



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

AGENDA

It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, religion, ancestry, national origin, age, place of birth, sex, sexual orientation, gender identity or expression, familial status, marital status, including marriage to a person of the same sex, disability, relation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

ROLL CALL

Members: Brad Worster, Micky Webb, Curtis McCarty, Ben Bigelow, James Howard

MINUTES

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

ACTION ITEMS

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.
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.
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.

MISCELLANEOUS COMMENTS

ADJOURNMENT



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 07/26/2023

REQUESTER:

PRESENTER: Roné Tromble, Admin. Tech. IV

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

ACTION NEEDED: Approve, reject, amend, or postpone the June 28, 2023 Minutes.



CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Wednesday, June 28, 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, June 28, 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.

Vice Chair James Howard called the meeting to order at 4:32 p.m.

ROLL CALL

PRESENT

Brad Worster
Micky Webb
James Howard

ABSENT

Curtis McCarty
Ben Bigelow

STAFF PRESENT

Lora Hoggatt, Planning Services Manager
Melissa Navarro, Planner II
Zach Abell, Planner I
Kelvin Winter, Code Compliance Supervisor
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 May 24, 2023 Board of Adjustment Meeting.

Motion made by Worster, Seconded by Webb, to approve the minutes of the May 24, 2023 Board of Adjustment meeting as presented.

Voting Yea: Worster, Webb, Howard

The motion to approve the minutes of the May 24, 2023 meeting passed by a vote of 3-0.

*

ACTION ITEMS

2. 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. Location Map
2. Postponement Memo
3. Request for Postponement to July 26, 2023

AUDIENCE PARTICIPATION:

Patrick Burke, 2337 Bretford Way, President of the St. James Park HOA – This application pertains to land adjacent to their subdivision. They have presented a petition with 60 signatures against the proposal.

Don Cervi, 1901 Windemere Drive, one of the developers for St. James Park – They have raw land that will also abut the subject tract. He asked how many times this can be postponed.

Ms. Muckala addressed the question of postponement. Mr. Webb added that during his time on the Board, it has been the choice of the applicant. Ms. Muckala agreed that the past policy of the Board has been to give deference to the applicant.

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Mr. Worster asked that the applicant be present next month to provide more information if they want to postpone again.

Motion made by Worster, Seconded by Webb, to postpone BOA-2223-11 to the July 26, 2023 meeting.

Voting Yea: Worster, Webb, Howard

The motion to postpone BOA-2223-11 to the July 26, 2023 meeting passed by a vote of 3-0.

*

3. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-17: BMS Homes, L.L.C. requests a Variance of 22' to 36-516(c)(1), the required 25' front setback, and a Variance of 15' to the required 20' side (east) setback to 36-544(e), to allow construction of a new house with a front and east side setback to match the existing houses on the block, for property located at 202 W. Johnson Street.

Item 1.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Application with Attachments

PRESENTATION BY STAFF:

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

PRESENTATION BY THE APPLICANT:

Brad Smith, 3420 Bear Mountain Drive, representing BMS Homes – The lot was platted at 75x80', rather than a typical 50x140'. The surrounding homes on the street are anywhere from 18' to 25' back from the road, and they are requesting a variance to line up with the other homes on the street so the new home will fit in.

Mr. Worster likes that this is an infill project. He asked how they got the distance the neighboring houses are set back. Mr. Smith responded that he talked to the neighbors and got permission to measure how far they were from the street.

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Mr. Webb asked if the neighbors know about the project. Mr. Smith said he had discussed it with three residents, and they were initially concerned that it would be for students, but he explained this would be a 3-bedroom, 2-bath house, and they were pleased to see the project.

Motion made by Worster, Seconded by Webb, to approve BOA-2223-17 as requested, with a 22' variance to the 25' front setback, and a 15' variance to the 20' side (east) setback to be in line with neighboring homes.

Voting Yea: Worster, Webb, Howard

The motion to approve BOA-2223-17 as requested passed by a vote of 3-0.

Mr. Howard noted there is a ten-day appeal period before the decision is final.

*

4. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-222 Item 1.
18: Stephen and Erika Miller request a Variance to 36-552(a) to allow a fence 2' taller than the 4' maximum height (for a total height of 6') along the front property line for property located at 1611 Jenkins Avenue.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Application with Attachments

PRESENTATION BY STAFF:

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

PRESENTATION BY THE APPLICANT:

Erika Miller, 1611 Jenkins Avenue, explained that their home sits very close to Jenkins Avenue and the widening project will affect their home. They wanted the wall and top of the fence to fit with the home, as well as provide a sound barrier, some privacy, and a sense of security.

Mr. Worster asked about the retaining wall. Stephen Miller indicated it will be about 18" high. They are replacing the existing wood fence with a concrete and wood fence.

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Motion made by Webb, Seconded by Worster, to approve BOA-2223-18 as requested, for a fence 2' taller than allowed by ordinance.

Voting Yea: Worster, Webb, Howard

The motion to approve BOA-2223-18 as requested passed by a vote of 3-0.

Mr. Howard noted there is a ten-day appeal period before the decision is final.

*

5. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-19: Diane Peppler requests a Variance to 36-516(c)(1) of approximately 6' to the 25' front yard setback for construction of a new garage on the south side of the property at 219 S. Stewart Avenue. Item 1.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Application with Attachments

PRESENTATION BY STAFF:

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

PRESENTATION BY THE APPLICANT:

Randy Peppler, 3605 Bridgeport Road, was available to answer questions. The adjacent property is CCFI's property and their large, fenced basketball court. The fence is closer to Stewart than the garage will be.

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Motion made by Worster, Seconded by Webb, to approve BOA-2223-19 as requested, with a variance of 6' to the 25' front setback for a detached garage.

Voting Yea: Worster, Webb, Howard

The motion to approve BOA-2223-19 as requested passed by a vote of 3-0.

Mr. Howard noted there is a ten-day appeal period before the decision is final.

*

6. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-222 Item 1.
20: Hollen Properties, L.L.C. requests a Variance to 36-516(c)(2) of 4' to the 5' side (north) setback for construction of a new garage for property located at 925 Chautauqua Avenue.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Application with Attachments

PRESENTATION BY STAFF:

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

PRESENTATION BY THE APPLICANT:

Charles Hollen, 925 Chautauqua Avenue, said they bought the house to remodel it for their daughter. As part of that, they added a utility room, but the exterior wall of the utility room would have been in the same plane as the existing garage. The garage was dilapidated and needed to be removed. The original garage was on the 1' line. They are asking for a variance of 4' to build a new garage on that 1' line. The adjacent neighbor to the north said he had no problems with it. He noted the diagram showing the proposed garage at the 5' setback with respect to the existing driveway. He asked what the rear setback needs to be; they were told 10' by one person and 5' by another.

Mr. Worster said it looks like there is a utility easement in the rear. Ms. Hoggatt stated that if there is a utility easement, it must be 1' off the easement.

Mr. Worster asked if they will have to have a 1-hour fire rating. Mr. Hollen responded that they have been told that, and they will comply with that.

Mr. Worster commented that a lot of the detached garages in the area are in similar locations, at or on the property line. He doesn't see a problem with the proposal as long as the eaves of the garage don't overhang the property line.

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Motion made by Worster, Seconded by Webb, to approve BOA-2223-20 as requested, with a 4' variance to the 5' side setback on the north.

Voting Yea: Worster, Webb, Howard

The motion to approve BOA-2223-20 as requested passed by a vote of 3-0.

Mr. Howard noted there is a ten-day appeal period before the decision is final.

*

7. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-222Item 1.
21: City of Norman requests a Variance of 17.4' to 28-505(b)(3) to allow placement of a projecting sign farther from the right-of-way than normally permitted for property located at 318 E. Comanche Street.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Application with Attachments
4. Sign Permit Application with Attachments

PRESENTATION BY STAFF:

Kelvin Winter reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

Taylor Johnson, Transit and Parking Manager, referred to the site layout diagram showing Bay 5 and the sidewalk adjacent to Porter Avenue.

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Motion made by Worster, Seconded by Webb, to approve BOA-2223-21 as requested, with a variance of 17.4' to the required 4' or less setback from the right-of-way for the projecting sign.

Voting Yea: Worster, Webb, Howard

The motion to approve BOA-2223-21 as requested passed by a vote of 3-0.

Mr. Howard noted there is a ten-day appeal period before the decision is final.

*

8. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2222 Item 1.
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

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, explained that they're trying to combine their two households onto the same property, owned by his daughter and son-in-law. His son-in-law has 100% medical disability received after his second deployment to Iraq. His wife is medically disabled with Huntington's disease at a very advanced stage. They want the families close together so they can support each other.

Mr. Webb suggested the applicant think about postponing until more Board members are present. He does not plan to vote in favor of it.

Mr. Barger requested that this application be postponed.

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Motion made by Worster, Seconded by Webb, to postpone BOA-2223-22 to the July 26, 2023 meeting.

Voting Yea: Worster, Webb, Howard

The motion to postpone BOA-2223-22 to the July 26, 2023 meeting passed by a vote of 3-0.

*

9. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223 Item 1.
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 for property located at 107 N. Findlay Avenue.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Postponement Memo

PRESENTATION BY STAFF:

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

PRESENTATION BY THE APPLICANT: None

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Motion made by Worster, Seconded by Webb, to postpone BOA-2223-23 to the July 26, 2025 meeting.

Voting Yea: Worster, Webb, Howard

The motion to postpone BOA-2223-23 to the July 26, 2025 meeting passed by a vote of 3-0.

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MISCELLANEOUS COMMENTS

None

ADJOURNMENT

There being no further business and no objection, the meeting adjourned at 5:13 p.m.

Secretary, Board of Adjustment



CITY OF NORMAN, OK STAFF REPORT

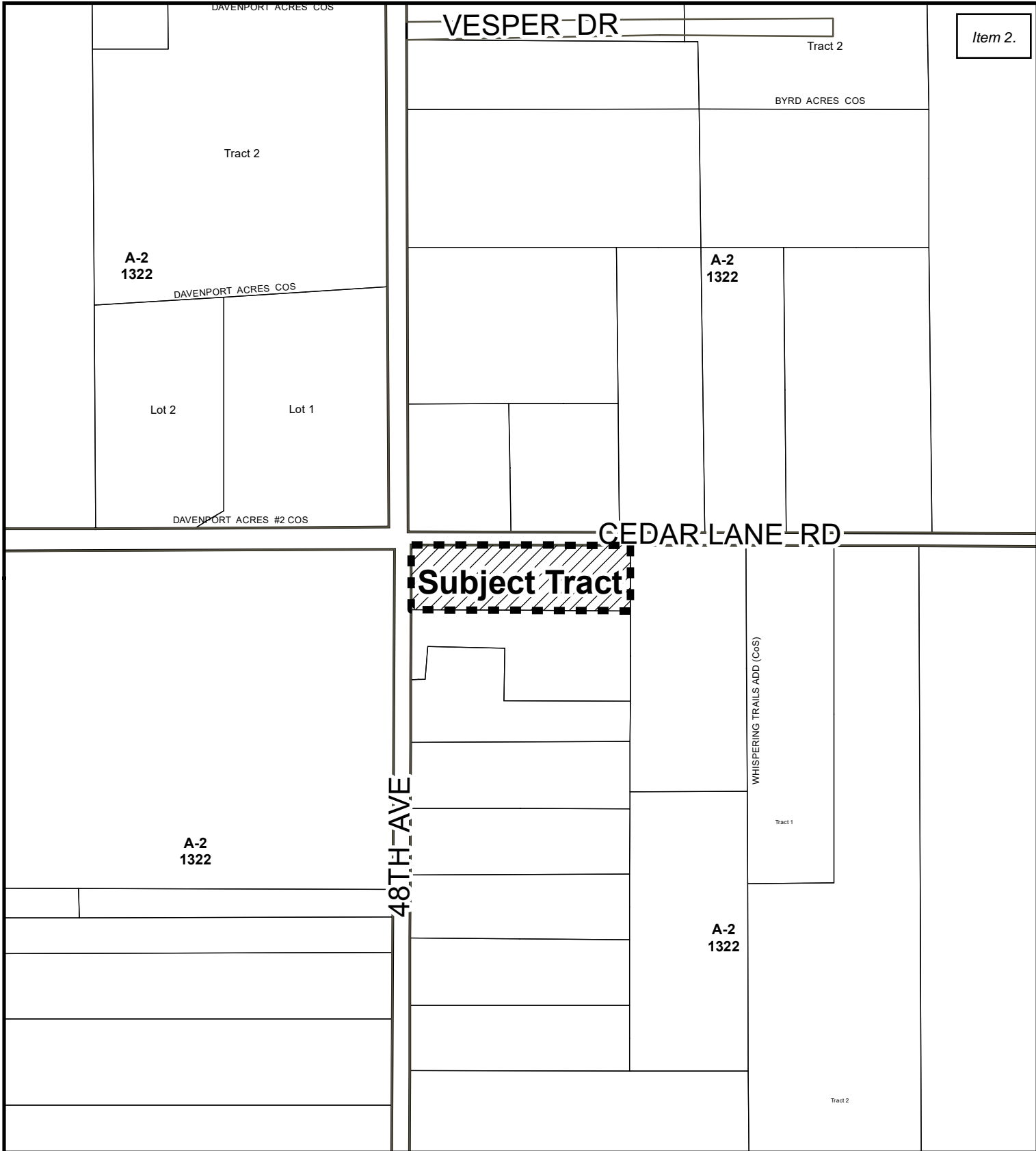
MEETING DATE: 07/26/2023

REQUESTER: Barry Barger and Jeremy and Morgan Hudson

PRESENTER: Zach Abell, Planner I

ITEM TITLE: 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.

ACTION NEEDED: Approve, reject, amend, or postpone the Special Exception for BOA-2223-22.

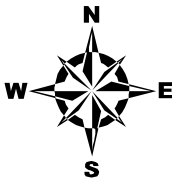


Item 2.

Location Map



Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.



June 6, 2023

0 250 500 Ft.



Subject Tract



Zoning

Board of Adjustment
 July 26, 2023
 BOA-2223-22

STAFF REPORT

GENERAL INFORMATION

| | |
|-------------------------|--|
| APPLICANT | Barry Barger and Jeremy & Morgan Hudson |
| LOCATION | 4800 E. Cedar Lane Road |
| ZONING | A-2, Rural Agricultural District |
| REQUESTED ACTION | SPECIAL EXCEPTION to permit a mobile home to serve as a temporary second dwelling to relieve a medical hardship |
| SUPPORTING DATA | Location Map Application with attachments Site Plan |

SYNOPSIS: The applicant is requesting a special exception to move a Type 2 mobile home to the above-mentioned property to aid in a medical hardship scenario, consistent with Norman's Zoning Ordinance.

The application and site plan are attached for your review.

STANDARD OF REVIEW:

Section 570(i) of Chapter 36 (Zoning) provides:

Hearing of the Board of Adjustment on a Special Exception. The public hearing shall be held in accordance with the following provisions:

- (1) At said hearing, any party may appear in person or by agent or attorney;
- (2) In those instances where a special exception is granted the Board of Adjustment shall make a finding that the granting of such special exception will not adversely affect the public interest;
- (3) In granting any special exception, the Board of Adjustment shall prescribe the appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this ordinance and punishable under the penalty sections of this ordinance. The Board of Adjustment shall prescribe a time limit within which the action for which the special exception is required shall be begun or

completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.

The Board of Adjustment is hereby empowered and authorized to grant the following specific exceptions, to wit:

(f) To permit a mobile home to serve as a temporary second dwelling to relieve a medical hardship. The application must include a doctor's statement indicating that the patient is in need of the care of his or her family. The mobile home must meet all City of Norman Building Code requirements and State of Oklahoma requirements for septic systems. The Exception can be approved for up to 3 years on any lot that is five acres or greater in the A-2 zoning district. The Exception can be renewed every 3 years by filing an application for an administrative extension, including a new doctor's statement. Only two (2) administrative extensions may be granted. If a third extension is needed, a new application will be required for Board of Adjustment review. Once the need for the mobile home no longer exists, the mobile home must be removed.

Please find the applicant's detailed justification in the attached application.

DISCUSSION: The subject property is approximately 5.6 acres and zoned A-2. Both Mr. Hudson (property owner at 4800 E. Cedar Lane) and Mrs. Barger (who will occupy the mobile home with Mr. Barger) are disabled and in need of family care. A doctor's statement indicating their need has been provided. A mobile home permit and moving permit will be required if the Board approves the special exception. The Planning Department keeps record of these Special Exceptions and their renewal/expiration dates.

The item has been postponed from the June 28, 2023 Board of Adjustment meeting.

CONCLUSION: Staff forwards this request for a medical hardship Special Exception and BOA-2223-22 to the Board of Adjustment for consideration.



Application for Variance or Special Exception
BOARD OF ADJUSTMENT

Case No. BOA 2 Item 2.

City of Norman Planning & Community Development - 201 W. Gray St., Bldg. A - Norman, OK 73069 — (405) 366-5433 Phone - (405) 366-5274 Fax

| | |
|--|--|
| APPLICANT(S) 1) Barry Glen Barger 2) Jeremy & Morgan Hudson | ADDRESS OF APPLICANT 2928 Misty Ridge Drive Norman OK 73071 4800 E. Cedar Lane Road Norman OK 73026-5511 |
|--|--|

| | |
|--|--|
| NAME AND PHONE NUMBER OF CONTACT PERSON(S) Barry Barger (405) 808-4031 Jeremy Hudson (405) 630-5916 Morgan Hudson (405) 306-4914 | EMAIL ADDRESS COCOBE2928@ATT.NET Jeremy.d.hudson@gmail.com Morgan.d.hudson@gmail.com |
|--|--|

Legal Description of Property: (UNLESS THE LEGAL DESCRIPTION IS A SIMPLE LOT AND BLOCK, THE LEGAL DESCRIPTION MUST BE PROVIDED IN A WORD DOCUMENT EMAILED TO CURRENT.PLANNING@NORMANOK.GOV)

4800 E. Cedar Lane RD. Norman, OK. 73026-5511
 13-8-2W 5665 AC PRTNW/4 BEG 2357' N SW/4 E 872' N 283.35'
 W 872' S 283' POB

Requests Hearing for:

- ☐ VARIANCE from Chapter _____, Section _____
- ☒ SPECIAL EXCEPTION to AG-2 Zoning

Detailed Justification for above request (refer to attached Review Procedures and justify request according to classification and essential requirements therefor):

Jeremy and Morgan Hudson, owners of property located at 4800 E. Cedar Lane RD, Norman OK 73026-5511 request a special exception to the existing zoning ordinance to allow the placement of a 1565 sq. ft. manufactured home for Barry and Colette Barger, (Parents of Morgan Hudson). This request is being made to help facilitate the care of Jeremy Hudson, who is a 100% qualified disabled, honorably discharged veteran. Jeremy served two

(Attach additional sheets for your justification, as needed.)

SIGNATURE OF PROPERTY OWNER(S):

Barry Barger

ADDRESS AND TELEPHONE:

4800 E Cedar Lane RD (405) 630-5916
 Norman OK 73026 (405) 306-4914
 2928 Misty Ridge Dr.
 Norman OK 73071 (405) 808-4031

- ☒ Application
☒ Proof of Ownership
☒ Certified Ownership List and Radius Map
☒ Site Plan
☒ Filing Fee of \$ 200
☐ Emailed Legal Description in Word Document

☐ VARIANCE from Chapter _____,
 Section _____

☒ SPECIAL EXCEPTION to
36-570(g)(2)(f)

Date Submitted:

6-5-2013

Checked by:

mt



CERTIFICATION OF OWNERSHIP

Case No. BOA Item 2.

City of Norman Planning & Community Development - 201 W. Gray St., Bldg. A - Norman, OK 73069 — (405) 366-5433 Phone - (405) 366-5274 Fax

DATE: 6-5-2023

I, Jeremy D. Hudson, hereby certify and attest that I am the owner, or that I have an option to purchase the following described property in the City of Norman:

4800 E. Cedar Lane Rd
Norman, OK 7302-5511

Legal Description

13-8-2W5.65AC PRTNW/4 BEG 2357' N SW 1/4 E 872' N 28335' W 872' S 283' POB

CLASS - Rural Reside

School District-40

SECTION-13

TOWNSHIP-8

RANGE-2W

ACCOUNT TYPE - Residential

AND, I further certify and attest that this legal description describes accurately the property requested for rezoning.

AND, I accept billing for the cost of publishing legal notice in the NORMAN TRANSCRIPT.

Owner's Signature: [Signature]

Address: 4800 E Cedar Lane Rd
Norman OK 73026-5511

Agent's Signature: _____

Address: _____

NOTARY

Before me, the undersigned, a Notary Public in and for the State of Oklahoma, on this _____ day of _____, 20____, personally appeared _____, to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

(SEAL)

My commission expires: _____

Notary Public

I hereby accept this Certification of Ownership in lieu of a deed or other legal document showing proof of ownership.

Signature: _____

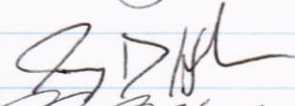
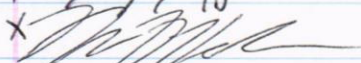
Title: _____

CITY OF NORMAN

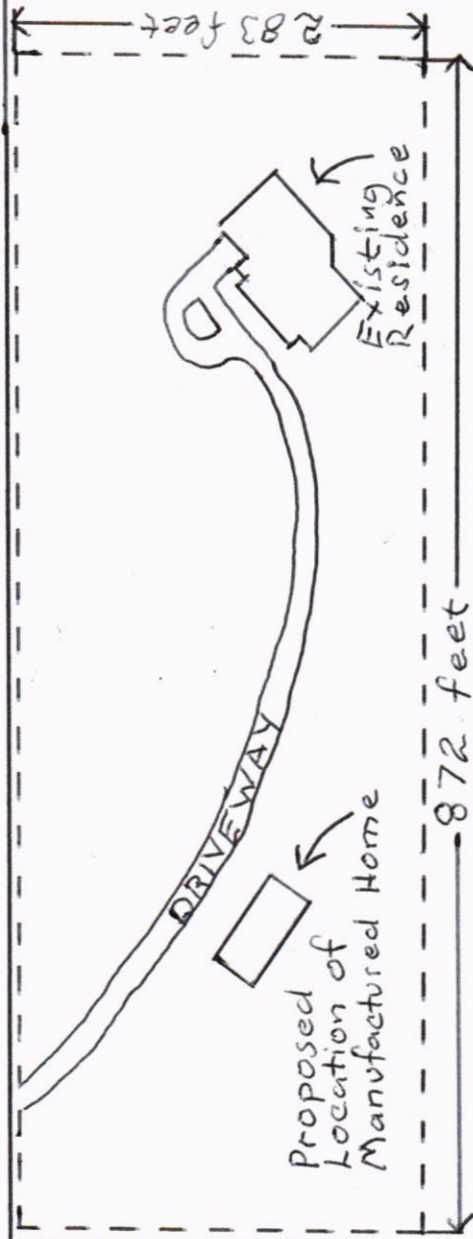
deployments as a sergeant with "A" Co. 45 brigade Special Troops Battalion and then with Delta Co 1st Battalion, 179th infantry in support of Operation IRAQI FREEDOM. Colette Barger, Morgan's mother, is also 100% disabled due to being in the final stages of Huntington's Disease. (Please see all attached documents relating to both Jeremy and Colette's disabilities) It is hoped that by approving a special allowance to the existing zoning ordinance, that Barry and Colette Barger may place a manufactured home on the property owned by Jeremy and Morgan Hudson at 4800 E Cedar Lane RD. If an exception is granted then both families may reside more closely and thereby more easily provide for the care of both disabled individuals. We believe we are supported in this request by the Americans with Disabilities ACT as well as the Fair Housing ACT, Office of Compliance and Disability Rights Division.

We thank thank you for your kind consideration

Barry and Colette Barger

* 
 * 

EAST CEDAR LANE RD



CLASS - Rural Resident

SECTION - 13 TOWNSHIP - 8

RANGE - 2W ACCOUNT TYPE - Residential

LEGAL DESCRIPTION

13-8-2W5.65AC PRT NW/4 BEG 2.357'N SW/4 E 872'N 283.35'W 872' S 283' POB

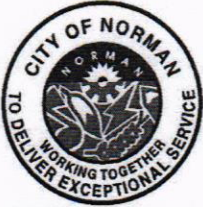
MAILING ADDRESS

HUDSON, JEREMY DANIEL and MORGAN DANIELLE

4800 E CEDAR LANE RD

NORMAN, OK. 73026-5511

48TH SE AVE



CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Wednesday, June 28, 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, June 28, 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.

Vice Chair James Howard called the meeting to order at 4:32 p.m.

ROLL CALL

PRESENT

Brad Worster
Micky Webb
James Howard

ABSENT

Curtis McCarty
Ben Bigelow

STAFF PRESENT

Lora Hoggatt, Planning Services Manager
Melissa Navarro, Planner II
Zach Abell, Planner I
Kelvin Winter, Code Compliance Supervisor
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 May 24, 2023 Board of Adjustment Meeting.

Motion made by Worster, Seconded by Webb, to approve the minutes of the May 24, 2023 Board of Adjustment meeting as presented.

Voting Yea: Worster, Webb, Howard

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8. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-222
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

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, explained that they're trying to combine their two households onto the same property, owned by his daughter and son-in-law. His son-in-law has 100% medical disability received after his second deployment to Iraq. His wife is medically disabled with Huntington's disease at a very advanced stage. They want the families close together so they can support each other.

Mr. Webb suggested the applicant think about postponing until more Board members are present. He does not plan to vote in favor of it.

Mr. Barger requested that this application be postponed.

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Motion made by Worster, Seconded by Webb, to postpone BOA-2223-22 to the July 26, 2023 meeting.

Voting Yea: Worster, Webb, Howard

The motion to postpone BOA-2223-22 to the July 26, 2023 meeting passed by a vote of 3-0.

*



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 07/26/2023

REQUESTER: Kirk Hays and Samantha Watson

PRESENTER: Melissa Navarro, Planner II

ITEM TITLE: 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.

ACTION NEEDED: Approve, reject, amend, or postpone the Variance to building coverage for BOA-2223-23.

Board of Adjustment
 July 26, 2023
 BOA-2223-23

STAFF REPORT

GENERAL INFORMATION

| | |
|-------------------------|--|
| APPLICANT | Kirk Hays and Samantha Watson |
| LOCATION | 107 N. Findlay Avenue |
| ZONING | R-2, Two-Family Dwelling District |
| REQUESTED ACTION | 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 |
| SUPPORTING DATA | Location Map Application with attachments Site Plan |

SYNOPSIS: The applicant is developing this property by adding a new residential building. The plan includes adding a pergola in the backyard that increases the building coverage to 42%, 2% more than the allowed 40% for the R-2 district. Additionally, the applicant is adding a second cooking facility in the house. Because only one cooking facility is allow per dwelling, the applicant is asking to allow a two-family dwelling on a 3,750 sq. ft. lot; the R-2 district requires a lot area of 7,000 sq. ft. for a two-family dwelling.

The application, site plan, and the Existing Variance Conditions form are attached for your review.

VARIANCE CRITERIA PER SECTION 570(k):

A variance from the terms of this ordinance shall not be granted by the Board of Adjustment unless and until:

- (1) An applicant shall submit to the Board of Adjustment a written application indicating:
 - (a) That special conditions and circumstances exist that are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same district;
 - (b) That the literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance;

- (c) That the special conditions and circumstances do not result from the actions of the applicant;
- (d) That granting the variances requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structure, or buildings in the same district;

No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

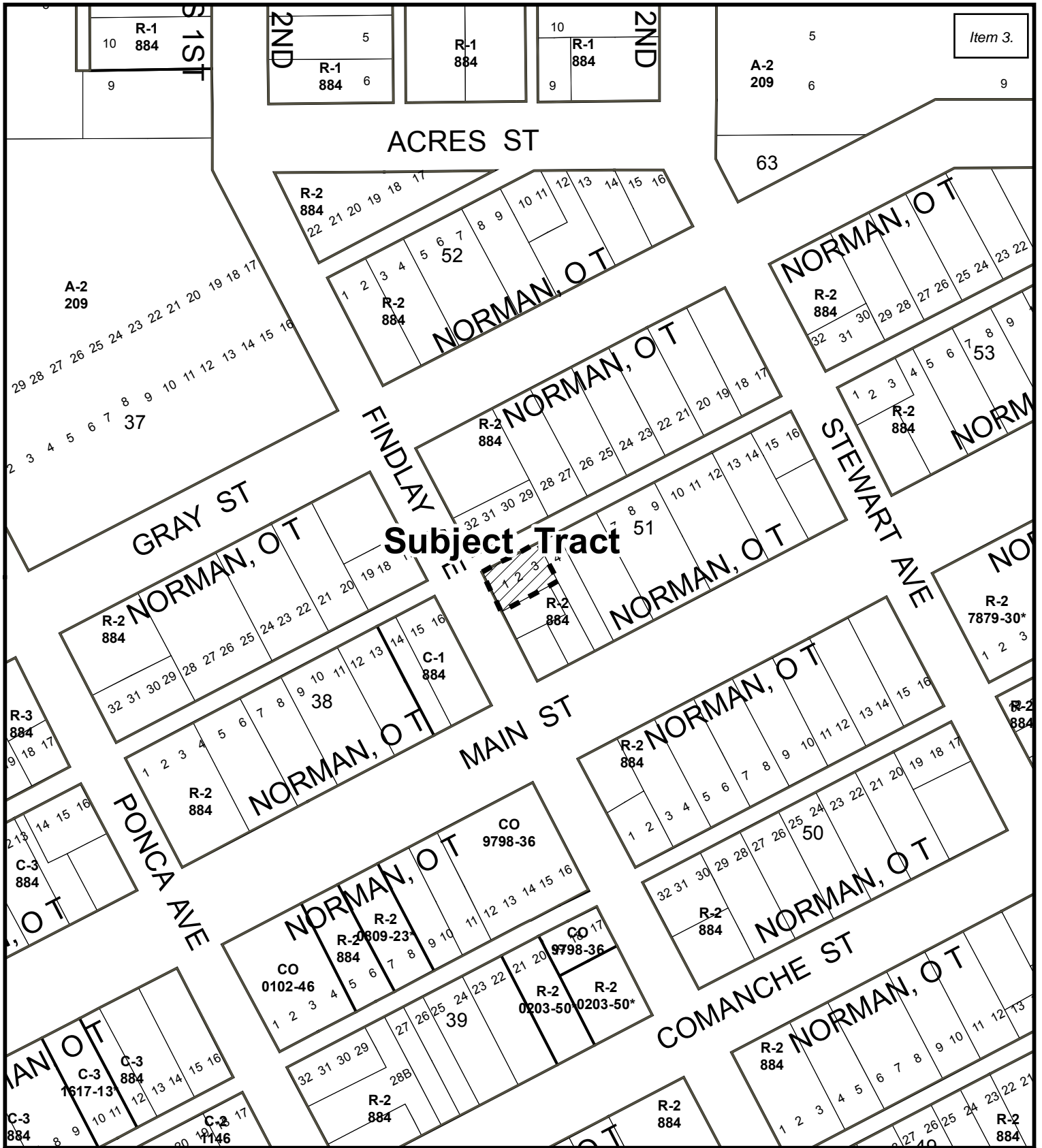
The applicant provided responses to the four variance criteria. Please see the attached Existing Variance Conditions form and related information.

DISCUSSION: This property already has 3 variances approved by the Board in July 2020: to build a single-family home on a 3,750 sq. ft. lot; to allow a front setback of 2'3"; and to allow a rear setback of 10'.

The pergola needs to be located at least 1 foot from the rear property line and meet building code requirements. The property will still meet the 65% impervious coverage requirement; they are currently proposing approximately 60% impervious coverage.

The proposed floorplan does not show a separation of the two units. The applicant will need to provide a separation that meets building codes at building permit stage.

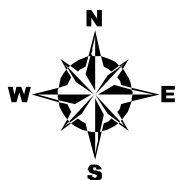
CONCLUSION: Staff forwards this request for a variance to the building coverage maximum and lot area for a two-family dwelling as BOA-2223-23 to the Board of Adjustment for consideration.



Location Map



Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.



June 4, 2020

0 75 150 Ft.



Subject Tract



Zoning



Application for Variance or Special Exception
BOARD OF ADJUSTMENT

Case No. BOA _____

City of Norman Planning & Community Development - 225 N. Webster Avenue - Norman, OK 73069 — (405) 307-7112 Phone

| | |
|---|---|
| APPLICANT(S) <i>Kirk Hays</i> <i>Samantha Watson</i> | ADDRESS OF APPLICANT <i>105 N Findlay Ave</i> <i>Norman, OK 73071</i> |
| NAME AND PHONE NUMBER OF CONTACT PERSON(S) <i>Kirk Hays</i> <i>405-642-9300</i> | EMAIL ADDRESS <i>haysmark@mac.com</i> |

Legal Description of Property: (UNLESS THE LEGAL DESCRIPTION IS A SIMPLE LOT AND BLOCK, THE LEGAL DESCRIPTION MUST BE PROVIDED IN A WORD DOCUMENT EMAILED TO CURRENT.PLANNING@NORMANOK.GOV)

The North 50 feet of Lots One (1), Two (2), and Three (3), in Block Fifty-one (51), of the ORIGINAL TOWN OF NORMAN, Cleveland County, Oklahoma, according to the recorded plat thereof.

Requests Hearing for:

- ☒ VARIANCE from Chapter *202*, Section *421.5*
- ☐ SPECIAL EXCEPTION to _____

Detailed Justification for above request (refer to attached Review Procedures and justify request according to classification and essential requirements therefor):

Documentation attached.

(Attach additional sheets for your justification, as needed.)

SIGNATURE OF PROPERTY OWNER(S):

Kirk Hays

ADDRESS AND TELEPHONE:

107 N Findlay Ave
Norman, OK 73071
405-642-9300

OFFICE ONLY

- ☐ Application
- ☐ Proof of Ownership
- ☐ Certified Ownership List and Radius Map
- ☐ Site Plan
- ☐ Filing Fee of \$ _____
- ☐ Emailed Legal Description in Word Document

- ☐ VARIANCE from Chapter _____, Section _____
- ☐ SPECIAL EXCEPTION to _____

Date Submitted: _____

Checked by: _____

03202023 ent

VARIANCE APPLICATION FOR 107 NORTH FINDLAY AVENUE

Legal Description of Property

The North 50 feet of Lots One (1), Two (2), and Three (3), in Block Fifty-One (51), of the ORIGINAL TOWN OF NORMAN, Cleveland County, Oklahoma, according to the recorded plat thereof.

Zoning: R-2, Two Family Dwelling District.

Chapter 22

Section 421.5

Variance #1 - Building Coverage

Building Coverage: Main and accessory buildings shall not cover more than forty (40%) percent of the lot area; accessory buildings shall not cover more than twenty percent (20%) of the rear yard. (O-0708-36)

We are requesting a variance to cover more than 40% of the lot area in order to build a pergola over a concrete patio. I believe a variance is warranted for the following reasons:

1. There are special conditions or circumstances peculiar to the land or structure involved;
 - a. The lot is 75 feet long and 50 feet wide (3,750 square feet).
2. The literal interpretation of the provisions of the Ordinance would deprive the applicant of rights enjoyed by others in the same district;
 - a. Many homes/accessory buildings in the area cover more than 40% of the lot area.
 - i. 603 E Main Street
 - ii. 605 E Main Street
 - iii. 607 E Main Street
 - iv. 527 E Frank Street
 - v. 122 N Findlay
 - vi. 602 E Gray
 - vii. 523 E Main
3. The special conditions or circumstances do not result from the actions of the applicant; and
 - a. The lots were divided up into small segments and odd configurations long ago. We are trying to build a modest 1500 square foot house, which already takes up 40% of the lot. The pergola we would like to build will not be roofed and it will be over a concrete patio.
4. The granting of the Variance will not confer special privileges on the applicant that are denied to other lands and/or structures in the same district.
 - a. As stated above, several houses/accessory buildings in the district already cover more than 40% of the lot area. We will only be going over the requirement by a

very small amount to build a pergola and improve the overall aesthetic of the neighborhood.

Chapter 22

Section 421.5

Variance #2 - Intensity of Use

(1) There shall be a lot area of not less than five thousand (5,000) square feet for a single family dwelling; seven thousand (7,000) square feet for a two family dwelling or a single family dwelling and a garage apartment on the same lot.

(2) Where a lot has less area than herein required and all boundary lines of that lot touch lands under other ownership on the effective date of this ordinance, that lot may be used only for the uses permitted in R-1, Single Family District.

We are requesting a variance to build a two family dwelling (two kitchens) on our lot that is smaller than 7,000 square feet. I believe a variance is warranted for the following reasons:

1. There are special conditions or circumstances peculiar to the land or structure involved;
 - a. The lot is 75 feet long and 50 feet wide (3,750 square feet).
2. The literal interpretation of the provisions of the Ordinance would deprive the applicant of rights enjoyed by others in the same district;
 - a. Many properties in the area have two dwellings on the same lot. The house we plan to build is one dwelling, but will have two kitchens, which, according to planning and community development, constitutes a second dwelling unit. Without this variance being approved, it is unlikely that my wife and I will be able to move forward with building this house. Thank you for your time and consideration.
3. The special conditions or circumstances do not result from the actions of the applicant; and
 - a. The lots were divided up into small segments and odd configurations long ago.
4. The granting of the Variance will not confer special privileges on the applicant that are denied to other lands and/or structures in the same district.
 - a. As stated above, several properties in the area have two dwellings on the same lot.

Quit Claim Deed
Joint Tenancy

Doc # R2020-14332 BT: RB B: 6054 P: 1307 QC
05/12/2020 02:33:41 PM Pages: 1

Cleveland County Clerk, OK - Tammy Belinson
Fee: \$ 18.00



KNOW ALL MEN BY THESE PRESENTS:

THAT Sacke Properties, LLC

as Grantor(s), in the consideration of the sum of Ten and no /100 (10.00) dollars, and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do We hereby quitclaim, grant, bargain, sell, and convey unto:

Kirk Hays and Samantha Watson

the Grantee(s), as joint tenants and not as tenants in common with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, the following described real property and premises situated in Cleveland County, State of Oklahoma to wit:

The North 50 feet of Lots One (1), Two (2), and Three (3), in Block Fifty-One (51),
of the ORIGINAL TOWN OF NORMAN, Cleveland County, Oklahoma, according to
the recorded plat thereof. AKA: 107 N Findlay Avenue, Norman, OK 73071.

together with all and singular the hereditaments and appurtenances thereunto belonging.

TO HAVE AND TO HOLD the above described premises unto the said parties of the second part as joint tenants.

Signed and delivered this 11 day of May, 20 20

Please send property tax information to: Kirk Hays, 105 N Findlay Avenue, Norman, OK 73071.

[Signature]

Individual Acknowledgement

Title 68: Sec. 3201 or 3202.
Tax shall not apply: 4

State of Oklahoma
County of Cleveland

This instrument was acknowledged before me this 11th day of May, 20 20

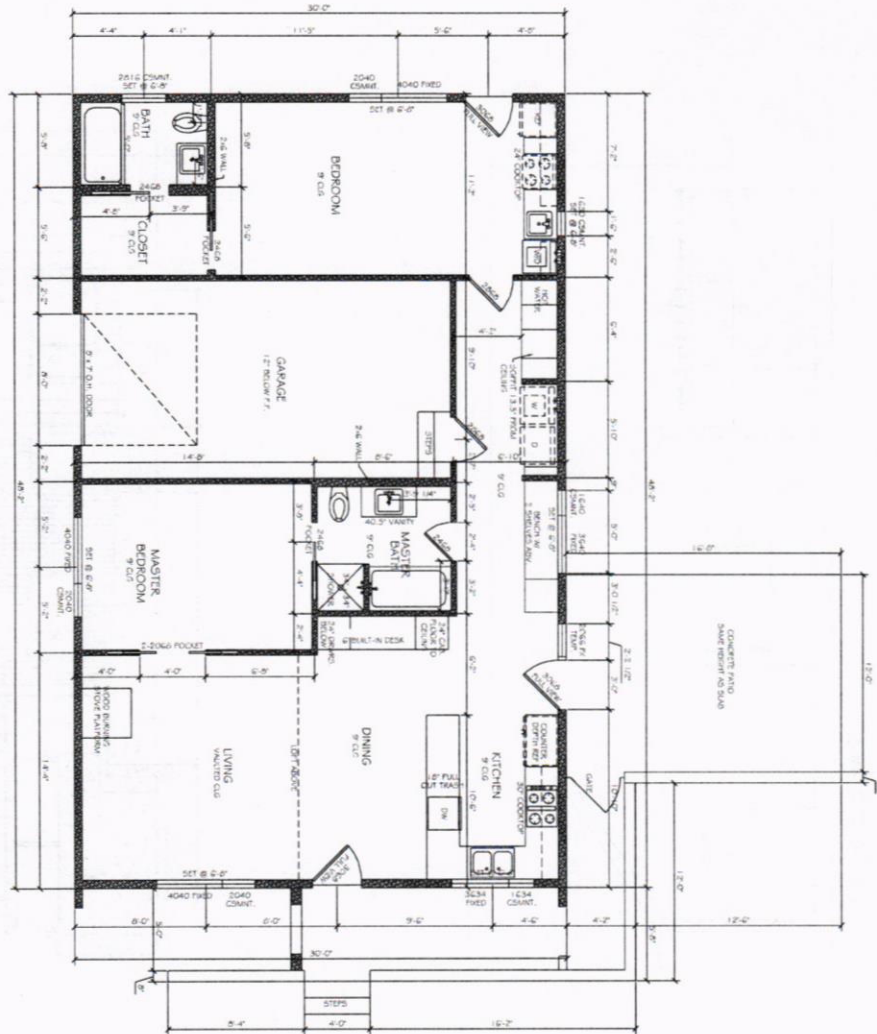
personally appeared David Himes to me
known to be the identical person(s) who executed the within and foregoing document, and acknowledged such as a free and voluntary act.

Given under my hand and seal the day and year last above written.

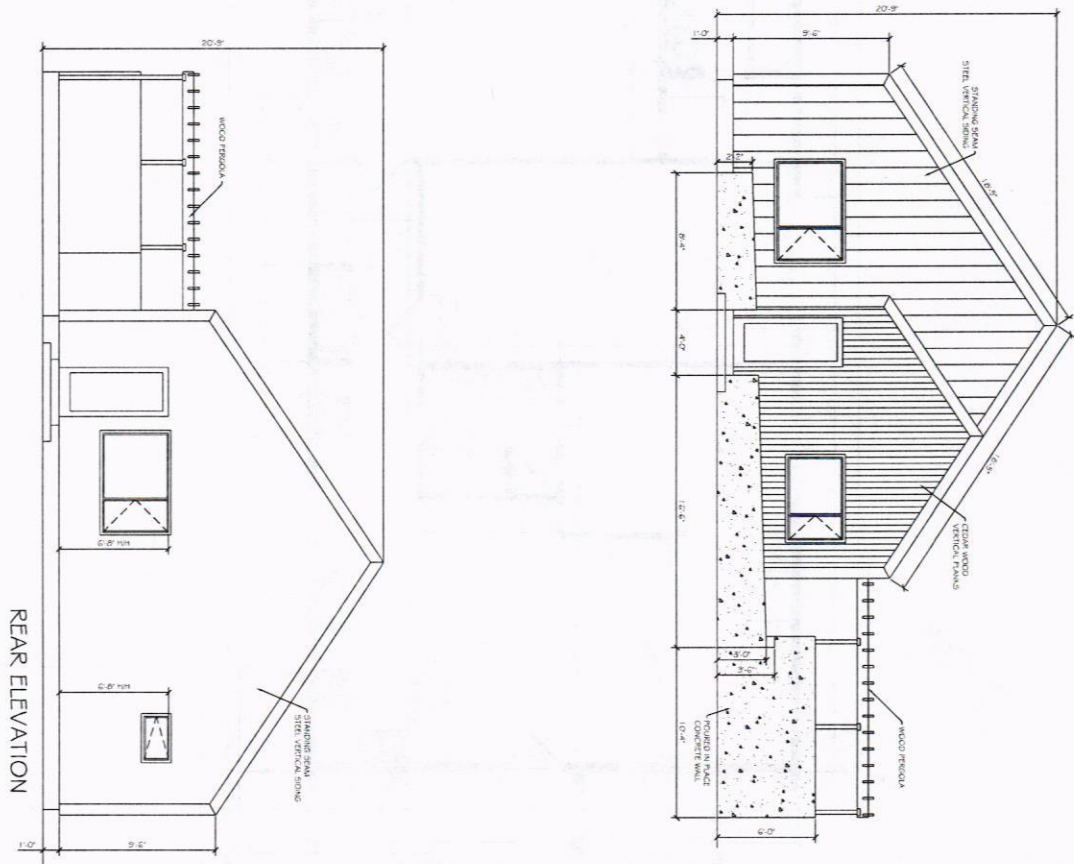
My commission expires: 10.2.21



[Signature]
NOTARY PUBLIC



107 N. FINDLAY



REAR ELEVATION

107 N. FINDLAY

4

ELEVATIONS



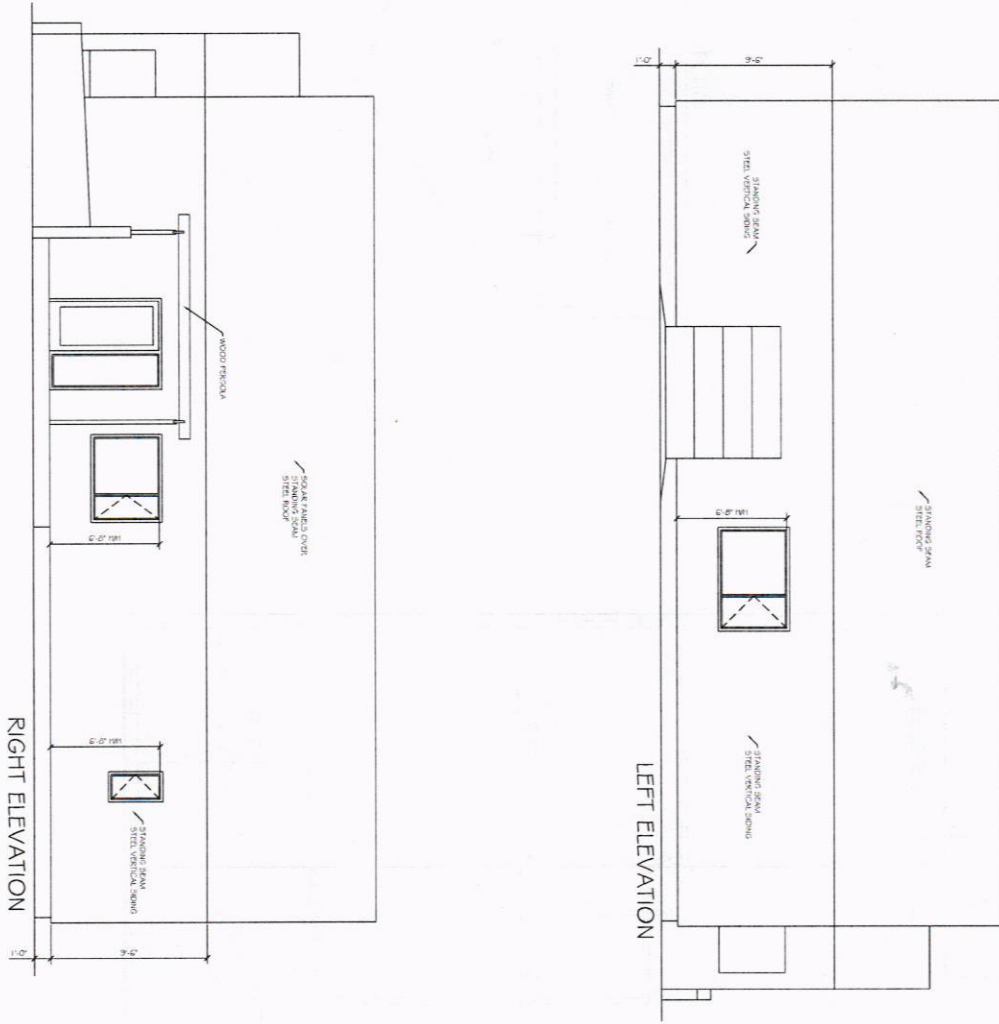
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NORMAN, OK 75072
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www.preferred-plans.net

VINYL SIDING
16" x 8" S.B.
ALUMINUM TRIM
3" x 3" S.B.
WOOD TREX
2" x 4" S.B.

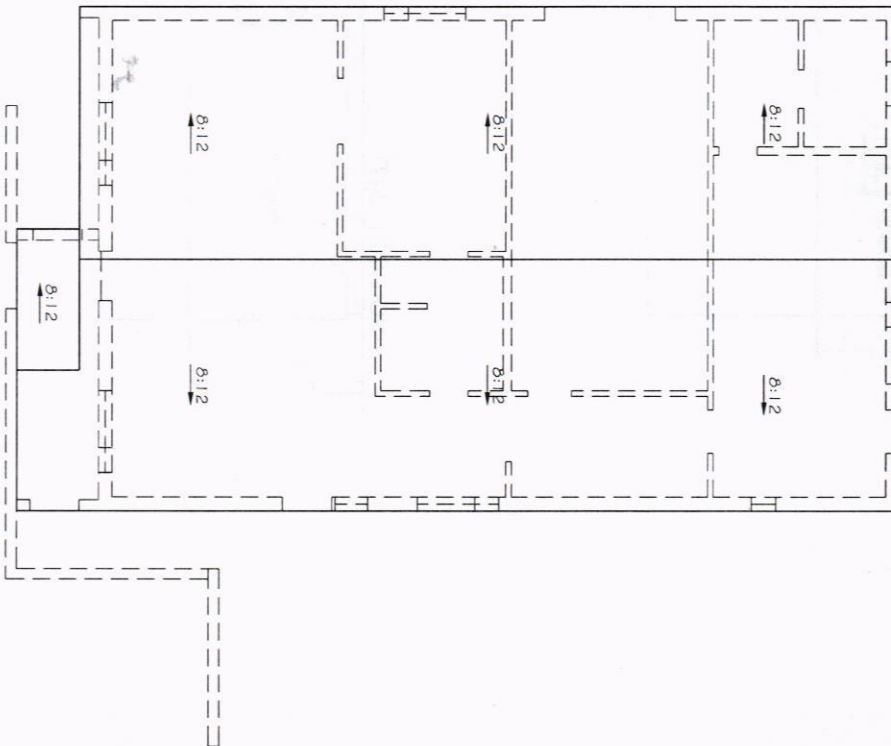
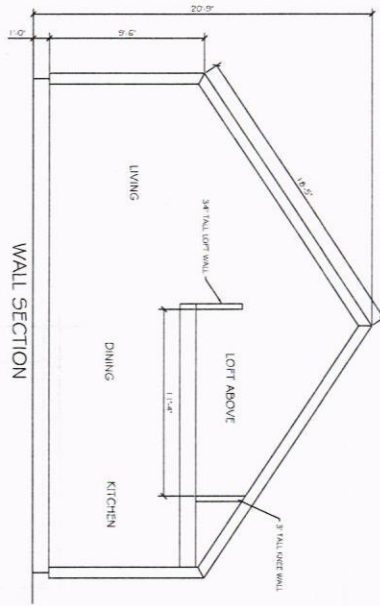
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ON THIS SET OF PLANS

DATE
4/27/2025
SCALE
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THESE PLANS ARE THE PROPERTY OF PREFERRED PLANS, INC. AND ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF PREFERRED PLANS, INC. ANY VIOLATION OF THIS NOTICE WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.



107 N. FINDLAY



107 N. FINDLAY

6

RECAP LAYOUT



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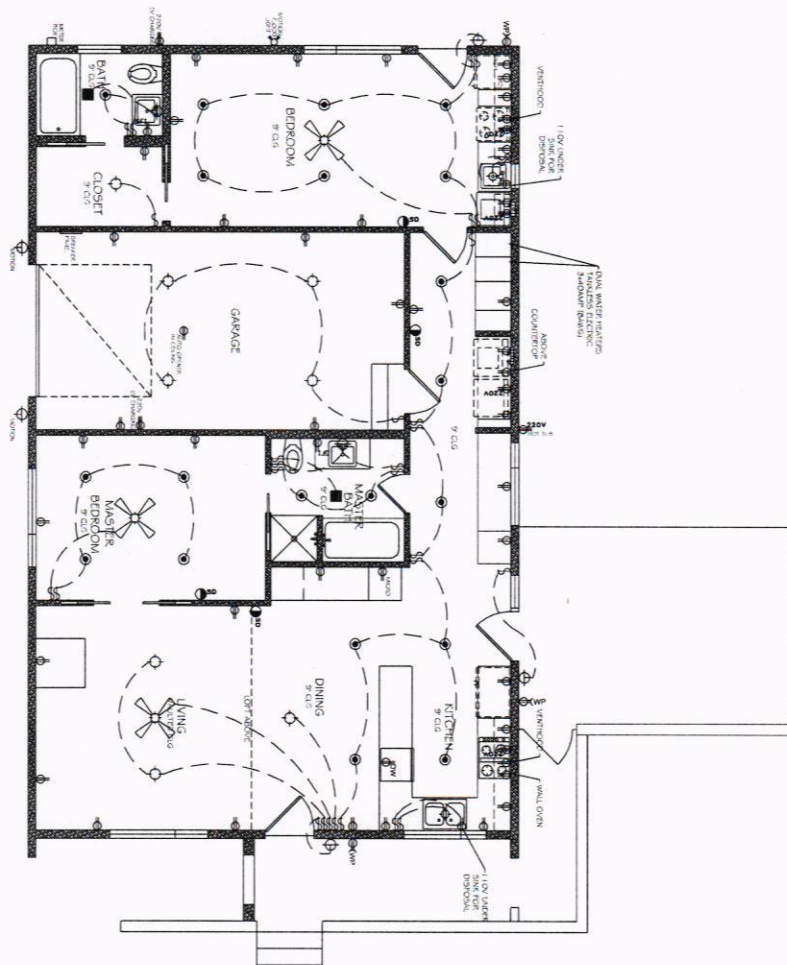
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| ELECTRICAL/LIGHTING SYMBOLS | |
|-----------------------------|----------------------------------|
| ② | 100 AMPERE CIRCUIT |
| ③ | 150 AMPERE CIRCUIT |
| ④ | 200 AMPERE CIRCUIT |
| ⑤ | 300 AMPERE CIRCUIT |
| ⑥ | 400 AMPERE CIRCUIT |
| ⑦ | 1 INCH MINIMUM TRAILER INTERLOCK |
| ⑧ | TELEPHONE NATIONAL LEAD |
| ⑨ | TELEPHONE OUTLET |
| ⑩ | SHIELD LIGHT |
| ⑪ | NECESSARY DIM LIGHT |
| ⑫ | NECESSARY DIM LIGHT |
| ⑬ | BATHROOM CLOSET VENTILATOR LIGHT |
| ⑭ | BATHROOM CLOSET VENTILATOR LIGHT |
| ⑮ | BRACKET LIGHT |
| ⑯ | WALL DOWNWARD SHOWN LIGHT |
| ⑰ | 2 1/2 AMPERE SHOWN SHOWN LIGHT |
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DATE: 4/27/2025

SCALE: AS SHOWN

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NORMAN, OK 73072
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www.preferred-plans.net

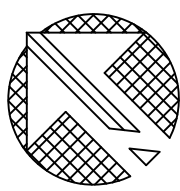
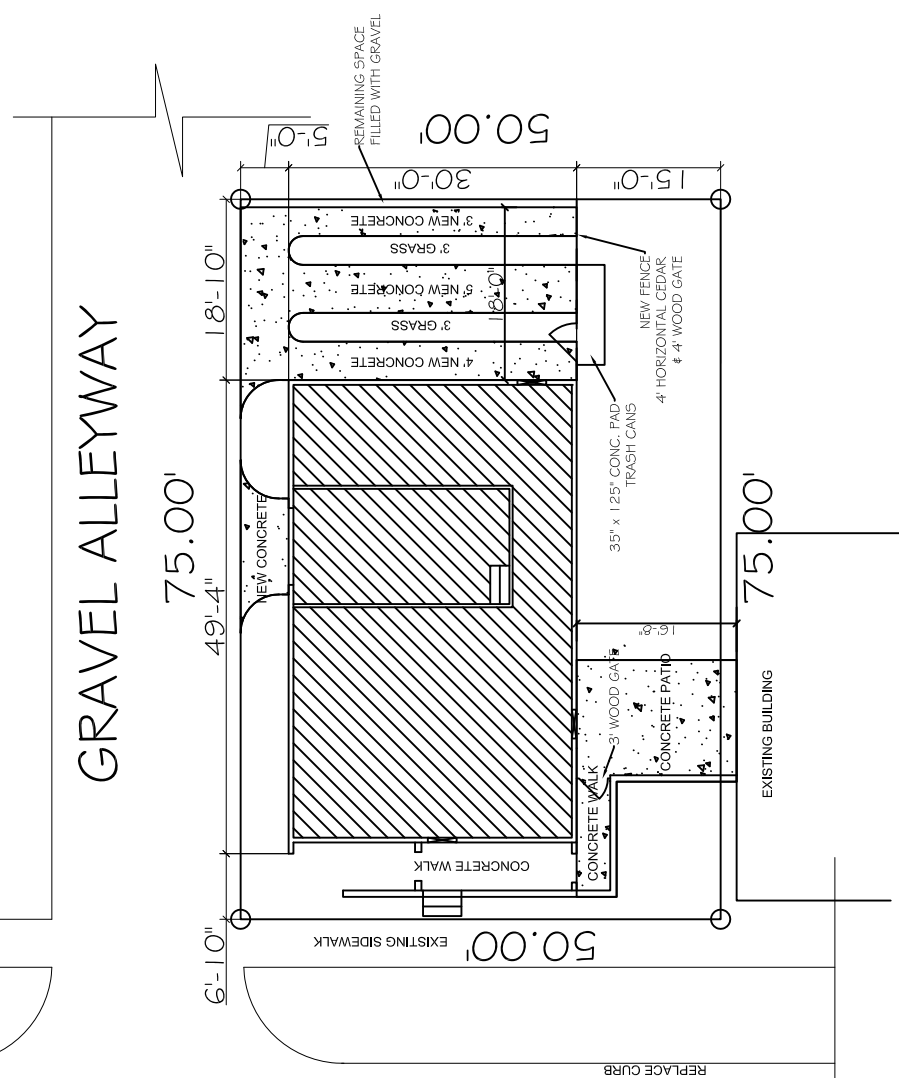
Item 3.

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TEL: (405) 447-8999
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Item 3.

HOUSE: 1,169 SQ.FT.
GARAGE: 276 SQ.FT.
PORCH: 95 SQ.FT.
CONCRETE: 747 SQ.FT.
COVERAGE: 2,287 SQ.FT.



SCALE: 1"=20'

LOT 1-3, BLOCK 51
NORMAN, CLEV. CO. OK
LOT AREA: 3,750 SQ.FT.
HOUSE COVERAGE: 41.06%
LOT COVERAGE: 58.53%

107 N. FINDLAY AVE.

THESE PLANS WERE PREPARED BY AN ARCHITECT OR ARCHITECTURAL FIRM FOR THE ARCHITECT'S CLIENT. THE ARCHITECT OR ARCHITECTURAL FIRM ASSUMES NO LIABILITY FOR THE ACCURACY OR COMPLETENESS OF THESE PLANS. THE ARCHITECT OR ARCHITECTURAL FIRM ASSUMES NO LIABILITY FOR THE ACCURACY OR COMPLETENESS OF THESE PLANS. THE ARCHITECT OR ARCHITECTURAL FIRM ASSUMES NO LIABILITY FOR THE ACCURACY OR COMPLETENESS OF THESE PLANS.

DATE: 4/27/2023

SCALE: 1/4" = 1'-0"

107 N. FINDLAY

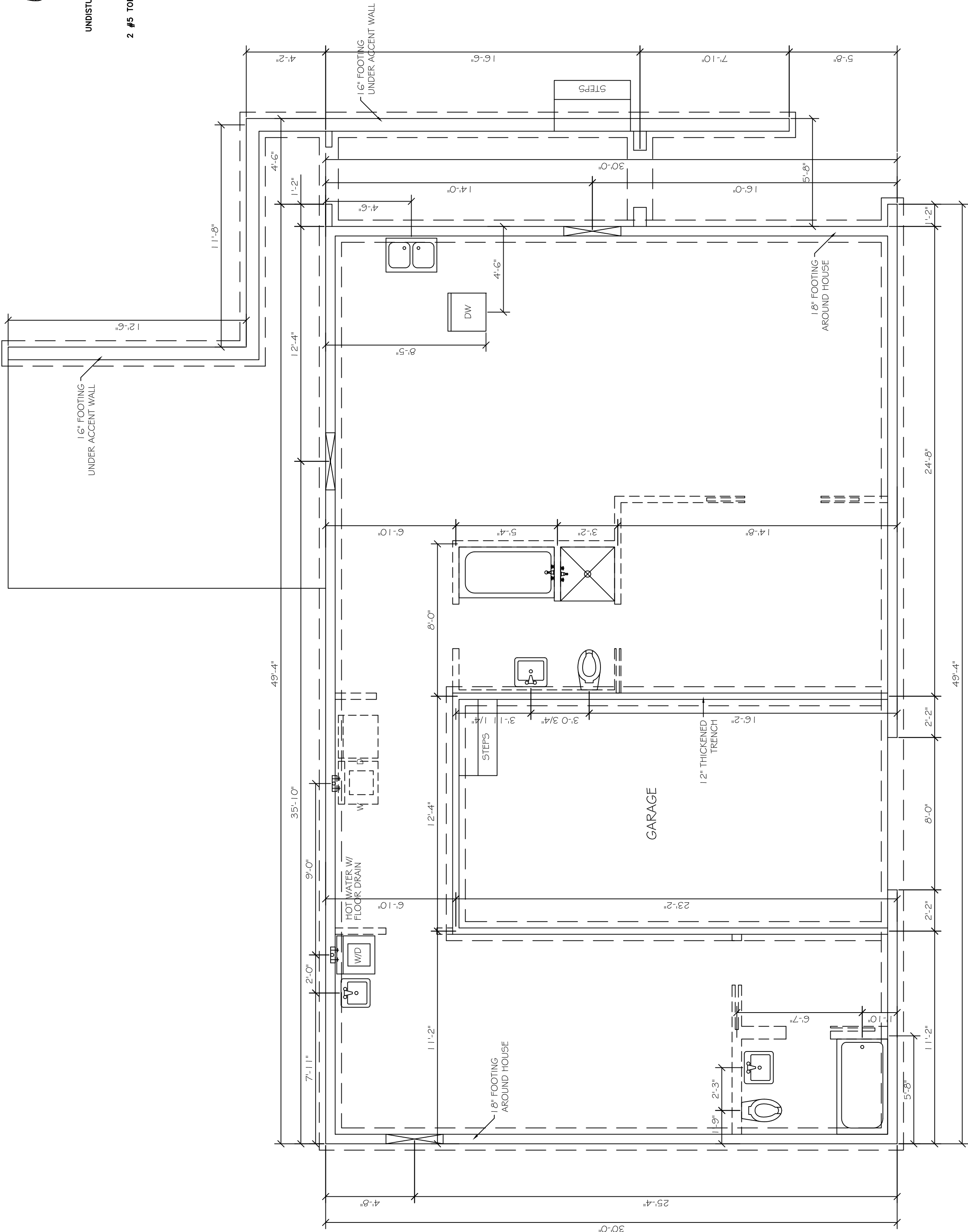
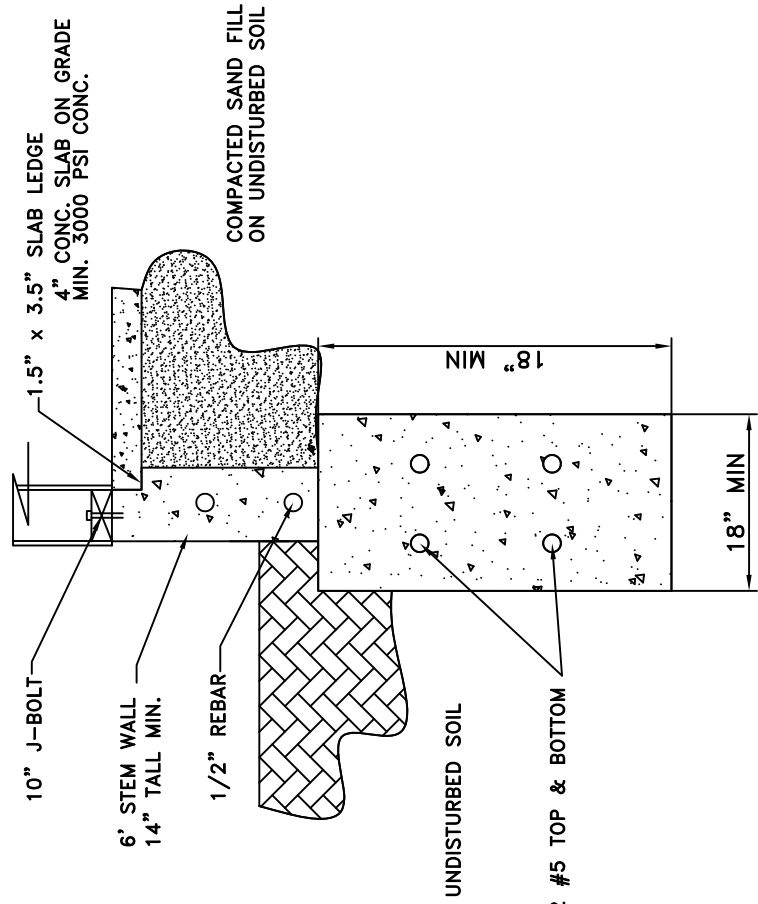
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TOTAL FRAME: 1169 sq. ft.
GARAGE FRAME: 276 sq. ft.
COVERED PORCH: 95 sq. ft.

2600 VAN BUREN, STE. 2602
NORMAN, OK 73072
TEL. (405) 447-8999
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FOUNDATION
2



THESE PLANS WERE PREPARED BY AN ARCHITECT OR ARCHITECTURAL FIRM FOR THE CUSTOMER AND ARE NOT TO BE REPRODUCED, COPIED, OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT OR ARCHITECTURAL FIRM. ANY REPRODUCTION OR USE OF THESE PLANS WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT OR ARCHITECTURAL FIRM IS A VIOLATION OF THE ARCHITECTURAL ACT AND MAY BE SUBJECT TO PENALTY. THESE PLANS ARE NOT TO BE REPRODUCED, COPIED, OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT OR ARCHITECTURAL FIRM. ANY REPRODUCTION OR USE OF THESE PLANS WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT OR ARCHITECTURAL FIRM IS A VIOLATION OF THE ARCHITECTURAL ACT AND MAY BE SUBJECT TO PENALTY.

DATE: 4/27/2023

SCALE: 1/4" = 1'-0"

107 N. FINDLAY

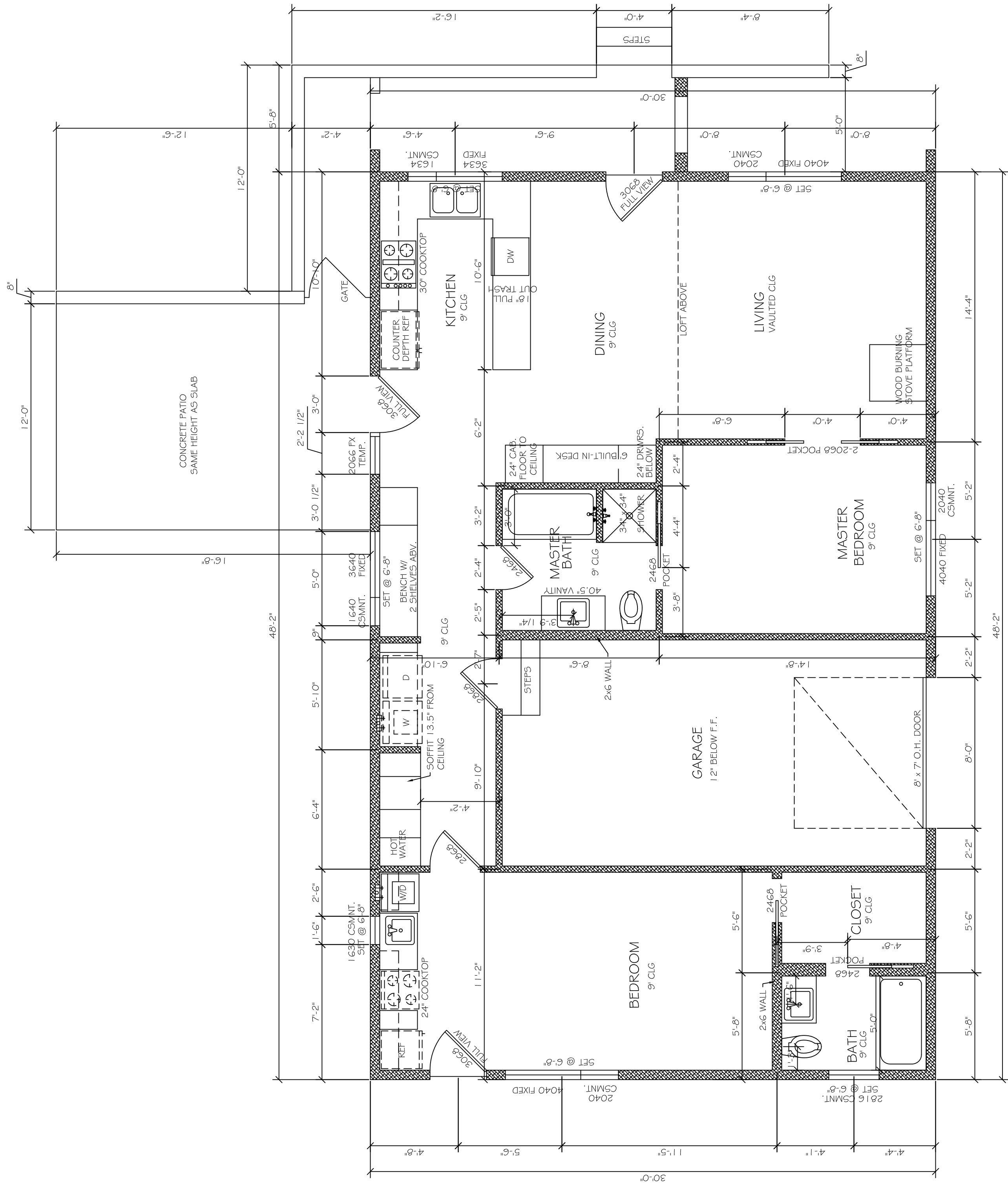
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TOTAL FRAME: 1169 sq. ft.
GARAGE FRAME: 216 sq. ft.
COVERED PORCH: 95 sq. ft.

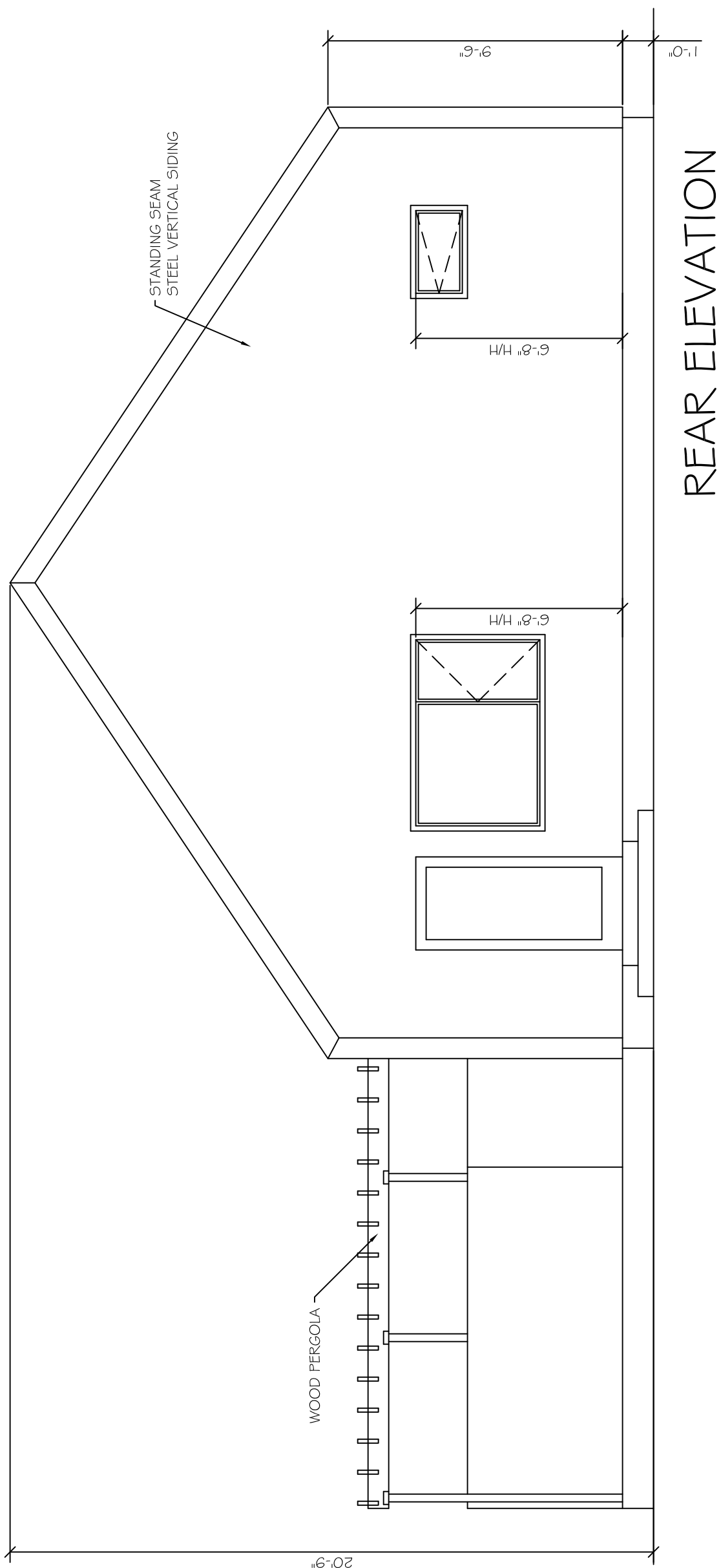
2600 VAN BUREN, STE. 2602
NORMAN, OK 73072
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FLOOR PLAN



4 ELEVATIONS



REAR ELEVATION

THESE PLANS WERE PREPARED FOR THE EXCLUSIVE USE OF THE CUSTOMER AND ARE NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. ANY VIOLATION OF THESE TERMS WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW. THESE PLANS ARE NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. ANY VIOLATION OF THESE TERMS WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.

DATE: 4/21/2025

SCALE: 1/4" = 1'-0"

107 N. FINDLAY

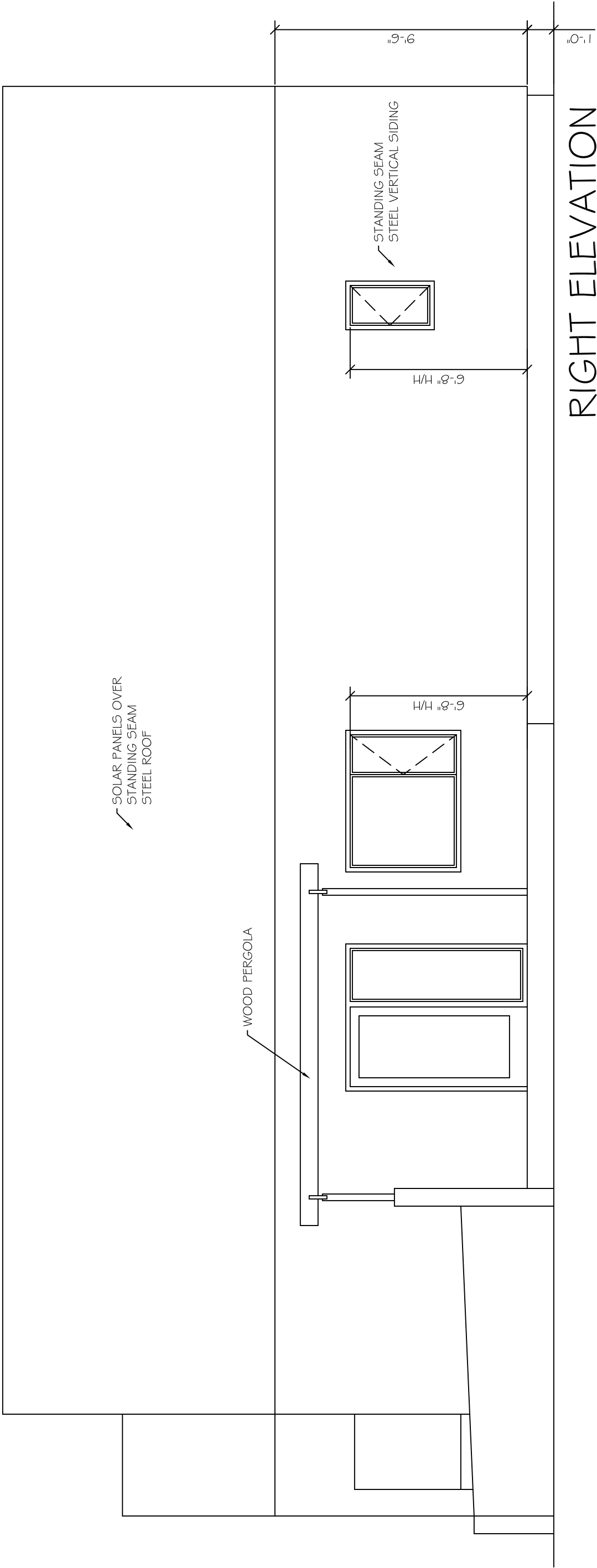
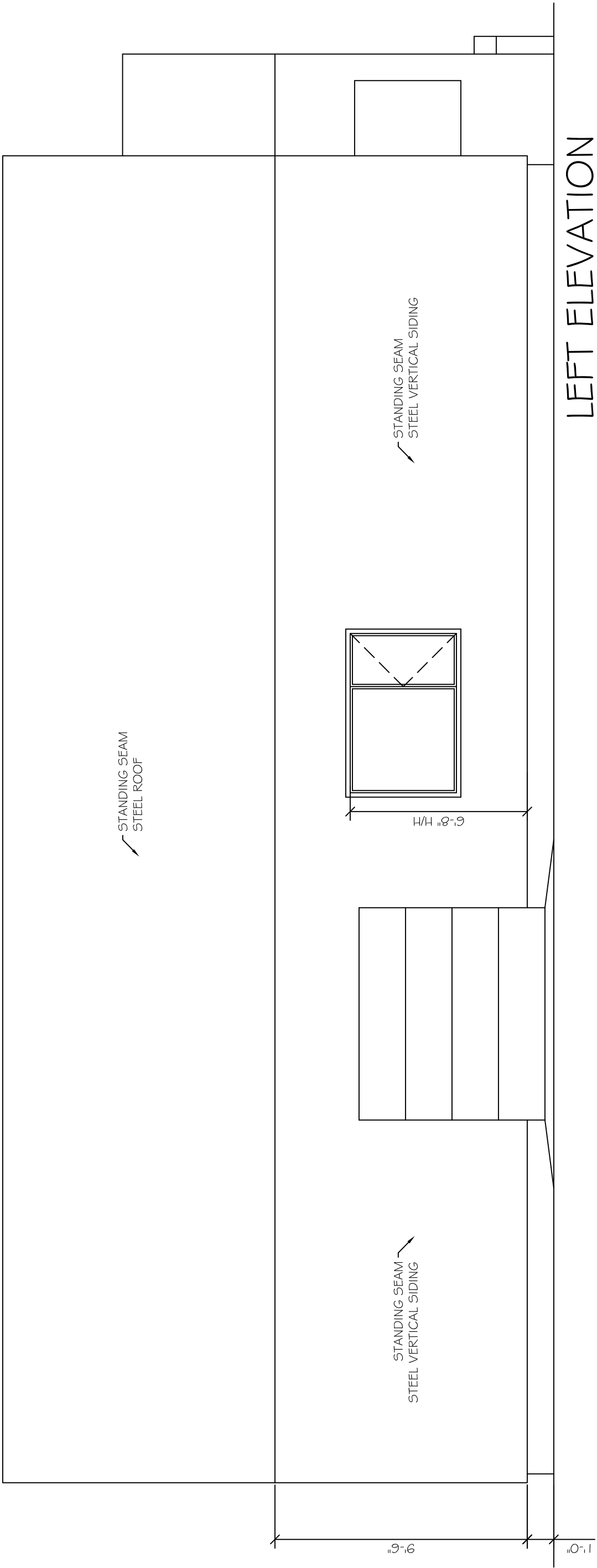
DISCLAIMER: NOT AN ARCHITECT OR ENGINEER. THESE PLANS ARE FOR INFORMATION ONLY AND SHOULD NOT BE USED FOR CONSTRUCTION. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY RESULTING FROM THE USE OF THESE PLANS. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY RESULTING FROM THE USE OF THESE PLANS.

TOTAL FRAME: 1169 sq. ft.
GARAGE FRAME: 276 sq. ft.
COVERED PORCH: 96 sq. ft.

2600 VAN BUREN, STE. 2602
NORMAN, OK 73072
TEL. (405) 447-8999
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ELEVATIONS



THESE PLANS WERE
DESIGNED FOR THE
CUSTOMER AND ARE
NOT TO BE REPRODUCED
OR COPIED IN ANY
MANNER WITHOUT THE
WRITTEN CONSENT OF
PLANS, LLC
© ALL RIGHTS RESERVED

DATE:
4/27/2025

SCALE:
1/4" = 1'-0"

107 N. FINDLAY

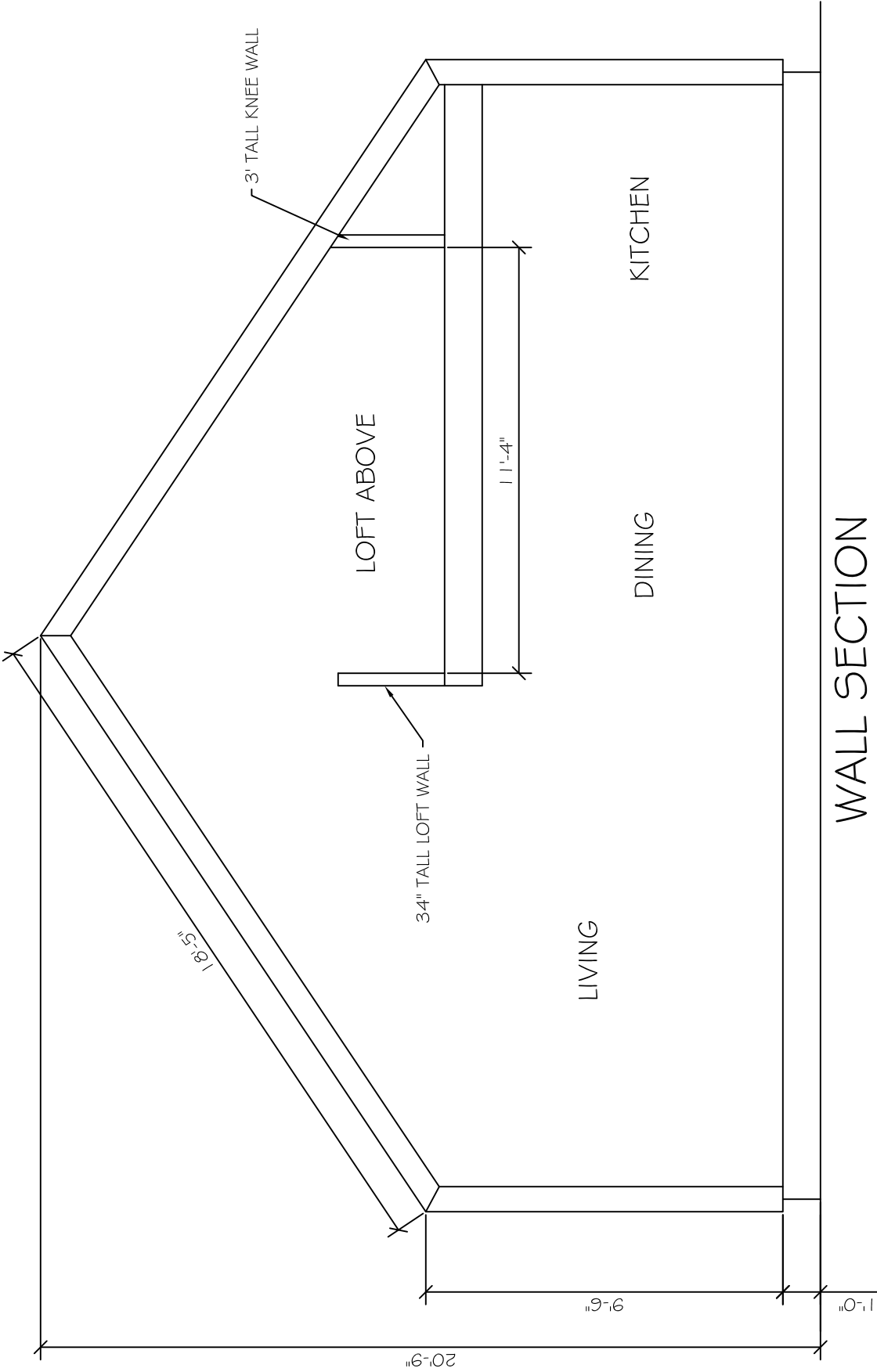
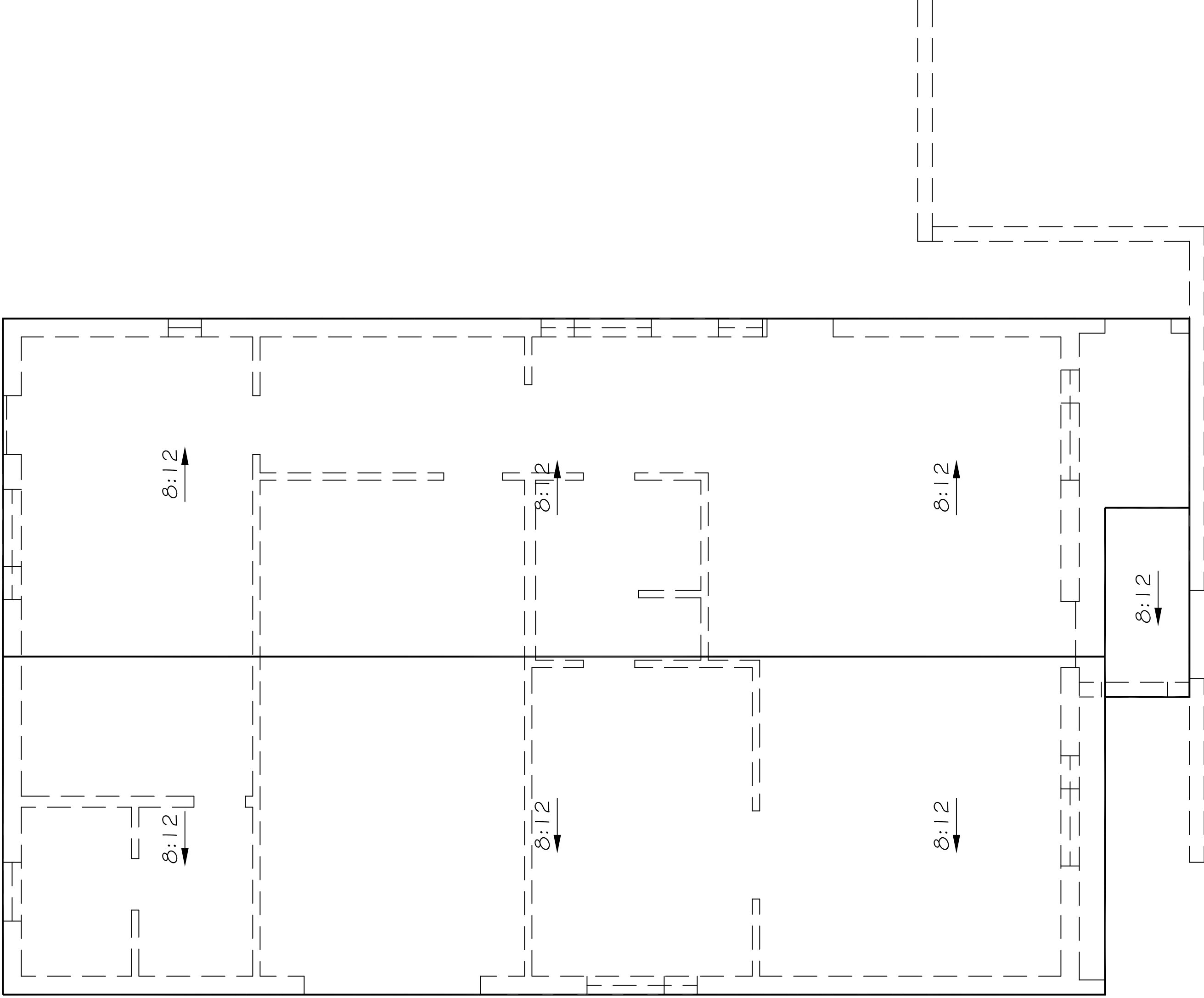
DISCLAIMER: NOT AN ARCHITECT OR
ENGINEER. THESE PLANS ARE
FOR INFORMATION ONLY. A
PROFESSIONAL ARCHITECT OR
ENGINEER MUST REVIEW AND
APPROVE THESE PLANS FOR
USE ON ANY PROJECT.
PLANS, LLC IS NOT RESPONSIBLE
FOR ANY DAMAGE TO
PROPERTY OR PERSONS
RESULTING FROM THE USE
OF THESE PLANS.

TOTAL FRAME:
1169 sq. ft.
GARAGE FRAME:
216 sq. ft.
COVERED PORCH:
96 sq. ft.

2600 VAN BUREN, STE. 2602
NORMAN, OK 73072
TEL. (405) 447-8999
www.preferred-plans.net



ROOF LAYOUT
9



THESE PLANS WERE PREPARED FOR THE CUSTOMER'S USE ONLY. ANY REVISIONS OR CHANGES TO THESE PLANS MUST BE MADE IN WRITING AND SIGNED BY THE ARCHITECT. THE ARCHITECT'S FIRM IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THESE PLANS. THE CUSTOMER IS ADVISED THAT THESE PLANS ARE NOT TO BE REPRODUCED, COPIED, OR IN ANY MANNER USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF PREFERRED PLANS, LLC.

DATE: 4/27/2023

SCALE: 1/4" = 1'-0"

107 N. FINDLAY

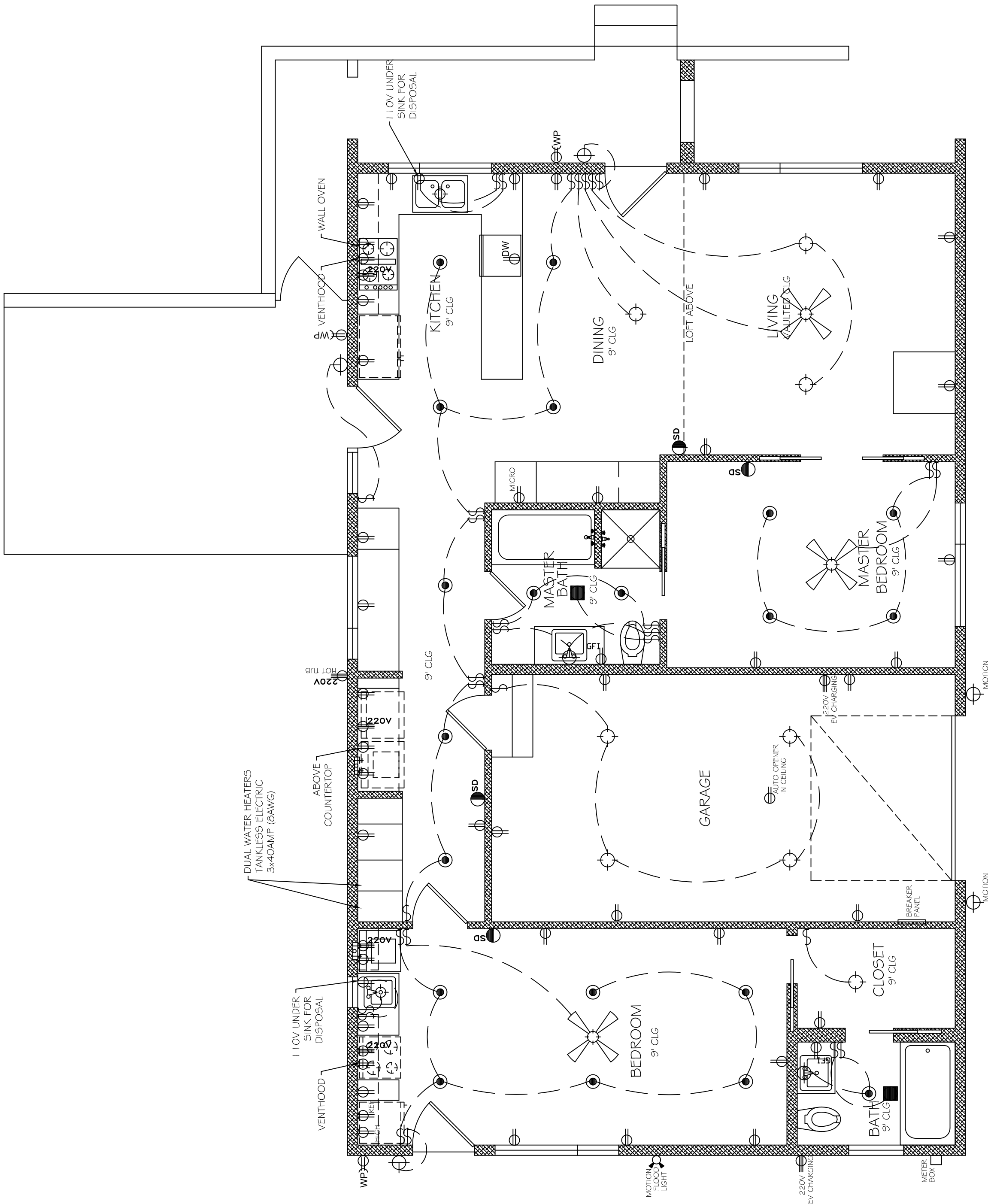
DISCLAIMER: NOT AN ARCHITECT OR ENGINEER. THIS PLAN IS FOR INFORMATION ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION. THE ARCHITECT'S FIRM IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THESE PLANS. THE CUSTOMER IS ADVISED THAT THESE PLANS ARE NOT TO BE REPRODUCED, COPIED, OR IN ANY MANNER USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF PREFERRED PLANS, LLC.

TOTAL FRAME: 1169 sq. ft.
GARAGE FRAME: 276 sq. ft.
COVERED PORCH: 95 sq. ft.

2600 VAN BUREN, STE. 2602
NORMAN, OK 73072
TEL. (405) 447-8999
www.preferred-plans.net



ELECTRICAL
7



| ELECTRICAL/LIGHTING SYMBOLS | |
|-----------------------------|---|
| | 110V DUPLEX OUTLET |
| | 110V WEATHER PROOF-NO FAULT |
| | 110V FLOOR OUTLET |
| | 220V DUPLEX OUTLET |
| | 110V GROUND FAULT INTERCEPTOR |
| | TELEVISION ANTENNA LEAD |
| | TELEPHONE OUTLET |
| | BULLET LIGHT |
| | RECESSED CAN LIGHT |
| | RECESSED SPOT LIGHT |
| | BATHROOM EXHAUST VENT |
| | BATHROOM EXHAUST VENT-HEATER & LIGHT |
| | BRACKET LIGHT |
| | WALL MOUNTED BRACKET LIGHT |
| | 4' VANITY SURFACE-MOUNTED STRIP LIGHT |
| | 3' VANITY SURFACE-MOUNTED STRIP LIGHT |
| | TRACK LIGHT (AS SPECIFIED) |
| | CEILING FAN W/ LIGHT KIT |
| | EXTERIOR FLOOD LIGHT |
| | DOOR CHIME |
| | SMOKE DETECTOR (INSTALL AS REQUIRED BY CODE) |
| | SWITCH |
| | DIMMER SWITCH |
| | JAMB SWITCH |
| | UNDER/OVER CABINET LIGHT |
| | FLUORESCENT LIGHT |



CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Wednesday, June 28, 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, June 28, 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 \(municodemetings.com\)](#) in excess of 24 hours prior to the beginning of the meeting.

Vice Chair James Howard called the meeting to order at 4:32 p.m.

ROLL CALL

PRESENT

Brad Worster
Micky Webb
James Howard

ABSENT

Curtis McCarty
Ben Bigelow

STAFF PRESENT

Lora Hoggatt, Planning Services Manager
Melissa Navarro, Planner II
Zach Abell, Planner I
Kelvin Winter, Code Compliance Supervisor
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 May 24, 2023 Board of Adjustment Meeting.

Motion made by Worster, Seconded by Webb, to approve the minutes of the May 24, 2023 Board of Adjustment meeting as presented.

Voting Yea: Worster, Webb, Howard

The motion to approve the minutes of the May 24, 2023 meeting passed by a vote of 3-0.

*

9. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223: 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 for property located at 107 N. Findlay Avenue.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Postponement Memo

PRESENTATION BY STAFF:

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

PRESENTATION BY THE APPLICANT: None

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Motion made by Worster, Seconded by Webb, to postpone BOA-2223-23 to the July 26, 2025 meeting.

Voting Yea: Worster, Webb, Howard

The motion to postpone BOA-2223-23 to the July 26, 2025 meeting passed by a vote of 3-0.

*



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 06/28/2023

REQUESTER: James Hardwick

PRESENTER: Melissa Navarro, Planner II

ITEM TITLE: 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.

ACTION NEEDED: Approve, reject, amend, or postpone the Special Exception for BOA-2223-11.

Board of Adjustment
 July 26, 2023
 BOA-2223-11

STAFF REPORT

GENERAL INFORMATION

| | |
|-------------------------|--|
| APPLICANT | James Hardwick |
| LOCATION | 1900 Ann Branden Boulevard |
| ZONING | C-2, General Commercial District and R-1, Single Family Dwelling District |
| REQUESTED ACTION | SPECIAL EXCEPTION to permit the extension of a district boundary where the boundary line of a district divides a lot in single ownership as shown of record. |
| SUPPORTING DATA | Location Map Application with attachments Site Plan |

SYNOPSIS: James Hardwick, represented by Travis Harrison, requests extension of C-2, General Commercial District, to the entirety of the lot under the provision of Chapter 36-570(g)(a) (Zoning Code). The property is currently zoned C-2, General Commercial District and R-1, Single Family Dwelling District. The Board may grant Special Exception to extend a zoning district where the boundary of a district divides a lot in single ownership.

STANDARD OF REVIEW:

Chapter 36, Section 570

- (i) Hearing of the Board of Adjustment on a Special Exception. The public hearing shall be held in accordance with the following provisions:
- (1) At said hearing, any party may appear in person or by agent or attorney;
 - (2) In those instances where a special exception is granted the Board of Adjustment shall make a finding that the granting of such special exception will not adversely affect the public interest;
 - (3) In granting any special exception, the Board of Adjustment shall prescribe the appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this

ordinance and punishable under the penalty sections of this ordinance. The Board of Adjustment shall prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.

STAFF REVIEW:

The subject property is roughly 35-acres with approximately 65% zoned C-2, General Commercial District and 35% zoned R-1, Single Family Dwelling District. The R-1 portion of the property subject to the zoning extension is on the south of the property, adjacent to R-1, Single Family Dwelling District, St. James Park, which is developed.

The subject property has been included in two previous zoning amendments:

1. Ordinance No. O-8384-75 rezoned roughly 103 acres from R-1, Single Family Dwelling District, RM-2, Low Density Apartment District, and I-1, Light Industrial District to C-1, Local Commercial District, C-2, General Commercial District, RM-6, Medium Density Apartment District and PL, Park Land District. This ordinance included the R-1 subject property. With this ordinance, the subject property was partially rezoned to C-2 in 1984.
2. Ordinance No. O-8788-56 amended the already zoned R-1 portion in the subject property to be rezoned to R-1, Single Family Dwelling District with Permissive Use for a Public or Private Golf Course, adopted with additional special conditions as follows:
 1. All lighting proposals be installed (and maintained) as proposed by the applicant to reduce to a minimum any lighting spillover.
 2. A twenty-foot landscape buffer be maintained at the southern perimeter of the project. Narrow leaf pines, specifically red cedars or their equivalent, be planted and maintained twenty-feet on center within that area.

*If the special exemption is granted, the R-1 permissive use and the listed conditions for this portion of the property will no longer exist.

CONCLUSION: Staff forwards this request for BOA-2223-11 to the Board of Adjustment for consideration.



Application for Variance or Special Exception
BOARD OF ADJUSTMENT

Case No. BOA 2223-11

City of Norman Planning & Community Development - 225 N. Webster Avenue - Norman, OK 73069 — (405) 307-7112 Phone

| | |
|--|---|
| APPLICANT(S) James Hardwick | ADDRESS OF APPLICANT 4673 Thornton Avenue, Suite A Fremont, CA 94536 |
| NAME AND PHONE NUMBER OF CONTACT PERSON(S) Travis Harrison (405) 232-0621 | EMAIL ADDRESS THarrison@FellersSnider.com |

Legal Description of Property: (UNLESS THE LEGAL DESCRIPTION IS A SIMPLE LOT AND BLOCK, THE LEGAL DESCRIPTION MUST BE PROVIDED IN A WORD DOCUMENT EMAILED TO CURRENT.PLANNING@NORMANOK.GOV)

Lot One (1), Block One (1), of Amended Plat of South Lake Addition Section 7

Requests Hearing for:

- ☐ VARIANCE from Chapter _____, Section _____
- ☒ SPECIAL EXCEPTION to permit the extension of a zoning district boundary for a lot under single ownership

Detailed Justification for above request (refer to attached Review Procedures and justify request according to classification and essential requirements therefor):

The Applicant seeks to extend the Property's C-2, General Commercial zoning district throughout the entirety of the lot. The Property is currently zoned C-2, General Commercial, and R-1, Single Family Dwelling district.

(Attach additional sheets for your justification, as needed.)

SIGNATURE OF PROPERTY OWNER(S):

James J. Hardwick

ADDRESS AND TELEPHONE:

4673 THORNTON AVE STEA FREMONT, CA
94536

OFFICE
USE
ONLY

- ☐ Application
- ☐ Proof of Ownership
- ☐ Certified Ownership List and Radius Map
- ☐ Site Plan
- ☐ Filing Fee of \$ _____
- ☐ Emailed Legal Description in Word Document

☐ VARIANCE from Chapter _____,
 Section _____

☐ SPECIAL EXCEPTION to _____

Date Submitted: _____

Checked by: _____



CERTIFICATION OF OWNERSHIP

Case No. BOA _____

City of Norman Planning & Community Development - 225 N. Webster Avenue - Norman, OK 73069 — (405) 307-7112 Phone

DATE: July 5, 2023

I, James N. Hardwick, hereby certify and attest that I am the owner, or that I have an option to purchase the following described property in the City of Norman:

Lot One (1), Block One (1) of Amended Plat of South Lake Addition Section 7, to Norman, Cleveland County, Oklahoma (1900 Ann Branden Boulevard)

AND, I further certify and attest that this legal description describes accurately the property requested for rezoning.

AND, I accept billing for the cost of publishing legal notice in the NORMAN TRANSCRIPT.

Owner's Signature: James N. Hardwick

Address: 4673 THORNTON AVE, STE A
FREMONT, CA 94536

Agent's Signature: [Signature]

Address: 100 N. Broadway, Suite 1700
Oklahoma City, OK 73102

NOTARY

Before me, the undersigned, a Notary Public in and for the State of Oklahoma, on this 5th day of July, 2023, personally appeared James N. Hardwick, to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

(SEAL)



My commission expires:

Carla J. Campbell
Notary Public

I hereby accept this Certification of Ownership in lieu of a deed or other legal document showing proof of ownership.

Signature: _____
Title: _____

CITY OF NORMAN

PLEASE SE
ACKNO'LED
FROM NOT

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

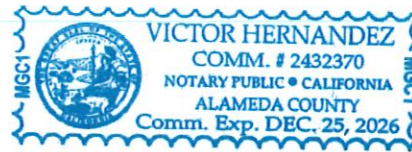
State of California
County of Alameda

On June 16, 2023 before me, Victor Hernandez, Notary Public
(insert name and title of the officer)

personally appeared James N. Hardwick
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature *Victor Hernandez* (Seal)

E ATTACHED
GMENT/JURAT
ARY PUBLIC



Application for Variance or Special Exception
BOARD OF ADJUSTMENT

Case No. BOA 223-11

City of Norman Planning & Community Development - 201 W. Gray St., Bldg. A - Norman, OK 73069 — (405) 366-5433 Phone - (405) 366-5274 Fax

| | |
|---|--|
| APPLICANT(S) James Hardwick | ADDRESS OF APPLICANT c/o Rieger Law Group PLLC, Attorney for Applicant 136 Thompson Drive Norman, OK 73069 |
| NAME AND PHONE NUMBER OF CONTACT PERSON(S) c/o Gunner Joyce, Attorney for Applicant 405-310-5274 | EMAIL ADDRESS c/o Gunner Joyce gjoyce@riegerlawgroup.com |

Legal Description of Property: Lot One (1), Block One (1), of Amended Plat of South Lake Addition Section 7

Requests Hearing for:

- ☐ VARIANCE from Chapter _____, Section _____
☒ SPECIAL EXCEPTION to permit the extension of of a zoning district boundary for a lot under single ownership

Detailed Justification for above request (refer to attached Review Procedures and justify request according to classification and essential requirements therefor):

The Applicant seeks to extend the Property's C-2, General Commercial zoning district throughout the entirety of the lot. The Property is currently zoned C-2, General Commercial, and R-1, Single Family Dwelling district.

(Attach additional sheets for your justification, as needed.)

SIGNATURE OF PROPERTY OWNER(S):


c/o Gunner Joyce, Attorney for Applicant

ADDRESS AND TELEPHONE:

Gunner Joyce, Attorney for Applicant
405-310-5274; gjoyce@riegerlawgroup.com
136 Thompson Dr., Norman, OK 73069

OFFICE
USE
ONLY

- ☒ Application
☒ Proof of Ownership
☒ Certified Ownership List and Radius Map
☐ Site Plan
☒ Filing Fee of \$ 200.00

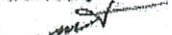
☐ VARIANCE from Chapter _____,
 Section _____

☒ SPECIAL EXCEPTION to
36-570(g)(2) a

Date Submitted:

4-3-2023

Checked by:



Filed: 09-09-1991 00:00:00 AM

Doc Number: R 1991 24546

Book: RB 2315 Page:858

910853 RETURN TO: STAN WARD, 629 24TH AVE. S.W., NORMAN, OKLA. 73069
 MAIL TAX STMT: GARY COX, 1900 ANN-BRADEN BLVD., NORMAN, OKLA. 73071

167/000

24546
WARRANTY DEED
 (Statutory Form)

8034 2315 PAGE 858

KNOW ALL MEN BY THESE PRESENTS:

THAT SOUTHLAKE LIMITED PARTNERSHIP, an Oklahoma Limited Partnership

_____, part Y of the first part, in consideration of the

sum of TEN AND 00/100 Dollars,

and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do SS

hereby grant, bargain, sell and convey unto JAMES N. HARDWICK

_____, part Y

of the second part, the following described real property and premises situate in CLEVELAND

County, State of Oklahoma, to-wit:

SURFACE RIGHTS ONLY
SEE ATTACHED EXHIBIT

OKLAHOMA Documentaries
 Tax Commission
 SEP-91
 495.00

STATE OF OKLAHOMA
FILED AND RECORDED
SEP 9 4 34 PM '91
BILLIE JEAN STEPHENSON
CLERK

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said part Y of the

second part. HIS heirs and assigns forever, free, clear and discharged of and

from all former grants, charges, taxes, judgments, mortgages and other liens and incumbrances of whatsoever nature.

Signed and delivered this 6TH day of SEPTEMBER, 19 91

Carl M. Deskin
 CARL M. DESKIN
 a/k/a MIKE DESKIN, General Partner of Southlake Limited Partnership, an Oklahoma
 LIMITED PARTNERSHIP
 STATE OF OKLAHOMA
 COUNTY OF CLEVELAND

ACKNOWLEDGEMENT
 (Oklahoma Form)

Before me, the undersigned, a Notary Public, in and for said County and State, on this 6TH day of SEPTEMBER, 19 91, personally appeared CARL M. DESKIN a/k/a MIKE DESKIN,
GENERAL PARTNER OF SOUTHLAKE LIMITED PARTNERSHIP, AN OKLAHOMA LIMITED PARTNERSHIP

to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that HE

executed the same for HIS free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My commission expires 4-14-95

Jean Murphy, Notary Public

Compliments of Chicago Title Insurance Company.

Boo

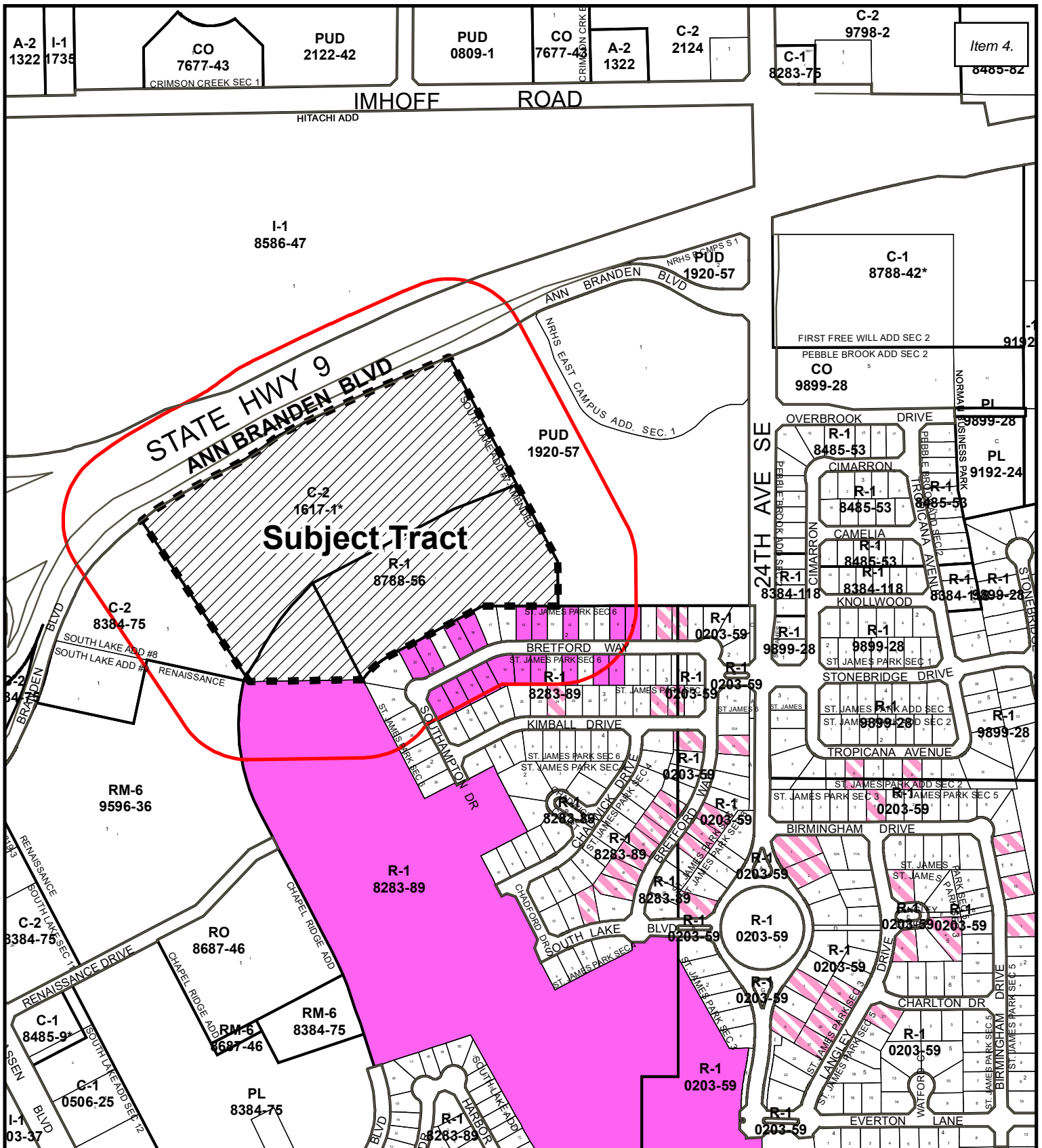
BOOK 2315 PAGE 859

SURFACE RIGHTS ONLY

A part of the Northeast Quarter (NE/4), Section Nine (9), Township Eight (8) North, Range Two (2) West, of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows: Commencing at the SE Corner of said NE/4; thence N 00°05' 46" W and along the East Line of said NE/4 a distance of 2141.94 feet to a point on the South Right-of-Way Line of Oklahoma State Highway No. 9 and a point on a curve; thence along said South Right-of-Way Line and around a curve to the left, having a radius of 10,677.96 feet and a chord bearing S 71°34'12" W with a length of 943.10 feet, a distance of 943.41 feet; thence S 57°10'39" W a distance of 177.15 feet to a point on a curve; thence around a curve to the left, having a radius of 10,642.96 feet and a chord bearing S 67°33'04" W with a length of 206.02 feet a distance of 206.02 feet to the point or place of beginning. Thence S 28°02'31" E a distance of 609.55 feet; thence S 69°30'56" E a distance of 317.53 feet; thence S 61°57'29" W a distance of 422.62 feet to a point of curvature; thence around a curve to the left having a radius 705.79 feet a distance of 359.64 feet; thence N 27°35'11" W a distance of 675.06 feet to a point on said South Right-of-Way Line of O.S.H. No. 9; thence N 62°24'49" E and along said South Right-of-Way Line a distance of 226.02 feet; thence N 51°19'14" E a distance of 126.19 feet to a point on a curve; thence around a curve to the right having a radius of 10,642.96 feet and a chord bearing N 65°02'18" W with a length 727.31 feet a distance of 727.46 feet to the point or place of beginning.

SURFACE RIGHTS ONLY

A part of the Northeast Quarter (NE/4) of Section Nine (9), Township Eight (8) North, Range Two (2) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows: Commencing at the SE Corner of said NE/4; thence N 00°05' 46" W and along the East line of said NE/4, a distance of 2141.94 feet to a point on the South Right-of-Way Line of Oklahoma State Highway No. 9 and a point on a curve; thence along said South Right-of-Way Line and around a curve to the left having a radius of 10,677.96 feet and a chord bearing S 71°34'12" W with a length of 943.10 feet, a distance of 943.41 feet; thence S 57°10'39" W a distance of 177.15 feet to a point on a curve; thence around a curve to the left, having a radius of 10,642.96 feet and a chord bearing S 67°33'04" W with a length of 206.02 feet, a distance of 206.02 feet; thence S 28°02'31" E a distance of 609.55 feet to the point or place of beginning. Thence continuing S 28°02'31" E a distance of 350.25 feet; thence S 00°05'46" E a distance of 164.30 feet; thence S 89°54'14" W a distance of 292.65 feet; thence S 61°57'29" W a distance of 401.87 feet to a point of curvature; thence on a curve to the left having a radius of 305.79 feet and a chord bearing S 48°39'00" W with a length of 140.78 feet, a distance of 142.05 feet; thence N 27°35'11" W a distance of 419.65 feet to a point on a curve; thence along a curve to the right having a radius of 705.79 feet, a chord bearing N 56°30'00" E with a length of 134.27 feet, a distance of 134.47 feet; thence N 61°57'29" E a distance of 422.62 feet; thence N 69°30'56" E a distance of 317.53 feet to the point or place of beginning.

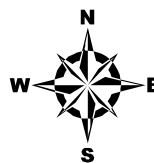


Protest Map



28.3% Protest Within Notification Area

Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.



0 250 500 Feet

July 21, 2023

-  Subject Tract
-  Notification Area
-  Protest
-  Protest Outside Notification Area

Christopher and Lora Hoggatt
2317 Bretford Way
Norman, OK 73071

July 20, 2023

City of Norman Board of Adjustment
201 W. Gray St.
Norman, OK 73069

Dear Board Members,

We are writing to express our protest to the application for Special Exception to expand the C-2 zoning for the entire tract at 1900 Ann Branden Blvd, BOA-2223-11.

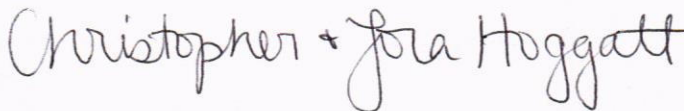
As a Planning professional, it is my understanding and interpretation that this is not the intended purpose of the Special Exception to "permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record." The provision is intended to be used in instances where there has been a mistake in legal descriptions used for rezoning applications or when land was annexed into the municipality and zoned incorrectly.

After review of minutes from Planning Commission and City Council meetings when the current zoning was approved, it is clear this area was meant to be a buffer between commercial and residential uses. Even within this property, there was meant to be a buffer of landscaping and space between the proposed golf driving range and the single-family homes.

In addition to the Special Exception not being appropriate in this specific situation, the C-2 zoning district is also not appropriate against a developed R-1 neighborhood. The C-2 district is the most intense commercial district in the Zoning Ordinance as far as uses allowed. If the site is not going to be developed as single-family, there are office and commercial districts which would be much more appropriate next to R-1 developments. The applicant should seek to rezone to a more appropriate district through the proper avenue of the regular rezoning process.

We appreciate your consideration and request you deny the Special Exception request.

Sincerely,



Christopher and Lora Hoggatt

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7/20/23

I LIVE AT 2221 BRET FORD WAY IN
ST JAMES PARK. MY HOUSE BACKS UP TO
THE FIELD BEHIND WHAT USED TO BE
PERFECT SWING.

I WOULD LIKE TO PROTEST THE REQUEST
FOR SPECIAL EXCEPTION.

THE PROPERTY IS IN COMPLETE
DISREPAIR. IT SHOULD EITHER BE
REPAIRED OR TORN DOWN.

THANK YOU FOR YOUR TIME.

BECKY CRAIG

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4/17/23

2221 BRET FORD WAY
NORMAN, OK 73011
405-226-4014
BECRAIGC@GMAIL.COM

ANTHONY MIRZAIE

City of Norman Board of Adjustments

301 N Gray St

Norman, OK, 73069

RE: 1900 Ann Braden Blvd.

To the City of Norman Board of Adjustments,

I, Anthony Mirzaie, as a property owner of St. James Park are writing to protest the request of James Hardwick, owner of the Perfect Swing land. It has come to our attention that Mr. Hardwick is requesting to change the zoning of his land from R-1 to C-2. He is using a Special Exemption zoning request. We strongly object to this proposal. Mr. Hardwicks current zoning has a residential component that was intentionally zoned R-1 to protect the property owners of St. James Park and future property owners from the C-2 designation. Approving this special exemption removes all protections to the property owners and future owners and all that it would include. We kindly ask the Board of Adjustments to decline this request unanimously and any future zoning request to change Mr. Hardwicks land from R-1.

Sincerely,

Anthony Mirzaie

Mirzaie

6.20.2023

①

Name and Signatures of Board Members:

HOA President: Patrick Burke _____

HOA Vice-President: Travis Thomas  _____

HOA Treasurer: Brad Stanton _____

HOA Secretary: Kaly McCollom _____

Signatures of Property owners:

Print Name Tracy McCarySignature Tracy McCary ✓ outAddress 3116 Langley Dr Norman OK 73071 ✓Print Name Michael MealerSignature Michael Mealer ✓ outAddress 2420 Tropicana Ave Norman OK 73071 ✓ outPrint Name Lawrence MaySignature Lawrence May ✓ outAddress 3005 Birmingham Dr Norman, OK 73071 ✓Print Name Gladys CrutchfieldSignature Gladys Crutchfield ✓ outAddress 2327 Kimball, Norman OK 73071 ✓ outPrint Name Laura Turner-WheelerSignature Laura Turner-Wheeler ✓ outAddress 3117 24th Ave SE Norman OK 73071 ✓ outPrint Name DOUG BUCKSignature Doug Buck ✓ outAddress 2925 Bretford Way Norman, OK 73071 ✓ outPrint Name Kay ChatterjiSignature Kay Chatterji ✓ outAddress 2408 Tropicana Ave Norman OK 73071 ✓ outPrint Name Jerry Nevels

Signature _____

Address 2312 BRET FORD BRET FORD ✓Print Name BARBARA LACKSSignature Barbara Lacks ✓ outAddress 3016 LANGLEY DR ✓ outPrint Name Abdallah Malekpour Signature A. MalekpourAddress Sheridan Homes ✓Address P.O. Box 1676 Norman OK 73070 ✓

2240 Bretford Way

Signatures of Property owners:

Print Name Katherine C. Neal Signature Katherine C. Neal
 Address 2316 Bretford Way Norman, OK 73071

Print Name Linda Lee Signature Linda Lee

Address 2421 Birmingham Dr. Norman, OK 73071 out

Print Name Linda Nevels Signature Linda A. Nevels

Address 2312 Bretford Way

Print Name Gail Wood Signature _____

Address 2225 South Lake Blvd. out

Print Name GUIZHI ZHU Signature Guizhi Zhu

Address 2304 BRET FORD WAY NORMAN OK 73071

Print Name IAN MDOGENDI Signature I. Mogendi

Address 2252 Bretford Way

Print Name Marius Acklin Signature M. Acklin

Address 2234 Bretford Way

Print Name Malcolm Marshall Signature Malcolm Marshall

Address 2230 Bretford Way

Print Name Deidra Manning Signature D. Manning

Address 2226 Bretford Way

Print Name JOSEPH KAROMIRSKI Signature Joseph Karomirski

Address 2237 BRET FORD WAY

Signatures of Property owners:

Print Name JAY MATTSON Signature Jay A. Mattson ✓ out

Address 2904 BRETFORD WAY

Print Name Mike Jones Signature Mike Jones ✓ out

Address 2321 Kimble Dr

Print Name Jon Barrett Signature Jon Barrett ✓ out

Address 2325 Kimball Dr.

Print Name James Nichols Signature James D. Nichols ✓ out

Address 2905 Bretford Way

~~Print Name DAX COCHREN Signature _____~~

~~Address 2709 Bretford Way~~

Print Name DAX COCHREN Signature Dax Cochren

Address ~~2921 BRETFORD WAY~~ 2709 Bretford WAY?

Print Name JOSEPH T. LOGAN JR. Signature Joseph T. Logan Jr. ✓ out

Address 2921 Bretford WAY

Print Name GREG IMAN Signature Greg Iman ✓ out

Address 3001 BRETFORD WAY, NORMAN, OK

Print Name Zac Allen Signature Zac Allen ✓ out

Address 3012 Bretford way, Norman, OK

Print Name Jason Wisdom Signature Jason Wisdom ✓ out

Address 3016 Bretford Way

(5)

DON CERU
405-627-5844

Item 4.

Signatures of Property owners:

Print Name Sarah Corpus Signature [Signature]

Address 2225 Bretford Way Norman OK 73071 ✓✓

Print Name CHRISTOPHER BECKER Signature [Signature]

Address 2233 Bretford Way NORMAN OK 73071 ✓✓

Print Name Nichole Ransom Signature [Signature]

Address 2248 Bretford Way Norman, OK 73071 ✓✓

Print Name Erin Simpson Signature [Signature]

Address 2251 Bretford Way Norman, OK 73071 ✓✓

Print Name Lawrence Switzer Signature [Signature]

Address 2321 Bretford way Norman OK 73071 ✓✓

Print Name Caraway, Thaddus Signature [Signature]

Address 2327 Bretford way Norman, OK 73072 ✓ out

Print Name Madison Sims Signature [Signature]

Address 2333 Bretford way Norman OK 73071 ✓ out

Print Name _____ Signature _____

Address _____

Print Name _____ Signature _____

Address _____

Print Name _____ Signature _____

Address _____

[Signature]

Signatures of Property owners:

Print Name Beth Roberson Signature B. Roberson ✓ out

Address 3008 Bretford Way, Norma OK 73071

Print Name Megan Wienke Signature M. Wienke

Address 3004 Bretford, Norman, OK 73071 ✓ out

Print Name Jason Jacobson Signature Jason Jacobson

Address 2928 Bretford Way Norman, OK 73071 ✓ out

Print Name Cheryl Bäst Signature Cheryl Bäst

Address 3000 Bretford Way ✓ out

Print Name _____ Signature _____

Address _____

Print Name _____ Signature _____

Address _____

Print Name _____ Signature _____

Address _____

Print Name _____ Signature _____

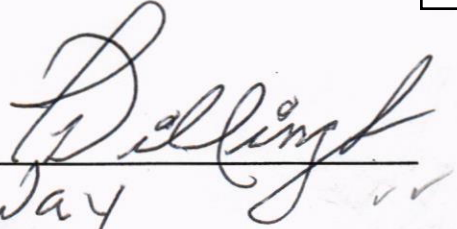
Address _____

Print Name _____ Signature _____

Address _____

Print Name _____ Signature _____

Address _____

Signatures of Property owners:Print Name TERRY Dillingham Signature Address 2249 Bretford WayPrint Name David Jimenez Signature Address 2924 Bretford Way, Norman OK 73071 ✓ outPrint Name Sameer Ali Signature Address 1305 Bretford way, Norman, OK 73071 ✓Print Name John C. Kokoska Signature Address 2222 Bretford Way, Norman, OK 73071 ✓Print Name Brad Stanton Signature Address 3101 Birmingham Blvd Norman 73071 ✓ outPrint Name TRAVIS THOMAS Signature Address 3013 BIRMINGHAM DR NORMAN, OK 73071 - outPrint Name Diane Lovell Signature Address 3016 24th Ave SE Norman, OK 73071 ✓ outPrint Name EDMUND CHOJNICKI Signature Address 3005 24TH AVE SE, NORMAN, OK 73071 ✓ outPrint Name Jennifer Goldberg Signature Address 3001 24TH AVE SE NORMAN OK 73071 ✓ out

Print Name _____ Signature _____

Address _____

8

Signatures of Property owners:

Print Name Marilyn McCary Signature Marilyn McCary
 Address 3116 Langley Dr., Norman, OK 73071 ✓ out
 Print Name Senona Carbone Signature Senona Carbone
 Address 3112 Langley Dr., Norman OK 73071 ✓ out
 Print Name Steven Carbone Signature Stel
 Address 3112 Langley Drive, Norman OK 73071 ✓ out
 Print Name Branden Braun Signature Brand Braun
 Address 3120 Langley Dr. Norman Okla. ✓ out
 Print Name Stephen M. Lane Signature the 12 Jan
 Address 3124 Langley Dr. Norman OK ✓ out
 Print Name Patricia A Lane Signature Patricia A Lane
 Address 3124 Langley Dr. Norman OK ✓ out
 Print Name Sheldon Leigh Signature Steth
 Address 3113 Langley Dr Norman OK 73071 ✓ out
 Print Name Monica Hager Signature Monica Hager
 Address 3109 24th Ave SE Norman OK 73071 ✓ out
 Print Name _____ Signature _____
 Address _____
 Print Name _____ Signature _____
 Address _____

9

Signatures of Property owners:Print Name Jack WhiteSignature [Signature]Address 2500 Langley Ct Norman OK 73071 ✓ outPrint Name Vincent LeamySignature [Signature]Address 3012 Langley Dr Norman OK 73071 ✓ outPrint Name MIKE DESSLERSignature [Signature]Address 2501 LANGLEY CT ✓ outPrint Name Parula DonicaSignature [Signature]Address 2508 Langley Ct, Norman, OK 73071 ✓ out

Print Name _____

Signature _____

Address _____

Print Name _____

Signature _____

Address _____

Print Name _____

Signature _____

Address _____

Print Name _____

Signature _____

Address _____

Print Name _____

Signature _____

Address _____

Print Name _____

Signature _____

Address _____

10

ST JAMES PARK, LLC

City of Norman Board of Adjustments

301 N Gray St

Norman, OK, 73069

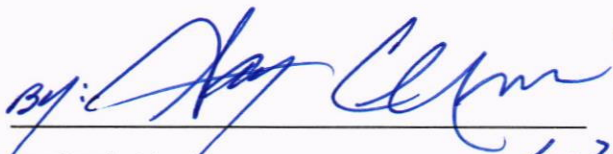
RE: 1900 Ann Braden Blvd.

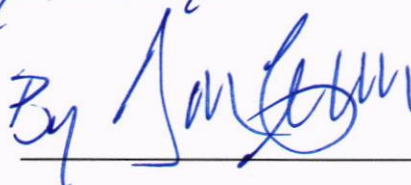
To the City of Norman Board of Adjustments,

We, St James Park, LLC, as a property owner of St. James Park are writing to protest the request of James Hardwick, owner of the Perfect Swing land. It has come to our attention that Mr. Hardwick is requesting to change the zoning of his land from R-1 to C-2. He is using a Special Exemption zoning request. We strongly object to this proposal. Mr. Hardwicks current zoning has a residential component that was intentionally zoned R-1 to protect the property owners of St. James Park and future property owners from the C-2 designation. Approving this special exemption removes all protections to the property owners and future owners and all that it would include. We kindly ask the Board of Adjustments to decline this request unanimously and any future zoning request to change Mr. Hardwicks land from R-1.

Sincerely,

St James Park, LLC

By: 
Jay Cervi, Member 6-20-23.

By: 
Don Cervi, Member 6-20-2023

Don Cervi, Member

11

HERITAGE FINE HOMES INVESTMENTS, LLC

City of Norman Board of Adjustments

301 N Gray St

Norman, OK, 73069

RE: 1900 Ann Braden Blvd.

To the City of Norman Board of Adjustments,

We, Heritage Fine Homes Investments, LLC, as a property owner of St. James Park are writing to protest the request of James Hardwick, owner of the Perfect Swing land. It has come to our attention that Mr. Hardwick is requesting to change the zoning of his land from R-1 to C-2. He is using a Special Exemption zoning request. We strongly object to this proposal. Mr. Hardwicks current zoning has a residential component that was intentionally zoned R-1 to protect the property owners of St. James Park and future property owners from the C-2 designation. Approving this special exemption removes all protections to the property owners and future owners and all that it would include. We kindly ask the Board of Adjustments to decline this request unanimously and any future zoning request to change Mr. Hardwicks land from R-1.

Sincerely,

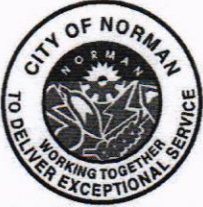
Heritage Fine Homes Investments, LLC



6-20-2023

Don Cervi, Manager / Member





CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Wednesday, June 28, 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, June 28, 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 \(municodem meetings.com\)](#) in excess of 24 hours prior to the beginning of the meeting.

Vice Chair James Howard called the meeting to order at 4:32 p.m.

ROLL CALL

PRESENT

Brad Worster
Micky Webb
James Howard

ABSENT

Curtis McCarty
Ben Bigelow

STAFF PRESENT

Lora Hoggatt, Planning Services Manager
Melissa Navarro, Planner II
Zach Abell, Planner I
Kelvin Winter, Code Compliance Supervisor
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 May 24, 2023 Board of Adjustment Meeting.

Motion made by Worster, Seconded by Webb, to approve the minutes of the May 24, 2023 Board of Adjustment meeting as presented.

Voting Yea: Worster, Webb, Howard

The motion to approve the minutes of the May 24, 2023 meeting passed by a vote of 3-0.

*

ACTION ITEMS

2. 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. Location Map
2. Postponement Memo
3. Request for Postponement to July 26, 2023

AUDIENCE PARTICIPATION:

Patrick Burke, 2337 Bretford Way, President of the St. James Park HOA – This application pertains to land adjacent to their subdivision. They have presented a petition with 60 signatures against the proposal.

Don Cervi, 1901 Windemere Drive, one of the developers for St. James Park – They have raw land that will also abut the subject tract. He asked how many times this can be postponed.

Ms. Muckala addressed the question of postponement. Mr. Webb added that during his time on the Board, it has been the choice of the applicant. Ms. Muckala agreed that the past policy of the Board has been to give deference to the applicant.

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Mr. Worster asked that the applicant be present next month to provide more information if they want to postpone again.

Motion made by Worster, Seconded by Webb, to postpone BOA-2223-11 to the July 26, 2023 meeting.

Voting Yea: Worster, Webb, Howard

The motion to postpone BOA-2223-11 to the July 26, 2023 meeting passed by a vote of 3-0.

*