



CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Wednesday, July 26, 2023 at 4:30 PM

MINUTES

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in City Council Chambers of the Norman Municipal Complex, 201 West Gray Street, at 4:30 p.m., on Wednesday, July 26, 2023. Notice and agenda of said meeting were posted in the Municipal Building at the above address and at [Agendas/Minutes | City of Norman Oklahoma Meetings \(municodemeetings.com\)](#) in excess of 24 hours prior to the beginning of the meeting.

Chair Curtis McCarty called the meeting to order at 4:31 p.m.

ROLL CALL

PRESENT

Brad Worster
Micky Webb
Ben Bigelow
James Howard
Curtis McCarty

STAFF PRESENT

Lora Hoggatt, Planning Services Manager
Melissa Navarro, Planner II
Zach Abell, Planner I
Roné Tromble, Admin. Tech. IV
Beth Muckala, Assistant City Attorney

MINUTES

1. Consideration of Approval, Rejection, Amendment, and/or Postponement of the Minutes of the June 28, 2023 Board of Adjustment Meeting.

Motion made by Worster, Seconded by Webb, to approve the Minutes of the June 28, 2023 Board of Adjustment Meeting as presented.

Voting Yea: Worster, Webb, Bigelow, Howard, McCarty

The motion to adopt the June 28, 2023 Minutes as presented passed by a vote of 5-0.

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ACTION ITEMS

Mr. McCarty moved Item 4 forward on the agenda to address the requested postponement.

4. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-11: James Hardwick requests Special Exception to permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record (36-570(g)(2)(a)) for Lot One, Block One, of Amended Plat of SOUTH LAKE ADDITION Section 7, located at 1900 Ann Branden Boulevard.

ITEMS SUBMITTED FOR THE RECORD:

1. Request for Postponement to September 27, 2023
2. Staff Report
3. Location Map
4. Application with Attachments
5. Protest Map and Letters
6. Minutes of June 28, 2023 Board of Adjustment meeting

AUDIENCE PARTICIPATION:

Patrick Burke, 2337 Bretford Way, President of the St. James Park HOA, asked that the Board not approve this request. They would prefer that the Board vote on the application at this meeting and vote no. They believe that this issue should go to the Planning Commission and City Council.

Dane Miller, Fellers Snider Attorneys at Law, requested postponement to the September 27, 2023 meeting. They took over this case in the last 30 days. They would like to have more time to meet with the homeowners association and with their client. There is a possibility they will table this application; they will not make any further requests for postponement.

Ed Chojnicki, 3005 24th Avenue S.E., spoke in opposition to this application.

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Motion made by Worster, Seconded by Webb, to postpone BOA -2223-11 to the September 27, 2023 meeting.

Voting Yea: Worster, Webb, Bigelow, Howard, McCarty

The motion to postpone BOA-2223-11 to the September 27, 2023 Board of Adjustment meeting passed by a vote of 5-0.

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2. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-22: Barry Barger and Jeremy and Morgan Hudson request a Special Exception to permit a mobile home to serve as a temporary second dwelling to relieve a medical hardship for property located at 4800 E. Cedar Lane Road.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Application with Attachments
4. Minutes from June 28, 2023

PRESENTATION BY STAFF:

Zach Abell reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

Barry Barger, 2928 Misty Ridge Drive, was available to answer questions.

Mr. Webb expressed concern that the mobile home meet all federal, state and local safety requirements. Mr. Barger stated that the mobile home they are planning to place on the property will be a brand new mobile home.

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Mr. Webb noted his concern with federal, state and local safety requirements. Ms. Muckala indicated that could be added to any motion.

Motion made by Worster, Seconded by Bigelow, to approve BOA-2223-22 as presented.

Voting Yea: Worster, Bigelow, Howard, McCarty

Voting Nay: Webb

The motion to approve BOA-2223-22 as presented was adopted by a vote of 4-1.

Mr. McCarty noted there is a 10-day appeal period before the decision is final.

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3. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-23: Kirk Hays and Samantha Watson request a Variance of 2% to 36-516(c)(6) to allow for building coverage in excess of 40% to add a pergola; and Variance to 36-516(c)(5)(a) to allow a two-family dwelling on a 3,750 sq. ft. lot for property located at 107 N. Findlay Avenue.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. Location Map
3. Application with Attachments
4. Minutes from June 28, 2023

PRESENTATION BY STAFF:

Melissa Navarro reviewed the staff report, a copy of which is filed with the minutes.

Mr. Bigelow asked whether this can be handled with one motion or two. Ms. Muckala responded that it can be done either way.

Mr. Bigelow asked if there are other two-family homes in the neighborhood. Ms. Navarro responded that the area is zoned R-2, which allows for two-family homes, but this lot is half the size that is required for two families.

PRESENTATION BY THE APPLICANT:

Eric Hays, representing the applicant, stated that the subject lot is undersize. There are many properties in the neighborhood that have lots as small or smaller than this. He believes this project will be an improvement to the neighborhood.

Mr. Worster asked about the lot to the south. Mr. Hays responded that his brother also owns the lot to the south and currently lives in that house.

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Mr. Worster asked if the pergola will need to be fire-rated because of its proximity to the lot line. Mr. McCarty commented that will need to be addressed with the building permit.

Motion made by Howard, Seconded by Webb, to approve BOA-2223-23 as presented.

Voting Yea: Worster, Webb, Bigelow, Howard, McCarty

The motion to approve BOA-2223-23 as presented was adopted by a vote of 5-0.

Mr. McCarty noted there is a 10-day appeal period before the decision is final.

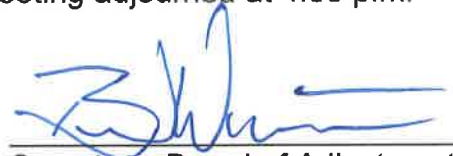
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MISCELLANEOUS COMMENTS

Mr. Bigelow asked if the variances just approved on Findlay Avenue will be a problem if sidewalks are installed in the neighborhood in the future. Ms. Hoggatt responded that sidewalks are usually constructed in the right-of-way so the variances should not interfere.

ADJOURNMENT

There being no further business and no objection, the meeting adjourned at 4:56 p.m.

A handwritten signature in blue ink, appearing to be "Z. Hoggatt", written over a horizontal line.

Secretary, Board of Adjustment

