the TMAPC voted 9-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Millikin, "absent") to **APPROVE** Z-7395 Plat Waiver per staff recommendation.



**12.**<u>CZ-462 Lou Reynolds</u> (CD 2) Location: North and west of the northwest corner of West 51<sup>st</sup> Street and South 49<sup>th</sup> West Avenue requesting rezoning from AG/RS to IM to permit an Industrial Park.

## STAFF RECOMMENDATION:

## SECTION I: CZ-462

**DEVELOPMENT CONCEPT:** Rezone from AG and RS to IM in order to permit the development of an industrial park. Current planned uses include storage and warehousing, however other, compatible uses may be included when the park becomes fully developed.

## DETAILED STAFF RECOMMENDATION:

CZ-462 is non injurious to the existing proximate properties and;

CZ-462 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-462 to rezone property from AG, RS to IM.

## SECTION II: Supporting Documentation

## RELATIONSHIP TO THE COMPREHENSIVE PLAN:

<u>Staff Summary</u>: The subject lots are located within Special District 6 of the Tulsa County District 9 Plan. The plan states that industrial development should be encouraged to locate within this district, provided they do not have external impacts such as noise, smoke, fumes, etc.

Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: S 49<sup>th</sup> W Ave is designated as a secondary arterial.

Trail System Master Plan Considerations: The site is located within ¼ mile of the Gilcrease West

Small Area Plan: Tulsa County District 9 Plan

Special District Considerations: Tulsa County District 9 Plan, Special District 6. Industrial uses encouraged.

Historic Preservation Overlay: None

## DESCRIPTION OF EXISTING CONDITIONS:

<u>Staff Summary:</u> The site is elevated above the surrounding area. Two single-family homes and a barn structure currently exist on the site.

Environmental Considerations: Tulsa County District 9 plan states that industry in this area not have external impacts such as noise, smoke, fumes, etc.

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South 49th West Ave	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water and sewer available.

## Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	IM	N/A	N/A	Concrete Plant
South	IL / RS	N/A	N/A	Self-Storage / Machine Shop
East	IM	N/A	N/A	Manufacturing
West	RS	N/A	N/A	Gilcrease Expressway

## SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 98254 dated September 15, 1980, established zoning for the subject property.

#### Subject Property: No relevant history

#### Surrounding Property:

<u>CZ-291 October 22, 2001</u>: All concurred in **approval** of a request for rezoning a 9.8<u>+</u> acre tract of land from RS to IL on property located west of the northwest corner of West 51<sup>st</sup> Street South and South 49<sup>th</sup> West Avenue.

<u>CZ-240 February 1998</u>: All concurred in **approval** of a request for rezoning a 1acre tract of land from IL to RS for residential use on property located north and west of the northwest corner of West  $51^{st}$  Street South and South  $49^{th}$  West Avenue.

**<u>CBOA-1117 November 1992</u>**: The Board of Adjustment **approved** a special exception to allow a manufactured home in an RS-zoned district for three years and subject to the manufactured home being removed when the single-family dwelling construction is completed. The property is located west of the southwest corner of West 50<sup>th</sup> Street and South 49<sup>th</sup> West Avenue.

<u>CBOA-0632 January 1986:</u> The Board of Adjustment **approved** a *variance* of the required 75' setback from an R-zoned district to allow for a building in an IL-zoned district. The property is located west of the northwest corner of West 51<sup>st</sup> Street and South 49<sup>th</sup> West Avenue.

<u>Z-5375 April 8, 1980:</u> All concurred in **approval** of a request for rezoning a 2.8<u>+</u> acre tract of land from RS-1 to IL on property located north of the northwest corner of West 51<sup>st</sup> Street South and South 49<sup>th</sup> West Avenue.

<u>**Z-4105 March 30, 1972:</u>** All concurred in **approval** of a request for rezoning a  $80\pm$  acre tract of land from AG to IM on the NE/4 of the NW/4, and the NW/4 of the NE/4, LESS the North 250' in Section 32, Township 19 North, Range 12 East, Tulsa County, Oklahoma; and to IL on the north 250' of the NE/4 of the NW/4, and the NW/4 of the NE/4 in Section 32, township 19 North, Range 12 East, Tulsa County, Oklahoma on property located west of the southwest corner of West  $51^{st}$  Street South and South  $49^{th}$  West Avenue.</u>

#### The applicant indicated his agreement with staff's recommendation.

Mr. Dix asked applicant if the application included the triangle tract of land next to the Gilcrease Expressway.

The applicant stated "yes".

#### There were no interested parties wishing to speak.

#### **TMAPC** Action; 9 members present:

On **MOTION** of **DIX**, the TMAPC voted 9-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Millikin, "absent") to **APPROVE** CZ-462 per staff recommendation.

#### Legal Description of CZ-462

Lot One (1), Block Two (2), LESS Highway Right-of-Way to the State of Oklahoma, and Lots Three (3) and Four (4), Block One (1), all in BRIDGES HEIGHTS ADDITION, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, LESS AND EXCEPT the following described property towit: BEGINNING at the Southwest corner of said Lot Three (3); thence North along the West line of said Lot Three (3) a distance of 305.88 feet to the Northwest corner of said Lot Three (3); thence South 44°29'22" East a distance of 422.91 feet to a point on the South line of said Lot Three (3); thence West along said South line a distance of 292.23 feet to the POINT OF BEGINNING; AND The North Half of the North Half of the North Half of the Southeast Quarter of the Southeast Quarter (N/2 N/2 N/2 SE/4 SE/4) and the North Half of the South Half of the North Half of the North Half of the Southeast Quarter of the Southeast Quarter (N/2 S/2 N/2 N/2 SE/4 SE/4) and the South Half of the South Half of the North Half of the North Half of the Southeast Quarter of the Southeast Quarter (S/2 S/2 N/2 N/2 SE/4 SE/4) and the North Half of the South Half of the South Half of the Southeast Quarter of the Southeast Quarter (N/2 S/2 N/2 SE/4 SE/4), all in Section Twenty-Nine (29), Township Nineteen (19) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government survey thereof; AND Lot One (1)

11:01:17:2757(15)

and Lot Two (2) of Block One (1) of BRIDGES HEIGHTS, according to the last Government Survey thereof.

#### \* \* \* \* \* \* \* \* \* \* \*

13.<u>Z-7415 Helen Barbre-Stephens</u> (CD 2) Location: West of the southwest corner of West 51<sup>st</sup> Street and South Union Avenue requesting rezoning from RS-3 to CS

STAFF RECOMMENDATION:

SECTION I: Z-7415

## **DEVELOPMENT CONCEPT:**

The property is zoned RS-3 and has never been rezoned for commercial uses. The request is to allow commercial uses on this highway frontage property.

## DETAILED STAFF RECOMMENDATION:

Z-7415 requesting CS zoning is consistent with the Comprehensive Plan for the City of Tulsa and,

Use categories allowed in a CS zoning district are consistent with the expected development pattern in the area and,

Use categories allowed in a CS zoning district are non-injurious to the surrounding property therefore,

# Staff recommends Approval of Z-7415 to rezone property from RS-3 to CS.

## SECTION II: Supporting Documentation

## RELATIONSHIP TO THE COMPREHENSIVE PLAN:

<u>Staff Summary</u>: CS zoning allows building placement as recognized in the Mixed-Use Corridor however it does not require building placement as recognized in the comprehensive plan. The uses allowed in CS district are consistent with the anticipated uses in a the Mixed-Use corridor areas.

#### Land Use Vision:

## Land Use Plan map designation: Mixed-Use Corridor

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets

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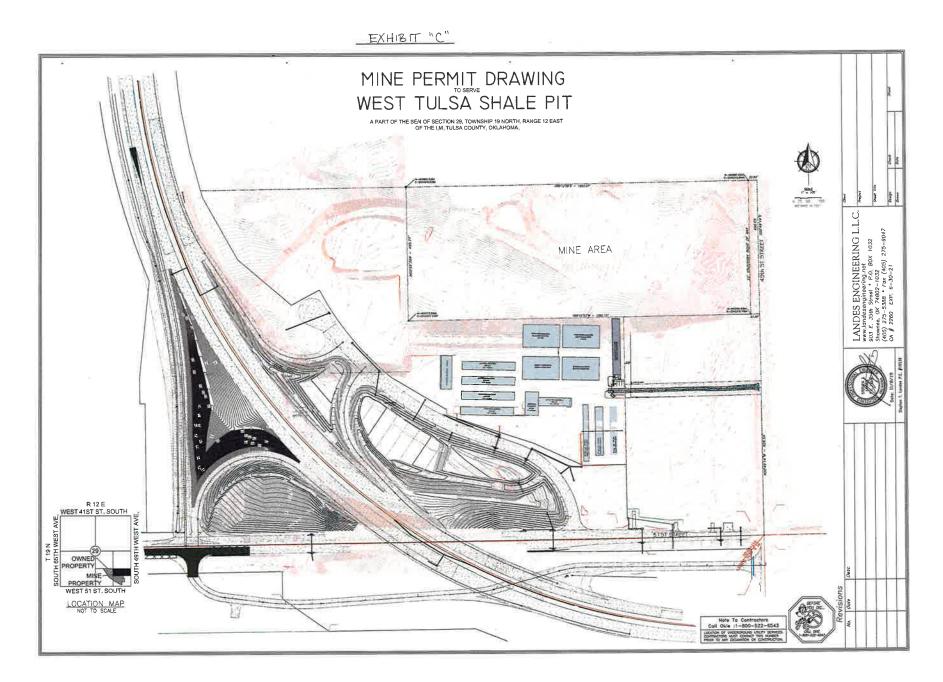
CBOA-2787

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

19-12 29

Aerial Photo Date: February 2018

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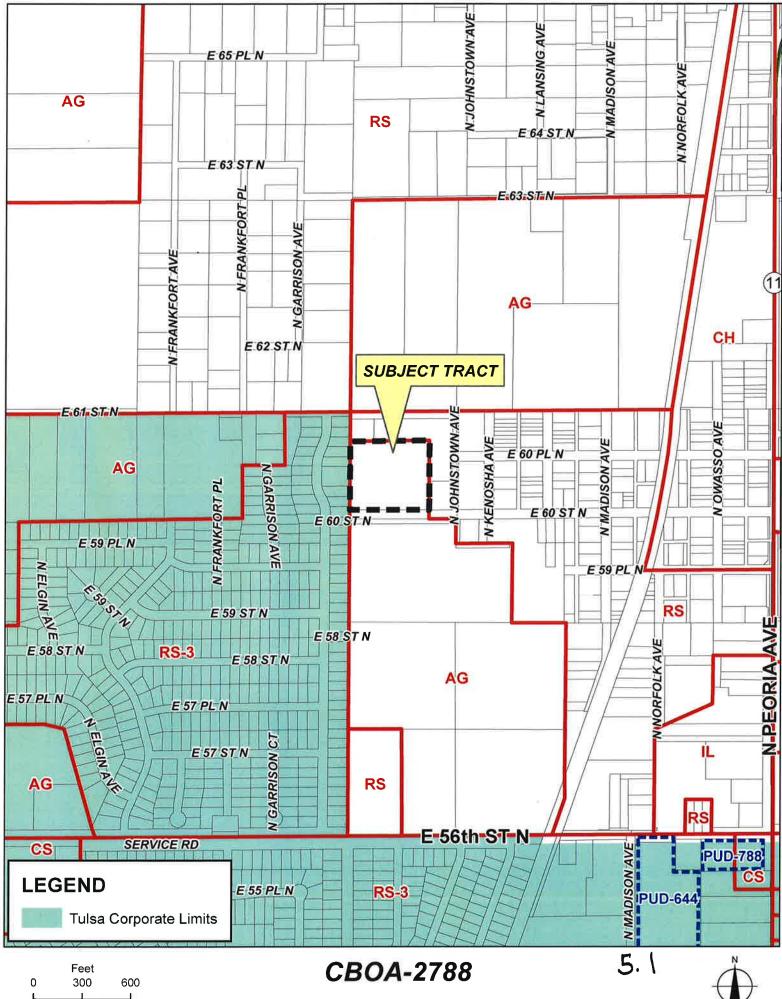
#### Exhibit "B"

Applicant requests a Special Exception, pursuant to Section 1680 of the Tulsa County Zoning Code (the "<u>Code</u>") to permit Use Unit 24 (Mining and Mineral Processing) in an IM-zoned district for property located at 4802/4810 S. 49<sup>th</sup> West Avenue, Tulsa, OK 74107 (the "<u>Property</u>").

The Property is located north of the northwest corner of S. 49<sup>th</sup> W. Ave. and W.  $51^{st}$  St. S. and just northeast of the Gilcrease Expressway. A conceptual site plan of the Property is attached hereto as **Exhibit "C"**. The surrounding area consists of industrial uses. North of the Property is the Eagle Redi Mix Concrete plant – which has similar moderate to heavy environmental influences as the proposed mining use; east of the Property are various industrial manufacturing facilities, including Norris, Bronco Manufacturing, and Hydrotex; and south of the Property is an auto shop and self-storage facility. There is also a quarry site southwest of the Expressway.

The proposed mining use will be for dirt and gravel extraction in conjunction with the Gilcrease Expressway expansion project. The use is in harmony with the spirit and intent of the Code as a permitted use by special exception in the IM District. Further, because the area is heavily industrialized, the use will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

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<sup>20-12 01</sup> 

# BOARD OF ADJUSTMENT CASE REPORT

Case Number: CBOA-2788

STR:129

CZM:21 PD:

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## HEARING DATE: 12/17/2019 1:30 PM

APPLICANT: USCOC of Greater Oklahoma, LLC

**ACTION REQUESTED:** Special Exception to permit a Communication Tower, Use Unit 4, in the AG district. (Section 310 Table 1); and a Special Exception to reduce the required tower setback (110% of the tower height) from the adjoining RS zoned district. (Section 1204.C.7)

## LOCATION: 6050 N JOHNSTOWN AV E

## ZONED: AG

PRESENT USE: Church

TRACT SIZE: 4.87 acres

## LEGAL DESCRIPTION:

Landlord Parcel Description: THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF TULSA, TOWNSHIP OF DAWSON, STATE OF OKLAHOMA, AND IS DESCRIBED AS FOLLOWS: THE SOUTH 487 FEET OF THE WEST 497 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SECTION 1 TOWNSHIP 20 NORTH, RANGE 12 EAST, DAWSON TOWNSHIP, TULSA COUNTY, STATE OF OKLAHOMA

#### Leasehold Parcel Description:

BEING A TRACT OF LAND SITUATED IN THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 12 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA AND BEING PART OF A TRACT OF LAND DESCRIBED IN DEED TO TURLEY METHODIST CHURCH, INCORPORATED, RECORDED IN BOOK 2690, PAGE 411 OF THE DEED RECORDS OF TULSA COUNTY, OKLAHOMA (D.R.S.C.O.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 5/8-INCH IRON ROD WITH CAP STAMPED "SAM" SET FOR CORNER, FROM WHICH A PK NAIL FOUND AT THE SOUTH 1/4 CORNER OF SAID SECTION 1 BEARS SOUTH 06 DEGREES 04 MINUTES 21 SECONDS WEST, A DISTANCE OF 2,305.38 FEET; THENCE NORTH 07 DEGREES 48 MINUTES 39 SECONDS WEST, A DISTANCE OF 80.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SAM" SET FOR CORNER; THENCE NORTH 82 DEGREES 11 MINUTES 21 SECONDS EAST, A DISTANCE OF 80.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SAM" SET FOR CORNER; FROM WHICH A 1/2-IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID SECTION 1 BEARS NORTH 36 DEGREES 57 MINUTES 54 SECONDS EAST, A DISTANCE OF 3,714.11 FEET; THENCE SOUTH 07 DEGREES 48 MINUTES 39 SECONDS EAST, A DISTANCE OF 3,714.11 FEET; THENCE SOUTH 07 DEGREES 48 MINUTES 39 SECONDS EAST, A DISTANCE OF 80.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SAM" SET FOR CORNER; THENCE SOUTH 82 DEGREES 57 MINUTES 54 SECONDS EAST, A DISTANCE OF 3,714.11 FEET; THENCE SOUTH 07 DEGREES 48 MINUTES 39 SECONDS EAST, A DISTANCE OF 80.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SAM" SET FOR CORNER; THENCE SOUTH 82 DEGREES 11 MINUTES 21 SECONDS WEST, A DISTANCE OF 80.00 FEET, BACK TO THE POINT OF BEGINNING, CONTAINING 6,400.00 SQUARE FEET, OR 0.15 OF AN ACRE OF LAND, MORE OR LESS.

## **RELEVANT PREVIOUS ACTIONS:**

**BOA-3343 April 1960:** The Board of Adjustment **approved** a church use, on the subject property located at 6050 North Johnstown Avenue East.

**ANALYSIS OF SURROUNDING AREA:** The subject tract abuts RS zoning to the north and west; all but one parcel is also owned by Turley Methodist Church and uses include the church and some residential. The property to the south is agricultural and the properties to the west are within the City of Tulsa; they are zoned RS-3 and have residential uses.

## **STAFF COMMENTS**:

The applicant is before the Board requesting a *Special Exception* to permit a communication tower, Use Unit 4, in the AG district. (Section 310); and a *Special Exception* to reduce the required tower setback (110% of the tower height) from the adjoining RS. (Section 1204.C.7)

5.2

Communications towers are classified under Use Unit 4, Public Protection and Utility Facilities, and are permitted in the AG district by Special Exception. A *Special Exception* is required as the proposed cell tower is a use which is not permitted by right in the AG district because of potential adverse affect, but if controlled in the particular instance as to its relationship to the area, may be permitted.

The applicant has included a site plan. The proposed monopole tower has a height of 130 feet. Zoning Code requires towers to be set back a distance equal to at least on hundred ten percent (110%) of the height of the tower from any adjoining lot line of a residential, office or agricultural zoned lot. The distance from the proposed cell tower to the adjoining property to the north is 136 feet. The requirement would be 143 feet so the applicant is requesting a Special Exception to reduce the required tower setback (110% of the tower height) from the adjoining RS zoned district. (Section 1204.C.7) The distances to the east, west, and south meet the setback requirements.

**Section 1204.3.C & E** of the Code provides general standards for locating communication towers in any district. Some of the more notable requirements include:

1204.3.C.2.a: Towers and antennas shall be designed to blend into the surrounding environment through the use of color, galvanizing, or camouflaging architectural treatment, except in instances where the color is dictated by federal or state authorities such as the FAA.

"The pole will be designed to blend through galvanizing materials."

1204.3.C.4.: Towers shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the FAA or other federal or state authority for a particular tower. When incorporated into the approved design of the tower, light fixtures used to illuminate ball fields, parking lots, or similar areas may be attached to the tower.

"The tower is not proposed to be lit."

1204.3.C.6: All utility buildings and structures accessory to a tower shall meet all the requirements of the underlying zoning district. Exterior ground mounted equipment occupying more than 50 square feet, if visible from ground level, shall be screened from view from property within 150 ft. used for residential purposes.

"No equipment shelter is proposed. The ground equipment will be contained within cabinets. Natural vegetation and prior existing trees will provide screening to the west."

1204.3.C.7.a: Towers must be set back a distance equal to at least one hundred ten percent (110%) of the height of the tower from any adjoining lot line of a residential, office, or agricultural zoned lot, excluding expressway rights of way zoned residential.

"Please see the certified pole structural letter provided by the pole manufacturer...."

1204.3.C.8: Towers shall be enclosed by security fencing not less than six (6) feet in height or shall be equipped with an appropriate anti-climbing device; provided however the Board may modify of waive the requirements by special exception

"A six-foot security fence with three strands of barbed wire is planned."

Additionally, Section 1204.3.E.1 provides the following:

- 1. Factors to be considered in granting a special exception. In addition to any other requirement of this section, the following factors shall be considered in the determination to grant or deny a special exception for an antenna or tower:
  - a. Height of the proposed tower;
  - b. Proximity of the tower to residential structures, residential district boundaries and existing towers;
  - c. Nature of uses on adjacent and nearby properties;
  - d. Surrounding topography;
  - e. Surrounding tree coverage and foliage;
  - f. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
  - g. The total number and size of antennas proposed and the ability of the proposed tower to accommodate collocation;
  - *h.* Architectural design of utility buildings and accessory structures to blend with the surrounding environment;
  - *i.* Proposed ingress and egress;
  - j. The need of the applicant for a communications tower within the immediate geographic area to provide an acceptable level of communications service to the area;
  - k. The size of the tract and the most likely future development as indicated by the Comprehensive Plan, planned infrastructure, topography and other physical facts.
  - I. Landscaping

## 1204.3.E.2

2. Collocation of facilities should be encouraged wherever practical by allowing reasonable extra height or tower diameter necessary to support multiple antennas.

## 1204.3.E.3

3. <u>The findings of the Board of Adjustment as to each of these factors shall be made on</u> the record and contained in the written minutes of the meeting.

If inclined to approve the Board may consider any condition it deems necessary and reasonably related to the request to ensure the proposed communications tower will be non-injurious to the surrounding area.

## Sample Motion:

"Move to \_\_\_\_\_\_ (approve/deny) a Special Exception to permit a Communication Tower, Use Unit 4, in the AG district. (Section 310 Table 1); and a Special Exception to reduce the required tower setback (110% of the tower height) from the adjoining RS zoned district. (Section 1204.C.7)

Read the following statement so it can be on record and recorded in the minutes of the meeting.

The Board considered each of the following stated factors in Section 1204.3.E. 1 & 2 of the Code and finds that the application <u>complies / does not comply</u> with the requirements to the Boards satisfaction.

"Section 1204.3.E provides the following:

- 1. Factors to be considered in granting a special exception. In addition to any other requirement of this section, the following factors shall be considered in the determination to grant or deny a special exception for an antenna or tower:
  - a. Height of the proposed tower;
  - b. Proximity of the tower to residential structures, residential district boundaries and existing towers;
  - c. Nature of uses on adjacent and nearby properties;
  - d. Surrounding topography;
  - e. Surrounding tree coverage and foliage;
  - f. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
  - g. The total number and size of antennas proposed and the ability of the proposed tower to accommodate collocation;
  - h. Architectural design of utility buildings and accessory structures to blend with the surrounding environment;
  - i. Proposed ingress and egress;
  - j. The need of the applicant for a communications tower within the immediate geographic area to provide an acceptable level of communications service to the area;
  - k. The size of the tract and the most likely future development as indicated by the Comprehensive Plan, planned infrastructure, topography and other physical facts.
  - I. Landscaping
  - 2. Collocation of facilities should be encouraged wherever practical by allowing reasonable extra height or tower diameter necessary to support multiple antennas.

Approved per conceptual plan(s) on page(s) \_\_\_\_\_\_ of the agenda packet.

Subject to the following conditions (if any): \_\_\_\_\_\_.

Finding the 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.

# MINUTES OF THE REGULAR MEETING OF THE BOARD OF ADJUSTMENT, WEDNESDAY, APRIL 13, 1960.

# PRESENT: Cohen, Chairman; Shaull; Galbreath; Norman; Avery.

This being the date set down for public hearing on the application of the Trustees of Turley Methodist Church for permission to use the South 487 feet of the West 497 feet of the NW NW 1/4, SE 1/4 of Section 1-20-12, and Lots 14 thru 29 inclusive, Brannon Addition for church purposes. There being no protest offered it was,

MOVED by Galbreath (Shaull) that this application be granted. All members voting yea. Carried.

Case No. 3373-A V'Memorial Street Church of Christ - Lot 2, Block 3, Mingo Heights

Case No. 3343-A

Methodist Church

Pt. NW, NW, SE,

Section 1-20-12

Trustees of the Turley

This being the date set down for public hearing on the application of the Memorial Street Church of Christ for permission to extend church use on Lot 2, Block 3, Mingo Heights Addition. There appeared Dean Smith, Attorney on behalf of the Church. No protest was offered.

MOVED by Norman (Shaull) that this matter be granted. All members voting yea. Carried.

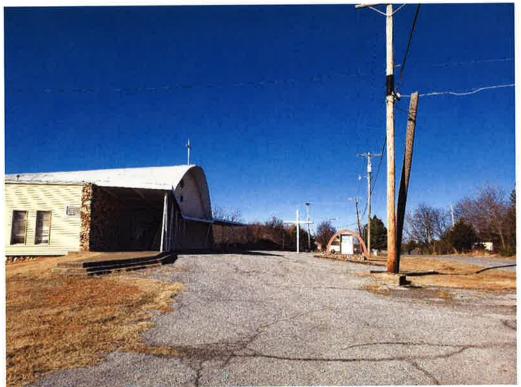
Case No. 3380-A  $\checkmark$ Sixth Church of Christ Scientist - N. 100' of S/2, NE, NE, SE, Section 19-19-13 This being the date set down for public hearing on the application of the Sixth Church of Christ Scientist for permission to use the North 100 feet of the S 1/2, NE 1/4, NE 1/4, SE 1/4, of Section 19-19-13, less the West 287 feet, for off-street parking. There being no protest offered it was,

MOVED by Avery (Norman) that this matter be granted. All members voting yea. Carried.

Case No. 3381-A Northminster Presbyterian Church - Part of Section 12-20-12 This being the date set down for public hearing on the application of the Northminster Presbyterian Church for permission to use the following described property for church purposes:

That part of the NE 1/4, NE 1/4, of Section 12-20-12, described as beginning at a point on the North line of the NE 1/4 of Section 12, 610 feet west of the northeast corner, thence South 226 feet; weast 160 feet; south 656 feet; west 150 feet; south 260.7 feet to a point on the north line of Sharon Heights Addition; west along the north boundary of Sharon Heights 288 feet; North 1142.37 feet to a point on the north line of Section 12;

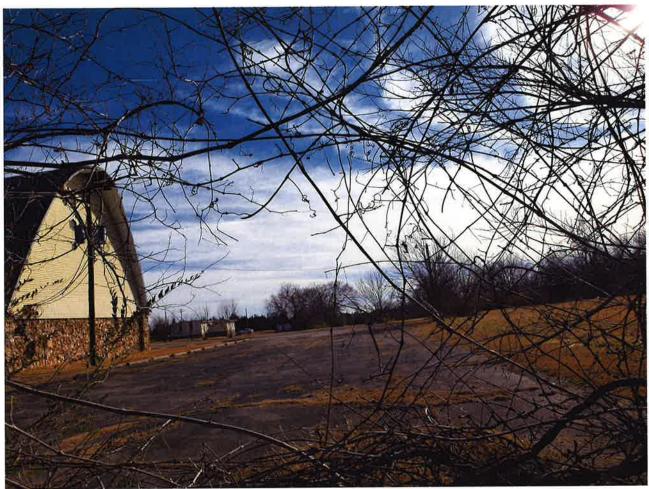
10



Looking north at church from driveway which will be used to access tower



Looking west from driveway on N. Johnstown Ave. toward area where tower will be located



Looking south from E. 61<sup>st</sup> St. N. toward subject property



Feet 0 50 100



CBOA-2788 Align

20-12 01

Note: Graphic overlays may not precisely align with physical features on the ground. Aerial Photo Date: February 2018 5.9

Å,

Aeri



Tract

Aerial Photo Date: February 2018 5. 10



October 17, 2019

Chris Patterson Project Manager Faulk & Foster 1811 Auburn Avenue Monroe, LA 71201

RE: Proposed 130' Sabre Monopole for Turley, OK

Dear Mr. Patterson,

Upon receipt of order, we propose to design and supply the above referenced Sabre monopole for an Ultimate Wind Speed of 109 mph with no ice and 30 mph with 2" radial ice, Structure Class II, Exposure Category C and Topographic Category 1 in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-G, "Structural Standard for Antenna Supporting Structures and Antennas".

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the monopole will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within the upper portion of the monopole shaft. Assuming that the wind pressure profile is similar to that used to design the monopole, the monopole will buckle at the location of the highest combined stress ratio within the upper portion. This is likely to result in the portion of the monopole above leaning over and remaining in a permanently deformed condition. *Please note that this letter only applies to the above referenced monopole designed and manufactured by Sabre Towers & Poles*. The fall radius for the monopole design described would be within the target parcel

Sincerely,

Robert E. Beacom, P.E., S.E. Engineering Supervisor



Sabre Towers and Poles • 7101 Southbridge Drive • P.O. Box 658 • Sioux City, IA 51102-0658 P: 712-258-6690 F: 712-279-0814 W: www.SabreTowersandPoles.com

#### STATEMENT OF ORDINANCE COMPLIANCE

Application: Board of Adjustment Exceptions US Cellular "USCC" Site Name: Turley #222712 USCC Legal Entity Name: USCOC of Greater Oklahoma, LLC Project Description: 130' monopine wireless facility Parcel ID: 90201-02-01-30620 Property Owner: Turley United Methodist Church Zoning: Agriculture Address: To be assigned; nearest address: 6050 NORTH JOHNSTOWN AVE, TULSA, OK 74126

Please see the responses in red below following the applicable ordinance sections.

1204.2 Included Uses: Ambulance Service Antennas and Supporting Structures Electrical Regulating Station, excluding storage or service garages and yards **Fire Protection Facility** Pressure Control Station, gas or liquid, excluding storage or service garages and yards Shelter: Civic defense or storm Stormwater Detention Facility Water Storage Facility, NEC 1204.3 Use Conditions: Antennas and their supporting structures shall meet the following requirements: Purpose: The purpose of this section is to establish requirements for the location of wireless communications towers and antennas. The goals of this ordinance are to: (1) protect residential areas and land uses from potentially adverse impacts of towers and antennas; (2) encourage the location of towers in nonresidential areas; (3) minimize the total number of towers throughout the community; (4) strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers; (5) encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal; (6) encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques; (7) enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently; (8) consider the public health and safety of communication towers; and (9) avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures. In furtherance of these goals, the Tulsa County Board of Adjustment shall give due consideration to the Comprehensive Plan for the Tulsa Metropolitan Area, zoning map, existing land uses, and environmentally sensitive areas in approving sites for the location of towers and antennas.

A.

Exclusions. The following activities shall be exempt from these regulations:

1. Amateur radio operators;

2. Microwave reflectors and parabolic antennas;

3. Antennas and equipment completely located inside of buildings; and

4. Minor modifications of existing wireless communications facilities and attached wireless communications facilities, whether emergency or routine, provide there is little or no change in the visual appearance. Minor modifications are those modifications, including the addition of antennas, to conforming wireless and attached wireless communications facilities that meet the performance standards set forth in this document. B.

Definitions. As used in this ordinance, the following terms shall have the meanings set

forth below:

1. Antenna means any exterior transmitting or receiving device used in communications to radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies, wireless telecommunications signals or other communication signals.

2. FAA means the Federal Aviation Administration.

3. FCC means the Federal Communications Commission.

4. Height means, when referring to a tower or other structure, the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad.

5. Preexisting towers and preexisting antennas means any tower or antenna which lawfully existed on the effective date of this ordinance, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired.

6. Tower means any structure more than twenty (20) feet tall that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including selfsupporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers and the like. The term includes the structure and any support thereto.

C.

General Requirements for Antennas and Towers:

1. Principal or Accessory Use. Towers may be considered either principal or accessory uses. A different existing use on the same lot shall not preclude the installation of a tower on such lot.

This pole shall be considered a principal use.

2. Towers and antennas shall meet the following requirements:(a)

Towers and antennas shall be designed to blend into the surrounding environment through the use of color, galvanizing, or camouflaging architectural treatment, except in instances where the color is dictated by federal or state authorities such as the Federal Aviation Administration. **This pole will be designed to blend through galvanizing materials.** 

(b)

Communication towers if located within an R District or if located within 300 feet of an R District boundary line shall be of a monopole design, unless the Board of Adjustment determines by special exception that an alternative design would adequately blend into the surrounding environment, or that the required antennas cannot be supported by a

#### monopole. This pole is designed as a monopole.

(c)

If an antenna is installed on a structure other than a tower, the antenna mechanical equipment must be of a color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

## This section is not applicable.

3.

Not Essential Services. Towers and antennas shall be regulated and permitted pursuant to this ordinance and shall not be regulated or permitted as essential services, public utilities, or private utilities.

#### Understood.

4.

Tower Lighting. Towers shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other federal or state authority for a particular tower. When incorporated into the approved design of the tower, light fixtures used to illuminate ball fields, parking lots, or similar areas may be attached to the tower.

This tower is not proposed to be lit.

5.

Signs and Advertising. The use of any portion of a tower for signs other than warning or equipment information signs is prohibited.

### No signs or advertising are proposed.

6.

Accessory Utility Buildings. All utility buildings and structures accessory to a tower shall meet all the requirements of the underlying zoning district. Exterior ground mounted equipment occupying more than 50 square feet shall be screened from view from property within 150 feet used for residential purposes.

No equipment shelter is proposed. The ground equipment will be contained within cabinets. Natural vegetation and prior existing trees will provide screening to the west. 7.

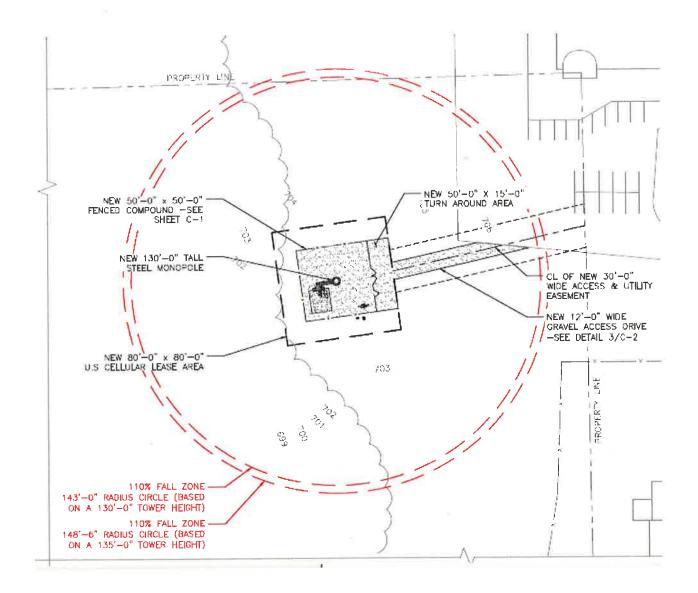
The following setback requirements shall apply to all towers; provided,

however, that the Board of Adjustment may modify the requirements by special exception;

(a)

Towers must be set back a distance equal to at least one hundred ten percent (110%) of the height of the tower from any adjoining lot line of a residential, office or agricultural zoned lot, excluding expressway rightsof-way zoned residential.

Please see the certified pole structural letter provided by the pole manufacturer. Please note that a couple foot exception may be necessary for the current placement. The church also owns the northern parcel that is depicted in this site plan excerpt right here:



(b)

Guys and accessory buildings must satisfy the minimum zoning district setback requirements.

## No guy wires or accessory buildings are proposed.

8.

Security Fencing. Towers shall be enclosed by security fencing not less than six

(6) feet in height or shall be equipped with an appropriate anti-climbing device; provided, however, that the Board of Adjustment may modify or waive such requirements by special exception.

#### A six foot security fence with three strands of barbed wire is planned. D.

Antennas and Towers Permitted by Administrative Approval. Antennas or towers, except those approved or requiring approval by the Board of Adjustment (Section 1204.3.E), shall be permitted by right, provided a permit is obtained from the County Building Inspector prior to construction and provided that the towers shall comply with the following standards.

## Tulsa County is of the opinion that a BOA hearing is required per Section 310, Table 1.

1.

When located in C, I, or IR zoning districts, provided that towers shall be set back from an R District boundary line one-hundred ten percent (110%) of the height of the tower measured at grade. The setback may be modified by special exception by the Board of Adjustment pursuant to Section 1680 of this code; or

## This Section is not applicable.

2.

When antennas are to be attached to a roof or wall of buildings in commercial or industrial zones, or to office or multi-family buildings of two or more stories, or to institutional buildings such as schools, churches and hospitals with existing architectural elements more than thirty-five (35) feet tall, provided that:

## This Section is not applicable.

(a)

An antenna does not extend more than twenty (20) feet above the highest point of the building, or, if located on an architectural feature such as a steeple or bell tower, does not protrude above that structure; provided, however, that the Board of Adjustment may modify such requirements by special exception; and

(b)

The antennas comply with all applicable FCC and FAA regulations; and (c)

The antennas comply with all applicable building codes.

3.

When antennas are to be attached to an existing tower, or other structure not mentioned in 1204.3.D.2. neither of which is located in a residentially-zoned district.

## This Section is not applicable.

4.

When the tower is to be modified or reconstructed to accommodate the collocation of antennas; and

## This Section is not applicable.

(a)

The tower is of the same type as the existing tower or is to be constructed as a monopole; and

(b)

The modification or reconstruction does not exceed thirty (30) feet over the height of the existing tower and all requirements of Section 1204.C. are met.

E.

Antenna and Towers Requiring Special Exceptions. If a tower or antenna is not permitted pursuant to Section 1204.3.D. of this chapter, a special exception shall be required for the construction of a tower in all zoning districts.

## Per Tulsa County, a special exception is required.

1.

Factors to be considered in granting a special exception. In addition to any other requirements of this section, the following factors shall be considered in the determination to grant or deny a special exception for an antenna or tower:

(a)

Height of the proposed tower,

## The pole will be 130' tall. This height is necessary for coverage of the populated area of Turley.

(b)

Proximity of the tower to residential structures, residential district boundaries and existing towers;

The nearest existing tower was evaluated and found to be insufficient for the coverage objectives of the commercial area. The nearest tower is .58 miles to the SE near Fire Station Number 19.

The proposal is east of a treed area. Mature trees intervene between the nearest unaffiliated home and the project location. The nearest home that is not on a church parcel is approximately 415' to the west of the project location. The nearest home located on church parcels is approximately 240' to the southeast.

The proposal is in a setting that is occupied by other tall structures, namely overhead utility lines.

(c) Nature of uses on adjacent and nearby properties;

The church is an adjacent use. The church is the landlord. The church owns an adjacent parcel. The other adjacent uses are vacant woods and an affiliated residence.

(d) Surrounding topography,

### The topography is basically flat.

(e) Surrounding tree coverage and foliate;

## There is natural screening in the area, namely a wooded area to the west.

(f)

Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;

## (g)

The total number and size of antennas proposed and the ability of the proposed tower to accommodate collocation;

#### Please see the submitted construction drawings. The tower will be equipped for co-location. The antennas will be located on a mount on the pole.

(h)

Architectural design of utility buildings and accessory structures to blend with the surrounding environment;

Equipment cabinets will be utilized. The cabinets are approximately 4 feet tall.

(i)

Proposed ingress and egress;

The pole will be accessed from the church parking lot.

#### (j)

The need of the applicant for a communications tower within the immediate geographic area to provide an acceptable level of communications service to the area;

US Cellular does not have a facility in Turley. The search parameters were designed to support coverage in the dense locations in Turley where service upgrades are necessary. The project was placed near the commercial areas to provide antennas in those directions.

(k)

The size of the tract and the most likely future development as indicated by the Comprehensive Plan, planned infrastructure, topography and other physical facts;

(1)

Landscaping.

The determination of the need for landscaping is pending. US Cellular is willing to landscape as advised.

Collocation. Collocation of facilities should be encouraged wherever practical by allowing reasonable extra height or tower diameter necessary to support multiple antennas.

## The pole is proposed at a height that will support collocation options.

3.

The findings of the Board of Adjustment as to each of these factors shall be made on the record and contained in the written minutes of the meeting. County

12-9

05/05/08

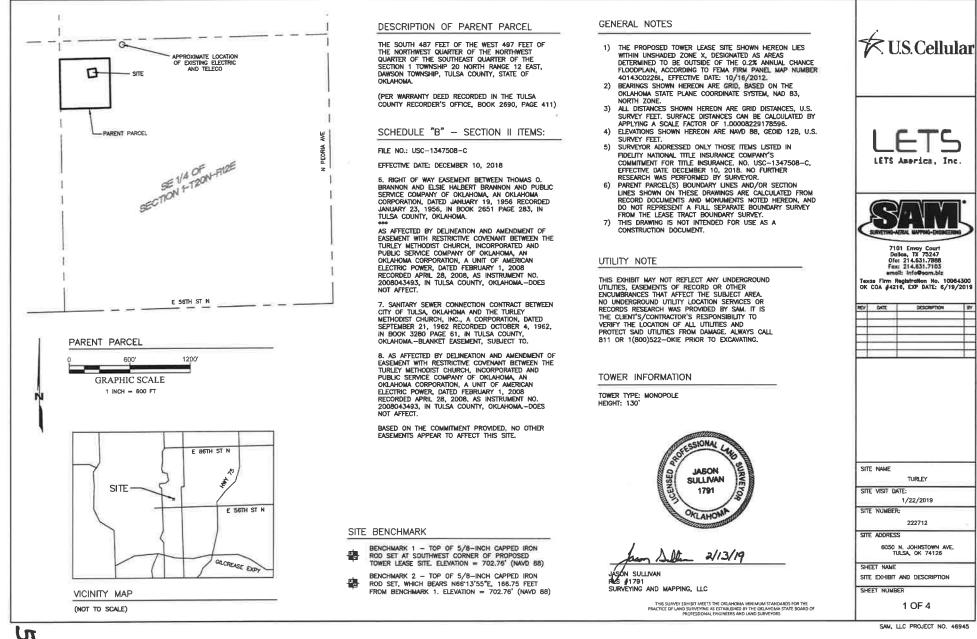
F.

Existing Towers and Antennas. Antennas and towers lawfully existing at the time this ordinance is adopted shall be allowed to continue their usage as they presently exist. Routine maintenance, including antenna replacement, shall be permitted on such existing towers. New construction other than routine maintenance shall require compliance with the requirements of this ordinance.

1204.4

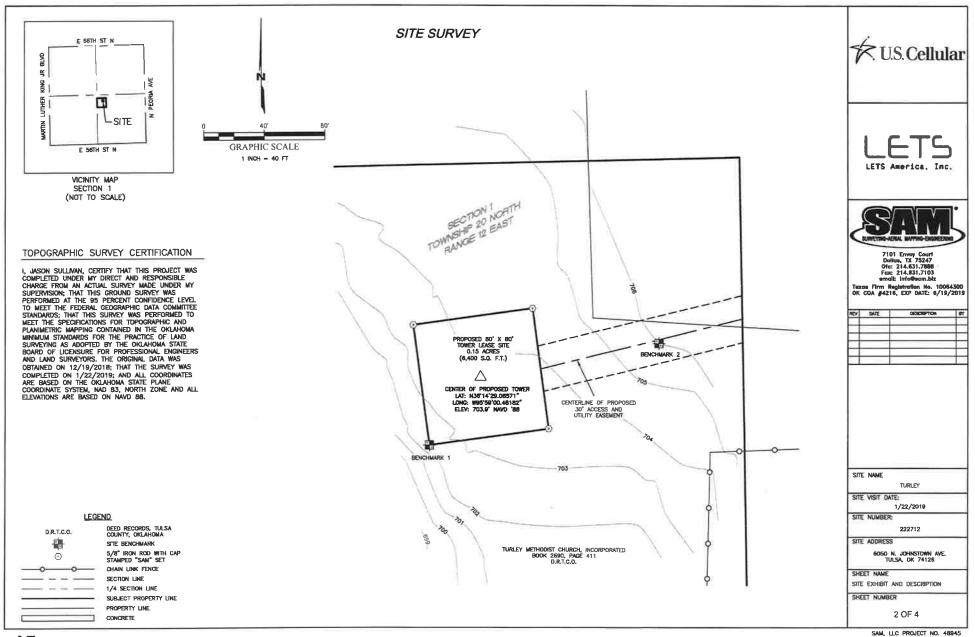
Off-Street Parking and Loading Requirements:

None.

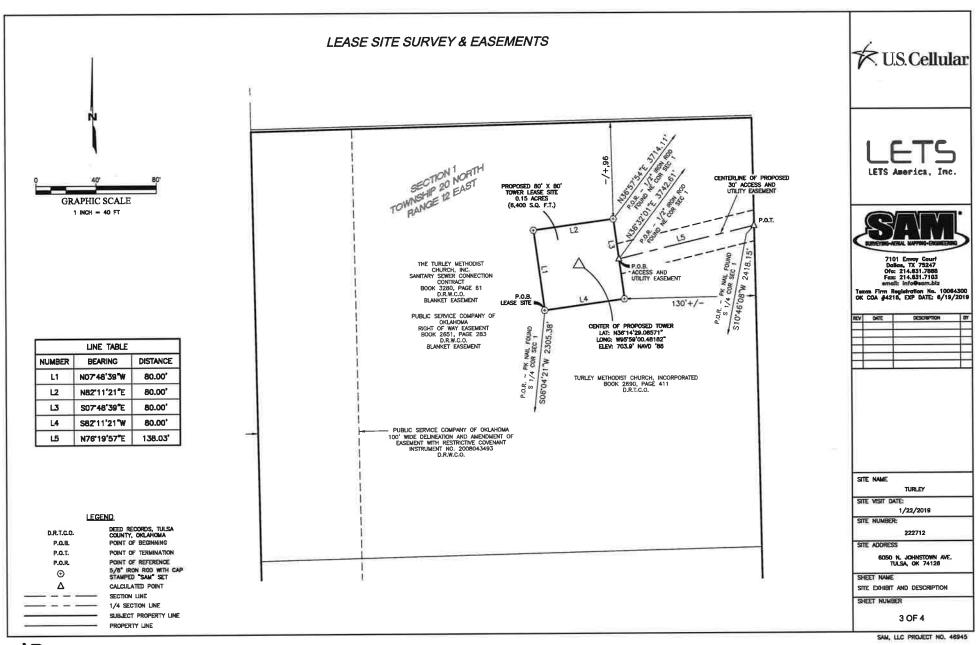


SAM, LLC PROJECT NO. 46945

111



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#### PROPOSED TOWER LEASE SITE DESCRIPTION:

BEING A TRACT OF LAND SITUATED IN THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 12 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA AND BEING PART OF A TRACT OF LAND DESCRIBED IN DEED TO TURLEY METHODIST CHURCH, INCORPORATED, RECORDED IN BOOK 2650, PAGE 411 OF THE DEED RECORDS OF TULSA COUNTY, OKLAHOMA (D.R.T.C.O.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD WITH CAP STAMPED "SAM" SET FOR CORNER, FROM WHICH A PK NAIL FOUND AT THE SOUTH 1/4 CORNER OF SAID SECTION 1 BEARS SOUTH 06 DEGREES 04 MINUTES 21 SECONDS WEST, A DISTANCE OF 2,305.38 FEET;

THENCE NORTH 07 DEGREES 48 MINUTES 39 SECONDS WEST, A DISTANCE OF 80.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SAM" SET FOR CORNER;

THENCE NORTH 82 DEGREES 11 MINUTES 21 SECONDS EAST, A DISTANCE OF 80.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SAM" SET FOR CORNER, FROM WHICH A 1/2-INCH IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID SECTION 1 BEARS NORTH 35 DEGREES 57 MINUTES 54 SECONDS EAST, A DISTANCE OF 3,714.11 FEET;

THENCE SOUTH 07 DEGREES 48 MINUTES 39 SECONDS EAST, A DISTANCE OF B0.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SAM" SET FOR CORNER;

THENCE SOUTH 82 DEGREES 11 MINUTES 21 SECONDS WEST, A DISTANCE OF 80.00 FEET, BACK TO THE POINT OF BEGINNING, CONTAINING 6,400 SQUARE FEET, OR D.15 OF AN ACRE OF LAND, MORE OR LESS.

PROPOSED ACCESS AND UTILITY EASEMENT DESCRIPTION:

BEING A 30 WIDE STRIP OF LAND SITUATED IN THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 12 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA AND BEING PART OF A TRACT OF LAND DESCRIBED IN DEED TO TURLEY METHODIST CHURCH, INCORPORATED, RECORDED IN BOOK 2690, PAGE 411 OF THE DEED RECORDS OF TULSA COUNTY, OKLAHOMA (D.R.T.C.O.), AND BEING 15 FEET EACH SIDE OF A CENTERUINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF A 80' X 80' PROPOSED TOWER LEASE SITE, FROM WHICH A 1/2-INCH IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID SECTION 1 BEARS NORTH 36 DEGREES 32 MINUTES 01 SECONDS EAST, A DISTANCE OF 3,742,81 FEET.

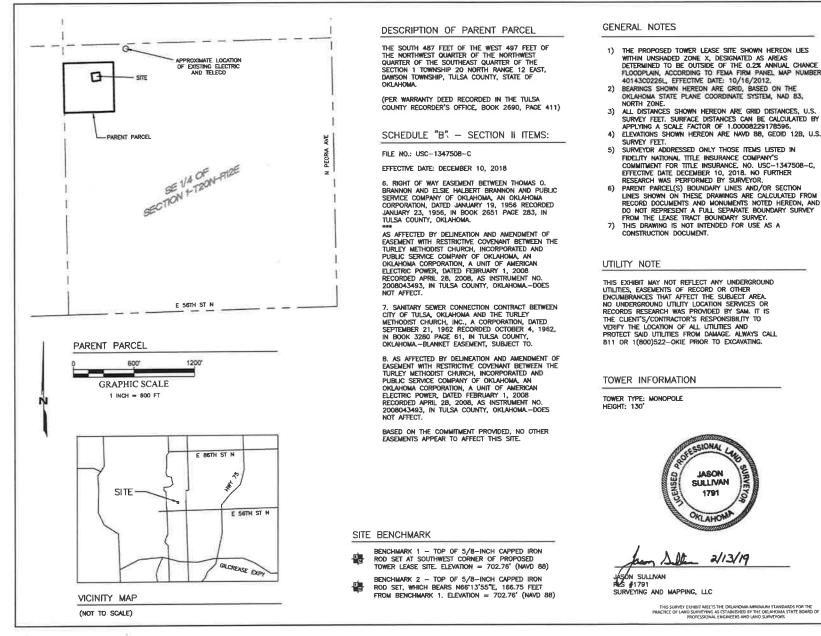
THENCE NORTH 76 DECREES 19 MINUTES 57 SECONDS EAST, A DISTANCE OF 138.03 FEET TO THE EAST LINE OF SAID TURLEY TRACT TO AND FOR THE POINT OF TERMINATION, FROM WHICH A PK NAIL FOUND AT THE SOUTH 1/4 CORNER OF SAID SECTION 1 BEARS SOUTH 10 DECREES 46 MINUTES 08 SECONDS WEST, A DISTANCE OF 2.418.15 FEET.



🛠 U.S. Cellular

SAN, LLC PROJECT NO. 46945

<b>U.S</b> .		<b>lar.</b> 6050 N T 130	EW SITE BUILD TURLEY 222712 N, JOHNSTOWN AVE. ULSA, OK 74126 V-0" - MONOPOLE		US Cellular JS45 H. 120H SHEET BROOFELD. W SLOS CLOR: FORMULATION OF WORK AND AND US TO A SUBJECT OF WORK AND AND US TO A SUBJECT OF US T
VICINITY MAP	PROJECT INFORMATION           PERCENT, CHARGE METRODUCT CHURCH TURS, OK JUNESTOWMOMET CHURCH TURS, OK JUNESTOWMOMET CHURCH TURS, OK 74126           PHONE: (918) 605-4131           1A.INCOMMETON: TOWER BASE TOWER BASE CELTURE SS 14' 29.06571' (36.241407) LON: 95' 59' 00.48182' (-55.983467) GROUND ELEVATION (NWO B8): 703.9' TOWER OMEE: US: CELTURE SS 45 N 124'H STREET BROOKFELD, WISSTON'S 100'S 100'S SS45 N 124'H STREET BROOKFELD, WISSTON'S 100'S SS45 N 124'H STREET SS45 N 124'H STREET SS46 N 124'H 1	SCOPE OF WORK  INSTALL (2) NEW U.S. CELULAR PANEL ANTENNAS WODE: DENOTO OCTB-2UX2HX-BMSS 0 120-0° RAD CENTER INSTALL (3) NEW U.S. CELULAR PANEL ANTENNA MODE: DENOTO OCTB-2UX2HX-BMSS 0 120-0° RAD CENTER INSTALL (3) NEW U.S. CELULAR RAYSA MODE: MISSOLE DULAR BAND RRH AHLGA (B12/B71) INSTALL (2) NEW U.S. CELULAR RAYSA MODE: NISSOLE DULAR CATCAP SPD MODE: RUSCACE COULD AR 1-1/4* HYBRID CABLE  ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE FUNCTIONAL EVENTIES BULDING CODE 2015 INTERNATIONAL EVENTIES BULDING CODE 2015 INTERNATIONAL EVENTIES BULDING CODE 2015 INTERNATIONAL PLANCE MODE 2015 INTERNATIONAL PLANCE CODE 2015 INTERNATIONAL FUEL CAS CODE 2015 INTERNATIONAL ELECTRICAL CODE 201	SHEET INDEX SHEET SHEET SHEET T-1 TITLE SHEET 2-5 SURVEY* T-1 SPECIFICATIONS SP-2 SPECIFICATIONS SP-2 SPECIFICATIONS SP-2 SPECIFICATIONS A-1 OVERALL SITE PLAN A-1 A-2 COMPOUND PLAN & SITE PHOTOS A-3 GRADING PLAN A-2 COMPOUND PLAN & SITE PHOTOS A-3 GRADING PLAN A-5 EOUIPMENT DETAILS C-2 EOUIPMENT DETAILS C-2 EOUIPMENT DETAILS C-2 CONSTRUCTION DETAILS C-2 CONSTRUCTION DETAILS C-2 CONSTRUCTION DETAILS C-2 CONSTRUCTION DETAILS C-3 GROUNDING DETAILS C-4 GROUNDING DETAILS C-5 GROUNDING	CIES PRIOR TO	IT IS INSEER IS SET INSUER A SESS MEDINE A SESS



- 1) THE PROPOSED TOWER LEASE SITE SHOWN HEREON LIES WITHIN UNSHADED ZONE X, DESIGNATED AS AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO FEMA FIRM PANEL MAP NUMBER
- BEARINGS SHOWN HEREON ARE GRID, BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NAD 83,
- ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES, U.S. SURVEY FEET. SURFACE DISTANCES CAN BE CALCULATED BY APPLYING A SCALE FACTOR OF 1.00008229178596.
- SURVEYOR ADDRESSED ONLY THOSE ITEMS LISTED IN
- FIDELITY NATIONAL TITLE INSURANCE COMPANY'S COMMITMENT FOR TITLE INSURANCE. NO. USC-1347508-C, EFFECTIVE DATE DECEMBER 10, 2018. NO FURTHER RESEARCH WAS PERFORMED BY SURVEYOR.
- LINES SHOWN ON THESE DRAWINGS ARE CALCULATED FROM RECORD DOCUMENTS AND MONUMENTS NOTED HEREON, AND DO NOT REPRESENT A FULL SEPARATE BOUNDARY SURVEY FROM THE LEASE TRACT BOUNDARY SURVEY.
- 7) THIS DRAWING IS NOT INTENDED FOR USE AS A

UTILITIES, EASEMENTS OF RECORD OR OTHER ENCUMBRANCES THAT AFFECT THE SUBJECT AREA. NO UNDERGROUND UTILITY LOCATION SERVICES OR RECORDS RESEARCH WAS PROVIDED BY SAM. IT IS THE CLIENT'S/CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES AND PROTECT SAID UTILITIES FROM DAMAGE. ALWAYS CALL 811 OR 1(800)522-OKIE PRIOR TO EXCAVATING.



2/13/19

THIS SURVEY EXHIBIT MEETS THE ORLAHOMA MITHIMUM STANDAADS FOR THE PRACTICE OF LAND SURVEYING AS CSTABLISHED BY THE OKLAHOMA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS



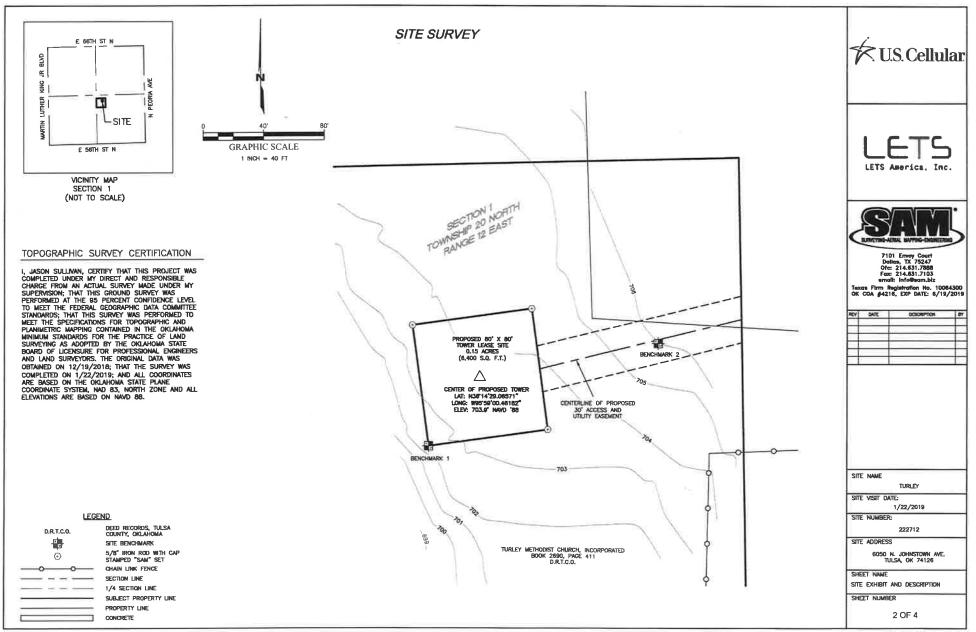
🛠 U.S. Cellular

DESCRIPTION RY ONTE (IT

SITE NAME
TURLEY
SITE VISIT DATE:
1/22/2019
SITE NUMBER:
222712
SITE ADDRESS
6050 N. JOHNSTOWN AVE. TULSA, OK 74126
SHEET NAME
SITE EXHIBIT AND DESCRIPTION
SHEET NUMBER

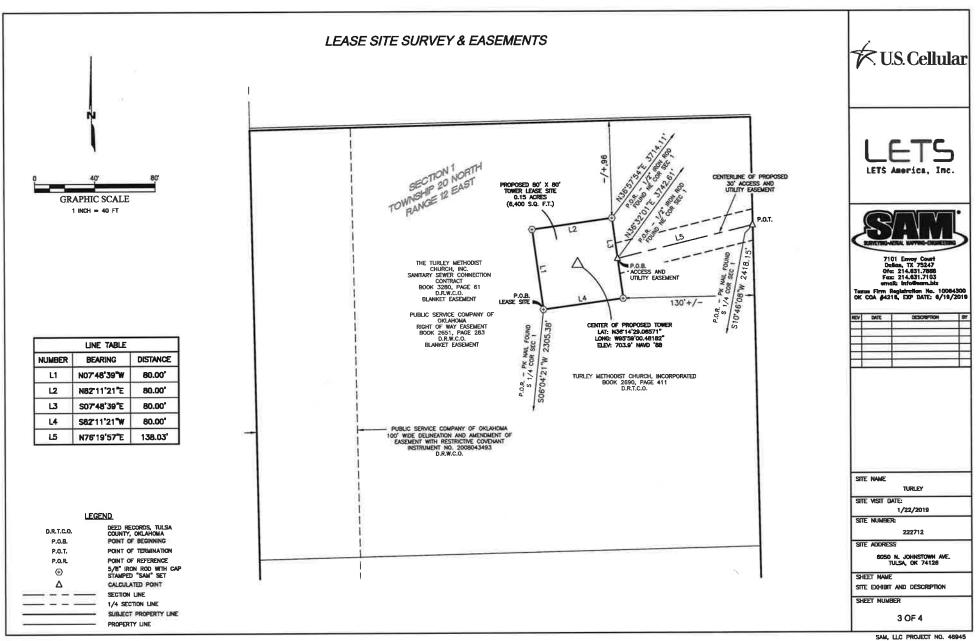
SAM, LLC PROJECT NO. 46945

1 OF 4



SAM, LLC PROJECT NO. 48945

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#### PROPOSED TOWER LEASE SITE DESCRIPTION:

BEING A TRACT OF LAND SITUATED IN THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 12 EAST OF THE INDIAN MERICIAN, TULSA COUNTY, OKLAHOMA AND BEING PART OF A TRACT OF LAND DESCRIBED IN DEED TO TURLEY METHODIST CHURCH, INCORPORATED, RECORDED IN BOOK 2590, PAGE 411 OF THE DEED RECORDS OF TULSA COUNTY, OKLAHOMA (D.R.T.C.O.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD WITH CAP STAMPED "SAM" SET FOR CORNER, FROM WHICH A PK NAIL FOUND AT THE SOUTH 1/4 CORNER OF SAID SECTION 1 BEARS SOUTH 06 DEGREES 04 MINUTES 21 SECONDS WEST, A DISTANCE OF 2,305.38 FEET;

THENCE NORTH 07 DEGREES 48 MINUTES 39 SECONDS WEST, A DISTANCE OF 80.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SAM" SET FOR CORNER;

THENCE NORTH B2 DECREES 11 MINUTES 21 SECONDS EAST, A DISTANCE OF 80.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SAM" SET FOR CORNER, FROM WHICH A 1/2-INCH IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID SECTION 1 BEARS NORTH 36 DECREES 57 MINUTES 54 SECONDS EAST, A DISTANCE OF 3,714.11 FEET;

THENCE SOUTH 07 DEGREES 48 MINUTES 39 SECONDS EAST, A DISTANCE OF 80.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SAM" SET FOR CORNER;

THENCE SOUTH 82 DEGREES 11 MINUTES 21 SECONDS WEST, A DISTANCE OF 80.00 FEET, BACK TO THE POINT OF BEGINNING, CONTAINING 6,400 SQUARE FEET, OR 0.15 OF AN ACRE OF LAND, MORE OR LESS.

#### PROPOSED ACCESS AND UTILITY EASEMENT DESCRIPTION:

BEING A 30' WIDE STRIP OF LAND SITUATED IN THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 12 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA AND BEING PART OF A TRACT OF LAND DESCRIBED IN DEED TO TURLEY METHODIST CHURCH, INCORPORATED, RECORDED IN BOOK 2590, PAGE 411 OF THE DEED RECORDS OF TULSA COUNTY, OKLAHOMA (O.R.T.C.O.), AND BEING 15 FEET EACH SIDE OF A CENTERLINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF A 80' X 80' PROPOSED TOWER LEASE SITE, FROM WHICH A 1/2-INCH IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID SECTION 1 BEARS NORTH 36 DEGREES 32 MINUTES 01 SECONDS EAST, A DISTANCE OF 3,742.61 FEET,

THENCE NORTH 76 DEGREES 19 MINUTES 57 SECONDS EAST, A DISTANCE OF 138.03 FEET TO THE EAST LINE OF SAID TURLEY TRACT TO AND FOR THE POINT OF TERMINATION, FROM WHICH A PK NAIL FOUND AT THE SOUTH 1/4 CORNER OF SAID SECTION 1 BEARS SOUTH 10 DEGREES 46 MINUTES 08 SECONDS WEST, A DISTANCE OF 2,418.15 FEET.

LETS America, Inc.	
7101 Envoy Court Dollos, TX 75247 Ofc: 214.631.7688 For: 214.631.7103	
amoli: info@som.biz Texca Firm Registration No. 10064300 OK COA #4216, EXP DATE: 8/19/2018	
REV DATE DESCRIPTION BY	
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SITE NAME TURLEY	1
SITE VISIT DATE: 1/22/2019	I
SITE NUMBER:	ł
222712	
SITE ADDRESS	1
6050 N. JOHNSTOWN AVE. TULSA, OK 74126	
SHEET NAME SITE EXHIBIT AND DESCRIPTION	
SHEET NUMBER	
4 OF 4	
SAM LLC PROJECT NO 48045	L

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SAM, LLC PROJECT NO. 46945

#### GENERAL REQUIREMENTS

- SITE WORK SHALL BE COMPLETED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS (US CELLULAR STANDARD PLANS AND SPECIFICATIONS) AND THE REFERENCED STANDARDS.
- A, ALL APPLICABLE LOCAL STATE AND FEDERAL CODES AND REGULATIONS.
- B. INTERNATIONAL BUILDING CODE (IBC) BUILDING OFFICIALS & CODE ADMINISTRATORS (BOCA) AS APPLICABLE.
- C. AMERICAN CONCRETE INSTITUTE (ACI).
- D. AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM)
- E. ELECTRONICS INDUSTRIES ASSOCIATION STANDARDS (EIA/TIA-222-F) MOST CURRENT VERSION ADOPTED BY SUBJECT STATE.
- F. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA).
- 2. WHERE A CONFLICT OCCURS BETWEEN REFERENCED STANDARDS AND US CELLULAR STANDARD PLANS AND SPECIFICATIONS, THE MORE STRINGENT STANDARD SHALL APPLY.
- 3. THE FACILITY IS AN UNOCCUPIED SPECIALIZED MOBILE RADIO FACILITY.
- 4. PLANS ARE NOT TO BE SCALED AND ARE INTENDED TO BE A DIAGRAMMATIC OUTLINE ONLY. UNLESS NOTED OTHERWISE THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, AND LABOR INCCESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAMMINGS.
- PRIOR TO THE SUBMISSIONS OF THE BIDS, THE CONTRACTOR SHALL VISIT THE JOB SITE AND BECOME FAMILIAR WITH THE FIELD CONDITIONS, ANY DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE.
- 6. THE CONTRACTOR SHALL RECEIVE IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY IDENTIFIED BY THE CONTRACT DOCUMENTS.
- THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY OTHERWISE NOTED.
- 8. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK USING BEST SKILLED PERSSONEL THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATION ALL PORTIONS OF THE WORK UNDER THE CONTRACT INCLUDING CONTACT AND COORDINATION WITH THE LANDLORGE ANTHORACE DEREFESENTATIVE.
- 9. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF THE SITE AND NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES BEFORE STARTING ANY WORK.
- WHEN CONTRACTOR'S ACTIVITIES IMPEDE OR OBSTRUCT TRAFFIC FLOW, CONTRACTOR SHALL PROMDE TRAFFIC CONTROL DEVICES, SIGNS, AND FLAGMEN IN ACCORDANCE WITH PART VI OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AS PUBLISHED BY THE FORMAL HIGHWAY ADMINISTRATION.
- 11. THE CONTRACTOR SHALL COORDINATE SITE ACCESS AND SECURITY WITH THE PROPERTY OWNER AND US CELLULAR PRIOR TO CONSTRUCTION.
- 12. THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS SUCH AS BUT NOT LIMITED TO, PAVING, CURBS, AGRICULTURAL CROPS, DRAIN TILE, FENCES, LANDSCAPING, GALVANIZED SURFACES, ETC. AND UPON COMPLETION OF WORK REPAIR ANY DAMAGE THAT OCCURRED DURING CONSTRUCTION.
- 13. THE LOCATIONS OF UTILITIES SHOWN ON THE PLAN ARE BASED ON EXISTING RECORDS, FIELD LOCATIONS OR OWNER SUPPLIED INFORMATION AND MAY NO BE ACCURATE. THE CONTRACTOR SHALL MARK ALL PUBLIC & PRIVATE UTILITIES. THE CONTRACTOR SHALL CALL THE LOCAL "ONE CALL" PROVIDER A MINIMUM OF THREE BUSINESS DAYS PRIOR TO EXCAVATIONS TO ALLOW MEMBER UTILITIES TO LOCATE THEIR FACILITIES. THE PROPERTY OWNER SHALL BE NOTIFIED IN A SIMILAR FASHION TO ALLOW HIM TO LOCATE HIS PRAVATE UTILITIES.
- 14. WHEN EXCAVATING AROUND UTLITTES, THE CONTRACTOR SHALL USE REASONABLE CARE IN LOCATING AND PROTECTING UTLITTES. US CELLULAR SHALL BE NOTIFIED IMMEDIATELY OF ANY CONFLICTS BETWEEN EXISTING UTLITTES AND PROPOSED CONSTRUCTION.
- 15. DAMAGE TO PUBLIC OF PRIVATE UTILITIES SHALL BE REPORTED TO US CELLIDAR AND THE OWNER OF THE UTITUT INMEDIATELY, ANY DAMAGE RESULTING FROM CONTRACTOR'S INEQUEDROE OR FALLURE TO ACT WITH DUE REGARD SHALL BE REPARED AT CONTRACTOR'S EXPENSE.
- UNLESS OTHERWISE NOTED ON THE PLANS, CONTRACTOR SHALL ASSUME ALL SURFACE FEATURES SUCH AS BUILDINGS, PAXEMENTS, LANDSCAPING FEATURES AND PLANTS ARE TO BE SAVED AND PROTECTED FROM DAMAGE.
- 17. KEEP THE CONSTRUCTION SITE CLEAN, HAZARD FREE AND DISPOSE OF ALL DIRT, DEBRIS, RUBBISH AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY, LEAVE PREMISES IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST OR SMUDGES OF ANY NATURE.
- 18. THE CONTRACTOR SHALL PROVIDE ON-SITE TRASH RECEPTACLES FOR COLLECTION OF NON-TOXIC DEBRIS. ALL TRASH SHALL BE COLLECTED ON A DAILY BASIS
- 19. ALL TOXIC AND ENVIRONMENTALLY HAZARDOUS SUBSTANCES SHALL BE USED AND DISPOSED OF IN ACCORDANCE WITH MANUFACTURER SPECIFICATIONS. UNDER NO CIRCUMSTANCES SHALL RINSING OR DUMPING OF THESE SUBSTANCES OCCUR ON-SITE.

- 20. THE CONTRACTOR SHALL MAINTAIN AND SUPPLY US CELLULAR WITH AS-BUILT PLANS UPON COMPLETION OF THE PROJECT.
- 21. MEANS AND METHODS OF CONSTRUCTION INCLUDING, BUT NOT LIMITED TO, THE DESIGN AND PLACEMENT OF FORMS AND SHORING ARE THE RESPONSIBILITY OF THE CONTRACTOR.
- 22. THE GENERAL CONTRACTOR SHALL COORDINATE/ASSIST DIFFERENT TRADE CONTRACTORS IN TERMS OF COORDINATION OF SITE ACCESS.
- 23, ALL ARCHITECTURAL, MECHANICAL & ELECTRICAL SYSTEM AND COMPONENTS IN THIS FACILITY SHALL BE INSTALLED TO RESIST WIND, ICE AND SNOW FORCES AS PER NATIONAL STANDARDS AND BUILDING CODES (UNTEST ADDREDE DEITION).
- 24. US CELLULAR WILL OBTAIN NECESSARY PERMITS AND LICENSES FROM THE FEDERAL COMMUNICATIONS COMMISSION (FCC) AND THE FEDERAL AVAILON ADMINISTRATION (FAM). UNLESS OTHERWISE NOTED IN THE PLANS OR SPECIAL PROVISIONS, CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND PATING FOR ALL OTHER PERMITS NECESSARY FOR CONSTRUCTION.
- 25. US CELLULAR WILL ORDER AND PAY FOR ANY NECESSARY ELECTRIC AND TELEPHONE UTILITY INSTALLATIONS TO THE POINT OF TERMINATION AS SHOWN ON THE PROJECT PLANS, CONTRACTOR SHALL BE RESPONSIBLE FOR COORDMATION WITH UTILITIES.
- 26. US CELLULAR WILL PROVIDE PRIMARY HORIZONTAL AND VERTICAL CONTROL FOR CONSTRUCTION CONTRACTOR WILL BE RESPONSIBLE TO CORRECTLY TRANSFER LINE AND GRADE. THE CONTRACTOR SHALL PROVIDE ANY ADDITIONAL STAKING OR RE-STAKING.
- 27. US CELLULAR MAY RETAIN THE SERVICES OF A TESTING LABORATORY TO PERFORM QUALITY ASSURANCE TESTING ON VARIOUS PORTIONS OF THE CONTRACTORS WORK. 10. WHEN REQUESTED, THE CONTRACTOR SHALL INFORM THE TESTING LABORATORY AND ASSIST THEM IN COMPLETING TESTS,
- 28. THE CONTRACTOR SHALL PROVIDE ANY TEMPORARY UTILITIES OR FACILITIES IT DEEMS NECESSARY TO COMPLETE IT'S WORK, THIS INCLUDES, BUT IS NOT LIMITED TO WATER, SEWER, TELEPHONE, HEAT, UDATING OR SECURITY.
- 29. NOTIFY ENGINEER 2 DAYS IN ADVANCE OF INITIATING SITE CONSTRUCTION ACTIVITIES.

#### DEMOLITION

- PERFORM DEMOLITION AND REMOVAL OF EXISTING MATERIALS OR STRUCTURES AS SHOWN ON THE PLANS AND AS SPECIFIED IN SPECIAL CONDITIONS. PROTECT EXISTING FACILITIES OR STRUCTURES THAT ARE TO REMAIN.
- 2. COMPLETE DEMOLITION IN A SYSTEMATIC MANNER BEGINNING AT THE HIGHEST LEVEL
- 3. NEATLY SAW OR CUT JOINTS AT THE LIMITS OF REMOVAL; WHENEVER POSSIBLE LOCATE CUTS AT EXISTING JOINTS.
- PATCH AND REPAIR ANY DAMAGED SURFACES OR STRUCTURAL MEMBERS AT THE LIMITS OF REMOVAL.
- REMOVAL DEMOLITION DEBRIS FROM THE SITE ON A REGULAR BASIS. DISPOSE ALL DEBRIS OFFITE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS. BURNING OF MATERIAL SHALL NOT BE ALLOWED UNLESS OTHERWISE NOTED IN THE PLANS OR SPECIAL PROVISIONS.

#### CLEARING AND GRUBBING

- 1. REMOVE TREES, STUMPS, SHRUBS, GRASS AND OTHER VEGETATION AS SHOWN ON THE PLANS TO ALLOW FOR CONSTRUCTION OF NEW CELLULAR FACILITIES.
- 2. WHEN POSSIBLE, NEATLY TRIM OR CUT BACK EXISTING TREES OR VEGETATION TO ALLOW FOR CONSTRUCTION OF NEW CELLULAR FACILITIES.
- 3. WHEN CLEARING TREES, PROTECT ALL SURROUNDING STRUCTURES, PAVEMENTS AND LANDSCAPING BY TOPPING, TRIMMING AND USING GUY LINES.
- 4. COMPLETELY REMOVE ALL STUMPS AND ROOTS, STUMPS AND ROOTS MAY BE REMOVED BY GRUBBING, CHIPPING OR GRINDING,
- DISPOSE OF ALL DEBRIS OFFSITE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS, BURNING OF MATERIAL SHALL NOT BE ALLOWED UNLESS OTHERWISE NOTED IN THE PLANS OR SPECIAL PROVISIONS.

#### EARTHWORK

- REMOVE TOPSOIL FROM BENEATH ALL PROPOSED ROADS, PARKING AREAS, BUILDINGS AND AREAS TO RECEIVE MORE THAN 6" OF FILL STOCKPILE TOPSOIL FOR USE DURING RESTORATION.
- ALL TREES DESIGNATED TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION BY A 5 FOOT HIGH TREE BARRIER UTILIZING WIRE FENCING, OR PROTECTIVE SAFETY NETTING.
  - GRADE AREAS IN ACCORDANCE WITH ELEVATIONS AND GRADES SHOWN ON THE PLANS OR AS NECESSARY IN GRADING TO PROVIDE DRAINAGE.

- 4. FILL MATERIAL USED IN GRADING OPERATIONS SHALL CONSIST OF EARTH WHICH IS FREE OF DEBRIS, BOULDERS OR ORGANIC MATERIAL, FILL SHALL BE PLACED IN 12" LIFTS AND COMPACTED TO 90% OF MODIFIED PROCTOR MAXIMUM DRY DENSITY.
- ALL FILL SHALL BE TESTED FOR FIELD DENSITY. TESTS SHALL BE TAKEN IN EACH LIFT OF FILL AT LOCATIONS DESIGNATED BY THE OWNER'S REPRESENTATIVE.
- 5. SELECT GRANULAR FILL SHALL BE USED WHEN FILLING OR BACKFILLING GENEATH AND/OR AROUND ANY STRUCTURES. ROADS OR PARKING AREAS. SELECT FILL SHALL BE PLACED IN 9". LIFTS AND COMPACTED TO 95% OF THE MODIFED PROCTOR MAXIMUM BY? DENSITY, SELECT GRANULAR FILL SHALL CONSIST OF SAND, GRAVEL OR MIXTURE OF SAND AND GRAVEL FREE OF ORGANIC MATERIAL THE MATERIAL SHALL HAVE A 2" MAXIMUM SIZE LESS THAN 10% PASSING NO. 200 SIZVE. A PLASTICITY INDEX OF 6 OR LESS, AND A UNIFORMITY COEFFICIENT OF 5 OR GRATER.
- 7. ALL DISTURBED AREAS SHALL BE RESTORED AS SOON AS POSSIBLE WITH 4" TOPSOIL SEED, FERTILIZER AND MULCH. GRASS SEED SHALL BE A SUITABLE MIX CONTAINOR BOTH ANNUAL AND PERENNAL VARIENES OF FESCURE, RYE AND BLUEGRASS, FERTILIZER SHALL CONTAIN A MINIMUM OF 10% EACH OF NITROGEN, PHOSPHORIC ACID AND POTASH. MULCH SHALL BE A STRAW OR HAY MIXTURE FREE OF NOXIOUS WEED SEEDS, APPLY SEED AND FERTILIZER AS RECOMMENDED BY MANUFACTURER, MULCH SHALL BE CHIMPED AFTER APPLICATION.
- 8. THE CONTRACTOR SHALL VERIFY, UPON COMPLETION OF DEVELOPMENT, THE SITE IS PROPERLY STABILIZED AND ALL INDICATED SWALES & STORMWATER FACILITIES ARE CONSTRUCTED AS INDICATED ON THE PLANS.
- 9 TOWER, TOWER FOUNDATIONS, SLABS, MODULAR BUILDINGS AND ELECTRICAL AND MECHANICAL FEATURES ARE TO BE DESIGNED AND SPECIFIED BY OTHERS.
- EROSION CONTROL ALL MEASURES SHALL BE INSPECTED DAILY AND IMMEDIATELY FOLLOWING ALL RAIN FALL EVENTS. ALL DEFICIENCIES SHALL BE NOTED AND REPARED IMMEDIATELY.
- 11. SEDIMENTATION CONTROL- SEDIMENTATION CONTROL SHALL BE ACCOMPLISHED DURING CONSTRUCTION THROUGH THE USE OF SILT FENCING FUACED AS SHOWN ON THE ATTACHED PLAN, THE CONTROL EXPORES SHALL BE SET AT THE ONSET OF SITE GRADING TO PREVENT SILTING OF THE EXISTING STORWWATER FACILITIES.

#### EROSION CONTROL

3

- CONTRACTOR SHALL PROVIDE EROSION CONTROL MEASURES IN ACCORDANCE WITH THE MOST STRINGENT OF PROJECT PLANS. SPECIAL PROVISIONS. THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES "OKLAHOMA CONSTRUCTION STEE BEST MANAGEMENT PRACTICE HANDBOOK", OR LOCAL OPRINANCES.
- ESTABLISH EROSION CONTROL MEASURES PRIOR TO STARTING CONSTRUCTION AND MAINTAIN THROUGHOUT CONSTRUCTION. INSPECT EROSION CONTROL MEASURES FOLLOWING EACH RAINFALL EVENT AND REPAIR AS NECESSARY.

#### ROAD AND PARKING AREA CONSTRUCTION

- 1. PREPARE SUBGRADE FOR ROADS AND PARKING AREAS IN ACCORDANCE WITH "EARTHWORK" SECTION
- PROOF ROLL ROAD TO IDENTIFY UNSUITABLE MATERIALS, EXCAVATE UNSUITABLE MATERIAL, AND DISPOSE OFFSTIE, BACKFILL UNDERCUT EXCAVATION USING 3" BREAKE RUN MATERIAL, BREAKER RUN MATERIAL SHALL BE CRUSHED STONE MEETING THE FOLLOWING GRADATION:

SIEVE SIZE	% WEIGHT PASSING
3"	100
1 1/2"	0-50
3/4"	0-20
#200	0-10

PLACE CRUSHED AGGREGATE BASE COURSE IN MAXIMUM OF 6" THICK LIFTS IN ACCORDANCE WITH DETAIL DRAWINGS. MOISTURE CONDITION BASE COURSE AS NECESSARY TO ACHEVE COMPACTION. BASE COURSE SHALL BE COWRACTED. TO 95% OF THE MODIFIED FROCTOR MAXIMUM DRY DENSITY. BASE COURSE MATERIAL SHALL MEET THE FOLOWING REQUIREMENTS:

#### 3" BASE COURSE

SIEVE SIZE	% WEIGHT PASSING
3"	100
2 1/2"	25-60
3/4"	0-20
3/8*	0-5

	<b>US. Cellular</b> 3945 N. 12(TH STREET BROOKFELD, W 53005	
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IG	REV.         DATE         ISSUED         INT           A         0.3/04/19         90%         C0'S         SBP           B         05/17/19         95%         C0'S         SPH           C         08/29/19         95%         C0'S         SPH           O         09/17/19         95%         C0'S         SPH           O         08/18/19         05%         C0'S         SPH           D         09/18/19         00%         C0'S         SPH           D         09/18/19         00%         C0'S         SPH	
	NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET	
Ø	A DEFENSION MADHAN KUMAR KUMAR KANTHA SAMY 27578 041 AND RET RIG KET RIG KE	6/1
	222712 TURLEY 6050 N,JOHNSTOWN AVE. TULSA, OK 74126 TULSA COUNTY COUNTY	
	SHEET TILE TITLE SHEET	
	SHEET NUMBER	
	SP-1	

- (1997) -

1/2" BASE COURSE

SIEVE SIZE	% WEIGHT PASSING
1 1/2"	100
1*	70-100
3/4"	55-95
3/8"	30-65
<b>#</b> 4	25-55
#10	15-40
#200	0-10

4. PLACE BASE COURSE WITH CROWN OR UNIFORM SLOPE AS NECESSARY TO PROVIDE DRAINAGE FROM THE SITE

 GEOTEXTILE FABRIC SHALL BE USED IN THE EVENT OF UNSTABLE SOIL CONDITIONS. VERIFICATION OF SUCH CONDITIONS IS THE RESPONSIBILITY OF THE CONTRACTOR.

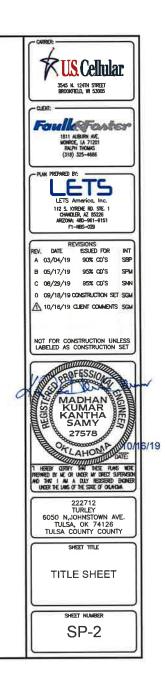
#### CONCRETE AND STEEL REINFORCEMENT

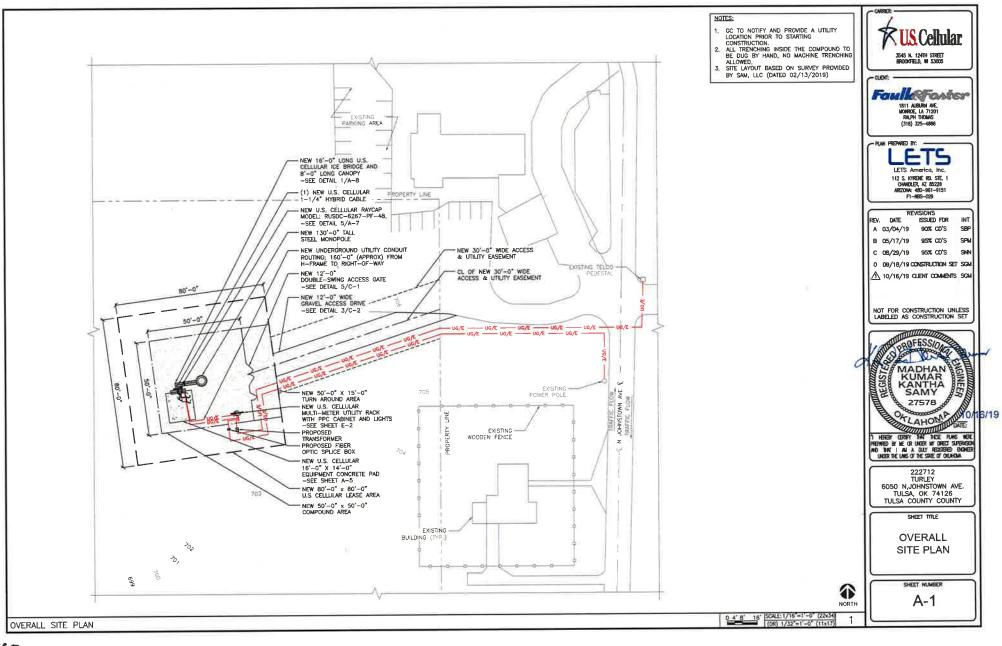
- 1. CONCRETE SHALL BE MIXED AND DELIVERED IN ACCORDANCE WITH ASTM C94, CONCRETE SHALL BE 6 BAG MIX HAVING A 28 DAY COMPRESSIVE STRENGTH OF 400D PS1. MAXIMUM ACGREGATE SIZE OF 1''. MAXIMUM WATER CEMENT PATIO OF 0.45, ARE ENTRAMMENT OF 637+/- 1', DEVIATIONS FROM THE MIX MUST BE APPROVED BY US CILLULAR PRIOR TO USE.
- 2. CONCRETE CONSTRUCTION SHALL BE COMPLETED IN ACCORDANCE WITH THE MOST STRINGENT OF: PROJECT PLANS, SPECIAL PROVISIONS, OR THE AMERICAN CONCRETE INSTITUTE (ACI) PUBLICATIONS, CONCRETE WORK FOR TOWER FOUNDATIONS SHALL BE COMPLETED IN ACCORDANCE WITH PLANS AND SPECIFICATIONS PROVIDED BY THE TOWER VENDOR.
- 3. FORM MATERIALS WILL COMPLY WITH ACI301. PLYWOOD FORMS SHALL BE APA B-B PLYFORM CLASS I SOUND SHEETS. LUMBER SHALL BE SPRUCE-PINE-FIR SPECIES ∦2 OR BETTER GRADE. TUBULAR COLUMN FORMS MAY BE SPRULY WOUND LAMINATED FIBER MATERIAL. FORM TES SHALL BE REMOVABLE OR SNAP-QFF METAL TYPE.
- 4. CONCRETE SHALL BE MADE OF CEMENT MEETING THE REQUIREMENTS OF ASTM C150, NORMAL TYPE I PORTLAND. FINE AND COARSE AGGREGATES FOR CONCRETE SHALL MEET THE REQUIREMENTS OF ASTM C33.
- PLACE SUPPORT AND SECURE REINFORCEMENT STEEL AT LOCATIONS SHOWN ON PLANS, REINFORCING STEEL SHALL BE PLACED IN ACCORDANCE WITH ACI315. REBAR YIELD STRENGTH: 60,000 PSI.
- 6. AIR ENTRAINING ADMIXTURES SHALL MEET THE REQUIREMENTS OF ASTM C260; WATER REDUCING ADMIXTURES SHALL MEET THE REQUIREMENTS OF ASTM C494, TYPE A. ALL OTHER ADMIXTURES ARE PROHMENTED WITHOUT PRIOR APPROVAL BY US CELLULAR.
- 7. VAPOR BARRIER SHALL BE 6 MIL THICK POLYETHYLENE, MEETING THE REQUIREMENTS OF ASTM D2103.
- 8. CURING COMPOUND SHALL MEET THE REQUIREMENTS OF ASTM C309.
- 9. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A185.
- 10 ALL CONSTRUCTION AND EXPANSION JOINTS SHALL BE INSTALLED PER THE DRAWINGS.
- 11. ALL EXPOSED CORNERS OF CONCRETE WORK SHALL BE CHAMFERED 3/4" UNLESS NOTED OTHERWISE.
- 12. PLACE, SUPPORT AND SECURE REINFORCEMENT STEEL AT LOCATIONS SHOWN ON PLANS. REINFORCING STEEL SHALL BE PLACED IN ACCORDANCE WITH ACI315.
- 13, ALL FORM WORK SHALL BE RIGID, TIGHT, LEVEL PLUMB AND SUFFICIENTLY SHORED TO RESIST CONSTRUCTION LOAD CONDITIONS. COAT FORMS WITH RELEASE AGENT PRIOR TO PLACING REINFORCING STEEL.
- 14, PREPARE SUBGRADE FOR CONCRETE IN ACCORDANCE WITH PROJECT PLANS AND SPECIAL PROVISION, DO NOT PLACE CONCRETE ON FROZEN SUBGRADE.
- 15, PROVIDE US CELLULAR A MINIMUM OF 24 HRS. NOTICE PRIOR TO PLACING CONCRETE TO ALLOW FOR INSPECTION AND SCHEDULING OF TESTING.
- 16.UTILIZE CHUTES, TROUGHS OR CONVEYORS TO PLACE CONCRETE SO THAT HANDLING OF CONCRETE IS MINIMIZED, AVOID SEGREGATION OF THE AGGREGATE AND DISTURBING REINFORCING STEEL.
- 17. UNIFORMLY CONSOLIDATE CONCRETE USING HAND TOOLS OR MECHANICAL VIBRATORS, THOROUGHLY CONSOLIDATE EACH LAYER PRIOR TO PLACING SUBSEQUENT LAYERS.
- 18. WHEN PLACING OPERATIONS ARE TEMPORARILY SUSPENDED, THE UNFINISHED FACE OF THE POUR SHALL BE COVERED WITH WET BURLAP UNTIL PLACING OPERATIONS ARE RESUMED. WHEN PLACING OPERATIONS ARE SUSPENDED FOR MORE THAN 30 MINUTES, PROVIDE AN UNBOINDED CONSTRUCTION JOINT.
- 19. TROWEL FINISH SURFACES UNLESS OTHERWISE DIRECTED ON THE PLANS.

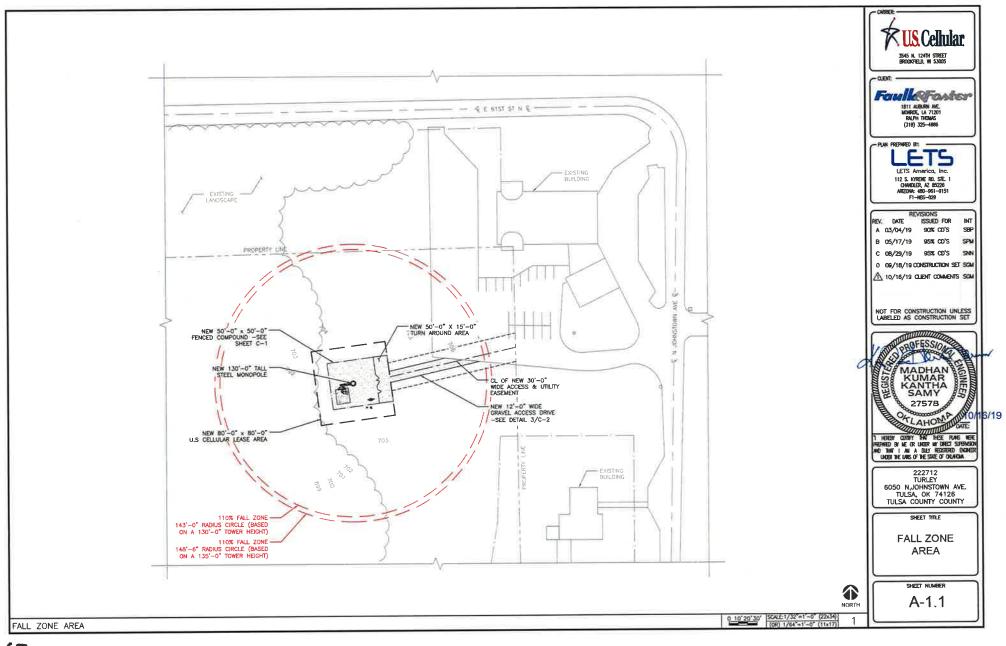
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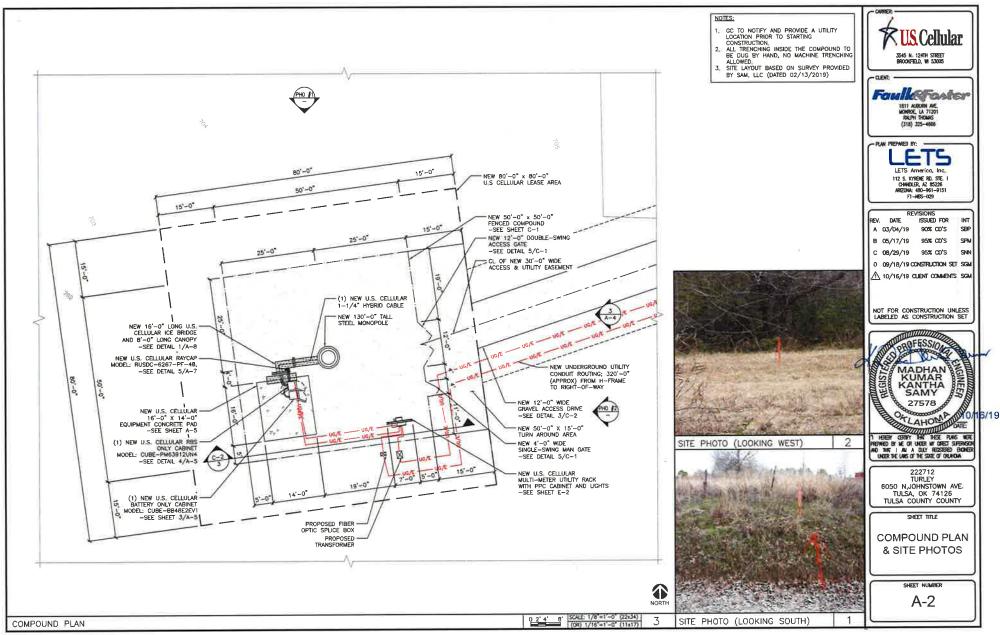
20. AFTER FINAL FINISHING, PROVIDE POLYETHYLENE VAPOR BARRIER OR CURING COMPOUND TO MAINTAIN MOISTURE AND TEMPERATURE OF CONCRETE.

- 21. IN EXTREME WEATHER PLACE AND CURE CONCRETE IN ACCORDANCE WITH EITHER ACI306R-89 FOR COLD WEATHER OR ACI305R-89 FOR HOT/WEATHER.
- 22, WELDING OF REINFORCING STEEL ARE PROHIBITED.
- $23_{\rm A}$  remove forms in a manner that does not damage the concrete, fill and patch and pockets or holes on exposed surfaces using mortar mixture,
- 24. PROVIDE TEST CYLINDERS AS FOLLOWS: A. EQUIPMENT ENCLOSURE:
  - 1 CYLINDER AT 7 DAYS 1 CYLINDER AT 14 DAYS 2 CYLINDER AT 28 DAYS.
- 25. NOTIFY ENGINEER 48 HOURS IN ADVANCE OF TOWER FOUNDATION INSTALLATION
- 26. REFER TO TOWER MANUFACTURER SPECIFICATIONS REGARDING FOUNDATION REQUIREMENTS.

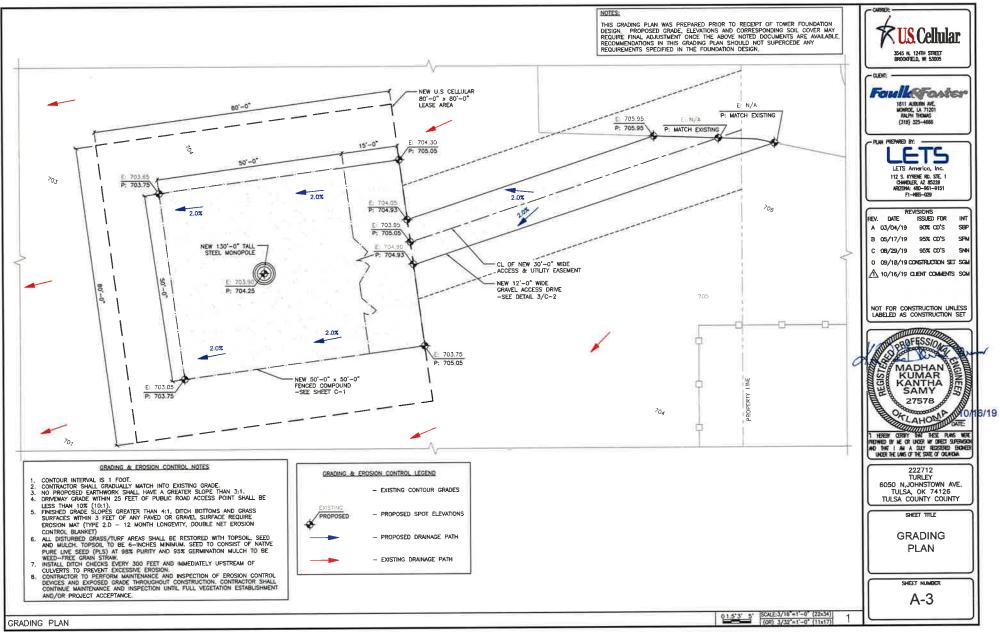




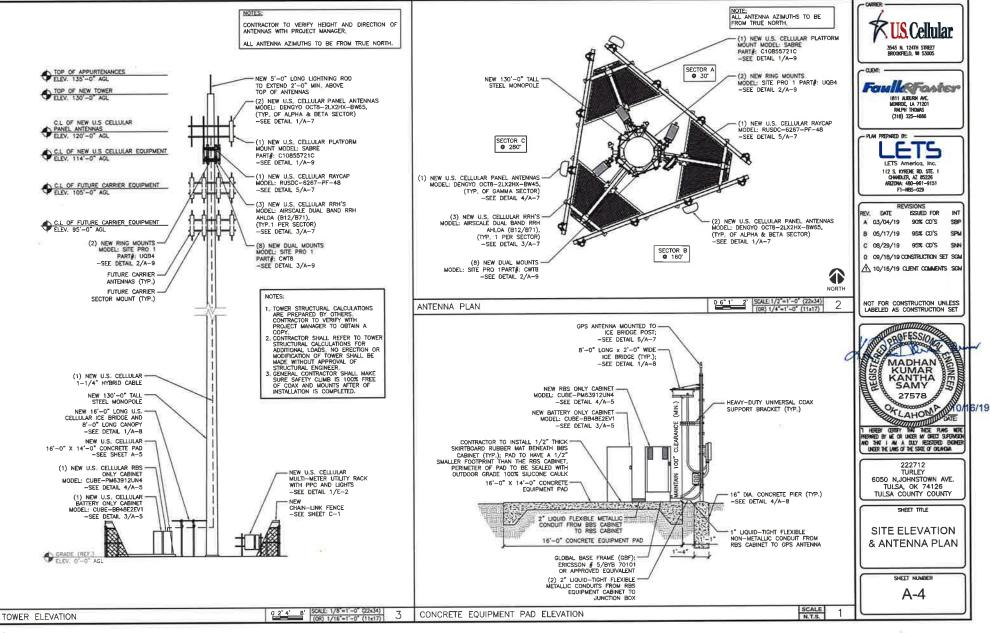


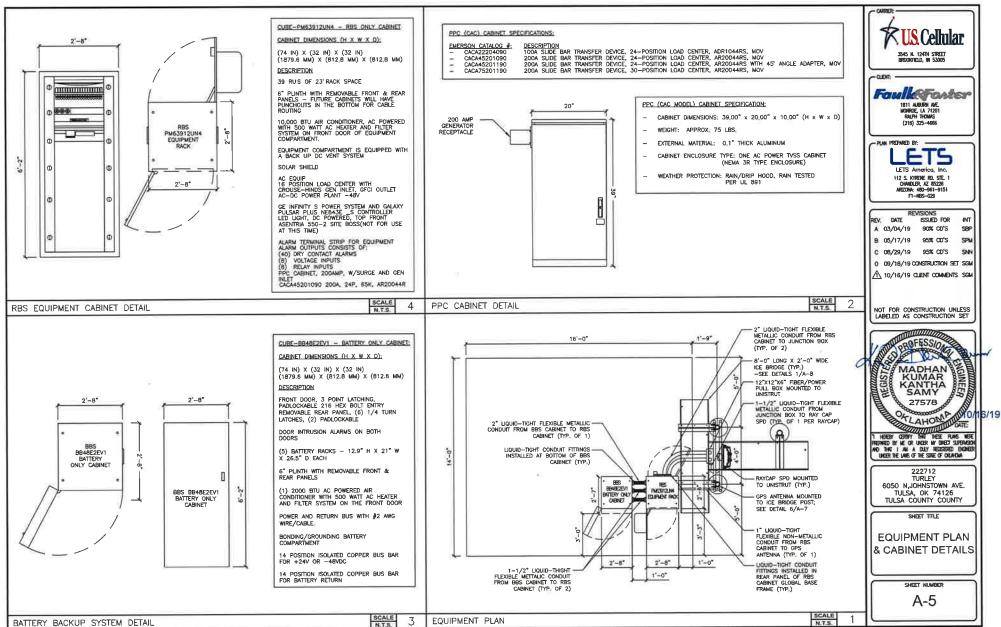


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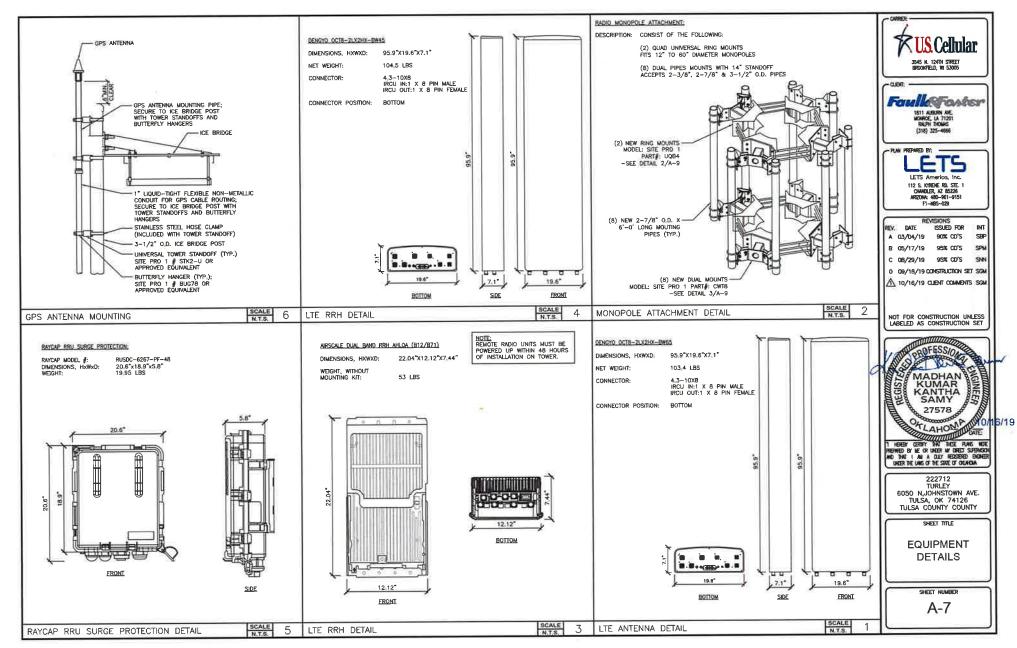
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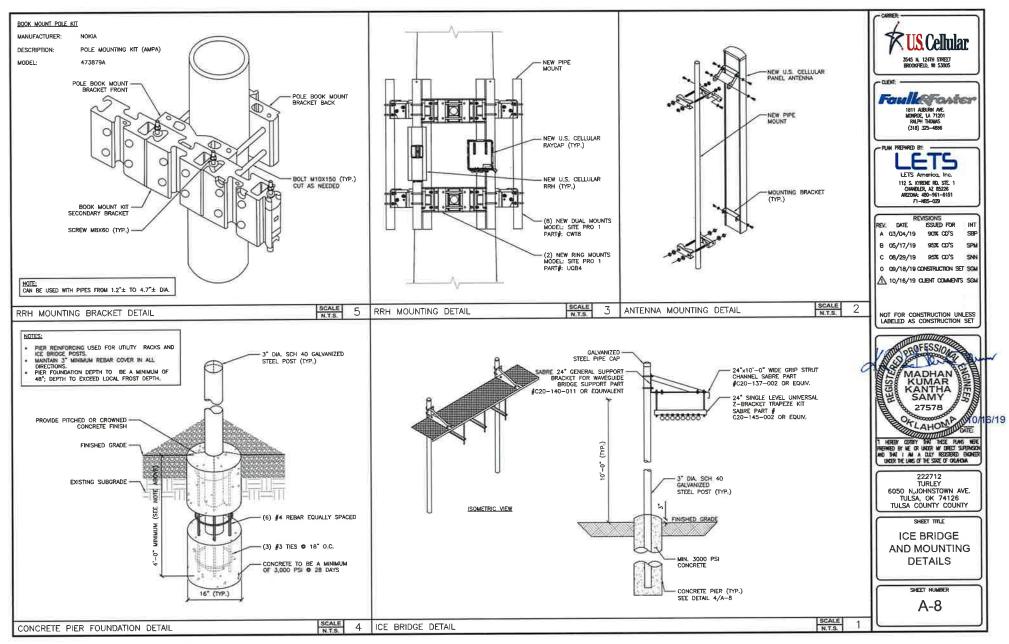


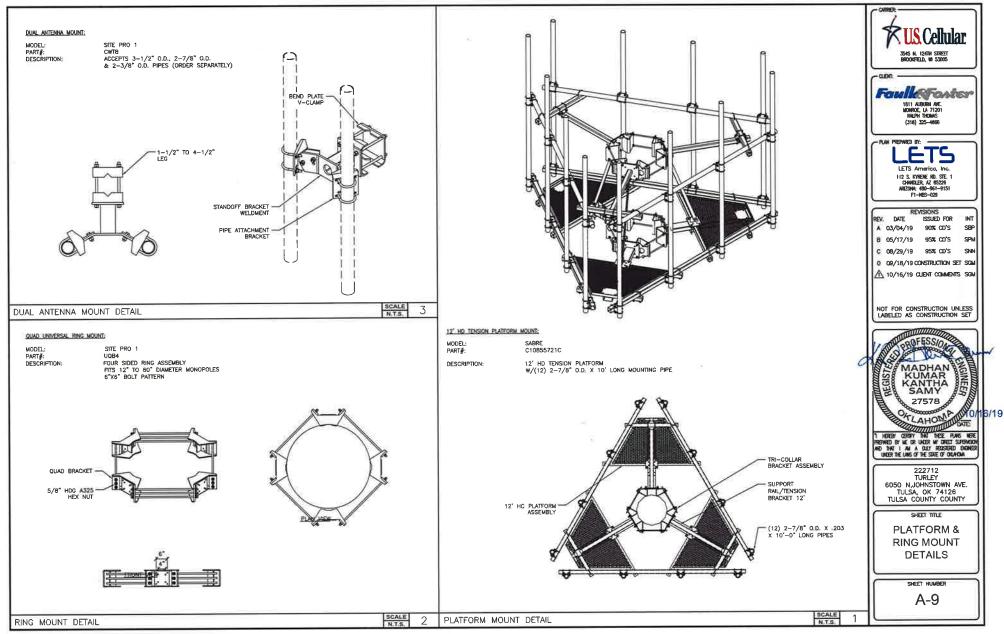


			PROPOSED SUPPLIED BY USC			URATION AND PACKAGE DATED 0						Forus AF Control 1011 ABURN AF MONTE LA 71201 RAPH TRUNS
SECTOR	POSITION	TECH	ANTENNA	ANTENNA & HEIGHT	AZIMUTH	TMA/RRU MODEL	DC SURGE AND DISTRIBUTION	CABLE TYPE	CABLE LENGTH*	MECH TILT	ELECTRICAL DOWNTILT	(316) 325-4666
	1	LTE	(1) DENGYO OCT8-21,22HX-8W85 (N)		307	(1) AHLOA (N)		(1) 1-1/4" HYBRAD (N)		o	2	LETS
	2	-			-		1	50		ŝ	5	LETS America, Inc. 112 S. KNRDIE RD. STE. 1 CHMIDLER, AZ 85226 ARZONN: 460-961-9151
<u>^</u>	з	i i	2 <u>2</u> 7	120'-0"	-	4	-	× .	160'0"	-	<b>H</b> 0	F1-HBS-029 REVISIONS REV. DATE ISSUED FOR
	4	-				-				8	8	A 03/04/19 90% CO'S B 05/17/19 95% CO'S
	1	<b>a</b> )			-	-				÷	11 ( ) 11 ( )	C 08/29/19 95% CD'S 0 09/18/19 CONSTRUCTION SET 10/16/19 CUENT COMMENTS
	2	LTE	(1) DENGYO OCT8-2LX2HX-BW65 (N)		1607	(1) AHLOA (N)	-			o	2	
8	3		-	120°–0°	2	ŝ.	(2) RAYCAP (M) SPD	12	-	-		NOT FOR CONSTRUCTION UNL LABELED AS CONSTRUCTION
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	1	-				-				<b>3</b>		MADHAN KUMAR KANTHA SAMY
	2	LTE	(1) DENGYO OCTB-21X240X-BW45 (N)		280*	(1) AHLOA (N)		1.00		o	2	SAMY 85
С	3		1.2	120'-0"		÷		12	=		:=:	1 HOREY COSY INV BEE RAG
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INCLUDES SAFE UN), CONTRACTO ANAGER AND/OR	TY FACTOR OF 20 F IR TO VEREFY PE DAT R RF ENGINEER PRIOT	T. (10 FT. A I TA WITH U.S. ( R TO INSTALLA	BOTH ENDS OF CABLE CELULLAR CONSTRUCTION (P) = DUSI (P) = DUSI (P) = DUSI (P) = DUSI (F) = ELEC (W) = MECH	ING ING/RELOCATED TRICAL JANICAL	1			1	1	<u>.</u>		TURLEY 6050 NJOHNSTOWN AV TULSA, OK 74126 TULSA COUNTY COUNTY SHEET TIRE NEW ANTENNA RADIOS & CABL CONFIGURATIO SHEET NUMBER A-6

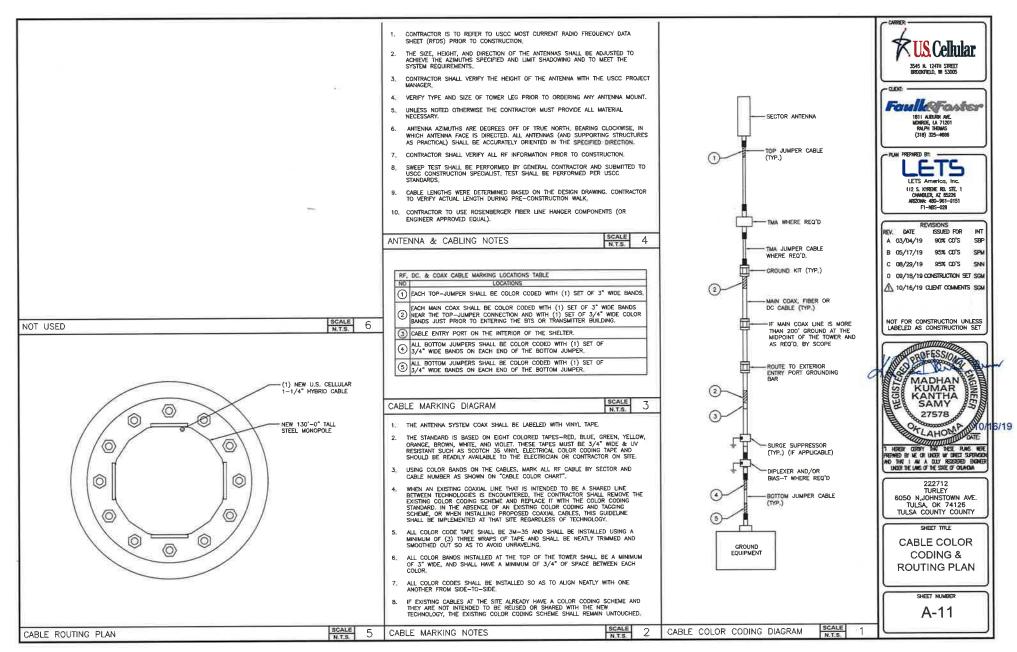
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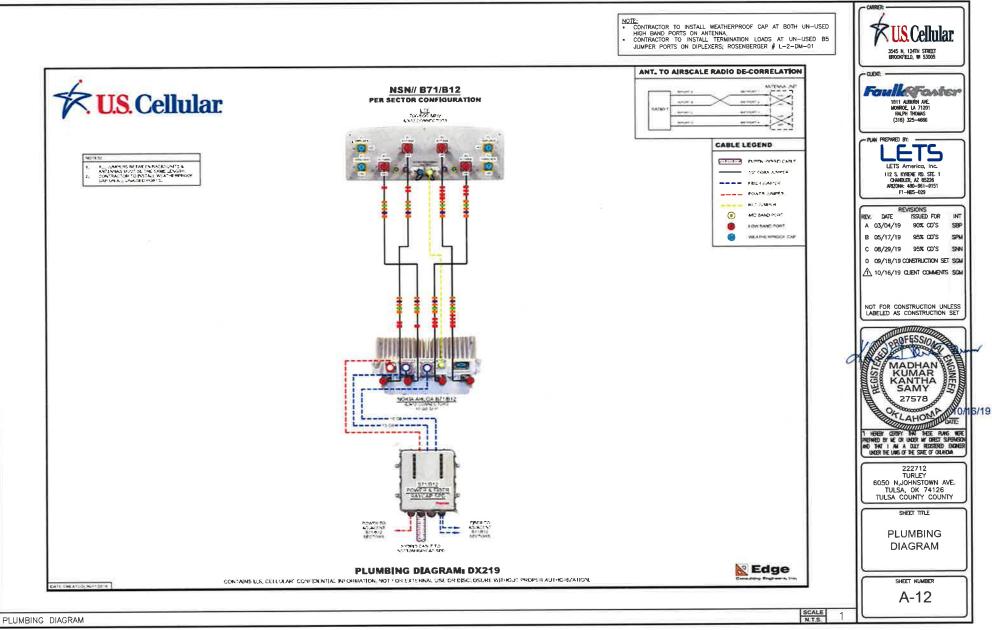


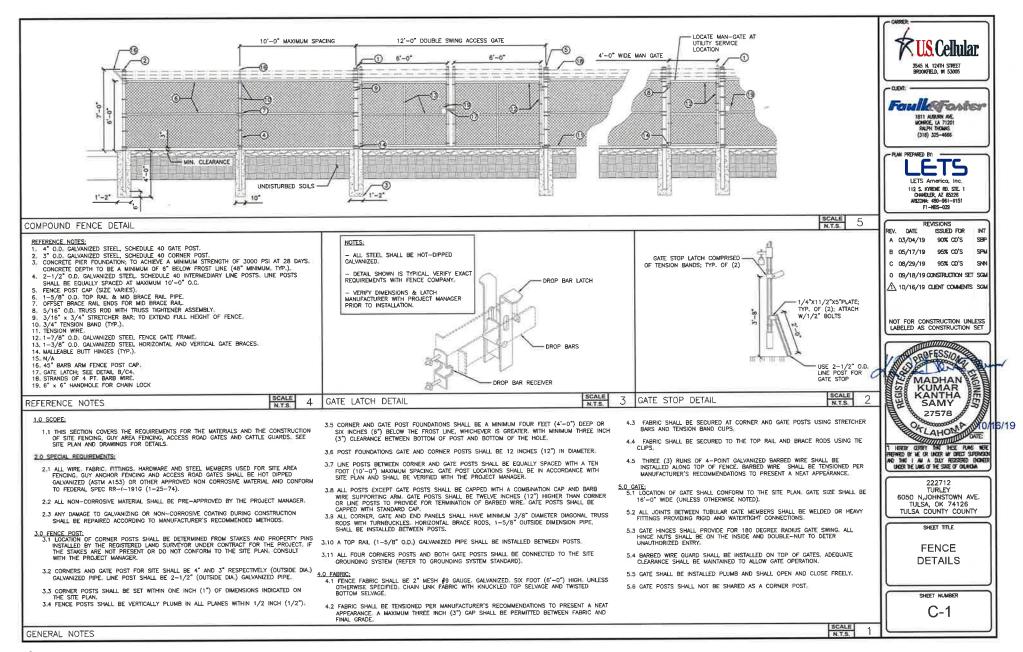


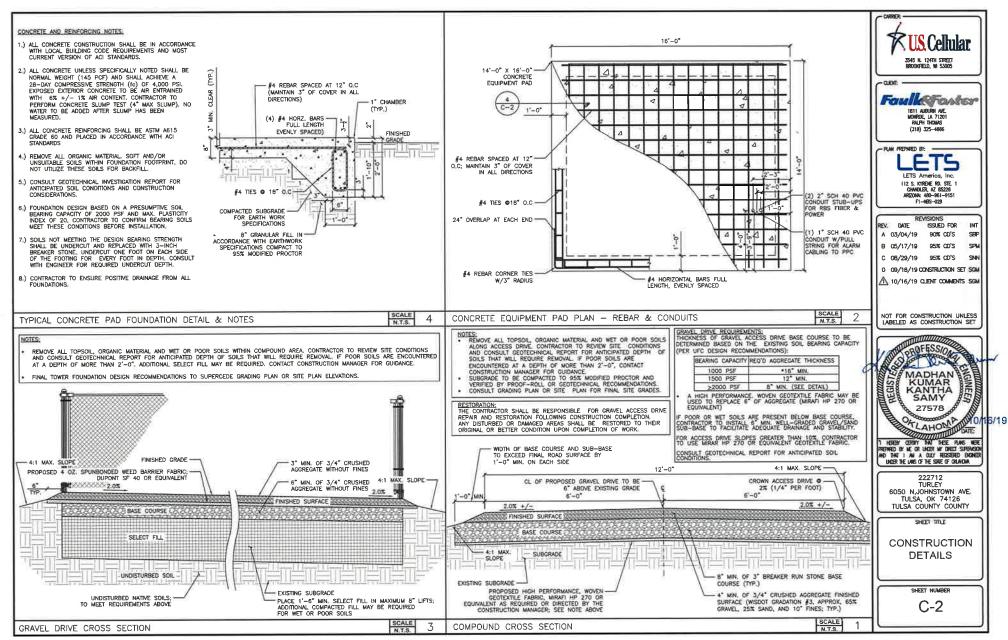


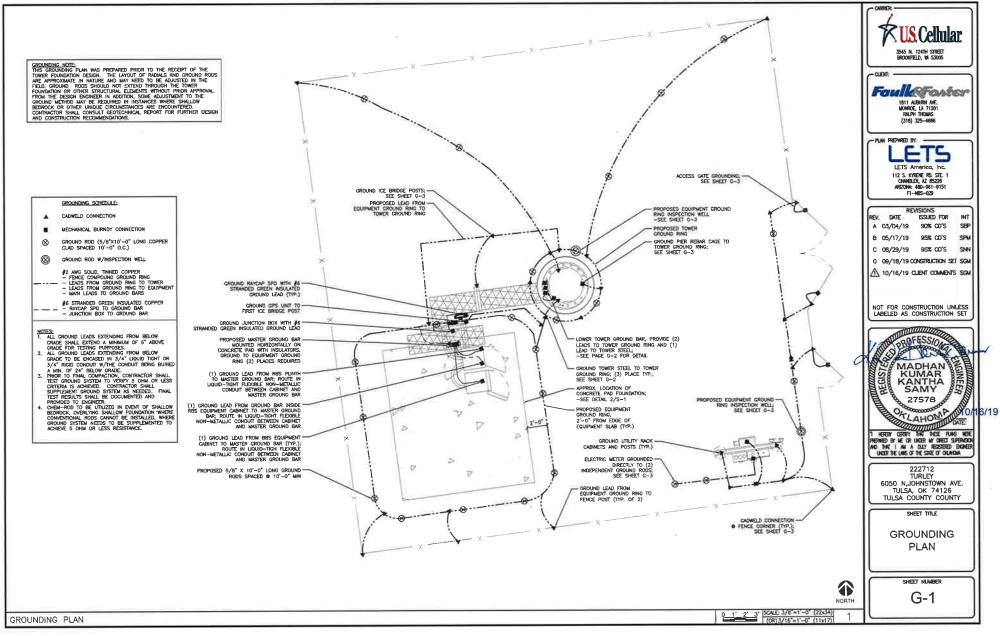
		HYBRID CABLE LENGTH       QUANTITY FROM ICE BRIDGE     RATCAP SPO     1       LENGTH     LENGTH     16     15       LENGTH     FOT     120     FT       TOTAL LENGTH     FMBRID CABLE     136     FT       ROUNDED LENGTH*     160     FT       ANTENNA TO RENOTE RADIO       ALTENNA TO RENOTE RADIO       QUANTITY     LENGHT       ALPHA SECTOR     1     32.8       FT     10     M       GAMAA SECTOR     1     32.8     FT	CONTENTIONS CONTE
222712 TURLSY TULSA OUNTY COUNTY SHEET THLE CABLE INFORMATION & DETAIL	EUPEN HYBRID CABLE DESCRIPTION: HYBRID FIBER OPTIC CABLE WITH 48V ENERGY FEEDER IN CORRUCATED ALLUMINUM SHIELDING WITH UV RESISTANT PE JACKET SHIPPED WITH 4' PROTECTED JACKET (2.25° O.D.) AT EACH END, NON-ARMORED ENDS ARE 3' IN LENGTH (2° O.D.).	COAX JUMPER CABLE INFO RADIO TO ANTENNA (AHLOA) QUANTITY LENGHT ALPHA SECTOR 4 25 FT BETA SECTOR 4 25 FT GAMUA SECTOR 4 25 FT GAMUA SECTOR 4 25 FT COAX JUMPERS TO BE ROUNDED TO 5'-O" INCREMENTS; ALL SECTORS MUST HAVE THE SAME JUMPER LENGTHS FIBER JUMPER CABLE INFORMATION POWER JUMPER CABLE INFORMATION	NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET
	MAXIMUM HANGER SPACING: 1.0 m	QUANTITY         LENCHT         QUANTITY         LENCHT           ALPHA SECTOR         2         16.4 FT         5 M         ALPHA SECTOR         1         16.4 FT         5 M           BETA SECTOR         2         16.4 FT         5 M         BETA SECTOR         1         16.4 FT         5 M	222712 TURLEY 6050 N.JOHNSTOWN AVE. TULSA, OK 74126 TULSA COUNTY COUNTY SHEET TITLE CABLE INFORMATION

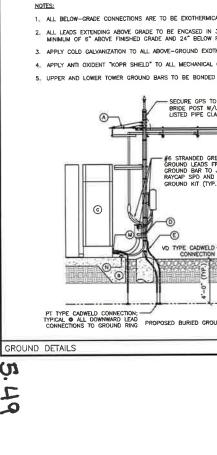


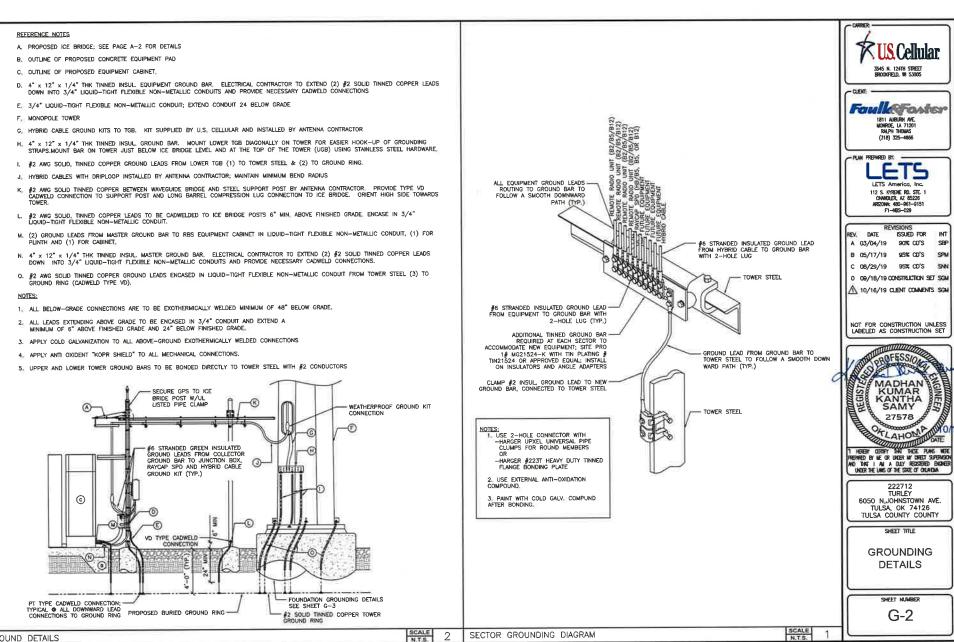


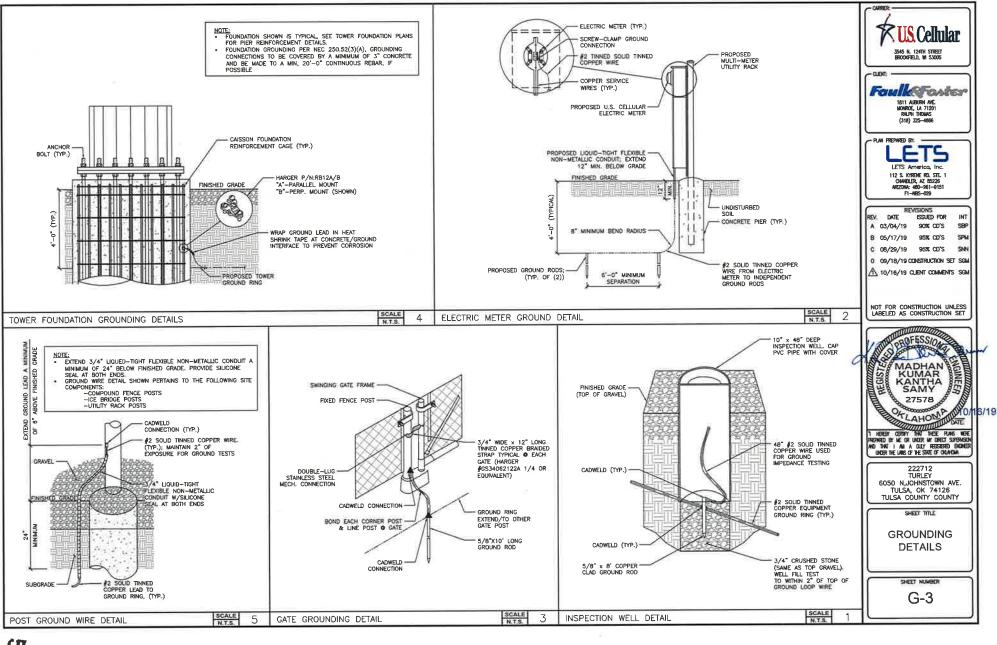


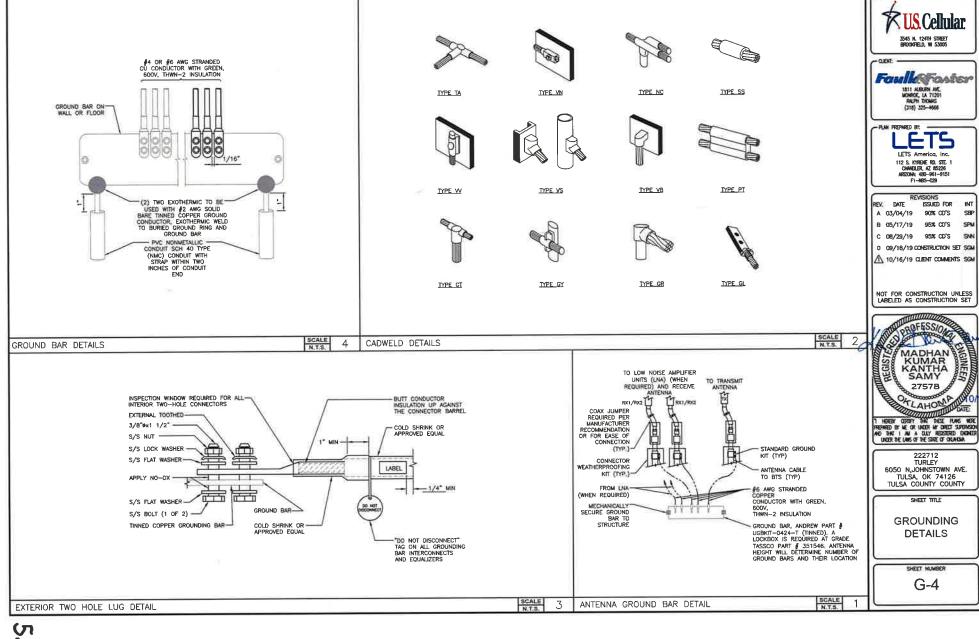












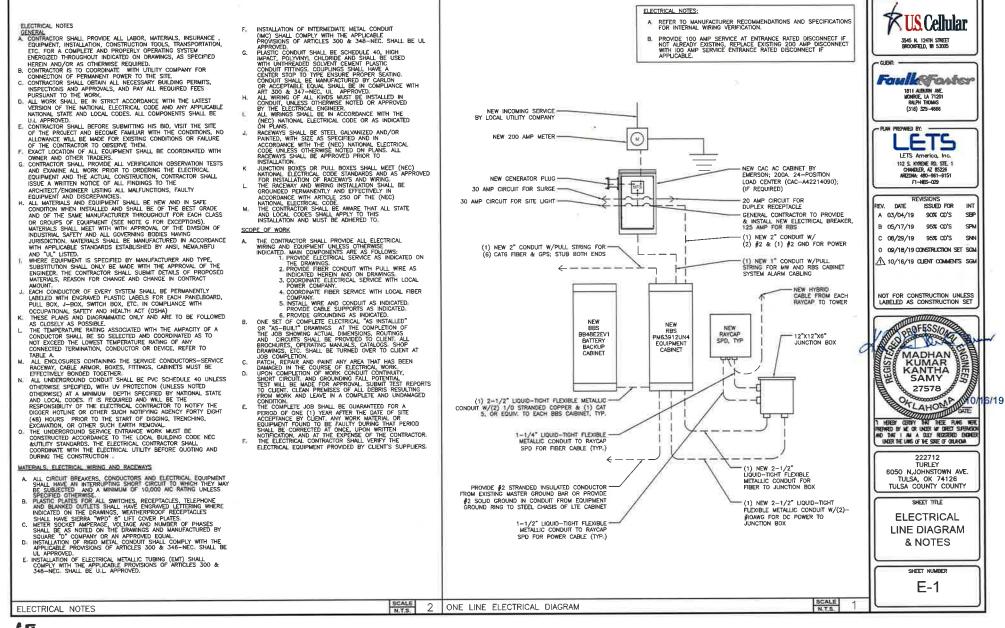
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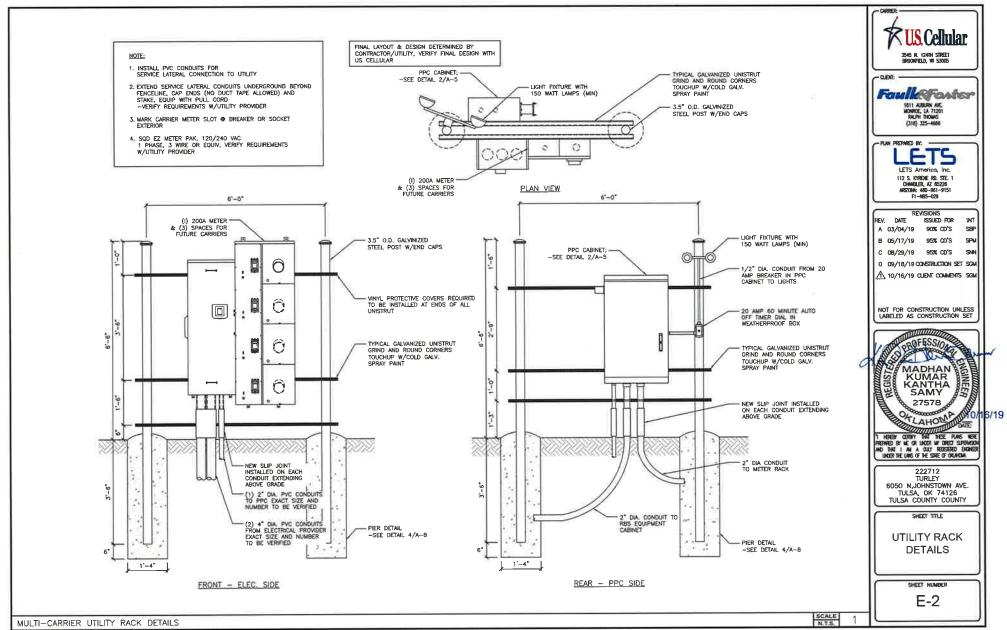
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		_		- Automation
GROUNDING SYSTEM NOTES	8. <u>COMPLIANCE:</u>	в	COAXIAL/HYBRID CABLE SHALL BE GROUNDED USING GROUNDING KITS AT THE TOP, BELOW THE BEND, BOTTOM & ABOVE, THEY SHALL BE INSTALLED PER MANUFACTURER'S	L COMPANY
1.SCOPE: THIS SECTION COVERS THE SPECIFICATIONS FOR CELL SITE GROUNDING, THE AREAS OF FOLDS ARE: TOWER FOULTHEAT PAD AND INSTALLATION METHODS.	B.1 ELECTRICAL CODE COMPLIANCE COMPLY WITH APPLICABLE LOCAL ELECTRICAL CODES REQUIREMENTS OF THE		RECOMMENDATIONS	US Cellular
	AUTHORITY HAVING JURISDICTION, AND NEC AS APPLICABLE TO ELECTRICAL GROUNDING AND BONDING, PERTAINING TO SYSTEMS, CIRCUITS AND EQUIPMENT.	C	GROUNDING KITS SHALL BE NEATLY INSTALLED SO THAT THE JUMPER RUNS IN THE SAME DIRECTION AS THE COAXIAL/HYBRID AND GROUND BAR, JUMPER WIRE	3345 N. 124TH STREET BROOKFELD, W 53005
2. GENERAL:	8.2 UL COMPLIANCE		SHOULD RUN IN A DIRECT DOWNWARD PATH TO THE GROUND BAR/TOWER LADDER, BUT HAVE ADEQUATE SLACK FOR EXPANSION, CONTRACTION, AND REPAIR, NON-OXIDE GREASE SHOULD BE APPLIED BETWEEN LUG AND BAR/TOWER.	
2.1 ALL GROUND RODS SHALL BE 5/8" COPPER CLAD STEEL 10'-0" LONG, GROUND RODS SHALL BE EQUALLY SPACED AT 10FT, INTERVALS. REFER TO SITE GROUNDING FUN FOR DETAILS AND PLACEMENT WITH GROUNDING.	COMPLY WITH APPLICABLE REQUIREMENTS OF UL467, 486A AND 869 PERTAINING TO GROUNDING AND BONDING OF SYSTEMS, CIRCUITS AND EQUIPMENT, USE GROUNDING	D.	TOWER GROUND BAR SHALL BE INSTALLED ON THE ANGLE BEHIND THE FIRST DIAGONAL	
2.2 GROUNDING A SYSTEM SHALL BE MEGGAR TESTED TO ASSURE SATISFYING 5 OHMS	AND BONDING PRODUCTS WHICH ARE UL-LISTED AND LABELED FOR THEIR INTENDED USAGE		WAVEGUIDE LADDER RUNG, ABOVE 8'-5".	Found Foster
OR LESS RESISTANCE.	B.3 JEEE COMPLIANCE		ICE BRIDGE: IF BRIDGE IS SUPPORTED BY VERTICAL PIPES, THEY SHOULD BE CUT EVENLY AND	MONROE, LA 71201 RALPH THOMAS
PREPARED TO ASSURE A SATISFACTORY CADWELD. THE CADWELD CONNECTION SHALL BE COATED WITH A COLD GALVANIZING SPRAY	COMPLY WITH APPLICABLE REQUIREMENTS OF RECOMMENDED INSTALLATION PRACTICES OF IEEE STANDARDS B0, 81, 141 AND 142 PERTAINING TO GROUNDING		CAPPED, APPROXIMATELY 18" ABOVE ICE BRIDGE	(318) 325-4666
2.4 CONTRACTOR SHALL PROVIDE PHOTO DOCUMENTATION OF THE GROUND SYSTEM BY PROVIDING A CD TO US CELLUAR. REQUIRED PHOTOS SHALL INCLUDE:	AND BONDING OF SYSTEMS, CIRCUITS AND EQUIPMENT. ANTENINA & COAXIAL/HYBRID CABLE INSTALLATION	В,	SINGLE-TER WAVEGUIDE LADDER SHALL BE INSTALLED UNDER ICE BRIDGE PROPERLY SUPPORTED PER TOWER MANUFACTURER'S DRAWINGS,	
ALL BUSS BARS AND COAX GROUND CONNECTIONS.	I. SCOPE: A, THIS SECTION COVERS THE SPECIFICATIONS FOR ANTENNA AND COAXIAL/HYBRID CABLE			
EQUIPUENT PAD GROUND RING. CONNECTIONS TO POWER. TELCO. A.C., FENCING AND ICE BRIDGE. CONNECTIONS TO POWER. TELCO. A.C., FENCING AND ICE BRIDGE.	A THIS SECURE OVERSTIME STRUCTURES TO ANY ALL AND A ANY ANY ANY ANY ANY ANY ANY ANY ANY A			112 S. KYRENE RD. STE 1 CHANDLER, AZ 85226 ARZONA: 480-961-9151
2.5 CONTRACTOR SHALL PROVIDE AS-BUILT PLANS SHOWING LOCATION AND DIMENSIONS OF BELOW GRADE GROUNDING FEATURES.	II. ANTENNAS:			P1-NB5-029
. INSTALLATION:	A. ANTENNAS SHALL BE PLUMB AND INSTALLED SO THAT ENTIRE WHIP EXTENDS ABOVE VERTICAL PIPE MOUNT. DIRECTIONAL ANTENNAS SHALL BE ORIENTED TO			REVISIONS REV. DATE ISSUED FOR INT
3.1 ALL EXTERIOR ABOVE AND BELOW GROUND CONNECTIONS SHALL BE CADWELD. NO ALUMINUM CONNECTORS SHALL BE USED UNLESS SPECIFIED OTHERWISE ON PLANS.	PROPER AZIMUTH, PROVIDED ON THE RESPECIFICATION SHEET, NOTE: THE ANTENNA MAY BE ORIENTED USING THE REFLECTOR AS THE REFERENCE; ADJUSTING ITS AZIMUTH 180 DEGREES FROM MAXIMUM ANTENNA RADATION,		-	A 03/04/19 90% CD'S SBP B 05/17/19 95% CD'S SPM
3.2 NO RIGHT-ANGLE CADWELD CONNECTION (OTHER THAN GROUND RODS TO GROUND RING CONNECTION) SHALL BE USED. ALL WIRE-TO-WIRE CONNECTIONS SHALL	B, MICROWAVE ANTENNAS (DISHES) SHALL BE ASSEMBLED PER MANUFACTURER'S			C 08/29/19 95% CD'S SNN
UTILIZE "Y-TYPE" CONNECTIONS. 3.3 ALL VERTICAL JUMPERS SHALL NOT BE WELDED WITHIN TWO (2) FT. OF THE	DRAWINGS, STIFT ARMS AND RADOMES SHALL BE INSTALLED WITH POLARIZATION PROVIDE BY RE SPECIFICATION SHEET. IF PATH IS NOT READY TO ALIGN USH SHOULD BE POINTED TOWARD CALCULATED AZIMUTH OR DIRECTION OF FIELD STAKE DENOTING OPPOSITE END, TWO STIFF ARMS SHALL BE PROVIDED FOR MICROWAVE			0 09/18/19 CONSTRUCTION SET SCM
GROUND ROD. 3.4 KOPR SHIELD REQUIRED FOR ALL MECHANICAL CONNECTIONS.	DISHES 6'-0" IN DIAMETER AND GREATER			C
3.5 ALL CADWELDS FINISHED WITH COLD GALVANIZED SHIELD.	C. A TRANSIT OR SPECIALIZED ALIGNMENT TOOL SHALL BE USED TO PROPERLY ALIGN CELLULAR AND MICROWAVE ANTENNAS.			NOT FOR CONSTRUCTION UNLESS
IOWER:	III. HYBRID/COAXIAL/HYBRID_CABLE:			LABELED AS CONSTRUCTION SET
4.1 A #2 SOLD TINNED COPPER WIRE SHALL BE BURIED A MINIMUM FOUR (4) FT. UNDERGROUND AND ENCIRCLE TOWER FOUNDATION TWO (2) FT. FROM THE FOUNDATION. THIS ROUNDING STREM SHALL BE CONNECTORS. SUCH CROUND RING IN TWO (2) PLACES USING CADWELD CONNECTONS. SUCH CONNECTIONS SHALL BE Y-TYPE' CADWELD CONNECTONS. SUCH	A. COAXIAL/HYBRID CABLE SHALL BE SUPPORTED WITH SNAP IN HANGERS, SNAP IN HANGERS SHOULD BE USED EVERY 3 FEET THE ENTIRE HEIGHT OF TOWER, ANGLE ADAPTERS OR ROUND MEMBER ANAPTERS WITH BUTTERFLY CAMPS SHALL BE USED ELSEWHERE, LE, SIDEARMS, PLATFORMS AND MICROWAVE MOUNTS,			SPOFESSION CONTRACTOR
4.2 THREE (3) #2 SOLID TINNED COPPER WIRES SHALL BE RUN FROM THE TOWER GROUND RING TO THE TOWER. THESE WIRES SHALL BE CONNECTED TO THE USING A CADWELD CONNECTION. NO SHARP BENDS SHALL BE PLACED IN HESE GROUND LEADS.	<ul> <li>B. COAXUAL/HYBRID CABLE SHALL ALSO BE SUPPORTED WITH HOISTING CRIPS, INISTALLED AT MAXIMUM INTERVALS OF 200 FEET. HOISTING GRIPS SHALL BE ATTACHED WITH SHACKLES. BOLTED IN THE 7/16" HOLE WAVEGUIDE LADDER.</li> <li>C. ALL JUMPERS USED BETWEEN COAXUA/HYBRID CABLE AND ANTENNA SHALL BE</li> </ul>			
4.3 GROUND SYSTEM SHALL INCLUDE THE INSTALLATION OF AN ISOLATED LIGHTNING ROD AT THE TOP OF THE TOWER EXTENDING A MINIUM OF (2) FT. ABOVE THE HIGHERT ANTENNA & 2 INSULATED COPPER WERE SHALL BE CONNECTED TO THE CONNECTED TO THE DATE OF THE ADDRESS OF THE DATE OF THE D	C. ALL JUMPERS USED BETWEEN COAXUA/MERIO CABLE AND ANTENNA SHALL BE SUPPORTED WITHIN IS INCHES OF ANTENNA USING BUTTERFLY CLAMPS WITH ANGLE ADAPTERS OR ROUND MEMBER ADAPTERS AROUND PIPES. CELLULAR ANTENNAS TYPICALLY USE 6'-0" JUMPERS.			A HER DEST IN RECENSE OF
TOWER LIGHTNING ROD USING AN APPROVED MECHANICAL CONNECTOR, OR CADWELDED TO TOWER STEEL.	D. COAXIAL/HYBRID CABLE SHALL BE NEATLY BENT WHEN REQUIRED USING A MINIMUM BENDING RADIUS OF 10 TIMES THE DIAMETER OF THE COAXIAL/HYBRID CABLE. DRIP			TLAHON
EQUIPMENT_PAD:	LOOPS SHOULD BEGIN AT THE ICE BRIDGE. THE BEND IN THE COAXIAI/HYBRID CABLE SHOULD BE AT A LOWER HEIGHT THAN THE ENTRY PORT.			1 HEREY OFFICY THAT THESE PLANS HERE PREPARED BY ME OR UNDER MY DREET SUPERNOON AND THAT I AN A DULY REISERED DIGINEER
5.1 A #2 SOLID TINNED COPPER WIRE SHALL BE BURED A MINIMUM OF FOUR (4) FT. UNDERGROUND AND ENCIRCLE EQUIPMENT PAD TWO (2) FEET FROM THE FOUNDATION. GROUND RING CORNERS SHALL BE INSTALLED WITH A MINIMUM TWO	E COAXIAL/HYBRID/WAVEGUIDE CABLES SHOULD BE LABELED WITH COLORED TAPE AT EACH END:			HOER BE LINE OF HE SALE OF OLUHOM
FOOT RADIUS (NO SHARP RIGHT ANGLE BENDS).	SECTOR INDICATOR- PRIMARY COLORS USE 3/4" TO 1" WIDE COLORED TAPE TO INDICATE SECTORS			222712 TURI FY
5.2 A #2 SOLID TINNED COPPER WIRE SHALL BE INSTALLED FROM THE EQUIPMENT GROUND RING AND CONNECTED TO THE TINNED COPPER BUS BAR LOCATED THE COUPMENT PAD UNISTRUT RACK WITH A MINIMUM NINE (3) INCHES RADIUS. A	ALPHA SECTOR FOR SECTORED SITE: RED BETA SECTOR FOR SECTORED SITE: WHITE GAMMA SECTOR FOR SECTORED SITE: BLUE			6050 N.JOHNSTOWN AVE. TULSA, OK 74126
Y-TYPE' OR PARALLEL T-TYPE' CAUNELD CONNECTION SHALL BE USED FOR ALL CONNECTIONS TO THE GROUND RING	GAMMA SECTOR FOR SECTORED SITE: BLUE DELTA SECTOR FOR SECTORED SITE: BLUE EPSILON SECTOR FOR SECTORED SITE: VIOLET			TULSA COUNTY COUNTY
6. FENCING:	FUNCTION INDICATOR- SECONDARY COLORS USE 3" WIDE COLORED TAPE TO INDICATE TECHNOLOGY			SHEET TITLE
5.1 A #2 SOUD TINNED COPPER GROUND WIRE SHALL BE INSTALLED FROM THE FENCE CORNER POSTS TO THE GROUND RING AND SHALL BE BURED A MINIMUM FOUR (4) FT. UNDERGROUND. THESE RUNS SHALL INCLUDE GROUND RODS.	CDMA: YELLOW GSM: VIOLET LTE: ORANGE USE 3" WIDE COLORED TAPE TO INDICATE FREQUENCY.			GROUNDING
EQUALLY SPACED AT TOFT. INTERVALS, THESE RUNS SHALL BE BROUGHT ABOVE GROUND LEVEL AND SUPPORTED ABOVE GROUND WITH TEMPORARY POSTS UNTIL	700: GREEN BOD: BROWN 1900: BLUE 2100: WHITE USE 6" WIDE COLORED TAPE TO INDICATE HYBRID CABLES: HYBRID CABLES : BROWN			DETAILS
PERMANENT FENCING IS INSTALLED. GROUND WIRE SHALL BE CONNECTED TO THE FENCE POSTS USING CADWELD TYPE CONNECTIONS.	F. ALL EXCEPTIONS NEED TO BE VERIFIED WITH THE PROJECT MANAGER			
7. EXISTING GROUND SYSTEMS:	IV. CONNECTORS:			SHEET NUMBER
Z.1 CONTRACTOR SHALL PROVIDE CONNECTIONS TO ALL EXISTING GROUND SYSTEMS AT THE SITE (SCADA, TELEMETRY, ETC.).	A., ALL CONNECTIONS AND GROUNDING KITS SHALL BE WEATHER PROOFED USING COLD SHRINK OR NANDERW APPROVED WEATHER STRIPPING. NOTE: NO PORTION OF CONNECTOR SHALL BE EXPOSED TO THE ELEMENTS.			G-5
ROUNDING NOTES	ANTENNA INSTALLATION NOTES		SCALE 1	
ROUNDING NOTES N.T.S. 2			N.13, 1	

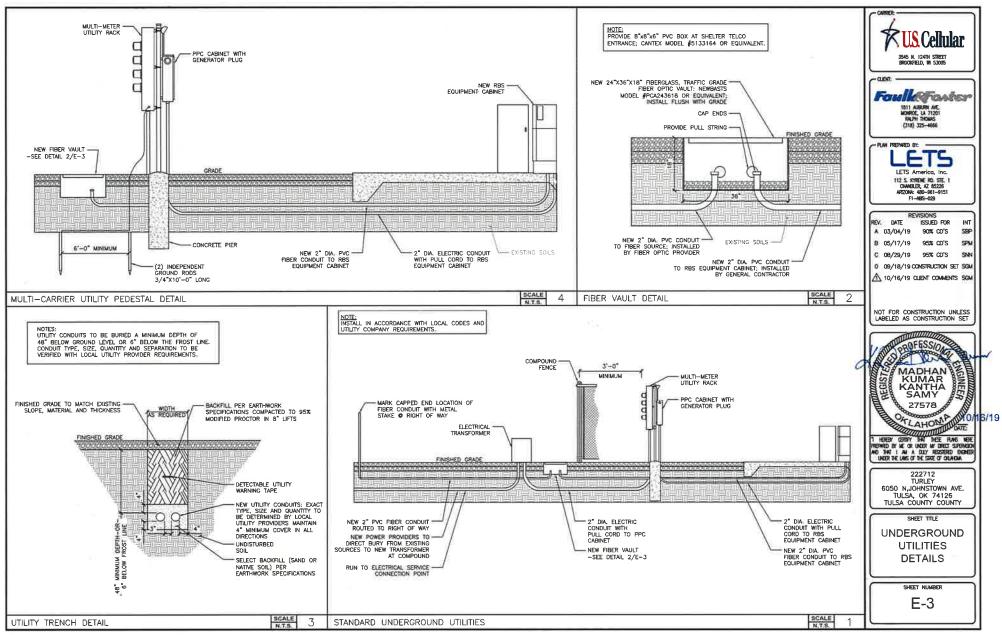
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